Planning Commission
REGULAR MEETING AGENDA
Tuesday, October 13, 2026 | 7:00 PM
Police Department Emergency Operations Center – 100 N First Street, Campbell, CA

CALL TO ORDER / ROLL CALL

This Planning Commission meeting will be conducted in person and virtually via video teleconferencing (Zoom) in compliance with the provisions of the Brown Act. A quorum of the Planning Commission will be in attendance at the Campbell Community Center. Members of the public may attend this meeting in person at Campbell Community Center or virtually via Zoom at https://campbellca.gov/PCSignup. The meeting will also be live streamed on Channel 24, the City's website, and on YouTube at https://www.youtube.com/@CityofCampbell.

Written correspondence will be accepted via email at planning@campbellca.gov until 12:00 PM on the day of the meeting, and thereafter may be delivered in-person at the public hearing. Written correspondence will be posted to the City's website and distributed to the Planning Commission. If you choose to email your comments, please indicate in the subject line "FOR PUBLIC COMMENT" and indicate the item number.

Members of the public may be allotted up to two (2) minutes to comment on any public hearing or study session item. Applicants/Appellants and their representatives may be allotted up to a total of five (5) minutes for opening statements and up to a total of three (3) minutes maximum for closing statements. Items requested/recommended for continuance are subject to Planning Commission's consent at the meeting.

APPROVAL OF MINUTES

1. **Approval of Minutes of September 22, 2026** *(Roll Call Vote)*

   Recommended Action: That the Planning Commission approve the regular meeting minutes of September 22, 2026.

COMMUNICATIONS

AGENDA MODIFICATIONS OR POSTPONEMENTS

ORAL COMMUNICATIONS

This portion of the meeting is reserved for individuals wishing to address the Planning Commission on matters of community concern that are not listed on the agenda. In the interest of time, the Chair may limit speakers to five minutes. Please be aware that State law prohibits the Commission from acting on non-agendized items, however, the Chair may refer matters to staff for follow-up.

PUBLIC HEARING

2. **635, 655, 675, and 695 Campbell Technology Parkway – Planned Development Permit, Vesting Tentative Subdivision Map, and Tree Removal Permit** (Resolution/Roll Call Vote)

Public Hearing to consider the application of Bay West Development to allow demolition of the existing Campbell Technology Park research and development campus and construction of a housing development project consisting of 290 dwelling units, including 27 two-story detached single-family homes and 263 townhome-style condominium units arranged across 28 three-story townhouse rows and 15 four-story townhouse rows, with associated site, parking, landscaping, open space, stormwater management, and public and private improvements, on properties located at **635, 655, 675, and 695 Campbell Technology Parkway**.

The applications under consideration include a Planned Development Permit to allow demolition of the existing research and development campus and construction of the proposed housing development, including public improvements along Campbell Technology Parkway and an increase in fence and wall height to eight feet along the Highway 17 boundary; a Vesting Tentative Subdivision Map to allow the creation of 70 private lots, 17 common lots, and 263 residential condominiums, together with dedication of public right-of-way, related public and private easements, and vacation of public easements dedicated by the prior Parcel Map recorded in Book 716 at Pages 25–27 that conflict with the proposed redevelopment; and a Tree Removal Permit to allow the removal of 116 existing trees.

The project is subject to a Housing Crisis Act (HCA) preliminary application filed pursuant to Government Code Section 65941.1 on April 18, 2023, which established the date for determining the ordinances, policies, and standards applicable to the project. Because the City's Housing Element was not in substantial compliance with State law at that time, the project is subject to the provisions of Government Code Section 65589.5 commonly referred to as the "Builder's Remedy." The City, as Lead Agency under the California Environmental Quality Act (CEQA), has prepared a Final Environmental Impact Report (Final EIR) for the proposed project [SCH No. 2024121066]. The Final EIR includes the Draft EIR, comments received, responses to comments, and revisions and clarifications to the Draft EIR. The Planning Commission will consider the Final EIR and proposed project and make recommendations to the City Council. The Final EIR is available for review at campbellca.gov/DocumentCenter/View/31316 and at Campbell City Hall and the Campbell Library. File No. PLN-2023-165. Tentative City Council Date: November 2, 2026. Project Planner: Daniel Fama, Senior Planner.

Recommended Action: (1) Adopt a Resolution, recommending that the City Council certify the Final Environmental Impact Report (FEIR) and adopt the CEQA Findings of Fact and Mitigation Monitoring and Reporting Program (MMRP); and (2) adopt a Resolution recommending that the City Council approve the Planned Development Permit, Vesting Tentative Subdivision Map, and Tree Removal Permit, subject to the recommended Conditions of Approval.

STAFF AND COMMITTEE REPORTS

3. **Planning Commission Subcommittee Reports**

   - **Housing Permits Streamlining Ad Hoc Subcommittee –** *Commissioners Buchbinder and Kamkar*

     This subcommittee will interview developers and other stakeholders to identify production, bottlenecks and propose policies.

   - **Permitting Process for Streamlining to Benefit Economic Development Ad Hoc Subcommittee –** *Commissioners Zisser and Aquilina*

     This Subcommittee is researching permit streamlining actions the City could enact to support economic and business development, focusing on Conditional Use Permits.

4. **Report of the Community Development Director** – *Rob Eastwood, Community Development Director*

   The Community Development Director will provide a verbal update on matters of interest to the Planning Commission.

ADJOURNMENT

Adjourn to the Planning Commission meeting of **October 27, 2026**, at 7:00 PM, in the Police Department Emergency Operations Center, 100 North First Street, Campbell, California and via telecommunication.

Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, listening assistance devices are available for meetings held in the Council Chambers. If you require accommodation to participate in the meeting, please contact the City Clerk's Office at ClerksOffice@campbellca.gov or 408-866-2117 in advance of the meeting.

PLANNING COMMISSION
REGULAR MEETING MINUTES
Tuesday, September 22, 2026 I 7:00pm
Police Department Emergency Operations, 100 North First Street, Campbell CA 95008

CALL TO ORDER

The Regular Planning Commission meeting of September 22, 2026, was called to order at 7:00 pm by Chair Fields, and the following proceedings were followed

ROLL CALL

Planning Commissioners Present:
Davis Fields, Chair
Matt Kamkar
Adam Buchbinder
Alan Zisser
Phil Alne

Planning Commissioners Absent:
Gary Aquilina, Vice Chair

Staff
Present:
Victoria Thompson, City Attorney's Office
Rob Eastwood, Director
Nathan Donato-Weinstein, Economic Development Manager
Daniel Fama, Senior Planner
Matt Ryan, Sergeant
Ian White, Captain

COMMUNICATIONS

None.

AGENDA MODIFICATIONS OR POSTPONEMENTS

None.

ORAL COMMUNICATIONS

This portion of the meeting is reserved for individuals wishing to address the Planning Commission on matters of community concern that are not listed on the agenda. In the interest of time, the Chair may limit speakers to five minutes. Please be aware that State law prohibits the Commission from acting on non-agendized items, however, the Chair may refer matters to staff for follow-up.

APPROVAL OF MINUTES

1. **Approval of Minutes of August 25, 2026** *(Roll Call Vote)*

   Recommended Action: That the Planning Commission approve the regular meeting minutes of August 25, 2026.

   Motion: **Upon motion by Commissioner Zisser, seconded by Commissioner Kamkar, the Planning Commission motioned to approve the regular meeting minutes of August 25, 2026, with corrections outlined, by the following roll call:**

   AYES: **Zisser, Fields, Kamkar, Alne, Buchbinder**
   NOES: **None**
   ABSTAIN: **None**
   ABSENT: **Aquilina**

COMMUNICATIONS

AGENDA MODIFICATIONS OR POSTPONEMENTS

Community Development Director identified written correspondence distributed with the packet but reported no agenda modifications or postponements

PUBLIC HEARING

2. **1581 W Campbell Avenue – Conditional Use Permit w/Site and Architectural Review** (Resolution/Roll Call Vote)

   Public Hearing to consider the application of Devendra Deshwal on behalf of Apni Mandi Farmers Market to allow the establishment of an approximately 26,000-square-foot grocery store with off-site alcohol sales and 24-hour operation, including construction of an approximately 920-square-foot mezzanine, tenant-related building façade alterations, and associated parking lot modifications, within an existing commercial building on property located at **1581 W Campbell Avenue**. The application under consideration is a Conditional Use Permit with Site and Architectural Review. File No.: PLN-2025-167. Staff is recommending that this item be deemed Categorically Exempt from CEQA. Planning Commission action is final unless appealed in writing to the City Clerk within 10 calendar days. P*roject Planner: Daniel Fama, Senior Planner.*

   Recommended Action: Adopt a Resolution approving a Conditional Use Permit with Site and Architectural Review.

Senior Planner Daniel Fama presented proposed planning application for a Conditional Use Permit and Site and Architectural Review for a proposed grocery store at 1581 West Campbell Avenue. The Project, located at the former Big Lots in the Wing Center, includes plans for 24-hour operations, off-site alcohol sales, exterior building renovations, and modifications to the parking lot and site layout.

Commissioners were informed that public safety requirements mandate a security plan and camera system subject to police chief approval, covering areas such as entrances, point-of-sale terminals, and parking lots, with integration into the police department's platform.

Captain White confirmed that the Police Department had reviewed the application.

Under public comment, Dean Richards, CEO of Apni Mandi stated that the layout and sectioned off portions of the store were intentionally designed that way to consider the religious and cultural preferences of the clientele.

Owner of the plaza stated he is supportive of the application and plans to continue to maintain and upkeep the property as they have for three generations in their family.

Commissioners voiced support for the project, noting the site's proximity to office buildings rather than residential areas and the inclusion of bike parking on site.

Motion: **Upon motion by Commissioner Zisser, seconded by Commissioner Kamkar, the Planning Commission motioned to adopt resolution approving a Conditional Use Permit with Site and Architectural Review (PLN-2025-167) to allow establishment of an approximately 26,000-Square-foot grocery store with off-site alcohol sales and 24-hour operation within an existing commercial building, including construction of an approximately 920-sqaure-foot mezzanine, tenant0related building façade alterations, and associated parking lot modification on property located at 1581 W. Campbell Avenue., by the following roll call:**

AYES: **Zisser, Alne, Fields, Kamkar, Buchbinder**
NOES: **None**
ABSTAIN: **None**
ABSENT: **Aquilina**

STAFF AND COMMITTEE REPORTS

3. **Planning Commission Subcommittee Reports**

- **Housing Permits Streamlining Ad Hoc Subcommittee –** *Commissioners Buchbinder and Kamkar*

  This subcommittee will interview developers and other stakeholders to identify production, bottlenecks and propose policies.

Commissioner Buchbinder will be bringing an update or potential report in October or November.

- **Permitting Process for Streamlining to Benefit Economic Development Ad Hoc Subcommittee –** *Commissioners Zisser and Aquilina*

  This Subcommittee is researching permit streamlining actions the City could enact to support economic and business development, focusing on Conditional Use Permits.

4. **Report of the Community Development Director** – *Rob Eastwood, Community Development Director*

   The Community Development Director will provide a verbal update on matters of interest to the Planning Commission.

   Director Eastwood provided the following updates:

   - Hired an Unhoused Specialist
   - An offer was made to an Assistant Planner candidate.
   - City Council approved an extension to SB450 - SB9 as an urgency ordinance.
   - Next Planning Commission meeting is scheduled for Oct 13th.
   - A special SARC will be held for the Campbell Tech Park EIR.
   - An upcoming Special meeting will be held with Council to interview and appointment a Planning Commissioner.

ADJOURNMENT

Adjourned at 7:52pm to the Planning Commission meeting of **October 8, 2026**, at 7:00 PM, in the Police Department Emergency Operations Center, 100 North First Street, Campbell, California and via telecommunication.

Americans with Disabilities Act (ADA)

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PREPARED BY: _____
Ken Ramirez, Administrative Analyst

APPROVED: _____

Davis Fields, Chair

ATTEST: _____

Rob Eastwood, Secretary

ITEM NO. 2

CITY OF CAMPBELL · PLANNING COMMISSION
Staff Report · October 13, 2026

PLN-2023-165

Bay West Development

Public Hearing to consider the application of Bay West Development to allow demolition of the existing Campbell Technology Park research and development campus and construction of a housing development project consisting of 290 dwelling units, including 27 two-story detached single-family homes and 263 townhome-style condominium units arranged across 28 three-story townhouse rows and 15 four-story townhouse rows, with associated site, parking, landscaping, open space, stormwater management, and public and private improvements, on properties located at **635, 655, 675, and 695 Campbell Technology Parkway**. The applications under consideration include a Planned Development Permit to allow demolition of the existing research and development campus and construction of the proposed housing development, including public improvements along Campbell Technology Parkway and an increase in fence and wall height to eight feet along the Highway 17 boundary; a Vesting Tentative Subdivision Map to allow the creation of 70 private lots, 17 common lots, and 263 residential condominiums, together with dedication of public right-of-way, related public and private easements, and vacation of public easements dedicated by the prior Parcel Map recorded in Book 716 at Pages 25–27 that conflict with the proposed redevelopment; and a Tree Removal Permit to allow the removal of 116 existing trees. The project is subject to a Housing Crisis Act (HCA) preliminary application filed pursuant to Government Code Section 65941.1 on April 18, 2023, which established the date for determining the ordinances, policies, and standards applicable to the project. Because the City's Housing Element was not in substantial compliance with State law at that time, the project is subject to the provisions of Government Code Section 65589.5 commonly referred to as the "Builder's Remedy." File No. PLN-2023-165. Tentative City Council Date: November 2, 2026.

STAFF RECOMMENDATION

That the Planning Commission take the following actions:

1. **Adopt a Resolution** (reference **Attachment A**), recommending that the City Council certify the Final Environmental Impact Report (FEIR) and adopt the CEQA Findings of Fact and Mitigation Monitoring and Reporting Program (MMRP); and

2. **Adopt a Resolution** (reference **Attachment B**), recommending that the City Council approve the Planned Development Permit, Vesting Tentative Subdivision Map, and Tree Removal Permit, subject to the recommended Conditions of Approval.

ENVIRONMENTAL (CEQA) DETERMINATION

Development proposals are subject to review under the California Environmental Quality Act (CEQA), as codified in the California Public Resources Code and Title 14 of the California Code of Regulations. CEQA requires public agencies to identify and disclose the potential environmental effects of development projects and to avoid or reduce significant effects through project revisions or mitigation measures when feasible. When a project may result in a significant environmental impact, an Environmental Impact Report (EIR) is prepared to provide a detailed analysis of the potential effects, identify measures to reduce significant impacts, evaluate reasonable alternatives, and provide the public and decision-makers with information regarding the environmental consequences of the project.

For most housing projects in Campbell, formal environmental review is limited because projects may qualify for an exemption or rely on the General Plan's programmatic environmental review. However, given the unique circumstances of this application, which was submitted as a Builder's Remedy project for property that was not designated for residential development under the City's prior General Plan (which was applicable when the preliminary application was filed), the City and applicant agreed that preparation of an EIR was appropriate. The City proceeded with an EIR, using an Initial Study to identify those environmental topics requiring detailed analysis.

The Initial Study and subsequent scoping process identified Air Quality, Cultural Resources, Energy, Greenhouse Gas Emissions, Land Use and Planning, Noise, Transportation, Tribal Cultural Resources, and Utilities and Service Systems for detailed analysis in the EIR. Other review areas were determined to have no impact or a less-than-significant impact, either with or without mitigation, and were therefore addressed in the Initial Study (included in Appendix A of the Draft EIR) or summarized in the EIR as effects found not to be significant.

The following summarizes the key milestones of the project's environmental review:

- **January 6, 2025**: The City released a Notice of Preparation (NOP), initiating an extended 30-day public scoping period on an EIR for the project.
- **January 28, 2025**: The Planning Commission conducted a public scoping meeting to receive comments from public agencies, organizations, and members of the public regarding the scope and content of the EIR.
- **February 14, 2025**: The EIR public scoping period concluded.
- **April 15, 2026**: The Notice of Availability (NOA) and draft EIR (DEIR) were released, which began the 45-day public review period of the DEIR, extending through June 1, 2026.
- **April 28, 2026**: The Planning Commission conducted a public meeting to receive verbal comments on the adequacy of the DEIR.
- **June 1, 2026**: The DEIR public review period concluded.
- **September 22, 2026**: The Final EIR (FEIR), including responses to comments and revisions and clarifications to the DEIR, was released. Individuals and agencies who had provided comment on the DEIR were notified of the FEIR's availability.

The Draft EIR (including the Initial Study), Final EIR, supporting appendices, and Mitigation Monitoring and Reporting Program (MMRP) constitute the environmental review documents for the project and are available on the City's website using the following links:

- **NOA/Draft Environmental Impact Report**: https://campbellca.gov/techpark-NOA-DEIR
- **Final Environmental Impact Report**: https://campbellca.gov/techpark-FEIR
- **Mitigation Monitoring and Reporting Program**: https://campbellca.gov/techpark-MMRP

Mitigation Measures and Monitoring: The EIR identifies mitigation measures for potentially significant environmental effects associated with the project. With implementation of the mitigation measures, the identified impacts would be reduced to a less-than-significant level. As such, there would be no "significant and unavoidable" environmental impacts with the project. To ensure compliance, the Mitigation Monitoring and Reporting Program (MMRP) identifies each mitigation measure, the implementation party, the timing of implementation, the agency responsible for monitoring, and the required monitoring action and frequency. To facilitate implementation of the MMRP, the applicant is required to fund an independent environmental compliance consultant, selected and managed by the City, to monitor, document, and verify compliance with the mitigation measures throughout project implementation.

Project Alternatives: CEQA requires an EIR to evaluate a reasonable range of alternatives, including a "No Project" option, that could feasibly attain most of the basic project objectives while avoiding or substantially lessening significant environmental effects. The EIR identifies three basic project objectives: (1) maximize development of medium-density housing in Campbell while assisting the City in meeting its 2023–2031 Regional Housing Needs Allocation; (2) facilitate development of a diversity of housing types and housing opportunities for a range of income levels, including market-rate and affordable units; and (3) facilitate infill development on previously developed land to preserve existing open space and locate residential uses near public transit.

The DEIR evaluated a No Project/No Development Alternative and a No Project/Future Development Alternative, and also considered but rejected a Mixed-Use Alternative from further analysis after determining it would be infeasible. The No Project/No Development Alternative would avoid or reduce some project impacts but would not achieve any of the project objectives. The No Project/Future Development Alternative would involve substantially more residential development and would result in greater impacts in several environmental categories. The EIR identified the proposed project as the environmentally superior alternative because it would meet all project objectives and would result in the least overall environmental impacts among the alternatives analyzed.

Tribal Consultation: Under Assembly Bill 52 (AB 52), California Native American tribes that are traditionally and culturally affiliated with a project area are afforded an opportunity to consult on a project's CEQA review regarding a project's potential impacts to Tribal Cultural Resources. Where a tribe has requested formal notification of projects and timely requests consultation following notification, the lead agency must engage in a consultation process (typically a meeting) to assess potential project impacts and discuss potential measures to avoid or reduce significant effects.

As part of the environmental review for this project, the City initiated the AB 52 process during preparation of the Initial Study. On October 30, 2024, the City's environmental consultant requested a search of the Native American Heritage Commission's Sacred Lands File. The Commission responded

that the search was negative and provided a list of 23 tribal contacts representing nine tribal groups. The City subsequently conducted the applicable tribal notification and consultation process, which informed the analysis of Tribal Cultural Resources presented in the DEIR and the mitigation measures incorporated into the project. Five tribal groups responded to the City's outreach. Tamien Nation requested formal consultation and met with the City on February 27, 2025, raising concerns regarding the sensitivity of the project site and the depth of proposed excavation. The other responding tribes either requested additional information or expressed interest in consultation but did not pursue further consultation following City follow-up. The consultation history is described in greater detail in Draft EIR Section 3.8, Tribal Cultural Resources, pages 3-168 through 3-170.

Following release of the FEIR, representatives of the Muwekma Ohlone Tribe contacted the City regarding the EIR's discussion of Tribal Cultural Resources. Although the Tribe had not participated in the earlier consultation process conducted during preparation of the EIR, staff and the City's environmental consultant subsequently met with representatives of the Tribe on October 6, 2026, to discuss their concerns. During that meeting, the Tribe expressed concern that the EIR does not fully convey the Tribe's history and ancestral connection to the Campbell area and noted that the limited number of previously recorded archaeological or Tribal cultural sites within Campbell should not be interpreted as demonstrating an absence of subsurface cultural resources. The Tribe also noted that, although it is not aware of previously recorded ancestral heritage sites within the project area, it considers the area potentially sensitive because of its proximity to Los Gatos Creek and the association of ancestral sites with riparian corridors.

Following the October 6, 2026 meeting, Alan Leventhal, Tribal Archaeologist and Ethnohistorian for the Muwekma Ohlone Tribe, provided written information regarding the cultural sensitivity of the project area and the Tribe's historical and ancestral connection to the Campbell area. His submission included a detailed historical narrative regarding the Tribe and its cultural resource work in the Santa Clara Valley and greater San Francisco Bay Area, together with supporting historical, governmental, legal, archaeological, and scientific materials. Mr. Leventhal's correspondence and supporting materials are included as **Attachment C**.

The City's environmental consultant reviewed this information. While the materials provide additional historical and ethnographic context regarding the Tribe's ancestral connection to the broader Campbell and Santa Clara Valley area, they did not identify new site-specific information establishing the presence of known Tribal Cultural Resources or archaeological resources within the project site, nor did they alter the EIR's analysis or conclusions regarding the project's potential impacts to such resources.

Additionally, Bernadette Quiroz, the Executive Director of Muwekma Ohlone Tribe, provided written recommendations regarding implementation of the project's Cultural Resources and Tribal Cultural Resources mitigation measures, included as **Attachment D**. The Tribe requested, among other things, that it provide cultural sensitivity training; that a Muwekma tribal monitor participate in ground-disturbing activities; that tribal and archaeological monitoring be coordinated; and that the tribe participate in procedures for evaluating and treating potential Tribal Cultural Resources and inadvertent discoveries. The Tribe also requested an opportunity to review and provide input on the Archaeological Monitoring Plan.

The EIR recognized that ground-disturbing activities could encounter previously unidentified archaeological or Tribal Cultural Resources and identified potentially significant impacts in this area. The EIR identifies mitigation measures including preparation of an Archaeological Monitoring Plan

and cultural sensitivity training, archaeological monitoring, and procedures governing the discovery and treatment of archaeological resources, Tribal Cultural Resources, and human remains. With implementation of these measures, the EIR concluded that potential impacts to Tribal Cultural Resources would be reduced to a less-than-significant level.

The Archaeological Monitoring Plan (AMP) is a post-approval implementation document and has not yet been prepared. The City will work with the project applicant to accommodate the Tribe's requests, where feasible, through preparation and implementation of the AMP and related mitigation measures, including opportunities for Tribal participation in cultural sensitivity training and archaeological monitoring, as well as coordination regarding procedures for the identification and treatment of potential Tribal Cultural Resources.

Conclusion: The FEIR, along with the DEIR (including the Initial Study), responses to comments, revisions, supporting technical studies, and MMRP, provides the environmental information necessary under CEQA for consideration of the project. The EIR concludes that all potentially significant environmental effects would be reduced to less-than-significant levels through implementation of the mitigation measures identified in the EIR and incorporated into the MMRP, and that **no significant and unavoidable environmental impacts would remain**.

Accordingly, staff recommends that the Planning Commission adopt a resolution recommending the City Council take the following actions: (1) certify that the Final EIR has been completed in compliance with CEQA; (2) certify that the Final EIR reflects the City's independent judgment and analysis; (3) certify that the City's decision-making body has reviewed and considered the information in the Final EIR prior to taking action on the project; (4) adopt the CEQA Findings of Fact pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091; (5) adopt the Mitigation Monitoring and Reporting Program pursuant to Public Resources Code Section 21081.6. Because the EIR identifies no significant and unavoidable environmental impacts, a Statement of Overriding Considerations is not required.

PROJECT DATA

Zoning Designation[1]:	Planned Development (P-D)
General Plan Designations[1]:	*Research and Development*
Gross Lot Area:	17.28 acres
Proposed Density:	16.78 units/acre
Landscaping Area:	131,552 square feet
Parking:	718 spaces (2.48/unit)
Building Height:	2-story detached SFDs: 31 ft ± 3-story townhomes[2]: 44 ft ± 4-story townhomes[2]: 47 ft ±

[1] The General Plan and zoning designations shown are those in effect on April 18, 2023, when the City received the project's SB 330 preliminary application. Under the current 2040 General Plan, three parcels are designated High Density Mixed-Use and one parcel remains Research and Development; current zoning is High Density Mixed-Use on those same three parcels and Planned Development (P-D) on the remaining parcel.

[2] Although mapped as condominiums, the attached units are designed to read as individual townhomes. Accordingly, this report refers to the three- and four-story units as "townhomes".

Typology	Building Type	# Buildings	DU/Building	# Total DU	Building Gross SF*	Total Building Gross SF
3- Story Townhouse	3-Plex	3	3 DU	9 DU	8,303 SF	24,909 SF
	4-Plex	2	4 DU	8 DU	10,887 SF	21,774 SF
	5-Plex	11	5 DU	55 DU	13,239 SF	145,629 SF
	6-Plex	7	6 DU	42 DU	15,823 SF	110,761 SF
	7-plex	5	7 DU	35 DU	18,407 SF	92,035 SF
	Subtotal			**149 DU**		**395,108 SF**
4-Story Condominium	6-Plex	3	6 DU	18 DU	15,462 SF	46,386 SF
	8-Plex	12	8 DU	96 DU	20,309 SF	243,708 SF
	Subtotal			**114 DU**		**290,094 SF**
Single Family Detached	Plan 1	7	1 DU	7 DU	2,505 SF	17,535 SF
	Plan 2	10	1 DU	10 DU	2,588 SF	25,880 SF
	Plan 3	4	1 DU	4 DU	2,772 SF	11,088 SF
	Plan 3X	6	1 DU	6 DU	2,772 SF	16,632 SF
	Subtotal			**27 DU**		**54,503 SF**
CURRENT 1/16/2024 **SB330 Submittal**	**TOTAL**			**290 DU**		**739,705 SF**

DISCUSSION

Project Site: The approximately 17-acre project site consists of four parcels located at 635, 655, 675, and 695 Campbell Technology Parkway. The property is currently developed as the Campbell Technology Park, a research and development campus containing four buildings totaling approximately 280,000 square feet. The site is bordered by Highway 17 to the north and west, the Paseo de Palomas mobile home community to the east, and Campbell Technology Parkway and Edith Morley Park to the south, as shown below:



Site History: The project site was formerly part of the approximately 24-acre Winchester Drive-In Theater property (image, right), which closed in 1984. The City's former Redevelopment Agency (RDA) subsequently acquired the property and facilitated its redevelopment through a Disposition and Development Agreement (DDA). In 1997, the City approved redevelopment of the former drive-in property with a research and development business park, while approximately four acres were designated for public use and ultimately developed as Edith Morley Park. The resulting Campbell Technology Park was developed with the four research and development buildings that remain on the property today.



In 2024, the City and property owner amended the DDA to resolve a dispute concerning whether the agreement restricted residential redevelopment of the property (reference **Attachment E** – DDA Amendment). As amended, the DDA expressly provides that neither the DDA, the Redevelopment Plan, the existing Planned Development Permit, nor the Grant Deed prohibits construction and operation of the proposed 290-unit residential project. Accordingly, there are no property-specific use restrictions that would preclude the proposed residential development.

Proposed Project: The proposed project includes applications for a Planned Development Permit, Vesting Tentative Subdivision Map, and Tree Removal Permit to allow the demolition of the existing Campbell Technology Park research and development campus and the construction of a housing development project consisting of 290 dwelling units (reference **Attachment F** – Project Plans). The project consists of 27 two-story detached single-family homes and 263 townhome-style condominium units distributed across 43 buildings, as shown in the isometric illustration below. The detached single-family homes are proposed to be located along the easterly property line to provide a transition between the Paseo de Palomas mobile home community and the taller townhome buildings situated further within the project site.



SCOPE OF REVIEW

As a 100 percent residential development consisting of 290 dwelling units, the proposed project constitutes a "housing development project" under State law. The City's review of such projects is governed by several interrelated State housing laws that constrain local discretion, establish procedural protections, and determine which local standards may be applied to the project.

Applicable State Laws: The following summarizes the principal State laws applicable to the project and then explains how those laws operate together to define the scope of the City's review.

- **Housing Crisis Act (HCA)**. The Housing Crisis Act is intended to accelerate housing production and provide greater certainty in the local development-review process. Among other provisions, the law restricts certain local actions that reduce residential development capacity, limits the use of subjective design standards, establishes housing demolition and replacement requirements, creates a preliminary application and vesting process, and limits the number of hearings that may be conducted for qualifying housing projects. Under the preliminary application provisions, a housing developer may submit specified information before preparing a formal development application. Submission of a preliminary application generally vests—or "locks in"—the ordinances, policies, and standards in effect on the date of pre-application submittal. Subsequent changes to zoning standards and other regulations generally may not be applied to the project. The HCA also generally limits a local agency to no more than five hearings to consider the housing development application. A "hearing" includes public hearings, design-review meetings, appeals, and any required community meetings. If a hearing is continued, the continued meeting qualifies as an additional meeting.

- **Housing Accountability Act (HAA)**. The Housing Accountability Act limits a local agency's ability to disapprove a housing development project, reduce its density, or impose conditions that render it infeasible. The City may take such action only if it makes one of the written findings authorized by State law. One potential basis for disapproval is that the project would result in a "specific, adverse impact" on public health or safety and that no feasible method exists to satisfactorily mitigate or avoid the impact. However, the HAA narrowly defines a specific, adverse impact as a significant, quantifiable, direct, and unavoidable impact based on objective, identified, written public health or safety standards, policies, or conditions that existed when the application was deemed complete. As a result, the basis for a public health or safety finding must be clearly defined and knowable. Although technical studies may determine whether the project would violate or otherwise conflict with an existing standard, such analysis may not be used to construe a new standard to apply to a project.

- **Builder's Remedy and Assembly Bill 1893**. The Builder's Remedy is a provision of the Housing Accountability Act that applies when a jurisdiction had not adopted a Housing Element in substantial compliance with State law by the January 31, 2023 deadline for the 2023–2031 cycle. When applicable, the Builder's Remedy prevents the jurisdiction from denying a qualifying project based on inconsistency with its General Plan or Zoning Code. AB 1893 established more specific requirements regarding applicable development standards and local processing of Builder's Remedy projects. For a qualifying application deemed complete before January 1, 2025, AB 1893 allows the applicant to remain subject to the provisions in effect when its preliminary application was submitted or to elect application of any or all of the provisions effective January 1, 2025. Notably, AB 1893 provides that a qualifying Builder's Remedy shall be deemed consistent, compliant, and in conformity with applicable plans, programs, policies, ordinances, standards, requirements, redevelopment plans, and implementing instruments for all purposes.

- **Assembly Bill 1633/EIR Certification**. AB 1633 amended the Housing Accountability Act to treat certain delays in completing CEQA review as project "disapproval." The law does not require certification of a legally inadequate EIR. However, if an agency demands additional environmental analysis in bad faith or without substantial evidence that further study is legally required or fails to act on the EIR certification, the applicant may provide written notice. The agency generally then has 90 days to make a lawful determination. Failure to do so may constitute "disapproval" under the Housing Accountability Act and trigger its enforcement provisions.

Application to the Proposed Project: The City received an HCA preliminary application for the proposed project on April 18, 2023. At that time, the City had not yet adopted its 2023–2031 Housing Element and therefore was susceptible to Builder's Remedy preliminary applications. HCD did not determine that the City's 2023-2031 Housing Element was in substantial compliance with State law until May 30, 2023. In addition to preserving the project's Builder's Remedy status, submittal of the preliminary application established April 18, 2023 as the date for determining the ordinances, policies, and standards applicable to the project. At that time, the City had not yet adopted its current 2040 General Plan, revised Zoning Code, or Multi-Family Development and Design Standards (MFDDS), rendering them inapplicable to the project.

The applicant has also elected to apply AB 1893's deemed-consistency provisions to the project to establish the project's land-use consistency notwithstanding the General Plan designation and zoning applicable when its preliminary application was submitted. The election was made in writing on November 21, 2025 (reference **Attachment G**) and identifies Government Code section 65589.5(f)(6)(D) as the provision of AB 1893 that the applicant elected to apply to the project. Provisions of AB 1893 that were not elected do not apply, and as requested by the applicant, the project otherwise remains subject to the HAA as it existed on January 31, 2024.

The project is also subject to the five-hearing limitation (California Government Code Section 65905.5). Taking into account the two CEQA Planning Commission meetings and last month's Site and Architectural Review Committee (SARC) meeting, this Planning Commission meeting constitutes the project's fourth hearing, and the required City Council meeting will constitute the fifth. **Because a continued hearing counts as an additional hearing under State law, Staff does not recommend this Planning Commission hearing be continued as it would constitute an additional hearing.** The City also held an informational community meeting regarding the project on September 28, 2026. However, because that meeting did not involve consideration or action by a reviewing or decision-making body, it is not treated as a hearing for purposes of Section 65905.5.

The City retains authority to review the project for compliance with the objective standards permitted by AB 1893, as applicable under the applicant's elections described above, the Subdivision Map Act, building and fire codes, infrastructure requirements, CEQA, and other applicable State and federal laws. However, the City may not apply standards or impose conditions that render the project infeasible or otherwise preclude its construction as proposed unless based on a finding of a specific, adverse impact to public health or safety with no feasible method to satisfactorily mitigate or avoid the specific, adverse impact, as described above. Any denial based on a specific, adverse impact to public health or safety must satisfy the Housing Accountability Act's narrowly defined requirements, and the City's consideration of the project's EIR is subject to the HAA's CEQA-related processing provisions enacted by AB 1633.

Conditions of Approval: The recommended Conditions of Approval principally implement standards that were in effect on April 18, 2023, the date the applicant submitted its preliminary application, requirements of State and federal law, and the mitigation measures of the MMRP. The applicant has reviewed the recommended conditions, proposed revisions that were accepted by staff, and is agreeable to all conditions as contained in the draft resolution. The applicant has not asserted that any of the recommended conditions would render the project infeasible or preclude its construction.

ANALYSIS

In review of a Planned Development Permit, the Zoning Code (former CMC Sec. 21.12.030.H.5) directs the decision-making body to consider project features prior to rendering a decision, referred to as "considerations". These considerations are largely subjective in nature and therefore do not constitute objective development standards with which the project must comply under the Housing Accountability Act. Neither these considerations nor the subjective findings discussed herein may serve as a basis for the City to deny the project, reduce its density, or impose conditions that would render it infeasible or preclude its construction.

Site Layout and Building Design: The project's site layout, architectural design, landscaping, common open spaces, and internal vehicular and pedestrian circulation are discussed in detail in the September 23, 2026 Site and Architectural Review Committee (SARC) memorandum, included as **Attachment H**, and incorporated herein.

Transportation and Traffic: A transportation analysis was prepared for the project by Hexagon Transportation Consultants, which is included as Appendix B (Transportation Analysis (Revised)) of the Final EIR (see page 267). The project's transportation effects are considered in two ways and for different purposes. First, transportation is evaluated under CEQA to determine whether the project would result in a potentially significant environmental impact, including potential conflicts with adopted transportation plans and policies, vehicle miles traveled (VMT), transportation-related hazards, and emergency access. The CEQA transportation analysis is addressed in the Draft and Final EIR.

Second, and separate from the CEQA analysis, the transportation analysis evaluates how the project would affect operation of the surrounding transportation system. At the regional level, this analysis is governed by the regional Congestion Management Program (CMP), administered by Santa Clara Valley Transportation Authority (VTA), which serves as the County's congestion management agency. Although LOS is no longer used to determine transportation significance under CEQA, it remains applicable to this separate operational review. The CMP is established pursuant to Government Code section 65088 et seq., and Strategy LUT-2.3a of the former 2001 General Plan directs the City, to the extent possible, to maintain level of service at designated intersections consistent with the Santa Clara County CMP. Under the VTA guidelines, a development project is typically subject to a CMP transportation analysis if it is expected to generate 100 or more net new vehicle trips during a weekday AM or PM peak hour or weekend peak hour. Below this threshold projects do not generally require a complete CMP transportation analysis, although the City may require a more limited operational analysis where warranted to evaluate localized circulation or access issues.

Once a transportation analysis is required, its scope is determined by the facilities and transportation issues potentially affected by the project, which may include intersections, freeway segments and ramps, vehicle queuing, site access, and on-site circulation. The applicable standards vary depending on the facility being evaluated. CMP intersections and freeway facilities are evaluated under applicable

VTA standards, which establish criteria for determining which individual facilities warrant analysis, including the amount of project traffic added to a facility and proximity to the project. Local intersections and circulation facilities are evaluated under applicable City standards and generally accepted traffic engineering practices.

The operational analysis is intended to disclose how a project would affect roadway performance and whether particular facilities satisfy applicable operational standards. This form of traffic operations analysis has traditionally been considered as part of the City's discretionary review of development projects. Where a project is found to adversely affect operation of a roadway or intersection, the City may require a project-specific improvement, such as lengthening a turn lane, or require a proportionate financial contribution toward an improvement intended to address the project's incremental effect. For non-housing development projects, traffic impacts may also provide a basis for denying a project where operational improvements cannot materially offset the identified impact or where the decision-making body determines that the potential benefits of the project do not outweigh its traffic impacts (for example, the 2020 denial of Chick-fil-A project on Bascom Avenue).

However, the Housing Accountability Act substantially limits the City's ability to apply this traditional discretionary approach to housing development projects. A traffic operational impact on its own does not constitute the type of "specific, adverse impact upon the public health or safety" that may provide a basis for denying a project or reducing its density under the Housing Accountability Act. Moreover, absent an applicable objective operational standard, increased congestion, delay, or other operational effects generally may not be used as a basis to impose project-specific improvements, financial contributions, or design changes that would render the housing development project infeasible. For a Builder's Remedy project, denial on public health or safety grounds requires a significant, quantifiable, direct, and unavoidable impact based on objective, identified written public health or safety standards, policies, or conditions.

Level of Service (LOS): Intersection operations are evaluated using level of service (LOS). In traffic engineering, LOS is a measure of the vehicle delay experienced by motorists at an intersection. LOS is expressed on a scale from A through F, with LOS A representing free-flow conditions with little or no delay and LOS F representing heavily congested conditions with excessive delay. The applicable LOS standard depends on the facility being evaluated, including whether the intersection is subject to VTA CMP standards or applicable City standards. This section explains how project traffic was estimated, how study intersections were selected, the traffic scenarios evaluated, and what the LOS analysis results were.

Trip Generation:

The transportation analysis estimates that the proposed 290-unit residential development would generate approximately 2,257 daily vehicle trips, including 154 trips during the AM peak hour and 183 trips during the PM peak hour. For the proposed residential uses trip generation was estimated using rates published by the Institute of Transportation Engineers (ITE), applying the Single-Family Detached Housing rate to the 27 detached homes and the Single-Family Attached Housing rate to the 263 townhome-style condominium units.

Each "trip" represents a single vehicle either entering or leaving the project site. A resident leaving their home in the morning and returning later in the day would account for two separate trips. Unlike commercial trips, residential trips tend to be distributed throughout the day rather than being concentrated within the morning and evening commute periods, reflecting typical residential travel patterns with differing (or remote) work schedules, school trips, errands, and appointments.

Since the project would entirely replace the existing Campbell Technology Park campus, the analysis also accounts for the removal of traffic generated by the existing uses in determining the net change in traffic associated with the proposed project. This was done using driveway counts collected on January 9, 2024, which reflected actual traffic entering and leaving the (partially occupied) campus at that time. This provided more accurate data than simply applying ITE trip-generation rates.

As documented in the table, below, based on these counts, approximately 889 daily vehicle trips were observed at the existing R&D campus, including 115 trips during the AM peak hour and 80 trips during the PM peak hour. After deducting those existing trips, the proposed project is estimated to result in a net increase of approximately 1,368 daily vehicle trips, including 39 net new trips during the AM peak hour and 103 net new trips during the PM peak hour. The AM and PM peak hours represent the one-hour periods of highest traffic occurring within the broader 7:00–9:00 AM and 4:00–6:00 PM commuting periods.

			Vehicle Trips						
			Daily	AM Peak-Hour Trips			PM Peak-Hour Trips		
Land Use	Size	Units	Trips	In	Out	Total	In	Out	Total
Proposed									
Single-Family Detached Housing [1]	27	du	303	6	17	23	18	11	29
Townhomes [2]	263	du	1,954	33	98	131	91	63	154
Subtotal Project Trips			*2,257*	*39*	*115*	*154*	*109*	*74*	*183*
Existing									
R&D [3]	280	s.f.	889	98	17	115	8	72	80
Net New Vehicle Trips			**1,368**	**(59)**	**98**	**39**	**101**	**2**	**103**

Study Intersections

The local operational analysis evaluated level of service (LOS) at two intersections:

- Curtner Avenue/White Oaks Road and Camden Avenue, a signalized intersection
- Campbell Technology Parkway and East McGlincy Lane, an unsignalized intersection

Under the VTA Transportation Impact Analysis Guidelines, a CMP intersection is required to be evaluated where a project is expected to add 10 or more peak-hour vehicle trips per lane to an intersection movement. At the Curtner Avenue/White Oaks Road and Camden Avenue intersection, the project would add 49 trips during the AM peak hour, including 20 right-turn trips using a single right-turn lane, or approximately 20 project trips per lane, and 20 left-turn trips using two left-turn lanes, or 10 project trips per lane. Because this CMP intersection met the VTA study threshold, it was included in the operational analysis.

Campbell Technology Parkway and East McGlincy Lane also exceeded the 10-trip-per-lane guideline. During the AM peak hour, the project would add 98 trips through the intersection, including 49 left-turn and 49 right-turn trips from Campbell Technology Parkway, each served by a single lane, or approximately 49 project trips per lane. However, unlike Curtner Avenue/White Oaks Road and Camden Avenue, this is a local, non-CMP intersection and therefore was not required to be analyzed under the CMP. The City nevertheless included it because all project traffic enters and exits the site via Campbell Technology Parkway, making this intersection the first point at which project traffic enters the broader street system.

Union Avenue and East McGlincy Lane is also a local, non-CMP intersection. Although project traffic would exceed the VTA 10-trip-per-lane guideline, the intersection was not included as a formal LOS study intersection. Unlike Campbell Technology Parkway/East McGlincy Lane, which receives essentially all project traffic entering and exiting the site, Union Avenue/East McGlincy Lane would receive only the portion of project traffic traveling east on East McGlincy Lane, with the remaining traffic traveling west toward Curtner Avenue. Traffic reaching Union Avenue would also be distributed among separate turning movements, further reducing the concentration of project traffic in any single lane. Moreover, project traffic traveling east toward Union Avenue must first pass through the stop-controlled Campbell Technology Parkway approach at East McGlincy Lane before continuing downstream toward Union Avenue, which regulates the rate at which project vehicles enter East McGlincy Lane and reduces the potential for project traffic to arrive at the Union Avenue intersection as a concentrated surge. These conditions informed the City's engineering judgment that a separate LOS analysis of the intersection was not warranted.

Traffic Scenarios:

Because traffic conditions vary over time, LOS is evaluated under several traffic scenarios to distinguish existing conditions from the project's incremental effect and from anticipated future traffic conditions. Under VTA guidelines, traffic operations are evaluated at three separate time horizons. "Existing" conditions establish the current baseline, "background" conditions account for traffic from approved projects that have not yet been completed or occupied; and "cumulative" conditions provide a longer-term forecast that also accounts for expected traffic growth. For each time horizon, the operational effect of the project is determined by comparing the "With Project" scenario to the corresponding "Without Project" scenario, as shown in the table on the following page:

Time Horizon	Without Project	With Project
Existing	Existing traffic volumes	Existing traffic volumes + project-generated trips
Background	Existing volumes + trips from approved projects	Existing volumes + trips from approved projects + project-generated trips
Cumulative	Existing volumes + trips from approved projects + expected traffic growth	Existing volumes + trips from approved projects + expected traffic growth + project-generated trips

The principal terms used in these scenarios are described below.

- **Existing Traffic Volumes**: Traffic volumes measured under existing conditions at the study intersections. These volumes are intended to establish the baseline against which the project and future conditions are evaluated.
- **Project-Generated Trips**: The estimated additional traffic attributable to the proposed project. For this project, the analysis accounts for removal of the existing R&D uses when determining the net increase in vehicle trips, as discussed, below.
- **Trips from Approved Projects**: Traffic expected to be generated by development projects that have already been approved in the area but are not yet completed or occupied (for example, the latter phases of the Pruneyard expansion). These trips are added to existing traffic to establish the "Background Conditions" scenario.

- **Expected Traffic Growth**: An allowance for vehicular traffic growth beyond specifically identified approved projects. For the cumulative analysis, the study applies a one percent annual growth rate to existing traffic volumes for five years, in addition to traffic from approved projects.

Intersection Operations Results

The transportation analysis concludes that the project would have a minimal effect on traffic operations at the two study intersections, with neither intersection projected to experience an unacceptable decline in level of service (LOS). The analysis evaluated both study intersections under the Existing, Background, and Cumulative scenarios described above, and found both study intersections would continue operating at the same or substantially the same level of service during the weekday AM and PM peak hours in each scenario. Under the VTA CMP standard, LOS E is considered acceptable, and an adverse operational effect occurs where a project causes an intersection operating at LOS E or better to degrade to LOS F.

- **Campbell Technology Parkway/East McGlincy Lane**. The analysis shows relatively small changes in intersection delay. Under both Background and Cumulative Conditions, the intersection is projected to operate at LOS B during the AM peak hour and LOS A during the PM peak hour. With the project, it would operate at LOS B during both peak hours, representing a minor change in LOS during the PM peak hour.

- **Curtner Avenue/White Oaks Road and Camden Avenue**. Under Background Conditions, the intersection is projected to operate at LOS D during both peak hours and would remain at LOS D with the project. Under Cumulative Conditions, it is projected to operate at LOS E during the AM peak hour and LOS D during the PM peak hour, with the same LOS after project traffic is added.

Background and Background Plus Project Level of Service Summary

#	Intersection	Peak Hour	Background Conditions		Background + Project Conditions			
			Avg. Delay (sec/veh) [1]	LOS	Avg. Delay (sec/veh) [1]	LOS	Incr. In Crit. Delay (sec/veh)	Incr. In Crit. V/C
1	Campbell Technology Parkway	AM	10.1	B	10.2	B	-	-
	& East McGlincy Lane	PM	9.8	A	10.5	B	-	-
2	Curtner Avenue/White Oaks	AM	53.3	D	54.5	D	1.70	0.01
	Road & Camden Avenue	PM	44.2	D	44.5	D	0.00	0.00

Cumulative and Cumulative Plus Project Level of Service Summary

#	Intersection	Peak Hour	Cumulative Conditions		Cumulative + Project Conditions			
			Avg. Delay (sec/veh) [1]	LOS	Avg. Delay (sec/veh) [1]	LOS	Incr. In Crit. Delay (sec/veh)	Incr. In Crit. V/C
1	Campbell Technology Parkway	AM	10.2	B	10.4	B	-	-
	& East McGlincy Lane	PM	9.8	A	10.6	B	-	-
2	Curtner Avenue/White Oaks	AM	55.8	E	57.2	E	2.30	0.01
	Road & Camden Avenue	PM	46.2	D	46.4	D	0.00	0.00

Intersection Queuing: The transportation analysis also examined vehicle queuing on southbound Curtner Avenue at the Curtner Avenue/White Oaks Road and Camden Avenue intersection. Queuing analysis looks at whether vehicles waiting at an intersection can be accommodated within the available lane or turn-pocket without extending beyond that area. This is in contrast to level of service analysis which looks at how much time vehicles are waiting to clear an intersection (delay).

Traffic-modeling software is used to estimate how long vehicle queues are likely to become during the busiest morning and evening commute periods (at the "95th percentile"). The length of those estimated queues is then compared with the amount of roadway space available for vehicles to line up in the lane. The analysis evaluated the southbound shared through/left lane and right-turn lane, as well as the eastbound left-turn lane.

Under Existing Conditions, the analysis identifies queue-storage deficiencies that currently exist ***without*** the project. The 95th-percentile queue for the eastbound left-turn lane is estimated at approximately 650 feet (26 vehicles) during the AM peak hour and 725 feet (29 vehicles) during the PM peak hour, which exceeds the approximately 245 feet (10 vehicles) of available storage. Similarly, the existing southbound right-turn queue already exceeds the approximately 170 feet (7 vehicles) of available storage, with queues estimated at approximately 1,050 feet (42 vehicles) during the AM peak hour and 625 feet (25 vehicles) during the PM peak hour. The same queue-storage deficiencies are projected to persist under Cumulative Conditions, with queues generally becoming longer as overall traffic volumes increase.

The queuing analysis indicates that the project would add vehicles to these existing queues. Per the traffic modeling conducted, the project would not add additional significant queuing to those existing conditions. For example, under cumulative PM conditions that include the project and additional traffic from other projects, the eastbound left-turn queue is estimated to increase from 30 vehicles without the project to about 32 vehicles with the project. The Final EIR concludes that there is no evidence the project would result in significant queuing impacts.

The transportation analysis also evaluated restriping on the northbound White Oaks Road to the Curtner Avenue/White Oaks Road and Camden Avenue intersection that could occur as a separate City project. Operationally, the restriping would be expected to improve the efficiency of the intersection and allow southbound Curtner Avenue traffic to clear more quickly. The analysis found that the restriping would modestly reduce projected queuing on southbound Curtner Avenue. The Final EIR describes the restriping as being proposed independently of the project and does not identify it as mitigation for a significant project queuing impact.

The restriping evaluated in the transportation analysis is related to a broader City capital improvement project for the SR 17/San Tomas/Camden/White Oaks area that was added to the City's Capital Improvement Plan (CIP) in FY 2022 (reference **Attachment I** and **J** – CIP Project Sheet and Conceptual Lane Configuration Exhibit). The broader project is intended to improve traffic operations and safety and currently contemplates signalizing the northbound Highway 17 off-ramp at White Oaks Road, interconnecting that signal with the existing San Tomas/Camden/White Oaks signal, and reconfiguring lanes within the interchange area. The restriping analyzed for this project represents a more limited lane-reconfiguration concept at the White Oaks Road approach that could improve intersection operations and modestly reduce queuing. The broader capital project remains in preliminary design, with future grant funding anticipated through the VTA Measure B program.

The transportation analysis recommends that the project contribute toward the cost of the City's planned restriping improvement. However, under the Housing Accountability Act, technical analysis may not be used to create a new standard applicable to the project, and the City has not identified an applicable objective standard or established fair-share requirement that would require this housing development project to fund the improvement. As such, staff does not recommend carrying that recommendation forward as a condition of approval.

Traffic Signal Warrant: The transportation analysis also evaluated whether additional traffic generated by the project would justify installation of a traffic signal at the Campbell Technology Parkway/East McGlincy Lane intersection. Using California Manual on Uniform Traffic Control Devices methodology, the analysis found that traffic volumes would not reach the level indicating a signal may be warranted during either the AM or PM peak hour under any of the study scenarios. Even under Cumulative Plus Project Conditions, the stop-controlled approach would carry approximately 121 vehicles during the AM peak hour and 85 vehicles during the PM peak hour, below the 150-vehicle threshold, while total intersection volumes of approximately 445 and 461 vehicles, respectively, would remain below the 650-vehicle threshold. Accordingly, the analysis found that the peak-hour signal warrant would not be satisfied. If traffic conditions change in the future, a more comprehensive warrant analysis could be conducted at that time.

Freeway Operations: The transportation analysis also evaluated the project's effect on the nearby segment of Highway 17 between Camden and Hamilton Avenues. Under VTA guidelines, a formal freeway level-of-service analysis is required where a project would add traffic equal to at least one percent of the freeway segment's capacity. With three mixed-flow lanes in each direction, this freeway segment has an estimated capacity of approximately 6,900 vehicles per hour, resulting in a study threshold of 69 project trips during a peak hour. The project is expected to add no more than approximately 10 trips in any one direction during either peak hour, well below this threshold. Accordingly, no formal freeway LOS analysis was required.

Traffic Safety: The transportation analysis also evaluated traffic safety conditions along Campbell Technology Parkway and East McGlincy Lane, including 24-hour traffic volumes, vehicle classifications, speeds, collision history, site access, and driveway sight distance. Traffic counts showed that trucks made up about five to six percent of vehicles using these roadways, and observed speeds were generally low on Campbell Technology Parkway and moderate on East McGlincy Lane. The transportation analysis also reviewed collision history along East McGlincy Lane and Campbell Technology Parkway. The Final EIR also considered additional collision data that included bicycles and pedestrians identifying five reported collisions in the area between 2019 and 2024. None involved a fatal or severe injury, and the Final EIR concluded that the surrounding roadways do not exhibit an existing collision problem or safety hazard with bicycles and pedestrians and that the project is not expected to increase the collision rate or result in additional traffic-safety hazards.

To address pedestrian and visibility-related safety concerns, Mitigation Measure TRANS-1 requires several pedestrian and visibility improvements, including a new high-visibility ADA-compliant crosswalk across Campbell Technology Parkway at the project's mid-block driveway, a new crosswalk across the north leg of the Campbell Technology Parkway/East McGlincy Lane intersection, associated ADA curb-ramp improvements, and red curb adjacent to the project driveways to maintain sight distance.

Findings for Approval: To grant a land use approval, the decision-making body must affirmatively establish that the project meets codified findings for approval. Findings establish the evidentiary basis for a City's decision to grant or deny a land use approval and to impose conditions of approval as necessary to establish the findings. The applicable findings depend upon the type of land use approval under review. The following analysis identifies each of the applicable findings in *italics* and how the proposed project satisfies them.

Planned Development Permit Findings: The applicable Planned Development Permit findings are those contained in an earlier iteration of the Zoning Code (*former* CMC Sec. 21.12.030.H.6) that had been in effect at the time of the project's preliminary application submittal. However, these findings must be applied in a manner consistent with the Housing Accountability Act and the project's status as a Builder's Remedy project. And, as discussed, the applicant has elected to exercise AB 1893's deemed-consistency provisions, under which the project is deemed consistent, compliant, and in conformity with applicable plans, policies, ordinances, standards, and similar provisions for all purposes.

A. *The proposed development or uses clearly would result in a more desirable environment and use of land than would be possible under any other zoning district classification*.

Not Applicable. The project site was already zoned P-D (Planned Development) on the date of the preliminary application, and the applicant is therefore proceeding through the Planned Development Permit process applicable to that zoning district. As such, the project does not involve selection of the P-D District in lieu of another zoning district classification. The finding is, therefore, not applicable.

B. *The proposed development would be compatible with the general plan and will aid in the harmonious development of the immediate area.*

Yes. As a Builder's Remedy project subject to AB 1893, the project must be deemed consistent, compliant, and in conformity with the applicable General Plan and other City plans, policies, ordinances, and standards for all purposes. This statutory deemed consistency is the basis for this finding. Separately, and not necessarily as a basis for the finding, the EIR evaluated the project against the 2001 General Plan's applicable policies and determined that the project would be consistent with those policies and goals. Among other provisions, the project advances General Plan policies supporting housing opportunities, safe and accessible public improvements, compatible site planning, landscaping, and residential open space.

C. *The proposed development will not result in allowing more residential units than would be allowed by other residential zoning districts which are consistent with the general plan.*

Not Applicable. This finding presupposes a residential General Plan designation for which a corresponding residential zoning district and allowable residential density can be identified. On April 18, 2023, the project site was designated Research and Development under the 2001 General Plan. As a result, there is no residential zoning district consistent with that designation against which the proposed 290 units can be compared.

D. The proposed development would not be detrimental to the health, safety or welfare of the neighborhood or of the city as a whole.

Yes. The proposed project has undergone comprehensive environmental and technical review, including evaluation of air quality, land use compatibility, noise, transportation, utilities, emergency access, and other potential effects on surrounding properties and the community. The EIR determined that the project would have no significant and unavoidable environmental impacts and that all potentially significant impacts would be reduced to less-than-significant levels through implementation of identified mitigation measures. In addition, no objective and identified public health and safety standard or policy in effect when the preliminary application was deemed complete has been identified with which the project would conflict, and the record therefore would not support a finding of a specific, adverse impact under California law.

Subdivision Findings: These findings are required pursuant to the Subdivision Map Act (Govt. Code § 66410 et seq.) and must be established to allow approval of the Tentative Vesting Map.

A. That the proposed map is consistent with applicable general and specific plans;

Yes. As discussed in Planned Development Permit Finding 'B,' above, the project is deemed consistent with applicable General Plan provisions pursuant to the Housing Accountability Act. The EIR also independently determined that the project is consistent with applicable policies of the 2001 General Plan.

B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;

Yes. The proposed subdivision and associated improvements are consistent with applicable General Plan policies addressing public improvements, transportation safety, compatible site planning, landscaping, and residential open space. The project includes an interconnected system of internal streets and pedestrian walkways, improvements along Campbell Technology Parkway, new utility infrastructure, landscaping, and common open space. As conditioned, the applicant will also be required to record a Tract Map, dedicate necessary right-of-way, establish required easements, and construct required grading, drainage, utility, and street improvements.

C. That the site is physically suitable for the type of development;

Yes. The project site is an already-developed property that is presently occupied by an R&D campus and is served by water, sanitary sewer, storm drainage, electrical, and communication infrastructure. The proposed development would connect to and improve these existing utility systems. Although the site is subject to geologic and soil conditions requiring further engineering review, the EIR determined that these conditions can be adequately addressed through preparation and implementation of a site-specific design-level geotechnical report and compliance with Building Code requirements.

D. That the site is physically suitable for the proposed density of development;

Yes. The 17.28-acre site can physically accommodate the proposed 290-unit development, consisting of 27 detached homes and 263 townhome-style condominium units, together with internal streets, parking, utilities, landscaping, and common open spaces.

E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

Yes. The EIR determined that the proposed project would not substantially degrade the environment, substantially reduce fish or wildlife habitat, threaten a plant or animal community, or reduce the number or range of any endangered, rare, or threatened species. Potential biological impacts associated primarily with construction and tree removal would be reduced to less-than-significant levels through implementation of the identified mitigation measures.

F. The design of the subdivision or the type of improvements will not cause serious public health problems; and

Yes. The EIR evaluated potential effects associated with air quality, hazardous materials, noise, transportation, emergency access, and other matters affecting public health and safety and did not identify any significant and unavoidable impacts. Potentially significant effects would be reduced to less-than-significant levels through implementation of the identified mitigation measures. In addition, hazards and hazardous materials were determined not to result in significant environmental impacts, and operational use of hazardous materials would be limited to quantities ordinarily associated with residential development.

G. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision or that alternative easements for access will be provided, and that these will be substantially equivalent to ones previously acquired by the public.

Yes. Existing public easements dedicated by the prior Parcel Map, or through other dedications, that conflict with the proposed project will be vacated prior to, or concurrent with, recordation of the Tract Map. The applicant will also be required to dedicate or record all public and private easements necessary to serve the subdivision, including right-of-way, utility, drainage, ingress and egress, and access easements. The existing emergency vehicle access easement through Paseo de Palomas will remain available to provide secondary emergency access to the project site. Accordingly, as conditioned, the subdivision would not conflict with existing public access or use easements.

Tree Removal Permit Finding(s): The City's Tree Protection Regulations (CMC Chapter 21.32) provide five findings for consideration when reviewing a Tree Removal Permit. The permit may be granted when one or more of the findings are satisfied. In consideration of the project, the finding No. 5 may be satisfied:

5. *Economic enjoyment and hardship. The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the approval authority that there are no reasonable alternatives to preserve the tree(s). A minor reduction of the potential number of residential units or building size due to the tree location does not represent a severe limit of the economic enjoyment of the property.*

Yes. To accommodate the project, 116 existing trees would be removed, of which 74 are considered protected trees under the City's Tree Protection Regulations. The trees proposed for removal are located within areas that would conflict with the project's proposed residential buildings, internal streets and drive aisles, utility and stormwater infrastructure. Given the extent of the proposed redevelopment and the number and distribution of trees affected, retention of the protected trees would render the proposed project infeasible. However, the project has also been designed to retain existing trees where conflicts do not exist, which would be protected throughout demolition and construction. As conditioned, each protected tree to be removed must be replaced on a one-for-one basis, unless otherwise authorized by the City's provisions for site limitations and payment of an in-lieu fee, as set forth in the Tree Protection Regulations in effect on April 18, 2023.

Fence Exception Findings: The project proposes an eight-foot-high precast wall along the Highway 17 boundary, exceeding the otherwise applicable six-foot maximum fence height. CMC Sec. 21.42.060.B provides that the decision-making body may authorize an increased fence height in conjunction with an associated development application when it can establish the following findings:

(1) The [increased height] would not impair pedestrian or vehicular safety;

Yes. The eight-foot wall would be located along the perimeter of the project adjacent to Highway 17, away from the project's driveway entrances, internal intersections, and pedestrian crossings. Accordingly, the increased wall height would not obstruct required sight distance or otherwise interfere with pedestrian or vehicular circulation.

(2) The [increased height] would result in a more desirable site layout;

Yes. The increased wall height would provide a more substantial physical separation between the residential development and Highway 17 and establish a defined edge along the freeway boundary.

(3) The [increased height] would not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood of the change;

Yes. The wall would be located adjacent to Highway 17 rather than along a shared boundary with an existing residential neighborhood and would provide additional separation between future residents and the freeway. The project site is exposed to traffic noise from Highway 17, with residences nearest the freeway subject to additional acoustical review to ensure compliance with applicable interior noise standards. The increased wall height would not create an adverse effect on nearby residents or businesses and would contribute to the physical separation of the residential development from the freeway.

(4) The [increased height] would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

Yes. The eight-foot precast wall would be located along the Highway 17 boundary and incorporated into the project's overall landscaping treatment. Because Highway 17 is depressed below the elevation of the project site, the increased wall height would not create a prominent visual feature when viewed from the freeway. Accordingly, the increased wall height would not be detrimental or injurious to surrounding property or the general welfare of the City.

Affordable Housing: To qualify for the Builder's Remedy provisions applicable to the project, 20 percent of the 290 units, or 58 units, would be reserved as below-market-rate (BMR) homes for lower-income buyers. The BMR homes would be distributed throughout the project and would include five detached homes, 30 three-story townhomes, and 23 four-story townhomes. By comparison, a standard residential development would generally be subject to the City's 15 percent inclusionary housing requirement, equivalent to approximately 44 units. The project therefore provides 14 more affordable units than would otherwise be required. In addition, the City's Inclusionary Housing Ordinance requires a combination of low- and moderate-income units, whereas all 58 BMR units proposed by this project would be reserved for lower-income households, resulting in a greater number of lower-income units than would otherwise be required. The BMR units would be subject to recorded affordability restrictions for an initial 45-year term, with a new 45-year affordability term commencing upon each subsequent change in ownership, thereby preserving the units as affordable housing over the long term.

Separately, under the 2024 amended DDA agreement between the City and the property owner, the developer would contribute a total of $2.5 million to the City's housing fund, consisting of $625,000 following final project approval and an additional $1.875 million upon issuance of the initial building permits. This is a voluntary contractual obligation of the property owner, and not imposed as a condition of approval.

Site and Architectural Review Committee (SARC): The SARC reviewed the project at its September 23, 2026 meeting. SARC comments are advisory. The Committee was generally supportive of the project's site layout and architectural design approach. The main comments raised by the SARC are summarized as follows:

- **Highway 17 Interface**: The SARC discussed the proximity of the four-story townhomes to the freeway and expressed concern regarding freeway noise, dust, and other airborne debris affecting units facing the freeway. The applicant team explained that the project has been evaluated for freeway noise and that appropriate acoustical treatments would be incorporated.

- **Balcony and Deck Drainage**: The SARC discussed that controlling drainage from upper-story balconies and decks was important to prevent staining of building façades from freeway-related dust and to avoid runoff. The applicant team indicated that Brookfield Residential, the anticipated project builder, typically incorporates gutters or similar drainage controls along deck edges and intends to address this issue as the construction details are refined.

- **Four-Story Townhome Configuration**: The SARC requested clarification regarding whether elevators would be provided within the four-story buildings. The applicant explained that the buildings are "piggyback townhomes" consisting of lower and upper two-story units, and not four-level units. Elevators are therefore not proposed.

- **Garage Access**: The SARC expressed support for the site layout because it does not orient garage doors along the primary internal streets. The Committee suggested that the applicant also consider providing an exterior means of opening residential garage doors, such as a keypad, so residents can access garages without first entering the dwelling. The applicant team indicated that the suggestion would be considered as the building plans are further developed.

- **Parking and Garage Use**: The SARC asked how unauthorized parking along the internal streets would be addressed. The applicant explained that parking would be restricted to

designated areas and that the CC&Rs would provide a mechanism for enforcement by the HOA. The SARC recommended that the applicant consider including a CC&R provision requiring residential garages to remain available for vehicle parking rather than being used for storage.

- **Fire Access and Emergency Circulation**: The SARC asked for confirmation that the project accommodates required fire department access. The applicant team confirmed that the plans have been reviewed by the Santa Clara County Fire Department multiple times and that required fire access and apparatus operating areas have been incorporated into the design.

Public Comment: Correspondence received separately from the EIR administrative record is included as **Attachment K**. In addition, the following section responds to questions raised at the September 28, 2026 community meeting held at the Campbell Community Center. The questions below have been summarized and consolidated from 25 written comment cards submitted at the meeting, which are included as **Attachment L** for the record.

1. **What traffic study and traffic-count data were used for the project, when were they collected, and how does the analysis account for changes in traffic patterns, new development, and increased employment since the data were collected?**

   The transportation analysis used peak-hour traffic counts collected between 2022 and 2024, including January 2024 counts at Campbell Technology Parkway/East McGlincy Lane and counts of the existing Tech Park R&D uses. The analysis also includes Background and Cumulative scenarios to account for changing traffic conditions over time. Background Conditions add traffic from approved but not yet completed or occupied development, while Cumulative Conditions apply a one-percent annual growth rate for five years and also include traffic from approved projects. Additional 24-hour traffic, vehicle-classification, and speed counts were collected on Campbell Technology Parkway and McGlincy Lane in April 2025. These data are also generally contemporaneous with the project's April 2023 preliminary application and subsequent review period. The fact that the EIR process has extended into 2026 does not render the counts outdated, since any traffic study necessarily reflects conditions at a particular point in time.

2. **Which surrounding streets and intersections were included in the traffic analysis, including McGlincy Lane, Campbell Technology Parkway, Bascom Avenue, Union Avenue, Curtner Avenue, Campbell Avenue, and the Pruneyard area, and why were any of these locations excluded?**

   As discussed in the traffic section of this staff report, the level-of-service analysis focused on Campbell Technology Parkway/East McGlincy Lane and Curtner Avenue/White Oaks Road/Camden Avenue because those locations were identified as the most relevant study intersections based on project access, expected travel routes, and applicable VTA criteria. Union Avenue/East McGlincy Lane was not included because it is a local, non-CMP intersection, and project traffic traveling toward Union Avenue must first pass through the stop-controlled Campbell Technology Parkway approach at East McGlincy Lane, which regulates the rate at which project vehicles enter East McGlincy Lane. More distant locations, including Bascom Avenue, Campbell Avenue, and the Pruneyard area, were not identified as warranting separate formal LOS analysis because project traffic disperses as it moves away from the site.

3. **How were existing and future traffic conditions on McGlincy Lane and Campbell Technology Parkway evaluated, including peak-hour congestion, potential chokepoints, collision potential, vehicles or delivery trucks obstructing the roadway, and whether additional intersection controls such as a traffic signal may be warranted?**

   As discussed in the traffic section of this staff report, conditions on Campbell Technology Parkway and McGlincy Lane were evaluated using peak-hour intersection analysis, 24-hour traffic, vehicle-classification and speed counts, and a peak-hour traffic signal warrant analysis. The Campbell Technology Parkway/East McGlincy Lane intersection is projected to continue operating at an acceptable level of service under each study scenario, and the peak-hour signal warrant was not met under any scenario.

   The Final EIR separately addresses traffic-safety concerns. Updated collision data identified five reported collisions in the area between 2019 and 2024, with no fatal or severe-injury collisions. The Final EIR also acknowledges comments regarding delivery trucks obstructing portions of McGlincy Lane; however, the City's traffic consultants reported that they did not observe improper or unsafe traffic operations during their roadway evaluation.

4. **What vehicular access points will serve the project, will there be a second means of access, and what role, if any, will Paseo de Palomas play in providing regular, emergency, or through access?**

   The project's regular vehicular access would be provided by three full-access driveways on Campbell Technology Parkway. A secondary access would be provided for emergency vehicles through an existing emergency vehicle access (EVA) easement extending from the north end of the project through Paseo de Palomas to Union Avenue. As private property, this drive-aisle would not provide public access to the project site.

5. **Is the proposed emergency vehicle access from Paseo de Palomas physically unobstructed and adequate, including the reported conflict with an existing power pole, and how will adequate emergency access be confirmed before project implementation or EIR certification?**

   The Paseo de Palomas emergency vehicle access has already been reviewed by the Santa Clara County Fire District. A concern was raised about an existing PG&E pole and guy wire near the EVA connection. The application materials reflect these facilities will be replaced with new underground electrical service placed in a new joint trench, which was also separately confirmed by the project's engineering team. The pole does not need to be physically relocated before the EIR is certified because the relocation is part of project construction.

6. **What roadway, intersection, pedestrian, or bicycle improvements are proposed in the surrounding area, including possible improvements at McGlincy Lane and sidewalks along Curtner Avenue?**

   The project includes completing sidewalks and ADA curb ramps along the project frontage, a new high-visibility crosswalk across Campbell Technology Parkway near the middle project driveway to connect to Edith Morley Park, a new crosswalk across the north leg of the Campbell Technology Parkway/East McGlincy Lane intersection, and red curb near project driveways to maintain sight distance.

However, no new sidewalk is proposed along East McGlincy Lane west of Campbell Technology Parkway or along Curtner Avenue. The Final EIR concluded that the project would not create a need for sidewalks west along McGlincy because it did not identify likely pedestrian destinations in that direction. Any broader McGlincy or Curtner sidewalk improvements would therefore be a separate City project.

7. **How much parking is provided for the 290 residential units, how is that parking distributed among the different types of parking provided by the project, and does the total include on-street parking?**

   The project includes a total of 718 on-site vehicle parking spaces. Each unit has a private two-car garage, providing 580 garage spaces, and an additional 138 surface guest spaces are distributed throughout the development. This parking is voluntarily proposed by the applicant. Because the project site is within one-half mile of a major transit stop, Government Code Section 65863.2 (AB 2097) would generally preclude the City from requiring a minimum parking requirement for the project (see City AB 2097 map). In addition to this on-site parking, the project would also provide approximately ten new on-street parking spaces along the northerly side of Campbell Technology Parkway.

8. **How could the project affect existing parking used by nearby residents, businesses, employees, and Edith Morley Park, and are changes to surrounding on-street parking being considered?**

   As noted above, the project would create new on-street parking along the Campbell Technology Parkway project frontage. The existing parking spaces along the Edith Morley Park frontage are limited to three hours between 7:00 AM and 6:00 PM, Monday through Friday. If vehicles overstay the posted limit, that would be a separate parking enforcement matter for the City to address. The project does not itself change the existing parking restrictions along the street.

9. **What is the basis for the EIR statement that more than 1,000 parking spaces are available near the Downtown Campbell Light Rail Station, and how does that parking supply relate to the project's VMT analysis?**

   The City's 2016 parking inventory identifies over 1,000 parking spaces in the downtown area, inclusive of public and private spaces. However, the availability of this parking is not a basis for the project's VMT screening determination. The project qualifies for the City's transit-based VMT screening because the site is within one-half mile of the Winchester Light Rail Station, measured by straight-line distance, consistent with HCD guidance. The reference to the downtown parking supply in the EIR is used to illustrate the point that transit use does not necessarily require walking the entire distance to a station. A commuter could drive a short distance to a light rail stop and still substantially reduce VMT by using transit for the longer portion of the trip.

10. **What is the status of the potential future pedestrian and bicycle bridge over Highway 17 identified in the EIR, and does the project have any obligation beyond reserving an easement for that facility?**

    The Highway 17 bicycle and pedestrian overpass is a separate project identified in VTA's Santa Clara Countywide Bicycle Plan. The Final EIR describes it as a conceptual project, with the

facility type, alignment, and right-of-way yet to be determined. The bridge itself is not part of the proposed project, and the EIR's transportation conclusions do not depend on it being constructed. However, a condition of approval would require a public access easement across the project streets to facilitate access to the overpass if and when it is ever constructed as a separate and independent project.

11. How will the project affect existing recreation and open space, what public or project open space will be provided, and what other recreation, open-space, or community improvements are proposed for the surrounding neighborhood?

The existing R&D campus has no public recreational facilities. The project would not modify Edith Morley Park, and the park would remain open during construction. The project would provide nearly three acres of usable onsite open space, including a linear open-space area with a children's playground, seating, shaded picnic areas and a ping-pong area, a smaller pocket park with picnic and barbecue facilities, and other passive recreation areas. The EIR concluded that the onsite recreation facilities would reduce demand on existing parks.

The project would also be required to pay approximately $6 million in park impact fees. Under the law, these fees may be used to acquire parkland, develop new parks, or create or enhance recreational facilities within existing parks. For example, if new active recreation facilities (e.g., playgrounds) at Edith Morley Park are identified as a future City priority, park impact fee revenues could potentially be programmed toward those improvements. The park impact fee is calculated under the City's fee schedule and parkland dedication requirements in effect on April 18, 2023.

12. What physical improvements are proposed along the project boundary with Paseo de Palomas, including walls, landscaping, and existing trees, and which existing trees will be retained or removed?

Along the Paseo de Palomas boundary, the project includes a six-foot precast wall and an approximately 30-foot landscaped buffer between the new homes and the community's residences. Some existing trees along this edge would be removed, particularly toward the southerly portion of the buffer, while other mature trees would be retained. However, new trees and landscaping would be added to maintain a landscaped buffer.

13. What mitigation measures or other project requirements address impacts on the Campbell Village neighborhood and construction-related impacts?

The Final EIR did not identify any potentially significant environmental impacts affecting Campbell Village resulting from the project; therefore, no mitigation measures specific to that neighborhood were included in the Final EIR for the project. The Final EIR did identify potentially significant temporary environmental impacts associated with project construction. To mitigate these potential impacts to a less than significant level, the Mitigation Monitoring and Reporting Program requires construction staging to occur onsite and a traffic control plan for any temporary roadway restrictions or closures.

Construction hours must be limited to 8:00 AM to 5:00 PM weekdays and 9:00 AM to 4:00 PM Saturdays, with no construction on Sundays or national holidays pursuant to the City's Municipal Code. Nuisance-generating construction noise is also restricted. Dust-control

requirements include watering exposed areas, covering haul trucks, street sweeping, equipment washing, and suspending earthwork during high winds, and Tier 4 construction equipment is required to reduce diesel exhaust.

14. How will increased population associated with the project affect City services, particularly police, fire, and emergency medical services?

The project is estimated to add approximately 722 residents, based on Campbell's average household size of 2.49 people per household. This would increase demand for police, fire, and other emergency services. The EIR evaluated the ability of existing service providers to accommodate this increased demand and concluded that the project would not require new or expanded police or fire facilities.

15. What is the project's current entitlement and design status, including the final site configuration and Builder's Remedy status?

As discussed, the project qualifies for Builder's Remedy treatment based on the HCA preliminary application submitted on April 18, 2023. Although the City Council adopted the Housing Element later that same day, the Housing Element had not yet been adopted when the preliminary application was filed earlier in the day. More importantly, a housing element is in substantial compliance only after the jurisdiction has adopted it and HCD or a court has determined that it substantially complies. HCD had not yet determined that the Housing Element was in substantial compliance with State law at the time the preliminary application was submitted. HCD did not make that determination until May 30, 2023.

A formal application for the current 290-unit project was subsequently submitted on September 26, 2023, or within 180 days after the preliminary application as required to preserve vesting per Government Code Section 65941.1(d). The site plan now under consideration represents the applicant's final proposed site configuration for entitlement review and is the plan on which the City's recommended approvals and conditions are based.

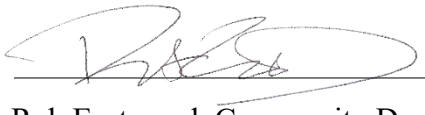
16. What will the speed limit be in the development?

Any private speed-control signage or HOA rules would be addressed during project implementation subject to applicable law.

Attachments:
A. Draft Resolution (CEQA)
B. Draft Resolution (Project Entitlements)
C. Muwekma Ohlone Tribe (Alan Leventhal) Materials
D. Muwekma Ohlone Tribe (Bernadette Quiroz) Recommendations
E. DDA Amendment
F. Project Plans
G. Applicant AB 1893 letter
H. SARC Memorandum, dated September 23, 2026
I. CIP Project Sheet
J. Conceptual Lane Configuration Exhibit
K. Public Correspondence
L. Community Meeting Comment Cards

Prepared by: 

Daniel Fama, Senior Planner

Approved by: 

Rob Eastwood, Community Development Director

RESOLUTION NO. 2026-xx

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPT CEQA FINDINGS OF FACT, AND ADOPT A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CAMPBELL TECH PARK PROJECT ON PROPERTIES LOCATED AT **635, 655, 675, AND 695 CAMPBELL TECHNOLOGY PARKWAY. FILE NO. PLN-2023-165**. STATE CLEARINGHOUSE NO. 2024121066.

After notification and public hearing, as specified by law, and after presentation by the Community Development Director, proponents and opponents, the Planning Commission did determine that the Final Environmental Impact Report (FEIR), with the correction specified in this Resolution, provides a full and adequate environmental review for consideration of the Campbell Tech Park Project and should be forwarded to the City Council for certification and consideration in conjunction with the proposed project.

The Planning Commission finds as follows with regard to the aforementioned environmental review:

1. The Project Site consists of four contiguous parcels totaling approximately 17.28 acres at 635, 655, 675, and 695 Campbell Technology Parkway, identified as Assessor's Parcel Numbers 412-29-010, 412-29-011, 412-29-012, and 412-29-015. The site is bounded by State Route 17 to the north and west, the Paseo de Palomas mobile home community to the east, and Campbell Technology Parkway and Edith Morley Park to the south.

2. The Project Site is currently developed as the Campbell Technology Park, a research and development campus consisting of four buildings totaling approximately 280,684 square feet, together with associated surface parking, landscaping, internal circulation, and related site improvements. The campus was developed pursuant to a Planned Development Permit approved by the City in 1997. The existing campus would be demolished to accommodate the Proposed Project.

3. The Proposed Project is an application for a Planned Development Permit to allow the demolition of the existing Campbell Technology Park research and development campus and the construction of a housing development project consisting of 290 dwelling units, including 27 two-story detached single-family homes and 263 townhome-style condominium units arranged across 28 three-story townhouse rows and 15 four-story townhouse rows, with associated site, parking, landscaping, open space, stormwater management, and public and private improvements, including construction of public improvements along Campbell Technology Parkway and an increase in fence and wall height to eight feet along the Highway 17 boundary; a Vesting Tentative Subdivision Map to allow the creation of 70 private lots, 17 common lots, and 263 residential condominiums, together with dedication of public right-of-way and related public and private easements, and the vacation of all public easements dedicated by the prior Parcel Map recorded in Book 716 at Pages 25–27 that conflict with the proposed redevelopment of the property; and a Tree Removal Permit to allow the removal of 116 existing trees.

4. The Proposed Project is subject to review under the California Environmental Quality Act (CEQA; Public Resources Code Section 21000 et seq.) and the CEQA Guidelines, Title 14 of the California Code of Regulations, Section 15000 et seq. The City of Campbell is the lead agency.

5. The City received a Housing Crisis Act preliminary application pursuant to Government Code Section 65941.1 on April 18, 2023. At that time, the site was designated Research and Development under the 2001 General Plan and zoned Planned Development, and the City did not have an adopted Housing Element in substantial compliance with State law. The project is subject to the Builder's Remedy provisions of the Housing Accountability Act. The applicant has elected application of Government Code Section 65589.5(f)(6)(D), as effective January 1, 2025, pursuant to Section 65589.5(f)(7)(A). These provisions do not dispense with the City's obligation to comply with CEQA.

6. A Notice of Preparation (NOP) was released on January 6, 2025, commencing an extended 40-day public review and scoping period that concluded on February 14, 2025.

7. The Planning Commission held a public scoping meeting on January 28, 2025, to receive comments and guidance from interested public agencies, organizations, and individuals on the scope and content of the EIR.

8. An Initial Study identified the environmental topics requiring detailed analysis in the EIR and addressed other topics for which impacts would be less than significant, with mitigation where required. The EIR provides detailed analysis of Air Quality, Cultural Resources, Energy, Greenhouse Gas Emissions, Land Use and Planning, Noise, Transportation, Tribal Cultural Resources, and Utilities and Service Systems.

9. A Notice of Availability (NOA) of the Draft Environmental Impact Report (DEIR) was released on April 15, 2026, commencing a 45-day public review and comment period that concluded on June 1, 2026.

10. On April 28, 2026, the Planning Commission held a public meeting to receive comments regarding the adequacy of the Draft EIR.

11. The Final EIR was released on September 22, 2026. Individuals, organizations, and public agencies that had provided comment on the DEIR were notified of the FEIR's availability. The Final EIR includes responses to comments, revisions and clarifications to the Draft EIR, and supporting appendices, including a revised transportation analysis. The Draft EIR and its appendices, together with the Final EIR and its appendices, constitute the EIR for the project.

12. In conjunction with the release of the FEIR, a Mitigation Monitoring and Reporting Program (MMRP) dated September 22, 2026, was prepared pursuant to CEQA Guidelines Section 15097 to ensure that the mitigation measures and project revisions identified in the EIR are implemented. The MMRP identifies the parties responsible for implementation, the timing of implementation, and the monitoring responsibilities, actions, and frequency.

13. The Planning Commission hearing to consider a recommendation concerning certification of the FEIR and adoption of the CEQA Findings of Fact and MMRP was noticed in accordance with applicable law.

14. Pursuant to Public Resources Code Section 21091(d)(2)(A) and CEQA Guidelines Sections 15088, 15089, and 15132, the FEIR responds to the environmental comments that were submitted during the DEIR public review period and provides revisions and clarifications to the Draft EIR.

15. The Planning Commission has reviewed the DEIR and FEIR and their associated appendices (constituting together the "EIR" for the project), the Initial Study, proposed Mitigation Monitoring and Reporting Program, CEQA Findings of Fact, project plans, staff report, public comments, and all evidence received at the Planning Commission hearing, all of which are hereby incorporated by reference into this Resolution.

16. The Planning Commission's consideration of the EIR includes correction of an inaccurate statement in Final EIR Section 2.4.37, Response to Comment PC-NStrange-1, on page 2-80, in the paragraph immediately preceding Section 2.4.38, Response to Comment PC-TLaFrance: Trudy LaFrance. The following sentence is deleted:

    "Additionally, minor striping is proposed as a project condition to counteract the one- to two-car queue addition of the project."

    The deleted sentence is replaced with the following clarification:

    "Restriping of the Curtner Avenue/White Oaks Road and Camden Avenue intersection has been evaluated as a separate City improvement. This restriping is not a condition of approval or mitigation measure for the Campbell Tech Park Project. The EIR's conclusions regarding the project's transportation impacts do not depend on implementation of that separate improvement."

17. The correction in Finding No. 16 does not change the EIR's environmental conclusions for the following reasons:

    a. The transportation analysis evaluates vehicle queues with and without the project under existing, background, and cumulative conditions without assuming the separate restriping improvement. Table 10, Queuing Summary, of the revised transportation analysis in Final EIR Appendix B, page 33, separately presents a "Cumulative Plus Project with Restriping" scenario. The scenarios without restriping disclose the project's incremental contribution to queues and permit consideration of that contribution independently of the City improvement.

    b. The two movements with existing queues exceeding storage are the eastbound left-turn and southbound right-turn movements at the Curtner Avenue/White Oaks Road and Camden Avenue intersection. Without restriping, the project increases the existing PM eastbound left-turn queue from 29 to 30 vehicles and the cumulative PM queue from 30 to 32 vehicles. The existing AM southbound right-turn queue increases from 42 to 43 vehicles and the cumulative AM queue from 45 to 47 vehicles. These results disclose the additional queuing before any

benefit from the separate improvement is assumed and support the Final EIR's characterization of the project's effect on the affected queues as negligible.

c. Public Resources Code Section 21099(b)(2) and CEQA Guidelines Section 15064.3 distinguish automobile delay and congestion from environmental impacts requiring a CEQA significance determination. Automobile delay described solely by level of service or similar measures of vehicular capacity or traffic congestion does not constitute a significant environmental impact for this residential project. Transportation-related effects involving safety, air quality, noise, vehicle miles traveled, and other physical environmental effects remain subject to CEQA and are evaluated in the EIR.

d. The separate Curtner Avenue/White Oaks Road and Camden Avenue restriping improvement is not identified in the EIR as mitigation required to reduce a significant environmental effect, and the EIR's significance conclusions do not depend on its implementation. Accordingly, correcting the Final EIR to clarify that the restriping is not a project condition does not remove or modify any mitigation measure, alter the project's environmental impacts, or change any significance conclusion.

18. The correction in Finding No. 16 does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5 because it clarifies that the separate restriping improvement is not a project condition and does not change any environmental impact, mitigation measure, or significance conclusion.

19. The EIR identified certain significant and potentially significant adverse effects on the environment caused by the project that have either been eliminated or reduced to a lesser impact. The Initial Study and EIR identify potentially significant effects involving biological resources, geology and soils, air quality, cultural resources, land use and planning, transportation, and tribal cultural resources. With implementation of the mitigation measures in the September 22, 2026, Mitigation Monitoring and Reporting Program, all identified significant effects would be reduced to less-than-significant levels. No significant and unavoidable environmental impact would remain.

20. The EIR evaluates a reasonable range of alternatives, including a No Project/No Development Alternative and a No Project/Future Development Alternative, and explains why a Mixed-Use Alternative was not carried forward for detailed analysis. The No Project/No Development Alternative would retain the existing research and development campus and would not achieve the project objectives, while the No Project/Future Development Alternative would allow at least 467 residential units on three parcels, retain research and development uses on the fourth parcel, and result in greater impacts in several environmental categories. The EIR identifies the Proposed Project as the environmentally superior alternative among the development alternatives analyzed. The Planning Commission has considered the alternatives, their comparative environmental effects, and the project objectives, as further described in Draft EIR Section 5.0 and Exhibit B.

21. The Planning Commission's recommendation is based on the EIR and the entire record, including the correction and supporting findings in this Resolution.

22. The Planning Commission specifically finds that where more than one reason for recommending approval of the project and rejecting alternatives is given in its findings or in the record, the Planning Commission would have made its recommendation on the basis of any one of those reasons.

Based upon the foregoing findings of fact, the Planning Commission further finds and concludes that:

1. Exhibit A (Findings Regarding Significant Impacts and Mitigation Measures) of this Resolution provides findings required under Section 15091 of the CEQA Guidelines and is herein incorporated by reference and recommended to the City Council for adoption.

2. Exhibit B (Findings Regarding Alternatives) of this Resolution provides findings regarding alternatives under Section 15126(a) of the CEQA Guidelines and is herein incorporated by reference and recommended to the City Council for adoption.

3. After considering the EIR and in conjunction with making these findings, the Planning Commission finds that, pursuant to Section 15092 of the CEQA Guidelines, all identified significant effects on the environment have been eliminated or substantially lessened through implementation of the mitigation measures identified in the EIR and recommends that the City Council make the same finding.

4. After considering the EIR and in conjunction with making these findings, the Planning Commission has considered alternatives to the Project and finds based on substantial evidence in the record that the Proposed Project is the best alternative that can be feasibly implemented. The Planning Commission recommends that the City Council reject all other alternatives, and combinations and variations thereof, for the reasons stated in the EIR and Exhibit B.

5. These findings made by the Planning Commission are supported by substantial evidence in the record, which is summarized herein and in Exhibits A and B.

6. The Mitigation Monitoring and Reporting Program attached hereto as Exhibit C is recommended to the City Council for adoption to ensure implementation of feasible mitigation measures identified in the EIR. The Planning Commission finds that, upon City Council approval of the project, these mitigation measures will be fully enforceable conditions on the project and binding upon the City and affected parties.

7. Pursuant to Government Code Section 65589.5(f)(6)(D), the Proposed Project is deemed consistent, compliant, and in conformity with applicable City plans, programs, policies, ordinances, standards, requirements, and other similar provisions for all purposes. The Planning Commission further finds that approval of the project, subject to the applicable conditions of approval and mitigation measures, is in the public interest and consistent with the public health, safety, and welfare.

8. Section 21000 et seq. of the Public Resources Code and Section 15000 et seq. of Title 14 of the California Code of Regulations (CEQA Guidelines), which govern the

preparation, content, and processing of environmental impact reports, have been fully implemented in the preparation of the EIR.

9. The Planning Commission has independently reviewed and analyzed the EIR and recommends that the City Council certify that the Final EIR has been completed in compliance with CEQA, was presented to and reviewed and considered by the City prior to taking action on the project, and reflects the City's independent judgment and analysis.

10. Because the EIR identifies no significant and unavoidable environmental impacts after implementation of feasible mitigation measures, a Statement of Overriding Considerations is not required.

THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council: (1) certify the Final Environmental Impact Report (FEIR) for the Campbell Tech Park Project in accordance with the California Environmental Quality Act, with the correction specified in Finding No. 16 of this Resolution; (2) adopt the CEQA Findings of Fact attached as Exhibits A and B; (3) adopt the Mitigation Monitoring and Reporting Program attached as Exhibit C; and (4) direct that a Notice of Determination be filed within the statutory deadline following City Council approval of the project.

PASSED AND ADOPTED this 13th day of October, 2026, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

APPROVED: _____
Davis Fields, Chair

ATTEST: _____
Rob Eastwood, Secretary

EXHIBIT A: FINDINGS REGARDING SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Pursuant to Public Resources Code (PRC) Section 21081 and California Environmental Quality Act (CEQA) Guidelines Section 15091, the City Council hereby makes these findings with respect to the potential for significant environmental impacts from adoption and implementation of the proposed Campbell Tech Park Project (proposed project) and the means for mitigating those impacts. For the purpose of these findings, the term "Environmental Impact Report" (EIR) refers to the Draft EIR and Final EIR documents collectively, unless otherwise specified.

These findings do not attempt to describe the full analysis of each environmental impact contained in the Initial Study and EIR. Instead, the findings provide a summary description of each impact, describe the applicable mitigation measures identified in the Initial Study or EIR and adopted by the City, and state the findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Initial Study and EIR. These findings hereby incorporate by reference the discussion and analysis in the EIR that support the Initial Study and EIR's determinations regarding significant project impacts and mitigation measures designed to address those impacts. The facts supporting these findings are found in the record as a whole for the project.

In making these findings, the City ratifies, adopts, and incorporates into these findings the analysis and explanation in the Initial Study and EIR, and ratifies, adopts, and incorporates into these findings the determinations and conclusions of the Initial Study and EIR relating to environmental impacts and mitigation measures, except to the extent that any such determinations and conclusions are specifically and expressly modified by these findings.

INITIAL STUDY

BIOLOGICAL RESOURCES

Impact BIO-a: The proposed project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Mitigation Measure BIO-1: Northern California Legless Lizard Pre-Construction Surveys. A comprehensive survey for Northern California legless lizard of all areas exclusive of buildings, pavement or lawn shall be conducted within the project area within 14 days prior to construction. If no Northern California legless lizards are found, no further mitigation is necessary. If a Northern California legless lizard is observed within the proposed impact area, a qualified biologist shall relocate the individual to other suitable habitat a sufficient distance outside of the project area to preclude its return to the project area prior to construction.

Mitigation Measure BIO-2: Pre-Construction Nesting Bird Surveys. If construction activities (including tree and building removal) are proposed during the bird nesting season (February 1 – August 31), a focused survey for nesting raptors (including Swainson's hawk) and migratory bird nests shall be conducted by a qualified biologist within 14 days prior to the beginning of construction activities in order to identify active

nests. This survey shall be conducted within the proposed construction area and all accessible areas within 250 feet of the construction area. If active raptor nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced based on consultation and approval by the CEQA lead agency. The perimeter of the protected area shall be indicated by bright orange temporary fencing. No construction activities or personnel shall enter the protected area, except with approval of the biologist. If tree removal is necessary, trees containing nests, or burrows that must be removed as a result of project implementation shall be removed during the nonbreeding season (late September to March). If no active nests are found during the focused survey, no further mitigation will be required.

Mitigation Measure BIO-3: Pre-Construction Roosting Bat Surveys. Impact MM BIO-3: Pre-Construction Roosting Bat Surveys. A qualified biologist shall conduct a bat habitat assessment of all trees proposed for removal. This habitat assessment shall identify all potentially suitable roosting habitat and may be conducted up to one (1) year prior to the start of construction. If potential roosting habitat is identified (cavities in trees) within trees proposed for removal, the biologist shall survey the potential roosting habitat during the active season (generally April through October or from January through March on days with temperatures in excess of 50 degrees Fahrenheit) to determine presence of roosting bats. These surveys are recommended to be conducted utilizing methods that are considered acceptable by California Department of Fish and Wildlife and bat experts. Methods may include evening emergence surveys, acoustic surveys, inspecting potential roosting habitat with fiberoptic cameras or a combination thereof. If pre-construction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are identified within any of the trees planned for removal, or if presence is assumed, the trees shall be removed outside of pup season only on days with temperatures in excess of 50 degrees Fahrenheit. Pup season is generally during the months of May through August. Two-step tree removal shall be utilized under the supervision of the qualified biologist. Two-step tree removal involves removal of all branches of the tree that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. Once the bats have been excluded, tree removal may occur.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the Initial Study.

Rationale for Finding: The proposed project would be required to implement Mitigation Measures BIO-1 through BIO-3 to ensure no significant impacts would occur to species identified to have potential suitable habitat onsite. Mitigation Measure BIO-1 would require pre-construction surveys for Northern California legless lizards, Mitigation Measure BIO-2 would require pre-construction nesting bird surveys, and Mitigation Measure BIO-3 would require pre-construction roosting bat surveys. Mitigation Measures BIO-1 through BIO-3 would ensure that any potential wildlife species onsite are identified prior to the start of any construction activities and outlines procedures to be followed if a species is identified to be onsite during the pre-construction survey.

Resulting Significance: Less than Significant

Impact BIO-e: The proposed project could conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Mitigation Measure BIO-4: Removal of Protected Trees. In accordance with the City's Tree Protection Ordinance, the Applicant shall prepare a tree survey plan and submit that along with a Tree Removal Permit Application to the City. Mitigation for the tree removal may include planting of replacement trees (with the species, size, and location determined by the City), payment of in-lieu fee, or a combination of both options.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the Initial Study.

Rationale for Finding: Mitigation Measure BIO-4 implements the City's Tree Protection Ordinance and would require the project applicant to prepare a tree survey plan and submit a Tree Removal permit application to the City. This mitigation would ensure the proposed project does not conflict with any local policies or ordinances protecting biological resources.

Resulting Significance: Less than Significant

GEOLOGY AND SOILS

Impact GEO-a: The proposed project could directly or indirectly cause potential substantial adverse effects, including the risk or loss, injury, or death involving:

ii) Strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction.

Mitigation Measure GEO-1: Preparation of a Design-Level Geotechnical Exploration Report. Prior to the approval of a building permit, the project Applicant shall prepare a site-specific, design-level geotechnical exploration report. All recommendations included in the report shall be incorporated into the project site plans and the proposed project shall be designed and constructed in accordance with all recommendations included in the report. The report and site plans with the recommendations incorporated shall be submitted and reviewed by the City to ensure compliance with City requirements and standards.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the Initial Study.

Rationale for Finding: Mitigation Measure GEO-1 would require the project applicant to prepare a site-specific, design-level geotechnical exploration report and would be required to implement the recommendations included in the report. This mitigation would ensure the proposed project would be designed and constructed in accordance with recommendations included in the geotechnical report to reduce potential geotechnical impacts related to strong seismic ground shaking and seismic-related ground failure, including liquefaction.

Resulting Significance: Less than Significant

Impact GEO-c: The proposed project could be located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse.

Mitigation Measure GEO-1 would be required.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the Initial Study.

Rationale for Finding: Mitigation Measure GEO-1 would require the project applicant to prepare a site-specific, design-level geotechnical exploration report and would be required to implement the recommendations included in the report. This mitigation would ensure that project site soils are analyzed for its potential to result in lateral spreading, subsidence, liquefaction, and collapse and would ensure that appropriate construction design guidelines and recommendations are followed.

Resulting Significance: Less than Significant

Impact GEO-d: The proposed project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property.

Mitigation Measure GEO-1 would be required.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the Initial Study.

Rationale for Finding: Mitigation Measure GEO-1 would require the project applicant to prepare a site-specific, design-level geotechnical exploration report and would be required to implement the recommendations included in the report. This mitigation would ensure that project site soils are analyzed for its potential to result in lateral spreading, subsidence, liquefaction, and collapse and would ensure that appropriate construction design guidelines and recommendations are followed.

Resulting Significance: Less than Significant

DRAFT EIR

AIR QUALITY

Impact AIR-c: The proposed project could expose sensitive receptors to substantial pollutant concentrations.

Mitigation Measure AIR-1: Minimize Construction Exhaust Emissions. Exhaust emissions shall be minimized during construction activities with the use of off-road equipment engines that meet or exceed California Air Resources Board's Tier 4 Final engine emissions standards for off-road equipment exceeding 50 horsepower (hp). At a minimum, all construction equipment shall be certified as compliant with the Tier 4 Final engine emissions standards as provided in California Code of Regulations, Title 13, section 2423(b)(1)(B). Engines can achieve these standards through the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, or other options as they become available.

Mitigation Measure AIR-2: HEPA Filter Maintenance Schedule Information. Prior to occupancy, the Applicant shall provide all tenants with information on the routine maintenance schedule to replace and/or clean

their MERV 13 filters. Filters should be replaced on a three-month basis in order to ensure that proper filtration levels are maintained.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: The proposed project would be required to implement Mitigation Measures AIR-1 through AIR-2 to ensure sensitive receptors would not be exposed to substantial pollutant concentrations. Mitigation Measure AIR-1 would require all construction equipment meet or exceed the California Air Resources Board's Tier 4 Final engine emissions standards. Mitigation Measure AIR-1 would reduce the risk at the maximally exposed residential receptor. Mitigation Measure AIR-2 would require the project applicant to provide all tenants (prior to occupancy) with information on the routine maintenance schedule to replace and/or clean MERV 13 filters. Mitigation Measure AIR-2 would ensure that indoor concentrations of particulate matter would be reduced below the applicable threshold and future residents of the proposed project would not be exposed to substantial pollution concentrations.

Resulting Significance: Less than Significant

CULTURAL RESOURCES

Impact CUL-a: The proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

Mitigation Measure CUL-1: Development of an Archaeological Monitoring Plan and Archaeological Monitoring.

A. Prior to any project-related ground disturbance an Archaeological Monitoring Plan (AMP) shall be developed by a qualified archaeologist who meets the Secretary of the Interior's (SOI) Professional Qualifications Standards for Archaeology for review and approval by the City.
   i. The AMP shall include but not limited to, 1) archaeological monitoring methods specific to project grading and utilities excavation; 2) protocols and a chain of contact if unanticipated archaeological discoveries are encountered during project-related ground disturbance; 3) a summary of documentation procedures for unanticipated discoveries; 4) a description of the types of archaeological deposits that are likely to be encountered specific to the site; and 5) procedures for evaluating these archaeological deposit types as historical resources or unique archaeological resources pursuant to PRC Section 5024.1 or PRC Section 21083.2(g)

B. Prior to any project-related ground disturbance, the Applicant shall retain the services of an SOI qualified archaeologist to implement the AMP and oversee archaeological monitoring of project grading, utilities, and foundation excavation pursuant to the AMP.
   i. If archaeological deposits are encountered during project-related ground disturbance, the monitoring archaeologist shall have the authority to stop work in the area (50-foot radius) and implement the procedures outlined in the AMP.
   ii. Work shall not resume until the monitoring archaeologist under the oversight of the SOI qualified archaeologist and, in consultation with the City, determines that all applicable protocols of the AMP have been meet and that the archaeological deposit does not qualify as a historical resource

or unique archaeological resource pursuant to PRC Section 5024.1 or PRC Section 21083.2(g) and no further archaeological investigation is necessary.

iii. Should the monitoring archaeologist under the oversight if the SOI qualified archaeologist and, in consultation with the City, determine the archaeological deposit does qualify as a historical resource or unique archaeological resource pursuant to PRC Section 5024.1 or PRC Section 21083.2(g), a treatment plan with appropriate protection and preservation measure will be developed for review, approval, and implementation by the City to mitigate impacts to the resource.

iv. Following the completion of all ground disturbance associated with project construction, the results of the archeological monitoring will be summarized in a technical document. The technical document shall be provided to the City for review and approval and submitted to the NWIC.

Mitigation Measure CUL-2: Conduct Cultural Resource Sensitivity Training. Prior to any project-related ground disturbance, the Applicant shall retain the services of an SOI qualified archaeologist to oversee and ensure that all construction workers involved in ground disturbing activities receive Cultural Resource Sensitivity Training by an archaeologist who is experienced in teaching non-specialists to recognize archaeological resources in the event that any are discovered during construction. Construction staff directly overseeing or engaged in ground disturbing activities must participate in this training. This training shall be provided once to each worker involved in ground-disturbing activities before they begin work and shall be documented in training records submitted to the City.

This training shall be administered as stand-alone trainings or included as part of an overall environmental awareness training required by the Applicant and/or contractor prior to construction. The training shall include, at minimum, the following:

- the appearance and types of cultural and archaeological resources that are likely to be encountered;
- the notification procedures and protocols to be taken in the event of an inadvertent cultural or archaeological resource discovery; and
- the penalties for disturbing or destroying cultural resources.

Mitigation Measure: CUL-3: Stop Work if Archaeological Deposits and/or Human Remains Are Encountered During Ground-Disturbing Activities. If archaeological deposits are encountered during project-related ground disturbance, work in the area (50-foot radius) shall stop immediately and the procedures outlined in the AMP will be implemented. If any human remains are discovered during ground-disturbing activities, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent human remains. These remains shall be treated in accordance with existing state laws, including California PRC Section 5097.98 and California Health and Safety Code Section 7050.5.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: The proposed project would be required to implement Mitigation Measures CUL-1 through CUL-3 to ensure no significant impacts would occur to a historical resource. Mitigation Measure CUL-1 would require the development of an Archaeological Monitoring Plan and Archaeological Monitoring. Mitigation Measure CUL-2 would require the project applicant to retain the services of an SOI qualified archaeologist to oversee and ensure that all construction workers involved in ground disturbing activities receive Cultural Resource Sensitivity Training by an archaeologist. Mitigation Measure CUL-3 would require

any ground-disturbing activities to stop if archaeological deposits and/or human remains are encountered. Implementation of Mitigation Measures CUL-1, CUL-2, and CUL-3 would ensure that impacts related to archaeological resources that qualify as historical resources would be reduced to less than significant impact with mitigation through implementation of a monitoring plan, worker awareness training, and requirements to stop work if archaeological deposits are encountered during ground-disturbing activities and would ensure that there would not be a substantial adverse change in the significance of a historical resource.

Resulting Significance: Less than Significant

Impact CUL-b: The proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

Mitigation Measure CUL-1 through CUL-3 would be required.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: The proposed project would be required to implement Mitigation Measures CUL-1 through CUL-3 to ensure no significant impacts would occur to an archaeological resource. Implementation of Mitigation Measures CUL-1, CUL-2, and CUL-3 would reduce potential impacts related to archaeological deposits that qualify as archaeological resource through implementation of a monitoring plan, worker awareness training, and requirements to stop work if archaeological deposits are encountered during ground-disturbing activities. Mitigation Measures CUL-1 through Mitigation Measures CUL-3 would ensure that there would not be a substantial adverse change in the significance of an archaeological resource if undiscovered resources are unearthed during construction.

Resulting Significance: Less than Significant

Impact CUL-c: The proposed project could disturb any human remains, including those interred outside of formal cemeteries.

Mitigation Measure CUL-1 through CUL-3 would be required.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: The proposed project would be required to implement Mitigation Measures CUL-1 through CUL-3 to ensure no significant impacts would occur to human remains. Mitigation Measure CUL-1 would require the development of an Archaeological Monitoring Plan and Archaeological Monitoring. Mitigation Measure CUL-2 would require the project applicant to retain the services of an SOI qualified archaeologist to oversee and ensure that all construction workers involved in ground disturbing activities receive Cultural Resource Sensitivity Training and Mitigation Measure CUL-3 would require any ground-disturbing activities to stop if human remains are encountered. Implementation of Mitigation Measures CUL-1 through CUL-3 would reduce potential impacts related to discovery of human remains during construction activities.

Resulting Significance: Less than Significant

LAND USE AND PLANNING

Impact LU-b: The proposed project could cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Mitigation Measure AIR-2 would be required.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: Mitigation Measure AIR-2 would require the project applicant to provide all tenants (prior to occupancy) with information on the routine maintenance schedule to replace and/or clean MERV 13 filters. Mitigation Measure AIR-2 would ensure that indoor concentrations of particulate matter would be reduced below the applicable threshold and the project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environment effect.

Resulting Significance: Less than Significant

TRANSPORTATION

Impact TRANS-a: The proposed project could conflict with a program plan, ordinance or policy addressing the circulating system, including transit, roadway, bicycle and pedestrian facilities.

Mitigation Measure TRANS-1: Construct Pedestrian Improvements. The proposed project shall implement the following pedestrian improvements:

- Install a high visibility American with Disabilities Act (ADA) compliant crosswalk across Campbell Technology Parkway at the project site's mid-block driveway along with the associated pedestrian warning signs, yield signs, and yield lines in each direction.
- Install new ADA compliant ramps at both ends of the new crosswalk.
- Install a crosswalk along the north leg of Campbell Technology Parkway at East McGlincy Lane intersection to connect the northeast and northwest corners of the Campbell Technology Parkway/East McGlincy Lane intersection.
- Two existing curb ramps should be retrofitted to be ADA compliant.
- Provide public access easement across the property streets to preserve bicycle and pedestrian access for a potential future bicycle and pedestrian bridge across SR-17.
- Provide fifteen feet of red curb to the east and five feet to the west at each driveway to maintain sight distance for exiting vehicles.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: Mitigation Measure TRANS-1 would implement pedestrian improvements including the installation of a high visibility crosswalk across Campbell Technology Parkway, installation of ADA compliant ramps at the crosswalks, installation of a crosswalk at the East McGlincy Lane intersection, providing red curb at each project driveway to maintain sight distance for exiting vehicles, and providing an

easement across the project site for future development of a potential bicycle and pedestrian bridge. This mitigation would improve pedestrian access and circulation and would ensure the project does not conflict with a program plan, ordinance or policy addressing the circulating system, including transit, roadway, bicycle and pedestrian facilities.

Resulting Significance: Less than Significant

Impact TRANS-c: The proposed project could substantially increase hazards to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Mitigation Measure TRANS-1 would be required.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: Mitigation Measure TRANS-1 would implement pedestrian improvements including the installation of a high visibility crosswalk across Campbell Technology Parkway, installation of ADA compliant ramps at the crosswalks, installation of a crosswalk at the East McGlincy Lane intersection, providing red curb at each project driveway to maintain sight distance for exiting vehicles, and providing an easement across the project site for future development of a potential bicycle and pedestrian bridge. The public access easement is not intended or needed to remedy a project impact, but rather to facilitate access to the potential future SR-17 bicycle and pedestrian overcrossing if and when that separate and independent project is constructed. This mitigation would require the proposed project to provide fifteen feet of red curb to the east and five feet to the west at each driveway to maintain sight distance for existing vehicles and would ensure the project design does not substantially increase hazards due to a geometric design feature or incompatible uses.

Resulting Significance: Less than Significant

TRIBAL CULTURAL RESOURCES

Impact TCR-a: The proposed project could cause a substantial adverse change in the significance of a tribal cultural resource, defined by Public Resources Code (PRC) Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k), or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1? In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Mitigation Measures CUL-1 through CUL-3 would be required.

Finding: Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: The proposed project would be required to implement Mitigation Measures CUL-1 through CUL-3 to ensure no significant impacts would occur to a tribal cultural resource. Mitigation Measure CUL-1 would require the development of an Archaeological Monitoring Plan and Archaeological Monitoring. Mitigation Measure CUL-2 would require the project applicant to retain the services of an SOI qualified archaeologist to oversee and ensure that all construction workers involved in ground disturbing activities receive Cultural Resource Sensitivity Training by an archaeologist. Mitigation Measure CUL-3 would require any ground-disturbing activities to stop if archaeological deposits and/or human remains are encountered. Mitigation Measures CUL-1 through Mitigation Measures CUL-3 would ensure that any potential tribal cultural resources discovered during construction are handled properly and would ensure the project would not result in a substantial adverse change to the significance of a tribal cultural resource.

Resulting Significance: Less than Significant

EXHIBIT B: FINDINGS REGARDING ALTERNATIVES

The California Environmental Quality Act (CEQA) Guidelines require that an Environmental Impact Report (EIR) describe a reasonable range of alternatives that would feasibly attain most of the basic project objectives but would avoid or substantially lessen any of the significant environmental effects of the project, and then evaluate the comparative merits of such alternatives (Guidelines Section 15126(a)). For the purpose of these findings, the term "EIR" refers to the Draft EIR and Final EIR documents collectively, unless otherwise specified.

SIGNIFICANT IMPACTS

Based on the analyses in Section 3.0, Environmental Impact Analysis, of the Draft EIR, the City of Campbell (City) has determined that all of the Campbell Tech Park Project's (proposed project's) potentially significant environmental effects would be avoided or reduced to less-than-significant levels through implementation of the mitigation measures described in the Draft EIR and Mitigation Monitoring and Reporting Program.

ALTERNATIVES CONSIDERED

Through the environmental review process, the City identified two (2) potential project alternatives for consideration. The following alternatives are evaluated in Section 5.0, Alternatives to the Proposed Project, of the Draft EIR:

- No Project No Development Alternative. Under CEQA, an evaluation of a "no project" alternative must be included in each EIR. Under the No Project No Development Alternative, the proposed project would not be developed and conditions on the project site would remain as they are. Under this alternative, the project site would remain developed with the existing R&D uses and structures. The project site's land use designation and zoning would default to the land use designation and zoning identified in the City's 2040 General Plan.
- No Project Future Development Alternative. Under the No Project Future Development Alternative, the proposed project would not be constructed. The No Project Future Development alternative analyzes the potential impacts that could result if the project site was developed in accordance with the uses envisioned in the City's 6th Cycle Housing Element and 2040 General Plan. Under the recently adopted 6th Cycle Housing Element and 2040 General Plan, three of the project site parcels (Assessor's Parcel numbers [APNs] 412-29-015, 412-29-012, and 412-29-011) totaling 13.76 acres were redesignated as High Density mixed-Use (HD MU) which has a density requirement of 34-45 units/acre; however, APN 412-29-010 was not redesignated and remained R&D. Therefore, under the No Project Future Development Alternative, the three parcels redesignated as HD MU would be redeveloped with residential uses and the remaining fourth parcel would remain R&D and the existing structure would remain on the site.

  Under the No Project Future Development Alternative, the three redesignated parcels would be developed in accordance with the capacity assumptions utilized in the 6th Cycle Housing Element. The 6th Cycle Housing Element assumed the three sites would be developed at the low end of the required density range of 34-45 units/acre and therefore, with a total acreage of 13.76 acres, the No Project Future Development Alternative would develop the three parcels with at least 467 total units. As the No Project Future Development Alternative would require redevelopment of the three parcels,

demolition of the existing structures on the three sites would be required. As the fourth parcel was not redesignated, the existing structure on the fourth parcel would remain and the existing R&D uses on the site would remain.

The primary purpose of an EIR's alternative analysis is to identify and evaluate possible alternatives to the proposed project that can avoid or substantially lessen the project's significant environmental effects while still achieving the basic objectives of the project. The following objectives have been identified for purposes of screening potential alternatives to the proposed project:

- Maximize development of medium-density housing in the City of Campbell while assisting the City in achieving its share of low-income and above-moderate-income housing under the 2023-2031 Regional Housing Needs Allocation.
- Facilitate development of a diversity of housing types and availability of housing units for a diversity of income levels, including market rate units and affordable units.
- Facilitate development of infill areas that have been previously paved and developed to promote preservation of existing open spaces within the City and location of residential use proximate to public transit.

FINDINGS REGARDING ALTERNATIVES

As further set forth below, the City has considered all of the possible alternatives identified and analyzed in EIR and has elected to approve the proposed project described in Section 2.0 of the Draft EIR. None of the other alternatives would eliminate all of the significant impacts identified in the Draft EIR, and the City finds that the other alternatives would be infeasible for specific economic, social, or other considerations pursuant to CEQA Sections 21002 and 21081(a)(3), and CEQA Guidelines Section 15091(a)(3). Based on the evaluation and analysis of project alternatives set forth in Section 5.0 of the Draft EIR, and on the entire record of proceedings for the proposed project, the City hereby makes the following findings:

- Findings Relating to No Project No Development Alternative. The City considered a No Project Alternative (No Project No Development Alternative) and declines to adopt it because it would result in greater impacts to air quality, energy, greenhouse gas emissions, and land use and planning. Though the No Project No Development Alternative would result in less impacts to cultural and tribal cultural resources, noise, transportation, and utilities and service systems, the No Project No Development Alternative would not achieve any of the project objectives, assist the City in meeting its RHNA allocation and affordable housing needs, facilitate development of a diversity of housing types, or facilitate development of infill areas. For these reasons, this alternative is infeasible, as supported by the administrative record for the proposed project.
- Findings Relating to No Project Future Development Alternative. The City considered a No Project Future Development Alternative and declines to adopt it because it would have greater impacts than the proposed project to air quality, energy, greenhouse gas emissions, and noise. Land use would have less impact than the proposed project while transportation, utilities and service systems, and cultural and tribal cultural resources would have an equivalent impact as the proposed project. The No Project Future Development Alternative would not meet two out of the three project objectives. The No Project Future Development Alternative would provide high-density housing and would not meet the medium-density housing objective of the proposed project. Additionally, this alternative would not provide a

variety of housing types as specified in the project objectives as it would be assumed the development would be 100 percent multi-family units to accommodate the increased density. Additionally, retaining one of the existing R&D buildings onsite under this alternative may not be economically feasible due to declining occupancy at the existing site and high operating costs. This alternative would only feasibly meet one out of the three project objectives and therefore, would not be preferable. For these reasons, this alternative is infeasible, as supported by the administrative record for the proposed project.

Stantec

Campbell Tech Park Project

Mitigation Monitoring and Reporting Program

September 22, 2026

Prepared for:
City of Campbell
Community Development Department
70 N. First Street
City Hall – Upper Level
Campbell, CA 95008

Prepared by:
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2999 Oak Road, Suite 800
Walnut Creek, CA 94597

ACRONYMS AND ABBREVIATIONS

ADA	Americans with Disabilities Act
AMP	Archaeological Monitoring Plan
Applicant	Campbell Technology Park, LLC
CEQA	California Environmental Quality Act
City	City of Campbell
EIR	Environmental Impact Report
MMRP	Mitigation Monitoring and Reporting Program
PRC	Public Resources Code
proposed project	Campbell Tech Park Project
SOI	Secretary of the Interior

1.0 MITIGATION MONITORING AND REPORTING PROGRAM

The purpose of the Mitigation Monitoring and Reporting Program (MMRP) is to provide the City of Campbell (City) with a comprehensive list of the mitigation measures identified in the Initial Study and the Draft Environmental Impact Report (EIR) for the Campbell Tech Park Project (proposed project).

1.1 INTRODUCTION

The City is acting as the Lead Agency, as defined by the California Environmental Quality Act (CEQA). In accordance with Public Resources Code (PRC) section 21081.6, a Lead Agency that approves or carries out a project with potentially significant environmental effects shall adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval to mitigate or avoid significant effects on the environment."

The CEQA Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with respect to implementing and monitoring mitigation measures. In accordance with CEQA Guidelines section 15097(d), "each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise." This discretion will be exercised by implementing agencies at the time they consider any of the activities identified in the environmental document.

This MMRP is a working guide to facilitate both the implementation of the mitigation measures and the monitoring, compliance, and reporting activities by the City and any monitors it may designate. If the City adopts the EIR for the proposed project, it will adopt the MMRP.

1.2 OVERVIEW OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP is presented in the following table and includes the following components:

- The list of mitigation measures contained in the Initial Study and EIR, as adopted by the City;
- The party responsible for implementing the mitigation measure;
- The timing for implementation of the mitigation measure;
- The agency responsible for monitoring implementation of the mitigation measure; and
- The monitoring action and frequency.

The City and the Campbell Technology Park, LLC (Applicant) will be required to comply with this MMRP in all respects. In any instance where non-compliance occurs, the City-designated environmental monitors (the "monitoring party" listed in the MMRP) will issue a warning to the construction supervisor and notify the City's Director of Community Development. Any decisions to halt work due to non-compliance will be made by the City. The City's designated environmental monitors will keep records of any incidents of non-compliance with mitigation measures. The MMRP will be maintained in the City's files for use in construction and operation of the proposed project.

CAMPBELL TECH PARK PROJECT
Mitigation Monitoring and Reporting Program

Mitigation Measures	Implementation Party	Timing of Implementation	Monitoring Party and Monitoring Action	Monitoring Frequency	Verification of Implementation	
					Action	Date completed with Signature
Initial Study Section 3.4 – Biological Resources						
MM BIO-1: Northern California Legless Lizard Pre-Construction Surveys. A comprehensive survey for Northern California legless lizard of all areas exclusive of buildings, pavement or lawn shall be conducted within the project area within 14 days prior to construction. If no Northern California legless lizards are found, no further mitigation is necessary. If a Northern California legless lizard is observed within the proposed impact area, a qualified biologist shall relocate the individual to other suitable habitat a sufficient distance outside of the project area to preclude its return to the project area prior to construction.	• Project Applicant • Qualified biologist	14 days prior to the start of construction activities	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Confirm Project Applicant has retained a qualified biologist • Review and confirm survey completion and documentation	Once prior to the start of construction activities		
MM BIO-2: Pre-Construction Nesting Bird Surveys. If construction activities (including tree and building removal) are proposed during the bird nesting season (February 1 – August 31), a focused survey for nesting raptors (including Swainson's hawk) and migratory bird nests shall be conducted by a qualified biologist within 14 days prior to the beginning of construction activities in order to identify active nests. This survey shall be conducted within the proposed construction area and all accessible areas within 250 feet of the construction area. If active raptor nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced based on consultation and approval by the CEQA lead agency. The perimeter of the protected area shall be indicated by bright orange temporary fencing. No construction activities or personnel shall enter the protected area, except with approval of the biologist. If tree removal is necessary, trees containing nests, or burrows that must be removed as a result of project implementation shall be removed during the nonbreeding season (late September to March). If no active nests are found during the focused survey, no further mitigation will be required.	• Project Applicant • Qualified biologist	14 days prior to the start of construction activities and throughout the construction phase as needed	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Confirm Project Applicant has retained a qualified biologist Review and confirm survey completion and documentation	Once prior to the start of construction activities and throughout the construction phase as needed		
MM BIO-3: Pre-Construction Roosting Bat Surveys. A qualified biologist shall conduct a bat habitat assessment of all trees proposed for removal. This habitat assessment shall identify all potentially suitable roosting habitat and may be conducted up to one (1) year prior to the start of construction. If potential roosting habitat is identified (cavities in trees) within trees proposed for removal, the biologist shall survey the potential roosting habitat during the active season (generally April through October or from January through March on days with temperatures in excess of 50 degrees Fahrenheit) to determine presence of roosting bats. These surveys are recommended to be conducted utilizing methods that are considered acceptable by California Department of Fish and Wildlife and bat experts. Methods may include evening emergence surveys, acoustic surveys, inspecting potential roosting habitat with fiberoptic cameras or a combination thereof. If pre-construction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are	• Project Applicant • Qualified biologist	Up to one year prior to the start of construction and during the construction phase as needed	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Confirm the Project Applicant has retained a qualified biologist • Review and confirm survey completion and documentation • Review and confirm any subsequent monitoring required	One year prior to the start of construction and throughout the construction phase as needed		

Mitigation Measures	Implementation Party	Timing of Implementation	Monitoring Party and Monitoring Action	Monitoring Frequency	Verification of Implementation	
					Action	Date completed with Signature
identified within any of the trees planned for removal, or if presence is assumed, the trees shall be removed outside of pup season only on days with temperatures in excess of 50 degrees Fahrenheit. Pup season is generally during the months of May through August. Two-step tree removal shall be utilized under the supervision of the qualified biologist. Two-step tree removal involves removal of all branches of the tree that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. Once the bats have been excluded, tree removal may occur.						
MM BIO-4: Removal of Protected Trees. In accordance with the City's Tree Protection Ordinance, the Applicant shall prepare a tree survey plan and submit that along with a Tree Removal permit Application to the City. Mitigation for the tree removal may include planting of replacement trees (with the species, size, and location determined by the City), payment of in-leu fee, or a combination of both options.	• City • Project Applicant	Prior to the start of any tree removal activities	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Confirm and review tree survey plan and Tree Removal permit application • Confirm Project Applicant has implemented the appropriate mitigation (i.e., planting replacement trees or payment of in-lieu fees)	Prior to approval of a Tree Removal permit by the City		
Initial Study Section 3.7 – Geology and Soils						
MM GEO-1: Preparation of a Design-Level Geotechnical Exploration Report. Prior to the approval of a building permit, the project Applicant shall prepare a site-specific, design level geotechnical exploration report. All recommendations included in the report shall be incorporated into the project site plans and the proposed project shall be designed and constructed in accordance with all recommendations included in the report. The report and site plans with the recommendations incorporated shall be submitted and reviewed by the City to ensure compliance with City requirements and standards.	• Project Applicant • Qualified geologist	Prior to approval of a building permit	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Review design-level geotechnical exploration report • Confirm report recommendations have been incorporated into the project plans	Prior to approval of a building permit		
Draft EIR Section 3.1 – Air Quality						
MM AIR-1: Minimize Construction Exhaust Emissions. Exhaust emissions shall be minimized during construction activities with the use of off-road equipment engines that meet or exceed California Air Resources Board's Tier 4 Final engine emissions standards for off-road equipment exceeding 50 horsepower. At a minimum, all construction equipment shall be certified as compliant with the Tier 4 Final engine emissions standards as provided in California Code of Regulations, Title 13, section 2423(b)(1)(B). Engines can achieve these standards through the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, or other options as they become available.	• Project Applicant • Construction contractor	Prior to approval of any construction permits by the City and throughout the construction phase	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Confirm and review the use of Tier 4 construction equipment	Prior to approval of any constriction permits by the City and throughout the construction phase as needed		

Mitigation Measures	Implementation Party	Timing of Implementation	Monitoring Party and Monitoring Action	Monitoring Frequency	Verification of Implementation	
					Action	Date completed with Signature
MM AIR-2: HEPA Filter Maintenance Schedule Information. Prior to occupancy, the Applicant shall provide all tenants with information on the routine maintenance schedule to replace and/or clean their MERV 13 filters. Filters should be replaced on a three-month basis in order to ensure that proper filtration levels are maintained	• Project Applicant	Prior to building occupancy	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Confirm Applicant has provided all tenants with HEPA filter maintenance schedule information	Prior to building occupancy		
Draft EIR Section 3.2 – Cultural Resources						
MM CUL-1: Development of an Archaeological Monitoring Plan and Archaeological Monitoring. C. Prior to any project-related ground disturbance an Archaeological Monitoring Plan (AMP) shall be developed by a qualified archaeologist who meets the Secretary of the Interior's (SOI) Professional Qualifications Standards for Archaeology for review and approval by the City. i. The AMP shall include but not limited to, 1) archaeological monitoring methods specific to project grading and utilities excavation; 2) protocols and a chain of contact if unanticipated archaeological discoveries are encountered during project-related ground disturbance; 3) a summary of documentation procedures for unanticipated discoveries; 4) a description of the types of archaeological deposits that are likely to be encountered specific to the site; and 5) procedures for evaluating these archaeological deposit types as historical resources or unique archaeological resources pursuant to PRC Section 5024.1 or PRC Section 21083.2(g) D. Prior to any project-related ground disturbance, the Applicant shall retain the services of an SOI qualified archaeologist to implement the AMP and oversee archaeological monitoring of project grading, utilities, and foundation excavation pursuant to the AMP. v. If archaeological deposits are encountered during project-related ground disturbance, the monitoring archaeologist shall have the authority to stop work in the area (50-foot radius) and implement the procedures outlined in the AMP. vi. Work shall not resume until the monitoring archaeologist under the oversight of the SOI qualified archaeologist and, in consultation with the City, determines that all applicable protocols of the AMP have been meet and that the archaeological deposit does not qualify as a historical resource or unique archaeological resource pursuant to PRC Section 5024.1 or PRC Section 21083.2(g) and no further archaeological investigation is necessary. vii. Should the monitoring archaeologist under the oversight if the SOI qualified archaeologist and, in consultation with the City, determine the archaeological deposit does qualify as a	• City • Project Applicant • Qualified archaeologist	Prior to any project-related ground disturbance activities	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Confirm Project Applicant has retained a qualified archaeologist • Review and approve the AMP • Confirm a qualified archaeologist is present onsite to monitor construction activities requiring ground disturbance activities	Prior to the start of any project-related ground disturbance activities and throughout the construction phase as needed		

Mitigation Measures	Implementation Party	Timing of Implementation	Monitoring Party and Monitoring Action	Monitoring Frequency	Verification of Implementation	
					Action	Date completed with Signature
historical resource or unique archaeological resource pursuant to PRC Section 5024.1 or PRC Section 21083.2(g), a treatment plan with appropriate protection and preservation measure will be developed for review, approval, and implementation by the City to mitigate impacts to the resource. viii. Following the completion of all ground disturbance associated with project construction, the results of the archeological monitoring will be summarized in a technical document. The technical document shall be provided to the City for review and approval and submitted to the Northwest information Center.						
MM CUL-2: Conduct Cultural Resource Sensitivity Training. Prior to any project-related ground disturbance, the Applicant shall retain the services of an SOI qualified archaeologist to oversee and ensure that all construction workers involved in ground disturbing activities receive Cultural Resource Sensitivity Training by an archaeologist who is experienced in teaching non-specialists to recognize archaeological resources in the event that any are discovered during construction. Construction staff directly overseeing or engaged in ground disturbing activities must participate in this training. This training shall be provided once to each worker involved in ground-disturbing activities before they begin work and shall be documented in training records submitted to the City. This training shall be administered as stand-alone trainings or included as part of an overall environmental awareness training required by the Applicant and/or contractor prior to construction. The training shall include, at minimum, the following: • the appearance and types of cultural and archaeological resources that are likely to be encountered; • the notification procedures and protocols to be taken in the event of an inadvertent cultural or archaeological resource discovery; and • the penalties for disturbing or destroying cultural resources.	• City • Construction contractor • Project Applicant • Qualified archaeologist	Prior to any project-related ground disturbance activities	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Confirm Project Applicant has retained a qualified archaeologist to administer cultural resource sensitivity training • Confirm trainings have been completed and are documented in the City's training records	Prior to the start of any project-related ground disturbance activities and throughout the construction phase as needed		
MM CUL-3: Stop Work if Archaeological Deposits and/or Human Remains Are Encountered During Ground-Disturbing Activities. If archaeological deposits are encountered during project-related ground disturbance, work in the area (50-foot radius) shall stop immediately and the procedures outlined in the AMP will be implemented. If any human remains are discovered during ground-disturbing activities, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent human remains. These remains shall be treated in accordance with existing state laws, including California PRC Section 5097.98 and California Health and Safety Code Section 7050.5.	• City • Construction contractor • County Coroner	During ground-disturbing activities and in the event human remains are discovered	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Confirm any known human remains are identified prior to construction • Confirm procedures outlined under the Health and Safety Code of the PRC are followed if remains are found during construction	During ground-disturbing activities and in the event human remains are discovered		

Mitigation Measures	Implementation Party	Timing of Implementation	Monitoring Party and Monitoring Action	Monitoring Frequency	Verification of Implementation	
					Action	Date completed with Signature
Draft EIR Section 3.5 – Land Use and Planning						
Refer to Mitigation Measure AIR-2: HEPA Filter Maintenance Schedule Information in Draft EIR Section 3.1, Air Quality.						
Draft EIR Section 3.7 – Transportation						
MM TRANS-1: Construct Pedestrian Improvements. The proposed project shall implement the following pedestrian improvements: • Install a high visibility Americans with Disabilities Act (ADA) compliant crosswalk across Campbell Technology Parkway at the project site's mid-block driveway along with the associated pedestrian warning signs, yield signs, and yield lines in each direction. • Install new ADA compliant ramps at both ends of the new crosswalk. • Install a crosswalk along the north leg of Campbell Technology Parkway at East McGlincy Lane intersection to connect the northeast and northwest corners of the Campbell Technology Parkway/East McGlincy Lane intersection. • Two existing curb ramps should be retrofitted to be ADA compliant. • Provide public access easement across the property streets to preserve bicycle and pedestrian access for a potential future bicycle and pedestrian bridge across State Route 17. • Provide fifteen feet of red curb to the east and five feet to the west at each driveway to maintain sight distance for exiting vehicles.	• Project Applicant	During project design	Monitoring Party: • City of Campbell Community Development Department Monitoring Action: • Review and confirm site plans include the pedestrian improvements	Once during design review		
Draft EIR Section 3.8 – Tribal Cultural Resources						
Refer to Mitigation Measures CUL-1: Development of an Archaeological Monitoring Plan and Archaeological Monitoring, CUL-2: Conduct Cultural Resource Sensitivity Training, and CUL-3: Stop Work if Archaeological Deposits and/or Human Remains Are Encountered During Ground-Disturbing Activities in Draft EIR Section 3.2, Cultural Resources.						

RESOLUTION NO. 2026-XX

BEING A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAMPBELL RECOMMENDING THAT THE CITY COUNCIL APPROVE A PLANNED DEVELOPMENT PERMIT TO ALLOW THE DEMOLITION OF THE EXISTING CAMPBELL TECHNOLOGY PARK RESEARCH AND DEVELOPMENT CAMPUS AND THE CONSTRUCTION OF A HOUSING DEVELOPMENT PROJECT CONSISTING OF 290 DWELLING UNITS, INCLUDING 27 TWO-STORY DETACHED SINGLE-FAMILY HOMES AND 263 TOWNHOME-STYLE CONDOMINIUM UNITS ARRANGED ACROSS 28 THREE-STORY TOWNHOUSE ROWS AND 15 FOUR-STORY TOWNHOUSE ROWS, WITH ASSOCIATED SITE, PARKING, LANDSCAPING, OPEN SPACE, STORMWATER MANAGEMENT, AND PUBLIC AND PRIVATE IMPROVEMENTS, INCLUDING CONSTRUCTION OF PUBLIC IMPROVEMENTS ALONG CAMPBELL TECHNOLOGY PARKWAY AND AN INCREASE IN FENCE AND WALL HEIGHT TO EIGHT FEET ALONG THE HIGHWAY 17 BOUNDARY; A VESTING TENTATIVE SUBDIVISION MAP TO ALLOW THE CREATION OF 70 PRIVATE LOTS, 17 COMMON LOTS, AND 263 RESIDENTIAL CONDOMINIUMS, TOGETHER WITH DEDICATION OF PUBLIC RIGHT-OF-WAY AND RELATED PUBLIC AND PRIVATE EASEMENTS, AND THE VACATION OF ALL PUBLIC EASEMENTS DEDICATED BY THE PRIOR PARCEL MAP RECORDED IN BOOK 716 AT PAGES 25–27 THAT CONFLICT WITH THE PROPOSED REDEVELOPMENT OF THE PROPERTY; AND A TREE REMOVAL PERMIT TO ALLOW THE REMOVAL OF 116 EXISTING TREES, ON PROPERTIES LOCATED AT **635, 655, 675, AND 695 CAMPBELL TECHNOLOGY PARKWAY**. FILE NO.: PLN-2023-165

After notification and public hearing, as specified by law and after presentation by the Community Development Director, proponents and opponents, the hearing was closed.

The Planning Commission finds as follows with regard to the applications for a Planned Development Permit, Vesting Tentative Subdivision Map, and Tree Removal Permit (PLN-2023-165) to allow redevelopment of the Campbell Technology Park with 290 dwelling units and associated improvements (collectively, the “Proposed Project”):

<u>Environmental Findings</u>

1. A Final Environmental Impact Report (Final EIR) (State Clearinghouse No. 2024121066) has been prepared for the Proposed Project in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Draft EIR, Final EIR, and supporting appendices collectively constitute the EIR for the Proposed Project.

2. In a separate resolution, the Planning Commission recommended that the City Council certify the Final EIR, adopt the CEQA Findings of Fact, and adopt the Mitigation Monitoring and Reporting Program (MMRP) for the Proposed Project.

3. The Proposed Project is the same project evaluated in the EIR. With implementation of the mitigation measures identified in the EIR and set forth in the MMRP, all potentially significant environmental effects would be reduced to less-than-significant levels, and no significant and unavoidable environmental impacts would remain.

4. The Planning Commission has considered the EIR and the environmental effects of the Proposed Project in making its recommendation to the City Council.

Evidentiary Findings

1. The Project Site consists of four contiguous parcels totaling approximately 17.28 acres at 635, 655, 675, and 695 Campbell Technology Parkway, identified as Assessor's Parcel Numbers 412-29-010, 412-29-011, 412-29-012, and 412-29-015. The site is bounded by State Route 17 to the north and west, the Paseo de Palomas mobile home community to the east, and Campbell Technology Parkway and Edith Morley Park to the south.

2. The Project Site is currently developed as the Campbell Technology Park, a research and development campus consisting of four buildings totaling approximately 280,684 square feet, together with associated surface parking, landscaping, internal circulation, and related site improvements. The campus was developed pursuant to a Planned Development Permit approved by the City in 1997. The existing campus would be demolished to accommodate the Proposed Project.

3. The Proposed Project is an application for a Planned Development Permit to allow the demolition of the existing Campbell Technology Park research and development campus and the construction of a housing development project consisting of 290 dwelling units, including 27 two-story detached single-family homes and 263 townhome-style condominium units arranged across 28 three-story townhouse rows and 15 four-story townhouse rows, with associated site, parking, landscaping, open space, stormwater management, and public and private improvements, including construction of public improvements along Campbell Technology Parkway and an increase in fence and wall height to eight feet along the Highway 17 boundary; a Vesting Tentative Subdivision Map to allow the creation of 70 private lots, 17 common lots, and 263 residential condominiums, together with dedication of public right-of-way and related public and private easements, and the vacation of all public easements dedicated by the prior Parcel Map recorded in Book 716 at Pages 25–27 that conflict with the proposed redevelopment of the property; and a Tree Removal Permit to allow the removal of 116 existing trees.

4. The City received a preliminary application for redevelopment of the Project Site with 334 dwelling units pursuant to Government Code Section 65941.1 on April 18, 2023. Pursuant to Government Code Section 65589.5(o)(1), submittal of the preliminary application established April 18, 2023, as the date for determining the ordinances, policies, and standards applicable to the Proposed Project, subject to the exceptions provided by State law. The applicant subsequently submitted a formal development application for the current 290-unit Proposed Project in September 2023.

5. On April 18, 2023, the Project Site was designated Research and Development under the 2001 General Plan and zoned P-D (Planned Development). The City's 2040 General Plan, revised Zoning Code, and Multi-Family Development and Design Standards were adopted after submittal of the preliminary application and are not applicable to the Proposed Project except as otherwise authorized by Government Code Section 65589.5(o).

6. At the time the preliminary application was submitted, the City did not have an adopted revised Housing Element in substantial compliance with State Housing Element Law. The Proposed Project is therefore subject to the provisions of the Housing Accountability Act applicable to a "builder's remedy project," as set forth in Government Code Section 65589.5. Pursuant to Government Code Section 65589.5(f)(7)(A), the applicant elected application of Government Code Section 65589.5(f)(6)(D), as effective January 1, 2025.

7. Pursuant to Government Code Section 65589.5(f)(6)(D), the Proposed Project is not required to obtain a General Plan amendment, specific plan amendment, rezoning, or other legislative approval otherwise required solely to establish land-use consistency, and the Proposed Project is deemed consistent, compliant, and in conformity with applicable plans, programs, policies, ordinances, standards, requirements, redevelopment plans and implementing instruments, and similar provisions for all purposes.

8. Pursuant to Government Code Section 65589.5(f)(6)(D), the Proposed Project is deemed consistent with the 2001 General Plan and would further the following applicable policies:

Policy LUT-3.1:	Variety of Residential Densities: Provide land use categories for and maintenance of a variety of residential densities to offer existing and future residents of all income levels, age groups and special needs sufficient opportunities and choices for locating in Campbell.
Policy LUT-7.2:	Public Utilities and Improvements: Provide a comprehensive network of sidewalks, public utilities and multi-modal improvements that are safe, attractive, efficient, well maintained and accessible for pedestrians, bicyclists and motorists.
Policy LUT-9.3:	Design and Planning Compatibility: Promote high quality, creative design and site planning that is compatible with surrounding development, public spaces and natural resources.
Policy LUT-10.1:	Landscaping: Encourage the retention and planting of landscaping to enhance the natural and built environment.

9. The Proposed Project, consisting exclusively of residential units, constitutes a "housing development project" within the meaning of Government Code Section 65589.5(h)(2)(A). The City's authority to disapprove the Proposed Project, reduce its density, or impose conditions that render the Proposed Project infeasible is therefore limited by the Housing Accountability Act, including Government Code Section 65589.5(d) and the provisions specifically applicable to builder's remedy projects.

10. The Proposed Project would not result in the demolition of any existing residential dwelling units or protected units and therefore does not trigger the residential unit or protected-unit replacement requirements of Government Code Section 66300.6.

11. The Proposed Project would provide 58 for-sale below-market-rate units, representing 20 percent of the 290 dwelling units, for Lower-Income Households as defined by Health and Safety Code Section 50079.5, at an Affordable Housing Cost as defined by Health and Safety Code Section 50052.5. The affordable units would consist of five detached single-family homes, 30 three-story townhome-style condominium units, and 23 four-story townhome-style condominium units distributed throughout the development.

12. The Proposed Project includes an optional interior accessory dwelling unit (ADU) configuration in 10 (Plan 3/3x) of the 27 detached single-family homes, consistent with the City's "ADU Ready" Development Policy under former CMC Section 21.23.090.

13. In 2024, the City and Campbell Technology Park, LLC amended the Disposition and Development Agreement governing the Project Site to confirm that the agreement and related redevelopment documents do not prohibit the Proposed Project.

14. The Proposed Project would achieve a residential density of approximately 16.78 dwelling units per gross acre and would provide 718 on-site parking spaces, approximately 131,552 square feet of landscaped area, and approximately three acres of usable common open space.

15. The 27 two-story detached single-family homes would be located along the easterly portion of the Project Site adjacent to the Paseo de Palomas mobile home community, with the three- and four-story townhome-style condominium buildings located further within the Project Site. Landscaping, fencing, and common open-space areas would be incorporated throughout the development.

16. Regular vehicular access to the Proposed Project would be provided by three driveways on Campbell Technology Parkway. Secondary emergency vehicle access would be provided through an existing emergency vehicle access easement extending from the northerly portion of the Project Site through Paseo de Palomas to Union Avenue.

17. The Proposed Project incorporates public improvements along Campbell Technology Parkway, including dedication of required public right-of-way; construction of curb, gutter, sidewalk, accessible curb ramps, pedestrian crossings, street trees, street lighting, utility improvements, and stormwater facilities; and dedication or recordation of public and private easements necessary to serve the subdivision.

18. The Proposed Project includes an eight-foot-high precast wall along the State Route 17 boundary. The increased wall height would provide additional separation and screening between the residential development and State Route 17 and is included as part of the Planned Development Permit.

19. Pursuant to former CMC Section 21.12.030.H.10.c(1), the Planned Development Permit requires approval by City Council ordinance because the Proposed Project consists of the construction of more than twenty thousand square feet of gross floor area.

20. The Proposed Project does not include development in phases and is shown as a single, integrated development of the entire Project Site. Accordingly, no master phasing plan is required under former CMC Section 21.12.030.H.4.d or CMC Section 21.56.030.A.3, and the Conditions of Approval provide that only one tract map may be recorded for the entirety of the approved subdivision.

21. In review of the Proposed Project, the Planning Commission considered the site circulation, traffic congestion, and traffic safety effects of the project, including the effect of the site development plan on traffic conditions on abutting streets; the layout of the site with respect to the locations and dimensions of vehicular and pedestrian entrances, exit driveways, and walkways; the arrangement and adequacy of off-street parking facilities to prevent traffic congestion; the location, arrangement, and dimensions of truck loading and unloading facilities; the circulation patterns within the boundaries of the development; and the surfacing and lighting of the off-street parking facilities.

22. The Planning Commission further considered the landscaping design of the Proposed Project, including the location, height, and material of fences, walls, hedges, and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations, and other unsightly aspects of the development; the planting of groundcover or other surfacing to prevent dust and erosion; and the preservation of existing healthy trees.

23. The Planning Commission further considered the Proposed Project's architectural design and site layout, including the general silhouette and mass, location on the site, elevations, and relationship to natural plant coverage, all in relation to the surrounding neighborhood; the exterior design in relation to adjoining structures in terms of area, bulk, height, openings, and breaks in the façade facing the street; and the appropriateness and compatibility of the proposed uses in relation to adjacent uses and the area as a whole.

24. As a condition of approval, the applicant shall record Covenants, Conditions, and Restrictions for the Proposed Project, forming a homeowners association and formalizing responsibility for the operation and maintenance of private streets, common areas, landscaping, parking areas, recreational facilities, and other common improvements.

25. There is a reasonable relationship and a rough proportionality between the Conditions of Approval and the impacts of the Proposed Project.

26. There is a reasonable relationship between the use of the fees imposed upon the Proposed Project and the type of development project.

Based upon the foregoing findings of fact and in consideration of the entire administrative record, the Planning Commission further finds and concludes that:

Planned Development Permit Findings (former CMC Sec. 21.12.030.H.6):

1. The finding concerning whether the proposed development would result in a more desirable environment and use of the land than would be possible under another zoning district classification is not applicable because the Project Site was zoned P-D (Planned Development) on the date of the preliminary application and the Proposed Project is proceeding through the Planned Development Permit process applicable to that zoning district;

2. The proposed development will be compatible with the General Plan of the City and will aid in the harmonious development of the immediate area. Pursuant to Government Code Section 65589.5(f)(6)(D), the Proposed Project is deemed consistent, compliant, and in conformity with the applicable General Plan and other City plans, policies, ordinances, standards, and requirements;

3. The finding concerning whether the proposed development would allow more residential units than permitted by other residential zoning districts consistent with the General Plan is not applicable because the Project Site was designated Research and Development under the applicable 2001 General Plan, and there is no residential zoning district consistent with that designation against which the proposed 290 dwelling units may be compared;

4. The proposed development will not be detrimental to the health, safety or welfare of the neighborhood or the City as a whole;

Tentative Subdivision Map Findings (Govt. Code § 66410 et seq.):

5. That the proposed map is consistent with applicable general and specific plans;

6. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;

7. That the site is physically suitable for the type of development;

8. That the site is physically suitable for the proposed density of development;

9. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

10. The design of the subdivision or the type of improvements will not cause serious public health problems;

11. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision or that alternative easements for access will be provided, and that these will be substantially equivalent to ones previously acquired by the public;

Fence Exception Findings (CMC Sec. 21.18.060.E)

12. The [increased height] would not impair pedestrian or vehicular safety;

13. The [increased height] would result in a more desirable site layout;

14. The [increased height] would not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood of the change;

15. The [increased height] would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city;

Tree Removal Permit Finding (CMC Sec. 21.32.080.A):

16. The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the approval authority that there are no reasonable alternatives to preserve the tree(s);

THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council approve a Planned Development Permit to allow the demolition of the existing Campbell Technology Park research and development campus and the construction of a housing development project consisting of 290 dwelling units, including 27 two-story detached single-family homes and 263 townhome-style condominium units arranged across 28 three-story townhouse rows and 15 four-story townhouse rows, with associated site, parking, landscaping, open space, stormwater management, and public and private improvements, including construction of public improvements along Campbell Technology Parkway and an increase in fence and wall height to eight feet along the Highway 17 boundary; a Vesting Tentative Subdivision Map to allow the creation of 70 private lots, 17 common lots, and 263 residential condominiums, together with dedication of public right-of-way and related public and private easements, and the vacation of all public easements dedicated by the prior Parcel Map recorded in Book 716 at Pages 25–27 that conflict with the proposed redevelopment of the property; and a Tree Removal Permit to allow the removal of 116 existing trees, on properties located at **635, 655, 675, and 695 Campbell Technology Parkway**, subject to the attached recommended Conditions of Approval (attached Exhibit A).

PASSED AND ADOPTED this 13th day of October, 2026, by the following roll call vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTAIN: Commissioners:

APPROVED: _____
Davis Fields, Chair

ATTEST: _____
Rob Eastwood, Secretary

CONDITIONS OF APPROVAL
Planned Development Permit, Vesting Tentative Subdivision Map, and Tree Removal Permit
PLN-2023-165

Where approval by the Director of Community Development, City Engineer, Public Works Director, City Attorney or Fire Department is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations and accepted engineering practices for the item under review. Additionally, the applicant is hereby notified that he/she is required to comply with all applicable Codes or Ordinances of the City of Campbell and the State of California that pertain to this development and are not herein specified. Nothing in these conditions of approval is intended to conflict with applicable laws or vested rights and, where there is a conflict, such laws or rights shall prevail.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

1. Approved Project: Approval is granted for a Planned Development Permit to allow the demolition of the existing Campbell Technology Park research and development campus and the construction of a housing development project consisting of 290 dwelling units, including 27 two-story detached single-family homes and 263 townhome-style condominium units arranged across 28 three-story townhouse rows and 15 four-story townhouse rows, with associated site, parking, landscaping, open space, stormwater management, and public and private improvements, including construction of public improvements along Campbell Technology Parkway and an increase in fence and wall height to eight feet along the Highway 17 boundary; a Vesting Tentative Subdivision Map to allow the creation of 70 private lots, 17 common lots, and 263 residential condominiums, together with dedication of public right-of-way and related public and private easements, and the vacation of all public easements dedicated by the prior Parcel Map recorded in Book 716 at Pages 25–27 that conflict with the proposed redevelopment of the property; and a Tree Removal Permit to allow the removal of 116 existing trees, on properties located at **635, 655, 675, and 695 Campbell Technology Parkway**. The Approved Project shall substantially conform to the Project Plans included as Attachment C to the November 2, 2026, City Council Staff Report ("Approved Project Plans"), except as modified by the Conditions of Approval contained herein.

2. Permit Expiration: The Planned Development Permit, Vesting Tentative Subdivision Map, and Tree Removal Permit granted herein ("Approval") shall be valid for two (2) years from the effective date of City Council approval and shall expire on December 17, 2028. Within this two-year period the Tract (Final) Map shall be recorded with the Santa Clara County Clerk-Recorder. Failure to meet this deadline, absent an approved extension, shall result in the Approval being rendered void without any further action taken by the City. A request for an extension of the permit expiration date may be made in compliance with Campbell Municipal Code (CMC) Section 21.56.030.C (Extensions of Time).

Rights conferred by the Vesting Tentative Subdivision Map shall remain vested as provided by Government Code § 66498.1 et seq., notwithstanding anything else in these conditions of approval. Any extension of the Approval shall not be construed to extend or otherwise modify the periods of protection provided by Government Code § 65589.5(o), which shall be determined in accordance with State law.

3. Disposition and Development Agreement: The Approved Project shall remain subject to the terms of the September 4, 2024, Agreement to Amend the November 18, 1997 First Amended and Restated Disposition and Development Agreement between the City of Campbell and Campbell Technology Park, LLC. Nothing in this approval shall be construed to amend, supersede, waive, or otherwise modify the terms or obligations of that agreement.

4. Indemnity Agreement: Prior to the effective date of this approval, the applicant and property owner shall enter into an agreement satisfactory to the City Attorney to indemnify and defend the City of Campbell, its officers, officials, employees, and agents from any and all actions, liabilities, losses, and torts, including attorney's fees arising out of or connected unto any challenge to the decision of the City on this application. No building, grading, demolition, encroachment, or other permit or authorization implementing this Approval shall be issued unless and until the indemnity agreement has been fully executed by the applicant and property owner.

5. No Phasing: The Approval granted herein does not authorize development of the project in phases, as otherwise allowed pursuant to CMC Section 21.56.030.A.3 (Phasing) upon approval of a final phasing plan. Accordingly, only one tract (final) map for the entirety of the approved subdivision may be recorded.

6. Minor Revisions: Architectural refinements and other minor revisions to the Approved Project Plans, including modifications to the site plan, building elevations, and floor plan, may be administratively reviewed and approved by the Community Development Director pursuant to CMC Sec. 21.56.060.C (Minor Change), notwithstanding the limitations on amendment of Legacy Permits set forth in CMC Sec. 21.56.060.E. (Legacy Permits).

7. Industrial and Commercial Operations Disclosure: Prior to recordation of the tract (final) map, the property owner shall submit an "Industrial and Commercial Operations Disclosure", in a form approved by the Community Development Director and City Attorney, for use in connection with the sale of each dwelling unit within the Approved Project. The disclosure shall notify prospective purchasers that the Approved Project is located adjacent to and in the vicinity of established industrial and commercial uses and that occupants may experience noise, odors, dust, vibration, truck and commercial vehicle traffic, loading and unloading activities, lighting, and other effects associated with the lawful operation of such uses, including during early morning, evening, and nighttime hours. The foregoing shall not be construed to conflict with environmental review determinations for the Approved Project, including that the Approved Project is compatible with surrounding non-residential uses.

Prior to the close of escrow for each dwelling unit, the seller shall provide the Industrial Operations Disclosure to the prospective purchaser and obtain a signed acknowledgment of receipt. The signed acknowledgment shall be included in the escrow documents and retained by the seller for City inspection upon request.

8. Public Access Easement for Future SR 17 Bicycle/Pedestrian Bridge: Prior to recordation of the Tract Map, the applicant shall dedicate and record a public access easement across the project streets to provide bicycle and pedestrian access through the project site to a potential future bicycle and pedestrian bridge across State Route 17. The easement shall authorize public bicycle and pedestrian access through the project site if and when such bridge is constructed and opened for public use. The location, width, configuration, and form of the easement shall be subject to review and approval by the City Engineer and shall be shown on the tract (final) map or recorded by separate instrument, as approved by the City Engineer.

9. Affordable Housing Agreement: Prior to, or concurrently with, the recordation of the tract (final) map, the property owner shall execute and record an Affordable Housing Agreement ("Affordable Housing Agreement") with the City implementing the affordable housing requirements and commitments applicable to the Approved Project pursuant to Government Code § 65589.5 and CMC Chapter 21.24 (Inclusionary Housing Ordinance), as in effect on April 18, 2023, the date the City received the Approved Project's preliminary application pursuant to Government Code § 65941.1, to the extent applicable. The Affordable Housing Agreement shall be in a form approved by the City Attorney and Community Development Director, shall be recorded with the Santa Clara County Clerk-Recorder, and shall establish the requirements applicable to the Approved Project's below-market-rate ("BMR") units. The Affordable Housing Agreement shall, at a minimum, stipulate the following:

    a. **Required Units**: Require the provision of fifty-eight (58) for-sale Below-Market-Rate (BMR) units, representing 20 percent of the Approved Project's 290 residential units. All BMR units shall be reserved for sale to Lower-Income Households, as defined by Health and Safety Code Section 50079.5, and sold at an Affordable Housing Cost, as defined by Health and Safety Code Section 50052.5, subject to a monthly housing cost ceiling of one-twelfth of 30 percent of 70 percent of area median income, adjusted for household size pursuant to former Government Code Section 65589.5(h)(3), as in effect on April 18, 2023.

    b. **Location and Unit Mix**: Require that the location, housing type, and unit plan of each BMR unit conform to Sheet A1.0.5 (Affordable Housing Plan) of the Approved Project Plans, including five (5) detached single-family units, thirty (30) three-story townhome-style condominium units, and twenty-three (23) four-story townhome-style condominium units.

    c. **Term and Agreement Type**: Establish the applicable affordability term and form of resale restriction for the BMR units in accordance with Government Code § 65589.5 and CMC Chapter 21.24 (Inclusionary Housing Ordinance). Each BMR unit shall be subject to a recorded resale restriction, covenant, deed of trust, and/or other similar document approved by the City Attorney and Community

Development Director. The affordability restrictions shall remain in effect for forty-five (45) years from the initial sale and shall be renewed for a new forty-five (45)-year term upon each change of title, pursuant to CMC Section 21.24.060(A), as in effect on April 18, 2023.

d. **Annual certification**: Require homeowner participation in the annual certification process administered by the City through its BMR Housing Administrator.

e. **Construction Timing**: Establish a construction and occupancy sequencing schedule that provides for the BMR units to be constructed and made available in conjunction with the market-rate units and demonstrates compliance with the applicable timing requirements of CMC Chapter 21.24 (Inclusionary Housing Ordinance), as in effect on the preliminary application date.

f. **Eligible households**: Restrict the initial and subsequent sale of the BMR units to eligible Lower-Income Households, as verified by the City's BMR Housing Administrator, in accordance with Health and Safety Code § 50079.5.

g. **Buyer selection**: Establish procedures for the selection and qualification of initial and subsequent purchasers through the City's BMR Housing Administrator, including applicable household preference requirements, consistent with the provisions of CMC Chapter 21.24 (Inclusionary Housing Ordinance), as in effect on the preliminary application date.

h. **Project amenities**: Establish that the owners and occupants of the BMR units shall have the same access to project amenities, parking facilities, common open spaces, and recreational facilities as owners and occupants of market-rate units, as applicable.

i. **Unit comparability**: Establish that all BMR units, irrespective of income level, shall be comparable to the market-rate units in terms of appearance, materials, architectural features, lighting fixtures, type and number of appliances, landscaping areas, and finished quality. There shall not be significant identifiable differences between the BMR units and market-rate units that are visible from the exterior of the dwelling units. If air conditioning systems are provided for the market-rate units, all BMR units shall also be provided with air conditioning systems.

j. **Sales price methodology**: Establish the methodology for determining initial and subsequent sales prices of the BMR units, consistent with the City's "Methodology for Determining Maximum Affordable Homeownership Unit Sales Price," available online at: https://www.campbellca.gov/1079/Assembly-Bill-AB-1483.

k. **Fees**: Require the property owner, buyers, and program applicants to pay all applicable fees in accordance with the City's BMR Housing Administrator Fee Schedule, available online at: https://www.campbellca.gov/1079/Assembly-Bill-AB-1483.

10. Street Names: The tract (final) map shall identify the street name(s) authorized by the Community Development Director. Prior to authorization, proposed street names shall be reviewed by the Police Department and shall satisfy Police Department standards for clarity and use common, readily understood nomenclature.

11. Covenants, Conditions, and Restrictions (CC&Rs): Prior to recordation of the tract (final) map, the property owner shall submit for review and approval by the City a copy of the draft CC&Rs which shall include the following provisions. The draft CC&Rs shall be accompanied with a response letter that indicates where in the CC&Rs each of the following provisions has been addressed. The CC&Rs shall be approved prior to the first Certificate of Occupancy. The property owner shall compensate the City for the full cost incurred by the City to review the draft CC&Rs.

    a. Formation of a Homeowners' Association (HOA) to ensure the long-term maintenance of condominium and townhome buildings and surrounding property.

    b. Continued architectural controls to ensure the architectural integrity of the Approved Project consistent with the Approved Project Plans.

    c. Definition of common areas to be maintained and provision of maintenance for these areas.

    d. Provision which shall define the rights of use, allowable landscape or open space improvements.

    e. Provision of a funding mechanism to ensure maintenance and upkeep of common areas.

    f. Provision of liability insurance in an amount in keeping with accepted industry standards covering all common areas and all damage or injury caused by negligence of the HOA, its board or any of its agents, or the Owners, against any liability to the public or to any Owner incident to the use of or resulting from any accident or intentional or unintentional act of an Owner or third-party occurring in or about any common area.

    g. Provision requiring the homeowners' association to provide for the ongoing maintenance of the landscaped bio-treatment areas and park strip within the public right-of-way, including trees, plantings, irrigation, and treatment soil, in compliance with Condition of Approval No. 46 (Maintenance of Stormwater / Landscaping Facilities).

    h. Provision that all private landscaping shall be maintained in compliance with Condition of Approval No. 14 (Landscape Maintenance).

    i. Provision that all exterior areas of the property shall be maintained in compliance with Condition of Approval No. 13 (Property Maintenance).

    j. Provision for regular maintenance of the stormwater system.

    k. Provision for regular maintenance of the private sanitary system as documented by the design engineer.

l. Provision to prohibit the use of parking spaces for storage purposes, including boats, trailers, and recreational vehicles.

m. Provision prohibiting vehicle washing activities anywhere within the development, including within private garages, driveways, and common parking areas.

n. Provision prohibiting vehicle repair or maintenance within the development's common parking areas and streets.

o. Provision requiring disclosure to all prospective purchasers that the property is located adjacent to and in the vicinity of active industrial uses, in compliance with Condition of Approval No. 7 (Industrial Operations Disclosure).

p. Provision ensuring that owners and occupants of BMR units have the same access to Approved Project amenities in compliance with Condition of Approval No. 9 (Affordable Housing Agreement).

q. Provision requiring the HOA to comply with all then-applicable State and local laws governing accessory dwelling units (ADUs).

12. Acoustic Study: As required by CMC Sec. 21.16.070 (Noise) as in effect on April 18, 2023, prior to issuance of a building permit, an acoustic study shall be prepared demonstrating compliance with the City's stationary and traffic-related residential noise standards. The study shall specifically confirm the adequacy of the proposed sound attenuation measures, including the STC ratings of the exterior window assemblies and the effectiveness of the proposed sound wall, in achieving the applicable interior and exterior noise standards. If the acoustic study identifies additional or modified measures necessary to comply with the City's noise standards, the construction plans submitted for a building permit shall be revised to incorporate those measures.

13. Property Maintenance: All exterior areas of the property, including paved and sidewalk areas, shall be kept free of graffiti, trash, and debris, in compliance with CMC Section 21.16.110 (Site Maintenance).

14. Landscape Maintenance: Once installed, all landscaping shall be maintained in compliance with CMC Section 21.26.040 (Landscaping Maintenance Requirements) and Section 21.16.110.C.2 (Landscape Maintenance). Dead or unhealthy plants shall be replaced with healthy plants of the same or similar type.

15. Timing of Tree Removal: On-site tree(s) shall only be removed in conjunction with demolition of the existing on-site structures and upon issuance of a Demolition Permit.

16. Tree Protection During Construction: Prior to issuance of a demolition permit, tree protection measures required by the City's "Standards for Tree Protection During Construction" shall be installed for all trees identified for retention on Sheets L3.1 and L3.2 of the Approved Project Plans. The measures shall be approved by the Community Development Director prior to commencement of demolition and maintained throughout demolition and construction. Any modification to the required tree protection measures shall be subject to approval by the Community Development Director.

17. Landscaping/Tree Replacement: The project shall comply with all applicable landscaping regulations, including the California Model Water Efficient Landscape Ordinance (MWELO), the Campbell Municipal Code, and applicable regional standards. The building permit application for grading and on-site improvements shall demonstrate compliance with the applicable MWELO and landscaping requirements and shall include the following:

    a. **Landscape Documentation Package**: A Landscape Documentation Package shall be prepared by an authorized and licensed professional demonstrating compliance with all applicable MWELO requirements and shall include the following:

        i. Project Information per Section 492.3.
        ii. Water Efficient Landscape Worksheet pursuant to Section 492.4 and Appendix B of MWELO, included within the construction plans and submitted as a separate PDF document.
        iii. Landscape Design Plan per Section 492.6.
        iv. Irrigation Design Plan per Section 492.7.
        v. Grading Design Plan per Section 492.8.

        Note: A Soil Management Report and Certificate of Completion will be required prior to final inspection of the grading and on-site improvement permit.

    b. **General Requirements**: Landscape plant selection shall comply with CMC Chapter 21.26 (Landscaping Requirements). Plantings within stormwater treatment areas shall conform to Appendix D of the C.3 Stormwater Handbook published by the Santa Clara Valley Urban Pollution Prevention Program.

    c. **Nonfunctional Turf**: Final landscape and irrigation plans shall demonstrate compliance with California Water Code Section 10608.14 (AB 1572). Nonfunctional turf within common areas of the development shall not be irrigated with potable water. Any proposed turf areas shall be identified on the landscape plans and shall be designed and irrigated consistent with applicable State and local requirements.

    d. **Replacement Tree Planting**: In compliance with Mitigation Measure BIO-4 and CMC Section 21.32.100 (Replacement Trees), each protected tree removed shall be replaced on a 1:1 basis, unless otherwise authorized pursuant to CMC Section 21.32.110 (Site Limitations/In-Lieu Fee for Replacement). Replacement trees shall be incorporated into the final landscape plans.

    e. **Completion**: All landscaping and replacement trees shall be installed prior to final inspection of the grading and on-site improvement permit.

18. Mitigation Measures and Monitoring: The Approved Project shall incorporate and comply with all Mitigation Measures identified in the Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP), as restated below for reference. Each Mitigation Measure shall constitute an enforceable Condition of Approval. At the time of submittal of the first post-entitlement permit application,

including any application for demolition, grading, or building permits, the applicant shall deposit with the City funds in an amount determined by the City sufficient to retain an independent consultant, selected and managed by the City, to administer, monitor, document, and verify compliance with the MMRP. The applicant shall be responsible for all actual costs incurred by the City for such consultant services and shall replenish the deposit upon request if additional funds are necessary to complete mitigation monitoring. Any unused balance shall be returned to the applicant following completion of the MMRP. Compliance with each Mitigation Measure shall be demonstrated to the satisfaction of the responsible City department at the time specified in the applicable Mitigation Measure or MMRP. The City may withhold subsequent permits, inspections, approvals, or certificates of occupancy until the applicable Mitigation Measures have been satisfied.

a. **MM BIO-1**: Northern California Legless Lizard Pre-Construction Surveys. A comprehensive survey for Northern California legless lizard of all areas exclusive of buildings, pavement or lawn shall be conducted within the project area within 14 days prior to construction. If no Northern California legless lizards are found, no further mitigation is necessary. If a Northern California legless lizard is observed within the proposed impact area, a qualified biologist shall relocate the individual to other suitable habitat a sufficient distance outside of the project area to preclude its return to the project area prior to construction.

b. **MM BIO-2**: Pre-Construction Nesting Bird Surveys. If construction activities (including tree and building removal) are proposed during the bird nesting season (February 1 – August 31), a focused survey for nesting raptors (including Swainson's hawk) and migratory bird nests shall be conducted by a qualified biologist within 14 days prior to the beginning of construction activities in order to identify active nests. This survey shall be conducted within the proposed construction area and all accessible areas within 250 feet of the construction area. If active raptor nests are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced based on consultation and approval by the CEQA lead agency. The perimeter of the protected area shall be indicated by bright orange temporary fencing. No construction activities or personnel shall enter the protected area, except with approval of the biologist. If tree removal is necessary, trees containing nests, or burrows that must be removed as a result of project implementation shall be removed during the nonbreeding season (late September to March). If no active nests are found during the focused survey, no further mitigation will be required.

c. **MM BIO-3**: Pre-Construction Roosting Bat Surveys. A qualified biologist shall conduct a bat habitat assessment of all trees proposed for removal. This habitat assessment shall identify all potentially suitable roosting habitat and may be conducted up to one (1) year prior to the start of construction. If potential roosting habitat is identified (cavities in trees) within trees proposed for removal, the biologist shall survey the potential roosting habitat during the active season (generally April through October or from January through March on days with

temperatures in excess of 50 degrees Fahrenheit) to determine presence of roosting bats. These surveys are recommended to be conducted utilizing methods that are considered acceptable by California Department of Fish and Wildlife and bat experts. Methods may include evening emergence surveys, acoustic surveys, inspecting potential roosting habitat with fiberoptic cameras or a combination thereof. If pre-construction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are identified within any of the trees planned for removal, or if presence is assumed, the trees shall be removed outside of pup season only on days with temperatures in excess of 50 degrees Fahrenheit. Pup season is generally during the months of May through August. Two-step tree removal shall be utilized under the supervision of the qualified biologist. Two-step tree removal involves removal of all branches of the tree that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. Once the bats have been excluded, tree removal may occur.

d. **MM BIO-4**: Removal of Protected Trees. In accordance with the City's Tree Protection Ordinance, the Applicant shall prepare a tree survey plan and submit that along with a Tree Removal permit Application to the City. Mitigation for the tree removal may include planting of replacement trees (with the species, size, and location determined by the City), payment of in- lieu fee, or a combination of both options.

e. **MM GEO-1**: Preparation of a Design-Level Geotechnical Exploration Report. Prior to the approval of a building permit, the project Applicant shall prepare a site-specific, design level geotechnical exploration report. All recommendations included in the report shall be incorporated into the project site plans and the proposed project shall be designed and constructed in accordance with all recommendations included in the report. The report and site plans with the recommendations incorporated shall be submitted and reviewed by the City to ensure compliance with City requirements and standards.

f. **MM AIR-1**: Minimize Construction Exhaust Emissions. Exhaust emissions shall be minimized during construction activities with the use of off-road equipment engines that meet or exceed California Air Resources Board's Tier 4 Final engine emissions standards for off-road equipment exceeding 50 horsepower. At a minimum, all construction equipment shall be certified as compliant with the Tier 4 Final engine emissions standards as provided in California Code of Regulations, Title 13, section 2423(b)(1)(B). Engines can achieve these standards through the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, or other options as they become available.

g. **MM AIR-2**: HEPA Filter Maintenance Schedule Information. Prior to occupancy, the Applicant shall provide all tenants with information on the routine maintenance schedule to replace and/or clean their MERV 13 filters. Filters should be replaced on a three-month basis in order to ensure that proper filtration levels are maintained**.**

h. **MM CUL-1: Development of an Archaeological Monitoring Plan and Archaeological Monitoring.**

A. Prior to any project-related ground disturbance an Archaeological Monitoring Plan (AMP) shall be developed by a qualified archaeologist who meets the Secretary of the Interior's (SOI) Professional Qualifications Standards for Archaeology for review and approval by the City.

i. The AMP shall include but not limited to, 1) archaeological monitoring methods specific to project grading and utilities excavation; 2) protocols and a chain of contact if unanticipated archaeological discoveries are encountered during project-related ground disturbance; 3) a summary of documentation procedures for unanticipated discoveries; 4) a description of the types of archaeological deposits that are likely to be encountered specific to the site; and 5) procedures for evaluating these archaeological deposit types as historical resources or unique archaeological resources pursuant to PRC Section 5024.1 or PRC Section 21083.2(g)

B. Prior to any project-related ground disturbance, the Applicant shall retain the services of an SOI qualified archaeologist to implement the AMP and oversee archaeological monitoring of project grading, utilities, and foundation excavation pursuant to the AMP.

i. If archaeological deposits are encountered during project-related ground disturbance, the monitoring archaeologist shall have the authority to stop work in the area (50-foot radius) and implement the procedures outlined in the AMP.

ii. Work shall not resume until the monitoring archaeologist under the oversight of the SOI qualified archaeologist and, in consultation with the City, determines that all applicable protocols of the AMP have been met and that the archaeological deposit does not qualify as a historical resource or unique archaeological resource pursuant to PRC Section 5024.1 or PRC Section 21083.2(g) and no further archaeological investigation is necessary.

iii. Should the monitoring archaeologist under the oversight of the SOI qualified archaeologist and, in consultation with the City, determine the archaeological deposit does qualify as a historical resource or unique archaeological resource pursuant to PRC Section 5024.1 or PRC Section 21083.2(g), a treatment plan with appropriate protection and preservation measure will be developed for review, approval, and implementation by the City to mitigate impacts to the resource.

iv. iv. Following the completion of all ground disturbance associated with project construction, the results of the archeological monitoring will be summarized in a technical document. The

technical document shall be provided to the City for review and approval and submitted to the Northwest information Center.

i. **MM CUL-2**: Conduct Cultural Resource Sensitivity Training. Prior to any project-related ground disturbance, the Applicant shall retain the services of an SOI qualified archaeologist to oversee and ensure that all construction workers involved in ground disturbing activities receive Cultural Resource Sensitivity Training by an archaeologist who is experienced in teaching non-specialists to recognize archaeological resources in the event that any are discovered during construction. Construction staff directly overseeing or engaged in ground disturbing activities must participate in this training. This training shall be provided once to each worker involved in ground-disturbing activities before they begin work and shall be documented in training records submitted to the City. This training shall be administered as stand-alone trainings or included as part of an overall environmental awareness training required by the Applicant and/or contractor prior to construction. The training shall include, at minimum, the following:

- The appearance and types of cultural and archaeological resources that are likely to be encountered;
- The notification procedures and protocols to be taken in the event of an inadvertent cultural or archaeological resource discovery; and
- The penalties for disturbing or destroying cultural resources.

j. **MM CUL-3**: Stop Work if Archaeological Deposits and/or Human Remains Are Encountered During Ground-Disturbing Activities. If archaeological deposits are encountered during project-related ground disturbance, work in the area (50-foot radius) shall stop immediately and the procedures outlined in the AMP will be implemented. If any human remains are discovered during ground-disturbing activities, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent human remains. These remains shall be treated in accordance with existing state laws, including California PRC Section 5097.98 and California Health and Safety Code Section 7050.5.

k. **MM TRANS-1**: Construct Pedestrian Improvements. The proposed project shall implement the following pedestrian improvements:

- Install a high visibility Americans with Disabilities Act (ADA) compliant crosswalk across Campbell Technology Parkway at the project site's mid-block driveway along with the associated pedestrian warning signs, yield signs, and yield lines in each direction.
- Install new ADA compliant ramps at both ends of the new crosswalk.
- Install a crosswalk along the north leg of Campbell Technology Parkway at East McGlincy Lane intersection to connect the northeast and northwest corners of the Campbell Technology Parkway/East McGlincy Lane intersection.

- Two existing curb ramps should be retrofitted to be ADA compliant.
- Provide public access easement across the project streets to preserve bicycle and pedestrian access for a potential future bicycle and pedestrian bridge across State Route 17.
- Provide fifteen feet of red curb to the east and five feet to the west at each driveway to maintain sight distance for exiting vehicles.

Building Division

19. Permit Required: A building permit application shall be required for the Approved Project. The building permit shall include Electrical/Plumbing/Mechanical fees when such work is part of the permit.

20. Construction Hours (CMC Sec. 18.04.052): Construction activity shall be limited to the hours of 8:00 AM to 5:00 PM daily, Monday through Friday. Saturday hours of construction shall be 9:00 AM to 4:00 PM. There shall be no construction activity on Sundays or National Holidays.

21. Construction Noise (CMC Sec. 18.04.052): No loud environmentally disruptive noise, such as air compressors without mufflers, continuously running motors or generators, loud playing musical instruments or radios will be allowed during the authorized hours of construction, Monday through Saturday, where such noise may be a nuisance to adjacent residential neighbors. Such nuisances shall be discontinued.

22. Site Maintenance: The property is to be maintained free of combustible trash, debris, and weeds until the time that actual construction commences. Any vacant existing structures shall be secured or be demolished or removed from the property (Section 11.201 and 11.414, 1985 Ed. Uniform Fire Code).

23. Construction Fencing: The property shall be properly enclosed with construction fencing to prevent unauthorized access to the site during construction. The construction site shall be secured to prevent vandalism and/or theft during hours when no work is being done.

24. Conditions of Approval: The Conditions of Approval shall be stated in full on the building permit plan set submitted for the building permit.

25. Timely Completion: Once under construction it shall be the obligation of the property owner and contractor to demonstrate continued progress on the project. In the event the building permit expires, the City may impose fines or exercise administrative remedies to compel timely completion of work in compliance with CMC Chapter 6.10 (Nuisance Abatement and Administrative Penalties).

26. Project Addressing: The developer shall submit an Addressing Request, with the required fee, to the City's Building Division. The request shall include a spreadsheet indexing all dwelling units by location, unit number, floor, and size, accompanied by corresponding floor plans clearly identifying each unit. The addressing plan shall be

reviewed and approved by the Building Official prior to acceptance of any building permit application for structures.

27. Playground Equipment: Any playground equipment shall be inspected by a Certified Playground Safety Inspector who shall certify in writing to the Building Official that the equipment was assembled in compliance with the California Department of Health Services regulations regarding playground equipment prior to issuance of the first Certificate of Occupancy.

LAND DEVELOPMENT ENGINEERING

As the applicant has previously submitted an SB330 preliminary application for this project, this application is not subject to the new stormwater requirements detailed in the most recent Municipal Regional Permit (MRP 3.0). The stormwater requirements listed below in the Conditions of Approval are based on the requirements of the previous Municipal Regional Permit (MRP 2.0).

28. Construction Drawings: The applicant shall submit the following permit applications prior to, or concurrent with the main Building permit application:
    a. **Encroachment Permit for Street Improvement Plans**: The frontage improvements for the project shall be shown on a separate street improvement plan as detailed here: https://www.campbellca.gov/187/Street-Improvements
    b. **Building Permit for Demolition of On-Site Structures**: The demolition of on-site structures shall be shown on a separate demolition plan submitted in conjunction with a building permit application for such demolition, as detailed here: https://www.campbellca.gov/DocumentCenter/View/16591
    c. **Building Permit for On-Site / Grading & Drainage Plans**: The on-site grading, drainage, stormwater, landscaping, ADA and site improvements for the project shall be shown on a separate building permit plan as detailed here: https://www.campbellca.gov/DocumentCenter/View/16594
    d. **Tract Map**: The subdivision map documents required for this project shall be submitted for review by the City Surveyor as detailed here: https://www.campbellca.gov/DocumentCenter/View/1478

29. Condominium Plan: Prior to building occupancy, the applicant shall submit a Condominium Plan in a digital format acceptable to the City for record-keeping purposes.

30. Tract (Final) Map: Prior to issuance of any grading or building permits for the project, the applicant shall submit a Tract Map for review by the City. Upon approval by the City Council, the Tract Map shall be recorded after the applicant pays various fees/deposits and submits the map in a digital format acceptable to the City.

31. Right-of-Way for Public Street Purposes: Upon recordation of the Tract Map, the applicant shall fully complete the process to cause the right-of-way to be granted in fee for public street purposes along the Campbell Technology Parkway frontage to accommodate a 30 foot half-street, unless otherwise approved by the City Engineer.

The applicant shall submit the necessary documents for approval by the City Engineer, process the submittal with City staff's comments and fully complete the right-of-way process. The applicant shall cause all documents to be prepared by a registered civil engineer/land surveyor, as necessary, for the City's review and recordation. The dedication can be granted and accepted as a part of the Final Map.

32. Vacation of Public Easements: Prior to recordation of the Tract Map, the applicant shall fully complete the easement vacation process. The applicant shall submit a vacation of excess right-of-way application for approval by the City Engineer, pay the current application processing fee, process the application with City staff's comments and fully complete the street vacation.

33. Private Easements: Upon recordation of the Tract Map, the applicant shall cause all private easements necessary to serve the subdivision and implement the Approved Project, including easements for private utilities, private storm drains (PSDE), reciprocal ingress and egress, private access, and other private drainage, utility, or service purposes as shown on the approved Vesting Tentative Subdivision Map or as required by the City Engineer or applicable utility agency.

34. Monumentation for Tract Map: Prior to recordation of the Tract Map, the applicant shall provide a cash deposit for setting all monuments shown on the map. Monuments shall be set per section 20.76.010 of the Campbell Municipal Code including but not limited to setting permanent pipe monuments (three-fourths inch galvanized steel pipe two feet long approximately six inches below finished grade) at each boundary of all lot corners within a subdivision, along the exterior boundary lines at intervals of approximately five hundred feet and at all beginning of curves and ending of curves on property lines, and monument boxes at intersections of all street monument line tangents.

35. Park Impact Fee: A fee in-lieu of parkland dedication pursuant to Campbell Municipal Code (CMC) Chapter 20.24 (Park Impact Fees and Park Land Dedication Subdivisions) is required. The in-lieu fee shall be equal to the fee for 263 new dwelling units based on the Multi-family rate of $19,720 per unit and 27 new dwelling units based on the Single-family rate of $27,800 per unit - the fees in effect at the time the project filed its SB-330 pre-application. The fee shall be due prior to recordation of the Tract Map.

36. Demolition: Prior to recordation of the Tract Map the applicant shall obtain a demolition permit and remove any nonconforming structures.

37. Grading and Drainage Plan: Prior to recordation of the Tract Map, the applicant shall conduct hydrology studies based on a ten-year storm frequency, prepare an engineered grading and drainage plan, and pay fees required to obtain necessary grading permits. Prior to occupancy, the design engineer shall provide written certification that the development has been built per the engineered grading and drainage plans.

    In addition, a plan review letter will be required of the Geotechnical engineer for the entire grading and drainage system which should include but is not limited to a review of the subsurface of the non-compacted biotreatment material that may have potential

for subsurface failure and surface failure due to vehicle loads.

38. State General Construction Activity Permit: Prior to issuance of any grading or building permits, the applicant shall comply with the State General Construction Activity Permit requirements including paying fees, filing a Notice of Intent and providing a Storm Water Pollution Prevention Plan (SWPPP). The applicant shall provide the City with a copy of the filed Notice of Intent and SWPPP.

39. Stormwater Pollution Prevention Measures: Prior to issuance of any grading or building permits, the applicant shall comply with the National Pollution Discharge Elimination System (NPDES) permit requirements, Santa Clara Valley Water District requirements, and the Campbell Municipal Code regarding stormwater pollution prevention. Specifically the project must include source control, site design and treatment measures to achieve compliance with Provision C.3. of the NPDES Permit. Measures may include, but are not limited to, minimization of impervious surface area, vegetated swales, infiltration areas, and treatment devices. The primary objectives are to improve the quality and reduce the quantity of stormwater runoff to the bay.

    Resources to achieve these objectives include *Stormwater Best Management Practices Handbook for New Development and Redevelopment* ("CA BMP Handbook") by the California Stormwater Quality Association (CASQA), 2003; *Start at the Source: A Design Guidance Manual for Stormwater Quality Protection* ("Start at the Source") by the Bay Area Stormwater Management Agencies Association (BASMAA), 1999; and *Using Site Design Techniques to Meet Development Standards for Stormwater Quality: A Companion Document to Start at the Source* ("Using Site Design Techniques") by BASMAA, 2003.

    Upon submission of the preliminary site/grading plans, the applicant shall calculate and submit to the City the amount of impervious surface created by the development including the types of stormwater controls to be used. The applicant shall submit preliminary sizing and design showing stormwater controls meet the City's requirements.

    Prior to recordation of the Tract Map:

    a. The applicant's designer or engineer shall submit the required certification indicating that sizing, selection, and design of treatment BMP's for the project site has been completed to meet the requirements of the City of Campbell's NPDES permit, Provision C.3.

    b. The applicant shall execute a Maintenance Agreement for the operation and maintenance of the stormwater treatment facilities constructed in the right-of-way.

    Prior to occupancy:

    a. The applicant shall sign the "Covenants for the Operation and Maintenance of Stormwater Facilities" and submit a Stormwater Management Plan.

b. A qualified BMP certifier is required to inspect the stormwater management facilities, submit a complete set of as-built drawings to Public Works Engineering, and certify on these drawings that:

i. The stormwater management facilities were constructed in compliance with the approved plans.

ii. The as-built drawings show all pertinent constructed dimensions, elevations, shapes, and materials.

iii. All variations in construction from the approved design plan have been identified, including omissions to and additions from the approved plan.

iv. Any changes are in conformance with local, state, or federal regulations.

40. Utilities: All on-site utilities shall be installed underground per Section 21.18.140 of the Campbell Municipal Code for any new or remodeled buildings or additions. Applicant shall comply with all plan submittals, permitting, and fee requirements of the serving utility companies.

41. Water Meter(s) and Sewer Cleanout(s): Existing and proposed water meter(s) and sewer cleanout(s) that serve the approved project shall be relocated or installed on private property behind the public right-of-way line.

42. Utility Coordination Plan: Prior to the issuance of building permits for the site, the applicant shall submit a utility coordination plan and schedule for approval by the City Engineer for installation and/or abandonment of all utilities. The plan shall clearly show the location and size of all existing utilities and the associated main lines; indicate which utilities and services are to remain; which utilities and services are to be abandoned, and where new utilities and services will be installed. Joint trenches for new utilities shall be used whenever possible.

43. Pavement Restoration: The applicant shall restore the pavement in compliance with City standard requirements. In the event that the roadway has recently received a pavement treatment or reconstruction, the project will be subject to the City's Street Cut Moratorium. The applicant will be required to perform enhanced pavement restoration consistent with the restoration requirements associated with the Street Cut Moratorium. The City's Pavement Maintenance Program website (https://www.campbellca.gov/219/Pavement-Maintenance-Program) has detailed information on the streets currently under moratorium and the enhanced restoration requirements.

44. Street Improvement Agreements / Plans / Encroachment Permit / Fees / Deposits: Prior to recordation of the Tract Map, the applicant shall execute a street improvement agreement, cause plans for public street improvements to be prepared by a registered civil engineer, pay various fees and deposits, post security and provide insurance necessary to obtain an encroachment permit for construction of the standard public street improvements, as required by the City Engineer and is consistent with the law. The plans shall include the following, unless otherwise approved by the City Engineer

a. Show location of all existing utilities within the new and existing public right of way.

b. Relocation of all existing utilities including utility boxes, covers, poles, etc. outside of sidewalk area. No utility boxes, covers, etc. will be allowed in the sidewalk area.

c. Removal of existing driveway approaches, sidewalk, curb and gutter.

d. Installation of City approved street trees and irrigation at 30 feet on center. Trees shall be 24" box in size. The areas where the trees are to be planted shall be over-excavated to loosen the soil and ensure good future growth. Root barriers shall not be installed.

e. Installation of engineered structural pavement section to widen existing roadway, new pavement section to be consistent with existing pavement section.

f. Installation of City standard curb, gutter, sidewalk and ADA compliant driveway approaches.

g. Installation of stormwater treatment facilities in the right-of-way along the project frontage to treat the impervious areas constructed / reconstructed by this project in the right-of-way.

h. Installation of streetlights, conduits, conductors and related facilities in accordance with the City of Campbell's Street Lighting Policies.

i. Installation of two (2) inch asphalt grind and overlay of existing pavement to centerline along project frontage.

j. Installation of asphalt concrete overlay per street pavement restoration plan for utility installation and/or abandonment, as required by the City Engineer.

k. Installation of a high visibility ADA-compliant crosswalk across Campbell Technology Parkway at the project's middle driveway along with associated pedestrian warning signs and ADA-compliant curb ramps.

l. Installation of traffic control, stripes and signs.

m. Installation of 15 feet of red curb to the east and 5 feet of red curb to the west of each project driveway.

n. Construction of conforms to existing public and private improvements, as necessary.

o. Construction of any off-site improvements identified in the project's traffic impact analysis report.

p. Construction of all pedestrian and traffic safety improvements required by Mitigation Measure TRANS-1, pursuant to Condition of Approval No. 18 (Mitigation Measures and Monitoring).

q. Submit final plans in a digital format acceptable to the City.

45. Street Improvements Completed for Occupancy and Building Permit Final: Prior to allowing occupancy and/or final building permit signoff for buildings excluding the

models pursuant to the Subdivision Map Act, the applicant shall have the required street improvements and pavement restoration installed and accepted by the City. The City can delay the required timing of the final public improvement permit signoff to after the heavy construction activities cease onsite. The design engineer shall submit as-built drawings to the City.

46. Maintenance of Stormwater / Landscaping Facilities: Owner(s), current and future, are required to maintain the landscaped bio-treatment area(s) in the public right of way and the park strip along the project frontage. This includes, but is not limited to: trees, plantings, irrigation, treatment soil, etc. Trees shall not be pruned in a manner that would not allow the tree to grow to a mature height. Execution of a Maintenance Agreement will be required prior to approval of the Tract Map.

47. Utility Encroachment Permit: Separate encroachment permits for the installation of utilities to serve the development will be required (including water, sewer, gas, electric, etc.). Applicant shall apply for and pay all necessary fees for utility permits for sanitary sewer, gas, water, electric and all other utility work necessary to serve the approved project.

48. Additional Street Improvements: Should it be discovered after the approval process that new utility main lines, extra utility work or other work is required to service the development, and should those facilities or other work affect any public improvements, the City and Applicant agree to work cooperatively to restore pavement or other public improvements to the satisfaction of the City and consistent with the law

COUNTY FIRE DISTRICT

49. Aerial access required: Where required: Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. 2. Width: Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. 3. Proximity to building: At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572) and a maximum of 30 feet (9144mm) from the building, and shall be positioned parallel to one entire side of the building, as approved by the fire code official [CFC Chp. 5 and SCCFD SD&S A-1].

50. Secondary fire department access road shall be required: Developments of one or two family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of the SCCFD A-1 standard.

51. Fire Aerial apparatus access roadways required: Provide an access roadway with a paved all-weather surface, a minimum unobstructed width of 20 feet, vertical clearance of 13 feet 6 inches, minimum circulating turning radius of 50 feet outside, 30 feet inside, and a maximum slope of 15%. Surface shall be capable of supporting 75K pounds.

Installations shall conform to Fire Department Standard Details and Specifications sheet A-1. CFC Sec. 503.

52. Ground ladder rescue access required: Ground-ladder rescue from second and third floor rooms shall be made possible for fire department operations. Climbing angle of seventy five degrees shall be demonstrated on the plans and maintained. Landscaping shall not be allowed to interfere with the required access (CFC Sec. 503 and 1029 NFPA 1932 Sec. 5.1.8 through 5.1.9.2).

53. Show proposed Fire lanes: Fire apparatus access roads shall be designated and marked as a fire lane as set forth in Section 22500.1 of the California Vehicle Code. The entire 20 foot fire apparatus access roads shall be marked as fire lanes.

54. New fire hydrants required: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, onsite fire hydrants and mains shall be provided where required by the fire code official. Exception: For Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, the distance requirement shall be not more than 600 feet. [CFC, Section 507.5.1].

55. Fire Flow Letters: Fire flow letters shall be provided from San Jose Water confirming the minimum required fire flow can be supplied from existing infrastructure. Civil engineering calculations shall be prepared to demonstrate the fire flow will be met at proposed site hydrants.

56. Fire sprinklers required: Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.18.

57. Fire Department Connection: The fire department connection (FDC) for the structure in support of the sprinkler system shall be installed at the street on the street address side of the building. It shall be located within 100 feet of a public fire hydrant and within ten (10) feet of the main PIV (unless otherwise approved by the Chief due to practical difficulties). FDC's shall be equipped with a minimum of two (2), two-and-one-half (2-1/2”) inch national standard threaded inlet couplings. Orientation of the FDC shall be such that hose lines may be readily and conveniently attached to the inlets without interference. FDC's shall be painted safety yellow [SCCFD, SP-2 Standard].

58. Buildings and Facilities Access: Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or with the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. [CFC, Section 503.1.1].

59. Construction Site Fire Safety: All construction sites must comply with applicable provisions of the CFC Chapter 33 and our Standard Detail and Specification S1-7. Provide appropriate notations on subsequent plan submittals, as appropriate to the project. CFC Chp. 33.

60. Address identification: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 6 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. CFC Sec. 505.1.

Daniel Fama

From: Alan Leventhal <aleventh@muwekma.org>
Sent: Tuesday, October 6, 2026 2:58 PM
To: Bernadette Quiroz; Daniel Fama
Cc: Rob Eastwood; techparkproject; Marni McManus; Charlene Nijmeh
Subject: Re: Campbell Tech Park Project Final EIR and Response to Comments Available
Attachments: Ancient and modern genomics of the Ohlone.pdf; BIA Smith Letter 1998.pdf; DC District Court Muwekma.pdf; Federal Court Opinion Muwekma-1 (1).pdf; Lofgren Support Muwekma Congressional Record, Volume 148 Issue 103 (Thursday, July 25, 2002).htm; Lt. Governor Letter 2002.pdf; Lucas Marine 1928 BIA.pdf; Miller's Restoration Bill 2000.pdf; Previous Recognition 5-24-96-1.pdf; The Muwekma Ohlone Tribe Timeline and Evidence 2025.pdf; Final Ethnohistory CA-SCL-1070H Mánni Húyyú Muwékma Yatiš Túnnešte-tka.pdf; Fighting_Erasure_and_Dispossession_in_th.pdf

Hi Daniel and your Team,

Thank you for the tribal consultation regarding the EIR prepared for the proposed Campbell Tech Park Project located in the City of Campbell, Santa Clara County, California.

We have reviewed our site sensitivity maps, which we have been keeping on 7.5' USGS quads, and as far as we know, there are no known previously recorded ancestral heritage sites located within the proposed Campbell Tech Park project area. Although we do note that, given the proximity to Los Gatos Creek located approximately 0.10 miles to the west and although historically disturbed by previous construction, we deem this area as potentially highly sensitive relative to the presence of the Tribe's ancestral heritage sites located in proximity to riparian corridors. The following is a statement from the Muwekma Ohlone tribal leadership for your administrative files:

As you may already know, the proposed project falls within the ethnohistoric and ethnolinguistic tribal territory of the intermarried **Somontac** *Thamien* Ohlone-dialect-speaking tribal group, who were in the past intermarried with the direct ancestors of the Muwekma Tribe. As we also discussed during our Tribal Consultation, the Muwekma Ohlone Tribe is the only BIA-documented, continuously existing, previously federally recognized tribe of the San Francisco Bay Area (based on 25 CFR Part 83.8), with a tribal enrollment of approximately 600 BIA-documented tribal members representing 11 major lineages who have direct descent from the historic continuously existing **Verona Band of Alameda County**. The Muwekma enrolled families are descended from **Missions San Francisco, Santa Clara, Santa Cruz**, and **San Jose** as well as from several historic East Bay Rancherias that include the Alisal (Pleasanton) Rancheria, Del Mocho (Livermore) Rancheria, Sunol Rancheria, El Molino (Niles) Rancheria, the Springs Rancheria (San Lorenzo/San Leandro), John Marsh Rancho/Rancheria, and a historic 20th-century settlement in Newark (see attached).

During the 1880s, U.S. Senator George Hearst and his wife, Phoebe Apperson Hearst, purchased part of the old (1839) Bernal/Sunol/Pico owned Rancho Valle de San José y Corralitos, which includes the present-day towns of Pleasanton and Sunol, and it included the Alisal Rancheria with approximately 125 Muwekma Indians residing there on the land. There, the Hearsts built their Hacienda del Pozo de Verona mansion, from which the Muwekma Tribe was named by Special Indian Agent Charles E. Kelsey, as the Verona Band after the railroad station built by the Western Pacific Railroad near the Hearst property. Years later, it was Phoebe Apperson Hearst who funded the fledgling anthropology department at Berkeley, and she invited several renowned anthropologists/linguists, such as Alfred L. Kroeber, C. Hart Merriam, and Edward W. Gifford, to interview the Tribe's direct biological Elders in order to record the Indian languages spoken at the Tribe's Alisal and Niles Rancherias. The tribal Elders were also interviewed by Jeremiah Curtin in 1884, John Alden Mason in 1916, and John Peabody Harrington from the Smithsonian Institution's Bureau of American Ethnology between 1925 and the 1930s for their languages and culture.

The Muwekma families were identified and listed on the two 1900 Federal Indian Censuses for Pleasanton and Niles; the Special Indian Agent Charles E. Kelsey's Census of 1905–1906; the 1910 Federal Indian Census of "Indian Town;" the 1910 and 1913 Indian Rancheria maps prepared by Kelsey for the Department of the Interior and Congress; in the 1914, 1923, and 1927 Superintendent reports for the Reno and Sacramento Agencies; the 1928–1932 BIA enrollment under the 1928 California Indian Jurisdictional Act; attendance at Indian Boarding Schools in the 1930s and 1940s; with the 2nd BIA enrollment period (1950–1957); with the 3rd BIA enrollment period (1968–1971); identified in 1965 as "Ohlone Members and Contacts" for protecting the Tribe's Ohlone Indian Cemetery associated with Mission San Jose (1962–1971); as well as other historic documents and newspapers.

Since 1962, the Elders and their families enrolled in the Tribe were engaged in the preservation of the Ohlone Indian Cemetery. Years later, during the early 1980s, the historic Verona Band tribal community organized under the 1934 Indian Reorganization Act to formalize the Muwekma Ohlone Tribal governing council for purposes for seeking status clarification with the Bureau of Indian Affairs. as well as for legally interfacing with various governmental agencies. Since 1982, the Tribe has been listed as Most Likely Descendants (MLDs) with the Native American Heritage Commission and has been named the Most Likely Descendant Tribe on many of their ancestral heritage sites. Over the years the Tribe has worked with various San Francisco Bay Area municipal and county governments and planning departments, State agencies such as Caltrans, as well as other entities such as the East Bay Regional Park District and the San Francisco Public Utilities Commission, and Federal agencies on many projects relating to the Tribe's ancestral heritage sites.

For several decades, the Muwekma tribal leadership and language committee have been engaged in renaming their ancestral heritage sites in their Muwekma Ohlone language. Furthermore, the Tribe has been engaged in CRM work since the early-mid-1980s and have published many archaeological reports pertaining to their ancestral heritage sites and human remains, including recent burial recovery fieldwork at several sites in the Alameda County, Santa Clara Valley, Morgan Hill, and Santa Cruz areas, such as at **CA-SCL-609,** to which the Tribe named ***Horše 'Iššéete Ruwwatka,*** meaning **Place of the Good Health House Site** (Leventhal et al. 2016); **SCL-287/CA-SMA-263** site complex was named ***Yuki Kutsuimi Šaatoš Inūxw*** [**Sand Hill Road] Sites** located to the west of **CA-SCL-623** along San Francisquito Creek on Stanford University lands (Leventhal et al. 2010); At **CA-SCL-30/H,** the **3rd Mission Santa Clara Indian Neophyte Cemetery *Clareño Muwékma Ya Tunnešte Nómmo* (Where the Clareño Indians are Buried Site)** (Leventhal et al. al 2011; Arellano et al. 2021), and at **CA-SCL-755 *Širkeewis Ríipin Tiprectak***, **Place of the Black Willow Marsh Site** located on Santa Clara University campus **(**Leventhal et al. 2023); and more recently at a construction site located to the west of the San Jose Airport, where 41 ancestral burials were encountered during mechanical excavation. The site, **CA-SCL-1070,** yielded AMS dates on several of the burials that range from 10,300 to 12,000+ cal B.P. and AMS dating test results on the non-burial features range from 9,557 to 10,043 cal B.P. The Tribal leadership renamed this site ***Mánni Húyyú Muwékma Yatiš Tunneštetka,*** meaning **Place Where the Ancient People Are Buried Site** (aDNA, Stable Isotope, and AMS dating reports in progress).

We have also co-authored many journal articles with many scholars from various universities, such as Stanford, Santa Clara, San Jose, University of New Mexico at Albuquerque, University of Oklahoma at Norman, University of Illinois, U.C. Davis, California State University, Chico, and private CRM firms, on the Tribe's ancestral remains, ceremonial grave regalia, AMS dating, Stable Isotope, and modern and aDNA studies, to which we are attaching several copies. Also, since 1997, the Muwekma Tribe has continuously been engaged with various educational and cultural exhibitions at the Forbes Mill Museum and at the Los Gatos New Museum (NUMU) and the Campbell Historical Society/Ainsley House.

In conclusion, we are formally requesting continued tribal consultation for this important project. Muwekma Tribal Executive Director for Tribal Cultural Resources Bernadette Quiroz will be your main contact person for this project and for future Tribal Consultations along with Tribal Chairwoman Charlene Nijmeh and Alan

Leventhal, Tribal Archaeologist, and Marni McManus, Tribal Bioarcheologist. Furthermore, should the City of Campbell, the project developer, and/or other CRM consultants choose to work with the Tribe for monitoring and, if necessary, burial recovery services, the Tribe will make itself available for this project.

On Behalf of the Muwekma Ohlone Tribal Council,

Respectfully submitted,

Alan Leventhal, Muwekma Ohlone Tribal Archaeologist RPA and Ethnohistorian (1980-Present)
Board Member Muwekma Ohlone Preservation Foundation
Emeritus Faculty, Anthropology Department, San Jose State University, (1978-2019)

Ancient and modern genomics of the Ohlone Indigenous population of California

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Edited by Anne Stone, School of Human Evolution and Social Change, Arizona State University, Tempe, AZ; received June 27, 2021; accepted January 18, 2022

Traditional knowledge, along with archaeological and linguistic evidence, documents that California supports cultural and linguistically diverse Indigenous populations. Studies that have included ancient genomes in this region, however, have focused primarily on broad-scale migration history of the North American continent, with relatively little attention to local population dynamics. Here, in a partnership involving researchers and the Muwekma Ohlone tribe, we analyze genomic data from ancient and present-day individuals from the San Francisco Bay Area in California: 12 ancient individuals dated to 1905 to 1826 and 601 to 184 calibrated years before the present (cal BP) from two archaeological sites and eight present-day members of the Muwekma Ohlone tribe, whose ancestral lands include these two sites. We find that when compared to other ancient and modern individuals throughout the Americas, the 12 ancient individuals from the San Francisco Bay Area cluster with ancient individuals from Southern California. At a finer scale of analysis, we find that the 12 ancient individuals from the San Francisco Bay Area have distinct ancestry from the other groups and that this ancestry has a component of continuity over time with the eight present-day Muwekma Ohlone individuals. These results add to our understanding of Indigenous population history in the San Francisco Bay Area, in California, and in western North America more broadly.

genes and languages | identity by descent | Indigenous population genetics | paleogenomics | Penutian hypothesis

Among the geographic regions of North America, California is one of the areas with the greatest cultural and linguistic diversity of Indigenous peoples (1–3). With significant coastal and terrestrial ecological productivity, the region supported large precontact populations with the highest population density in North America (4–6). The geographic, cultural, and linguistic complexity of California at European contact contributed to considerable structuring among the Indigenous groups speaking more than 78 mutually unintelligible languages within six major linguistic families (3, 7). Today, California is home to 109 federally recognized sovereign tribal nations and more than 40 non–federally recognized tribal groups.

Considering regions within California, the area surrounding San Francisco Bay in Northern California supported some of the highest regional population densities at the start of European colonization in 1776 (8, 9). Indeed, the 21 Spanish mission locations in California, which were situated in a manner that correlated with Indigenous population density, included five missions located near San Francisco Bay. Population reconstructions using Spanish mission baptismal recruitment records reveal that at contact, more than 15,000 Native Americans from five distinct language groups were residing in sedentary villages within 45 territorial communities (land-controlling autonomous polities) within 20 km of the bay (9–11). Extensive investigation of the region's dense archaeology has produced a trans-Holocene record, revealing that intensive sedentary or semisedentary habitation extends back >5,000 y (11–14).

With a rich regional archaeological record spanning >11,000 y of Indigenous habitation (14), much potential exists for coproduction of knowledge by recovering ancient DNA from Indigenous ancestors and jointly analyzing genetic and archaeological data. To date, however, California and the San Francisco Bay Area have seen little attention in paleogenomic studies. The most detailed study of ancient human genomic data in California has focused on Southern California, considering populations from the Channel Islands (15); additional significant studies of nearby regions have examined Lovelock Cave and Spirit Cave in Nevada (16), as well as the Pacific Northwest (16–18) and Northern Mexico (15, 19).

With generally sparse geographic coverage and relatively few ancient individuals from North America investigated using genomics, studies in the region have often focused on questions concerning initial entry of Indigenous populations into the Americas and broad-scale migration history of early Indigenous

Significance

California supports a high cultural and linguistic diversity of Indigenous peoples. In a partnership of researchers with the Muwekma Ohlone tribe, we studied genomes of eight present-day tribal members and 12 ancient individuals from two archaeological sites in the San Francisco Bay Area, spanning ∼2,000 y. We find that compared to genomes of Indigenous individuals from throughout the Americas, the 12 ancient individuals are most genetically similar to ancient individuals from Southern California, and that despite spanning a large time period, they share distinctive ancestry. This ancestry is also shared with present-day tribal members, providing evidence of genetic continuity between past and present Indigenous individuals in the region, in contrast to some popular reconstructions based on archaeological and linguistic information.

Author contributions: A.L.S., B.F.B., C.N., M.V.A., A.L., N.A.R., and R.S.M. designed research; A.L.S., B.F.B., E.K.M., A.C.O., A.d.F., C.N., M.V.A., A.L., N.A.R., and R.S.M. performed research; A.L.S., B.F.B., M.D., N.A.R., and R.S.M. analyzed data; and A.L.S., B.F.B., N.A.R., and R.S.M. wrote the paper.

The authors declare no competing interest.

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groups (15, 16, 19, 20). Studies have often focused on the information revealed about broad-scale population history from a small number of individuals (21–24), with relatively few studies focusing on a specific geographic area and considering multiple sampled individuals (17, 18); another limitation has been the use of genetic sites in mitochondrial DNA rather than genome-wide (25).

In this study, in partnership of researchers with the Muwekma Ohlone tribe of the San Francisco Bay Area, we examine a time transect of a single region of Indigenous habitation, centered on Sunol on the southeast side of San Francisco Bay. The Muwekma Ohlone are one of the descendant communities of Ohlone who originally occupied ~4.3 million acres from San Francisco to Monterey and from the coast to the upland edge of the Central Valley. The Muwekma Ohlone comprise all the lineages who trace their ancestry through the Bay Area Missions of San Francisco, Santa Clara, and San Jose and who were also members of the historic previously federally recognized Verona Band of Alameda County who resided on the Pleasanton (Alisal), Sunol, Livermore (Del Mocho), and Niles (El Molino) rancherias from post-Spanish mission secularization (1834) to the early 1900s.

We consider human paleogenomic analysis from burials at two adjacent ancestral Ohlone settlements set away from the bay margin near Sunol, one dated to 2,440 to 175 cal BP, the other to 605 to 100 cal BP (26, 27). We also present information derived from living members of the Muwekma Ohlone tribe, considering that their ancestral lands include this locality and noting their strong historical ties to this region in particular that persist to the present day (*SI Appendix*, Table S1). Tribal members trace familial connections to the Sunol region (a 5-mile radius around Sunol includes the historic rancherias listed above and Mission San Jose) over many generations, as reported in interviews with tribal elders and genealogical analysis (28–30). This investigation, considering multiple groups across a range of time periods, provides a case example of joint ancient and modern DNA analysis in a single regional setting.

We combine information from traditional knowledge, genetics, and archaeology to examine the three sets of individuals. First, we investigate the ancient Bay Area individuals in relation to other ancient persons from the Americas, focusing attention on California and surrounding regions. Next, we examine the relationships of individuals between the two sites as well as between the ancient individuals and the modern tribal members, assessing the possibility of genetic continuity among these groups. The analysis reveals that genetic links between ancient and modern populations are evident despite the extreme disruption to the Ohlone that occurred during Spanish occupation and subsequent incorporation of the region into Mexico and then the United States—including forced migration to the missions and reductions in lifespan due to new diseases and the conditions of mission life (9, 31–33). The broader genetic context inferred for the three sets of individuals deepens understanding of Indigenous population history of California and the San Francisco Bay Area.

Results

Community Engagement. Large-scale infrastructure construction led to the excavation of two Ohlone villages, *Síi Túupentak* (CA-ALA-565/H) and *Rummey Ta Kuccuwiš Tiprectak* (CA-ALA-704/H), in Sunol, CA (see *Archaeological Investigation*). Far Western Anthropological Research Group completed the excavations in partnership with the Tribe, with community members participating in all aspects of fieldwork as well as being the primary excavators of all burials.

The genomics section of the project began in 2016 after Tribal Council requested and approved a study design for the endeavor. The study design included community-based methods (34–36). After the project began, members of the research team visited the sites and met with Tribal Council and community members multiple times to have discussions on the latest results of the project, safeguards to be used for the data generated in the project, and thoughts on paths forward for the study. During the time period of the COVID-19 pandemic, the research team met virtually with Tribal Council and community members. Prior to the start of the project, members of the Tribe attended the Summer Internship for INdigenous Peoples in Genomics program in 2011 and 2013 to learn about the latest genomic analyses and about topics in the ethical, legal, and social implications of genomics research with Indigenous communities. Importantly, members of the Muwekma Ohlone tribe contributed to manuscripts and news stories published or disseminated about the project.

Archaeological Investigation. *Síi Túupentak* (CA-ALA-565/H) and *Rummey Ta Kuccuwiš Tiprectak* (CA-ALA-704/H) are both ancestral Native American Ohlone settlements situated in an open valley of the southeast San Francisco Bay region, central California, USA (Fig. 1). Modern development for large-scale infrastructure construction necessitated that substantive archaeological excavations be conducted at both sites. Archaeological mitigation of construction impacts to these archaeological sites, including the identification, excavation, analysis and reporting of human remains, strictly conformed to all state and local laws and regulations.

The Muwekma Ohlone tribe was appointed Most Likely Descendant Tribe for the project by the state and, in 2015, prior to the development of the research design for archaeological investigations, recommended detailed analysis, including paleogenomics, of all ancestral remains that may be encountered. All research designs, analytical studies of ancestral remains, and reports were reviewed and approved by tribal leadership, and the Tribe partnered with the research team to conduct these investigations.

Síi Túupentak ("*Place of the Water Round House Site*") is a large (2.8 ha/6.9 acres), intensively occupied sedentary village consisting of a thick deposit of cultural material creating a low, anthropogenic mound, along with an associated cemetery (27). Archaeological investigation of 6.2% of the site recovered a wide range of cultural remains, including more than 13,000 artifacts, numerous food remains, 36 features, and 66 burials comprising 76 individuals. The site dates from 605 to 100 cal BP (1345 to 1850 CE), based on 129 radiocarbon dates from features, burials, and generalized site deposits. The site was founded prior to European contact and continued to be inhabited during early European coastal exploration starting in 1542 CE and through the region's Spanish colonization, until the inhabitants were forced into the Spanish mission compounds (1776 to 1807). The site was also briefly reoccupied in the 1830s after the collapse of the Spanish empire. The eight individuals in this study include six females and two males of varied ages at death, and they span the full time range of occupation.

The nearby site of *Rummey Ta Kuccuwiš Tiprectak* ("*Place of the Stream of the Lagoon Site*") has a similar size but is a multicomponent settlement including a precolonial Indigenous occupation and a subsequent colonial Mexican and Early American period ranch complex in use from 1839 CE to the early 1900s. The Native American component of the site includes artifactual and other debris, 44 features, and 25 burials comprising 29 individuals. This component was inhabited from 2,440 to 175 cal BP (490 BCE to 1775 CE), based on 60 radiocarbon dates from generalized site deposits, features, and burials (26). The settlement was most intensive between 2,440 to 1,610 cal BP (88% of dates fall in this time span). The six individuals for which genomic analysis was attempted include four females and one male,

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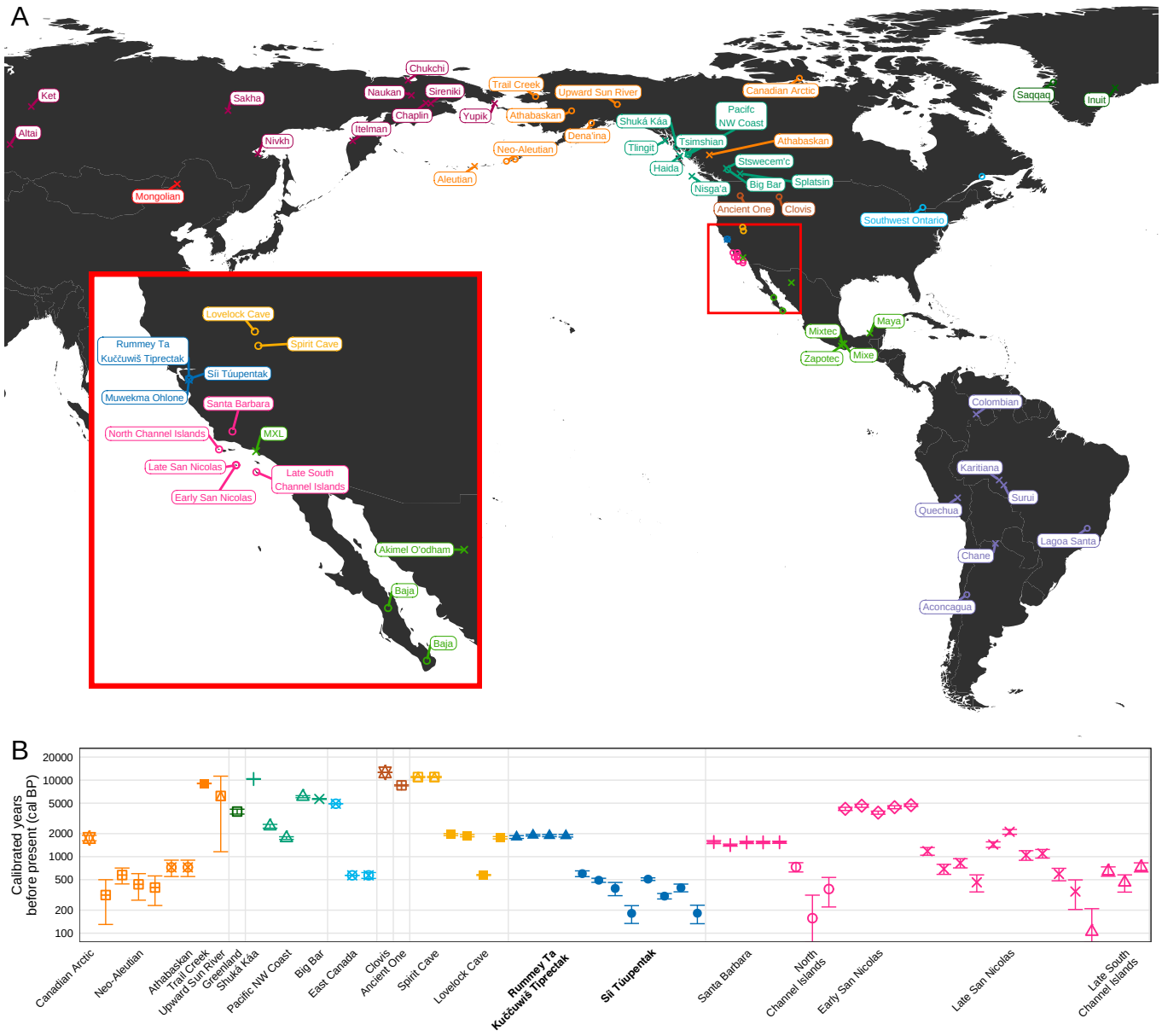


Fig. 1. Identifiers for ancient and present-day individuals used in this study. (*A*) Map of ancient and present-day individuals, colored by regional grouping. The inset shows the new individuals from the San Francisco Bay Area (blue) and the surrounding groups. (*B*) Dates of ancient individuals included in the dataset.

including two children and three adults, and date from 1,905 to 1,785 cal BP.

Genetic Dataset. We whole-genome sequenced 12 ancient individuals from two archaeological sites in the San Francisco Bay Area to a depth of 0.06 to 7.8× and mean 2.4×, after excluding two samples from the *Rummey Ta Kuccuwiš Tiprectak* site without sufficient genetic material (*SI Appendix*, Table S2 and Figs. S1–S3). Individuals from *Sii Túupentak* dated to 601 to 184 cal BP, and individuals from *Rummey Ta Kuccuwiš Tiprectak* dated to 1905 to 1826 cal BP. We also whole-genome sequenced eight present-day members of the Muwekma Ohlone tribe to high coverage, ranging from 18 to 25×. We assembled a dataset of relevant previously published samples. This dataset included 291 individuals from Asia, Europe, North America, and South America; it contained 68 ancient individuals and 223 modern individuals (*SI Appendix*, Table S3; Fig. 1*A*). After merging the new and previously published individuals, the dataset we analyzed contains 311 individuals, 80 ancient individuals and 231 present-day individuals, typed for 474,317 single-nucleotide polymorphisms (SNPs; see *SI Appendix*, *Methods*).

Radiocarbon dates of the 12 newly sampled ancient individuals and those available for the previously published individuals are shown in Fig. 1*B*. Focusing on the ancient individuals from Nevada and California, we see that the dates fall into approximately three periods. The oldest group, from >4,000 cal BP, includes the individuals from Spirit Cave and those labeled Early San Nicolas. An intermediate group with ages between 2,000 to 1,500 cal BP includes the Lovelock Cave, *Rummey Ta Kuccuwiš Tiprectak*, and Santa Barbara groups. The most recent set includes individuals from *Sii Túupentak*, North Channel Islands (in this study, San Miguel and Santa Cruz), Late San Nicolas, and South Channel Islands (San Clemente and Santa Catalina), mostly with dates <1,000 cal BP.

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Overview of Data Analysis. Using the sample of 311 present-day and ancient individuals, we performed principal components analysis (PCA) and model-based clustering analysis to identify genetic relationships among previously reported individuals, the newly sampled ancient individuals, and the present-day Muwekma Ohlone individuals. We then restricted attention to a subset of 165 individuals with ancestry relevant to the new individuals, and repeated the analysis, also analyzing identity-by-state (IBS) segment sharing (*SI Appendix*, Table S4). Whereas the PCA and model-based clustering analyses use the genotypes of the 474,317 SNPs directly, in order to identify IBS segments, we imputed genotypes from the ancient samples across the whole genome (*Materials and Methods*). In interpreting the results of the various analyses, we considered the relationships of the 12 newly sampled ancient individuals and eight present-day Muwekma Ohlone individuals to other individuals, as well as to each other.

The San Francisco Bay Area Individuals in the Context of Native American Genetic Diversity. First, using PCA and unsupervised model-based clustering, we explore the relationship between the San Francisco Bay Area individuals and previously published ancient and present-day individuals from surrounding regions. Fig. 2*A* shows a PCA plot of 311 individuals. European individuals cluster in the lower right corner of the plot, and the northernmost populations from Siberia, Alaska, and Greenland appear at the top of the figure. The lower left corner contains a cluster of individuals from California, Nevada, Mexico, and Central and South America.

Clines are visible between these three corners of the plot. Three clines connect the left edge of the plot to the right corner of Europeans. Several Siberian individuals are placed along the upper right edge, a line of Pacific Northwest individuals connects the center of the left edge to the right corner, and a line of individuals from Mexico connects the lower left corner to the corner containing Europeans. These clines appear to reflect varying European admixture that aligns with principal component 1 (PC1). Present-day members of the Muwekma Ohlone tribe, who have a known history of admixture with European Americans, Mexicans, and Mexican Americans, fall along the lower edge, with variable values for PC1.

Focusing on the cluster of individuals from California, Nevada, Mexico, and South America, Fig. 2*B* enlarges the lower left corner of Fig. 2*A*. In the enlarged view, individuals from South America appear in the bottom left corner, anchoring a south-to-north cline along PC2. At the top of Fig. 2*B*, the individuals from Lovelock Cave in Nevada, who are close in age to those from the *Rummey Ta Kuccuwiš Tiprectak* and Santa Barbara sites (Fig. 1*B*), fall above the main cluster. The ancient individuals from the San Francisco Bay Area cluster with the ancient individuals from Southern California along the left edge of Fig. 2*B*.

Model-based unsupervised clustering for $K = 10$ clusters, performed using NGSadmix, appears in Fig. 3. From Asia to South America, we first observe a cluster that appears largely in Mongolia and Siberia (dark blue) and a cluster that appears in Siberia, Greenland, and Alaska (light blue). Two clusters appear primarily in the Pacific Northwest and Alaska, with one centered on Stswecem'c and Splatsin (light green) and the other appearing in most other populations from the region (dark green). A sample of Europeans is assigned to a single cluster, which is seen in many populations in the plot (red). Among the remaining five clusters, three are centered on specific populations: Akimel O'odham (formerly termed Pima; light orange), Karitiana (pink), and Surui (light purple). One is centered on native populations of Mexico and South America (dark orange).

The ancient individuals from the San Francisco Bay Area and Southern California both have majority membership in the same component (purple). As in the PCA, these two groups cluster together. We also observe, as seen by Scheib et al. (15), that the ancient individuals from Southern California separate into two groups: Individuals from San Nicolas and the Southern Channel Islands have membership primarily in a single component (purple), whereas individuals from Santa Barbara and the North Channel Islands have more substantial membership in a second component as well (orange). As was seen by Moreno-Mayar et al. (16), we find that the individuals from Lovelock Cave in Nevada have noticeable membership in a component shared with those from the Pacific Northwest (light green, dark green), a similar signal to their separation in the PCA plot in Fig. 2*B*. The present-day Muwekma Ohlone are known to have European, Mexican, and Ohlone genealogical ancestors, consistent with the appearance of the red, orange, and purple components observed in these individuals.

Population Structure Within Western North American Populations. Next, we consider a subset of 165 individuals to more closely

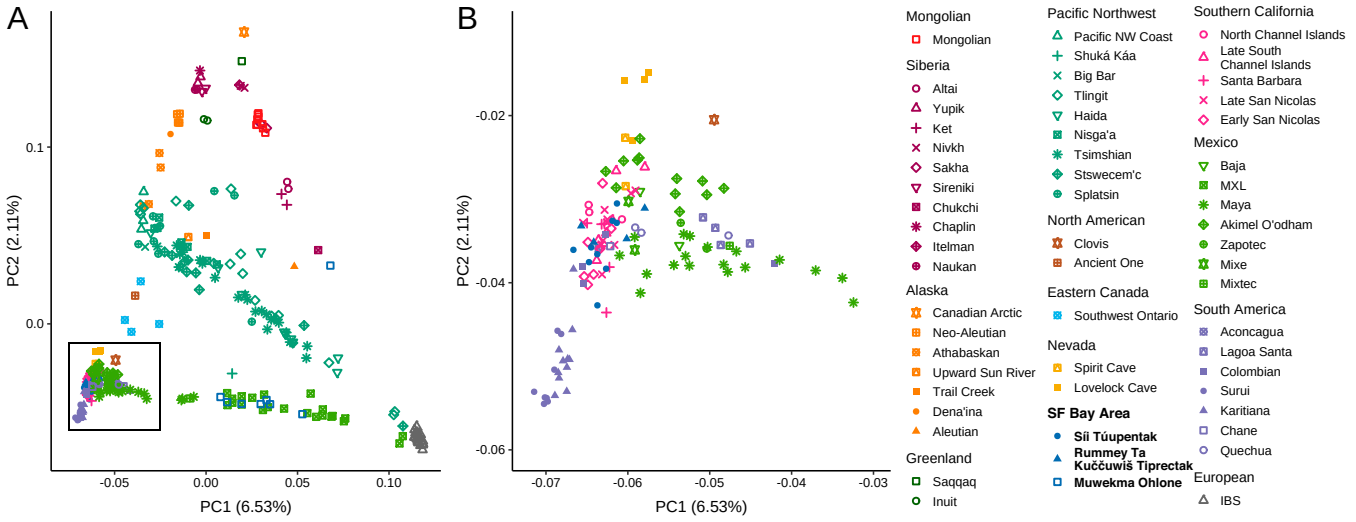


Fig. 2. PCA of all ancient and present-day individuals. (*A*) PCA of 311 individuals in the full dataset, including 231 modern and 80 ancient individuals. (*B*) An enlarged view of the cluster in the *Bottom Left Corner* of *A*.

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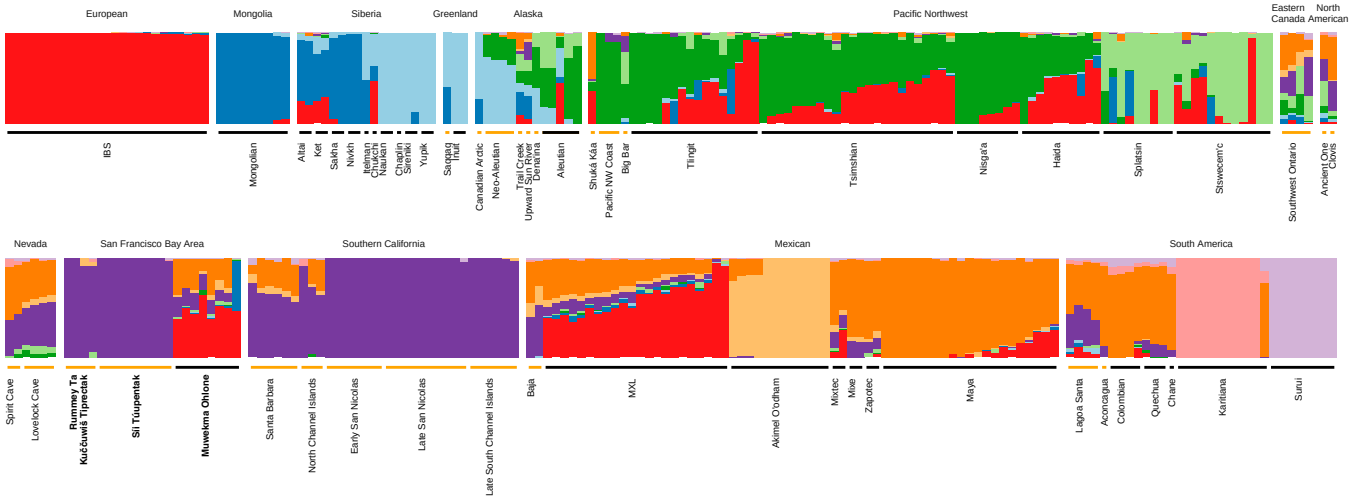


Fig. 3. Model-based clustering of all 311 ancient and present-day individuals, with $K = 10$ clusters. The results represent a summary of 10 independent runs of unsupervised clustering. Each of the 10 clusters is represented by a color, and each individual is represented by a vertical bar. To aid interpretation, clustering results from a unified analysis are depicted over two rows. Ancient individuals are denoted by an orange horizontal line below the plot, and present-day individuals are denoted by a black horizontal line.

examine population structure within western North America. For this subset, we perform PCA, model-based clustering, and analysis of IBS segment sharing.

Fig. 4*A* shows the first two principal components. The ancient individuals from San Nicolas and the South Channel Islands cluster are in the top left corner, with the remaining Southern California individuals from Santa Barbara and the North Channel Islands appearing below them along the left side. The European individuals cluster on the right side. Most remaining individuals cluster in the bottom left corner, including those from *Rummey Ta Kuččuwiš Tiprectak* and *Síi Túupentak*. Muwekma Ohlone and MXL (Mexican in Los Angeles) individuals fall along a cline connecting the lower left corner to the cluster containing Europeans, the same cline observed in Fig. 2*A*.

We plot PC2 with PC3 in Fig. 4*B*. In this plot, the individuals from *Rummey Ta Kuččuwiš Tiprectak* and *Síi Túupentak* separate from the large cluster that appeared in the lower left corner of Fig. 4*A*. In the top left corner, the individuals from *Rummey Ta Kuččuwiš Tiprectak* and *Síi Túupentak* cluster together. Populations placed near these individuals in Fig. 4*A*, including several Indigenous populations from Mexico, appear in the center and lower left corner.

Inferences with unsupervised model-based clustering for $K = 4$ and 5 appear in Fig. 5. At $K = 4$, we observe four clusters that are largely similar to four of the clusters seen in the $K = 10$ analysis shown for the larger dataset in Fig. 3. The European individuals are placed in one cluster (red), the Akimel O'odham individuals are assigned primarily to a second cluster (light orange), a third cluster is centered on individuals from Mexico (dark orange), and a fourth is centered on the ancient individuals from California (purple).

Increasing K to 5 splits the purple cluster into two, with the purple cluster remaining centered on the individuals from Southern California and the new blue cluster centered on the ancient individuals from the San Francisco Bay Area. A small amount of membership is seen in this blue cluster in other populations, including the individuals from Santa Barbara and the

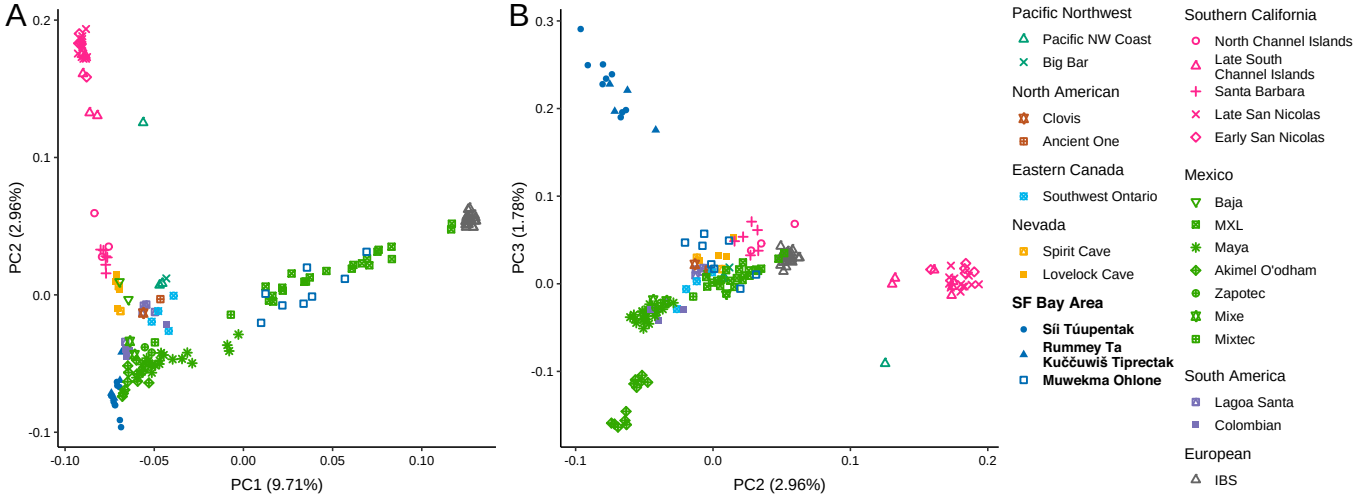


Fig. 4. PCA of a subset of ancient and present-day individuals, considering 165 samples with ancestry relevant to newly sampled individuals from the San Francisco Bay Area. (*A*) PCs 1 and 2. (*B*) PCs 2 and 3.

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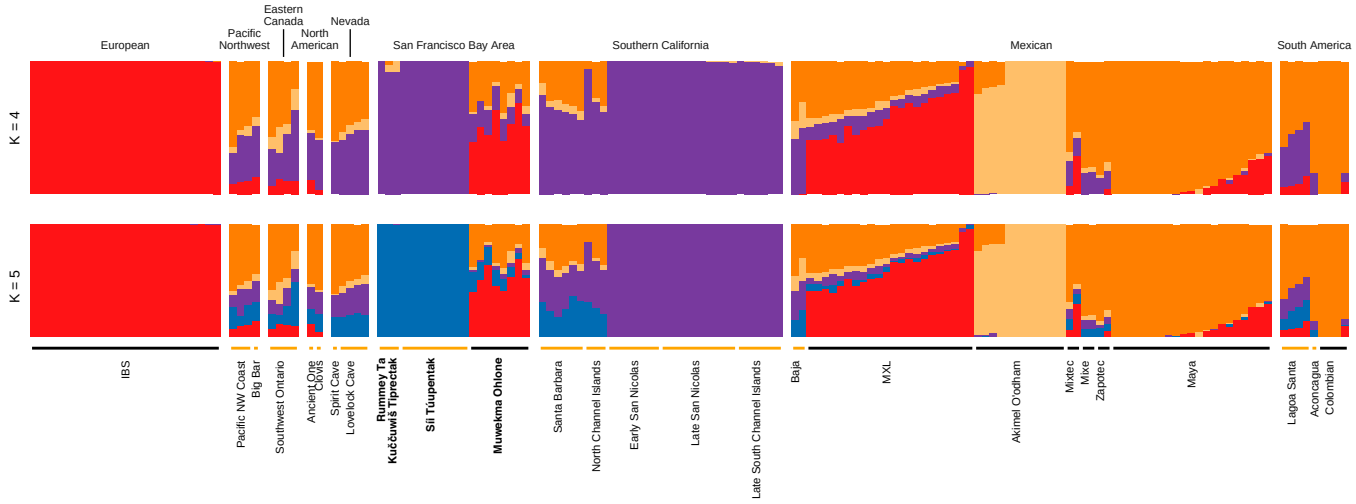


Fig. 5. Model-based clustering of a subset of ancient and present-day individuals, considering 165 samples with ancestry relevant to newly sampled individuals from the San Francisco Bay Area. Separately for $K = 4$ and $K = 5$, the results represent a summary of 10 independent runs of unsupervised clustering. Coloring is the same as described in Fig. 3.

North Channel Islands, the Spirit Cave and Lovelock Cave samples, the North American samples, the Lagoa Santa sample from South America, and the modern Muwekma Ohlone.

To further understand population structure in western North America, we evaluate IBS genomic sharing between pairs of individuals, focusing on 53 ancient individuals from Nevada, California, and Mexico and employing genome-wide imputed genotypes (Fig. 6). The individuals from the oldest site, Spirit Cave in Nevada, share segments broadly, potentially reflecting ancestral haplotype sharing with many more recent individuals because of their increased ages. To some extent, a similar pattern is seen for individuals from the next oldest site, Early San Nicolas.

The highest levels of IBS sharing occur along the diagonal between individuals from the same population. The analysis

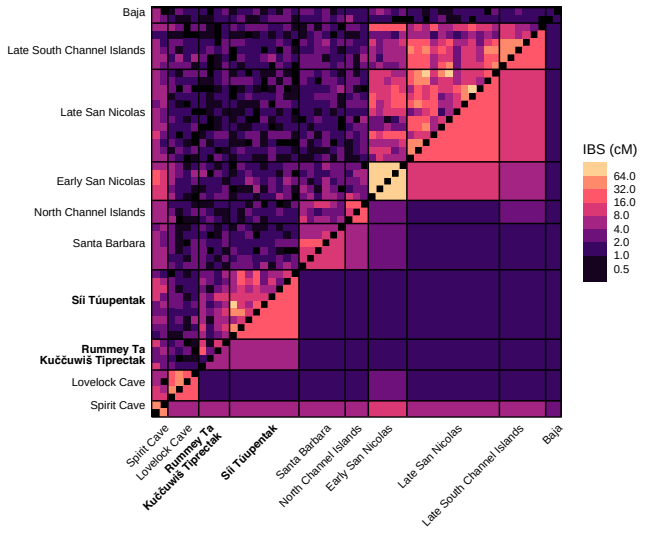


Fig. 6. Total pairwise IBS segment sharing for 53 ancient individuals from Nevada, California, and the Baja peninsula. The upper triangle of the matrix shows the total length of segments shared for pairs of individuals. The lower triangle shows mean pairwise values. In the triangularly shaped regions incident to the diagonal, the mean is taken across pairs within a population; rectangles off the diagonal show means across pairs, one from one population and one from another population.

suggests four clusters—Nevada, San Francisco Bay Area, North Channel Islands together with Santa Barbara, and South Channel Islands—for which pairs within a cluster possess elevated IBS sharing relative to pairs from distinct clusters. Segment sharing decreases for pairs from distinct clusters, with the exception of the sharing between individuals from the North Channel Islands and the Late South Channel Islands, who are close in age.

The clustered pattern of IBS sharing mirrors observations seen in Figs. 4 and 5. Because the highest levels of sharing occur within these population clusters and because the individuals in a cluster have a range of ages, the IBS sharing within each cluster suggests population continuity over space and over time, in the sense that subsequent populations possess ancestry in prior populations. Focusing on the San Francisco Bay Area, the elevated sharing between the individuals from the older *Rummey Ta Kuččuwiš Tiprectak* site and the more recent *Síi Túupentak* site and the relatively low sharing of these individuals to others suggest a notable level of genetic continuity in time between the two sites and that at both of the time periods they represent, their populations possessed distinct ancestry from contemporaneous individuals in Nevada and Southern California.

Present-day Muwekma Ohlone and Ancient *Rummey Ta Kuččuwiš Tiprectak* and *Síi Túupentak* Individuals. Present-day members of the Muwekma Ohlone tribe are known to possess European, Mexican, and Ohlone genealogical ancestors, and we observe this history of admixture in many of our analyses. In Figs. 2*A* and 4*A*, the Muwekma Ohlone lie along a cline on PC1, reflecting European and Mexican admixture. In Figs. 3 and 5, the largest cluster memberships for the Muwekma Ohlone appear in the cluster centered on the European individuals (red) and the cluster centered on Indigenous individuals from Mexico (dark orange).

Despite this signal of admixture, the analyses consistently suggest shared ancestry between the Muwekma Ohlone and the individuals from the *Rummey Ta Kuččuwiš Tiprectak* and *Síi Túupentak* sites. In Fig. 3 and in the analysis with $K = 4$ in Fig. 5, the Muwekma Ohlone share membership with the ancient individuals from California, both those from the San Francisco Bay Area and those from Southern California (purple). In Fig. 5, at $K = 5$, we also see that the cluster centered on the

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individuals from *Rummey Ta Kuč̌čuwiš Tiprectak* and *Síi Túupentak* is visible in the Muwekma Ohlone (blue).

By excluding membership corresponding to European admixture, we can compare the shared membership that the Muwekma Ohlone possess with the cluster centered on *Rummey Ta Kuč̌čuwiš Tiprectak* and *Síi Túupentak* to corresponding shared membership that other modern populations possess with this cluster. In Fig. 7, for various modern populations, we consider the relative proportion that appears in the blue component in the $K = 5$ plot in Fig. 5 in modern individuals, as a fraction of total membership excluding the red component centered on the European individuals. This analysis reveals that the Muwekma Ohlone possess a larger relative proportion of the blue component than do other populations; Mann-Whitney tests for the eight Muwekma Ohlone produce $P = 5.6 \times 10^{-4}$ for a comparison with 22 MXL individuals, $P = 3.0 \times 10^{-5}$ with 12 Akimel O'odham individuals, and $P = 4.0 \times 10^{-6}$ with 21 Maya individuals (with small sample sizes of two individuals each, $P = 0.09$ with Mixtec, $P = 0.02$ with Mixe, and $P = 0.04$ with Zapotec). Hence, despite the admixture history of the Muwekma Ohlone, so that the population possesses multiple membership components, one membership component shared between the Muwekma Ohlone and the ancient individuals from the *Rummey Ta Kuč̌čuwiš Tiprectak* and *Síi Túupentak* sites—a component suggestive of a partial shared ancestry—can be observed. This sharing between the present-day and ancient individuals is further supported in additional tests using the f_4 statistic, by which greater similarity is observed between the Muwekma Ohlone and the *Rummey Ta Kuč̌čuwiš Tiprectak* and *Síi Túupentak* sites than between the Muwekma Ohlone and ancient individuals from surrounding regions (*SI Appendix*, Table S5).

Discussion

In this study, we sequenced genomes of 12 ancient individuals from two archaeological sites in the San Francisco Bay Area and eight present-day members of the Muwekma Ohlone tribe. To study population structure within California and western North America more broadly, we compared these individuals to previously published genomes of ancient and present-day Indigenous individuals. We also compared the 12 ancient individuals and eight modern individuals from the San Francisco Bay Area.

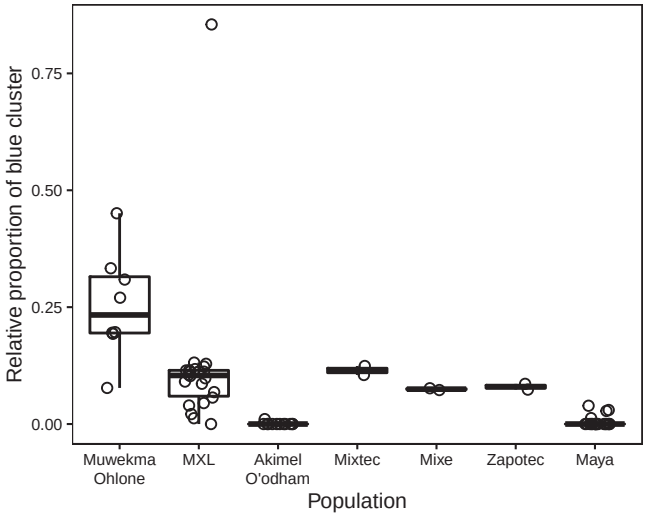


Fig. 7. Membership in the blue cluster in the $K = 5$ cluster analysis in Fig. 5, divided by one minus membership in the red cluster, for present-day populations from California and Mexico. For each individual, the proportion is calculated as the membership fraction in the blue cluster divided by the total fraction of membership in the blue, purple, light orange, and dark orange clusters. Individual values and boxplots are shown.

Continuity of Ancient and Modern Populations in the San Francisco Bay Area. We first performed analyses of the newly sampled ancient individual genomes with a broad sample containing individuals from North America, South America, Europe, and Siberia. In these analyses, the ancient individuals from the *Rummey Ta Kuč̌čuwiš Tiprectak* and *Síi Túupentak* sites clustered most closely with the ancient individuals from Southern California. Using PCA, the individuals from these groups overlap (Fig. 2), and with model-based clustering, we see that a shared cluster is centered on them (Fig. 3, purple).

Next, we focused our analysis on a subset of populations with ancestry relevant to the newly sequenced ancient individuals. In finer-scale analysis, the ancient individuals from the San Francisco Bay Area and Southern California, who cluster together in the larger dataset, are split into separate clusters. With PCA, the individuals from *Rummey Ta Kuč̌čuwiš Tiprectak* and *Síi Túupentak* cluster together (Fig. 4), and with model-based clustering, at $K = 5$, a cluster is centered on the ancient individuals from the San Francisco Bay Area (Fig. 5, blue). In an analysis of IBS sharing, we find elevated sharing among the ancient San Francisco Bay Area individuals from the two archaeological sites relative to the sharing with individuals from Mexico, Nevada, and Southern California.

Finally, we considered the relationship between the ancient individuals from *Rummey Ta Kuč̌čuwiš Tiprectak* and *Síi Túupentak* and their relationship to the present-day Muwekma Ohlone. Although the present-day individuals also possess recent European and Mexican ancestry, we find that they also share ancestry with the ancient individuals. In particular, considering fractions of individual genomes estimated to have Indigenous ancestry, we found in Fig. 7 that the Muwekma Ohlone share a relatively high proportion of a cluster shared with the ancient individuals from the San Francisco Bay Area (blue cluster in Fig. 5).

The shared ancestry components provide support for genetic continuity between the individuals from the *Rummey Ta Kuč̌čuwiš Tiprectak* and *Síi Túupentak* archaeological sites and between the two sites and the present-day Muwekma Ohlone. This continuity, in the sense of a possible genealogical descent relationship connecting the more ancient and more recent populations, would then extend from the *Rummey Ta Kuč̌čuwiš Tiprectak* individuals, dated to 1905 to 1826 cal BP, through the *Síi Túupentak* individuals, who date to 601 to 184 cal BP, to current tribal members. The two archaeological sites represent substantially longer time periods than the dates associated with the particular individuals sampled; *Rummey Ta Kuč̌čuwiš Tiprectak* was inhabited 2440 to 175 cal BP, most actively during 2440 to 1610 cal BP, and *Síi Túupentak* spans 605 to 100 cal BP. The genetic connections between the two archaeological sites and between the sites and the present-day Muwekma Ohlone individuals suggest that the present-day Muwekma Ohlone share continuity with peoples who have inhabited the San Francisco Bay Area for at least two millennia, since the genetic sampling period for *Rummey Ta Kuč̌čuwiš Tiprecta*k, 1905 to 1826 cal BP, and potentially to the earliest dates of the site, around 2440 cal BP. These results suggest that models in which ancestral Ohlone populations are posited to have migrated to the region 1,500 to 1,000 y ago (3, 37, 38) provide underestimates of the continuity of the population. They are compatible with reconstructions that posit Ohlone population continuity in this portion of the San Francisco Bay Area extending back to 2,500 y ago or possibly earlier (39–41).

We note that the population continuity we have observed between the archaeological sites and the current Muwekma

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Ohlone takes the form of a continuity of genetic ancestry components and a noteworthy sharing of genomic segments. This form of genetic continuity does not provide formal evidence that the modern individuals are directly descended from the individuals studied from these archaeological sites, but it is compatible with a view that the modern population is descended from those in the archaeological sites or from genetically similar contemporaneous populations. That this continuity is detectable is perhaps surprising, considering the extreme disruption and increase in deaths of the Ohlone caused by Spanish occupation. Mission records document substantial intermixture with neighboring non-Ohlone groups that began after other tribal groups (notably Coast Miwok, Bay Miwok, Plains Miwok, and Yokuts) from neighboring areas were brought to the same missions because of the rapid decline of Bay Area Ohlone mission populations (9, 42). As a result, for example, some descendants of marriages between Ohlone and non-Ohlone individuals identified culturally as Ohlone, spoke the language, and maintained key cultural traditions (28, 30, 43). Genetic continuity with the archaeological sites is detectable despite this intermixture of Indigenous populations from locations relatively distant from the sites.

Interpretations in Relation to the Penutian Language Family. Attempts to explain the complex mosaic of California languages and language families at European contact have given primacy to historical linguistic reconstructions that posit successive precontact migrations and displacements of various language groups and approximate timings of language divergence within families (44–46). Archaeologists have then looked for changes in the precontact archaeological record that would test these models. As a result, precontact California history is often framed as possessing linguistic and archaeological cultural concordance (40, 47). With respect to the San Francisco Bay Area, this view holds that speakers of Hokan languages initially occupied central California. Subsequently, Hokan speakers were then pushed to geographic peripheries by Penutian speakers entering California in a series of migrations and inhabiting the Central Valley and Bay Area (3, 13, 40, 48). Proto-Penutian speakers in California are hypothesized to have originated in the Great Basin or possibly on the Columbian Plateau. This hypothesis has been based on historical linguistic reconstructions, archaeological investigations, and recent mitochondrial DNA research (3, 40, 49)—notably including similarities in material culture (projectile point types, stone pipes, extensive bone tool industry with distinctive types, and basketry techniques) between the Lovelock Culture of western Nevada and the appearance of the Windmiller Pattern in central California during the Late Holocene (40, 48, 50). The Ohlone language falls within the geographically extensive Penutian language family, most closely related to the neighboring Miwok and Yokuts languages (44–48).

The four ancient Lovelock Cave individuals are clustered to some extent with ancient individuals from the San Francisco Bay Area and Southern California (Fig. 2). They also share two ancestry clusters with ancient and modern individuals from the Pacific Northwest (Fig. 3, light green, dark green). Four ancient Pacific Northwest Coast individuals, along with the ancient Big Bar individual also from the Pacific Northwest, possess a small amount of membership in a cluster shared with the ancient individuals from Nevada and California (Fig. 3, purple). These patterns are compatible with a view that the Lovelock Cave individuals share similarities with Penutian groups that spread both into the Pacific Northwest and into California (48). In this view, the shared ancestry component could represent a signature of a spread of the Penutian languages, with the Lovelock Cave individuals and the Pacific Northwest Coast and Big Bar individuals both descended from ancestors in the Great Basin region (Fig. 3, purple).

Despite this similarity to the ancient individuals from Lovelock Cave, both the ancient San Francisco Bay Area individuals and the present-day Muwekma Ohlone individuals clustered more closely with ancient individuals from Southern California, where the Penutian language family is absent, than with the (possibly Penutian-speaking) Lovelock Cave individuals associated with Lovelock Culture. Because our analyses do not cluster individuals associated with putative regions of Penutian speakers together (e.g., Lovelock Cave, Pacific Northwest, San Francisco Bay Area), we can conclude that if Penutian languages did spread from the Great Basin into California, then either the spread might have involved linguistic rather than demic diffusion or a shared genetic signal of an initial migration has been eroded by subsequent demographic processes. In both scenarios, genetic and linguistic histories in California are not coupled, so that a history of the spread of cultures in the region is unlikely to always align with the spread of languages. This perspective is consistent with the challenges archaeologists have noted in trying to link historical linguistic models of migrations of populations speaking specific languages with clear changes in the archaeological record, resulting in widely divergent suggestions for the timing of these migration events (13, 14, 51).

We note that in Southern California, we observed a consistent separation of South Channel Islands and San Nicolas individuals from individuals from the North Channel Islands and Santa Barbara, amplifying a pattern visible in figure S11 in Scheib et al. of ref. 15. The ancient individuals from Santa Barbara and the North Channel Islands cluster with the ancient San Francisco Bay Area samples, separating from the individuals from the South Channel Islands, including the individuals from San Nicolas Island. This separation accords with a language boundary at the time of European contact: Individuals from Santa Barbara and the North Channel Islands spoke Chumash languages (considered either part of the Hokan group or an ancient linguistic isolate), whereas individuals from the South Channel Islands (plus San Nicolas) spoke Takic languages of the Uto-Aztecan group (45, 46). Takic language speakers are hypothesized to have migrated from the Great Basin into Southern California during the last 5,000 y, with uncertain timing of their arrival on the coast and the South Channel Islands (1, 40, 45, 52). The genetic clustering of Early San Nicolas Island individuals (dated from 5,000 to 4,000 cal BP) with Late San Nicolas Island individuals (dated to 2,000 cal BP or later) but separate from individuals from the North Channel Islands and Santa Barbara suggests population continuity on San Nicolas during this time span and is compatible with the reconstruction that posits an early arrival of Takic language speakers on San Nicolas.

Methodological Considerations. Because of the poor read quality and low sequencing depth for ancient samples, analysis of ancient DNA has primarily made use of haploid genomes in which the haplotype phase has been lost. However, the augmentation of ancient samples with modern reference genomes is increasingly making it possible to perform genotype imputation and haplotype phasing in ancient samples (53). Previous studies have used imputed diploid genotypes from ancient individuals to study demographic history and estimate phenotypes in ancient individuals (54–58). Our work is one of relatively few studies that use imputed genotypes in ancient samples to evaluate haplotype sharing within and between ancient and present-day individuals (55–57).

In this study, we encountered a scenario in which a modern population of interest to examine for genetic continuity with ancient populations possesses admixture components that are not informative about the relationships of interest. Such scenarios can be addressed by performing analyses that disregard those admixture components. In our scenario, we sought to

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discern, within the component of genomic membership not assigned to European admixture, relative contributions of clusters associated with different Indigenous populations (Fig. 7). The signature of similarity between present-day Muwekma Ohlone and a cluster with considerable membership in the ancient San Francisco Bay Area samples and smaller signatures of other modern populations with this cluster suggests the potential of the approach in other comparisons of ancient populations to modern admixed populations.

Many ancient DNA studies in the Americas, and particularly those involving individuals from North America, have studied large-scale processes such as the initial peopling of the continents (19, 21, 22, 24) or subsequent major migration events (15, 16). As a result, enough ancient individuals have been sequenced to provide reference data for studies that focus on ancient genomics of a specific region, such as the Pacific Northwest (18) or the Caribbean (59, 60). Our study of ancient and present-day individuals from the San Francisco Bay Area contributes an example of the use of regionally focused ancient genomics to demonstrate how analysis of ancient and modern individuals can reveal changes in local population structure over time.

An important component of this study has been its community engagement process and coproduction of knowledge as part of increasing interest in partnerships between researchers and Indigenous communities to conduct genetic research (34, 36, 61)—including genetic research that involves Indigenous ancestors (35, 62). A distinctive feature in this case has been the participation of a tribal group in the initiative to pursue the project, in the selection of research questions, in archaeological excavation and ancient genomics involving sites in their historical lands, and in present-day genomic analysis with current tribal members. Hence, in addition to its scientific conclusions, the study provides a contribution to advancing community engagement models in Indigenous genomics. The study reaffirms the Muwekma Ohlone's deep-time ties to the area, providing evidence that disagrees with linguistic and archaeological reconstructions positing that the Ohlone are late migrants to the region (37, 38). The results have also generated interest from tribal leadership in carrying out similar genomic investigations on ancestral remains from older sites in order to better document and understand the time depth of Ohlone population-genetic continuity in the San Francisco Bay region.

Materials and Methods

Ethics Approvals. The study proceeded with significant community engagement at all stages (*Community Engagement*), under Institutional Review Board protocol no. 10538 from the University of Illinois at Urbana–Champaign, and it included informed consent from present-day members of the Muwekma Ohlone tribe. In addition, the Muwekma Ohlone Tribal Council also approved the study, including the genomic analysis of community members and ancestral remains. The Tribal Council was consulted on the results and approved the manuscript for disseminating the study.

Principal Components Analysis. We performed PCA with both the full set of 311 and the subset of 165 individuals, employing all 474,317 SNPs. For both datasets, we first estimated the covariance matrix of individual genotype vectors from genotype likelihoods (*SI Appendix, Methods*). We then used the eigen function in R to calculate eigenvectors, corresponding to principal components, and eigenvalues.

Model-Based Clustering. We used NGSadmix (63) to perform unsupervised model-based clustering on genotype likelihoods from the 85,659 SNPs that remained after LD pruning. For each tested number of clusters *K*, we performed the clustering 10 independent times, running NGSadmix with parameters -minMaf 0.05, -maxiter 10,000, and -tol 0.000001. We also included the parameter -minInd 35 for the full dataset of 311 individuals and -minInd 15 for the subset of 165 individuals. To evaluate the clustering solutions inferred by NGSadmix, we ran CLUMPP (64) with parameters DATATYPE 0, M 2, W 0, S 2, and GREEDY_OPTION 2, and REPEATS 1000. Next, following Verdu et al. (65), we clustered the runs based on pairwise G′ values greater than 0.9. For the majority cluster of each *K* value, which contained the most runs, we reran CLUMPP with the same parameters to produce an averaged clustering solution for display in figures. Preferred choices for the value of *K* were obtained by use of evalAdmix (ref. 66; *SI Appendix, Methods* and Fig. S4).

IBS Segment Sharing. We identified IBS segments between pairs of samples in four steps (*SI Appendix*, Fig. S5). First, we estimated genotype likelihoods in the ancient and modern samples with ANGSD (67). Second, we phased and imputed genotypes from the genotype likelihoods with GLIMPSE (68). Third, we called IBS segments from the phased genotypes with hap-IBD (69). Fourth, in modern admixed individuals, we performed local ancestry assignment and identified IBS segments that lie on the Indigenous background, considering comparisons between modern samples and other modern samples, and between modern samples and ancient samples. This pipeline generated a list of IBS segments shared between ancient and modern individuals, restricting attention to the Indigenous-origin segments of the modern genomes. Further details appear in the *SI Appendix, Methods* and Fig. S6.

Data Availability. Genomic data from previous studies have been obtained from public sources, as described in the supplementary material. The Muwekma Ohlone Tribe will review requests for genomic data on tribal members and associated archaeological sites before access can be granted. Please send requests to the corresponding authors.

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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Sacramento Area Office
2800 Cottage Way
Sacramento, California 95825

IN REPLY REFER TO:

TAKE PRIDE IN AMERICA

Ms. Dena Magdaleno
Post Office Box 56
Burnt Ranch, CA 95527

JAN 2 3 1998

Dear Ms. Magdeleno:

This is to acknowledge receipt of your letter dated December 16, 1997 and received in this office on December 22, 1997. Please accept our apologies for the delay in responding.

At your request, I am writing a letter of support for the Tsnungwe Council and the Muwekma Ohlone Tribe in their bid for Federal recognition. First let me state that the Bureau of Indian Affairs, Sacramento Area Office, is painfully conscious of the fact that California Indian tribes and their individual members have suffered numerous atrocities and inequities from the dominant culture through the hands of the United States Government and the State of California. To this day, those tribes who are fortunate to have Federal recognition status continue to suffer inequities in their share of Federal funds compared to funds received by similar tribes in other states. To that end, this office fully supports efforts by Indian groups such as the Tsnungwe Council and the Muwekma Ohlone Tribe in their bids for Federal recognition status.

Along with your request regarding the Tsnungwe Council, you provided a letter signed by the Acting Director, Office of Tribal Services, which acknowledged that you had established evidence that your ancestors were considered as parties to the 1864 Treaty. We concur with the Central Office of this finding and will support your bid for Federal recognition. I believe the Assistant Secretary - Indian Affairs has the administrative authority to reaffirm Federal status to your tribe.

Although the Central Office has noted that the 1851 Treaty did not provide conclusive evidence that the treaty did not establish clear evidence of Federal recognition of your ancestors, I am fully supportive of your efforts to establish "unambiguous" Federal recognition of your ancestoral group as a tribal entity.

The Bureau of Indian Affairs, Sacramento Area Office, is ready to assist the Tsnungwe Council and the Muwekma Ohlone Tribe in seeking administrative Federal recognition on the basis your tribes were never terminated.

Sincerely,

Acting Area Director

[Congressional Record Volume 148, Number 103 (Thursday, July 25, 2002)]
[Extensions of Remarks]
[Pages E1392-E1393]
From the Congressional Record Online through the Government Publishing Office [www.gpo.gov]

MUWEKMA OHLONE INDIAN TRIBE

_____

HON. ZOE LOFGREN

of california

in the house of representatives

Thursday, July 25, 2002

Ms. LOFGREN. Mr. Speaker, The Muwekma Ohlone Indian Tribe is a sovereign Indian Nation located within several counties in the San Francisco Bay Area since time immemorial.

In 1906, the Tribe was formally identified by the Special Indian Census conducted by Indian Agent C.E. Kelsey, as a result of the Congressional Appropriation Act mandate to identify and to purchase land for the landless and homeless California Indian tribes.

At this time, the Department of Interior and the Bureau of Indian Affairs federally acknowledged the Verona Band as coming under the jurisdiction of the Reno and Sacramento Agencies between 1906 and 1927.

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The Congress of the United States also recognized the Verona Band pursuant to Chapter 14 of Title 25 of the United States Code, which was affirmed by the United States Court of Claims in the Case of Indians of California v. United States (1942) 98 Ct. Cl. 583.

The Court of Claims case judgment instructed the identification of the Indians of California with the creation of Indian rolls. The direct ancestors of the present-day Muwekma Ohlone Tribe participated in and enrolled under the 1928 California Indian Jurisdictional Act and the ensuing Claims Settlement of 1944 with the Secretary of the Interior approving all of their enrollment applications.

Meanwhile, as a result of inconsistent federal policies of neglect toward the California Indians, the government breached the trust responsibility relationship with the Muwekma tribe and left the Tribe landless and without either services or benefits. As a result, the Tribe has suffered losses and displacement. Despite these hardships the Tribe has never relinquished their Indian tribal status and their status was never terminated.

In 1984, in an attempt to have the federal government acknowledge the status of the Tribe, the Muwekma Ohlone people formally organized a

tribal council in conformance with the guidelines under the Indian Reorganization Act of 1934.

In 1989, the Muwekma Ohlone Tribal leadership submitted a resolution to the Bureau of Indian Affairs Branch of Acknowledgement and Research with the intent to petition for Federal acknowledgement. This application is known as Petition #111. This federal process is known to take many years to complete.

Simultaneously, in the 1980's and 1990's, the United States Congress recognized the federal governments neglect of the California Indians and directed a Commission to study the history and current status of the California Indians and to deliver a report with recommendations. In the late 1990's the Congressional mandated report--the California Advisory Report, recommended that the Muwekma Ohlone Tribe be reaffirmed to its status as a federally recognized tribe along with five other Tribes, the Dunlap Band of Mono Indians, the Lower Lake Koi Tribe, the Tsnungwe Council, the Southern Sierra Miwuk Nation, and the Tolowa Nation.

On May 24, 1996, the Bureau of Indian Affairs pursuant to the regulatory process then issued a letter to the Muwekma Ohlone Tribe concluding that the Tribe was indeed a Federally Recognized Tribe.

In an effort to reaffirm their status and compel a timely decision by the Department of the interior, the Muwekma Ohlone Tribe sued the Bureau of Indian Affairs. The Court has mandated that the Department issue a decision this year. That decision is expected in early August.

Specifically, on July 28, 2000, and again on June 11, 2002, Judge Ricardo Urbina wrote in his Introduction of his Memorandum Opinion Granting the Plaintif's Motion to Amend the Court's Order (July 28, 2002) and Memorandum Order Denying the Defendant's to Alter or Amend the Court's Orders (June 11, 2002) affirmatively stating that:

``The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior (``DOI'') recognized the Muwekma tribe as an Indian tribe under the jurisdiction of the United States.'' (Civil Case No. 99-32671 RMU D.D.C.)

I proudly support the long struggle of the Muwekma Ohlone Tribe as they continue to seek justice and to finally, and without further delay, achieve their goal of their reaffirmation of their tribal status by the federal government. This process has dragged on long enough. I hope that the Bureau of Indian Affairs and the Department of Interior will do the right thing and act positively to grant the Muwekma Ohlone Tribe their rights as a Federally Recognized Indian Tribe. The Muwekma Ohlone Tribe has waited long enough; let them get on with their lives as they seek to improve the lives of the members of this proud tribe. To do anything else is to deny this Tribe Justice. They have waited patiently and should not have to wait any longer.

_____

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MUWEKMA TRIBE,

Plaintiff,

v.

BRUCE BABBITT,,
Secretary of the United States Department of the Interior, and

KEVIN GOVER,
Assistant Secretary for Indian Affairs,
United States Department of the Interior,

Defendants.

Civil Action No.: 99-3261 (RMU)

Document Nos.: 27, 28

MEMORANDUM OPINION

Granting the Plaintiff's Motion to Amend the Court's Order

I. INTRODUCTION

The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma Tribe as an Indian tribe under the jurisdiction of the United States. In more recent times, however, and despite its steadfast efforts, the Muwekma Tribe has been unable to obtain federal recognition, a status vital for the Tribe and its members. Without federal recognition, the Tribe cannot receive the benefits of health care, housing, economic development, and self-governance that the United States provides to federally recognized tribes. *See* Pl.'s Mot. for Summ. J. at 2; 25 C.F.R. § 83.2.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MUWEKMA OHLONE TRIBE, Plaintiff, v. DIRK KEMPTHORNE,[1] Secretary of the Interior, et al., Defendants.	)	Civil Action No. 03-1231(RBW)

MEMORANDUM OPINION

The Muwekma Ohlone Tribe ("Muwekma," "the Tribe," or "the plaintiff")[2] brings this action under the United States Constitution and the Administrative Procedure Act ("APA"), 5 U.S.C. §§ 554, 701-706 (2000), seeking review of the "Final Determination Against Federal Acknowledgment of the Muwekma Ohlone Tribe" ("Final Determination"), 67 Fed. Reg. 58,631 (2002), issued by the Department of the Interior ("DOI" or "the Department"),[3] which declined to

[1] Pursuant to Federal Rule of Civil Procedure 25(d)(1), the Court has substituted the Secretary of the Interior, Dirk Kempthorne, for the former Secretary, Gale Norton, as a defendant in this action.

[2] As a matter of convenience, and in accordance with both parties' pleadings, the Court will at times throughout this Opinion refer to the plaintiff as "the Tribe." See Complaint ¶ 1; Answer at 2 n.2. The Court notes, however, that the plaintiff's status as a Native American tribe within the meaning of the federal acknowledgment criteria is the primary point of contention in this litigation. See Morton v. Mancari, 417 U.S. 535, 553 & n.24 (1974) (stating that for the purposes of federal recognition tribal status is a political rather than racial classification). Accordingly, the Court's reference to the plaintiff as "the Tribe" is not intended to suggest that the plaintiff is, or should be, entitled to federal tribal recognition.

[3] The named defendants are (1) Gale Norton, in her official capacity as the Secretary of the Interior ("Secretary"); (2) Aurene Martin, in her capacity as the Acting Assistant Secretary for Indian Affairs; and (3) the Department of the Interior (collectively "the defendants"). As noted supra, Dirk Kempthorne has been substituted for Gale Norton pursuant to Rule 25(d)(1). In addition, Aurene Martin is no longer the Acting Assistant Secretary for Indian Affairs, and the position is currently vacant.

grant federal recognition to Muwekma as a Native American tribe pursuant to the acknowledgment criteria of 25 C.F.R. § 83 (2006) ("Part 83"). Complaint ("Compl:") ¶ 1. Specifically, Muwekma contends, inter alia, that the Department violated the Equal Protection Clause and the APA by requiring it to undergo the Part 83 acknowledgment procedures while allowing similarly situated tribal petitioners to bypass these procedures altogether. Compl. ¶¶ 37-39; Points and Authorities in Support of Plaintiff's Motion for Summary Judgment ("Pl.'s Mem.") at 22-30. Currently before the Court are the parties' cross-motions for summary judgment.[4] For the reasons set forth below, the Court denies both parties' motions without prejudice and directs the Department to supplement the administrative record.

I. Background

The following facts are not in dispute. Muwekma is a group of American Indians indigenous to the San Francisco Bay area, the members of which are direct descendants of the historical Mission San Jose Tribe, also known as the Pleasanton or Verona Band of Alameda County ("the Verona Band"). Pl.'s Mem. at 4; Defs.' Mem. at 5; Answer at 6. From 1914 to 1927, the Verona Band was recognized by the federal government as an Indian tribe. Pl.'s Mem. at 4-5; Defs.' Mem. at 5; Answer at 12-13. Neither Congress nor any executive agency ever formally withdrew federal recognition of the Verona Band. Pl.'s Mem. at 5; Answer at 14.

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[4] The following papers have been submitted in connection with these motions: (1) Points and Authorities in Support of Plaintiff's Motion for Summary Judgment ("Pl.'s Mem."); (2) Memorandum in Support of Defendants' Cross-Motion for Summary Judgment and Response in Opposition to Plaintiffs' Motion for Summary Judgment ("Defs.' Mem."); (3) Reply Brief in Support of Plaintiff's Motion for Summary Judgment and Opposing Defendants' Motion for Summary Judgment ("Pl.'s Opp."); (4) Reply Memorandum in Support of Defendants' Cross-Motion for Summary Judgment ("Defs.' Reply"); (5) Plaintiff's Notice of Supplemental Authority ("Pl.'s Not."); (6) Defendants' Response to Plaintiff's Filing of Supplemental Authority ("Defs.' Resp."); (7) Plaintiff's Second Notice of Supplemental Authority ("Pl.'s Second Not."); (8) Defendants' Response to Plaintiff's Second Notice of Supplemental Authority ("Defs.' Second Resp."); and (9) Plaintiff's Reply in Support of Second Notice of Supplemental Authority ("Pl.'s Reply to Second Resp.").

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Fighting erasure and dispossession in the San Francisco Bay Area: putting archaeology to work for the Muwekma Ohlone Tribe

Lee M. Panich[1]*, Monica V. Arellano[2], Michael Wilcox[3], Gustavo Flores[4] and Samuel Connell[5]

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The Muwekma Ohlone Tribe has long been involved in the archaeology and stewardship of their ancestral homelands, both through their own cultural resource management (CRM) firm and though collaborations with academic and CRM archaeologists. In this article, we build on the past 40 years of archaeological collaborations in the southern San Francisco Bay region and offer examples of how archaeologists can support tribal heritage and environmental stewardship by using the traditional purview of material culture in combination with a broader array of evidence and concerns. As presented in our brief case studies, the Muwekma Ohlone Tribe and scholars are working together to reclaim tribal heritage and promote Native stewardship in a cultural landscape that has been marred by more than 250 years of dispossession. We examine this work in the context of the renaming of ancestral sites, the public interpretation of Native heritage associated with Mission Santa Clara de Asís, archival research into the history of Indigenous resistance, as well as collaborative efforts to awaken traditional ecological knowledge in service of the Tribe's stewardship and land management goals.

KEYWORDS

Indigenous archaeology, colonialism, traditional ecological knowledge, Ohlone, California

1 Introduction

In this article, we focus on the Indigenous stewardship of cultural landscapes and heritage in one of the United States' largest metropolitan areas. The homelands of the Muwekma Ohlone Tribe encompass much of the San Francisco Bay Area of central California, which today has a population of nearly eight million people (Figure 1). Though the history of Euro-American colonization in this region is relatively short—beginning in earnest in the 1770s—the compounding effects of missionary and settler colonialism have resulted in a "politics of erasure" that have left the Muwekma Ohlone Tribe landless, without recognition by the United States federal government, and increasingly gentrified out of their ancestral territories (Field et al., 2013). Despite these obstacles, the Tribe has worked diligently for several decades to protect ancestral sites, reclaim heritage, and to seek ways to steward their homelands. Archaeologists are working with and for the Muwekma

Ohlone Tribe on many of these efforts, even as specific projects expand beyond the purview of traditional archaeology. This work is driven by shared commitment to collaboratively addressing critical issues that are rooted in traditional practices and historical injustices. To highlight both the challenges and opportunities of this work, we offer a sample of recent academic-tribal partnerships in the southern San Francisco Bay region.

In thinking about how archaeology can contribute to the Tribe's efforts to protect heritage sites and steward its ancestral homelands, it is critical to recognize that Muwekma Ohlone leaders and the broader Ohlone community have been involved in this work for many decades—longer, in fact, than the current trend toward collaborative and community-based approaches among many non-Native archaeologists (e.g., Cambra et al., 1996; Field et al., 2007). Still, inasmuch as the interrelated projects described below follow the interests and direction of the Tribe, we broadly position our work as contributing to ongoing shifts toward archaeologies centered on principles of community engagement, social justice, and Indigenous sovereignty (Schneider and Hayes, 2020; Nelson, 2021; Laluk et al., 2022; Little, 2023; Montgomery and Fryer, 2023). Particularly as educators, we wish to instill these ethics in the students that we train to become the next generation of archaeologists while simultaneously working toward a future where "archaeology and related heritage practices can be put to work effectively supporting things that matter beyond the small circles of our disciplines" (Fryer and Dedrick, 2023, p. 335).

2 Historical background

As in other regions of the world, the colonial history of the San Francisco Bay region has important implications for tribal sovereignty, heritage, and environmental stewardship. Ohlone people lived in the region for thousands of years before the onset of Spanish colonialism in the late 18th century, when Franciscan missionaries founded Missions San Francisco (1776), Santa Clara (1777), and San José (1797) (see Figure 1). During this time, thousands of Ohlone people were forced off their homelands and into the missions, non-native plants and animals spread throughout the region, and colonial authorities outlawed Indigenous landscape management practices such as cultural burning (Milliken, 1995; Lightfoot et al., 2013; Panich, 2020). Beginning in the 1830s and 1840s, many Ohlone ancestors were emancipated from the missions, and some even overcame structural barriers to receive land grants from the Mexican government, enabling them to return to their ancestral homelands as free citizens. Many other Native families and individuals simply walked away from the missions to return to home or to create new lives in the Pueblo of San José (today the city of San Jose) and various ranchos throughout the region (Shoup and Milliken, 1999; Panich, 2019).

In the late 1840s, however, the annexation of California by the United States marked the transition to settler colonialism and with it came a new wave of dispossession and outright genocide (Lindsay, 2012; Madley, 2016). Pushed off of the former mission lands and later settlements, members of the lineages that comprise the Muwekma Ohlone Tribe regrouped in the southeastern Bay Area where they coalesced in the closely intertwined settlements of Niles, Sunol, and Alisal (near present-day Pleasanton). This community was recognized by the United States federal government in the early 20th century, though they only had a tenuous hold on the land. The Bureau of Indian Affairs sought to alleviate the conditions of landless California Indians but ultimately ignored the ancestors of the Muwekma Ohlone Tribe due to the negligence of a single Indian agent in the mid-1920s. Around this same time, the Ohlone community was similarly written off by anthropology when Kroeber (1925, p. 464) stated that they were "extinct, so far as all practical purposes are concerned" (and see Leventhal et al., 1994; Field, 1999; Panich, 2020; Barron, 2022).

These injustices continue to reverberate a century later. Though the tribe was never terminated, the Muwekma Ohlone Tribe—now numbering more than 600 members—is today not among the 574 tribes recognized by the US federal government. As a previously unambiguously recognized tribe, the Muwekma Ohlone are seeking the restoration of their federal status and resist the politics of erasure in various ways, including their active involvement in the archaeology and stewardship of their ancestral homelands.

3 Tribal involvement in archaeology

The excavation of Muwekma Ohlone ancestral sites—by both academic and amateur archaeologists—has a long history. Some of the earliest professional investigations in the region centered on the monumental shellmounds that Ohlone ancestors and other Native Californians constructed along the margins of the San Francisco Bay and neighboring bodies of water. Most of the major mounds, such as Emeryville Shellmound, were excavated in the early 1900s and have been repeatedly disturbed—and in some cases totally destroyed—over the course of the following decades (Lightfoot et al., 2017). Not even more recent sites were spared the destruction. Native burials at Mission Santa Clara, for example, were disturbed by construction activities several times in the late 19th and early 20th centuries, with rampant collection of human remains and associated funerary belongings by a range of individuals and organizations (Panich, 2022). Across the region, hundreds of other ancestral sites were damaged or destroyed by agriculture, construction, or archaeological activities in the first several decades of the 20th century.

The 1960s marked a major turning point in cultural resource law with the implementation of National Historic Preservation Act of 1966, the National Environmental Policy Act of 1969, and the California Environmental Quality Act of 1970. Yet, even before the passage of these laws, the Ohlone community banded together in 1964 to preserve a cemetery originally associated with Mission San José that had long been an important burying ground for Ohlone families. This action by the Ohlone community saved the site, known today as the Ohlone Indian Cemetery, from being destroyed during the construction of Interstate 680 (Milliken et al., 2009, p. 224–225; Medina, 2015). Still, the extensive urban and suburban development of the San Francisco Bay region during the 1960s and 1970s meant that scores of ancestral sites continued to be disturbed, even if nominally protected by cultural resource laws.

However, because the Muwekma Ohlone Tribe is not currently federally recognized, the Tribe's participation in CRM archaeology

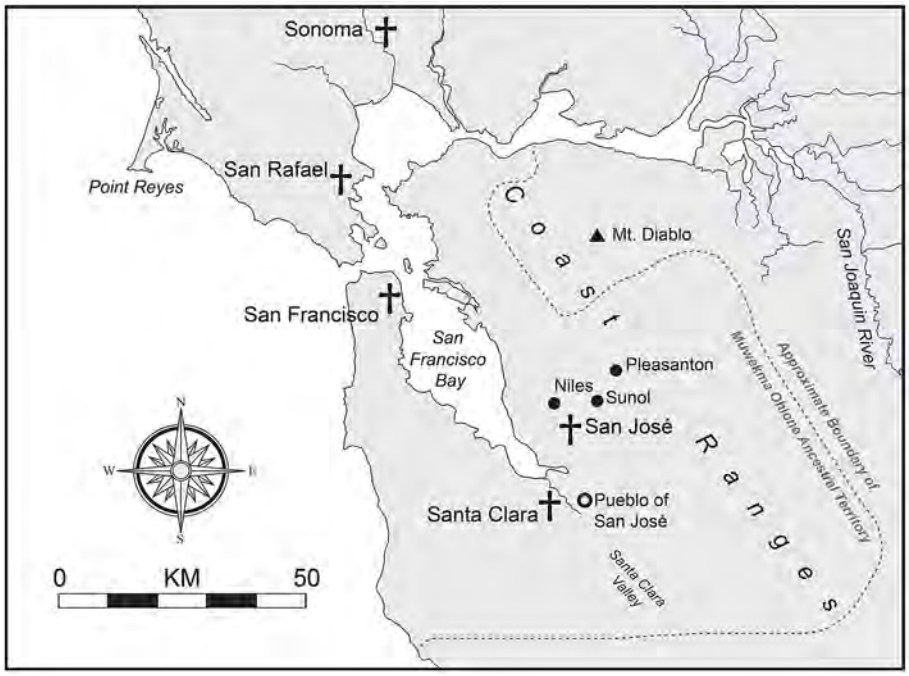


FIGURE 1
Map of the San Francisco Bay area, with places mentioned in text.

is limited by legal statute (Becks, 2015). In response to the continued threats to ancestral sites in the 1980s, the Muwekma Ohlone Tribe created its own cultural resource management firm, the Ohlone Families Consulting Services, which has recently been reorganized to fit directly into the organizational structure of the Tribe. Similar legal obstacles hinder the ability of the Muwekma Ohlone Tribe—like other unrecognized tribes—to request the repatriation of ancestors or associated belongings through the federal Native American Graves Protection and Repatriation Act (NAGPRA) process. In contrast, the California Native American Graves Protection and Repatriation Act (CalNAGPRA) does allow for repatriation to non-recognized tribes, though the process has yet to be fully completed at most Bay Area institutions and it will take time to identify the extent of existing collections from ancestral Ohlone sites created by previous academic and CRM projects. In recognition of these inequities, Stanford University voluntarily repatriated some 700 ancestors to the Muwekma Ohlone Tribe before the passage of NAGPRA in 1990, setting an important national precedent (Kakaliouras, 2012, p. 215).

Since the mid-1980s, the Tribe's participation in archaeology has offered opportunities for tribal members to help protect ancestral sites, to participate in archaeological research, and to combat the narratives of extinction that continue to plague the Tribe (Figures 2, 3). For example, direct tribal involvement in CRM archaeology has allowed the Muwekma Ohlone Tribe's Language Committee to rename impacted sites in their ancestral Chochenyo Ohlone language. To date, the Tribe has renamed approximately two dozen sites across the region, including locales in Alameda, San Mateo, Santa Clara, and Santa Cruz counties (Table 1). This practice is a powerful rejoinder to archaeologists who would presume to see ancestral Ohlone sites as their own sources of data (named either by impersonal alphanumerical systems and/or site names that memorialize settler land owners). This practice of renaming also rhetorically signals to broader audiences that Muwekma Ohlone people still exist today in the region, just as they have for thousands of years.

The Muwekma Ohlone Tribe's longstanding presence has given them substantial control over how and when they collaborate with academic and CRM archaeologists, resulting in fruitful relationships with a range of institutions and CRM firms who agree to abide by the research goals and protocols determined by the Tribe (Monroe et al., 2022). For example, a recent mitigation project in the town of Sunol involved a productive relationship with Far Western Anthropological Research Group and other archaeologists. The partnership resulted in multiple co-authored journal articles, a monograph, as well as a PBS documentary, "Time Has Many Voices: The Excavation of a Muwekma Ohlone Village," in which the history of their people is told through the lens of an excavation and its resultant analysis (Byrd et al., 2022). During this project, the Tribe made the decision to proceed with ancient DNA studies that conclusively linked living tribal members to ancestors who were laid to rest hundreds of years ago, a study that received widespread media attention (Severson et al., 2022). The Tribe also regularly supports doctoral dissertations and masters theses conducted by students at local universities (e.g., Becks, 2018; Ragland, 2018). While not all tribes or descendant communities have the same approach, being involved in archaeology allows the Muwekma Ohlone Tribe to ensure that research regarding their ancestors and heritage proceeds in a respectful and ethical manner.

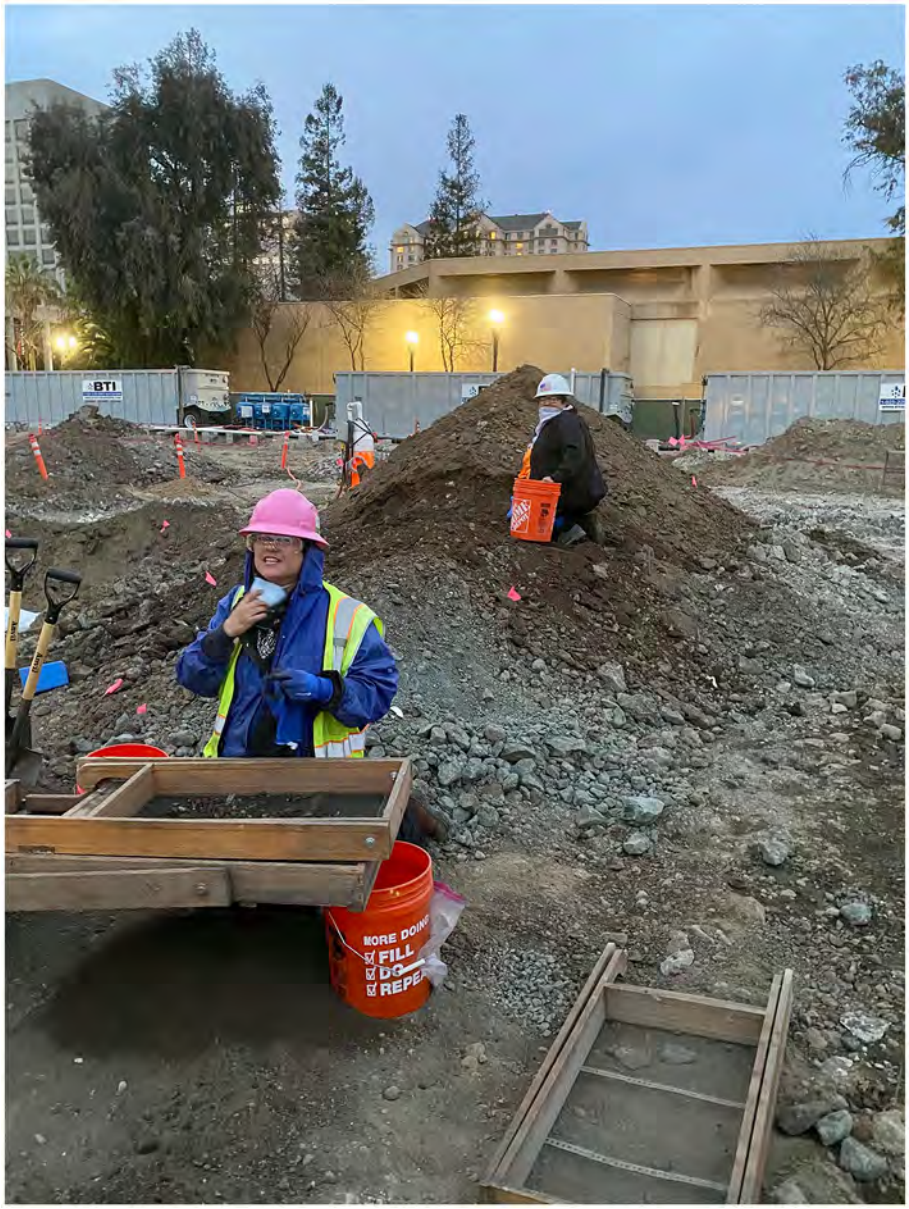


FIGURE 2
Members of the Muwekma Ohlone Tribe participating in a data recovery mitigation at an ancestral site in San Jose, California. Monica V. Arellano (foreground) sifts sediments while Laura Padron checks the spoils pile. Photo by Monica V. Arellano.

In the following sections, we highlight our interrelated projects that build on this strong foundation to support the Muwekma Ohlone Tribe's efforts to counter the politics of erasure and restore tribal sovereignty over heritage and the environment.

4 Reclaiming colonial spaces

In addition to reclaiming ancient sites, the Muwekma Ohlone Tribe is drawing on archaeological findings to reframe the relationship between its ancestors and the California mission system (ca. 1769–1840s). At one level, is difficult to overstate the negative impacts of the Spanish missions on the Indigenous peoples of California. Tens of thousands were forced from their homelands to the missions, where strict social controls, crushing labor demands, and the suppression of traditional practices led to a catastrophic loss of life. Yet, Native Californians fought hard to maintain their communities and their connections to their ancestral territories, often in ways that are ignored in traditional historical narratives (Panich and Schneider, 2014; Hull and Douglass, 2018). In public interpretations of mission sites, however, this tension between struggle and persistence is often overshadowed by public memory that celebrates the European origins of the missions while largely overlooking the experiences of Native Californians (Dartt-Newton, 2011; Kryder-Reid, 2016; Panich, 2016, 2022).



FIGURE 3
Tribal member Gloria Gomez (left) monitors backhoe work at an ancestral site in San Jose, California. Photo by Monica V. Arellano.

At Mission Santa Clara—on the campus of Santa Clara University (SCU)—tribal members have been working with archaeologists and other scholars to reclaim Native heritage. The Tribe has been involved with the campus museum, the de Saisset, for decades and, in their capacity as the state-designated most likely descendants (MLDs), tribal members have aided in the recovery of several ancestors buried on and near the university. Many of those ancestors lived during pre-contact times—dating back at least 2,500 years—and were laid to rest in an area that is today the center of the SCU campus (e.g., Leventhal et al., 2023). Others were associated with Mission Santa Clara, including individuals buried in the third mission cemetery (ca. 1781–1818). The California Department of Transportation consulted with the Muwekma Ohlone Tribe during an early project at the cemetery (Hylkema, 1995, p. 9–10), and later the Tribe led the excavation and reburial of several individuals who were disturbed during gas line maintenance in 2009. As noted in Table 1, the Tribe's Language Committee renamed this cemetery as *Clareño Muwékma Ya Túnneste Nómmo* at the completion of that particular project (Leventhal et al., 2011). Despite these connections, the Tribe's involvement in archaeological fieldwork at and near Mission Santa Clara has been largely limited to burial recoveries in a CRM context. Outside of the de Saisset Museum, very little public interpretation exists on the SCU campus that speaks to the rich and complex histories of the Muwekma Ohlone Tribe or other Native peoples of central California who were present on this land before, during, and after the mission period. In other words, Native heritage has been largely erased for the tens of thousands of people who each year pass through the SCU campus as visitors, students, staff, or faculty.

Given this situation, SCU's leadership convened the Ohlone History Working Group in 2019 to conduct a campus-wide assessment of monuments and markers and make recommendations for better integrating Ohlone heritage into the interpretive apparatus at Mission Santa Clara and across the SCU campus (Baines et al., 2020). The working group was staffed by Ohlone representatives and SCU personnel, including Muwekma Ohlone Chairwoman Charlene Nijmeh and Lee Panich, coauthor of this paper. One of the highest priorities identified by the working group was to formally recognize the thousands of Native Californians, most of whom were of Ohlone descent, who are buried in the two mission cemeteries on the SCU campus. Taking inspiration in part from the work of Ohlone relatives at Mission San Francisco de Asís (Galvan and Medina, 2018), representatives from the Muwekma Ohlone Tribe and SCU personnel created a digital memorial that opened in SCU's de Saisset Museum in the autumn of 2023. The memorial includes the names of all 7,612 Native people listed in the mission's burial records, as well as a series of biographies of Native individuals that were written by SCU students in conversation with Muwekma Ohlone tribal youth ambassadors. Crucially, the exhibit seeks to

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TABLE 1 Archaeological sites renamed in the Chochenyo Ohlone language by the Muwekma Ohlone Tribe's Language Committee.

Trinomial	Renamed as	Translation
CA-ALA-12,−13,−328, and−329	*Mayyan Šaatošikma*	Coyote Hills Sites
CA-ALA-565	*Síi Túupentak*	Place of the Water Round House
CA-ALA-677/H	*'Ayttakiš'Eete Hiramwiš Trepam-tak*	Place of the Woman Sleeping Under the Pipe
CA-ALA-704	*Rummey Ta Kuččuwiš Tiprectak*	Place of the Stream of the Lagoon
CA-SCL-30/H	*Clareño Muwékma Ya Túnneste Nómmo*	Where the Clareño Indians are Buried
CA-SCL-38	*Yukisma*	At the Oaks
CA-SCL-125	*'Arma'Ayttakiš Rummey-tak*	Place of the Spirit Woman Spring
CA-SCL-128	*Thámien Rúmmeytak*	Thámien (Guadalupe) River Site
CA-SCL-215	*Yakmuy 'Ooyakma-tka*	Place of the East Ridge
CA-SCL-287/CA-SMA-263	*Yuki Kutsuimi Šaatoš Inuxw*	Sand Hill Road Sites
CA-SCL-314	*'Irek Šarotka*	Place of the Fossil Shell
CA-SCL-330	*Chitcomini'Arweh Wallaka-tka*	Place of the Blue Oak Rancheria
CA-SCL-609	*Horše'Iššeete Ruwwatka*	Place of the Good Health House
CA-SCL-732	*Kaphan Húunikma*	Three Wolves Site
CA-SCL-755	*Širkeewis Riipin Tiprectak*	Place of the Black Willow Marsh
CA-SCL-851	*'Utthin Širkeewis Tcitca'Irekmatka*	Two Black Obsidian Rocks Site
CA-SCL-867	*Ríipin Waréeptak*	In the Willows Area
CA-SCL-869	*Katwáš Ketneyma Waréeptak*	The Four Matriarchs Site
CA-SCL-894/948	*Tupiun T̲áareštak*	Place of the Fox Man
CA-SCL-895	*Kiriṭ-smin'ayye Sok o͡te Tápporikmatka*	Place of Yerba Buena and Laurel Trees
CA-SCL-950	*Cashrishmini'Awweš'Írek'Innutka*	Yellow Salt Rock Road Site
CA-SCL-967	*T̲áareš Tunneste'Ullaaštak Chitcomini Šaro-tka*	Place of the Man Buried on a Bed of Blue Mussel Shells
CA-SCL-1070	*Manni Huyyu Muwekma Yatiš Tunneste-tka*	Place Where the Ancient People are Buried
CA-SCR-12	*Satos Rini Rumaytak*	At the Hill above the River
CA-SMA-267	*Loškowiš'Awweš T̲aareštak*	White Salt Man Site
CA-SMA-309	*Wirak T̲ayyi Trépam T̲áareš-tak*	Man with the Bird Bone Tubes Site

make connections between the past and the present, and to that end, includes video segments featuring Muwekma Ohlone leaders and youth speaking about how the events of the mission period continue to reverberate for their community today (Figure 4).

At SCU, the Muwekma Ohlone Tribe is also working to reinsert Indigenous heritage across the landscape. Given the inertia of the physical interpretive environment, detailed by the Ohlone History Working Group report (Baines et al., 2020), much of this work has thus far relied on digital platforms (Lueck and Panich, 2020). For example, in the summer of 2020, representatives from the Tribe worked with other Ohlone community members, as well as Panich and SCU personnel, to create a virtual walking tour to be used in remote teaching during the COVID-19 pandemic. Hosted on Google Earth, the tour focuses primarily on Ohlone interpretation of archaeological deposits on and near the SCU campus, including a precontact village site and the vast Native neighborhood, or *ranchería*, associated with Mission Santa Clara (Panich et al., 2014; Peelo et al., 2018). Google Earth tours, however, are not well supported on most mobile phones. Accordingly, the project team, which has expanded to include other SCU faculty and students, is now in the process of developing an augmented reality (AR) tour that users can experience on their mobile devices (Jauregui et al., 2024). The capabilities of the AR tour also allow for different forms of content, such as 3D models, audio, and video. In keeping with the tribal interests, these possibilities have expanded the tour beyond archaeology to highlight Muwekma Ohlone heritage past, present, and future.

Taken together, these interrelated projects demonstrate how archaeologists and descendant communities can work together to reclaim colonial spaces. Crucially, at SCU the process has been one of co-creation, in which Muwekma Ohlone representatives have provided direction to interdisciplinary teams who have leveraged university resources for collaborative interventions in the local heritage landscape. Within this context, the inclusion of undergraduate students has been especially important, as SCU students have a demonstrated interest in local archaeology and Ohlone heritage but have been excluded from several recent large-scale CRM projects on their own campus (Kroot and Panich, 2020).

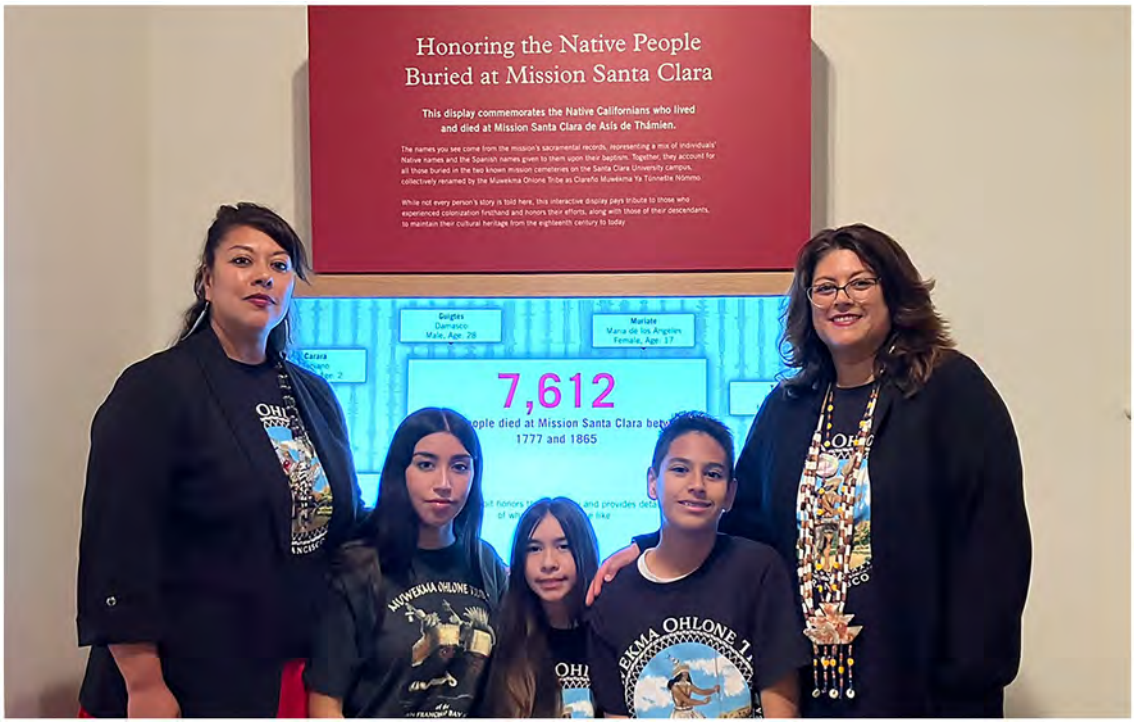


FIGURE 4
Members of the Muwekma Ohlone Tribe at the Native memorial at Santa Clara University's de Saisset Museum. Left to right: Gloria Gomez, Isabella Gomez, GiGi Gomez, Lucas Arellano, and Monica V. Arellano. Photo courtesy of Lauren Baines.

By working with the Muwekma Ohlone Tribe on the heritage projects described above, students gain a firsthand appreciation for how archaeologists and other scholars can collaborate productively with Indigenous communities. Of course, this work is not always easy, and it is important for students and practitioners alike to reflect on the challenges of engaging with difficult histories across differences in individual and institutional positionalities (Lueck et al., 2021; Gomez and Lueck, 2023). But it is worth doing, since as Montgomery and Fryer (2023) remind us, "the future of archaeology is (still) community collaboration."

5 Native resistance and the roots of dispossession

As disruptive as the mission system was to Native life in California, the lands surrounding each mission were—in a quasi-legal sense—still held in trust for the missions' Indigenous residents. When the missions began to close down in the 1830s, in a process called secularization, this understanding was undermined by colonial elites. Seeking to control the highly productive lands of California's coasts and inland valleys, colonists petitioned for grants of former mission lands leading to the rise of huge estates all across the region. Though the American annexation in the late 1840s led to an outright genocide in the attempt to seize Native land, the origins of dispossession that began in earnest in the 1830s are of particular relevance for understanding the colonial history of the San Francisco Bay region and the realities faced by the Muwekma Ohlone Tribe today.

Few archaeological datasets or published first-hand accounts offer a Native perspective on the process of mission secularization in Muwekma Ohlone homelands of the southern Bay Area, though it is worth pointing out that in the 1870s, an Ohlone man—Lorenzo Asisara—provided a testimonial about the inequities his communities experienced at Mission Santa Cruz, on the Pacific Coast, some four decades earlier (Castillo, 1989; and see Rizzo-Martinez, 2022). To address this gap in understanding, our team has been conducting research on primary archival documents that may offer different ways of viewing the written and archaeological records for Muwekma Ohlone homelands during the 1830s and 1840s (Panich et al., in press). Here, we focus on one specific document from the year 1842 that was identified and translated by coauthor Gustavo Flores (Anonymous, 1842). This primary document is an indictment against several Native men from Mission San José and other nearby missions who plotted a revolt in response to what they saw as the theft of their lands and property. It includes their direct testimony as recorded by a court scribe in the Pueblo of San José in June of 1842 (see Figure 1). In these pages, we learn about their complaints, and why they sought to capture a Californio colonist named José de Jesús Vallejo, who was an administrator at Mission San José and the elder brother of Mariano Guadalupe Vallejo, a very important colonist in Alta California. This court hearing took place 4 years before the Americans would begin their own occupation of California. However even at this time, Californios were beginning to take possession of Native land,

and many of the Native men who stood before the court objected to the fact that Vallejo was doing just that. The translation of this document provides several insights, two of which we will focus on here.

The first thing that we can decipher from the court document is the identities of the people involved. Contextualizing names, age, origin, and religion for each individual provides a more detailed perspective on the identities of these Native men. This information can then be cross-referenced, using mission sacramental records related to baptisms, marriages, and burials to identify specific individuals and trace their genealogy through time and their social relationships to their contemporaries in the mission system. One name that appears in the court transcript is Zenon, whose Native name was Patcha. Zenon Patcha can be linked to several current members of the Muwekma Ohlone Tribe, as he was the father of Angela Colos (Santa Clara baptism #7774; see Early California Population Project, 2022), an important Ohlone ancestor who participated in extensive interviews with early anthropologists, as described below. In the testimony, Zenon Patcha was identified as a ringleader who organized and carried out this plan to fight for Native people's land and property. Even though Zenon Patcha was baptized originally at Mission San Rafael, we know through marriage records that he found his way to the southern San Francisco Bay region by the 1830s (Santa Clara marriage #2711; see Early California Population Project, 2022).

Furthermore, translating this account brings to light the agency of Native people to organize and address the rapidly disappearing mission lands that elite Californios were converting into private ranchos. Instead of passively watching as the land that had been promised to them by the Church was being expropriated, these Native Californians were organizing a revolt to remove José de Jesús Vallejo from control of the mission and keep him from taking their land and other goods. Some of the Native men, or ringleaders as the document describes them, were caught as a result of this act of resistance, and placed in custody during an investigation into the revolt.

This primary document demonstrates the continuity of the struggles for land. The Muwekma Ohlone Tribe continues this legacy of activism as they work to organize to regain their status as a federally recognized tribe. One of their goals is to gain land back, as a space that can continue to exist for future generations. Exploring the rich archival record that includes not just this court case but many other documents related to Ohlone people in the 1830s and 1840s provides new information about how the ancestors of the Muwekma Ohlone Tribe fought for land, similar to the struggles that they continue to fight today. These connections were revealed through collaboration, reviewing, translating, and cross referencing the primary sources, which can be a powerful tool for gaining a more nuanced view of the region's history, often through the voices of Native individuals themselves.

This research is part of a broader set of interrelated research projects that bring together colleagues from archaeology, adjacent disciplines, and the Muwekma Ohlone Tribe to consider a range of primary documents written when colonists from New Spain first occupied California. Overall, these documents, dating from 1769 to the late 1850s, chronicle the dramatic changes to the Tribe's ancestral homelands through source material ranging from letters, early baptismal records, ecclesiastical documents, and court records. No single repository exists for this material, making it challenging for descendant communities to access; documents can be found anywhere from university libraries, municipal archives, to small historical societies. Some of the collections that the project team have worked with are housed at History San José in the city of San Jose, the Bancroft Library at the University of California Berkeley, and the Early California Population Project database housed by the University of California Riverside and the Huntington Library. We have also been particularly grateful to the staff at the SCU Archives and Special Collections, who have opened their doors and manuscript collections to members of the Muwekma Ohlone Tribe on several occasions (Figure 5).

Researching and translating colonial period documents provides a critical insight into the lives of Native people who experienced colonialism firsthand, and offers a glimpse into powerful events—such as the planned revolt against the administrators of Mission San José—that are largely invisible in the archaeological record. Translating is a valuable tool to deeply understand history, and to rectify outdated historical views of Native people in the San Francisco Bay Area. It allows us to ask the following questions: Can we see Native Californian struggles to hold onto their ancestral homelands? Can we connect identities in the documentary records to tribal lineages and specific members of descendant communities today? By addressing these critical questions, we can see better how ancestors of today's Muwekma Ohlone Tribe fought to hold onto their property and lands as the mission system collapsed around them, thus offering new insights into the Indigenous heritage of the San Francisco Bay Area.

6 Awakening traditional ecological knowledge

Given the colonial history of the San Francisco Bay Area, how might archaeologists support communities like the Muwekma Ohlone Tribe who are looking forward to a different type of future? Environmental justice research often focuses on how environmental and planning policies disproportionately impact on communities of color. Within this broader framing, tribal communities in the United States—like Indigenous peoples elsewhere—stand out due to the amplifying effects of colonialism. For example, settler colonial encroachment and theft of ancestral territories has resulted in limited access to specific homelands, the resources contained therein, and ultimately, traditional ecological and sacred knowledge (Harris and Harper, 2011; Whyte, 2016). Indeed, the expropriation of Native lands had profound effects for tribal communities across California. Rather than simply documenting such harms, however, archaeologists in the San Francisco Bay Area are contributing to collaborative, tribally-led efforts to repair historical injustices. Below, we discuss efforts to support tribal goals through the Muwekma Ohlone Preservation Foundation, which oversees projects related to cultural revitalization and land access, ownership, and stewardship.

A major initiative in this regard is to awaken traditional ecological knowledge that has gone dormant over the past 250 years of Spanish, Mexican, and American colonialism—including information on plants, animals, and gathering places—to contribute to the environmental health and sovereignty of



FIGURE 5
Members of the Muwekma Ohlone Tribe reviewing mission-period documents at the Santa Clara University Archives and Special Collections. Left to right, Chairwoman Charlene Nijmeh, Tristan Nijmeh, Isabella Gomez, Gloria Gomez. Photo courtesy of Kike Arnal.

the contemporary tribal community (Field et al., 2007). Even though settlers managed to gain control of most of the ancestral homelands of the Muwekma Ohlone Tribe, many ancestors found refuge in and around the Alisal rancheria where they kept critical information alive. Ohlone ancestors living in that area participated in an important cultural revival during the late 19th and early 20th centuries. Accordingly, several well-known anthropologists visited the community, providing an opportunity for Ohlone elders to leave an invaluable record for future generations.

The most extensive conversations took place with linguist John Peabody Harrington of the Smithsonian Institution, who spoke with several prominent Ohlone elders, including Angela Colos, Jose Guzman, Susana Nichols, and Jose Binoco, among others (Harrington, 1984). Many of these individuals were born in the waning days of the mission period and were raised by parents, grandparents, and other relatives who taught them extensive knowledge of local landscapes and the plants and animals that sustained them. Accordingly, Harrington's copious field notes contain detailed accounts of ecological practices as well as names of plants and animals in the Chochenyo Ohlone language. This information offers solid evidence of how Ohlone people used local landscapes and particular species of plants and animals before and after the arrival of Euro-Americans to the San Francisco Bay area. Drawing inspiration from academic-tribal partnerships like those discussed elsewhere in this special issue, we are currently working with the Tribe to transcribe and annotate relevant information from Harrington's interviews with Muwekma Ohlone elders for the purposes of awakening the knowledge that they passed down (Lightfoot et al., 2021; and see Woodward and Macri, 2005).

Despite the historical challenges faced by their ancestors, the Muwekma Ohlone Tribe is today making strides toward reestablishing traditional stewardship practices across their ancestral homelands. At Stanford University, for example, coauthor Michael Wilcox has established a native plant garden that serves both as a community engaged learning space for Stanford students and as a test plot for the Tribe's revival of broader landscape stewardship practices (Figure 6). In classes taught through the Center for the Comparative Studies in Race and Ethnicity, Wilcox brings students out of the classroom to a corner of the Stanford campus where hawks circle above and students can imagine a Bay Area landscape managed by tribal communities. There, students can also directly confront the cumulative colonial impacts, such as widescale dispossession, that are facing the Muwekma Ohlone Tribe while simultaneously helping to redress critical issues like food justice and tribal sovereignty through their labor and class projects aimed at advancing the garden.

Over the course of several years, for example, Stanford students and tribal partners have removed thistle (*Cirsium vulgare*) and other invasive species that have direct connections to the colonial history of the region (Allen, 2010; Fischer, 2015). Students then work to replace these invasive species with grasses, flowers, and herbs that have cultural relevance for the tribal community, as informed by archaeological research and the reclamation of ancestral knowledge from anthropological archives, such as



FIGURE 6
Seedling prior to planting on a collaborative work day at the Stanford native plant garden. Photo by Lee Panich.

Harrington's field notes. A current project is restoring understory vegetation in a heavily impacted portion of the Stanford native plant garden that was historically used as a staging area for a gravel pit. Students and tribal members have planted species including sages (*Salvia* spp.), manzanita (*Arctostaphylos* spp.) wild rose (*Rosa californica*), and thimbleberry (*Rubus parviflorus*)—all of which are well documented in the archaeological and ethnographic literature for the region (e.g., Lightfoot and Parrish, 2009). Importantly, the Stanford native plant garden is also a small corner of their homeland in the urbanized San Francisco Bay Area that tribal members can use to awaken traditional practices.

The collaborative work at Stanford is one part of a growing effort by the Tribe, under the auspices of the Muwekma Ohlone Preservation Foundation, to strengthen connections to its ancestral territory. The Preservation Foundation has several key goals, including the establishment of a physical community—a new tribal village—that would provide opportunities for community and family wellbeing while offering a permanent land base in this rapidly gentrifying region. Indeed, land access is another key goal, underscoring the need for physical spaces to host gatherings and to implement newly awakened stewardship practices. As exemplified by the renaming of ancestral sites in the Chochenyo Ohlone language, described above, the Tribe has made great strides in the area of language revitalization, and the time is ripe for parallel strides in landscape stewardship. Through existing partnerships with local institutions—universities like Stanford as well as a host of conservation organizations—and based on the model of collaborative eco-archaeological studies in service of tribal sovereignty established by the neighboring Amah Mutsun Tribal Band (Lopez, 2013; Lightfoot et al., 2021; Apodaca et al., in press), the Muwekma Ohlone Tribe is well positioned to use historical and archaeological research to create a better future for its members.

7 Teaching the next generation

As archaeology continues to move toward a greater emphasis on community engagement, exemplified by the collaborative projects with the Muwekma Ohlone Tribe described above, the nature of field schools is evolving to meet the realities of a



FIGURE 7
Foothill College students participate in a local field school. Photo by Samuel Connell.

changing discipline. It is no secret that archaeological field schools have traditionally emphasized the training of students in exotic locations, though this mindset has shifted over the course of our own careers. For example, in the mid-1990s into the 2010s field schools began to emphasize community-based interactions, with students expressly asked to interact and hopefully integrate with communities. Recent approaches to field schools incorporate deeper connections to Indigenous rights, using the community based participatory research (CBPR) framework and specifically models drawn from Indigenous archaeologies (Silliman, 2008; Cipolla and Quinn, 2016; Cowie et al., 2019; Gonzalez and Edwards, 2020).

In California, field schools have started integrating Native Californian communities into programs that emphasize training in ethical fieldwork practices, low-impact field methods, and the co-creation of knowledge about the past. For example, a University of California Berkeley field school at the Russian Colony of Ross partnered with members of the Kashia Band of Pomo Indians to implement a non-invasive "catch and release" survey methodology in which ancestral sites were characterized by the analysis of surface artifacts that were returned at the completion of the project (Gonzalez et al., 2006). This collaborative approach also exists on Santa Catalina Island, where Desireé Martinez and Wendy Teeter have built an exemplary model of this practice. The Pimu Catalina Island Archaeology Project braids Indigenous and western knowledge and practices. Tongva tribal members are part of the planning and teaching of the field programs (Martinez, 2012). More recently, Berkeley archaeologists have been working with the United Auburn Indian Community on prescribed fire burns and forestry management projects with students making direct contributions to tribal projects (Sunseri et al., in press). These programs, and others like them, can benefit tribes both by producing knowledge of the past in a sensitive way and by establishing new professional norms regarding respectful collaboration that are becoming a standard part of archaeological practice in California and elsewhere.

In the southern San Francisco Bay area, each of the coauthors of this article have endeavored to provide students with classroom materials and hands-on experiences that align with the wishes of the Muwekma Ohlone Tribe and the other Indigenous communities with which we work. For example, coauthor Sam Connell regularly runs field schools through Foothill College that are, in part, designed to be service projects (Figure 7). Here, the educational lessons are of course to be "of service" but also to consider the nature of stakeholder intentions and wishes. In such cases, the outcomes of collaboration can include both practical products, such as site testing or cultural resource inventories of particular parcels of interest to descendant communities, or more abstract benefits, such as instilling students with a regard for tribal sovereignty at the very outset of their young careers in archaeology. Ultimately, these are important conversations to have with students on archaeological projects who are interested in getting it right. Students, in other words, are interested in making an impact and they want to address the colonial narratives of archaeology head on (Connell, 2012).

There is no doubt that the future of archaeological field schools—like archaeology more generally—is more community collaboration, particularly under the auspices of tribal communities. At Foothill College, field schools that are offered in California are constructed to maximize connection to tribes while simultaneously being cognizant on the potential burden that archaeology (especially field schools) can put on tribal members and administrators. Still, exit interviews with students consistently highlight the moments where scientific methods were woven with traditional ecological knowledges. Students have a strong desire to help in whatever capacity possible, and service learning projects or days spent directly contributing to Native-led projects are important experiences that no classroom lecture can offer. The current generation of students has recognized, at times before their faculty mentors, the essential importance of collaborative research. As discussed above, many CRM firms are already on board and have created strong collaborative relationships with the Muwekma Ohlone Tribe and other Native Californian communities. It is time for archaeological training to meet this demand.

8 Discussion and conclusion

We are writing this essay in the midst of fundamental shifts in the field of archaeology, and in California archaeology in particular. After decades of rampant destruction and desecration of ancestral sites—particularly during the massive expansion of California's population centers since the mid-20th century—tribal communities across the region have found themselves at the nexus of competing interests involving construction, archaeological research, and Indigenous stewardship of cultural heritage. The Muwekma Ohlone Tribe is no exception, and tribal members have for decades stood up to archaeologists in both academia and CRM who disregarded community concerns about the treatment of ancestors and the continuing importance of sacred places across the landscape. Yet, the papers in this special issue—combined with myriad others in the broader literature—give us hope for the future of archaeology conducted with, for, and by Indigenous communities (Nelson, 2021), particularly in the critical realm of sustainable stewardship of both cultural landscapes and heritage places.

As educators, we recognize our particular obligation to provide students and the next generation of archaeologists with a different, less extractive model of what archaeology can be. Of course, training in field methods remains an important cornerstone of undergraduate education, but the overarching ethos needs to be one in which impacts to ancestral sites are minimized and the interests of descendant communities are prioritized. This is not necessarily new—Mack and Blakey (2004) argued for viewing descendant communities as an "ethical client" some two decades ago—but now more than ever this posture requires a reappraisal of what it means to do archaeology (Schneider and Hayes, 2020). As summarized above, many of our colleagues in CRM archaeology have also built productive collaborative relationships with the Muwekma Ohlone Tribe and other Native Californian communities, often through large-scale data recovery projects in which they have worked side by side with tribal members to produce meaningful results (Monroe et al., 2022). We see this work as proof that training in community based collaborative archaeology is a critical element of career development for a 21st century archaeology.

So, returning to the title of our paper, what does it mean to put archaeology to work for the Muwekma Ohlone Tribe? Building on the long history of the Tribe's involvement with archaeology, each of us might answer slightly differently, but all of us look to our Muwekma Ohlone partners for guidance on how best to center the interests of the Tribe in our collaborative work. This could include representing tribal interests in meetings with developers and CRM archaeologists or renaming ancestral sites in the Chochenyo Ohlone language; working with students and tribal members to leverage the material record to commemorate those impacted by colonial missions; finding new archival evidence of how tribal ancestors fought against early land grabs; digging holes not for the recovery of artifacts but to plant seedlings that will help awaken traditional knowledge and related practices; or training the next generation to put the needs of descendant communities first. In their own way, each of these projects—and numerous others involving our colleagues at other institutions—are designed to support the Muwekma Ohlone Tribe's stewardship of their own heritage and cultural landscapes.

Data availability statement

The original contributions presented in the study are included in the article/supplementary material, further inquiries can be directed to the corresponding author.

Ethics statement

Written informed consent was obtained from the individual(s), and minor(s)' legal guardian/next of kin, for the publication of any potentially identifiable images or data included in this article.

Author contributions

LP: Conceptualization, Resources, Writing – original draft, Writing – review & editing. MA: Conceptualization, Resources, Writing – review & editing. MW: Conceptualization, Resources, Writing – review & editing. GF: Conceptualization, Investigation, Writing – original draft, Writing – review & editing. SC: Conceptualization, Writing – original draft, Writing – review & editing.

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Conflict of interest

MA was employed by Muwekma Ohlone Tribe.

The remaining authors declare that the research was conducted in the absence of any commercial or financial relationships that could be construed as a potential conflict of interest.

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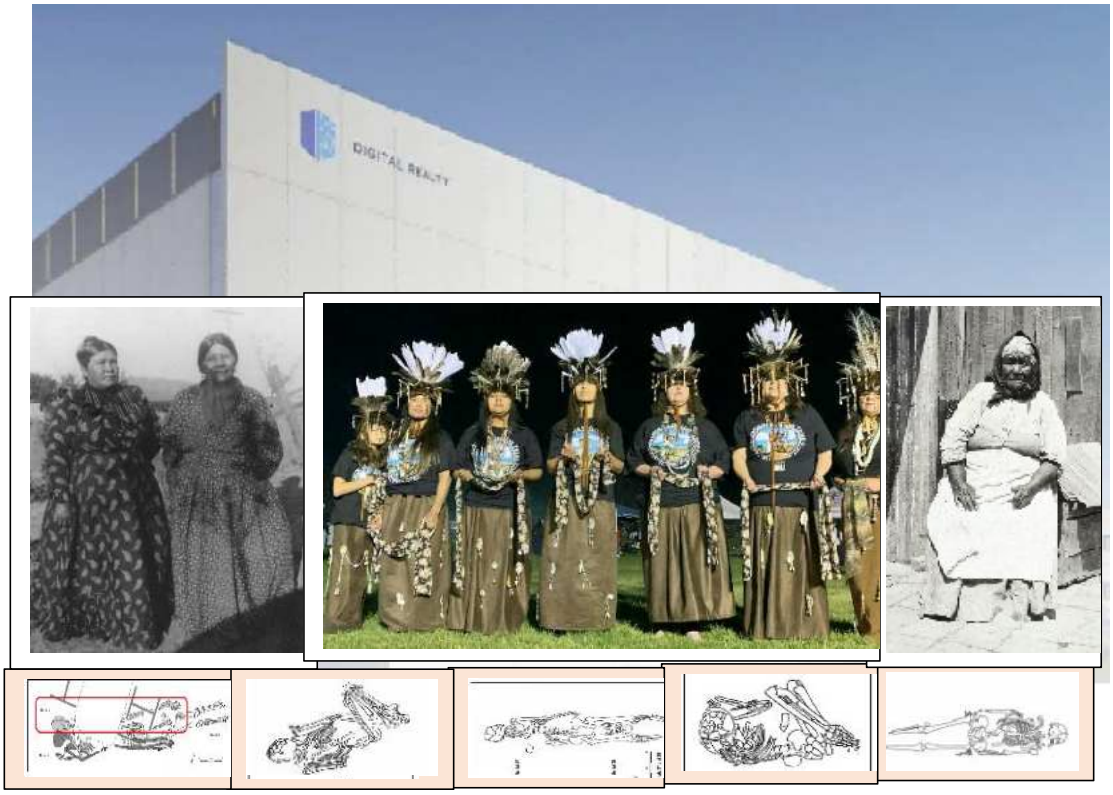
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An Ethnohistory of the Santa Clara Valley and Adjacent Regions: Historic Ties of the Muwekma Ohlone Tribe of the San Francisco Bay Area and Tribal Oversight on the Burial Recovery Program Conducted at *Mánni Húyyú Muwékma Yatiš Túnneště-tka* (Place of Where the Ancient People Are Buried Site) CA-SCL-1070/H Located at 651 Walsh Avenue in the City of Santa Clara, Santa Clara County, California.

By Charlene Nijmeh, Alan Leventhal, Joseph Torres, Bernadette Quiroz, Julia Dominguez, Richard Torres, Monica V. Arellano, Sheila Guzman Schmidt, Gloria E. Arellano Gomez, and Marni McManus



Report Prepared By:

Muwekma Ohlone Tribe of the San Francisco Bay Area
and
Muwekma Ohlone Preservation Foundation

2026

Mánni Húyyú Muwékma Yatiš Túnnešte-tka
[Place of Where the Ancient People are Buried Site] CA-SCL-1070/H

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Charlene Nijmeh, Alan Leventhal, Joseph Torres, Bernadette Quiroz, Julia Dominguez, Richard Torres, Monica V. Arellano, Sheila Guzman Schmidt, Gloria E. Arellano Gomez, and Marni McManus

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Our Tribal leadership also wants to also thank the archaeological team from Kleinfelder, including Ms. Robin Fies, Senior Archaeologist; Mr. Eric Strother and Ms. Stephanie Bertagnole; as well as Ms. Josie Twigg from Applied Earthworks; and Mr. Christopher Canzonieri, Lead Biological Anthropologist and Project Archaeologist from Basin Research Associates, for their cooperative spirit and professional interaction during the various phases of field monitoring, excavation, recovery, and lab work relative to the treatment of our ancestral remains.

We want to thank the Muwekma Ohlone Tribal leadership for supporting the various contributing research projects related to our ancestral heritage cemetery sites, so that our enrolled membership, scientific community, and general public can learn more about our ancestral past history and heritage of our Tribe's ancient past, history, and our present struggles to regain our previous recognized status as a federally recognized tribe.

We also want to offer acknowledgement and thanks to the Elders of the Muwekma Ohlone Tribe, members of the Tribe's Language Committee, **Monica V. Arellano, Sheila Guzman Schmidt** and **Gloria E. Arellano Gomez,** who named this site in our Tribe's language, and also to the enrolled tribal members for their support on this as well as other projects addressing their ancestral heritage sites.

We also want to acknowledge the tribal co-authors, Monica V. Arellano, Sheila Guzman Schmidt, Gloria E. Arellano Gomez, Charlene Nijmeh, and Muwekma Archaeologist and Ethnohistorian Alan Leventhal who contributed to this ethnohistory chapter.

It is our hope that this Ethnohistory provides historical, cultural, and educational information about our Tribe's history and heritage and dispels many of the myths about our people and our resilience as a historic, legally recognized tribe. It is in the spirit of the preservation and dissemination of the Tribe's long history, struggle, and heritage that this report has been written.

Au!

Reburial Honoring Ceremony

A **Reburial Honoring Ceremony** was conducted on-site on October 16, 2022 for the forty-one ancestral human remains within the ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** **Site CA-SCL-1070/H** ancestral heritage cemetery site.

Dedication of this Report

This report is dedicated to, in honor of, and memory of the passing of
1) Muwekma Tribal Elders Dolores Sanchez and her brother **Robert R. Sanchez**, and
2) The passing of Muwekma Elder Caroline Rodriguez.
3) The forty-one ancestral remains recovered from ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka* (Place of Where the Ancient People are Buried Site) CA-SCL-1070/H**

In almost all of the previous published Muwekma Tribal standalone tribal ethnohistories and archaeological reports, the Muwekma Tribal leadership has honored one of the Elders or tribal members who have passed away. A decision was made to honor Tribal Elders Dolores Sanchez (1911-1996) who was the grandmother of Carol Veikune, and Robert R. Sanchez (1917-1999); Caroline Rodriquez Veikune; and also the forty-one ancestors recovered from ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka.***

Muwekma Elders Dolores Sanchez and her younger brother, Robert Sanchez both born on the Sunol Rancheria during the early part of the 20th century and baptized at Mission San Jose, are honored here as being prime movers, along with Dolores' middle daughter and former Chairwoman of the Muwekma Ohlone Tribe, who worked tirelessly to organize their Tribal Council and to protect their ancestral heritage sites. They were part of the leadership to regain their federally recognized status, which was conferred on the tribe through several Congressional acts and later actions beginning in 1906.



Figure TOC 1: Muwekma Tribal Elder Dolores Sanchez and her Daughter Former Muwekma Ohlone Chairwoman Rosemary Cambra



Figure TOC 2: Dolores Sanchez and Family at the 1996 Reburial Honoring Ceremony for the 102 Ancestral Remains from *Kaphan Húunikma* [The Three Wolves Site) CA-SCL-732



Figure TOC 3: Muwekma Elder Robert Sanchez with his Older Sister Dolores Sanchez and his Niece Former Chairwoman Rosemary Cambra



Figure TOC 4: Robert Sanchez During WWII in the 508th Parachute Infantry, Attached to the 82nd Airborne Division During D-Day and who Served from 1942 to 1948



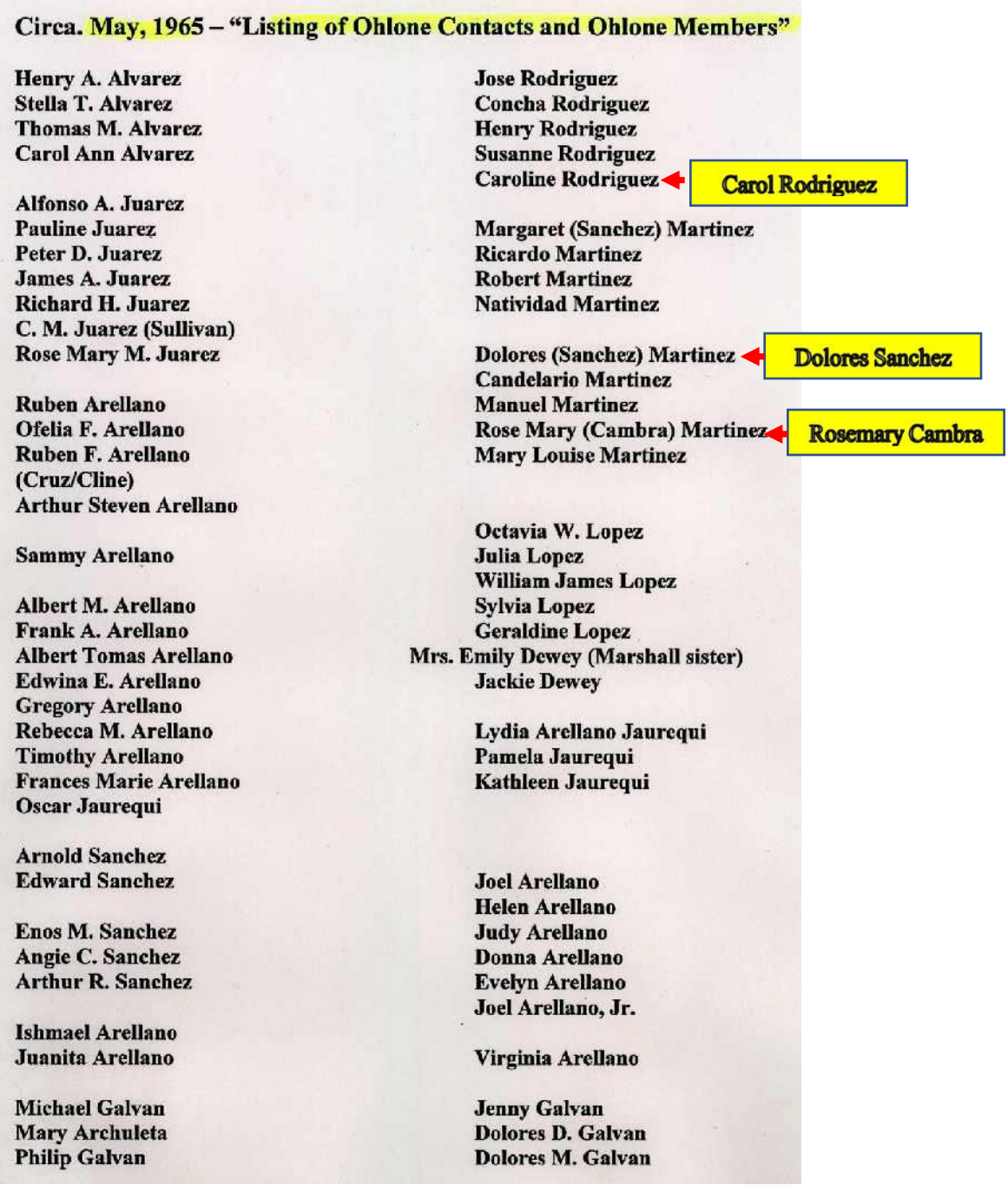
Figure TOC 5: Carol Rodriguez Veikune

In Loving Memory
of
Muwekma Tribal Elder Caroline "Carol" Rodriguez Veikune
March 22, 1958 – September 4, 2023

On September 4, 2023, Muwekma Elder Carol Veikune passed away at the age of 65 in San Jose, California. Carol was the loving daughter of the late Muwekma Elders Joe and Concha Rodriguez, sister to the late Henry and former Tribal Councilwoman Susie Rodriguez. Carol is survived by brother Lawrence Rodriguez, daughters Nicole Veikune and Jessica Veikune, and grandchildren Kamani Duran and Ailani Veikune.

Born in San Jose, California, on March 22, 1958, Carol was the middle daughter of Joe and Concha Rodriguez. Early on in her education, Carol found a passion for leadership. She was proudly part of the student council in both middle school and high school. She held numerous managerial roles, ranging from bank manager, property manager, to office manager.

During the mid-1960s, Carol and her family joined other Muwekma Ohlone families at several gatherings to discuss the saving of the Ohlone Indian Cemetery located in Fremont and associated with Mission San Jose. By 1965, they were listed along with other Ohlone Indians tribal members who would later formally enroll in the Muwekma Ohlone Tribe of the San Francisco Bay Area:



Circa. May, 1965 – "Listing of Ohlone Contacts and Ohlone Members"

Henry A. Alvarez
Stella T. Alvarez
Thomas M. Alvarez
Carol Ann Alvarez

Alfonso A. Juarez
Pauline Juarez
Peter D. Juarez
James A. Juarez
Richard H. Juarez
C. M. Juarez (Sullivan)
Rose Mary M. Juarez

Ruben Arellano
Ofelia F. Arellano
Ruben F. Arellano
(Cruz/Cline)
Arthur Steven Arellano

Sammy Arellano

Albert M. Arellano
Frank A. Arellano
Albert Tomas Arellano
Edwina E. Arellano
Gregory Arellano
Rebecca M. Arellano
Timothy Arellano
Frances Marie Arellano
Oscar Jaurequi

Arnold Sanchez
Edward Sanchez

Enos M. Sanchez
Angie C. Sanchez
Arthur R. Sanchez

Ishmael Arellano
Juanita Arellano

Michael Galvan
Mary Archuleta
Philip Galvan

Jose Rodriguez
Concha Rodriguez
Henry Rodriguez
Susanne Rodriguez
Caroline Rodriguez ← Carol Rodriguez

Margaret (Sanchez) Martinez
Ricardo Martinez
Robert Martinez
Natividad Martinez

Dolores (Sanchez) Martinez ← Dolores Sanchez
Candelario Martinez
Manuel Martinez
Rose Mary (Cambra) Martinez ← Rosemary Cambra
Mary Louise Martinez

Octavia W. Lopez
Julia Lopez
William James Lopez
Sylvia Lopez
Geraldine Lopez
Mrs. Emily Dewey (Marshall sister)
Jackie Dewey

Lydia Arellano Jaurequi
Pamela Jaurequi
Kathleen Jaurequi

Joel Arellano
Helen Arellano
Judy Arellano
Donna Arellano
Evelyn Arellano
Joel Arellano, Jr.

Virginia Arellano

Jenny Galvan
Dolores D. Galvan
Dolores M. Galvan

In 1985, Carol was working as a live-in caregiver in Los Altos, California, whereas fate would have it, her husband, the late Fa Veikune, was working as a gardener. Fa became love-struck by Carol's personality; that he stated to his cousin, who was a nurse, that he "was going to marry that woman." After approximately three months of dating, Fa came to visit the Rodriguez family in San Jose to ask them for her hand in marriage. After some reluctance from Carol, on November 15, 1986, they drove to Reno to get married, accompanied by family and friends.

After their marriage, Fa and Carol spent five years together before welcoming their two daughters. During this time, they shared a mutual love for weekend getaways and football, especially the San Francisco 49ers. Carol was thankful for the memories and the time they had together before becoming parents, since Fa unfortunately passed away from cancer in July 2002.

On August 17, 1991, Fa and Carol became the proud parents of their first daughter, Nicole Ofa. Three years later, they welcomed their second daughter, Jessica Malia, on December 7, 1994. The Veikune family spent weekends together, enjoying time at local theme parks; a few favorites of theirs were the Monterey Bay Aquarium, Santa Cruz Beach Boardwalk, and attending Muwekma Ohlone tribal events and cultural resources-related projects.

After losing Fa, Carol's motivation completely focused on her daughters. She kept them busy in extracurricular activities such as color guard, various dance classes, after-school sports programs, community service programs, and volunteering with the Muwekma Ohlone Tribe. She was a proud Tribal member who encouraged both her daughters, Nicole and Jessica, to be fully involved as children in tribal affairs following the footsteps of her mother, Concha, and sister, Susie.

On November 16, 2017, Carol was blessed to become a first-time grandmother, and Jessica welcomed a son Kamani Kingston Duran. She was filled with gratitude to welcome a grandson and witness his birth as he became the first boy for the Veikune family. Carol was honored to be able to witness Kamani participating in traditional Native American dancing with The Muwekma Ohlone Traditional tribal dancers.

On October 27, 2021, Carol was delighted to become a grandmother for the second time as Nicole welcomed daughter, Ailani Osaiasi Veikune. She was happy to FaceTime Nicole and Ailani as often as possible and enjoy moments of giggles. Carol was overjoyed to have both a grandson and granddaughter whom she loved very much. Her grandchildren, as the next generation of Muwekma Ohlone children, became her pride and joy, and she was happy to see both daughters become mothers, as being a mother was her proudest moment.

Carol became an active tribal member, and in the 1980s enrolled with her family, joining other related and non-related lineages in the Muwekma Ohlone Tribe. She participated with her parents in the protection of the Tribe's ancestral heritage village and cemetery sites, and along with her daughters and mother, was one of the tribal members who served to honor the Tribe's ancestral heritage. In the early 1990s, Carol, along with her mother, father, sister, and daughters, worked alongside fellow tribal members at the **Three Wolves Site** (**Kaphan Húunikma)** CA-SCL-732 located in south San Jose.

Carol's daughter Nicole was a star in the film "Back From Extinction: The Muwekma Ohlone Tribe of the San Francisco Bay Area" in 1995 which featured many of the major issues that the Tribe was confronted with, ranging from regaining its Federally Acknowledged status to addressing the difficult decision to address the Tribe's ancestral remains during a highway project.

Carol encouraged her daughter Jessica Veikune, who worked with other tribal members at San Jose State University on the recovered cultural regalia from a major ancestral heritage site. She was a co-author in the 2015 Tribal publication titled **Final Report on the Burial and Archaeological Data Recovery Program Conducted on a Portion of Thámien Rúmmeytak [Guadalupe River Site], (CA-SCL-128/Hyatt Place Hotel) Located in Downtown San Jose, Santa Clara County, California.** This study was also co-authored with Carol's aunt, sister, cousins, and fellow Tribal members Rosemary Cambra, Monica V. Arellano, Susanne Rodriguez, Shelia Guzman Schmidt, Gloria Arellano Gomez, along with Muwekma Ohlone Tribal Ethnohistorian Alan Leventhal.

Carol and her sister were also a mainstay, along with her mother, Concha, when it came to feeding the Tribe at various events, including, since the late 1980s, those students and community members attending Stanford University's Native American Theme House - **Muwekma-Tah-Ruk (House of the People)**, and at the Stanford Annual Powwow.

Carol and her family lived to see the Muwekma Tribe obtain a formal determination by the BIA of previous unambiguous Federal Recognition on May 24, 1996, via a successful lawsuit against the Department of the Interior, and a positive determination that 100% of the enrolled membership are directly descended from members of the previously recognized Verona Band, which was also determined to be a historic tribe. She and her family also lived to see U.S. District Judge Ricardo Urbina state in his Federal court order that:

> The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma tribe as an Indian tribe under the jurisdiction of the United States.

In 2008, Carol's aunt, former chairwoman Rosemary Cambra had her mitochondrial DNA sequence analyzed at Washington State University. The mitochondrial DNA traces the X chromosome through the maternal side of the family (meaning through the mother's, mother's, mother's, mother's (and on) matrilineage. Carol's mother Concha and aunt Rosemary, and therefore Carol's mitochondrial DNA, is the same as Rosemary's. What was reported back to Rosemary were that the daughters and the female descended matriline of Dolores Marine Sanchez who was born on the Sunol Rancheria in 1911 and baptized at Mission San Jose in 1912 carried the Native American B2 Haplogroup. Dolores and her siblings were the children of Ramona Marine, who was born on the Alisal (Pleasanton) Rancheria in 1893. Based on their DNA, Carol's and Rosemary's was matched to one of the founding Native American haplogroups in North America. On June 22, 2008 Dr. Brian Kemp from the Department of Anthropology at Washington State University at Pullman wrote to Rosemary with the following statement:

> I just got your mitochondrial DNA sequence completed. From your sequence, I have determined that you belong to the Native American mitochondrial haplogroup "B2"… This pattern of mutations is very common in Native American populations because it is a very old type. … You carry one of the types of mitochondrial DNA that we believe was carried over from Asia approximately 15,000 years ago. In other words, in the region of the genome that I sequenced, no mutations have occurred on your direct maternal line.

Carol and her family were ecstatic when they learned that her, her mother's, and grandmother's DNA reached back so far in time.

In following the footsteps of her maternal ancestors, Carol represented the seventh generation of a continuous line of Ohlone Indian women whose lives were ultimately disrupted by the expanding Spanish Empire and the ensuing American Conquest of California. All of Carol's mother's maternal Ohlone ancestors were baptized at the Mission San Jose. Carol's maternal lineage is descended from **Efrena Quennatole,** who was born in 1797 and was of the **Napian Coast Miwok**-speaking/**Carquin Ohlone**-speaking Tribal groups of the North Bay and her husband **Liberato Culpecse,** who was born in 1787 of the **Jalquin Ohlone**-speaking/**Saclan Bay Miwok**-speaking tribal groups of the East Bay, and who was baptized at Mission San Francisco in 1801.

Efrena and Liberato's only daughter, was **Maria Efrena Yakilamne.** She was born in 1832 on the **San Lorenzo "Springs" Rancheria** and was baptized at Mission San Jose, and later was buried at the Ohlone Indian Cemetery. Maria Efrena and her husband Panfilio Yakilamne's daughter was **Avelina Cornates Marine,** who was born in 1863 on the **Alisal (Pleasanton) Rancheria** and she too was baptized at Mission San Jose and later was buried at the **Ohlone Indian Cemetery** in 1904.

Avelina had married Raphael Marine, and one of their middle daughters was **Ramona Marine Sanchez** who was born in 1893 on the Alisal (Pleasanton)l Rancheria and was baptized at Mission San Jose. Ramona was later buried at the **Ohlone Indian Cemetery** in 1921.

Ramona Marine had married Porfirio Sanchez, and their eldest daughter was Muwekma Tribal Elder **Dolores Sanchez,** who was born in 1911 on the **Sunol Rancheria** and who was baptized at Mission San Jose in 1912. Dolores passed away in San Jose in 1996 and was buried near her other Muwekma family members in the Calvary Catholic Cemetery in San Jose.

Dolores Sanchez had married Manuel Martinez, Sr., and their eldest daughter was Muwekma Tribal Councilwoman and Tribal Elder Concha Rodriguez, who was born in 1930, and passed away in San Jose in 2002. Following in the footsteps of her mother, grandmother, great-grandmother, and her Ohlone Indian ancestors, Carol carried herself with a great deal of love, dignity, and strength; and foremost, she carried her Muwekma Ohlone Indian identity.

Carol was one of those remarkable people that everyone who knew her just loved. Carol was a person of immense warmth and love, and she was a deep believer; and as a Tribal member who encouraged both her daughters, Nicole and Jessica Veikune, to be fully engaged in tribal affairs, Carol, as the daughter of Muwekma Elder Concha Rodriquez and Joe Rodriguez (a World War II Veteran) was strong and steadfast, and she understood the struggle facing the Tribe to regain their previous federally recognized status. Carol was a great mother, and she dreamed that great things would eventually come to her tribe. She was the embodiment of what people hope their children strive to be … a genuinely good and loving person.

Carol was loved by everyone. Her passing leaves a major gulf in the lives of many, both within the Muwekma Tribe and the larger community. Carol Veikune is survived by her loving family, her brother Larry Rodriguez; her two beautiful daughters, Nicole and Jessica; and her grandchildren, Kamani and Ailani. She is also survived by all of her relations of the Marine-related families and lineages, and by her fellow Tribal members from the other lineages enrolled in the Muwekma Ohlone Tribe.

Following in the footsteps of her mother, Concha Rodriguez. Her grandmother, Dolores Sanchez; great-grandmother, Ramona Marine; great-great-grandmother, Avelina Cornates Marine; great-great-great grandmother, Maria Efrena Yakilamne; great-great-great-great grandmother, Efrena Quennatole; and their Native American spouses, Carol carried herself with a keen knowledge of her Indian heritage.

Carol's Ohlone tribal ancestors and families have been waiting since 1906 for their **rights** to be fully recognized and honored by the United States Government. Carol had been waiting her entire 65 year lifespan for full Federal rights to be accorded to her tribe. In her own way, Carol and her family had made their contribution toward the reaffirmation of the Muwekma Ohlone Tribe and she leaves that legacy for the future generations of the Tribe.

Carol passed away within her Tribe's **Thámien Ohlone** dialect-speaking ancestral territory. Go with peace and join your parents, aunts, uncles, relations, and ancestors, and know that you made this world a better place for your tribe.

Go walk on the pathway that bridges the earth to the heavens, and that which bridges your Ohlone Indian ancestors to the present-day generations of the Muwekma Tribe. Prayers have been strong for our suyyakma, a strong Muwekma suyyakma, as she was tough and strong; blessings, cousin Carol, you dance with all our sacred ones, and the Water next to the Fire!

Carol, Muwekma Wa-kai-Ka-te-netc, Hu-ya-tu-hus Uik-ani
Carol, was a Muwekma Elder, and a Bridge to the Past!

Au!



Figure TOC 6: Carol and her daughters Nicole and Jessica



Figure TOC 7: Carol (right-side, second left) with her Family and Relations



Figure TOC 8: Carol (top left middle) above her Grandmother Dolores Sanchez (center)

Caroline "Carol" Rodriguez Veikune's Ohlone Ancestry

Faustino Poylemja ------**Obdulia Jobocme**
(born. ca. 1764/Chaclanes/Saclanes) | (b. ca. 1766/Jalquin Ohlone Tribe)
|
Liberato Culpecse ---- **Efrena Quennatole**
(b. 1787/Jalquin/Saclan) | (b. 1797/Karkin/Jarquin/Napian)
|
Maria Efrena ----**Ponfilo Yakilamne**
(b. 1832) | (baptized 1835?, Ilamne Tribe)
|
Avelina (Cornates) Marine – Rafael Marine
(b. 1863/d. 1904 | [buried at the Ohlone Indian Cemetery]
|
Ramona Marine – Porfirio Sanchez
(b. 1893 d. 1921) |
|
Dolores Sanchez – Manuel Martinez
(b. 12/25/1911) |
|
Concepcion "Concha" Martinez - Joe Rodriguez
(b. 1930 d. 2002) |
Caroline "Carol" Rodriguez – Fa Veikune
(b. March 22, 1958- September 4, 2023)

Muwekma Bay Area California Indian Lineage:
Ohlone Indian (East Bay)
Northern Ohlone/Coast Miwok (Lower Napa Valley/Carquinez Straits)
Plains Miwok (Sacramento Delta)
Bay Miwok (Walnut Creek)

To the family of Carol Rodriguez Veikune:
Sunuuniy makiš 'em-suyya tušwiikne,
makiš kaayi mak-hinnan makkam rokét 'ayye 'em-suyyakma.
Makkam kam mak sai-tak.

We are sorry your family member has passed; our hearts
are very sad for you and your family.
You all are in our prayers.
Aho!

Mánni Húyyú Muwékma Yatiš Túnnešte-tka
[Place of Where the Ancient People are Buried Site] CA-SCL-1070/H

Dedication of this Report is also to All of the Ohlone and California Indian People who Came Before Us:

The forty-one ancestors who were buried at ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** **[Place of Where the Ancient People are Buried Site] CA-SCL-1070/H** between 8,000 and 12,000 years ago. The Muwekma Ohlone Tribe has honored your memory through the publication of this Ethnohistory and Reburial Honoring Ceremony this past October 16, 2022. From you and your descendants, you left a biological legacy to present-day. We honor you as one of several of the founding families of the greater San Francisco Bay Area.

The authors would also like to dedicate this report to all of the Ohlone/Costanoan and California Indian men, women, and children who had perished as a result of the impacts of the European and American colonization of Native American homelands, the majority of whom have remained faceless and nameless. No major monument yet stands to honor these aboriginal peoples who have resided in the San Francisco Bay Area, or the rest of California, over these past 10,000 years.

We also want to dedicate this report to the memory of those Muwekma families who had survived into the 20th century and became members of the **Federally Recognized Verona Band of Alameda County.** Without them, we would not have life today and continue the struggle to obtain justice for our people. **Au! [Figures TOC-9 - TOC-11]**



Figure TOC-9: Ohlone Dancers at Mission San Jose in 1806 (Langsdorff Expedition)



Figure TOC-10: Ohlone Dancer/Warrior Mission Dolores (Kotzebue Expedition 1816)



Figure TOC-11: Angela Colos and other Muwekma Elders Enshrined at Ohlone Park in Berkeley

Mánni Húyyú Muwékma Yatiš Túnnešte-tka
[Place of Where the Ancient People are Buried Site] CA-SCL-1070/H

An Ethnohistory of the Santa Clara Valley and Adjacent Regions: Historic Ties of the Muwekma Ohlone Tribe of the San Francisco Bay Area and Tribal Oversight on the Burial Recovery Program Conducted at *Mánni Húyyú Muwékma Yatiš Túnnešte-tka* (Place of Where the Ancient People Are Buried Site) CA-SCL-1070/H Located at 651 Walsh Avenue in the City of Santa Clara, Santa Clara County, California.

By Charlene Nijmeh, Alan Leventhal, Joseph Torres, Bernadette Quiroz, Julia Dominguez, Richard Torres, Monica V. Arellano, Sheila Guzman Schmidt, Gloria E. Arellano Gomez and Marni McManus

Introduction

No funding was allocated to the Tribe for this report. This ethnohistory nonetheless is a companion volume to the archaeological monitoring and recovery report prepared by Kleinfelder for the Walsh Data Center project (Stiles et al. 2025). This report presents a synthesis of primary historical documents, Bay Area mission records, ethnohistorical research, and tribal oral traditions about the history and heritage of the Muwekma Ohlone Tribe of the San Francisco Bay Area. As presented elsewhere in the Monitoring Report on CA-SCL-1070/H by Kleinfelder, the principal Cultural Resource Management firm, who collaborated on this project, the Muwekma Ohlone Tribe of the San Francisco Bay Area had joint oversight on the burial recovery/mitigation program conducted on this portion of the ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** **(Place of Where the Ancient People Are Buried Site**) located at 651 Walsh Avenue in the City of Santa Clara, Santa Clara County, California.

The Muwekma Ohlone Tribe has, over the past 40+ years, continuously exercised its stewardship over our Tribe's ancestral heritage sites and human remains discovered within their aboriginal territory of the Bay Area. The Tribe's leadership and members were involved in the recovery program and final report on their ancestral cemetery site, CA-SCL-1070/H (previously named the Walsh Data Center Site) which the Tribe's language committee had renamed ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** in their **San Francisco Bay Costanoan/Muwekma Ohlone** language, as a result of the early Holocene AMS dates that were conducted on their ancestral remains and other related cultural features.

On May 13, 2021, upon the discovery of human remains, the California State Native American Heritage Commission (NAHC) designated the Muwekma Ohlone Tribe as the Most Likely Descendant (MLD) Tribe for the treatment of our Tribe's ancestral human remains discovered at CA-SCL-1070/H. Monitoring and data recovery efforts carried out by Muwékma Ohlone Tribe in collaboration with Kleinfelder. This collaborative effort revealed pre-Contact cultural constituents, including isolated prehistoric artifacts, two thermal features, and 39 human burial interment features, represented by 41 individuals. AMS dating of ancestral remains and associated features yielded median calibrated dates ranging from **14,078 cal BP to 7,334 cal BP**, suggesting that this is among the oldest known mortuary sites in North America and it contains the largest number of individual burials from this time period.

As the only BIA-documented previously federally recognized Ohlone Indian Tribe of the San Francisco Bay Area, our Tribe's MLD issued treatment recommendations that included AMS dating, aDNA, stable isotope, and other bio-related studies. These ongoing studies demonstrate that there is still much to be learned about our Tribe's early ancestors who lived in the Santa Clara Valley before the formation of the San Francisco Bay.

This archaeological data recovery and monitoring project represents a prime example of a collaborative archaeological study in the San Francisco Bay Area by the Muwekma Ohlone Tribal leadership, joined by an interdisciplinary team of bioarchaeological and other researchers. As a result of the early dates, dating to the terminal end of the Pleistocene and the start of the early Holocene, Muwekma decided to name the site ***Mánni Húyyú Muwékma Yatiš Túnnešte*** which means "**Place Where the Ancient People are Buried Site."**

On May 2, 2026, the Tribal leadership was joined by the collaborating bioarchaeologists and presented the preliminary results on the various ongoing studies at a symposium titled California: Before the Bay at the Society for American Archaeology Annual Meeting held in San Francisco.

As a result of being named the Most Likely Descendant Tribe for this project, our Tribeal leadership and members were involved in co-authoring this ethnohistory report on our relationship to our ancestral heritage cemetery site.

The Naming of Site CA-SCL-1070/H by the Muwekma Ohlone Tribe in Their Native Chochenyo/Thámien-Dialects of the San Francisco Bay Costanoan/Muwekma Ohlone Language

The naming of Site CA-SCL-1070/H by the Muwekma Ohlone Tribe's Language Committee in their Chochenyo/Thámien-dialects of the San Francisco Bay Costanoan/Muwekma Ohlone Language represents an anti-colonial **process of the reclamation** of the Tribe's sovereignty and stewardship over their ancestral heritage sites, which continues to be threatened by urban expansion (Field et al. 2013).

During the course of this expansive Archaeological Data and Burial Recovery mitigation project, it became apparent that these recovered burials constituted a previously undocumented cemetery located to the west of the San Jose Airport, which was discovered during subsurface excavations on May 6, 2021 (letter date May 13, 2021 from Sarah Fonseca, Cultural Resource Analyst, Native American Heritage Commission, to Monica V. Arellano, Muwekma Vice Chairwoman and Most Likely Descendant (MLD) Tribal Representative).

This practice of naming and/or renaming ancestral heritage sites and places of spiritual and historical significance follows a Muwekma Ohlone Tribal tradition in which the Tribal leadership and Language Committee, over past decades, renamed some of their ancestral village and cemetery sites and places of historical significance as part of a reclamation process for the Tribe's Ancestral Heritage Sites. This renaming tradition has formally occurred at other Bay Area pre-contact ancestral Muwekma Ohlone heritage sites and places of spiritual and historic significance. Below are some noted examples of Muwekma's renaming of their ancestral heritage sites:

1. Coyote Hills - since 1982, the Muwekma Tribal leadership and Language Committee have worked with the East Bay Regional Park District administration and staff in naming parks, trails, and places. In January of 2015, the Muwekma Language Committee proposed translating **Coyote Hills** into the Chochenyo language and presented the staff with ***Máyyan Šáatošikma.*** In 2018, EBRPD staff requested a translation for a sign at Coyote Hills EBRPD. The Muwekma Language Committee recommended ***'Akkoyṯ Mak Muwékma Hiswi Warep Máyyan Šáatošikma*** meaning "**Welcome to Muwekma's Ancestral Homeland, Coyote Hills."** However, the EBRPD staff suggested otherwise and limited the signage to read ***'Akkoyṯ Máyyan Šáatošikma*** meaning "W**elcome to Coyote Hills."**

2. **CA-ALA-329** is one of the four major constructed mortuary "Shellmounds" located in the ***Máyyan Šáatošikma*** - **Coyote Hills.** Originally named the Ryan Mound, CA-ALA-329 was excavated by Stanford and San Jose State Universities in the 1960s. The Muwekma tribal leadership renamed CA-ALA-329 ***Mánni Muwékma Kúksú Hóowok Yatiš Túnnešte-tka*** which means "**Place Where the People of the Kúksú (Bighead) Pendants are Buried Site."** The mortuary population, spanning 1800 years of funerary-related activities, was analyzed by Leventhal (1993**);**

3. **CA-SCL-732** located to the south/southeast of CA-SCL-128 along Coyote Creek. CA-SCL-732 was renamed ***Kaphan Umux*** **(Three Wolves) Site** [and recently corrected to ***Kaphan Húunikma***] in 1995 (Cambra et al. 1996; Hammett et al. 1997);

4. **CA-SCL-38** located in Milpitas, is a large mortuary earth mound that was renamed the ***Yukisma*** **("at the Oaks") Site** in 1996 (Bellifemine 1997);

5. In 2002, as a result of the discovery of ancestral human remains during archeological test excavations conducted between 2002 and 2004 on Yerba Buena Island at the ancestral heritage site **CA-SFR-4/H,** the former Chairwoman of the Muwekma Ohlone Tribe was contacted as the NAHC's Most Likely Descendent Tribal representative for this project. Years later, the Muwekma Ohlone Language Committee decided to name this site ***Čaurismin Warep 'Ómmutka*** **"Place of the Yerba Buena (Is)land in the Bay Site."** (Morgan and Dexter; Far Western Research Anthropological Group, Inc. 2008).

6. **CA-SCL-867** which is located in the Willow Glen area of San Jose, to the south/southwest of CA-SCL-128 was renamed the ***Ríipin Waréeptak*** Site, meaning **"(in the) Willows Area Site**" in 2006 (Leventhal et al. 2007);

7. **CA-SCL-869** located approximately 6 miles to the south of **CA-SCL-128** was renamed ***Katwáš Ketneyma Waréeptak*** **(The Four Matriarchs) Site** in 2009 (Leventhal et al. 2009);

8. In 2010, the **CA-SCL-287/CA-SMA-263** site complex was renamed ***Yuki Kutsuimi Šaatoš Inūxw*** **[Sand Hill Road] Sites,** located approximately 23 miles to the northwest on Stanford University lands (Leventhal et al. 2010);

9. At the **3rd Mission Santa Clara Indian Neophyte Cemetery, CA-SCL-30/H** the discovery of at least thirteen individuals who were buried on top of each other and who had died very close in time to each other (1781-1818), the Muwekma Tribal Language Committee decided upon the name ***Clareño Muwékma Ya Túnneste Nómmo*** [**Where the Clareño Indians are Buried] Site** (Leventhal et al. 2011);

10. At **CA-SCL-894** (redesignated as **CA-SCL-948** by the Northwest Information Center on August 17, 2016) entailed the recovery of a single male burial from the California Fox Theatre located approximately 1000 feet east of CA-SCL-128 on South Market Street in downtown San Jose; was renamed ***Tupiun Táareštak*** meaning **Place of the Fox Man Site** (Leventhal et al. 2012);

11. Our Muwekma Language Committee renamed a site excavated by San Jose State University in 1964 as part of a finalized archaeological report on site **CA-SCL-895/Blauer Ranch.** The language committee decided to rename this site after the original Mexican land grant **Yerba Buena y Socayre,** which translates into the Muwekma language as ***Kiriṭ-smin 'ayye Sokőte Tápporikmatka*** **[Place of Yerba Buena and Laurel Trees Site]** (McDaniel et al. 2012);

12. **CA-SCR-12** on the Santa Cruz coast was excavated by San Jose State University in 1986 and was renamed by the Tribe as "***Satos Rini Rumaytak***" meaning **At the Hill Above the River Site** (Starek 2014);

13. Our Tribe's language committee renamed site **CA-SCL-125** which includes the **Santa Teresa Spring** at the Bernal-Gulnac-Joice Ranch County Park, as "'***Arma 'Ayttakiš Rúmmey-tak*** "**Place of the Spirit Woman Spring Site"** (Mabie 2015);

14. Our Tribe had renamed **CA-SCL-128 (the Holiday Inn Site)** located in downtown San Jose, in the ***Chochenyo/Thámien*** language, to ***Thámien Rúmmeytak*** **meaning "Place of the *Thámien* [(Guadalupe) River Site"** (Leventhal et al. 2015; DiGiuseppe et al. 2021; Arellano et al. 2021);

15. Beginning in 2014, monitoring the construction associated with the expansion of the **Ronald McDonald House** on the Stanford University campus uncovered three discrete **Early Bay Period** ancestral Muwekma burials, along with several isolated human remains, as well as non-burial features at site **CA-SCL-609**. The Tribe decided to honor the important service offered by the Ronald McDonald House to families by renaming the site ***Horše 'Iššéete Ruwwatka,*** **meaning "Place of the Good Health House Site"** (Leventhal et al. 2016);

16. In September 2016, while working on a new Rapid Bus Transit platform, along with water lines to a fire hydrant located on the east side of San Jose, **Santa Clara Valley Transportation Authority** construction crews encountered an ancestral Muwekma burial at a site designated as **CA-SCL-950**. During the course of skeletal analysis, the Tribe's language committee named the site ***Cashrishmini 'Awweš 'Írek 'Innutka,*** meaning **"Yellow Salt (Alum) Rock Road Site,"** in the Tribe's language (Leventhal et al. 2017a);

17. **CA-SCL-851 (MST Site)** was a recovery project that involved ten primary ancestral Muwekma Ohlone burials, which was conducted on behalf of Public Storage on Tully Road in San Jose in 2000. Public Storage failed to allow the Tribe to continue monitoring the rest of the construction project, as well as did not provide funding for any analysis, final report, or reburial of those remains. The Muwekma leadership decided to rename this site, ***'Utthin Širkeewis Tcitca 'Irekmatka,*** meaning **"Two Black Obsidian Rocks Site"** (Leventhal et al. 2020b);

18. In December 2017 several areas in a housing development located south of the Eastridge Mall in east San Jose yielded evidence of over 20 ancestral Muwekma Ohlone ancestral burials. As a result, during the course of the recovery of the ancestral remains, the Muwekma Language Committee named this site: ***Yakmuy 'Ooyákma-tka*** meaning "**Place of the East Ridge Site" (CA-SCL-215)** (Tapia 2023; Nijmeh et al. 2025);

19. In the East Bay near the Tribe's historic Sunol and Alisal Rancherias the Tribe had renamed an ancestral cemetery site, ***'Ayttakiš 'Éeṭe Hiramwiš Trépam-tak*** **"Place of Woman Sleeping Under the Pipe Site," CA-ALA-677/H** (Leventhal et al. 2017b; Byrd et al. 2023);

20. Our Tribal Language Committee had named a major **Late Period** ancestral Muwekma Ohlone an on-going project located at the **Sunol Water Temple** (**CA-ALA-565)** as ***Sii Túupentak*** meaning "**Place of the Water Round House Site"** (Byrd et al. 2020b)**;**

21. **CA-ALA-704** located between the Town of Sunol and the Sunol Water Temple (site CA-ALA-565/H), was concurrently named ***Rummey Ta Kuccuwiš Tiprectak,*** meaning "**Place of the Stream of the Lagoon Site"** by the Muwekma Ohlone Tribal leadership and Language Committee in their ***Chochenyo/Thámien*** dialects [see brief discussion about the background of the origins of the place name ***Thámien***, and the use of the Muwekma Ohlone ***Chochenyo/Thámien*** dialects in translating names for these sites as part of the Tribe's language revitalization and ancestral heritage site reclamation below]. The ***Rummey Ta Kuccuwiš Tiprectak*** locality is an ancestral Muwekma Ohlone heritage site that was occupied from 2437 to 177 calibrated years before present based on 60 radiocarbon dates. It is also the location of the mid-nineteenth-century Mexican Period Suñol Adobe (Byrd et al. 2020a);

22. As a result of the discovery in 2011 of two ancestral individuals on Santa Clara University, at Site **CA-SCL-755**, who were buried in the same grave and who presumably died at the same time, the Muwekma Tribal Language Committee decided on the name ***Širkeewis Ríipin Tiprec-tak,*** **meaning "Place of the Black Willow Marsh Site,"** based on the fact that a black willow marsh and a freshwater stream were identified in proximity to the CA-SCL-755 locality (Leventhal et al. 2023);

23. The Tribal leadership recovered an adult male ancestor at a site located in southwest San Jose along the upper reaches of the Guadalupe River. The individual was discovered lying on a bed of blue mussel shells, and a result, the Tribe's Language Committee named the site ***Táareš Tunnešte 'Ullaaštak Chitcomini Šaro-tka*** meaning "**Place of the Man Buried on a Bed of Blue Mussel Shells Site" CA-SCL-967** (Leventhal et al. 2020a)**;**

24. More recently, the Tribe has renamed **CA-SMA-309** ***Wirak Tayyi Trépam Táareš-tak*** meaning "**Man with the Bird Bone Tubes Site"** located in the City of San Mateo. The Tribal leadership wrote the ethnohistory for this project (Arellano et al. 2023).

25. Although a public archaeological salvage recovery program was conducted on a site that was almost destroyed, the Tribe and Leventhal coordinated with the Morgan Hill community in 1988, the excavation of the 8,000-year-old **Murphy Springs** site **CA-SCL-671,** the Tribe named ***Hoontach Kâ-nât'-tak*** "**Place of The Ancient Springs Site"** (Leventhal et al. 2025).

For this present ethnohistoric study, the Muwekma Ohlone Tribe's Language Committee (comprising Monica V. Arellano, Sheila Schmidt Guzman, Gloria Gomez, and Alan Leventhal) renamed the **Walsh Data Center Site (CA-SCL-1070/H)** ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** which translates to "**Place of Where the Ancient People Are Buried Site"** based on the early Holocene dates on the Tribe's ancestral remains (see the linguistic breakdown).

Phonetic Pronunciation:

Mánni	**Húyyú**	**Muwékma**	**Yatiš**	**Túnnešte-tka**
Mah-nee	**Who-you**	**Muh-wehk-mah**	**Yah-tee-sh**	**Too-neh-sh-teh-t-kah**

- **Mánni = Where** *(JP Harrington 1920's/1930's – East Bay/Chochenyo Dialect)*
- **Húyyú = Ancient (First)** *(JP Harrington 1920's/1930's – East Bay/Chochenyo Dialect)*
- **Muwékma = People** *(JP Harrington 1920's/1930's – East Bay/Chochenyo Dialect)*
- **Yatiš = (They) Are** *(JP Harrington 1920's/1930's – East Bay/Chochenyo Dialect)*
- **Túnnešte = Buried** *(JP Harrington 1920's/1930's – East Bay/Chochenyo Dialect)*
- **Site = Use -tka** after vowels; **-tak after a consonant**
  (JP Harrington 1920's/1930's – East Bay/Chochenyo Dialect)
  Note: The locative definition of the **–tka** and –tak **suffix endings** also includes 'At, Place, **Place Of**, Location, Area, **Site**, By The, Into The…'

Muwekma Ohlone Tribe and Our San Francisco Bay Costanoan/Ohlone Language and Our Interrelated Ohlone Dialects

A Brief Linguistic Background

Between 1904 and 1914 renowned Berkeley anthropologist Alfred L. Kroeber at the invitation of Phoebe Apperson Hearst, visited the Muwekma rancherias at Pleasanton and Niles to interview the Elders of the Tribe for our Native vocabularies. In 1910, Kroeber published his study titled **The Chumash and Costanoan Languages.** Therein, he identified the sources for the Costanoan/Ohlone dialects, where he noted that the **San Jose vocabulary** was collected by

himself, "the author." The very first English word listed in Kroeber's published vocabulary was "**Person**" which he had only three words for in the Costanoan language: 1) Monterey – **Ama**; 2) Soledad – **Mue**; and 3) San Jose - **Muwe-kma** (Kroeber 1910:242-243; 1904-1914 Field Notebooks 24, 52, 57. A. L. Kroeber Papers (BANC Film 2049).

In 1910, biologist and ethnographer C. Hart Meriam traveled to the **Alisal Rancheria,** writing that:

> On November 5, 1910 I visited the rancheria between Pleasanton and Mrs. Phoebe Hearst's Place. … There is also here Mrs. Angela Colos, a so-called "Costano," whose mother came from San Lorenzo on the San Francisco Bay and whose father was a Ko-re-ak'-ka. **Her language is the same as was native to Santa Clara"** (Merriam 1967:368-369).

In 1914, Kroeber's anthropology colleague, Edward W. Gifford, interviewed **Maria de los Angeles Colos,** and he also recorded at Pleasanton the word for "**people**" as "**Muwekma,**" which he classified as "**San Lorenzo Costanoan**" (Unpublished Ethnological Documents Collection of the Department and Museum of California Berkeley, Bancroft Film 2216, Item 194.2).

In January 1916, anthropological linguist John Alden Mason visited Pleasanton and interviewed "an elderly woman from San Lorenzo, and from her a vocabulary of a hundred odd words was secured" (Mason 1916:470). The woman he interviewed was also **Maria de los Angeles Colos,** whose direct descendants are enrolled in the Muwekma Ohlone Tribe. Mason recorded and published the word for "people" as "**muekma**" (Mason 1916:471).

Several years later, John Peabody Harrington from the Smithsonian Institution's Bureau of American Ethnology periodically visited the Pleasanton, Sunol, Niles, and Livermore settlements and residences, and he interviewed and mentioned at least eighteen members of the Muwekma tribal community between 1921 and 1930 in his field notes. Two of Harrington's principal linguistic consultants were **Maria de los Angeles Colos,** who Harrington referred to as "**Angel**a," and **Jose Guzman,** who he referred to as "**Guz**" in his field notes. In his interviews with Angela, she informed him in 1929 that the Costanoan dialects of **Mission Santa Clara** and **Mission San Jose** were basically identical by stating that:

> The Clareños were much intermarried with the Chocheños [Indians of Mission San Jose]. The dialects were similar (Harrington 1921-39:14).

Based on the Missions Santa Clara and San Jose baptismal and marriage records, one of Angela's husbands was a Mission Santa Clara Indian named Raymundo Bernal, and she also had uncles by the surname of Santos, who were from the **Luecha Ohlone Tribe** of the Livermore Valley region and who were missionized into Mission Santa Clara. Furthermore, one of her daughters, Francisca, deployed the tribal name **Luecha** as her surname, as she appears in the mission records.

Milliken, Shoup, and Ortiz, writing about Harrington's interviews in their comprehensive 2009 San Francisco Bay Area ethnographic study for the National Park Service, noted the following:

> The word **Muwekma**, a term used by a modern descendant organization, appears in the notes with the meaning "person" and "people."

> **Ménem hishmetr múwékma, tu eres buena gente** (Harrington 1921-29:247).
> **holshe wáka muwékma, bonito es esa gente** (Harrington 1921-29:297).
> **'rí'te muwékma jakájin, hay mucha genta enfermos** (Harrington 1921-29:362) (Milliken et al. 2009:287).

Years later, in his 1969 publication titled **Native Americans of California and Nevada**: **A Handbook** by Dr. Jack Forbes, a renowned professor of Native American Studies and Anthropology at U.C. Davis, who was also of **Powhatan-Renapé** and **Lenape** Native American descent, employed the ethnonym "Ohlone" and "Ohlonean" in lieu of Costanoan in that publication. Forbes deployed native terms that he found preferable to non-native ones for native languages. In his publication, Forbes embraced Ohlonean after the Ohlone tribal identifier "that descendants of the Mission San Jose people called themselves" (Milliken et al. 2009:45). Therein, Forbes divided the Ohlonean languages into a grouping of related **Northern Ohlone Dialects** which he called the **Muwekma Division** and a grouping of related **Southern Ohlone Dialects** which he called the **Mutsun-Rumsen Division.** Forbes published his linguistic relationship and classification relative to the proposed Costanoan dialects, which Milliken et al. revisited in their 2009 study:

> **Ohlonean (Costanoan) Branch**
> 1. **Muwekma Division [Northern Ohlone Dialects]**
> a. Ohlone/Costanoan (San Francisco, Santa Cruz, Santa Clara, San Jose) dialects
> b. Huchiun-Karkin (San Pablo) dialects.
> 2. **Mutsun-Rumsen Division [Southern Ohlone Dialects]**
> a. Mutsun (Humontwash, San Juan Bautista) dialects
> b. Rumsen (Monterey) dialects
> c. Chalón (Soledad) dialects (Forbes 1969:184)

Forbes also contributed the following statement about the **1969 Indian Occupation of Alcatraz** in **Alcatraz Is Not An Island** :

> … Now in 1969, modern-day Native Americans are attempting to claim Alcatraz Island in order to obtain facilities for educational programs and to publicize the desperate circumstances under which Indian people live.
> … There is little question but that the **Muwekma** Indian people of San Francisco and the Hukueko [Coast Miwok] of Marin County were, in the old days, frequent visitors to all the islands in the San Francisco Bay (Blue Cloud 1972:44).

In his 1995 published dissertation **A Time of Little Choice**, under the subheading **Mission San Francisco In Yelamu Lands,** Milliken discussed the cross-bay intermarriages and interrelationships between the **Yelamu Ohlone** of San Francisco and the intermarried **Huchiun/Jalquin** Ohlone and other East Bay tribal groups, stating that:

> The Yelamus were tied by marriages on the **east side of San Francisco Bay**; two of the three wives of Yelamu tribal captain Guimus [aka Xigmacse], for example, had been born on the east side of the San Francisco Bay (Milliken 1983:146). The Yelamu tribe probably played a key role in regional trade, moving obsidian and other goods, from the north and east across the Bay and down the Peninsula, while bringing coastal shells to the East Bay (Milliken 1995:62).

In their 2009 publication titled **Ohlone/Costanoan Indians of the San Francisco Peninsula and Their Neighbors, Yesterday and Today**, published for the San Francisco National Park Service and the Golden Gate National Recreation Area, the principal authors Milliken, Shoup, and Ortiz noted the following about the **San Francisco Bay Costanoan Language Area**:

> San Francisco Bay Costanoan is a language represented by three dialects – Ramaytush, Chochenyo, and Tamyen – that were considered to have been separate languages until recently. The precise pre-mission distribution of the dialects can only be guessed, because existing language samples were gathered after the native people moved to the missions. The Ramaytush dialect may have been reached down the Peninsula from the Golden Gate to Point Año Nuevo. The Chochenyo dialect was spoken along the southeast shore of San Pablo Bay, on the east shore of the San Francisco Bay, and in the interior Livermore Valley on the East Bay. The Tamyen dialect was spoken in the Santa Clara Valley and in the surrounding hills (Milliken et al 2009:6).

Those authors continue their linguistic discussion on page 33 of their 2009 publication, noting that recent linguistic evidence supports the position that the three distinguished Bay Area Costanoan languages were determined to be a single language, presenting the following discussion:

> **A Single San Francisco Bay Costanoan Language**
>
> Recent publications and encyclopedic websites regarding California Indian ethnography follow the conclusions of Kroeber, Beeler, and Levy to the effect that three separate Costanoan languages—Ramaytush, Tamyen, and Chochenyo—were spoken in adjacent areas around San Francisco Bay at Spanish contact. Over the past few years, however, three linguists actively working on the problem—Catherine Callaghan, Victor Golla, and Juliette Blevins—have concluded that Ramaytush, Tamyen, and Chochenyo are **dialects of a single San Francisco Bay Costanoan language.** We consider acceptance of that conclusion to be a key tenet of the current report. As of 1997, Callaghan was beginning to move away from the commonly accepted stance of three separate languages. She wrote:
>
> > According to Maria de los Angeles Colos—Harrington's Chocheño consultant— Ramaytush, Chocheño, and Tamyen were similar dialects. …
>
> In 2009, Callaghan concluded that the Ramaytush, Chochenyo, and Tamyen idioms were mutually intelligible and should therefore be considered three dialects of a single language on the basis of a new comparative study of the various San Francisco Bay Costanoan vocabularies. She described her method and results in an email to Milliken, as follows:
>
> > I decided to re-examine the Ramaytush and Tamyen vocabularies to determine their relationship to Chochenyo, and I have come to the conclusion that they are all dialects of the same language. …(Milliken 2009:33).

These authors continue their discussion on page 87 of that 2009 study by presenting the following information about the Ohlone tribal groups of the San Francisco Peninsula under the heading:

First Contact for the Native People of the Peninsula

Local Tribes of the San Francisco Peninsula

At the time of Spanish entry, eight independent local tribes held lands entirely within the present counties of San Francisco and San Mateo, the area essentially equivalent to the San Francisco Peninsula. Four of the eight groups were from the San Francisco Bay shore, and four were from the Pacific Coast. The bay shore groups were the Yelamu of San Francisco, Urebure of San Bruno, **Ssalson of San Mateo**, and Lamchin of Redwood City. The coastal groups were the Aramai of San Pedro Valley, Chiguan of Half Moon Bay, Cotegen of Purisima Creek, and Oljon of San Gregorio. The lands of these eight tribes are mapped in classic ethnographies as belonging to speakers of the San Francisco (Kroeber 1925:Plate 1) or Ramaytush language (Levy 1978a:485) of the Costanoan language family. **Ramaytush is now considered to be a dialect of the San Francisco Bay Costanoan language.**

Another three local tribes held lands that were partially in San Mateo County and partially in more southerly counties, lands that might be considered the geographic boundary zone between the Peninsula and the Santa Cruz Mountains/Santa Clara Valley. One of those groups, the Puichun, lived along the bayshore at San Francisquito Creek, where the Peninsula gives way to the open Santa Clara Valley. Another of the three groups, the Olpen (alias Guemelento), lived in the mountains at the headwaters of San Francisquito Creek, southwest of the Puichuns. The third border group, from the point of view of the San Francisco Peninsula study area, was the Quiroste, of the coast in the Point Año Nuevo area. Kroeber (1925:Plate 1) mapped Puichun and Olpen lands within the San Francisco [Ramaytush ed.] language area, and he mapped Quiroste lands within the Santa Cruz [Awaswas ed.] language area, while Levy (1978a:485) placed the lands of all three groups within the Ramaytush language area, which, as we pointed out above, **is now recognized as a dialect of San Francisco Bay Costanoan**.

It is also possible that the **Puichun, Olpen**, and **Quiroste** spoke the **Tamyen** [**Thámien**] dialect recorded at Mission Santa Clara. All three groups eventually sent members to both Mission Dolores and Mission Santa Clara. It is really impossible to determine where the Ramaytush dialect ended and the more southerly Tamyen [**Thámien**] dialect began, because the only Ramaytush sample ever recorded came from an Aramai man from the north, and the precise homelands of the individuals who supplied the information for the surviving Tamyen vocabularies and texts have not been documented.

It is likely that the Puichons* and Olpens spoke San Francisco Bay Costanoan dialects along a clinal path between Ramaytush and Tamyen, while the coastal Quirostes may have spoken a dialect of San Francisco Bay Costanoan influenced by the Awaswas language of the Santa Cruz region. (Milliken et al. 2009:87-89).

***Note:** The Puichon territory was immediately adjacent to the Alson and Thámien tribal groups (see Maps 1, 3-4 below)

These authors also noted the following based on Harrington's interviews with **Maria de los Angeles Colos** and linguist Richard Levy, they created the "**Ramaytush**" language classification in 1978 which was based on **Angela Colos'** Chochenyo word "**rámai**"" for the San Francisco Bay:

> It must be remembered that Coast Miwok and Patwin, as well as the Ramaytush dialect of San Francisco Bay Costanoan, may have been spoken in San Francisco at the time of Angela Colos' youth, whereas the Tamyen dialect of San Francisco Bay Costanoan and Yokuts were the languages of the historic people at Mission Santa Clara.
>
> One note provides the term that led **Richard Levy** (1978a) to call the San Francisco dialect **Ramaytush**:
>
> They call the lado de San Francisco rámai', All the side (lado) where the San Francisco is ([illeg.]) – San Mateo, etc., = rámai. Call the people **rámáitush** (Harrington 1921-39:368).

Continuing their discussion of the interrelationships between the Yelamu and Huchiun Ohlones of the East Bay, Milliken et al. presented the following discussion:

> **<u>First European Vessel on San Francisco Bay, 1775</u>**
>
> The first documented entry into San Francisco Bay was made by the 58 foot long, two-masted brig **San Carlos** on August 6, 1775. The ship maintained a number of anchorages off of the Marin Peninsula and Angel Island during its 48 days' stay, while the ship's boats were sent out to chart San Francisco Bay and San Pablo Bay. The remarkable notes maintained by the captain and chaplain of the San Carlos are rich with information about interaction with the [**Coast Miwok**] **Huimens** of the southern Marin Peninsula and the [Chochenyo Ohlone-speaking] **Huchiuns** of the Point Richmond vicinity in the East Bay (Galvin 1971, excerpted by Milliken 1995:40-51). None of the San Carlos diarists' notes concern the native San Francisco Peninsula people. But valuable ethnographic material pertaining to the Huchiuns, San Francisco Bay Costanoan speakers **who were intermarried with the Yelamus,** is presented below. (Milliken et al. 2009::92-93)
>
> … On the following morning, August 25, the same group of Huchiun men came back on board the San Carlos. Santa María wrote that the ship's crew spent some time learning their Costanoan words and writing them down. Santa María also wrote down the names of the men: "Their chieftain was called Sumu; the second chieftain, Jausos; the others, Supitacse (1); Tilacse (2); Mutuc (3); Logeacse (4); Guecpostole (5); Xacacse (6)" (Santa María [1775] in Galvin 1971:67). Twenty years later, four of those men would move from their East Bay villages to Mission Dolores … (Milliken et al. 2009::94).

Intermarriage Patterns Between the Yelamu and the Huchiun/Jalquins of the East Bay

Earlier in their study, Milliken et al. provided the following information on the marriage and death of **Yelamu** Captain Guimas [Xigmacse] and one of his three wives, who was **Huchiun:**

> …. An example of a citation that will occur in this report is SFR-B 365, the Mission San Francisco (Dolores) baptismal entry in 1784 for Romualdo Guimas, the headman of the Yelamu people of the northern San Francisco Peninsula. Another example is SFR-D 3516, the Mission Dolores death register entry in the year 1814 for Romualdo Guimas' wife, Viridiana Huitanac, a **Huchiun** from the east side of San Francisco Bay (Milliken et al. 2009:12).

Continuing their historic overview about Capitan Guimas and his family:

> The year 1778 began with the baptism of seven young people, among them three children of Yelamu headman Guimas (SFR-B 44, 46, 49). Altogether, 40 tribal people were baptized in 1778, of whom 38 were from the local Yelamu villages (Milliken et al. 2009:98).

The authors of this present Muwekma ethnohistoric study, deploying the online **Huntington Library's Early California Population Project** database and search engine of the mission baptism records, found the following information about Guimas's son Christoval Lalexse, who was baptized by Father Francisco Palou on January 31, 1778 (SFR-B 44). Lalexse (Lalecse) was 20 years old and was born at a place named Zitlintaj (Sitlintac). His father was identified as **Xigmacse (aka Guimas)** (SFR-B 365) and his mother was Totpete (Tolpete) Maria de la Mercedes (SFR-B 434). Lalexse died two years later on September 21, 1780 (SFR-D 27). Totpete was one of Guimas' three wives, and she was baptized on October 16, 1785 by Pedro Bonito Cambon. She died three days later on October 19, 1785 (SFR-D 156). …

Xigmacse's Huchiun wife, Viridiana Huitanac (SFR-B 366) was the mother of Lorenzo (SFR-B 46) whose Indian name was Huyupa, and he was baptized by Francisco Palou on January 31, 1778. Given the fact that Yelamu captain Xigmacse had married two East Bay women prior to Spanish contact, it supports the argument that the Yelamu "Ramaytush" dialect and the Huchiun/Jalquin "Chochenyo" dialect were mutually intelligible and therefore represent a single San Francisco Bay Costanoan/Ohlone language.

The Tribal Groups/Villages/Districts Surrounding Mission Santa Clara de Thámien

In this ethnographic section, we provide an ethnohistoric overview of the Santa Clara Valley and surrounding geographic regions. This section also explores the complex historic interrelationships between the aboriginal Ohlone tribal groups from the greater San Francisco Bay region at the time of contact and the ensuing impacts resulting from the advent of the expanding late 18th century Hispanic Empire; the establishment of the Catholic Church and the effects of Missionization; the mid-19th century American conquest of California; the Gold Rush and theft of California Indian lands; the effects of the emergent State of California; and the Federal Recognition of California Indian Tribes, and specifically the Verona Band of Alameda County, who had direct ancestral ties to Missions Santa Clara, San Francisco, and San Jose. These topics are introduced and explored through discussions involving contact-period regional and ethnohistorical tribal ties to the present-day Muwekma Ohlone Tribe and by presenting aspects of the survival strategies and continual cultural and political identity of this historic tribe.

Ethnographic, Ethnohistoric, and Ethnogeographic Setting

The ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** **(Place Where the Ancient People Are Buried Site)** represents an ancestral Muwekma Ohlone heritage cemetery located near downtown San Jose, west of the San Jose Airport, and in proximity to the present-day Guadalupe River drainage. Formally designated with the California State's trinomial system as CA-SCL-1070/H, the site is located within the contact-period ethno-geographic territory of what the Mission Santa Clara missionaries identified as the **Our Mother Santa Clara** Tribal Group/District which was part of the larger defined *Thámien* Ohlone-dialect-speaking linguistic territory of the greater Santa Clara Valley. The ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** site is also located within the larger catchment of the adjacent Contact-Period *Thámien* Ohlone-dialect-speaking village/districts that included **San Jose Cupertino, San Francisco Solano, Our Patron San Francisco, Our Mother Santa Clara, San Juan Bautista, and San Carlos** or **Matalan Tribal Group/Districts**, and the bilingual ***Alson*** **Thámien/Chochenyo Ohlone**-dialect-speaking tribal group (see Spearman 1963, C. King 1994, Milliken 1991, 1995, 2004; Hylkema 1995, 2007 [CA-SCL-690 Tamien Station].

Milliken in his major study on the reconstructed ethnogeography of the San Francisco Bay region, notes that "Fathers Murguiá. and Peña of Mission Santa Clara noted in the title page of their Libro de Bautismos (Book of Baptisms), and again in a letter of 1777, that the mission was built in an area known as Tamien" (Milliken 1995:256). Elsewhere, Milliken states that "Our Patron San Francisco, probably placed on the Guadalupe River near Our Mother Santa Clara and Santa Ysabel, east of present-day downtown Santa Clara" was part of the core villages that comprised the Thamien tribal district (Milliken in Hylkema 2007:52). He also suggests that "the villages of San Jose Cupertino, Our Mother Santa Clara, and Our Patron San Francisco formed a single tribelet that controlled most of the Guadalupe River system, and therefore, the core of the Santa Clara Valley" (ibid:54).

Founding of Mission Santa Clara de Thámien

Although Winter, Milliken (and others) have spelled Tamien without the letter "h," historian Arthur Spearman, however, in his 1963 publication titled The Five Franciscan Churches of Mission Santa Clara, provided the following historic excerpt from a letter from Father Peña to Father Serra:

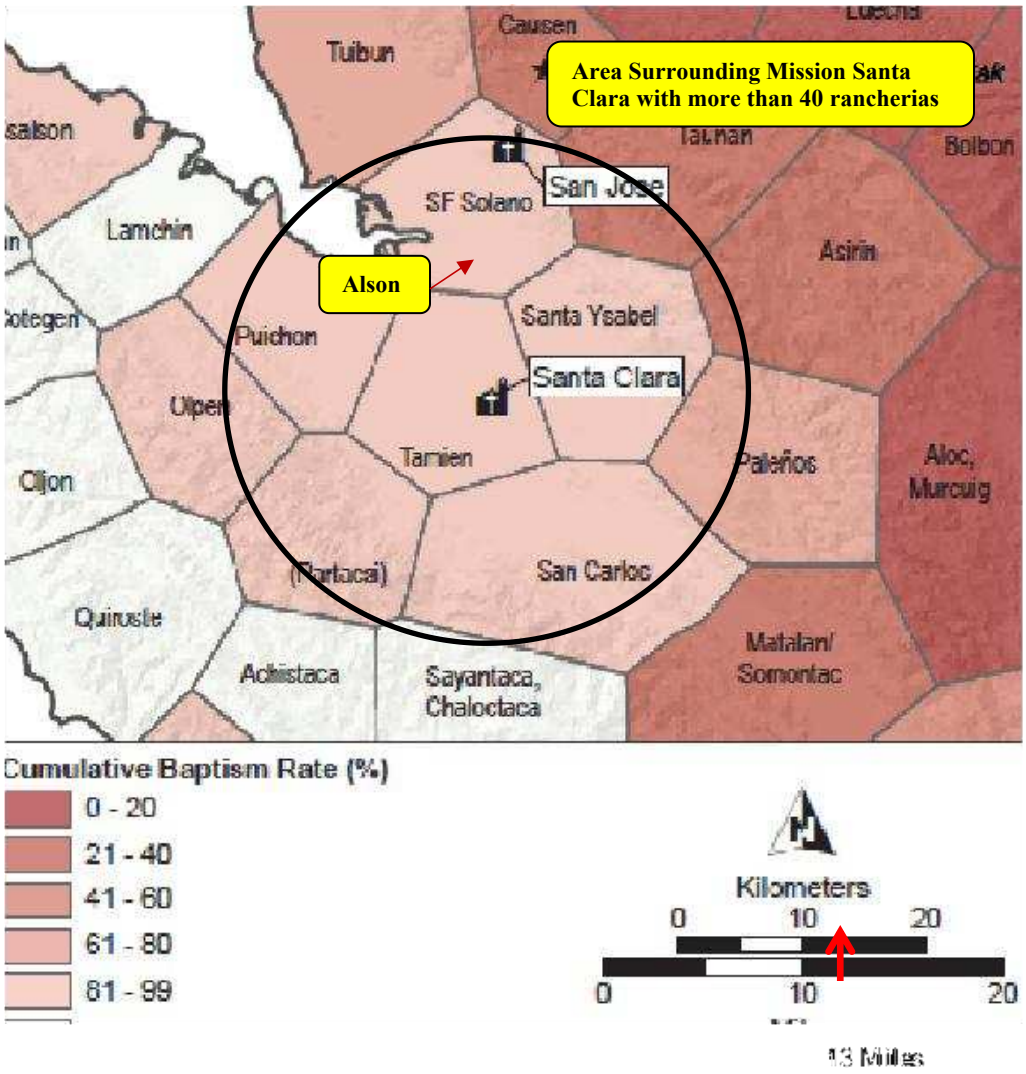
> Letter to Padre Presidente Junipero Serra
> From Padre Tomas de la Peña
> **Mission Santa Clara de Thámien**
>
> December 31, 1777
>
> The site of the Mission, which in the language of the natives is called ***Thámien***, is a plain stretching more than three leagues in every direction, pleasant to behold, with much land for irrigation of crops, and extensive areas for raising cattle.There is abundance of Ash, Alders, White Poplar, and Red, Willow, Laurel, black and live Oaks. At the distance of four leagues to the west is much redwood, so-called, from which we have already obtained some boards.

> A large population of Gentiles surrounds the site, such that we judge there are more than forty rancherias within a radius of five leagues of a people that we may call Tares, since this is the name they give to the men (Spearman 1963:15). [Also cited from Hylkema 2007: iii].

***Note:** A Spanish League was approximately 2.6 miles. This means that there were "more than 40" Ohlone villages within a 13-mile radius of the first mission (**Map 1**).

Furthermore, Milliken (1991) noted the following observation by the Spanish priests who had established the First Mission San Clara, located to the west of the Guadalupe River, located to the northwest of downtown San Jose **(Map 2**):

> Mission Santa Clara in Thámien Lands
>
> … The Santa Clara Mission settlement lay at the northeastern edge of the **Thámien** tribal district, very near to lands of three other tribes. Three large villages of over 120 inhabitants each lay within four-mile radius of the Santa Clara Mission site. The native names of those villages are not known. The missionaries at Mission Santa Clara gave each of them a Spanish designation; San Francisco Solano village of the Alson tribe, a mile or two downstream at the mouth of the Guadalupe River, Santa Ysabel village of a different, unnamed tribe east of San Francisco Solano on the lower Coyote River, and San Joseph Cupertino village of the Thámien tribe in the oak grove about three miles to the southwest of the mission site.
>
> Still nearer to the site were two tiny hamlets: Our Mother Santa Clara, within a few hundred yards of the first mission site, and **Our Patron San Francisco,** perhaps another mile upstream on the Guadalupe River" (Milliken 1991:116-117).



Map 1: Thámien Dialect-Speaking Tribal Groups within a 13 Mile Radius of Mission Santa Clara
(after Milliken 2010, Byrd et al. 2020)

The following tribal groups/districts/villages were located within the 13-mile radius of the location of the 1st Mission Santa Clara, as indicated by Father Peña in 1777. Information derived from Milliken 1995 and other sources):

From the North, East, Central, South, and West directions surrounding Mission Santa Clara:

[North]

1. San Francisco Solano/Alson/Santa Agueda/Estero/Alameda
(Newark, Milpitas, Alviso, Coyote Creek, Mission Santa Clara, and San Jose).
2. Tuibun/Santa Agueda/Estero/Alameda
(Alameda Creek, Coyote Hills, Missions San Jose, and Santa Clara).
3. Causen/Patlan/Pelnen/Caburan/Tuibun (Sunol Valley, Pleasanton, Dublin, Mission San Jose region).
4. Taunan/Santa Agueda/Santa Ysabel/Este
(Arroyo del Valle, Alameda Creek, Livermore Valley, and Mission San Jose).

[East]

5. Asirin/Taunan/Santa Agueda/San Antonio
(Alameda Creek, Arroyo del Valle, Colorado Creek, Missions San Jose, and Santa Clara).
6. Santa Ysabel (Coyote Creek, Penitencia Creek, Calaveras Creek, Mission Santa Clara)
7. Paleños/San Antonio (East side Santa Clara Valley, Mission Santa Clara).
[Central]
8. Thámien intermarried (10+ Villages (a through k below): a) Our Mother Santa Clara, b) Our Patron San Francisco, c) San Jose Cupertino, d) San Antonio, e) Santa Ysabel, f) San Juan Bautista, g) San Carlos/Matalan, h) San Bernardino, i) Santa Agueda/Alson, j) Pala, k) Ritocsi, Central Santa Clara Valley, Guadalupe River, Mission Santa Clara).

[South]

9. San Carlos/Matalan
(Santa Clara Valley corridor, Morgan Hill, Chesbro Reservoir, Laguna Seca, Coyote Lake east of San Martin, Mission Santa Clara)
10. Sayantaca/Chalotaca
(Zayanta Creek, Scotts Valley, Sant Cruz Mountains, Mission Santa Cruz)

[West]

11. Achistaca/Acsaggis (Saratoga Gap/Upper San Lorenzo River Santa Cruz Mountains)
12. Partacsi/Paltrastach/Pornen/Lamaytu/Muyson/Solchequis "San Bernardino"
(Saratoga Gap/Stevens Creek/Saratoga Creek (Mission Santa Clara and Santa Cruz)
13. Olpen/Guemelentos (Santa Cruz Mountains/La Honda Creek/San Gregorio watershed/Corte de la Madera Creek of the San Francisquito Creek watershed in the "San Bernardino" District.
(Mission Santa Clara and San Francisco).
14. Puichon/Ssipùtca "San Bernardino" District
(San Francisquito Creek, split between Missions Santa Clara and San Francisco)

<u>Conversion of the Santa Clara Valley and East Bay Tribes</u>

The area of the lower Guadalupe River [***Thámien Rúmmey*****]** was noted by Father Junipero Serra in 1777 as being called ***Thámien***. The second church of Mission Santa Clara was established in 1779 at a place called by the Indians ***Socoistaca*** or ***Tshaitaka***, which may have referred to the grove of laurel trees that once stood there. The area of the third church (the Murguía Mission) was called ***Gerguensun*** (also spelled **Werwersen**), which refers to "Valley of the Oaks" (Spearman 1963:18).[**Note: Werwersen** is actually in reference to rabbits = ***weeren***].

In the *Informe* for 1777, Father Serra states that:

> A large population of gentiles surrounds the site, such that we judge there are more than forty rancherias within a radius of five leagues of a people that we may call ***Tares,*** since that is the name they give to the men [Spearman 1963:15].

Milliken also noted the following for Mission Santa Clara:

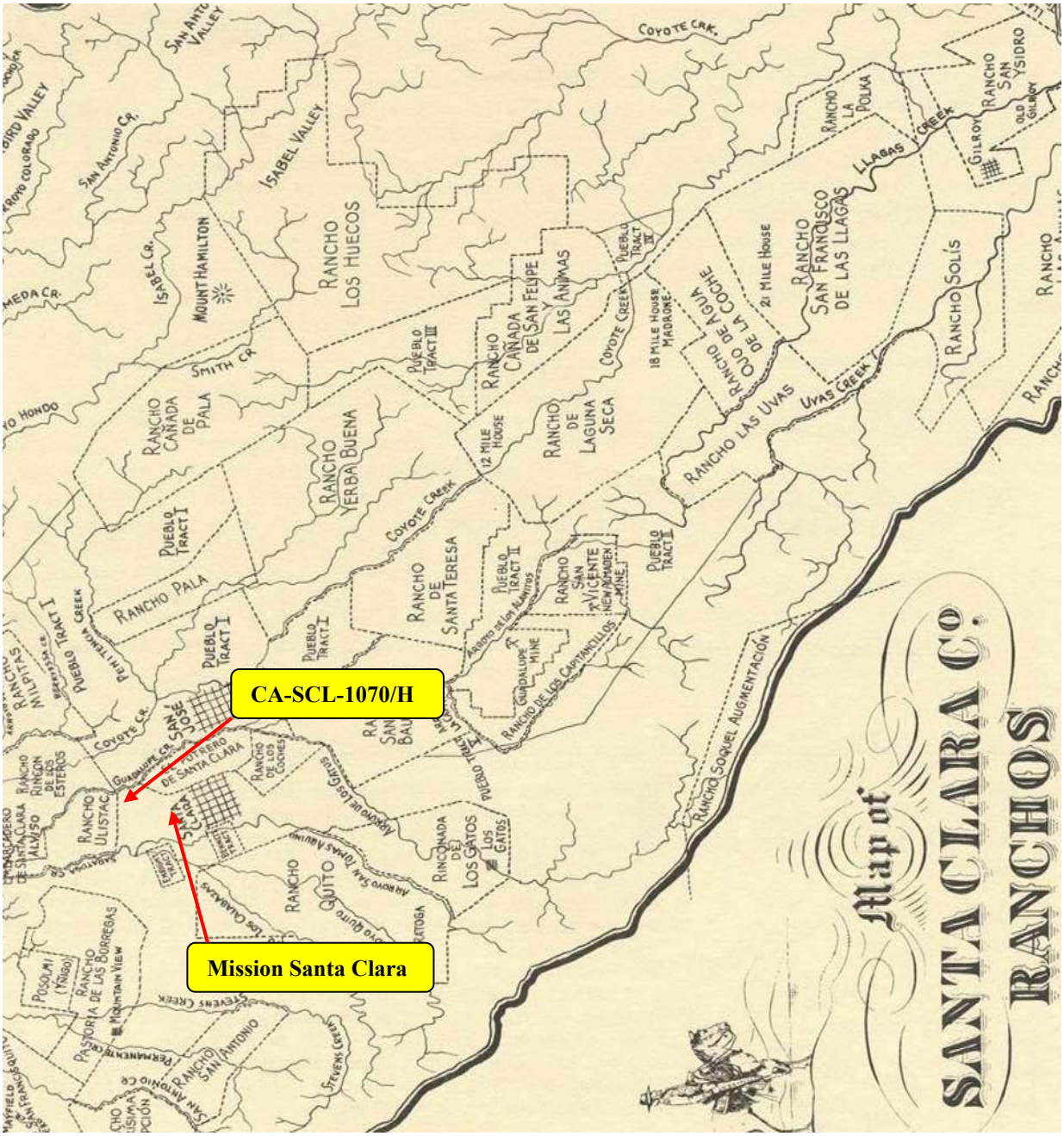
> A few adult married couples were converted in the years 1780 and 1781, including most of the adults from the first mission site called Santa Clara and San Francisco (these were districts). During the 1780s a trickle of adults were baptized at the mission from the surrounding larger villages on the Santa Clara Valley floor, but the majority of baptisms during the 1770s and 1780s were of young children and newborn infants. Unlike the converts at most California missions, most of these children and their parents continued to live in their native villages [Milliken in Huelsbeck n.d.].

However, all of the first 25 converts at Mission Santa Clara were infants and children from the villages in the central area surrounding the mission, including **Our Patron San Francisco** along the Guadalupe River, **San Juan Bautista** to the south of the mission, **San Jose Cupertino** to the west, **Santa Ysabel** to the east, and **San Francisco Solano (Alson)** to the north of the mission. The notation on their baptismal records states "enfermos...en caso de necesidad" – "sick in case of need," and "lo trajeron enfermo" – "they brought him sick." By the time of the founding of Mission Santa Clara, major diseases were already affecting the local population, with many dying shortly after baptism.

If the conversions were mostly of children, then who built the mission and by what incentive? Evidently, by 1781 native contact with the mission was motivated by mutual economic gain. Milliken's 1991 dissertation focuses on this relationship, and he found that the presidio at Monterey regularly employed gentiles to perform a range of tasks. In 1779 several families of non-Christianized Indians had moved to Mission Santa Clara to gain access to material goods provided by the Spaniards - without the obligations faced by the Christianized neophytes. As mentioned above, the Pueblo of San Jose and the Monterey Presidio made use of Santa Clara Valley Indian labor, with the Indians gaining blankets, beads, and other items new to their world.

Shell beads found within and near the neophyte cemetery of the **Murguiá Mission (3rd Mission Santa Clara 1781-1818)** were analyzed and discussed in Hylkema 1995 (also see Leventhal et al. 2011, Panich and Schneider 2014; Panich 2018, 2020; Panich and Flores 2026). Hylkema stated in his 1995 note:

> The villagers closest to the mission and pueblo profited from the newly developed economic system, which, in turn, attracted other, more distant villagers. This precluded the need for forced conscription until after 1795 when most of the local groups were assimilated into the mission. Nonetheless, the military did enforce Spanish law. By 1800 the Indians in the hills east of the Santa Clara Valley and the East Bay began to feel the pressure of the changed economic system.
>
> > Their western neighbors, from whom they had heretofore received shells and other materials from the coast, were consolidated under Franciscan direction at Mission Santa Clara. The hill people also needed these neighbors as allies to retain parity in conflict situations with people further east. Marriage had been the basis of trade and warfare alliances, and marriage with missionized people could be had only by joining the mission community [Milliken in Huelsbeck, n.d.].



Map 2: Rancho Map of Santa Clara County (Arbuckle with Rambo, 1968)

Previous Ethnohistoric Studies

Meaningful Contact Period ethnohistoric studies focusing on the demographic and geopolitical distribution of the different Ohlone/Costanoan tribal groups that came under the influence of Mission Santa Clara in 1777 were conducted by Chester King in the 1970s (1974, 1977, 1978a, 1978b, and 1994) and continued by Milliken (1983, 1991, 1995, 2004 and 2007 [in Hylkema 2004, 2007]); Cambra et al. 1996; Leventhal et al. 2011, 2020); Panich 2020; Panich and Flores 2026; Arellano 2021, 2023; and others. These studies helped lay the foundation for reconstructing the geopolitical and linguistic boundaries of those tribal groups and districts that

were brought into each Bay Area mission, as well as providing information about the transformation, and the cultural and political adaptation and responses, of those surviving Ohlone/Costanoan tribal groups who adjusted to the disruption caused by the expanding Hispanic colonial empire, the impacts of missionization, and the ensuing spread of diseases and malnutrition.

The Santa Clara Valley and adjacent areas supported fairly large populations of Native peoples for upwards of a period spanning the past 10,000 years (CA-SCL-178; CA-SCL-1070/H). During the Early to Late Periods (past 4000 years) this is evidenced by the prevalence of large pre-contact cemeteries within the San Francisco Bay region [see reports on Emeryville (CA-ALA-309); Ellis Landing (CA-CCO-295); Santa Rita Village (CA-ALA-413) [Wiberg 1984]; Patterson Mound (CA-ALA-328) [Davis and Treganza 1959]; Ryan Mound (CA-ALA-329) [Leventhal 1993]; CA-SCL-732, Three Wolves Site (Cambra et al. 1996); CA-SCL-38 (Bellifemine 1997); CA-SCL-690 Tamien Station (Hylkema 2007); CA-SCL-674 Rubino Site (Grady et al. 1999); University Village (CA-SMA-77) [Gerow 1968], CA-SCL-6W Lick Mill Boulevard (Cartier and others]; CA-SCL-128 (Winter 1978a and 1978b; Leventhal et al. 2015; DiGiuseppe et al. 2021); CA-ALA-565/H, CA-ALA-704, and CA-ALA-677 (Byrd et al. 2019, 2020, 2022); and others].

Furthermore, based upon the analysis of grave-associated wealth and mortuary patterns derived from central California cemetery sites, and specifically at ***Thámien Rúmmeytak*** **CA-SCL-128**, it can be postulated that the greater San Jose area appears to have been located within the southernmost region of a Late Period religious complex, ceremonial, economic interaction sphere that employed the use of "**Big Head**" (or "N series") abalone shell effigy pendants. These Big Head effigy pendants first appeared sometime around the Middle-Late Transition Period (MLT) 1000 A.D./Phase IA - Late Period (ca. 1100 A.D.), and presumably represent inclusion in the larger geographically widespread **Kuksu** religion that was practiced by a multitude of North–Central California Indian tribal groups (Winter 1978a; Leventhal 1993).

These Kuksu-practicing tribal groups ranged from the Hokan-speaking Salinans to the south (southern Monterey County); to the San Francisco Bay Penutian-speaking Ohlone and interior Bay Miwok and North Valley Yokuts tribal groups (Contra Costa and San Joaquin Counties), to the Penutian-speaking Coast Miwok and Patwin (Marin, Napa, Yolo, and Colusa Counties); to the Penutian-speaking Plains Miwoks and Konkow-Nisenan (Maidu-speaking groups) in the Sacramento and Central Valley foothills of the Sierra Nevada, to the Hokan-speaking Pomoan tribal groups (Sonoma, Lake, and Mendocino Counties), Yukian-speaking Yukian tribal groups (northern Mendocino) and the Athabascan-speaking Cahto tribe located to the north of Fort Bragg. (see Loeb 1932, 1933; Du Bois 1939; Gifford 1947:20; Bennyhoff 1977:50; Winter 1978a; Bean and Vane 1978, 1990; Leventhal 1993:230-236; Hylkema 2007).

The preliminary data, derived from comparatively similar mortuary patterning and associated grave assemblages identified from Late Period cemetery sites, were factored in conjunction with the similarities of tribal personal name endings derived from the mission records, such as "***-tole***" and variations of "***-mayen***" for females and "***-cse***" (or a variant thereof, e.g., "***csi***") for males that are found among the different linguistic groups within the same macro-geographical area, as the **Big Head/Kuksu** pendants support the contention that the South and East Bay regions had very strong cultural ties, via trade, intermarriage, ceremonial interaction, and shared religious belief systems, as well as other cultural influences with the Central Valley interior, including the

Sacramento and San Joaquin Delta (Stockton) regions (Lillard, Heizer, and Fenenga 1939; Heizer and Fenenga 1939; Gifford 1947; Bennyhoff 1977; (CA-ALA-329) Leventhal 1993; Milliken 1995; Jones and Klar 2007; also see CA-SCL-128, Holiday Inn Site, Winter 1978a; (CA-SCL-38) Bellifemine 1997; (CA-SCL-128) Leventhal et al. 2015; DiGiuseppe et al. 2021; (CA-ALA-565/H) Byrd et al., 2020; (CA-ALA-565/H) Hedges, 2019); (CA-SCL-690) Hylkema 2007).

The evidence of a far-flung ceremonial and economic interaction sphere further suggests that the Thámien Ohlone-speaking tribal groups, including the **Our Mother Santa Clara** tribal/village/district catchment region and their further neighbors (i.e., **San Antonio** tribal district), were significantly involved in this larger religious and ceremonial interaction network, which was partially influenced through mechanisms of trade, economic, military, and marriage alliances with those tribal groups located to the east and north (Delta region) of the South Bay region – a region that at the time of Spanish contact had already cross-cut several major linguistic boundaries (including San Francisco Bay Ohlone, North Valley Yokut, Patwin, Coast Miwok, Bay Miwok, and Plains Miwok).

Limited detailed ethnohistoric (Contact Period) information about the aboriginal lifeways of the different San Francisco Bay Ohlonean-speaking tribal groups who resided within this mega-sphere of socio-cultural interaction tends to be restricted to the various accounts written by early Spanish explorers, missionaries, and visiting European travelers. Other historical records written after the cataclysmic impact caused by missionization, colonialism, and the ensuing American conquest, continuing through the 20th century, include research conducted by more formally trained ethnographers, ethnohistorians, and linguists, as well as by other chroniclers to the greater Bay Area.

Early Spanish Expeditions to the San Francisco Bay Region

According to ethnohistoric research conducted by Milliken and others, an expedition led by **Gaspar de Portola** and Father **Juan Crespi** had traveled north along the California coast north of Monterey and on October 23, 1769 had encountered the ***Quiroste*** Ohlone village of ***Mitenne*** near ***Punta de Año Nuevo*** (New Year's Point). The ***Quiroste*** were located on the Pacific coast between Bean Hollow Creek and *Año Nuevo,* and approximately 25 miles to the southwest of the ***Puichon*** tribal group, from the Palo Alto and San Francisquito Creek region of the West Bay. Milliken citing Crespi [1769] noted that:

> The friendly Quirostes showered the Spaniards with foods and gifts. They brought two or three bags of the (wild) tobacco they use, and our people took all they wanted of it. One (old) heathen man came up smoking upon a very large (and well carven) Indian pipe made of hard stone. The Indians almost all carry tall red-colored staffs, some with many feathers; they presented four of these to Sergeant Don Francisco Ortega (Milliken 2007:87)

Sometime around mid-November [1769] the Portola expedition, traveling south along the east side of the San Francisco peninsula, eventually entered the territories of the Ssalsons, Lamchins, and Puichons. The Lamchin Ohlone-speaking tribal group was the immediate northern neighbor of the Puichon, and their territory spanned from Belmont to Redwood City. The Ssalson tribal group was located north of the Lamchin. Milliken indicated that the expedition "camped in the Palo Alto area" (2007:88).

In 1770 Captain-Commander **Pedro Fages** was perhaps, the first Spanish exploration to travel through the northern part of the **San Juan Bautista** and **San Carlos/*Matalan*** tribal districts (Thámien Ohlone-speaking territory) within the greater Santa Clara Valley. The **San Juan Bautista** and **San Carlos** (aka **Matalan**) Thámien Ohlone-speaking groups occupied the areas of south San Jose to perhaps Morgan Hill. Milliken commented on and noted in his 1991 doctoral study on the San Francisco Bay tribal groups such as the "**Matalans** and **Thámiens"** (who were also intermarried with the neighboring **San Antonio** rancherias) at the time of contact (1770-1810) in the following historical account derived from Captain Fages' diary:

The **Matalans** and **Thamiens** of Santa Clara Valley watched a small Spanish party pass north through their lands in November of 1770. The party, under Pedro Fages, continued north along the east shore of San Francisco Bay (until) (sic) it reached a plain opposite the Golden Gate (presently North Oakland). ... Fages wrote of only one encounter:

> 'Up close to the lake we saw many friendly good-humored heathens, to whom we made a present of some strings of beads, and they responded with feathers and geese stuffed with grass, which they avail themselves of to take countless numbers of these birds [Fages 1770 in Bolton 1911].'

During the late 18th century, an expedition led by Captain-Commander Pedro Fages was perhaps, the first Spanish exploration to travel through the Thámien-Ohlone-speaking territory in the greater Santa Clara Valley. Milliken commented on and noted in his 1991 doctoral study on the San Francisco Bay tribal groups at the time of contact (1770-1810) the following historical account derived from Captain Fages' diary:

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The goose hunters were Tuibuns or Alsons at a lake on the Fremont Plain just south of Alameda Creek (Milliken 1991:78).

The Chochenyo Ohlone-dialect-speaking Tuibuns or the bilingual Alsons whom Fages observed at the "lake on the Fremont Plain just south of Alameda Creek" were from the Santa Agueda/Estero District and were missionized into the Santa Clara Mission "during the 1780s and 1790s" (Milliken 1995:258).

Captain Commander Fages apparently at a later date again passed through the Thámien-Ohlone-dialect-speaking region in 1772 and explored the interior of the East Bay (see Crespi in Bolton 1926:336; Hylkema 1995). However, it was not until 1774 that the first intensive exploration of the Santa Clara Valley region occurred, led by Captain Fernando Rivera y Moncada, who was accompanied by Fray (Father) Francisco Palóu. Writing of this expedition, Milliken made note of one of Rivera y Moncada's accounts:

> The next Spanish expedition into the Bay Area, in the late fall of 1774, came for the purpose of scouting locations for a possible mission and military base on the San Francisco Peninsula. ... Near the town of Coyote, probably Matalan territory, a group of local people were startled, but not terrorized.
>
> > We passed a patch of willows and cottonwoods, and now found running water in the creek. Here all at once, there were heathens standing with their weapons in hand [though] they made no show of them. In people such as these, who have no knowledge of others and live like wild beasts at bay, it is a second nature to snatch them up (Rivera y Moncada [1774] quoted in Milliken 1991:80-81).'

Milliken commenting on the Fernando Rivera *y* Moncada expedition going through the *Puichon* Ohlone territory of the West Bay noted that:

> The new Spanish party intended to document the nature of San Francisco Bay and scout a location for a Spanish presidio and mission near its mouth. Passing through the Santa Clara Valley, the party arrived among the **Puichons** on San Francisquito Creek on November 28, 1774, where it was warmly received. Here, Father Palou commented about similarities between the local language and that of the natives at Mission Carmel (Milliken 2007:89)

Presumably near the same location as noted above by Rivera y Moncada, on November 26, 1774, Father Palóu independently recorded that the expedition had descended the north slope of what was probably Tulare Hill (south San Jose) and approached a stretch of trees where they found pools of water. Palóu wrote:

> We descended the hill and approached the trees, which we found to mark a river which had water only in pools. At about half past twelve, we halted near it, close to some live oaks with which the plain of the river (was) covered. Near the camping place we found vestiges of a village which showed evidence of having been recently moved (Bolton 1926:261).

Bolton, while translating Palóu's diary, also attempted to plot the location of where the party halted: "This camp was made soon after crossing the hills north of Coyote" (ibid). Conceivably, this location possibly represents the first written record near the location of the ***Kaphan Húunikma*** (**Three Wolves Site: CA-SCL-732**) locality, because that site is located approximately one mile north of Tulare Hill (Cambra et al. 1996). The Three Wolves Site as mentioned above is located approximately 12. miles to the southeast of the first **Mission Santa Clara de *Thámien*** (where the San Jose International Airport is located), and approximately 9 miles to the southeast from the ***Thámien Rúmmeytak*** Site (**CA-SCL-128**).

Three years later, Mission Santa Clara was established on January 12, 1777. Collectively, with the establishment of Mission Dolores in 1776, Mission Santa Clara in 1777, and later Mission San Jose in 1797, located east of the Fremont Plain, the various Ohlonean tribal groups within the San Francisco Bay region began to experience the cataclysmic disintegration from this newly imposed colonial system of indenture and peonage. Milliken in one of his studies, offered the following explanation of the circumstances under which the Ohlone tribal people agreed to enter into these missions:

> Through the ritual of baptism, some young people from the Yelamu tribe began to exchange their independence for a subservient role of "neophytes" at Mission San Francisco in the spring of 1777. During the summer and fall, local **Alson** and **Thamien** teenagers joined the Mission Santa Clara community. Francisco Palóu wrote that the first converts came to the missions out of interest in cloth, trinkets, and Spanish foods.
>
> > They can be conquered first only by their interest in being fed and clothed, and afterwards they gradually acquire knowledge of what is spiritually good and evil. If the missionaries had nothing to give them, they could not be won over [Palóu 1786].

Most scholars have agreed with Palóu's assessment that a material impulse brought the first Indian converts to be baptized at the mission. Sherburne Cook [1943:73] wrote that "ceremony, music, processions" and "inducements of clothing, shelter, and food" attracted large numbers of converts over the first twenty years. Malcolm Margolin [1989:28] pointed out "the dazzle of Spanish goods" (Milliken 1991:109-110).

Panich, in his 2020 study titled "Narratives of Persistence: Indigenous Negotiations of Colonialism in Alta and Baja California," contributed to this discussion that:

> The Spanish clearly abhorred Indigenous beliefs, but they typically approached their initial face-to-face interactions with native people very differently. These were facilitated by gift exchanges that served as potent social lubricants among people of widely divergent worldviews. Like Native Californians throughout the region, Ohlone people often presented the Spanish with gifts of food and gladly received foreign objects in return – particularly glass beads and cloth that the Spanish purposefully brought along for just these kinds of occasions. There is little doubt the Spanish viewed these exchanges through an ethnocentric lens (Panich 2020:58).

While some of these limited interpretive perspectives provide an explanation from the contemporary “dominant society” perspective, which suggests, at its foundation, that “less complex Indigenous cultures” were unilaterally influenced by the “more complex European colonizing cultures,” perhaps, as an alternative perspective, we need to consider and explore possible other explanations, especially when viewing these dynamics through the social rules and mechanisms of the late 18th century California Indian worldview rather than through the colonial lens. Such alternative explanations should consider those pre-existing and established Native protocols and socio-cultural-political rules of social conduct, interaction, and integration accorded to strangers, visitors, and distinguished guests as practiced by central California tribal groups.

For example, in cases when elites and high-status families from neighboring tribal groups made arrangements to visit and/or those who were invited to ceremonies, funerals, and/or economic exchange functions (e.g., Mourning Anniversaries, ceremonial dances, weddings, trade feasts, and etc.), there were specific rules that these groups would follow as social protocols. These same social principles and rules that were enacted between tribal groups and elite families would no doubt have been in effect at the time when the Spanish expeditions made their presence known. After the period of contact had been established between the Indian tribal communities and the newly settled Spanish colonizers, no doubt, those established elites and their families desired to have their children associated (to some degree) with these newly established powerful and (relatively) wealthy Spanish entities and power brokers.

Some of these aboriginal social rules and protocols probably included:

1. Marriage arrangements of eligible teenagers for purposes of establishing and/or strengthening inter-tribal and/or intra-tribal alliances, especially between and among powerful elite families.
2. The attempt by these powerful elites and/or families of specialists to establish formal ties with these newly emergent Spanish power brokers through "apprenticeships" – by having their children enter the missions through the ritual of baptism-- and by doing so, creating and thus perpetuating an extant belief system that this "apprenticed relationship" would continue to maintain their own power brokerage with the extant and transformed communities and provide them with additional prestige within this new order.

By acting in conformance with these older socio-political-economic rules for establishing and maintaining military alliances, trade networks, and marriage alignments with neighboring tribal groups, villages and newly established Spanish colonial settlements, these elites were probably under the belief that by exercising this formal process, partially through the ceremony of baptizing themselves and/or their children, it was done as a continuation of their aboriginal power brokerage (see Bean 1978). For example, there was a reciprocal ceremonial practice of purifying with water (ritual washing) persons of the opposite moiety (deer vs. bear or land vs. water) among central California tribal groups, especially during and after the handling of the dead and their personal property. Therefore, the use of water in baptism had some pre-existing analogous practice and meaning in aboriginal purification ceremonies (Gifford 1955).

Initially, the "official policy" of the Spanish Empire was to develop the missions into self-supporting agricultural centers whereby Indians would be "civilized" and become peon laborers for the civilian pueblos and presidios. Ultimately, it was expected that the Indians would themselves become citizens of the crown and help further colonize the region for Spain (see Rawls 1986, Hurtado 1988, and Monroy 1990).

Nonetheless, the colonial experience resulted in the decimation of the California Indian tribes who were exposed to European diseases, unsanitary living conditions, and malnutrition while residing at and around the missions (Cook 1976a,b; Milliken 1995). Although the Native population was severely depleted after the first 40 years, by the time of the secularization of the missions during the mid-1830s, the surviving missionized Ohlone/Costanoan Indians continued to live and work in several Post-Contact Indian communities within the Santa Clara Valley, as well as on the various rancherias and Californio ranchos surrounding each of the other greater Bay Area missions.

Distribution of Ohlone Tribal Groups of Santa Clara Valley and Adjacent Areas

At the time of European contact in 1769, the Spanish explorers called the Indians living along the Monterey coast "Costeños," or people of the coast. After the missions were established, the Indians and the Spanish priests referred to the Mission Santa Clara Indian people as "Clareños" (Harrington 1921-1934). During the mid-19th century, scholars anglicized the term Costeños into "Costanoan" to encompass all those tribal groups whose aboriginal territories spanned from greater Monterey Bay, Missions Soledad, Santa Cruz, Santa Clara, San Francisco, the East Bay and the Carquinez Straits, and who spoke clines of distinctive but related languages (Heizer 1974; Levy 1978; Milliken et al. 2007; Milliken et al. 2009).

Very little information about the aboriginal Thámien-Ohlone speaking tribal groups who once occupied the lower Guadalupe River, Coyote Creek, and Alameda Creek drainages was recorded by Contact Period Spanish missionaries who first established Mission Santa Clara. Apparently some of these missionaries did not record the names of the many Thámien tribal rancherias and villages, as was practiced in the other neighboring Costanoan linguistic area missions (e.g., Missions San Jose, Dolores, San Juan Bautista, and others). Instead, the mission Fathers had simply assigned names of saints to the various villages and to directional "districts" surrounding Mission Santa Clara, rather than documenting the specific tribal villages from which the newly recruited and baptized Indians came, from (see C. King 1994).

Milliken (1983, 1991, 1995, and 2007) and C. King (1978, 1994), who to date have conducted the most comprehensive geopolitical reconstructive ethnohistoric studies using the available Santa Clara Mission records (also see Winter 1978a and 1978b). Their studies clearly demonstrate that both the Thámien-Ohlone speaking tribal groups of Santa Clara Valley and the neighboring East Bay Chochenyo-Ohlone speaking tribal groups (e.g., Santa Agueda, Alson, and Tuibun) of the Fremont Plain were brought under the sphere of influence of Mission Santa Clara, and many of these Indians were baptized, married, and had died at this mission. Chester King, in his 1994 study entitled “Central Ohlone Ethnohistory” noted:

> The area between San Jose and San Juan Bautista [mission] and extending from Santa Cruz to the San Joaquin Valley has proven to be difficult to map by village or tribe. At Santa Clara Mission, only the closest villages were given separate names. The more distant were grouped by region (C. King 1994:203).
>
> The closest villages to the mission were given the names “our mother Santa Clara” (north San Jose), “**our father San Francisco**” (downtown San Jose), **San Juan Bautista** (San Jose south of Hillsdale), **San Jose Cupertino** (Cupertino), **Santa Ysabel** (east San Jose), and **San Francisco Solano** (Milpitas-Alviso).
>
> The next four groups recognized in the Santa Clara Mission registers are very large and include people from villages located in particular directions from the mission. The four groups were **Santa Agueda** (villages north of Milpitas), **San Bernardino** (villages west of Cupertino), **San Carlos** (villages south of San Jose), and **San Antonio** (villages east of San Jose), northeast of San Antonio were the Luechas, and southeast of San Antonio were **Tayssen** (King 1977, Milliken 1991) [Cited by King 1994:203].

Milliken, in his 1995 published monumental doctoral study A Time of Little Choice: The Disintegration of Tribal Culture in the San Francisco Bay Area 1769-1810, provides a more detailed location for the southern neighboring **Matalan** or San Carlos group:

> The **Matalan** tribe held the Santa Clara Valley corridor from the present town of Coyote south to the present town of Morgan Hill (1995:248).

In the **Tamien Station (CA-SCL-690)** site report, Milliken also provides reconstructed information regarding the geographical distribution and inter-relationships between the Thámien Ohlone-speaking tribal groups within the region surrounding Mission Santa Clara by noting that:

> … Four of the seven towns near Mission Santa Clara supplied enough converts to suggest that they originally contained more than 100 inhabitants.
>
> **San Bernardino**, probably located on lower Stevens Creek, at what is now Mountain View (44 adult married converts 1778-1800).
>
> **San Francisco Solano**, probably situated on the lower Guadalupe River at or near present Alviso (44 adult married converts 1778-1800).
>
> **Santa Ysabel**, probably established on the lower Coyote River or Penitencia Creek, now in north San Jose (40 adult married converts, 1794-1802).
>
> **San Jose Cupertino**, probably found on Calabazas Creek or upper Stevens Creek, now part of Cupertino (50 adult married converts between 1780 -1797).
>
> The other three smaller villages were:
>
> **Our Mother Santa Clara**, which was probably west of the Guadalupe River within a few yards of one of the Mission Santa Clara sites … .
>
> **Our Patron San Francisco**, probably placed on the Guadalupe River near Our Mother Santa Clara and Santa Ysabel, east of present-day downtown Santa Clara.
>
> **San Juan Bautista**, probably located on the Guadalupe River in the Willow Glen area south of present-day downtown San Jose … . (Milliken 2004:58-59; 2007:51-52 in Hylkema 2007).

In the same study, Milliken also noted that:

> The **Santa Agueda** district was the source of 90 percent of the Native people who went to Mission San Jose. Thus, the Santa Agueda district actually must have been located on the Fremont Plain (2004:61; 2007:54) [see **Maps 1** above, 3-4 below].

In an earlier study, Milliken (1983) determined that:

> The East Bay people at Santa Clara Mission were listed under the district name "Santa Agueda." ... The earliest were the "Estero," "Alameda," "Palos Colorados," and "Este." Many "Alameda" and "Estero" adults at Mission San Jose had children that had been baptized at Santa Clara under the "Santa Agueda" designation. ... Most of the Santa Clara converts who later married at Mission San Jose were also "Santa Agueda"..., although some were from "San Bernadino"... .

> ... The Mission San Jose priests provided more detailed genealogical information for each person than did those at Mission San Francisco. ... The cross-references indicate that people from the "Estero" and the "Alameda" districts came from the Yrgin and Tuibun tribelets (Milliken 1983:99).

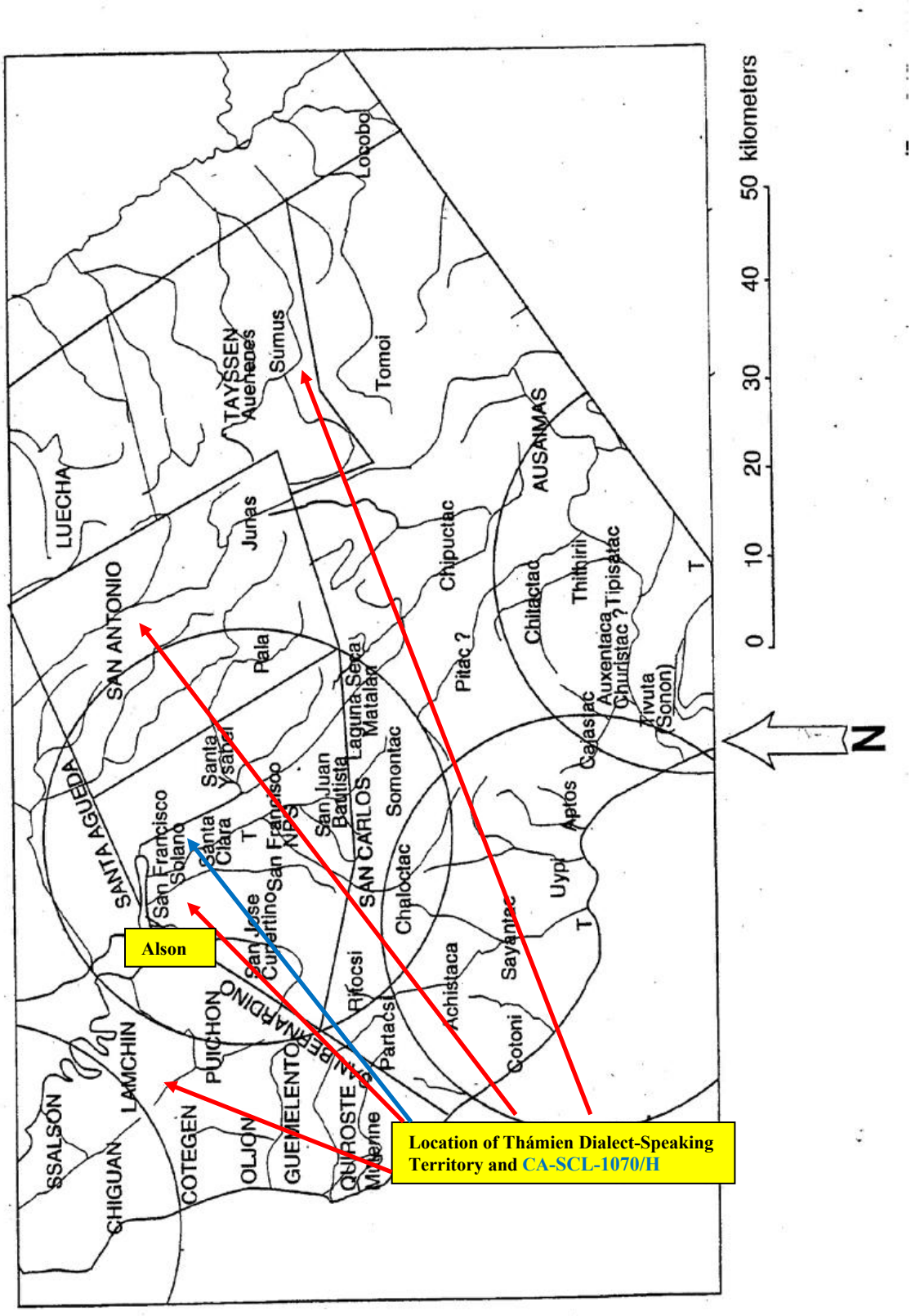
In his 1991 dissertation, Milliken presented information about the "Santa Clara Valley Conversions, 1780-1784" stating that:

> At the start of 1780 the core group of adult Christians at Mission Santa Clara were from the **Alson village** of San Francisco Solano, rather than the nearer tiny Thamien villages of Our Mother Santa Clara and Our Patron San Francisco. (1991:139)
>
> Within the Santa Clara Valley and adjacent regions, during the first twenty years since the establishment of Mission Santa Clara, Milliken suggested that "(c)onversion of adult married couples in April (1795) had been concentrated among people from the southern East Bay, **Alson**, **Tuibun**, [Santa Agueda] and perhaps **Jalquin/Yrgin**" tribal groups (1991:224).

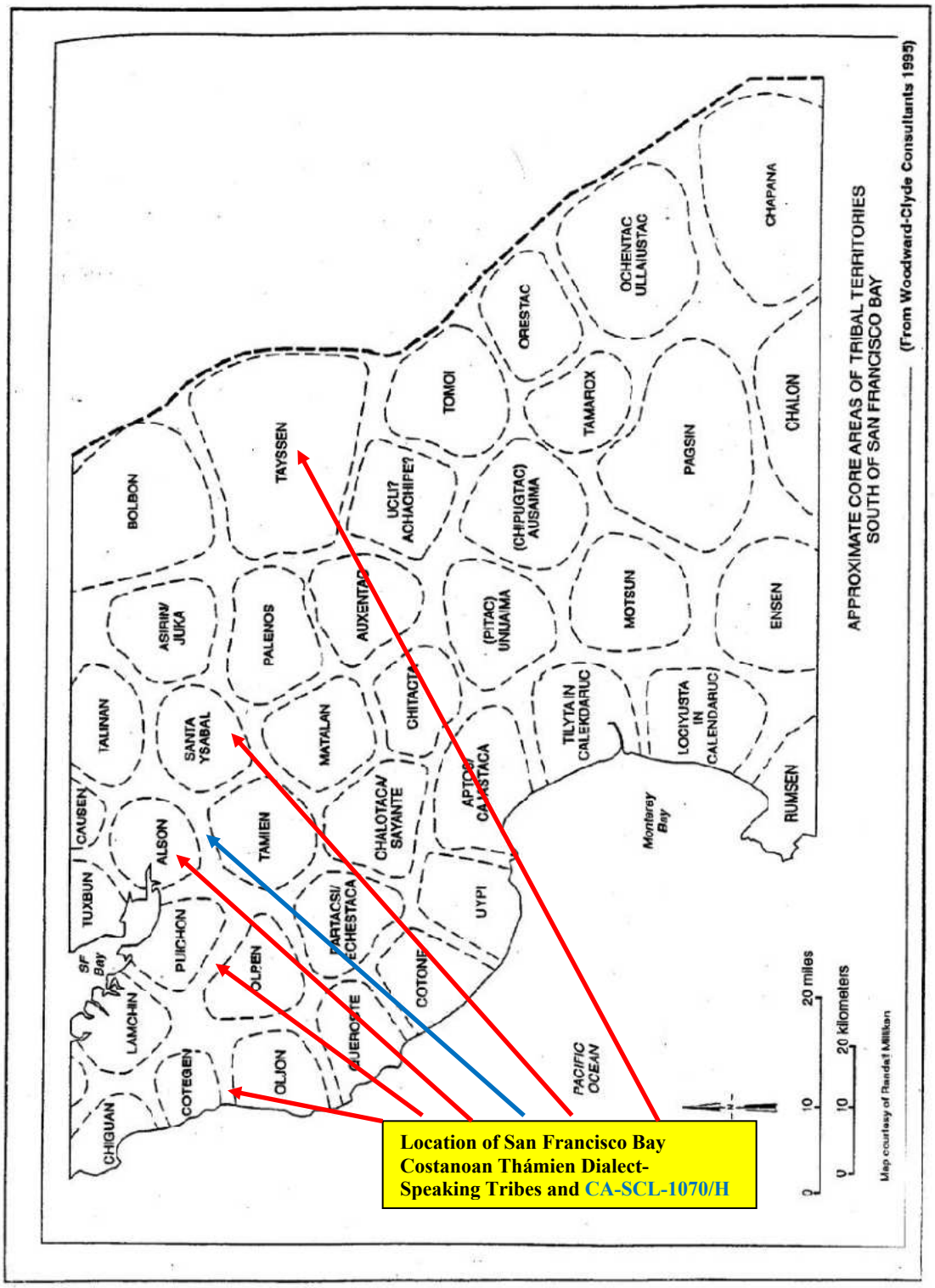
Milliken's research also demonstrated that after the Mission San Jose was established in 1797, that "(i)n January of 1801 twenty-one couples became Christians, ... (t)hey were **Alsons** and **Tuibuns** from the local villages of the Fremont Plain" (1991.:265). These East Bay Chochenyo (and possibly) Thámien-Ohlone speaking tribal couples were relations to the families from those same tribal groups who were baptized years earlier at Mission Santa Clara.

Furthermore, it is interesting to note that Milliken also pointed out that "(i)n January and February (1802) twenty-one **Jalquin/Yrgin** families moved to Mission San Francisco" and, "they were intermarried with **Seunens** and **Tatcans**" (1991:266); [see **Maps 3 - 5,** and **Figure 1 Ohlone Indians at Mission Dolores,** drawn by **Louis Choris** below].

Mánni Húyyú Muwékma Yatiš Túnnešte-tka
[Place of Where the Ancient People are Buried Site] CA-SCL-1070/H

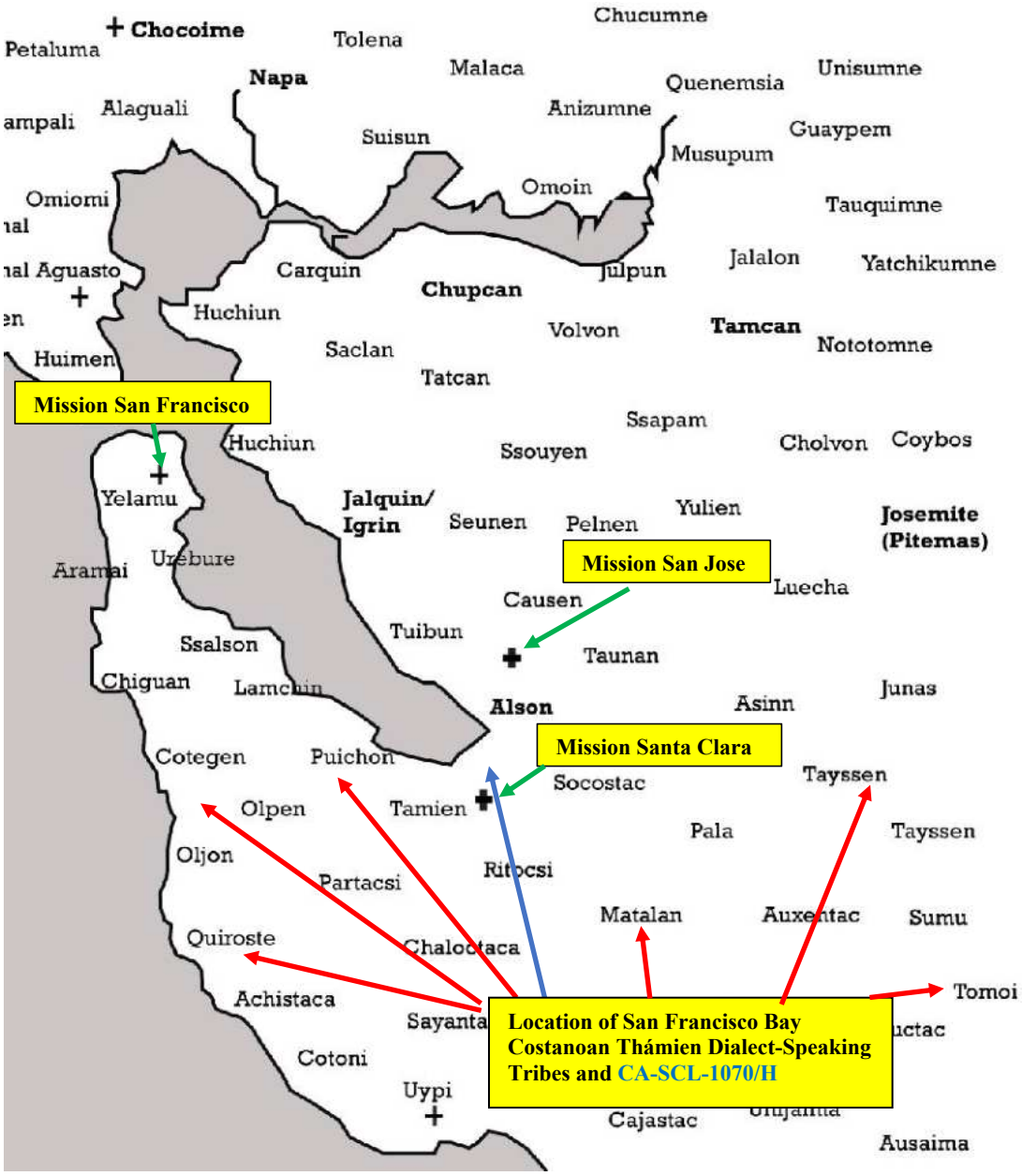


Map 3: Distribution of Thámien Ohlone Dialect-Speaking Groups/Districts and Location of CA-SCL-1070/H (blue) in the Greater Santa Clara Valley [from C. King 1994]



Map 4: Distribution of Ohlone Tribal Groups Surrounding the San Francisco Bay Costanoan Thámien Ohlone Dialect-Speaking Region [from Milliken 1994]

Mánni Húyyú Muwékma Yatiš Túnnešte-tka
[Place of Where the Ancient People are Buried Site] CA-SCL-1070/H



Map 5: Distribution of San Francisco Bay Costanoan Tribal Groups
[from Milliken 1991]



Figure 1: Ohlone Indians at Mission Dolores in 1816 [Drawn by Louis Choris, 1816]

It is important to note here that many of the lineages enrolled in the Muwekma Ohlone Tribe trace their direct ancestry to the Thámien/Chochenyo Ohlone dialect-speaking **Alson** and the Chochenyo Ohlone dialect-speaking **Seunen** and **Jalquin** tribal groups, who were missionized into Missions Santa Clara, Dolores, and San Jose.

Milliken noted that the **Alson** was "a tribe that held the low marshlands at the very southern end of the San Francisco Bay, probably both north and south of the mouth of the Coyote River [Creek] now the cities of Newark, Milpitas, and Alviso" (Milliken 1995:235). He also mentions that the **Seunen** tribal group was: "

> A tribe that held a fairly small territory at the northwest side of the Livermore Valley in the hills east of San Francisco Bay. … Most of the Seunens went to Mission San Jose between 1801 and 1804, although four of them went to Mission San Francisco in 1801 and 1802 as part of a large Jalquin group" (1995:254).

Milliken stated that the **Jalquins** and **Yrgins** were most probably a single tribal group. He suggested that the Yrgins represented the southernmost community from this tribal group who were missionized into Mission San Jose, while the northern Jalquins came under the influence of Mission Dolores in San Francisco.

The complex process that brought together East Bay and Santa Clara Valley Ohlone tribal groups into the mission system, though cataclysmic, these newly emergent mission-based communities had nonetheless maintained vestiges of their languages and culture that survived into the early 20th century. The impact of the Hispano-European colonization and missionization resulted in the first major rupture in the lives of California Indians and especially those along the coastal-interior mission strip.

Thus two of the East Bay Chochenyo Ohlone dialect-speaking linguistic consultants, Maria de los Angeles Colos, who was born in 1839/40 and Jose Guzman, who was born about 1853, had provided Smithsonian's Bureau of American Ethnology linguist John Peabody Harrington with the observation that "the **Clareños** [Indians of Mission Santa Clara] were very much intermarried with the **Chocheños** [Indians of Mission San Jose], **the dialects were similar**," and also at this time Harrington recorded the Chochenyo linguistic term – "***mu^{w}e'kma*, la gente**" [meaning the people] (Harrington 1929 field notes [1921-1939). Maria de los Angeles Colos herself was married to a Clareño Indian man named Raymundo Bernal, who also went by the surname Sunol.

Milliken (1991) based on the mission records conducted ethnogeographic reconstructions of tribal, village, and district locations surrounding Mission Santa Clara for inclusion in his doctoral dissertation and had noted that:

> The Santa Clara Mission settlement lay at the northeastern edge of the **Thamien** tribal district, very near to the lands of three other tribes. ...
>
> The missionaries at Mission Santa Clara gave each of them a Spanish designation; San Francisco Solano village of the **Alson** tribe a mile or two downstream at the mouth of the Guadalupe River, Santa Ysabel village of a different, unnamed tribe east of San Francisco Solano on the lower Coyote River, and San Joseph Cupertino village of the **Thamien** tribe in the oak grove about three miles to the southwest of the mission site (1991:117).

Chester King's Almaden Valley Ethnohistoric Study

In 1978 Chester King contributed an important ethnohistoric study focusing on one of the first major Thámien Ohlonean tribal groups to be brought into Mission Santa Clara. This study, entitled *Almaden Valley Ethnohistory,* was published in The following subsection and presents excerpted information from King's study, which principally focuses on the San Carlos Thámien Ohlone-speaking tribal group from the greater Almaden Valley and adjacent areas that were brought into Mission Santa Clara beginning in 1781:

Introduction

> The Spanish colonization of the central Santa Clara Valley centered at Mission Santa Clara, where the Ohlone Indians living in the area were concentrated. The missionization program first directed its efforts to recruiting converts to the Church from the native settlements closest to the mission. As the population of these villages was depleted, the missionaries recruited converts from greater distances. The historical evidence indicated that conversions increased following Spanish military expeditions during which native people were killed. Fear of reprisals seems to have been one of the main motives for giving children to the missions or for personally joining the system.
>
> After 1796, the mission population ceased to grow, although many Ohlone were recruited every year. Diseases introduced by the Spanish resulted in the deaths of numerous Indians. It seems as though the concentration of people beyond a certain number resulted in increases in deaths as a result of disease. Violence against the native people by missionaries, settlers, and soldiers was also a cause of death. The data in the mission registers indicates that following 1782, many parents of young baptized children died without being baptized themselves.

Mission Recruitment from the San Carlos [Matalan] Tribe

…The people of the San Carlos tribe lived in the Almaden and Coyote Valleys, with their tribal center at *Rancho La Laguna Seca*. The *Ranchos* were huge tracts of land, located in the undeveloped areas surrounding the Pueblo de San Jose, used for grazing. *La Laguna Seca* was centered in the Coyote Valley and encompassed the foothills on either side of the valley. *Rancho de Los Capitancillos* contained the Santa Cruz Mountain foothills on the east [west] side of the Almaden Valley and was probably the "Mountains" referred to in the mission data of the 1780s … .

…. When the missionaries began baptizing people from a settlement, they usually first recruited children who were surrendered by their parents. Later, the Fathers increasingly induced adults to come to the missions. Many adults were often baptized in large numbers following times of major military activity.

… [P]lacenames mentioned in the Santa Clara Mission registers for villages within the San Carlos group illustrate a model of recruitment from the area. As recruitment of neophytes for Mission Santa Clara diminished the size of the settlements closest to the mission, the missionaries began taking people from villages farther from the mission.

… The mission registers … show that in the San Carlos tribe, people who lived in the mountains or *sierra* (Los Capitancillos--Almaden) were, in 1781, the first group to be baptized by the missionaries. Following the mountain people, Indians from *Rancho La Laguna* Seca--Coyote (also called *Matalanes)* were then baptized, beginning in 1789. The last date for a baptism of a person from the mountains (Almaden) was September 1790. After 1790, most of the baptisms were from *Rancho La Laguna Seca* (Coyote). This dominance continued until July 1802, then a single baptism in September 1803 was the last recorded from *Rancho La Laguna Seca.* The main villages in the Coyote Valley and remaining settlements of the Almaden Valley were essentially abandoned in 1802. After 1802, most of the people baptized by the missionaries were from a *"Rancheria de Guarto."* In the register, a man named Guarto was baptized #4871. Some of the latest (1807) associations between the mission and the Indians were with a *rancheria* of Tomoy, which also contributed many baptisms to Mission Santa Cruz.

The information presented [in the Santa Clara baptism registry] shows that, prior to 1794 some of the children baptized by the missionaries remained in their native villages with their unbaptized parents. The Fathers usually baptized the children in a settlement first, then tried to convert the parents at a later time.

The [data] also indicates that, occasionally, old people stayed in their native villages until they died. The relatively high frequency of burials or cremations of children by non-Christian parents demonstrates resistance by many adults to converting.

[The baptismal data also] indicates that a number of non-Christian San Carlos Indians were living in the Pueblo de San Jose at the time that they were baptized during the latter half of the 1790s. The move into the Pueblo was probably prompted by the Spanish military expeditions against the Ohlone in 1794.

Relations Between the Spanish and Indians from 1782 to 1802

Militarism and Baptism:

In January of 1783, Pedro Fages, Governor of Alta California, led a military expedition against *rancherias* in the vicinity of Mission Santa Clara. Father Palou of the mission reported:

> He came back again to chastise some heathen in the neighborhood of Santa Clara who had killed some mares belonging to the settlers of the Pueblo de San Jose. The heathen took up arms, and our soldiers killed two of them without having one of ours even wounded; and being frightened by this, they voluntarily gave up some of their children for baptism (Bolton, 1926: 224).

The increase in baptisms in the San Carlos tribe in 1783 … may have been an effect of this expedition. On May 15, 1783, Fages sent a letter saying, among other things, that "the Indians of the *Sierra de San Jose* (Almaden Hills) and those around Monterey are very peaceful as a result of the threat made to them, and many have been baptized at Santa Clara Mission" (California Archives 23: 99).

Except for those from close villages, most of the baptisms made between 1783 and 1789 were of children less than eleven years old. The recruitment situation during this time was described by Father Peña on December 31, 1786:

> There are innumerable heathen in the *Rancherias* that surround the mission and only a few of them know [Christianity] from those who have become baptized. We are denied the assistance of the guard in order to go out to allure them, flatter them, and charm them, without which we are unable to assure the fruit that we are after, as we have experimented, visiting from time to time the *rancherias,* to request them humbly [to submit] to the superiority... . (AGN. Mexico: Missions, Alta California, Series 2A, Vol. 2, Santa Clara Archives).

Brutality on the part of the missionaries was both a symptom and a cause for resistance by the Ohlone. When Father Peña of Mission Santa Clara was tried in 1786 for beating four Indians to death, he cited the behavior of Spanish soldiers against the Indians in his own defense. It was probably the Fages expedition of 1783 to which Peña referred:

> ... it has already been two years since the same Captain Dn Nicholas Soler has told and published to the whole province that the Governor (Pedro Fages) had killed with lashes and had commanded the two Sargeants at the Monterey Presidio and the San Francisco Presidio to kill more than twenty heathen Indians. On occasions, soldiers use their weapons against the heathen without having encountered resistance. At times, the heathen have been left abused by the cruel punishment of being hung in the trees by a foot, by scarifying their buttocks with swords; the soldiers hang them and then beat them with staffs, alternating until they have all had a turn (AGN Prov. Internas, Vol. 1, No. 6: 46).

Military Policy in the Pueblo:

A series of dispatches written by Pedro Fages from Monterey and Ygnacio Vallejo, *Commandante* of the Pueblo de San Jose, indicates the 1785 to 1788 policy of the military. This policy was to keep all unbaptized Indians out of the settlement of San Jose, to not trade with the unbaptized Indians, to not allow the Indians to ride horseback, and to maintain an alert guard at the Pueblo because of potential attacks by the surrounding Indians, and to punish any neophyte who came to the Pueblo without passes (California Archives 44: 5-8).

On January 5, 1788, Fathers Peña and Noboa observed:

... [the heathen live with some] frequency in the Pueblo de San Jose, where many of both sexes have become semi-domestic servants and laborers of our neighbors. They are allowed to live with their old freedoms and heathen customs; along with these, they have learned other unbecoming vices that they acquaint themselves with in the Pueblo, and since they get food for their work, they reject submission to the yoke of Evangelisms. (AGN Mexico: Missions Alta Calif, Series 2A, Vol. 2, Santa Clara Archives).

The situation of non-Christian Indians living in the Pueblo de San Jose described by Fathers Peña and Noboa was counter to instructions issued by Governor Fages on September 4, 1785. Fages' orders stated that "the Indians should be watched, not let into houses, not allowed to sleep in houses, and not permitted to ride horses, nor herd animals" (California Archives 44: 5). Also, "if anyone goes out in order to trade with the Indians or non-Christians for otter hides that are worth some means ought to be punished, 103 *estoperotes are* required" *(Ibid.:* 22).

These orders seem to indicate that during the last half of the 1780s, interactions between the Spanish settlers, the military, and the unbaptized Ohlones increased. … On April 30, 1788, Arguello reported to Fages concerning an altercation between heathen Indians in the vicinity of the Santa Clara Mission and Spanish involvement. He said that Sergeant Amador was dispatched to Mission Santa Clara because of a report that the heathen of the *rancheria* near the mission had fought with the "Mountain Indians," and several mission Indians were involved in the skirmish.

Sergeant Amador found two or three Christian Indians, who had gone to see the skirmish, being punished by the missionaries upon his arrival. After this, Sergeant Amador went around to all the surrounding *rancherias* and scolded the leaders. He was informed that a heathen called "the Corporal of the laborers of the Pueblo" went about calling a meeting to make war against other heathen on account of a woman. He was captured, given several lashes, and after being held prisoner for three days, was set free (California Archives 4: 261).

A letter by Governor Fages to Macario Castro on January 2, 1790, outlined the degree to which the military should be involved in native disputes:

> When some non-Christians are being persecuted by others who have taken their women, you should persuade them that they ought to return them (the women). Try to make the persecutors see the wrong in what they have done and tell them that if I know [about it], it will make me angry. Then I will come with many soldiers to punish them. The same approach is to be used if natives of the distant *Rancherias* steal women of their neighbors. The officials should be sent to petition the chiefs with the same council. If, on the other hand, the women have already been captured for some time and are with children, leave them as they are since it is desired that the non-Christians be free (California Archives 44: 27-29).

Monterey Presidio:

The first year in which non-Christian Indians recruited from the San Jose area worked for the Monterey Presidio was 1790. Indians who lived in the Almaden Valley were probably among those providing services at Monterey, though it seems that the San Carlos tribe was not extensively involved in the labor program. After 1795, it appears that the San Antonio tribe [from the hills to the east of San Jose] provided the Presidio with most of the day laborers and harvesters of hemp.

Men were given a blanket or other payment and provisions of grain in return for working for the Presidio. In correspondence concerning Indian day laborers, *Capitancillos are mentioned.* It is possible that the name *Los Capitancillos,* associated with the Land Grant in the Almaden Valley, *was* derived from "sub-chiefs" discussed in Fages' May 31, 1790 letter to Macario Castro:

> ... neither hatchets nor other types of tools or arms are to be given to the Indians or their *Capitancillos* who struck the Indian woman. They should be admonished that if they repeat their act, they will be punished (California Archives 44: 37).

On July 22**,** 1790, Fages again wrote to Castro, this time concerning Indian laborers:

> Of the twenty-four Indians who arrived, not all are useful. The old ones have little value for the work. Can you see to getting fifty or twenty more and send them?
>
> The saddened Indian is in grievous condition due to being surprised in his dance. He has been strange; this action was not commanded, but contrary to it.
>
> In the company of Romero, you go to them. So as to not confuse them, it is best to see the *Capitancillos* and persuade them with suavity and style that four, six, or eight workers should come from each *Rancheria*. In this way they will come … (California Archives 44: 39).

On August 3, 1790, Governor Fages wrote:

> The method of gathering Indians is for the *Capitanejos* to be found and shown the need that the King has of them *(Ibid.: 41).*

On August 22, 1798, Fages wrote:

> Pablo and the other "capitan" came and pledged their aid, with Romero, they will gather the Indians in the *Rancherias* that they are able to ... *(Ibid :* 42).

Abandonment of the Almaden Valley:

The mission registers seem to indicate that most of the members of the San Carlos tribe left the Almaden Valley and were baptized sometime around 1795. Abandonment of the valley and joining the Church was probably a result of military expeditions in 1794, which were in reprisal to the Ohlone's slaughtering of Spanish stock animals. In late 1794 to early 1795, following the military action, an increase in the baptisms of adults occurred. Later baptisms listed for the San Carlos tribe are of people who were probably coming from the Coyote Valley and other areas more distant from the mission than the Almaden Valley. The pattern of baptisms from more distant areas seems to indicate that most of the Ohlone had been removed from the Almaden Valley by 1795 (Chester King 1978c:39-46 in Archaeological Resource Management 1978)

Distribution of Costanoan/Ohlone Dialects and Languages

Ohlone/Costanoan-related languages were spoken over a considerable geographic area, stretching from the San Francisco Peninsula, Angel Island and the Carquinez Strait to the north (e.g., the bilingual Karkin/Carquin) to a less well-defined southern boundary near or inland around Soledad and just south of Monterey Bay on the coast bordering Esselen and Esselen-Costanoan (e.g., the bilingual Sargentaruc) speaking tribal groups.

The interpretive linguistic literature, which includes Kroeber (1910, 1925), Beeler (1961), Levy (1976; 1978), and Milliken (1991) diverges concerning the extent to which the variation between what language was spoken from place to place should be differentiated as either **dialects** of one idiom or as completely separate languages. Levy (1976; 1978) identified eight distinct Ohlone idioms: *Ramaytush* (San Francisco Peninsula), *Awaswas* (Santa Cruz area), *Rumsen* (Monterey Bay and Carmel Valley), *Mutsun* (San Juan Bautista), *Chalon* (Soledad), *Thámien* (Santa Clara Valley), *Chochenyo* (East Bay), and *Karkin* (southern and northern shores of Carquinez Strait and possibly up to the lower the Napa Valley).

Perhaps the most weighty first-hand study in this regard was initiated by Father Felipe Arroyo de la Cuesta, who was perhaps the first literary person to describe the regional variation and interrelatedness of Costanoan/Ohlone languages. In his May 1, 1814 reply to the Interrogatory of 1812 regarding the languages spoken around Mission San Juan Bautista, Father de la Cuesta stated the following about the Costanoan/Ohlone languages:

> Though they appear to speak distinct languages, this is only accidentally true; that is, some of the words are different only because of the manner of pronunciation, in some cases rough, in others agreeable, sweet, and strong. Hence it is that the Indians living in a circumference of thirty or forty leagues* understand one another (Arroyo de la Cuesta [1814] in Geiger and Meighan 1976: 20-21).
> [***Note**: a league equals about 2⅔ miles or 4.3 kilometers]

Aided by the linguistic records written by Father Arroyo de la Cuesta, Milliken (1991) concluded that people who lived in neighboring villages and regions likely would have spoken mutually comprehensible dialects, but that those who lived at the farthest extremes of the Costanoan/ Ohlone area probably would not have been able to understand one another. If, in fact, language variation occurred as smooth clines in this way, then the southern Santa Clara Valley was one of the regions of transition from one dialect to another. The Mission San Juan Bautista Mutsun-speaking dialect, bordered on the south of the centrally located Santa Clara Valley dialect Tamien-Ohlone speaking language area, likely made the Coyote Creek corridor a place where dialectic differences merged or overlapped [see Forbes 1969:184, for the **Muwekma (Northern)** and **Mutsun-Rumsen (Southern)** divisions of Ohlonean languages; Levy 1976; 1978].

Ortiz (1994a) in her study entitled **Chocheño and Rumsen Narratives: A Comparison** points to this difference by employing Costanoan personal names generated by Milliken from the mission records, centering around the terms **Kaknú** (prairie falcon) from the Santa Clara Valley area to the North Bay and **Ka-kun** (Chicken Hawk) which was used in Costanoan-speaking tribal territories to the south of Santa Clara Valley (Mutsun/Rumsen –speaking areas within the greater Monterey Bay region):

> Kaknú's use disappears in the personal names of those individuals baptized at Mission San Carlos Borromeo, Mission Santa Cruz, and San Juan Bautista. The similar "cancun," however, occurs in the names of four persons baptized at Mission Santa Clara. Two such names belong to individuals from the Fremont area, one from the San Antonio Valley, and only one outside that area. (Ortiz 1994a:107).

The existence of the **Mutsun** and **Thámien** linguistic boundary was also noted by 19th century historian Frederic Hall in his 1871 publication **The History of San Jose and Surroundings**:

> … The tribe of Indians which roamed over this great valley, from San Francisco to near San Juan Bautista Mission (known a century ago as the Valley of San Bernardino,) were the Olhones (sic) or (Costanes.)
>
> Their language slightly resembled that spoken by the Mutsuns at the Mission of San Juan Bautista, although it was by no means the same (1871:40).

Although Levy strongly implied that language areas were coterminous with areas of ethnic identity, e.g., that those people who spoke the Chochenyo dialect self-identified as the Chochenyo people, there is no evidence to support such a view. To the contrary, regional cultural identities in native California clearly overlapped language boundaries. Moreover, based upon pre-contact inter-marriages, especially among elites, natives (especially women due to village exogamy and patrilocal residential patterns) were more than likely multi-lingual speakers (see Blackburn 1976; Milliken 1983:70; 1991), which again, in the case of the Coyote Creek corridor, seems particularly likely amongst the Thámien-speaking San Carlos/Matalan tribal group due to their strategic location bordering north of the Mutsun-speaking tribal groups. [**Note:** for an updated re-classification of the circum-San Francisco Bay Ohlone languages as a single language identified as **San Francisco Bay Costanoan** as determined by linguist Catherine Callaghan (see Milliken et al. 2009)].

Evidence of Social Stratification and Hereditary Leadership in the S. F. Bay Area

Clearly, the basic political unit for native Californians, including those of the Thámien Ohlone-speaking tribal groups, was the sedentary residential village (representing one of many within the larger geo-political tribal territory). Pre-contact and contact-period central California tribal geopolitical boundaries, social structures, subsistence-settlement patterns, and ceremonial and economic institutions were very complex, and social interactions and ritual obligations between lineages went beyond the residential village community (Goldschmidt 1951; Blackburn 1976; Bean 1978; Bean and Vane 1978; T. King 1970, 1974; Wiberg 1984; Luby 1991; Leventhal 1993; Bellifemine 1997; Panich 2020, and others).

Because of the seasonality of subsistence-related activities covering a wide range of the micro-ecosystems (e.g. fresh water creeks and streams, inland lagoons and marshes, bay shore wetlands, coastal and estuarine resources, hardwood and mixed chaparral forests, grasslands, etc.) that were all possibly located within a single tribal territory. Native families and small multi-family groups may have moved about during the course of a year from one harvesting locality to another, all within a half day's trek from sedentary villages or resource-base camps.

These temporary resource-based sites and camps, possibly composed of several temporary house-shelters, contrasted with the larger, permanent (or semi-permanent) strategically situated principal ceremonial village. Thus, each tribal group actually occupied a territory dotted with seasonal resource-related occupational and specialized task sites, lesser villages, as well as semi-sedentary and sedentary villages. The Coyote Creek corridor, with its mostly year-round water supply and a mixture of seasonally variable riparian, freshwater marshes, foothill, upland, and valley habitats, fits this description well. Father Paloú, in 1774, described his encounter with this riparian habitat:

> [We] came to a large bed of a river [Coyote Creek], well grown with cottonwoods, alders, and willows, but without water. We followed this bed along its bank, which was very high and steep, and we made out across the river on a hill to the north of a village of heathen.
>
> We followed the bed of the river and came to a thick wood of several kinds of trees and blackberry bramble, which it was necessary to cross, and in it we found some little houses of the heathen, who at the noise we made left their things and concealed themselves in the thick woods. We crossed, near a village, a good brook of running water, which we soon saw no more, and we judged that it sank into the sand (in Bolton 1926: 260).

Encompassing the territorial areas of each tribal group and its macro-resource harvest (catchment) zone were larger regions composed of several villages and their outliers (ceremonial shrines, cemeteries, and specialized task sites). The Spanish explorers called these territorial units *rancherias*. Anthropologists have described these larger regions variably. Kroeber (1939, 1962) used the term "tribelet" to denominate rather small multi-village regions that he asserted composed the largest political units in native California.

C. King's (1977) description of pre-contact conditions in the southern Santa Clara Valley offers an early assessment of the political geography of what he calls the "**Matalan** tribelet," who inhabited the Coyote Creek corridor, Almaden Valley, and environs just south of the Santa Teresa Hills area to just south of Morgan Hill. Perhaps unsurprisingly, King conflated language boundaries with the political borders of Kroeberian-defined tribelets. There is also some confusion about the extent to which villages and multi-village regions composed units of kinship, such as clans, moieties, lineages, or residence groups, which are not equivalent.

Milliken (1991) recognized that villages were residential units composed of several non-related kin groups in the Ohlone/Costanoan areas generally, and the Santa Clara Valley specifically (Milliken 2004; 2007). He also described the larger multi-village regions as political groups that defended large territories. Bean (1976) has shown that intermarriage between village elites constructed regional elites, also described by King (1977) specifically for the **Thámien**-Ohlone speaking **Matalan** tribal territory. Through trade fairs and feasts, marriages and funerals, and other important ceremonial events, were part of widespread ritual complexes such as the **Kuksú** religion. Such elites were able to intermarry across considerable distances, effectively integrating even larger zones of complex interaction.

As far as these elites and the social hierarchy are concerned, many early explorers made clear that institutions of authoritarian leadership existed among Native Californians in the San Francisco Bay area. While Father Arroyo de la Cuesta erroneously wrote "they neither had nor recognized any captain or superior" (Arroyo de la Cuesta [1814] 1976:115), he nonetheless described charismatic individuals who were instrumental in organizing both warfare and peacemaking with neighboring groups.

Milliken (2004) quoting Father Narciso Duran from Mission San Jose:

> They recognize neither distinction nor superiority at all. Only in war do they obey the most valiant or the luckiest, and in acts of superstition they obey the sorcerers and witch doctors. Outside of these they do not recognize any subordination, either civil or political (Duran quoted in McCarthy 1958: 274).

Chester King, by contrast, quoting Father Amoros' description of the natives near Mission San Carlos (Monterey) noted:

> The prominent Indians are the captains or kings. There is one for each tribe. They command obedience and respect during their lifetime. This office is hereditary, or, in default of an heir by direct descent, it goes to the closest relative. This chief alone among the pagans could retain or desert a number of unmarried women; but if he had children by one of them, she was held in higher esteem and he lived permanently with her (King 1977 quoting Heizer 1974: 41).

Bean (1976) concurs that chiefs (often referred to as ***capitanes*** (captains) by the Spaniards) utilized their kin-ties with neighboring elites to facilitate trade relations that acted as insurance against periods of relative resource deprivations, as well as possessing the power to collect and redistribute food surpluses in their own territories.

The power of chiefs and the elite families that controlled chiefly positions was symbolized by the possession of treasure goods, which passed down through families over considerable lengths of time. King's ethnohistory of the Matalan (the **San Carlos** Thámien Ohlone dialect-speaking tribal group) describes leadership and social stratification that accords with Bean's framework (see Bean and Vane 1990:279-280).

Milliken's view (1983, 1991), while tending more toward a strictly charismatic rather than a stratified view of chiefs, also makes clear the importance of leadership among the pre-contact Ohlone/Costanoan peoples. He (Milliken 1983: 55-56) cites Father Vicente de Santa Maria who wrote:

> We noticed an unusual thing about the young men: none of them ventured to speak and only their elders replied to us. They were so obedient that, notwithstanding we pressed them to do so, they dared not stir unless one of the old men told them to; ... [Santa Maria in Galvin 1971 [1775]: 31].

Leventhal in his archaeo-mortuary study entitled A Reinterpretation of Some Bay Area Shellmound Sites: A View from the Mortuary Complex at CA-ALA-329, the Ryan Mound, also considered the first-hand ethnohistoric observations made by Father Santa Maria in 1775 concerning Native political authority and military capability recorded among the **Carquin (**Karkin) Ohlone tribal group residing on both sides of the Carquinez Straits, in the southern vicinity of the Town of Martinez. Father Santa Maria noted:

> On the 15th of August the longboat set out on a reconnaissance of the northern arm [of the bay] with provisions for eight days. On returning from this expedition, which went to have a look at the rivers, José Cañizares said that in the entranceway by which the arm connects with them [Carquinez Strait] there showed themselves fifty-seven Indians of fine stature who as soon as they saw the longboat began making signs for it to come to the shore, offering with friendly gestures assurances of good will and safety.
>
> There was in authority over all these Indians one whose kingly presence marked his eminence above the rest. Our men made a landing, and when they had done so, the Indian chief delivered a long speech... .
>
> ... After the feast, and while they were having a pleasant time with the Indians, our men saw a large number of heathen approaching, all armed with bows and arrows.
>
> ... This fear obliged the sailing master to make known by signs to the Indian chieftain the misgivings they had in the presence of so many armed tribesmen. The ***themi**** (chief) (sic), understanding what was meant, at once directed the Indians to loosen their bows and put up all their arrows, and they were prompt to obey. The number of Indians who had gathered together was itself alarming enough.
>
> There were more than four hundred of them, and all, or most of them, were of good height and well-built [Santa Maria in Galvin 1971:51-53] (Leventhal (1993:155-157).

[*Note: The term ***themi*** might be in the root of the place-name **Thámien** in reference to *Capitans* or Chiefs, as in the case of the 1842 land grant to Justo Larios' **Rancho Cañada de los Capitancillos** meaning "Valley of the Little Captains" located near New Almaden in south San Jose and to site CA-SCL-967; see Leventhal et al 2020].

Captain Commander Fages (governor of Alta California, Monterey) in 1775 also contributed first-hand descriptive accounts about aspects of aboriginal contact-period political authority, social structure, and redistributive economy among the Costanoan-Esselen groups in the Monterey Bay region:

> Besides their chiefs of villages, they have in every district another one who commands four or five villages together, the village chiefs being his subordinates.
>
> Each of them collects every day in his village the tributes which the Indians pay him in seeds, fruits, game, and fish. ...
>
> The subordinate captain is under obligation to give his commander notice of every item of news or occurrence, and to send him all offenders under proper restraint, that he may reprimand them and hold them responsible for their crimes. ... Everything that is collected as the daily contribution of the villages is turned over to the commanding captain of the district, who goes forth every week or two to visit his territory. The villages receive him ceremoniously, make gifts to him of the best and most valuable things they have, and they assign certain ones to be his followers and accompany him to the place where he resides (Priestley1937:73-74).

Material Culture and Subsistence

The Spanish explorers encountered in central coastal California modes of living which were alien to their sensibilities. While the soils were clearly fertile, the native peoples did not cultivate (with the exception of native tobacco).

The numbers and diversity of wildlife astounded such early writers as Pedro Fages and Fray Juan Crespi; yet through their eyes such faunal abundance connoted untrammelled wilderness. Everywhere they traveled, they encountered villages and substantial populations of native peoples.

It is only recently that anthropologists have been able to pierce the incomprehension that the Spaniards and other European evinced about native Californian peoples before the latter's ways of life were destroyed by the activities of the former.

The material culture -- in other words, the technologies for producing goods and products [technomic, sociotechnic and ideotechnic products (after Binford 1962, 1971)] -- that native Californians created are clearly derived from their adaptation to the landscapes they inhabited and the resources they utilized. Native Californians were sedentary-to-semi-sedentary gathering, hunting, and fishing peoples living in an extraordinarily rich biotic habitat who, by their subsistence activities, tended to increase rather than deplete the resources upon which they depended. Lewis (1973), Bean and Lawton (1976) and Blackburn (1976) were among the first to demonstrate that natives' use of controlled burns augmented the growth of wild grains eaten both by humans and herds of herbivores who congregated around areas humans altered in this way. These practices have been referred to as "quasi-agriculture" and "incipient game management."

Fire management also helped to create concentrations of oak trees in specific areas from which harvests of acorns played an important seasonal role in native diets (Lewis 1973; Bean and Lawton 1976; Bean and Vane 1990; Weigel 1993; Anderson 2006; Lightfoot and Parrish 2009).

Tools manufactured by natives were thus utilized to process the foods obtained from native resource management. Hunters, mostly male (women did engage in rabbit and possibly antelope drives and fishing; (see E. Wallace 1978), flaked ultra-sharp chert and obsidian arrow points, dart points, knives, chopping tools, scrapers, etc., found at the sites of their hunting camps, hunting blinds, and village sites. Such tools could also be used by women to process and cook meat, fish, and shellfish. Both sexes likely contributed to the weaving of string, cordage, rope, fishing nets, and the construction of basketry traps for fish and small animals. But women clearly excelled in fiber manufacture: California is renowned as the locus of the finest and most diverse basketry in the world, and the macro-Ohlone/Costanoan region was no exception in this regard. Women used porous baskets to leach acorn meal in order to remove toxic tannic acid, and water-tight baskets to cook a variety of meals from various plants, animals, and fish. Baskets were used in fishing for hauling abalone and mussels from the waterside and for winnowing wild grain. Very large woven baskets on stilts acted as granaries, and very small baskets were used to store jewelry and other commodities (Elsasser 1978; Shanks and Shanks 2006).

Both genders may have worked with *Haliotis* (abalone), *Olivella* shells, colorful feathers integrated into elaborate necklaces, ear, nose, and hair ornaments, and beads woven into dance skirts, headdresses, and other ceremonial regalia (Bates 1982). While men and children commonly wore virtually no clothing during the warmer summer months, women used plant fibers and deer skin to fashion skirts and aprons. Ritual regalia and the finery of the social elite were also manufactured from the pelts of rabbits, deer, elk, antelope, bear, and wild cat or, in coastal and bay areas, from sea otter and sea lion fur.

Residential shelters were basically round grass or tule and bulrush thatched structures built on willow pole frames, while the larger, excavated semi-subterranean ceremonial buildings used for assembly or dance houses and sweat lodges (Túupentaks) probably used boughs of hardwood or redwood trees (especially on the West Bay) as center posts for structural support. The sweat lodges and dance houses (***túupentak*** in the Chochenyo dialect, but more commonly referred to in the literature by the Mexican term “temescal”) may also have been earth-covered, as elsewhere in California.

Ritual Practices and Ceremonial Sites

Of all aspects of pre-contact native Californian culture, religion and ritual evoked the most hostility from Spanish colonial invaders, whose observations accordingly are difficult to assess for accuracy. It is clear that performances which in Western discourse are referred to as dancing were central aspects of religious ritual and reenactment of Creation Time, not only in the sense of worship, but also as activities which could themselves positively affect the balance of forces in the world and universe (Bean and Vane 1978; Bean and Vane 1990).

From the reports and diaries of Fages, Font, Paloú, Crespi, Arroyo de la Cuesta, and others, it is also apparent that each region's rituals may have varied in details of procedure, regalia, and song. However, given the view that these rituals were perhaps practiced within a larger framework or ceremonial interaction sphere among neighboring tribal groups, Milliken's caution (2004) that one ought not to draw excessively direct conclusions about the nature of ritual in the Santa Clara

Valley from what is known about dance ceremonies conducted by East Bay Ohlones or the Costanoan/Esselen peoples of the Monterey region that may be useful, but not necessarily conclusive. Notwithstanding that proviso, Santa Clara Valley Ohlone tribal groups likely danced in world renewal ceremonies and paid a great deal of attention to funerary and mourning rituals, as can be ascertained by Late Period mortuary sites (e.g., **CA-SCL-128**, [***Thámien Rúmmeytak***] Holiday Inn Site (Leventhal et al. 2015; DiGiuseppe et al. 2021); CA-SCL-38, Yukisma Mound (Bellifemine 1997), CA-SCL-690 (Hylkema 2007); CA-ALA-329, Ryan Mound (Leventhal 1993); and more recently ***Sii Túupentak***/CA-ALA-565/H in Sunol (see Byrd et al. 2020).

Dance enabled participants to open and travel through doors between the conscious world and an ongoing supernatural world where the beings who had initiated the creation of the world and of human beings continued to enact mythic dramas. Dancers' regalia were imbued with the power of these rituals, and certain natural locations, such as springs, rock formations, trees, etc., marked nodal points and served as shrines where ritual performance became particularly effective (see Bean 1975; Bean and Vane 1978, 1990; Bates 1982; Davis 1992).

Humans could also hallow sacred places through the burial of their ancestors in locations that even the Spanish identified as cemeteries (Leventhal 1993; Font in Bolton 1933 below). This is of note specifically in the case of the analysis conducted at the ***Clareño Muwékma Ya Túnnešte Nómmo*** **Site (CA-SCL-30/H** – the 3rd Mission Santa Clara**)** which contained at least six thousand burials that bridged traditional Ohlonean world view and the transformed/emergent Hispano-Catholic Clareño world view of cemeteries as "sacred places" (Leventhal et al. 2011; Hylkema 1995:56; Panich 2015b:38, 2018, 2020). This is also of especial note for the purposes of this study since the ***Thámien Rúmmeytak*** **Site (CA-SCL-128)** contained over 100 ancestral burials and therefore does indeed represent the presence of a large ancient cemetery.

Pedro Font, traveling through different parts of the Santa Clara Valley, made several observations about the nature of Contact Period Ohlone cemeteries near Gilroy, noting:

> On passing near the village, I mentioned on the road we saw on the edge of it something like a cemetery. It was made of several small poles, although it was not like the cemeteries which we saw on the Channel [between Santa Barbara and the Channel Islands]. On the poles were hung some things like snails and some tule skirts which the women wear. Some arrows were stuck in the ground, and there were some feathers which perhaps were treasures of the persons buried there (in Bolton 1933: 322).

Even closer to the 3rd Mission Santa Clara Indian Neophyte cemetery ***Clareño Muwékma Ya Túnnešte Nómmo*** **Site (CA-SCL-30/H)**, and approximately 3 miles northwest of the ***Thámien Rúmmeytak*** **Site,** Father Font described the following scene within the nearby Coyote Creek corridor, located approximately 7 miles southeast of the mission. From his description, it can be understood that the use of feathers and other regalia hung from poles and related structures may not have been exclusive to cemeteries but were established as a kind of shrine:

> At this place we found still standing the poles of the little bower erected in the journey which in September of last year was made by the ship captain Don Bruno de Hezeta and Father Paloú … . We found that the Indians had made a fence of little poles around them, and in the middle had set up a thick post about three spans long, decorated with many feathers tied in something like a net, as if dressed, and with an arrow stuck through them.

> On one pole many arrows were tied and from another were hung three or four balls of grass like tamales, filled with pinole made of their seeds and of acorns, or of others of their foods which we did not recognize. In the middle of a long stake there was hung a tuft of several goose feathers, but we were unable to understand what mystery this decoration concealed (Font 1930 [1776]:321-322).

These above ethnohistoric observations potentially provide some of the parameters of ceremonial activity and ritual performance that were carried on at the **CA-SCL-128** site locality (within the ancestral Thámien-Ohlone speaking tribal territory) approximately between 2000 and ~300 years ago, when these ancestral Ohlone people died and were buried at what was to be named ***Thámien Rúmmeytak*** by the present-day Muwekma Ohlone Tribe of the San Francisco Bay Area (Leventhal et al. 2015; DiGiuseppe et al. 2021).

The Transformation of Costanoan/Ohlone Societies Resulting from the Impact of the Spanish Empire's Colonial Expansion into Alta California (1769-1836)

Based upon the research of many Californian anthropological scholars (e.g., Kroeber 1932, 1939, Goldschmidt 1951; Gifford 1955; T, King 1970, 1974; Fredrickson 1973; Bennyhoff 1977; Chartkoff and Chartkoff 1984; Moratto 1984; Bean and King, eds. 1974; Bean and Blackburn, eds. 1976; and others), prior to the time of contact with the expanding Spanish empire, central California Indian societies had already developed complex social, political, economic, and ceremonial institutions that interconnected neighboring tribal groups and regions.

This is evidenced by the wide distribution of artifact assemblages, traits, and burial patterns found in central California mortuary mounds (sometimes referred to as Shellmounds in the San Francisco Bay Area) especially during **Phases I** and **II** of the **Late Period** (**Dating Scheme B1**: Bennyhoff and Hughes 1987) or during the beginning of the **Middle-Late Transition, Augustine Pattern** post-**AD 1020** (Groza 2011; Byrd et al. 2017 the **Dating Scheme D2 Late Phase 1 (L1) AD 1265 –AD 1520** and **Late Phase 2 (L2) AD 1520 – AD 1770** (Groza et al. 2011; Byrd et al. 2019), and also demonstrated by the even wider distribution of the **Kuksú religion,** which as stated above, the religion geographically ranged from the Salinan tribal groups to the south in Monterey County to the Cahto and Yuki to the north in Mendocino County (see Mason 1918; Loeb 1932, 1933; Bennyhoff 1977; Bean and Vane 1978, 1990; Winter 1978a; Leventhal 1993; Bellifemine 1997; Hylkema 2007; Hedges 2019; Byrd et al. 2020).

These inter-regional linkages were principally integrated through mechanisms of trade, kinship (especially through marriage alliances of elites), the performance of shared rituals and ceremonial obligations (e.g., Kuksu ceremonies, trade feasts, funerals, and mourning anniversaries [see Blackburn 1976]).

Among village elites, for example, the political world clearly did not stop at the boundaries of their own territory. Elites from villages throughout the territory of Ohlone/Costanoan-speaking peoples (and neighboring linguistic groups) married their children into other elite families from important neighboring villages, in which Ohlone/Costanoan-related languages may or may not have been spoken by neighboring tribal groups (see Milliken 1993; Milliken et al. 2009).

Intermarriage gave rise to extended kinship networks of multilingual elite families and communities, whose wealth and status represented the accumulation of economic surpluses from territories much larger than the village community itself (Bean 1978; Milliken 1990, 1991; Brown 1994). Through elite intermarriage, larger regions were integrated, which overlapped and crossed linguistic boundaries (Bean and Lawton 1976; Bean 1992; Byrd et al. 2020). Elite intermarriage patterns also facilitated and underscored other regional integrating forces such as trade and ritual obligation (see Blackburn 1976). People from different villages, often distantly related, struck up personal trading relationships, called "special friendships," which often lasted whole lifetimes (Bean 1976). Through networks of "special friends" different foods, tools, and treasure goods were traded from village to village over long distances (Bean and Vane 1990).

Networks of ritual and ceremonial obligation called together large numbers of diverse peoples for particular occasions, such as the funerals of significant inter-village elite personages (Blackburn 1976). On such occasions, trade fairs also occurred where elites likely arranged the future marriages of their children. Taken all together, the trading of subsistence and treasure goods, the exchanges of marriage partners, and the cycles of ritual and ceremony tied together constellations of kin-based village communities into integrated political, economic, and cultural fields led by a small, inter-village elite strata (see Fages 1775 [1937]; Bean 1992). These elite-ruled realms might be described as quasi-chiefdoms or ranked chiefdoms (Service 1962, 1975; Fried 1967; for an archaeological perspective on evidence of social ranking within the San Francisco Bay see T. King 1970, 1974; Wiberg 1984; Luby 1991; Leventhal 1993; Bellifemine 1997; Byrd et al. 2020; and others).

The paradox of a bountiful environment, large populations, and a lack of recognizable cultivation confounded the Spaniards, the first Europeans determined to control what is now the state of California. Elsewhere in Latin America, particularly in the Andes and Meso-America (see Salomon 1981, Rappaport 1990, Smith 1990, many others), indigenous structures of governance and processes for manufacturing commodities were more familiar to European eyes. Therefore, at least for a time following the initial conquest of indigenous civilizations, the Spaniards harnessed indigenous political and economic organization for their own purposes. Because the Spaniards could not cognitively apprehend a civilization whose productive base, economic surplus, and sources of wealth were fundamentally alien, their domination of Californian natives hinged upon completely re-molding their cultures and societies into forms that were comprehensible to European sensibilities.

The Franciscan missions, the method the Spanish Empire used to lay claim to California, may be seen as the process of implanting European political and economic systems. This process required that Native American religions and cultural practices be restricted and eventually forbidden, and later, the destruction of the economic and environmental foundations of native life (Cook 1976b; Castillo 1978).

The missionized Native peoples of the Bay Area and elsewhere in coastal California became a labor force for an emergent agricultural and pastoral economy, which obliged natives to set aside most indigenous ritual and ceremonial practices, as well as the manufacture of many aspects of aboriginal material culture. As agricultural laborers, missionized Indians were largely separated from the seasonal rhythms of their own food production practices, while the growth of mission farms and rangeland for cattle initiated an environmental transformation of the Bay Area and the entire coast, which destroyed much of the resource base of the indigenous economy.

Demographic collapse of the Ohlone/Costanoan populations held captive at Mission San Francisco at the tip of the San Francisco peninsula, Missions Santa Clara and San Jose in the South and East Bay respectively; Mission Santa Cruz on the Coast; Mission San Juan Bautista farther to the south (San Benito County), and the Esselens at Mission San Carlos surrounding the Monterey peninsula occurred because of the horrendous effects of European-introduced diseases, exacerbated by the unhealthy diet and over-crowded living conditions at the missions. Birth rates plummeted from a psychological phenomenon now recognized as post-traumatic stress (Cook 1976a; Rawls 1986; Hurtado 1988; Jackson 1992).

As the populations of Ohlone/Costanoans both inside and surrounding the missions contracted from diseases, survivors tended to congregate around the missions, seeking solutions to their seemingly unsolvable problems from the missionaries and colonists who were causing those same problems. Under the circumstances of socio-cultural "holocaust" which took approximately forty years (1769-1810) to unfold, many Bay Area Ohlones may have identified with their oppressors, who seemed to have overthrown and taken control of all of the old systems of spiritual and earthly power, although others may have fled and sought protection with the interior tribes to the east (see Milliken 1991, 1995, and 2008 for a different interpretation that partly exonerates the missions).

In response to the diminution of their labor force, the Franciscan fathers and civil authorities directed Spanish soldiers to bring in new converts from outlying tribal areas. The neighboring Coast Miwok, Bay, and Plains Miwok, Yokut, Patwin, and Esselen-speaking peoples from villages located east, north, and south of the Bay Area missions became the new cohort of neophytes as laborers, and they intermarried with the surviving "*viejos Cristianos*" Ohlone-speaking peoples (Harrington 1921-1939; Milliken 1978, 1982, 1983, 1990, 1991, 1995, 2007, 2008; Milliken et al. 2009; Panich 2020, and others).

Such intermarriage patterns were, as emphasized above, already established between neighboring North Valley Yokuts, Coast Miwok, Bay Miwok, and Plains Miwok, Patwin and Ohlone/Costanoan-speaking elites during the late pre-contact and contact periods. Milliken (1991) discussing common female name suffixes among the **Huchiun-Aguastos** Ohlone/Costanoan-speaking tribal group of the southeast shore of the San Pablo Bay region, noted:

> The Huchiun-Aguastos spoke a Costanoan dialect most similar to their Huchiun neighbors, and also very similar to the Carquins, if female personal names suffix clusters are good reflections of language. "Maen/main" [mayen] was the most common female name suffix at thirty-one percent, higher than any other Bay Area group.
>
> … Huchiun-Aguastos, Huchiun, and Carquin personal names contain numerous root and suffix syllable clusters common to Coast Miwok and Bay Miwok names, such as "eyum," "joboc," "ottaca," "saquen," and "tole," suggesting extensive cultural sharing in the San Pablo Bay area across language boundaries. (1991:427)

At the missions, intermarriage apparently continued to subtly reinforce sociopolitical hierarchies and older surviving elite families. Even under the triple assault of religious conversion, ecological and economic transformation, and demographic collapse, indigenous political leadership and resistance did not disappear.

In Panich's 2020 study, he contributes to this discussion by stating that:

> In the northern region of Alta California, people of diverse tribal backgrounds bonded together based on the shared experience of living and working at particular mission establishments. Through this pattern of coalescence, mission-based Native populations typically acquired generalized identities associated with the missions themselves (e.g., Clareño, Gabrielino, etc.) but it likely that these externally applied ethnonyms masked considerable internal divisions.
>
> Time was an important variable affecting the nature of mission communities. Indigenous people who were baptized in the early years had, for better or worse, adapted certain aspects of their precontact polities and lifeways to the constraints of the mission system. These people—whom colonists dubbed *Christianos Viejos*, or "Old Christians" – may not have truly embraced Christianity more were they particularly loyal to the colonial order, but they nonetheless saw some advantages to aligning themselves with Euro-Americans, who by now were clearly here to stay (Panich 2020:99).

The missions struggled against frequent desertions by neophytes, and armed rebellions occurred at Missions Dolores, San Jose, and Santa Clara (Milliken 1983, 1991). Led by **Pomponio** and **Charquin** at Mission San Francisco (early 1820s), by the famous **Estanislao** at Mission San Jose (1828-1829), and by **Cipriano** and **Yozcolo** at Mission Santa Clara (late 1830s), indigenous guerrilla armies combined the forces of both runaway neophytes and natives from villages the Spanish had not yet dominated (Holterman 1970; Brown 1975; Rawls 1986; Milliken 2008; Panich 2020; Panich and Flores 2026). Yet the Spaniards mostly succeeded in destroying the ecological basis for the indigenous economy and in transforming the Bay Area peoples and their close neighbors into an exploited, impoverished soon-to-be landless working class.

It was as indebted peons that the ancestors of the Muwekma, the Ohlone people of the San Francisco Bay Area and elsewhere in Hispanic California, confronted the next two stages of European domination, with the secularization of the missions and the ensuing conquest of California by the United States.

West Bay Ohlone Tribal Groups and the Last of the Puichon Descended Indians – The Evencio Family of San Mateo County

Randall Milliken, Lawrence Shoup, and Bev Ortiz (2009) had conducted a comprehensive ethnohistoric study for the Golden Gate National Park on the Indians of the San Francisco Bay Area, wrote the following historic account on the Evencio family. Descended from the **Lamchin/Puichon Ohlone/San Francisco Bay Costanoan**-speaking tribal groups of the West Bay around San Francisquito Creek area and the Saclan Bay Miwok-speaking tribal group of the East Bay, Pedro Evencio (**Figure 2)** and his children were the last of the ***Doloreño*** Indians who had aboriginal descent from the West Bay. Milliken wrote:

> A four-year-old boy named Yaculo, who was to found the only San Mateo County Indian extended family documented into the twentieth century, was baptized at Mission Dolores on October 31, 1790. He was brought to the mission by his father Gesmon ("The Sun" [also spelled Exmon]) and his mother Ssipiem, San Francisco Bay Costanoan speakers from either the **Lamchin** or **Puichon** local tribe, and he was christened Evencio.

Four years later, Evencio's future parents-in-law were baptized. They were Sacalinchi and his wife Uimusmaen, who led the first group of adult **Saclan Bay Miwoks** [from the East Bay] through the baptismal ceremony at the mission in December of 1794; after fleeing in 1795 they returned with a son who was christened Juan Diego in 1798. Their mission-born daughter Geronima, Evencio's future wife, was baptized in June of 1800. Geronima and Evencio were married in about 1826 and had at least eight children between that year and 1844. Their oldest son, **Pedro Evencio**, was the man whose testimony in federal court in 1869 about the eviction of the Indians from Rancho San Mateo ...

… Pedro Evencio's paternal grandparents, Rosendo Exmon and Osana Ssapiem, were baptized at Mission Dolores in 1793 (SFR-B 1231, 1248), three years later than their son, Evencio Yaculo." Evencio Yaculo grew up in the Mission Dolores community and married Salaverba, a Huchiun San Francisco Bay Costanoan, in 1804 (SFR-M 953, SFR-B 2747).

Evencio and Salaverba had five children before she died in 1820 …. Evencio Yaculo then married Geronima sometime during the mid-1820s, although no record of the wedding has been found. The seven children of Evencio and Geronima who appear in the Mission Dolores baptismal record were baptized between 1828 and 1844. Since none of them was named Pedro, we presume that he was born in 1826 and that Evencio Yaculo and Geronima were also married that year.

Evencio Yaculo and Geronima raised their children during the Rancho Era at the mission outstation of Rancho San Mateo. Pedro Evencio stated in 1869 court testimony that his father had been the leader of the San Mateo Indian community when Pedro was young. …

Pedro Evencio married Pastora at Mission Dolores in December of 1846. She was a Churuptoy **Patwin** from the present Woodland, Yolo County, area by way of Mission San Francisco Solano (SFS-B 1166). The marriage entry lists Pedro as 20 years old and the bride as 18 (SFR-M 2162). Pedro Evencio and Pastora had four children who were baptized at Mission Dolores between 1852 and 1862. Those children were typical mixed-ancestry Doloreños, having as they did a Puichon San Francisco Bay Costanoan/Saclan Bay Miwok father and a Churuptoy Patwin mother.



Figure 2: Pedro Evencio (Photo taken by Mary S. Barnes (Stanford) in 1894)

Unfortunately, with the passing of the Evencio family, there are no other known living descendants from either the *Puichon* Ohlone or other West Bay Ohlonean tribal groups that survived into the late 20th century, with the possible exception of individuals within the Cordero family (see below).

There are, however, enrolled members of the Muwekma Ohlone Tribe, who are descendants of *Doloreños*, Ohlone Indians who were brought into Mission Dolores during the early part of the 19th century from the East Bay. Mission records attest that there was intermarriage between elites from the ***Yelamu*** Ohlone of San Francisco and the ***Jalquin*** East Bay Ohlones during the early Contact Period (Milliken 1991:111; 1995:62).

In 2009, Milliken et al. noted the recently discovered descendency of the Cordero family, noting:

> Until recently, it was believed that the last known descendant of a native Peninsula group died in the 1920s. We have now learned that Jonathon Cordero, a sociology professor at California Lutheran University, traces his family's roots back to Francisca Xavier, a San Francisco Bay Costanoan from the Aramai village of Timigtac, on the Pacific Coast just south of San Francisco.
>
> From a wider perspective, hundreds of people are alive today who descend from local groups that spoke the same San Francisco Bay Costanoan language but lived elsewhere around San Francisco Bay. Additionally, thousands of people trace their ancestry back to tribal speakers of Mutsun and Rumsen, two Monterey Bay Area languages of the same language family as San Francisco Bay Costanoan. The single-language family to which their ancestors all belonged has been labeled Costanoan since 1891, Olhonean (by a few) since the 1930s, Ohlone (by some) since 1978, and Ohlone/Costanoans (mainly by government agencies) since the early 1990s. (Milliken et al. 2009:2).

Milliken et al. also noted about the recent genealogical revelation conducted on the Cordero family [claiming to represent the recently created **Association of Ramaytush Ohlone] stated** that:

> Only one descendant family of San Francisco Peninsula Ohlone/Costanoans can now be identified. The family descends from Francisca Xaviera of the Aramai local tribe (of modern Pacifica) and her husband, Jose Ramos (from Tulanzingo, Mexico), who married at Mission Dolores in 1783. Their children and grandchildren considered themselves to gente de razón and were considered so within the hierarchical world of early Hispanic California. Their modern descendants, who carry the surnames Cordero, Robles, and Soto, among others, **have not participated as Indians in the modern cultural or political arenas** (2009:239).

Furthermore, Panich, in his 2020 publication, set the stage for the post-secularization of the Bay Area missions, stating that:

> From secularization [1834-36] to the dawn of the twentieth century, Bay Area Ohlone people faced a new set of challengers spurred by the advance of American settler colonialism. Though the promises of secularization were almost immediately broken by Mexican-period elites, Native people were able to fall back on the skills learned in the missions to maintain economic continuity in California's agrarian economy.
>
> In the late 1840s, the dual revolution of American annexation and the Gold Rush quickly transformed the region, and Ohlone families and their relations sought refuge in the hills of the southeastern Bay Area as the demographic and political changes radiated outward from the north. There, they found common cause at Alisal and other interrelated rancherias. Indigenous religion thrived at the same time that agricultural work remained an important source of livelihood despite the rapid urbanization of San Francisco, Oakland, and San Jose. The lives of individual Ohlone are difficult to see against the backdrop of the region's demographic and economic growth during this time, but Native people maintained significant social identities based on precontact and mission ancestry even as they intermarried with each other to perpetuate their contemporary community (Panich 2020:141).

1834-1846 Secularization of the Missions and its Aftermath

In the last decades of Mission San Jose's existence, between 1800 and the 1830s under Franciscan administration, the population of Ohlone peoples from the East, South, and West Bay had endured such steep demographic declines that, as mentioned above, the mission's fathers were obliged to seek further afield for native people for conversion and to provide the labor to maintain the mission's farmlands, ranches, and extensive herds.

As discussed above, many Indians from the Coast Miwok, Bay, and Plains Miwok, to the north and east of the missions, and from the North Valley Yokut and Patwin tribal groups as well, were converted at Missions Dolores, San Jose, and Santa Clara (Cook 1957, 1960; McCarthy 1958; Bennyhoff 1977; Milliken 1982, 1991, 1995, 2008; Milliken, Leventhal and Cambra 1987).

Also as noted previously, marriage exchanges between these tribal peoples followed extremely old and established kinship traditions in central California; intermarriage and strong relations of kinship continued within the setting of the mission, albeit under circumstances that Indian peoples found alien, harsh, and objectionable.

Notwithstanding the enormously destructive changes that missionization wreaked upon indigenous culture and society, the missions themselves were vulnerable to the winds of political change. Situated at the very northern edge of the Spanish empire, central California's history was really part of a larger Latin American history until the late 1840s.

The Spanish crown had decided to secularize the missions as early as 1813, but the struggle for Mexican independence intervened. Between 1834 and 1836, the Mexican Republic enacted legislation that terminated the missions and proposed to divide mission properties among the missionized indigenous peoples. Yet this division of land and resources did not fully occur in the San Francisco Bay region. Instead, the local families of Spanish-Mexican descent, known as ***Californios***, proceeded to make formal claims upon most of the property owned by missions Santa Clara and San Jose. Large cattle ranchos were created, and the *Californios* established themselves as neo-feudal lords (Phillips 1981; Milliken 2008; Milliken, Leventhal and Cambra 1987).

Milliken, co-conducting research with the Muwekma Tribe for the **Interpretive Recommendations and Background Report for the East Bay Regional Park Distric**t, noted:

> Under Spanish law, Mission lands were to be held in trust for the Indians until the government felt that they had become enough like Europeans to be considered "people of reason." The Mexican government came under strong pressure during the 1820's to ignore the Indian land rights and open up mission lands to settlement by the families of ex-soldiers and by new settlers from Mexico. The government of Mexico finally gave in to these pressures with a series of secularization acts between 1834 and 1836. On paper, these acts protected the Indian land rights. Administrators were to divide mission properties among the Indians, with the left-over lands to be allocated to Mexican immigrants through petition.
>
> A veritable land rush began among local Mexican families from San Jose when Jose Jesus Vallejo became administrator of Mission San Jose in 1836. Within a two-year period, an instant feudal aristocracy was formed, complete with a population of Indian serfs. Families such as the Vallejos, Pachecos, Alvisos, Castros, and Bernals gained control of the mission lands and herds. These new landowners continued to live in San Jose, while former Mission San Jose Indians did all the labor on various ranchos (Milliken, Leventhal and Cambra 1987:11).

Thus, the ancestors of the Muwekma Ohlone experienced a second abrupt and catastrophic shift in their lives when the Mexican government secularized the Franciscan missions. Although, as stated above, Mexican law decreed that half of all the mission-held lands were to be issued to the newly patriated neophytes, no such lands were formally granted, with the exception of three or four individual land grants to several Clareño Ohlone Indian families (see below). Most Indians left the missions to become manual laborers, domestics, and vaqueros on neighboring Californio-owned ranchos.

Mexican Land Grants Issued to Secularized Clareño Indians

Rancho Ulistac

Around the area of **Mission Santa Clara**, however, several (**Clareño**) Ohlone families were fortunate to be granted land grants by the Mexican government. In 1845, Governor Pio Pico granted the **Ulistac** land grant near Alviso in Santa Clara to **Marcello** (SCL-B #1360; baptized June 15, 1789 at age 4), whose father Alexandro Seunes (SCL-B # 4577; baptized July 21, 1804 at age 44 and died August 5, 1812) and whose mother Pacanagua (not baptized) were from the **San Bernardino** (district) Tamien Ohlone-speaking tribal group located to the west of Mission Santa Clara.

The Ulistac land grant was also issued to two other Mission Santa Clara Indian men named **Pio Guatus** (SCL-B # 4805; baptized June 21, 1805 at age 12 and died November 21, 1846) and **Cristobal** (SCL-B # 6157; baptized November 7, 1813 at age 3 days), whose father was Audito Lataig (SCL-B # 4737; baptized June 20, 1805 at age 20) and whose mother was Audita Petsilate (SCL-B # 4838; baptized June 21, 1805 at age 20, and died February 1, 1825) were from the **Tayssen** Ohlone-speaking tribal group**.**

As mentioned above, the **San Bernardino** tribal group/district was located in the Stevens Creek, Saratoga, and Pescadero Creek watersheds region to the west/southwest of Mission Santa Clara (Milliken 1995).

Pio Guatus and **Cristobal** are traced through the Mission Santa Clara Baptismal records to the **Tayssenes** Ohlone-speaking tribal group, whose territory included the upland valleys to the southeast of San Jose towards the Orestimba Creek drainage and who were located to the east of the **Paleños**/**San Antonio** tribal group (Milliken 1995:229).

Rancho **Ulistac** measured half a league (2270 acres) and included the bay shore of the present-day cities of Santa Clara and Alviso (Brown 1994).

Rancho Posolmi

Earlier, on February 15, 1844, another Clareño Ohlone Indian named **Lope Yñigo**, was issued title to 1695.9 acres (2.64 square miles) around present-day Moffett Field near Mountain View by Governor Micheltorena (Brown 1994). This land grant was called **Rancho Posolmi y Pozitas de las Animas (Little Wells of Souls).** Apparently, Yñigo was recognized as a chief or ***capitane*** of the "San Bernardino" Ohlone-speaking people who originally occupied this region. He was baptized at Mission Santa Clara in 1789 (SCL-B # 1501; baptized December 26, 1789 at age 8). Yñigo's father, Celedonio Samis (SCL-B # 3106; baptized April 5, 1795 at age 4 and died November 8, 1820) and mother, Temnen (died before being baptized) were also from the **San Bernardino** tribal district located to the west/northwest of Mission Santa Clara (Huntington Library On-Line Mission Database).

Posolmi land grant was also referred to as **Yñigo's grant**, **Yñigo Reservation** (Thompson and West 1876 Historical Atlas Map of Santa Clara County) and **Pozitas de las Animas**, or **Little Wells of the Souls**.

Although reduced to approximately 400 acres, Yñigo's claim came under review in the U.S. Land Commission of 1852 (Walkinshaw vs. the U.S. Government, Posolmi, 125, Land Case 410) and he retained this small portion of his land until his death on March 2, 1864. Yñigo was buried somewhere on his land, which is now occupied by Moffett Field and Lockheed Corporation. After Yñigo's death, it appears that his descendants may have afterwards moved to the Alviso Rancho [(see U.S. Land Commission Index to Land Grants 1852, U.S. General Land Office, Posolmi, 125, Land Case 410); Bancroft 1886; Harrington 1921-1934; Arbuckle 1968; see: Thompson and West 1876 Map identifies Yñigo Reservation (Moffett Field); Yñigo Rancho by Pat Joyce; Obituary of Yñigo in the **San Jose Patriot**)].

Rancho de los Coches

Also in 1844, Governor Manuel Micheltorena formally granted **Rancho de los Coches** (**the Pigs**), totaling 2219.4 acres, to a Mission Santa Clara (Clareño Ohlone) Indian named **Roberto Balermino** (to whom we have honored in this report). Since 1836 Roberto had occupied this land west/southwest of the confluence point where the Guadalupe River and Los Gatos Creek meet in downtown San Jose.

It is interesting to note that Rancho San Juan Bautista borders on the southeastern side of Rancho de los Coches, and the ***Clareño Muwékma Ya Túnnešte Nómmo*** **Site (CA-SCL-30/H – Mission Santa Clara)** is located approximately three miles to the northwest of Roberto's adobe/homestead.

Roberto was baptized **Roberto Antonio** on September 26, 1785 at the age of 3 years old (SCL-B # 0791). He was identified as being from the **San Juan Bautista (district)** Tamien Ohlone-speaking tribal group. Roberto's father was Juan Jose, who was baptized on December 4, 1802 at the age of 40 years (SCL-B. #4384). Juan Jose was also identified as being from the San Juan Bautista (district) Ohlone tribal group. Juan Jose's Indian name was Guascai, and he died on February 7, 1825 (MSC death register #5808). Roberto's mother's name was identified as Sulum, but there was no additional baptism information.

Rancho de los Coches was adjacent to the aboriginal territory of Roberto's tribal homeland, which included the district that the Spanish Priest called **San Juan Bautista** (again not to be confused with Mission San Juan Bautista, located south near Hollister). At the age of nineteen (around 1801) Roberto had married his first wife, Maria Estefana (this date is based upon the birth of one of their children).

Roberto's marriage to Maria Estefana connected him to the **San Francisco Solano** district located to the north of Mission Santa Clara (Milpitas/Alviso), and also connected him to the **Santa Ysabel** district to the east hills above San Jose (Brown 1994; C. King 1994).

Maria Estefana was baptized on August 8, 1785 (5 days old) and she was identified as coming from the **Santa Ysabel** (district) Costanoan/Ohlone-speaking tribal group (SCL-B. #0773). Maria Estefana's mother was **Micaelina Antonia,** who was baptized at Mission Santa Clara on June 18, 1780 at the age of 18 years. She was identified as belonging to the **San Francisco Solano** (district) Costanoan/Ohlone tribal group (SCL-B #0181).

Maria Estefana's father was named **Francisco Gil** by the Spanish priests and was baptized on April 21, 1782 at the age of 20 years (SCL-B #0347). His Indian name was Gilan. Francisco Gil was identified as coming from the **Santa Ysabel** (district) Costanoan/Ohlone tribal group. Roberto had died on October 26, 1847 (MSC death register #8053).

[**Note:** between the summer of 2009 and its grand opening on March 7, 2015, the Muwekma Tribal leadership and Language Committee brought the history and heritage of Roberto Antonio Balermino and his family back to visibility by naming a San Jose public park located at 1527 Almaden Expressway in his honor as a major Clareño Muwekma Ohlone Indian historic figure.]

Rancho La Purisima Concepcion

On the West Bay, a land grant was issued to another Clareño Ohlone Indian man named **Jose Gorgonio** and his family. **Jose Gorgonio** and his son, **Jose Ramon**, were granted **Rancho La Purisima Concepcion** by Governor Juan B. Alvarado on June 30, 1840. This rancho comprised 4,440 acres, or 1 square league, around the present-day Palo Alto/Los Altos Hills area (Brown 1994). **Jose Gorgonio** was probably baptized as **Gorgonio** (SCL-B #1721; baptized July 15, 1790 at age 1½ years). His father's Indian name was Lulquecse, and his mother's name was Seguem. Lulquecse was identified as **Chrisostomo Lulquesi** (SCL-B #2672; baptized November 27, 1794 at age 42 and had died November 5, 1801). He was listed as being from the **San Bernardino district,** located to the west of Mission Santa Clara. Gorgonio was also identified as being from the San Bernardino tribal district.

Other Mission Santa Clara Ohlone Indian Settlements

During the post-secularization period (after 1836), there were at least six Indian rancheria settlement areas established surrounding **Pueblo de San Jose**. One major rancheria was located on the **Santa Teresa Rancho** (Bernal's property) south of the Pueblo San Jose, near the Santa Teresa Hills, where **Muwekma Elder Maria de los Angeles Colos** was born in 1839. Another was located in the valley east of San Jose called **Pala Rancho**, while a third was established along the Guadalupe River above Agnew on the **Rinca de los Esteros Rancho** (City of Santa Clara)**.**

In the present-day **City of Cupertino** was the **Quito Rancho.** In **Pueblo de San Jose**, there was a settlement of "free Indians" on the east side of Market Street, and the sixth community was located further west along the banks of the Guadalupe River near Santa Clara Street (King 1978a; Winter 1978a).

<u>Establishment of the East Bay Rancherias</u>

After the secularization of the missions, many of the Mission Santa Clara (Clareño) Ohlones, including the **Luecha**, Santos, and other families, found refuge with their familial cousins residing in the East Bay on rancho lands owned by Californios, especially near the present-day towns of **Pleasanton**, **San Leandro/San Lorenzo**, **Brentwood, Livermore**, **Sunol**, **Niles**, and **Alviso** (Harrington 1921-1934).

During the years 1841-1842 some of the surviving Bay Area Mission Indians left the missions and found work on many of these neighboring ranchos as domestics, field laborers, farmhands, and vaqueros (cowboys). During this time, there appears to have been a free and independent Indian community working (possibly owning) land between the San Leandro and San Lorenzo Creeks, located within the aboriginal **Jalquin/Yrgin Chochenyo Ohlone dialect**-speaking tribal territory near present-day Hayward (see Nicholas Gray Survey Map of 1855; also see Harrington 1921-1934 interviews with Susanna Nichols, Jose Guzman, and Maria de los Angeles Colos).

Further research was conducted into the land claims made by two ancestral Muwekma Indian brothers, Ancieto and Silvestre, who lived on the **San Lorenzo/San Leandro Rancheria**. Detailed information was found in the following publication titled **A Geographic History of the San Lorenzo Creek Watershed: Landscape Patterns Underlying Human Activities. Prepared for the Alameda County Clean Water Program. A Technical Report of the Regional Watershed Program**, published in SFEI Contribution 85. San Francisco Estuary Institute, by R. Grossinger and E. Brewster, (2003). The following is an excerpt from that report:

> **Mission San Jose - Rangeland**
>
> In 1796 the alluvial plain surrounding San Lorenzo Creek, from which the Yrgin [Jalquin Ohlone] had harvested grains and hunted wildlife for generations, became part of the Mission San Jose Rancho. Established 15 miles south of San Lorenzo Creek, Mission San Jose constitutes the first major European land use of the area and a potentially significant early impact to the watershed. The Mission is also the initial center of European development of the southern East Bay.
>
> After the secularization of the California missions in 1834, the lands around San Lorenzo Creek were granted by the Mexican government to several men, including Joaquin Estudillo (San Leandro), Guillermo Castro (San Lorenzo Alto), Francisco Soto (San Lorenzo Baja), and Jose Amador (San Ramon) before the establishment of ranchos. During this period, grazing density may have reached even higher levels than during the Mission era. Some accounts put Castro's herd at 10,000–15,000 head in an area of less than 30,000 acres (a density of 1 cow/2-3 acres). As the herds expanded into the Yrgin's lands during this period, the Yrgin themselves probably served as vaqueros, herding the cattle on lands that had been previously their own. The high human mortality rate at the mission necessitated continual recruitment of converts, often using force to cause relocation to the mission. After 1810, many of the converts brought to the mission each year were from the larger populations of the Central Valley, who became the new labor force for Mission system.
>
> The relationship between native peoples and the land has typically been denigrated since European contact (e.g., "In this land of plenty they had scarcely wits enough to keep alive" (Stuart 1951). Yet local tribes not only helped shape the open grassland ecosystem that facilitated the Spanish cattle-based economy, but also largely built the Mission landscape, as the primary source of labor for Mission activities. A rare recognition is found in a cemetery marker near Mission San Jose: "Here sleep Four Thousand of the Ohlone Tribe who helped the Padres build this Mission San Jose de Guadalupe." "Sacred be their memory." (Stuart 1951: 39)

The Diramaderos, or "overflowing of the springs," was an array of mineral springs associated with the Hayward Fault. The springs produced a sizable flow (est. 3000 gallons of water per minute, ~6.7 cfs) that had a large zone of spatial influence. Early maps show stream channels extending from the springs across nearly the entire alluvial plain.

The spreading of these waters toward San Lorenzo Creek created an area between the spring channels and the creek that had an unusually high water table and supported extensive willow marshes, or "sausals." The sausals supplied native peoples with building materials and were likely managed, with techniques such as coppicing, to provide straight branches for arrows, baskets, and houses. The groves also provided shade on an open plain, shelter from the winds off the Bay, and probably contained smaller springs. In fact, the one native village in the area that was not associated with the Bay or the base of the hills was located in these groves and later became downtown San Lorenzo. The water supplied by the Diramaderos may also have been partly responsible for San Lorenzo Creek's perennial flow along its lower reaches. The flowing of the springs at Diramaderos is said to have ended with the 1868 Hayward fault earthquake.

Some writers speculate that as many as 150 people lived in the native village at Diramaderos during the early 19th century, in a community that received unusual legal recognition from the Mexican government.

As a condition of the grant to Estudillo, the Indians at the Diramaderos were granted the land "on the meadows" north of San Lorenzo Creek. These wet meadows and "overflow lands" were to be used by the Yrgin as a hunting and fishing preserve (Sandoval 1988: 43).

This stipulation was a rare instance of explicit transfer of lands to an Indian group in the Bay Area. It appears to have contributed to the general confusion regarding the boundary between Estudillo and Soto, making their claims more difficult to pursue in the American courts. Eventually, both the Yrgin and the Mexican Rancheros lost ownership of the land to immigrant Americans. A map produced as part of these court

Towns

At the time of European contact, San Lorenzo Creek watershed was part of the lands of the Yrgin people. The Yrgin appear to have been closely related to their neighbors to the north, the **Jalquin,** who lived in the vicinity of San Leandro Creek and the Redwoods, and the **Seunen**, of the present San Ramon-Dublin area to the east. The Yrgins entered Mission San Jose primarily between 1799 and 1805, due to a variety of pressures, including aggressive missionary work, disease, and a decreasing food supply.

In their initial contacts, the native people were generally peaceful in response to the newcomers. In an indicative description by Father Font, he reports that "[o]ne Indian who carried his provisions on the end of a pole invited us to eat some of them" (Bolton 1933: 357). In the vicinity of San Lorenzo Creek, Father Font describes the local language as "distinct from all those we had formerly heard," reflecting the cultural diversity of the Bay Area, which supported several dozen distinct tribes at the time of European contact (Milliken 1985).

Studies of the Alameda Creek area, several miles to the south, and other parts of the Bay Area suggest that indigenous residences shifted seasonally to utilize the resources available at different times of year. Because of the year-round availability of shellfish and other aquatic foods, however, tribes usually maintained some permanent presence in a village on the shores of the Bay. In the San Lorenzo area, the shellmounds located at the northern edge of the vast South Bay marshlands may have been such a village. During winter, migratory waterfowl were hunted in the marshes. During spring and summer, groups spread out to the collect bulbs, greens, and grass seeds from the alluvial plain. They developed base camps and brought materials back to the bayside village for winter storage. In summer and fall, the hills were utilized for hunting deer and the intensive gathering of acorns from groves of oak trees. Seasonal villages were associated with these activities.

Artifacts and historical information suggest that seasonal villages in the San Lorenzo Creek area were probably located at the Diramaderos springs, in downtown Hayward, in the vicinity of the San Lorenzo Cemetery, and at the Holy Sepulcher Cemetery.

These summer and fall habitations are located at springs or creeks at the base of the hills that would provide water sources later into the year, or, in the case of downtown San Lorenzo, along the creek in the willow groves downstream of the large spring at Diramaderos. Miller suggests that the Hayward Civic Plaza was a key village site because San Lorenzo Creek provided the only perennial source of freshwater (1975: 10).

Most of the early Spanish and American town centers in the vicinity - including San Lorenzo, Hayward, Alvarado (numerous shellmounds), and Mission San Jose (the Indian village of Oroysom) — were established on native village sites, which had already been identified as the best spots for human settlement. In fact, some of these sites, such as San Lorenzo and Alvarado, had been physically constructed by indigenous communities. Shellmounds several stories high provided an elevated position above the valley floor, removed from floods, and often planted with buckeye trees for shade.

Despite persistent Indian presence in the vicinity, squatters such as Mulford and Roberts were able to establish an American settlement in the shellmounds and willow groves near the Bay during the 1850s. "Squattersville" became the town of San Lorenzo, well-positioned for access to the waterfowl and salt resources of the marshes, and a natural crossroads (leading to its other historical name: "Four Corners").

Roads

When Europeans first explored the Bay Area, they generally didn't have to blaze trails through thick chaparral or tall grass. Rather, they followed the road - "el camino." The first Spanish expeditions commonly recorded "well-beaten paths," even in places where few native peoples were encountered (e.g., Bolton 1927: 285). Coming up the East Bay in 1776, Font comments that "the road is apart from the estuary, at first about a league and then farther and farther away" (Bolton 1933: 359) and "the road followed the foothills" (Bolton 1933: 361). Anza's diary from the same expedition summarizes the route near San Lorenzo Creek, also notes the grassland-covered hills, conspicuously lacking forest: "the road runs close to a small range completely bare of trees, for none are seen except some which grow in the canyons" (Bolton 1930: 135).

The roads encountered by the Spanish had been etched into the landscape through centuries of indigenous use, connecting villages or towns to local resources and more distant destinations. The Indian road described above linked the Santa Clara Valley with the Oakland area. With the assumption of control by the Spanish government, it became El Camino Real, the only continuous road along the East Bay plain in historical times. Present-day Mission Boulevard (East 14th St./International Blvd. in Oakland) largely follows the original Indian and subsequent Spanish road, but some adjustments were made. …

Despite these variations, many important modern roads generally follow ancient routes. Redwood Road carried felled trees from the neighboring San Leandro Creek watershed down through the less rugged Castro Valley. Marina Boulevard crossed the alluvial plain to Mulford Landing, the shellmounds, and a large salt pond. Similarly, Hesperian Boulevard split off from El Camino south of San Leandro to reach the important shellmounds, salt ponds, and landings on Alameda Creek at Alvarado (R. Grossinger and E. Brewster 2003:9-15).

As mentioned above in the study, eventually both the Indians and the Californios lost their ownership of their respective lands as a result of the U.S. land claims commission.

<u>The Enrolled Muwekma Armija Family Descendancy from Silvestre Avendano</u>

Genealogical studies conducted by the Muwekma tribal leadership, as well as genealogists, have demonstrated direct lineal descent from Silvestre and his brother, Ancieto, through Silvestre's son, Jose Elias Armija (aka Elias Aleas Armijo). The following Mission San Jose record information has been identified for Elias Armija's (Jose Aleas) ancestry. We found that Jose Elias Armija's mother, **Perpetua Ssauechequi,** was from the Tamcan Tribal group from around the Byron area.

1809 Mar 16, #1636	**Perpetua Ssauechequi**, Tamcan Tribe
Born:	1807 (2 years old at baptism)
Father:	Deceased (gentil difunto)
Mother:	Oyojola o Guayaatne
Godparent:	Maria Higuera

Jose Elias' father was Silvestre (Avendano) who was born February 26, 1800. It was from the baptismal information of one of his siblings, **Ancieto** and Fermin, that we know they were from "del estero" which is located on the Fremont Plain within the **Alson** Ohlone Tribal territory:

1800 Feb 26, #292	**Silvestre**, Mission (del estero)
Born:	Feb 26, 1800
Father:	Crisanto (neofitos)
Mother:	Crisanta
Godparents:	Teodora Peralta

By 1842, Perpetua Ssauechequi had married Silvestre Avendano in October 1842 and they had a son named Jose Elias, who was baptized at Mission San Jose:

1842 Nov 6, #8167,	**Jose Elias**
Born:	Oct 1842 (1 month old)
Father:	Silvestre Avendano (MSJ # 292)
Mother:	Perpetua (MSJ # 1636)
Godparents:	Carlos Berrelleza & Maria Josefa Galindo

The Mission records for Jose Elias document that **Silvestre Avendano** was his father, who was also baptized at Mission San Jose (MSJ Bapt. #292).

Another Muwekma lineage with an affiliation with the **San Lorenzo Rancheria** included the founding Elders **Liberato Culpecse** (born ca. 1787) and his wife **Efrena Quennato**le (born ca. 1797) who lived on that rancheria. Based on Mission San Jose record studies, the Muwekma Ohlone Tribe has documented that **Efrena Quennatole** [who was the great-grandmother of Dario, Dolores, Isabelle, Ramona, Mercedes, Victoria, Lucas, and Trina Marine; grandmother of **Avelina Cornates Marine** and **Francisca Nonessi Guzman;** and the mother of **Maria Efrena** and **Liberato Nonessi, Jr.**] was recalled by Verona Band/Muwekma Ohlone consultants **Jose Guzman** and **Maria de los Angeles Colos** during one of their interviews with Harrington (see below). Mission records indicate that Efrena Quennatole and her third husband, **Ybon Uacu-uga**, were living at "**de Rancho de San Lorenzo"** at the time of the birth and baptism of their son Ybon in 1838 (Mission San Jose baptism dated March 31, 1838).

Years later, Ybon (Jr.) Went through life by the name of Miguel Santos Pastor, and he had married Celsa Santos[1]. The following is Ybon's Mission San Jose 1838 baptismal record:

1838 Mar 31,	**Ybon**, "de Rancho de San Lorenzo"
Born:	Mar 16, 1838 (15 days old)
Father:	Ybon
Mother:	Efrena

[1] On the **1880 census, Miguel Santos** (age 40); Maria (Celsa), wife, age 35; Hosa S. (Jose Santiago), son, age 15; Maria (Antonia), daughter, age 7; Vincent (Jose Antonio), son, age 5; and Pappoose, son, age 5/12, (born January 1880), were residing in Brooklyn Township, north of the San Leandro Creek, near the old San Lorenzo Rancheria, possibly near the old town of Fitchburg (now Oakland).

Based upon his research, Milliken also discovered that during this period of time:

> One group of Indians established an independent community somewhere along the road north from Mission San Jose toward Alameda Creek during the 1840's. The head of the community was Buenaventura, one of the few survivors of the original villages from the local "Estero" area, or bayshore.
>
> Buenaventura had been baptized as a two-year-old at Mission San Jose in 1798 (JOB 161). Father Miguel Muro granted a license to Buenaventura, six other adult males, and their families on 2 November 1844. His wife, Desideria, was of a family that had moved to the mission from the Jalalon area, now eastern Contra Costa County. Buenaventura died in 1847. Desideria sold the group's license to an American in 1849. The U.S. Land Commission of the 1850's did not recognize the license as a valid land title; however, [Land Case 290 n.d. :11] (Milliken, Leventhal and Cambra 1987).

The "**Estero**" area along the bayshore included the probable **Chochenyo/Thamien Ohlone**-speaking (bilingual) **Alson** tribal group located along the lower Guadalupe River and the Chochenyo Ohlone-speaking **Tuibun** tribal group of the Fremont Plain. As discussed above, both of these groups were first missionized at Mission Santa Clara (Milliken 1983, 1991, 2007, 2008).

University of California at Davis' Native American Anthropologist/Historian Jack Forbes wrote the following perspective in his 1969 publication titled **Native Americans of California and Nevada,** resulting from the Spanish invasion of Alta California and the impacts to Native Americans during the Mexican Period:

> In summary, the Mexican Indian Period, while not witnessing any great expansion in the extent of non-Indian control, was an era of significant change for native people. Although many positive elements can be cited, such as greater unity, increased sophistication in dealing with aggressors, more adequate military ability, and the adoption of certain useful traits (such as agriculture in the Central Valley), the general trend of the period is negative. Aside from the fact that thousands of Indians were enslaved, forced to labor as neophytes or serfs, killed, flogged, separated from loved ones, and pushed into apathy and alcoholism, is the clear evidence that the still-free groups were generally weakened by disease and warfare. Thus, although the area of free Indian territory remained much the same as in 1821, the numbers of Indians living there were greatly reduced, and those that remained were being more frequently abused by alien incursions.
>
> By 1848 the native population of California had been reduced to about 100,000, with perhaps as many as 100,000 Indians dying of sickness and warfare in one generation after 1820-1821. Thus, the Mexican era was apparently more destructive to the native population than the Spanish period had been (although the loss of at least 50,000 persons between 1769 and 1820 may not be accurate since it does not reflect the possible effects of epidemics in the interior) (Forbes 1969:51).

Furthermore, it should be noted that, relative to two of the Bay Area missions during this period, approximately 6,000 Indian neophytes were buried at the **3rd Mission Santa Clara** between 1781 and 1818 (Spearman 1963; Hylkema 1995:56; Panich 2015b:38), and an additional 2,000 were buried thereafter at the 4th and 5th Mission Cemetery (1819- 1825, 1825-1836/post secularization to 1848) which does not account for all of the Native American deaths during this period. Panich, in his study, noted that "tragically, the Santa Clara mission cemeteries hold the remains of approximately 8,000 individuals, most of whom were Native Californians" (Panich 2015b:38). Furthermore, it is estimated that approximately 4,000 Indian neophytes were buried at the Mission San Jose **Ohlone Indian Cemetery** during this period (Galvan 1968; Ohlone Cemetery Marker stating: "Here Sleep Four Thousand of the Ohlone Tribe Who Helped the Padres Build This Mission San Jose De Guadalupe Sacred be Their Memory").

1846 - 1870s American Invasion, Colonization, and Post-Conquest Period

Many of the missionized Indians, who had previously labored in the mission's fields and cared for the livestock, were hired on as vaqueros by the new Californio estate-owners, who continued the tradition of controlling indigenous peoples on and near the old mission lands. Yet, many of the formerly missionized Indians who worked on these ranchos opted, in some cases, to move to the most remote areas of the backcountry within their old homelands. At least a thousand former mission Indians lived in the vicinity of Mission San Jose in the early 1840s, and it is likely that more Indians came to the area from the Mission Santa Clara region (History of Washington Township 1904).

During this historic period, the part of the East Bay extending north of Mission San Jose up to San Leandro became a region of refuge (especially after the American invasion and conquest of California), to which the missionized Indian peoples of the East and South Bay migrated and in which communities of mission survivors coalesced.

During this period, invasion of the tribal territories throughout California accelerated dramatically and created the third major rupture to the lives of California Indians. Losses of land due to the Bear Flag Revolt of 1846-47 (American Conquest under **John C. Fremont** [**Figure 3**]), the Gold Rush of 1848-49, and indifferent enforcement of the Treaty of Guadalupe Hidalgo of 1848 cut off any traditional means of subsistence and forced the ancestors of the Muwekma Ohlones residing on the East Bay rancherias and surrounding ranchos into even greater dependence on the non-Indian economy.

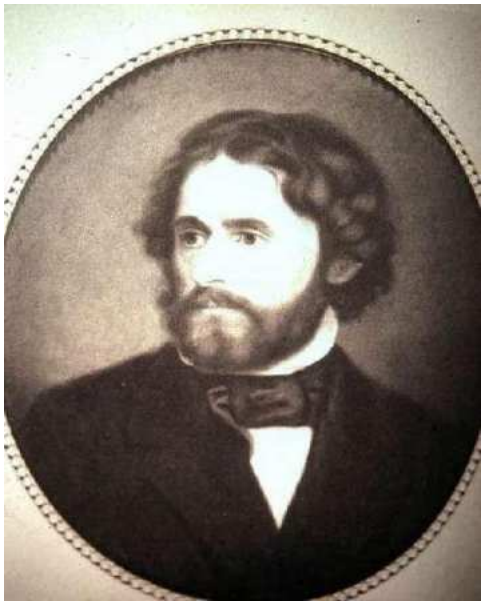


Figure 3: John C. Fremont
[Note: Sent by his Father-in-Law, Senator Thomas Hart Benton, to seize California in 1846]

The transition of power during the Gold Rush years and California Statehood witnessed great changes in policies toward Native Americans in California. One of the major figures to emerge during this period was **Peter Hardeman Burnett** (November 15, 1807 – May 17, 1895) (**Figure 4**) was an American politician who briefly served as the territorial civilian governor of California in December 1849. Burnett was the first elected state governor of California, serving from December 20, 1849 to January 9, 1851. He was also the first California governor to resign from office.



Figure 4: California Governor Peter Burnett

On September 9, 1850, California became the 31st state in the Union, and tensions were rising between the newly established American settlers as they claimed more and more Indian lands and committed depredations against tribal groups. Four months later, on January 7, 1851, in Governor Peter Burnett's first address to the California State legislature, he opined that "**a war of extermination will continue to be waged between the races until the Indian race becomes extinct** … ." (California State Senate Journal, 1851; Hurtado 1988:135).

Peter Burnett's legacy is largely mixed. While regarded as one of the "fathers" of modern California, Burnett's openly racist attitudes toward Black people, Chinese, and Native Americans have left a tarnished legacy for himself and California's treatment of minority groups. Furthermore, while Burnett was serving in the Oregon Territorial Legislature (1848) his attitude toward minorities especially African Americans helped facilitate the exclusion of Black people from that state until 1926. Also, his open hostility toward foreign laborers influenced a number of federal and state California legislators to push for legislation, such as the Chinese Exclusion Act of 1882.

As mentioned above, Burnett was also an advocate of exterminating California Indian tribes, a policy that continued with successive state administrations over the ensuing decades. The State at one point offered a bounty ranging from 25 cents to 5 dollars for Indian scalps.

After California statehood, in 1850, President Millard Fillmore and the United States Congress appointed three commissioners to enter into treaties (the only legal instrument that the federal government had to take land from tribes) with the Indians of California for the purpose of ceding and of having them quitclaim all lands identified within the eighteen treaties which were negotiated between 1851-1852 **(Figure 5).** In return for quitclaiming their aboriginal title to California, the tribes of California were to receive, as a set-aside, reservation lands totaling approximately 8.5 million acres, along with food, supplies, and services. Although reaching Washington, D.C., these eighteen treaties were never ratified by the United States Senate (Heizer 1972; Hoopes 1975).

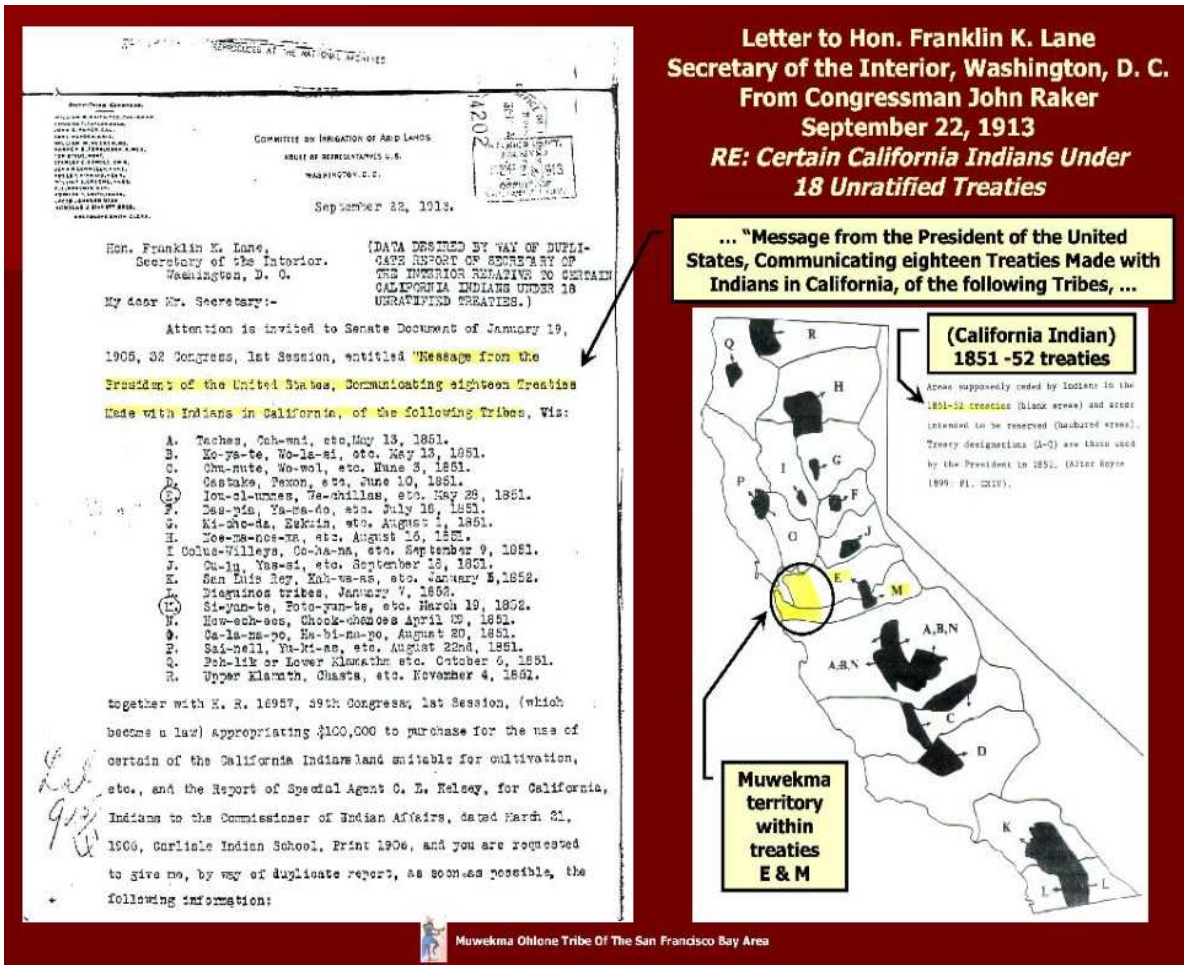


Figure 5: Eighteen Unratified Treaties of California

In a Daily Alta California article about The Indian Commissioners published on January 24, 1851 the author noted that:

> We happen to know something about the commission, something of its members, something of its intentions. Of the commissioners, we can tell the Legislature and Gov. McDougall, what they already probably know: that it has ample powers to treat and form treaties, with the Indians, that they have a *carte blanc* [sic] for that purpose, that they are prepared with proper goods for presents, and can draw upon U.S. officers here for such funds as are necessary. In reference to the members of that commission we may say that we have full confidence in their ability and integrity to consummate their mission in a manner honorable to their government, advantageous to our citizens, and for the best future for the Indians.
>
> As to their intentions and movements. Their intentions are peaceable treaties and extinguishment of Indian titles if it can be peacefully effected. For this relinquishment, of course, they are empowered to secure the native occupants for the soil a remunerative consideration in the way of installments or some other equally satisfactory and protective, which shall amply pay the Indians for the rights which they yield, and secure to them the means of subsistence (published in Exterminate Them! by Trafzer and Hyer 1999.)

Trafzer and Hyer (1999) also noted that:

> … [T]he federal government dispatched three commissioners – Redick McKee, George Barbour, and O. M. Wozencraft – to negotiate agreements with the indigenous inhabitants of California. They negotiated 18 treaties with California's tribes, which the United States Senate rejected. At one time, California's tribes controlled all of the land, water, minerals, and other resources of the region, but under the treaties of the 1850s, they would have lost most of their estate. However, they would have retained for themselves approximately one-seventh of the state as Indian reservations. Even this was too much for whites in California, and the California delegation worked feverishly to scuttle the treaties, so that the native people had little formal relationship with the federal government and so that the state could assert its powers over the Indians. As a result, California allowed whites to steal Indian land, enslave Indian children, rape native women, and murder indiscriminately Indian men, women, and children (1999: 135-136).

As stated above, the newly elected senators from California argued that the Indians should get **nothing,** and as a result the 18 unratified treaties were submerged under a seal of secrecy. No one was to know that the United States government recognized the aboriginal title of all of California, belonged to the Indians facing genocide.

In his 1969 book titled **Native Americans of California and Nevada**, Dr. Jack Forbes wrote the following perspective about the United States conquest of California:

> The Anglo-American Invasion
>
> … The United States possesses many sordid chapters in its history, but perhaps none is more sordid than that relating to the conquest of California, typified as it is by great brutality and callousness and what closely approaches genocide. This process cannot be examined in detail, since the bulk of California Indians were conquered and died in innumerable little episodes rather than in large campaigns. This fact, of course, makes the sequence of events all the more distressing since it serves to indict not a group of cruel leaders, or a few squads of rough soldiers, but, in effect, an entire people, for the conquest of the Native Californian was above all else a popular, mass enterprise.
> …
> Quite understandably, then, United States forces became involved in warfare against Indians even before the war with Mexico was officially ended. Thus, the long struggle of the Central Valley natives against the Mexican ranchers became, by 1846, a struggle also against Anglo-Americans, with U.S. troops campaigning to protect their new subjects in the San Jose area, …
>
> The Anglo-American invasion of California and adjacent areas really commenced with the Gold Rush of 1848, although the initial phase)from May 1848 to the Spring of 1849) did not involve extensive warfare. … Many ex-neophytes were brought from the coast, and large numbers of interior natives, both ranch hands and free Indians, were encouraged to prospect. Such settlers as John Sutter, P.B. Reading, and Charles Weber were especially prominent in using Indian miners,

> Weber making and advantageous agreement with José Jesus, a former neophyte alcalde of San Jose Mission who had returned to the Rio de Estanislao to fight against the Mexicans and who had succeeded Estanislao upon the latter's death. José Jesus supplied Weber with Indian miners who were so successful in locating coarse gold that they were responsible for a rush of other miners to the Stanislaus River watershed. … Many other natives searched for gold on their own, using the metal as a means for obtaining food in an environment fast becoming difficult to survive in by means of their traditional economy.
>
> …
>
> Everywhere the miners went, hostilities soon developed and understandably so, since the invaders refused to respect any native rights. Villages were uprooted, women were raped or carried off into concubinage, men were casually murdered, and, everywhere, the native food supply was ruthlessly destroyed. The Indians responded with retaliatory attacks which almost always led to the organization of campaigns of irregular militia or vigilante-type units. These campaigns often resulted in the near-extermination of whatever Indians might be in the vicinity, including women and children.
>
> …
>
> Extreme cruelty in warfare was not limited to the first few years of fighting. As late as 1858-1863 horrible massacres were perpetrated in northwestern California, as when citizens of Eureka slaughtered some 60 unsuspecting natives of all ages and sexes at Humboldt Bay, or when almost all of the males of the Wailaki and Lassik groups were killed during a "roundup" of Indians along the Eel River. …
>
> …
>
> What were the conditions faced by Native Americans in the first decades of conquest? In practical terms, the Indian existed with neither legal rights nor protection since the constitution of the State of California, adopted in 1849,deprived him illegally of citizenship; since the legislature soon prohibited Indian testimony in the courts, and since white attitudes made the killing, raping, and enslavement of an Indian no crime at all. … (Forbes 1969:52-59).

Forbes noted in a footnote that "Under the Treaty of Guadalupe Hidalgo, the United States was bound to recognize Indian citizenship in ex-Mexican areas, but the U.S. ignored this requirement" (1969:59). Forbes continued his historical narrative by quoting the following passage in an 1861 report to Congress stating that:

> In the frontier portion of Humboldt and Mendocino counties, a band of desperate men have carried on a system of kidnapping for two years past; Indian children were seized and carried into the lower counties and sold into virtual slavery … .
>
> The kidnappers follow at the heels of the soldiers to seize the children when their parents are murdered and sell them to best advantage (37th Congress, 2nd Session, Senate Ex. Doc. No. 1, v. 1, p. 759) (Forbes 1969:60).

Under the terms of these treaties, the ancestors of the Muwekma Ohlone Tribe were also to be the intended beneficiaries of two of the treaties: **E. Treaty of Dent's and Ventine's Crossing,** May 28, 1851 and **M. Treaty of Camp Fremont,** March 19, 1851.

During this transformative American Conquest period between the late 1840s and 1860s, the small steps that the Indian rancherias of the San Francisco Bay, the ancestors of the contemporary Muwekma Ohlone, had taken to revitalize their communities and culture suffered a series of severe blows. The military invasion of California by the United States in 1846 and the subsequent Gold Rush (1849), followed by statehood in 1850, ushered in a new period of genocide against indigenous Californians.

A war of involuntary servitude and extermination was launched against indigenous peoples by the first legislators of the state (Hoopes 1975; Rawls 1986). Laws barred Indians from voting, from giving testimony in court, or from bringing lawsuits (Rawls 1986; Hurtado 1988). At the same time, American laws in most cases refused to recognize the validity of the land titles for the Californios' ranchos (1853 land cases). Coupled with a crippling drought afflicting central California during the 1860s, most of the Californios could not afford to maintain their land bases and were driven off their South and East Bay estates (Wood 1883). New American owners most likely expelled the Indian vaqueros and their families from the land (Milliken 2008; Milliken, Leventhal and Cambra 1987).

Pre-and Post-Treaty of Guadalupe Hidalgo: Ancestors of the Muwekma Ohlone Find Safe Havens on Several East Bay Rancherias

Between the decades spanning 1840 and the early 1860s, for reasons that are still not completely clear, many, if not most, of the remaining Indian people from Mission San Jose, perhaps many from Mission Santa Clara and elsewhere, gathered at several refuges, which included the **Alisal (the Alders) Rancheria**, located just southwest of the city of Pleasanton on **Rancho El Valle de San Jose,** which was granted to Antonio Maria Pico, Antonio Suñol and Augustin and Juan Bernal on April 10, 1839.

One historic account about the establishment of some of the East Bay rancherias has recently come to light via the oral recollections of Mary Ann Harlan Smith, which was recorded by her daughter, Emma Smith. Mary Ann Harlan was the daughter of George Harlan, who was a wagon master on the ill-fated Donner Party expedition and who led his group successfully into California in 1846/47. Mary Ann Harlan had married Henry C. Smith in 1847 and was living at Mission San Jose at the time of the removal of the Indians to Alisal, located between Sunol and Pleasanton. Emma Smith recorded the following account from her mother:

> My husband was appointed the first Alcalde or justice of the peace by Gov. Riley, Military Governor of California. He could speak Spanish very fluently, and the Spaniards came to him with their difficulties. My husband and his brother remained in partnership for a couple of years, then his brother sold his interest to E. L. Beard and moved to Martinez. Beard and my husband continued in business for a short time. My husband purchased a tract of land two and a half miles from the Mission and also 800 acres on the Arroyo De Alameda, where he afterwards laid out and named the town of Alvarado. My second daughter, Emma, was born in Mission San Jose. … .

> I grew very tired of living there, so we built a house on the rancho, near the Mission and moved there. We engaged in farming and stock raising. In the summer of 1850, my father, who was living in Mission San Jose, died from typhoid fever at the age of forty-eight.
>
> … . **The Mission Indians had a rancheria on our rancho, and we often watched them performing their religious ceremonies.** They had a large room dug in the ground and covered with brush and earth, with one door to enter. This place was called a sweet house. The Indians decorated themselves with feathers and all sorts of ridiculous costumes. A fire was built in the center of the room, and the Indians danced around it. When one made a trip in those days from Oakland to San Jose, one would see millions of cattle and quite a lot of wheat, which was raised by the Indians.
>
> **Cholera broke out among the Indians, and a number of them died.** Their crying and howling and moaning were almost unbearable. My brother Joel was obliged to take his family and go away where they could not hear the dreadful noise. When I found out that he was going, I had our men take me and my family along. I was very much afraid of the disease. My husband was away at the time. **When he returned and found us gone, he immediately had all the Indians moved to the Alisal, located where Pleasanton now is.** (Emma Smith, 1923). [Emphasis added]

The Alisal Rancheria appears to have been established in the vicinity of a large pre-contact ancestral Muwekma Ohlone village, now underneath or near the Castlewood Country Club (Gifford 1947).

The Bernals, who, unlike many of their Californio neighbors, were able to hold onto their rancho lands, continued to maintain their economy with the help of Indian labor. The Bernals also had a long history of sponsoring Indian children as godparents and apparently had children with some of the ancestors of the Muwekma Ohlone.

Furthermore, Muwekma Elder **Maria de los Angeles Colos** (Angela), one of J. P. Harrington's principal Chochenyo speaking and cultural consultants stated that she was born on the Bernal Rancho located at the Santa Teresa Hills (near ancestral heritage site CA-SCL-125) in south San Jose, located approximately nine miles southeast from the Third Mission Santa Clara (Harrington 1921-1939; Ortiz 1994a).

From the Santa Clara and San Jose Mission records research conducted by the Muwekma Ohlone Tribe and others, it was discovered that Maria de los Angeles' parents were Zenon and Joaquina Pico, who were married at Mission Santa Clara in 1838.

Other examples of interrelationships with the Bernal and Sunol families are found in the mission records, censuses, and historic documents. In the Alisal Rancheria community, there was a Clareño Ohlone man named Raymundo Bernal, who was also identified in San Jose Mission records as Raymond Sunol. Mission Santa Clara baptismal records identify a child by the name of **Jose Raymundo (Bernal)** who was baptized on April 10, 1842 (MSC Baptism # 10219). He was identified as the son of Domingo Bernal and Maria Tacia Sunol, who were both listed as "neofitos" (baptized Indians). His godparents were **Antonio Bernal** and Eusebia Valencia.

Raymundo Bernal (Sunol) was married to a Mission San Jose woman named Angela Cornelia (Angela Colos) and they had a child named Joaquino Guadalupe Sunol, who was baptized at Mission San Jose on May 15, 1872.

1872 May 15, #1046, Page 211, **Joaquino Guadalupe Sunol** (Indiei) [Indians]
Born: Jul 7, 1872 (probably 1871)
Father: Raimundi Sunol (Bernal)
Mother: Angela Cornelia (Colos)

A year later, on May 30, 1873, Maria de los Angeles and Raymundo Bernal (Sunol) joined with other Indian couples of the Muwekma community to renew their marriage vows at Mission San Jose. Interestingly, this was done during the height of the 1870 Ghost Dance religious movement.

1873 May 30, #212, Page 62, Jose cum Refugia **-** This entry holds three marriages.
Die 30, May 1873, coram Maria Selio et Raimundo consentium renovavares J.o Jose cum Rafaela; 2. **Reimendums Bernal (Sunol) et Maria de los Angeles** 3. Maria con Selso.

In 1875, Raymundo Sunol (Bernal) and Maria had their third son, Eduardo Sunol, who was baptized at Mission San Jose on December 19, 1875:

1875 Dec 19, #1378, Page 262, **Eduardo Sunol**
Born: Oct 13, 1875
Father: Raymundo Sunol
Mother: Maria (de los Angeles)
Godparents: Philippo & Maria Catharina Gonzales*
[*Note: Philippo and Maria Catherina Gonzales were Muwekma Indians from the Alisal community.]

On the 1880 Census for **Murray Township**, Alameda County (District 26), **Angela Colos** was identified as **Sincion, Anchaline**, (Asuncion, Angeline) Indian, age 30. She was listed as a **widow** and living with her daughters, **Francisca** (**Luecha**), Indian, age 14 (born ca. 1866), Juana, Indian, age 11 (born ca. 1869), Louisa (Aloisia?), Indian, age 6, Rita (Aloisia?), Indian, age 2. Angela Colos and her family were living eight houses away from **Antonio Bernal, Jr**.

Also, on the 1880 Census for **Murray Township**, Alameda County (District 26), **Ramon Sinol** (Sunol), estimated to be 22 (born ca. 1858) was listed as a farmhand in the household of John Kottenger. He was also living not too far from Angela Colos and her daughters. Ramon was, in all likelihood, Angela and Raymundo's son Joseph, who was born in 1862. Raymundo Sunol (Bernal) and his half-sister, Francesca Luecha, appeared as godparents for another Indian couple in 1882.

Raymundo Bernal was remembered by Muwekma Ohlone Elder **Dario Marine** in 1965, when he was interviewed by members of his sister's family during the time when the Tribe was involved in saving the Ohlone Indian Cemetery located in Fremont from destruction. Dario was born in 1888 and in the 1965 interview, he identified the Ohlones who were members of the Muwekma/Verona Band/Mission San Jose Indian community. Dario remembered Raymundo and Guadalupe Bernal stating:

> **Raymundo Vernal [Bernal/Sunol]** was Great grandfather people, so were Lupe Vernal and Jose Vinoco [Binoco] an uncle" (Avelina Family History, Dario Marine Interview 1965).

In 1894, Antonio Bernal (most likely Jr.?) and Muwekma ancestor, **Magdalena Armija Marshall Thompson** (b. 1878 – d. 1931) had a daughter named Rosa Bernal who was baptized at Mission San Jose on January 26, 1895:

1895	Jan 26,	**Rosa Bernal** (Indian)
	Born:	Nov 20, 1894
	Father:	Antonio Bernal
	Mother:	Magdalena Armina (Armija)
	Godparents:	Manetta Cosmo* & Petra Igo (Phoebe Inigo)

[***Note**: Rosa's Godfather was either Daniel Cosmos or Manuel Santos]

Perhaps, as a consequence of these factors and familial interrelationships between the Bernals and Sunols and the ancestors of the Muwekma Ohlone, the Bernal family was willing to allot a portion of their rancho lands to the Muwekma Indian community, which became the Alisal Rancheria.

In other areas throughout the East Bay, small groups of formerly missionized Indians also settled at lesser-known rancherias in nearby **John Marsh Rancho Los Méganos** (along Marsh Creek in Contra Costa County), **Livermore** (**Arroyo del Mocho**), **Niles** (**El Molino**), **San Lorenzo** (**The Springs**) and **Sunol** (Harrington 1921-1934). All of these rancherias maintained close ties with their intermarried Plains Miwok, Bay Miwok, and Coast Miwok and North Valley Yokut neighbors and Ohlone blood relations (Kroeber 1904; Gifford 1926, 1927; Kelly 1932).

The Alisal Rancheria was unquestionably one of the most prominent and important communities of Ohlone Indians from at least the 1860s onward into the early twentieth century, and constituted the first known post-American conquest, Indian revitalization center within the Bay Area.

The people of Alisal and surrounding rancherias revived many dance ceremonies during the early 1870s, which strongly implies that other traditional arts and kinds of cultural knowledge, about ceremonial regalia, songs, sacred language, and crafts, also experienced a cultural resurgence. But more than revival took place at Alisal and the other rancherias.

The available evidence depicts a constant ebb and flow of people, of surviving Indians from all over the Bay Area (including Clareño Ohlones from the Mission Santa Clara area) and central California, moving into and out of Alisal, Niles, San Lorenzo, and Livermore rancherias (Gifford 1926, 1927; Gayton 1936; Kelly 1978; Harrington 1921-1939). Thus, many surviving fragments of traditional knowledge and ritual were brought together in this one place, from the many Ohlone peoples, each with their own varying customs and ways of thinking, as well as from the intermarried and neighboring Miwoks, Yokuts, and other more distant tribal peoples brought under the sphere of influence of the missions. Inevitably, a blending of older forms took place, a fusion of traditions and religious beliefs that together generated a new cultural vitality (Gifford 1926, 1927; DuBois 1939).

1870 Religious Revitalization Movement: The Ghost Dance at the Pleasanton Rancheria

Forbes discussing aspects of Native California and Nevada Indian survival strategies and resistance against the American invasion of their homelands wrote that:

> Many Indians resisted the Anglo-American conquest in passive ways, such as preserving native religions and ceremonial practices, maintaining such crafts as basketry, holding traditional dances, keeping their native language, especially in the coastal zones of central and southern California … .
>
> Still another form of resistance was in the development of religious movements based upon traditional dreaming and curing behavior but modified in the context of conquest. One of the better-known of these movements, the Adventist, or so-called Ghost Dance religion, apparently developed in Nevada in ca. 1869 when a Northern Paiute religious leader, Wodziwob, dreamed of the return of the Indian dead and that dancing would aid in their reappearance. Other preachers, such as Numatavio (father of Wovoka), Winawitu, Weneyuga, and Winnemucca, spread this doctrine in the 1871-1872 period to Idaho, northwestern California, and elsewhere. In 1871, a Northern Paiute missionary visited Indians on the North Fork of the San Joaquin and converted Joijoi, a North Fork leader. The latter subsequently made several trips to Nevada, learning songs and dances from a Paiute known as Moman. Joijoi staged dances in the San Joaquin Valley, and other converts soon spread the Adventist movement southward to Tejon and northward among various Yokuts-speaking groups.
>
> Other missionaries apparently carried the songs and dances to the Mewuk [Miwok] where, in 1871-1872, "Old Sam" was reported to be a great orator and prophet who said that mourning at death was not necessary since the dead were to return. About 1872 also, **Indians at Pleasanton** revived the central California Kuksu religion in connection with Adventist doctrines. This revived Kuksu movement was then spread by native missionaries to the Mewuk, Maidu, Pomo, and Wintun peoples, where it survived for some time, although the Adventist songs and dances were abandoned farther south and in Nevada after 1875 (Forbs 1969: 67-68).

As mentioned above, during the 1870s, a religious messianic-oriented revitalization movement referred to as "**the Ghost Dance**" spread throughout central California. This first Ghost Dance originated in Nevada, beginning around 1869, involved a Paiute prophet named Wodziwob, who taught that by dancing certain dream-inspired dances, Indian people could end the domination of their land and the destruction of their lives by the whites, and usher in a new golden age for all Indian peoples (Du Bois 1939). At Alisal, the ancestors of the contemporary Muwekma Ohlone combined elements and doctrine from the imported Ghost Dance with the ancient **Kuksú** Religion, regalia, and the complement of dances, the World Renewal Ceremonies, as well as other rites practiced throughout central and northern California (Gifford 1926; Loeb 1932, 1933; DuBois 1939; Bean and Vane 1978). So potent was the syncretic combination derived by the people of Alisal (and the surrounding rancherias) that non-Christian Native American missionaries were sent out from there to preach the new religious doctrine to other indigenous peoples to the east, south, and north of the Pleasanton (Alisal) Rancheria (Gifford 1926, 1927, 1955; Kelly 1932, 1991; Gayton 1936; Field et al. 1992).

Berkeley Anthropologist Edward W. Gifford visited the Livermore and Pleasanton region in 1914 and the Alisal Rancheria in particular. Still later, as a result of fieldwork conducted in the interior among neighboring central California tribes, Gifford reported in his Miwok Cults (1926) and Southern Maidu Religious Ceremonies (1927) that his principal cultural consultants recollected that the songs, dances, and regalia were brought to them by three non-Christian missionaries from the Pleasanton region. These three teachers were **Sigelizu**, who taught the following dances to the Central Miwok: *Tula*, *Oletcu, Kuksuyu*, *Lole*, *Sunwedi*, *Sukina*, *Kilaki*, *Mamasu*, and Heweyi. Another man named **Yoktco**, from Pleasanton, introduced similar dances to Southern Maidu, while a third, named Tciplitcu, taught these dances to Miwoks and North Valley Yokut people at Knight's Ferry.

Interestingly, all three teachers had non-Hispanic or non-Anglo names, thus perhaps representing through a revitalized religious doctrine a rejection of the colonial (alien) order. Knight's Ferry is on the Stanislaus River due east of San Jose, in ***Lacquisamne*** North Valley Yokut tribal territory (see information relating to Estanislao), showing continuous ties to the area throughout the 1870s.

The *Lacquisamne* tribal region is also where Muwekma Elder Jose Guzman's maternal grandmother, Nimfadora, originally came from in the early 19th century (Milliken, Leventhal and Cambra 1987; Milliken 1991; see MSJ baptismal record # 4276, September 26, 1820).

Ethnographic information from the Coast Miwok region on the Marin Peninsula recorded by Berkeley anthropologist Isabel Kelly, 1931-1932 (1932, 1978, and 1991) who independently provided other accounts about how important the Pleasanton/San Jose Mission [**Verona Band**] region was to the Coast Miwok and demonstrates the ebb and flow of contact between Marin and Pleasanton areas during this period. Tom Smith and Maria Copa were two of Kelly's principal Coast Miwok linguistic and cultural consultants. Kelly inquired of them, "Did they dance Kuksui at San Jose?" Maria Copa's response was:

> I should say so. My grandmother said that the people here had to buy Kuksui Dance from the San Jose people. All of those songs are in the San Jose language (Kelly 1991:354).

There were also specific references to Mrs. Martha Guzman (herself a Coast Miwok and Costanoan descendant) from Marin regarding the *kawai-yoyolomko* (horse eaters) [Costanoans]:

> This is what the people around Redwood City were called. Mrs. Guzman's father belonged to those people. I saw Mrs. Guzman last night. Her father came from Santa Clara, although once before she said Redwood City (Kelly 1991:355).

Jose Guzman (born around 1853) was one of the last knowledgeable singers from the Muwekma community until his death in 1934 (Harrington recorded 27 songs at Niles in 1930). He recollected songs that he and his father were introduced to while visiting other Indian communities to the south at Missions San Juan Bautista and San Antonio (and possibly San Carlos/Carmel) during the time the 1870 Ghost Dance was at its full height.

Although not mentioned by name, Berkeley anthropologist Cora Du Bois attempted to interview Jose Guzman in 1934 just prior to his death as part of her 1870 Ghost Dance Study, stating:

> In the central portion of California, which lies to the north and south of the Sacramento Delta, there occurred during the 1870's an interchange of dances and ceremonies.
>
> Gifford described a portion of these movements when he presented data concerning the Pleasanton revival. One man from Pleasanton, called Yoktco, took the Kuksui and other dances to the Nisenan of Ione; while Sigelizu, also of Pleasanton, imported a series of dances to the Central Miwok of Knights Ferry. Gifford is inclined to attribute the Pleasanton "revival" and the spread of dances from there to the 1870 Ghost Dance. …
>
> Unfortunately, the last survivor of the Pleasanton period, [Jose Guzman] is unable to throw light on the tentative suggestions of Gifford and Gayton. Repeated attempts to elicit information were useless because his physical disabilities and senility (Du Bois 1939:114).

U. C. Berkeley ethnographer Edward W. Gifford during the early twentieth century interviewed various Maidu and Miwok elders who remembered aspects of the 1870 Ghost Dance religious revitalization when they were young. These interior Miwok elders recollected that "there appeared... teachers of dances who came from the west" (Gifford 1926:400). As mentioned above, based upon Gifford's interviews with both Miwok and Maidu elders, they identified the names of three such missionaries: **Yoktco**, who preached among the Southern Maidu; **Sigelizu**, himself a Plains Miwok, who came to the Central Sierra Miwok; and **Tciplitcu**, a Costanoan/Ohlone man who taught the dances to the Plains Miwok, were known to have come from the Pleasanton area (ibid).

Also as mentioned above, all of these men's names are in their respective indigenous languages, whereas after missionization, Costanoan/Ohlones, Miwoks, Yokuts, and their descendants were given either Hispanic or Anglo Christian names when baptized. A more generalized revival of Indigenous names may also have taken place at Alisal, as well as on the other rancherias, in order to "reject" the older imposed colonial system. Although the Ghost Dance did not achieve its full objectives, its fluorescence at Alisal and at the other rancherias demonstrates the depth and conviction of Indigenous identity and culture in the East Bay during the late nineteenth and early twentieth centuries.

Furthermore, cultural ties to the interior tribes continued to be maintained during the 1940s and later years, especially by Dario Marine and his son, Lawrence Domingo Marine, who had married Pansy Potts (the daughter of Marie Potts) who was from one of the Maidu tribal groups. Dances that were exported from Pleasanton continued to be danced by members of the Miwok, Nisenan, and Maidu tribal communities into the present day (see Gifford 1926, 1927; Du Bois 1939). The children of Lawrence Domingo Marine (Lawrence Mason Marine and Marvin Lee Marine) were taught tribal dances and continued the tradition of dancing with these interior tribal communities to the present day, and some of these dances have been recently reintroduced back to the Costanoan/Ohlone area (News from Native California, Vol. 7 No. 3, 1993).

Marvin Lee Marine (Maidu/Muwekma) had reintroduced traditional dances back to the Costanoan/Ohlone region, with the Amah-Mutsun Tribal Band having learned some of the dances from him. His older brother, Lawrence Mason Marine, a former Muwekma tribal councilman, recently passed away on December 22, 2020 (News for Native California, Vol. 35, Issue 2, Winter 2021/2022).

Under the guidance of dance captain **Razzle Dazzle** from the central Miwoks, Muwekma has revitalized its dance traditions, with Muwekma cultural bearer and dance leader Joseph **Torres** teaching regalia making and dance (**Figure 6**).

A number of published and unpublished documents also record the lifeways and linguistic complexity of the Alisal Indian community, or, as it also came to be known after the construction by Western Pacific of the Verona Railroad Station nearby, the "**Verona Band of Alameda County.**" In 1880, the French linguist Alphonse Pinart recorded a detailed North Valley Yokuts vocabulary from the mother of Phoebe Inigo Alaniz, Maria Trinidad Gonzales, at Alisal (Kroeber 1908; Merriam 1955). Other languages were also spoken, particularly the Bay/Plains Miwok **Ki'k** (meaning "water") language, as well as the Chochenyo and Thámien Ohlone dialects, and other Costanoan idioms (Curtin 1884, Kroeber 1910; Gifford 1914; Mason 1916; Harrington 1921-1934; Milliken, Leventhal and Cambra 1987).



Figure 6: Muwekma and Miwok Dancers at the Removal of the Thomas Fallon Statue in Downtown San Jose (August 8, 2023)

<u>Late 19th Century East Bay Rancherias:</u>
<u>Muwekma Community Identified as the "Nusbaumer Indians" by Newspapers</u>

During the 1880s to the early 1900s the Muwekma Ohlone tribe and members of their community occasionally appeared in the various Bay Area newspapers. Other than referring to them just as Indians, they were at times referred to as the **Nusbaumer Indians** because the *Alisal Rancheria* was located on the land purchased by **Carl Duerr** and **Louis Nusbaumer** (**Figure 7**), which was part of the old Bernal-Sunol-Pico ***Rancho El Valle de San José*** **(Map 6).**

Furthermore, various articles written by members of the dominant society appeared in one newspaper, the *San Francisco Call,* on December 29, 1889 published caricatures of some of the notable people of the Pleasanton area, including one of the "Nusbaumer Indians," as well as another article in the *Daily Alta California* that cast negative impressions on the surviving members of the Alisal/Sunol/Niles communities.

Daily Alta California, Volume 80, Number 167, 16 June 1889
"A DECAYING TRIBE: Chief Avencio and His Four Score Subjects at Sunol Once There Were Hundreds."

The Story of Their Life as Told by Those Who Have Lived Among Them in the [Sunol] Glen— A Doomed Race.

The story is the old one of whisky, disease, and indolence, which have always marked the contact of high-pressure Caucasian civilization with the rude habits of the savage whom he found in possession of this continent through all its width of forest, mountain, and prairie between the two oceans. But in this story the chapter of violence has never been written which has been so prominent in the other tales of Indian affairs, and for that much one should be thankful; the story of the Indians of Alameda county is not blotted with the record of midnight raid and vengeful reprisal; rows of scalps do not dry in the smoke of the lodges, and murdered settlers not lie bleeding on the edges of their clearings.

It is a story of the survival of the fittest, which is the strongest, of the steady, merciless extinction of the lower race before the higher. What remnants have they left? A shell mound on the bay shore, two more on the encinal shore of the basin, a few forgotten burial places in the marshes or the canyons in the hills, just one topographical name, and some eighty people slowly dying in **Sunol Glen** and at **Niles**. Once they covered the land. The mission priests of the rule of St. Francis found them numerous enough a century ago to found, for their instruction, the Mission of San Jose, where pious fathers taught native catechumens that Christian civilization of progress which has killed them. In the childhood of men yet young, there were still hundreds of them, and now but four score may be found. Who knows aught about them?

Neglected by the church, **forgotten by the Government**, they linger in the canyon of the Alameda, where passers on the railroad sometimes catch a glimpse of the brown shimmer of their skins as they wade the creek in search of fish; the curious may have caught a phrase or so of their guttural speech, but it is probable that there is not a white man in the county who knows by what name they call themselves. Long years ago the **Nusbaumers** settled in the narrows of the Livermore valley, first at Pleasanton, later on a portion of the **Rancho el Valle de San Jose** at Sunol. The Indians then were thick all about them, and it is from conversation with the two brothers, **George Nusbaumer**, the County Surveyor, and **Emil Nusbaumer**, of the District Attorney's office, that this fragmentary account of the remnants of the Indians has been drawn.

Wherever, in the pastoral days of the land, there was a Spanish rancho, there was always in the neighborhood an Indian rancherie, whose people were practically peons of the Spaniards. But they led an easy life, their services were only seldom required, and meanwhile they were not ill-treated, and received a fair provision of food in case of need; but the land was such a savage paradise, so filled with all sorts of game, that the food supply rarely gave them concern. When the Nusbaumers lived at Pleasanton there was a large rancherie on the Bernal portion of the rancho, and the Indians were all about.

When they moved to the old homestead in the glen, the chief, **Avencio**, who still lives, came to ask permission to build a rancherie on the property, which was granted; and the Nusbaumer boys had, therefore, good facilities for watching the Indian life. [Note* Although this is the name of Jose Guzman and his father Habencio Guzman, this might be taken as the name of **Captain Jose Antonio,** or Habencio was indeed one of the tribe's Captains and resistance leaders (also see Panich and Flores 2026)].

In this rancherie were nine large houses, a temescal, and a number of smaller houses. These structures were uniformly four sided, with a pitched roof. The walls were formed by driving stakes of the proper length and then weaving between them osiers and reeds tied with rawhide. Over this was plastered adobe. The roofs were made of tules and were quite water-tight. The floors were always the natural soil, stamped hard and even. It was characteristic of the tribe that though they carefully eschewed any neatness about their persons, their houses were kept very clean, and before each was a little area where no rubbish was allowed to lie. A sweat-house, known in the native tongue as a "temescal," [*Túupentak*] was a prominent feature of every rancherie. It was always built near some pool in the creek, and was generally partly underground. A pit was dug about four feet deep and some fifteen feet across, and over this was built a penthouse with a small vent in the top. The only entrance was through a little passage some ten feet long, which would allow a man to enter by crawling, and at its inner end was a door, which could be closed so as almost completely to exclude the air. Into this they were wont to crawl whenever ill, build a fire on the floor and fill it with cobbles, and when they were sufficiently heated, deluge them with water, while the patient sat in the hot cloud of steam until he could bear it no longer, when he crept out of the temescal and plunged at once into a cool stream.

The people were well formed and rugged, and rarely had an illness before they were contaminated by the vices of civilization. Men full six feet in height were not uncommon. Quarrels with white men were unknown, and among themselves were rare, except when they were drunk. Though it is contrary to law, whisky is constantly sold them, and they are no good until the whisky is all gone. They retain no traditions of their former history and religion, or if there are any such they are too taciturn to communicate them even to those who know them best. They are in the main kind to their women, rarely abusing them, though, according to savage custom, making them do all the hard work. Marriage is simply cohabitation, and divorce was equally simple. Their families seem never to have been large, and are now smaller than ever. Most of those still remaining are of the pure blood, and the few half-breeds are, as usual, endowed with all the characteristic vices and none of the virtues of their parent stocks.

For food, they used the native vegetables, game and fish, and the refuse of the ranches, being quite content to feed upon a cow that was found dead in the pasture and which no white man would touch. They are expert fishermen, and are fond of the big dace [minnow family] and suckers in the Alameda. These fish they sometimes caught with spears and sometimes by building elaborate fish traps composed of dams and weirs. More commonly, they made use of a recumbent

weed which grows everywhere along the creek and is known only as the "fishweed" [Yerba de Pescado]. The leaves and stems of this they were in the habit of bruising to a pulp and then throwing into a pool. Soon all the fish for a considerable distance around within reach of its stupefying influence floated to the surface, belly up, and were brought to shore. The poison was only temporary in its effect, and never had any bad effect upon the food value of the fish. They would seem never to have had any hooks, but were experts in the use of slip nooses of horse hair, with which they were very deft in catching fish of even considerable size. Their customary drink was a decoction of the parched acorns of the live oak, which **Emil Nusbaumer** describes as not unpleasant to the taste.

They seemed to know almost by instinct when the sturgeon were running in the San Joaquin, and all the men organized a great party to cross the mountains and spear the fish. Sometimes they smoked the sturgeon and brought a supply home, but more commonly they feasted and speared and speared and feasted, until they were gorged. Similarly, they were in the habit of forming parties to go down to the salt marshes and net ducks. Smoked duck and jerked beef were the only provisions that they ever stored, and not much of either. They were never known to beg for food; and in general begging was not characteristic of them. One of their greatest delicacies was the flesh of the chickenhawk.

Twice a year they had great dances, and the custom is still kept up. This is about the only occasion in which the chief seems to have any power over the tribe, and even then it is but ceremonial. One dance comes in the spring, about the time when the berry crop is at its best, the others along later when the watermelons are most abundant. Sometimes the dance is held in the temascal, but more often in the woods, where an area some fifty feet in diameter is cleared … .

In the center is a fire, and about it dance men and women painted with bars of red and white across their cheeks and clad in costumes of reeds and feathers. About the fire they dance and whoop and yell, while an orchestra of eight or ten men sings in agreeable cadences of monotonous tones to the accompaniment of split sticks, which they shake in regular measure. Sleeping by day and dancing by night, they often consume a week at a time and can give no explanation except that the custom is traditional.

On the death of an Indian, the women sit around and howl for a day or so, the length of the howling time being dependent upon the degree of consideration in which the dead was held. After a sufficient howl, the body is encased in a plain box and put in the ground without further ceremony. A favorite burial ground, up to within the last dozen years, was on the first little hill this side of Pleasanton, on the lands of Neal. Those who best knew them rarely learned any words of their native language, which is still used by them universally in communication among themselves. Two salutations are all that are known— wellawella huga for “good morning,” and for “good night” wellawella hi. Such and so much is what is known of that swiftly vanishing tribe known, in default of a better name, as the **Nusbaumer Indians (**Daily Alta California, Vol. 80, No. 167, 16 June 1889).

Brief Background on the Nusbaumer Family (1856-1878)

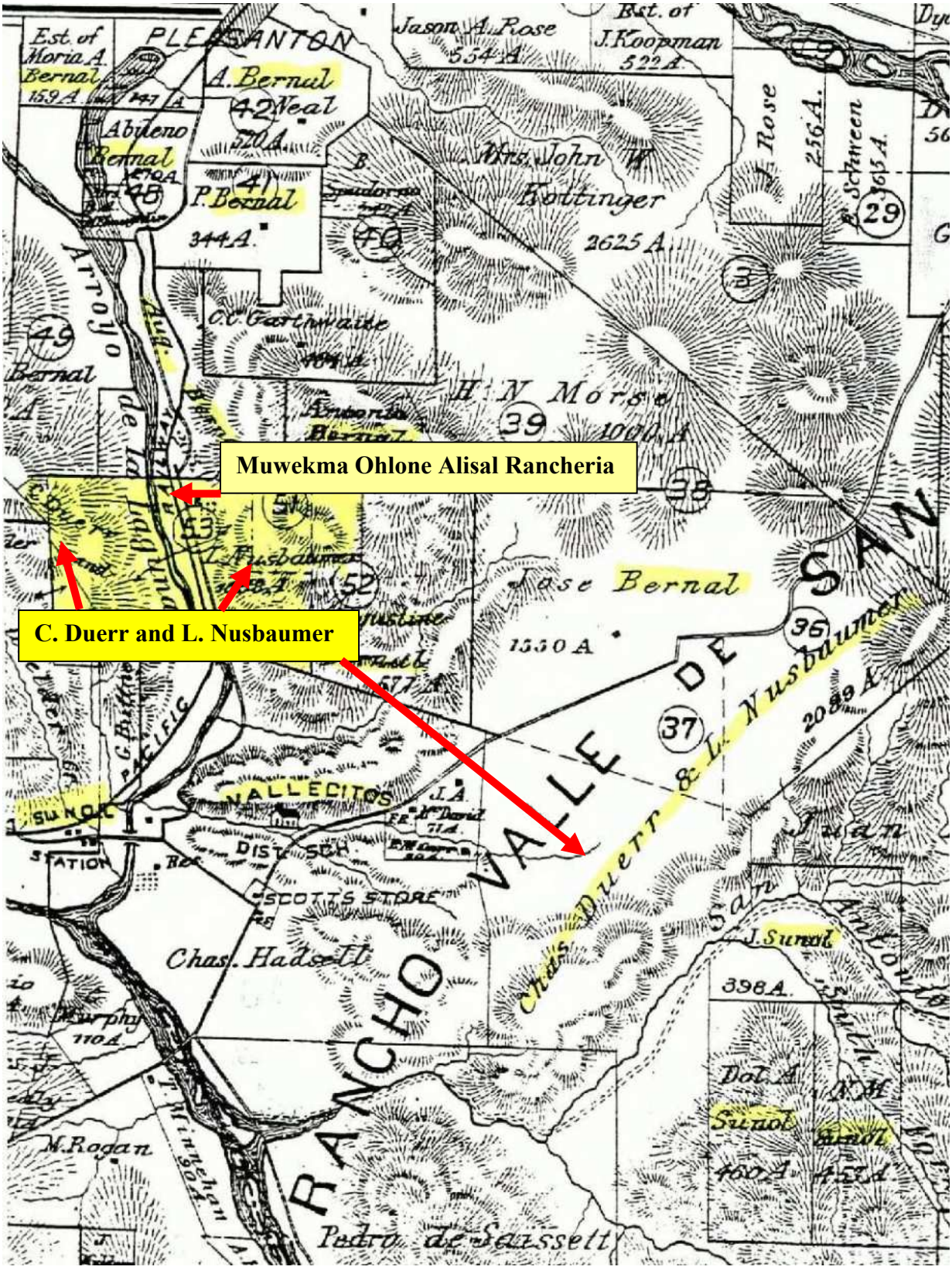
Louis Nusbaumer and his wife Elizabeth (Roth) Nusbaumer lived in San Francisco until the fall of 1856, when they moved on an eighty-acre farm on Dry Creek, Washington Township, Alameda County, which was purchased by Carl (Charles) Duerr for Nusbaumer and himself. In October 1857 Duerr and Nusbaumer (**Figure 7**) had rented the estate of John W. Kottinger, which was situated in Murray Township, embracing the larger part of the present town of Pleasanton. Their business consisted of merchandising and sheep-raising. At the expiration of their lease in 1862, they bought a joint interest in the old Bernal-Sunol-Pico ***Rancho El Valle de San José*** consisting of some three thousand acres, where they made their permanent home.



Figure 7: Portraits of Carl Duerr and Louis Nusbaumer

Years later, on the 10th day of July, 1878, Louis Nusbaumer's youngest son Emil became the Deputy District Attorney of Alameda County. He was born in San Francisco, February 13, 1856. He first attended school six miles from home in Dublin, afterwards, in Pleasanton, when a school was first established there about 1865, and later in Vallecitos (Sunol) from 1868 to 1872 **(Map 6)**.

In 1873 he became a clerk in Sunol, in a general store [Scott's store by Sunol Corners?], which had also the post office and express office. Years later, Emil became a Judge of the Superior Court, where he remained until his election as Justice of the Peace for Oakland Township in 1882. From January 1, 1883, to December 31, 1888, he served as Justice, and in 1889 was appointed Deputy by George W. Reed, District Attorney.



Map 6: 1878 Map of the Duerr and Nusbaumer Properties and Alisal Rancheria
(1878 Thompson and West)

The Muwekma Ohlone of the Alisal and Neighboring Rancherias

Sometime during the late 1880s, U.S. Senator **George** and **Phoebe Apperson Hearst** purchased a large parcel of land from either Duerr and Nusbaumer or the Bernals that included the Alisal Rancheria, and they allowed the Indians to maintain their community for a time being and some worked for the Hearsts and Appersons. A slow decline in the Verona Band community during the late 19th century, however, is apparent in light of later events. Pressures of assimilation, an increasingly large number of white Americans settling in surrounding towns and farmlands and taking over the old *Californio* ranchos, the precarious economics of seasonal ranch work, and some out-migration, as well as death due to infectious diseases, all contributed to the waning of the indigenous revival at Alisal (Olsen, Leventhal and Cambra 1985; Milliken 1994 in Davis et al. 1994).

According to several historic documents, the last Kuksú dances were held at Alisal in 1897 (Womens' Research Committee of Washington Township 1904; Marine Family History 1965; Galvan 1968). Writing in 1904, the authors of the History of Washington Township wrote about such ceremonial events:

> The dance in September was a very serious, ceremonial dance, lasting several days. Their dresses, worn for the dance, were very elaborate and well made, of feathers. Upon one day, the Coyote dance, a rude sort of play, was given, one of the favorite characters being Cooksuy [Kuksu]—a clown
> **[Note**: Clearly, the dominant society's perspective and interpretation of Kuksu.].
>
> There must have been some meaning of a memorable character to this dance, because when asked why they danced, they always replied: "**Because our fathers are dead**" (1904:52).

Earlier that year, on January 6, 1897, the last formal ***Capitan*** of the Alisal Rancheria, **José Antonio**, died. Noted in Book of Funerals at Mission San Jose 1859-1908 (p. 147):

> **Josephus Antonius, Indian** Date of Death: 6 Jan 1897, Age: about 70 [60]. Buried: Indian Cemetery, Mission San Jose, D.A. Rapora, Astt. Mission San Jose

In 1904, the **Northern Association for California Indians**, a philanthropic group of concerned citizens who advocated on behalf of the dying and landless Indians, submitted a "**Memorial of the Northern California Indian Association, Praying that Lands be Allotted to the Landless Indians of the Northern Part of the State of California"** to President Theodore Roosevelt. The Memorial was signed by Mrs. T. C. Edwards, President, and **Charles E. Kelsey**, Secretary for the Association. Attached to the **Memorial** was a "Schedule" identifying the landless Indian bands/communities and their estimated population, which were scattered throughout northern California (meaning north of Los Angeles County).

In Alameda County, the Schedule identified the rancheria Indians living at **Pleasanton** (Verona Band) as having a population of 70, at Niles, there was also a rancheria community with a population of 8; also, and in Contra Costa County, in the towns of Danville and Byron, two more Indian communities had a population of 5 and 20 people, respectively **[Figures 8** and **9].**

All four communities were identified as "Costanoan." (Sen. Doc. No. 131, 58th Cong., 2d Sess., 1904, 1-16 (reprinted in Robert Heizer's Federal Concern about Conditions of California Indians 1853 to 1913: Eight Documents 1979) [see **Figure 10]**.



Figure 8: Muwekma Indians at the Niles and Pleasanton Rancherias

In the History of Washington Township published in 1904, the authors provided the following commentary about the Mission San Jose/Verona Band/Muwekma Indians residing at the nearby rancherias:

> The only remaining Indian villages today in this part of the state are in this township. They are in the native tongue, El Molino, the mill near Niles, and Alisal near Pleasanton, with perhaps half a hundred persons in each village. In the former, the last full-blooded Indian chief died some three years ago. In Alisal, the wife of the chief still lives, and six others of full blood. ... Alisal is on Mrs. Phoebe Hearst's property, and that lady has always a kindly hand ready to help them when necessary. ...

> All of the information appearing in these papers concerning the old Indian history and customs has been gleaned from these seven full-blooded Indians, one being the widow [Jacoba] of the last chief, whose name was **Jose Antonio.** .... (History of Washington Township 1904:53).

From the interviews conducted between 1925-1930 with Muwekma Elders Jose Guzman and Maria de los Angeles Colos, Bureau of American Ethnology linguist John Peabody Harrington was able to learn that ***Capitan* Jose Antonio's** Indian name was **Hu'ská** (Harrington Field Notes 1921-1934). Jose Antonio was a great-great-grand relative to some of the current generation of the Muwekma Elders and ex-council members, such as Lawrence Mason Marine, Jr., and his younger brother (Dance Leader) Marvin Lee Marine, are directly descended from him, as Jose Guzman. Jose Guzman had married Jose Antonio's daughter, Augusta Losoyo.

After his death in 1897, Jose Antonio's wife Jacoba, who was a *mayen* (meaning the wife of a captain or a female chief), directed that the ceremonial round house/sweat lodge (or ***túupentak*** in Chochenyo) be torn down, in keeping with tradition (Galvan 1968). A new ***túupentak*** was not constructed, as it would have been in previous times, because the community did not formally select a new captain. Apparently, the political power was inherited by Jacoba through marriage as well as her descent from her parents, *Capitan* Taurino and Joaquina.

According to Muwekma oral tradition, it was Raphael Marine, husband of Avelina Cornates Marine, who was tasked with taking down the old ceremonial ***Túupentak*** **(**roundhouse). Interestingly, just two years prior to his death, in 1895 *Capitan* Jose Antonio and his wife Jacoba served as godparents to Raphael and Avelina Marine's fourth daughter, **Mercedes Marine** (co-authors Monica V. Arellano and Gloria Gomez's great-grandmother) who after the death of her mother Avelina in 1904, was raised on the Alisal rancheria by Jacoba. (1910 Federal Indian Population Census, "**Indian Town**," Pleasanton Township, Alameda County).

Also raised by Jacoba was **Catherine Guzman Peralta Marine,** one of Jose Guzman's granddaughters (**Figure 9**). who was identified on the **1900 Federal Indian Census** (Washington Township); **Kelsey's 1905-1906 Special Indian Census;** (Heizer 1971); and the **1910 Federal Indian Population Census** (Pleasanton Township) as an Indian resident of the Alisal Rancheria in Alameda County.

Just before the turn of the 20th century (1897) there were still at least eleven casitas (houses) and the ***Túupentak*** (temescal/round house) still standing on or near the Alisal Rancheria. During this critical period of time, the Guzman, Armija, Santos, Pinos, Marine, Nichols, Inigo (Alaniz), and other interrelated Muwekma **(Verona Band**) families remained in the Sunol/Pleasanton/ Livermore area or on the original Alisal Rancheria until fire destroyed the remaining houses due to work along the Western Pacific Railroad tracks sometime around 1916.

The house of **Catherine Peralta** (granddaughter of Jose Guzman) and **Dario Marine** (eldest son of Avelina Cornates Marine) which was originally owned by Jacoba and Jose Antonio, had burned down as a result of that fire. Prior to the fire, Catherine and Dario had raised their first four children, Beatrice (born 1909), Josephine (b. 1911), Evelyn (b. 1914) and Filbert Marine (b. 1915) on the rancheria.

By the time their fifth child, Lawrence Domingo Marine, was born in 1919, they had moved to 544 Alvarado-Centerville Road in Centerville, now part of the City of Fremont (see 1900 and 1910 Indian Censuses and 1920 Census, Washington Township; Harrington field notes; Olsen, Leventhal and Cambra 1985; 1928-1933 California Enrollment Applications # 10298 and 10675; 1910, 1920 and 1930 Federal Censuses).

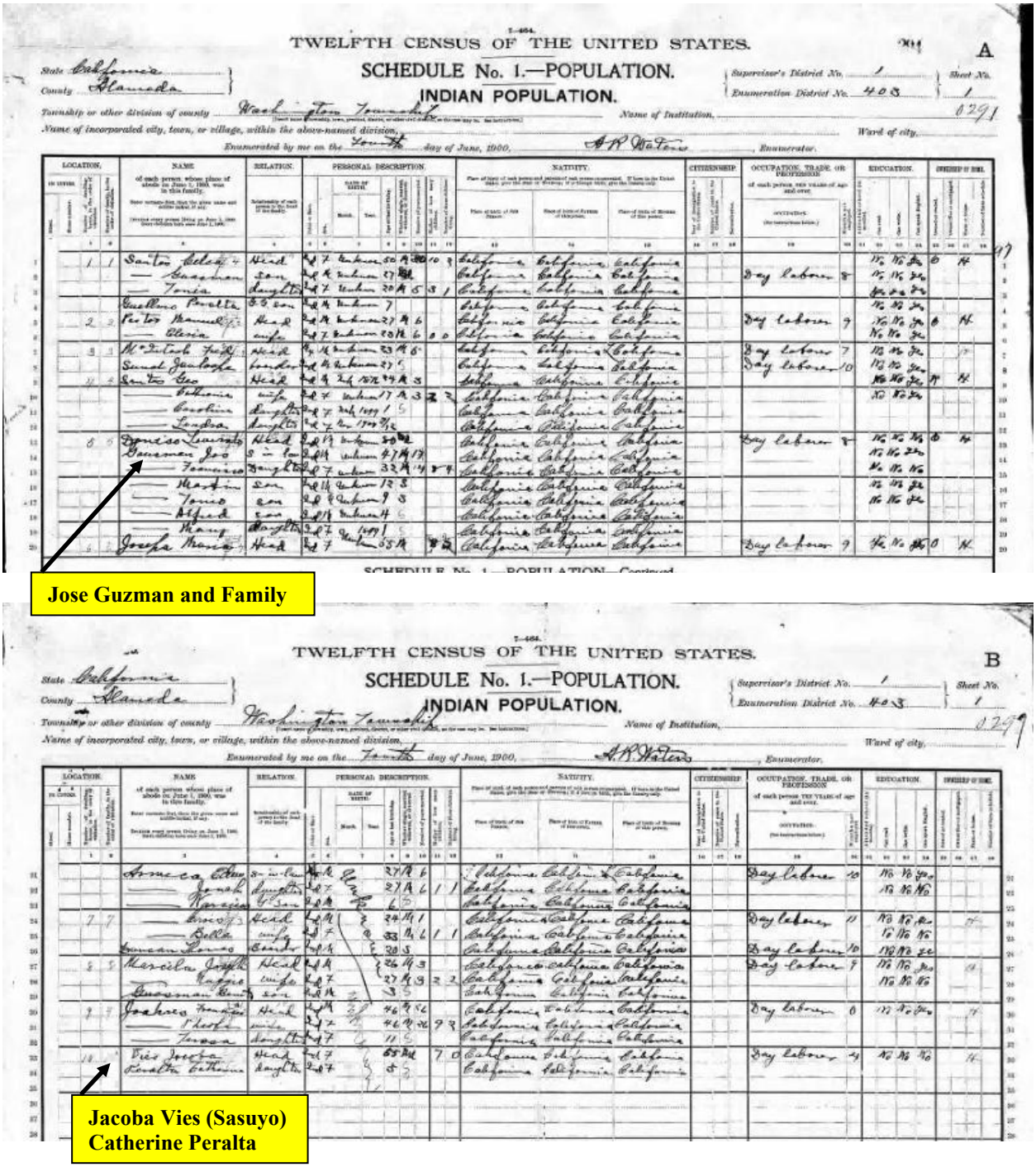


Figure 9: 1900 Indian Population Census, Niles, Washington Township, Alameda County

After the Alisal Rancheria's houses were burned down and abandoned in 1916, the various surviving Muwekma families continued to work locally in the East Bay, residing on ranches, vineyards, hop-yards, and renting homes in Niles (e.g., the Shinn property), Newark, Centerville, Fremont, Milpitas, Pleasanton, Sunol, Livermore, Alameda, and elsewhere. The Muwekmas continued to live peaceably near the Alisal Rancheria as long as they could, and they continued to visit each other and work at places surrounding their old rancherias and Mission San Jose.

Avelina Marine's children [Dario, Dolores, Elizabeth (Belle), Ramona, Mercedes, Victoria, Lucas, and Trina Marine] along with the Nichols, Guzman, Binoco, Pinos, Santos, Inigo, Juarez, Armija, and other Muwekma families, had to readapt and relocate to other nearby residences in order to work and maintain their families. Some of the Muwekma men worked for the Southern Pacific Railroad, the Spring Valley Water Company, Leslie Salt, and on the local orchards, ranches, vineyards, hop-yards, and farms.

During the 20th century, Muwekma families continued to marry and baptize their children at Mission San Jose, St. Augustine's Church in Pleasanton, Corpus Christi in Niles, and St. Edward's in Newark. Photographic and other records showing life around the Alisal Rancheria and neighboring areas from the early 1900s, WW I, the depression, and WW II survive.

Kelsey Special Indian Census 1905-1906, Congressional Homeless California Indian Act of 1906, and the Federal Recognition of the Muwekma/Verona Band of Alameda County.

In 1905, as a result of the discovery of the **18 unratified California Indian Treaties** (which were negotiated between 1851-1852) from the **U. S. Senate Secret Archives,** Mr. **Charles E. Kelsey**, a lawyer who resided on S. 12th Street in San Jose, was serving at that time as the Secretary for the philanthropic **Northern Association for California Indians** (**Figure 10**). In 1905 he was appointed **Special Indian Agent to California** by the Commissioner of Indian Affairs (**Indian Service Bureau/Bureau of Indian Affairs)** in Washington, D.C. Agent Kelsey was charged by the BIA to conduct a Special Indian Census and identify all of the landless and homeless California tribes and bands residing from north of Los Angeles to the Oregon border who were to come under the jurisdiction of the BIA and the ensuing Congressional Homeless Indian Acts. For a detailed overview of the rediscovery of the 18 treaties and the efforts of Charles E. Kelsey, see The Secret Treaties with California's Indians by Larisa K. Miller, published by Prologue Magazine, Fall/Winter 2013. (https://followingdeercreek.files.wordpress.com/2017/03/secret-treaties-with-california-indians.pdf.).



Figure 10: Special Indian Agent Charles E. Kelsey

Based on the partial results of Kelsey's Special Indian Census, which was initiated by the discovery of the 18 unratified California Indian treaties in 1905 from the Senate archives, Congress passed multiple Appropriation Acts beginning in 1906 through 1937, for the purpose of purchasing "home sites" for the many surviving, but landless, California Indian tribes and bands.

One of the bands officially identified by Special Indian Agent Kelsey was the **Verona Band of Alameda County,** residing between Pleasanton, Sunol and Niles (as well as living in other adjacent towns, areas, and ranches surrounding Mission San Jose). The direct ancestors of the present-day Muwekma Tribe who comprised the Verona Band became **Federally Acknowledged** by the U.S. Government through the **Appropriation Acts of Congress** beginning in 1906.

While Kelsey was working out the details of his Special Indian Agent assignment in Washington, D.C., after he completed his Special Indian Census (1905-1906), Acting Indian Commissioner Charles F. Larrabee forwarded the following letter to President Theodore Roosevelt:

> May 23, 1908 Letter from Acting Commissioner C. F. Larrabee to President Theodore Roosevelt
>
> Doctor [Stanford's President David Starr] Jordan commends, and justly, the services of Special Agent C. E. Kelsey, who during the past few years has been engaged in an attempt to secure for them fixity of tenure in their homes, security of legal rights, and additional lands on which the homeless Indians can be placed, from an appropriation granted by Congress under the act of June 21, 1906 (34 Stat. L 325, 335).
>
> Among the resolutions passed by the conference was one pledging the members of the conference … to assist in the upholding and continuance of this work until every landless Indian in California shall be secured land upon which he can maintain a home; …
>
> …

> When California was ceded to the United States by the Treaty of Guadalupe Hidalgo, the Indian occupants of that state had certain rights to the lands which they occupied and under the law then existing, could not be legally ejected therefrom.
> …
> Also, treaties which had been concluded with the various bands or tribes were overlooked or ignored and failed of ratification; the Indians claimants never being paid for their land.
>
> It is believed that Congress realizes this fully and if the money which has already been appropriated is insufficient **to give every landless Indian a place he may call his own**, later it will grant additional appropriations for their benefit.
>
> It is the intention of the Office to persist in the work that is now going on until every Indian has been cared for, and while it is impossible now to undo all that is past and restore the original owners of the soil to their possessions, the Congress will be asked from time to time, if necessary, to do what seem reasonable and enable the homeless Indians to have a fair start in life even at this late day (Letter dated May 23, 1908; pages 1-4, National Archives).

Between the years 1906 and 1927, the Verona Band fell under the direct jurisdiction of the Indian Service Bureau in Washington, D.C., and by 1914, the Tribe's jurisdiction was transferred to the **Reno Agency,** and later again, transferred over to the **Sacramento Agency** (sometime after 1923). During this time, Federal Government Indian Service Bureau agents attempted to purchase land for many of the Federally Recognized, landless California Indian tribes and bands.

To this effort, both the Indian Service Bureau agents and the Indian bands were faced with two major obstacles:

1. Many Californian landowners did not want Indians living next to or near them, so they would not sell suitable parcels of land.

2. Others who were willing to sell parcels to the government wanted greatly inflated prices, usually at prices much higher than what was allocated to purchase lands or above the actual value of the land.

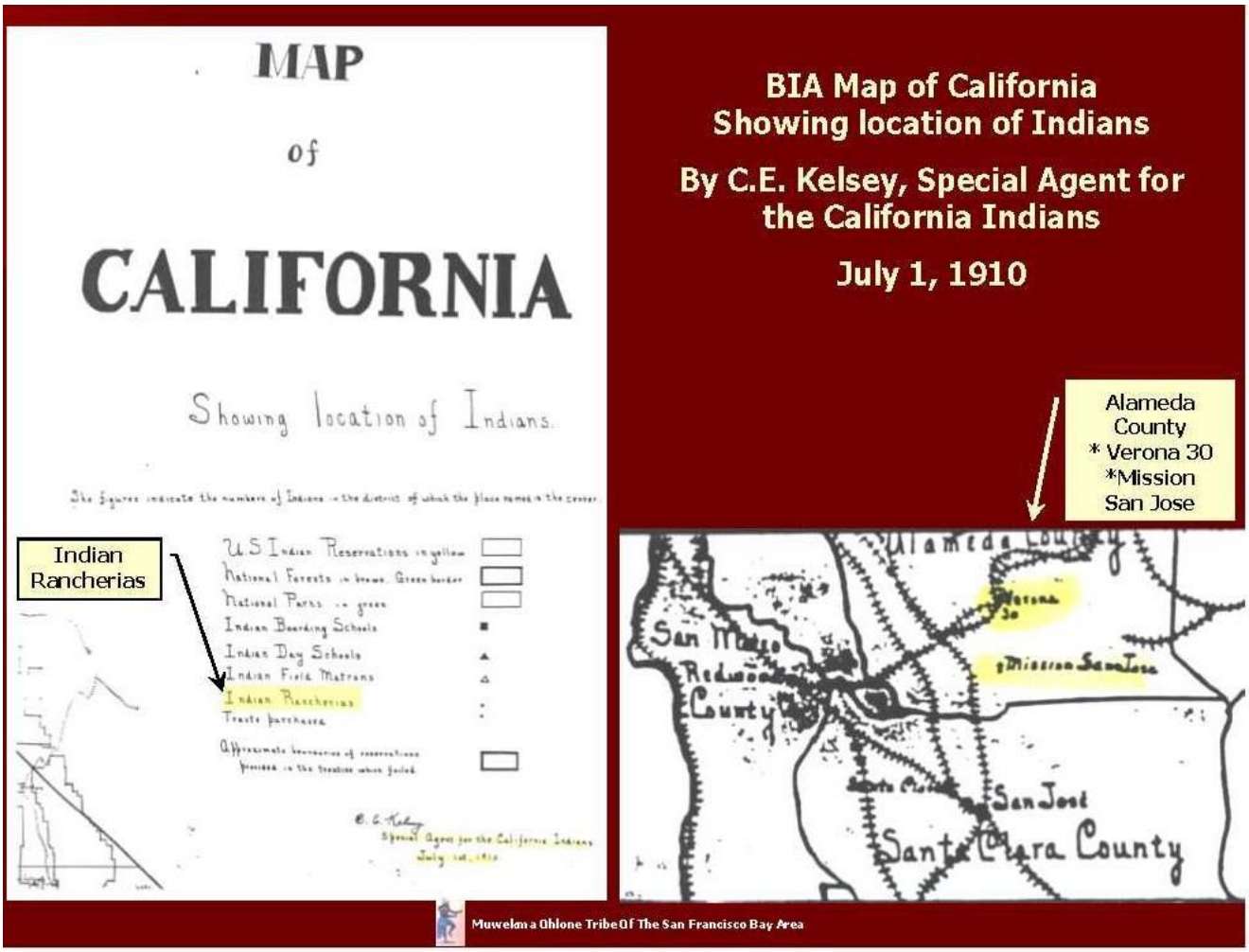
After the Congressional Appropriation Acts of 1906, 1908, and ensuing years (until 1937) many Indians in California obtained trust lands as members of tribes which had not abandoned their respective tribal areas, and these homesites became known as Indian "**rancherias**." [see the Indian Homestead Act of March 3, 1875 (18 Stat. L. 420), 25 U. S. C. 334, 336, Feb. 8, 1887, Ch. 119, Sec. 4, and other statutes, (34 Stat. 325, June 24, 1906 and 35 Stat. 70, April 30, 1908), and using an added set aside of $10,000 under the Joint Resolution of March 4, 1915 (CR 6122, March 4, 1915)].

The evidence of previous **Federal recognition** of virtually all the present-day unacknowledged tribal groups in California and especially in this case, the **Verona Band of Alameda County**, is found in the Federal records at the National Archives (Record Group 75. California Consolidated Files, Cal. Special, file # 12026113-032, filed with 114202-13-032; Map accompanying the Letter of October 4, 1913, Special Indian Agent for California C. E. Kelsey to Commissioner in response to a request for information from 2nd Dist. Congressman John Raker, 9/22/1913. See file # 114202) (**Map 7 – Special Indian Agent Kelsey's 1910 Map of Indian Rancherias – Verona Band**).

On October 4, 1913, Special Indian Agent Charles E. Kelsey wrote a response letter to the Commissioner of Indian Affairs, Cato Sells, informing him of the following information relative to the 18 unratified treaties:

> 1. None of the treaties mentioned in the Senate document were ever ratified. … It is clear the treaties were never ratified and so never became technically operative. The Government took everything ceded in the treaties and more, for example, the reservations, and paid nothing.
>
> …
>
> 4. Absolutely no steps or measures have been taken or had to extinguish the rights of the tribes to the lands described in the treaties, unratified, in any way, shape, or form.
>
> 12. … The Indian Office did not even have records of the 18 treaties until we dug them out of the secret archives of the Senate.
>
> … About two thousand Indians have still no land. … It may be necessary to buy land for about 1100 of them. All of these 2,000 Indian still landless are descendants of Indians represented in the 16 [northern California] treaties.

By the end of 1913, being exhausted and personally in debt to the amount over $18,000, Special Indian Agent Charles E. Kelsey tendered his formal resignation. It was not until a year later that a new agent, **Charles H. Asbury** of the Reno Agency, was selected to replace Kelsey.



Map 7: Indian Agent Kelsey's 1910 Map of Indian Rancherias – Verona Band

Writing to the Commissioner of Indian Affairs on Dec. 7, 1914, from the Reno, Nevada Indian Agency, **Charles H. Asbury,** already named Special Indian Agent for California, reported progress in his investigation of the character, location, and need of landless California Indians.

It is noteworthy that he called on his predecessor, Charles E. Kelsey, for help in locating **30 individuals at Verona** and then proceeded to suggest that they receive assistance with a land purchase in his report to the Commissioner. However, a thorough investigation of the Indians of California not provided with land would have required a great deal of time and expense.

Being understaffed and located in Reno, Special Agent Asbury was not able to accomplish anything on behalf of the landless California Indian bands, and he was reassigned to the Indian Agency in the Southwest sometime in 1915. **John Terrell** was then selected as a replacement as Special Indian Agent for most of northern and central California by May 1915 and he continued to conduct on-site inspections and make censuses of many of the bands that were under his northern California jurisdiction.

However, during Terrell's tenure between 1915 and 1919, his efforts were oriented toward "needy" tribes and bands located in northern California counties (e.g., Mendocino and north) as well as the Sacramento Valley and the Sierra. Those tribes located within the northern "**mission area**" including the Muwekma (Verona Band of Alameda County), Amah Mutsun (San Juan Bautista Band), Esselen Nation (Monterey Band of Monterey County), the Salinan Indian tribal communities (Pleyto, Milpitas, and Jolon) centering around Missions San Miguel and San Antonio, as well as the Coast Miwok located at the towns of Bodega Bay, Marshall, and Fishman, were all but ignored and neglected.

An Interim Period - A Call to War: Muwekma Men Enlist in all Three Branches of the U.S. Armed Forces Before and During World War I [1914 – 1920]

Even before California Indians legally became citizens in **1924,** prior to and during America's entrance into World War I on **April 6, 1917**, at least ten Muwekma men joined 17,000 other Native Americans and served in the United States Armed Forces in the Army, Navy, and Marine Corps. These Muwekma men enlisted through the **San Francisco Presidio** and **Mare Island** and four of them are buried at the **Golden Gate National Cemetery.**

- Antonio (Toney) Guzman, U.S. Army, Private, **166th Field Artillery Brigade, Battery F, 347th Field Artillery, 91st Division.** Toney Guzman of the **Guzman-Nonessa** lineage was born on March 27, 1890 either in Centerville or on the Niles Rancheria. He was the son of Muwekma Indians Francisca Nonessa and Jose Guzman. Toney enlisted in the U.S. Army, and he fought in the **Meuse-Argonne** (September 26 to October 8, 1918), **Ypres-Lys**, and **Lorraine** campaigns in France. Toney served in the Army from April 29, 1918 and was honorably discharged at the **San Francisco Presidio** on April 26, 1919 (**Figure 11**).

The **91st Division** was known as the "**Wild West Division."** The Division's shoulder patch was a green fir tree, referring to its origin at Camp Lewis in the Pacific Northwest. The Division was deployed to France in August 1918 and fought with great distinction. In the **Ypres-Lys** campaign, the Division served in the **Flanders Army Group** under the command of the **King of Belgium.** The Division was headquartered adjacent to Flanders Field. Five members of the Division earned the **Congressional Medal of Honor.** The **347th Field Artillery Regiment** was assigned 4.7"-inch guns, and the 91st Division received the following **Victory Medal Clasps**: **Ypres-Lys**, **St. Mihiel**, **Meuse-Argonne,** and **Defensive Sector**.

Twelve days before the end of World War I, the division, as part of the VII Corps of the French Sixth Army, helped drive the Germans east across the Escaut River. The division was awarded separate campaign streamers for its active role in the **Lorraine, Meuse-Argonne,** and **Ypres-Lys** campaigns

In October 1931, Toney Guzman and his brothers enrolled with the **Bureau of Indian Affairs** under their mother's **BIA Application #10293**. On his WW II Registration Card dated April 27, 1942, Toney was identified as "**Indian."** Toney passed away on **October 8, 1948** and was buried on October 12, 1948 at the **Golden Gate National Cemetery** (Section J, Grave 254).



Figure 11: Toney Guzman (1934)

- Alfred (Fred) Guzman, U.S. Army, Private, **Company "C," 110th Infantry**, **28th Division** under Brigadier General T. W. Darrah. Alfred Guzman of the **Guzman-Nonessa** lineage was born on the Pleasanton Rancheria on June 27, 1896 to Francisca and Jose Guzman. Prior to the declaration of war, Fred Guzman had served in the **National Guard** at **Fort Mason in San Francisco** in **1917**. Afterwards he enlisted in the U.S. Army, and served in the **28th Division**, **55th Brigade Infantry, 110th Infantry, Company "C"** and fought in the major battles at **Ourcq-Vesle** (July 28, 1918), **Second Battle of the Marne** (July 15-August 5, 1918), **Meuse-Argonne Offensive** (September 26 to October 8, 1918), and **Havrincourt** (October 8 – November 11, 1918) in France.

The 28th Division fought in the following **campaigns:** Champagne-Marne**,** Aisne-Marne**,** Oise-Aisne**,** Meuse-Argonne**,** Champagne **(1918), and** Lorraine **(1918). The cost in lives of these six campaigns was 4,183 casualties, including 760 dead. The six fleurs-de-lis on the regimental insignia commemorates their World War I service. T**he **28th Infantry Division** was a unit of the United States Army formed in 1917 at the outbreak of World War I. It was nicknamed the "Keystone Division" because it was formed from units of the Pennsylvania Army National Guard; Pennsylvania is known as the "**Keystone State.**" It was also nicknamed the "Bloody Bucket" division by German forces in WWII after its red insignia. Fred Guzman served from **July 28, 1917** and was honorably discharged at **San Francisco Presidio** on May 31, 1919. On his WW II Registration Card dated April 25, 1942, Fred was identified as Indian. Fred Guzman died on **November 3, 1961**, was buried at **Golden Gate National Cemetery** (Section Y, Grave 1059).

- Joseph Aleas, U.S. Army, Sergeant, **Company D, 21st MG BN, 7th Division.** Joseph Aleas of the **Armija** Indian lineage was born on the Alisal (Pleasanton) Rancheria on May 11, 1893 and was the son of Margaret Armija. He enlisted in the U.S. Army on **June 30, 1916**. According to Armija-Thompson family recollections, he was a good horseman and wanted to fight against Pancho Villa, who had led approximately 1,500 Mexican raiders in a cross-border attack against Columbus, New Mexico, in response to the U.S. government's official recognition of the Carranza regime. Villa's troops attacked a detachment of the 13th U.S. Cavalry, seized 100 horses and mules, burned the town, killed 10 soldiers and eight of its residents, and made off with ammunition and weapons.

President Woodrow Wilson responded by sending 6,000 troops under General John J. Pershing to Mexico to pursue Pancho Villa and histroops. This military mobilization was called the Punitive or Pancho Villa Expedition.

Later, Joseph Aleas served in France with the **21st Machine Gun Battalion, 7th Infantry Division** (its Hourglass insignia dates back to 1918). Organized originally to serve in the American Expeditionary Forces (AEF) during World War I, the U.S. Army's 7th Infantry Division was created at Camp Wheeler, Georgia, on December 6, 1917 and the 7th fought in **Alsace-Lorraine**, France, during the war. The division also served as an occupation force during the post-war period.

On October 10-11, 1918 the 7th was shelled for the first time, and later it encountered gas attacks in the **Saint-Mihiel** woods. Defensive occupation of this sector continued from October 10th to November 9th during which the infantry regiments of the 7th Division probed up toward **Prény** near the Moselle River, captured Hills 323 and 310, and drove the Germans out of the **Bois-du Trou-de-la-Haie** salient. After 33 days in the line of fire, the 7th Division had suffered 1,988 casualties, of which three were prisoners of war. Thirty Distinguished Service Crosses were awarded to members of the 7th Division.

Joseph Aleas was honorably discharged at **Camp Funston**, Riley, Kansas, on July 9, 1920 and was awarded the **World War I Victory Medal** and the **Bronze Victory Button.** Joseph Aleas enrolled with the **Bureau of Indian Affairs** in October 1931 (**BIA Application # 10299**). On May 24, 1955 Joseph enrolled during the second enrollment period with the **Bureau of Indian Affairs.** Joseph Francis Aleas passed away on **July 13, 1964** and was buried at the **Golden Gate National Cemetery,** Plot Z, grave 2597 (**Figure 12**).

- Henry Abraham Lincoln Nichols, U.S. Navy, Fireman 1st Class**, Battleships *USS Arizona* and *USS Oklahoma*.** Henry Nichols of the **Flores-Nichols** Indian lineage was born in Niles on February 12, 1895 to Charles Nichols and Muwekma Ohlone Susanna Flores Nichols. Henry enlisted on May 23, 1917 and first served on the **USS *Albatross.*** By December 31, 1917 he was transferred to the battleship **USS *Arizona***, and later, on March 26, 1918 he was transferred again to the battleship **USS *Oklahoma*.** During World War I, Henry Nichols served in the North Atlantic and was on escort duty in December 1918 when the *Oklahoma* was serving as escort during President Woodrow Wilson's arrival in France at the end of the war (November 11, 1918). The *Oklahoma* returned to Brest, France, on June 15, 1919 to escort home President Wilson, who was transported on the *USS George Washington* from his second visit to France.

Henry Nichols was honorably discharged at Mare Island on August 14, 1919 and was issued the **World War I Victory Medal.** On Henry Nichols Draft registration card dated April 27, 1942 he is identified as Indian. Henry Nichols died on January 5, 1956 and buried at the **Golden Gate National Cemetery** (Section L-5, Grave 7455).



Figure 12: Gravestones of Joseph Aleas, Fred Guzman, Toney Guzman, Henry Nichols

- Franklin P. Guzman (Service # 87843) Sergeant, **U.S. Second Marine Corps Division, Fourth Marine Infantry Brigade, Sixth Machine Gun Battalion, 81st "D" Company.** Franklin was born on the Alisal Rancheria on January 15, 1898 and was the son of Pleasanton Indians Teresa Davis and Ben Guzman (who later died in 1907). He was also the nephew of Toney and Fred Guzman. Franklin was listed on the **1910 Federal Indian Population Census** for "**Indian Town,"** Pleasanton Township. He enlisted on October 20, 1916 while working near Sacramento, reported for duty on October 25, 1916 and was assigned to **Company "B" Marine Barracks, Navy Yard, Mare Island.** On May 28, 1917 Franklin was promoted to the rank of Corporal. By March 31, 1918, he had earned an **Expert Rifleman Badge** and a **Marksman Badge,** and by April he was assigned to the **111th Company, 8th Regiment.**

In May, Franklin was transferred to the **150th Company, 1st Machine Gun Replacement Battalion,** at Quantico, Virginia, and he was promoted to Sergeant on May 22, 1918.

The 1st Machine Gun Replacement Battalion sailed on May 26, 1918 on the *USS Henderson* and disembarked in France on June 8, 1918. The 1st Machine Gun Battalion was later renamed the 6th Machine Gun Battalion in France. From September 12 to 16, 1918 the brigade was engaged in the **St. Mihiel offensive** in the vicinity of **Remenauville**, **Thiaucourt**, **Xammes**, and Jaulny. On September 16, 1918, he was wounded in the left thigh, and from September through December he was placed in various Field and Base Hospitals in France, and finally transferred back to the States on December 16, 1918. Franklin remained in recovery at the U.S. Navy Hospital at Norfolk, Virginia, until he was honorably discharged from service as a Sergeant on June 27, 1919.

Franklin Guzman's Battalion participated in the **Chateau-Thierry** sector (capture of Hill 142, Bouresches, Belleau Wood) from June to July 1918; the Aisne-Marne (Soissons) offensive from July 18 to July 19, 1918; the Marbache sector, near Pont-a-Mousson on the Moselle River, from August 9 to August 16, 1918; **St. Mihiel** from September 12 to September 16, 1918; and later the **Meuse-Argonne** offensive (October 1 to 10, 1918, and November 1 to 10, 1918). Franklin passed away on May 30, 1979 and was buried in the **Riverside National Cemetery** (Section 8, Grave 2826) (**Figure 13**).



Figure 13: Veteran Headstone for Franklin Guzman

- John Michael Nichols of the **Flores-Nichols** Indian lineage was a Muwekma Ohlone Indian from the San Francisco Bay Area. He was born on September 29, 1893 in Niles, California, and was baptized at Mission San Jose. John was the older brother of Henry Nichols, who had served in the Navy on the battleships *Arizona* and *Oklahoma* during WWI (May 1917 – August 1919).

John enlisted in the US Army on **October 27, 1914** and was stationed at **Fort McDowell on Angel Island.** He fought in France, serving with the **59th Coast Artillery Corps (CAC)**. In 1913, the defenses of individual harbors were renamed coast defenses, as in "the **Coast Defenses of San Francisco**." Coast artillery districts were retained, but the term now had a different meaning. Three continental coast artillery districts were created within the geographic departments. The Pacific Coast Artillery District (ranging from San Diego to Puget Sound) was established in the Western Department. Beginning in December 1917 and continuing into 1918, Regular Army and National Guard companies were combined, creating the **54th** through the **71st Artillery Regiments**, **CAC**.

The 59th was engaged in the **St. Mihiel** offensive and the **Meuse-Argonne** offensive and earned a Service Clasp (WWI Victory Medal for: **St. Mihiel Offensive, France (**2 September-16 September 1918), and **Meuse-Argonne Offensive, France** (26 September-11 November 1918)). John was discharged at **Fort Winfield Scott** at the **SF Presidio** on June 4, 1920. John apparently came back to the states with the 67th C.A.C., which appears on his gravestone. John M. Nichols was listed as an **Indian** on the 1930 Federal Census along with his son Alfred in Santa Cruz County, California. On John Nichols's WWII Draft Registration Card dated April 27, 1942 he was identified as residing at the Veteran's Home in Napa (Yountville), California, and he had resided there from 1941 to 1953. John Nichols died in April 1968 while living in Stockton, California (**Figures 14** and **15**).

The regiments in France were largely demobilized as soon as possible after returning to the States, typically by March 1919. However, 12 regiments that had served in France were retained in active service at the end of the war for training purposes. This number was shortly reduced to 10: 42nd, 43rd, 52nd, and 53rd Artillery, CAC (Ry) formed the 30th Brigade, posted at Camp Eustis, VA. The 31st Brigade, consisting of the 55th, 57th, and **59th Artillery**, **CAC (TD),** was initially posted at **Fort Winfield Scott, CA,** before moving to Camp Lewis, WA, in the later months of 1919 (California State Military History website:
http://www.militarymuseum.org/Muwekma.html.

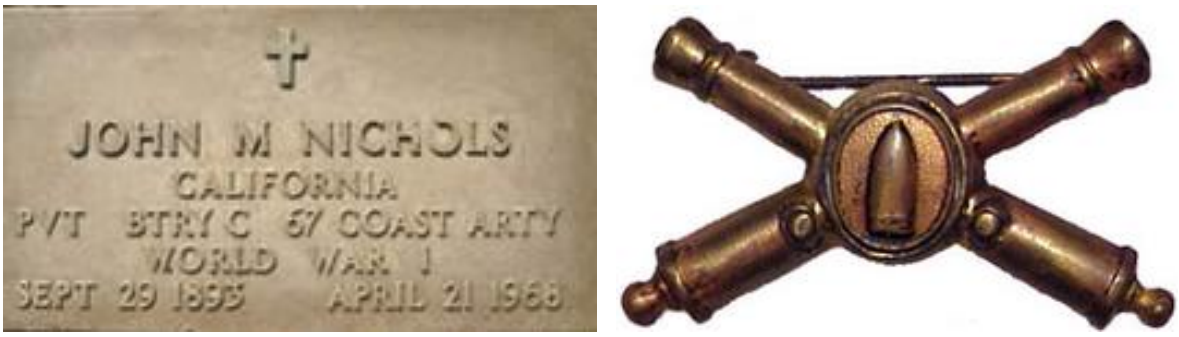


Figure 14: Veteran Headstone for John Nichols and a Field Artillery Clasp



Figure 15: Henry Nichols (left) **Franklin Guzman** (center), **John Nichols** (right) [ca. 1918]



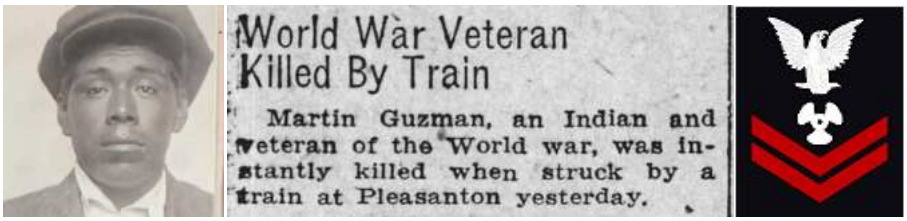




Jack Guzman's Regiment, D Troop, 4th Cavalry, World War I

- John "Jack" Paul Guzman of the **Guzman-Nonessa** lineage was a younger brother of Toney and Fred Guzman who was born on the Tribe's **Alisal (Pleasanton) Rancheria** on February 6, 1902 to Francisca Nonessa and Jose Guzman. He was baptized on April 20, 1902 at St. Augustine's Church in Pleasanton. Jack also appears on his mother's 1930 **BIA Application (#10293)** along with his two brothers, Toney Guzman and Paul Hernandez. Jack Guzman (**Service # 521 608)** enlisted in the US Army on February 6, 1918 and was identified as a "**Cavalry Unassigned Recruit**" on the **USS *Sheridan*** Troop Transport's manifest, embarking from Fort Mason, San Francisco, on March 5, 1918 to Honolulu, Territory of Hawaii, that included a "list showing names of enlisted men of Army, Navy and Marine Corps on board." Jack was later listed as a **Private,** assigned to **"D" Troop, 4th Cavalry Regiment,** on the **USS *Sherman*** Troop Transport manifest, sailing from Honolulu to San Francisco on December 15, 1918. Previously, the **4th Cavalry** served on the Mexican border in Texas from 1911 to 1913. Afterwards, during the ensuing six years, the regiment served at **Schofield Barracks** in the Territory of Hawaii and did not participate in any campaigns during World War I. In 1919, the **4th Cavalry Regiment** returned to the Mexican border and patrolled the area near Brownsville, Texas. Jack Guzman was honorably discharged from the Army on June 2, 1919 (based upon the on-line US Veterans Administration Master Index List 1917-1940). He may have re-enlisted in the US Navy (**Service # 375 10 53)** on August 8, 1922.

Later, on the **1940 Census**, **Jack Guzman** was identified as being born in Niles, Alameda County, California. Under the "Supplementary Questions" at the bottom of the census, Jack responded that he was a veteran of WWI. On **February 16, 1942, Jack Paul Guzman** had registered for the Draft at Local Board 75 in Niles. He was identified as an **Indian**, 5'8" tall, and born in Pleasanton on February 6, 1902. He was living on the Centerville– Alvarado Highway and working for Mr. Phillip Moore's ranch on the Mission San Jose–Niles Road. Earlier, around 1934, Jack had married Flora Munoz, the daughter of Muwekma Ohlone Victoria Marine Munoz. Flora and Jack had three children together: John P. Guzman, Jr., Reyna Guzman, and Joanne Guzman. John P. Guzman, Jr. and his sister, Reyna, attended Indian Boarding School in Chemawa, Oregon, in the 1940s, and they and their families had enrolled in the Muwekma Ohlone Tribe. On October 2, 1951 Jack Guzman, Sr. passed away and was buried in the Centerville Cemetery.


World War Veteran Killed By Train

Martin Guzman, an Indian and veteran of the World war, was instantly killed when struck by a train at Pleasanton yesterday.

Martin Guzman United States Navy

- Martin Guzman of the **Guzman-Nonessa** lineage was the oldest brother of Toney, Fred, and John Guzman. He was born in 1888 in Pleasanton and was a member of the federally recognized Mission San Jose/Verona Band of Alameda County. Martin registered for the draft on June 5, 1917 and was identified as "Indian." His service records are difficult to come by, but it is suggested that he served in the United States Navy from 1918-1920. Online information about M. Guzman, enlisted man, U.S. Navy identifies him as returning on the Troop Transport on the **USS *Sherman*** from Manilla, Philippines, via Honolulu, Hawaii Territory, to San Francisco, dated February 25, 1920. Guzman was identified as a MA3c rating Machinist Mate (Oiler, Engineman, Boilermaker?) on the ship's manifest.

From on-line information about US Navy actions in the Pacific states that "U.S. naval forces in the Pacific Theater of World War I were far removed from the conflict with Germany and the other Central Powers. Although Imperial Germany possessed Pacific colonies at the beginning of the war, all of the isolated colonies had easily been conquered by the Allies by 1915. The only significant United States naval presence in the Pacific was a cruiser squadron under Admiral Austin M. Knight." Martin Guzman's death notice in the Oakland Post Enquirer newspaper dated October 5, 1925 states that he was a WWI Veteran. Martin was buried in the Tribe's Ohlone Indian cemetery in Fremont, California.

- David Emilio Sandoval and **Walter Lucien** S**andoval** (of the **Sandoval/Richards lineage**) were two sons of Muwekma Ohlone woman named **Teresa Sandoval** and her husband Israel Richards. Teresa Sandoval was one of the important Muwekma godmothers to many of the **Verona Band** families during the latter part of the 19th century. Teresa was born in Pleasanton on the Alisal Rancheria and she appears with a large group of Muwekma Ohlone Indians on the 1880 Federal Census. By 1887, Teresa had her fourth child with Israel Richards identified as Guillelmo (Emilio) David was identified as Indian on his Mission San Jose baptismal record:

1887 Jun 26, Page 216, **Emilium (Emilio) Davi** (Indian)
Born: May 4, 1887
Father: Guillermo David
Mother: Teresia San Doval (Sandoval)
Godparents: Joseph Martines[z] & Raphael Leivas [Indians]

Note: Emilio Davi was identified as **David** (age, 13, born May 1887) with his parents Teresa and Israel and family on the **1900 Census** for Washington Township (Niles).

A year and a half later, Teresa had her fifth child with Israel Richards:

1889 Feb 14, Page 240, [Walter] **Guadalupe Ricos**
Born: Dec 18, 1888
Father: Isidero (Israel) Ricos (Ricardo)
Mother: Thereza Sand-valley [Teresa Sandoval]
Godparents: Jesus Paredes & Susana Fuentes (Flores/Nichols) [Indians]

On June 15, 1917 – Draft Registration Card – David Emil Richards, residing Niles, Ca, dob: May 28,, 1887, born: Niles, Ca., work: Secretary, Chicago Artillery Co., Mexico, single. Served as a **Private, National Guard**, for 6 month, **California, Co. H. 5th Regiment**. Registered in City of Mexico, American Consulate General.

Note: David Emil Richards briefly served in the **2nd Battalion, 159th Infantry Regiment**, was originally constituted on 12 December 1879 in the **California National Guard** as the 2nd Infantry Battalion and organized from existing companies. It was redesignated on 30 December 1879 as the **5th Infantry Battalion**.

The unit was expanded, reorganized, and redesignated on 4 August 1885 as the **5th Infantry Regiment with Headquarters at San Francisco** (Six companies were mustered into Federal service on 6-9 July 1898 at Fruitvale as elements of the **8th California Volunteer Infantry**; and mustered out of Federal service on 28 January 1899 in Washington and California). It was later mustered into Federal service on 28 June 1915 at Sacramento; and mustered out of Federal service on 7 October 1916 at Sacramento. It was drafted into Federal service on 5 August 1917.

The 5th was consolidated on 24 September-1 November 1917 with the 2nd Infantry Regiment of the California National Guard; this consolidated unit was reorganized and redesignated as the **159th Infantry Regiment** was assigned to the **40th Infantry Division**. Later, the unit demobilized on 1 May 1919 at the Presidio of San Francisco, CA.

Before departing overseas, the unit were forced to give up their traditional state militia titles and so the 159th and 160th Infantry Regiment were born out of the 2nd, 5th**,** and 7th California Infantry Regiment. Likewise, the 1st and 2nd **California Field Artillery Regiments** became the 143rd and 144th Field Artillery Regiment while the 1st Squadron, California Cavalry turned in their horses and became the 145th Machine Gun Battalion. Elements of the former 5th Infantry Regiment reorganized in 1920-1921 in the California National Guard as seven independent companies. It was later reorganized and redesignated on 2 October 1921 as the 159th Infantry and assigned to the 40th Division.

1917-1919 -David Emilio Richards of the **Sandoval/Richards lineage** served in the US Navy during WW I June 1917 to March 1919. David was later murdered by bandits in Mexico on August 26, 1921:



California Man Is Murdered By Mexican Bandits

WASHINGTON, Aug. 29. — An American citizen was killed by Mexican bandits Friday in Salina Cruz, the state department announced today.

The American's name was given as David L. Richards. His father, Israel Richards, lives at Niles, Calif.

The state department's report said that Richards was killed on the morning of August 26, by natives near Chivela, Mex.

No other details were given.



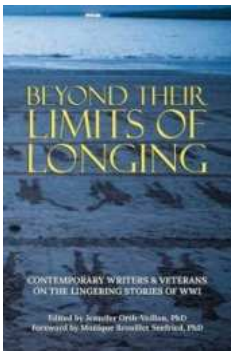
- **Walter Lucien Richards, David Emilio Richards** younger brother, also served in the Navy during WW I, and was a (Fireman?) FM 1st Class in the US Navy in Panama and France 1918-1919, Service number 1833211.







The military service history of some of the Muwekma men was recently published (2022) in a World War I anthology titled **Beyond Their Limits of Longing, e**dited by Jennifer Orth-Veillon**.**



Muwekma Tribe Honors the Native American Code Talkers Who Served During WWI

Excerpted from two websites on the implementation and use of Native American code talkers on the front lines during World War I. Even though the Muwekma men who enlisted did not serve as code talkers, nonetheless, the tribal leadership thought it important to honor those Native men by including information of their service to the U.S. Those website authors provide the following information online:

> In France during World War I, the 142nd Infantry Regiment, 36th Division, had a company of Indians who spoke 26 languages and dialects. Two Indian officers were selected to supervise a communications system staffed by 18 Choctaw. The team transmitted messages relating to troop movements and their own tactical plans in their native tongue. Soldiers from other tribes, including the Cheyenne, Comanche, Cherokee, Osage, and Yankton Sioux, also were enlisted to communicate as code talkers. Previous to their arrival in France, the Germans had broken every American code used, resulting in the deaths of many soldiers. However, the Germans never broke the Indians' "code," and these soldiers became affectionately known as "code talkers" (**Figure 16**).
> (https://www.army.mil/americanindians/code_talkers.html)
>
> When the United States entered World War I in April 1917, it had not yet granted citizenship to all Native Americans, and government-run boarding schools were still largely attempting to stamp out their languages and cultures. Nonetheless, several thousand Native Americans enlisted in the armed forces to fight the Central Powers. Nearly 1,000 of them, representing some 26 tribes, joined the 36th Division alone, which consisted of men from Texas and Oklahoma.
> (https://www.history.com/news/world-war-is-native-american-code-talkers)



Figure 16: Muwekma Honoring Native American Code Talkers During WWI

After serving overseas during World War I, the over 17,000 Native American servicemen were offered a path to citizenship if they wanted to apply. On November 6, 1919, the United States Congress granted citizenship to the honorably discharged Indian veterans of World War I who were not yet citizens.

> BE IT ENACTED . . . that every American Indian who served in the Military or Naval Establishments of the United States during the war against the Imperial German Government, and who has received or who shall hereafter receive an honorable discharge, if not now a citizen and if he so desires, shall, on proof of such discharge and after proper identification before a court of competent jurisdiction, and without other examination except as prescribed by said court, be granted full citizenship with all the privileges pertaining thereto, without in any manner impairing or otherwise affecting the property rights, individuals or tribal, of any such Indian or his interest in tribal or other Indian property.

The 1919 American Indian Citizenship Act did not grant automatic citizenship to American Indian veterans who received an honorable discharge. The Act merely authorized those American Indian veterans who wanted to become American citizens to apply for and be granted, citizenship. Few Indians actually followed through on the process, but it was another step toward citizenship.

It was during President Calvin Coolidge's Administration that the United States Congress finally granted citizenship to Native American servicemen and their respective tribes on June 2, 1924, (**Figure 17**). [Also see **Killers of the Flower Moon: The Osage Murders and the Birth of the FBI** by David Grann, 2017].

However, the Native American tribes of Arizona and New Mexico would have to wait another 24 years before full citizenship and voting rights were granted in 1948 after their service in the Armed Forces during World War II.



Figure 17: President Calvin Coolidge with Four Osage Indian Leaders

The Muwekma/Verona Band under the Jurisdiction of the Indian Service Bureau: Reno and Sacramento Agencies, 1923 – 1927, and the Removal of 135 Landless Tribal Bands

Prior to and after the "discovery of the 18 unratified California Indian Treaties of 1851-1852, Clinton Hart Merrian (1855-1942) spent time traveling throughout California, recording many Indian languages and aspects of their respective cultures. Merriam also periodically visited, interviewed, and photographed the ancestral Elders of the Muwekma Ohlone Tribe until 1934. He was concerned about the conditions of many greatly reduced and barely surviving tribal communities. Affiliated with the anthropology and biology departments at Berkeley, Merriam drafted a critical position paper around 1922 titled "Suggestions for Legislation for Relef of California Indians" which was compiled and edited by Robert F. Heizer in 1966.In that paper, Merriam argued that:

> It is generally admitted that great injustice has been done to the Indians of California in that we have confiscated their lands, driven them into remote and inhospitable parts of the State, deprived them of their natural food, imprisoned them for killing deer or taking fish, inoculated them with fatal diseases, and, for a period of at least fifteen years (1849-1864) we hunted and shot them down by hundreds. The United States took possession of California in 1846, and the Treaty of Gualaupe Hidalgo, confirming absolute sovereignty to the Unitted Sattes, was executed in 1848. From that time till the present, citizens of the United Satates have occupied millions of acres of land belonging to the Indians, have profited by hundreds of millions of dollars from the use of these lands, and yet to this day neither the white citizens of California, the State of California, nor the United States Government has paid the Indians one dollar for any of these lands.

Interpretation of Land Claims Law of 1851

In the matter of the interpretation of the Land Claims Law of 1851, attention is called to the fact that in recent years several cases intended as measures of justice to California Indians have been denied adversely by the courts on the grounds that the Land Claims Law of 1851 specifies:

> "…that each and every person claiming lands in California by virtue of any right or title derived from the Mexican or Spanish government shall present the same to the said commissioners…within two years after the date of this act," in default of which said lands shall be considered part of the public domain of the United States."

The Indians knew nothing of this law--which, in fact, was not intended to apply to them at all--and of course failed to appear before the commissioners. Nevertheless, it has come to pass that suits brought to recover for lands taken from Indians have been thrown out of court because claims for said lands had not been filed with the Land Commissioners three quarters of a century ago.

…

Section 16 of the Land Claims Law provides that:

It shall be the duty of the commissioners herein provided for to ascertain and report to the Secretary of the Interior the tenure by which the mission lands are held, and those held by civilized Indians, and those who are engaged in agriculture or labor of any kind, and also those which are occupied and cultivated by Pueblos or Rancheros (Rancherias) Indians."

The provisions of this section have never been complied with--no report having been made to the Secretary of the Interior as to the tenure of land "held by civilized Indians, and those who are engaged in agriculture or labor of any kind, and also those which are occupied and cultivated by Pueblos or Rancheros Indians."

The last clause is of great importance for the reason that it applies to practically all the Indian lands of Callifornia. For Indian lands were held collectively--as tribal or rancheria (village) possessions--**not** as personal or individual holdings. And furthermore, from the nature of the case it was impossible for the Commissioners to carry out their instructions as to the lands "occupied and cultivated by Pueblos and Rancheros Indians," for the very good reason that at the time of the Commission there were in California hundreds of occupied rancherias or villages, utterly unknown to the Spaniards, the Mexicans, or the Americans.

It is obvious, therefore, that the Land Claims Law of 1851 cannot in justice be appealed to as authority for ignoring the land rights of California Indians--rights made sacred by centuries of possession and occupancy. But because it has been so cited by the courts, and because, by reason of a misunderstanding of its provisions,

> cases have been decided against the Indians, and in order to forestall similar injustices in the future, Congress should be asked to enact a clause specifically exempting California Indians from its provisions (Merriam cited in Heizer, 1966:66-67).

It is not clear whether or not Merriam's arguments helped influence the passage of the 1928 Califorina Indian Jurisdictional Act, but two years later, Indians became citizens of the United States under the Indian Citizenship Act of 1924 (43 Stat. 253), which was enacted on June 2, 1924. It was enacted partially in recognition of the thousands of Indians who served in World War I.

Concurrently, after Special Indian Agent John Terrell (1915-1916?) had left the Indian Service in California, he was replaced by Lafayette A. Dorrington, who was the Speciasl Indian Agent in Reno, Nevada, Later, the jurisdiction of the landless California Indian fell under **James Jenkins**, Superintendent of the Reno Agency. Writing his Annual Report to the Commissioner of Indian Affairs in 1923, Superintendent Jenkins commented:

> The jurisdiction of the Reno Agency comprises the following named reservations and colonies, villages, camps, etc., in addition to all scattered bands of Indians in Nevada and California not under the jurisdiction of any other superintendency; also, Indians whose allotments, homesteads, etc., are carried at the land offices located at Stockton, Sacramento, Visalia, San Francisco, Los Angeles, and Independence and Marysville, California, and Carson City and Elko, Nevada. …
>
> … Other Indians in California under this jurisdiction but not occupying government lands are found in the localities named below:
>
> | **County** | **Communities** | **Estimated** |
> |---|---|---|
> | **Alameda** | **Verona** | **30** |
>
> (Jenkins:1923 Annual Report: 3-5)

Sometime around 1923, the jurisdiction of the landless Indians of northern central California had shifted to the Sacramento Agency under the aegis of **Colonel Lafayette A. Dorrington**, who was a prison warden in the Philippines during the American occupation. Dorrington, was probably a political appointee to the Sacramento Superintendency and was probably rewarded for his military service as a prison warden in the Philippines during the post-Spanish American War period of occupation.

It is interesting to note that Dorrington's online Military Burial record provides the following information: He was identified as a **1st Lieutenant, Company H, 2nd Nebraska Infantry – 4/29/98 to 10/24/98; 2nd Lt., Company L, 2nd U.S. Infantry; 10/27/98 to 6/22/99 which served in Cuba. His last rank was 1st Lieutenant, Company A, 34th U.S. Volunteer Infantry.** His last appointment was 7/5/99 and he was discharged on 6/30/1901. Dorrington died on October 8, 1934 and was buried at Arlington National Cemetery on January 13, 1937. His grave is located in Section 3, Grave No. 3947 (document from Ancestry.com).

In January 1927, Sacramento Superintendent **Col. Lafayette A. Dorrington** (1925-1931) received a detailed office directive from **Assistant Commissioner E. B. Merritt** for him to list by county all of the tribes and bands under his jurisdiction that had yet to obtain a land base for their "home sites." This directive was issued so that Congress could plan its allocation budget for fiscal year 1929. Dorrington, who was not an advocate for California Indians, was chronically derelict in his duties, and he decided not to respond to this directive. He also decided not to respond to many of the other requests issued by the Washington, D. C. Office. By May 1927, under threat of investigation, Dorrington yet again received another strongly worded directive from Assistant Commissioner E. B. Merritt (**Figure 18**).



Figure 18: Sacramento Superintendent Lafayette A. Dorrington October 21, 1926

To this second directive, Dorrington reluctantly responded on June 23, 1927 by generating a report which, in effect, illegally, unilaterally, and administratively "**terminated**" the existence and needs of approximately 135 tribes and bands throughout northern California from their **Federally Acknowledged** status. He did this by completely dismissing the needs of these identified homeless and landless tribal groups. The very first casualty on Dorrington's "**hit list"** was the **Verona Band of Alameda County.** Without any benefit of any on-site visitation or needs assessment, which he was charged to conduct by the Assistant Commissioner, Dorrington opined:

> There is one band in Alameda County commonly known as the Verona Band, … located near the town of Verona; these Indians were formerly those that resided in close proximity of the Mission San Jose. It **does not appear** at the present time that there is need for the purchase of land for the establishment of their homes. (Dorrington Report dated June 23, 1927)

The fact that Dorrington made mention that the Verona Band resided "near the town of Verona" makes it clear that he never visited the Muwekma Tribal community. There is no. and never was, a town of Verona in Alameda County. Thus, with the stroke of a pen and without the benefit of any due process or direct communication with the tribe, the Muwekma/Verona Band, along with another **134 tribes and bands** of California, apparently was **removed from the list of Federally Recognized Tribes awaiting land purchase for their homes.** Although not formally "terminated" by any policy decision or act of Congress, these tribes were essentially knocked off the "radar screen" of the Bureau of Indian Affairs in Washington, D.C. and as landless tribes were considered **ineligible** to organize as tribes under the 1934 Indian Reorganization Act.

During the 20th Century, no other state within the United States had experienced the massive **illegal "termination"** of so many Federally Recognized tribal groups whose rights were extinguished by gross negligence and crass neglect. This massive dismissal and removal of recognized landless tribes was deliberate and due as a result of the callous actions and dereliction of duty by an incompetent **Bureau of Indian Affairs** agent. Three years later, Dorrington, still being prodded by BIA officials in Washington, D.C., about the needs of the landless and homeless Indians in California under his jurisdiction, he offered insight into his actions and his personal beliefs in a letter he wrote to **Commissioner Rhoads.** In that letter dated April 23, 1930, Dorrington wrote:

> …Kindly be respectfully advised that the matter of land purchase for homeless Indians has really been given constant and diligent attention throughout the current fiscal year to date, and an earnest effort has been made to fully meet the needs of the Indians to the fullest extent without unnecessary or unjustified expenditure of funds, believing that to be the spirit of the law and your wishes in the premises. …
>
> **It has been my opinion, and therefore my belief**, for several years that the best interests of the Indians will be served through an arrangement whereby those concerned may be settled on the already acquired land **instead of procuring additional land which cannot be turned to beneficial use and occupancy by the Indians** in mind because of their inability to financially to establish themselves thereon.
>
> …In its final analysis, Mr. Commissioner, kindly understand and know that **additional land for homeless Indians of California is not required, and therefore further demands on the appropriation for the fiscal year 1930 are not warranted or justified** (Dorrington Letter to Commissioner Rhoads April 20, 1930). [Emphasis added]

By July 1931, **Dorrington** had either quit the Indian Service, been fired, or retired, and he was replaced by **Oscar H. Lipps** as Superintendent of the Sacramento Agency. **Lipps,** responding to an inquiry written by Assistant Commissioner J. Henry Scattergood, offered specific concerns about the **conditions of the homeless California Indians** for whom land was purchased:

> Receipt is acknowledged of your letter, dated June 30, 1931, relating to the matter of purchasing land for homeless Indians of California. …I am addressing this letter to you personally and calling the subject matter thereof to your special attention for the reason that there **appears to be a grave lack of understanding in the Office regarding this whole matter of providing homes for homeless California Indians**.
>
> I think it is all the more important that this matter be brought to your personal attention at this time in view of your recent visit to California with the Senate Committee and your familiarity with the sentiment and feeling in this State with respect to the past administration of the affairs of the California Indians.

> The conditions on some of these rancherias are simply deplorable. No one can view many of them and observe the conditions under which the Indians are trying to exist without the feeling that someone is guilty of **gross neglect** or **inefficiency** and that a **cruel injustice** has been meted out to a helpless people under the name of beneficent kindness… And yet there are those who say that I will never do to let the local authorities have charge of the affairs of the Indians lest the Indians be neglected and abused.
>
> …**I have not yet seen a single instance where the federal government has done anything like so much for the improvement of the homes and living conditions of the Indians under this jurisdiction** as has been done by Sonoma County for the Indians residing on the Stewart's Point Rancheria. Now it seems to me that the thing for us to do is to look at the facts in the face and admit that in the past the Government has been woefully negligent and inefficient, and then start out with the determination, as far as possible, to rectify our past mistakes.
>
> It is difficult to locate the blame, but somewhere along the line there appears to have been **gross negligence** or **crass indifference.** If Congress has been honestly and fully advised of conditions and has refused or failed to give relief asked for, then the Indian Bureau is not responsible for the neglect of the Indians. **On the other hand, if Congress believed and intended, by appropriating funds for the purchase of lands for homeless Indians and improvements thereon that good and suitable lands would be purchased and houses constructed and improvements made, then we have neglected to do our duty** [Emphasis added].

Although left completely landless, and in some instances completely homeless, between 1929 and 1932 **all of the surviving Verona Band/Muwekma lineages enrolled with the BIA under the 1928 California Indian Jurisdictional Act,** which were approved by the Secretary of the Interior in the pending claims settlement. Concurrently, during the last decades of the 19th century and the first three decades of the 20th century (between 1884 and 1934), renowned anthropologists and linguists such as Jeremiah Curtin, Alfred L. Kroeber, C. Hart Merriam, Edward W. Gifford, John Alden Mason, and John Peabody Harrington interviewed the last fluent speakers of "Costanoan" and other Indian languages spoken at the East Bay rancherias. It was during this time period that **Verona Band Elders** still employed the linguistic term **"Muwekma"** which means **"la Gente or the People"** in Chochenyo and Thámien Ohlone dialects spoken in the East and South San Francisco Bay region.

<u>Muwekma Enrollment with the Bureau of Indian Affairs (1928-1932): The California Indian Jurisdictional Act of 1928</u>

As a result of the passage of the Indian Citizenship Act of 1924, also known as the Snyder Act, California Indians and allied Indian associations began to advocate investigating claims against the federal government for lands illegally taken under the 18 unratified treaties of California. Under the 1924 Act, indigenous people did not have to apply for citizenship, nor did they have to give up their tribal citizenship to become a U.S. citizen. Most tribes had communal property, and in order to have a right to the land, Indians had to belong to the tribe.

In 1928, the United States Congress passed the **California Indian Jurisdictional Act**, which created a census of all eligible Indians who could prove that their ancestors resided in California at the time the 18 unratified treaties were negotiated between 1851-1852. Between the years 1928 and 1932 a little over 17,000 California Indians filled out applications, and almost all were approved by the Indian Service Bureau.

During this period, almost all of the Muwekma Indian heads of households enrolled as "**Ohlones**" and/or as "**Mission San Jose Tribe**" under this act, and their applications were approved by the Secretary of the Interior, the BIA, and Federal (see **Figures 19 - 38:** for some of the **Muwekma Ohlone BIA 1928-1932 Applications**).

Enrolled were members of the Marine-Peralta, Marine-Alvarez-Piscopo-Galvan, Marine-Sanchez, Marine-Arellano-Garcia, Marine-Muños, Marine-Armija, Armija-Thompson, Armija-Aleas, Armija-Nichols, Guzman, Binoco, Bautista-Armija, Inigo-Gonzalez-Alaniz, Santos-Pinos-Colos-Saunders-Pena-Corral, and Pinos-Juarez families. All of these Muwekma families were living in the greater Pleasanton, Sunol, Niles, Newark, Livermore region, as well as other areas within the East Bay and Santa Clara County.

J J e--ok

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10298

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Marine, Lucas	Head	38	M	10-18-1900	1/2
" , Ernest	Son	2	M	1-26-1926	3/4

Note:* See application of Katie Marine, wife, Centerville, Alameda County, California. App. No. 10675

2. Residence on May 18, 1928 Centerville, Alameda County, California.

3. Post Office Box 6, Centerville (Town or City, Box Number or Rural Route Number.) Alameda (County) California (State).

Note:* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children Near Sunol, Alameda County, California. My child was born in Alameda County, California.

Name Marine, Lucas

Application Number 10298

Action taken Approved. FAB

Figure 19: Lucas Marine BIA Application # 10298

5. Where have you and your children resided since birth?

In Alameda and Mendocino Counties, California.

6. Are you married? Yes.

7. If a married woman, give your name before you were married.

---

8. Name and exact date of birth (Month, Day, and Year) of your wife (or husband).

Katie Marine, nee Peralta-- Age about 35 years.

9. Is he (or she) of Indian blood? If so, state the name of the Tribe or Band, and degree of Indian blood.

Yes 4/4 Ohlones, (Tribal name unknown)

Alameda County, California.

Ohlones

10. What is your degree of Indian blood and to what Tribe or Band of Indians of the State of California do you belong?

1/2 — Degree of Indian Blood

Ohlones (?) Tribal name Unknown, Alameda County, California. — Name of Tribe or Band

11. To what Treaty or Treaties were you or your ancestors a party, and where did you (or they) reside on June 1, 1852? Where and when were said Treaties negotiated?

I do not know.

12. Give the names of your California Indian ancestors living on June 1, 1852, through whom you claim, who were parties to any Treaty or Treaties with the United States. If you claim through more than one ancestor living on that date, set forth each claim separately. State your descent from said ancestor or ancestors setting forth your relationship to them.

Names	Tribe or Band	Relationship by Blood
Evalina Marine	Ohlones, Tribal name unknown, Alameda County, California.	Mother.

(See Nos 15 and 26)

Figure 20: Lucas Marine BIA Application Identifying his Tribe, Wife, and Mother as "Ohlones" [Lucas and Catherine's son, Ernest Marine, served in the U.S. Army in Europe during WWII.]

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10293

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Guzman, Francisca	Head (Separated)	65	F	10-11-1863	4/4
" , Tony J.	Son	37	M	10-11-1891	4/4
" , Jack	Son	25	M	2-6-1903	4/4
Hernandez, Paul	Son	21	M	1-14-1907	1/2

2. Residence on May 18, 1928 Niles, Alameda County, California.

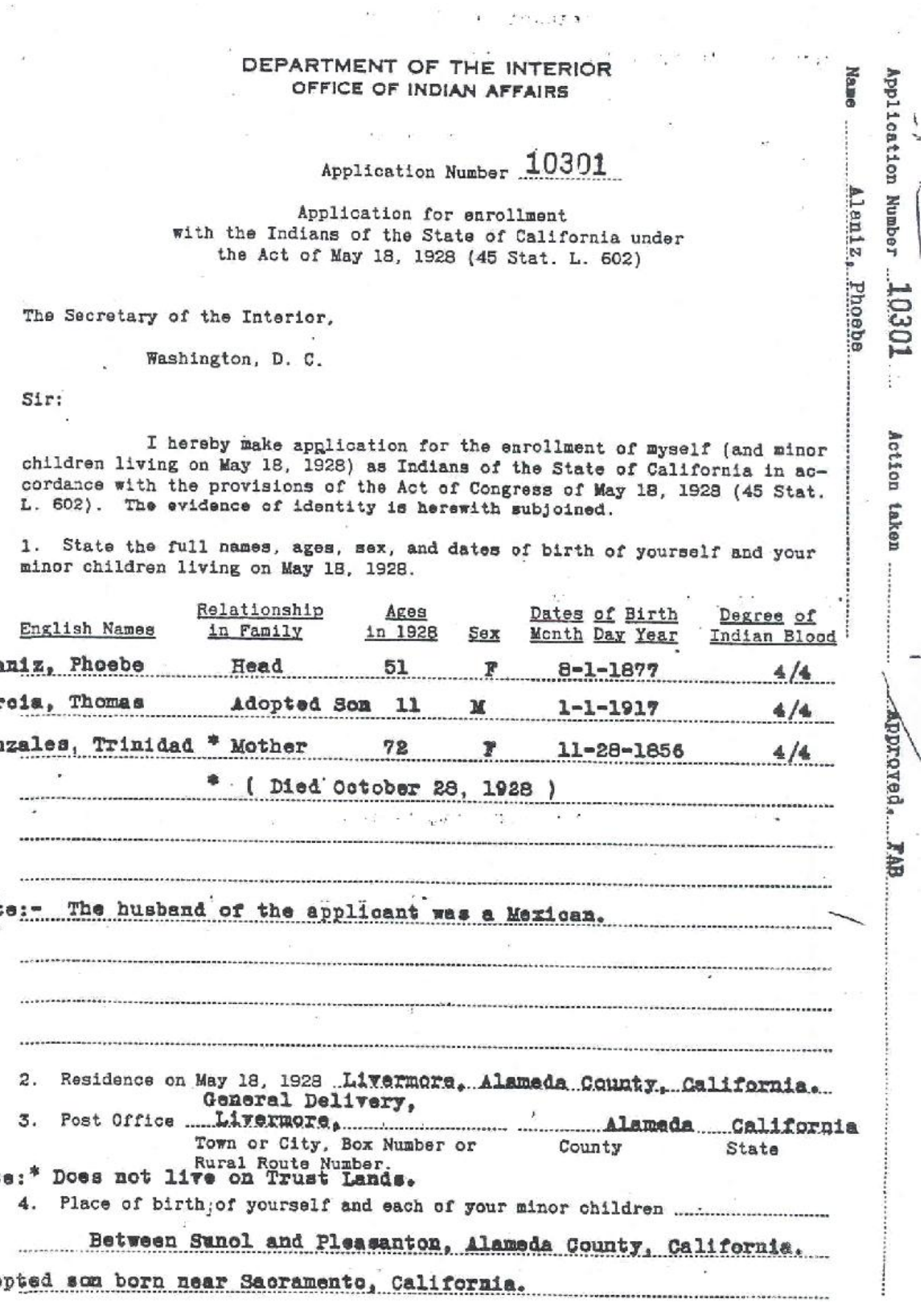
3. Post Office Box 101, Niles (Town or City, Box Number or Rural Route Number) Alameda (County) California. (State)

Note:* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children Alameda County, California.

Application Number 10293 Name Guzman, Francisca Action taken Approved. FAB

Figure 21: Francisca Guzman and Children BIA Application # 10293
[Former Councilwoman Sheila Guzman Schmidt's Great-Grandmother]



DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10301

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Alaniz, Phoebe	Head	51	F	8-1-1877	4/4
Garcia, Thomas	Adopted Son	11	M	1-1-1917	4/4
Gonzales, Trinidad *	Mother	72	F	11-28-1856	4/4

* (Died October 28, 1928)

Note:- The husband of the applicant was a Mexican.

2. Residence on May 18, 1928 Livermore, Alameda County, California.

3. Post Office General Delivery, Livermore, (Town or City, Box Number or Rural Route Number) Alameda (County) California (State)

Note:* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children

Between Sunol and Pleasanton, Alameda County, California.

Adopted son born near Sacramento, California.

Name Alaniz, Phoebe
Application Number 10301
Action taken
Approved. FAB

Figure 22: Phoebe Alaniz, her Mother and her Adopted Son BIA Application # 10301
[Mercedes Marine's son, Thomas Garcia, a WWII Vet, was born on the Alisal Rancheria]

Name Thompson, Magdalena Application Number 10296 Action taken Approved. FAB

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10296

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Thompson, , Magdalena	Head	51	F	5-27-1877	4/4
Thompson, ~~Amelia~~ (Emily)	Dau	18	F	10-31-1910	1/2
" , Ernest	Son	16	M	4-21-1912	1/2
" , Eduardo (Edward)	Son	14	M	7-21-1914	1/2
" , Lorenzo (Lawrence)	Son	10	M	9-9-1918	1/2

Note:* The husband of the applicant is not of Indian blood.

2. Residence on May 18, 1928 Alameda County, California.

3. Post Office P.O. Box 3, Newark (Town or City, Box Number or Rural Route Number.) Alameda (County) California. (State)

Note:* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children Alameda County, California.

Figure 23: Magdalena Thompson and Children BIA Application # 10296
[Tribal Councilwoman Madeline Dressler's Great-Grandmother]

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10294

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month	Day	Year	Degree of Indian Blood
Martel, Flora Emma Thompson	Head	19	F	3-7-1909			1/2
Martel, Laura May	Dau	8 Mos	F	3-2-1928			1/4

Note:- The husband of the applicant is a white man.

2. Residence on May 18, 1928 Newark, Alameda County, California.

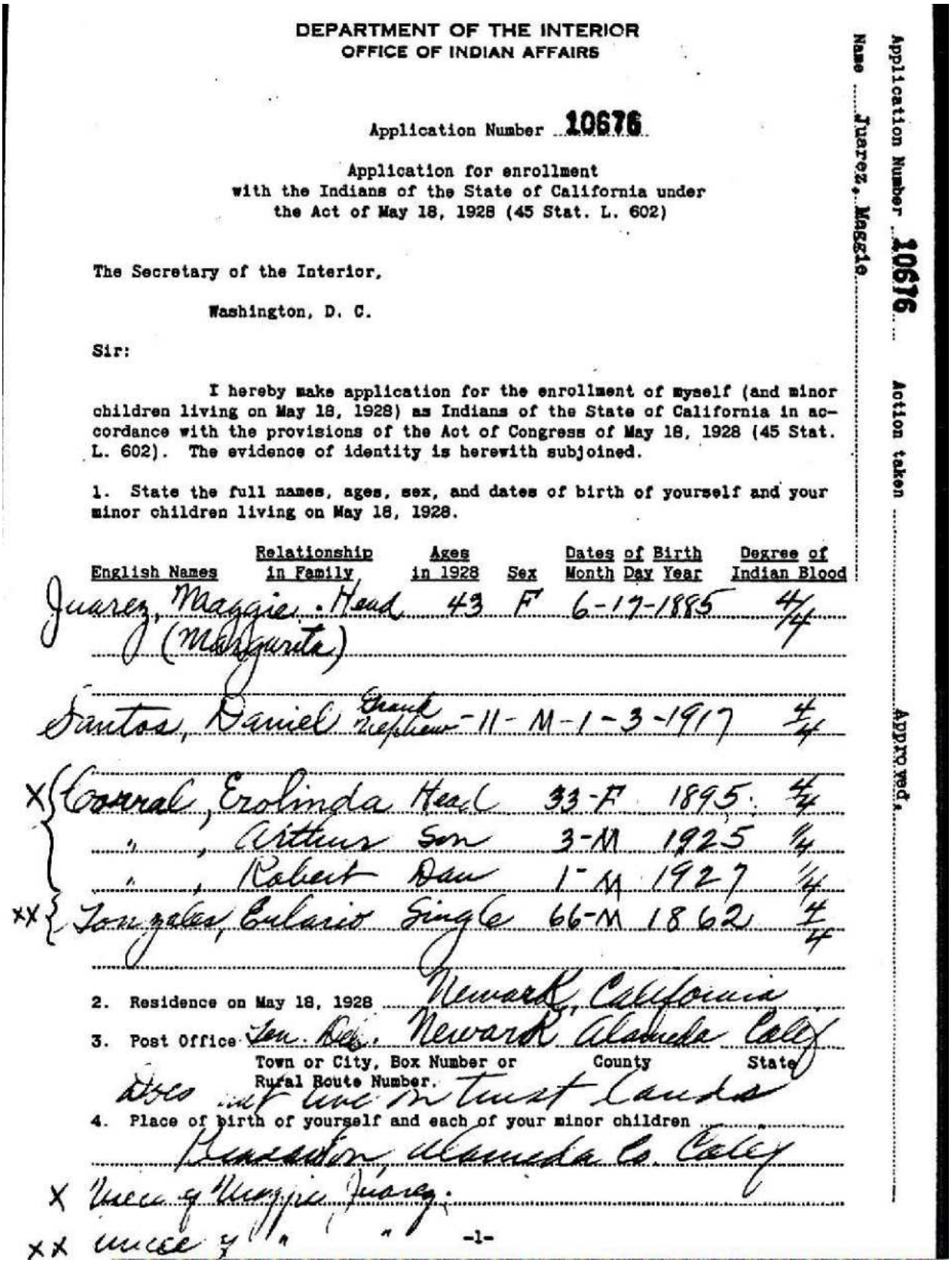
3. Post Office General Delivery, Newark (Town or City, Box Number or Rural Route Number.) Alameda (County) California (State)

Note:- Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children Newark, Alameda County, California.

Application Number 10294 Action taken Approved. FAB
Name Martel, Flora Emma Thompson

Figure 24: Flora Emma Thompson Martel and Daughter BIA Application # 10294 [Daughter of Magdalena Armija Thompson]



DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10676

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

Application Number 10676 Action taken Approved
Name Juarez, Maggie

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month	Day	Year	Degree of Indian Blood
Juarez, Maggie J (Margarita)	Head	43	F	6	17	1885	4/4
Santos, Daniel	Grand Nephew	11	M	1	3	1917	4/4
X Conrad, Erolinda	Head	33	F			1895	4/4
" , Arthur	Son	3	M			1925	4/4
" , Robert	Son	1	M			1927	4/4
XX Gonzales, Eulario	Single	66	M			1862	4/4

2. Residence on May 18, 1928 Newark, California

3. Post Office Gen. Del. Newark Alameda Calif
Town or City, Box Number or Rural Route Number. County State
does not live on trust lands

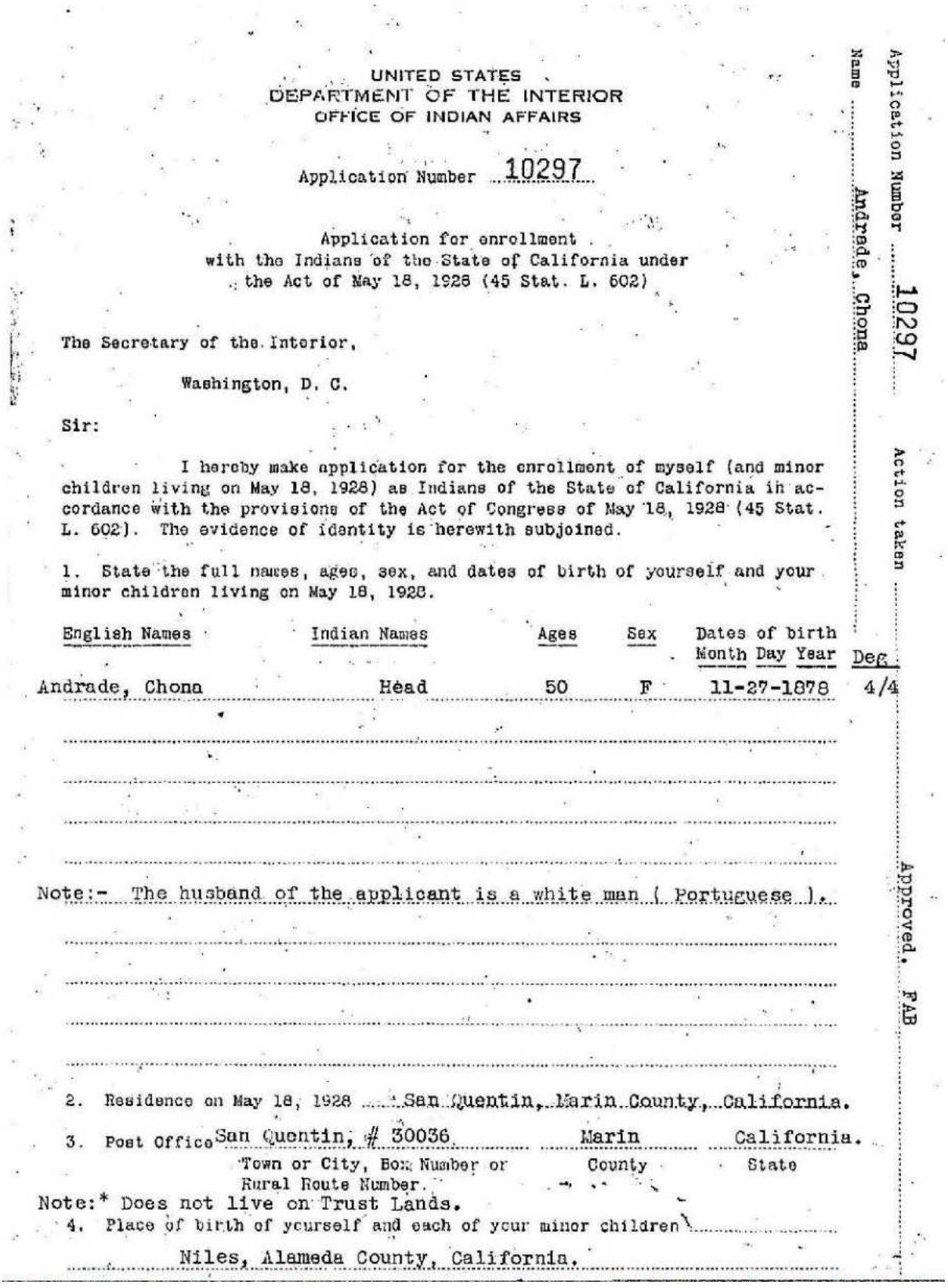
4. Place of birth of yourself and each of your minor children
Alameda Co. Calif

X Niece of Maggie Juarez.

XX niece of " " "

-1-

Figure 25: Maggie Pinos Juarez and Family BIA Application 10676
[Councilman David Splan's Great-Grandmother and Great-Great-Aunt]



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10297

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Indian Names	Ages	Sex	Dates of birth Month Day Year	Deg
Andrade, Chona	Head	50	F	11-27-1878	4/4

Note:- The husband of the applicant is a white man (Portuguese).

2. Residence on May 18, 1928 San Quentin, Marin County, California.

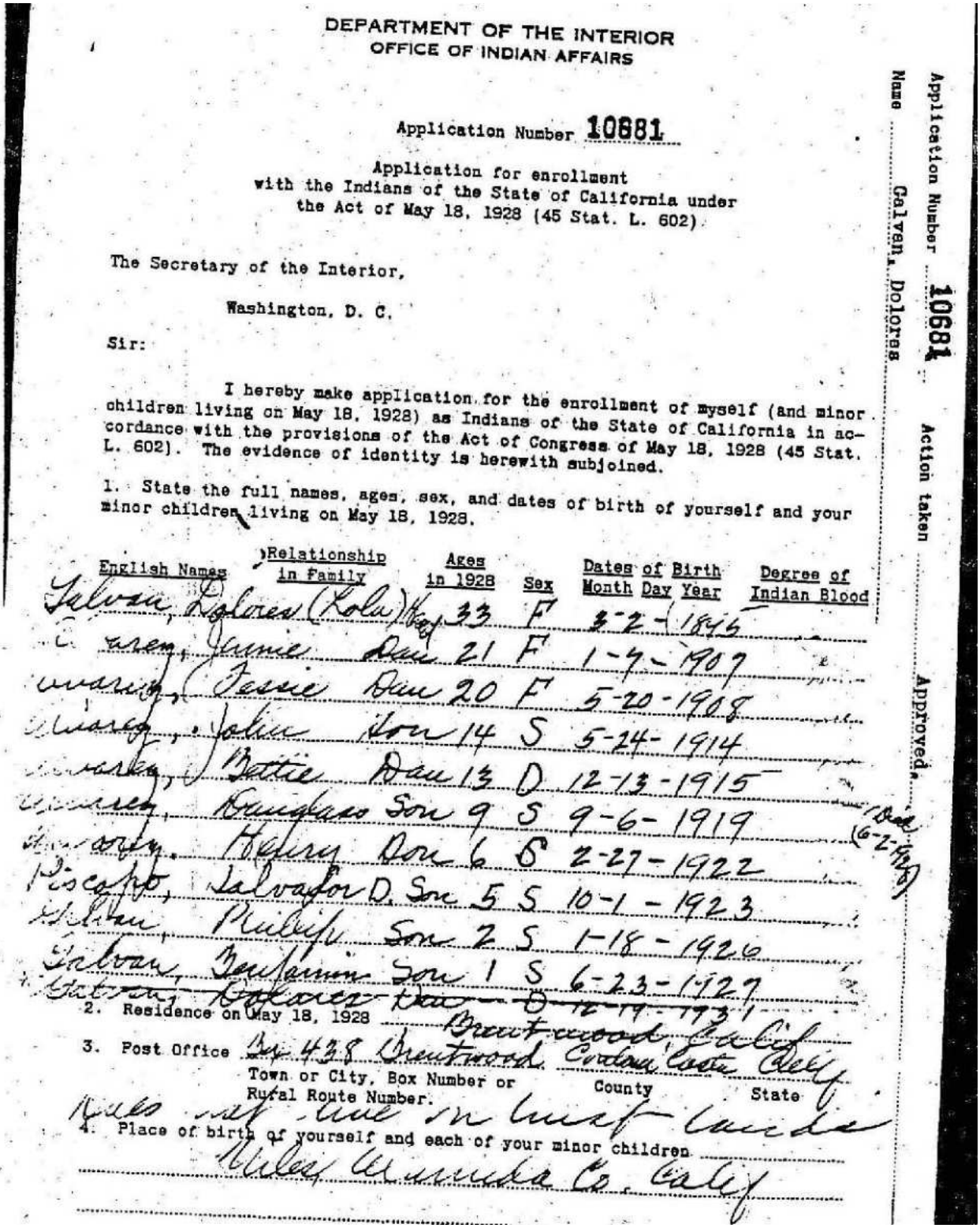
3. Post Office San Quentin, # 30036 Marin California.
Town or City, Box Number or Rural Route Number. County State

Note:* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children
Niles, Alameda County, California.

Application Number 10297
Name Andrade, Chona
Action taken
Approved. FAB

Figure 26: Chona Bautista Armija Andrade BIA Application # 10297
[Mother of Cecilia Armija Marine]



DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10681

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602).

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Galvan, Dolores (Kola)	Mother	33	F	3-2-1895	
Lameira, Jennie	Dau	21	F	1-4-1907	
Alvarez, Jessie	Dau	20	F	5-20-1908	
Alvarez, Julian	Son	14	S	5-24-1914	
Alvarez, Bertie	Dau	13	D	12-13-1915	
Alvarez, Douglass	Son	9	S	9-6-1919	
Alvarez, Henry	Son	6	S	2-27-1922	
Piscopo, Salvador D.	Son	5	S	10-1-1923	
Galvan, Phillip	Son	2	S	1-18-1926	
Galvan, Benjamin	Son	1	S	6-23-1927	
~~Galvan, Dolores~~	~~Dau~~	~~0~~		~~12-19-1931~~ (6-2-1928)	

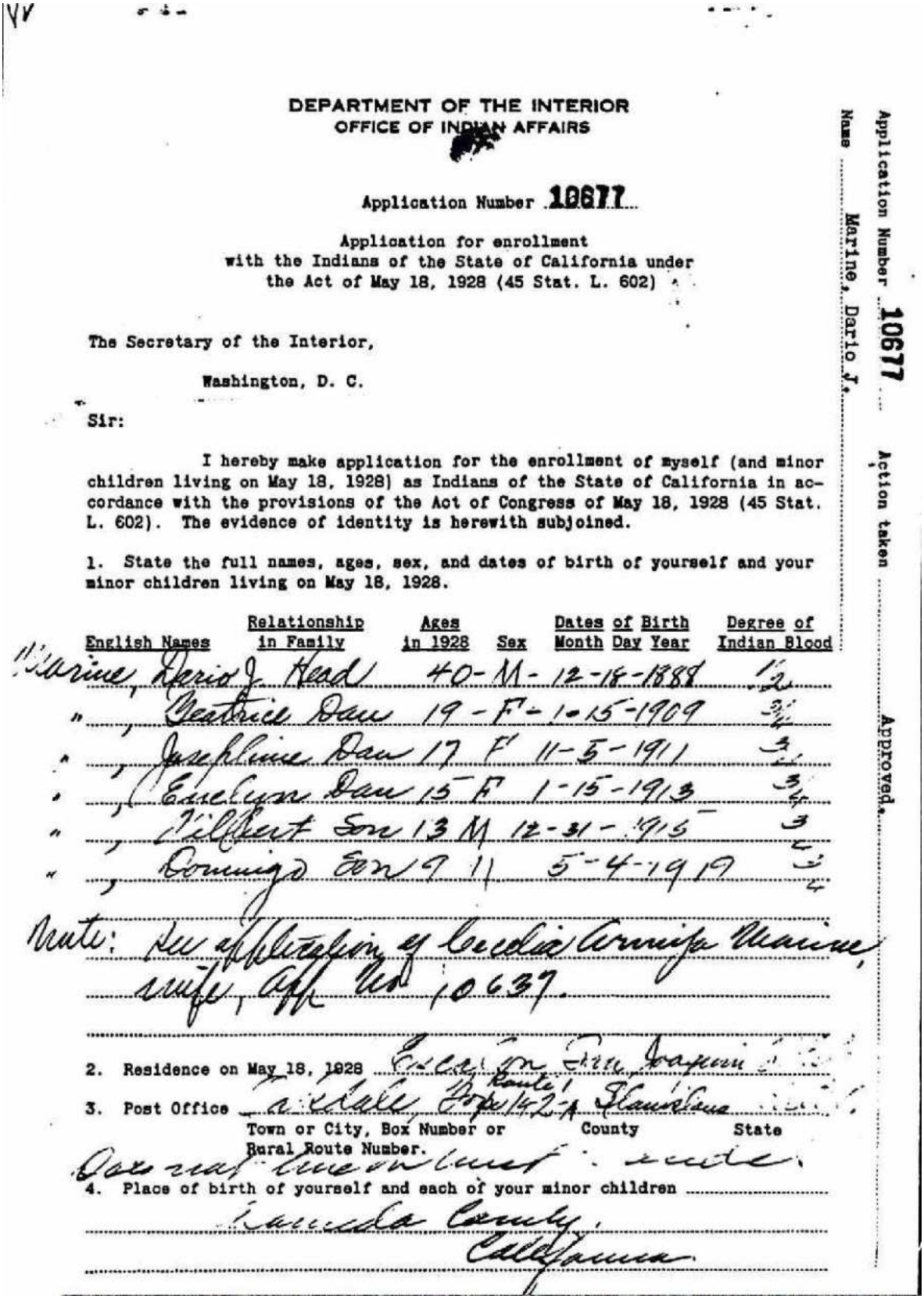
2. Residence on May 18, 1928 Brentwood, Calif.

3. Post Office Box 438 Brentwood Contra Costa Co. Calif.
Town or City, Box Number or Rural Route Number. County State

4. Place of birth of yourself and each of your minor children
Niles Alameda Co. Calif.

Application Number 10681
Name Galvan, Dolores
Action taken
Approved

Figure 27: Dolores Marine Alvarez Piscopo Galvan and Children, BIA Application 10681 [Former Councilmembers Hank Alvarez, Dolores Galvan Lameira's Mother, and Tribal Councilman Arnold Sanchez's Grandmother]



DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10677

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

Application Number 10677
Name Marine, Dario J.
Action taken
Approved

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

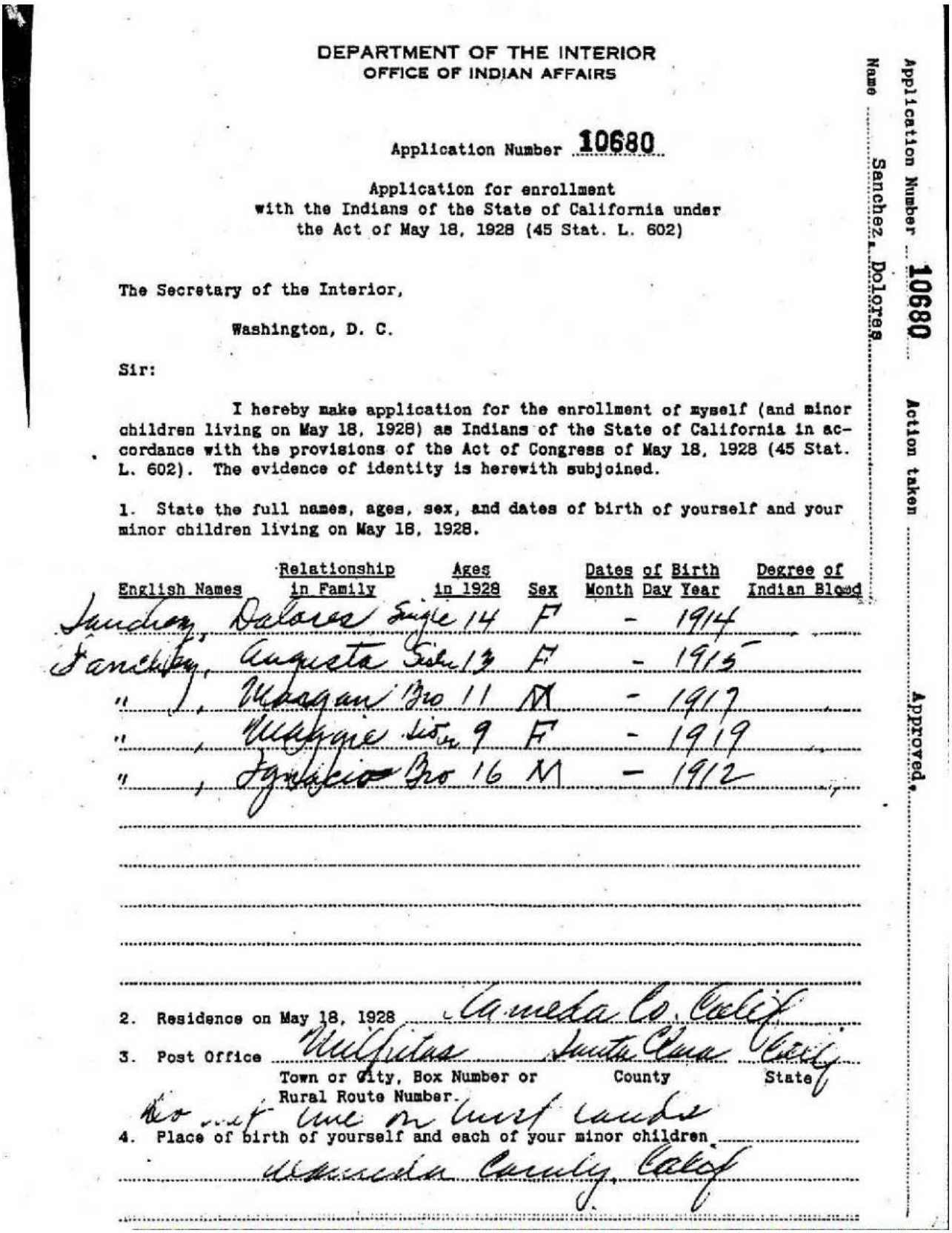
1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month	Day	Year	Degree of Indian Blood
Marine, Dario J.	Head	40	M	12	18	1888	1/2
" Beatrice Dau		19	F	1	15	1909	3/4
" Josephine Dau		17	F	11	5	1911	3/4
" Evelyn Dau		15	F	1	15	1913	3/4
" Gilbert Son		13	M	12	31	1915	3/4
" Romulo Son		9	M	5	4	1919	3/4

Note: See affidavit of Cecilia Arrujo Marine, wife, Application 10637.

2. Residence on May 18, 1928 Escalon San Joaquin
3. Post Office Escalon, Box 142 Route 1 California
Town or City, Box Number or Rural Route Number. County State
Does not live on land.
4. Place of birth of yourself and each of your minor children
Lavaca County, California

Figure 28: Dario Marine and Children, BIA Application 10677
[Former Councilmember Lawrence Mason Marine's Grandfather]



DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10680

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

Name Sanchez, Dolores Application Number 10680 Action taken Approved

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

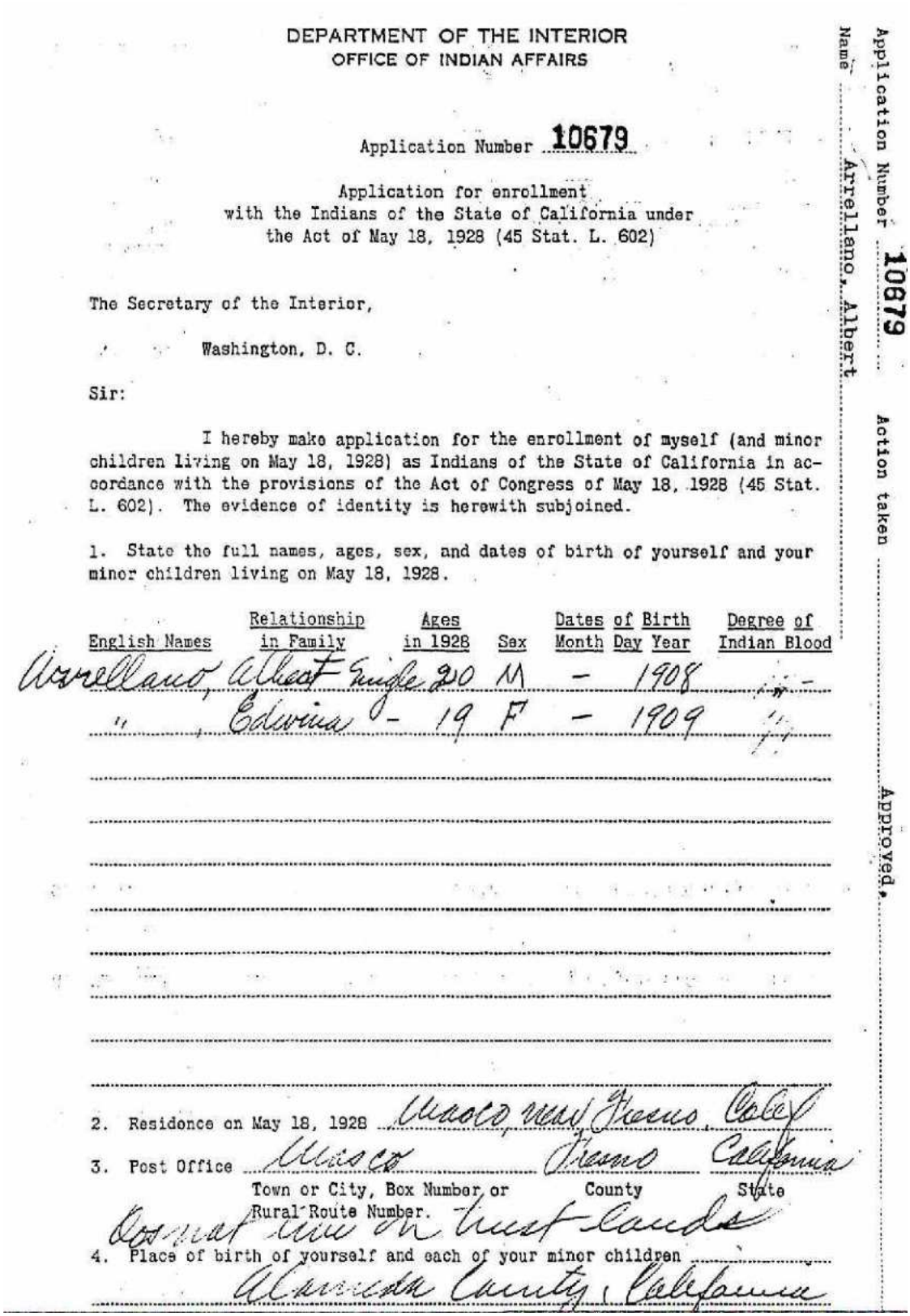
English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month	Day	Year	Degree of Indian Blood
Sanchez, Dolores	Single	14	F	-		1914	
Sanchez, Augusta	Sister	13	F	-		1915	
" , Joaquin	Bro	11	M	-		1917	
" , Mariquita	Sister	9	F	-		1919	
" , Ignacio	Bro	16	M	-		1912	

2. Residence on May 18, 1928 Alameda Co. Calif

3. Post Office Milpitas Santa Clara Co. Calif
Town or City, Box Number or Rural Route Number — County — State

4. Place of birth of yourself and each of your minor children
Alameda County, Calif

Figure 29: Dolores Sanchez and Siblings, BIA Application 10680
[Muwekma Chairwoman Charlene Nijmeh's Grandmother born on the Sunol Rancheria]



DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10679

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month	Day	Year	Degree of Indian Blood
Arrellano, Albert	Single	20	M	-	-	1908	-
" Edwina	-	19	F	-	-	1909	"

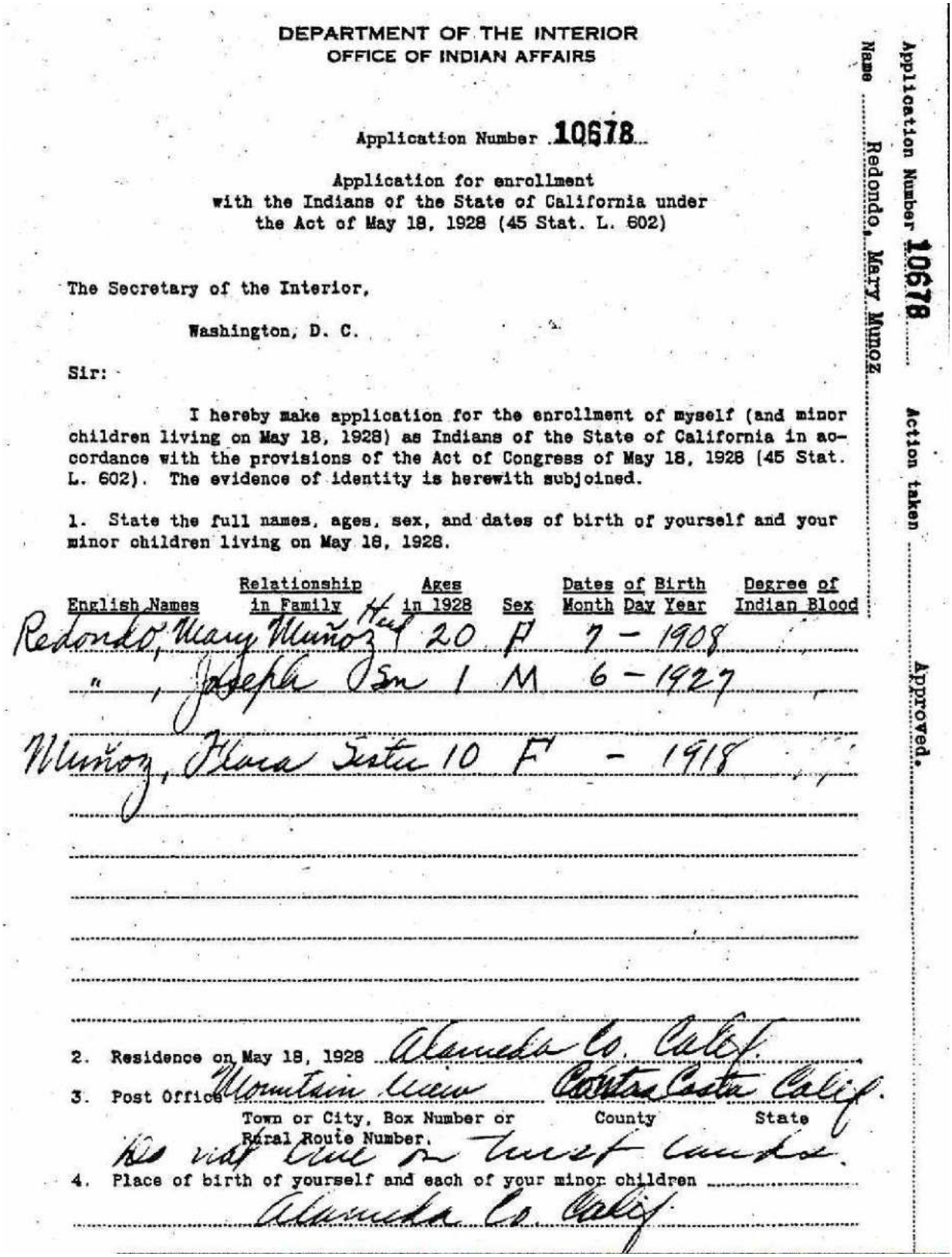
2. Residence on May 18, 1928 Mosco, near Fresno, Calif

3. Post Office Mosco (Town or City, Box Number or Rural Route Number) Fresno (County) California (State)
Normal time on trust lands

4. Place of birth of yourself and each of your minor children
Alameda County, California

Name Arrellano, Albert
Application Number 10679
Action taken
Approved.

Figure 30: Albert Arellano and Sister, BIA Application 10879
[Former Vice Chairwoman Monica V. Arellano's Grandfather born on the Alisal Rancheria]



DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10678

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month	Day	Year	Degree of Indian Blood
Redondo, Mary Muñoz	Head	20	F	7		- 1908	
" , Joseph	Son	1	M	6		- 1927	
Muñoz, Flora Justa		10	F			- 1918	

2. Residence on May 18, 1928 Alameda Co. Calif.

3. Post Office Mountain View Contra Costa Calif.
Town or City, Box Number or Rural Route Number — County — State

R.D. visit Call in Town of Lancaster.

4. Place of birth of yourself and each of your minor children
Alameda Co. Calif.

Application Number 10678 Name Redondo, Mary Munoz Action taken Approved.

Figure 31: Mary Munoz and Sister Flora and Son, BIA Application 10678
[Muwekma Councilmembers JoAnn Brose and Richard Massiatt's Grandmother]

A

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10682

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month	Day	Year	Degree of Indian Blood
Marine, Trina (Trina)	Single	27	F	2	27	1901	½

2. Residence on May 18, 1928, San Leandro, Calif.

3. Post Office Box 438 Brentwood Contra Costa Calif.
Town or City, Box Number or Rural Route Number. County State

Was born on the Alisal Rancheria

4. Place of birth of yourself and each of your minor children
Washington, California

Name Maxine Trina

Application Number 10682

Action taken

Approved.

Figure 32: Trina Marine, BIA Application 10682
[Former Councilmember Frank Ruano's Mother born on the Alisal Rancheria]

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10299

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Aleas, Joseph Francis	Single	35	M	5-11-1893	1/2

2. Residence on May 18, 1928 Newark, Alameda County, California.

3. Post Office Box 3, Newark (Town or City, Box Number or Rural Route Number.) Alameda (County) California. (State)

Note:* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children Pleasanton, Alameda County, California.

Application Number 10299 Action taken Approved. FAB
Name Aleas, Joseph Francis

Figure 33: Joseph Francis Aleas, BIA Application 10299
[Son of Margareta Armija and a World War I Veteran, U.S. Army]

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10637

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Marine, Cecelia Armija	Wife	F		11-27-1900	1/2

Note: Re application of Dario J. Marine, husband, #10677

2. Residence on May 18, 1928 Escalon, California.

3. Post Office Route 1, Box 142-A Oakdale (Town or City, Box Number or Rural Route Number) Stanislaus (County) California. (State)

Note:* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children
Niles, Alameda County, California.

Application Number 10637
Name Marine, Cecelia Armija
Action taken
Approved. FAB.

Figure 34: Cecilia Armija Marine BIA Application 10637
[Wife of Lucas Marine and earlier of Dario Marine]

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10675

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month	Day	Year	Degree of Indian Blood
Marine Catherine (Catherine)	Wife	35	F	11	22	1893	4/4

Husband, Lucas Marine, Ag. No 16298

2. Residence on May 18, 1928 Centerville California

3. Post Office care of Box 46 Centerville, Alameda, Calif
Town or City, Box Number or Rural Route Number. County State

4. Place of birth of yourself and each of your minor children Alameda County, California

Name Marine, Catherine

Application Number 10675

Action taken

Approved.

Figure 35: Catherine Peralta Marine BIA Application 10675
[Granddaughter of Muwekma Linguistic Consultant Jose Guzman]

Application Number 8419

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Bianoco, Jose	Single (Widower)	86	M	10-8-1842	4/4

2. Residence on May 18, 1928 Pleasanton, Alameda County, California.

3. Post Office Fairmont Hospital, San Leandro (Town or City, Box Number or Rural Route Number) Alameda (County) California. (State)

Note:- Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children
Mission San Jose, Alameda County, California.

Bianoco, Jose

tion Number 8419

Action taken

Approved, March 20, 1951.

Figure 36: Jose Binoco BIA Application 8419
[Anthropological Consultant, & Godfather to Rafael and Avelina Cornates Marine's last son]

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10300

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Nichols, Belle	Wife	38	F	2-19-1890	1/2

Note:* See application of Joseph Nichols, husband, Niles, Alameda County, California. App. No. _____

2. Residence on May 18, 1928 Niles, Alameda County, California.

3. Post Office Niles, Gen. Del. (Town or City, Box Number or Rural Route Number.) Alameda (County) California (State).

Note Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children Niles, Alameda County, California.

Name Nichols, Belle Application Number 110300 Action taken Approved. FAB

Figure 37: Belle Nichols BIA Application 10300
[Married to Muwekma Ohlone Joseph Nichols]

5. Where have you and your children resided since birth?

Alameda County, California.

6. Are you married? Yes.

7. If a married woman, give your name before you were married.

Belle Stokes

8. Name and exact date of birth (Month, Day, and Year) of your wife (or husband).

Joseph (Joe) Nichols.---- Age 48 years.

9. Is he (or she) of Indian blood? If so, state the name of the Tribe or Band, and degree of Indian blood.

Yes 1/2 Olanian Tribe, Alameda County, California.

Ohlone

10. What is your degree of Indian blood and to what Tribe or Band of Indians of the State of California do you belong?

1/2	Olanian Tribe, Alameda County, California.
Degree of Indian Blood	Name of Tribe or Band

11. To what Treaty or Treaties were you or your ancestors a party, and where did you (or they) reside on June 1, 1852? Where and when were said treaties negotiated?

I do not know.

12. Give the names of your California Indian ancestors living on June 1, 1852, through whom you claim, who were parties to any Treaty or Treaties with the United States. If you claim through more than one ancestor living on that date, set forth each claim separately. State your descent from said ancestor or ancestors setting forth your relationship to them.

Names	Tribe or Band	Relationship by Blood
Margarita Armija	Olanian Tribe, Alameda County, California.	Mother.

(See Nos 15 and 26)

Figure 38: Belle Nichols BIA Application 10300 "Olanian Tribe" (Page 2)
[Identifying her Tribe, Husband, and Mother as "Ohlone"]

Muwekma Children Attend Indian Boarding Schools

During the Great Depression years (1930s through the beginning of World War II), the Muwekmas continued to adjust to the economic hardships facing the families. Although at times moving around as farm hands, fruit pickers, and laborers, the family heads still maintained important social kinship networks, religious, economic, and political ties with each other.

Just prior to the outbreak of World War II, the youngest son of Dario Marine (BIA Application # 10677) and Catherine Peralta Marine (BIA Application # 10675), **Lawrence Domingo Marine,** was sent to the Bureau of Indian Affairs' Indian boarding school at **Sherman Institute**, Riverside County, in southern California, from 1931-1940 and there he met his future wife, Pansy Lizzette Potts (daughter of Marie Potts Mason, Maidu Tribe). Lawrence and Pansy's first three children Lawrence Mason Marine, Marvin Lee Marine, and Suzie Marine were born and raised in Quincy, California (Maidu territory) and later they lived in Sacramento. Both Lawrence and Marvin Lee became traditional California Indian dancers with the help of their grandmother, Marie Potts, and Nisenan/Miwuk tribal elder, Bill Franklin (see Bibby article in News for Native California, Vol. 7, No. 3, Summer 1993:21-36).

The children of Jack Guzman and Flora (Marine) Munoz, John Guzman, Jr., and his sister Rena Guzman, was sent to the BIA boarding school at **Chemawa**, near Salem, Oregon, from 1944 - 1947. At this time, leadership was still in the hands of Muwekma adults and elders: Phoebe Alaniz (Petra Inigo) [died 1947], Margarita Pinos Juarez, Francisca Nonessi Guzman (died 1942), Dolores Marine Galvan, Dario Marine, Lucas Marine, and Trina Marine.

Bureau of American Ethnology's John Peabody Harrington's Ethnographic and Linguistic Field Work: Interviews with the Muwekma Tribal Community

During the late 1920s and early 1930s, anthropological linguist John Peabody Harrington of the Bureau of American Ethnology conducted interviews with members of the Muwekma tribal community (e.g., Susanna Nichols, Jose Guzman, Francisca Nonessi, Maria de los Angeles Colos, Catherine Peralta, and others) who were still residing in the Niles, Centerville, Newark, Pleasanton, and Livermore areas.

Harrington's principal linguistic and cultural consultants are direct biological ancestors of the Muwekma Ohlone families, many of whom are presently living in the Oakland/ Livermore/Hayward/Castro Valley/Fremont/Newark/Niles/San Jose/Tracy areas. Also, during this period of time, sound recordings made by Harrington of twenty-seven songs sung by Jose Guzman in 1930 and later in 1934 photos were taken by C. Hart Merriam of Jose Guzman and his family members, which attest to the Tribe's presence within their historic homeland (see **Figure 39 - John P. Harrington, Muwekma Elders Jose Guzman** and **Maria de los Angeles "Angela" Colos).**

J. P. Harrington's field notes (dated October 12, 1929, and October 1934) provide information about the culture, history, and languages spoken by the **Verona Band/**Mission San Jose Indians. Jose Guzman and Angela Colos shared the following information with him:

- The San Jose Indians were of many tribes gathered at the mission. They are called Chocheños.

- I asked inf[ormant] how to say Abajeños, but inf. never heard the term. But inf. knows how to say arribenos.... when I asked if these were the Indians of Oakland, Inf. said no; that they were from [Martinez].

- Inf. does know one tribe, Halkin. It is the name of a tribe up San Rafael way. Liberato here was a Halkin, or was said to be one. [inf.] told him he was a Halkin, and Liberato got mad, denied it.... He [Jose Guzman] made a map, showing the location of "Hacienda Station" for Mrs. Hearst's place.

- From Sunol, … he drew a line, indicating the former location of "Barona" [Verona] Station north of the San Jose Mission. Then, he noted under Roundhouse/Dancehouse:

- Was a big temescal just up the road from here. Until recently, could see the place. Door inside and a big hole & also a smaller hole in the roof. Tu'pentak, temescal. Used to have fiestas here**.**

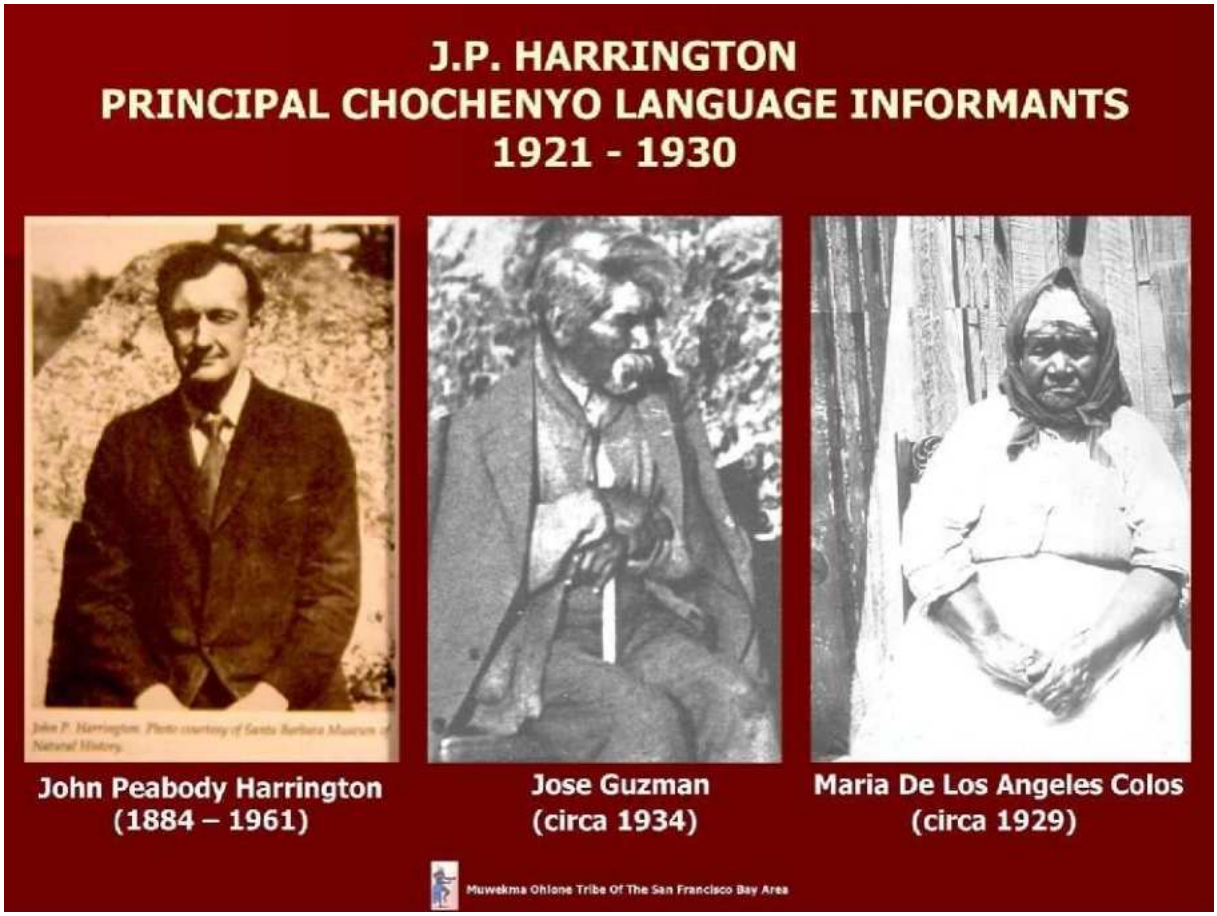


Figure 39: John P. Harrington, Muwekma Elders Jose Guzman and Angela Colos

The Outbreak of World War II: Muwekma Men Again Answer the Call to War

During **World War II**, almost all of the Muwekma men served in the United States Armed Forces both the Pacific and European theaters, and stateside. The five brothers enlisted in the Armed Forces.



- Hank A. Alvarez, Pfc., U.S. **Army, 101st Airborne Division,** landed at **Utah Beach, Normandy.** Hank was born on February 27, 1922 in San Jose. He spent his childhood in Santa Cruz, Alvarado, and Brentwood in Contra Costa County. While living in Brentwood, on March 18, 1932, his mother, Dolores Marine, enrolled herself and her children with the **Bureau of Indian Affairs** (BIA Application # 10681; see **Figure 27** above).

Hank enlisted at the San Francisco Presidio and served from December 28, 1942 to December 15, 1945 in the 101st Airborne Division. He returned home from Europe with the 82nd Medical Battalion, 12th Armored Division. While serving in the **101st Airborne Division,** he landed at Utah Beach in Normandy; he was later reassigned to the **106th Infantry Division, 423rd Infantry Regiment, Company B,** and continued to fight in France, Belgium, Luxembourg, and Germany. He regiment saw action at Saint Laurent sur Mer and Saint Nazaire, France, and near Malmedy, Belgium. Later, Hank was reassigned to the **326th Engineer Battalion** during the **Battle of the Bulge** at **Bastogne** and at the **Ramagen Bridge** crossing of the Rhine River in Germany. After landing in Europe, Hank's units fought in the following campaigns with the 101st Airborne Division: **Ardennes, Rhineland (GO 40 WD 45)**, and **Northern France (GO 33 WD 45).** Hank was issued the following medals and badges: **Sharpshooter M1**, **WWII Victory Medal**, and the **European African Middle East Campaign Medal.** The 101st Airborne Division and the 106th Infantry Division earned **Presidential Unit Citations.** Hank was honorably discharged at Camp Beale, California, on December 15, 1945.





Hank enrolled himself and his family with the **BIA** on April 26, 1950 during the second enrollment period. During the early 1960s Hank served in a leadership position along with his brothers and sister to save the Tribe's **Ohlone Indian Cemetery** from destruction. Hank has served on the Muwekma Tribal Council since 1992 and was the oldest surviving member of the Verona Band of Alameda County and the oldest veteran in the Tribe. Hank passed away on August 6, 2022 at the age of 100 and was buried in the Tribe's **Ohlone Indian Cemetery**.



- John (Johnnie) Abraham Alvarez was Hank Alvarez's older brother. John Alvarez was born on May 24, 1914 in San Jose, and spent most of his life living in Santa Cruz. He was enrolled with his siblings with the **BIA** in March 1932. John enlisted in the U.S. **Army** on October 22, 1941 just prior to America's Declaration of War against Japan, Germany, and Italy, and he

served as a Pfc. in the **U.S. Army Air Corps** in the **Pacific Theater**. A letter was later sent to Dolores Marine Alvarez Piscopo Galvan that her son John, while serving overseas, was **missing in action;** however, although the details are now clouded, he was either liberated or saved, and he continued to serve. John was honorably discharged on November 20, 1945 and received the **American Defense Service Medal, American Campaign Medal, WWII Victory Medal,** and **the Honorable Service Lapel Button WWII**. John Alvarez died on March 6, 2002.



- Francis Salvador "Sal" Samuel Dominic Piscopo, Sergeant Technical [E-7] U.S. Army, European Theater. Salvador was born in San Jose on October 1, 1923 and was a younger brother of Hank and John Alvarez. He went by the name of Samuel Dominic by the time he enlisted in the U.S. Army. Sal was enrolled on March 18, 1932 with the **Bureau of Indian Affairs,** with his siblings, under his mother Dolores Marine's **BIA Application # 10681**. Sal spent his younger years living in San Jose and Brentwood.

Sal enlisted in the **U.S. Army** on January 25, 1943. He attained the rank of **Sergeant Technical (E-7)** and served in the **14th Mechanized Cavalry Group, 18th Cavalry Squadron.** On August 28, 1944, the 14th Mechanized Cavalry Group sailed for Europe, where it landed on **Omaha Beach** on September 30 and pressed east. On October 18, 1944, the unit was split into the **18th Squadron**, attached to the **2nd Infantry Division**, and the 32nd Squadron, attached to the 83rd Infantry Division. The unit regained its autonomy on December 12, 1944 and began guarding the Losheim Gap in Belgium. On December 16,1944, the 14th Mechanized Cavalry Group received the full brunt of the German winter counteroffensive at the **Battle of the Bulge**. After two days of savage fighting, the unit reassembled at Vielsam, Belgium, and was then attached to the **7th Armored Division**.

On December 23, 1944, the unit secured the southern flank of the perimeter, which allowed friendly troops to withdraw to safety. On December 25, 1944, the unit was reequipped, attached to the **XVIII Airborne Corps,** and moved back into the Bulge to push back the German Army. After the bloody and brutal fight in the Ardennes, the regiment was assigned to the **3rd Army**.



2nd Infantry Division



7th Armored Division



XVIII Airborne Corps



3rd Army Division

In December 1944, the **18th Cavalry Squadron** was **"chopped"** to the **106th Infantry Division** still in that sector. The tasks for these squadrons included the traditional cavalry missions of screening at the front and reconnaissance. On December 12, 1944, the 32nd Squadron was returned to Group control and then passed the lines to the rear of the battle for refitting. The 18th Squadron also returned to "Group" control and continued its screening mission in the Ardennes region of Belgium.

At 0630 on December 16, 1944, General Field Marshall von Rundstedt launched the final German bid for victory - the now famous "Ardennes Offensive," or better known as the "Battle of the Bulge." After a terrific artillery and rocket barrage designed to destroy communications and disrupt our organization, the German attack was launched. The full weight of this drive was felt early that morning when more than half of the **18th Cavalry Squadron** became surrounded and were captured or killed by 10:00 hours.

Patton's Third Army Division had begun the Lorraine Campaign by August 1944 and reached the Moselle River near Metz, France. By December 1944, Salvador's tank division turned north to relieve the surrounded and besieged **101st Airborne Division** at **Bastogne** in the Ardennes during the **Battle of the Bulge**. By February 1945 the Third Army moved into the Saar Basin in Germany and later crossed the Rhine River at Oppenheim on March 22, 1945.

On Salvador Piscopo's uniform at the time his photograph was taken, he had four **service bars** representing **two years of overseas service** and also one **three-year reenlistment service stripe**. Sal was wounded when his tank was hit by German anti-tank fire. He carried shrapnel in his chest all of his life. He was also captured by the Germans and later liberated. Sal was issued a medal with five **Bronze Service Stars, the European-African-Middle Eastern Campaign, the Good Conduct Medal,** and **the World War II Victory Medal,** and he participated in the **Rhineland** (15 Sep 44 to 21 Mar 45), **Ardennes-Alsace** (16 Dec 44 to 25 Jan 45), and **Central Europe** (22 Mar to 11 May 45) **Campaigns**. He was hospitalized after being liberated and after he was discharged. Sal was discharged at Camp Beale in 1945. Salvador died on September 21, 1968 and is buried in the Disabled Veterans section of **Oak Hill Cemetery** in San Jose, California.



- Philip Galvan, Pvt. US Army, Fort Benning, Georgia. Philip was born in September 1926 in Alvarado, Alameda County, and was the younger brother of Sal Piscopo and Hank Alvarez. He was enrolled along with his siblings with the **Bureau of Indian Affairs** on his mother Dolores Marine's BIA Application # 10681. Philip enlisted in the **U.S. Army** on April 13, 1944 and was sent to the Monterey Presidio, and later, he was stationed at Fort Benning, Georgia. Fort Benning was the home of the **2nd Armored Division** called "Hell on Wheels." At Ft. Benning, the core units of the 2nd Armored Division were the 41st Armored Infantry Regiment, the 66th Armored Regiment, the 67th Armored Regiment, the 17th Armored Engineer Battalion, the 82nd Armored Reconnaissance Battalion, and the 142nd Armored Signal Company. The 2nd Armored Division had three artillery battalions (the 14th, 78th, and 92nd). The Division also had support units, including the 2nd Ordnance Maintenance Battalion, a Supply Battalion, the 48th Armored Medical Battalion, and a Military Police Platoon. Some of the units were attached to the 41st Infantry Division in Europe. Philip was honorably discharged at Camp Beale in 1946. During the 1960s Philip and his siblings were instrumental in protecting the Tribe's Ohlone Indian Cemetery from destruction. Later, Philip joined the editorial board of the American Indian Historical Society's **Indian Historian** publication/journal. Philip also served as the Secretary for the Ohlone Indian Tribe from 1965 to 1971. Philip Galvan was the caretaker of the Tribe's Ohlone Indian Cemetery, located near Mission San Jose. On June 13, 1982, Phil and his brother Ben Galvan laid the cornerstone for the widely acclaimed reconstruction of the 1809 Mission San Jose adobe Church. Philip passed away on March 25, 2013 at the age of 87, and was buried in the **Ohlone Indian Cemetery**.



- "Ben" Michael Benjamin Galvan, Merchant Marines, **U.S. Navy – (USS *Enterprise)*, U.S. Army and Army Air Corps**. Ben was born on June 23, 1927 in Alvarado, and was the last "formal" member of the Federally Recognized Verona Band of Alameda County. In March 1932, he was enrolled with the Bureau of Indian Affairs under his mother, Dolores Marine Alvarez Piscopo Galvan's BIA Application # 10681. After serving in the Merchant Marines because he was underage, he served in the Navy aboard the *USS Enterprise*.

The *USS Enterprise* participated in nearly every major engagement of the war against Japan, including the Battle of Midway, the Battle of the Eastern Solomons, the Battle of the Santa Cruz Islands, various other air-sea actions during the Battle of Guadalcanal, the Battle of the Philippine Sea, and the Battle of Leyte Gulf, as well as participating in the "Doolittle Raid" on Tokyo. USS *Enterprise* has the distinction of earning **20 battle stars** and a **Presidential Unit Citation**, the most for any U.S. warship in World War II. Ben Galvan was awarded six battle stars and a Purple Heart.

After being injured during combat aboard the *USS Enterprise*, Ben requested to be transferred to the U.S. Army/Army Air Corps. At the end of his service, he reenlisted in the service on January 15, 1946 at Camp Beale, Marysville, California. On December 4, 1951, Ben enrolled himself and his family during the second BIA enrollment period.

During the early 1960s he was involved in saving the Ohlone Indian Cemetery from destruction, and in 1965 Ban became the first chairman of the Ohlone Tribe, Inc., non-profit. Ben served as the chairman of the Ohlone Tribe for thirteen years, from 1965 to 1978. Ben Galvan passed away on April 13, 1987.



- Thomas Joseph Garcia, Pfc. U.S. Army, **Co. F. 358th Engineers, GS Regiment**. Thomas Joseph Garcia was born on December 12, 1912 on the Alisal Rancheria near Pleasanton. Both his mother, Mercedes Marine, and his father, Joseph Armijo Garcia, were Muwekma Ohlone Indians. After the death of his mother in 1914, Joseph was adopted by his godmother Phoebe Inigo Alaniz, who was also a member of the Verona Band Indian Community. He enrolled with the **Bureau of Indian Affairs** with his stepmother, **Phoebe Alaniz,** on October 7, 1930 (Application # 10301) and spent most of his life living in Livermore.

Thomas Garcia enlisted on July 30, 1942 at the **San Francisco Presidio,** and he served until November 27, 1945. On January 10, 1943 the **358th Engineers Regiment** was activated at Camp Claiborne, Louisiana, and they departed the U.S. for Europe on July 1, 1943. The regiment landed in France on August 24, 1944 and crossed into Belgium November 27, 1944 and participated in the **Normandy**, **Northern France**, **Rhineland**, and **Central Europe Campaigns.** He was honorably discharged on November 27, 1945. On April 22, 1953, he enrolled during the second **BIA** enrollment period. Thomas Garcia passed away on February 9, 1956 and was buried at **Golden Gate National Cemetery** (Section Q, Grave 59).



- Ben Lewis Guzman, Pfc., U.S. Army (Serial # 39112587). Bennie Guzman was born on October 2, 1920 in Pleasanton, California, and was a member of the **Verona Band.** He was the older brother of WWII Veteran Frank Guzman and first cousin to George Guzman Hernandez. His father was Fred Guzman, who had served in the 28th Infantry Division during WWI. Ben enlisted on November 5, 1942 at the San **Francisco Presidio.** He first went to Camp Niles, and then to Camp White, Oregon, and was assigned to **Company B, 362nd Infantry Regiment, 91st Infantry Division,** and he served in the North **Africa, Sicily**, and **Italy** campaigns during the war. The 361st, 362nd and 363rd Infantry Regiments were organic elements of the 91st Infantry Division.

The 91st Division was activated in 1942 and landed in Italy in June 1944. During the rest of the war, the Division participated in the **Anzio, Rome-Arno**, **North Apennines (**the **Gothic** and **Caesar Lines**) and **Po Valley** campaigns. Like his uncle Toney Guzman, who also served in the 91st Infantry Division during WWI, Ben Guzman's enlistment record identifies him as an "**American Indian, Citizen."** Ben was discharged on January 9, 1946 at Camp Beale, California.

Ben Guzman was issued the **Bronze Star**, **Combat Infantry Badge**, **World War II Victory Medal**, **WWII Lapel Button**, **European/African/Middle Eastern Campaign Theater Medal** [for the **Anzio** - January 22 - May 9, 1944; **Rome/Arno** - January 22 - September 9, 1944; **Northern Apennines** - September 10, 1944 - April 4, 1945 campaigns]. Ben Guzman died on March 11, 1995 and he was buried in the **San Joaquin National Cemetery** in Gustin, Ca. (Section C-3 Site 517).



- Frank Harry Guzman, Pfc., U.S. Army. Frank was the younger brother of Bennie Guzman, and he was born on April 2, 1926 in Pleasanton. Muwekma Ohlone Indians Dario Marine and Cecelia Armija were his godparents. Frank and his brother Bennie were photographed as children with their uncle Toney Guzman by anthropologist C. Hart Merriam in September 1934.

Frank's enlistment record identifies him as an "**American Indian, citizen"** and that he enlisted at the **San Francisco Presidio.** Frank served from July 21, 1944 to June 1946 as a Light Machine Gunner in the unattached **345th Infantry Regiment, 87th Infantry Division** that during the war was assigned to the **3rd Corps**, **8th Corps**, **12th Corps of General Patton's 3rd Army** (25 Nov 1944), **15th Corps of the 7th Army**, **8th Corps of the 1st Army,** and the **8th Corps of the 9th Army** during the European Theater of Operations (October 1944 - May 1945). Frank was also briefly assigned to the **82nd Airborne Division** and received his Parachute Badge.

On December 15, 1944, the **345th Infantry Regiment** was in the vicinity of Rimling, France, and by December 17th the regiment took the town of Medelsheim, Germany. By December 26th the Germans had broken through the American defenses along the German-Belgian border between Malmedy, Belgium, and Echternach, Luxembourg, and created a fifty-five-mile salient through the Ardennes Forest. The 345th was sent to the cathedral city of Rheims to prevent a German breakthrough there, and by December 28th the regiment was reassigned to General Patton's Third Army. On December 29th the 345th Infantry Regiment was again on the road, bound for an assembly area in the Luchie Woods, approximately 19 kilometers southwest of Moircy, Belgium.

The **Battle of the Bulge,** which lasted from December 16, 1944 to January 28, 1945 was the largest land battle of World War II in which the United States participated. More than a million men fought in this battle, including some 600,000 Germans, 500,000 Americans, and 55,000 British. At the conclusion of the battle, the casualties were as follows: 81,000 U.S. with 19,000 killed; 1,400 British with 200 killed; and 100,000 Germans killed, wounded, or captured.

Frank was engaged in the **Rhineland** and **Central Europe** campaigns. He received the Army **Presidential Unit Citation Ribbon**, **Combat Infantry Badge**, **European Africa and Middle Eastern Campaign Meda**l (**Three Bronze Stars for Campaigns**), **Good Conduct Medal**, **American Campaign Medal**, **World War II Victory Medal**, **Army of Occupation Medal (Berlin), Parachute Badge, Marksman Badge** for Machine Gun and Rifle. Frank was honorably discharged at Camp Beale, California, on June 27, 1946. Frank Guzman was a member of the V.F.W. Post No. 1537 of Tracy, California; he passed away on March 17, 1982.



- Ernest Paul Marine, Pfc.; U.S. Army, 58th Armored Field Artillery Battalion. Ernest Marine was the son of Muwekma Ohlone Indians, Lucas Marine, and Catherine Peralta. He was born on January 26, 1926 in Centerville. He was enrolled with his father with the Bureau of Indian Affairs on January 11, 1930 (**BIA Application # 10299**) and his mother had filled out a separate BIA enrollment (**Application # 10675**). His father, Lucas Marine, had identified his mother (Avelina Cornates Marine) and Ernest's mother (Catherine Peralta Marine) as "**Ohlones**" on his BIA application.

Ernest Marine enlisted on April 13, 1944 at the Monterey Presidio. On June 6th 1944 (D-Day), the 58th was ordered to land on Omaha Beach in support of the 116th Combat Team and the 2nd and 5th Ranger Battalions. Ernest served in Europe with the unattached **58th Armored Field Artillery Battalion,** self-propelled 105 Howitzers, temporarily attached to the **29th Infantry Division, V Corps,** and **XIX Corps**, and he fought in the **Rhineland** (September 15, 1944 – March 21, 1945), the **Ardennes-Alsace** (**Battle of the Bulge, Bastogne, Belgium**, December 16, 1944 – January 25, 1945) and in the **Central Europe Campaigns** (March 22, 1945 – May 11, 1945). Ernest enrolled with his father, Lucas Marine, during the second **BIA** enrollment period on December 23, 1950. Ernest Marine was honorably discharged at Camp Beale on June 15, 1946. After the war, he spent most of his life living with his aunt, Trina Thompson Ruano, in Newark, and he passed away on October 20, 1977 in Sacramento.



- Filbert S. Marine, Technician Fifth Grade (**T/5** or **TEC 5, U.S. Army, Pacific Theater.** Filbert was the last child born on the Alisal Rancheria on December 31, 1915. Both of his parents, Dario Marine and Catherine Peralta, were **Muwekma Ohlone Indians.** His godparents were also Muwekma Ohlone Indians: Franklin Guzman, who served in the Marine Corps during WWI, and Francisca Guzman. Filbert and his siblings were enrolled with the Bureau of Indian Affairs on their father's BIA **Application # 10677** on March 11, 1932.

Filbert enlisted in the Army on February 18, 1942 at the Presidio of Monterey. His enlistment record identifies him as "**American Indian**, citizen." He fought in the Pacific Theater and was assigned to the **226th Field Artillery Battalion, Battery B**. His unit was assigned to **XXIV Corps** during the Battle of Leyte in the Philippines. The Marines that took part in the Leyte landings were elements of the VAC Artillery, which had been attached to the XXIV Corps earlier in 1944, while stationed in Hawaii. The **V Amphibious Corps** (VAC) was a formation of the United States Marine Corps and was composed of the 3rd, 4th and 5th Marine Divisions during World War II. They were the amphibious landing force for the United States Fifth Fleet and were notably involved in the battles for **Tarawa** and **Saipan** in 1944, and the **Battle of Iwo Jima in 1945.**

The Marine complement consisted of the 5th 155mm Howitzer Battalion, the 11th 155mm Gun Battalion, and Headquarters Battery. Army field artillery battalions in the XXIV Corps were the 198th Field Artillery Battalion (155mm Howitzer), the **226th Field Artillery Battalion (155mm Gun),** and the 287th Field Artillery Battalion (Observation). The Marine artillery elements assigned to the XXIV Corps, as well as the **226th Field Artillery Battalion,** had been formed from former seacoast artillery units; though familiar with heavy artillery, the men had received only rudimentary field artillery training. Prior to the departure of these units from Hawaii, the Marine artillery had undergone intensive field artillery training. Embarkation of personnel from Hawaii was accomplished between September 6th - 14th 1944.

The island of Leyte, lying in the Visayas Group of the Central Philippines, is 115 miles in length and varies in width from 15 to 40 miles. The main mountain range runs the entire length of the island from north to south, leaving a wide coastal plain along the east coast. The Sixth Army troops for Operation KING II, the code name for the invasion of Leyte, were composed of the **X** and **XXIV Corps** and the **6th Ranger Battalion**. The X Corps included the 1st Cavalry Division and the 24th Infantry Division; the XXIV Corps consisted of the 7th and 96th Infantry Divisions. After the Leyte (20 Oct 1944) Philippine Campaign ended, the **226th Field Artillery Battalion** continued on and participated in the **Okinawa Campaign** (14 June 1945). Filbert's unit may have gone from Camp Forrest, Tennessee, to Fort Oglethorpe, Georgia, to Fort Sill, Oklahoma, to Camp Stoneman, California, to Maui, to Oahu, to Molokai, to Eniwetok, to Manus, to Leyte, to Samar, and then ended up on (Ryukyus) Okinawa in 1945.

Filbert was issued the **Asiatic-Pacific Campaign Medal**, the **Good Conduct Medal**, the **Philippines Liberation Medal**, **World War II Victory Medal,** and the **Philippine Liberation Medal,** and was honorably discharged on November 24, 1945 with the rank of Tec. 5. He died in Sacramento on March 31, 1953 and was buried in the military section (Veteran's Plot) of the City of Sacramento Cemetery.



--Lawrence Domingo Marine, Platoon Sergeant, U.S. Marine Corps (Serial # 299599)**.** Lawrence was the younger brother of Filbert Marine, and he was born on May 4, 1919 in Centerville. He was one of the last Muwekma Ohlone Indians to be baptized at Mission San Jose. He was enrolled with the Bureau of Indian Affairs on his father's BIA **Application # 10677** on March 11, 1932. He was also sent to **Indian Boarding School** at **Sherman Institute**, Riverside, California, in 1931, and graduated from there in 1939. He also met his future wife, Pansy Potts, who was from the Maidu Tribe while attending Sherman Institute. After leaving Sherman Institute, Domingo returned to the Bay Area and enlisted in the U.S. Marine Corps in January 1940 in San Francisco.

By December 1, 1940, Lawrence Domingo was assigned to **Headquarters and Service Battery, 1st Battalion, 10th Marine, 2nd Marine Brigade, Fleet Marine Force (FMF)**, in San Diego before shipping out to the Pacific. By April 1, 1942, Lawrence was promoted to Corporal while stationed at Tutuila, American Samoa. Later, by January 1, 1943, Lawrence was promoted to Sergeant while stationed at Guadalcanal, while assigned to **Headquarters and Service Battery, 1st Battalion, 10th Marine, 8th Marine Reinforced.** He was later transferred to **Battery "A," 75mm Gun, 10th Marines, 2nd Marine Division, FMF, In the Field,** by April 1943. By July 1, 1944, he was assigned to the **Light Anti-Aircraft Group, Eighth Anti-Aircraft Battalion, Corps Artillery, Fifth Amphibious Corps,** and later, by October 1, 1944, Lawrence was a **Platoon Sergeant** (identified in the Muster Rolls as **Assistant Platoon Commander, 2nd Platoon, 40 mm Battery**) with the **Light Anti-Aircraft Group, Eighth Anti-Aircraft Battalion, Fleet Marine Force, Pacific.** From April 1 – April 30, 1945, Lawrence's unit location and "secret agenda" were on Okinawa, Ryukyus Islands. By January 1 - January 30, 1946, Lawrence's unit returned to the U.S. and was stationed on Treasure Island. Lawrence was now with the **Guard Company, Marine Barracks, Treasure Island Activities, San Francisco.** He was still classified as a Platoon Sergeant, Sergeant of Guard.

Lawrence D. Marine was engaged in the following major battles, engagements, and ports from January 2, 1942 – November 8, 1945: **Hawaiian Islands Area**, **American Samoan Islands**, **Wellington, New Zealand, Guadalcanal, B.S.I.** (**British Solomon Islands, New Georgia**), **Eniwetok, Marshall Islands, Ulithi, Caroline Islands, Okinawa,** and **Ryukyus** (southern Japanese Islands). The **Battle of Eniwetok** was a battle in the Pacific campaign of World War II, fought February 17, 1944 - February 23, 1944 on Eniwetok Atoll in the **Marshall Islands**.

The invasion of Eniwetok followed the American success in the battle of Kwajalein to the southeast. The capture of Eniwetok would provide an airfield and harbor to support attacks on the Mariana Islands to the northwest. The **Battle of Okinawa** was the largest amphibious invasion of the Pacific campaign and the last major campaign of the Pacific War. More ships were used, more troops were put ashore, more supplies were transported, more bombs dropped, and more naval guns fired against shore targets than any other operation in the Pacific. The fleet had lost 763 aircraft. Casualties totaled more than 38,000 Americans wounded and 12,000 [including nearly 5,000 Navy dead and almost 8,000 Marine and Army dead, killed or missing], more than 107,000 Japanese, and Okinawan conscripts killed.

Lawrence Domingo Marine was honorably discharged at **Treasure Island** on November 20, 1946 after having an extended two-year reenlistment. He received the **Presidential Unit Citation**, **Good Conduct Medal**, and **Good Conduct Medal Bar No. (1), Honorable Discharge Button, Honorable Service Button.** Lawrence Marine enrolled during the second **BIA** enrollment period on October 12, 1950. He passed away on May 21, 1988 and was buried in Woodland, California.



- Henry Marshall, Jr., Sergeant, U.S. Marine Corps was born in Newark on June 27, 1925. He was the son of Muwekma Ohlone Indian Henry Marshall, Sr., who was the son of Magdalena Armija Marshall Thompson. Henry Marshall, Jr. and he was a member of the Verona Band of Alameda County. His grandmother, Magdalena, enrolled her children with the Bureau of Indian Affairs on October 7, 1930 (BIA Application # 10296). Henry enlisted on May 19, 1942 (Service # 394908) in the **U.S. Marine Corps** and was assigned to the **1st Marine Division.**

By April 30, 1943, he was assigned to Ground Defense, Headquarters Squadron, **Marine Aircraft Group Eleven (MAG 11), First Marine Aircraft Wing, Fleet Marine Fleet**. Henry fought in the Pacific Theater of Operations, including **Guadalcanal, the Solomon Islands**, **New Georgia, the Bismarck Archipelago, Treasury-Bougainville, Western Carolinas,** and was issued a **Navy Presidential Unit Citation,** with one **Bronze Star**, the **American Campaign Medal**, the **Asiatic Pacific Campaign Medal, Rifle Sharpshooter Badge.** He was honorably discharged on May 19, 1946. His father later enrolled the family during the third **BIA** enrollment period on May 7, 1969 as part of the California Indian Claims Judgment. Henry passed away on September 24, 1986 in Alameda County.



- Arthur M. Pena, Sergeant, U.S. Army, Company A, 155th Engineers Combat Battalion, Pacific Theater. Arthur was born in Crockett, California, on September 24, 1924. His mother was Erolinda Santos (Juarez/Saunders) Pena Corral, who was a member of the **Muwekma Ohlone Verona Band Indian Community.** Arthur was enrolled, along with his mother and siblings, with the **Bureau of Indian Affairs** on his great-aunt Maggie Pinos Juarez's **BIA Application # 10676** on March 18, 1932. Prior to WWII, Arthur was working for the Southern Pacific Railroad.

Arthur Pena registered with the draft board on December 21, 1942 and enlisted in the army on April 13, 1943 at the **San Francisco Presidio,** he served in the unattached **155th Engineering Combat Battalion** in the Pacific Theater. Arthur's unit served in the **Southern Philippines** and **Western Pacific Campaigns** (Leyte October 17, 1944 – July 1, 1945, and **Western Pacific** June 15, 1944 – September 2, 1945), and his battalion was sent to **Guadalcanal** (August 12 – August 24, 1944). From Guadalcanal, the battalion went on to **Palau, Ulithi, New Caledonia** (February 20, 1945)**, Southern Philippines** (May 16, 1945), and **Japan** (September 8, 1944 – September 25, 1945).

Arthur Pena was honorably discharged at Camp Beale, Marysville, California, on February 2, 1946, and he was issued the **Philippines Liberation Ribbon**, the Asiatic **Pacific Campaign Medal**, the American **Campaign Medal**, **Good Conduct Medal,** and **World War II Victory Medal.** He reenlisted on August 7, 1946 and served in Germany in Company C, 793rd Military Police Battalion, and he also attended the European Command Intelligence School. Arthur was honorably discharged on March 25, 1955, and then reenlisted on March 26, 1955. After serving another two years, Arthur was discharged at Fort Leonard Wood, Missouri, on December 9, 1957. Arthur was also issued the **UN Service Meda**l, the **National Defense Service Medal**, and the **Army of Occupation Germany Medal**. On December 27, 1957, he enrolled his family with the Bureau of Indian Affairs during the second enrollment period.



- Robert P. Corral, U.S. Army, Pfc. Infantry, Head Quarters Regiment, Ft. Benning, GA. Robert was born in Crockett, California, on June 1, 1926 and was the younger brother of Arthur Pena. His mother was Erolinda Santos (Juarez/Saunders) Pena Corral, who was a member of the Muwekma Ohlone Verona Band Indian Community. Robert was enrolled, along with his mother and siblings, with the **Bureau of Indian Affairs** on his great-aunt Maggie Pinos Juarez's **BIA Application # 10676** on March 18, 1932.

Robert enlisted at the **San Francisco Presidio** on December 18, 1944 and was honorably discharged on November 13, 1946. At Fort Benning, Georgia, Robert completed six parachute jumps and was awarded a **Parachutist Badge, World War II Victory Medal, Good Conduct Medal, and American Campaign Medal.** On May 16, 1955 Robert enrolled himself and his family during the second BIA enrollment period. During the third BIA enrollment period on April 30, 1969, Robert enrolled his family as "**Ohlone Indians**" with the BIA as part of the California Indian Claims Judgment (Application # 21123). During the 1990s Robert P. Corral served as a **Muwekma Ohlone Tribal Elder,** and he passed away on June 28, 1996 in Stockton.



- Enos Marine Sanchez, Pfc., U.S. Army, 89th Division, 1st Battalion, Co. M, 354th Infantry Regiment, (39 390 899). Enos Sanchez was born on February 1, 1910 near the Alisal Rancheria in Sunol (on the Sunoll Rancheria) and his birth certificate identified him as "**California Indian.**" Enos and his younger siblings were enrolled with the **Bureau of Indian Affairs** on March 18, 1932 (**BIA Application # 10680**). He, along with his mother, Ramona Marine Sanchez, were members of the Federally Recognized **Verona Band of Alameda County.**

Enos enlisted on June 29, 1942 in Sacramento, and was shipped out to Camp Carson, Colorado Springs, and later that year served in Greenland and Iceland. The 89th Division was called the "**Rolling W**" standing for MW (Middle West). After landing at LeHarve, France, the 89th received orders to move into Mersch, Luxembourg (March 8, 1945). The 89th was assigned to the **XII Corps** of **General Patton's Third Army.** Crossing into Germany, the 89th met the German 2nd Panzer Division and seven Volksgrenadier Divisions, and by March 26, 1945, the 89th crossed the Rhine River. Enos' Military Occupational Specialty (MOS) was a **Heavy Machine Gunner** (605). \On April 4, 1945, the 4th Armored and the 89th Infantry Divisions were involved in the liberation of the **Ohrdruf Death Camp,** which was part of the Buchenwald concentration camp network. It was the first Nazi concentration camp liberated by the U.S. Army.

Enos' unit fought in the **Rhineland** and **Central Europe** (GO WO WD 45) Campaigns, and he was awarded the **Combat Infantry Badge (31),** the **Good Conduct Medal,** the **American Campaign Medal,** the **European, African, Middle Eastern Campaign Medal,** the **World War II Victory Medal** (TWX WD 23 Oct 45), and the **Marksman M1 Rifle** Sep 42 (55). Enos was honorably discharged on November 15, 1945 and separated from Camp Beale, Califrnia. In 1965 Enos was identified, along with his family and fellow Tribal members, by the American Indian Historical Society on a list of "**Ohlone Contacts and Ohlone Members."** He died on July 19, 1995 at the age of 85 and was buried at the **Calvary Cemetery** in San Jose, California.







Robert R. Sanchez, U.S. Army, Technician Fourth Grade, 7th Co., 508th Prcht. Infantry, 82nd Airborne Division. Robert Sanchez was the younger brother of Enos Sanchez, and he was born in Sunol on the Sunol Rancheria near the Alisal Rancheria on March 26, 1917. Robert and his siblings were enrolled with the **Bureau of Indian Affairs** on March 18, 1932 (**BIA Application # 10680**).

Robert enlisted in October 1942, and he volunteered to join the 82nd Airborne Division, 508th Parachute Infantry Regiment. On June 5-6, 1944, the paratroopers of the 82nd's three parachute infantry regiments and reinforced glider infantry regiment boarded hundreds of transport planes and gliders and, began the largest airborne assault in history. They were among the first soldiers to fight in Normandy, France.

The Division air-assaulted behind **Utah Beach, Normandy, France**, between Saint Mere Eglise and Carentan on June 6, 1944, being reinforced by the **325th Glider Regiment** the next day. The 82nd Airborne Division was reinforced by both the attached 507th PIR and the **508th PIR**.

The **508th Parachute Infantry Regiment** (a.k.a. the **Red Devils**) whose battle cry was **"**Diablo!**"** was originally an organic part of the **2nd (Battalion) Airborne Infantry Brigade** that was attached to the **82nd Airborne Division** for most of its time in combat during the war. Campaigns include **Normandy** (D-Day June 6, 1944), the **Rhineland,** the **Ardennes-Alsace** (France), and **Central Europe** (Nijmegen-Arnhem Holland, and Belgium).

By July 1945, the 82nd Airborne was moved to Berlin to occupy the American Sector. The 508th which had fought alongside the 82nd since Normandy, was sent to occupy Frankfurt, Germany. For his service in the 508th PIR, **Robert Sanchez** was issued the **Distinguished (Presidential) Unit Citation**, **Combat Infantry Badge, Parachute Badge, European Africa and Middle Eastern Campaign Medal, World War II Victory Medal, Army of Occupation Medal (Berlin), Belgian Citation (Lanyard) and French Citation (Lanyard).**

The **82nd Airborne Division** and the 508th Parachute Infantry Regiment were issued the **Distinguished (Presidential) Unit Citations** for actions during the Normandy Campaign**.** "The 508th Parachute Infantry is cited for outstanding performance of duty in action against the enemy between 6th and 9th of June 1944, during the invasion of France. … The courage and devotion to duty shown by members of the 508th Parachute Infantry are worthy of emulation and reflect the highest traditions of the Army of the United States. The **Netherlands Citation** was issued by the Dutch Government to the 82nd Airborne and its attached divisions (508th PIR) on October 8, 1945 for airborne operations and combat actions in the central part of the Netherlands (**Nijmegen**) during the period from September 17, 1944 to October 4, 1944. The 82nd Airborne Division became the first non-Dutch military unit to be awarded the ***Militarie Willems Orde***, Degree of Knight, Fourth Class, to wear the Orange Lanyard of the Royal Netherlands Army."

The **Belgian Citation** (Lanyard) was issued by the Belgian Government to the 82nd Airborne Division with the 508th Parachute Infantry attached: "has distinguished itself particularly in the Battle of the Ardennes" from December 17, 1944 – December 31, 1944. The **French Citation** (Lanyard) was issued to the 508th Parachute Infantry by the Government of France. "The President of the Provisional Government of the French Republic Cites to the Order of the Army: 508th Parachute Infantry Regiment: A magnificent unit, reputed for the heroism and spirit of sacrifice of its combatants, and which made proof of the greatest military qualities during the battle of Normandy" (June 6, 1944 – June 20, 1944). This citation includes the award of the

Croix de Guerre with Palm. O. B. Hill from the 508th P.I.R. Association, 82nd Airborne Division wrote: "2,056 men of the 508th Parachute Infantry Regiment (attached to the 82nd Airborne) jumped into Normandy on D-Day, and on July 15, 1,918 returned. The rest had been killed, captured, or wounded". Robert was honorably discharged on February 2, 1948 and spent most of his life in the greater Bay Area. Robert Sanchez was one of the early prime movers and active Elders in the Muwekma Ohlone Tribe. He passed away on April 26, 1999.



- Daniel G. Santos (Juarez), Technical Sergeant, **U.S. Army**, **41st Division** – 1941-1945. Daniel Santos (Saunders/Juarez) was born in Sunol, near the Alisal Rancheria, on January 21, 1917. Both his parents, Joseph Armijo Gacia Saunders and Erolinda Santos, were members of the **Verona Band of Alameda County**. Daniel was enrolled with the **Bureau of Indian Affairs,** along with his mother and siblings, under his great-aunts' **BIA Application (# 10676)** on March 18, 1932.

Daniel Juarez (Santos) received a draft notice dated **March 14, 1941**, from Local Board No. 36 located in Manteca, California. It was addressed to Mr. Dan George Juarez, Route, Box 29A, Tracy, California. The letter stated:

> We received a call for 70 men to be inducted from this area on March 27th 1941. … it is probable that you will be included in the group, and we are therefore taking this opportunity of notifying you, before (?) official order is issued, so that you may make your plans accordingly.

Daniel enlisted on March 27, 1941 at Sacramento, before the war was declared on Japan. The **Jungleer** or **Sunset Division** was federalized on September 16, 1940. By December 7, 1941, the 41st Division was ready. It continued the series of "firsts" by being the first United States Division to deploy to the South Pacific. The 41st became the first American Division sent overseas after Pearl Harbor; the first American Division trained in jungle warfare. It spent 45 months overseas (longer than any other Division) and earned the title of "Jungleers". The 41st Division left for Australia in March 1942. Elements of the division landed on January 23, 1943 in **Dobodura, New Guinea.** On the **Island of Biak** (May 27, 1944) the American forces fought the first tank battle of the war against the Japanese, destroying seven without loss. The division also fought in the Philippines (January 9, 1945) and fought on **Palawan** and in the **Sulu Archipelago** (March 10, 1945), and arrived in **Japan** on October 6, 1945. The 41st participated in 3 campaigns (**New Guinea, Luzon, and Southern Philippines**) and suffered 4,260 casualties. Former Secretary of Defense Caspar W. Weinberger also served in the 41st Division as an officer. The 41st Division earned three **Distinguished (Presidential) Unit Citations.** Daniel Santos was honorably discharged in 1945. He later enrolled with the Bureau of Indian Affairs during the second BIA enrollment period on May 23, 1955. Daniel also worked at the Leslie Salt Company in Newark and spent his life working on and racing cars. Daniel passed away on April 28, 1980. He was buried at Holy Sepulcher Cemetery, Hayward, California, at Section J, Row 25, Space 8.



- Lawrence Thompson, Sr., Tec Fifth Grade, U.S. Army, 640th Tank Destroyer Battalion. Lorenzo Thompson, Sr. He was born in Newark September 9, 1918. He, his siblings, and his mother, Magdalena Armija Thompson, were members of the **Verona Band of Alameda County**. Lawrence and his siblings enrolled with their mother with the Bureau of Indian Affairs on October 7, 1930.

The **640th Tank Destroyer Battalion** was formed at Camp San Luis Obispo on December 19, 1941 as an element of the **40th Infantry Division,** and served in the Pacific Theater of Operation. The 640th was activated on March 3, 1941 from National Guard divisions in California and Utah, and was sent overseas on August 23, 1942.

The 640th campaigns included the **Bismarck Archipelago, Southern Philippines,** and **Luzon,** and were issued three **Distinguished Unit Citations:** Awards: MH-1; DSC-12; DSM-1; SS-245; LM-21; SM-30; BSM-1,036; AM-57.

Lawrence Thompson enlisted at the age of 23 on September 10, 1941 at the **San Francisco Presidio**. At that time, he was living at 2370 Pine St. in San Francisco**.** His MOS was **Cannons S45** and he fought in the following campaigns: **Aleutian Islands [Attu and Kiska Island** with the **7th Infantry Division], Luzon** and **Southern Philippines,** and **Eastern Mandates [Marshall Islands, Kwajalein, Eniwetok]**. Initially deployed to Hawaii in September 1942, the **640th Tank Destroyer Battalion** participated in combat landings at **Guadalcanal** (February 5, 1944), **Cape Glouster, New Britain** (May 3, 1944), **Lingayen Gulf, Luzon, Commonwealth** of the **Philippines** (January 9, 1945), and **Los Negros Islands** (March 29, 1945). The **640th Tank Destroyer Campaign Honors** include the **Bismarck Archipelago** [**islands of New Guinea**] (December 15, 1943 – November 27, 1944)**,** and **Luzon and Southern Philippines [GO 33 WD 45]** (December 15, 1944 – July 4, 1945). "**Seek, Strike, and Destroy"** was the motto of the Tank Destroyers.

Lawrence Thompson was honorably discharged on October 2, 1945 at Camp Beale, Marysville, California, and was issued the **American Defense Service Medal**, the **Asiatic Pacific Campaign Medal,** and the **Philippine Liberation Ribbon** with **Bronze Star.**

After the war, Lawrence Thompson, Sr., and his son, Lawrence Thompson, Jr., enrolled with the Bureau of Indian Affairs during the third BIA enrollment period on June 24, 1969. Later, during the early 1990s Lawrence Sr. served on the Muwekma Tribal Council. He passed away in November 1999.





- George James (Guzman) Hernandez was born in Niles on November 13, 1923 to Candeliana (Carolyn/Carrie/Candy) Guzman Hernandez, who was born March 12, 1905. Candeliana was the daughter of Muwekma Elder Francisca Guzman Nonessa (BIA Application #10293) and Manuel Hernandez. Manuel Hernandez was working for Elbert Apperson during the early 1900s while living on Glenn Avenue in **Sunol** (1920 Federal Census). George enlisted on September 12, 1945 at Camp Beale, Marysville, California, and held the rank of Private in the United States Army; he was discharged from the service on July 2, 1946. On his June 30, 1942 Draft Registration card, he identified Paul Guzman (Hernandez) as his uncle and stated that he worked on the W. Walton Ranch in Centerville (now the City of Fremont) which was the same employer of his uncle, Toney Guzman. He was the nephew of Toney, Martin, and Fred Guzman, and the first cousin of Frank Harry and Bennie Guzman. George died in the Town of Middleton, Lake County, on June 26, 1995 and was buried in the Golden Gate National Cemetery, Section K, Site 631. See Figures 40 and 41 below for some of the Muwekma men who served in WWII.



Figure 40: Some of the Muwekma Men Who Served During World War II



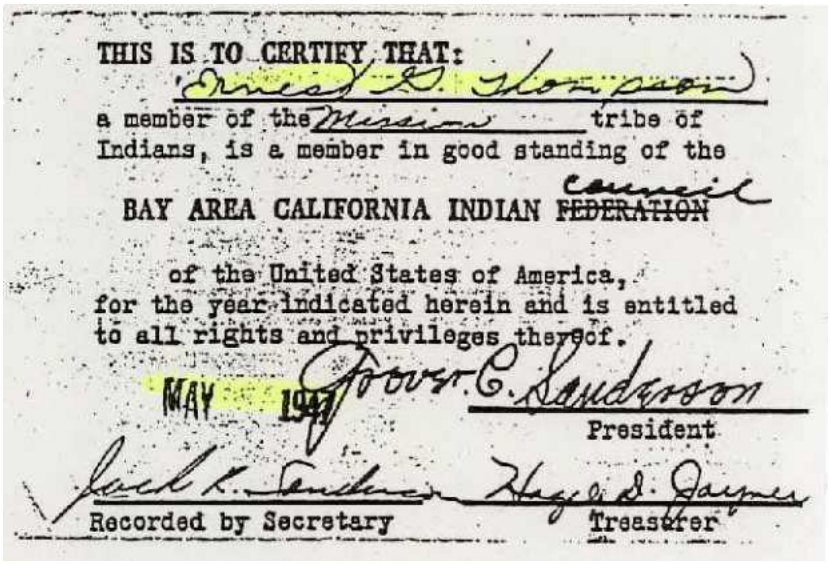
Figure 41: Some of the Muwekma Men Who Served During World War II

From Post-World War II to The 1960s

At the end of the war, the returning Muwekma men had to readjust to the peacetime economy and search for employment throughout the central California region. Work was difficult to find at times, but families helped each other and maintained tribal relations through religious and social mechanisms (e.g., compadrazo/godparenting and witnessing) that have long been established within the Muwekma families.

After World War II, in May 1947, **Ernest Thompson, Jr.,** who was the son of Magdalena Armija Thompson, along with other members of the Tribe, became members of the **Bay Area California Indian Council** (**Figure 42**)**,** which represented the contractual interests of over one thousand California Indians residing in the Bay Area as a result of the 1928, 1944, and 1946 Indian Claims Acts and ensuing legal decisions by the Justice Department.

After 1950, those surviving Muwekma and other California Indians were issued checks for the sum of **$150.00** per person as compensation for the value (with interest going back to 1852) for the **8.5 million acres** of land and promised services that they never received. Deducted from the final lump sum was the cost of every military operation, Indian services, and bullets spent so that the settlement would not be a burden to the American taxpayer.



THIS IS TO CERTIFY THAT:
Ernest G. Thompson
a member of the Mission tribe of
Indians, is a member in good standing of the
BAY AREA CALIFORNIA INDIAN ~~FEDERATION~~ Council
of the United States of America,
for the year indicated herein and is entitled
to all rights and privileges thereof.
MAY 1947
Oliver C. Sanderson
President
Jack L. Sanders
Recorded by Secretary
Hazel D. Jaynes
Treasurer

Figure 42: Ernest G. Thompson Membership in Bay Area California Indian Council

Community and tribal-related activities fell under the leadership of Muwekma Elder **Margarita (Maggie) Pinos Juarez**, and **Dolores Marine Galvan** and her brothers, **Dario Marine** and **Lucas Marine;** and their younger sister, **Trina Marine Elston Thompson Ruano** (Ernest Thompson, Sr., had married Trina after the death of his first wife, Magdalena Armija Thompson, in 1930)**.** These tribal activities and revitalization were also spurred by communications with the BIA Sacramento Agency, which notified the Muwekma lineages of the expanded enrollment opportunities under the California Indian Jurisdictional Act for children born after May 28, 1928. Families contacted and helped each other go to Sacramento to enroll their children, nieces, and nephews. After the California Indian Roll was approved on November 23, 1951, the Sacramento Area Office published a list of enrollees that included forty Muwekmas as "**Tribe Mission San Jose**" (BIA list, 1951).

Also, during this period (from 1930s to the 1950s), some of the families moved about seeking new employment opportunities and residential stability. The residence of Lucas Marine and Catherine Peralta (before her passing in 1934) was on the **Shinn Ranch** in Niles, which became an important gathering place for the families and relations (see Harrington notes 1921-1934 regarding such events between Liberato and Pedro Confessor prior to the turn of the century). Other important households included the residences of Dolores Marine Galvan in Brentwood and San Jose, Dario Marine in Centerville and later Woodland, and Margarita Pinos Juarez and Trina Marine Thompson Ruano in Newark, where the families would gather for various occasions.

Continuous Connections to the Tribe's Sacred Sites: The Protection of the Ohlone Indian Cemetery, Located in Fremont, Mission San Jose, California

The **Ohlone Indian Cemetery,** located on Washington Boulevard, one mile west of Mission San Jose in Fremont, was used for burials during the 20th century by members of the Guzman, Santos, Pinos, Marine, Armija (Thompson) and Nichols families until 1926. The original Ohlone Indian burial ground was located under the northern wing of the mission church, which was later moved due to overcrowding to its present location. Martin Guzman (died October 4, 1925), Victorian Marine Munoz (died November 27, 1922) and her son Jose Salvador Munoz (died 1921) were some of the last Muwekma Ohlone Indians to be buried there before more recently, Philip Galvan and his brother Hank Alvarez in 2022. On Jose Salvador Munoz's death certificate, it identified his place of burial as "**Ohlone Cem**"[**etery]**.

During the 1960's Muwekma families, under the leadership of **Dolores Marine Galvan**, participated in securing the legal title to the Historic Ohlone Cemetery located on Washington Boulevard in the City of Fremont. In 1971, a board of directors for the Ohlone Indian Tribe, Inc. was established by Dolores Marine Galvan and three of her children, Philip Galvan, Benjamin Michael Galvan, and Dolores "Dottie" Galvan Lameira, in order to secure title to the tribe's ancestral cemetery.

During this period of time, when the **American Indian Historical Society** obtained legal title of the Ohlone Cemetery on behalf of the Muwekma Ohlone community, invitations went out to various families, including the children of Magdalena Armija and Ernest Thompson and the other Marine-related families, to help clean up the run-down cemetery (**Figure 43 – Muwekma Children at the Ohlone Cemetery**). As mentioned above, the Guzman, Marine, Armija-Thompson, and Nichols families had loved ones (e.g., Avelina Cornates Marine (died 1904), Elizabeth (Belle) Marine Nichols (d. 1911), Ramona Marine Sanchez (d. 1921), Victoria Marine Munoz (d. 1922), Dario's son Gilbert Marine, Rosa Nichols and Mary Nichols, Salvador Munoz (d. 1922), Charles Thompson, Martin Guzman, and others were buried there during the first three decades of the 20th century (Marine Family History 1965; Leventhal, Escobar, Alvarez, Lameira, Sanchez, Sanchez, Sanchez, and Thompson 1995).



Figure 43: Lillian Massiatt, Ramona, and Michael Galvan at Ohlone Cemetery (1966)

Benjamin Michael Galvan was born on June 23, 1927 and was the last formal member of the historic Verona Band of Alameda County to be born into the Federally Recognized tribe. Ben was born the same day that BIA Superintendent Lafayette A. Dorrington decided in his report that the landless Verona Band tribe did not need any land. Ben served as the **first chairman** of the **Ohlone Indian Tribe, Inc.,** between 1965 and 1978.

Since World War II, Dolores Marine's children have married, raised families, and, in the recent past, Henry "Hank" Alvarez and Dolores "Dottie" Galvan Lameira have been Muwekma Tribal Elders and served as elected council members. Dottie Lameira's son, Arnold Sanchez, had and is presently serving on the Muwekma Ohlone Tribal Council. The family of Benjamin and Jenny Mora Galvan are also enrolled in the , and their son, Albert Galvan, had also served as a tribal council member. The same is the case for the children and grandchildren of Victoria Marine (**1928 BIA Application # 10678**) and Ramona Marine's children (**1928 BIA Application # 10680**). Magdalena Armija had married Ernest Thompson, Sr., and their sons, Eddie Thompson and Lawrence Thompson, Sr., were Elders, and Lawrence was a former elected tribal councilman of the tribebefore his passed away (**1928 BIA Application # 10296**).

The family of Ernest Thompson, Jr. is also enrolled as tribal members. As discussed earlier, Francisca Nonessa (**1928 BIA Application 10293**) was married to Jose Guzman; their son, Jack Guzman (Sr.) had married Flora Freda Munoz (Victoria Marine's daughter), and their son, John Guzman, Jr. (now deceased) and their daughter, Reyna Guzman Cerda, and their respective children are Muwekma tribal members.

As previously discussed, in the late 1890s, George Santos (grandson of Hipolito Santos and Refugia Simon, who were one of the founding families of the Niles Rancheria) had married Peregrina Pinos (who was the daughter of Benedicta Guerrera and Manuel Pinos). Their eldest daughter, Erolinda Pinos Corral, enrolled with the BIA with her children, along with her aunt, Maggie Pinos Juarez, in 1932 (**1928 BIA Application 10676**). The children and grandchildren of Alfonso Juarez, who was the eldest son of Erolinda Santos Juarez Pena Corral, are enrolled members of the Muwekma Ohlone Tribe. Recently, Carol Mickey Juarez Sullivan was a Muwekma tribal councilwoman, and her son, David Splan, is currently on the Tribal Council (**Figure 44)**.



Figure 44: Muwekma Elders Maggie Juarez and Erolinda Santos Juarez Corral

<u>Muwekma Families Enroll with the Bureau of Indian Affairs during the Second Enrollment Period (1950-1957)</u>

Under the Act of 1948, almost all of the Muwekma Ohlone "heads of household" enrolled with their families once again during the **second BIA enrollment** between 1950 and 1957. These Muwekma heads of household include:

Dolores Marine Galvan, October 6, 1950**; Domingo Lawrence Marine**, October 12, 1950, **Dario Marine**, November 1, 1950, **Flora Munoz Carranza**, December 12, 1950, **Lucas Marine**, December 23, 1950, **Henry Alvarez**, April 7 & 26, 1951, **Trina Marine Thompson Ruano**, May 21, 1951 **Maggie Pinos Juarez**, July 19, 1951, **Benjamin Galvan**, December 4, 1951, **Belle Stokes [Armija] Olivares Nichols,** February 25, 1952, **Ernest Thompson**, April 16, 1952, T**homas Garcia***,* April 22, 1953, **Flora Emma Martel Thompson***,* February 4, 1954, **Erolinda Santos Juarez Pena Corral**, May 16, 1955, **Robert Corral**, May 16, 1955, **Edward Thompson,** May 21, 1955, **Daniel Santos**, May 23, 1955, **Joseph Francis Aleas [Armija]**, May 24, 1955, **Albert Arellano**, June 18, 1955, **Dolores "Dottie" Galvan Lameira**, October 3, 1955, and **Arthur Pena Corral**, December 27, 1957.

Muwekma Families Enroll in the Third Bureau of Indian Affairs Enrollment Period (1969-1971)

Following the Act of 1964, between 1969 and 1971, the following Muwekma "heads of households" and their families once again enrolled during the third BIA Enrollment period, with most of the applicants identifying themselves as "**Ohlone**" on Question # 6: "**Name the California Tribe, Band or Group of Indians with which your ancestors were affiliated on June 1, 1852**":

Mary Munoz Mora Ramos Archuleta, January 10, 1969, "**Ohlone, Mission**."
Mary Marine Galvan, January 27, 1969, "**Ohlone**."
Ernest George Thompson, February 20, 1969, "**Ohlone Tribe, Mission San Jose**."
Patricia Ferne Thompson Brooks, March 27, 1969, "Mission Indians."
Madeline Cynthia Thompson Perez, March 27, 1969, "Mission Indians."
Karl Thompson, March 27, 1969, "Mission Indians."
Robert P. Corral,. April 30, 1969, "**Ohlone Indian**."
Henry Marshall, May 7, 1969, "**Ohlones**."
Glenn Thompson, June 11, 1969, "Mission Indian."
Lorenzo Thompson, June 24, 1969,. "Costanoan."
Lawrence Thompson, Jr., June 24, 1969, "Costanoan."
Rosemary Juarez Ferreira, July 15, 1969, "**Ohlone Indians**."
Peter D. Juarez, July 23, 1969, "**Ohlone Indians**."
Dolores Sanchez Martinez, August 11, 1969, "**Ohlone**."
Margaret Martinez, August 21, 1969, "**Ohlone Mission Indian**."
Joan Guzman, August 26, 1969, "**Ohlone Indian.**"
Belle Nichols, September 4, 1969, "Mission."
John Paul Guzman, September 12, 1969, "**Ohlone Mission Indian**."
Beatrice Marine, January 5, 1971, "Costanoan."

Neither the Amah Mutsun tribal community of the greater Mission San Juan Bautista/Gilroy area nor the Esselen Nation tribal community of the greater Mission San Carlos (Carmel)/Monterey Bay region ever used the ethnonym tribal identifier "Ohlone" for any of their BIA enrollments (1928 – 1971). It was not until after Malcolm Margolin's interpretive book **The Ohlone Way** was published in 1978 that non-Indians were informing them that they were Ohlone. Therefore, the broader use of 'Ohlone' was later applied by various scholars and archaeological firms to all Costanoan communities after 1978. Historically, only the Muwekma Ohlone Tribe of the San Francisco Bay Area had identified itself as Ohlone prior to and after 1978.

The efforts of California Indians to sue the federal government under the Jurisdictional Act of 1928 resulted in the creation of the Federal Indian Claims Commission in 1946. This federal body allowed Indian groups to press for compensation to tribes for the theft of their lands in the 19th century. After 20 years of tortuous maneuvering, all separate California Indian claims were consolidated into a single case.

A compromise settlement of **$29,100,000** was offered for **64,425,000 acres of land.** After deduction of (BIA) attorney's fees **($12,609,000**) plus interest, the payment amounted to **47 cents per acre!**

Payments of **$668.51** per eligible person were issued by 1972 (**Figure 45**). What is of major significance here is the fact that the entire claims activity was conducted outside of normal court proceedings protected by the constitution. Thus, Indians are the only class of citizens in the United States who are denied constitutional protection of their lands.

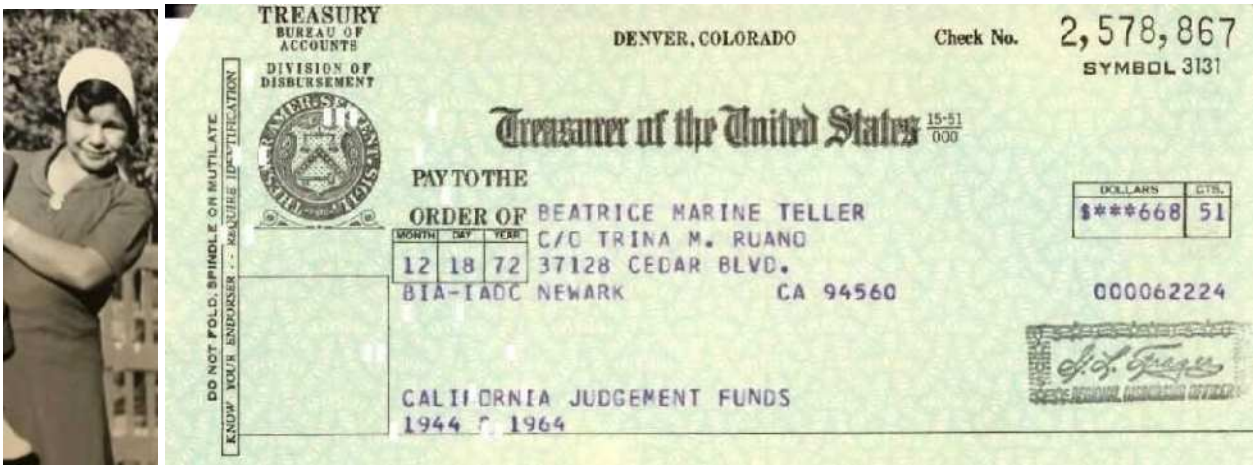


Figure 45: Distribution Check for Muwekma Elder Beatrice Marine for $668.51 (1972)

Muwekma Service in the United States Armed Forces During the 1950s, Viet Nam War, Desert Storm, Iraq to Present-Day

During the 1950s, 1960s and 1970s Muwekma men served in Korea, Viet Nam, and on other military campaigns:





Candelario T. Martinez of the **Marine-Sanchez lineage** was the eldest son of Muwekma Verona Band member Dolores Sanchez. Candelario served in the **United States Marine Corps** during the Korean War.




Ruben Cota Arellano, Sr. of the **Marine-Arellano lineage** was the son of Muwekma Verona Band member Albert Arellano. He was a **Corporal** in the **U.S. Army, Medical Corps**, **SP4 E4 HQ Battery, 1st TGT ACQ Battalion, 25th Artillery, APO 2,** July 5, 1960 – July 4, 1966**, Korea.** Ruben passed away on March 24, 2006.





Don Gordan Guzman of the **Guzman-Lasoyo** lineage was born on February 5,1931 and was the son of **Verona Band** member **Franklin P. Guzman,** who had previously served on the Mexican border in the California Livermore National Guard in 1916, and afterwards in the U.S. Marine Corps during WWI in France. Don was also the grandson of Muwekma Indians **Ben Guzman** and Teresa (Nettie) Davis and the great-grandson of Muwekma Indians **Jose Guzman** and Angustia Lasoyo, who was the daughter of **Captain Jose Antonio**. Don enlisted in the U.S. Army on January 10, 1952 at the age of 20. In the early 1960s Don was stationed in Germany. Six years later, he attained the rank of Major in 1966-1967, and, based upon a November 23, 1968 news article from a West Virginia newspaper (where Don was stationed) about his **third tour of duty in Vietnam**, Don had served in Vietnam in the **5th Special Forces Group (Airborne)** during the war.




Lawrence Mason Marine of the **Guzman-Peralta-Marine-Potts lineage.** He was the son of Muwekma Verona Band member WWII veteran Lawrence D. Marine, and Maidu tribal member Pansy Potts. Lawrence served in the United States Marine Corps from 1959-1965 and was **a Staff Sergeant** serving in Viet-Nam**, 3rd Marine Division, 3rd Tank Battalion,** and in **3rd Force Reconnaissance, Charlie Company (Viet-Nam) from 1960-1961.** Muwekma Elder Lawrence Mason Marine and his family are enrolled members of the Muwekma Tribe. Lawrence also served on the Muwekma Tribal Council. Lawrence passed away on December 22, 2020.




Marvin Lee Marine (younger brother of Lawrence Mason Marine) of the **Guzman-Peralta-Marine-Potts lineage.** Marvin Lee is the son of Muwekma Verona Band member, WWII veteran, Lawrence D. Marine and Maidu tribal member Pansy Potts. He served as a PFC (E3) in the Vietnam War in the U.S. Army's **173rd Airborne Brigade "Sky Soldiers"** from October 25, 1967 to October 24, 1969. He reenlisted in the Army and was honorably discharged on October 24, 1973. His last assignment was with **5th Battalion, 78th Field Artillery Regiment,** assigned to **194th Armored Brigade.** Marvin Lee Marine was issued the **National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal, and Marksman (Rifle) Badge**.




Karl Thompson, of the **Armija-Thompson lineage.** He is the son of Verona Band member George Ernest Thompson. Karl attained the rank of SP5, U.S. Army, **43rd Engineer Bn., 931st Eng. Gp. Armed Forces Expeditionary Medal (Korea),** May 8, 1968 – May 7, 1971. Karl also previously served on the Muwekma Tribal Council.




Frank Y. Ruano, Sr., of the **Marine-Elston/Thompson/Ruano** lineage. He is the son of Verona Band member Trina Marine Elston Thompson Ruano. Frank is a former Muwekma Tribal Councilman. Frank attained the rank of E4, U.S. Army, **56th Artillery**, 1965 – July 25, 1971, **Vietnam.**

Thomas Joseph Marshall of the **Armija-Marshall-Thompson lineage.** He was the son of Verona Band member Henry N. Marshall, Sr. He was born in Niles on June 21, 1953 and passed away on February 14, 1996. Thomas served in the **U.S. Army, Vietnam** era. (No photo or service record is available).



Tom M. Alvarez, Sr., of the **Marine-Alvarez/Galvan lineage.** He is the son of a Verona Band member and a WWII veteran, Hank Alvarez, who served in the **U.S. Army, Medical Corps, 1965 – 1967, Vietnam;** recipient of the **Soldier's Medal**.





Robert C. Martinez, Sr., of the **Marine-Sanchez lineage.** He is the son of a Verona Band member, Margaret Sanchez Martinez. Robert attained the rank of Sergeant, served in the **Air Cavalry, 14th Armored Cavalry Regiment, U.S. Army, European, 7th Army Command**, May 22, 1968 – May 14, 1970.





Ricardo "Rick" Martinez, of the **Marine-Sanchez lineage.** He was the son of a Verona Band member, Margaret Sanchez Martinez. Rick attained the rank of **SP 5 (T) Sergeant, Company D, 69th Engineer Battalion, USARPAC, Vietnam; National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal,** and **Good Conduct Medal;** January 26, 1967 – January 12, 1969, Reenlisted in the Army and was Honorably discharged January 24, 1973. Rick Martinez died on **February 8, 2020** and was buried with Military Honors. Rick also had served on the Muwekma Elders Council.




Wayne Gibson, Vietnam, of the **Armija-Marshall-Thompson lineage.** Wayne is the grandson of a Verona Band member, Henry N. Marshall. He served in the **U.S. Army, 1969-1971, 4th Infantry Division.** In August 1966, led by the 2nd Brigade, the 4th Infantry Division's ("Ivy Division"—a play on the Roman numeral IV) headquarters closed in on the central highlands of Vietnam. On September 25, 1966, the division began a combat assignment against the North Vietnamese that would not end until December 7, 1970. By the time the 4th Infantry Division completed its assignment in Vietnam and returned to Fort Carson, Colorado, at the end of 1970, some 2,497 soldiers had been killed, and 15,229 had been wounded. Eleven 4th Infantry Division soldiers earned the Medal of Honor during that period.




Richard A. Juarez, of the **Santos-Piños/Juarez/Colos/Armija lineage.** He is the grandson of a Verona Band member, Erolinda Santos Saunders Juarez Pena Corral. Richard earned the rank of SP 4 – **E-4, U.S. Army, 589th Transportation Co., Co. B, 4H BN, 2D BCT, BDE, 1st Army**, Fort Eustis, Virginia, served from January 25, 1971 – October 30, 1973.



JayP Massiet, of the **Marine-Munoz lineage.** JayP is the grandson of a Verona Band member, Mary Munoz Mora Ramos Medina Archuleta. JayP attained the rank of E5/Staff Sergeant, Military Police, **U.S. Air Force, Van Nuys Air National Guard**, June 1975 – January 1988.



John A. Massiatt, of the **Marine-Munoz lineage.** John is the grandson of Verona Band member Mary Munoz Mora Ramos Medina Archuleta. John was an Airman, **U.S. Air Force,** served from January 1, 1968 - October 1, 1969.




Michael F. Galvan, Jr., of the **Marine-Alvarez/Galvan** and **Marine-Munoz lineages.** Michael is the grandson of Verona Band member Dolores Marine Alvarez Galvan, and the grandson of Verona Band member Mary Munoz Mora Ramos Medina Archuleta. Michael attained the rank of **Sergeant, U.S. Air Force, 95th Recon Squadron,** 1977 – 1997, and served in the **Desert Storm campaign**.






- Thomas Timothy Martinez, of the **Marine-Sanchez lineage,** is the son of Candelario T. Martinez, who served in the U.S. Marine Corps during the Korean War. Thomas enlisted in the U.S. Army Europe (USAREUR), was an E-4, serving in the **Headquarters and Headquarters Battery, 2nd Battalion, 92nd Field Artillery, 5th Army Corps.** Overseas Service in Germany (1976-1979) included service in the MO Army 16P MOS - Chaparral Crewman, Army 15F10 MOS - Honest John Rocket Crewman (Germany), and later served in the USAR CONTROL GROUP (REINF) USAAC (U.S. Army Accessions Command) ST. LOUIS, Missouri, U.S. Army Reserve, 1979-1982). Thomas earned the M-16 Rifle Sharpshooter Badge and the Hand Grenade Expert Badge.




Tracie Massiet Lents, of the **Marine-Munoz lineage.** She is the granddaughter of Verona Band member, Mary Munoz Mora Ramos Medina Archuleta. Tracie served in the **U.S. Air Force,** 1979 – 1983.

Paul Guzman of the **Marine-Munoz-Guzman lineage** (Service Records n/a)




John J. Cambra, Jr., of the **Marine-Sanchez lineage.** He is the grandson of Verona Band member Dolores Sanchez and the son of former Chairwoman Rosemary Cambra. John was a Pfc. **U.S. Army Company C, 4th Battalion, 30th Infantry Regiment, and in Company B, 2nd Battalion, 159th Infantry**, 1991 – 1994




David J. Splan, of the **Santos-Piños/Juarez/Colos/Armija lineage.** David is the grandson of Verona Band member Alfonso Juarez and is presently a Muwekma Tribal Councilman. David attained the rank of **Lance Corporal**, **U.S. Marine Corps**, 1993 – 2001.




JayP Massiet, Jr. of the **Marine-Munoz lineage.** He is the great-grandson of Verona Band member Mary Munoz Mora Ramos Medina Archuleta. JayP, Jr. served in the **U.S. Army, Second Tour in Iraq;** a **Purple Heart recipient.**



Cory Gumersindo Massiet, of the **Marine-Munoz lineage.** Cory is the great-grandson of Verona Band member Mary Munoz Mora Ramos Medina Archuleta. Cory attained the rank of **1st Class Airman**, **U.S. Air Force,** 1994 – 1997. Separated from Edwards Air Force Base, Ca. Awards: Air Force Training Ribbon, National Defense Service Medal, Humanitarian Service Medal.





Jesse Calles, of the **Marine-Elston/Thompson/Ruano** lineage. Jesse is the great-grandson of Verona Band member Trina Marine Elston Thompson Ruano. **US Army, November 2004-December 2009, Specialist Grade 4, Field Artillery Automated Tactical Data Systems Specialist,** who served in the U.S. Army in **Baghdad, Iraq** (**Operation Iraqi Freedom**) from December 2005 in the **Headquarters and Headquarters Battery, Fires Brigade, 4th Infantry Division (Mechanized), Awarded the Army Commendation Medal (2006).**




Angela Galvan, of the **Marine-Alvarez/Galvan** and **Marine-Munoz lineages.** She is the great-granddaughter of Verona Band member Mary Munoz Mora Ramos Medina Archuleta, the granddaughter of Verona Band member WWII veteran Ben Michael Galvan, and the daughter of Desert Storm Veteran Michael Galvan. Angela had served in Iraq in the **U.S. Marine Corps, Corporal/E-4, 1st Marine Logistics Group, 7th Engineer Support Battalion, Support Company Motor Transportation Platoon, May 27, 2003 –** She had served in Iraq (twice deployed). **Campaigns and Citations: OIF 2 Fallujah Campaign** in Feb 2004 - Sept 2004 and **OIF 3-6** Sept 2005 - Mar 2006, **Combat Action Ribbon** for operations on the Michigan ASR (Alternative Supply Route) and an Impact **Navy Marine Corps Achievement Medal for operations in Haditha (December 2005);** also involved during **OIF February 3-6, 2004.**



Aaron Lenci, of the **Marine-Elston/Thompson/Ruano** lineage. He is the great-grandson of Verona Band member Trina Marine Elston Thompson Ruano. Aaron enlisted in the **US Navy, rank Ensign,** stationed at Pensacola Naval Air Station (currently serving).




David Marroquin, Jr., of the **Marine-Alvarez/Galvan** and **Marine-Munoz lineages.** He is the great-grandson of Verona Band member Mary Munoz Mora Ramos Medina Archuleta and the grandson of Verona Band member WWII veteran Ben Michael Galvan. David enlisted in the **California Air National Guard, Airman 1st Class** (currently serving).



Anthony E. Laudani of the **Marine-Munos** lineage. He enlisted in the **Air Force Security Forces, E5 Staff Sergeant**. In 2019, Anthony was stationed in Las Vegas.



Isaiah J. Quiroz of the **Marine-Sanchez lineage** enlisted in the **United States Marine Corps** in October 2021 at the age of 18. His current rank is **Lance Corporal,** and he will be stationed at Camp Pendleton, San Diego. Following in the footsteps of his tribal ancestors and relations in the Marine Corps spanning from WWI, WWII, Korea, Vietnam, and Iraq through Present-Day. Isaiah's great-great-grandmother, Dolores Marine Sanchez (BIA # 10680) was born on the Sunol Rancheria in the East Bay in 1911 and was a member of the historic Federally Recognized Verona Band of Alameda County that was never terminated by any Act of Congress. His great-grandmother, Julie Lopez; grandmother, Sylvia Lopez Quiroz; and father, Joshua Quiroz, are enrolled members of the Muwekma Ohlone Tribe (currently serving).

Muwekma Tribal Stewardship over the Tribe's Ancestral Heritage and Cultural Sites

Since 1980 to the present, the Muwekma families have worked independently to establish the "Most Likely Descendant Tribal" (MLD) status of members of the Muwekma Tribe in their area with the Native American Heritage Commission of the State of California. Also, in 1984 the Muwekma developed their own Cultural Resource Management firm, Ohlone Families Consulting Services (OFCS), which had been recognized since 1988 by the Department of the Interior as a Native American business under the Buy Indian Act.

Since the establishment of OFCS, many of the Muwekmas, as well as the Amah-Mutsun and Esselen Nation, and the Pomo, Sioux, Yokuts, Miwok, Wiyot, and other tribal people, have gone through archaeological training and obtained employment as field crew on various Muwekma-based archaeological projects. OFCS has sought alternatives for indigenous people who are concerned about their ancestral history and heritage. Under these circumstances, the aboriginal tribal people have taken greater responsibility for their ancestral heritage by becoming fully engaged in the environmental and ensuing scientific processes that affect their ancestral heritage sites, as in the cases of the burial recovery projects previously conducted at the ***Clareño Muwékma Ya Túnnešte Nómmo*** **[Where the Clareño Indians are Buried] Site (CA-SCL-30/H)** in 2010 (Leventhal et al. 2011); on Stanford Campus at ***Yuki Kutsuimi Šaatoš Inūxʷ*** **(Sand Hill Road Sites CA-SMA-263/CA-SCL-287)**; ***Horše 'Iššéete Ruwwatka*** **(Place of the Good Health House Site - Ronald McDonald House CA-SCL-609);** in East Palo Alto at ***Loškowiš 'Awweš Táareštak*** **(Place of the White Salt Man Site CA-SMA-267);** in the City of San Mateo at the ***Wirak Tayyi Trépam Táareš-tak*** **(Place of the Bird Bone Tube Man Site) CA-SMA-309;** at the Walsh Data Center ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** [**Place Where the Ancient People Are Buried Site] CA-SCL-1070/H**; and more recently at ***Kutcu-win Šáatoš Rúmmeytak*** **[Place of the Little Hill Creek Site] CA-CCO-303.** Over the past 40+ years, all of the Tribe's ancestral heritage projects have been under the Muwekma Tribal leadership when designated by the California State Native American Heritage Commission as the Most Likely Descendant Tribe.

Muwekma Ohlone Tribe and Struggle for Reaffirmation as a Federally Recognized Tribe

In 1989 the Muwekma Ohlone Tribe began the arduous process of petitioning the U.S. Government regarding its status clarification as a Federally Recognized tribe under 25 C.F.R. Part 83. Over the years, interfacing with the BIA's Office of Federal Acknowledgment has been a very difficult and acrimonious process. However, in the face of the "extinction" sentence issued by Alfred L. Kroeber in his 1925 California Handbook of the Indians of California, and adversity from the BIA, the Muwekma Ohlone Tribe has nonetheless made great strides forward. In 1996, the Tribe shattered the myth that it was never Federally Recognized.

On **May 24, 1996**, the United States Department of the Interior, Deborah Maddox, Director of the Office of Tribal Services for the Bureau of Indian Affairs, formally concluded in a letter sent to the Muwekma Ohlone Tribe that:

> Based on the documentation provided, and the BIA's background study on Federal acknowledgment in California between 1887 and 1933, we have concluded … that the Pleasanton or Verona Band of Alameda County was previously acknowledged between 1914 and 1927. The band was among the groups, identified as bands, under the jurisdiction of the Indian agency at Sacramento, California.The agency dealt with the Verona Band as a group and identified it as a distinct social and political entity (letter in response to the Muwekma Petition, Branch of Acknowledgment and Research, Bureau of Indian Affairs, Washington, D.C.).

In 1998 working with the Congressional **Advisory Council on California Indian Policy (ACCIP)** which was legislated in 1992 as **HR 2144**. the Muwekma Tribe sought formal alternatives to the arduous Federal Recognition process under 25 CFR Part 83. After obtaining a formal, positive determination of previous unambiguous federal recognition (under 25 CFR Part 83.8), the Muwekma leadership, working in concert with the leadership of another northern California Indian tribe, Tsungwe Council, requested support from the BIA in Sacramento. Responding to the tribe's request, Acting Area Director Michael Smith wrote:

> The Bureau of Indian Affairs, Sacramento Area Office, is ready to assist the Tsungwe Council and the Muwekma Ohlone Tribe in seeking administrative federal recognition on the basis that your tribes were never terminated (Letter Michael R. Smith dated January 23, 1998) [**Figure 46]**.

IN REPLY REFER TO:

BUREAU OF INDIAN AFFAIRS
Sacramento Area Office
2800 Cottage Way
Sacramento, California 95825

[redacted]

Ms. Dena Magdaleno
Post Office Box 56
Burnt Ranch, CA 95527

JAN 2 3 1998

Dear Ms. Magdeleno:

This is to acknowledge receipt of your letter dated December 16, 1997 and received in this office on December 22, 1997. Please accept our apologies for the delay in responding.

At your request, I am writing a letter of support for the Tsnungwe Council and the Muwekma Ohlone Tribe in their bid for Federal recognition. First let me state that the Bureau of Indian Affairs, Sacramento Area Office, is painfully conscious of the fact that California Indian tribes and their individual members have suffered numerous atrocities and inequities from the dominant culture through the hands of the United States Government and the State of California. To this day, those tribes who are fortunate to have Federal recognition status continue to suffer inequities in their share of Federal funds compared to funds received by similar tribes in other states. To that end, this office fully supports efforts by Indian groups such as the Tsnungwe Council and the Muwekma Ohlone Tribe in their bids for Federal recognition status.

Along with your request regarding the Tsnungwe Council, you provided a letter signed by the Acting Director, Office of Tribal Services, which acknowledged that you had established evidence that your ancestors were considered as parties to the 1864 Treaty. We concur with the Central Office of this finding and will support your bid for Federal recognition. I believe the Assistant Secretary - Indian Affairs has the administrative authority to reaffirm Federal status to your tribe.

Although the Central Office has noted that the 1851 Treaty did not provide conclusive evidence that the treaty did not establish clear evidence of Federal recognition of your ancestors, I am fully supportive of your efforts to establish "unambiguous" Federal recognition of your ancestoral group as a tribal entity.

The Bureau of Indian Affairs, Sacramento Area Office, is ready to assist the Tsnungwe Council and the Muwekma Ohlone Tribe in seeking administrative Federal recognition on the basis your tribes were never terminated.

Sincerely,

Acting Area Director

Figure 46: Letter of Support from BIA Acting Area Director Michael R. Smith

On April 13, 2000 as a result of the submission of ACCIP reports to Congress regarding the findings from the Advisory Council on California Indian Policy, California Congressman George Miller (D- Pleasant Hill) and his staff drafted a Federal Recognition bill titled the California **Indian Act of 2000** the purpose of which was:

> To restore Federal recognition to certain California Indian tribes, address the special land needs of the California Indians, establish equitable treatment of California Indians in the programs and services of the Bureau of Indians Affairs, develop adequate California tribal justice systems, and for other purposes. Be it enacted by the Senate and House of Representatives of the United State of American in Congress Assembled …

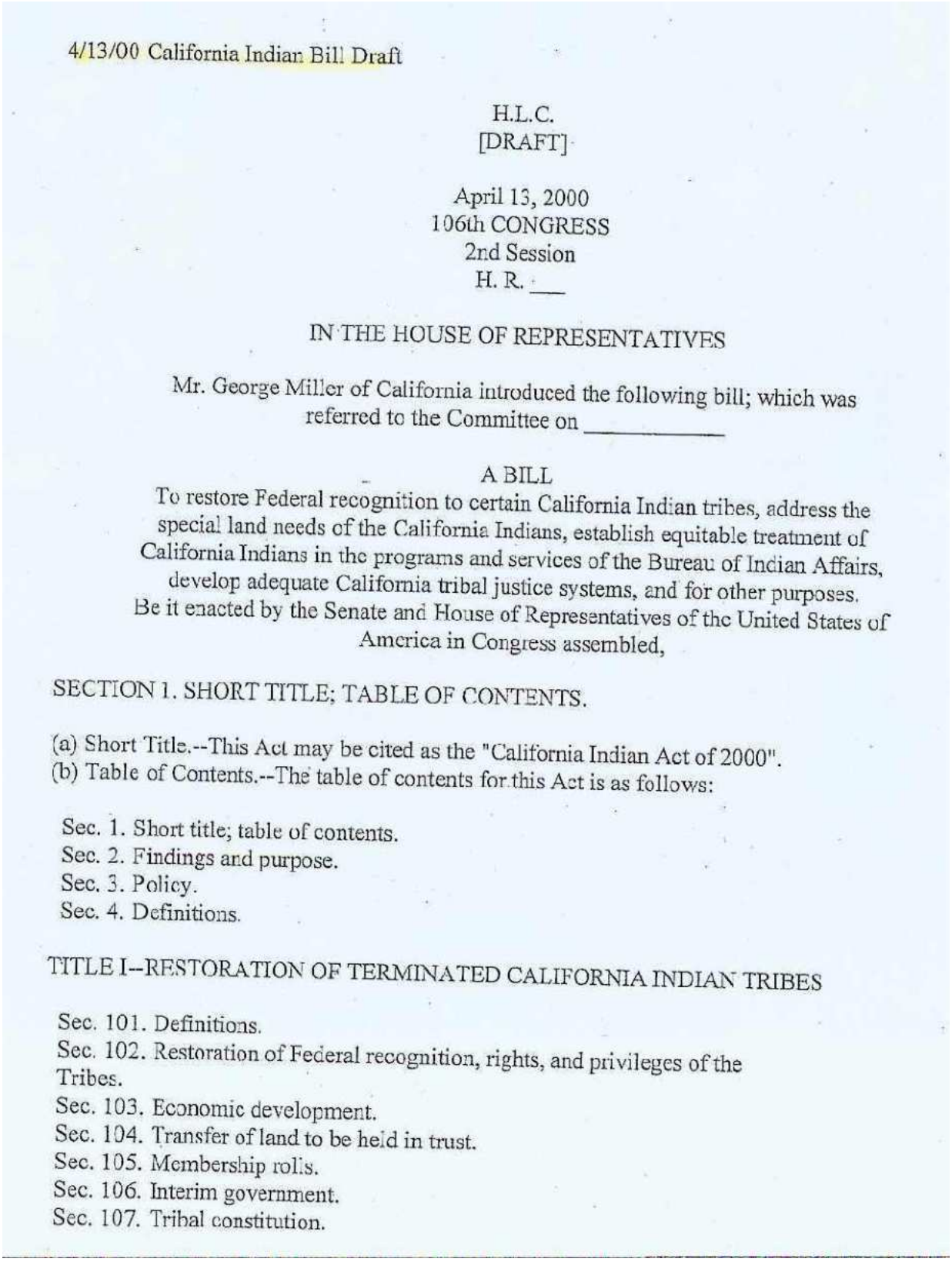
Included in that proposed legislation was the legislative reaffirmation/restoration of six previously federally recognized tribes whose legal status was never terminated by any Act of Congress. These six tribes include:

1) the **Dunlap Band of Mono Indians;**
2) Lower Lake Koi;
3) the **Tsungwe Council;**
4) the **Muwekma** Ohlone Tribe**;**
5) the **Tolowa Nation;** and
6) the **Southern Sierra Miwok (from Yosemite) [Figures 47-49**].

Another letter of support that the Office of Federal Recognition refused to review came from Lieutenant Governor Cruz Bustamante, who wrote to the BIA on August 29, 2002:

> The Muwekma Ohlone Tribe meets all of the criteria for reaffirmation set by the court as well as the Bureau of Indian Affairs' acknowledgement criteria. The tribe is a previously recognized tribe. It has demonstrated that it has had a trust relationship with the United States from 1906 to the present and that Congress has never terminated their relationship. (Letter dated August 29, 2002) [**Figure 50]**

Even though support for recognition had been formally expressed by Congresswoman Zoe Lofgren, state and county politicians, the Advisory Council on California Indian Policy (1998), and proposed federal legislation sponsored by Congressman George Miller in 2000, the Bureau of Indian Affairs stated in its Final Determination that it would not look at or consider any evidence after 1985.



4/13/00 California Indian Bill Draft

H.L.C.
[DRAFT]

April 13, 2000
106th CONGRESS
2nd Session
H. R. ___

IN THE HOUSE OF REPRESENTATIVES

Mr. George Miller of California introduced the following bill; which was referred to the Committee on _____

A BILL

To restore Federal recognition to certain California Indian tribes, address the special land needs of the California Indians, establish equitable treatment of California Indians in the programs and services of the Bureau of Indian Affairs, develop adequate California tribal justice systems, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.--This Act may be cited as the "California Indian Act of 2000".
(b) Table of Contents.--The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Policy.
Sec. 4. Definitions.

TITLE I--RESTORATION OF TERMINATED CALIFORNIA INDIAN TRIBES

Sec. 101. Definitions.
Sec. 102. Restoration of Federal recognition, rights, and privileges of the Tribes.
Sec. 103. Economic development.
Sec. 104. Transfer of land to be held in trust.
Sec. 105. Membership rolls.
Sec. 106. Interim government.
Sec. 107. Tribal constitution.

Figure 47: Title Page of Congressman Miller's Recognition Bill (2000)

SEC. 2. FINDINGS AND PURPOSE.

(a) Findings.--Congress finds that--

(1) the Advisory Council on California Indian Policy, pursuant to the Advisory Council on California Indian Policy Act of 1992 (Public Law 10209416; 25 U.S.C. 651 note), submitted its proposals and recommendations regarding remedial measures to address the special status of California's terminated and unacknowledged Indian tribes and the needs of California Indians relating to economic self-sufficiency, health, and education;
(2) in the Advisory Council on California Indian Policy Extension Act of 1998 (Public Law 10509294), the Congress directed the Council to work with the Congress, the Secretaries of the Interior and Health and Human Services, and the California Indian tribes to implement the Council's proposals and recommendations contained in its report to Congress, including presenting draft legislation to Congress for implementation of the recommendations requiring legislative changes.
(3) California Indian tribes cannot effectively exercise sovereignty or self-determination without a land base large enough to develop economically and provide for the basic needs of tribal members, including adequate housing, employment, and social welfare services;
(4) as a result of their uniquely tragic history, California Indian tribes do not have a land base that is adequate to meet their immediate and essential needs for housing, economic development, and cultural and natural resource protection and preservation;
(5) although a large number of California Indian tribes negotiated 18 treaties with the United States in the early 1850's that would have set aside approximately 8,500,000 acres as their tribal homelands, the United States Senate failed to ratify these treaties;
(6) the Senate's failure to ratify the California Indian treaties, in conjunction with Congress' passage of the 1851 Land Claims Act which required those claiming interests in California lands to file their claim within 2 years or forever forfeit such claim, denied California Indians any legally cognizable claim to their ancestral lands;
(7) most California Indians were rendered homeless by these Federal actions, a situation that remained unremedied for many years until the United States

Figure 48: Page 3 of Congressman Miller's Recognition Bill (2000)

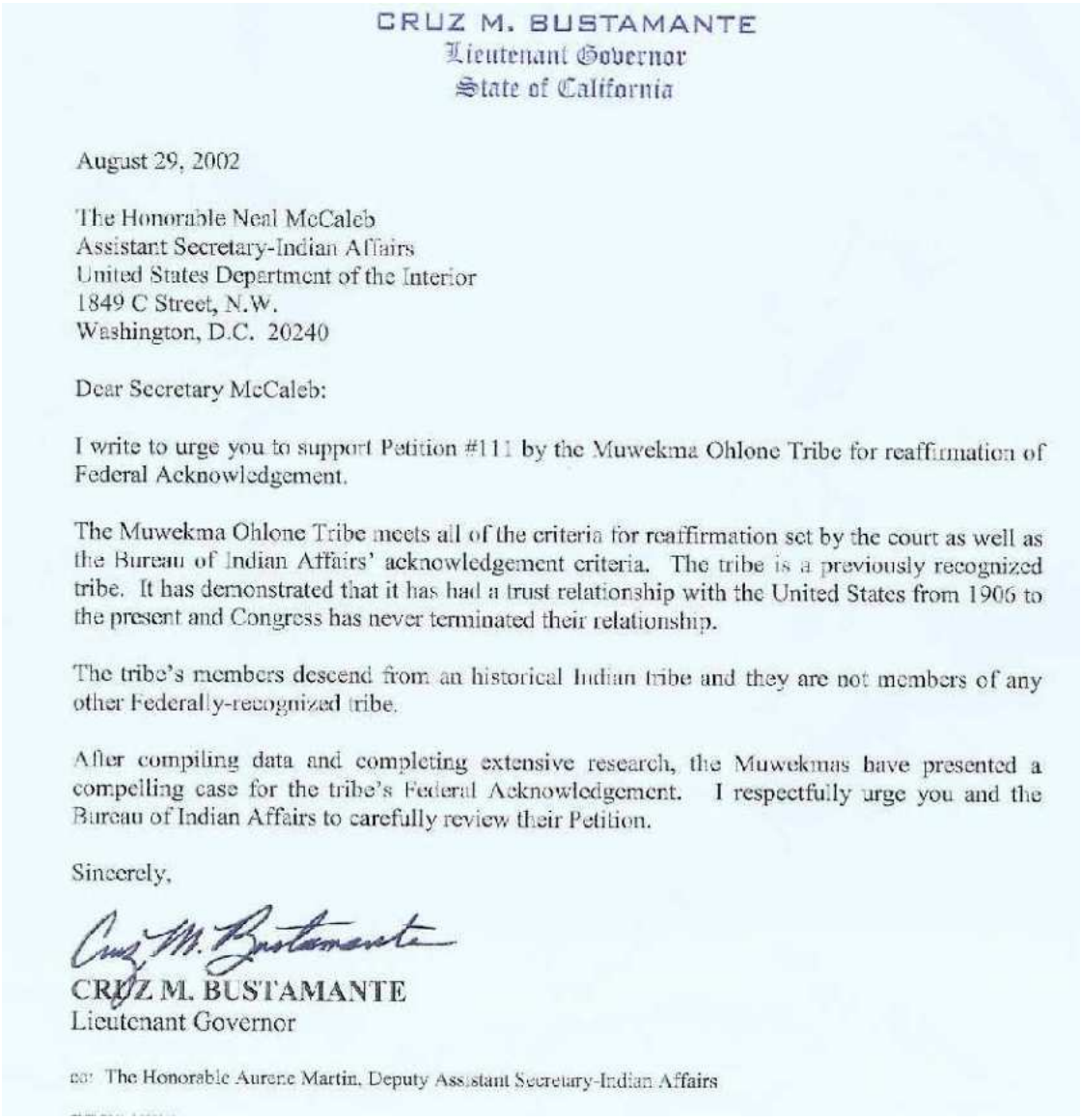
and early 1860's by military and volunteer patrols that resulted either in their death, removal to the Hoopa Valley Reservation or hiding in the hills. However, a few years later the Tsnungwe returned to their aboriginal lands where they have remained ever since.

(4) The Muwekma are the aboriginal inhabitants of the southern, eastern, and western regions of the San Francisco Bay Area, including all of what is now San Francisco, San Mateo, Alameda, and Contra Costa Counties, much of what is now Santa Clara County, and parts of Santa Cruz, San Joaquin, Napa, and Solano Counties. The Muwekma Indians are from the following aboriginal tribes: Passasimi/Yatikumne, Tamcan, Josemite, Lacquisemne, Julpun, Napian/Karkin, Jalquin/Yrgin, Alson/Tamien, Suenen, Chupcan, Choquoime, and Nototomne. Spanish missionaries forced the ancestors of the Muwekma Tribe into the Missions Dolores, San Jose, and Santa Clara in the late 18th and early 19th centuries. In the 1830's the Mexican Government secularized the missions and distributed their lands. Many Muwekma left the missions and resettled in other parts of the Bay Area, including on20a number of rancherias in Alameda County, including the Alisal Rancheria near Pleasanton, the Del Mocho Rancheria in Livermore, the El Molino Rancheria in Niles, as well as on rancherias in Sunol and San Leandro/San Lorenzo until the early part of the 20th century. The Muwekma people continue to reside in their aboriginal territory in the San Francisco Bay Area.

(5) The Tolowa are the aboriginal inhabitants of the present day county of Del Norte, located in the northwestern corner of California. In this area, their villages were scattered along the coastline, at the Lakes Earl and Tolowa, and along the larger tributaries of the Smith and Winchuck Rivers. The Tolowa signed a treaty with the United States on August 17, 1857, and were removed to the Klamath Reservation that same year. They were subsequently moved to the Smith River Reserve until it was discontinued on May 3, 1862, and thereafter moved several more times, including to the Siletz Indian Reservation in Oregon and to the Round Valley, Hoopa, and Klamath Reservations in California. Documents of the Bureau of Indian Affairs from 1915 through 1916 show that 100 acres of land was to be purchased for the Lake Earl (Tolowa) Indians and the Lipps-Michaels Survey of Landless Nonreservation Indians of California, 1919091920, confirms such a purchase of 100 acres of undivided land near Crescent City, Del Norte County, for these Indians.

(6) The Southern Sierra Miwuk Nation is composed of several bands or groups of Indians of the Yosemite/Mariposa area. These bands or groups are mentioned in countless official letters and journals of the United States Commissioners who were charged by Congress to negotiate treaties with the California Indian tribes during the period 1851091852. The first treaty camp was Camp Fremont, just northwest of Mariposa, California. The second treaty camp was Camp Barbour, south of Mariposa in the Millerton Lake area. Some of the Southern Sierra Miwuk bands or groups that signed the treaties or were mentioned in the

Figure 49: Page 15 of Congressman Miller's Recognition Bill (2000)



CRUZ M. BUSTAMANTE
Lieutenant Governor
State of California

August 29, 2002

The Honorable Neal McCaleb
Assistant Secretary-Indian Affairs
United States Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary McCaleb:

I write to urge you to support Petition #111 by the Muwekma Ohlone Tribe for reaffirmation of Federal Acknowledgement.

The Muwekma Ohlone Tribe meets all of the criteria for reaffirmation set by the court as well as the Bureau of Indian Affairs' acknowledgement criteria. The tribe is a previously recognized tribe. It has demonstrated that it has had a trust relationship with the United States from 1906 to the present and Congress has never terminated their relationship.

The tribe's members descend from an historical Indian tribe and they are not members of any other Federally-recognized tribe.

After compiling data and completing extensive research, the Muwekmas have presented a compelling case for the tribe's Federal Acknowledgement. I respectfully urge you and the Bureau of Indian Affairs to carefully review their Petition.

Sincerely,

CRUZ M. BUSTAMANTE
Lieutenant Governor

cc: The Honorable Aurene Martin, Deputy Assistant Secretary-Indian Affairs

Figure 50: Letter of Support from California Lt. Governor Cruz Bustamante

In 2000 – U.S. District Court Justice Ricardo Urbina wrote in his Introduction of his Memorandum Opinion Granting the Plaintiff's Motion to Amend the Court's Order (July 28, 2000) and later in his Memorandum Order Denying the Defendants to Alter or Amend the Court's Orders (June 11, 2002) that:

> The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. **In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma Tribe as an Indian tribe under the jurisdiction of the United States**. (Civil Case No. 99-3261 RMU D.D.C.) [**Figure 51**].

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MUWEKMA TRIBE,

Plaintiff,

v.

BRUCE BABBITT,,
Secretary of the United States Department of the Interior, and

KEVIN GOVER,
Assistant Secretary for Indian Affairs,
United States Department of the Interior,

Defendants.

Civil Action No.: 99-3261 (RMU)

Document Nos.: 27, 28

MEMORANDUM OPINION

Granting the Plaintiff's Motion to Amend the Court's Order

I. INTRODUCTION

The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma Tribe as an Indian tribe under the jurisdiction of the United States. In more recent times, however, and despite its steadfast efforts, the Muwekma Tribe has been unable to obtain federal recognition, a status vital for the Tribe and its members. Without federal recognition, the Tribe cannot receive the benefits of health care, housing, economic development, and self-governance that the United States provides to federally recognized tribes. *See* Pl.'s Mot. for Summ. J. at 2; 25 C.F.R. §

Figure 51: Memorandum of Opinion, Justice Ricardo Urbina, U.S. District Court (2000)

On October 30, 2000, the BIA's Office of Federal Acknowledgment and Tribal Services Division responded to Justice Urbina's Court Order regarding the Muwekma Ohlone Tribal enrollment and their descent from the Verona Band of Alameda County:

As a result of the submission of additional documentation, on October 30, 2000 the Department of the Interior's Office of Federal Acknowledgment/Tribal Services Division of the Bureau of Indian Affairs, in response to the Court Order issued, forwarded the following determination regarding the Tribe's enrolled membership's descent from the previously federally recognized Verona Band of Alameda County:

> "Do current members "descend from" a previously recognized tribal entity?
>
> … Analysis of the petitioner's genealogical data indicates that 134 of a total of 397 current members are direct descendants of Indian persons appearing on the Indian population schedules of the 1900 Federal Census for this county. The same 134 current members are also direct descendants of a slightly different set of Indian persons appearing on the 1905-1906 Kelsey census. A total of 68 current members are direct descendants of Indian persons enumerated on the Indian population schedule of the 1910 Federal Census; however, if direct descendants of siblings of the 1910 Indians are included, that total jumps to 279 members … … When combined with the members who have both types of ancestors, **100% of the membership is represented**. Thus, analysis shows that the petition's membership can trace (and, based on a sampling, can document) its various lineages back to individuals, or to one or more siblings of individuals, appearing on the 1900, "Kelsey," and 1910 census enumerations described above."

Years later, on June 30, 2005, Congressman Richard Pombo, then ranking Republican Chair of the House Resources Committee, wrote to Secretary of the Interior Gail Norton supporting a settlement of the Muwekma lawsuit against the Interior:

> Dear Secretary Norton:
> As part of my Committee's oversight of the procedures for federal recognition of Indian Tribes, I have heard testimony in a hearing earlier this year of the protracted litigation concerning the recognition of the Muwekma Ohlone Tribe. The Tribe informs me that the Department of the Interior has determined that Muwekma is a previously recognized tribe, federally recognized until **1927,** also that no formal action by the Department and no Act of Congress removed it from recognition and that **99%** of the members of the current tribe are direct descendants of the members of the recognized tribe.
>
> The Muwekma Tribe raises the issue that, in a very similar situation, the Department reaffirmed the federally recognized status of the Lower Lake Koi Tribe and the Ione Band of Miwok in California by a letter signed by the then Assistant Secretary of the Interior, restoring them to recognized status without making them go through forma1 recognition procedures.
>
> I understand that, in December of 2003 the Tribe explored with the Department a possible settlement, including a rehearing that might lead to reaffirmation of the Tribe, … . Therefore, I would suggest, if possible, that the Department meet with the Tribe to pursue settlement opportunities. (Letter Rep. Richard Pombo dated June 30, 2005).

After the Office of Federal Acknowledgement "declined" to extend and therefore reaffirm the Tribe's Federally Recognized status on September 6, 2002, the Muwekma Tribe had to pursue its second lawsuit against the Department of the Interior.

Muwekma Tribe's Litigation Against the Department of Interior, Bureau of Indian Affairs

On September 21, 2006, U.S. District Court Justice Reginald B. Walton in **Muwekma Ohlone Tribe v. Dirk Kempthorne, Secretary of the Interior, et al.**, Civil Action No. 03-1231 (RBW) issued a favorable Court Opinion on the side of the Muwekma Tribe stating:

> The following facts are not in dispute. Muwekma is a group of American Indians indigenous to the San Francisco Bay area, the members of which are direct descendants of the historical Mission San Jose Tribe, also known as the Pleasanton or Verona Band of Alameda County ("the Verona Band"). … From 1914 to 1927, the Verona Band was recognized by the federal government as an Indian tribe. … Neither Congress nor any executive agency ever formally withdrew federal recognition of the Verona Band. … Nevertheless, after 1927, the federal government no longer acknowledged the Verona Band, or any past or present-day incarnation of the plaintiff, as a federally recognized tribal entity entitled to a government-to-government relationship with the United States … (alleging that "sometime after 1927 the Department began to simply ignore the Tribe for many purposes and substantially reduced the benefits and services provided to the Tribe") … (pages 2-3) **[Figures 52].**

U.S. District Justice Reginald B. Walton further wrote:

> Muwekma brought this action on June 6, 2003, seeking reversal of the Final Determination, placement on the Department's list of federally recognized tribes, and other injunctive relief. ... On July 13, 2005, Muwekma moved for summary judgment, alleging, inter alia, that the Department violated the APA and the Equal Protection Clause when it required Muwekma to petition for acknowledgment of its tribal status pursuant to the "lengthy and thorough" regulatory procedures of Part 83, …, despite administratively reaffirming the status of similarly situated tribes without requiring those tribes to undertake the Part 83 process and without sufficient explanation for the disparate treatment. ... Specifically, Muwekma contends that "[t]he Department returned Lower Lake and Ione to the list of recognized tribes outside of the [Part 83] procedures [while] requir[ing] Muwekma to complete the Part 83 process and then, applying a greater evidentiary burden, denied Muwekma recognition despite [its] significantly stronger case for recognition." … (pages 10-11) …

Specifically, Muwekma contends, inter alia, that the Department violated the Equal Protection Clause and the APA by requiring it to undergo the Part 83 acknowledgment procedures while allowing similarly situated tribal petitioners to bypass these procedures altogether. Compl. ¶¶ 37-39; Points and Authorities in Support of Plaintiff's Motion for Summary Judgment ("Pl.'s Mem.") at 22-30. Currently before the Court are the parties' cross-motions for summary judgment.[4] For the reasons set forth below, the Court denies both parties' motions without prejudice and directs the Department to supplement the administrative record.

I. Background

The following facts are not in dispute. Muwekma is a group of American Indians indigenous to the San Francisco Bay area, the members of which are direct descendants of the historical Mission San Jose Tribe, also known as the Pleasanton or Verona Band of Alameda County ("the Verona Band"). Pl.'s Mem. at 4; Defs.' Mem. at 5; Answer at 6. From 1914 to 1927, the Verona Band was recognized by the federal government as an Indian tribe. Pl.'s Mem. at 4-5; Defs.' Mem. at 5; Answer at 12-13. Neither Congress nor any executive agency ever formally withdrew federal recognition of the Verona Band. Pl.'s Mem. at 5; Answer at 14.

Figure 52: Justice Reginald Walton, U.S. District Court Opinion (2006)

If the Department were compelled to require tribes seeking federal recognition to complete petitions under Part 83—that is, if it had no discretion to exempt certain tribes from the Part 83 procedures—then its argument that "federal acknowledgment regulations specifically take into account demonstrations of previous acknowledgment," … Here, however, the Secretary of the Interior is **expressly** empowered to "waive or make exceptions to [the Department's regulations] in all cases were permitted by law," if the Secretary makes a finding that "**such waiver or exception is in the best interest of the Indians**." 25 C.F.R. § 1.2; ... Thus, if the Department is "permitted by law" to waive or except the Part 83 tribal acknowledgment procedures when it is "in the best interest of the Indians," 25 C.F.R. § 1.2, and if it appears that it has waived the acknowledgment procedures in other, ostensibly similar instances, then it is incumbent upon the Department to explain to Muwekma "why it has exercised its discretion in a given manner" in this instance, State Farm, 463 U.S. at 48-49. ... **This it has not done.** (pages 18-20) …

> In addition, the Department's representation to Muwekma that it lacked the authority to confer federal recognition on the tribe outside of the Part 83 acknowledgment process, see Answer at 23 (admitting that "[n]otwithstanding the Department actions to the contrary with respect to the Ione Band and Lower Lake, [Department] staff repeatedly advised [Muwekma] that the Assistant Secretary [of Indian Affairs] lacked authority to administratively reaffirm tribal status"), appears from the Department's own admission to be **patently false**, ... (footnote 12, page 21) …
>
> Upon remand, the Department must provide a detailed explanation of the reasons for its refusal to waive the Part 83 procedures when evaluating Muwekma's request for federal tribal recognition, particularly in light of its willingness to "clarif[y] the status of [Ione] . . . [and] reaffirm[] the status of [Lower Lake] without requiring [them] to submit . . . petition[s] under . . . Part 83." … At issue for the purpose of this remand is not whether the Department correctly evaluated Muwekma's completed petition under the Part 83 criteria, but whether it had a sufficient basis to require Muwekma to proceed under the heightened evidentiary burden of the Part 83 procedures in the first place, given Muwekma's alleged similarity to Ione and Lower Lake. In addition, the Department **shall** express its position regarding whether it is permitted, under 25 C.F.R. § 1.2 or otherwise, to waive or make exceptions to the Part 83 acknowledgment procedures, and whether this waiver or exception imposes a lesser evidentiary burden on petitioning tribes than the completion of a Part 83 petition. (pages 31-32) …
>
> **IV. Conclusion**
>
> When an agency provides a statement of reasons insufficient to permit a court to discern its rationale, or states no reasons at all, the usual remedy is a 'remand to the agency for additional investigation and explanation.'" ... Here, the Court is unable to discern the Department's rationale for requiring Muwekma to proceed through the Part 83 tribal acknowledgment procedures while allowing other tribes that appear to be similarly situated to bypass the procedures altogether, an issue which is dispositive of Muwekma's Equal Protection Act and APA claims. Accordingly, it will remand this matter to the Department for the limited purpose of supplementing the administrative record in a manner consistent with this Opinion. During this time, the case shall be administratively closed. The Court shall retain jurisdiction over this matter and shall require the Department to complete its evaluation and submit a supplement to the administrative record by November 27, 2006. In light of the Department's past delays and given the narrow purpose for which this matter is being remanded, the Court will look extremely skeptically on motions for extensions of time. …. (page 32)

On September 30, 2008 the U.S. District Court in Washington, D.C., handed the Muwekma Tribe another victory. Justice Reginald B. Walton opined:

> These arguments, and the explanation from the Department giving rise to them, seemingly cannot be reconciled with the Court's September 21, 2006, memorandum opinion.

> In that opinion, the Court noted that the defendants opposed the plaintiff's initial motion for summary judgment on three grounds, two of which concerned whether the plaintiff was similarly situated to Ione and Lower Lake for purposes of the plaintiff's constitutional and APA arguments. Specifically, "the defendants argue[d] that the Department ha[d] not treated like cases differently because, by their very nature, federal acknowledgment decisions require highly fact-specific determinations," and "claim[ed] that [the plaintiff] was not treated differently than similarly situated petitioners because groups demonstrating or alleging characteristics similar to [the plaintiff] are regularly required to proceed through the federal acknowledgment process.
>
> **The Court rejected both of these arguments**. It dismissed the defendants' "hand-waving reference to 'highly fact-specific determinations,'" which, in the Court's estimation, "[did] not free the defendants" of their obligation to justify the decision to treat the plaintiff differently from Ione and Lower Lake based on the administrative record for the plaintiff's petition.

Further, the Court found the argument "that groups such as [the plaintiff] have been regularly and repeatedly required to submit Part 83 petitions" **insufficient** "to refute [the plaintiff's] claim that the Department has treated it differently from similarly situated tribal petitioners without sufficient justification.

The Court further noted in a footnote that the defendants "obliquely" provided a "basis for distinguishing [the plaintiff] and Lower Lake in their reply to [the plaintiff's] opposition to their cross-motion for summary judgment," but also found this argument wanting. Specifically, the Court explained that:

> First, and most obviously, [the defendants' argument] pertain[ed] only to a difference between [the plaintiff] and one of the tribes with whom it [was] claiming to be similarly situated. **The defendants [did] not assert any** "**highly fact-specific determination** []" that would explain why [the plaintiff] is not similarly situated to Ione in such a way as to require a reasoned explanation of the Department's disparate actions. Second, the Department [did] not contend, here or in the administrative record, that it required [the plaintiff] and not Lower Lake to undergo the Part 83 procedure because the latter, unlike the former, had received land in trust and had participated in an election.
>
> **Having rejected all of the defendants' arguments on the issue of similarity of circumstances**, the Court proceeded to find that "**the Department . . . ha[d] never provided a clear and coherent explanation for its disparate treatment** of [the plaintiff] when compared with Ione and Lower Lake," nor had it ever "articulated the standards that guided its decision to require [the plaintiff] to submit a petition and documentation under Part 83 while allowing other tribes to bypass the formal tribal recognition procedure altogether." Because there was "virtually nothing" in the administrative record that would "allow the Court to determine whether [the Department's] judgment . . . reflect[ed] reasoned decision making," the Court concluded that it was "necessary to remand [the] case to allow the Department to supplement the administrative record in this regard."

In other words, the Court determined in its prior memorandum opinion that the defendants' arguments to the effect that the plaintiff was not similarly situated to Ione and Lower Lake were without merit and remanded the case to the Department so that the Department could explain why it treated the plaintiff differently than other, similarly situated tribes. The necessary implication of both conclusions is that the Court found the plaintiff to be similarly situated to Ione and Lower Lake.

> … Here, the Department's explanation and the defendants' arguments in defense of that explanation and in support of summary judgment in their favor would appear to run afoul of the law of the case established in this Court's prior memorandum opinion. The Court concluded, implicitly if not explicitly, that the plaintiff is similarly situated to Ione and Lower Lake and remanded the case to the Department for the sole purpose of ascertaining a reason as to why the plaintiff was treated differently. Yet, the defendants do not even acknowledge that their arguments are inconsistent with the law-of-the-case, let alone provide a "compelling reason to depart" from it.
>
> The defendants' insouciance regarding the law-of-the-case is particularly troubling because they appear to rely at least in part on administrative records for Ione and Lower Lake that were not considered when the Department initially considered the plaintiff's petition for recognition. This tactic harkens back to the defendants' reply to the memorandum in support of their initial cross-motion for summary judgment, where they argued "that because the full body of administrative records regarding Ione and Lower Lake [was] not before the Court, [the plaintiff] [could not] establish a violation of the Equal Protection Clause or the APA simply by alleging that it ha[d] been treated differently than those tribes."
>
> **The Court rejected that argument**, explaining that "[w]hat matter[ed] . . . [was] whether the Department sufficiently justified in the administrative record for [the plaintiff's] tribal petition its decision to treat [the plaintiff] differently from Ione and Lower Lake.
>
> The Court remanded this case to the Department so it could explain why it treated similarly situated tribes differently, **not so that it could construct post-hoc arguments** as to whether the tribes were similarly situated in the first place. **It certainly did not remand the case so that the Department could re-open the record**, **weigh facts that it had never previously considered, and arrive at a conclusion** vis-à-vis the similarity of the plaintiff's situation to those of Ione and Lower Lake that it had never reached before. **The Court would therefore be well within its discretion to reject the defendants' arguments outright, grant the plaintiff summary judgment with respect to its equal protection claim, and bring this case to a close. [**Emphasis added]

Although the BIA and the Justice Department failed to respond to Justice Walton's Court Order, the Court failed to remand the reaffirmation order back to the Department of the Interior so that Muwekma be restored and placed back onto the list of Federally Recognized Tribes.

Therefore, the Tribe had to seek further remedy by challenging Walton's **180-degree last-minute reversal** of all he opined above by proceeding through the U.S. Appeals Court in D.C.

Oral arguments were presented by the Justice Department and the Tribe's litigation team before a panel of three justices serving on the United States Court of Appeals for the District of Columbia Circuit on September 18, 2012 and unfortunately the Courts are principally there to protect lower court decisions as well as federal governmental agencies.

Nonetheless, the Tribe continues its struggle to regain its federally Acknowledged status. If it is successful during the present sessions of Congress, it will be at least **120 years after the Tribe first obtained its Federally Recognized status in 1906**. If successful, the Tribe will therefore be eligible for funding, services, and finally, to purchase a land base that will help the ensuing generations of Muwekma children maintain their rich Indian identity and heritage, as well as establish an equal standing with the other Acknowledged tribes throughout the United States.

Concluding Remarks

The Muwekma Ohlone Tribe of the San Francisco Bay Area has moved both its legal history and efforts seeking reaffirmation as Federally Recognized tribe almost to full circle, thus completing its, over a century-long-plus journey since the Tribe first became Federally Acknowledged through the Congressional Homeless Indian Acts beginning in 1906.

The ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** [**Place Where the Ancient People Are Buried Site], CA-SCL-1070/H** as well as the many other ancestral heritage/archaeological projects that the Tribe has worked on have also served as important "bridges" to the Tribe's long historic and pre-contact ancestral past. This archaeological work has been exceedingly important and meaningful to the Tribal membership by providing a forum -- in the form of the present study and its ethnohistorical ties to the Tribe's larger San Francisco Bay Area territory -- thus allowing the Muwekma Tribe to continually have a voice in telling part of its story after being completely disenfranchised for so many decades by public agencies, policy makers, academic institutions, and archaeologists**.**

This present ethnohistory study has provided ethnographic, ethnohistoric, and legal background information about the ancestral Muwekma Ohlone Indians – the aboriginal and historic tribal people of the greater circum-San Francisco Bay region -- in both a historic and contemporary context. Furthermore, this chapter was structured using contemporary anthropological and historical frameworks with two major research goals in mind:

1. To present herein ethnohistoric and historic information that addresses the biological and cultural continuation of the aboriginal Muwekma Ohlone Tribal people from the San Francisco Bay region and thus identifies and discusses those "vital" cultural linkages between the living people and their ancestors and ancestral heritage sites; and specifically in this case, to the ancestral Muwekma Ohlone people who were buried at the ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka*** **Site, CA-SCL-1070/H,** and;
2. To bring forward an interpretive understanding about the life of the ancestral Muwekma Ohlone people, who were buried at ***Mánni Húyyú Muwékma Yatiš Túnnešte-tka***, **CA-SCL-1070/H**; and the Tribe brought closure to this project with a **Reburial-Honoring Ceremony** on October 16, 2022 for our ancestral people by placing them back into the earth (***warep***), within or near the original cemetery location from which they were laid to rest by their people around 10,000 years ago.

The continuation of the Muwekma Tribe's cultural traditions and language has been an ongoing concern over these past decades. The following signage and photos (Figures 53 - 85) are from Tribal gatherings and events that celebrate our Native heritage, history, culture, and traditions. Although there are almost no protections against the destruction of Native American Ancestral Heritage cemetery and village sites, and as far as we know, no ancestral Muwekma Ohlone Heritage site is eligible for Historical Landmark status under the Landmark statutes in the City of San Jose and Santa Clara County, the Muwekma Tribe wants to honor the good efforts and diligent work displayed by the management and field staff from Rosso Environmental Inc., Layton Construction Company, and Kleinfelder, Inc. /Garcia and Associates in facilitating the recovery of our ancestors who were buried at a place our Tribe has named: *Mánni Húyyú Muwékma Yatiš Túnnešte-tka* [Place Where the Ancient People Are Buried Site], CA-SCL-1070/H which was no doubt located within the rich paleo-freshwater marshlands paralleling the *Thámien Rúmmey* (the ancient Guadalupe River riparian corridor) before there was a San Francisco Bay/.

The Muwekma Tribal Council and the Co-Authors … Au!

Below are Some of the Public Works. Art, and Places Honoring Our Muwékma Ohlone Tribe

INTERNATIONAL INDIAN TREATY COUNCIL
INFORMATION OFFICE
710 CLAYTON STREET #1 SAN FRANCISCO, CA 94117
TELEPHONE: (415) 566-0251
FAX: (415) 566-0442
EMAIL PEACE NET: IITC

April 6, 1992

To all concerned local, state and federal officials,

The International Indian Treaty Council, a Non-governmental Organization (NGO) advocating for the rights of Indigenous Peoples at the United Nations, supports the inherent land rights of all Indigenous Peoples. This "right to territory" is recognized under international law.

The IITC recognizes that the Muwekma Ohlone People of the San Francisco Bay Area have survived a bitter history which has disenfranchised them from their ancestral lands and denied them recognition as a distinct and independent People. This history includes enslavement in Mission communities in the early 1800's, forced removals and stealing of traditional lands, cultural destruction, and ongoing desecration of burial grounds and sacred sites.

As a critical aspect of their struggle to implement their basic right to self-determination, the Muwekma Ohlone People are currently seeking federal tribal recognition, along with more than 30 other California Indian Nations who have been relegated to the tragic and genocidal status of "landless Indians".

The Muwekma Ohlone have also initiated the process of regaining a portion of their traditional land base. Currently their priority is the return of the area in San Francisco known as the Presidio, soon to become unused federal land when the military pulls out. Under federal law, this land must be returned to the original "owners", the Muwekma Ohlone. This act of simple and straightforward justice, carried out at the earliest possible date, will be a significant step in reversing the policy of genocide through which many California Indian Peoples have been pushed to the brink of extinction, and California Indian Nations have become homeless in their own homelands.

The IITC strongly encourages all city, state and federal officials who have a part in the decision-making regarding the future of the Presidio to take immediate action towards its return to the Muwekma Ohlone.

The IITC also supports federal recognition for the Muwekma Ohlone Tribe as a critical step in their ability to engage in government-to government relations, and to exercise self-determination as a Sovereign People.

The IITC will continue to support the efforts of the Muwekma Ohlone People to reclaim their traditional lands, including the Presidio in San Francisco. 1992 is the year

for healing the wounds that have been inflicted upon Indigerous Peoples, but this healing will not begin until justice is done.

Respectfully,

William A. Means

William A. Means,
IITC Executive Director

cc: Muwekma Ohlone Tribal Council
President George Bush
Manuel Lujan, Secretary of the Interior
Senator Daniel Inouye, Chairman, Senate Select Committee On Indian Affairs
Congressman George Miller and Tad Johnson, House Committee on Interior and Insular Affairs
Mayor Jordan, City of San Francisco
Supervisor Willy Kennedy, San Francisco Board of Supervisors
United Nations Office of Human Rights
file

Figure 53: International Treaty Indian Council Recognizing Muwekma Ohlone Tribe (April 6, 1992)



Figure 54: Tamien CalTrain Station Plaque Honoring Muwekma Ohlone (1992)



City and County of San Francisco

Human Rights Commission

Resolution

MUWEKMA OHLONE TRIBE

WHEREAS, the Muwekma Ohlone Tribe is the aboriginal Native American Tribe of San Francisco; and

WHEREAS, the Muwekma Ohlone people, who were taken away from their aboriginal land and were once thought extinct, have retained their cultural and social identity for the past five hundred years; and

WHEREAS, the Muwekma Ohlone people have suffered several hundred years of dislocation, dispossession of the lands, and relocation to harsh environments; and

WHEREAS, the Human Rights Commission strongly supports all Native American aboriginal groups, especially in this Year of the Quincentennial Celebration, in their attempts at self-determination, and to be self-sufficient, officially recognized, acknowledged, and justly treated by the Federal government; and

WHEREAS, the Human Rights Commission is mandated to identify and publicize all conditions of human injustice, discrimination, prejudice, and inequality;

THEREFORE, BE IT RESOLVED, that the Human Rights Commission does hereby commend and support the Muwekma Ohlone Tribe and other California tribes and bands in their efforts to obtain recognition and assistance at the Federal level and by the U.S. Congress.

Chair

September 10, 1992

Date

Figure 55: Resolution San Francisco Human Rights Commission (September 10, 1992)

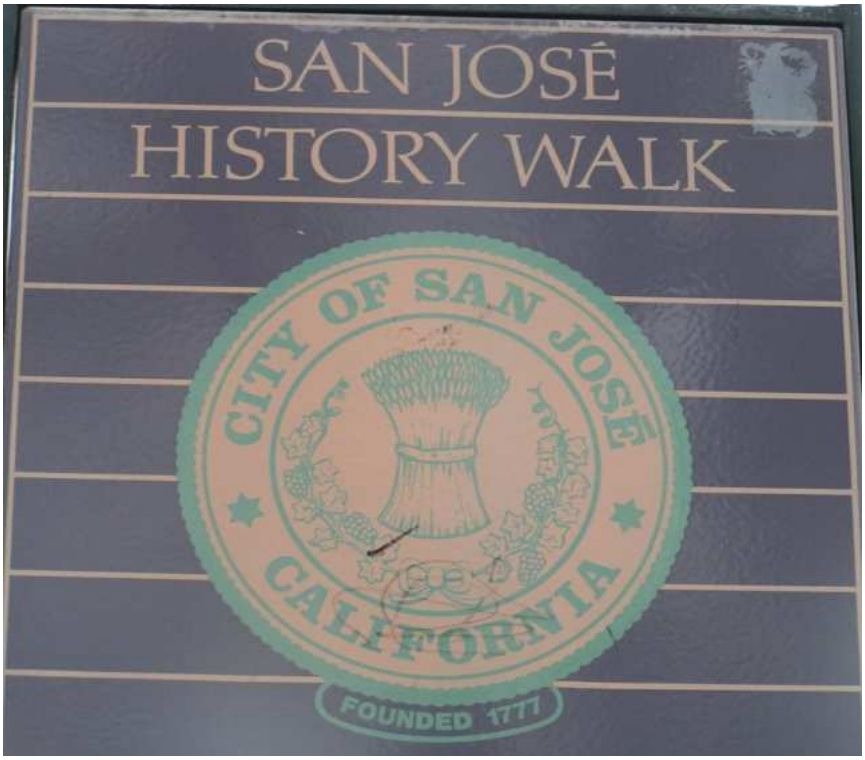


Figure 56: History Walk Historical Marker Downtown San Jose, California

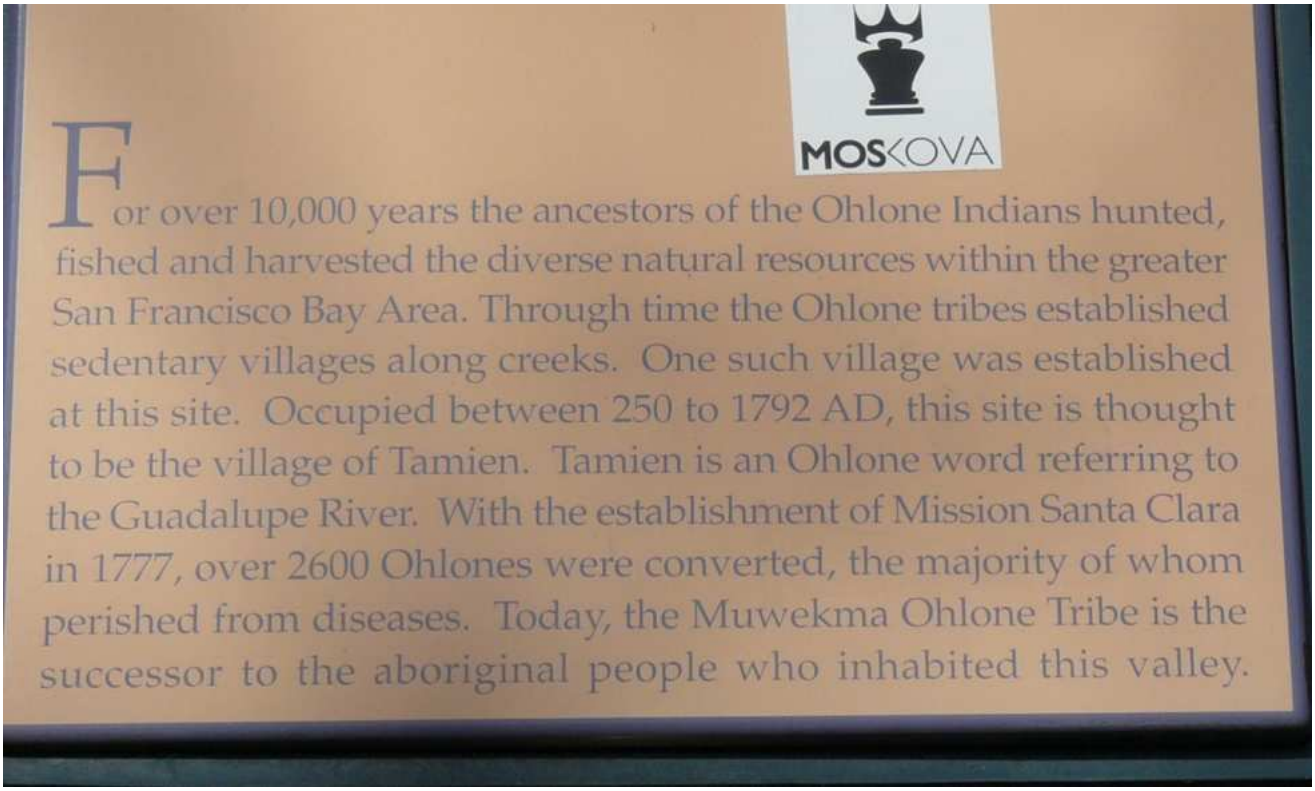


Figure 57: The Site of Tamien, an Ohlone Indian Village (*Thámien Rúmmeytak* Site)

Mánni Húyyú Muwékma Yatiš Túnnešte-tka
[Place of Where the Ancient People are Buried Site] CA-SCL-1070/H

Transcription of the Historical Marker Village of Tamien Text

For over 10,000 years, the ancestors of the Ohlone Indians hunted, fished, and harvested the diverse natural resources within the greater San Francisco Bay Area. Through time, the Ohlone tribes established sedentary villages along creeks. One such village was established at this site. Occupied between 250 and 1792 AD, this village is thought to be the village of Tamien [***Thámien***]. Tamien is an Ohlone word referring to the Guadalupe River. With the establishment of the Santa Clara Mission in 1777, over 2600 Ohlones were converted, the majority of whom perished to diseases. Today, the Muwekma Ohlone Tribe is the successor to the aboriginal people who inhabited this valley.

Public Art over the Park Avenue Bridge: Eagle, Coyote, and Hummingbird

On May 13, 1994 the City of San Jose unveiled the public art displaying Eagle, Coyote, and Hummingbird, and a version of the Ohlone Creation Narrative honoring the Muwekma Ohlone Tribe and later immigrants to San Jose, California, with a plaque and sculptures (**Figures 56 -59).**

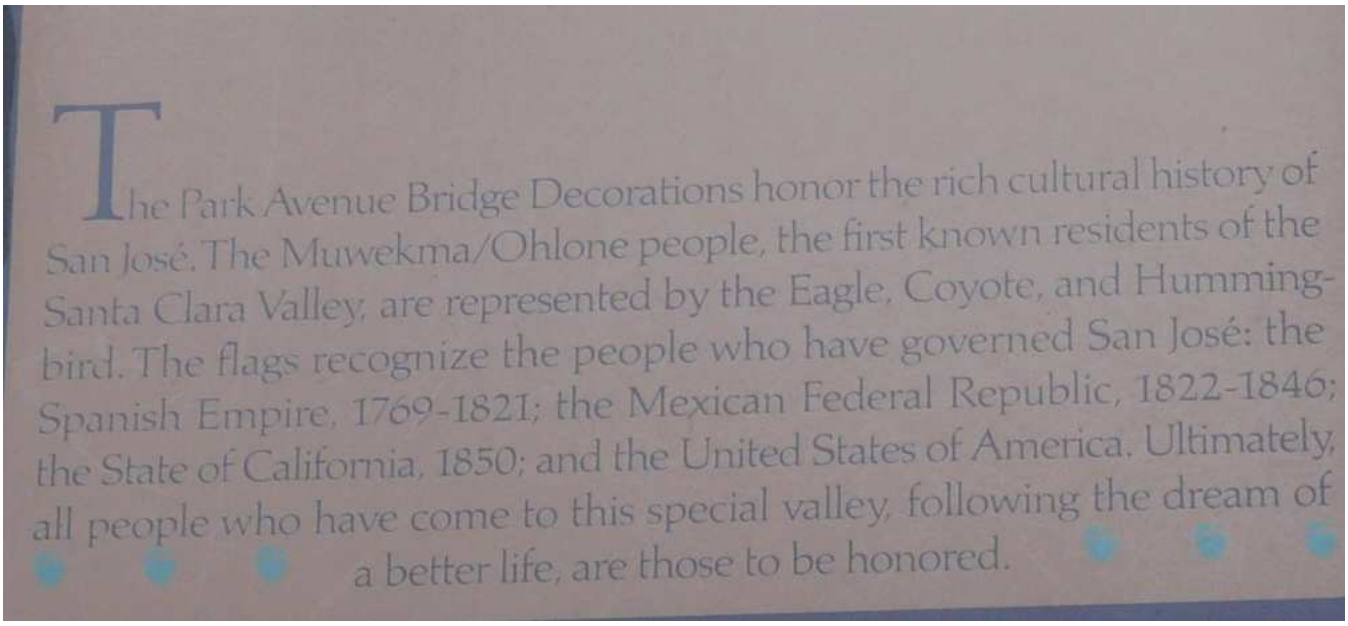


Figure 58: Honoring Plaque Over the Park Avenue Bridge Downtown San Jose

Transcription of the Informational Plaque on the Park Avenue Bridge

The Park Avenue Bridge Decorations honor the rich cultural history of San Jose. The Muwekma Ohlone people, the first known residents of the Santa Clara Valley, are represented by the Eagle, Coyote, and Hummingbird. The flags recognize the people who have governed San Jose: the Spanish Empire, 1769-1821; the Mexican Federal Republic, 1822-1846; the State of California, 1850; and the United States of America. Ultimately, all people who have come to this special valley following the dream of a better life, are those to be honored.

The Muwekma Ohlone Tribute (Presented by the Guadalupe River Park Conservancy)

"The Muwekma Ohlone people, Native Americans who once lived along the Guadalupe River, are honored with animal sculptures important to their tradition on the Park Avenue Bridge. These include the Coyote, the Hummingbird, and the Eagle. The four flags that fly from atop the bridge represent the past and present governments of the area: Spain, Mexico, California, and the United States. The Coyotes were created by artist Peter Schiffrin; the Eagle and Hummingbirds by Tom Andrews. The Coyote, Hummingbird, and Eagle represent the Muwekma Ohlone creation story. Coyote was the father of the human race who was responsible for creating people and teaching them how to live properly. Hummingbird was wise and clever. Eagle was a leader." See https://grpg.org/public-art-landmarks/



Figure 59: Eagle with Two Humming Birds Above



Figure 60: Coyote (One of the First People)



Figure 61: Hummingbird (One of the Three First People in Creation Narrative)

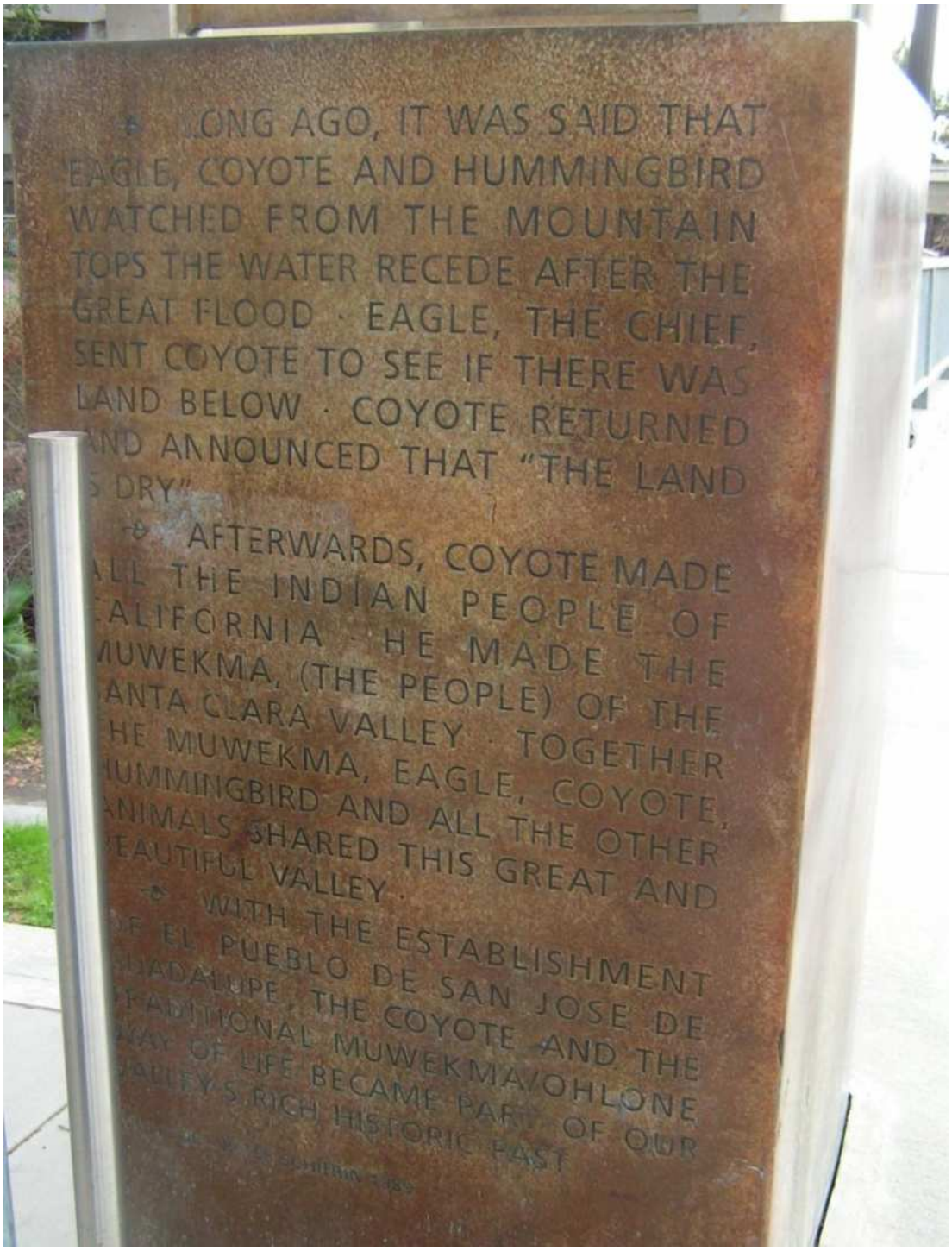


Figure 62: One of the Four Corner Plaques Honoring the Muwekma Ohlone Tribe

For a transcription of the text engraved on one of the cornerstones at the Park Avenue Bridge and information about this Commemoration honoring the **History of San Jose and Muwekma Ohlone Tribe** (see **Figure 63** below):

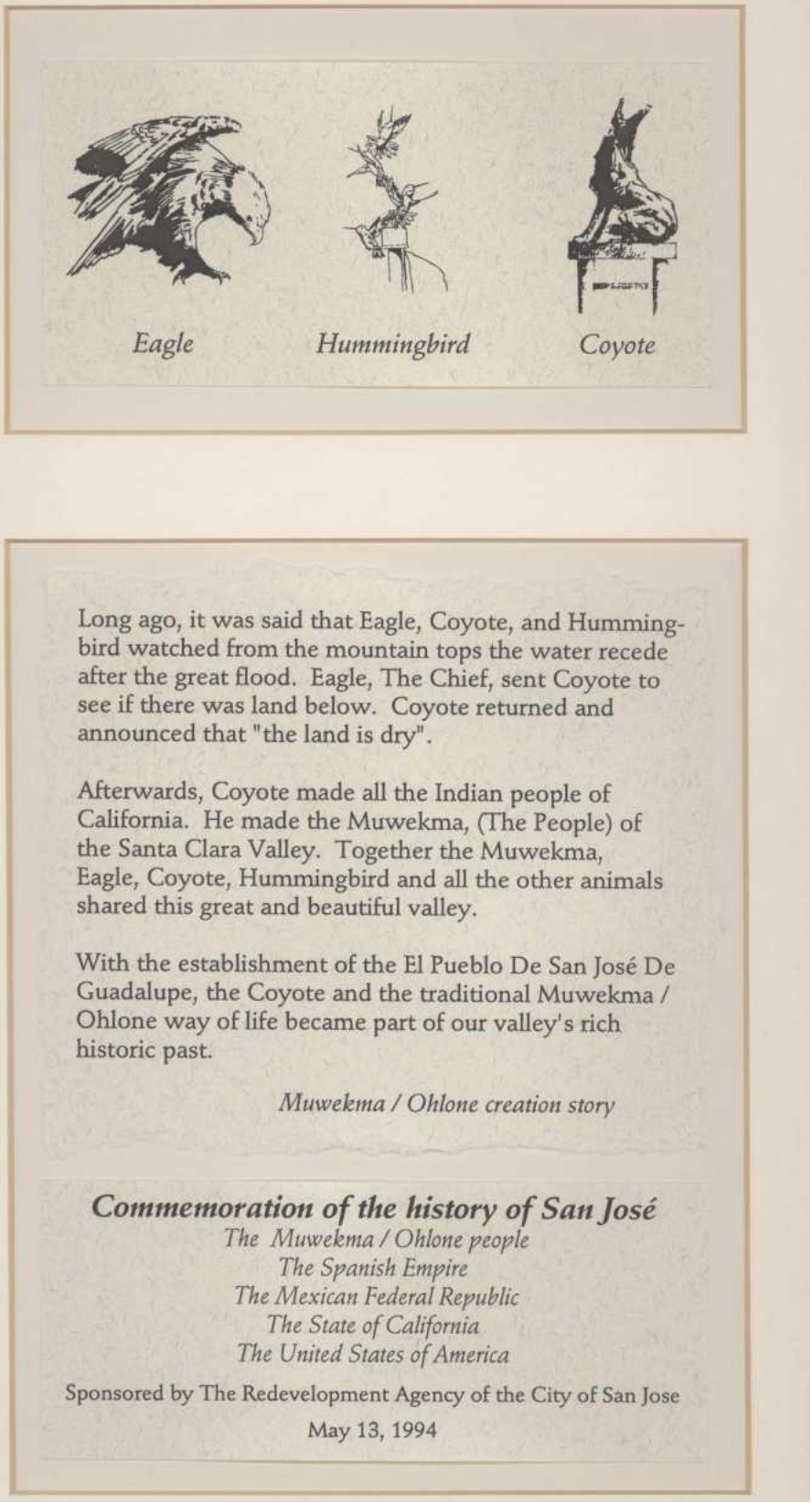


Figure 63: Commemoration of the History of San Jose and the Muwekma Ohlone Tribe



Figure 64: Muwekma Ohlone Tribe Campout and Big Feast 2001



Figure 65: Muwekma Ohlone Tribe Campout and Big Feast 2002



Figure 66: Muwekma Ohlone Tribe Chochenyo Language Workshop 2004



Figure 67: Muwekma Christmas Gathering at Stanford University 2005



Figure 68: Muwekma Tribal Gathering 2008



Figure 69: Rosemary Cambra at the Muwekma-Tah-Ruk 20th Anniversary Stanford University 2009



Figure 70: Muwekma Tribal Leadership at the Dedication Ceremony for the Roberto Antonio Balermino Neighborhood Park



Figure 71: Muwekma Tribal Representatives at the Opening of the "Back from Extinction" and "Cement Prairie" Exhibits at the New Museum in Los Gatos (2016)



Figure 72: Certificate of Honor Board of Supervisors City and County San Francisco (April 27, 2016)



Figure 73: Muwekma Information Booth at Stanford Powwow (May 2018)

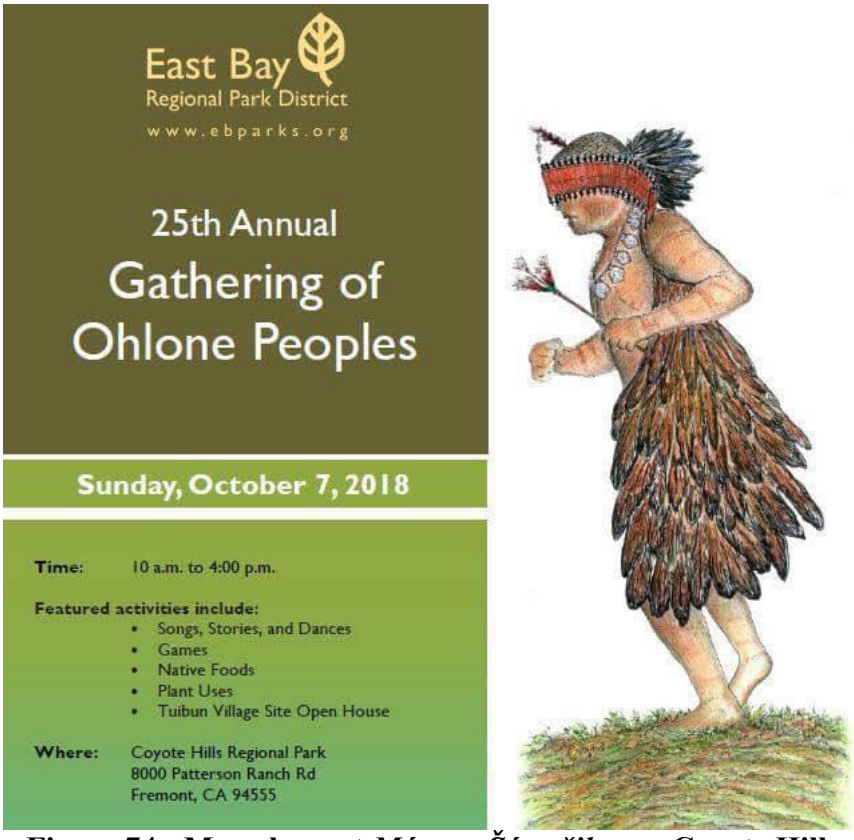


Figure 74: Muwekma at *Máyyan Šáatošikma* – Coyote Hills East Bay Regional Park Ohlone Gathering (October 2018)



Figure 75: Some of the Muwekma Tribal Members at People's Park in Berkeley in Front of the Muwekma Mural



Figure 76: Muwekma Ohlone Tribe Chochenyo Singing Group at Special Welcoming Ceremony and Celebration for the Hikianalia (October 2018)



Figure 77: Muwekma Leadership Singing Welcoming Song at the Inaugural California Indian Flag Raising Event, City of Milpitas (November 1, 2018)



Figure 78: Muwekma Town Hall Tribal Meeting, Stanford University (November 2018)



CALIFORNIA LEGISLATURE

Assembly

CERTIFICATE OF RECOGNITION

PRESENTED TO

MUWEKMA OHLONE TRIBE OF THE SAN FRANCISCO BAY AREA

IN RECOGNITION OF THE

Inaugural California Indian Heritage Flag Raising

For creating a space for the City of Milpitas and its residents to honor the tribes and nations whose land we reside on. Your tireless efforts to demanding a more just and equitable world for all indigenous people is truly and inspiration to us all. On behalf of the 27th Assembly District, thank you for your commitment to celebrating the first people of this continent and congratulations on the success of your Inaugural California Indian Heritage Flag Raising.

Dated this 1st day of November, 2018

HONORABLE ASH KALRA
Chair, Committee on Aging and Long Term Care
27th Assembly District- San Jose

Figure 79: Assemblyman Ash Kalra Honoring the Muwekma Tribe during the Inaugural California Indian Flag Raising Event, City of Milpitas November 1, 2018



Figure 80: Opening Ceremony with Representatives of the Muwekma Ohlone Tribe and Keynote Address, Dolores Huerta, American Anthropological Association Meeting (November 14, 2018)

San Francisco Maritime National Historical Park and Museum ¶

Indigenous·Peoples'·Day,·October·14th¶

FOR·IMMEDIATE·RELEASE·10-12-2019¶

MAKING·HISTORY--MUWEKMA·OHLONE·TRIBE·INFORMATION·&·CULTURAL·EXHIBIT·AT·THE·SAN·FRANCISCO·MARITIME·NATIONAL·HISTORIC·PARK·AND·MUSEUM.¶

The·Muwekma·Ohlone·Tribe·are·presenting·a·one·day·only·cultural·exhibit·and·knowledge·giving·event°at·the°San·Francisco·Maritime·National·Historical·Park·and·Museum.·¶

The·Muwekma·Exhibit·is·in·Honor·of·Indigenous·Peoples'·Day,·October·14th,·an·important·day·of·remembrance·of·our·ancestors·and·an·important·day·to·rightly·dispel·the·myth·that·Columbus·discovered·America.¶

¶
From·the·Tribal·Vice·Chairwoman:¶
↵
We·celebrate·the·Survival,·Resilience·and·Contributions·of·the·Indigenous·Peoples·who·have·lived·in·this·area·for·more·3,000·years.·We·honor·the·special·contributions·that·native·peoples·all·over·the·world·continue·to·give·to·our·thriving·societies.¶
↵
We·invite·you·into·our·community·to·learn·about·our·Muwekma·Ohlone·Tribe·&·experience·our·Cultural·Exhibit.·Hope·to·see·you·this·Monday·at·the·San·Francisco·Maritime·National·Historic·Park·and·Museum.°https://www.nps.gov/safr/index.htm°499·Jefferson·Street,·at·the·corner·of·Hyde·Street,·San·Francisco,·CA·94109.·Museum·Hours:·9:30am·to·5·pm.·For·more·information·on·the·Muwekma·Ohlone·Tribe·of·the·San·Francisco·Bay·Area·visit·muwekma.org.·Find·us·on·Facebook·www.facebook.com/muwekma/·Mákkin·Mak·Muwékma·Wolwóolum·~·We·Are·Muwekma·Ohlone!·Aho!¶



Muwekma·Ohlone·Tribal·Members·paddling·in·a·canoe·in·the·Aquatic·Cove,·just·as·their·ancestors·once·traveled·in·the·beautiful·SF·Bay·waters¶

Figure 81: Muwekma Paddling a Tule Boat in San Francisco Bay (October 14, 2019)



STATE OF CALIFORNIA

Senate

CERTIFICATE OF RECOGNITION

Senator Jim Beall of the California State Legislature is proud to recognize

Muwekma Ohlone

For your community contributions; congratulations on your Local Tribe Recognition at the Native American Heritage Month Celebration

November 19th, 2019

Jim Beall

SENATOR JIM BEALL
15TH SENATE DISTRICT

Figure 82: Certificate of Recognition by State Senator Jim Beall (November 19, 2019)



CALIFORNIA LEGISLATURE

Assembly

CERTIFICATE OF RECOGNITION

On behalf of the California State Assembly,
I, Assemblymember Alex Lee,
on this 6th day of November 2021, do hereby recognize the

Muwékma Ohlone Tribe of the San Francisco Bay Area

in celebration of Native American Heritage Month with sincere thanks for their dedicated efforts to organize a Flag Raising with the City of Milpitas to celebrate the heritage, language and culture of Native Americans.

Thank you for everything you do!

ALEX LEE
ASSEMBLYMEMBER, 25th DISTRICT

Figure 83: Certificate of Recognition by 25th District Assembly Member Alex Lee (November 2021)

The downtown San Jose community, the school district, and students attending the Burnett Middle School voted to rename that school after the **Muwekma Ohlone Tribe.** Elizabeth Barcelos writing for the online San Jose Spotlight wrote on September 24, 2019:

> The school's outgoing namesake is California's first governor, Peter Burnett, whose racist policies included the Chinese Exclusion Act of 1882 and attempts to keep Black Americans out of California. He also believed that Native Americans should be eliminated from the newly created state, making the change to Ohlone an especially strong statement.
>
> The Ohlone people were the original inhabitants of what is now San Jose. Ohlone College in Fremont is also named after them. According to the ballot, "By choosing this name, we will be teaching students about the Ohlone people while honoring their historical importance in the Santa Clara Valley."



Figure 84: Renaming Peter Burnett to Muwekma Ohlone Middle School, San Jose (June 2019)



Figure 85: Plaque Honoring the 100th Anniversary of San Jose City College and Muwekma Ohlone Tribe Land Acknowledgement (September 13, 2021)



Figure 86: Muwekma Mural Dedication, Guadalupe River Walk, San Jose (August 31, 2021)



Figure 87: Opening of Muwekma Park in Sunnyvale (July 27, 2022)



Figure 88: Muwekma Ohlone Singers and Dancers at Las Positas College (2023)



Figure 89: Muwekma Dancers at Stanford Powwow (2023)



Figure 90: Muwekma at Missing and Murdered Indian Women Event (2023)



Figure 91: Muwekma Tribal Members on Alcatraz Island (2023)

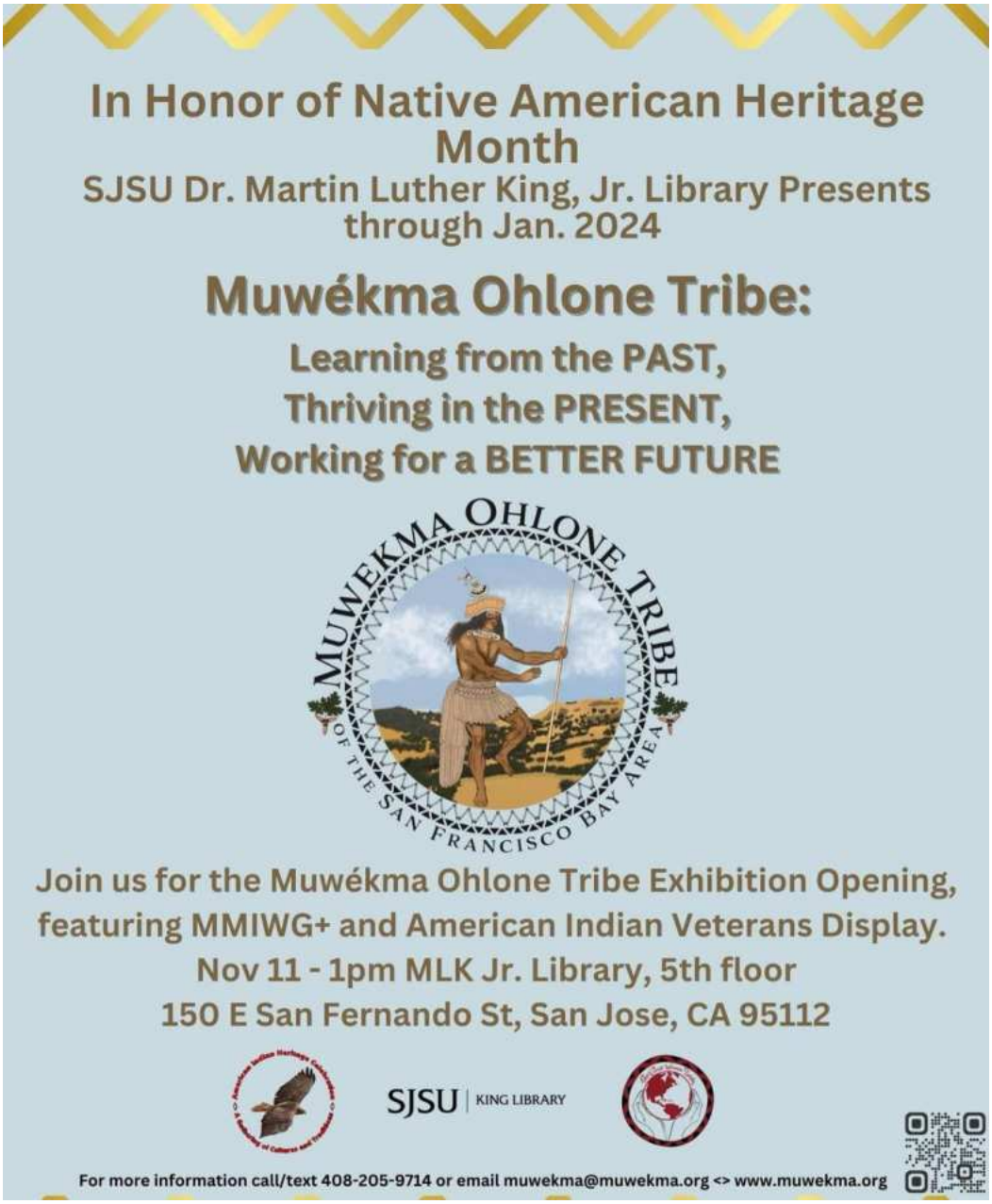


Figure 92: Muwekma Exhibition at MLK Library, SJSU (2024)



Figure 93: Muwekma Culture Bearer and Head Dancer Joseph Torres (2023)



Figure 94: Muwekma Dancers at a Tribal Event (2023)

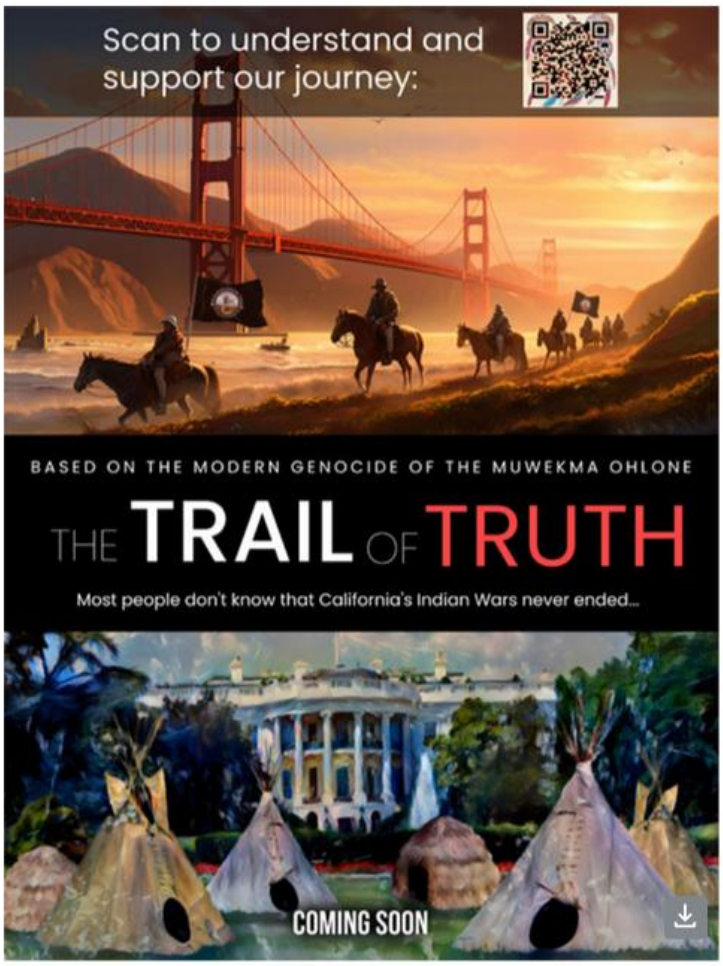


Figure 95: Trail of Truth (September- October 2024)

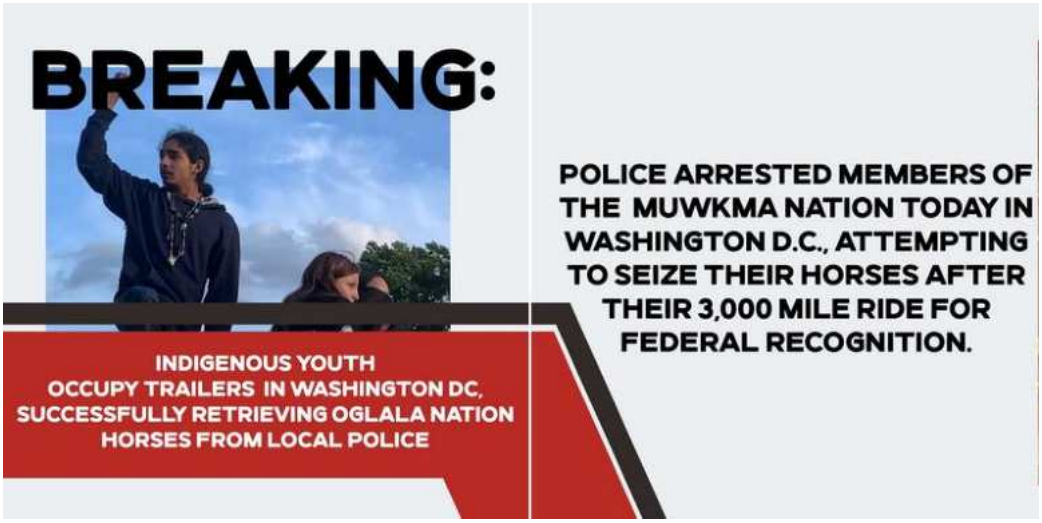


Figure 96: Trail of Truth in Washington, D.C. October 2024

A message from our Culture Bearer, Joseph Iyolopixtli Torres...

This summer, I rode alongside our Chairwoman Charlene on the Trail of Truth, carrying ancient prayers and ceremonies across 3,000 miles. That journey showed me something powerful: when we share our spiritual traditions, people don't just listen - they join our fight. Now, as your Culture Bearer, I'm asking you to join another sacred journey: the revival of our ceremonial ways.

Please join us on this important journey and donate today. Even $100 will greatly support our revitalization efforts.

When the US Government banned our ceremonies, our ancestors kept praying. When they forbade our language, our grandmothers whispered it to their children. When they tried to erase our spiritual traditions, our people held them in their hearts. Today, as your Culture Bearer, I'm leading the revival of these sacred ways - but I need your help to bring them fully back to life.



To bring our transformative plans to life, we need your support. **Our goal is to raise $50,000 by December 31st to launch our 2025 initiatives.** Every donation, no matter the size, brings us closer to this crucial target. Your gift will amplify our efforts and create lasting impact on the Muwekma Ohlone people and the ancestral lands we cherish. Together, we can revive our traditions and strengthen our community.

Figure 97: Request from Muwekma Cultural Bearer for Donations to Support the Revitalization of Traditional Dances and Regalia (2024)



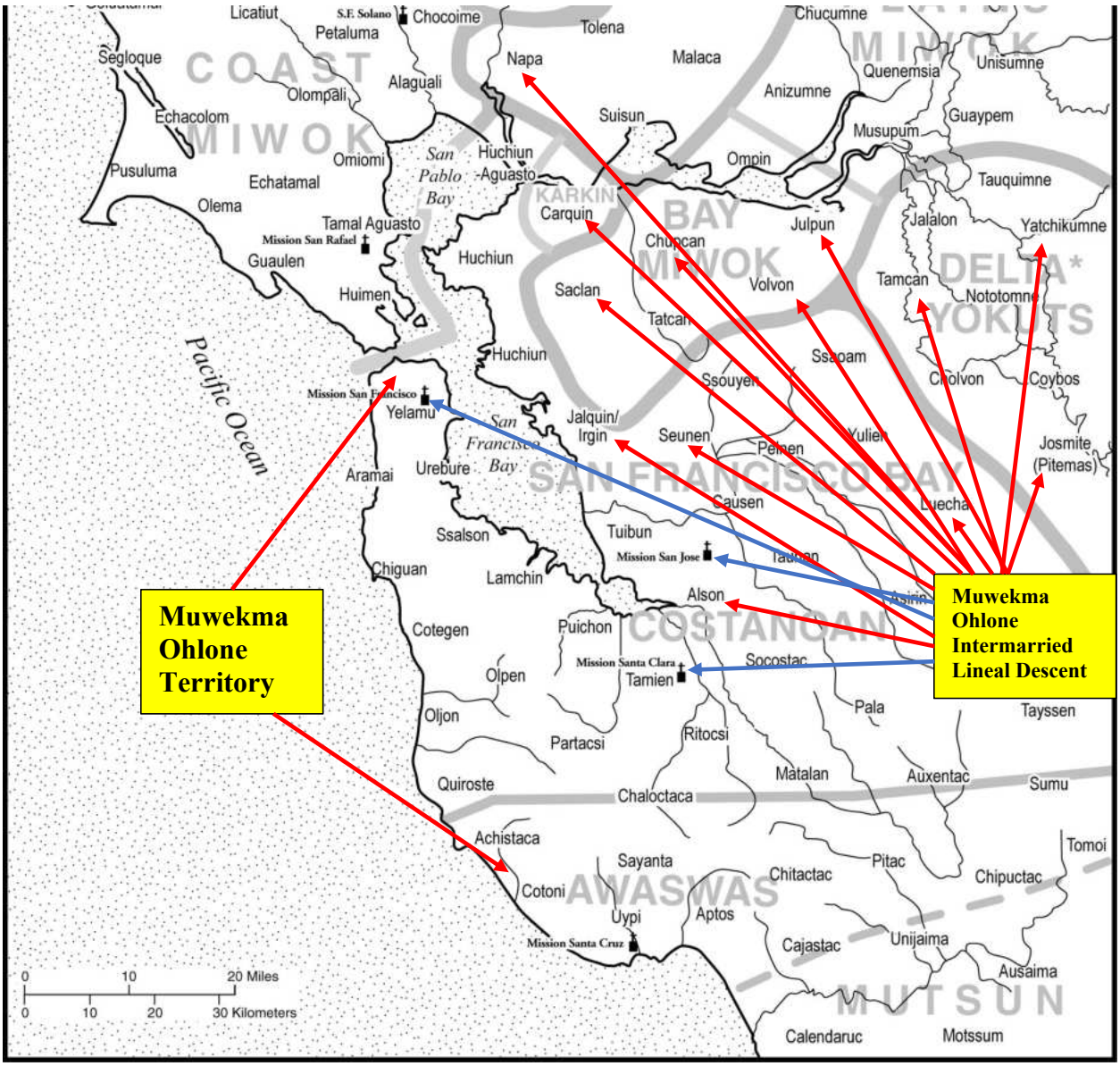
Figure 98: Muwekma Female Youth Traditional Dancer (2024)

For more information, please visit the Muwekma Ohlone Tribal Website:
www.muwekma.org
and

The Muwekma Ohlone Preservation Foundation
https://muwekmafoundation.org/



Mural Honoring the Heritage of the Muwekma Ohlone Tribe Along the Guadalupe River



Map 8: Revised Linguistic Map of San Francisco Bay Area
San Francisco Bay Costanoan Language
Muwekma Territory and Direct Lineal Descent of the Surviving Lineages)
(After Callaghan and Milliken et al. 2009)



Muwekma Ohlone Tribal Flag

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CRUZ M. BUSTAMANTE
Lieutenant Governor
State of California

August 29, 2002

The Honorable Neal McCaleb
Assistant Secretary-Indian Affairs
United States Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary McCaleb:

I write to urge you to support Petition #111 by the Muwekma Ohlone Tribe for reaffirmation of Federal Acknowledgement.

The Muwekma Ohlone Tribe meets all of the criteria for reaffirmation set by the court as well as the Bureau of Indian Affairs' acknowledgement criteria. The tribe is a previously recognized tribe. It has demonstrated that it has had a trust relationship with the United States from 1906 to the present and Congress has never terminated their relationship.

The tribe's members descend from an historical Indian tribe and they are not members of any other Federally-recognized tribe.

After compiling data and completing extensive research, the Muwekmas have presented a compelling case for the tribe's Federal Acknowledgement. I respectfully urge you and the Bureau of Indian Affairs to carefully review their Petition.

Sincerely,

Cruz M. Bustamante

CRUZ M. BUSTAMANTE
Lieutenant Governor

cc: The Honorable Aurene Martin, Deputy Assistant Secretary-Indian Affairs

CMB:BM/mb082902

State Capitol, Room 1114, Sacramento, CA 95814 • Phone (916) 445-8994 • Fax (916) 323-4998

e--ok

Application Number 10298

Name Marine, Lucas

Action taken

Approved, FAB

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application Number 10298

Application for enrollment
with the Indians of the State of California under
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Marine, Lucas	Head	38	M	10-18-1900	1/2
" , Ernest	Son	2	M	1-26-1926	3/4

Note:* See application of Katie Marine, wife, Centerville, Alameda County, California. App. No. 10675

2. Residence on May 18, 1928 Centerville, Alameda County, California.

3. Post Office Box 6, Centerville (Town or City, Box Number or Rural Route Number.) Alameda (County) California. (State)

Note:* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children Near Sunol, Alameda County, California. My child was born in Alameda County, California.

5. Where have you and your children resided since birth?

In Alameda and Mendocino Counties, California.

6. Are you married? Yes.

7. If a married woman, give your name before you were married.

---

8. Name and exact date of birth (Month, Day, and Year) of your wife (or husband).

Katie Marine, nee Peralta-- Age about 35 years.

9. Is he (or she) of Indian blood? If so, state the name of the Tribe or Band, and degree of Indian blood.

Yes 4/4 Ohlones, (Tribal name unknown)

Alameda County, California.

10. What is your degree of Indian blood and to what Tribe or Band of Indians of the State of California do you belong?

1/2 — Degree of Indian Blood

Ohlones (?) Tribal name Unknown, Alameda County, California. — Name of Tribe or Band

11. To what Treaty or Treaties were you or your ancestors a party, and where did you (or they) reside on June 1, 1852? Where and when were said Treaties negotiated?

I do not know.

12. Give the names of your California Indian ancestors living on June 1, 1852, through whom you claim, who were parties to any Treaty or Treaties with the United States. If you claim through more than one ancestor living on that date, set forth each claim separately. State your descent from said ancestor or ancestors setting forth your relationship to them.

Names	Tribe or Band	Relationship by Blood
Evalina Marine	Ohlones, Tribal name unknown, Alameda County, California.	Mother.

(See Nos 15 and 26)

13. Give the names of the Chiefs, Captains and Headmen of the Tribe or Band to which your ancestors belonged on June 1, 1852, who executed the Treaty or Treaties herein referred to, if you know them.

H.L.C.
[DRAFT]

April 13, 2000
106th CONGRESS
2nd Session
H. R. ___

IN THE HOUSE OF REPRESENTATIVES

Mr. George Miller of California introduced the following bill; which was referred to the Committee on _____

A BILL

To restore Federal recognition to certain California Indian tribes, address the special land needs of the California Indians, establish equitable treatment of California Indians in the programs and services of the Bureau of Indian Affairs, develop adequate California tribal justice systems, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.--This Act may be cited as the "California Indian Act of 2000".
(b) Table of Contents.--The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Policy.
Sec. 4. Definitions.

TITLE I--RESTORATION OF TERMINATED CALIFORNIA INDIAN TRIBES

Sec. 101. Definitions.
Sec. 102. Restoration of Federal recognition, rights, and privileges of the Tribes.
Sec. 103. Economic development.
Sec. 104. Transfer of land to be held in trust.
Sec. 105. Membership rolls.
Sec. 106. Interim government.
Sec. 107. Tribal constitution.

TITLE VII--MISCELLANEOUS PROVISIONS

Sec. 701. Contract authority.
Sec. 702. Certain land and facilities held in trust for the California Indians.
Sec. 703. Savings provisions.

SEC. 2. FINDINGS AND PURPOSE.

(a) Findings.--Congress finds that--

(1) the Advisory Council on California Indian Policy, pursuant to the Advisory Council on California Indian Policy Act of 1992 (Public Law 10209416; 25 U.S.C. 651 note), submitted its proposals and recommendations regarding remedial measures to address the special status of California's terminated and unacknowledged Indian tribes and the needs of California Indians relating to economic self-sufficiency, health, and education;
(2) in the Advisory Council on California Indian Policy Extension Act of 1998 (Public Law 10509294), the Congress directed the Council to work with the Congress, the Secretaries of the Interior and Health and Human Services, and the California Indian tribes to implement the Council's proposals and recommendations contained in its report to Congress, including presenting draft legislation to Congress for implementation of the recommendations requiring legislative changes.
(3) California Indian tribes cannot effectively exercise sovereignty or self-determination without a land base large enough to develop economically and provide for the basic needs of tribal members, including adequate housing, employment, and social welfare services;
(4) as a result of their uniquely tragic history, California Indian tribes do not have a land base that is adequate to meet their immediate and essential needs for housing, economic development, and cultural and natural resource protection and preservation;
(5) although a large number of California Indian tribes negotiated 18 treaties with the United States in the early 1850's that would have set aside approximately 8,500,000 acres as their tribal homelands, the United States Senate failed to ratify these treaties;
(6) the Senate's failure to ratify the California Indian treaties, in conjunction with Congress' passage of the 1851 Land Claims Act which required those claiming interests in California lands to file their claim within 2 years or forever forfeit such claim, denied California Indians any legally cognizable claim to their ancestral lands;
(7) most California Indians were rendered homeless by these Federal actions, a situation that remained unremedied for many years until the United States

and early 1860's by military and volunteer patrols that resulted either in their death, removal to the Hoopa Valley Reservation or hiding in the hills. However, a few years later the Tsnungwe returned to their aboriginal lands where they have remained ever since.

(4) The Muwekma are the aboriginal inhabitants of the southern, eastern, and western regions of the San Francisco Bay Area, including all of what is now San Francisco, San Mateo, Alameda, and Contra Costa Counties, much of what is now Santa Clara County, and parts of Santa Cruz, San Joaquin, Napa, and Solano Counties. The Muwekma Indians are from the following aboriginal tribes: Passasimi/Yatikumne, Tamcan, Josemite, Lacquisemne, Julpun, Napian/Karkin, Jalquin/Yrgin, Alson/Tamien, Suenen, Chupcan, Choquoime, and Nototomne. Spanish missionaries forced the ancestors of the Muwekma Tribe into the Missions Dolores, San Jose, and Santa Clara in the late 18th and early 19th centuries. In the 1830's the Mexican Government secularized the missions and distributed their lands. Many Muwekma left the missions and resettled in other parts of the Bay Area, including on20a number of rancherias in Alameda County, including the Alisal Rancheria near Pleasanton, the Del Mocho Rancheria in Livermore, the El Molino Rancheria in Niles, as well as on rancherias in Sunol and San Leandro/San Lorenzo until the early part of the 20th century. The Muwekma people continue to reside in their aboriginal territory in the San Francisco Bay Area.

(5) The Tolowa are the aboriginal inhabitants of the present day county of Del Norte, located in the northwestern corner of California. In this area, their villages were scattered along the coastline, at the Lakes Earl and Tolowa, and along the larger tributaries of the Smith and Winchuck Rivers. The Tolowa signed a treaty with the United States on August 17, 1857, and were removed to the Klamath Reservation that same year. They were subsequently moved to the Smith River Reserve until it was discontinued on May 3, 1862, and thereafter moved several more times, including to the Siletz Indian Reservation in Oregon and to the Round Valley, Hoopa, and Klamath Reservations in California. Documents of the Bureau of Indian Affairs from 1915 through 1916 show that 100 acres of land was to be purchased for the Lake Earl (Tolowa) Indians and the Lipps-Michaels Survey of Landless Nonreservation Indians of California, 1919091920, confirms such a purchase of 100 acres of undivided land near Crescent City, Del Norte County, for these Indians.

(6) The Southern Sierra Miwuk Nation is composed of several bands or groups of Indians of the Yosemite/Mariposa area. These bands or groups are mentioned in countless official letters and journals of the United States Commissioners who were charged by Congress to negotiate treaties with the California Indian tribes during the period 1851091852. The first treaty camp was Camp Fremont, just northwest of Mariposa, California. The second treaty camp was Camp Barbour, south of Mariposa in the Millerton Lake area. Some of the Southern Sierra Miwuk bands or groups that signed the treaties or were mentioned in the

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, D.C. 20240

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
Tribal Government Services - AR
4641-MIB

MAY 24 1996

Ms. Rosemary Cambra
226 Airport Parkway, Suite 630
San Jose, California 95110

Dear Ms. Cambra:

The Branch of Acknowledgment and Research has reviewed documentation submitted by the Muwekma to demonstrate previous acknowledgment. The purpose of this research is to determine whether the Muwekma can utilize section 83.8 of the acknowledgment regulations by demonstrating previous Federal acknowledgment in the 20th century.

If a petitioner can demonstrate past acknowledgment, the requirements to be acknowledged are reduced, in accord with section 83.8(d). A previously acknowledged petitioner need only demonstrate tribal existence from the point of last Federal acknowledgment. Further, the demonstration of tribal existence between last acknowledgment and the present-day community requires only a demonstration of criterion 83.7(c), using a reduced burden of evidence. The petitioner must still show that modern-day group meets the full requirements of criteria 83.7(b) and (c). Tribal ancestry under criterion 83.7(e) must still be shown, tracing from the group at the point of last Federal acknowledgment or earlier.

A determination of previous acknowledgment has two general elements. One is to show a past Federal action which constitutes unambiguous Federal acknowledgment. The second is to establish on a preliminary basis that the present group is the same as or has evolved from the group as it existed at the point of last acknowledgment.

Based on the documentation provided, and the BIA's background study on Federal acknowledgment in California between 1887 and 1933, we have concluded on a preliminary basis that the Pleasanton or Verona Band of Alameda County was previously acknowledged between 1914 and 1927. The band was among the groups, identified as bands, under the jurisdiction of the Indian agency at Sacramento, California. The agency dealt with the Verona Band as a group and identified it as a distinct social and political entity. The band was among the bands proposed by a Special California Indian agent in 1914 for homesite land under the appropriations for homeless California Indians which began in 1906. In 1928, the band was again

identified under the land purchase program, but this review was that a homesite was not required.

The Muwekma have also established, on a preliminary basis, that it is the same group as the band identified between 1914 and 1927. Consequently, the Muwekma may complete their petition documentation based on section 83.8 of the regulations, tracing the group's existence from 1927 to the present.

This letter is a determination of eligibility to be evaluated under section 83.8, not a determination that the Muwekma meet the requirements of the acknowledgment regulations, section 83.7, as modified for previously acknowledged groups by section 83.8. That determination will be made during the active consideration of the Muwekma petition.

While we have endeavored to make this determination as conclusive as possible, you should be aware that a determination of the point of last Federal acknowledgment under 83.8 is subject to review during the preparation of the proposed finding, as well as to challenge and review in the final determination comment process and any reconsideration, in the same manner as any other question bearing on a determination concerning acknowledgment.

This letter constitutes only a portion of the results of the technical assistance review of the documented Muwekma petition. The technical assistance review will be conducted based on the this determination of previous acknowledgment. We expect to provide the balance of the review within a short time.

Sincerely,

/SGD/ DEBORAH J. MADDOX

Director, Office of Tribal Services

cc: Al Logan Slagle
Dena Magdaleno

Surname; 440B; 440 Chron; 400; Hold; Roth:gr; x3592; 5/6/96; muwekprv.ltr; transmit 7; ret:jac 05-10-96

The Muwekma Ohlone Tribe of the San Francisco Bay Region:
A Brief Historic Timeline from 1900 to Present
with Selected Evidence for Previous and Continued Federal Recognition
and Other Key Historic Documents

1. 1776-1849 - Muwekma ancestors baptized at Missions **San Francisco, Santa Clara and San Jose.**

2. 1797-1930 - Muwekma Ohlone ancestors and families continue to be baptized at **Mission San Jose,** buried in the **Ohlone Cemetery,** and some children were placed in the **St. Joseph's Orphanage** during the late 19th and early 20th centuries**.**

3. 1879/80 - US Senator George Hearst and his wife Phoebe Apperson Hearst purchase part of Muwekma's **Alisal (Pleasanton) Rancheria** where they built their mansion **Hacienda del Pozo de Verona**. **Western Pacific Railroad** builds a spur to their land and named the train stop **Verona Station.**

4. 1900 – Two Federal Censuses - Direct ancestors of the Muwekma Ohlone enrolled membership were identified as Mission San Jose Indians or Costanoan on the 1900 Indian Population Schedules for Washington Township (Niles Rancheria) and Murray Township (Pleasanton and Sunol Rancheria).

5. 1904 - The Northern Association for California Indians in their petition and memorial to Congress and President Roosevelt identified the two ancestral Muwekma tribal communities located at Pleasanton and Niles as "Costanoan" tribal groups.

6. 1905-1906 Special Indian Census - Direct ancestors of the presently enrolled Muwekma Ohlone Tribal membership were identified by Charles E. Kelsey, Special Indian Agent for California on the Special Indian Census residing at Niles and Pleasanton, Alameda County.

7. 1910 Federal Census - Direct ancestors of the Muwekma Ohlone membership were identified living on the 1910 Indian Population Schedule for Pleasanton Township residing at "Indian Town" (Alisal Rancheria).

8. July 1, 1910 - Special Indian Agent C. E. Kelsey completed an official map for the Indian Service Bureau identifying all of the extant California Indian Rancherias under BIA jurisdiction and eligible for homesite land purchases under the Congressional Appropriation Acts of 1906, 1908, and later years. This map is dated July 1, 1910 and signed by Agent Kelsey. Kelsey formally designated the combined Niles/Sunol/Pleasanton/Livermore ancestral Muwekma communities as the Verona Band which takes its name after the Indian settlement that was located on the Hearst property and adjacent Verona railroad station that was built for them.

9. 1911-1913 - Special Indian Agent C. E. Kelsey published a map in 1911 and again in 1913 for the Indian Service Bureau and concerned Congressmen identifying all of the extant California Indian Rancherias under BIA jurisdiction and eligible for homesite land purchases. Kelsey formally designated the combined Niles/Sunol/Pleasanton/Livermore ancestral Muwekma communities the Verona Band.

10. 10. December 7, 1914 - Special Indian Agent from the Reno Agency, C. H. Asbury, took over Kelsey's responsibilities for Northern California and identified the Verona Band in 1914 correspondence as one of the tribes eligible for homesite land purchases under the Congressional Appropriation acts of 1906, 1908 and later years.

> "Referring to the above letter of September 10th, regarding use of the appropriation for the purchase of lands for the Indians in California, I have made some investigation of this… . In this connection, I called on Mr. Kelsey for such data… . The list is given to me by Mr. Kelsey, and which is probably approximately right is as follows: Verona 30" (Asbury Reno Agency Report 1914:2).

11. 1923 - Reno Agency Annual Report, **Superintendent James Jenkins** reported to the Commission that "Other Indians in California under this jurisdiction but not occupying Government Lands are found in the localities named below: … Alameda (County) Verona 30." (1923:4-5).

12. June 23, 1927 Sacramento Agency Report Superintendent L. A. Dorrington reported to Assistant Commissioner, E. B. Meritt that:

> "…There is one band in Alameda County commonly known as the Verona Band, which consists of about thirty individuals, located neat the town of Verona; these Indians were formerly those that resided in close proximity of the Mission San Jose." (1927:1)

13. 1928 California Indian Jurisdictional Act Approved BIA Enrollment Applications - Between **1929 and 1932** direct ancestors and families of the Muwekma Ohlone Tribe enroll under the 1928 California Indian Jurisdictional Act completing 18 applications containing the names of 55 members of the tribe. All of the enrollment Muwekma families identified as **Mission San Jose Tribe** or **Ohlone** (or variation thereof). **Note** none of the other 17,000 California Indians were identified as "**Tribe: Mission San Jose**."

14. 1931-1940 - Sherman Institute BIA Boarding School. Muwekma ancestor Domingo Marine enrolled at the Sherman Institute in Riverside California.

15. 1944-1947 - Chemawa BIA Boarding School. Muwekma tribal members John Guzman and Reyna Guzman were enrolled at the Chemawa Indian Boarding School in Oregon.

16. 1948-1957 - Second BIA Enrollment. Between 1948 and 1957 at least 21 Muwekma Ohlone heads of households enroll and are approved by the Secretary of the Interior.

17. 1953 Bureau of Indian Affairs, Sacramento Approved BIA Roll

> "**Note: this list is divided into three alphabetical sections: (1) The 1933 Roll; (2) Part II of the 1933 Roll (Supplemental) and (3) The Roll approved November 23, 1951."**

Roll No.

106	Alaniz, Phoebe, "**Tribe Mission San Jose**";
150	Aleas, Joseph Francis, "**Tribe Mission San Jose";**
381	Alvarez, Jennie, "**Tribe Mission San Jose";**
456	Andrade, Chona, "**Tribe unknown, Alameda County**";
715, 716	Arrellano, Albert, Arrellano, Edwina, "**Tribe Mission San Jose**";
1586	Bianoco, Jose, "**Tribe Mission San Jose";**
3955, 3956, 3957,	Corral, Erolinda Corral, Arthur, Corral, Robert, "**Tribe Mission San Jose**";
107	Garcia, Thomas, "**Tribe Mission San Jose**";
6905	Gonzales, Eulario, "**Tribe Mission San Jose";**
7459	Guzman, Jack, "**Tribe Mission San Jose";**
11904	Marine, Josephine, "**Tribe Mission San Jose";**
11909, 11910	Marine, Catherine, Marine, Ernest, "**Tribe Mission San Jose**";
12004, 12005	Martel, Flora Thompson, Martel, Laura May, "**Tribe Mission San Jose";**
16248	Redondo, Joseph, "**Tribe Mission San Jose";**
17269, 17270, 17271, 17272, 17273	Sanchez, Dolores, Sanchez, Augusta, Sanchez, Morgan, Sanchez, Maggie, Sanchez, Ignacio, "**Tribe Mission San Jose";**
9859	Santos, Daniel, "**Tribe Mission San Jose**";
19492	Thompson, Eduardo (Edward) "**Tribe Alameda County.**"

18. 1954-1955 - Alfred L. Kroeber and R. F. Heizer's "Continuity of Indian Population in California from 1770/1848 to 1955"

Kroeber and Heizer's historic study was prepared as in connection with the California Indian Claims Case. These two anthropological authorities from U. C. Berkeley presented documentation that recognized the survivorship of **Indian "Groups**" in the 20th century and specifically "Groups which anthropologists had long since given up as unproductive and culturally extinct, were evidently still going strong racially" (1970:3).

Kroeber and Heizer testified before the Justice Department at San Francisco stating that:

> "Two main principles were followed in the selection of this sample:
> 1) Concentration on supposedly vanished, obscure, neglected, or "denatured" Indian **groups**, such as anthropologists tended to regard as unproductive for their purposes. This would include the little tribes that had suffered most heavily from gold miners and others; and the long Catholicized Indians of the Franciscan Missions, who, since secularization in 1834, might have tended not so much to die out as to socially merge in the resident Mexican population.
>
> … These 491 genealogies from small, obscure, missionized, forgotten, or presumably "extinct" **groups** are tabulated in Part B of this report.
>
> PART B. SPECIFIC DATA
> San Jose Mission
> In. S. Alameda Co.

Later refuge: Pleasanton
RECAPITULATION OF 1955 INQUIRY INTO SURVIVORSHIP
Costano Missions
San Jose (Pleasanton) 12 …"

19. July 23, 1966 Letter to Congressman Don Edwards from Rupert Costo, American Indian Historical Society and Philip Galvan

> Enclosed please find a statement of the Ohlone Indians as to their history and present status, copy of the deed to the present official Ohlone Indian Cemetery. . We request that you sponsor legislation designating the.98 of an acre adjacent to the Ohlone Indian Cemetery and the cemetery itself as a national historic site. A provision that the Government place this area in the care of the Ohlone Indians and the American Indian Historical Society… .

20. 1971 - Third BIA Enrollment. Between 1969-1971 at least 19 Muwekma Ohlone heads of households enroll and are approved by the Secretary of the Interior.

21. May 1974 State of California Department of Parks and Recreation
Historic Resources Inventory Ohlone Indian Cemetery

"Ohlone Indian Cemetery
Washington Blvd. App. 1 mile west of Mission San Jose
Owner: **Ohlone Indian Tribe**
City: Mission San Jose

1. Fremont Historical Places E27
2. National Register of Historic Places Rec'd 1/25/1971

Event of Historical Importance:
Local _X_ State _X_ National _X_
"Ancient burial place for Ohlone Indians and for Indians of Mission San Jose."
Person of historical importance:
Name: "Tribal chiefs"
Statement of Significance:
"Prehistoric and historic burials are contained in this site. Burial ground includes baptized Indians associated with the Mission San Jose."

22. January 1982 Committee to Establish the Tribal Council of the Costanoan Indians

Proposed Articles for Incorporating
"Committee to Establish the Tribal Council of Costanoan Indians
Alex O. Ramirez, Chairman
Manuel Martinez, Vice-Chairman
Rosemary Cambra, Sec./Tres.
Article I Name
The name of this organization shall be **COSTANOAN (OHLONE) TRIBAL COUNCIL.**

Article II Objectives

The objective of The Council shall be to create and maintain a cooperative working relationship between the Costanoan Indians, referred to also as Ohlones.

1. … Becoming aware of government, state and county resources available to Indians and their families.
2. Serve as a resource to the community.

The Council shall be an advising, coordinating and evaluating agency in order to protect, conserve, and gain added cultural knowledge for the benefit of the people it represents.

Article III OFFICERS

Section I Composition of tribal Council

The Tribal Council members shall consist of Costanoan Indians with application and folder numbers registered with the United States Dept. of Interior Bureau of Indian Affairs.

23. Muwekma Ohlone Leadership are placed on the Native American Heritage Commission's Most Likely Descendant List which included former Muwekma Chairwoman Rosemary Cambra.

24. September 21, 1982 Letter from Karen Parsons East Bay Regional Park District to Nancy Evans Native American Heritage Commission

"Ardenwood Regional Preserve Native American Input concerning Ohlone Village and Burial Site Ala-392

"Thank you for returning my call last Friday to advise the District on Native American input for the Land Use-Development Plan. As we have discussed, the District will be sure to involve California Native Americans and will contact:

Phil Galvan (Fremont)

Rosemary Cambra (San Jose) **Ohlone Tribal Council**

Jenny Mitchell (Union City) Tri-City Native Americans."

25. March 1989 - Resolution of Intent to Petition (#111) Muwekma Ohlone Tribal Council petitions the United States Government for Recognition.

26. April 25, 1989, **Letter from the DOI, BIA Tribal Government Services to Chairwoman Rosemary Cambra** acknowledging receipt of the Tribe's letter with the "intent of the Ohlone/Costanoan – Muwekma Tribe to present a petition for Federal acknowledgment as an Indian Tribe." The Acting Chief of Tribal Services, also clearly stated that:

"Acknowledgment of a petitioning group as an Indian tribe within the meaning of Federal law establishes a **permanent** special relationship with the United States.

… Because of the significance and **permanence** of acknowledgment as a tribe, the process of evaluation is a lengthy and thorough one." [Emphasis added]

27. June 16, 1989, **Letter from the BIA's Acting Deputy to the Assistant Secretary - Indian Affairs Operations, Hazel E. Elbert to Chairwoman Rosemary Cambra** stating:

> "This letter is to acknowledge our receipt, on May 9, 1989, of the undocumented petition for Federal acknowledgment of the Ohlone/Costanoan Muwekma.
>
> … The evaluation process is deliberately lengthy and painstaking because the decision to acknowledge an Indian **tribe establishes a perpetual government-to-government relationship with the United States**." …[Emphasis added]

28. 1989-1992 – Muwekma successfully repatriates 550 ancestral remains from Stanford University aided by the Native American Heritage Commission's Executive Secretary Larry Meyers.

29. April 6, 1992 – Resolution by the International Treaty Council Recognizing and supporting the Muwekma Ohlone Tribe.

30. June 27, 1992 – **TAMIEN CALTRAIN STATION** Grand Opening . "Dedicated to the Muwekma Ohlone Tribe of the Ohlone Indian Community who have lived on this site for centuries."

31. September 10, 1992 - Resolution San Francisco Human Rights Commission Recognizing the Muwekma Ohlone Tribe of the San Franicsco Bay Area.

32. 1994 - The Site of Tamien an Ohlone Indian Village. History Walk Historical Marker Downtown San Jose, California. " … Today the Muwekma Ohlone Tribe is the successor to the aboriginal people who inhabited this valley." https://grpg.org/public-art-landmarks/

33. May 13, 1994 - The City of San Jose unveiled the public art displaying Eagle, Coyote and Hummingbird and a version of the Ohlone Creation Narrative honoring the Muwekma Ohlone Tribe and later immigrants to San Jose, California with a plaque and sculptures.

34. 1994 Passage of HR 4180) "An Act to provide for the annual publication of a list of federally recognized Indian tribes, and for other purposes.)
"**Title I – Withdrawal of Acknowledgment or Recognition**.

> **SEC. 101** Short Title. "**Federally Recognized Indian Tribe List of 1994." ….**
> **SEC 103 Findings** …
> (3) Indian tribes presently may be recognized by Act of Congress; by the administrative procedures set forth in part 83 of the Code of Federal Regulations denominated "Procedures for Establishing that an American Indian Group Exists as an Indian Tribe; or by decision of a United States court;
> (4) a tribe which has been recognized in one of these manners may not be terminated except by an Act of Congress;
> (5) **Congress has expressly repudiated the policy of terminating recognized Indian tribes, and has actively sought to restore recognition to tribes that previously have been terminated; …** [Emphasis added]

Title II Central Council of Tlingit and Haida Indian Tribes of Alaska
…SEC. 202. Findings

The Congress finds and declares that—

(1) **the Secretary does not have the authority to terminate the federally recognized status of an Indian Tribe as determined by Congress**;
(2) **the Secretary may not administratively diminish the privileges and immunities of federally recognized Indian tribes without the consent of Congress**; …" [Emphasis added]

35. 1996 - Muwekma Ohlone Tribal Mural in the City of Berkeley in News for Native California: Abundance, Happiness, Pride and Hope (Volume 9, No. 3, Spring 1996**).**

36. May 24, 1996, **Letter of Previous Federal Recognition from Deborah Maddox, Division Chief of Tribal Operation to Chairwoman Rosemary Cambra** stating:

> Based upon the documentation provided, and the BIA's background study on Federal acknowledgment in California between 1887 and 1933, we have concluded on a preliminary basis that the Pleasanton or Verona Band of Alameda County was previously acknowledged between 1914 and 1927. The band was among the groups, identified as bands, under the jurisdiction of the Indian agency at Sacramento, California. The agency dealt with the Verona Band as a group and identified it as a distinct social and political entity. The band was among the bands proposed by a Special California Indian agent in 1914 for homesite land under the appropriations for homeless California Indians which began in 1906."

37. November 1996 Bureau Of Indian Affairs' Branch of Acknowledgement and Research produced a "Working Paper on Previous Acknowledgment in California, 1887-1933" that clearly determined that:

> When this detailed research was done, government researchers uncovered substantial evidence of previous acknowledgment of nonreservation California groups which are not presently recognized. **Federal actions toward California Indians between 1906 and 1933 show that many tribes not currently recognized were then acknowledged.** This report analyzes several types of Federal actions during this period and finds that some previous actions constituted recognition and some did not. (1996:1-3)

38. January 23, 1998 – Letter from BIA Sacramento Acting Area Director Michael R. Smith to Dena Magdaleno, Chairwoman of the Congressional created (HR 2144) Advisory Council on California Indian Policy' Recognition Task Force concluded his letter by stating:

> … The Bureau of Indian Affairs, Sacramento Area Office, is ready to assist the Tsnungwe Council and the Muwekma Ohlone Tribe in seeking administrative Federal recognition on the basis your tribes were never terminated.

39. January 27, 1998 – Letter from BIA Sacramento Area Director Ron Jaeger to Chairwoman Rosemary Cambra, concluded his letter by stating:

> … Based on a preliminary conclusion by the Central Office, BIA, that the Muwekma Ohlone Tribe has met the requirements of 25 CFR 83.8, the Sacramento Area Office hereby supports the Tribe in its efforts to obtain Federal recognition status. This office is willing to support the Tribe's efforts by providing assistance whenever possible."

40. September 1997/1998 Advisory Council on California Indian Policy Recognition Report – Equal Justice for California submitted to the US Congress formally concluded the following about Sacramento Agency Superintendent Lafayette A. Dorrington's actions:

> The Dorrington report provides evidence of previous federal acknowledgment for modern-day petitioners who can establish their connection to the historic bands identified therein. Clearly, the BIA "recognized" its trust obligations to these Indian bands when it undertook – pursuant to the authority of the Homeless California Indian Acts and the Allotment Act –to determine their living conditions and their need for land. The fact that some were provided with land and others were not did not diminish that trust.
>
> Among those California Indian groups that have petitioned for federal acknowledgment, there are several who can trace their origins to one or more of the bands identified in the Dorrington report. The **Muwekma Tribe** is one whose connection to the Verona Band (id, at 1) has been recently confirmed in a letter from the BAR, … .

41. March 26, 1998 Letter from Division Chief of Tribal Operation, Deborah Maddox to Chairwoman Rosemary Cambra stating that:

> A review of the Muwekma submissions shows that there is sufficient evidence to review the petition on all seven of the mandatory criteria. The Bureau of Indian Affairs (BIA) is placing the Muwekma petition on the ready for active consideration list as of March 26, 1998.

42. 2000 (Draft Recognition Bill)Congressman George Miller
(Title II- **California Tribal Status Clarification Act)**
SEC.201. **SHORT TITLE**
"**California Tribal Status Clarification Act of 2000**"
SEC.202. FINDINGS
The Congress finds the following:
….
(4) The Muwekma are the descendants of the native peoples who occupied the southern, eastern and western regions of the San Francisco Bay Area, including all of what is now San Francisco, San Mateo, Alameda and Contra Costa Counties, much of what is now Santa Clara County, and parts of Santa Cruz, san Joaquin, Napa and Solano Counties. The aboriginal tribes from which the Muwekma are descendants

include the Passasimi/Yatikumne, Tamcan, Josemite, Lacquisemne, Julpun, Napian/Karkin, Jalquin/Yrgin, Alson/Tamien, Suenen, Chupcan, Choquoime and Nototomne. Spanish missionaries forced the ancestors of the Muwekma Tribe into the Mission Dolores, San Jose and Santa Clara in the late 18th and early 19th centuries. In the 1830's the Mexican government secularized the missions which resulted in the exclusion of the Muwekma from the three Bay Area missions and their resettlement in a number of rancherias in the Alameda County, including the Alisal Rancheria near Pleasanton, the Del Mocho Rancheria near Livermore, the El Molino Rancheria near Niles, as well as on rancherias in Sunol and San Leandro/ San Lorenzo. The Muwekma people continue to reside in their aboriginal territory in the San Francisco Bay Area.

(5) The United States recognized all four tribes in the early part of the century as politically identifiable bands of Indians under its jurisdiction and eligible for statutory benefits and services. The Koi people were recognized as the Lower Lake Band, The Tsnungwe as the Trinity Tribe of Humboldt County and the Burnt Ranch, the **Muwekma as the Verona Band of Alameda County**, and the Dunlap as the Dunlap Band of Monos.

(6) The United States recognized the four tribes as eligible for the purchase of lands under the provisions of various Appropriations Acts allocating funds to purchase lands for homeless Indians in California. While the BIA recognized the **Muwekma**, Tsnungwe and Dunlap as tribes eligible for the purchase of land under these Acts, no land ever was purchased for them. ….

…

(8) Congress has never terminated or expressed intent to terminate the status of the Lower Lake Koi Tribe, the **Muwekma** Tribe, the Tsnungwe Council or the Dunlap Band. Nevertheless, the Bureau of Indian affairs has refused to deal with the Tribes as federally recognized tribes. Notwithstanding the denial of federal benefits, services and protection, the Tribes have continued to maintain social and political ties from since the dates of last recognition by the Bureau.

43. 2000 –D.C. District Court Justice Ricardo Urbina wrote in his **Introduction of his Memorandum Opinion Granting the Plaintiff's Motion to Amend the Court's Order** (July 28, 2000) and **Memorandum Order Denying the Defendants' to Alter or Amend the Court's Orders** (June 11, 2002) that:

> The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma tribe as an Indian tribe under the jurisdiction of the United States." (Civil Case No. 99-3261 RMU D.D.C.)

44. October 30, 2000, **Response by the Department of Interior's Branch of Acknowledgment and Research/Tribal Services Division of the Bureau of Indian Affairs to Justice Urbina's Court Order** regarding the Muwekma Ohlone Tribal enrollment and descendency:

… . When combined with the members who have both types of ancestors), **100% of the membership is represented**. Thus, analysis shows that the petition's membership can trace (and, based on a sampling, can document) its various lineages back to individuals *or to one or more siblings of individuals* appearing on the 1900, "Kelsey", and 1910 census enumerations described above.

45. January 5, 2001, **Department of Interior, Division of Indian Affairs and the Environment and Natural Resources Division, United States Department of Justice** lawyers complaining to U. S. District Justice Ricardo Urbina in their "**Response to the Court's Two Questions Concerning the Relief Plaintiff Requests**" argued the following:

> Plaintiff's assertion that it was inadvertently dropped from the list of Federally recognized tribes, and, therefore, it is entitled to priority over other petitioners is also baseless. There is no evidence that the Muwekma Tribe was "illegally" or "inadvertently" removed from recognized status, as Plaintiff insists. Instead, it appears that the relationship between the Federal government and the Verona Band, to which the Plaintiff now claims to be the successor, **simply withered away** after the 1920's **for reasons yet to be determined by the BIA**. (No. 1.99CV03261 (RMU) January 5, 2001, pg. 4-5). [Emphasis added]

46. November 2001: **GAO Report to Congressional Requesters – Indian Issues – Improvement Needed in Tribal Recognition Process** concluded that:

> Although the regulation-based process was never intended to be the only way groups could receive federal recognition, it was intended to provide clear, uniform, and objective approach for the Department of the Interior that established specific criteria and a process for evaluating groups seeking federal recognition. …. However, weaknesses in the process create uncertainty about the basis for recognition decisions, and the amount of time it takes to make those decisions impede the process from fulfilling its promise as a uniform approach to tribal recognition. Questions about the level of evidence required to meet the criteria and the basis for decisions reached will continue without more transparent guidance.

The November 2001 GAO Report also provided the following overview contained in ***Appendix I: How Tribes Have Become Federally Recognized:***

> The United States has recognized Indian tribes under a variety of circumstances. There are 556 tribes on the Bureau of Indian Affairs' (BIA) most recent list of recognized tribes published in March 2000. Since then, another five tribes have been recognized, for a total of 561 federally recognized tribes. Although the BIA only published its first list of recognized tribes in 1979, the federal government has "recognized" tribes since colonial times—although the term was not used until much later. In early American history, the government acknowledged such relationships through treaties and agreements with tribal governments. Recognition means that a tribe is formally recognized as a sovereign entity with a

government-to-government relationship with the United States. The basic concept underlying Indian sovereignty is that it is not granted by the Congress but rather is an inherent status of the tribe that has never been lost or extinguished. Although all recognized tribes have the same sovereignty and political relationship with the United States regardless of the means by which they were recognized, why they are on the list, or how they got on the list, varies significantly.

… There are 292 tribes on the current list of recognized tribes that can trace their federal recognition at least back to the era of the Indian Reorganization Act of 1934 (IRA) and related laws. These laws helped define and create the tribal governments that exist today. … Then, beginning in the 1880s, federal Indian Policy shifted to emphasize the assimilation of Indians into mainstream cultures by dividing reservation land into individual allotments, terminating historical tribal governments, and suppressing Indian customs and tribal laws. In the 1920s, federal Indian policy shifted once more; this time away from isolationism and assimilation and toward tribal self-governance, culminating in the IRA.

IRA established a process to form stronger tribal governments and terminated the federal policy of breaking up reservations. … In making these determinations, the Secretary considered whether the group

- Had existing treaty relations with the United States or had been designated a tribe by an act of the Congress or an executive order, *
- Had been treated as having collective rights in tribal lands or funds, even though not expressly designated as a tribe;
- Had been treated as a tribe by other tribes; and
- Had exercised political authority over its members by a tribal council or other form of government.

The Secretary also considered factors of lesser importance, such as the existence of special appropriation items for the group and the social solidarity of the group. In addition to these tribes, known as historic tribes, IRA allowed Indians without a common tribal affiliation to organize into tribes. Indian residents of a reservation at the time the act was passed could organize as a tribe by adopting a constitution. ….

For a brief period, federal Indian policy reverted to assimilation during the 1950s and 1960s. As a result of legislation during this time, the political relationship with some tribes was terminated. Termination by the Congress, however, did not terminate the tribes' existence, but only the U.S. Government's relation with the tribes. While the Congress and federal courts restored federal recognition to 37 of the terminated tribes – the most recent in December 2000—relations with many other terminated tribes were not restored. Because the Congress terminated these tribes, the tribes are not eligible to be recognized through the regulatory process. [GAO Report, November 2001, pages 21-25]

47. November 7, 2001, "**On-The-Record Technical Assistance Meeting**" between BIA/BAR staff and representatives and consultants from the Muwekma Ohlone Tribe. During the course of the Technical Assistance meeting one of the consultants inquired whether or not the **1997/1998 ACCIP reports** "had a bearing" on the BAR decision making process. The response by BAR Historian, John Dibbern was:

> Well, if you want us to consider the report, you really should submit it for the record. … That makes it part of the record. And, furthermore, when you submit it as part of the record, you can give us an explanation of how you think it applies. And the we can consider that argument and your take on how the report applies."(On-The-Record Technical Assistance Meeting page 52)

48. July 25, 2002 – **"Extension of Remarks" by Congresswoman Zoe Lofgren** stated on the floor of the House of Representatives:

> The Muwekma Ohlone Indian Tribe is a sovereign Indian Nation located within several counties in the San Francisco Bay Area since time immemorial.
>
> In 1906, the Tribe was formally identified by the Special Indian Census conducted by Indian Agent C. E. Kelsey, as a result of the Congressional Appropriation Act mandate to identify and to purchase land for homeless California Indian tribes.
>
> At this time, the Department of Interior and the Bureau of Indian Affairs federally acknowledged the Verona Band as coming under the jurisdiction of the Reno and Sacramento Agencies between 1906 and 1927.
>
> The Congress of the United States also recognized the Verona Band pursuant to Chapter 14 of Title 25 of the United States Code, which was affirmed by the United States Court of Claims in the Case of Indians of California v. United States (1942) 98 Ct. Cl.583.
>
> The Court of Claims case judgement instructed the identification of the Indians of California with the creation of Indian rolls. The direct ancestors of the present-day Muwekma Ohlone Tribe participated in and enrolled under the 1928 California Indian Jurisdictional Act and the ensuing Claims Settlement of 1944 with the Secretary of the Interior approving all of their enrollment applications.
>
> Meanwhile, as a result of inconsistent federal policies of neglect toward the California Indians, the government breached the trust responsibility relationship with the Muwekma tribe and left the Tribe landless and without either services or benefits. As a result, the Tribe has suffered losses and displacement. Despite these hardships the Tribe has never relinquished their Indian tribal status and their status was never terminated.
>
> In 1984, in an attempt to have the federal government acknowledge the status of the Tribe, the Muwekma Ohlone people formally organized a tribal council in conformance with the guidelines under the Indian Reorganization Act of 1934.

In 1989, the Muwekma Ohlone Tribal leadership submitted a resolution to the Bureau of Indian Affairs' Branch of Acknowledgment and Research with the intent to petition for Federal acknowledgment. This application is known as Petition #111. This federal process is known to take many years to complete.

Simultaneously, in the 1980's and 1990's, the United States Congress recognized the federal government's neglect of the California Indians and directed a Commission to study the history and current status of the California Indians and to deliver a reports with recommendations. In the late 1990's the Congressional mandated report – the California Advisory Report, recommended that the Muwekma Ohlone tribe be reaffirmed to its status as a federally recognized tribe along with five other Tribes, the Dunlap Band of Mono Indians, the Lower Lake Koi Tribe, the Tsnungwe Council, the Southern Sierra Miwuk Nation, and the Tolowa Nation.

On May 24, 1996, the Bureau of Indian Affairs pursuant to the regulatory process then issued a letter to the Muwekma Ohlone tribe concluding that the Tribe was indeed a Federally Recognized Tribe.

In an effort to reaffirm their status and compel a timely decision by the Department of the Interior, the Muwekma Ohlone Tribe sued the Bureau of Indian Affairs. The Court has mandated that the Department issue a decision this year. That decision is expected in early August.

Specifically, on July 28, 2000, and again on June 11, 2002, Judge Richardo Urbina wrote in his Introduction of his **Memorandum Opinion Granting the Plaintiff's Motion to Amend the Court's Order** (July 28, 2000) and **Memorandum Order Denying the Defendants' to Alter or Amend the Court's Orders** (June 11, 2002) affirmatively stating that:

> The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma tribe as an Indian tribe under the jurisdiction of the United States. (Civil Case No. 99-3261 RMU D.D.C.)

I proudly support the long struggle of the Muwekma Ohlone Tribe as they continue to seek justice and to finally, and without further delay, achieve their goal of their reaffirmation of their tribal status by the federal government. This process has dragged on long enough. I hope that the Bureau of Indian Affairs and the Department of Interior will do the right thing and act positively to grant the Muwekma Ohlone tribe their rights as a Federally Recognized Indian Tribe. The Muwekma Ohlone Tribe has waited long enough; let them get on with their lives as they seek to improve the lives of the members of this proud tribe. To do anything else is to deny this tribe Justice. They have waited patiently and should not have to wait any longer.

49. August 29, 2002 Letter from California Lt. Governor Cruz Bustamante to Assistant Secretary – Indian Affairs, Neil McCaleb:

I write to urge you to support Petition # 111 by the Muwekma Ohlone Tribe for reaffirmation of Federal Acknowledgment.

The Muwekma Ohlone Tribe meets all of the criteria for reaffirmation set by the court as well as the Bureau of Indian Affairs' acknowledgment criteria. The tribe is a previously recognized tribe, It has demonstrated that it has had a trust relationship with the United States from 1906 to the present and Congress has never terminated their relationship.

The tribe's membership descend from an historical tribe and they are not members of any other Federally recognized tribe.

After compiling data and completing extensive research, the Muwekma have presented a compelling case for the tribe's Federal Acknowledgment. I respectfully urge you and the Bureau of Indian Affairs to carefully review their Petition.

50 September 6, 2002 - In the **Final Determination** the BAR staff predisposed to circumvent the Muwekma Tribe's responses to the Proposed Finding and supporting new evidence stated:

> Given these conclusions of the Proposed Finding under criterion 83.7(a), that the period prior to 1927 is outside the period to be evaluated and that the petitioner met this criterion during the period after 1985, **it is not necessary to respond to the petitioner's comments and arguments for those two time periods**. Neither the petitioner nor any third party challenged the conclusions of the Proposed Finding that the petitioner met the criterion before 1927 and after 1985. Therefore, the evaluation of criterion 83.7(a) for this Final Determination will review the evidence and arguments for the years between 1927 and 1985. (FD 2002 page 9)

51. September 6, 2002, the Branch of Acknowledgment and Research under their **Summary Conclusions Under the Criteria (25 CFR 83.7)** section in the Final Determination concluded that:

> The review of all the evidence in the record concludes that the Muwekma petitioner has **satisfied** the requirements of 25 CFR 83.7 (d), (e), (f), and (g). That is, the petitioner's constitution and enrollment ordinance describe its membership criteria and governing procedures, its members have demonstrated their descent from the **historical tribe** (in this case, from the Verona band last acknowledged by the Federal Government in 1927 and as defined in the Proposed Finding and Final Determination), the group is principally composed of those persons who are not members of another North American Indian tribe, and neither the group nor its members are the subject of congressional legislation **expressly terminating** or forbidding the Federal relationship. (Page 7)
>
> …When a Final Determination is negative, the regulations direct that the petitioner be informed of alternatives to this administrative process for achieving the status of a federally recognized tribe, or other means by which the petitioner's members may become eligible for services and benefits as Indians (25 CFR 83.10(n).

… In addition, Congress may consider taking legislative action to recognize petitioners which do not meet the specific requirements of the acknowledgment regulations but, **nevertheless, have merit**." (Pages 7-8) [Emphasis added]

52. March 26, 2004 – Letter from Congressman Richard Pombo, Chair of the Committee on Resources to Chairwoman Rosemary Cambra wrote:

> The Committee on Resources will hold a Full Committee Oversight Hearing on Wednesday, March 31, 2004 … . The hearing will focus on the Federal recognition and acknowledgment process by the Bureau of Indian Affairs. Among one of the subjects covered will be whether the current process is working properly and in a timely manner, and what alternatives exist to improve the system. I cordially invite you to testify at this hearing.
>
> You have had significant experience with this subject matter and information regarding your experience would be most helpful to the Committee. …"

53. March 31, 2004 – Testimony of Rosemary Cambra, Chairwoman, Muwekma Tribe.

> "HorSe Tuuxi
> Good Morning Mr. Chairman and Members of the Oversight Hearing:
>
> Mr. Chairman, my name is Rosemary Cambra and I carry several badges of honor in Indian Country. I am the elected Chairwoman of the Muwekma Ohlone Tribe of the San Francisco Bay region since 1984 and I am the Co-Chair of the Recognition Task Force for the National Congress of American Indians (NCAI). I also had the good fortune to work on the Recognition Task Force for the Congressionally created Advisory Council on California Indian Policy between 1994 and 1998.
>
> As you can tell by my commitment, Mr. Chairman, I am a person deeply concerned about the justice issues not only confronting my tribe, but the plethora of issues confronting the many disenfranchised historic tribes throughout this country that were either previously recognized or whom fell through the administrative cracks, thereby rending both groups as Unacknowledged by the Secretary of Interior today.
>
> Today I want to speak on four points. The first is my involvement as co-Chair of the Recognition Task Force for NCAI. The second reports upon the implications of ACCIP reports submitted to the Congress in 1998. The third addresses the long, painful and costly efforts that my Tribe has been engaged in both prior to and during the Recognition Process and the adverse ramifications for my people. And lastly, I want to discuss about the conflict of interest and violations under the Administrative Procedures Act by both BAR staff and DOI legal Counsel."

54. April 21, 2004, former **Assistant Secretary of Indian Affairs, Kevin Gover**, provided testimony before the Senate Committee on Indian Affairs on proposed Senate Bill 297. In his testimony addressing the "**Structural Issues with the Federal Acknowledgment Program**" former AS-IA Gover provided the following statement:

As has been well documented, I did not always agree with the judgments and opinions of BAR researchers and the attorneys from the Solicitor's office who advised the BAR. I came to believe that the BAR and its attorneys had been essentially unsupervised for many years and that the Assistant Secretary's office had become little more than a **rubber stamp** for their recommendations. …

… Another troubling aspect of the program was the phenomenon of analytical tools employed by the BAR **hardening into rules of law**. Two examples make the point. First, when applying the requirement that a tribe demonstrate the "continuous" existence of political influence of tribal leadership over the members, OFA looks to see that such influence existed in each ten-year increment of the tribe's existence. This is unobjectionable as an analytical approach, but it is my opinion **wrong and illegal** to apply the "ten-year" approach as a rule of law. Bar maintained that if conclusive proof of political influence was absent during any ten-year period, continuity was broken and the petition had to be denied. I believe that, while the absence of such proof during any given decade might be some evidence of a break in continuity, **it is not conclusive** and **it cannot fairly give rise to a presumption** of a break in continuity. It may, for example, only reflect a gap in effective news reporting, record keeping, or record retention, **not any actual gap in tribal existence**. In my view, for the "ten-year" approach to be hardened in to a rule of law, or even permitted to establish a presumption, it **must go through notice-and-comment rulemaking under the Administrative Procedures Act, which it did not**.

"Finally, the role of the office of the Solicitor presents difficulty. Certain individuals in the Solicitor's office were drafters of the Part 83 rules; participate in OFA's consideration of the petition; participate in OFA's drafting of recommendations to the Assistant Secretary; compile the administrative record behind each decision; advise the Assistant Secretary directly during his or her review of the petition; help to draft the decisions of the Assistant Secretary; litigate before the IBIA concerning the decision; advise the Secretary during reconsideration of decisions of the Assistant Secretary; and assist in the litigation in federal court that results from the Department's final actions. **These individuals have an inappropriate degree of control, direction, and influence in the process**. I believe that the work of these attorneys is essentially unsupervised in the Solicitor's office for the same reason that work of the BAR is essentially unsupervised by the Assistant Secretary: the Solicitor and his or her immediate supervisors simply do not have the time to master the intricacies of the evidence because of its volume. (Page 3-4)

In his continued testimony on **S. 297**, former AS-IA Gover made the following points:

"… My primary disagreement with BAR staff related specifically to the **assignment of weight to specific evidence**, the inferences that could fairly be drawn from the evidence, and the degree of certainty about historical facts required by the regulation. I believe that BAR staff, being of trained as historians, anthropologists, and genealogists, **applied too difficult a standard**. I believe they sought near certainty of the facts asserted by petitioners. **They dismissed relevant evidence as inconclusive, even though conclusive proof is not required by the regulations.**

Moreover, **BAR staff seemed thoroughly unwilling to give evidence any cumulative effect.** While any given piece of evidence, when considered cumulatively, can make a sound case. … I do believe that, in accordance with their training, **they applied a burden of proof** far beyond what is appropriate and **far beyond what is permitted by the regulations.** …" (Page 5) [Emphasis added]

In former AS-IA Gover's "**Suggestions for Amendments**" he put forward the following:

… First, I strongly believe that certain petitioners, which already have been denied recognition, should be permitted another opportunity under the revised process established by this bill. I adopted a policy when I was Assistant Secretary that I would not revisit final determinations of my predecessors in office. While I believe that this was the right policy, I remain troubled to this day that justice was denied to certain tribes, particularly the Miami Tribe. Even some of the petitions I personally acted upon leave me wishing that this revised process had been in effect when I was in office. Into this category I would place Mowa Choctaw. Finally, I remain convinced that the Chinook Tribe is deserving of federal recognition, and I believe that, if Assistant Secretary McCaleb had the resources provided by this bill available to him when he addressed the Chinook petition, the outcome well may have been different. **There may be other tribes, such as the Duwamish and the Muwekma who should be eligible for reconsideration as well**. (Page 7) [Emphasis added]

55. - December 29, 2000 Letter from AS-IA Kevin Gover to Regional Directors of Alaska and Pacific regarding "Reaffirmation of Federal Recognition of Indian Tribes"

I have received information from you that the King Salmon Tribe, the Shoonaq' Tribe of Kodiak, and the Lower Lake Rancheria have been officially overlooked for many years by the Bureau of Indian Affairs ("Bureau" or BIA) even though their government-to-government relationship with the United States was never terminated. I have been requested to review these cases and take action, if warranted.

At one time, each of these groups was recognized by the Bureau. However, for reason not clearly understood, they were simply ignored as the BIA went through fundamental organizational and philosophical changes following landmark legislation such as the 1934 Indian Reorganization Act and other federal policy shifts. It is an unfortunate part of the Bureau's legacy that I spoke of during our reconciliation event several months ago, and I am please today, and on behalf of the department of the Interior and the BIA, to correct the egregious oversight.

The Indian tribes mentioned above should not have to go through the Federal acknowledgment process outlined in the Federal Register at 25 CFR, Part 83 ("acknowledgment regulation") because their government-to-government relationship continued. **The acknowledgment regulation does not apply to Indian tribes whose government-to-government relationship was never severed.** Rather, the acknowledgment regulation provides a process for tribes to seek recognition when the tribe have yet to establish such a government-to-government relationship, when a previously existing government-to-government relationship has lapsed, or when the government-to-government relationship was terminated through an administrative process.

Here, the Tribes were never administratively terminated nor were their relations with the United States broken. Instead, an administrative error by the Bureau of Indian Affairs occurred in the initial failure to place the tribes on the Federal Register list of entities recognized and eligible to receive services from the United States Bureau of Indian Affairs. The administrative oversight, having now been identified, must be corrected and the Tribes' rightful existence must now be affirmed.

… With respect to the Lower Lake Rancheria, the documentation shows that it should be treated differently than other California tribes that were terminated during the termination era. …In contrast, the lower Lake Rancheria lost its land pursuant to the Lower Lake Act … . This Act predated the Rancheria Act and did not contain a provision to cause the loss of an Indian's legal status as an Indian as a result of his (or her) acceptance of any assets of the Lower Lake Rancheria. Thus, the Lower Lake Act did not terminate the Lower Lake Rancheria.

Therefore, by action today, I am reaffirming formal recognition of the following Indian tribes:
King Salmon Tribe in Alaska
Shoonaq' Tribe of Kodiak in Alaska, and
Lower Lake Rancheria in California

…By this memorandum I am directing that the Bureau of Indian Affairs, specifically the Alaska Region, and Pacific Region officials deal with the respective tribes accordingly. Further, I direct that the Office of Tribal Services include the Tribes mentioned above in the "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs,… .

The Bureau of Indian Affairs will maintain contact with the respective tribes to address the relevant details in maintaining a government-to-government relationship in accordance with Executive Orders 13084 and 13175 as well as the Executive Memorandum of April 29, 1994, on Government-to-Government Relations with Native American Tribal Governments.

56. 2014 – Present – Muwekma was named **Most Likely Descendant** for the San Francisco Public Utilities Commission excavations at ***Síi Túupentak*** (CA-ALA-565/H) for the "Watershed" Educational Facility. Carla Schultheis, Watershed and Environmental Improvement Program Manager, Natural Resources and Lands Management Division, Water Enterprise, 525 Golden Gate Avenue, 10th Floor; San Francisco, CA 94102.

57. March 7, 2015 - The Muwekma Ohlone Tribal leadership had named and participated in a ribbon cutting ceremony for the newly created **Roberto Antonio Balermino Park** located on Almaden Road in San Jose. https://www.hmdb.org/m.asp?m=155137

58. November 1, 2018 - **Muwekma Leadership Singing a Welcoming Song at the Inaugural California Indian Flag Raising Event in the City of Milpitas.**

59. 2019 – **Peter Burnett Academy** renamed **Muwekma Ohlone Middle School**. 850 North 2nd St, San Jose, CA.

> After a process that brought together students, teachers and the local community, Burnett Middle School will have a new name: Ohlone Middle School. The school's outgoing namesake is California's first governor, Peter Burnett, whose racist policies included the Chinese Exclusion Act of 1882 and attempts to keep black Americans out of California. He also believed that Native Americans should be eliminated from the newly-created state, making the change to Ohlone an especially strong statement."
> https://ohlone.sjusd.org/
> https://sanjosespotlight.com/burnett-middle-school-to-be-renamed-ohlone-middle-school/#:~:text=After%20a%20process%20that%20brought%20together%20students%2C%20teachers,attempts%20to%20keep%20black%20Americans%20out%20of%20California.

60. October 14, 2019 - Muwekma Tribal Exhibit in Honor of Indigenous Peoples Day at **San Francisco Maritime National Historical Park and Museum.**

61. November 2, 2019 - Recognition Citation by a Congress Member of the United States citation presented by Congressman Ro Khanna, 17th District California.

62. November 19, 2019 - Certificate of Recognition Issued by State Senator Jim Beall 15th Senate District.

63. December 21, 2020 - U.C. Berkeley Chancellor Carol Christ issues letter to Tara Sweeney Assistant Secretary - Indian Affairs supporting the reaffirmation of the Muwekma Tribe.

64. 2021 - Mid-Pen Housing "Polsomi Place" in Honor of Mission Santa Clara Indian Lopé Yñigo and the Muwekma Ohlone Tribe. (City of Sunnyvale, California**)**

> Lopé Yñigo was one of few Native Ohlone Indians awarded a land grant, … . It was not until February 15, 1844, after petitioning Governor Micheltorena, that he was granted the land that he named Posolmi y Pozitas de las Animas meaning Little Wells of Souls."
>
> The Plaque presents "**First People - History of the Muwekma Ohlon**e. The Muwekma Ohlone people were the original residents of the region from San Francisco and the Bay Area down to the lower Santa Clara Valley south of Morgan Hill. … In the early 20th century, the ancestors of the Muwekma Ohlone became federally recognized through a series of Congressional acts and actions.

65. 2021- Lands of the Ohlone People: "Today's descendants of the Thamien Ohlone identify themselves as Muwekma Ohlone." The Panel was established at the Santa Clara County's Valley Transportation Authority's Berryessa Transit Center, San Jose, CA. "The project team worked extensively with local community members of the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area to develop the language of the interpretive panel, the plant identification signs, and the stone monument within the garden." https://sustainableinfrastructure.org/project-awards/vtas-berryessa-transit-center/

66. August 31, 2021 - Muwekma Mural Dedication Guadalupe River Walk, City of San Jose. "We are Still Here!" San Jose Walls partnered with the Guadalupe River Park Conservancy. https://sjwalls.com/pwsj-2021

66. September 13, 2021 - Plaque Honoring the 100th Anniversary of San Jose City College and Muwekma Ohlone Tribe Land Acknowledgement. "We also honor the history of the land on which we stand and recognize that our community continues to benefit from the use and occupation of the Muwekma Ohlone people's unceded ancestral homeland."

68. November 6, 2021 - Certificate of Recognition by 25th District Assembly Member Alex Lee .

69. 2021- 2023 – Exhibition on the Muwekma Ohlone Tribe at New Museum of Los Gatos (NUMU) Exhibitions titled "**Reclamation: Resilience of the Muwekma Ohlone Tribe**," and "**Reclamation: Aboriginal Ancestral Homeland of the Muwekma Ohlone Tribe**." Ami Davis, Executive Director, NUMU, 106 E. Main Street, Los Gatos, Ca 95030

70. 2022 -Dedication of the Muwékma Ohlone Park located at 1035 Indian Wells Ave, Sunnyvale, CA 94085 Muwékma Park Grand Opening Wonderful Ceremony for the Muwékma Park Grand Opening in Sunnyvale, CA. Larry Klein, Sunnyvale Mayor gave a very nice speech and thanked everyone involved.

> Muwékma Park is a dedication to the Muwekma Ohlone Tribe of the San Francisco Bay Area. The newest playground in the Bay Area is 6.5 acres.

http://www.spiffykerms.com/2022/08/exploring-bay-area-playgrounds-muwekma-park/
https://www.facebook.com/watch/?v=724693661945628

71. 2022 – In the **UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION, ELIZABETH WEISS, Plaintiff, vs. STEPHEN PEREZ,** in his official capacity as President of San Jose State University; et al. Case No. 5:22-cv-00641-BLF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION/ Date: June 2, 2022 Judge: Hon. Beth Labson Freeman

> On August 20, 2021, SJSU sent letters to the Tribes inviting their consultation with respect to "phases of the NAGPRA process." Id. ¶ 7 & Ex. F. Based on those consultations, SJSU determined that the **Muwekma Ohlone Indian Tribe of the SF Bay Area** is culturally affiliated with nearly all of the sites, because the Tribe "**provided unambiguous and specific genealogical, documentary, and oral history ties to this ancestral site**." Id. & Ex. E-1
>
> … B**. Plaintiff's Claims Are Not Likely to Succeed on the Merits**
> "1. The Complaint Must Be Dismissed Due to Failure to Join the Muwekma Ohlone Tribe Under Federal Rule of Civil Procedure 19, when an absent party is a "necessary" party, joinder of that party is not feasible, and the absent party is "indispensable," the plaintiff's claims may not proceed without it. Fed. R. Civ. P. 19(b). The **Muwekma Ohlone Tribe** is a necessary party here because adjudicating this dispute in its absence could both impair its rights and leave the University subject to a substantial risk of inconsistent obligations.

> See White v. Univ. of Cal., 765 F.3d 1010, 1026-27 (9th Cir. 2014) (affirming dismissal of NAGPRA claims by anthropology professors). **The Tribe's joinder is not feasible because it enjoys sovereign immunity from suit**. See Native Village of Tyonek v. Puckett, 957 F.2d 631, 635 (9th Cir. 1992); Wilcox Decl. Ex. A § IV. And, because the Tribe has sovereign immunity, the Tribe is "indispensable" and the claims against Defendants may not proceed without it. See, e.g., Deschutes River All. v. Portland Gen. Elec. Co., 1 F.4th 1153 (9th Cir. 2021); Jamul Action Comm. v. Simermeyer, 974 F.3d 984 (9th Cir. 2020); White, 765 F.3d 1010.

72. 2022-2023 – **Repatriation of ancestral remains from Diablo Valley College**, Contra Costa Community College District, Pleasant Hill, California.

Memorandum of Understanding for the Reburial of Human Remains and Associated Funerary Items Repatriated to the Wilton Rancheria and the Muwekma Ohlone Tribe

> the process whereby the Wilton Rancheria and the **Muwekma Ohlone Tribe** … and the Contra Costa Community College District …; will work in cooperation to rebury the human remains and associated funerary items that have been repatriated to the Tribes.

73. 2023 – **Repatriation of Muwekma Ohlone Ancestral from the Lindsay Wildlife Experience**, 1931 First Avenue, Walnut Creek, Ca. 94597.

> Institution or Tribe (if applicable): **Muwekma Ohlone Tribe (Repatriation)** of Human Skulls**.** Contact name and title: Charlene Nijmeh, Chairwoman.

74. August 5**, 2025 – Union City Council's Resolution No. 2025-107 – Supporting Federal Recognition of the Muwekma Ohlone Tribe.**

Daniel Fama

From: Bernadette Quiroz <bquiroz@muwekma.org>
Sent: Tuesday, October 6, 2026 1:42 PM
To: Daniel Fama
Cc: Rob Eastwood; techparkproject; Marni McManus; Alan Leventhal; Charlene Nijmeh
Subject: Re: Campbell Tech Park Project Final EIR and Response to Comments Available

You don't often get email from bquiroz@muwekma.org. Learn why this is important

Horše Túuxi,

Thank you again for meeting with us regarding the **Campbell Tech Park Project**. We appreciate the productive discussion and the City's willingness to work collaboratively with the Muwekma Ohlone Tribe.

Following our consultation and review of the Draft EIR, the Tribe recommends that the Cultural Resources and Tribal Cultural Resources measures be revised to incorporate the following:

- **Cultural Sensitivity Training:** Prior to the commencement of ground-disturbing activities, all personnel involved in or supervising ground disturbance shall receive Cultural Sensitivity Training (CST) provided by the Muwekma Ohlone Tribe. The training shall address Tribal Cultural Resources, appropriate conduct around cultural materials, inadvertent discovery procedures, and the Tribe's ancestral and cultural connection to the project area. **Tribal CST shall not be replaced by archaeological awareness training.**

- **Tribal Monitoring:** A Muwekma Ohlone Tribal Monitor shall be present during project-related ground-disturbing activities, including grading, excavation, utility installation, foundation excavation, and other activities with the potential to encounter native soils or previously unidentified Tribal Cultural Resources.

- **Coordination of Tribal and Archaeological Monitoring:** Tribal and archaeological monitoring shall be coordinated as complementary roles. The Tribal Monitor shall provide expertise regarding Tribal Cultural Resources, Native American cultural materials, and culturally significant discoveries. The qualified archaeologist shall retain responsibility for archaeological resources within their professional scope.

- **Authority to Halt or Redirect Work:** The Muwekma Tribal Monitor shall have the authority to halt or redirect ground-disturbing activities when a potential Tribal Cultural Resource, Native American cultural material, or other culturally sensitive resource is encountered.

- **Discovery Protocol:** Upon discovery of a potential Tribal Cultural Resource, Native American cultural material, or other culturally sensitive resource, all ground-disturbing activities shall immediately cease within a **50-foot radius of the discovery**. The Muwekma Ohlone Tribe shall be consulted regarding the evaluation, avoidance, protection, and treatment of the resource before ground-disturbing activities resume within the affected area.

- **Human Remains:** If potential human remains are encountered, all ground-disturbing activities shall immediately cease within a **minimum 50-foot radius** of the discovery. The requirements of California Health and Safety Code §7050.5 and Public Resources Code §5097.98 shall be

followed. If the remains are determined to be Native American, treatment and disposition shall be conducted in accordance with the recommendations of the Most Likely Descendant designated by the Native American Heritage Commission.

- **Monitoring Reduction or Conclusion:** Tribal monitoring may be reduced or concluded when exposed soils are demonstrated to be culturally sterile and continued Tribal monitoring is no longer warranted, with concurrence between the Muwekma Ohlone Tribe and the qualified archaeologist.

- **Archaeological Monitoring Plan:** The Muwekma Ohlone Tribe shall be provided the opportunity to review and provide input on the Archaeological Monitoring Plan prior to implementation, particularly those portions addressing Tribal Cultural Resources, Native American cultural materials, inadvertent discoveries, notification procedures, evaluation, treatment, and resumption of work.

- **Tribal Participation in Evaluation and Treatment:** Determinations regarding the Tribal cultural significance of a potential Tribal Cultural Resource shall include consultation with the Muwekma Ohlone Tribe. The Tribe shall be involved in developing appropriate avoidance, protection, treatment, and disposition measures for Tribal Cultural Resources and Native American cultural materials.

- **Confidentiality:** Information concerning Tribal Cultural Resources, cultural places, Native American cultural materials, human remains, or other culturally sensitive information identified or provided by the Tribe shall remain confidential to the extent permitted by law and shall not be disclosed in publicly available reports, maps, or other documents.

We believe these revisions will appropriately supplement the archaeological protections already included in the Draft EIR while ensuring that Tribal Cultural Resources are addressed through direct Tribal participation and consultation.

We appreciate the City's continued consultation with the Muwekma Ohlone Tribe and look forward to working together as the project moves forward.

Kiš Horše 'Ek Hinnan,

Bernadette Quiroz
Executive Director of Muwekma Ohlone Tribe Incorporated (MOTI)

MOTI is a California-incorporated 501(c)3 non-profit founded by the sovereign **Muwekma Ohlone Tribe of the San Francisco Bay** to protect our ancestral burial grounds within the confines of State law in order to provide cultural resource management services, including archeological monitoring, excavation, and reburial.

AGREEMENT TO AMEND THE NOVEMBER 18, 1997 FIRST AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT

THIS AMENDMENT TO THE NOVEMBER 18, 1997 FIRST AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT (this "Amendment") is effective as of September 4, 2024 (the "Effective Date") and entered into by and between the CITY OF CAMPBELL, a California municipal corporation and Successor Agency to the City of Campbell Redevelopment Agency (the "City"), and CAMPBELL TECHNOLOGY PARK, LLC, a California limited liability company (the "Tech Park"), collectively referred to as the "Parties."

Recitals

A. WHEREAS, the City of Campbell Redevelopment Agency and WTA Campbell Technology Park LLC entered into the November 18, 1997 First Amended and Restated Disposition and Development Agreement (the "Agreement");

B. WHEREAS, under the terms of the Agreement, The Campbell Redevelopment Agency conveyed that 19.58-acre parcel described in Exhibit A-2 to the Agreement (the "Property") to WTA Campbell Technology Park, LLC;

C. WHEREAS, on December 8, 1997, consistent with the Agreement, the City approved a Planned Development Permit allowing development of the Property with a 280,000 square foot Research and Development Park, which was subsequently constructed and currently exists on the Property;

D. WHEREAS, on or about December 17, 1998, the City of Campbell Redevelopment Agency transferred the Property to WTA Campbell Technology Park LLC via a grant deed that was recorded on December 21, 1998 at the Santa Clara County Recorder's office under Document No. 14563127 (the "Grant Deed").

E. WHEREAS, due to dedications and/or other transfers, the Property was reduced to 17.28 acres (the "Existing Property");

F. WHEREAS, Tech Park is the successor in interest to WTA Campbell Technology Park, LLC and the current owner of the Existing Property;

G. WHEREAS, the City of Campbell is the Successor Agency to the City of Campbell Redevelopment Agency;

H. WHEREAS, on or about March 24, 2023, the City submitted a 6th Cycle (2023-2031) Revised Draft Housing Element to the California Department of Housing and Community Development ("HCD"). At the time of submittal, the City Council had not adopted the 6th Cycle (2023-2031) Revised Draft Housing Element. On March 27, 2023, HCD found that that 6th Cycle (2023-2031) Revised Draft Housing Element would substantially comply with State Housing Element Law upon local adoption by the City, and subsequent submittal to and approval by HCD.

I. WHEREAS, on or about April 18, 2023, the City Council passed Resolution No. 12965 which resolved "that the Central Campbell Redevelopment Plan shall be of no further force and effect, except when referenced by, or relied upon, within a Disposition and Development Agreement, in which case the Central Campbell Redevelopment Plan shall remain in full force and effect for the purpose of implementing the Disposition and Development Agreement;"

J. WHEREAS, on or about April 17, 2023, Tech Park submitted a completed Preliminary Application, which proposed the redevelopment of the Existing Property with three hundred and thirty-four (334) townhomes at a density of 19.3 dwelling units per acre, of which sixty-seven (67) dwelling units would be made available to low income households at affordable sales prices (the "Preliminary Application");

K. WHEREAS, at the time of submittal of the Preliminary Application, the Existing Property had a General Plan Land Use designation of Research and Development and a Zoning designation of P-D (Planned Development);

L. WHEREAS, on April 18, 2023, the City adopted General Plan 2040, including the 6th Cycle (2023-2031) Revised Draft Housing Element it had submitted to HCD on March 24, 2023, pursuant to which 13.76 acres of the Existing Property was given a Land Use designation of High Density Mixed-Use with a density range of thirty-four to forty-five units per gross acre (34 – 45 units/gross acre), and designated a Housing Opportunity Site at the same density range, while 3.51 acres of the Existing Property was given a Land Use designation of Research and Development;

M. WHEREAS, on May 2, 2023, the City adopted a Zoning Map consistent with General Plan 2040, pursuant to which the portion of the Existing Property bearing the General Plan Land Use designation of High Density Mixed-Use was zoned HD-MU High Density Mixed-Use, while the portion of the Existing Property with the General Plan Land Use designation of Research and Development was zoned P-D Planned Development;

N. WHEREAS, on or about September 25, 2023, Tech Park submitted a formal application for the redevelopment of the Existing Property, which seeks approval of two hundred and ninety (290) dwelling units consisting of twenty-seven (27) detached single-family dwellings, one hundred forty-nine (149) townhomes to be mapped as condominium units, and one hundred fourteen (114) other condominium units at a density of 16.78 dwelling units per acre, of which at least fifty-eight (58) dwelling units are to be provided at affordable cost to low income households (the "Proposed Project");

O. WHEREAS, the formal application sought approval of a new Planned Development Permit, Tentative Vesting Subdivision Map, and Tree Removal Permit for the Proposed Project (the "Proposed Project Entitlements");

P. WHEREAS, the City asserts that the terms of the Agreement restrict use of the Existing Property to either research and development land uses or uses consistent with the current General Plan;

Q. WHEREAS, Tech Park asserts the terms of the Agreement do not restrict use of the Existing Property to research and development land uses or uses consistent with the current General Plan, and, accordingly, the Agreement does permit residential uses, including the Proposed Project;

R. WHEREAS, Tech Park asserts that a continued insistence by the City that the Agreement is a contractual impediment to approval of the Proposed Project would violate the Housing Accountability Act;

S. WHEREAS, the City asserts that the Housing Accountability Act does not invalidate the Tech Park's contractual obligations under the Agreement;

T. WHEREAS, the Parties' positions set forth in recitals P, Q, R, and S constitute a dispute concerning whether the Agreement precludes development of the Proposed Project, until November 18, 2027 (the "Dispute");

U. WHEREAS, Parties have reached an agreement to amend the Agreement and resolve the Dispute, which shall include a financial contribution by the Tech Park to City's Housing Assistance Fund and the other covenants set forth below in the Terms below; and

V. WHEREAS, section 10.14 of the Agreement states that the parties may amend the Agreement "by means of a writing signed by all parties;"

Terms

NOW, THEREFORE, the City and the Tech Park in consideration of each other's mutual promises and other valuable consideration set forth herein, the Parties agree as follows:

1. Defined Terms. Any capitalized terms that are used but are not defined in this Amendment shall have the same respective meanings assigned to them in the Agreement.

2. Amendment.

a. Section 6.2 of the Agreement is hereby amended and restated to read as follows:

> The Developer and its successors and assigns shall use, operate, and maintain the Existing Property in a manner consistent with the Redevelopment Plan and all applicable laws and regulations. The Agency represents that development of the Improvements in accordance with the Planning Approvals is consistent with and conforms to the Redevelopment Plan. The Agency shall not cause any modification of the Redevelopment Plan that would cause the Improvements (as built in accordance with the Planning Approvals) to be inconsistent and/or not in conformity with the Redevelopment Plan. Neither this Section, nor any Section of this Agreement or the Grant Deed, is intended to, or operates to, restrict, preclude, or otherwise limit development of a residential use on the Existing Property of at least two hundred and ninety (290) dwelling units so long as the development is in accordance with otherwise applicable laws and regulations. Fewer

units than two hundred and ninety (290) are permitted if agreed to in writing between the Parties or as modified by Developer to satisfy fire safety requirements

b. Except as amended by this Amendment, all other terms and conditions as set forth in the Agreement shall remain in effect. The terms of this Amendment shall control if any conflict exists.

3. Monetary Consideration. Tech Park agrees to remit to the City the following sums at the following times:

a. Upon the Final Approval Date, as defined below, of the Proposed Project substantially as submitted, with no less than 290 dwelling units (unless otherwise agreed in writing between the Parties), subject to any and all lawfully imposed dedications, conditions of approval and mitigation measures as may be required pursuant to environmental review under the California Environmental Quality Act, Tech Park shall remit to the City for its Housing Assistance Fund the sum of six hundred and twenty-five thousand dollars ($625,000). The "Final Approval Date" shall be ninety (90) days from the City's approval of the last of the Proposed Project Entitlements if the City files a Notice of Determination within sixty (60) days of such approval or, if no Notice of Determination is filed, within one hundred and eighty (180) days of such approval. For purposes of clarification, insofar as a Proposed Project Entitlement is adopted by ordinance, the approval date for such approval is the date of the second reading of that ordinance;

b. At the time of issuance of the initial building permits for the Proposed Project, Tech Park shall remit to the City for its Housing Assistance Fund the additional sum of one million, eight hundred and seventy-five thousand dollars ($1,875,000);

c. The sums identified in paragraphs "a" and "b" of this section shall be in addition to any fees and exactions lawfully imposed by the City.

d. In the event a referendum or lawsuit is filed challenging any Proposed Project land use entitlements or approvals, including without limitations its environmental review, the deadlines for the remittance of sums under paragraphs "a" and "b" of this section shall be tolled until the referendum or legal challenge is resolved such that Tech Park is able to commence construction of the Proposed Project substantially as submitted.

e. In the event Tech Park proposes to transfer the Property to a successor, assign, or heir ("Property Transfer") prior to the Final Approval Date and/or the issuance of building permits, then the following provisions shall apply:

i. If neither the Final Approval Date nor the issuance of building permits has occurred prior to the Property Transfer, and Tech Park has not delivered any of the monetary consideration set forth under Sections 3(a) and 3(b) to the City, then Tech Park shall, prior to the Property Transfer, deposit the sum of two million, five hundred thousand dollars ($2,500,000) into an escrow account, on terms and with an escrow holder as mutually agreed to by the Parties, where such sum shall be released from escrow in accordance with the schedule set forth in Section 3(a) through 3(d) of this Amendment.

ii. If the Final Approval Date has passed but building permits have not yet been issued, and Tech Park has delivered only the monetary consideration set forth in Section 3(a), then Tech

Park shall, prior to the Property Transfer, deposit the sum of one million, eight hundred and seventy-five thousand dollars ($1,875,000) into an escrow account, on terms and with an escrow holder as mutually agreed to by the Parties, where such sum shall be released from escrow in accordance with the schedule set forth in Section 3(b) through 3(d) of this Amendment.

iii. If a referendum or lawsuit results in Tech Park not being able to commence construction of the Proposed Project substantially as submitted and any sums, as set forth in this Section 3(e), remain in escrow, the Parties agree such sums shall be released from escrow to Tech Park.

4. Covenants. The following covenants are materials terms of this Amendment and the Agreement:

a. Notwithstanding anything else in the Agreement or this Amendment, Tech Park agrees not to amend the Proposed Project to include a residential component of less than two hundred and ninety (290) units (unless otherwise agreed in writing between the Parties or as modified by Tech Park to satisfy fire safety requirements);

b. Notwithstanding anything else in the Agreement or this Amendment, the City agrees that neither the Agreement, its Amendment, the Redevelopment Plan, the Planned Development Permit in Recital C, nor the Grant Deed prohibit, or shall be interpreted to prohibit, construction and operation of the Proposed Project under the Proposed Project Entitlements (and as the Proposed Project might be amended as agreed to in writing between the Parties or modified by Tech Park to satisfy fire safety requirements).

5. Settlement and Release.

a. The terms of this Amendment are intended to fully resolve the Dispute between the Parties. Except as otherwise set forth herein, the Parties, individually and on behalf of their respective heirs, assignees, transferees, successors, affiliates, directors, officers, shareholders, employees, and agents and representatives, hereby release the other party and their respective heirs, assignees, transferees, successors, affiliates, directors, officers, shareholders, employees, and agents and representatives (including the Parties' attorneys), from any and all claims, complaints, demands, causes of action, obligations, damages, costs, expenses, attorneys' fees, rights, and liabilities relating to property damage, whether known or unknown, suspected or not suspected to exist, claimed or not claimed, related to or arising in any way from the Dispute. However, nothing contained herein shall be construed to prevent either party from taking any lawful action to challenge or enforce their rights with respect to any action concerning the Proposed Project that is not related to the Dispute, or from enforcing the terms of this Amendment.

b. For purposes of clarification, and notwithstanding anything else in the Agreement or this Amendment, the Dispute solely concerns (i) the Parties' disagreement about whether the Agreement's terms serve as a contractual impediment to the construction and operation of the Proposed Project through November 18, 2027; and (ii) the Parties' disagreement about whether the foregoing contractual disagreement about the Agreement's terms constitutes a violation of the Housing Accountability Act. Nothing in the settlement and release provisions in Section 5(a) related to the Dispute, the Agreement, or this Amendment shall preclude or otherwise affect any other claims related to the entitlement of the Proposed Project that Tech Park might have under

the Housing Accountability and the Permit Streamlining Act (including without limitation claims under Senate Bill 330 and the Builder's Remedy), the Mitigation Fee Act, and other local, state, or federal law, except that Tech Park agrees not to amend the Proposed Project or otherwise pursue a scope of development to include a residential component of less than two hundred and ninety (290) units (unless otherwise agreed in writing between the Parties or as necessary to satisfy fire safety requirements), as set forth in Section 4(a).

c. The settlement and release provisions of Section 5(a) shall not be operative until the later of (1) execution by the Parties of this Amendment; or (2) the City's adoption of a resolution permanently rescinding the Central Campbell Redevelopment Plan in its entirety with respect to the Existing Property, thereby removing the exception in Resolution No. 12965 which provided that the aforesaid plan continues to exist when referenced by, or relied upon, within a disposition and development agreement, as it relates to the Agreement, the Existing Property, and the Proposed Project.

6. Review of the Proposed Project. The City makes no promises or representations with regard to the approval of the Proposed Project; and nothing contained in this Amendment is intended to limit the lawful discretion of the City, its employees, Planning Commission or City Council in their review and action on the Proposed Project.

7. Representation by Counsel. The Parties hereby acknowledge and warrant that they have been represented by counsel of their choice throughout all negotiations which preceded their execution of this Agreement. The Parties represent that they have read this Amendment and have had the same explained by legal counsel. The Parties represent that they understand this Amendment and have executed it voluntarily.

8. Differences in Facts. The Parties each represent and warrant that they fully understand that if the facts related to the Dispute should be found hereafter to be different from the facts now believed to be true, each of the Parties expressly accepts and assumes the risk of such possible differences in facts and agrees that this Amendment shall be and remain effective notwithstanding such differences in facts. Notwithstanding the above, the Dispute, as defined in Recital T, shall continue to define the scope of the settlement and release terms of Section 5 of the Amendment.

9. Binding Upon Successors. This Amendment shall be binding upon and shall inure to the benefit of all agents, attorneys, successors, assigns, heirs, executors, administrators, personal representatives, trustees, successors-in-interest, and other related parties to this Amendment. If the Existing Property is transferred to a successor, assign, or heir, the transferor shall not retain any obligations or enjoy any benefits under this Amendment after such transfer. The transferor has a duty to notify the transferee, and provide a copy of, this Amendment prior to any transfer of the Existing Property.

10. Authority to Execute Agreement; No Assignment. The Parties to this Agreement, and each of them, represent and warrant that each has the right, power, and authority to execute this Amendment, and each further represents and warrants that each of them, have the right to compromise the matters set forth in this Amendment and none of them have sold, assigned,

conveyed, or otherwise transferred such rights. All signatures to this Amendment shall be notarized, except for any signatures by attorneys approving the documents as to form.

11. No Waiver. The failure of any party to insist on the strict performance of any covenant or duty required by this Amendment, or to pursue any remedy under this Amendment, shall not constitute a waiver of the breach or the remedy.

12. Construction of Amendment. The Parties, through counsel, have thoroughly reviewed this Amendment and have had the opportunity to clarify any potential ambiguities. As such, the normal rule that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Amendment.

13. Entire Agreement. This Amendment and the Agreement that it amends sets forth the entire understanding of the Parties in connection with the subject matter herein. Neither of the Parties have made any statement, representation, or warranty in connection with this Agreement that has been an inducement for the other to enter into this Amendment or the underlying Agreement, except as is expressly set forth in this Amendment and the underlying Agreement. The Parties agree that they will make no claim at any time or place that this Amendment or the underlying Agreement has been orally altered or modified or otherwise changed by oral communication of any kind or character.

14. Effect of Void or Unenforceable Agreement or Amendment. If Tech Park has paid any monetary consideration under Section 3 of this Amendment, then the City agrees it shall release any claims it may have that any provision of this Agreement or its Amendment are void or unenforceable.

15. Counterparts. This Amendment may be executed in one or more counterparts and each counterpart will be considered an original and binding to the party executing it. A copy of a Party's signature shall be treated the same as an original. Electronic or scanned pdf signatures are also valid as an original.

IN WITNESS HEREOF, the following Parties have executed this Amendment:

City of Campbell

Dated: 9/5, 2024

By _____
Brian Loventhal, City Manager

Campbell Technology Park, LLC

Dated: August 22, 2024

By _____
Tim Pasquinelli, its Managing Member

Approved as to form and content:

Dated: 9/3, 2024

William R. Seligmann, City Attorney of Campbell

Hanson Bridget, LLP

Dated: August 22, 2024

By: _____

Sean Marciniak, Attorney for Campbell Technology Park, LLC

CAMPBELL TECHNOLOGY PARK

Campbell , CA



VICINITY MAP

PROJECT TEAM INFO

DEVELOPER:
BAY WEST DEVELOPMENT
90 RAILWAY AVE
CAMPBELL, CA 95008
(925) 998-6060
CONTACT: JASON LAUB
jason@baywestdevelopment.com

ARCHITECT:
KTGY GROUP. INC
1814 FRANKLIN STREET, SUITE 400
OAKLAND. CA 94583
(510) 463-2072
CONTACT: DAVID BURTON
dburton@ktgy.com

CIVIL ENGINEER:
CARLSON, BARBEE & GIBSON
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CA 94583
(925) 866-0322
CONTACT: RYAN HANSEN P.E.
rhansen@cbandg.com

LANDSCAPE ARCHITECT:
GATES + ASSOCIATES
2671 CROW CANYON ROAD
SAN RAMON, CA 94583
(925) 736-8176
CONTACT: MELONIE REYNOLDS
melonie@dgates.com

PROJECT INFORMATION
Campbell Technology Park
Campbell, CA

Site Area: **17.28 ± acres** (Gross)
17.10 ± acres (Net)
FAR: **0.85** (See Sheet A1.1.0-A1.1.7 for FAR Gross Floor Areas)
Building Lot Coverage: **± 36%** (See Sheet A1.4.0 for Building Lot Coverage calculations)

UNIT COUNT & GROSS SQUARE FOOTAGE SUMMARY

Typology	Building Type	# Buildings	DU/Building	# Total DU	Building Gross SF*	Total Building Gross SF
3- Story Townhouse	3-Plex	3	3 DU	9 DU	8,303 SF	24,909 SF
	4-Plex	2	4 DU	8 DU	10,887 SF	21,774 SF
	5-Plex	11	5 DU	55 DU	13,239 SF	145,629 SF
	6-Plex	7	6 DU	42 DU	15,823 SF	110,761 SF
	7-plex	5	7 DU	35 DU	18,407 SF	92,035 SF
	Subtotal			**149 DU**		**395,108 SF**
4-Story Condominium	6-Plex	3	6 DU	18 DU	15,462 SF	46,386 SF
	8-Plex	12	8 DU	96 DU	20,309 SF	243,708 SF
	Subtotal			**114 DU**		**290,094 SF**
Single Family Detached	Plan 1	7	1 DU	7 DU	2,505 SF	17,535 SF
	Plan 2	10	1 DU	10 DU	2,588 SF	25,880 SF
	Plan 3	4	1 DU	4 DU	2,772 SF	11,088 SF
	Plan 3X	6	1 DU	6 DU	2,772 SF	16,632 SF
	Subtotal			**27 DU**		**54,503 SF**
CURRENT 1/16/2024 SB330 Submittal	**TOTAL**			**290 DU**		**739,705 SF**
PREVIOUS 4/17/2023 SB330 Prelim.	**TOTAL**			**334 DU**		**793,336 SF**

*As per Campbell Municipal Code, *'Floor area, gross means the total horizontal floor area in square feet of all stories of all buildings measured to the outside surface of exterior walls. Stairways and elevator shafts shall be included on all floors.'* GSF includes stairwayon al floors, covered garages, covered decks, exclude roof decks and porches

UNIT SIZE, BEDROOM COUNT SUMMARY

3 STORY TOWNHOUSE (Building height +/- 44'-0")

Unit Name	Description	Garage	Approx. Net SF'*	Total DU	%	Total Net SF
Plan 1	3bd/3.5ba	Side x Side	1,733 SF	51 DU	18%	88,383 SF
Plan 2	3bd/3.5ba	Side x Side	1,871 SF	42 DU	14%	78,582 SF
Plan 3	4bd/3.5ba	Side x Side	2,144 SF	28 DU	10%	60,032 SF
Plan 3X	3bd/2.5ba/ADU	Side x Side	2,124 SF	28 DU	10%	59,472 SF
Subtotal				**149 DU**	**52%**	**286,469 SF**
Average Unit Size:				**1,920 SF**		

4 STORY CONDOMINIUM (Building height +/- 47'-0")

Unit Name	Description	Garage	Approx. Net SF'*	Total DU	%	Total Net SF
Plan 1	2bd/2ba	Tandem	1,283 SF	27 DU	9%	34,641 SF
Plan 2	3bd/3ba	Tandem	1,939 SF	27 DU	9%	52,353 SF
Plan 3	3bd/3ba	Tandem	1,575 SF	30 DU	10%	47,250 SF
Plan 4	3bd/3ba	Side x Side	2,063 SF	30 DU	10%	61,890 SF
Subtotal				**114 DU**	**39%**	**196,134 SF**
Average Unit Size:				**1,720 SF**		

SINGLE FAMILY DETACHED (Building height +/- 31'-0")

Unit Name	Description	Garage	Approx. Gross SF'**	Total DU	%	Total Gross SF
Plan 1	4bd/2.5ba	Side x Side	2,012 SF	7 DU	2%	14,084 SF
Plan 2	4bd/3ba	Side x Side	2,104 SF	10 DU	3%	21,040 SF
Plan 3	4bd/3ba	Side x Side	2,295 SF	4 DU	1%	9,180 SF
Plan 3X	3bd/2ba/ADU	Side x Side	2,295 SF	6 DU	2%	13,770 SF
Subtotal				**27 DU**	**9%**	**58,074 SF**
Average Unit Size:				**2,150 SF**		

'*Measured to the interior stud of the wall excluding covered garages, covered decks, roof decks,
'**Measured to the exterior stud of the wall excluding coverec garages, covered decks, roof decks,

Density: **16.78 du/gross ac**

PARKING SUMMARY

Parking Provided		
Residential In-Garage	**580** spaces	
In-tract Parking	**138** spaces	
Project Total	**718** spaces	2.48 ratio
In-tract Parking Use Summary	7 Accessible spaces	min. 5% of In-tract
	14 Electric Vehicle Capable (EC)	
	35 Electric Vehicle Ready (ER)	
	7 Electric Vehicle Charger (EV)	

SCOPE OF WORK

The project includes a Vesting Tentative Tract Map (VTTM) for development and a site and architectural review permit to accommodate the proposed project.
The proposed project consists of the development of 290 residential units. The proposed development would consist of 2-story single family detached homes (27 units), 3-story townhomes (149 units) and 4-story condominiums (114 units). Each unit would have a private two-car garage. Balconies and decks would provide private outdoor space for each unit.
Pursuant to Government Code section 65589.5(d), the project would provide 20% of the units for low-income households as required by the "Builder's Remedy" of the Housing Accountability Act (Government Code section 65589.5(d)).
The project site is located within a half-mile of a major transit stop, and therefore cannot be subject to any minimum automobile parking requirements pursuant to Government Code section 65863.2. Nevertheless, a total of 718 parking would be provided to accommodate the proposed residential development. Of these, 580 parking spaces would be residential in-garage spaces and 138 would be guest parking dispersed throughout the site.
The hours of operation, as with any residential development, are 24 hours per day, seven days a week.

SITE ADDRESS: 635,655,675,695 CAMPBELL TECHNOLOGY PARKWAY

ACCESSORY PARCEL NO.: 412-29-010, 412-20-011, 412-29-012, 412-29-015

ZONING DISTRICT: HD-MU (High Density Mixed-Use) & P-D (Planned Development)

LANDSCAPE AREA / LOW WATER USE HYDROZONE: 131,552 SQ.FT

HARDSCAPE AREA EXCLUDING DRIVEWAYS: 96,437 SQ.FT

DRIVEWAY AREAS/ AC PAVING: 233, 983 SQ.FT

FIRE SPRINKLER SYSTEM:
Single Family Detached: NFPA 13D
3 Story Townhouse: NFPA 13D (See *note below)
4 Story Condominium: NFPA 13 (See *note below)

*NOTE: The project includes an AMMR (Alternate Means and Methods Request) for enhancements to the NFPA 13D fire sprinkler system for 3-story townhouses and the NFPA 13 fire sprinkler system for 4-story condominiums. The enhanced NFPA 13D and NFPA 13 fire sprinkler systems will be installed as a deferred submittal. Please refer to sheet A1.3.2 for details

APPROVAL STAMP

0.0.0 COVER SHEET
0.0.1 SHEET INDEX

ARCHITECTURAL

A 0.1.0 STREET PERSPECTIVE
A 0.1.1 STREET PERSPECTIVE
A 0.1.2 STREET PERSPECTIVE
A 1.0.0 SITE PHOTOGRAPHY
A 1.0.1 ARCHITECTURAL SITE PLAN & STYLISTIC/COLOR DIAGRAM
A 1.0.2 ARCHITECTURAL SITE PLAN - PRODUCT TYPES
A 1.0.3 ISOMETRIC VIEWS
A 1.0.4 ISOMETRIC VIEWS
A 1.0.5 BELOW MARKET RATE HOUSING PLAN
A 1.1.0 GROSS FLOOR AREA DIAGRAM
A 1.1.1 GROSS FLOOR AREA DIAGRAM
A 1.1.2 GROSS FLOOR AREA DIAGRAM
A 1.1.3 GROSS FLOOR AREA DIAGRAM
A 1.1.4 GROSS FLOOR AREA DIAGRAM
A 1.1.5 GROSS FLOOR AREA DIAGRAM
A 1.1.6 GROSS FLOOR AREA DIAGRAM
A 1.1.7 GROSS FLOOR AREA DIAGRAM
A 1.2.0 PRIVACY PLAN
A 1.2.1 STREETSCAPE DRAWING
A 1.3.0 CODE ANALYSIS
A 1.3.1 CODE ANALYSIS
A 1.3.2 AMMR Memorandum for Aerial Apparatus Access
A 1.4.0 BUILDING COVERAGE

A1 - SINGLE FAMILY DETACHED

A 1-2.0.0 SFD - PLAN 1 - STYLE 1_ELEVATIONS
A 1-2.0.1 SFD - PLAN 1 - STYLE 2_ELEVATIONS
A 1-2.0.2 SFD - PLAN 1 - STYLE 3_ELEVATIONS
A 1-2.1.0 SFD - PLAN 2 - STYLE 1_ELEVATIONS
A 1-2.1.1 SFD - PLAN 2 - STYLE 2_ELEVATIONS
A 1-2.1.2 SFD - PLAN 2 - STYLE 3_ELEVATIONS
A 1-2.2.0 SFD - PLAN 3 - STYLE 1_ELEVATIONS
A 1-2.2.1 SFD - PLAN 3 - STYLE 2_ELEVATIONS
A 1-2.2.2 SFD - PLAN 3 - STYLE 3_ELEVATIONS
A 1-3.0.0 SFD - PLAN 1 - STYLE 1_UNIT PLANS
A 1-3.0.1 SFD - PLAN 1 - ROOF PLANS
A 1-3.1.0 SFD - PLAN 2 - STYLE 1_UNIT PLANS
A 1-3.1.1 SFD - PLAN 2 - ROOF PLANS
A 1-3.2.0 SFD - PLAN 3 - STYLE 1_UNIT PLANS
A 1-3.2.1 SFD - PLAN 3X - STYLE 1_UNIT PLANS
A 1-3.2.2 SFD - PLAN 3 - ROOF PLANS
A 1-4.0.0 SFD - PLAN 1_SECTIONS
A 1-4.0.1 SFD - PLAN 2_SECTIONS
A 1-4.0.2 SFD - PLAN 3_SECTIONS
A 1-5.0.0 SFD_ARCHITECTURAL DETAILS
A 1-5.0.1 SFD_ARCHITECTURAL DETAILS
A 1-5.0.2 SFD_ARCHITECTURAL DETAILS
A 1-6.0.0 SFD_COLORS & MATERIALS
A 1-6.0.1 SFD_COLORS & MATERIALS

A2 - 3 STORY TOWNHOUSE

A 2-2.0.0 3 STORY TOWNHOUSE - 3 PLEX - STYLE 1_ELEVATIONS
A 2-2.0.1 3 STORY TOWNHOUSE - 3 PLEX - STYLE 1_ELEVATIONS
A 2-2.0.2 3 STORY TOWNHOUSE - 3 PLEX - STYLE 2_ELEVATIONS
A 2-2.0.3 3 STORY TOWNHOUSE - 3 PLEX - STYLE 2_ELEVATIONS
A 2-2.1.0 3 STORY TOWNHOUSE - 4 PLEX - STYLE 1_ELEVATIONS
A 2-2.1.1 3 STORY TOWNHOUSE - 4 PLEX - STYLE 1_ELEVATIONS
A 2-2.2.0 3 STORY TOWNHOUSE - 5 PLEX - STYLE 1_ELEVATIONS
A 2-2.2.1 3 STORY TOWNHOUSE - 5 PLEX - STYLE 1_ELEVATIONS
A 2-2.2.2 3 STORY TOWNHOUSE - 5 PLEX - STYLE 2_ELEVATIONS
A 2-2.2.3 3 STORY TOWNHOUSE - 5 PLEX - STYLE 2_ELEVATIONS
A 2-2.3.0 3 STORY TOWNHOUSE - 6 PLEX - STYLE 1_ELEVATIONS
A 2-2.3.1 3 STORY TOWNHOUSE - 6 PLEX - STYLE 1_ELEVATIONS
A 2-2.3.2 3 STORY TOWNHOUSE - 6 PLEX - STYLE 2_ELEVATIONS
A 2-2.3.3 3 STORY TOWNHOUSE - 6 PLEX - STYLE 2_ELEVATIONS
A 2-2.4.0 3 STORY TOWNHOUSE - 7 PLEX - STYLE 1_ELEVATIONS
A 2-2.4.1 3 STORY TOWNHOUSE - 7 PLEX - STYLE 1_ELEVATIONS
A 2-2.4.2 3 STORY TOWNHOUSE - 7 PLEX - STYLE 2_ELEVATIONS
A 2-2.4.3 3 STORY TOWNHOUSE - 7 PLEX - STYLE 2_ELEVATIONS
A 2-3.0.0 3 STORY TOWNHOUSE - 3 PLEX_BUILDING PLANS
A 2-3.1.0 3 STORY TOWNHOUSE - 4 PLEX_BUILDING PLANS
A 2-3.1.1 3 STORY TOWNHOUSE - 4 PLEX_BUILDING PLANS
A 2-3.2.0 3 STORY TOWNHOUSE - 5 PLEX_BUILDING PLANS
A 2-3.2.1 3 STORY TOWNHOUSE - 5 PLEX_BUILDING PLANS
A 2-3.3.0 3 STORY TOWNHOUSE - 6 PLEX_BUILDING PLANS
A 2-3.3.1 3 STORY TOWNHOUSE - 6 PLEX_BUILDING PLANS
A 2-3.4.0 3 STORY TOWNHOUSE - 7 PLEX_BUILDING PLANS
A 2-3.4.1 3 STORY TOWNHOUSE - 7 PLEX_BUILDING PLANS
A 2-4.0.0 3 STORY TOWNHOUSE_BUILDING SECTIONS
A 2-4.1.0 3 STORY TOWNHOUSE_GROUND LADDER ACCESS
A 2-5.0.0 3 STORY TOWNHOUSE - PLAN 1_UNIT PLANS
A 2-5.1.0 3 STORY TOWNHOUSE - PLAN 2_UNIT PLANS
A 2-5.2.0 3 STORY TOWNHOUSE - PLAN 3_UNIT PLANS
A 2-5.2.1 3 STORY TOWNHOUSE - PLAN 3X_UNIT PLANS
A 2-6.0.0 3 STORY TOWNHOUSE - ARCHITECTURAL DETAILS
A 2-7.0.0 3 STORY TOWNHOUSE_COLORS & MATERIALS

A3 - 4 STORY CONDOMINIUMS

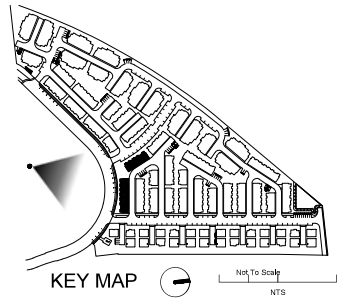
A 3-2.0.0 4 STORY CONDOMINIUMS - 6 PLEX - STYLE 1_ELEVATIONS
A 3-2.0.1 4 STORY CONDOMINIUMS - 6 PLEX - STYLE 1_ELEVATIONS
A 3-2.0.2 4 STORY CONDOMINIUMS - 6 PLEX - STYLE 2_ELEVATIONS
A 3-2.0.3 4 STORY CONDOMINIUMS - 6 PLEX - STYLE 2_ELEVATIONS
A 3-2.1.0 4 STORY CONDOMINIUMS - 8 PLEX - STYLE 1_ELEVATIONS
A 3-2.1.1 4 STORY CONDOMINIUMS - 8 PLEX - STYLE 1_ELEVATIONS
A 3-2.1.2 4 STORY CONDOMINIUMS - 8 PLEX - STYLE 2_ELEVATIONS
A 3-2.1.3 4 STORY CONDOMINIUMS - 8 PLEX - STYLE 2_ELEVATIONS
A 3-3.0.0 4 STORY CONDOMINIUMS - 6 PLEX_BUILDING PLANS
A 3-3.0.1 4 STORY CONDOMINIUMS - 6 PLEX_BUILDING PLANS
A 3-3.1.0 4 STORY CONDOMINIUMS - 8 PLEX_BUILDING PLANS
A 3-3.1.1 4 STORY CONDOMINIUMS - 8 PLEX_BUILDING PLANS
A 3-4.0.0 4 STORY CONDOMINIUMS _BUILDING SECTIONS
A 3-4.1.0 4 STORY CONDOMINIUMS _GROUND LADDER ACCESS
A 3-5.0.0 4 STORY CONDOMINIUMS - PLAN 1-2_UNIT PLANS
A 3-5.0.1 4 STORY CONDOMINIUMS - PLAN 1-2_UNIT PLANS
A 3-5.0.2 4 STORY CONDOMINIUMS - PLAN 3-4_UNIT PLANS
A 3-5.0.3 4 STORY CONDOMINIUMS - PLAN 3-4_UNIT PLANS
A 3-6.0.0 4 STORY CONDOMINIUMS - ARCHITECTURAL DETAILS
A 3-7.0.0 4 STORY CONDOMINIUMS _COLORS & MATERIALS

CIVIL

TM-1.0 VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES
TM-2.0 EXISTING BOUNDARY AND DEMOLITION PLAN
TM-2.1 EXISTING BOUNDARY AND DEMOLITION PLAN
TM-2.2 EXISTING EASEMENTS
TM-2.3 EXISTING EASEMENTS
TM-3.0 PRELIMINARY SITE PLAN
TM-3.1 PRELIMINARY SITE PLAN
TM-4.0 PRELIMINARY UTILITY PLAN
TM-4.1 PRELIMINARY UTILITY PLAN
TM-5.0 PRELIMINARY GRADING & DRAINAGE PLAN
TM-5.1 PRELIMINARY GRADING & DRAINAGE PLAN
TM-5.2 PRELIMINARY GRADING SECTIONS
TM-6.0 PRELIMINARY STREET PROFILES
TM-6.1 PRELIMINARY STREET PROFILES
TM-6.2 PRELIMINARY STREET PROFILES
TM-6.3 PRELIMINARY STREET PROFILES
TM-7.0 PRELIMINARY STORMWATER MANAGEMENT PLAN
TM-7.1 PRELIMINARY STORMWATER MANAGEMENT PLAN
TM-7.2 PRELIMINARY STORMWATER CONTROL PLAN DETAILS
TM-8.0 PRELIMINARY CONSTRUCTION STAGING PLAN
TM-9.0 PRELIMINARY FIRE ACCESS PLAN
TM-9.1 EMERGENCY VEHICULAR ACCESS ROADWAYS
TM-10.0 PRELIMINARY GARBAGE SERVICE PLAN
TM-11.0 OPEN SPACE EXHIBIT

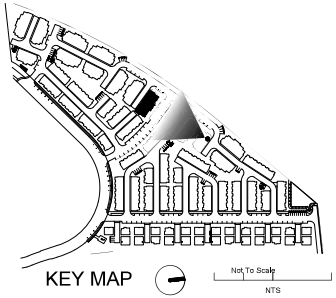
LANDSCAPE

L 1.1 OVERALL LANDSCAPE SITE PLAN
L 1.2 OVERALL ARCHITECTURAL SITE PLAN
L 1.3 VEHICULAR CIRCULATION PLAN
L 1.4 PEDESTRIAN CIRCULATION PLAN
L 1.5 BIKE RACK AND CLUSTER MAILBOX LOCATION PLAN
L 2.1 OVERALL IRRIGATION PLAN
L 2.2 IRRIGATION DETAILS
L 2.3 WATER CALCULATIONS
L 3.1 TREE REMOVAL AND PROTECTION PLAN
L 3.2 TREE SURVEY
L 3.3 OVERALL TREE PLAN
L 3.4 PLANT IMAGES
L 3.5 PLANT IMAGES
L 4.1 LANDSCAPE ENLARGEMENT
L 4.2 LANDSCAPE ENLARGEMENT
L 4.3 LANDSCAPE ENLARGEMENT
L 4.4 LANDSCAPE ENLARGEMENT
L 4.5 LANDSCAPE ENLARGEMENT
L 4.6 LANDSCAPE ENLARGEMENT
L 4.7 LANDSCAPE ENLARGEMENT
L 5.1 SITE FURNISHINGS
L 6.1 PHOTOMETRIC PLAN
L 6.2 PHOTOMETRIC PLAN



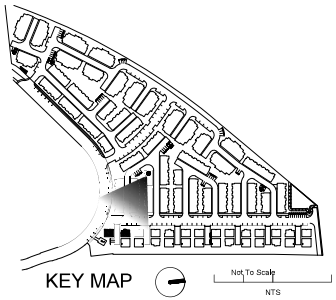


1: 3 STORY TOWNHOUSES





2: 4 STORY CONDOMINIUMS





3: SINGLE FAMILY DETACHED



1.



2.



3.



4.



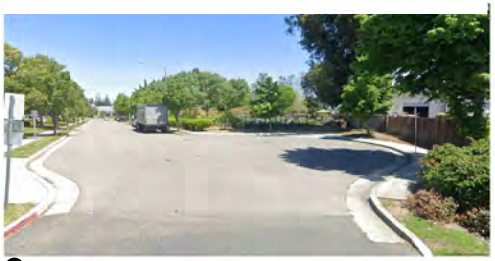
5.



6.



7.



8.



KEYMAP

Not To Scale

NTS

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

SITE PHOTOGRAPHY

A 1.0.0



4 STORY CONDOMINIUMS (4S)
- Style - 1
- Style - 2

3 STORY TOWNHOUSES (3S TH)
- Style - 1
- Style - 2

SINGLE FAMILY DETACHED HOMES (SFD)
- Plan 1_Style- 1
- Plan 1_Style- 2
- Plan 1_Style- 3
- Plan 2_Style- 1
- Plan 2_Style- 2
- Plan 2_Style- 3
- Plan 3_Style- 1 [Incorporates an optional ADU]
- Plan 3_Style- 2 [Incorporates an optional ADU]
- Plan 3_Style- 3 [Incorporates an optional ADU]

Notes :
1. Refer to Civil sheets for all property lines, easements, site dimensions, accessible unit location, etc.
2. Refer to Landscape Sheets for landscape design, dimensions and detailed information.

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Campbell Technology Park LLC

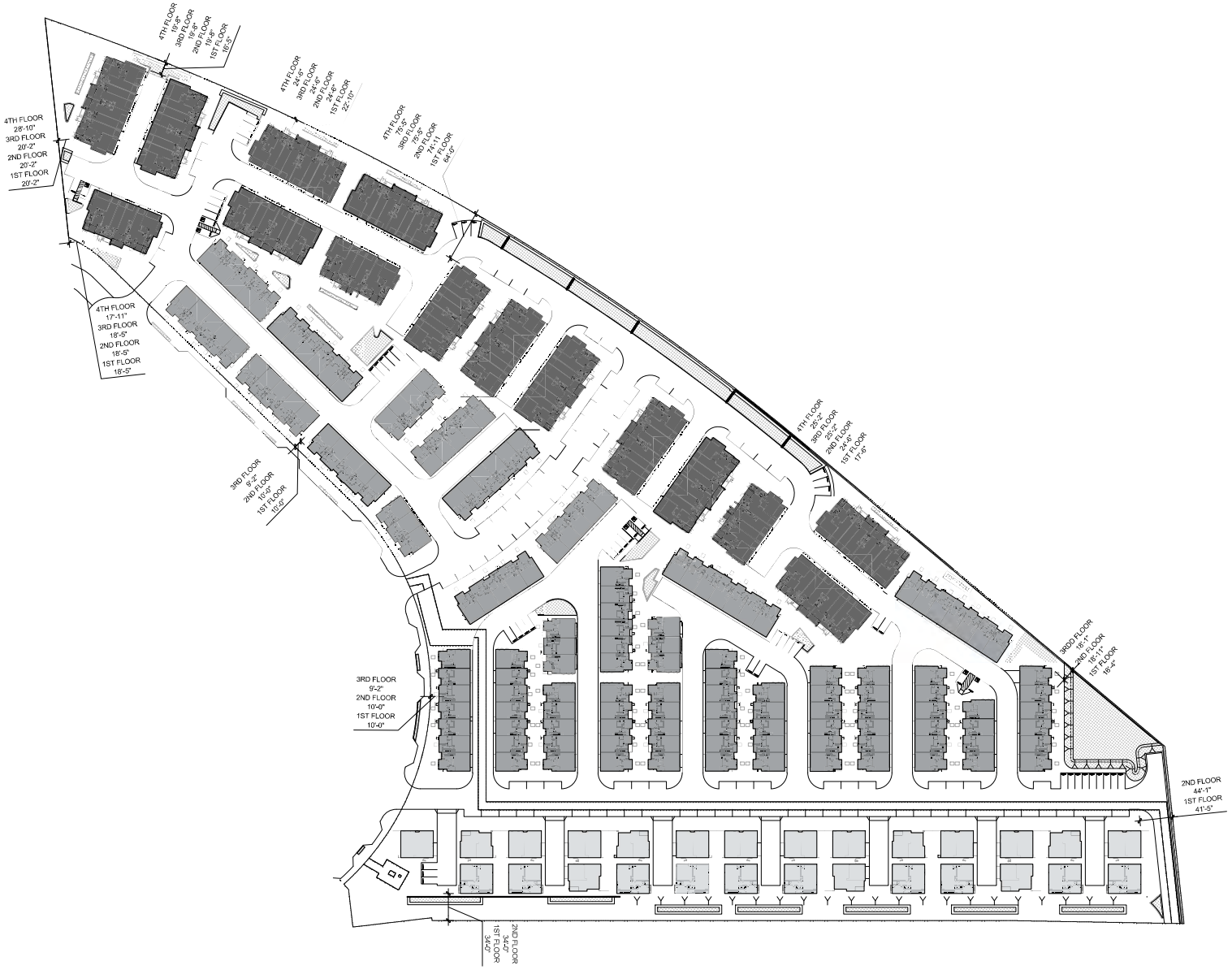
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

Scale: 1" = 60'-0"
0 30 60 120

ARCHITECTURAL SITE PLAN
STYLISTIC/ COLOR DIAGRAM

A 1.0.1



PRODUCT TYPES

- 4 STORY CONDOMINIUMS
  6 Plex & 8 Plex
- 3 STORY TOWNHOUSE
  3 Plex, 4 Plex, 5 Plex, 6 Plex, 7 Plex
- SINGLE FAMILY DETACHED

Notes :
1. Refer to Civil sheets for all property lines, easements, site dimensions, accessible unit location, etc.
2. Refer to Landscape Sheets for landscape design, dimensions and detailed information.

ktgy | cbg CARLSON, BARBEE & GIBSON, Inc. | GATES + ASSOCIATES

Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

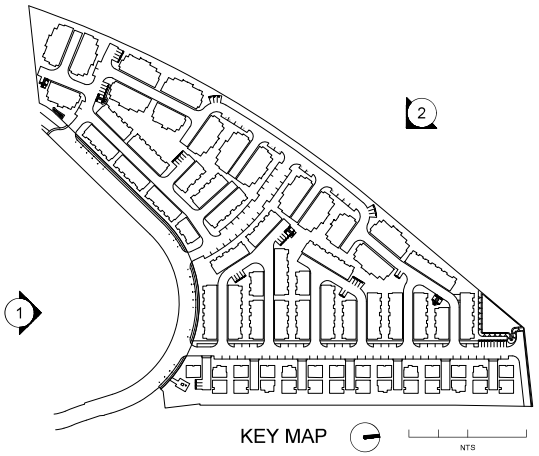
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ARCHITECTURAL SITE PLAN
PRODUCT TYPES

A 1.0.2



1. ISOMETRIC VIEW





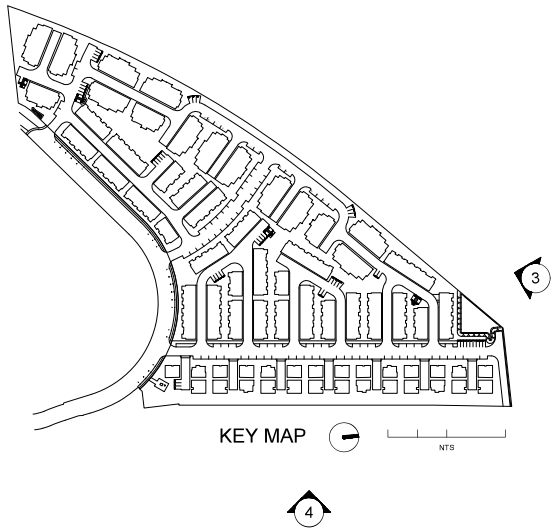
2. ISOMETRIC VIEW



3. ISOMETRIC VIEW



4. ISOMETRIC VIEW





Below market Rate Unit

OVERALL UNIT SUMMERY

	Number of Units	%
Single Family Detached	27	9%
3 Story Townhouse	149	51%
4 Story Condominium	114	39%
	290	**100%**

DETAILED BMR UNIT SUMMERY

	Area SF	Bed/Bath	Garage	BMR Units
Single Family Detached				
Plan 1	2,012	4bd/2.5ba	side x side	1
Plan 2	2,104	4bd/3ba	side x side	2
Plan 3	2,295	4bd/3ba	side x side	1
Plan 3X	2,295	3bd/2ba/ADU	side x side	1
3 Story Townhouse				
Plan 1	1,733	3bd/3.5ba	side x side	11
Plan 2	1,871	3bd/3.5ba	side x side	7
Plan 3	2,144	4bd/3.5ba	side x side	12
Plan 3X	2,124	3bd/2.5ba/ADU	side x side	0
4 Story Condominium				
Plan 1	1,283	2bd/2ba	tandem	6
Plan 2	1,939	3bd/3ba	tandem	5
Plan 3	1,575	3bd/3ba	tandem	6
Plan 4	2,063	3bd/3ba	side x side	6
Total Units				**58**

Note : Below Market rate units identified are for lower income households, as defined in Section 50079.5 of the Health and Safety Code.

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

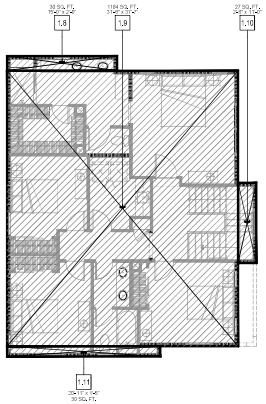
DESIGN REVIEW
NOVEMBER 07, 2024

Scale: 1" = 60'-0"
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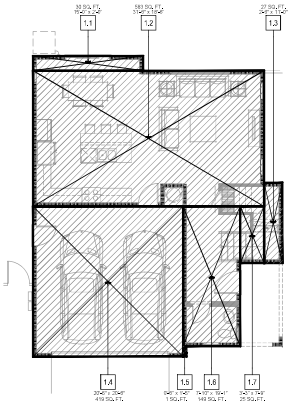
BELOW MARKET RATE HOUSING PLAN

A 1.0.5

PLAN 1

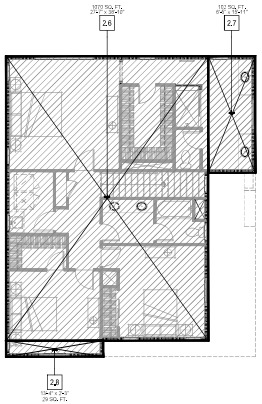


SFD-1 SECOND FLOOR

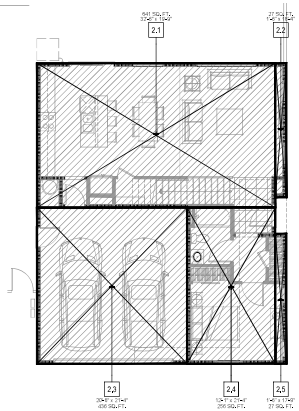


SFD-1 FIRST FLOOR

PLAN 2

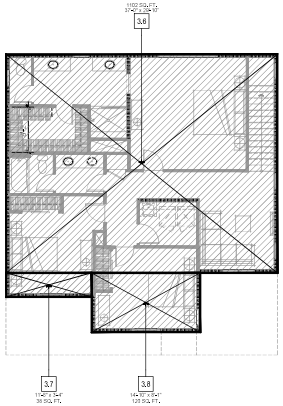


SFD-2 SECOND FLOOR

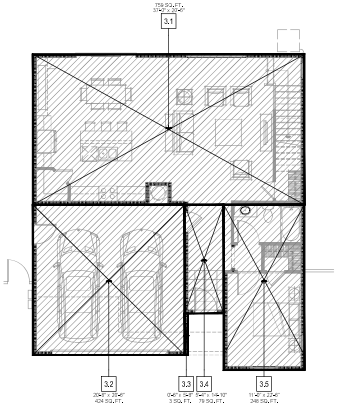


SFD-2 FIRST FLOOR

PLAN 3



SFD-3 SECOND FLOOR



SFD-3 FIRST FLOOR

SFD-GROSS FLOOR AREA FOR FAR

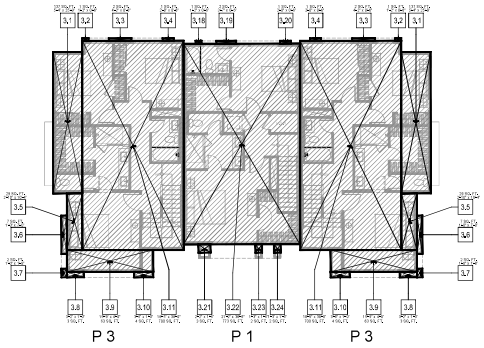
PLAN NO.	SPACE NO.	AREA LENGTH FT.-IN.	AREA WIDTH FT.-IN.	AREA SQ. FT.	FLOOR LEVEL
PLAN 1	1.1	15'0"	2'0"	30	1
	1.2	31'6"	18'6"	583	1
	1.3	2'6"	11'0"	27	1
	1.4	20'6"	20'6"	419	1
	1.5	6"	1'5"	1	1
	1.6	7'10"	19'1"	149	1
	1.7	3'3"	7'9"	25	1
	1.8	15'0"	2'0"	30	2
	1.9	31'6"	37'7"	1,184	2
	1.10	2'6"	11'0"	27	2
	1.11	20'11"	1'5"	30	2
TOTAL				2,505	

PLAN NO.	SPACE NO.	AREA LENGTH FT.-IN.	AREA WIDTH FT.-IN.	AREA SQ. FT.	FLOOR LEVEL
PLAN 2	2.1	32'6"	19'9"	641	1
	2.2	1'6"	18'4"	27	1
	2.3	20'6"	21'4"	436	1
	2.4	12'1"	21'4"	256	1
	2.5	1'6"	17'9"	27	1
	2.6	27'7"	38'10"	1,070	2
	2.7	6'5"	15'11"	102	2
	2.8	13'4"	2'3"	29	2
TOTAL				2,588	

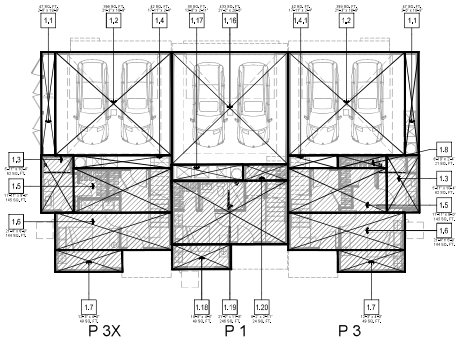
PLAN NO.	SPACE NO.	AREA LENGTH FT.-IN.	AREA WIDTH FT.-IN.	AREA SQ. FT.	FLOOR LEVEL
PLAN 3	3.1	37'0"	20'6"	759	1
	3.2	20'8"	20'6"	424	1
	3.3	6"	5'8"	3	1
	3.4	5'4"	14'10"	79	1
	3.5	11'0"	22'6"	248	1
	3.6	37'0"	29'10"	1,102	2
	3.7	11'8"	3'4"	38	2
	3.8	14'10"	8'1"	120	2
TOTAL				2,773	

FAR LEGEND

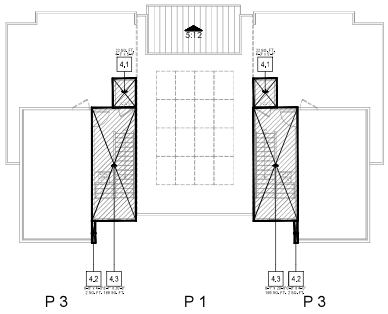
	Areas included in Gross Floor Area
	Areas Excluded from FAR calculations per Campbell Municipal Cod Definitions F. from Code Amendments-Title-6-7-20 and 21 "Floor area ratio" means the ratio of gross floor area to the net lo: area. Floor area ratio shall include the floor area of all stories of all buildings and accessory structures and shall be measured to the outside surface of the exterior walls. Floor area ratio does not include uninhabitable attic space, basements, below-grade parking, non residential or multi-family building area devouted to structurec or covered parking(i.e., parking garage, or ancillary utility rooms or elevators serving the parking garage), trash enclosures, unenclosed accessory structures(e.g., trellis), bay windows and convered porches.unenclosed acessorystructures (e.g., trellis) and covered porches.
Note:	"Floor area, gross" means the total horizontal floor area insquare feet of all stories of all buildings measured to the outside surface of exterior walls. Stairways and elevator shafts shall be included on all floors.



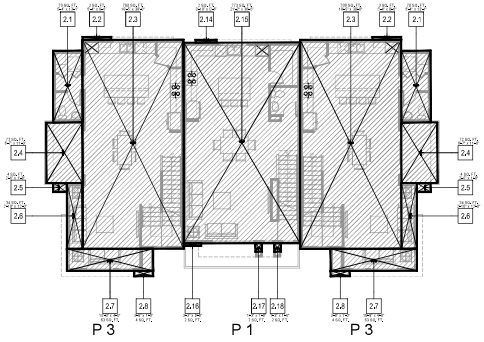
THIRD FLOOR



FIRST FLOOR



ROOF



SECOND FLOOR

FAR LEGEND	
	Areas included in Gross Floor Area
	Areas Excluded from FAR calculations per Campbell Municipal Cod Definitions F. from Code Amendments-Title-6-7-20 and 21 "Floor area ratio' means the ratio of gross floor area to the net lot area. Floor area ratio shall include the floor area of all stories of all buildings and accessory structures and shall be measured to the outside surface of the exterior walls. Floor area ratio does not includeuninhabitable attic space, basements, below-grade parking, non residential or multi-family building area devouted to structured or covered parking(i.e., parking garage, or ancillary utility rooms or elevators serving the parking garage), trash enclosures, unenclosed accessory structures(e.g., trellis), bay windows and convered porches unenclosed accessory structures (e.g., trellis) and covered porches.
Note:	"Floor area, gross:" means the total horizontal floor area in square feet of all stories of all buildings measured to the outside surface of exterior walls. Stairways and elevator shafts shall be included on all floors.

UNIT	SPACE NO.	LEVEL 1 AREA EXCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.1	2'6"	25'5"	64		
3	1.2	21'3"	18'7"	394		
3	1.3	4'6"	7'2"	32		
3	1.4	10'10"	1'11"	21		
				511	2	1022
2	1.9	21'2"	20'4"	429		
2	1.10	10'6"	6'2"	65		
2	1.11	2'11"	3'6"	10		
				504	0	0
1	1.16	21'2"	20'6"	433		
1	1.17	13'0"	2'11"	38		
				471	1	471
TOTAL				1,486		1493

TH-3-PLEX GROSS FLOOR AREA FOR FAR						
UNIT	SPACE NO.	LEVEL 1 AREA INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.3	5'11"	10'4"	62		
3	1.5	17'11"	8'0"	145		
3	1.6	21'4"	6'9"	144		
3	1.7	12'3"	4'0"	49		
3	1.8	8'10"	2'4"	21		
				421	1	421
3X	1.3	5'11"	10'4"	62		
3X	1.5	17'11"	8'0"	145		
3X	1.6	21'4"	6'9"	144		
3X	1.7	12'3"	4'0"	49	1	
				400		400
2	1.13	12'6"	3'2"	40		
2	1.14	21'2"	15'6"	328		
				368	0	0
1	1.18	10'9"	4'6"	48		
1	1.19	21'2"	11'8"	246		
1	1.20	8'2"	2'11	24		
				318	1	318
TOTAL						1139
		LEVEL 2 AREA				
UNIT	SPACE NO.	LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	2.1	5'4"	13'1"	70		
3	2.2	5'4"	0'6"	3		
3	2.3	18'5"	38'0"	700		
3	2.4	6'7"	1'0"	72		
3	2.5	2'0"	2'8"	4		
3	2.6	2'10"	12'0"	34		
3	2.7	15'9"	4'0"	63		
3	2.8	3'6"	1'0"	4		
				950	2	1900
2	2.9	15'4"	6'6"	100		
2	2.10	21'2"	31'11"	676		
2	2.11	5'10"	6'0"	35		
2	2.12	17'3"	4'1"	70		
2	2.13	4'2"	1'0"	4		
				885	0	0
1	2.14	3'10"	0'6"	2		
1	2.15	21'2"	36'6"	773		
1	2.16	3'3"	0'6"	2		
1	2.17	1'3"	1'6"	2		
1	2.18	1'3"	1'6"	2		
				781	1	781
TOTAL						2681
		LEVEL 3 AREA				
UNIT	SPACE NO.	LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	3.1	5'4"	25'9"	137		
3	3.2	1'2"	0'6"	1		
3	3.3	4'2"	0'6"	2		
3	3.4	2'0"	0'6"	1		
3	3.5	2'10"	10'4"	29		
3	3.6	1'0"	7'0"	7		
3	3.7	1'0"	2'8"	2		
3	3.8	3'2"	1'0"	3		
3	3.9	15'9"	4'0"	63		
3	3.10	3'6"	1'0"	4		
3	3.11	18'5"	38'0"	700		
				949	2	1898
2	3.12	2'3"	0'6"	1		
2	3.13	4'7"	0'6"	2		
2	3.14	1'8"	1'0"	2		
2	3.15	17'3"	4'1"	70		
2	3.16	4'2"	1'0"	4		
2	3.17	21'2"	37'11"	803		
				882	0	0
1	3.18	1'2"	0'6"	1		
1	3.19	3'7"	0'6"	2		
1	3.20	2'0"	0'6"	1		
1	3.21	2'2"	1'6"	3		
1	3.22	21'2"	36'6"	773		
1	3.23	1'3"	1'6"	2		
1	3.24	1'3"	1'6"	2		
				784	1	784
TOTAL						2682
		ROOF INCLUDED				
UNIT	SPACE NO.	LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	4.1	4'3"	5'4"	22		
3	4.2	0'8"	4'0"	2		
3	4.3	8'1"	20'8"	166		
TOTAL				190	2	380
TOWNHOME 3-PLEX TOTAL GROSS FLOOR AREA						6,882

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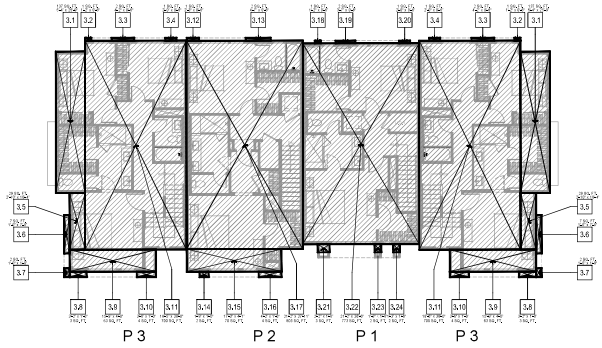
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

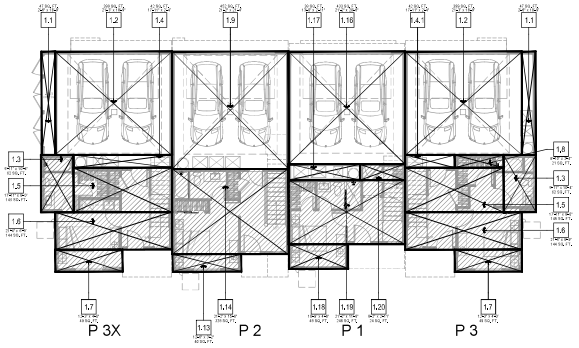
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TH-3-PLEX- FAR GROSS FLOOR AREAS
3-STORY TOWNHOUSE

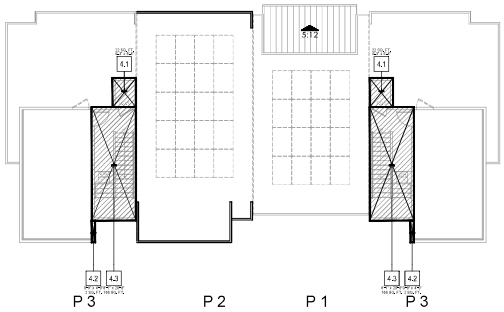
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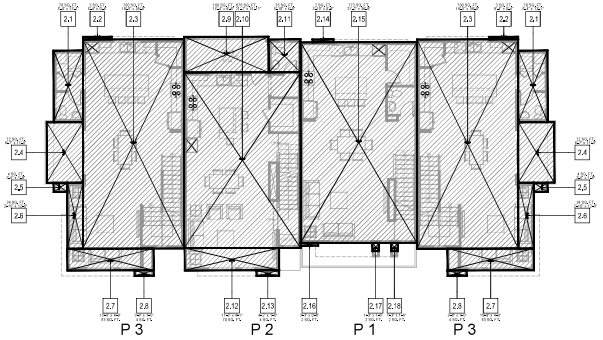
THIRD FLOOR



FIRST FLOOR



ROOF



SECOND FLOOR

FAR LEGEND

	Areas included in Gross Floor Area
	Areas Excluded from FAR calculations per Campbell Municipal Cod Definitions F. from Code Amendments-Title-6-7-20 and 21 "Floor area ratio" means the ratio of gross floor area to the net lot area. Floor area ratio shall include the floor area of all stories of all buildings and accessory structures and shall be measured to the outside su face of the exterior wal s. Floor area ratio does not include uninhabitable attic space, basements, below-grade parking, non residential or multi-family building area devouted to structured or covered parking(i.e., parking garage, or ancillary utility rooms or elevators serving the parking garage), trash enclosures, unenclosed accessory structures(e.g., trellis), bay windows and covered porches.unenclosed accessory structures (e.g., trellis) and covered porches.
Note:	"Floor area, gross" means the total horizontal floor area in square feet of all stories of all buildings measured to the outside surface of exterior walls. Stairways and elevator shafts shall be included on all floors.

UNIT	SPACE NO.	LEVEL 1 AREA EXCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.1	2'6"	25'9"	64		
3	1.2	21'3"	18'7"	394		
3	1.3	4'6"	7'3"	32		
3	1.4	10'10"	1'11"	21		
				511	2	1022
2	1.9	21'2"	20'4"	429		
2	1.10	10'6"	6'2"	65		
2	1.11	2'11"	3'6"	10		
				504	1	504
1	1.16	21'2"	20'6"	433		
1	1.17	13'0"	2'11"	38		
				471	1	471
TOTAL				1,486		1997

TH-4-PLEX GROSS FLOOR AREA FOR FAR

UNIT	SPACE NO.	LEVEL 1 AREA INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.3	5'11"	10'4"	62		
3	1.5	17'11"	8'0"	145		
3	1.6	21'4"	6'9"	144		
3	1.7	2'3"	4'0"	45		
3	1.8	8'10"	2'4"	21		
				421	1	421
3X	1.3	5'11"	10'4"	62		
3X	1.5	17'11"	8'0"	145		
3X	1.6	21'4"	6'9"	144		
3X	1.7	2'3"	4'0"	45	1	
				400		400
2	1.13	2'6"	3'2"	40		
2	1.14	21'2"	15'6"	328		
				368	1	368
1	1.18	10'9"	4'6"	48		
1	1.19	21'2"	11'8"	246		
1	1.20	8'2"	2'11	24		
				318	1	318
TOTAL						1507

UNIT	SPACE NO.	LEVEL 2 AREA LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	2.1	5'4"	13'1"	70		
3	2.2	5'4"	0'6"	3		
3	2.3	38'5"	38'0"	700		
3	2.4	6'7"	11'0"	72		
3	2.5	2'6"	1'8"	4		
3	2.6	7'10"	12'0"	34		
3	2.7	15'9"	4'0"	63		
3	2.8	3'6"	1'0"	4		
				950	2	1900
2	2.9	15'4"	6'6"	100		
2	2.10	21'2"	31'11"	676		
2	2.11	5'10"	6'0"	35		
2	2.12	17'3"	4'1"	70		
2	2.13	4'2"	1'0"	4		
				885	1	885
1	2.14	3'10"	0'6"	2		
1	2.15	21'2"	36'6"	773		
1	2.16	3'8"	0'6"	2		
1	2.17	1'8"	1'6"	2		
1	2.18	1'8"	1'6"	2		
				783	1	783
TOTAL						3566

UNIT	SPACE NO.	LEVEL 3 AREA LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
	3.1	5'4"	25'9"	137		
	3.2	1'2"	0'6"	1		
	3.3	4'2"	0'6"	2		
	3.4	2'0"	0'6"	1		
	3.5	2'10"	10'4"	29		
	3.6	1'0"	7'0"	7		
3	3.7	1'0"	1'8"	2		
3	3.8	3'2"	1'0"	3		
3	3.9	15'9"	4'0"	63		
3	3.10	3'6"	1'0"	4		
3	3.11	38'5"	38'0"	700		
				940	2	1898
	3.12	2'3"	0'6"	1		
	3.13	4'2"	0'6"	2		
2	3.14	1'8"	1'0"	2		
2	3.15	17'3"	4'1"	70		
2	3.16	4'2"	1'0"	4		
2	3.17	21'2"	37'11"	803		
				882	1	882
	3.18	1'2"	0'6"	1		
	3.19	3'7"	0'6"	2		
	3.20	2'0"	0'6"	1		
	3.21	2'2"	1'6"	3		
1	3.22	21'2"	36'6"	773		
	3.23	1'8"	1'6"	2		
	3.24	1'8"	1'6"	2		
				784	1	784
TOTAL						3564

UNIT	SPACE NO.	ROOF INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	4.1	4'3"	5'4"	22		
3	4.2	0'8"	4'0"	2		
3	4.3	8'1"	20'8"	166		
TOTAL				190	2	380
TOWNHOME 6-PLEX TOTAL GROSS FLOOR AREA						9,017

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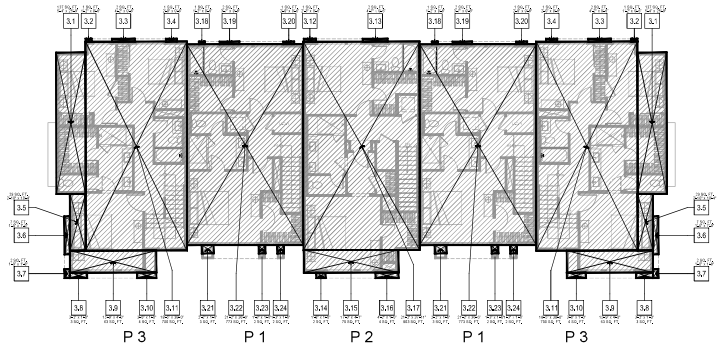
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

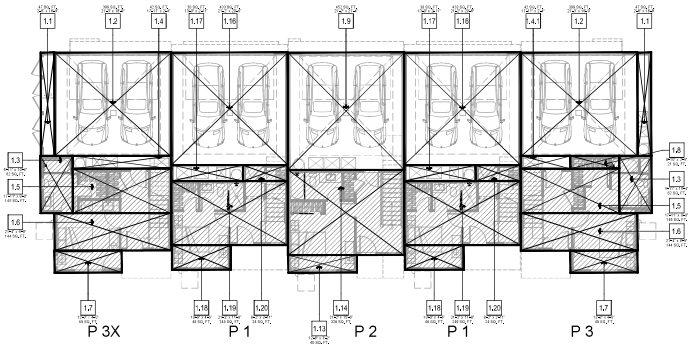
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TH-4-PLEX- FAR GROSS FLOOR AREAS
3-STORY TOWNHOUSE

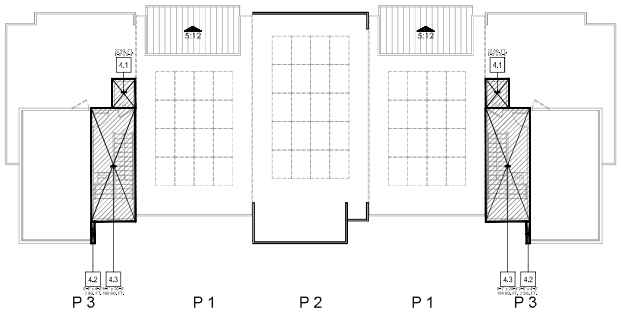
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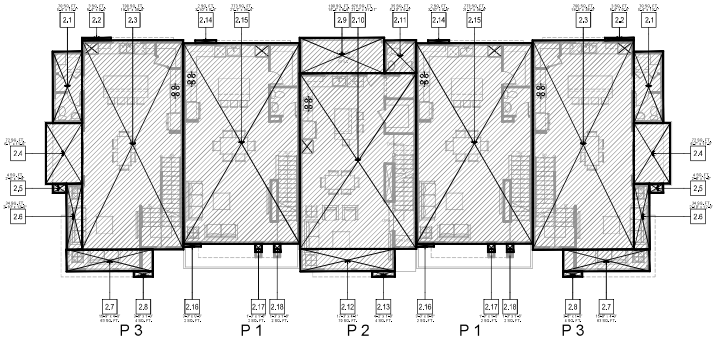
THIRD FLOOR



FIRST FLOOR



ROOF



SECOND FLOOR

FAR LEGEND

Areas included in Gross Floor Area

Areas Excluded from FAR calculations per Campbell Municipal Cod Definitions F. from Code Amendments-Title-6-7-20 and 21 "Floor area ratio" means the ratio of gross floor area to the net lot area. Floor area ratio shall include the floor area of all stories of all buildings and accessory structures and shall be measured to the outside surface of the exterior walls. Floor area ratio does not include uninhabitable attic space, basements, below-grade parking, non residential or multi-family building area devouted to structured or covered parking(i.e., parking garage, or ancillary utility rooms or elevators serving the parking garage), trash enclosures, unenclosed accessory structures(e.g., trellis), bay windows and convered porches.unenclosed accessory structures (e.g., trellis) and covered porches.

Note: "Floor area, gross" means the total horizontal floor area in square feet of all stories of all buildings measured to the outside surface of exterior walls. Stairways and elevator shafts shall be included on all floors.

UNIT	SPACE NO.	LEVEL 1 AREA EXCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.1	2'6"	25'9"	64		
3	1.2	21'3"	18'7"	394		
3	1.3	4'6"	7'3"	32		
3	1.4	10'10"	1'11"	21		
				511	2	1022
2	1.9	21'2"	20'4"	429		
2	1.10	10'6"	6'2"	65		
2	1.11	2'11"	8'6"	10		
				504	1	504
1	1.16	21'2"	20'6"	433		
1	1.17	13'0"	2'11"	38		
				471	2	942
TOTAL				1,486		2468

TH-5-PLEX GROSS FLOOR AREA FOR FAR						
		LEVEL 1 AREA INCLUDED				
UNIT	SPACE NO.	LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.3	5'11"	10'4"	62		
3	1.5	7'11"	8'0"	145		
3	1.6	21'4"	6'9"	144		
3	1.7	12'3"	4'0"	49		
3	1.8	8'10"	2'4"	21		
				421	1	421
3X	1.3	5'11"	10'4"	62		
3X	1.5	7'11"	8'0"	145		
3X	1.6	21'4"	6'9"	144		
3X	1.7	12'3"	4'0"	49	1	
				400		400
2	1.13	12'6"	3'2"	40		
2	1.14	21'2"	15'6"	328		
				368	1	368
1	1.18	10'9"	4'6"	48		
1	1.19	21'2"	11'8"	246		
1	1.20	8'2"	2'11	24		
				318	2	636
TOTAL						1825
		LEVEL 2 AREA				
UNIT	SPACE NO.	LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	2.1	5'4"	13'1"	70		
3	2.2	5'4"	0'6"	3		
3	2.3	18'5"	38'0"	700		
3	2.4	6'7"	11'0"	72		
3	2.5	2'6"	1'8"	4		
3	2.6	2'10"	17'0"	34		
3	2.7	15'9"	4'0"	63		
3	2.8	3'6"	1'0"	4		
				950	2	1900
2	2.9	15'4"	0'6"	100		
2	2.10	21'2"	31 11"	636		
2	2.11	5'10"	6'0"	35		
2	2.12	17'3"	4'1"	70		
2	2.13	4'2"	1'0"	4		
				885	1	885
1	2.14	3'10"	0'6"	2		
1	2.15	21'2"	36'6"	773		
1	2.16	3'3"	0'6"	2		
1	2.17	1'3"	1'6"	2		
1	2.18	1'3"	1'6"	2		
				781	2	1562
TOTAL						4347
		LEVEL 3 AREA				
UNIT	SPACE NO.	LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	3.1	5'4"	25'9"	137		
3	3.2	1'2"	0'6"	1		
3	3.3	4'2"	0'6"	2		
3	3.4	2'0"	0'6"	1		
3	3.5	2'10"	10'4"	29		
3	3.6	1'0"	7'0"	7		
3	3.7	1'0"	1'8"	2		
3	3.8	3'2"	1'0"	3		
3	3.9	15'9"	4'0"	63		
3	3.10	3'6"	1'0"	4		
3	3.11	18'5"	38'0"	700		
				949	2	1898
2	3.12	2'3"	0'6"	1		
2	3.13	4'7"	0'6"	2		
2	3.14	1'8"	1'0"	2		
2	3.15	17'3"	4'1"	70		
2	3.16	4'2"	1'0"	4		
2	3.17	21'2"	37 11"	803		
				882	1	882
1	3.18	1'2"	0'6"	1		
1	3.19	3'7"	0'6"	2		
1	3.20	2'0"	0'6"	1		
1	3.21	2'2"	1'6"	3		
1	3.22	21'2"	36'6"	773		
1	3.23	1'3"	1'6"	2		
1	3.24	1'3"	1'6"	2		
				794	2	1568
TOTAL						4348
		ROOF INCLUDED				
UNIT	SPACE NO.	LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	4.1	4'3"	5'4"	22		
3	4.2	0'8"	4'0"	2		
3	4.3	8'1"	20'8"	166		
TOTAL				190	2	380
TOWNHOME 5-PLEX TOTAL GROSS FLOOR AREA						10,900

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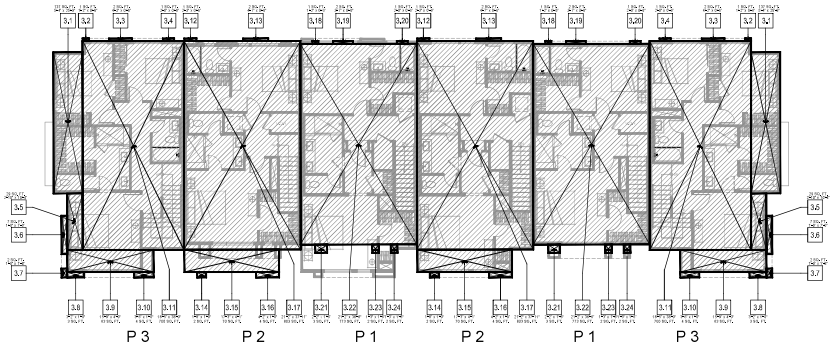
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

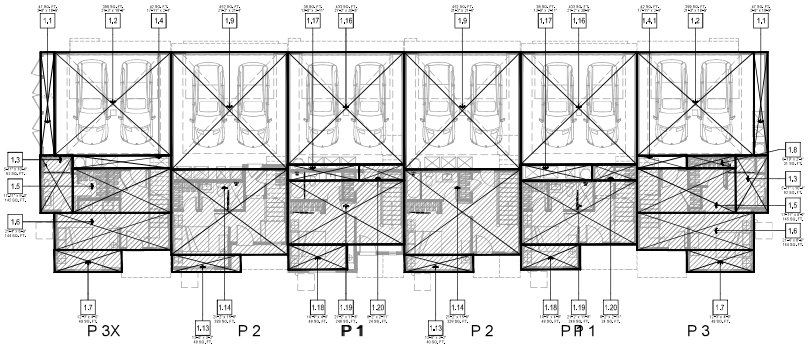
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TH-5-PLEX- FAR GROSS FLOOR AREAS
3-STORY TOWNHOUSE

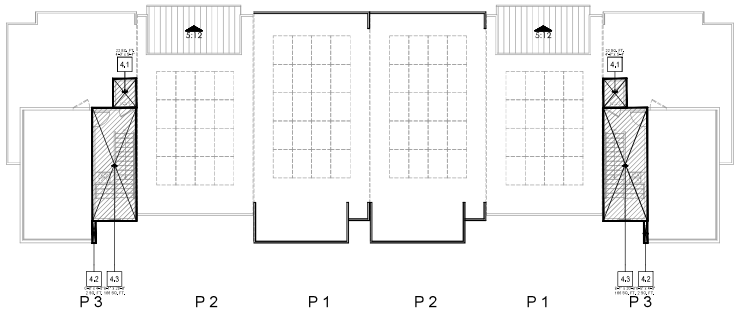
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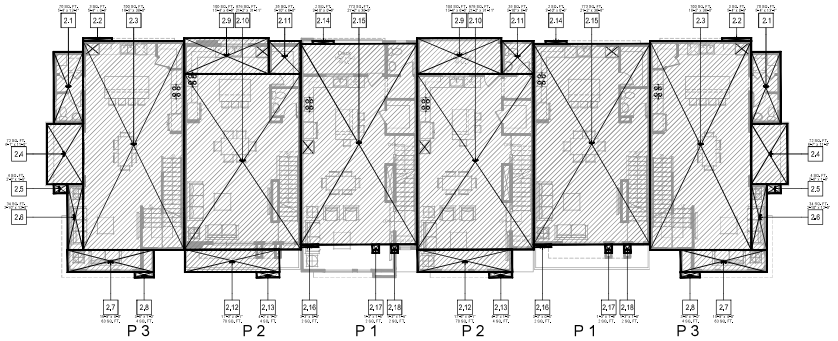
THIRD FLOOR



FIRST FLOOR



ROOF



SECOND FLOOR

FAR LEGEND

	Areas included in Gross Floor Area
	Areas Excluded from FAR calculations per Campbell Municipal Cod DefinitionsF. from Code Amendments-Title-6-7-20 and 21 "Floor area ratio" means the ratio of gross floor area to the net lot area. Floor area ratio shall include the floor area of all stories of all buildings and accessory structures and shall be measured to the outside surface of the exterior walls. Floor area ratio does not include uninhabitable attic space, basements, below-grade parking, non residential or multi-family building area devouted to structured or covered parking(i.e., parking garage, or ancillary utility rooms or elevators servirg the parking garage), trash enclosures, unenclosed accessory structures(e.g., trellis), bay windows and convered porchs.unenclosed accessory structures (e.g., trellis) and covered porches.
Note:	"Floor area, gross" means the total horizontal floor area in square feet of al stories of all buildings measured to the outside surface of exterior walls. Stairways and elevator shafts shall be included on all floors.

UNIT	SPACE NO.	LEVEL 1 AREA EXCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.1	2'6"	25'9"	64		
3	1.2	21'3"	18'7"	394		
3	1.3	4'6"	7'3"	32		
3	1.4	10'10"	1'11"	21		
				511	2	1022
2	1.9	21'2"	20'4"	429		
2	1.10	10'6"	6'2"	65		
2	1.11	2'11"	3'6"	10		
				504	2	1008
1	1.16	21'2"	20'6"	433		
1	1.17	13'0"	2'11"	38		
				471	2	942
TOTAL				1,486		2972

TH-6-PLEX GROSS FLOOR AREA FOR FAR

UNIT	SPACE NO.	LEVEL 1 AREA INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.3	5'11"	10'4"	62		
3	1.5	7'11"	8'0"	145		
3	1.6	21'4"	6'9"	144		
3	1.7	12'3"	4'0"	49		
3	1.8	8'10"	7'4"	21		
				421	1	421
3X	1.3	5'11"	10'4"	62		
3X	1.5	7'11"	8'0"	145		
3X	1.6	21'4"	6'9"	144		
3X	1.7	12'3"	4'0"	49	1	
				400		400
2	1.13	12'6"	3'2"	40		
2	1.14	21'2"	15'6"	328		
				368	2	736
1	1.18	10'9"	4'6"	48		
1	1.19	21'2"	11'8"	246		
1	1.20	8'2"	7'11	24		
				318	2	636
TOTAL						2193

UNIT	SPACE NO.	LEVEL 2 AREA LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	2.1	5'4"	13'1"	70		
3	2.2	5'4"	0'6"	3		
3	2.3	18'5"	38'0"	700		
3	2.4	6'7"	11'0"	72		
3	2.5	2'6"	1'8"	4		
3	2.6	2'10"	17'0"	54		
3	2.7	15'9"	4'0"	63		
3	2.8	3'6"	1'0"	4		
				950	2	1900
2	2.9	15'4"	6'6"	100		
2	2.10	21'2"	31 11"	626		
2	2.11	5'10"	6'0"	35		
2	2.12	17'3"	4'1"	70		
2	2.13	4'2"	1'0"	4		
				885	2	1770
1	2.14	3'10"	0'6"	2		
1	2.15	21'2"	36'6"	773		
1	2.16	3'3"	0'6"	2		
1	2.17	1'3"	1'6"	2		
1	2.18	1'3"	1'6"	2		
				781	2	1562
TOTAL						5252

UNIT	SPACE NO.	LEVEL 3 AREA LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	3.1	5'4"	25'9"	137		
3	3.2	1'2"	0'6"	1		
3	3.3	4'2"	0'6"	2		
3	3.4	2'0"	0'6"	1		
3	3.5	2'10"	10'4"	29		
3	3.6	1'0"	7'0"	7		
3	3.7	1'0"	1'8"	2		
3	3.8	3'2"	1'0"	3		
3	3.9	15'9"	4'0"	63		
3	3.10	3'6"	1'0"	4		
3	3.11	18'5"	38'0"	700		
				949	2	1898
2	3.12	2'3"	0'6"	1		
2	3.13	4'7"	0'6"	2		
2	3.14	1'8"	1'0"	2		
2	3.15	17'3"	4'1"	70		
2	3.16	4'2"	1'0"	4		
2	3.17	21'2"	37 11"	803		
				882	2	1764
1	3.18	1'2"	0'6"	1		
1	3.19	3'7"	0'6"	2		
1	3.20	2'0"	0'6"	1		
1	3.21	2'2"	1'6"	3		
1	3.22	21'2"	36'6"	773		
1	3.23	1'3"	1'6"	2		
1	3.24	1'3"	1'6"	2		
				794	2	1568
TOTAL						5230

UNIT	SPACE NO.	ROOF INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	4.1	4'3"	5'4"	22		
3	4.2	0'8"	4'0"	2		
3	4.3	8'1"	20'8"	166		
TOTAL				190	2	380
TOWNHOME 6-PLEX TOTAL GROSS FLOOR AREA						13,035

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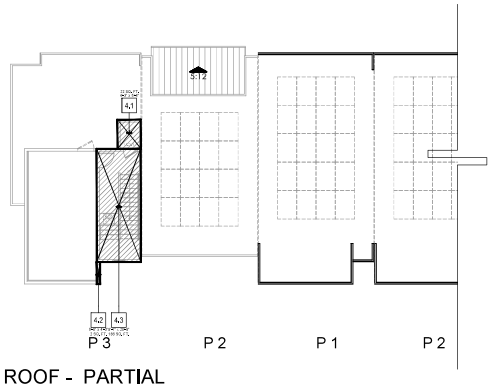
Campbell Technology Park
Campbell, CA # 2023-0039

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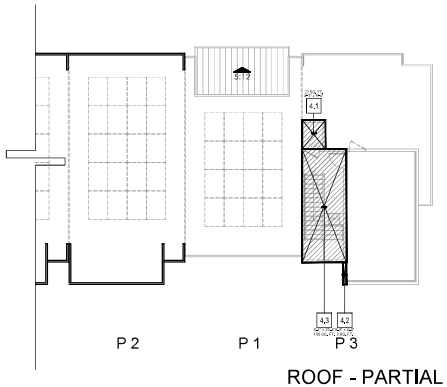
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TH-6-PLEX- FAR GROSS FLOOR AREAS
3-STORY TOWNHOUSE

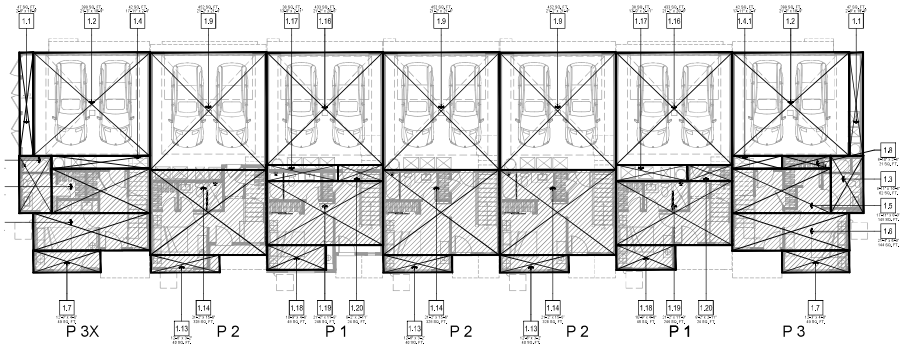
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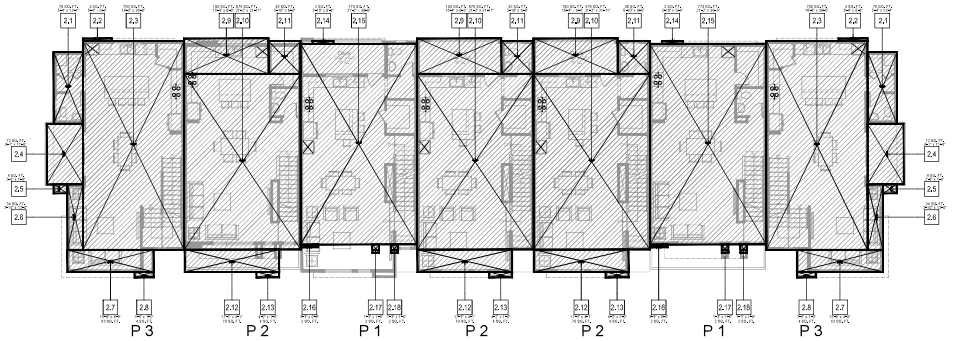
ROOF - PARTIAL



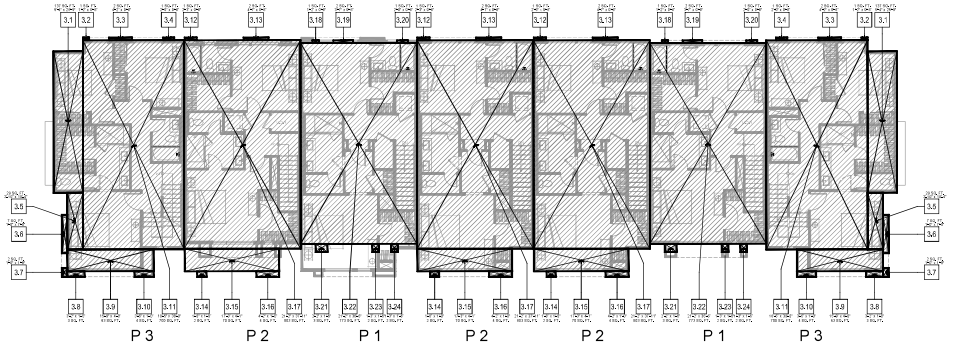
ROOF - PARTIAL



FIRST FLOOR



SECOND FLOOR



THIRD FLOOR

FAR LEGEND

	Areas included in Gross Floor Area
	Areas Excluded from FAR calculations perCampbell Municipal Cod Definitions F. from Code Amendments-Title-6-7-20 and 21 "Floor area ratio' means the ratio of gros: floor area to the net lot area. Floor area ratio shall include the floor area of all stories of all buil dings and accessory stru ctures and shall be measured to the outside surface of the exterior walls. Floor area ratio does not include uninhabitable attic space, basements, below-grade parking, non residential or multi-family building area devouted to structured or covered parkingI.e., parking garage, or ancillary utility rooms or elevators serving the parking garage), trah enclosures, unenclosed accessory structures(e.g., trellis), bay windows and covered porches.unenclosed accessory structures (e.g., trellis) and covered porches.
Note:	"Floor area, gross" means the total horizontal floor area in square feet of all stories of all buildings neasured to the outside surface of exterior walls. Stairways and elevator shafts shall be included on all floors.

UNIT	SPACE NO.	LEVEL 1 AREA EXCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.1	2'6"	25'9"	64		
3	1.2	21'3"	18'7"	394		
3	1.3	4'6"	7'1"	32		
3	1.4	10'10"	1'11"	21		
				511	2	1022
2	1.9	21'2"	20'4"	429		
2	1.10	10'6"	6'2"	65		
2	1.11	2'11"	3'6"	10		
				504	3	1512
1	1.16	21'2"	20'6"	433		
1	1.17	13'0"	2'11"	38		
				471	2	942
TOTAL				1,486		3476

TH-7-PLEX GROSS FLOOR AREA FOR FAR

UNIT	SPACE NO.	LEVEL 1 AREA INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	1.3	1'11"	10'4"	62		
3	1.5	17'11"	8'0"	145		
3	1.6	11'4"	6'9"	144		
3	1.7	12'3"	4'0"	49		
3	1.8	1'10"	2'4"	2		
				421	1	421
3X	1.3	1'11"	10'4"	62		
3X	1.5	17'11"	8'0"	145		
3X	1.6	11'4"	6'9"	144		
3X	1.7	12'3"	4'0"	49	1	
				400		400
2	1.13	12'6"	3'2"	40		
2	1.14	11'2"	15'6"	328		
				368	3	1104
1	1.18	10'9"	4'6"	48		
1	1.19	11'2"	11'8"	246		
1	1.20	8'2"	2'11	24		
				318	2	636
TOTAL						2561

UNIT	SPACE NO.	LEVEL 2 AREA LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	2.1	5'4"	13'1"	70		
3	2.2	5'4"	0'6"	3		
3	2.3	18'5"	38'0"	700		
3	2.4	6'2"	11'0"	72		
3	2.5	2'6"	1'8"	4		
3	2.6	1'10"	12'0"	34		
3	2.7	15'9"	4'0"	63		
3	2.8	3'6"	1'0"	4		
				950	2	1900
2	2.9	15'4"	6'6"	100		
2	2.10	11'2"	31'11"	676		
2	2.11	1'10"	6'0"	35		
2	2.12	17'3"	4'1"	70		
2	2.13	4'2"	1'0"	4		
				885	3	2655
1	2.14	1'10"	0'6"	2		
1	2.15	11'2"	36'6"	773		
1	2.16	3'3"	0'6"	2		
1	2.17	1'3"	1'6"	2		
1	2.18	1'3"	1'6"	2		
				781	2	1562
TOTAL						6117

UNIT	SPACE NO.	LEVEL 3 AREA LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	3.1	5'4"	25'9"	137		
3	3.2	1'2"	0'6"	1		
3	3.3	4'2"	0'6"	2		
3	3.4	2'0"	0'6"	1		
3	3.5	1'10"	10'4"	29		
3	3.6	1'0"	7'0"	7		
3	3.7	1'0"	1'8"	2		
3	3.8	3'2"	1'0"	3		
3	3.9	15'9"	4'0"	63		
3	3.10	3'6"	1'0"	4		
3	3.11	18'5"	38'0"	700		
				949	2	1898
2	3.12	2'3"	0'6"	1		
2	3.13	4'7"	0'6"	2		
2	3.14	1'8"	1'0"	2		
2	3.15	17'3"	4'1"	70		
2	3.16	4'2"	1'0"	4		
2	3.17	11'2"	37'11"	803		
				882	3	2646
1	3.18	1'2"	0'6"	1		
1	3.19	3'7"	0'6"	2		
1	3.20	2'0"	0'6"	1		
1	3.21	2'2"	1'6"	3		
1	3.22	11'2"	36'6"	773		
1	3.23	1'3"	1'6"	2		
1	3.24	1'3"	1'6"	2		
				784	2	1568
TOTAL						6112

UNIT	SPACE NO.	ROOF INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	NO. OF UNITS/ BUILDING	GROSS AREA PER UNIT TYPE
3	4.1	4'3"	5'4"	22		
3	4.2	0'8"	4'0"	2		
3	4.3	8'1"	20'8"	166		
TOTAL				190	2	380
TOWNHOME 7-PLEX TOTAL GROSS FLOOR AREA						15,170

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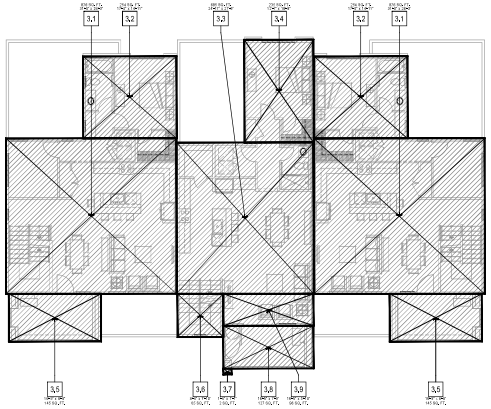
Campbell Technology Park
Campbell, CA # 2023-0039

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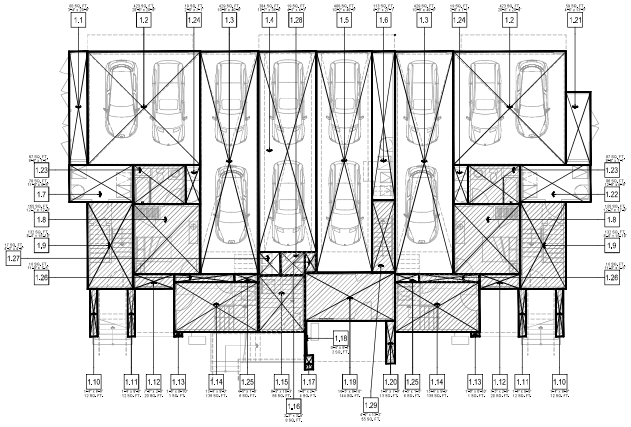
TH-7-PLEX- FAR GROSS FLOOR AREAS
3-STORY TOWNHOUSE

A 1.1.5



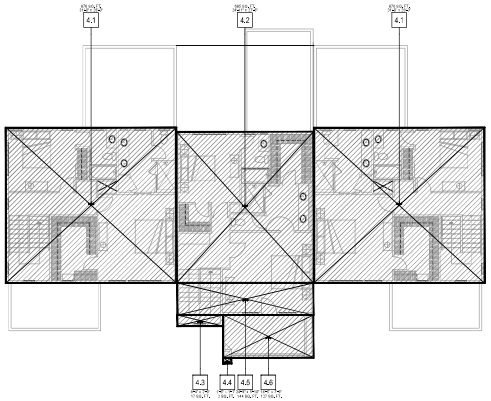
P4 P2 P4

THIRD FLOOR



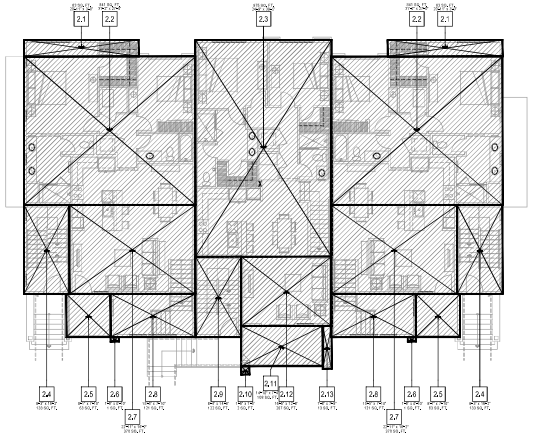
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FIRST FLOOR



P4 P2 P4

FOURTH FLOOR



P4 P3 P2 P1 P3 P4

SECOND FLOOR

PB-6-PLEX GROSS FLOOR AREA FOR FAR

BUILDING	SPACE NO.	LEVEL 1 AREA INCLUDED LENGTH	WIDTH	AREA	AREA * MIRRORED
		FT.-IN.	FT.-IN.	SQ. FT.	SQ. FT.
6-PLEX LEVEL 1	1.8	12'2"	17'9"	155	155
	1.9	8'4"	15'10"	132	132
	1.10	1'4"	8'8"	12	12
	1.11	1'4"	8'8"	12	12
	1.12	7'5"	1'8"	20	20
	1.13	1'6"	10"	1	1
	1.14	15'4"	9'0"	139	139
	1.15	8'5"	10'3"	86	
	1.16	2'2"	3'9"	8	
	1.17	1'6"	2'7"	4	
	1.18	4"	6'4"	2	
	1.19	16'5"	8'10"	144	
	1.20	1'8"	7'9"	13	
	1.21	9'6"	7'1"	67	67
	1.26	11'0"	1'6"	16	16
	1.28	4'6"	4'3"	19	
	1.29	4'2"	13'2"	55	
SUBTOTAL				885	554
TOTAL (AREA + AREA MIRRORED)				1,439	
		LEVEL 2 AREA INCLUDED			
PLAN NO.	SPACE NO.	LENGTH	WIDTH	AREA	AREA * MIRRORED
		FT.-IN.	FT.-IN.	SQ. FT.	SQ. FT.
6-PLEX LEVEL 2	2.1	20'11"	3'0"	63	63
	2.2	31'2"	27'0"	841	841
	2.3	24'9"	39'5"	975	
	2.4	8'3"	16'2"	133	133
	2.5	8'1"	7'10"	63	63
	2.6	1'6"	10"	1	1
	2.7	22'11"	16'2"	370	370
	2.8	15'5"	7'10"	121	121
	2.9	8'4"	14'8"	122	
	2.10	1'6"	1'6"	2	
	2.11	14'10"	7'4"	108	
	2.12	16'5"	12'8"	207	
	2.13	1'8"	7'9"	13	
SUBTOTAL				3,019	1,592
TOTAL (AREA + AREA MIRRORED)				4,611	
		LEVEL 3 AREA INCLUDED			
PLAN NO.	SPACE NO.	LENGTH	WIDTH	AREA	AREA * MIRRORED
		FT.-IN.	FT.-IN.	SQ. FT.	SQ. FT.
6-PLEX LEVEL 3	3.1	31'	28'3"	876	876
	3.2	17'	14'1;"	254	254
	3.3	24'11"	27'6"	685	
	3.4	12'7"	18'8"	235	
	3.5	16'9"	8'8"	145	145
	3.6	8'4"	7'10"	65	
	3.7	1'6"	1';'	2	
	3.8	16'5"	7'9"	127	
	3.9	16'5"	5'10"	96	
SUBTOTAL				2,485	1,275
TOTAL (AREA + AREA MIRRORED)				3,760	
		LEVEL 4 AREA INCLUDED			
PLAN NO.	SPACE NO.	LENGTH	WIDTH	AREA	AREA * MIRRORED
		FT.-IN.	FT.-IN.	SQ. FT.	SQ. FT.
6-PLEX LEVEL 4	4.1	31'	28'3"	876	876
	4.2	24'11"	27'6"	685	
	4.3	8'4"	2"	17	
	4.4	1'6"	1';"	2	
	4.5	24'9"	5'10"	144	
	4.6	16'5"	7'9"	127	
SUBTOTAL				1,851	876
TOTAL (AREA + AREA MIRRORED)				2,727	
GRAND TOTAL 6-PLEX GROSS FLOOR AREA					12,537

FAR LEGEND

Areas included in Gross Floor Area

Areas Excludnd from FAR calculations per Campbell Muncipal Cod Definitions F. from Code Amendment- Title-6-7-20 and 21
"Floor area ratio" means the ratio of gross floor area to the net lot area. Foor area ratio shall include the floor area of all stories of all buildings and acessory structures and shall be measured to the outside surface of the exterior walls. Floor area ratio does not include uninhabitable attic space, basements, below-grade parking non residential or multi-family buildi g area évouted to structured or covered parking(i.e., parking garage, or ancillary utility roomsor elevators serving the parking garage), trasà enclosures, unenclosed acessory structures(e.g., trellis), bay windows and convered porches unenclosed acessory structures (e.g., trellis) and covered porches.

Note: "Floor area, gross" means the total horizontal floor area in square feet o' all stories of all buildings measured to the outside surface of exterior walls. Stairways and elevator shafts shall be included on all floors.

*AREA MIRRORED IS A DUPLICATE BUILDING AREA TYPICALLY MIRRORED ABOUT THE CENTER OF THE BUILDING

BUILDING	SPACE NO.	LEVEL 1 AREA EXCLUDED LENGTH	WIDTH	AREA	AREA * MIRRORED
		FT.-IN.	FT.-IN.	SQ. FT.	SQ. FT.
6-PLEX LEVEL 1	1.1	3'4"	20'8"	68	
	1.2	20'6"	20'8"	423	423
	1.3	10'8"	40'6"	429	429
	1.4	10'7"	36'6"	384	
	1.5	10'2"	40'3"	408	
	1.6	4'2"	27'1	113	
	1.7	11'8"	6'9"	78	
	1.21	4'6"	13'3"	59	
	1.22	12'9"	6'9"	86	
	1.24	2'8"	7'1"	19	19
	1.25	4'5"	1'6"	6	6
	1.27	4'0"	4'3"	17	
SUBTOTAL				2,090	877
TOTAL (AREA + AREA MIRRORED)				2,967	

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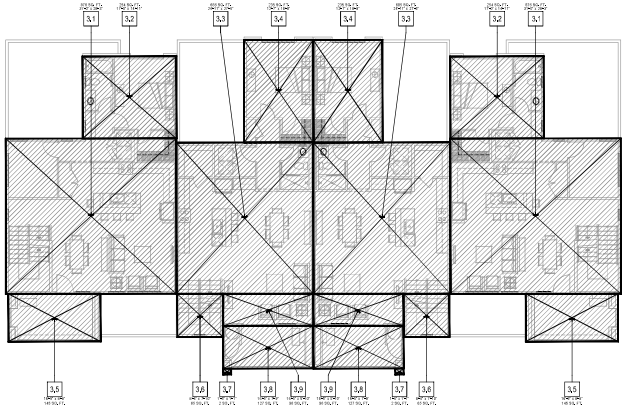
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

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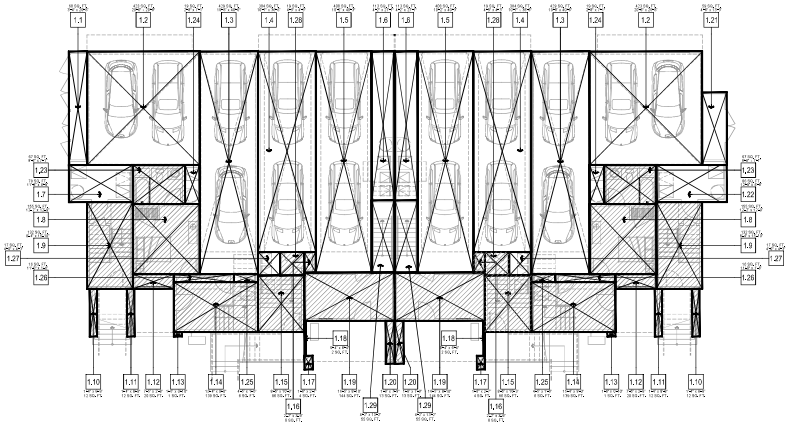
PB-8-PLEX- FAR GROSS FLOOR AREAS
4-STORY CONDOMINIUM

A 1.1.6



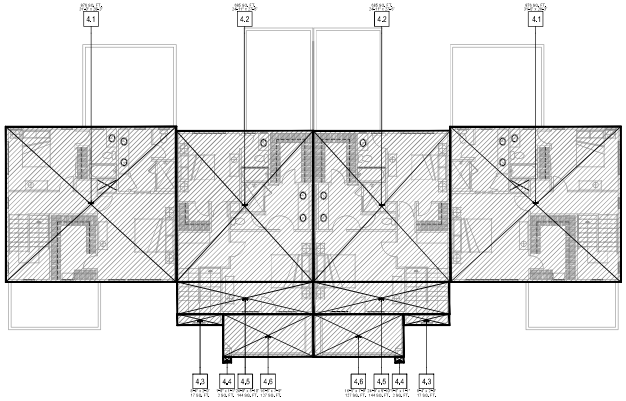
P4 P2 P2 P4

THIRD FLOOR



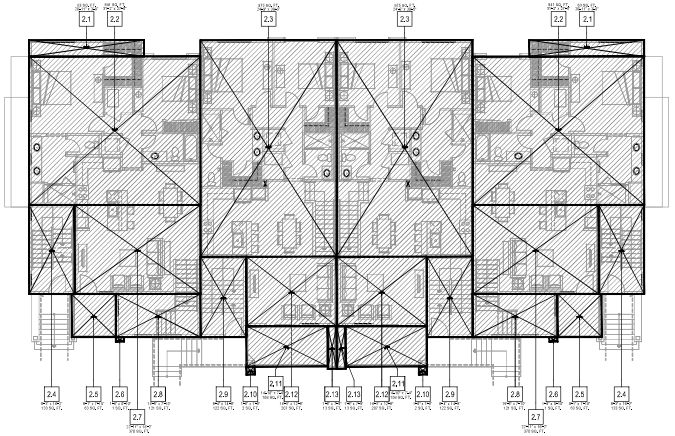
P4 P3 P2 P1 P1 P2 P3 P4

FIRST FLOOR



P4 P2 P2 P4

FOURTH FLOOR



P4 P3 P2 P1 P1 P2 P3 P4

SECOND FLOOR

PB-8-PLEX GROSS FLOOR AREA FOR FAR

BUILDING	SPACE NO.	LEVEL 1 AREA INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	AREA * MIRRORED SQ. FT.
8-PLEX LEVEL 1	1.8	12'2"	12'9"	155	155
	1.9	8'4"	15'10"	132	132
	1.10	1'4"	8'8"	12	12
	1.11	1'4"	8'8"	12	12
	1.12	7'5"	2'8"	20	20
	1.13	1'6"	0"	1	1
	1.14	15'4"	9'0"	139	139
	1.15	8'5"	10'3"	86	86
	1.16	2'2"	3'9"	8	8
	1.17	1'6"	2'7"	4	4
	1.18	4"	6'4"	2	2
	1.19	16'5"	8'10"	144	144
	1.20	1'8"	7'9"	13	13
	1.23	9'6"	7'1"	67	67
	1.26	11'0"	1'6"	16	16
	1.28	4'6"	4'3"	19	19
	1.29	4'2"	13'2"	55	55
SUBTOTAL				885	885
TOTAL (AREA + AREA MIRRORED)					1,770

PLAN NO.	SPACE NO.	LEVEL 2 AREA INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	AREA * MIRRORED SQ. FT.
8-PLEX LEVEL 2	2.1	20'11"	3'0"	63	63
	2.2	31'2"	27'0"	841	841
	2.3	24'9"	39'5"	975	975
	2.4	8'3"	16'2"	133	133
	2.5	8'1"	7'10"	63	63
	2.6	1'6"	10"	1	1
	2.7	22'11"	16'2"	370	370
	2.8	15'5"	7'10"	121	121
	2.9	8'4"	14'8"	122	122
	2.10	1'6"	1'6"	2	2
	2.11	14'10"	7'4"	108	108
	2.12	16'5"	12'8"	207	207
	2.13	1'8"	7'9"	13	13
SUBTOTAL				3,019	3,019
TOTAL (AREA + AREA MIRRORED)					6,038

PLAN NO.	SPACE NO.	LEVEL 3 AREA INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	AREA * MIRRORED SQ. FT.
8-PLEX LEVEL 3	3.1	31'	28'3"	876	876
	3.2	17'	14'11"	254	254
	3.3	24'11"	27'6"	685	685
	3.4	12'7"	18'8"	235	235
	3.5	16'9"	8'8"	145	145
	3.6	8'4"	7'10"	65	65
	3.7	1'6"	1'1"	2	2
	3.8	16'5"	7'9"	127	127
	3.9	16'5"	5'10"	96	96
SUBTOTAL				2,485	2,485
TOTAL (AREA + AREA MIRRORED)					4,970

PLAN NO.	SPACE NO.	LEVEL 4 AREA INCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	AREA * MIRRORED SQ. FT.
8-PLEX LEVEL 4	4.1	31'	28'3"	876	876
	4.2	24'11"	27'6"	685	685
	4.3	8'4"	2'	17	17
	4.4	1'6"	1'1"	2	2
	4.5	24'9"	5'10"	144	144
	4.6	16'5"	7'9"	127	127
SUBTOTAL				1,851	1,851
TOTAL (AREA + AREA MIRRORED)					3,702
GRAND TOTAL 8-PLEX GROSS FLOOR AREA					16,480

FAR LEGEND

Area as included in Gross Floor Area

Area as Excluded from FAR calculations per Campbell Municipal Cod Definitions F. from Code Amendments Title-6-7-20 and 21
"Floor area ratio" means the ratio of gross floor area to the net lot area. Floor area ratio shall include the floor area of all stories of all buildings and accessory structures and shall be measured to the outside surface of the exterior walls. Floor area ratio does not include uninhabitable attic space, basements, below-grade parking, non residential or multi-family building area devoted to structured or covered parking(i.e., parking garage, or ancillary utility rooms or elevators serving the parking garage), trash enclosures, unenclosed accessory structures(e.g., trellis), bay windows and cornered porches. unenclosed accessory structures (e.g., trellis) and covered porches.

Note: "Floor area, gross" means the total horizontal floor area in square feet of all stories of all buildings measured to the outside surface of exterior walls. Stairways and elevator shafts shall be included on all floors.

*AREA MIRRORED IS A DUPLICATE BUILDING AREA TYPICALLY MIRRORED ABOUT THE CENTER OF THE BUILDING

BUILDING	SPACE NO.	LEVEL 1 AREA EXCLUDED LENGTH FT.-IN.	WIDTH FT.-IN.	AREA SQ. FT.	AREA * MIRRORED SQ. FT.
8-PLEX LEVEL 1	1.1	3'4"	20'8"	68	
	1.2	20'6"	20'8"	423	423
	1.3	10'8"	40'6"	429	429
	1.4	10'7"	36'6"	384	384
	1.5	10'2"	40'3"	408	408
	1.6	4'2"	27'1"	113	113
	1.7	11'8"	6'9"	78	
	1.21	4'6"	13'3"	59	
	1.22	12'9"	6'9"	86	
	1.24	2'8"	7'1"	19	19
	1.25	4'5"	1'6"	6	6
	1.27	4'0"	4'3"	17	17
SUBTOTAL				2,090	1,799
TOTAL (AREA + AREA MIRRORED)					3,889

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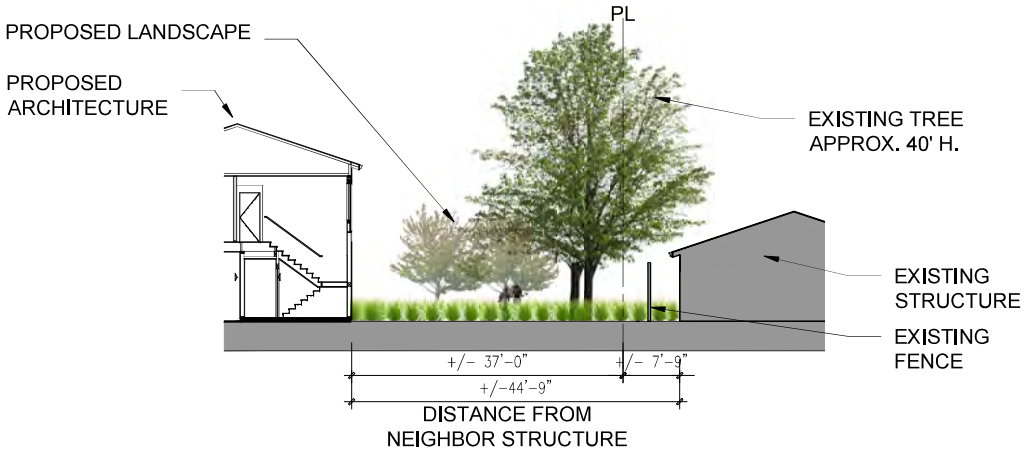
Campbell Technology Park
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DESIGN REVIEW
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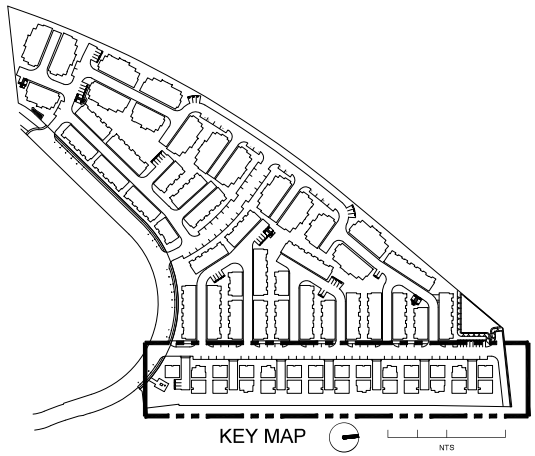
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PB-8-PLEX- FAR GROSS FLOOR AREAS
4-STORY CONDOMINIUM

A 1.1.7



2. PROXIMITY SECTION DIAGRAM





1. PRIVACY PLAN

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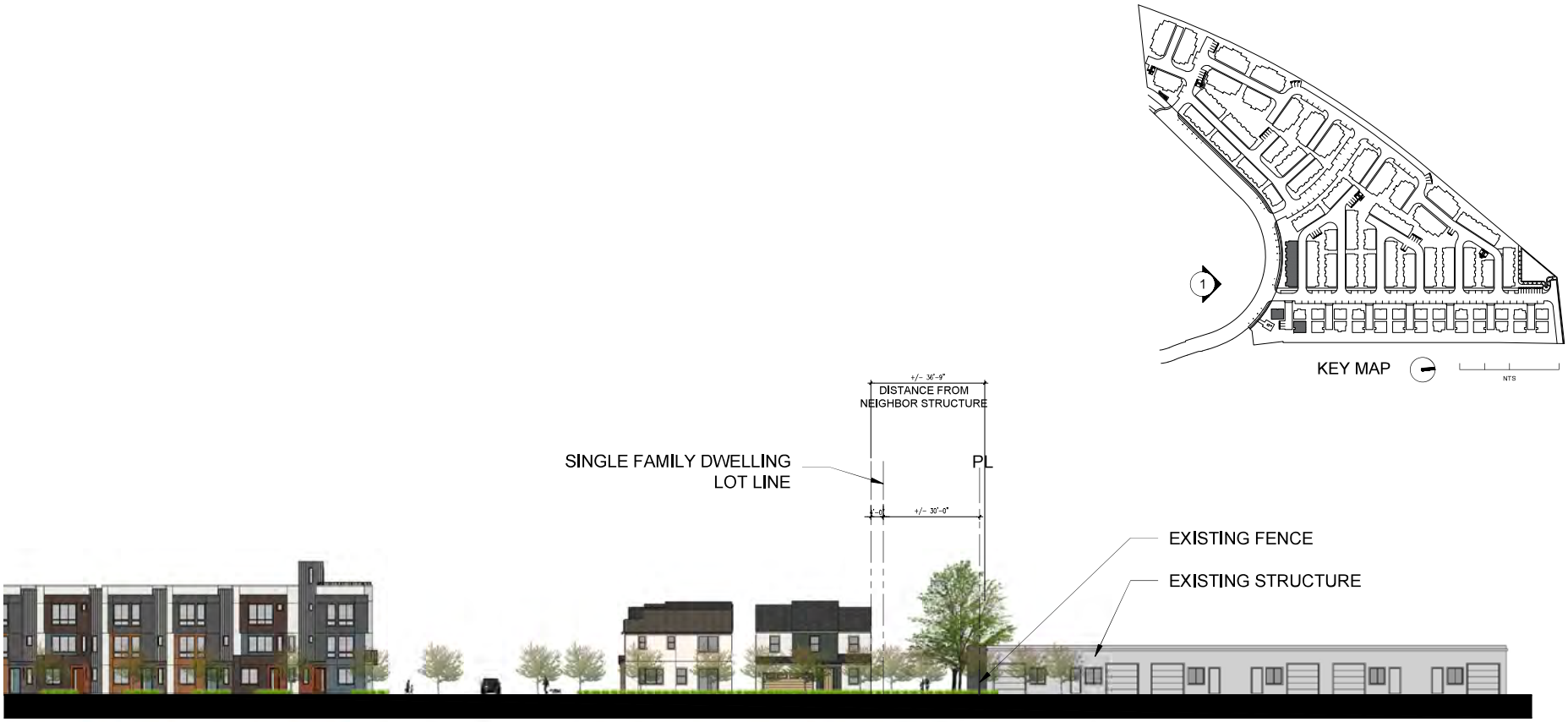
Campbell Technology Park
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NOVEMBER 07, 2024

Not To Scale
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PRIVACY PLAN

A 1.2.0



1. STREETSCAPE VIEW

SINGLE FAMILY DETACHED
R3 (SEE A1-2.0.0 - A1-6.0.1 FOR ELEVATIONS AND PLANS)

APPLICABLE CODES:

2022 CALIFORNIA BUILDING CODE (CBC) PART 2, VOLUMES 1 AND 2, TITLE 24
[BASED ON 2018 INTERNATIONAL BUILDING CODE]

2022 CALIFORNIA ELECTRICAL CODE (CEC) PART 3, TITLE 24
[BASED ON 2017 NATIONAL ELECTRICAL CODE]

2022 CALIFORNIA MECHANICAL CODE (CMC) PART 4, TITLE 24
[BASED ON 2018 UNIFORM MECHANICAL CODE]

2022 CALIFORNIA PLUMBING CODE (CPC) PART 5, TITLE 24
[BASED ON 2018 UNIFORM PLUMBING CODE]

2022 CALIFORNIA ENERGY CODE PART 6, TITLE 24

2022 CALIFORNIA FIRE CODE (CFC) PART 9, TITLE 24
[BASED ON 2018 INTERNATIONAL FIRE CODE]

2022 CALIFORNIA GREEN BUILDING CODE (CAL GREEN) PART 11

CITY OF CAMPBELL MUNICIPAL CODE

TYPE OF CONSTRUCTION: V-B
OCCUPANCY GROUP: R-3
GARAGE: U
FIRE SPRINKLERS: NFPA 13-D

AN AUTOMATIC RESIDENTIAL FIRE SPRINKLER SYSTEM SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH NFPA 13-D IN ONE- AND TWO- FAMILY DWELLINGS.

THIS PROJECT SHALL COMPLY WITH ALL OTHER REGULATIONS AND ORDINANCES ADOPTED BY THE LOCAL GOVERNING AGENCIES.

ADDRESS IDENTIFICATION: NEW AND EXISTING BUILDINGS SHALL HAVE APPROVED ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE AND VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THESE NUMBERS SHALL CONTRAST WITH THEIR BACKGROUND. WHERE REQUIRED BY THE FIRE CODE OFFICIAL, ADDRESS NUMBERS SHALL BE PROVIDED IN ADDITIONAL APPROVED LOCATIONS TO FACILITATE EMERGENCY RESPONSE. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. NUMBERS SHALL BE A MINIMUM OF 6 INCHES (101.6 MM) HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH (12.7 MM). WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS NUMBERS SHALL BE MAINTAINED. CFC SEC. 505.1.

3 STORY TOWNHOUSE:
R2- TOWNHOUSE CONDOMINIUMS

(SEE A2-2.0.0 - A2-7.0.0 FOR ELEVATIONS AND PLANS)

APPLICABLE CODES:

2022 CALIFORNIA BUILDING CODE (CBC) PART 2, VOLUMES 1 AND 2, TITLE 24
[BASED ON 2018 INTERNATIONAL BUILDING CODE]

2022 CALIFORNIA ELECTRICAL CODE (CEC) PART 3, TITLE 24
[BASED ON 2017 NATIONAL ELECTRICAL CODE]

2022 CALIFORNIA MECHANICAL CODE (CMC) PART 4, TITLE 24
[BASED ON 2018 UNIFORM MECHANICAL CODE]

2022 CALIFORNIA PLUMBING CODE (CPC) PART 5, TITLE 24
[BASED ON 2018 UNIFORM PLUMBING CODE]

2022 CALIFORNIA ENERGY CODE PART 6, TITLE 24

2022 CALIFORNIA FIRE CODE (CFC) PART 9, TITLE 24
[BASED ON 2018 INTERNATIONAL FIRE CODE]

2022 CALIFORNIA GREEN BUILDING CODE (CAL GREEN) PART 11

CITY OF CAMPBELL MUNICIPAL CODE

DEFINITIONS: [PER CRC R202]	TOWNHOUSE CONDOMINIUMS: A SINGLE FAMILY DWELLING UNIT CONSTRUCTED IN A GROUP OF THREE OR MORE ATTACHED UNITS IN WHICH EACH UNIT EXTENDS FROM FOUNDATION TO ROOF AND WITH A YARD OR PUBLIC WAY ON AT LEAST TWO SIDES.
OCCUPANCY GROUP: (CRC R 1.1.3.1)	TOWNHOUSE CONDOMINIUMS U (PRIVATE GARAGES)
CONSTRUCTION TYPE	TYPE V-B
FIRE SPRINKLERS: (CRC R 313)	NFPA 13-D
ALLOWABLE HEIGHT:	40 FEET
ALLOWABLE STORIES: (CRC 1.13)	3 STORIES
ALLOWABLE FLOOR AREA	THE CRC DOES NOT PUT AREA LIMITATIONS ON TOWNHOUSE CONDOMINIUMS
TOWNHOUSE UNIT SEPARATION (CRC R 302.2.2)	PER CRC R302.2 EACH TOWNHOUSE CONDOMINIUM SHALL BE SEPARATED BY A COMMON WALL CONSTRUCTED WITHOUT PLUMBING OR MECHANICAL EQUIPMENT, DUCTS OR VENTS RUNNING VERTICALLY IN THE COMMON WALL CAVITY. PER CRC R 302.2 ITEM 7 THE COMMON WALL SHALL BE NOT LESS THAN 1-HOUR FIRE RATED.
EXTERIOR WALL RATING: (CRC TABLE R 302.1(2))	FIRE SEPARATION DISTANCE > 3' SHALL BE ZERO (0) (NON-RATED) FIRE SEPARATION DISTANCE < 3' SHALL BE ONE (1) - (1 HOUR)
MAXIMUM AREA OF EXTERIOR WALL OPENINGS: (CRC TABLE R 302.1(2))	FIRE SEPARATION DISTANCE > 3' SHALL BE UNLIMITED (UNRATED) FIRE SEPARATION DISTANCE < 3' SHALL NOT BE ALLOWED
UTILITIES / THROUGH PENETRATIONS (CRC R302.4.1)	ELECTRIC & GAS METERS LOCATED IN COMMON HOA MAINTAINED CLOSETS AT THE END OF EACH BUILDING ARE RUN THROUGH THE BUILDING LATERALLY IN A NON-RATED SOFFIT RACEWAY LOCATED IN THE GARAGES. ACCESS EASEMENTS EXIST FOR USE AND MAINTENANCE OF THE UTILITY RACEWAY. THROUGH PENETRATIONS OF THE 1-HOUR RATED COMMON WALL SEPARATING UNITS BY ELECTRICAL AND PLUMBING LINES SHALL BE PROTECTED IN ACCORDANCE WITH CRC R 302.4.1 & CRC R 302.4.1.2 BY PROVIDING A THROUGH PENETRATION FIRESTOP SYSTEM.
ACCESSIBILITY: (PER CRC R320.1)	DWELLING UNITS IN A BUILDING CONSISTING OF FOUR OR MORE CONDOMINIUM UNITS SHALL MEET THE REQUIREMENTS OF CALIFORNIA BUILDING CODE CHAPTER 11A - MULTISTORY DWELLINGS. REFER TO SITE PLAN FOR MORE INFORMATION AND LOCATION OF ACCESSIBLE UNITS. MULTI-DWELLING BUILDINGS WITH LESS THAN 4 UNITS ARE EXEMPT FROM ACCESSIBILITY REQUIREMENTS. 10% OF THE REMAINING UNITS THAT ARE NOT EXEMPT MUST BE MADE ACCESSIBLE BASED ON CBC SECTION 1102.3.1 (SEE SITE PLAN, SHEET A1.10).

4 STORY
R2- CONDOMINIUMS

(SEE A3-2.0.0 - A3-7.0.0 FOR ELEVATIONS AND PLANS)

APPLICABLE CODES:

2022 CALIFORNIA BUILDING CODE (CBC) PART 2, VOLUMES 1 AND 2, TITLE 24
[BASED ON 2018 INTERNATIONAL BUILDING CODE]

2022 CALIFORNIA ELECTRICAL CODE (CEC) PART 3, TITLE 24
[BASED ON 2017 NATIONAL ELECTRICAL CODE]

2022 CALIFORNIA MECHANICAL CODE (CMC) PART 4, TITLE 24
[BASED ON 2018 UNIFORM MECHANICAL CODE]

2022 CALIFORNIA PLUMBING CODE (CPC) PART 5, TITLE 24
[BASED ON 2018 UNIFORM PLUMBING CODE]

2022 CALIFORNIA ENERGY CODE PART 6, TITLE 24

2022 CALIFORNIA FIRE CODE (CFC) PART 9, TITLE 24
[BASED ON 2018 INTERNATIONAL FIRE CODE]

2022 CALIFORNIA GREEN BUILDING CODE (CAL GREEN) PART 11

CITY OF CAMPBELL MUNICIPAL CODE

CODE SUMMARY

USE & OCCUPANCY (CBC SECTION 310.4 & 312.1)	R-2: BUILDINGS CONTAINING MORE THAN TWO DWELLING UNITS (CONDOMINIUMS) U: PRIVATE GARAGES
CONSTRUCTION TYPE (CBC SECTION 602.5 & TABLE 504.4)	TYPE V-A, 4-STORY
SEPARATIONS: (CBC SECTION 420)	DWELLING UNIT SEPARATION PER CBC 420.2 & 420.3: WALLS SEPARATING DWELLING UNITS IN THE SAME BUILDING AND SEPARATING DWELLING UNITS FROM OCCUPANCIES CONTIGUOUS TO THEM IN THE SAME BUILDING SHALL BE CONSTRUCTED AS 1-HOUR FIRE PARTITIONS IN ACCORDANCE WITH CBC 708. DWELLING UNITS OF DIFFERENT TENANCY SHALL BE SEPARATED BY A 1-HOUR RATED HORIZONTAL ASSEMBLY PER TABLE 601 AND CBC 711 GARAGE SEPARATION: PRIVATE GARAGES (U) SHALL BE SEPARATED FROM THE DWELLING UNIT (R2) BY NOT LESS THAN 5/8" TYPE 'X' GYP. BOARD PER 406.3.2.1. PRIVATE GARAGES (U) SHALL BE SEPARATED FROM ITS DWELLING UNIT (R2) BY NOT LESS THAN A 1-HR RATED ASSEMBLY PER TABLE 601 FOR TYPE VA CONSTRUCTION SUPERCEDING 406.3.2.1 WHERE BEARING WALLS OCCUR. PRIVATE GARAGES (U) SHALL BE SEPARATED FROM OTHER PRIVATE GARAGES (U) AND DWELLING UNITS (R2) OF A DIFFERENT TENANCY BY A 1-HOUR FIRE BARRIER PER 406.3.1 CONSTRUCTED IN ACCORDANCE WITH CBC 707. RATED FLOOR/CEILING ASSEMBLY PER CBC TABLE 601: ALL HORIZONTAL ASSEMBLIES IN TYPE VA CONSTRUCTION SHALL BE 1-HOUR RATED STC/IIC 50 MIN. REQUIRED BETWEEN HABITABLE ROOMS OF DIFFERENT TENANCIES PER CBC 1206.2 & 1206.3. DOOR BETWEEN PRIVATE GARAGE (U) AND ITS OWN DWELLING UNIT (R2) SHALL BE 20MIN RATED - SELF-CLOSING, SELF-LATCHING, SOLID WOOD DOOR OR SOLID OR HONEYCOMB CORE STEEL DOOR, MINIMUM 1-3/8 INCHES (34.9 MM) THICK.
ALLOWABLE HEIGHT (CBC TABLE 504.3 & SEC. 504)	TYPE V-A: 60 FEET MAXIMUM (WITH REQUIRED NFPA 13 FOR 4 STORIES & WITH AREA INCREASE) 65' FEET PER PROJECT DEVELOPMENT STANDARDS ACTUAL HEIGHT < 50 FEET - SEE ELEVATIONS
ALLOWABLE STORIES: (CBC TABLE 504.4 & SEC. 504)	R-2, TYPE V-A: 4 STORIES (3 STORIES BASE ALLOWABLE + 1 STORY SPRINKLER INCREASE FOR NFPA 13) U, TYPE V-A: 2 STORIES (1 STORIES BASE ALLOWABLE + 1 STORY SPRINKLER INCREASE)
ALLOWABLE AREA (CBC TABLE 506.2)	SEE "ALLOWABLE AREA" TABLES ON THIS SHEET.
FIRE SUPRESSION SYSTEMS CBC 903.3.1.1 & 905.3.1(EXEMPTIONS))	FIRE SPRINKLER: NFPA 13
FIRE ALARM MONITORING (CBC SECTION 907.2.11.2 & 907.6.5 EXCEPTION 1)	SINGLE AND MULTIPLE-STATION ALARMS SMOKE ALARMS ARE REQUIRED PER 907.2.11. MONITORING BY A SUPERVISING STATION IS NOT REQUIRED PER 907.6.5 EXCEPTION 1
RATED EXTERIOR WALLS (CBC TABLE 601)	TYPE VA, 4-STORY: 1-HOUR RATED CONSTRUCTION REQUIRED FOR THE FOLLOWING: PRIMARY STRUCTURAL FRAME, EXTERIOR AND INTERIOR BEARING WALLS, FLOOR CONSTRUCTION AND ASSOCIATED SECONDARY MEMBERS, AND ROOF CONSTRUCTION. A HEAVY TIMBER (6X6 MIN) MEMBER SHALL BE ALLOWED FOR SUBSTITUTION FOR A 1-HOUR FIRE-RESISTANCE RATING.
ALLOWABLE OPENINGS (CBC TABLE 705.8)	UNPROTECTED SPRINKLERED - PER C.B.C. TABLE 705.8
ROOF ACCESS (CBC SECTION 1011.12)	STAIRWAY TO THE ROOF NOT REQUIRED ON 4-STORY BUILDINGS WITH ROOF SLOPES > 4:12
EXITING (CBC SECTION 1006.2.1 EXCEPTION 1, CBC TABLE 1006.2.1 & 1006.3.2(1))	125 FEET MAXIMUM EXIT TRAVEL DISTANCE FOR A SINGLE EXIT IN 4-STORY R-2 DWELLING UNIT. EMERGENCY ESCAPE AND RESCUE OPENINGS (EGRESS WINDOWS) ARE REQUIRED IN ALL SLEEPING ROOMS BELOW THE FOURTH STORY. SEE EXITING DIAGRAMS.

R2- CONDOMINIUMS

ALLOWABLE AREA

MIXED - OCCUPANCY, MULTISTORY BUILDINGS.

ALLOWABLE AREA PER STORY CALCULATION
FOR MIXED-OCCUPANCY MULTISTORY BUIDLINGS (CBC SEC. 506.2.4):

Aa = (At + (NS x If))

Aa = ALLOWABLE BUILDING AREA(SQUARE FEET)
At = TABULAR BUILDING AREA FACTOR (NS, S13R OR SM VALUE, AS APPLICABLE)IN ACCORDANCE WITH TABLE 506.2
NS = TABULAR ALLOWABLE AREA FACTOR IN ACCORDANCE WITH TABLE 506.2 FOR A NON SPRINKLERED BUILDING(REGARDLESS OF WHETHER THE BUILDING IS SPRINKLERED)

If = AREA FACTOR INCREASE DUE TO FRONTAGE PER 506.3
(EQUATION 5-5) If = (F/P - 0.25) W /30
P= PERIMETER OF ENTIRE BUILDING
W= WIDTH OF PUBLIC WAY OR OPEN SPACE (WHERE W VARIES, USE WEIGHTED AVERAGE, EQUATION 5-4)

WEIGHTED WIDTH AVERAGE (EQUATION 5-4)
W= (L1 X w1 + L2 x w2 + l3 x w3...)/F

W= CALCULATED WIDTH OF PUBLIC WAY OR OPEN SPACE
Ln= LENGTH OF A PORTION OF THE EXTERIOR PERIMETER WALL
wn= WIDTH(GREATER THAN 20') OF A PUBLIC WAY OR OPEN SPACE ASSOCIATED WITH THAT PORTION OF THE EXTERIOR PERIMETER WALL
F= BUILDING PERIMETER THAT FRONTS ON A PUBLIC WAY OR OPEN SPACE HAVING A WIDTH OF 20 FEET

MIXED - OCCUPANCY, MULTISTORY RATIO CALCULATION

6 PLEX BLDG. SQ.FT. PER OCCUPANCY

	R2 (CONDITIONED & UNCONDITIONED)	U (GARAGE & UTILITIES)
1st FL (sq.ft.)	1,439	2967
2nd FL (sq.ft.)	4,611	
3rd FL (sq.ft.)	3,760	
4th FL (sq.ft.)	2,727	
TOTAL BY OCC.	12,537	2967

8 PLEX BLDG. SQ.FT. PER OCCUPANCY

	R2 (CONDITIONED & UNCONDITIONED)	U (GARAGE & UTILITIES)
1st FL (sq.ft.)	1,770	3889
2nd FL (sq.ft.)	6,038	
3rd FL (sq.ft.)	4,970	
4th FL (sq.ft.)	3,702	
TOTAL BY OCC.	16,480	3889

MIXED - OCCUPANCY, MULTISTORY RATIO CALCULATION

1ST STORY: R-2 ACTUAL / R-2 ALLOWABLE (Eq. 5-3) + U ACTUAL / U ALLOWABLE (Eq. 5-3) <1
2ND STORY: R-2 ACTUAL / R-2 ALLOWABLE (Eq. 5-3) <1
3RD STORY: R-2 ACTUAL / R-2 ALLOWABLE (Eq. 5-3) <1
4TH STORY: R-2 ACTUAL / R-2 ALLOWABLE (Eq. 5-3) <1
TOTAL SUM OF RATIOS: <2

(TYPE V-A CONSTRUCTION):

R-2 MIXED- OCCUPANCY ALLOWABLE AREA (Eq 5-3)
Aa = {At + (NS x If) }
Aa = {36,000 + (12,000 x 0)}
Aa = **36,000**

U MIXED- OCCUPANCY ALLOWABLE AREA (Eq 5-3)
Aa = {At + (NS x If) }
Aa = {27,000 + (9,000 x 0)}
Aa = **27,000**

6 PLEX

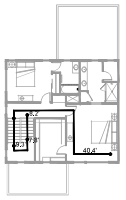
1ST STORY: 1,439 / 36,000 + 2,967 / 27,000 = 0.04 + 0.11= 0.15 <1
2ND STORY: 4,611 / 36,000 = 0.13 <1
3RD STORY: 3,760 / 36,000 = 0.10 <1
4TH STORY: 2,727 / 36,000 = 0.08 <1
TOTAL SUM OF RATIOS = 0.46 <2

FRONTAGE INCREASE NOT REQUIRED

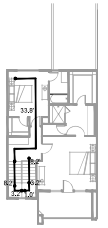
8 PLEX

1ST STORY: 1,770 / 36,000 + 3,889 / 27,000 = 0.05 + 0.14= 0.19 <1
2ND STORY: 6,038 / 36,000 = 0.17 <1
3RD STORY: 4,970 / 36,000 = 0.14 <1
4TH STORY: 3,702 / 36,000 = 0.10 <1
TOTAL SUM OF RATIOS = 0.60 <2

FRONTAGE INCREASE NOT REQUIRED



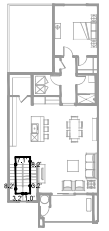
PLAN 4 FOURTH FLOOR
PATH OF TRAVEL = 65.7'



PLAN 2 FOURTH FLOOR
PATH OF TRAVEL = 57.6'



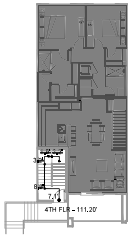
PLAN 4 THIRD FLOOR
PATH OF TRAVEL = 32.3'



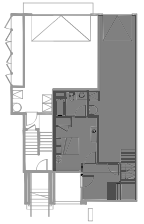
PLAN 2 THIRD FLOOR
PATH OF TRAVEL = 30.9'



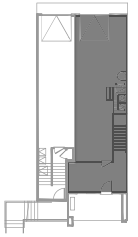
PLAN 4 SECOND FLOOR
PATH OF TRAVEL = 24'



PLAN 2 SECOND FLOOR
PATH OF TRAVEL = 22.7'



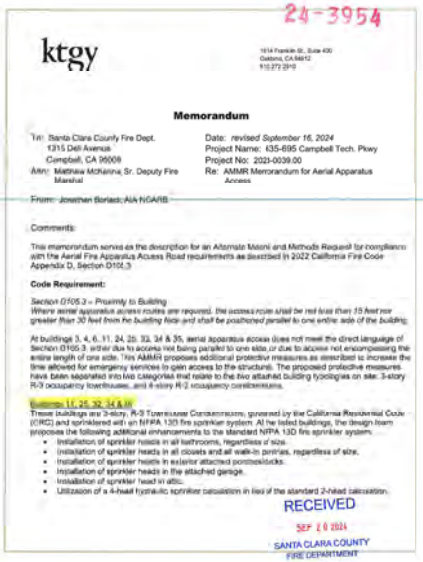
PLAN 4 FIRST FLOOR
PATH OF TRAVEL = 0



PLAN 2 FIRST FLOOR
PATH OF TRAVEL = 0

PLAN 4 TOTAL PATH OF TRAVEL = 112.2'

PLAN 2 TOTAL PATH OF TRAVEL = 112.2'



24-3954

ktgy

1814 Franklin St., Suite 400
Oakland, CA 94612
510.272.2910

Memorandum

To: Santa Clara County Fire Dept.
1315 Dell Avenue
Campbell, CA 95008
Attn: Mathew McKenna, Sr. Deputy Fire Marshal

Date: *revised September 16, 2024*
Project Name: 635-695 Campbell Tech. Pkwy
Project No: 2023-0039.00
Re: AMMR Memorandum for Aerial Apparatus Access

From: Jonathan Bonadi, AIA NCARB

Comments:

This memorandum serves as the description for an Alternate Means and Methods Request for compliance with the Aerial Fire Apparatus Access Road requirements as described in 2022 California Fire Code Appendix D, Section D105.3

Code Requirement:

Section D105.3 – Proximity to Building
Where aerial apparatus access routes are required, the access route shall be not less than 15 feet nor greater than 30 feet from the building face and shall be positioned parallel to one entire side of the building.

At buildings 3, 4, 6, 11, 24, 25, 32, 34 & 35, aerial apparatus access does not meet the direct language of Section D105.3 either due to access not being parallel to one side, or due to access not encompassing the entire length of one side. The AMMR proposes additional protective measures as described to increase the time allowed for emergency services to gain access to the structures. The proposed protective measures have been separated into two categories that relate to the two attached building typologies on site: 3-story R-3 occupancy townhouses, and 4-story R-2 occupancy condominiums.

Buildings 11, 25, 32, 34 & 35

These buildings are 3-story, R-3 Type V-A over Condominiums, governed by the California Residential Code (CRC) and sprinklered with an NFPA 13D fire sprinkler system. At the listed buildings, the design team proposes the following additional enhancements to the standard NFPA 13D fire sprinkler system:

- Installation of sprinkler heads in all bathrooms, regardless of size.
- Installation of sprinkler heads in all closets and all walk-in pantries, regardless of size.
- Installation of sprinkler heads in exterior attached porte-cochères.
- Installation of sprinkler heads in the attached garage.
- Installation of sprinkler head in attic.
- Utilization of a 4-head hydraulic sprinkler calculation in lieu of the standard 2-head calculation.

RECEIVED
SEP 20 2024
SANTA CLARA COUNTY
FIRE DEPARTMENT



24-3954

FIRE DEPARTMENT
SANTA CLARA COUNTY
14700 Winchester Blvd., Los Gatos, CA 95032-1818
(408) 378-4010 (408) 378-9342 (fax) www.sccfd.org

APPLICATION FOR USE OF ALTERNATE MATERIALS, METHODS OF CONSTRUCTION, OR MODIFICATION OF CODE

Project Address: 635-695 Campbell Technology Pkwy, Campbell, CA

Applicant's Name: Campbell Technology Park, LLC

Applicant's Address: 1960 The Alameda, San Jose, CA Suite

Telephone: 925-998-8000 Fax:

The applicant hereby requests the following:

☒ Use of Alternate Materials or Method of Construction

☒ Modification of Code

Codes Affected:

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SEP 20 2024
SANTA CLARA COUNTY
FIRE DEPARTMENT

☐ Building Code
☒ Fire Code
☐ Mechanical Code
☐ Electrical Code
☐ Other:

Specific section(s) of the code involved: 2022 CFC, Title 24, Part 9, Section D105.3

Brief description of the request: See attached sheet for detailed description of request.

The Building and Fire Official must evaluate information that the material(s), method of work, and/or modification is equal to the intent of the code in strength, effect, fire- resistance, durability, safety, etc.

CC PAID
Santa Clara County Fire Department
Fire Prevention Division
Ref # 195973
Date: 9/20/24 Initials: TF

Department of the Santa Clara County Central Fire Protection District
serving cities Los Gatos and the unincorporated of Campbell, Cupertino, Los Altos Hills, Los Gatos, Monte Sereno, Saratoga



SANTA CLARA COUNTY FIRE DEPARTMENT

24 3954

DEVELOPMENTAL REVIEW COMMENTS

This project shall comply with the following:
The California Fire [CFC] & Building [CBC] Code, 2022 edition, as adopted by the City of Campbell Municipal Code (CMC) and California Code of Regulations (CCR).

The scope of this project includes the following:
Alternate Means/Methods Application - Proposed R-3 subdivision consisting of 263 townhouse units and 28 single family residences.

Plans Status:
The alternate means/methods request is **APPROVED.**

Discussion:
This application proposes to mitigate non-conforming aerial access. Buildings 3, 4, 6, 11, 24, 25, 32, 34 and 35 are not within the 15' minimum / 30' maximum proximity from the building

Proposal:
-Design NFPA 13D sprinkler system to include the following enhancements:
a. Design sprinkler system hydraulics assuming 4 sprinkler simultaneous flow.
b. Design sprinkler system to include sprinkler coverage in attics, bathrooms, closets, and areas not otherwise
-requiring sprinklers, per NFPA 13D.

Comments:
1. Make a note on building permit set cover sheet that an approved AMMR is included.

2. A copy of the Alternate Means/Methods application form, with approval signature shall be made part of the building permit drawing set, to be routed to Santa Clara County Fire Department for final approval.

3. A copy of this comment letter shall be made part of the building permit drawing set, to be routed to Santa Clara County Fire Department for final approval.

This review shall not be construed to be an approval of a violation of the provisions of the California Fire Code or of other laws or regulations of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of the fire code or other such laws or regulations shall not be valid. Any addition to or alteration of approved construction documents shall be approved in advance [CFC Ch.1, 105.3.6].

CBC	☒	☐	☒	☐	☒	R-3/U	N/A	Campbell Technology Pkwy.	9/26/2024	1 of 1
REVISION(S)	AREA			PROJECT DESCRIPTION				PROJECT TYPE OR SYSTEM
4	10,370			Residential Development				Application for Use of Alternate Materials
NAME OF PROJECT				LOCATION				
CAMPBELL TECHNOLOGY PARK				635-695 Campbell Technology Pkwy. Campbell				
THIS IS A FIRE FLOW				REQUIRED FIRE FLOW				BY
N/A								Pantages, Caleb

A California Fire Protection District serving Santa Clara County and the communities of Campbell, Cupertino, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Saratoga and the surrounding unincorporated communities.



ktgy

1814 Franklin St., Suite 400
Oakland, CA 94612
510.272.2910

Buildings 24 & 9-34

These buildings are 4-story, R-2 Condominiums, governed by the California Building Code (CBC) and sprinklered with a full NFPA 13 fire sprinkler system (and subsequent required fire alarms and monitoring). Note these buildings are Type V-A construction and 1-hour fire rated throughout.
At the listed buildings, the design team proposes the following additional enhancements to the standard NFPA 13 fire sprinkler system:

- Installation of sprinkler heads in all bathrooms, regardless of size or location in unit.
- Installation of sprinkler heads in all closets and all walk-in pantries, regardless of size.
- Installation of sprinkler heads in electrical closets, regardless of enclosure rating.
- Installation of sprinkler heads under exterior roofs, canopies, balconies or decks, regardless of size or roof material rating.
- Installation of sprinkler head in attic, regardless of full presence of non-combustible insulation.

It is believed the above proposed enhancements will provide additional time for emergency services to gain access to the structures and thus provide an adequate alternative equivalent protection.

Regards,

Jonathan Bonadi, AIA NCARB
Principal
Lic. C33129



Please complete the following information as applicable to support your request. Use additional paper if necessary.

1. Quality:
2. Strength
3. Effectiveness:
4. Fire Resistance:
5. Durability:
6. Safety:

Additional evidence of proof:

Applicant Signature: Date: 9/20/24

****

The above application has been reviewed and has been:

ACCEPTED REJECTED

Signature:

Fire Official: Date: 9/26/24

Building Official: Date:

NOTE: FIRE SPRINKLERS TO BE PROVIDED THROUGHOUT ATTICS IN NOTED BUILDINGS.

Alternative materials rev 11.21.14



Legend:

Building Coverage

Building Coverage:
(Shaded Area/ Net Site Area)

Site Net Area	+/- 17.10 acres (744,876 s.f.)
Covered Area:	264,830 s.f. / 744,876 s.f. site
Coverage:	**±36%**

Per City of Campbell Code- Amendments Title 6-7-20 and 21
Lot coverage means the ratio of covered area to net lot area.
Covered area means the total horizontal area within a lot that is covered or partially covered by structures, buildings, beams, slats or projections when viewed from above. Covered area does not include cornices, eaves, sills, canopies, bay windows, and chimneys cumulatively measuring less than 30-inches in depth as measured to the outside surface of exterior walls, or any basements, ground level paving, pools, spas and decks, landscape features, or light walls

Notes :
1. Refer to Civil sheets for all property lines, easements, site dimensions, accessible unit location, etc.
2. Refer to Landscape Sheets for landscape design, dimensions and detailed information.

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

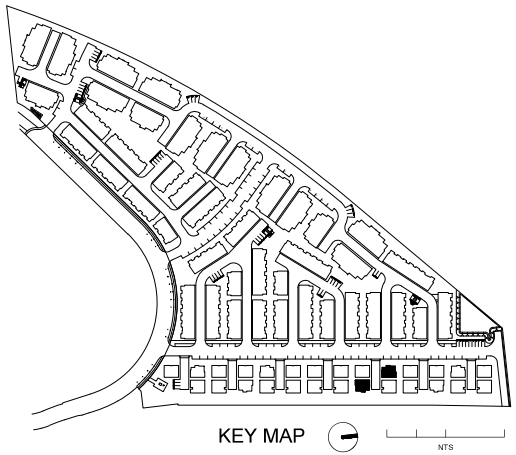
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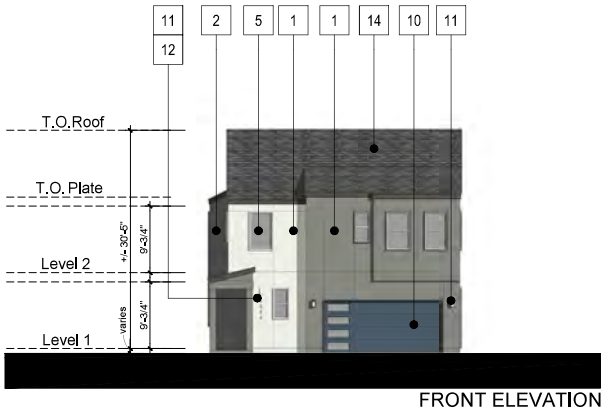
BUILDING COVERAGE

A 1.4.0

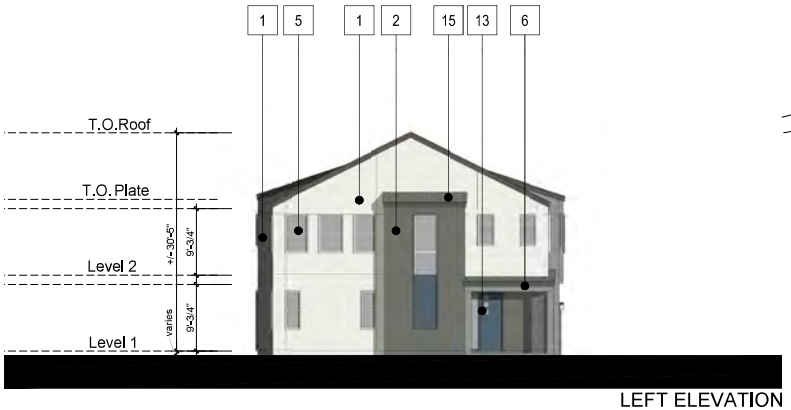
MATERIAL LEGEND

1. STUCCO
2. CEMENTITIOUS HORIZONTAL SIDING
3. STONE VENEER
4. MASONRY VENEER
5. VINYL WINDOW
6. CANOPY
7. CEMENTITIOUS VERTICAL SIDING
8. WOOD LOOK SIDING
9. METAL RAILING
10. METAL GARAGE DOOR
11. LIGHT FIXTURE
12. UNIT ADDRESS
13. ENTRY DOOR
14. COMPOSITION SHINGLE ROOF
15. STANDING SEAM METAL ROOF

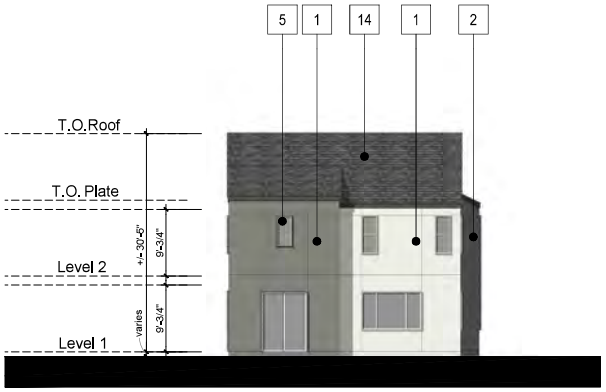




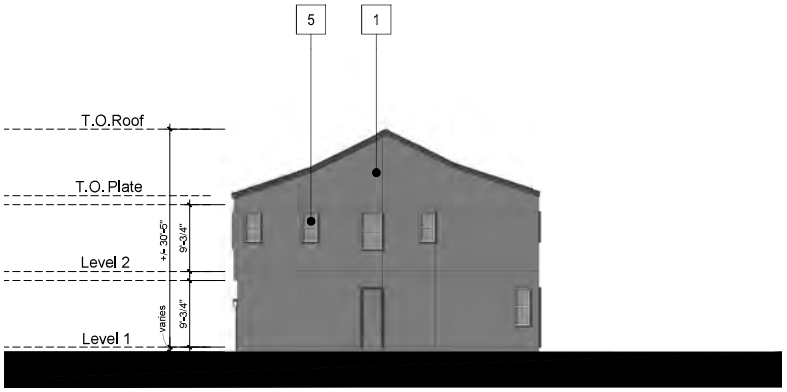
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

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NOVEMBER 07, 2024

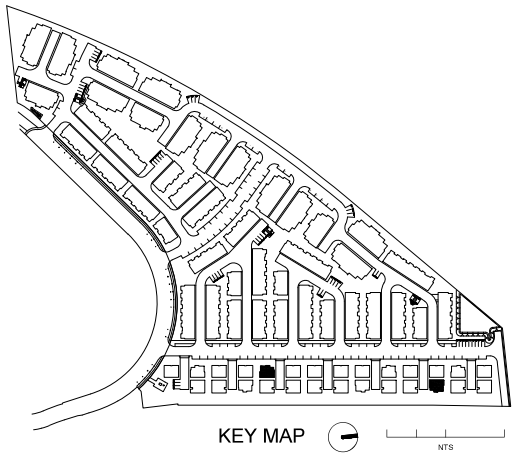
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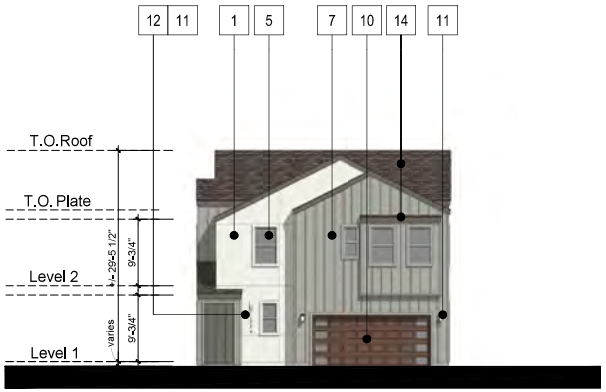
SFD- PLAN 1
STYLE 1

A 1-2.0.0

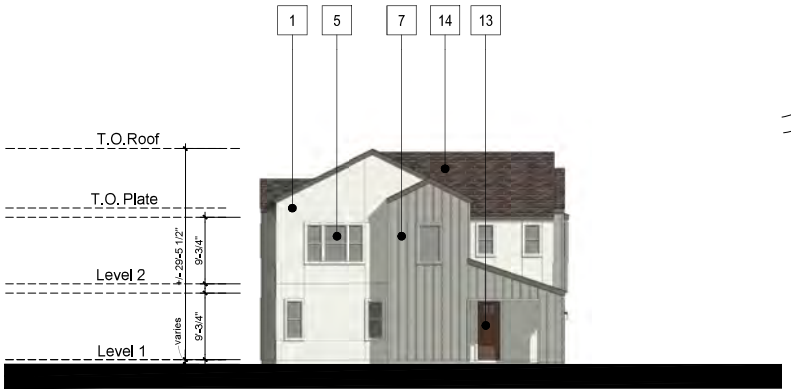
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13. ENTRY DOOR
14. COMPOSITION SHINGLE ROOF
15. STANDING SEAM METAL ROOF

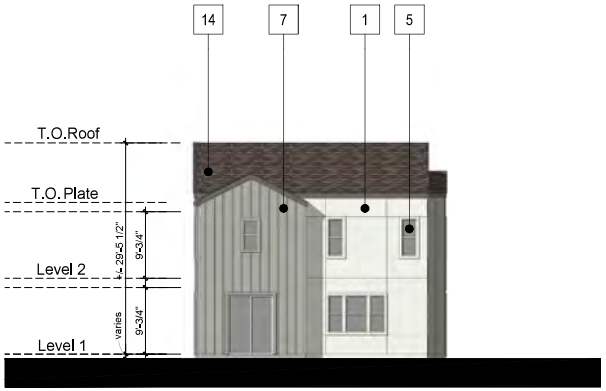




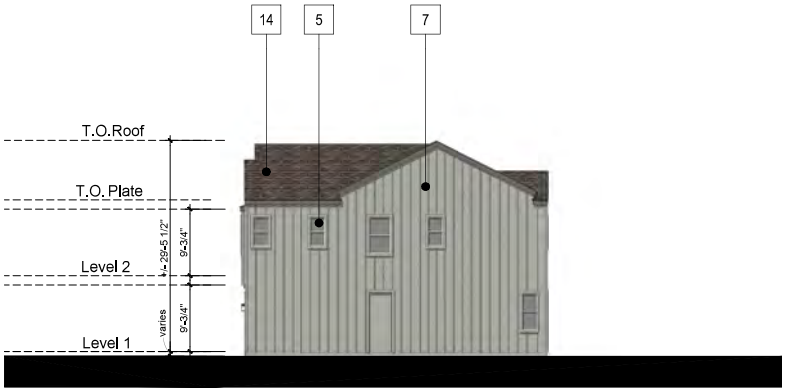
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

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NOVEMBER 07, 2024

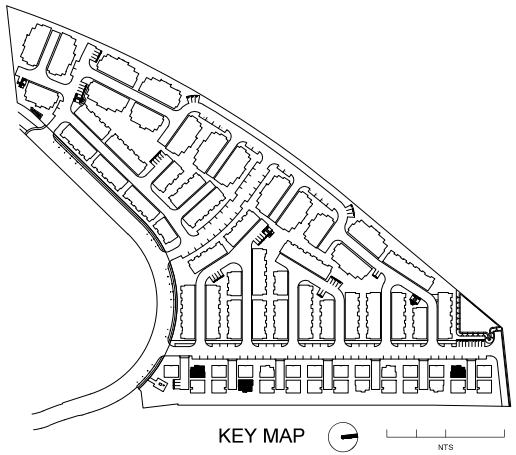
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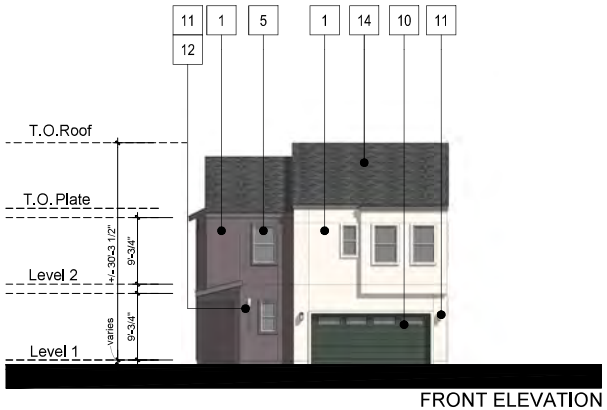
SFD- PLAN 1
STYLE 2

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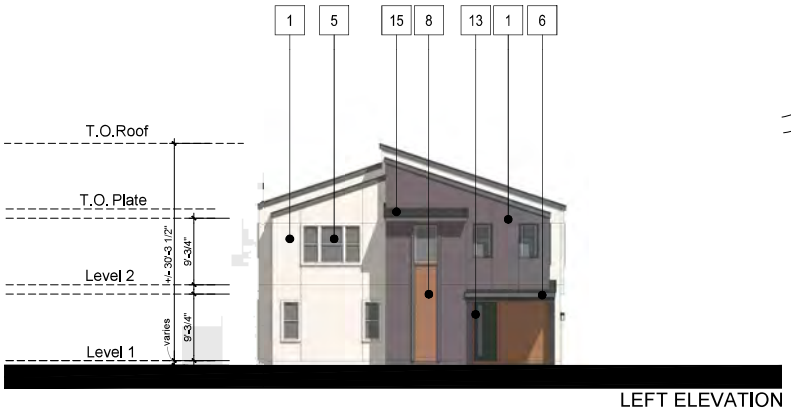
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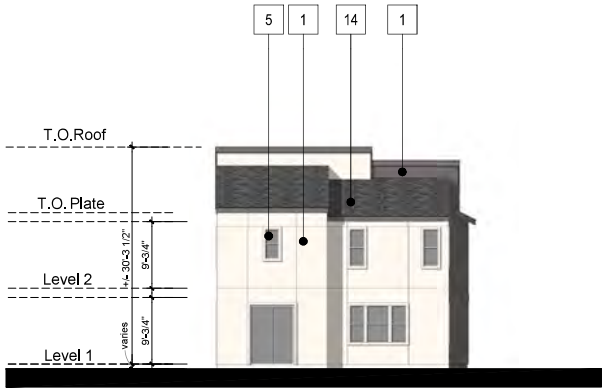




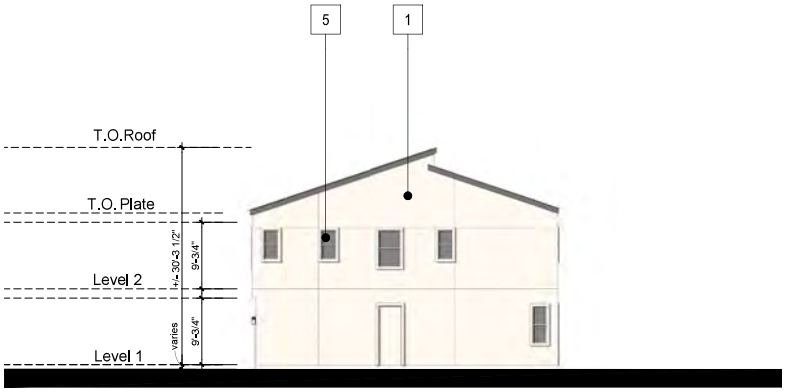
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

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NOVEMBER 07, 2024

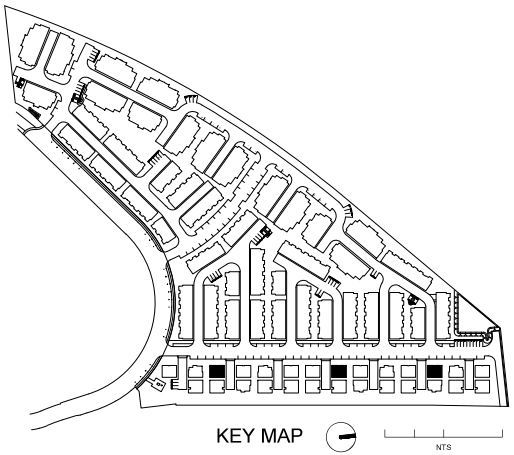
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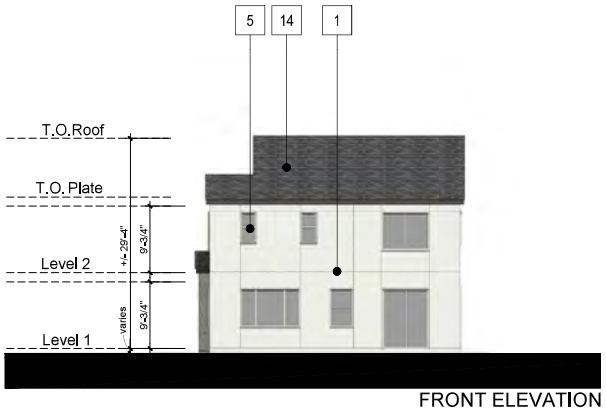
SFD- PLAN 1
STYLE 3

A 1-2.0.2

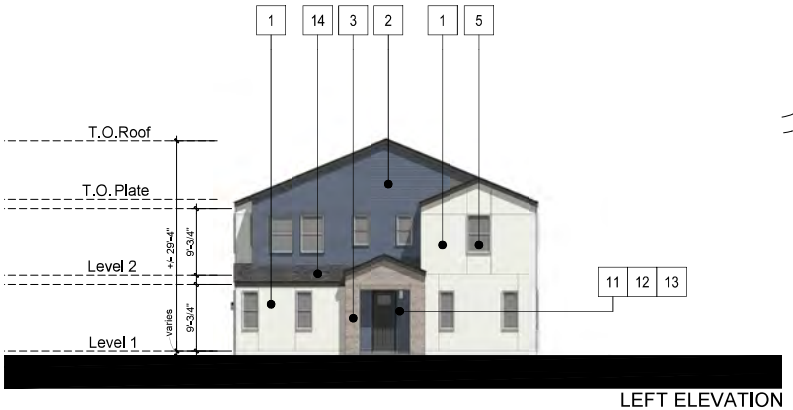
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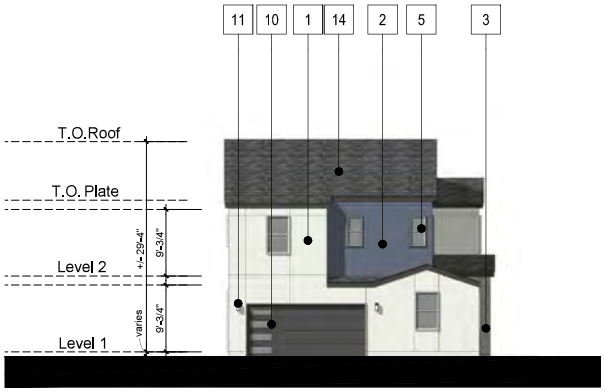




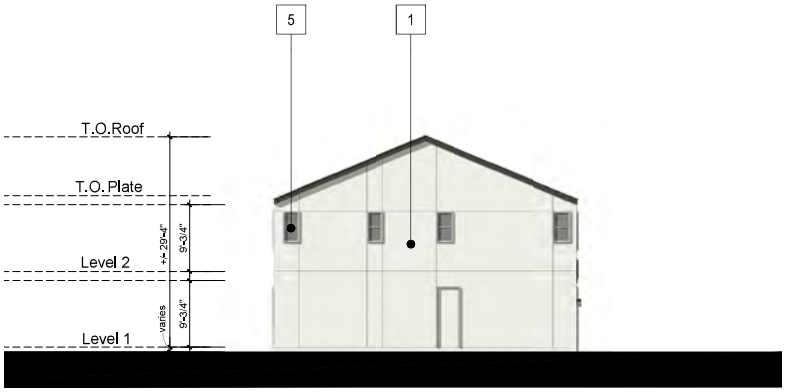
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

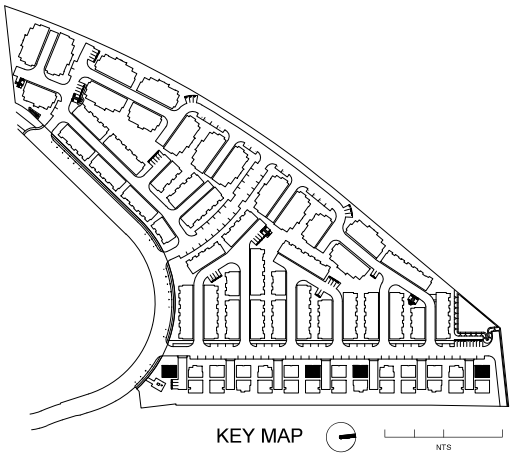
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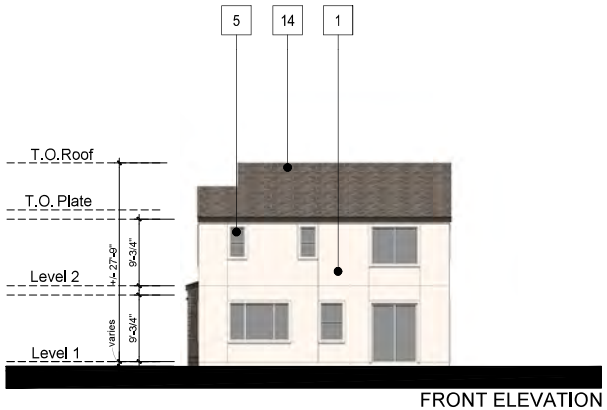
SFD- PLAN 2
STYLE 1

A 1-2.1.0

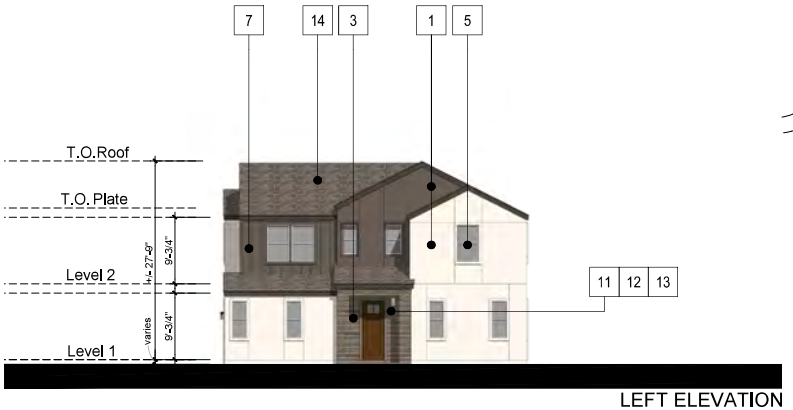
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14. COMPOSITION SHINGLE ROOF
15. STANDING SEAM METAL ROOF

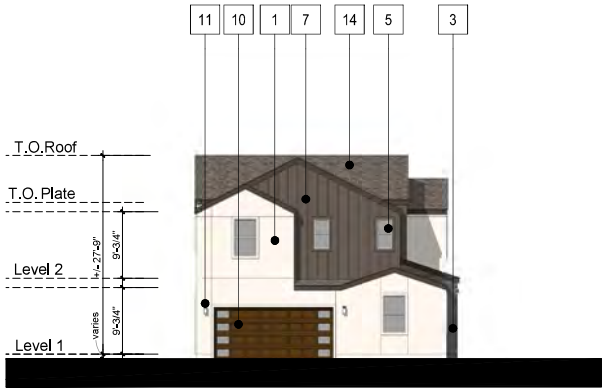




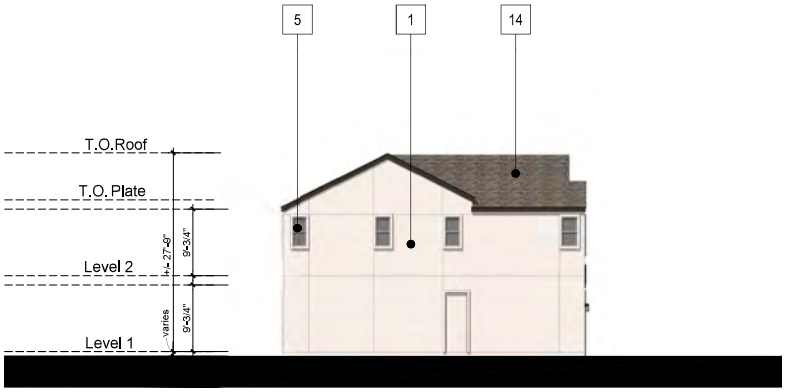
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

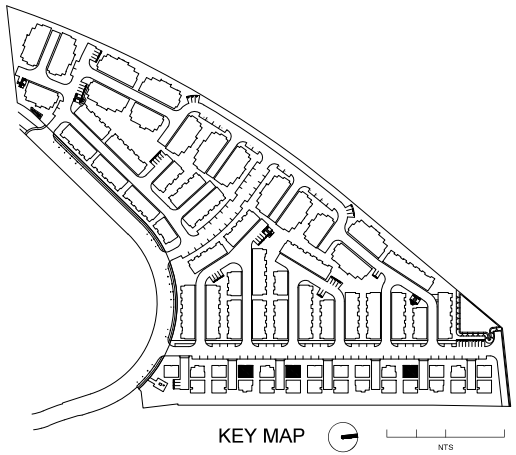
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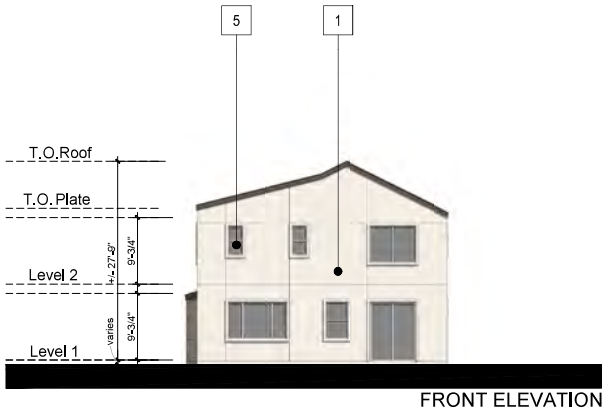
SFD- PLAN 2
STYLE 2

A 1-2.1.1

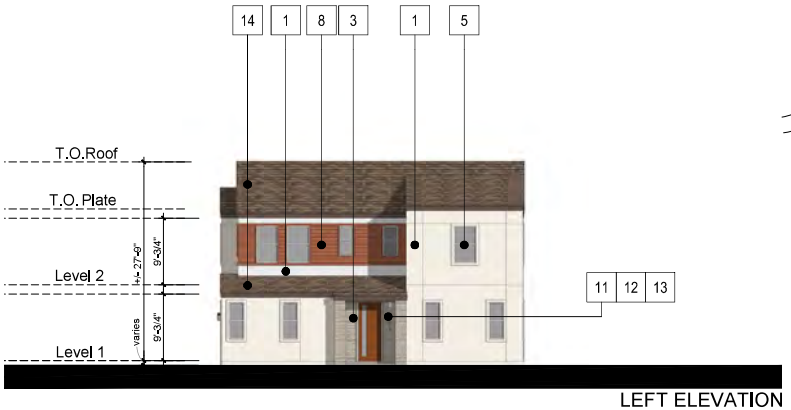
MATERIAL LEGEND

1. STUCCO
2. CEMENTITIOUS HORIZONTAL SIDING
3. STONE VENEER
4. MASONRY VENEER
5. VINYL WINDOW
6. CANOPY
7. CEMENTITIOUS VERTICAL SIDING
8. WOOD LOOK SIDING
9. METAL RAILING
10. METAL GARAGE DOOR
11. LIGHT FIXTURE
12. UNIT ADDRESS
13. ENTRY DOOR
14. COMPOSITION SHINGLE ROOF
15. STANDING SEAM METAL ROOF

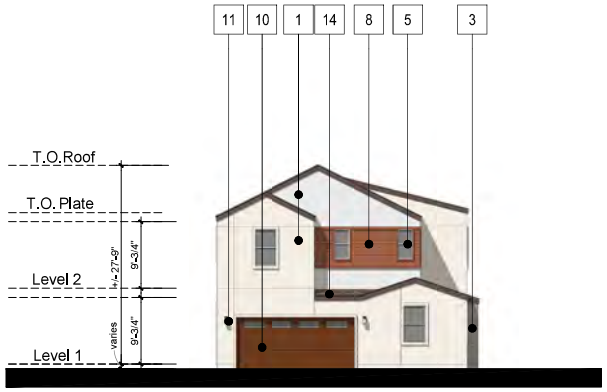




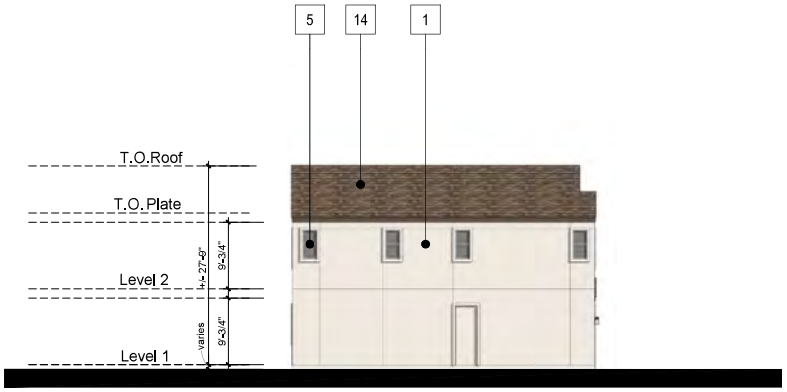
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

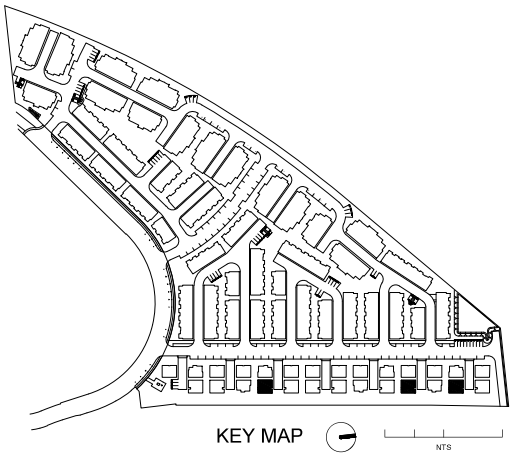
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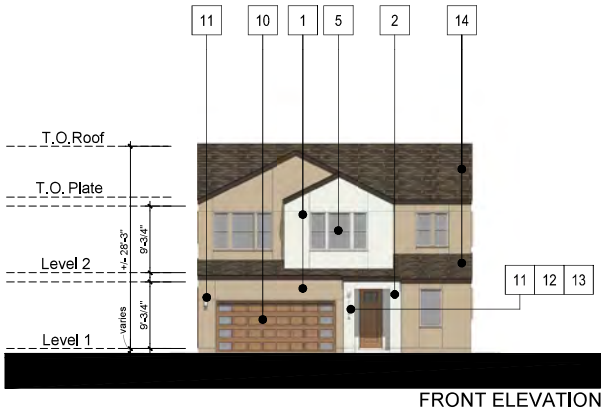
SFD- PLAN 2
STYLE 3

A 1-2.1.2

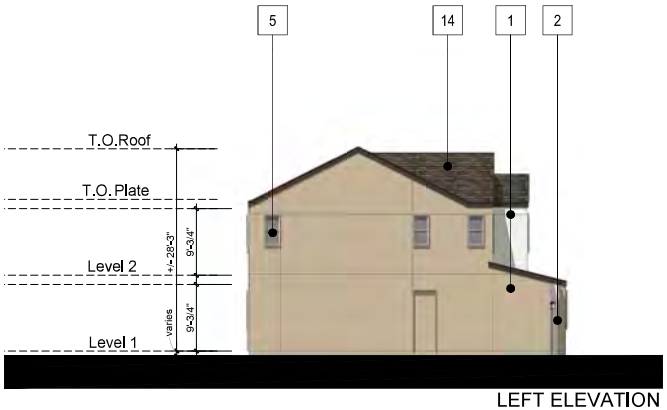
MATERIAL LEGEND

1. STUCCO
2. CEMENTITIOUS HORIZONTAL SIDING
3. STONE VENEER
4. MASONRY VENEER
5. VINYL WINDOW
6. CANOPY
7. CEMENTITIOUS VERTICAL SIDING
8. WOOD LOOK SIDING
9. METAL RAILING
10. METAL GARAGE DOOR
11. LIGHT FIXTURE
12. UNIT ADDRESS
13. ENTRY DOOR
14. COMPOSITION SHINGLE ROOF
15. STANDING SEAM METAL ROOF

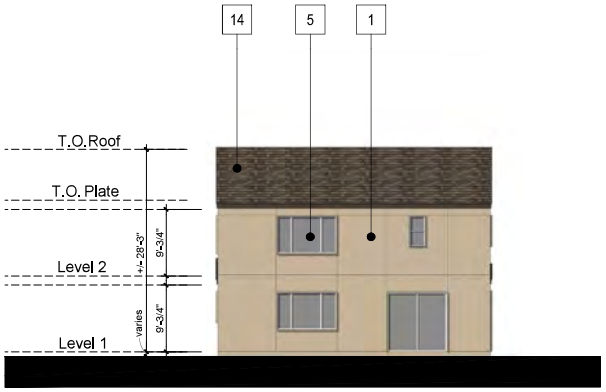




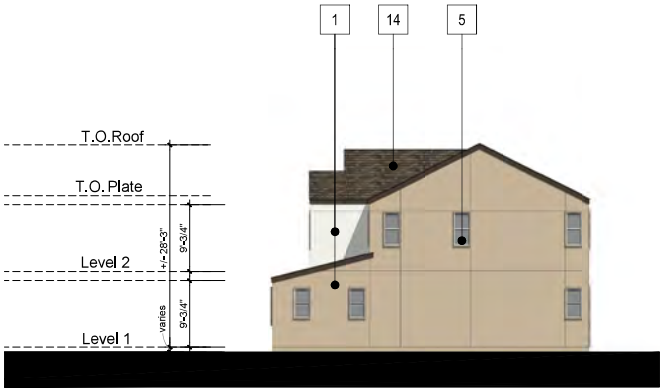
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

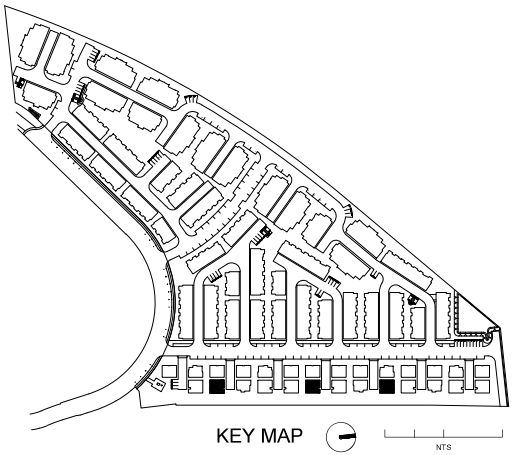
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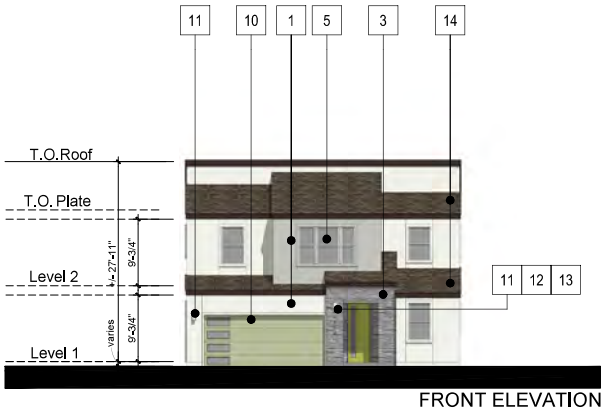
SFD- PLAN 3
STYLE 1

A 1-2.2.0

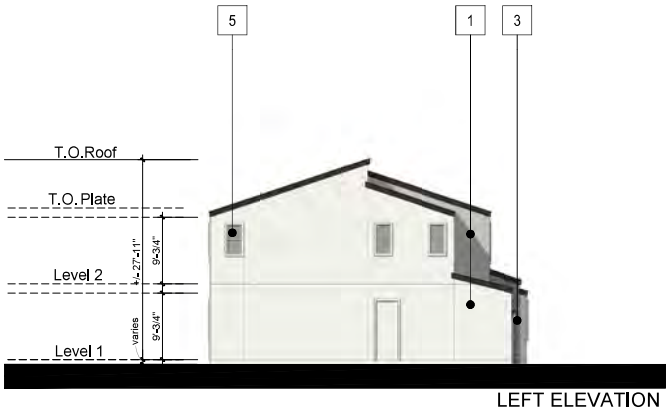
MATERIAL LEGEND

1. STUCCO
2. CEMENTITIOUS HORIZONTAL SIDING
3. STONE VENEER
4. MASONRY VENEER
5. VINYL WINDOW
6. CANOPY
7. CEMENTITIOUS VERTICAL SIDING
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11. LIGHT FIXTURE
12. UNIT ADDRESS
13. ENTRY DOOR
14. COMPOSITION SHINGLE ROOF
15. STANDING SEAM METAL ROOF

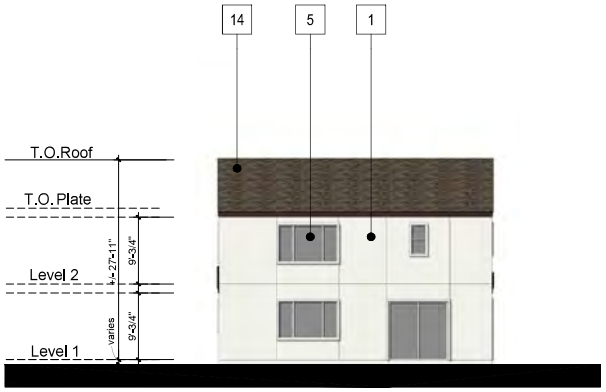




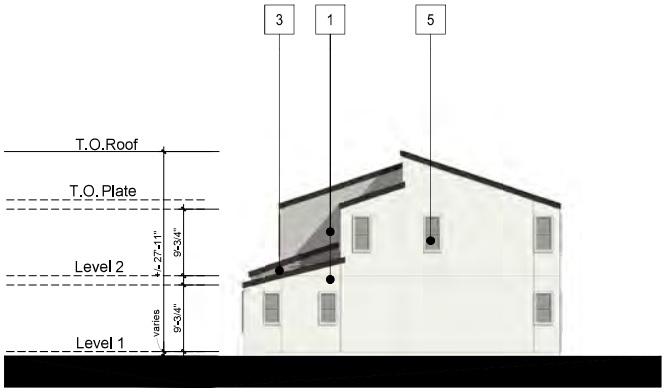
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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Campbell Technology Park
Campbell, CA # 2023-0039

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NOVEMBER 07, 2024

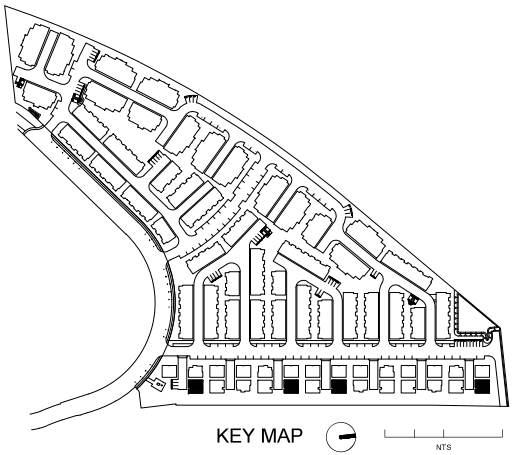
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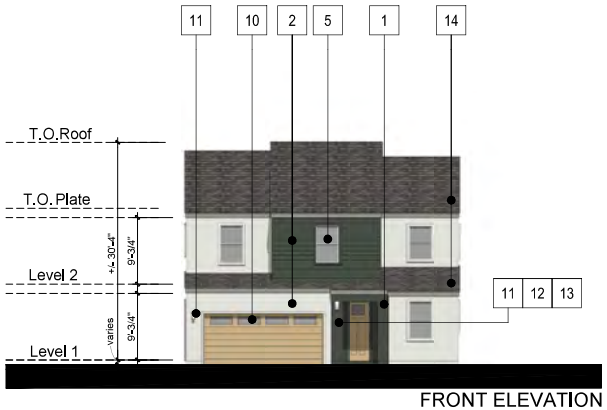
SFD- PLAN 3
STYLE 2

A 1-2.2.1

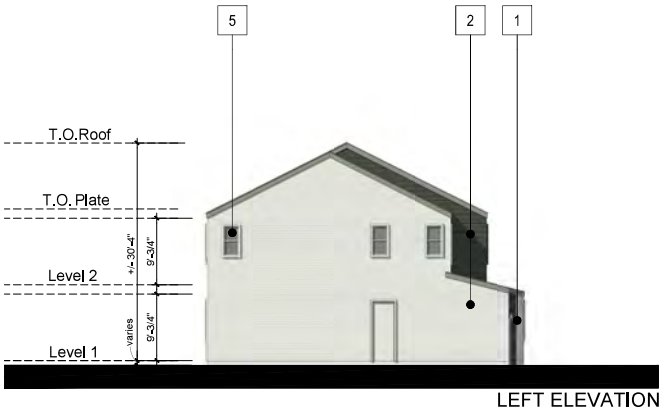
MATERIAL LEGEND

1. STUCCO
2. CEMENTITIOUS HORIZONTAL SIDING
3. STONE VENEER
4. MASONRY VENEER
5. VINYL WINDOW
6. CANOPY
7. CEMENTITIOUS VERTICAL SIDING
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10. METAL GARAGE DOOR
11. LIGHT FIXTURE
12. UNIT ADDRESS
13. ENTRY DOOR
14. COMPOSITION SHINGLE ROOF
15. STANDING SEAM METAL ROOF

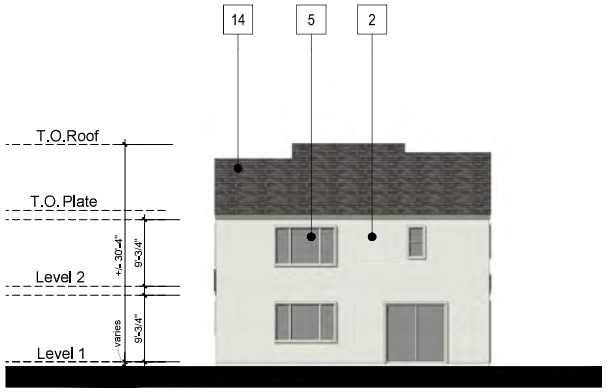




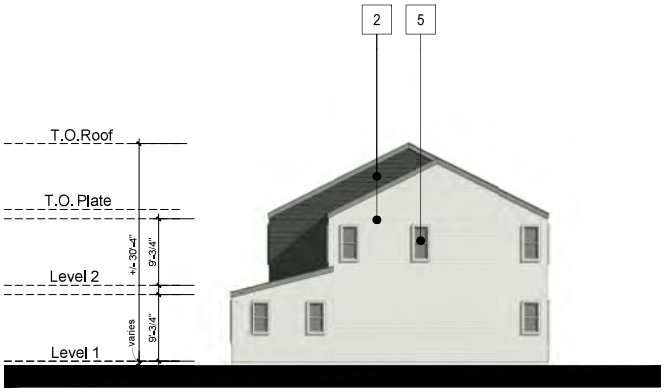
FRONT ELEVATION



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

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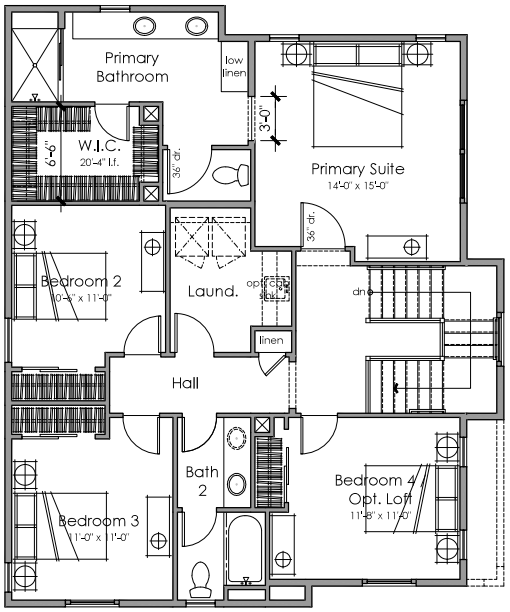
Campbell Technology Park
Campbell, CA # 2023-0039

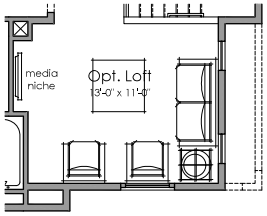
DESIGN REVIEW
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0 4 8 16

SFD- PLAN 3
STYLE 3

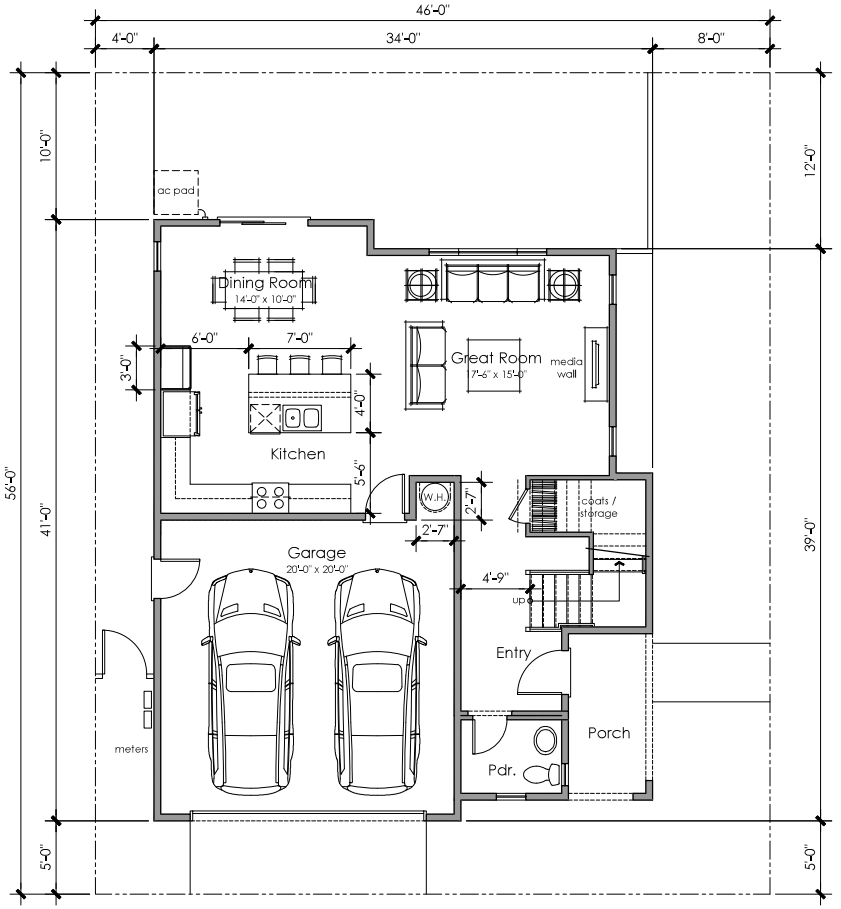
A 1-2.2.2



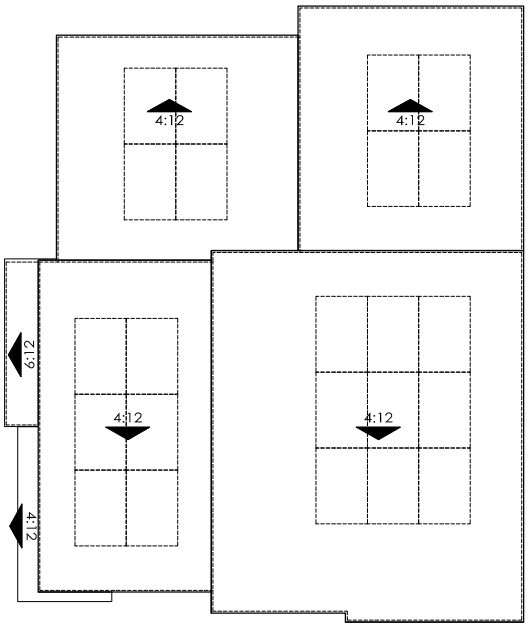


Opt. Loft

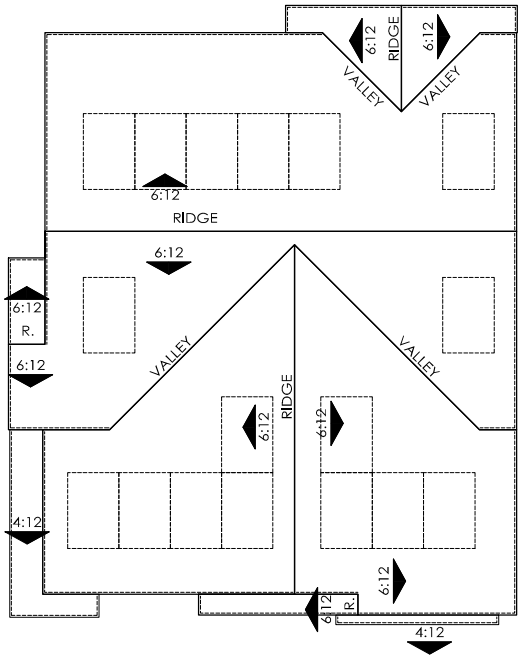
Second Floor



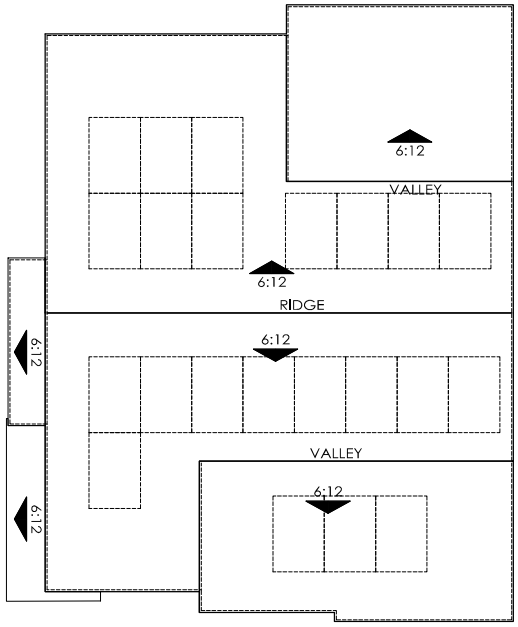
First Floor



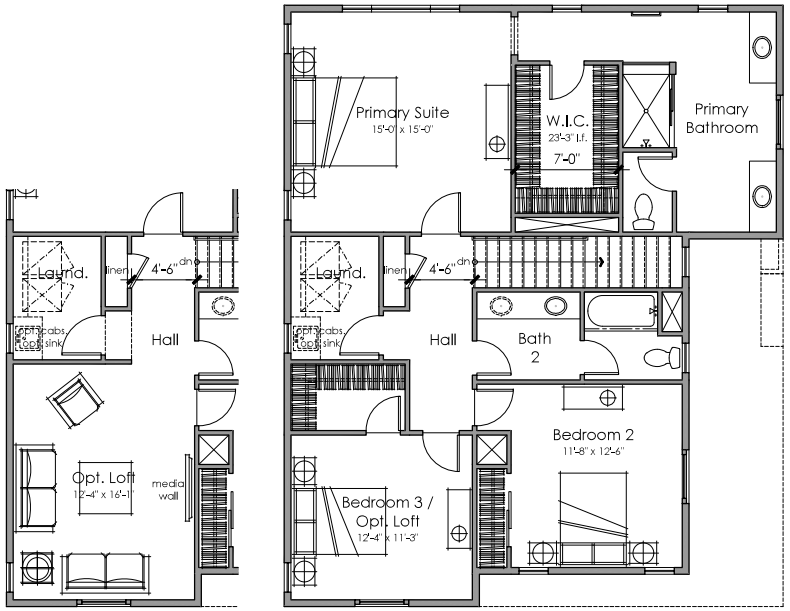
PLAN 1- STYLE C



PLAN 1- STYLE B

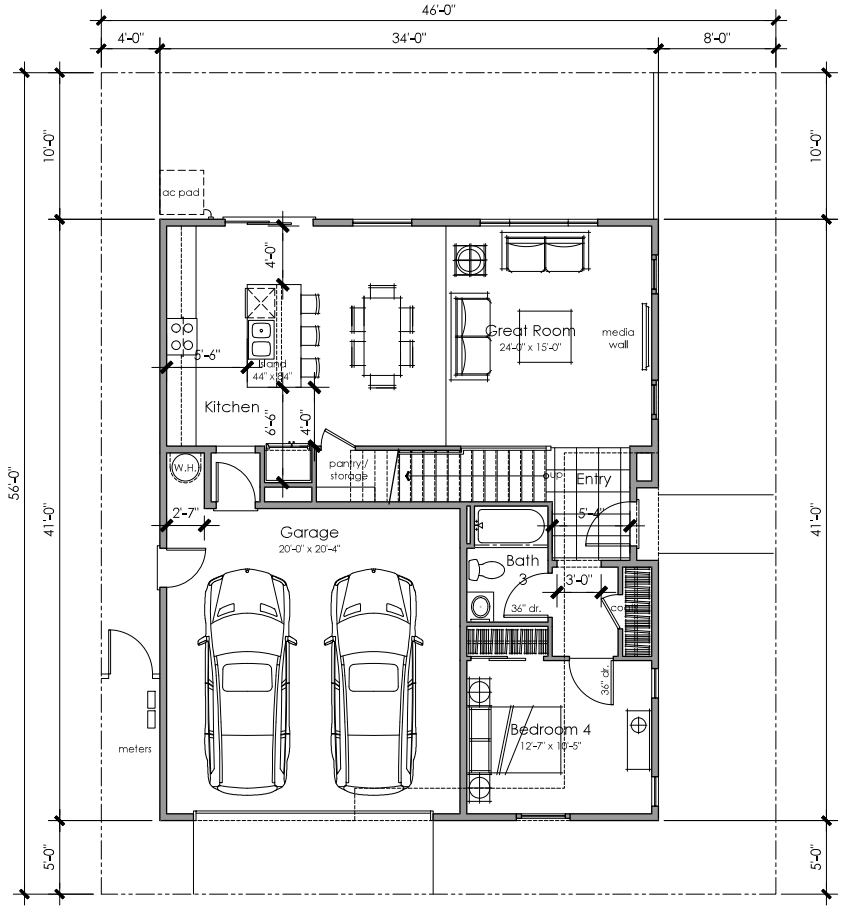


PLAN 1- STYLE A



Opt. Loft

Second Floor



First Floor

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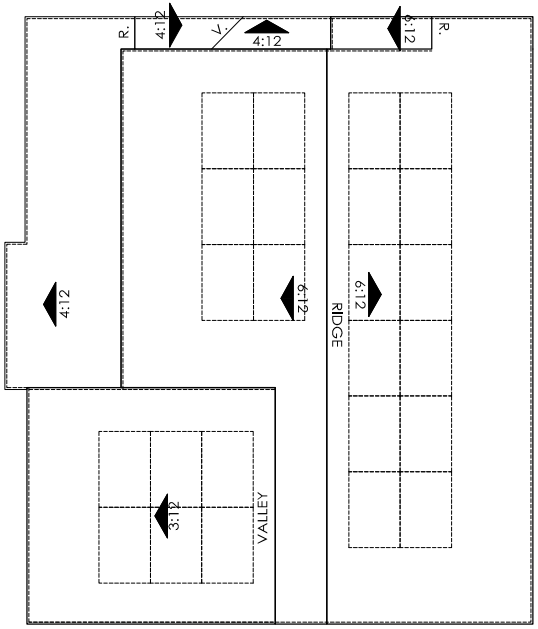
DESIGN REVIEW
NOVEMBER 07, 2024

0 2 4 8

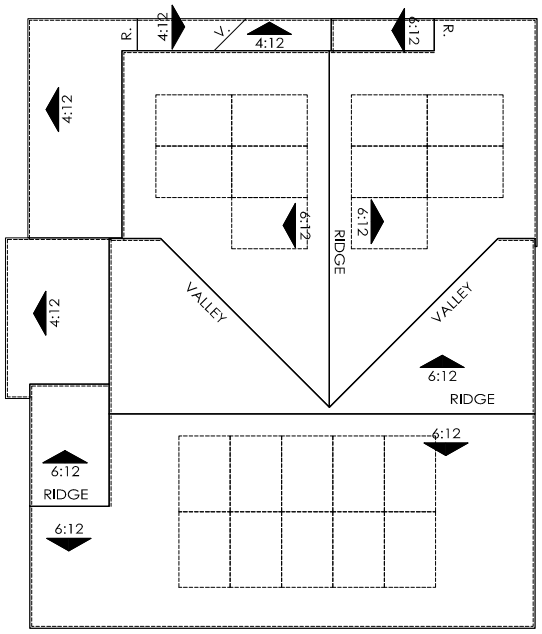
4 BEDROOM
OPT. LOFT
3 BATH
2104 TOTAL S.F.
447 GARAGE S.F.

SFD- PLAN 2
STYLE 1

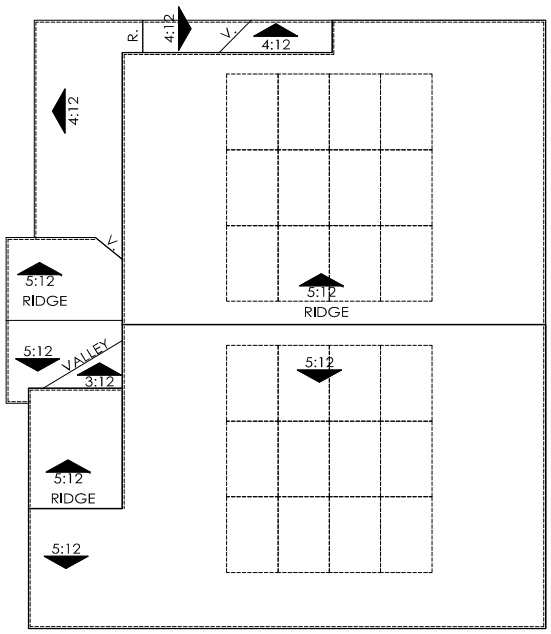
A 1-3.1.0



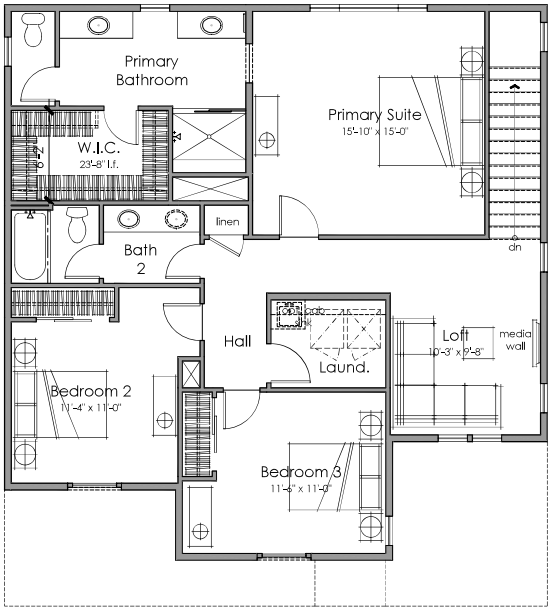
PLAN 2- STYLE C



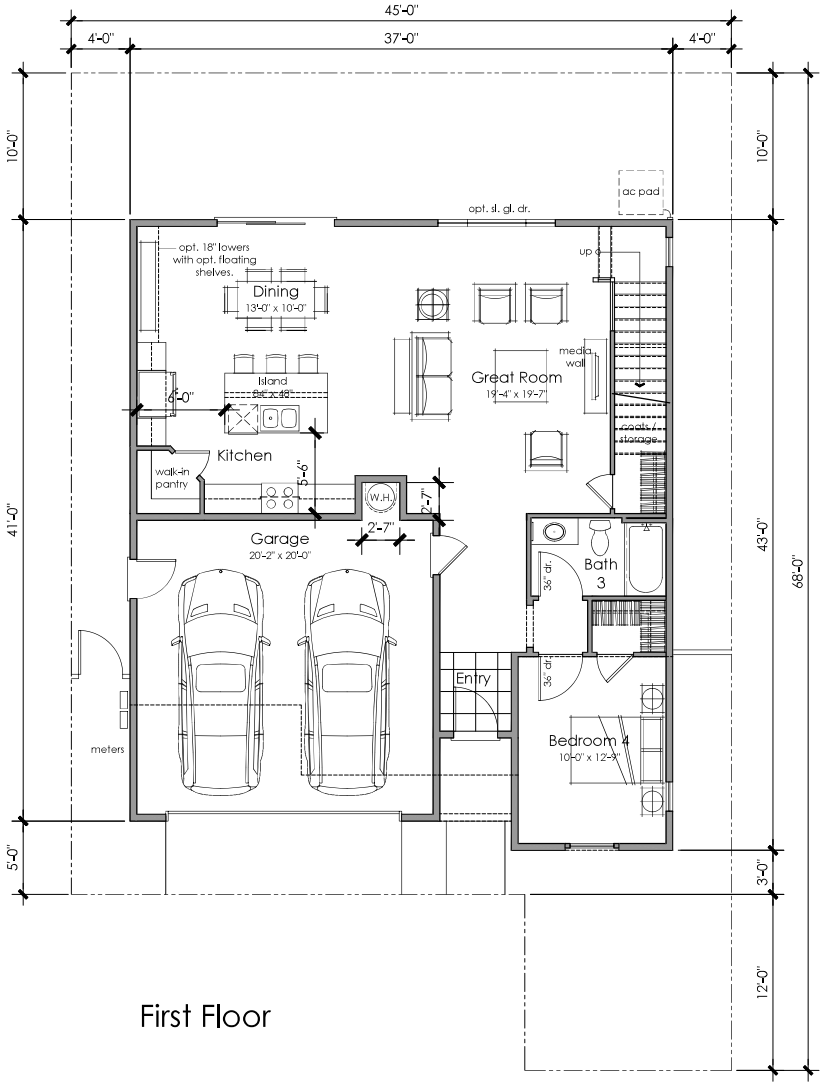
PLAN 2- STYLE B



PLAN 2- STYLE A



Second Floor



First Floor

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Campbell Technology Park
Campbell, CA # 2023-0039

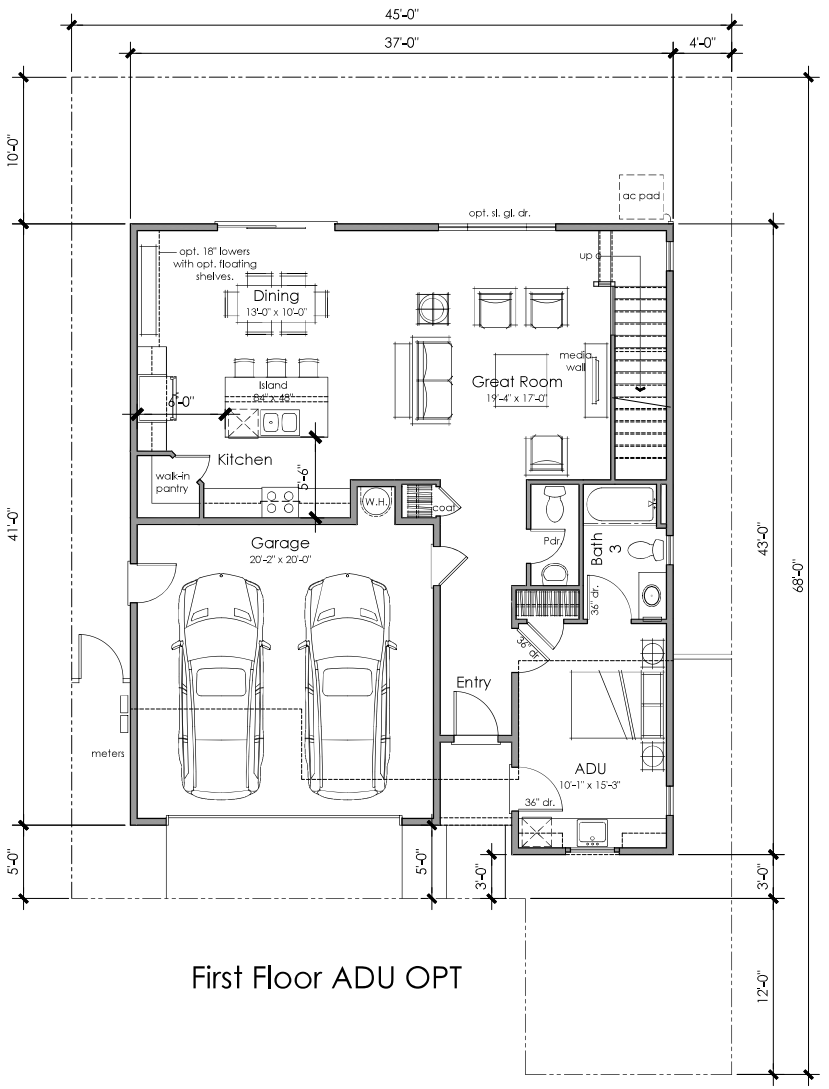
DESIGN REVIEW
NOVEMBER 07, 2024

0 2 4 8

4 BEDROOM + LOFT
3 BATH
2273 TOTAL S.F.
433 GARAGE S.F.

SFD- PLAN 3
STYLE 1

A 1-3.2.0



First Floor ADU OPT

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Campbell, CA # 2023-0039

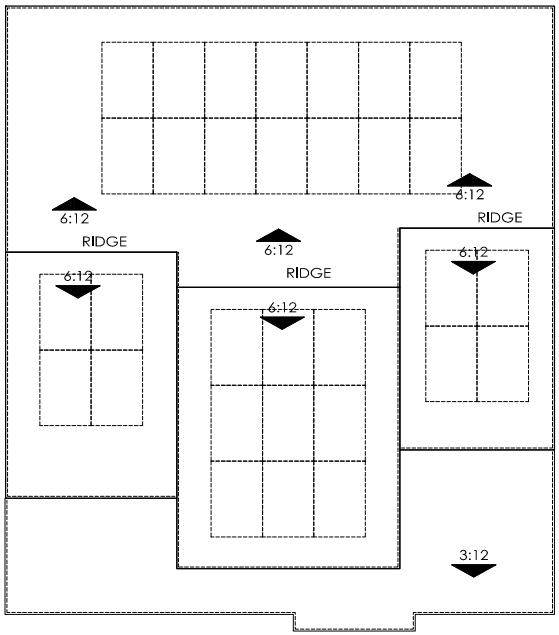
DESIGN REVIEW
NOVEMBER 07, 2024

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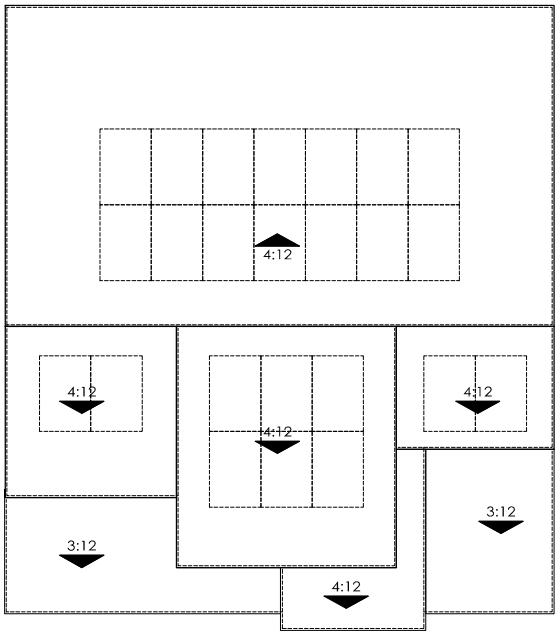
4 BEDROOM + LOFT
OPT. ADU
3 BATH
2295 TOTAL S.F.
433 GARAGE S.F.

SFD- PLAN 3X
STYLE 1

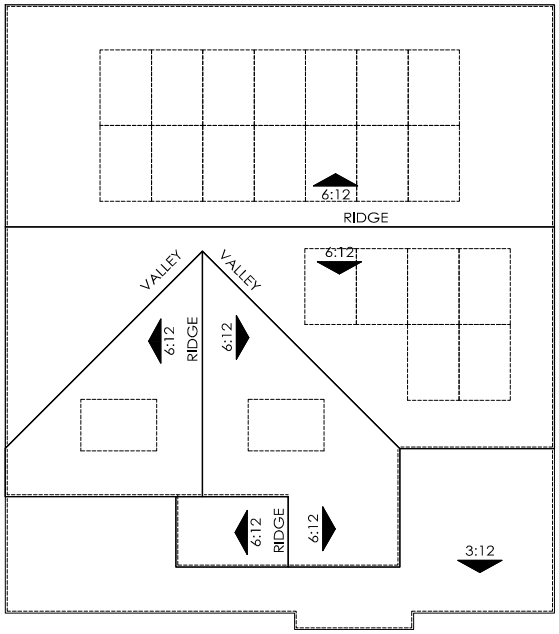
A 1-3.2.1



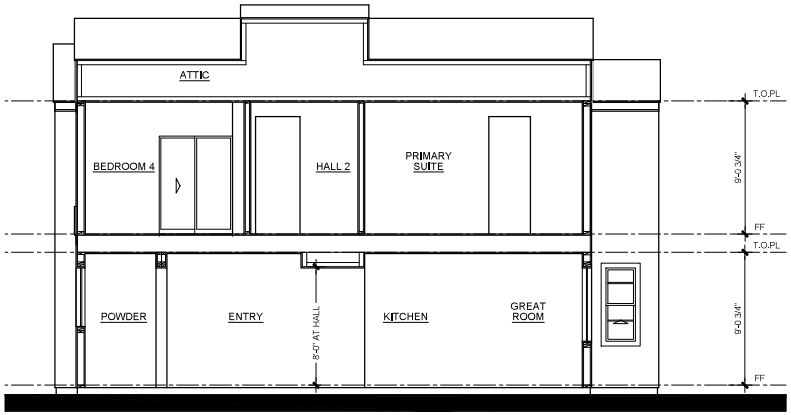
PLAN 3- STYLE C



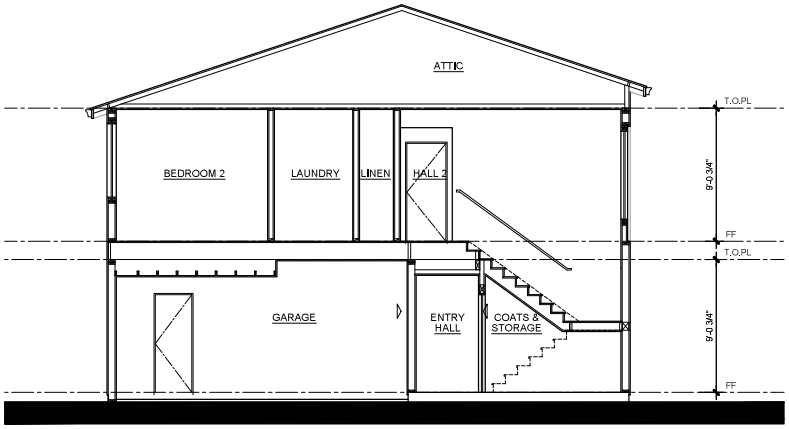
PLAN 3- STYLE B



PLAN 3- STYLE A



SECTION 2



SECTION 1

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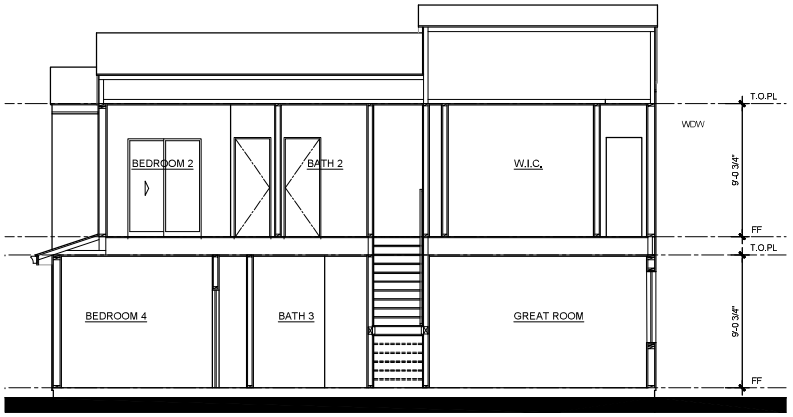
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

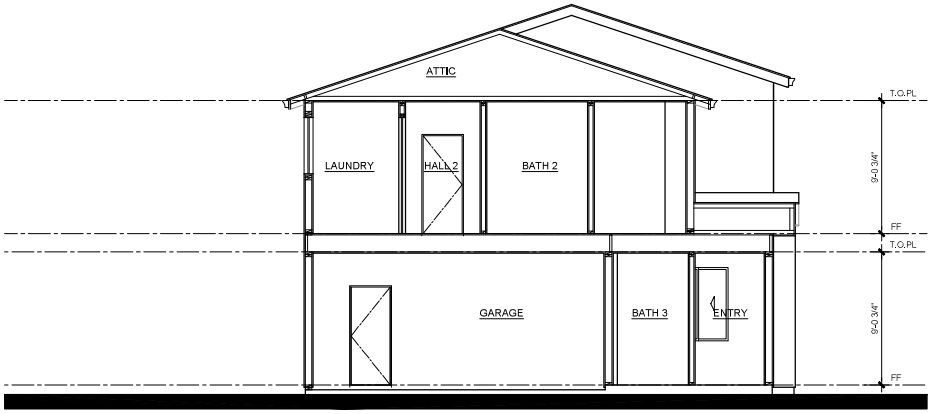
0 2 4 8

SFD- PLAN 1
SECTIONS

A 1-4.0.0



SECTION 2



SECTION 1

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Campbell Technology Park LLC

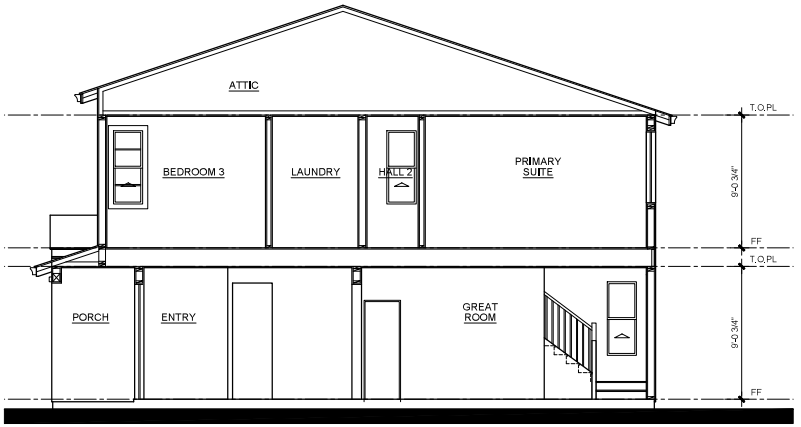
Campbell Technology Park
Campbell, CA # 2023-0039

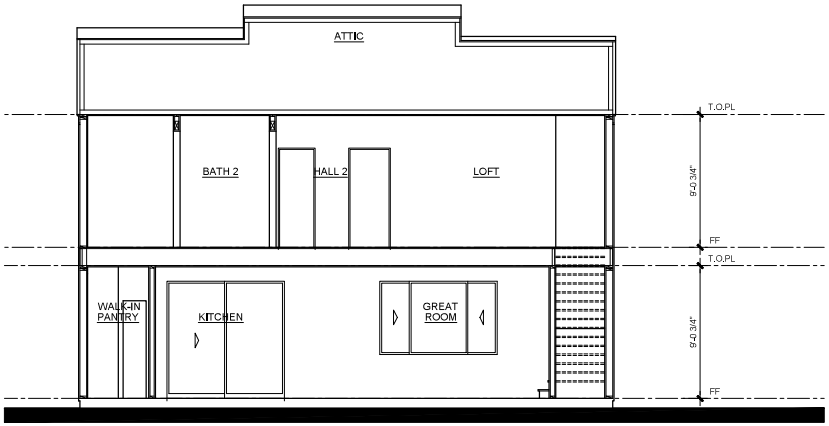
DESIGN REVIEW
NOVEMBER 07, 2024

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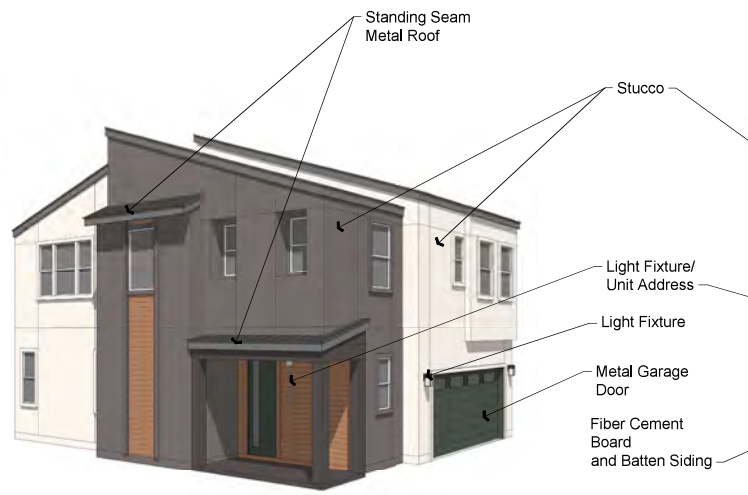
SFD- PLAN 2
SECTIONS

A 1-4.0.1


ATTIC
BEDROOM 3
LAUNDRY
HALL 2
PRIMARY SUITE
PORCH
ENTRY
GREAT ROOM
T.O.PL
9'-0 3/4"
FF
T.O.PL
9'-0 3/4"
FF


ATTIC
BATH 2
HALL 2
LOFT
WALK-IN PANTRY
KITCHEN
GREAT ROOM
T.O.PL
9'-0 3/4"
FF
T.O.PL
9'-0 3/4"
FF

First Floor



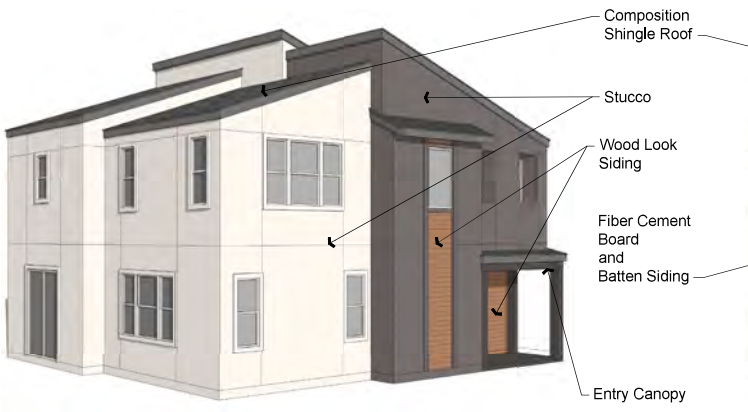
5. PLAN 1- STYLE 3



3. PLAN 1- STYLE 2



1. PLAN 1- STYLE 1



6. PLAN 1- STYLE 3



4. PLAN 1- STYLE 2



2. PLAN 1- STYLE 1

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Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

NTS

SFD- ARCH. DETAILS
PLAN 1

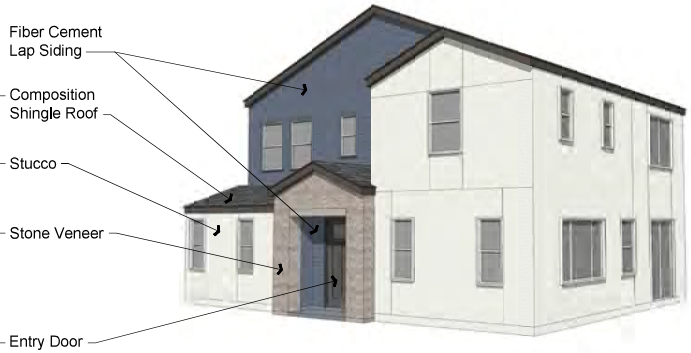
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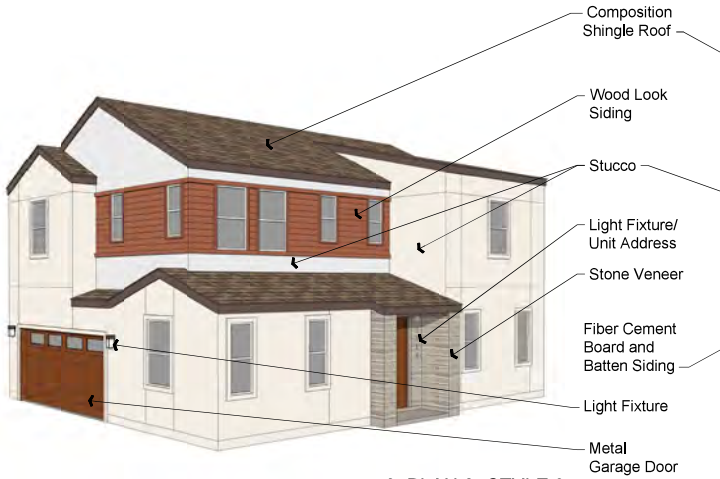
5. PLAN 2- STYLE 3



3. PLAN 2- STYLE 2



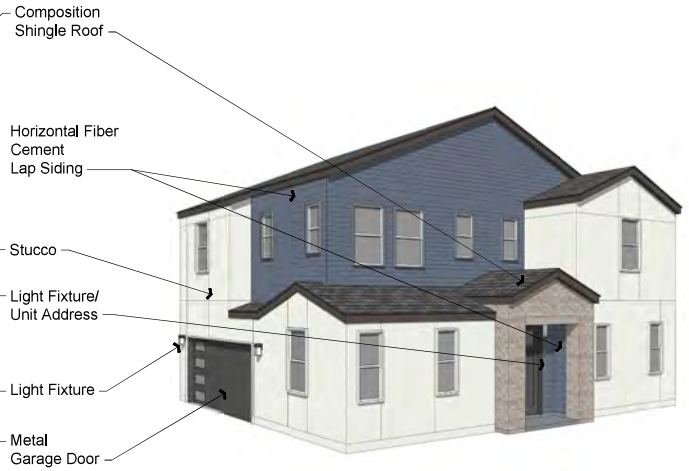
1. PLAN 2- STYLE 1



6. PLAN 2- STYLE 3



4. PLAN 2- STYLE 2



2. PLAN 2- STYLE 1

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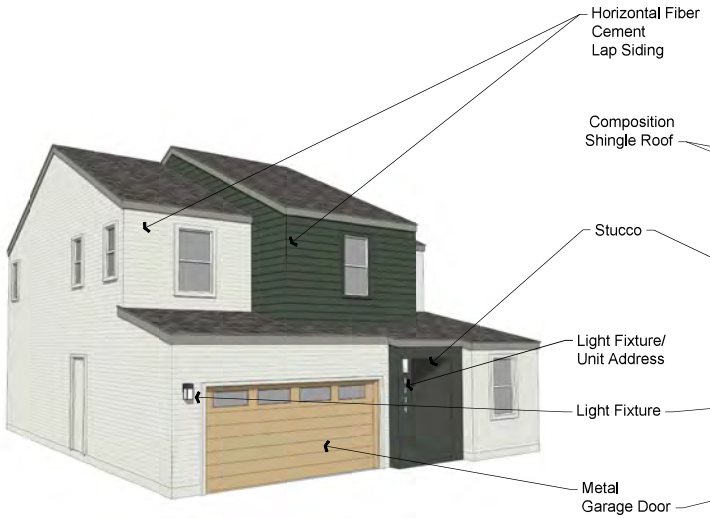
Campbell Technology Park
Campbell, CA # 2023-0039

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NOVEMBER 07, 2024

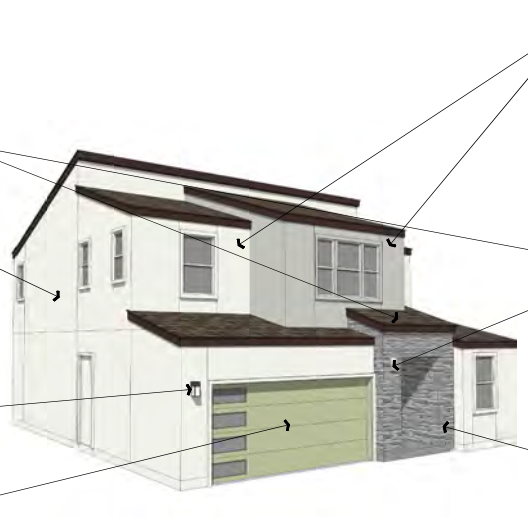
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SFD- ARCH. DETAILS
PLAN 2

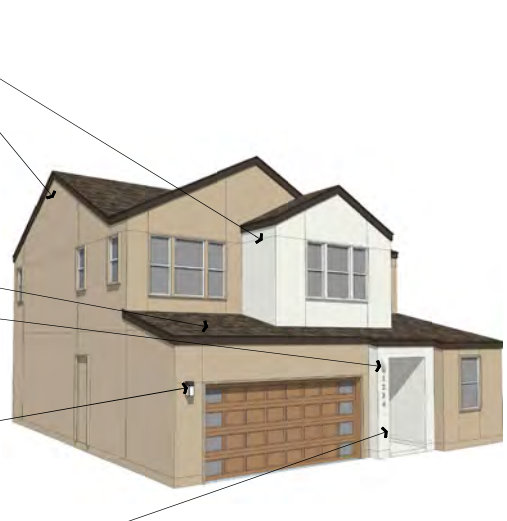
A 1-5.0.1



5. PLAN 3- STYLE 3



3. PLAN 3- STYLE 2



1. PLAN 3- STYLE 1



6. PLAN 3- STYLE 3



4. PLAN 3- STYLE 2



2. PLAN 3- STYLE 1

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SFD- ARCH. DETAILS
PLAN 3

A 1-5.0.2

	PLAN 1			PLAN 2		
	STYLE 1	STYLE 2	STYLE 3	STYLE 1	STYLE 2	STYLE 3
STUCCO BODY 1 / TRIM 1	SW 9582 WHITE SAND	SW 7006 EXTRA WHITE	SW 7757 HIGH REFLECTIVE WHITE	SW 9542 NATURAL WHITE	SW 7757 HIGH REFLECTIVE WHITE	SW 7000 IBIS WHITE
HORIZONTAL LAP SIDING/ TRIM 2	SW 9164 ILLUSIVE GREEN	KM5805 BAY WHARF	N/A	SW 6250 GRANITE PEAK	N/A	N/A
STUCCO BODY 2/ TRIM 3	SW 2849 WESTCHESTER GRAY	KM4903 ZINC DUST	SW 6271 EXPRESSIVE PLUM	N/A	SW 7505 MANOR HOUSE	SW 9676 GREEN GLIMPSE
BOARD AND BATTEN SIDING/ TRIM 4	N/A	SW 6185 ESCAPE GRAY	N/A	N/A	SW 7505 MANOR HOUSE	N/A
RAKE	SW 9570 IRONCLAD	SW 6005 FOLKSTONE	SW 6216 JASPER	SW 7048 URBANE BRONZE	SW 7020 BLACK FOX	SW 9604 TEA LEAF
WOOD LOOK SIDING 1/ TRIM 5	N/A	N/A	WOODTONE RUSTICSERIES SUMMER WHEAT	N/A	N/A	WOODTONE RUSTICSERIES OLD CHERRY
SHINGLE ROOF	TIMBERLINE HD OYSTER GRAY	TIMBERLINE HD BARKWOOD	TIMBERLINE HD OYSTER GRAY	TIMBERLINE HD APPALACHIAN SKY	TIMBERLINE HD MISSION BROWN	TIMBERLINE HD GOLDEN HARVERST
STANDING SEAM METAL ROOF	ZINC GRAY	N/A	MEDIUM BRONZE	N/A	N/A	N/A
STONE VENEER	N/A	N/A	N/A	STACKED STONE ALDERWOOD	VINTAGE RANCH PARCHWOOD	VINTAGE RANCH STRATUSWOOD
ENTRY DOOR	SW 9639 RAIN CLOUD	SW 7520 DARK BROWN	SW 6452 INLAND	SW 9154 PERLE NOIR	SW 6097 STURDY BROWN	SW 0008 CAJUN RED
GARAGE DOOR	SW 9639 RAIN CLOUD	SW 7520 DARK BROWN	SW 6452 INLAND	SW 9154 PERLE NOIR	SW 6097 STURDY BROWN	SW 0008 CAJUN RED

Manufacturers

Paint - Sherwin Williams or Equal
Garage door - Clopay garage doors or Equal
Entry door - Therma Tru or Equal
Wood Look Siding: Woodtone siding or Equal
Composition Shingle Roof: GAF Roofing or Equal
Stone: El Dorado Stone

PLAN 3

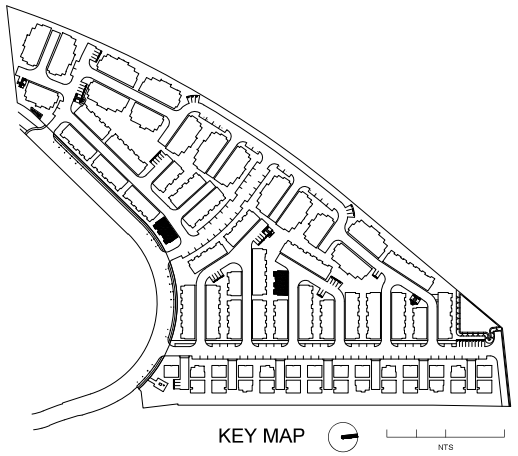
	STYLE 1	STYLE 2	STYLE 3
STUCCO BODY 1 / TRIM 1/ HORIZONTAL LAP SIDING 1	SW 7530 BARCELONA BEIGE	SW 9503 CHEVIOT	SW 7730 FORESTWOOD
HORIZONTAL LAP SIDING 2/ TRIM 2	SW 7006 EXTRA WHITE	N/A	SW 6252 ICECUBE
STUCCO BODY 2/ TRIM 3	SW 7006 EXTRA WHITE	SW 9562 FORTITUDE	N/A
BOARD AND BATTEN SIDING/ TRIM 4	N/A	N/A	N/A
RAKE	SW 9580 CRACKED PEPPER	SW 7630 RAISIN	SW 9164 ILLUSIVE GREEN
WOOD LOOK SIDING 1/ TRIM 5	N/A	N/A	N/A
SHINGLE ROOF	TIMBERLINE HD BARKWOOD	TIMBERLINE HD MISSION BROWN	TIMBERLINE HD APPALACHIAN SKY
STANDING SEAM METAL ROOF	N/A	N/A	N/A
STONE VENEER	N/A	CUT COARSE STONE CONNONADE	N/A
ENTRY DOOR	SW 6109 HOPSACK	SW 6717 LIME RICKEY	SW 6122 CAMELBACK
GARAGE DOOR	SW 6109 HOPSACK	SW 6177 SOFTENED GREEN	SW 6122 CAMELBACK

Manufacturers

Paint - Sherwin Williams or Equal
Garage door - Clopay garage doors or Equal
Entry door - Therma Tru or Equal
Wood Look Siding: Woodtone siding or Equal
Composition Shingle Roof: GAF Roofing or Equal
Stone: El Dorado Stone



3. FRONT PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

Egress window for emergency escape



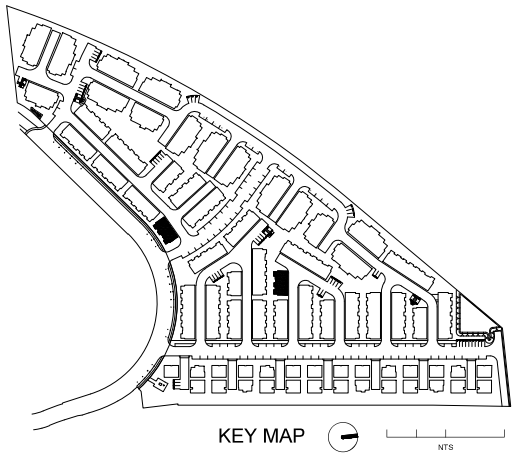
2. LEFT ELEVATION



1. FRONT ELEVATION



3. REAR PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

Egress window for emergency escape



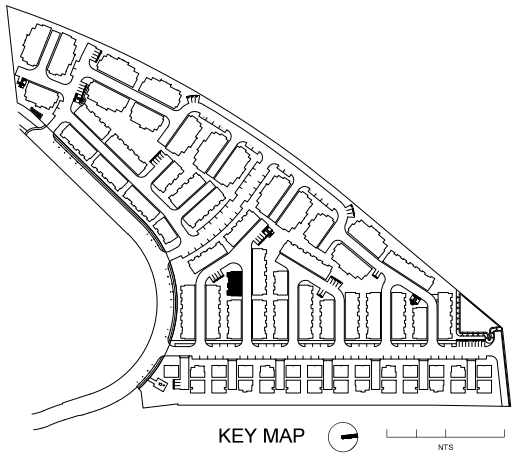
2. RIGHT ELEVATION



1. REAR ELEVATION



3. FRONT PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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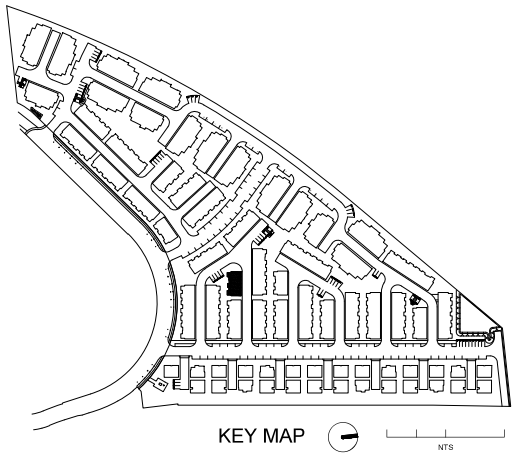
0 4 8 16

3 STORY TOWNHOUSE
3 PLEX-STYLE 2_ELEVATIONS

A2-2.0.2



3. REAR PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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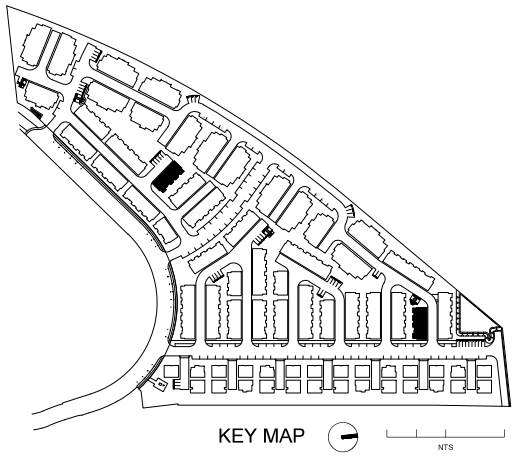
0 4 8 16

3 STORY TOWNHOUSE
3 PLEX -STYLE 2_ELEVATIONS

A2-2.0.3



3. FRONT PERSPECTIVE



MATERIAL LEGEND

1. STUCCO
2. FIBER CEMENT BOARD AND BATTEN SIDING
3. FIBER CEMENT LAP SIDING
4. WOOD LOOK SIDING
5. VINYL WINDOW
6. METAL RAILING
7. METAL GARAGE DOOR
8. LIGHT FIXTURE
9. UNIT ADDRESS
10. ENTRY DOOR
11. ENTRY CANOPY
12. COMPOSITION SHINGLE ROOF

Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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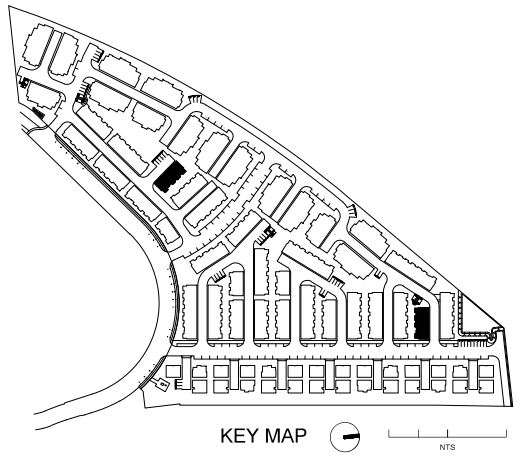
0 4 8 16

3 STORY TOWNHOUSE
4 PLEX-STYLE 1_ELEVATIONS

A2-2.1.0



3. REAR PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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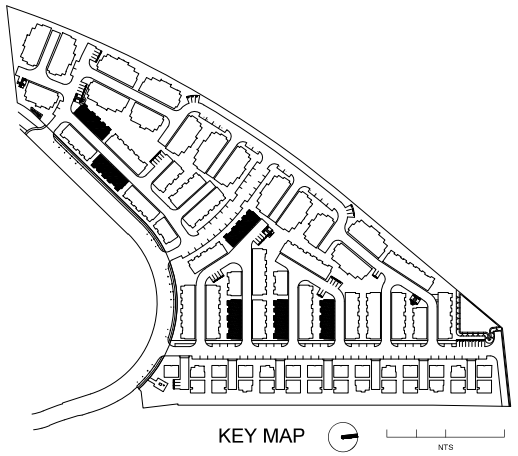
0 4 8 16

3 STORY TOWNHOUSE
4 PLEX-STYLE 1_ELEVATIONS

A2-2.1.1



3. FRONT PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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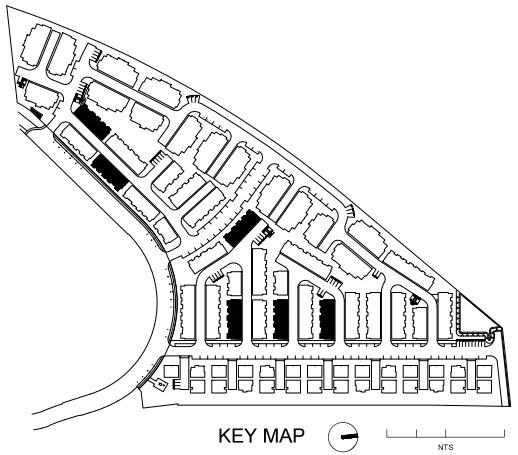
0 4 8 16

3 STORY TOWNHOUSE
5 PLEX -STYLE 1_ELEVATIONS

A2-2.2.0



3. REAR PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
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6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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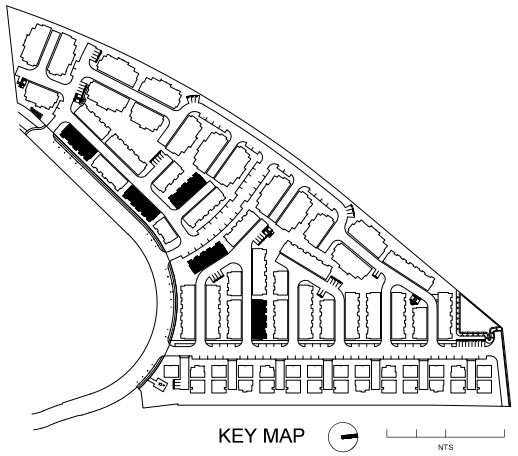
0 4 8 16

3 STORY TOWNHOUSE
5 PLEX -STYLE 1_ELEVATIONS

A2-2.2.1



3. FRONT PERSPECTIVE



MATERIAL LEGEND

1. STUCCO
2. FIBER CEMENT BOARD AND BATTEN SIDING
3. FIBER CEMENT LAP SIDING
4. WOOD LOOK SIDING
5. VINYL WINDOW
6. METAL RAILING
7. METAL GARAGE DOOR
8. LIGHT FIXTURE
9. UNIT ADDRESS
10. ENTRY DOOR
11. ENTRY CANOPY
12. COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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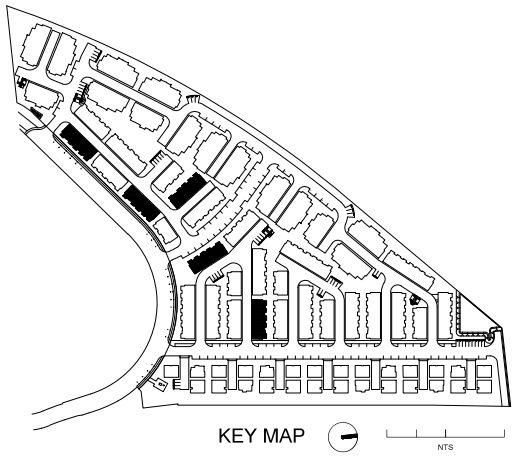
0 4 8 16

3 STORY TOWNHOUSE
5 PLEX-STYLE 2_ELEVATIONS

A2-2.2.2



3. REAR PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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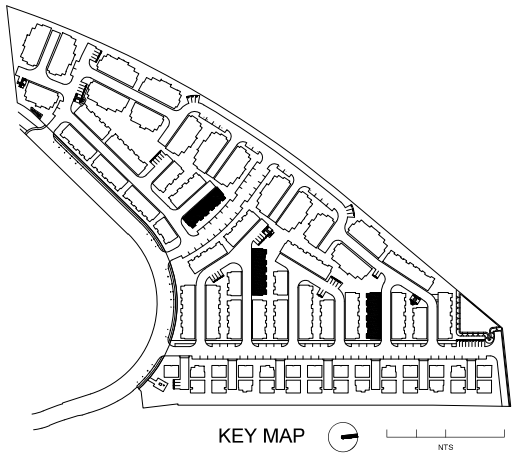
0 4 8 16

3 STORY TOWNHOUSE
5 PLEX-STYLE 2_ELEVATIONS

A2-2.2.3



3. FRONT PERSPECTIVE



MATERIAL LEGEND

1. STUCCO
2. FIBER CEMENT BOARD AND BATTEN SIDING
3. FIBER CEMENT LAP SIDING
4. WOOD LOOK SIDING
5. VINYL WINDOW
6. METAL RAILING
7. METAL GARAGE DOOR
8. LIGHT FIXTURE
9. UNIT ADDRESS
10. ENTRY DOOR
11. ENTRY CANOPY
12. COMPOSITION SHINGLE ROOF

Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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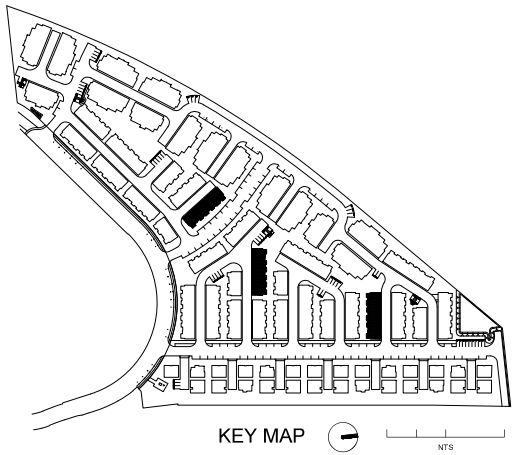
0 4 8 16

3 STORY TOWNHOUSE
6 PLEX -STYLE 1_ELEVATIONS

A2-2.3.0



3. REAR PERSPECTIVE



MATERIAL LEGEND

1. STUCCO
2. FIBER CEMENT BOARD AND BATTEN SIDING
3. FIBER CEMENT LAP SIDING
4. WOOD LOOK SIDING
5. VINYL WINDOW
6. METAL RAILING
7. METAL GARAGE DOOR
8. LIGHT FIXTURE
9. UNIT ADDRESS
10. ENTRY DOOR
11. ENTRY CANOPY
12. COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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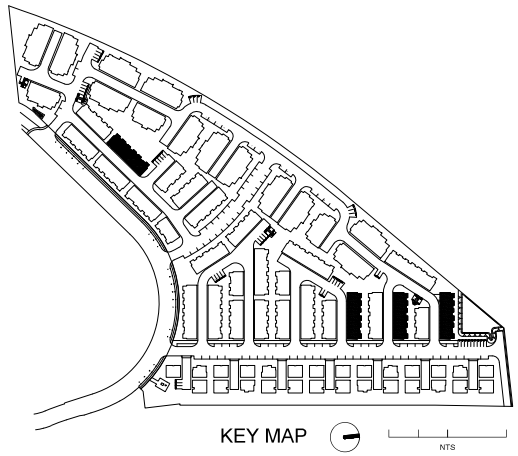
0 4 8 16

3 STORY TOWNHOUSE
6 PLEX -STYLE 1_ELEVATIONS

A2-2.3.1



3. FRONT PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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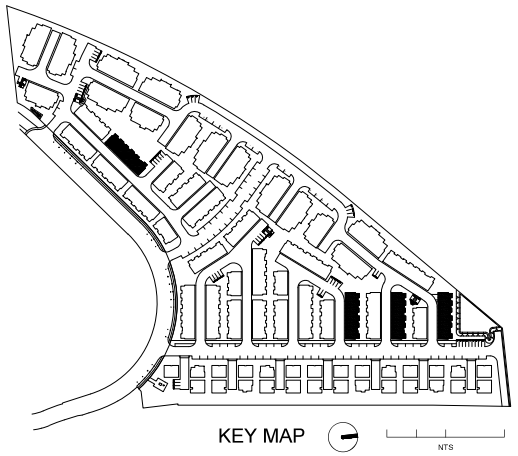
0 4 8 16

3 STORY TOWNHOUSE
6 PLEX-STYLE 2_ELEVATIONS

A2-2.3.2



3. REAR PERSPECTIVE



MATERIAL LEGEND

1. STUCCO
2. FIBER CEMENT BOARD AND BATTEN SIDING
3. FIBER CEMENT LAP SIDING
4. WOOD LOOK SIDING
5. VINYL WINDOW
6. METAL RAILING
7. METAL GARAGE DOOR
8. LIGHT FIXTURE
9. UNIT ADDRESS
10. ENTRY DOOR
11. ENTRY CANOPY
12. COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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DESIGN REVIEW
NOVEMBER 07, 2024

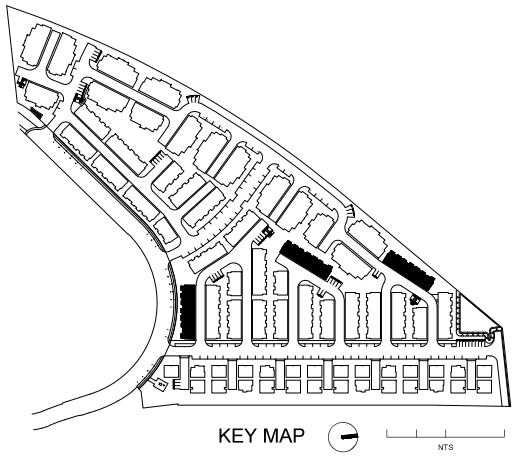
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3 STORY TOWNHOUSE
6 PLEX-STYLE 2_ELEVATIONS

A2-2.3.3



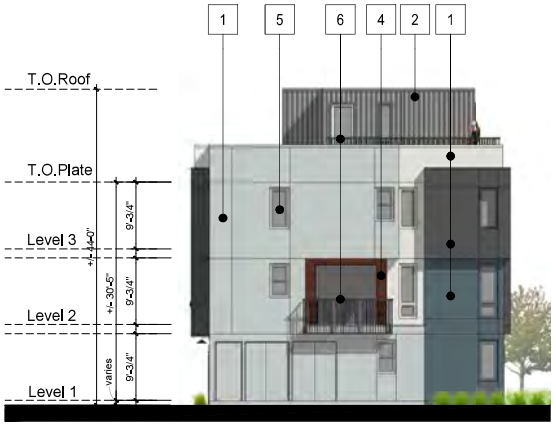
3. FRONT PERSPECTIVE



MATERIAL LEGEND

1. STUCCO
2. FIBER CEMENT BOARD AND BATTEN SIDING
3. FIBER CEMENT LAP SIDING
4. WOOD LOOK SIDING
5. VINYL WINDOW
6. METAL RAILING
7. METAL GARAGE DOOR
8. LIGHT FIXTURE
9. UNIT ADDRESS
10. ENTRY DOOR
11. ENTRY CANOPY
12. COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

ktgy | cbg CARLSON, BARBEE & GIBSON, Inc. | GATES + ASSOCIATES

Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

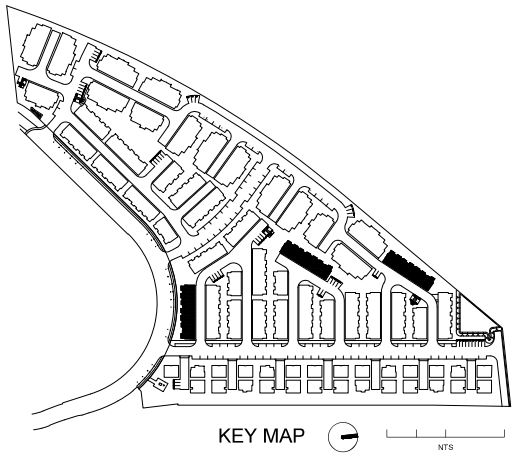
0 4 8 16

3 STORY TOWNHOUSE
7 PLEX -STYLE 1_ELEVATIONS

A2-2.4.0



3. REAR PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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DESIGN REVIEW
NOVEMBER 07, 2024

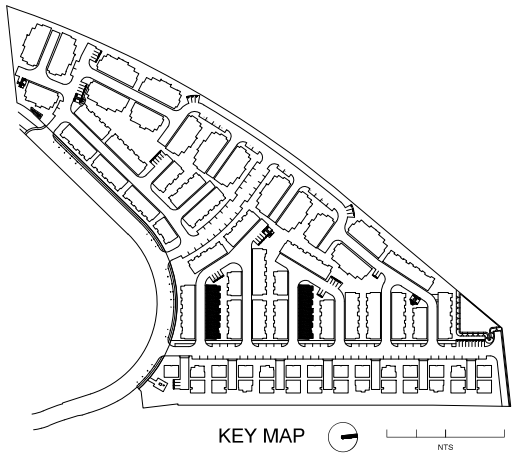
0 4 8 16

3 STORY TOWNHOUSE
7 PLEX -STYLE 1_ELEVATIONS

A2-2.4.1



3. FRONT PERSPECTIVE



MATERIAL LEGEND

1. STUCCO
2. FIBER CEMENT BOARD AND BATTEN SIDING
3. FIBER CEMENT LAP SIDING
4. WOOD LOOK SIDING
5. VINYL WINDOW
6. METAL RAILING
7. METAL GARAGE DOOR
8. LIGHT FIXTURE
9. UNIT ADDRESS
10. ENTRY DOOR
11. ENTRY CANOPY
12. COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
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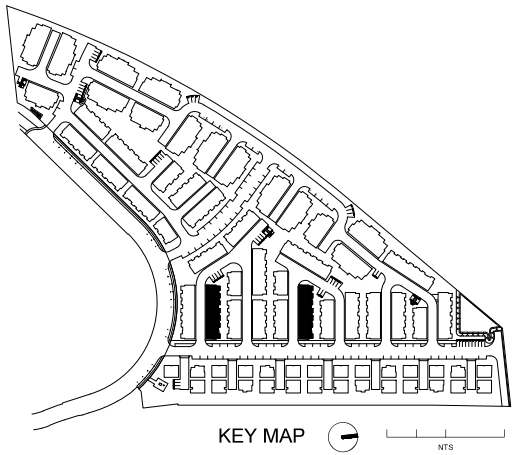
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3 STORY TOWNHOUSE
7 PLEX-STYLE 2_ELEVATIONS

A2-2.4.2



3. REAR PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	METAL GARAGE DOOR
2.	FIBER CEMENT BOARD AND BATTEN SIDING	8.	LIGHT FIXTURE
3.	FIBER CEMENT LAP SIDING	9.	UNIT ADDRESS
4.	WOOD LOOK SIDING	10.	ENTRY DOOR
5.	VINYL WINDOW	11.	ENTRY CANOPY
6.	METAL RAILING	12.	COMPOSITION SHINGLE ROOF

✳ Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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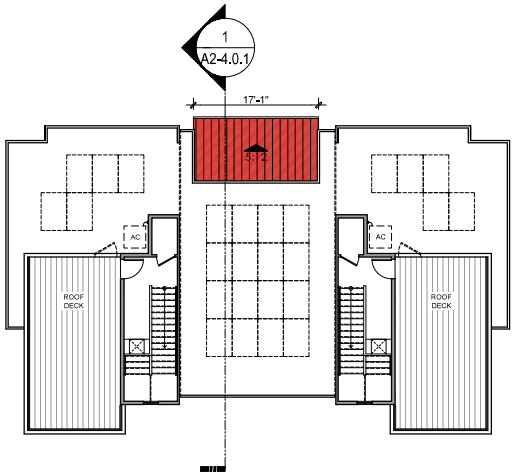
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

0 4 8 16

3 STORY TOWNHOUSE
7 PLEX -STYLE 2_ELEVATIONS

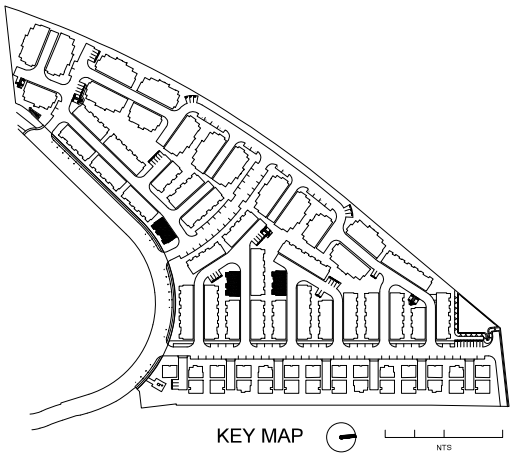
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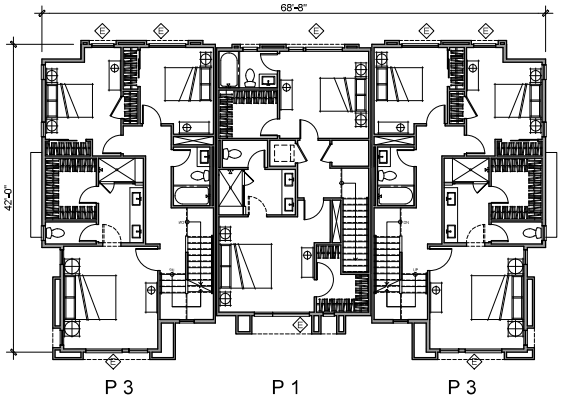


ROOF

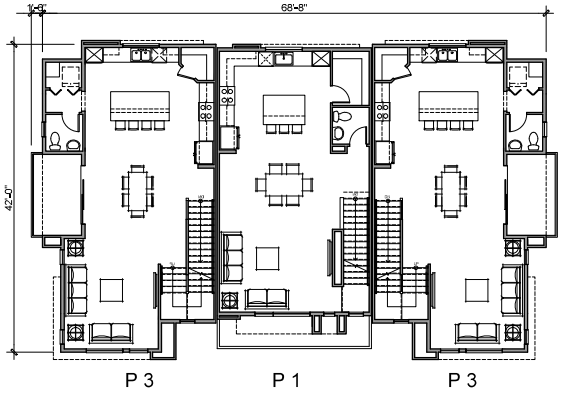
NOTE:
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Eave Height Less than 30' to allow for fire department ground ladder roof access

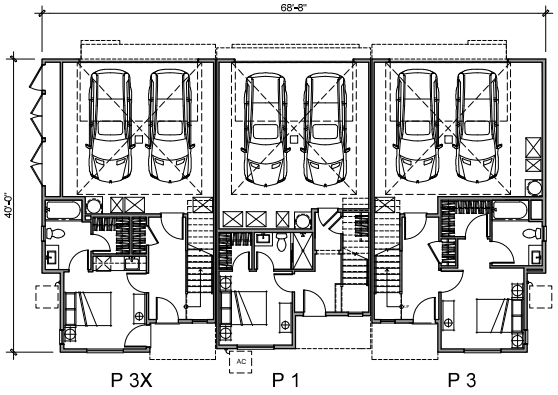




LEVEL 3



LEVEL 2



LEVEL 1

E Egress window for emergency escape

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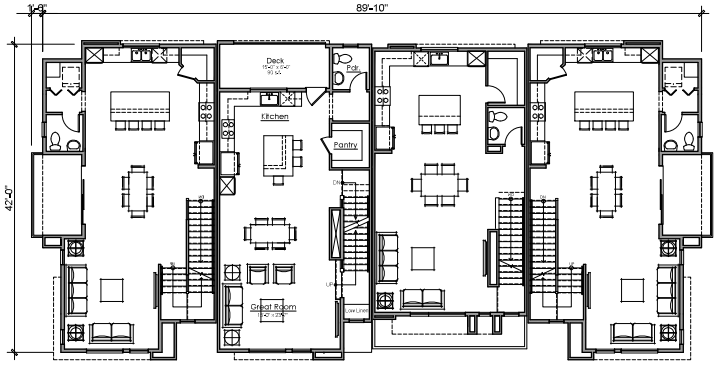
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

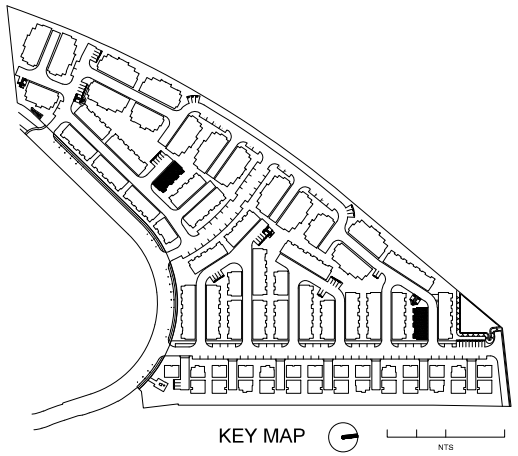
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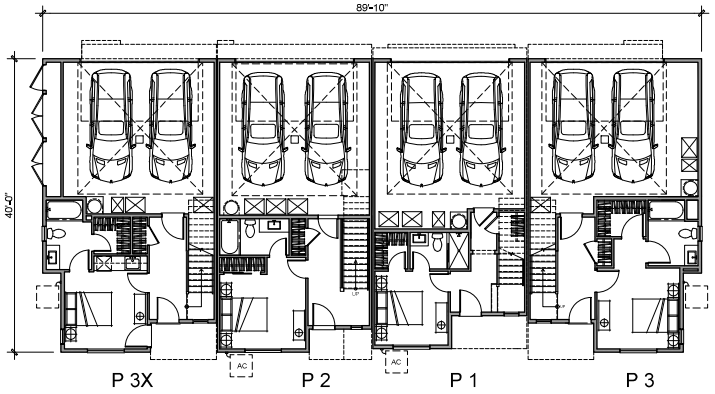
3 STORY TOWNHOUSE
3 PLEX -BUILDING PLANS

A2-3.0.0



LEVEL 2





LEVEL 1

Ⓔ Egress window for emergency escape

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Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

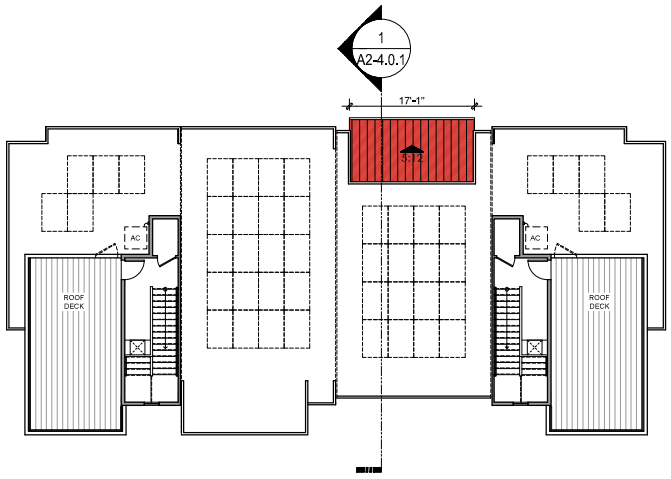
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3 STORY TOWNHOUSE
4 PLEX -BUILDING PLANS

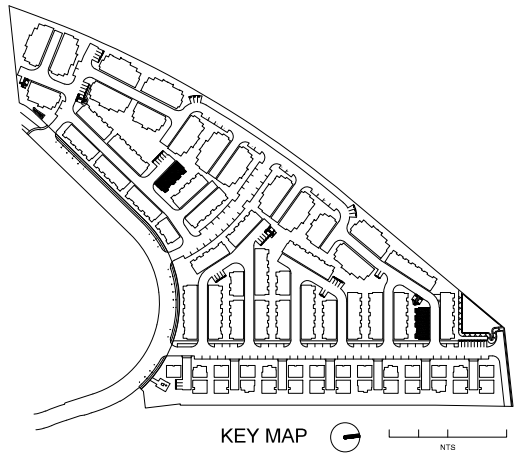
A2-3.1.0

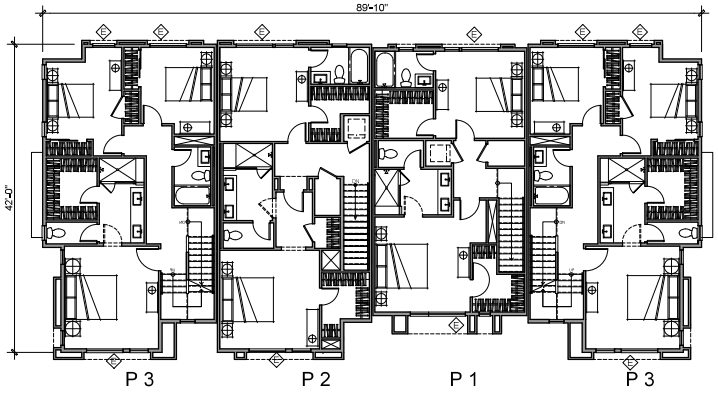
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Eave Height Less than 30' to allow for fire department ground ladder roof access



ROOF





LEVEL 3

E Egress window for emergency escape

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Campbell Technology Park LLC

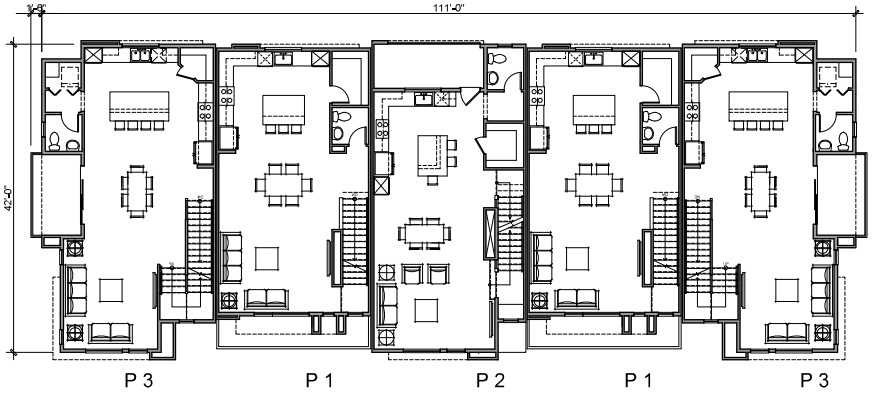
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

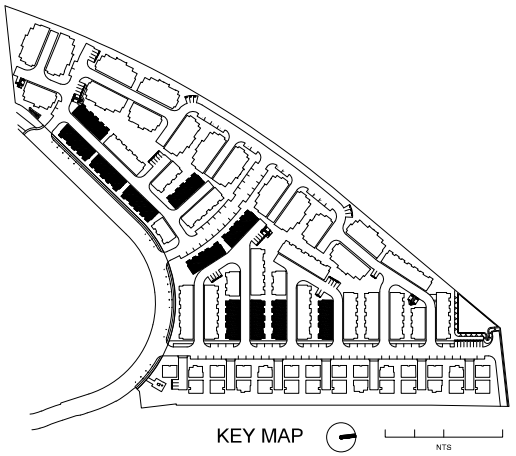
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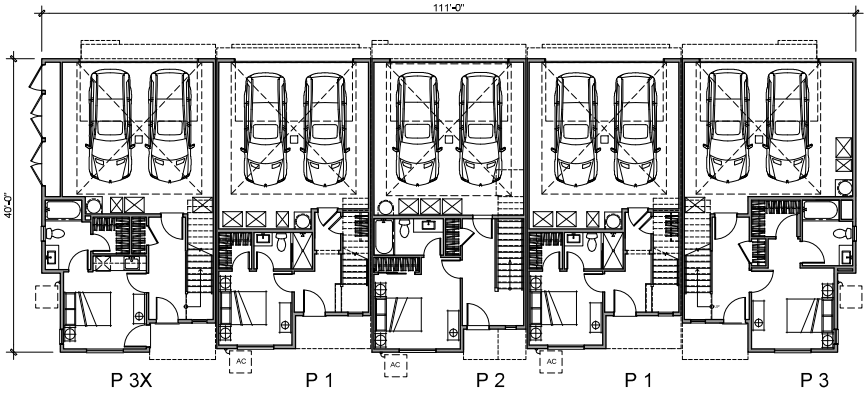
3 STORY TOWNHOUSE
4 PLEX -BUILDING PLANS

A2-3.1.1



LEVEL 2



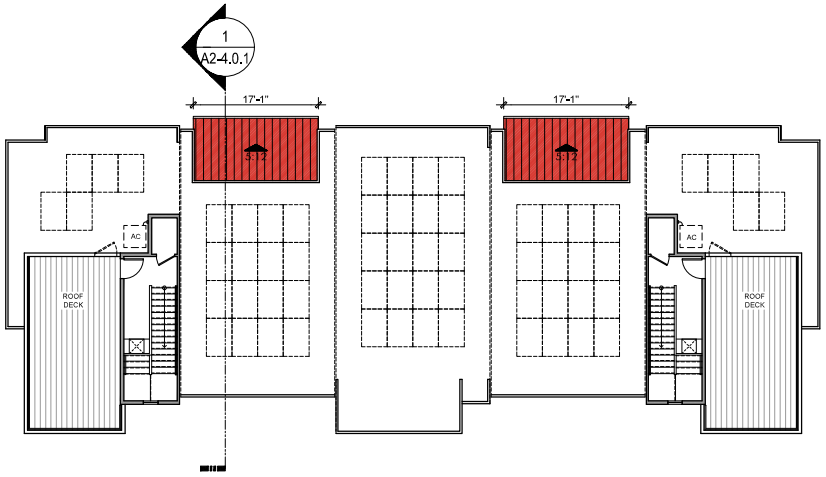


LEVEL 1

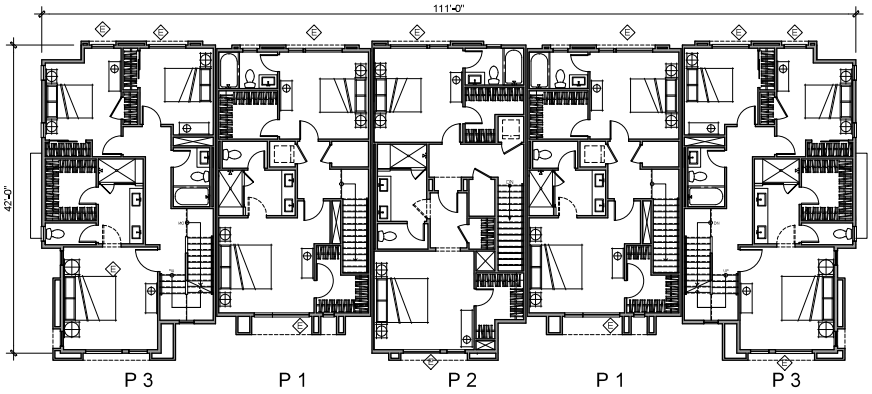
Ⓔ Egress window for emergency escape

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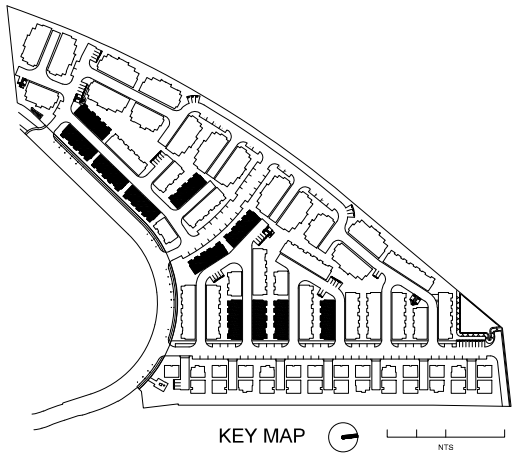
Eave Height Less than 30' to allow for fire department ground ladder roof access



ROOF



LEVEL 3



Egress window for emergency escape

ktgy | cbg CARLSON, BARBEE & GIBSON, Inc. | GATES +ASSOCIATES

Campbell Technology Park LLC

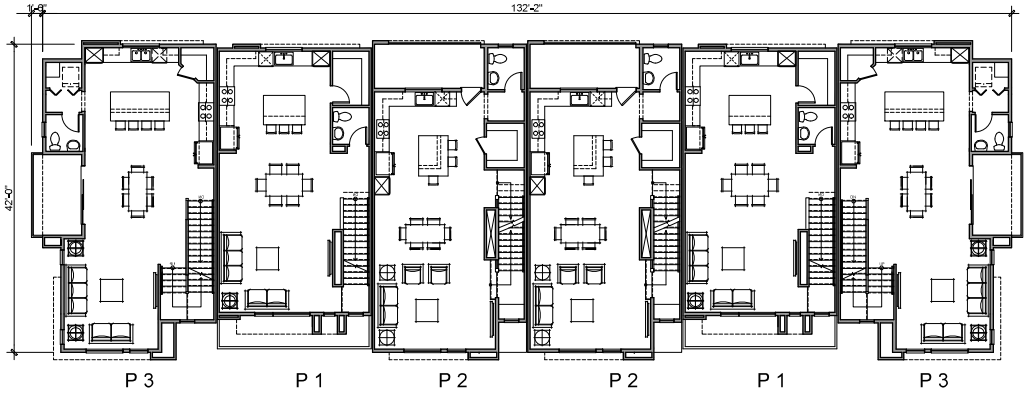
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

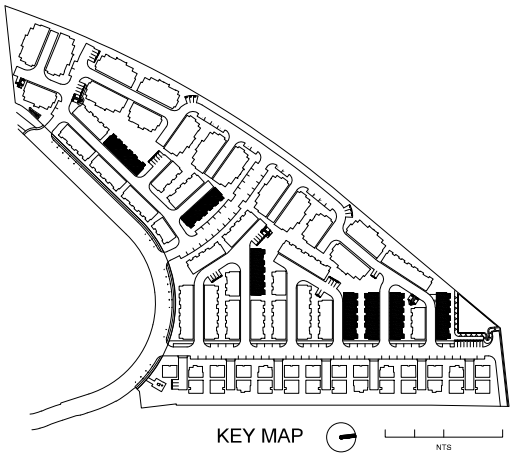
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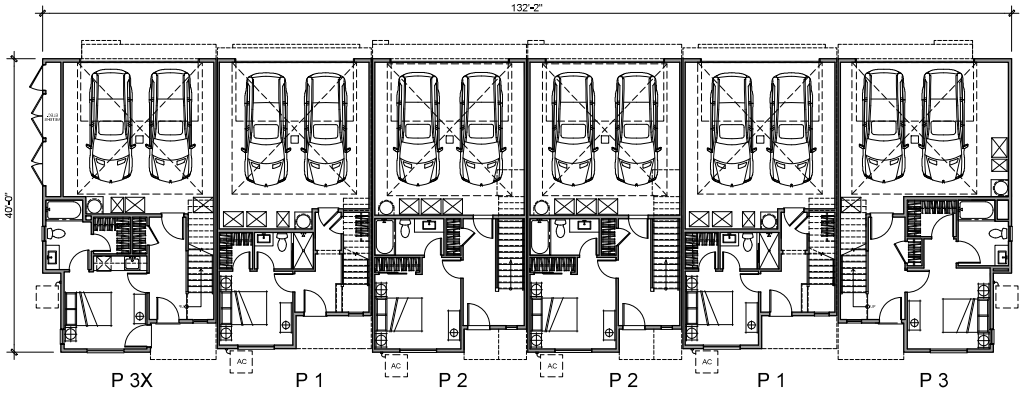
3 STORY TOWNHOUSE
5 PLEX -BUILDING PLANS

A2-3.2.1



LEVEL 2





LEVEL 1

Ⓔ Egress window for emergency escape

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Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

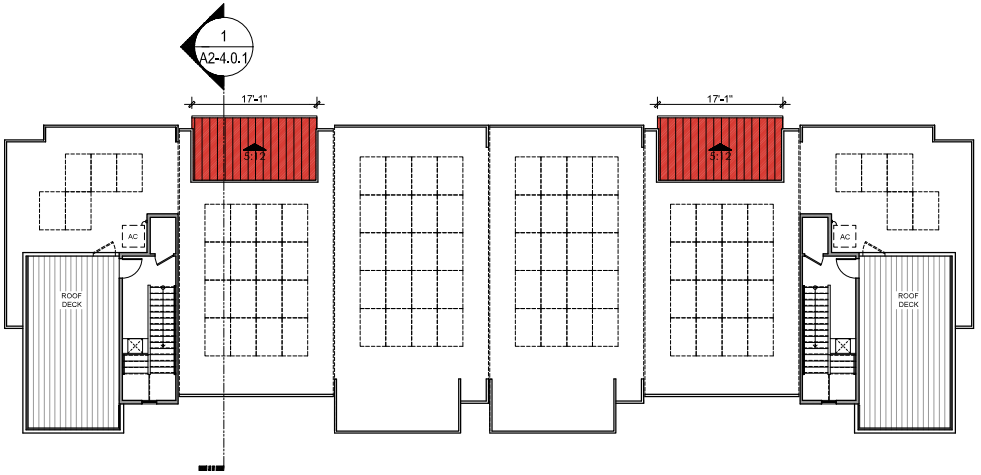
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3 STORY TOWNHOUSE
6 PLEX -BUILDING PLANS

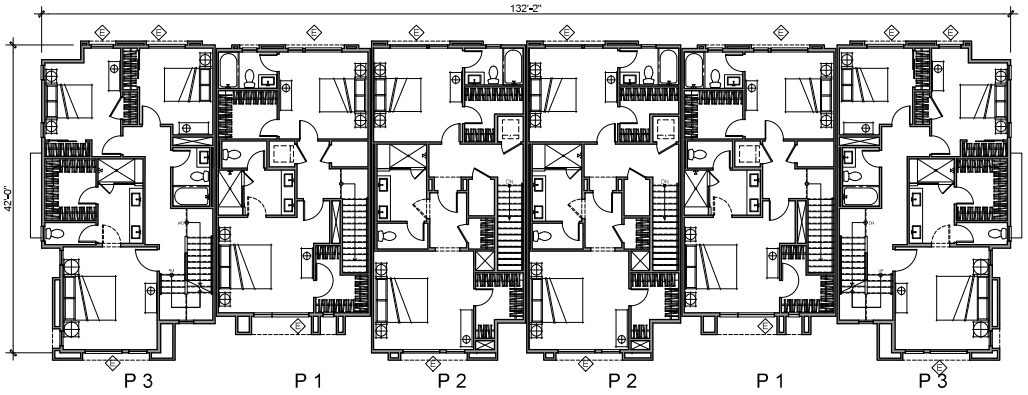
A2-3.3.0

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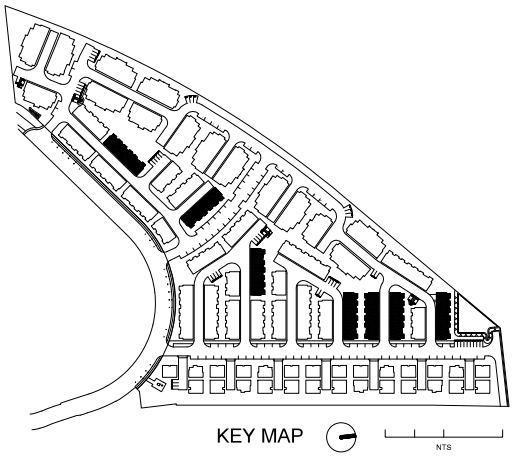
Eave Height Less than 30' to allow for fire department ground ladder roof access



ROOF



LEVEL 3



Egress window for emergency escape

ktgy | cbg CARLSON, BARBEE & GIBSON, Inc. | GATES +ASSOCIATES

Campbell Technology Park LLC

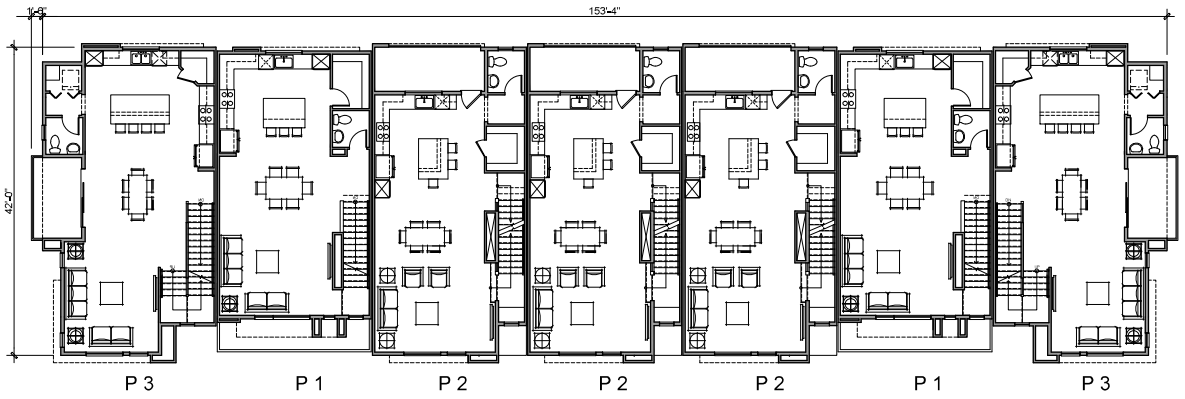
Campbell Technology Park
Campbell, CA # 2023-0039

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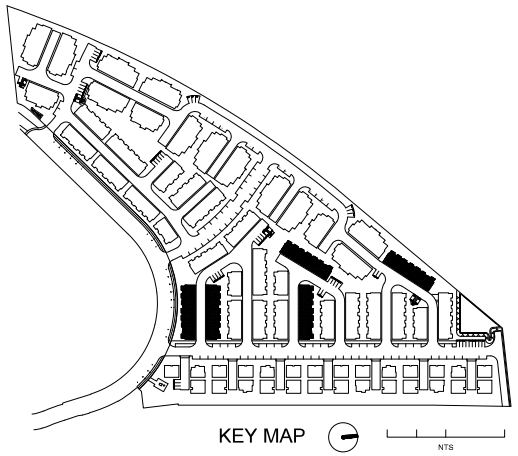
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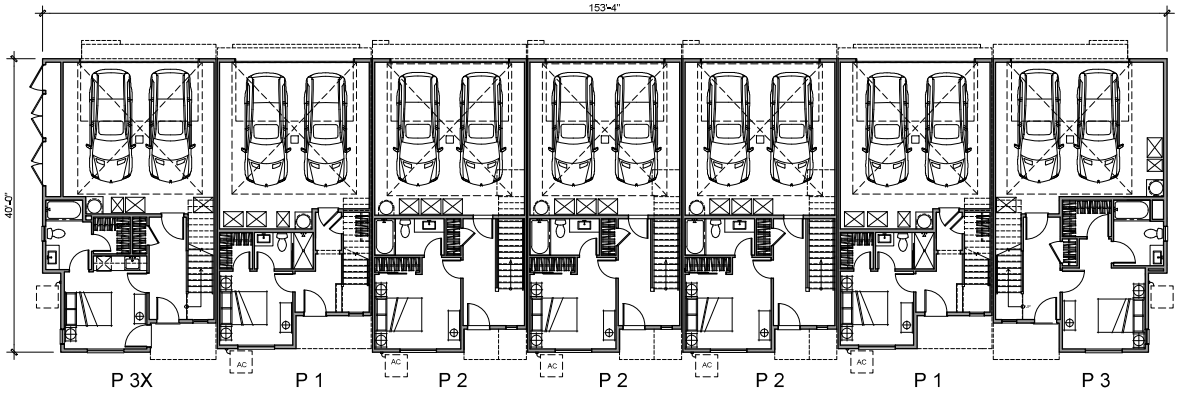
3 STORY TOWNHOUSE
6 PLEX -BUILDING PLANS

A2-3.3.1



LEVEL 2





LEVEL 1

Ⓔ Egress window for emergency escape

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

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NOVEMBER 07, 2024

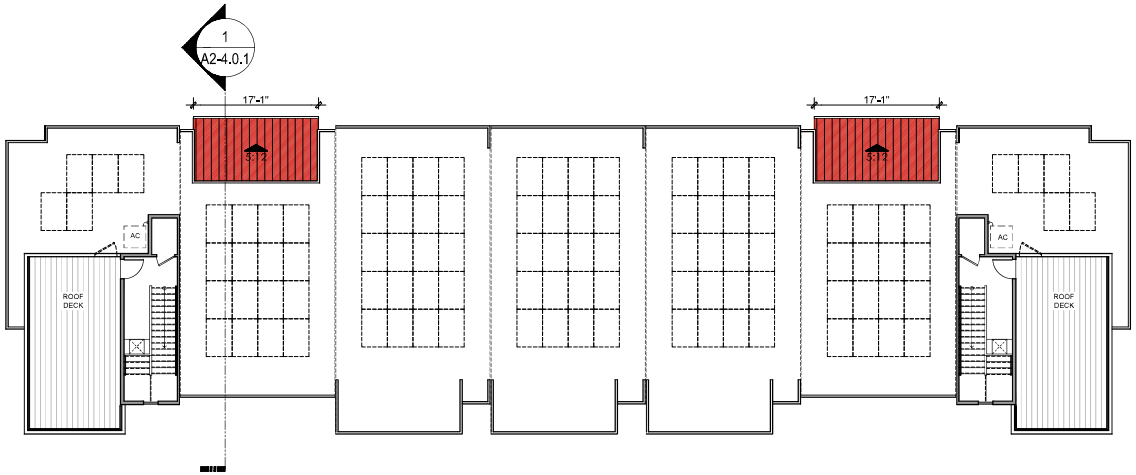
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3 STORY TOWNHOUSE
7 PLEX -BUILDING PLANS

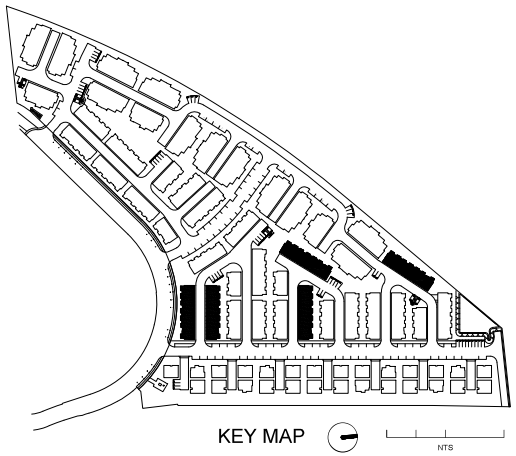
A2-3.4.0

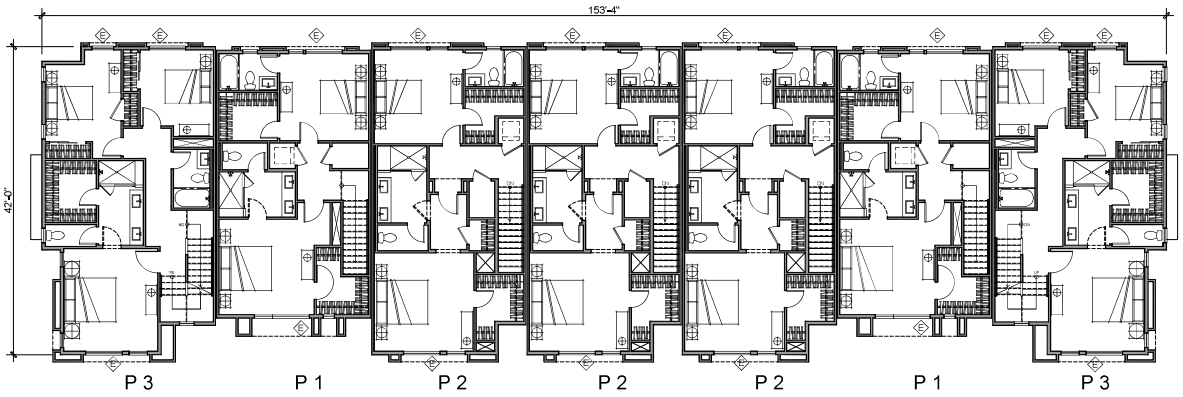
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Eave Height Less than 30' to allow for fire department ground ladder roof access



ROOF





LEVEL 3

E Egress window for emergency escape

ktgy | cbg CARLSON, BARBEE & GIBSON, Inc. | GATES + ASSOCIATES

Campbell Technology Park LLC

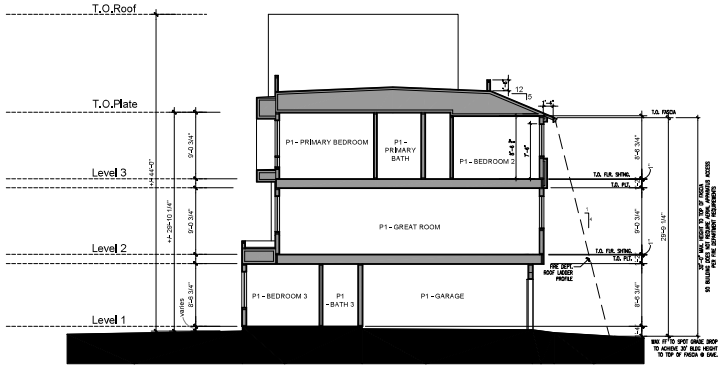
Campbell Technology Park
Campbell, CA # 2023-0039

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NOVEMBER 07, 2024

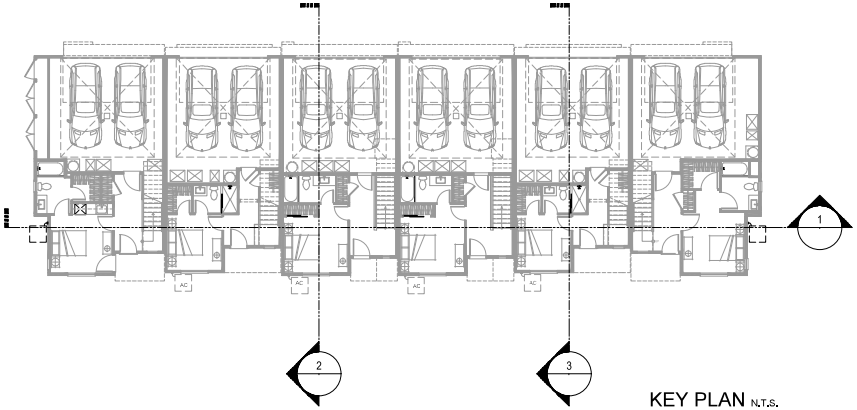
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3 STORY TOWNHOUSE
7 PLEX -BUILDING PLANS

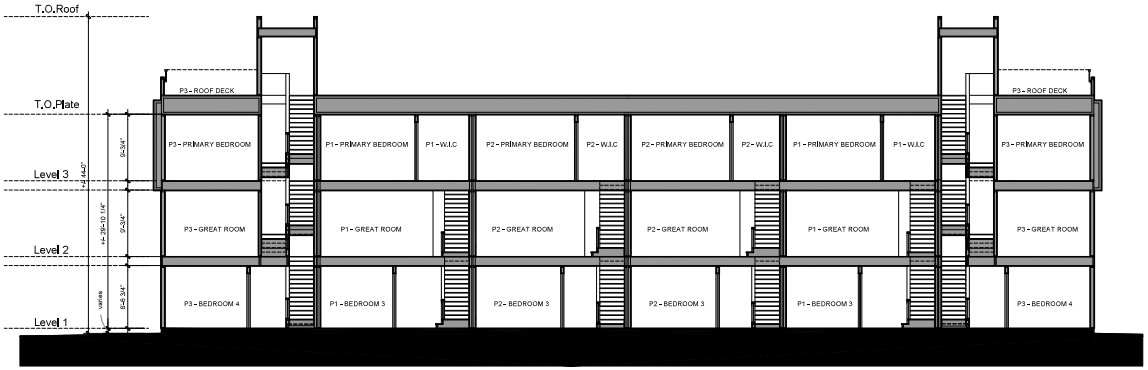
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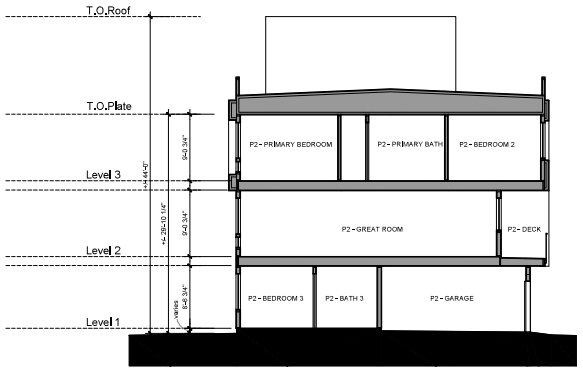
SECTION 3



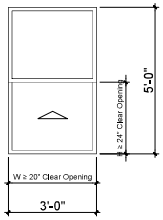
KEY PLAN N.T.S.



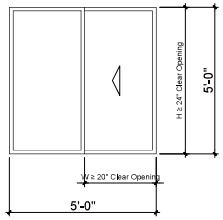
SECTION 1



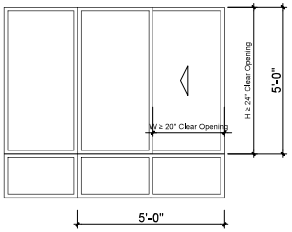
SECTION 2



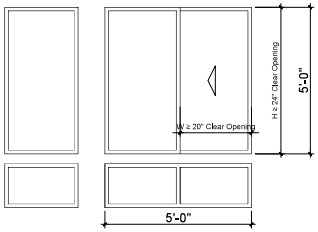
(W)x(H) ≥ 5.7 s.f. Clear Opening



(W)x(H) ≥ 5.7 s.f. Clear Opening



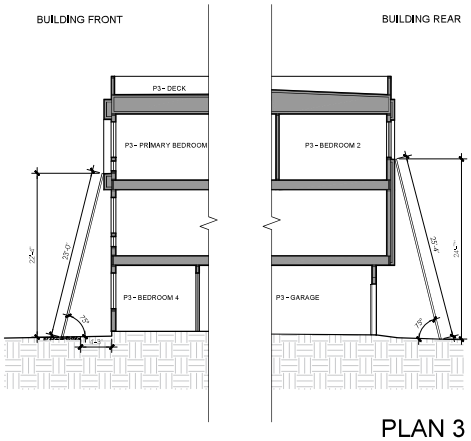
(W)x(H) ≥ 5.7 s.f. Clear Opening



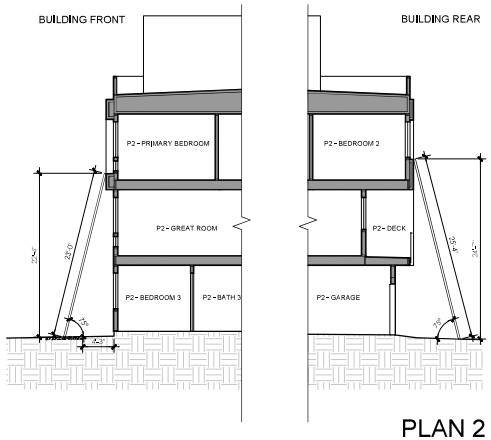
(W)x(H) ≥ 5.7 s.f. Clear Opening

EMERGENCY ESCAPE AND RESCUE OPENINGS FOR TYPICAL EGRESS WINDOW

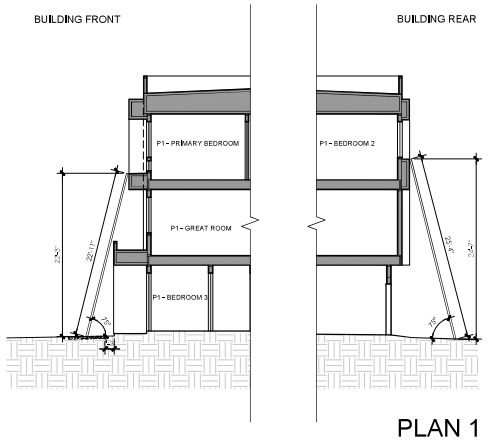
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PLAN 3



PLAN 2



PLAN 1

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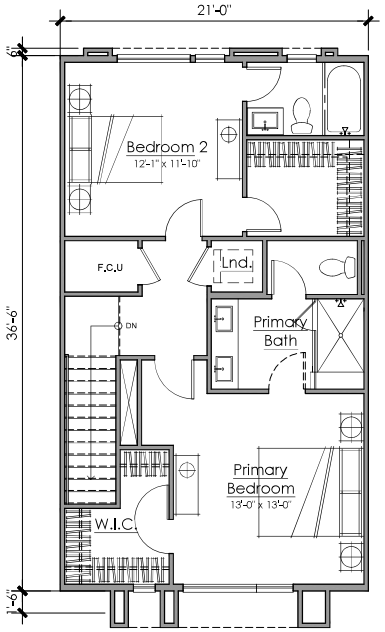
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Campbell, CA # 2023-0039

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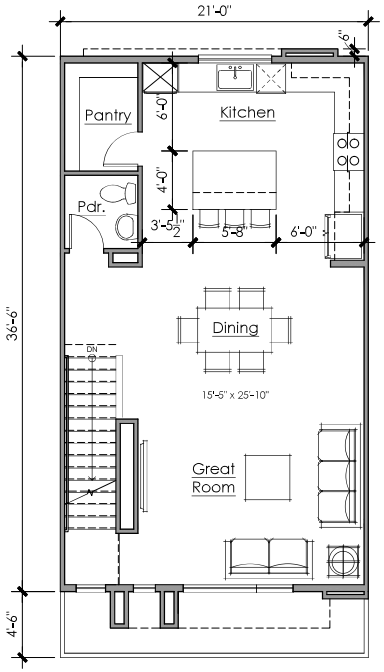
0 4 8 16

GROUND LADDER ACCESS
3 STORY TOWNHOUSES

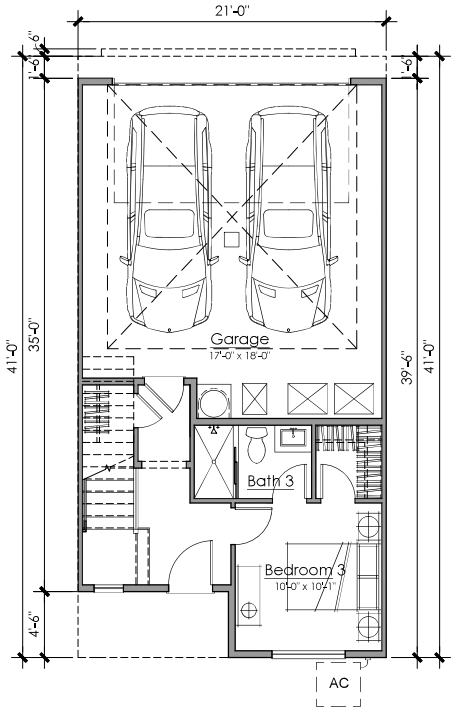
A 2-4.1.0



Third Floor

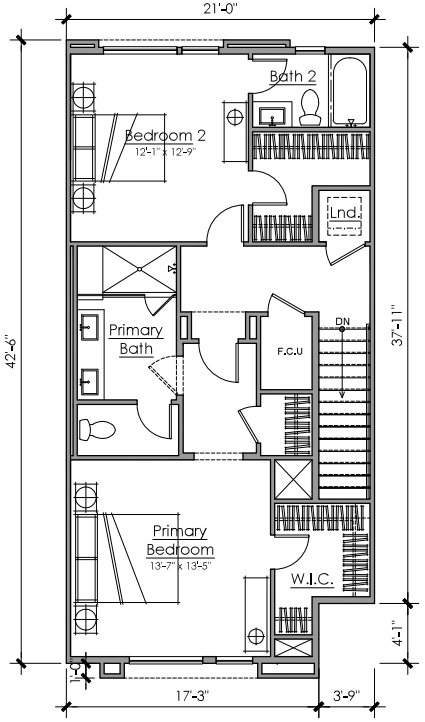


Second Floor

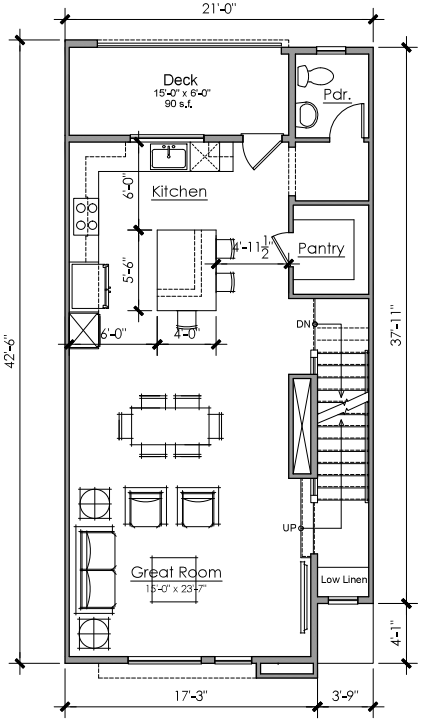


First Floor

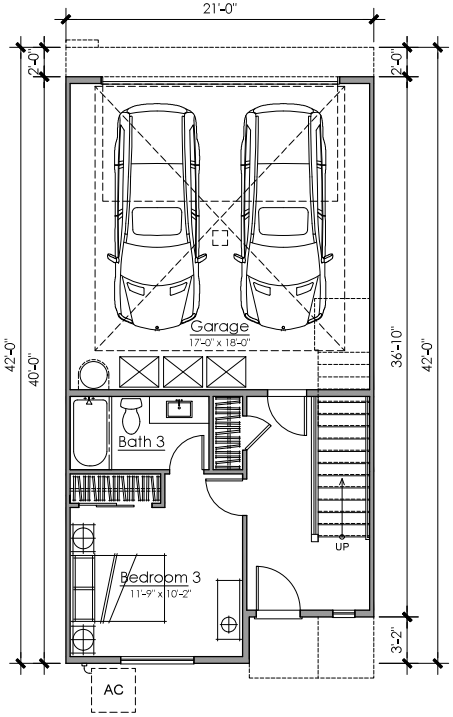
Plan 1 Floor Plan
3 Bedroom, 3.5 Bath
1,733 n.s.f.



Third Floor

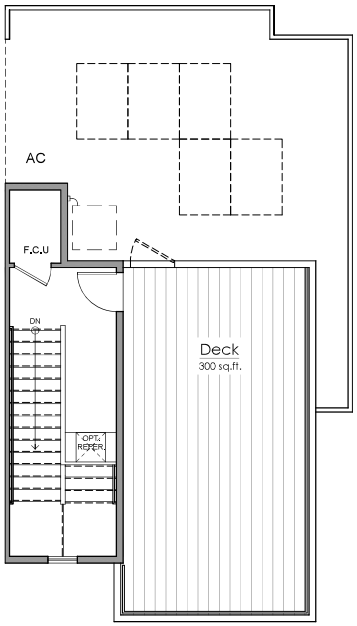


Second Floor

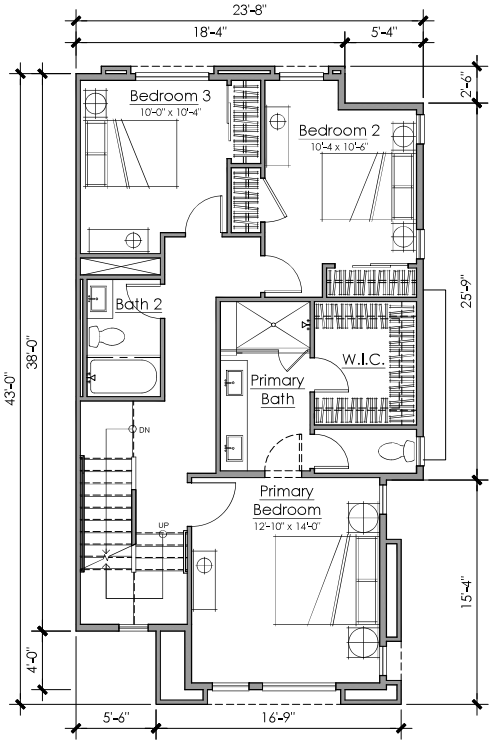


First Floor

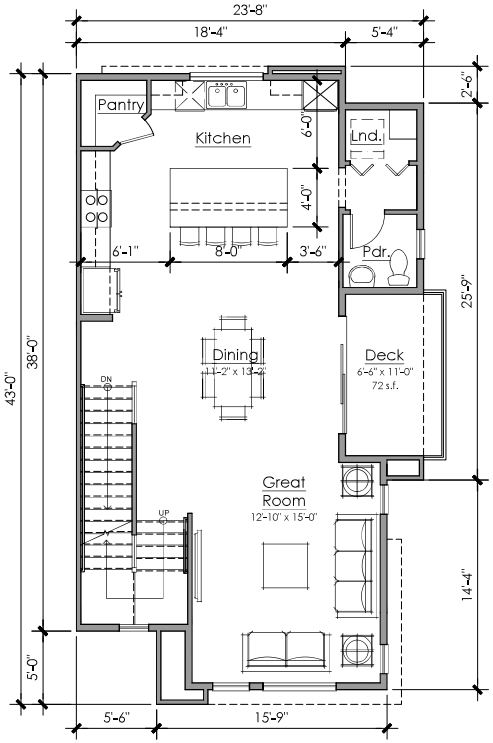
Plan 2 Floor Plan
3 Bedroom, 3.5 Bath
1,871 n.s.f.



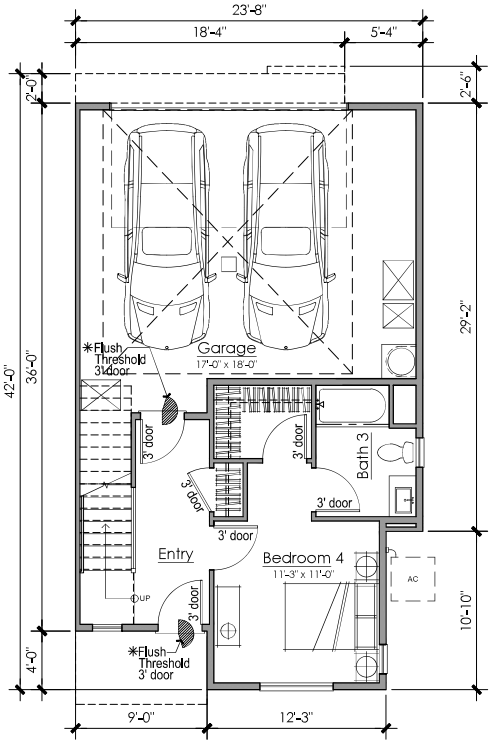
Roof



Third Floor



Second Floor



First Floor

✳ Accessible 1st Floor where occurs per CBC 1102 A.3

NOTE:
step@ front door
& garage man door occurs
@ non-accessible conditions

Plan 3 Floor Plan
4 Bedroom+ 3.5 Bath
2,004 n.s.f.
2,144 n.s.f. (with Roof Deck)

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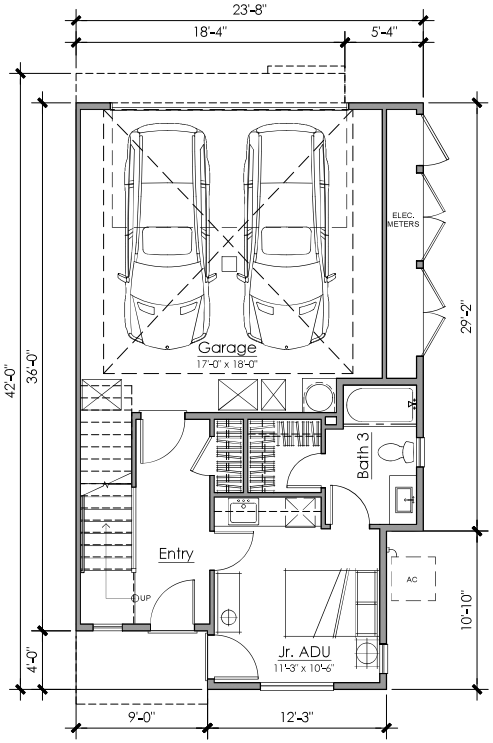
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0 2 4 8

3 STORY TOWNHOUSE
PLAN 3_UNIT PLAN

A2-5.2.0



PLAN 3X_ Jr.ADU OPT.

Plan 3X Floor Plan
4 Bedroom+ 3.5 Bath
OPT. Jr. ADU
1,984 n.s.f.
2,124 n.s.f. (with Roof Deck)

Jr. ADU OPTION



4. PLAN 1(A STYLE)- FRONT PORCH



3. PLAN 2 & PLAN 1(A STYLE) - REAR GARAGE



2. PLAN 2(B STYLE)- FRONT PORCH



1. PLAN 3 (A STYLE) - FRONT LEFT CORNER

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NTS

3 STORY TOWNHOUSE
ARCHITECTURAL DETAILS

A2-6.0.0

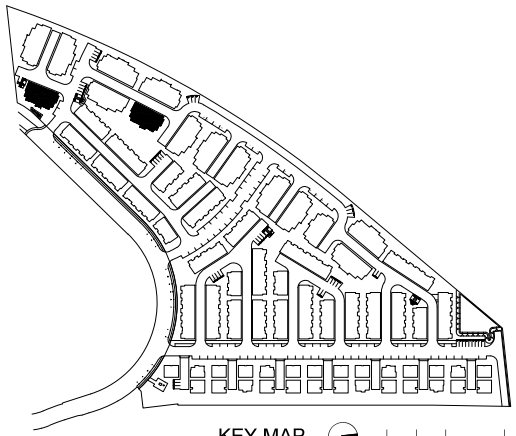
	STYLE 1	STYLE 2
STUCCO BODY 1 / TRIM 1	SW 9624 WINSOME GRAY	SW 9501 OAT MILK
STUCCO BODY 2 / TRIM 2	SW 0052 PEARL GRAY	SW 9627 PACIFIC FOG
STUCCO BODY 3 / TRIM 3	SW 7674 PEPPERCORN	SW 2851 SAGE GREEN LIGHT
STUCCO BODY 4 / TRIM 4	SW 6250 GRANITE PEAK	SW 7060 ATTITUDE GRAY
STUCCO BODY 5 / TRIM 5	SW 0045 ANTIQUARIAN BROWN	SW 7730 FORESTWOOD
STUCCO BODY 6 / TRIM 6	SW 9580 CRACKED PEPPER	SW 7020 BLACK FOX
HORIZONTAL LAP SIDING/ BOARD AND BATTEN SIDING/ TRIM 5	SW 9563 BEDROCK	SW 9037 BABY BOK CHOY
WOOD LOOK SIDING 1/ TRIM 6	ROSEWOOD WOODTONE	SAND CASTLE WOODTONE
WOOD LOOK SIDING 2/ TRIM 7	RIVER ROCK WOODTONE	ASPEN RIDGE WOODTONE
ENTRY DOOR 1	SW 0018 TEAL STENCIL	SW 7027 HICKORY SMOKE
ENTRY DOOR 2	SW 0008 CAJUN RED	SW 6181 SECRET GARDEN
GARAGE DOOR	SW 9555 STORM WARNING	SW 7069 IRON ORE

Manufacturers

Paint - Sherwin Williams or Equal
Garage door - Clopay garage doors or Equal
Entry door - Therma Tru or Equal
Wood Look Siding: Woodtone siding or Equal
Composition Shingle Roof: GAF Roofing or Equal



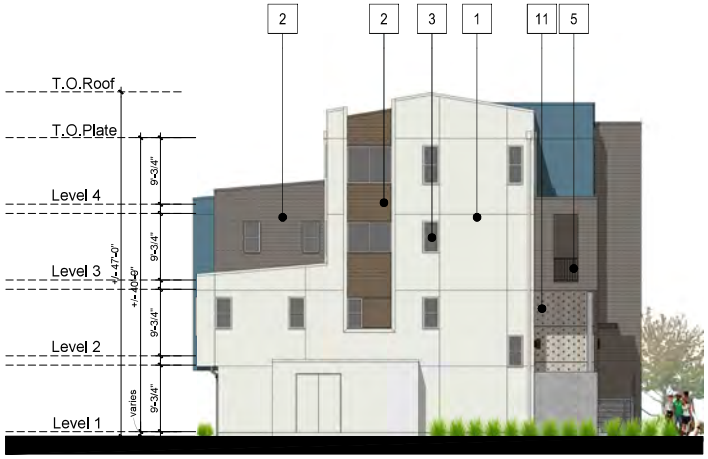
3. FRONT PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	LIGHT FIXTURE
2.	FIBER CEMENT LAP SIDING	8.	UNIT ADDRESS
3.	VINYL WINDOW	9.	ENTRY DOOR
4.	CANOPY	10.	STANDING SEAM METAL ROOF
5.	METAL RAILING	11.	METAL SCREEN
6.	METAL GARAGE DOOR	12.	WOOD LOOK SIDING

Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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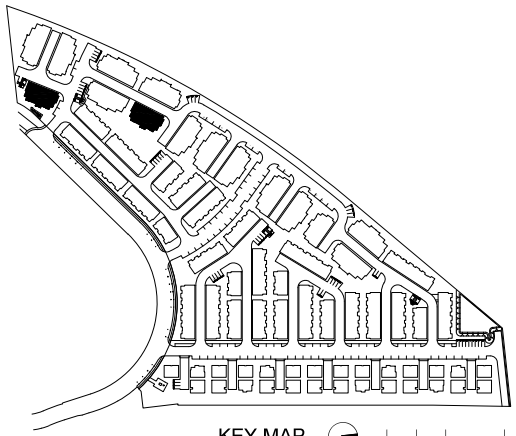
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4 STORY CONDOMINIUM
6 PLEX ELEVATIONS

A 3-2.0.0



3. REAR PERSPECTIVE



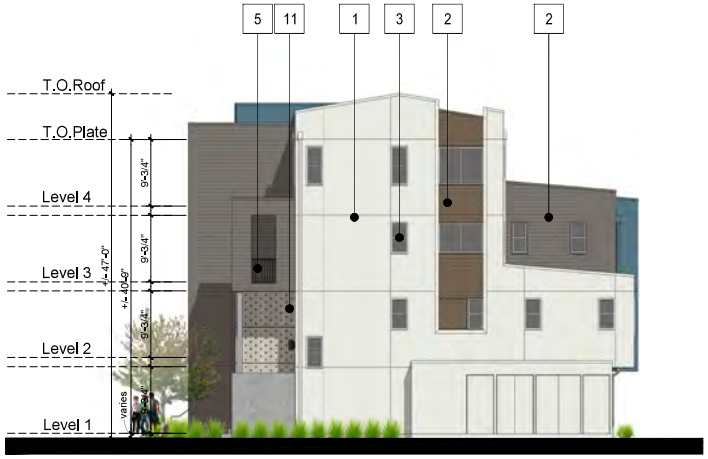
KEY MAP

NTS

MATERIAL LEGEND

1.	STUCCO	7.	LIGHT FIXTURE
2.	FIBER CEMENT LAP SIDING	8.	UNIT ADDRESS
3.	VINYL WINDOW	9.	ENTRY DOOR
4.	CANOPY	10.	STANDING SEAM METAL ROOF
5.	METAL RAILING	11.	METAL SCREEN
6.	METAL GARAGE DOOR	12.	WOOD LOOK SIDING

Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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Campbell Technology Park
Campbell, CA # 2023-0039

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NOVEMBER 07, 2024

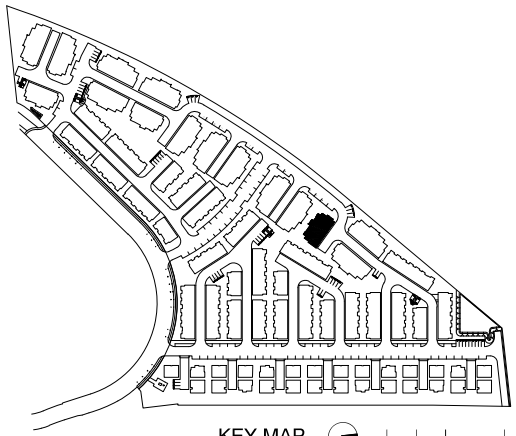
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4 STORY CONDOMINIUM
6 PLEX ELEVATIONS

A 3-2.0.1



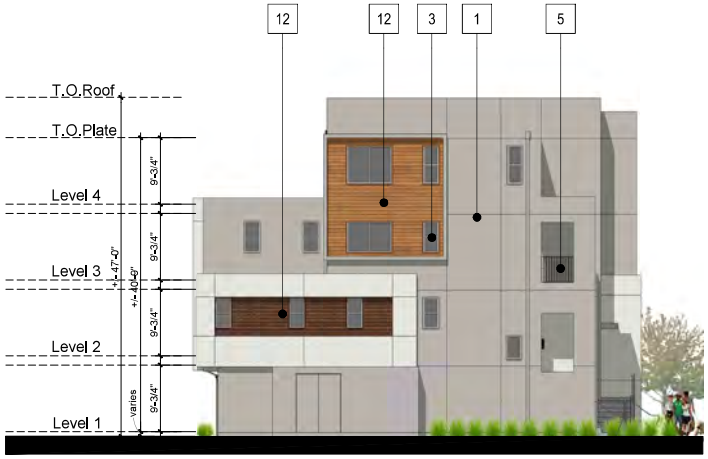
3. FRONT PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	LIGHT FIXTURE
2.	FIBER CEMENT LAP SIDING	8.	UNIT ADDRESS
3.	VINYL WINDOW	9.	ENTRY DOOR
4.	CANOPY	10.	STANDING SEAM METAL ROOF
5.	METAL RAILING	11.	METAL SCREEN
6.	METAL GARAGE DOOR	12.	WOOD LOOK SIDING

Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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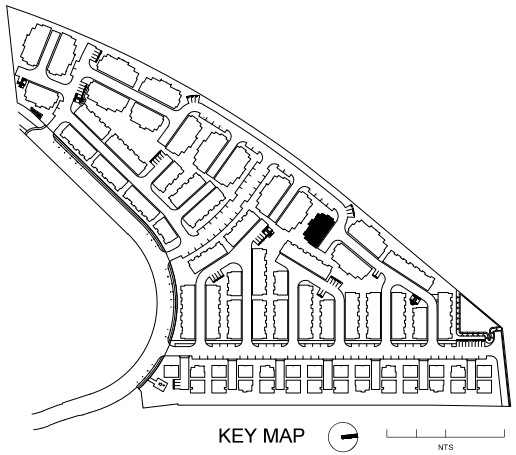
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4 STORY CONDOMINIUM
6 PLEX ELEVATIONS

A 3-2.0.2



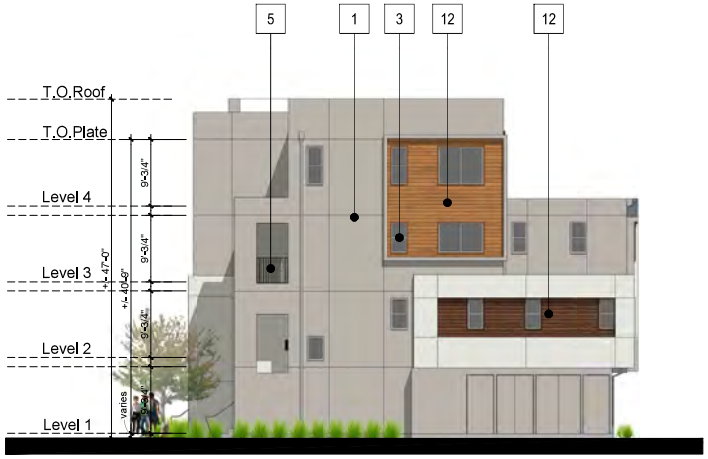
3. REAR PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	LIGHT FIXTURE
2.	FIBER CEMENT LAP SIDING	8.	UNIT ADDRESS
3.	VINYL WINDOW	9.	ENTRY DOOR
4.	CANOPY	10.	STANDING SEAM METAL ROOF
5.	METAL RAILING	11.	METAL SCREEN
6.	METAL GARAGE DOOR	12.	WOOD LOOK SIDING

Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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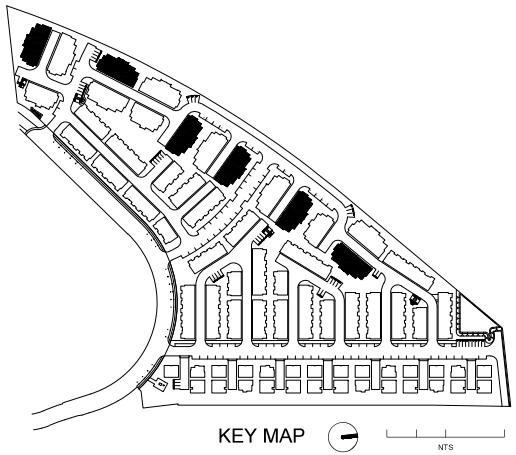
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4 STORY CONDOMINIUM
6 PLEX ELEVATIONS

A 3-2.0.3



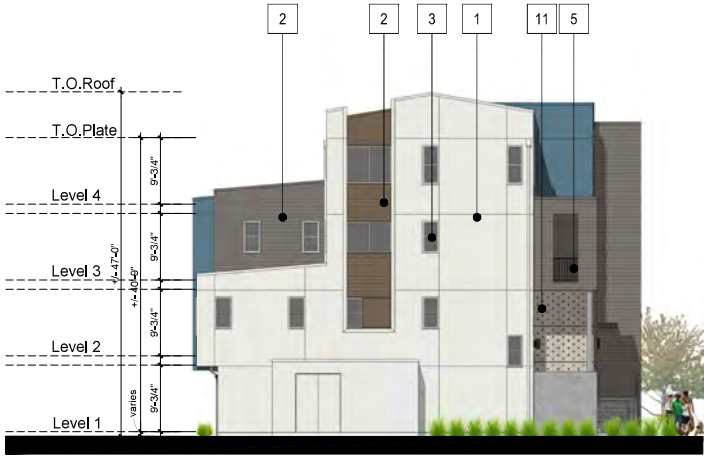
3. FRONT PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	LIGHT FIXTURE
2.	FIBER CEMENT LAP SIDING	8.	UNIT ADDRESS
3.	VINYL WINDOW	9.	ENTRY DOOR
4.	CANOPY	10.	STANDING SEAM METAL ROOF
5.	METAL RAILING	11.	METAL SCREEN
6.	METAL GARAGE DOOR	12.	WOOD LOOK SIDING

Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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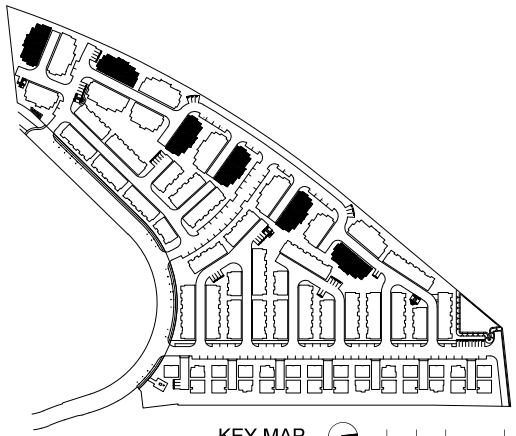
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4 STORY CONDOMINIUM
8 PLEX ELEVATIONS

A 3-2.1.0



3. REAR PERSPECTIVE



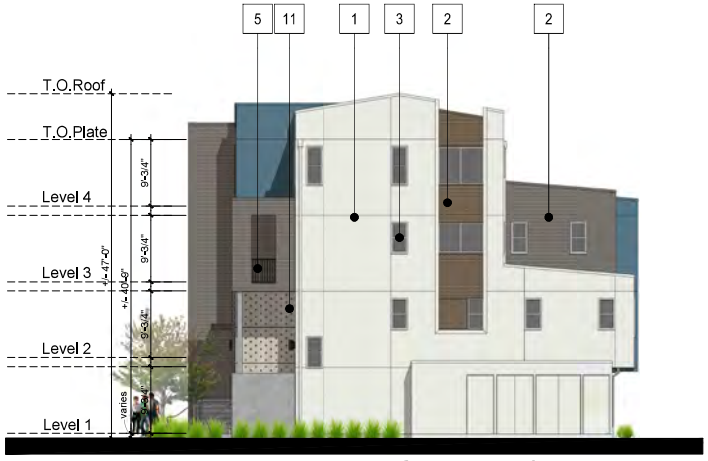
KEY MAP

NTS

MATERIAL LEGEND

1.	STUCCO	7.	LIGHT FIXTURE
2.	FIBER CEMENT LAP SIDING	8.	UNIT ADDRESS
3.	VINYL WINDOW	9.	ENTRY DOOR
4.	CANOPY	10.	STANDING SEAM METAL ROOF
5.	METAL RAILING	11.	METAL SCREEN
6.	METAL GARAGE DOOR	12.	WOOD LOOK SIDING

Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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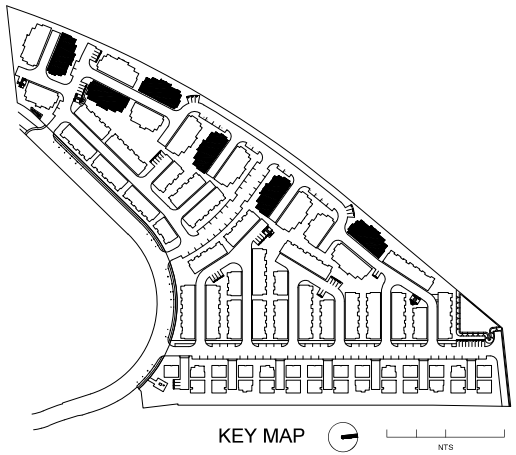
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4 STORY CONDOMINIUM
8 PLEX ELEVATIONS

A 3-2.1.1



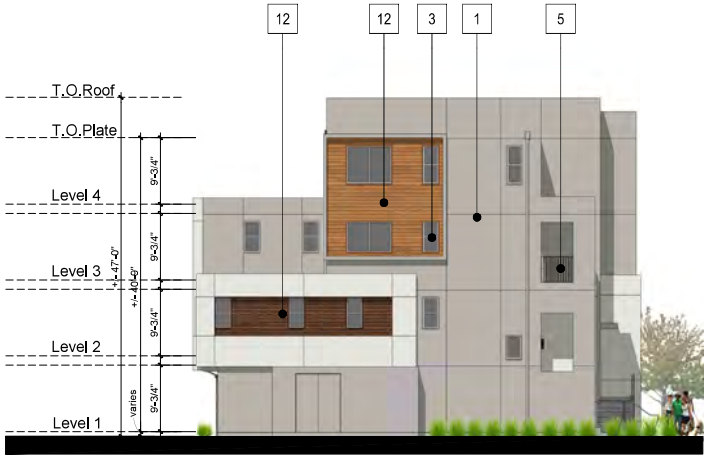
3. FRONT PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	LIGHT FIXTURE
2.	FIBER CEMENT LAP SIDING	8.	UNIT ADDRESS
3.	VINYL WINDOW	9.	ENTRY DOOR
4.	CANOPY	10.	STANDING SEAM METAL ROOF
5.	METAL RAILING	11.	METAL SCREEN
6.	METAL GARAGE DOOR	12.	WOOD LOOK SIDING

Egress window for emergency escape



2. LEFT ELEVATION



1. FRONT ELEVATION

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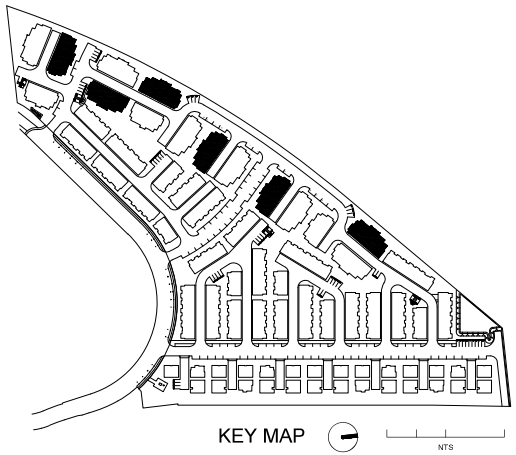
0 4 8 16

4 STORY CONDOMINIUM
8 PLEX ELEVATIONS

A 3-2.1.2



3. REAR PERSPECTIVE



MATERIAL LEGEND

1.	STUCCO	7.	LIGHT FIXTURE
2.	FIBER CEMENT LAP SIDING	8.	UNIT ADDRESS
3.	VINYL WINDOW	9.	ENTRY DOOR
4.	CANOPY	10.	STANDING SEAM METAL ROOF
5.	METAL RAILING	11.	METAL SCREEN
6.	METAL GARAGE DOOR	12.	WOOD LOOK SIDING

Egress window for emergency escape



2. RIGHT ELEVATION



1. REAR ELEVATION

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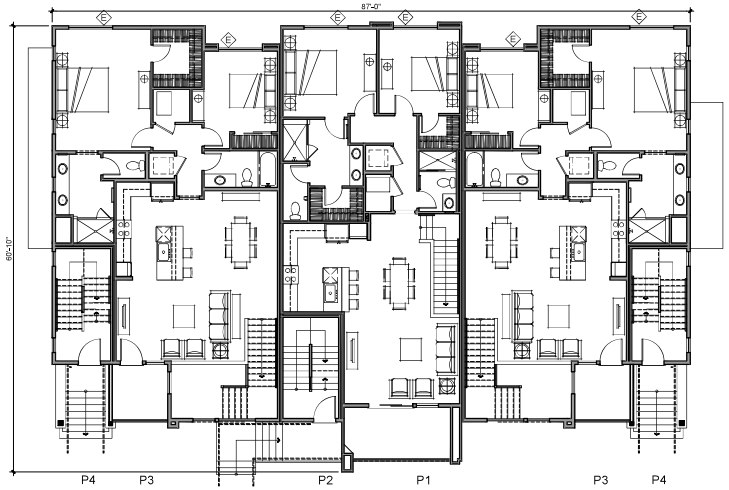
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Campbell, CA # 2023-0039

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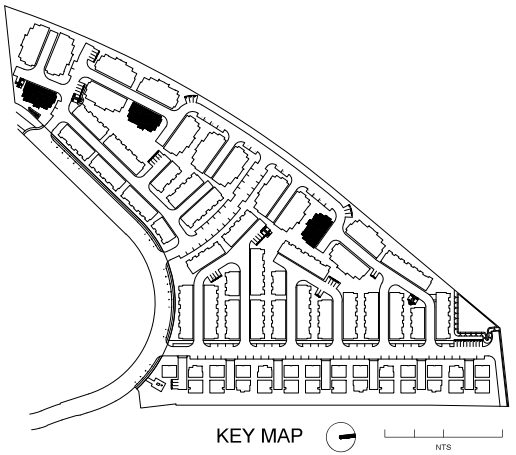
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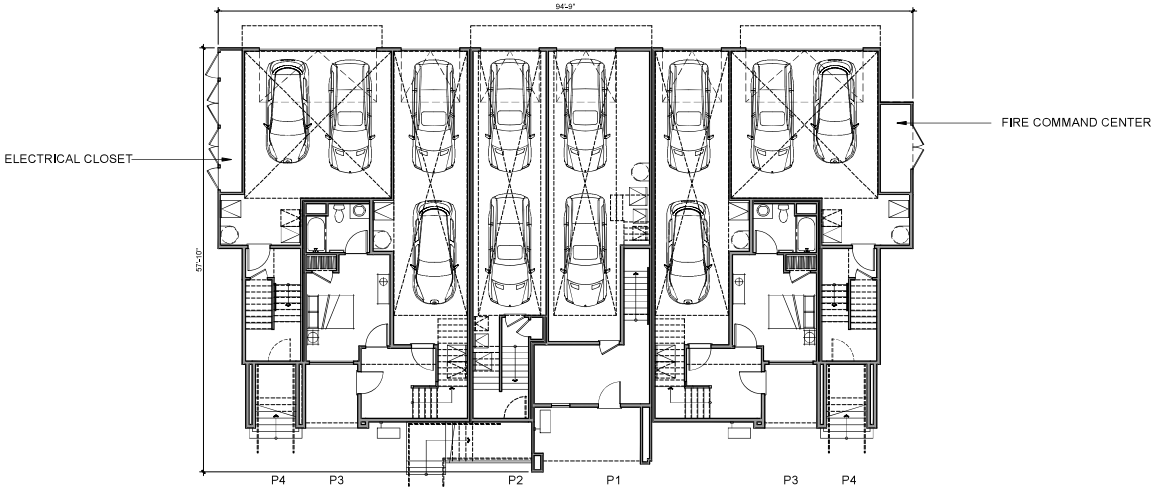
4 STORY CONDOMINIUM
8 PLEX ELEVATIONS

A 3-2.1.3



SECOND FLOOR





FIRST FLOOR

Ⓔ Egress window for emergency escape

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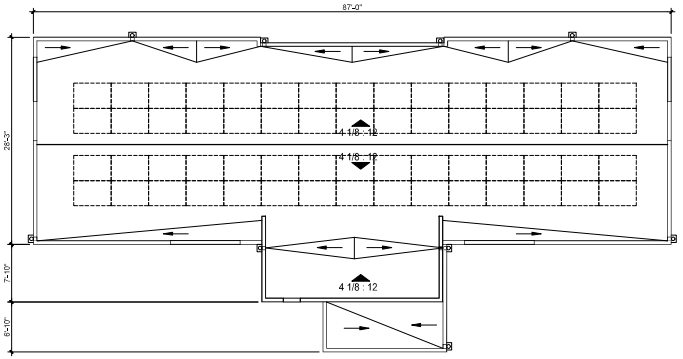
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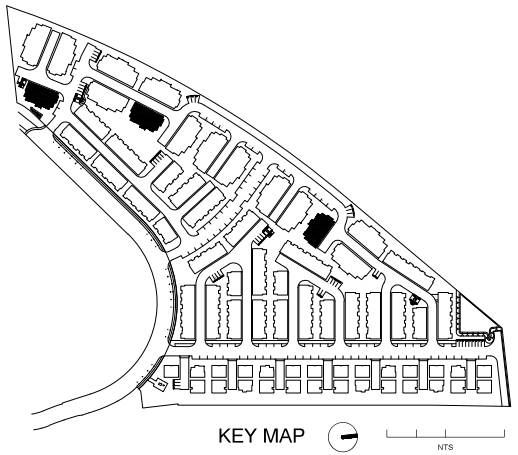
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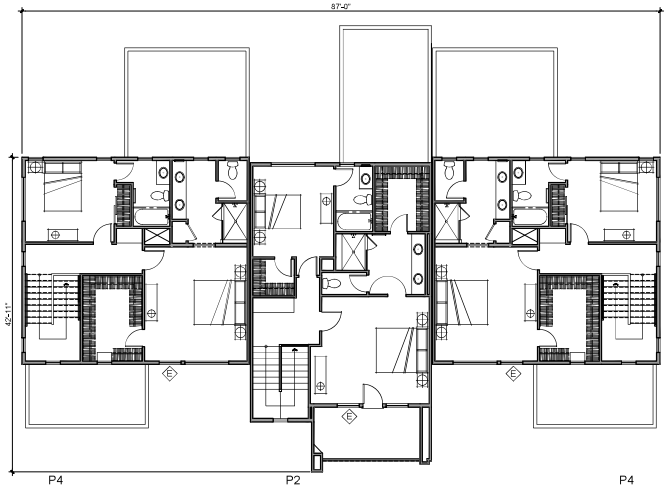
4 STORY CONDOMINIUM
6-PLEX_BUILDING PLANS

A 3-3.0.0



ROOF PLAN





FOURTH FLOOR



THIRD FLOOR

E Egress window for emergency escape

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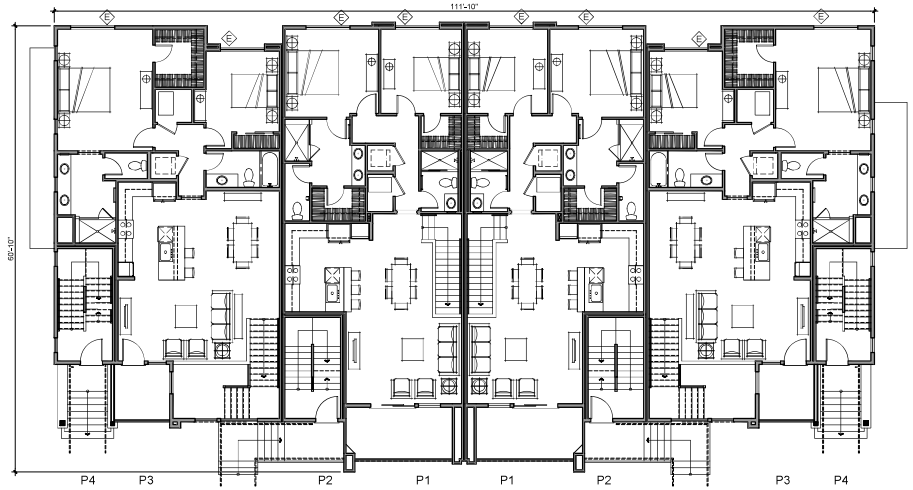
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 07, 2024

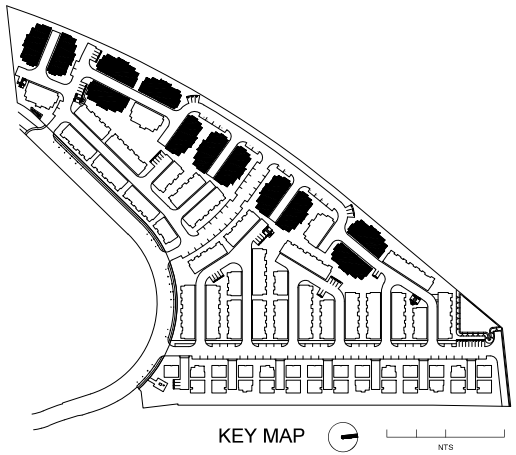
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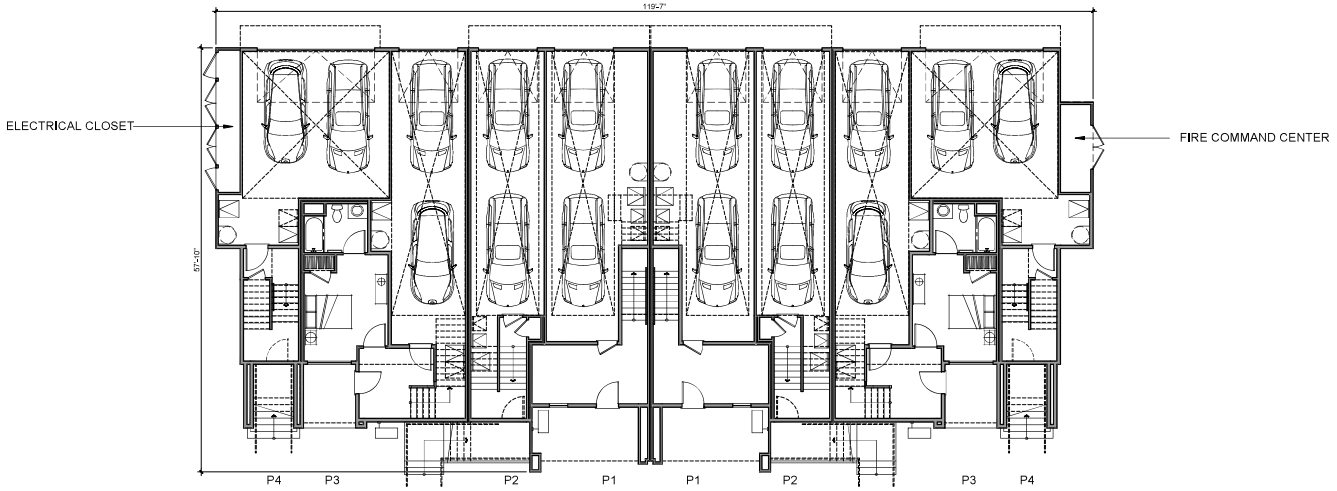
4 STORY CONDOMINIUM
6-PLEX_BUILDING PLANS

A 3-3.0.1



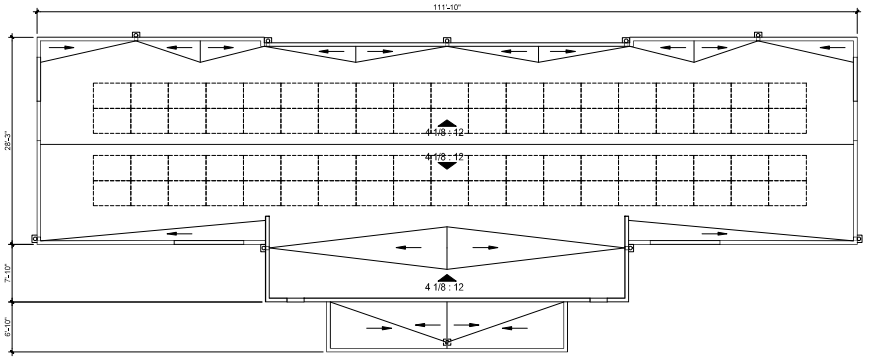
SECOND FLOOR



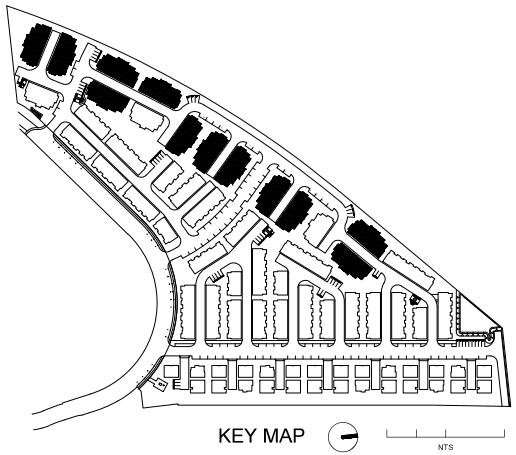


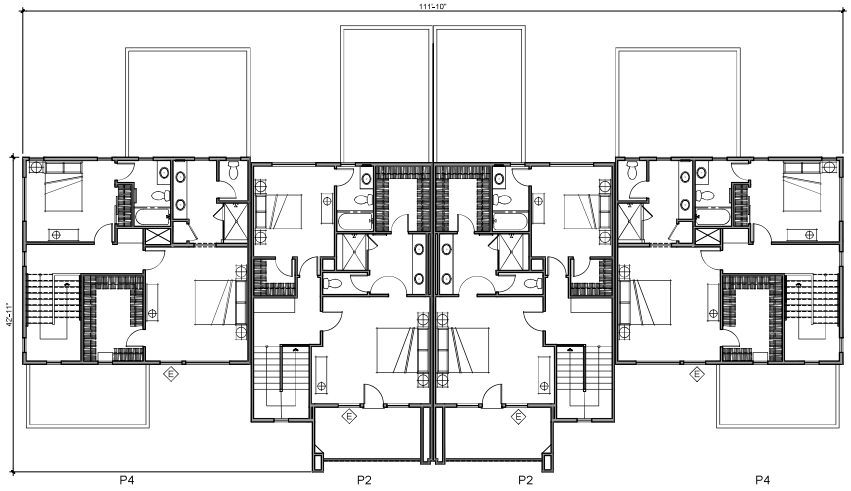
FIRST FLOOR

E Egress window for emergency escape

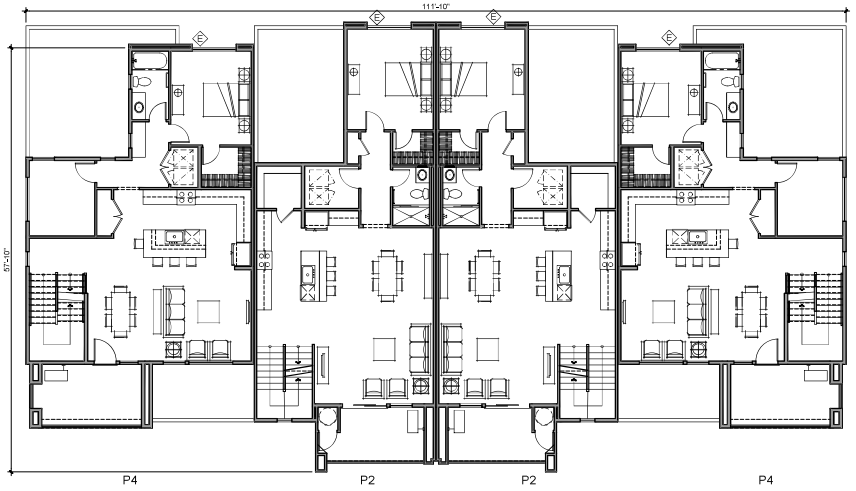


ROOF PLAN





FOURTH FLOOR



THIRD FLOOR

E Egress window for emergency escape

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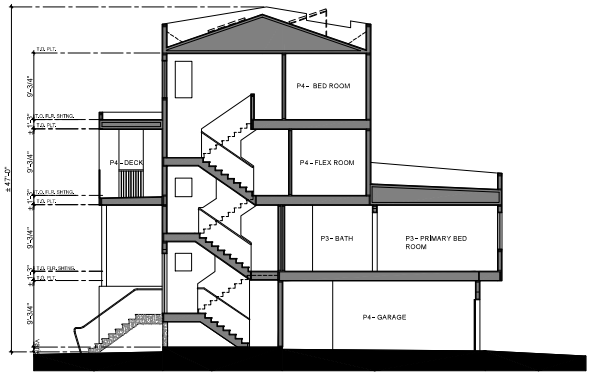
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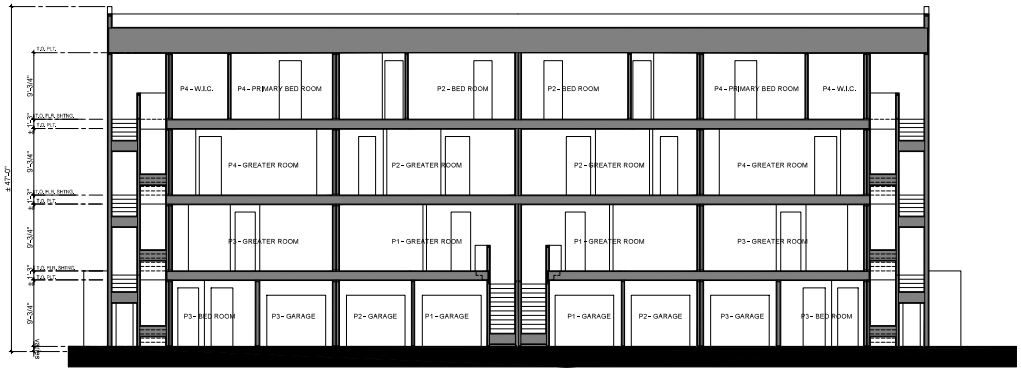
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4 STORY CONDOMINIUM
8-PLEX_BUILDING PLANS

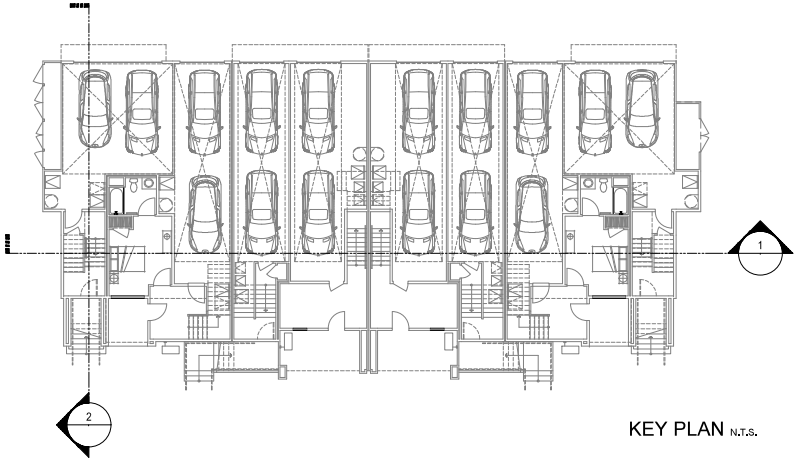
A 3-3.1.1



Section 2



Section 1



KEY PLAN N.T.S.

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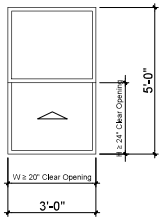
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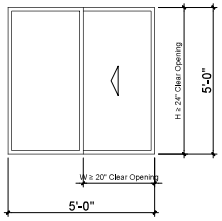
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4 STORY CONDOMINIUM
BUILDING SECTIONS

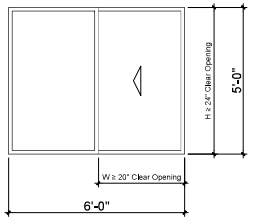
A 3-4.0.0



(W)x(H) ≥ 5.7 s.f. Clear Opening



(W)x(H) ≥ 5.7 s.f. Clear Opening

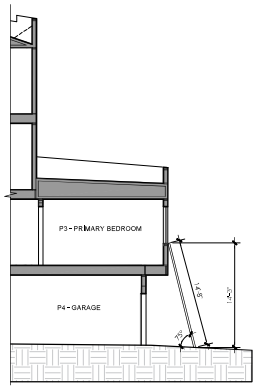


(W)x(H) ≥ 5.7 s.f. Clear Opening

EMERGENCY ESCAPE AND RESCUE OPENINGS FOR TYPICAL EGRESS WINDOW

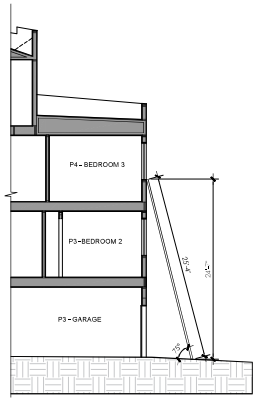
0 1 2 4

BUILDING REAR



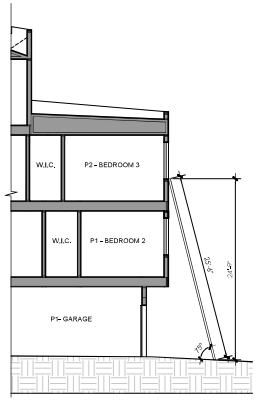
PLAN 3 & 4

BUILDING REAR

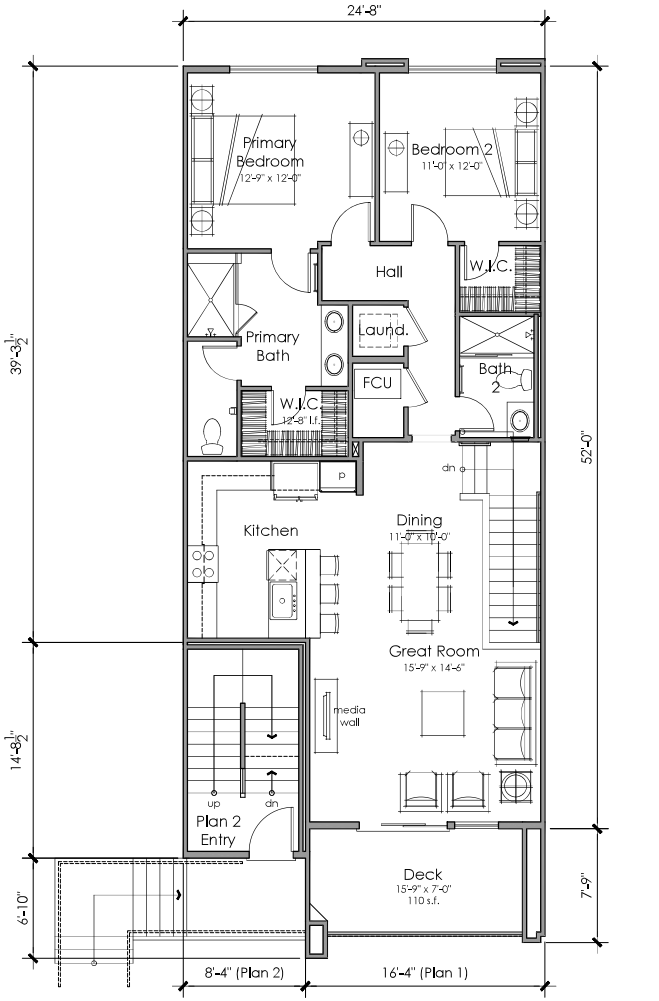


PLAN 3 & 4

BUILDING REAR



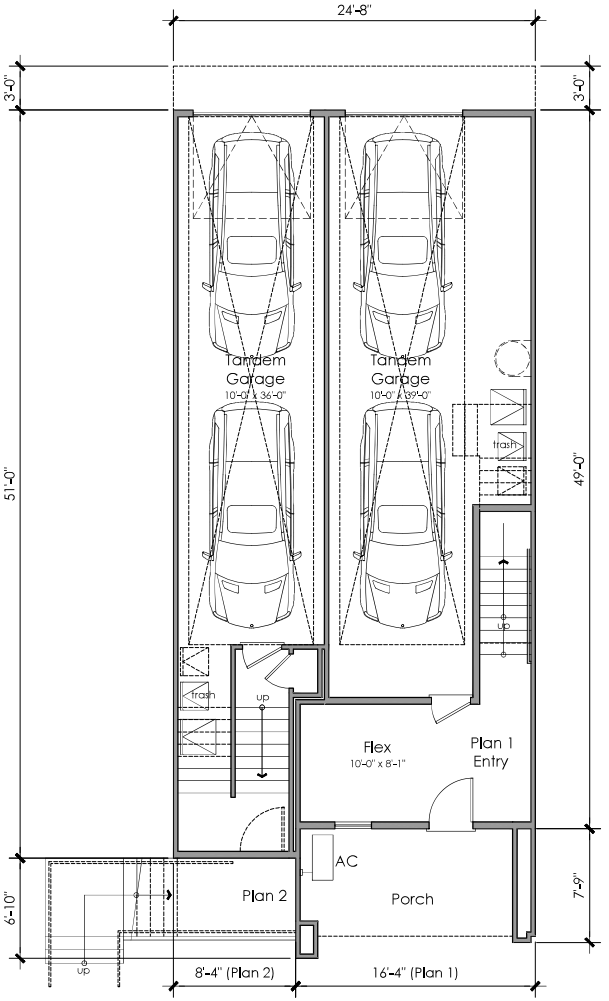
PLAN 1& 2



Plan 2
105 n.s.f.

Plan 1
1102 n.s.f.

Second Floor



Plan 2
98 n.s.f.

Plan 1
181 n.s.f.

First Floor

Plan 2 Summary

3 Bed / 3 Bath
1939 Total n.s.f.

Plan 1 Summary

2 Bed / 2 Bath
1283 Total n.s.f.

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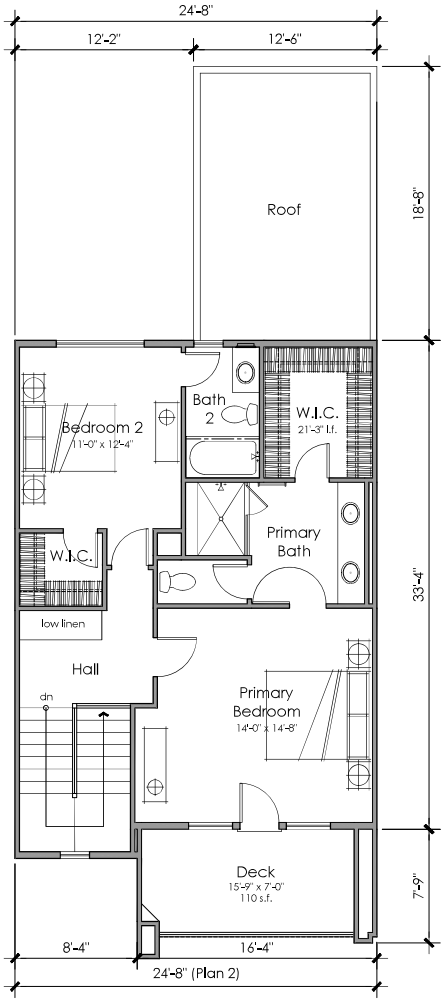
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NOVEMBER 07, 2024

0 2 4 8

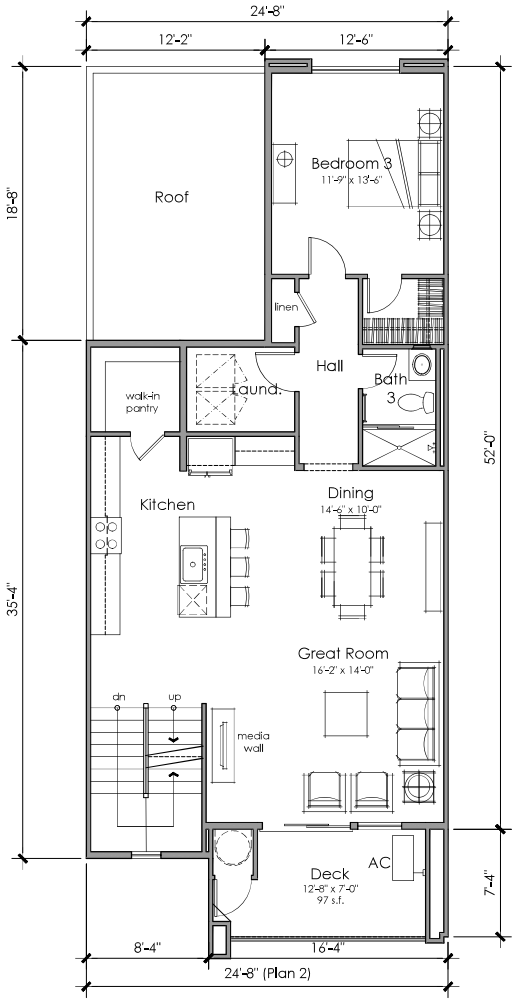
4 STORY CONDOMINIUM
PLAN 1-2_UNIT PLANS

A 3-5.0.0



Plan 2
721 n.s.f.

Fourth Floor



Plan 2
1015 n.s.f.

Third Floor

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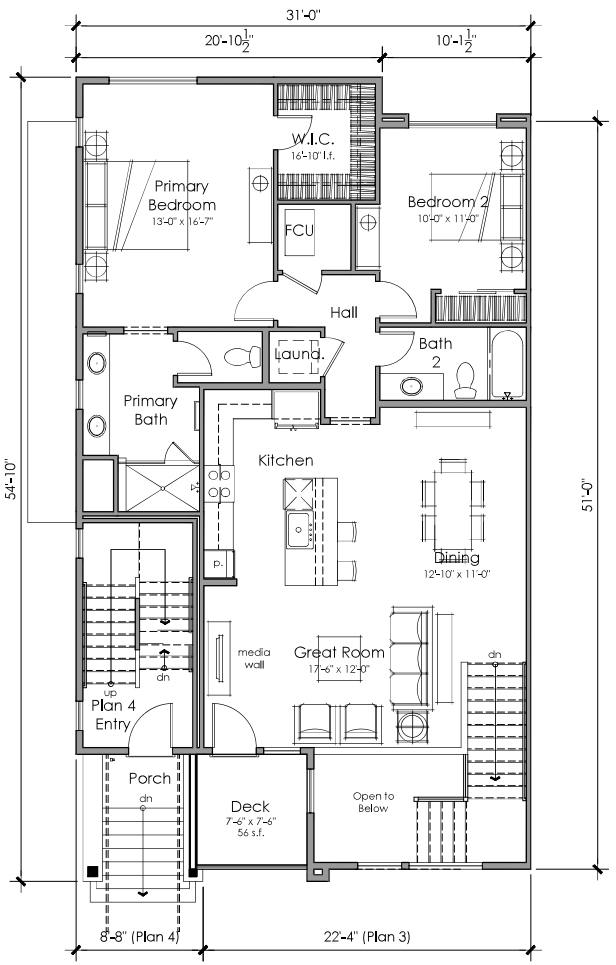
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0 2 4 8

4 STORY CONDOMINIUM
PLAN 1-2_UNIT PLAN

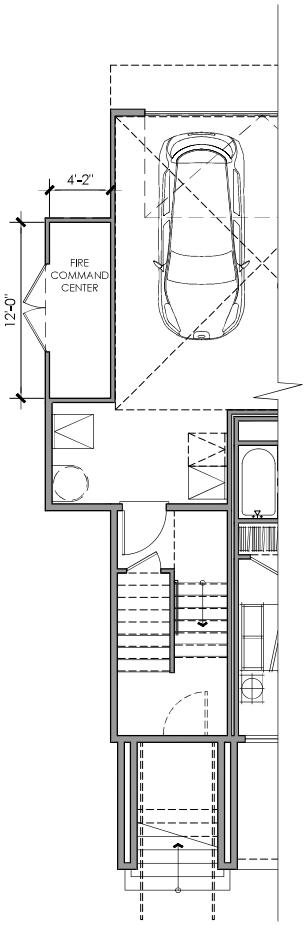
A 3-5.0.1



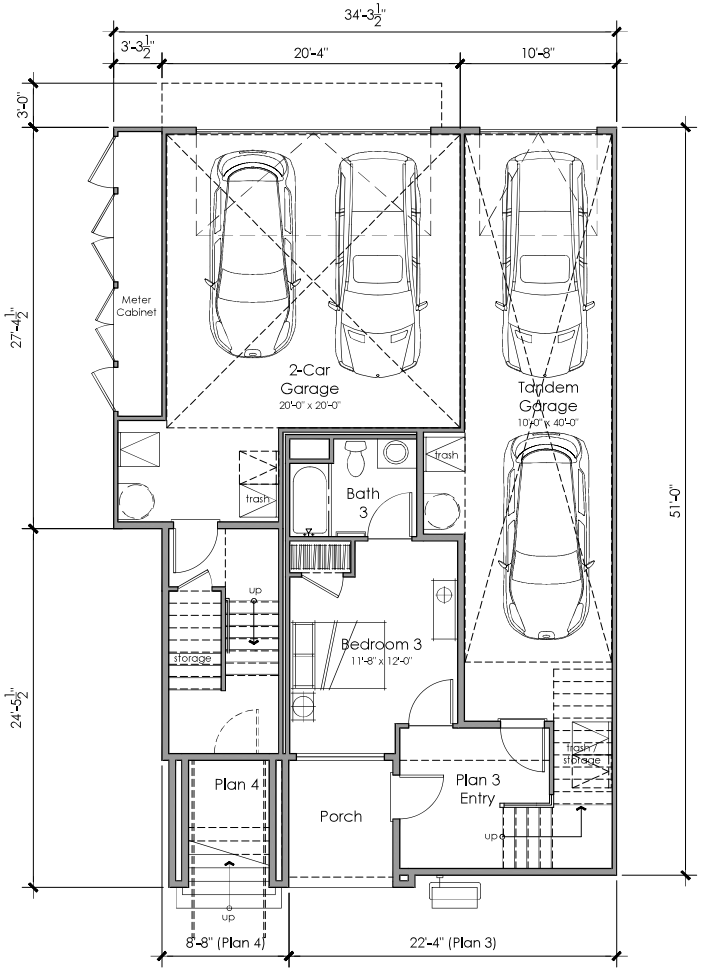
Plan 4
115 n.s.f.

Plan 3
1207 n.s.f.

Second Floor



Plan 4-ALT



Plan 4
118 n.s.f.

Plan 3
368 n.s.f.

First Floor

Plan 4 Summary
3 Bed / 3 Bath
2063 n.s.f.

Plan 3 Summary
3 Bed / 3 Bath
1575 n.s.f.

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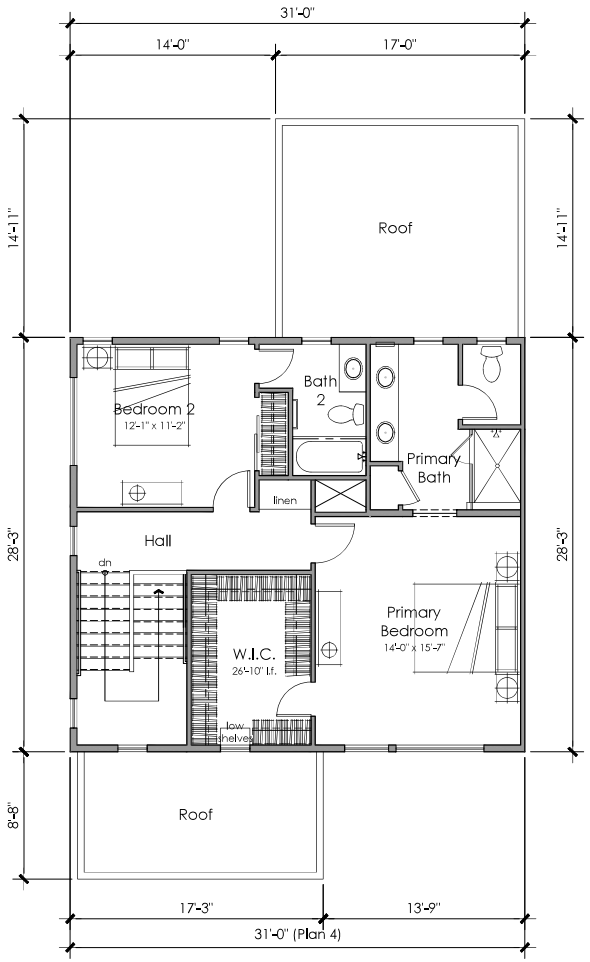
Campbell Technology Park
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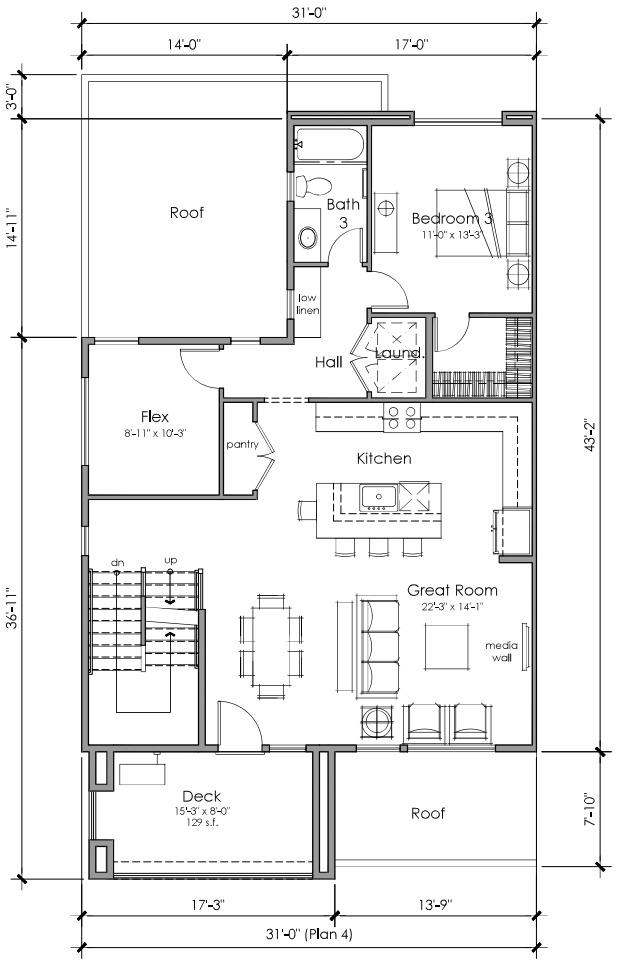
4 STORY CONDOMINIUM
PLAN 3-4_UNIT PLANS

A 3-5.0.2



Plan 4 Fourth Floor

761 n.s.f.



Plan 4 Third Floor

1069 n.s.f.

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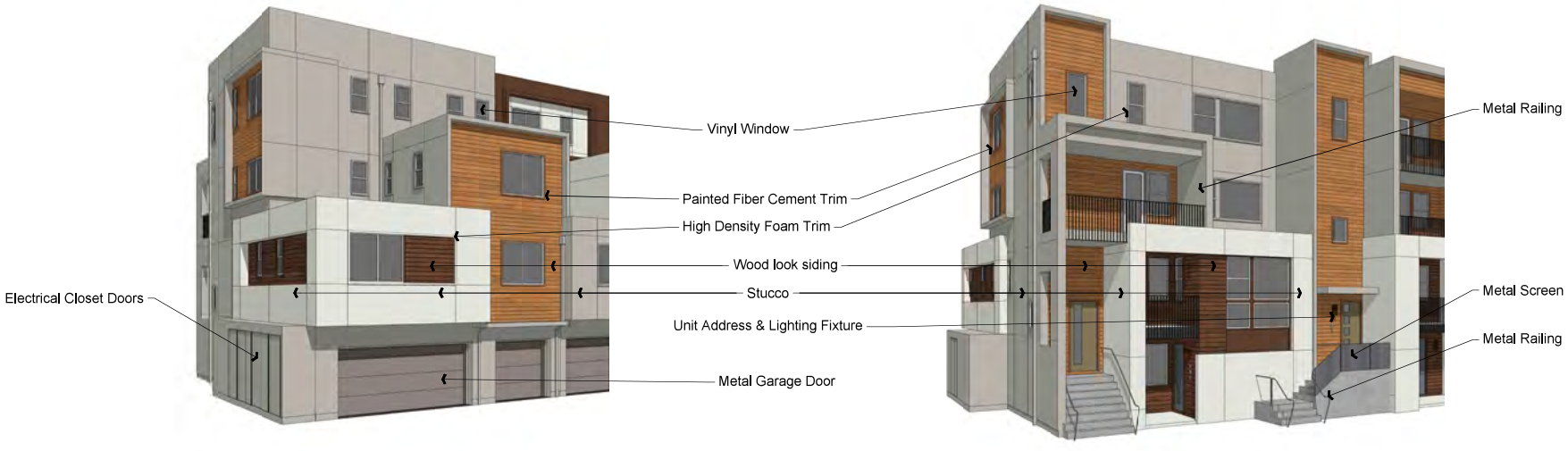
Campbell Technology Park
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0 2 4 8

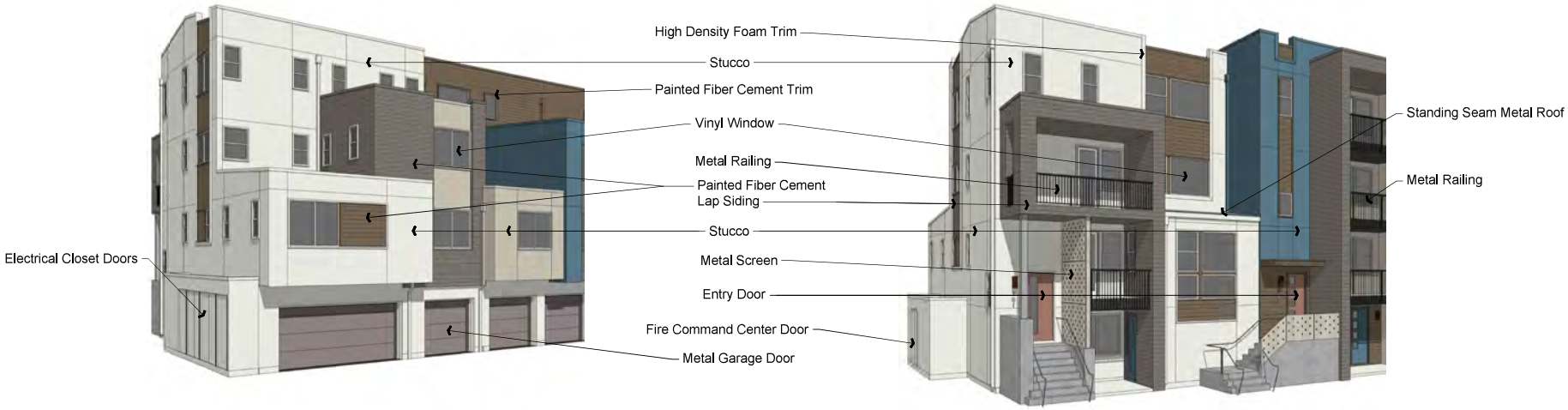
4 STORY CONDOMINIUM
PLAN 3-4_UNIT PLANS

A 3-5.0.3



4. STYLE 2 - REAR

3. STYLE 2 - FRONT



2. STYLE 1 - REAR

1. STYLE 1 - FRONT

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Campbell Technology Park
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DESIGN REVIEW
NOVEMBER 07, 2024

NTS

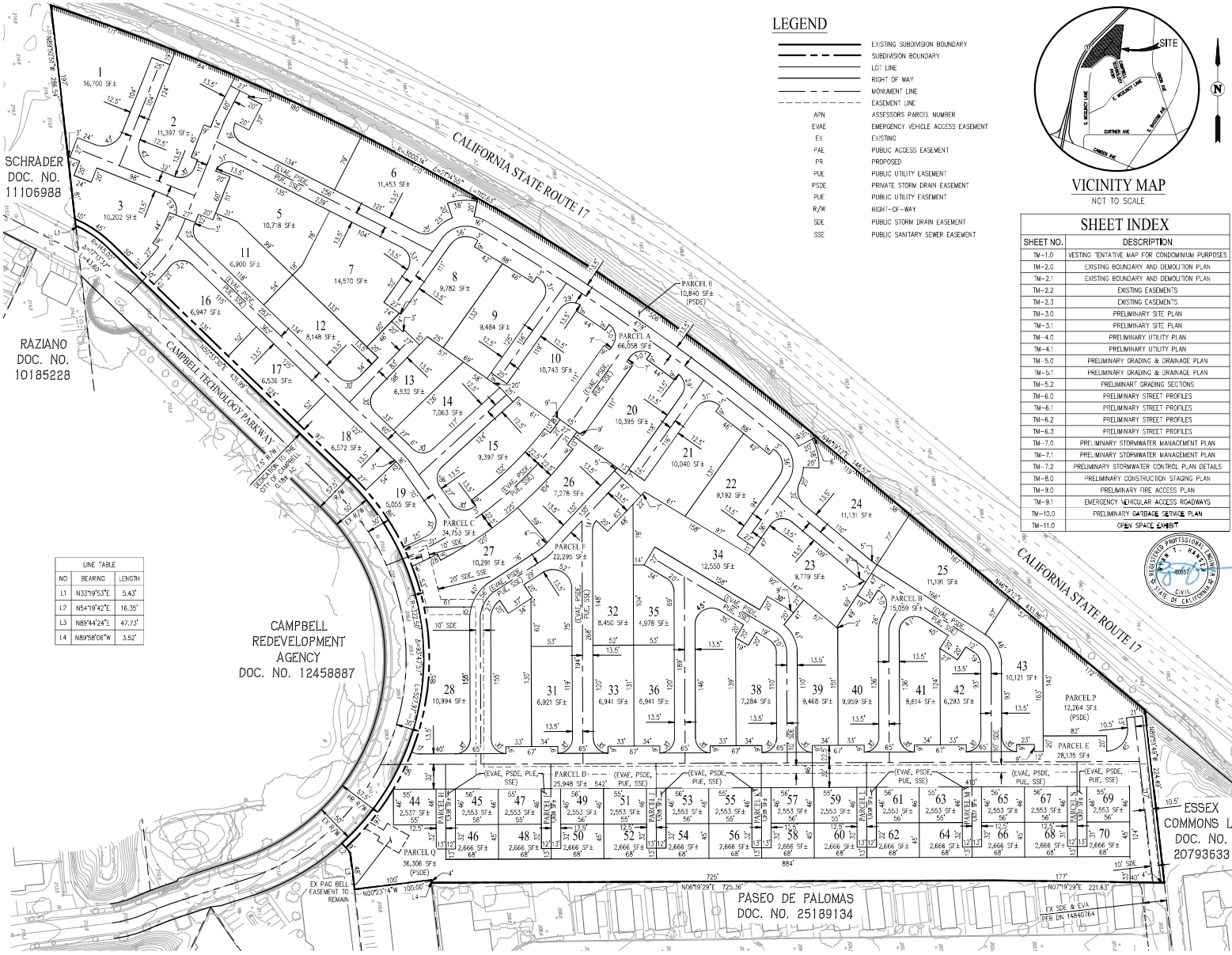
4 STORY CONDOMINIUM
ARCHITECTURAL DETAILS

A 3-6.0.0

	STYLE 1	STYLE 2
STUCCO BODY 1 / TRIM 1	SW 9624 WINSOME GRAY	SW 6198 SENSIBLE HUE
STUCCO BODY 2 / TRIM 2	SW 7614 ST. BART'S	SW 6182 ETHEREAL WHITE
STUCCO BODY 3 / TRIM 3	SW 6191 CONTENTED	N/A
HORIZONTAL LAP SIDING 1/ TRIM 4	SW 7019 GAUNTLET GRAY	N/A
HORIZONTAL LAP SIDING 2/ TRIM 5	SW 9609 LANDMARK	N/A
WOOD LOOK SIDING 1/ TRIM 6	N/A	SUMMER WHEAT WOODTONE
WOOD LOOK SIDING 2/ TRIM 7	N/A	WARM ESPRESSO WOODTONE
STANDING SEAM METAL ROOF	ZINC GRAY	N/A
METAL SCREEN	SW 6191 CONTENTED	SW 7068 GRIZZLE GRAY
ENTRY DOOR 1	SW 7614 ST. BART'S	SW 7729 EDAMAME
ENTRY DOOR 2	SW 6060 MOROCCAN SPICE	SW 7665 WALL STREET
GARAGE DOOR	SW 9579 TIMELESS TAUPE	SW 9579 TIMELESS TAUPE

Manufacturers

Paint - Sherwin Williams or Equal
Garage door - Clopay garage doors or Equal
Entry door - Therma Tru or Equal
Wood Look Siding: Woodtone siding or Equal
Composition Shingle Roof: GAF Roofing or Equal



LINE TABLE		
NO	BEARING	LENGTH
L1	N33°19'53"E	5.43'
L2	N54°19'42"E	16.35'
L3	N89°44'24"E	47.73'
L4	N89°58'06"W	3.52'

LEGEND

	EXISTING SUBDIVISION BOUNDARY
	SUBDIVISION BOUNDARY
	LOT LINE
	RIGHT OF WAY
	MONUMENT LINE
	EASEMENT LINE
APN	ASSESSORS PARCEL NUMBER
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
EX	EXISTING
PAE	PUBLIC ACCESS EASEMENT
PR	PROPOSED
PUE	PUBLIC UTILITY EASEMENT
PSDE	PRIVATE STORM DRAIN EASEMENT
PUE	PUBLIC UTILITY EASEMENT
R/W	RIGHT-OF-WAY
SDE	PUBLIC STORM DRAIN EASEMENT
SSE	PUBLIC SANITARY SEWER EASEMENT

VICINITY MAP
NOT TO SCALE

SHEET INDEX

SHEET NO.	DESCRIPTION
TM-1.0	VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES
TM-2.0	EXISTING BOUNDARY AND DEMOLITION PLAN
TM-2.1	EXISTING BOUNDARY AND DEMOLITION PLAN
TM-2.2	EXISTING EASEMENTS
TM-2.3	EXISTING EASEMENTS
TM-3.0	PRELIMINARY SITE PLAN
TM-3.1	PRELIMINARY SITE PLAN
TM-4.0	PRELIMINARY UTILITY PLAN
TM-4.1	PRELIMINARY UTILITY PLAN
TM-5.0	PRELIMINARY GRADING & DRAINAGE PLAN
TM-5.1	PRELIMINARY GRADING & DRAINAGE PLAN
TM-5.2	PRELIMINART GRADING SECTIONS
TM-6.0	PRELIMINARY STREET PROFILES
TM-6.1	PRELIMINARY STREET PROFILES
TM-6.2	PRELIMINARY STREET PROFILES
TM-6.3	PRELIMINARY STREET PROFILES
TM-7.0	PRELIMINARY STORMWATER MANAGEMENT PLAN
TM-7.1	PRELIMINARY STORMWATER MANAGEMENT PLAN
TM-7.2	PRELIMINARY STORMWATER CONTROL PLAN DETAILS
TM-8.0	PRELIMINARY CONSTRUCTION STAGING PLAN
TM-9.0	PRELIMINARY FIRE ACCESS PLAN
TM-9.1	EMERGENCY VEHICULAR ACCESS ROADWAYS
TM-10.0	PRELIMINARY GARBAGE SERVICE PLAN
TM-11.0	OPEN SPACE EXHIBIT

CONTACTS

1. DEVELOPER: BAYWEST DEVELOPMENT GROUP INC.
JASON LAUB
90 RAILROAD AVE
CAMPBELL, CA 95008
(925) 996-6060

2. CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC.
RYAN HANSEN P.E.
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CA 94583
(925) 866-0322

3. ARCHITECT: KTGY GROUP, INC.
JILL WILLIAMS
1814 FRANKLIN ST, SUITE 400
OAKLAND, CA 94612
(510) 463-2045

3. GEOTECHNICAL ENGINEER: ENGEO
2010 CROW CANYON PLACE, SUITE 250
SAN RAMON, CA
(925)-866-9000

GENERAL NOTES

1. AERIAL TOPOGRAPHY:	BY GEOMAPS DATED MAY 25, 2023
2. CONTOUR INTERVAL:	1 FOOT
3. ACCESSORS PARCEL NO.:	412-29-010, 412-29-011, 412-29-012, 412-29-015
4. SITE ADDRESS:	635, 655, 675, 695 CAMPBELL TECHNOLOGY PARKWAY
5. EXISTING/PROPOSED ZONING:	HD-MU (HIGH DENSITY MIXED-USE) & P-D (PLANNED DEVELOPMENT)
6. EXISTING LAND USE:	COMMERCIAL
7. PROPOSED LAND USE:	RESIDENTIAL
8. SITE AREA:	17.28 AC±
9. NET LOT AREA:	17.10 AC±
10. DWELLING UNITS:	290 UNITS
11. DENSITY:	16.96 DU/AC (NET)
12. EXISTING STRUCTURES:	EXISTING STRUCTURES ON THE SITE WILL BE DEMOLISHED PRIOR TO CONSTRUCTION.
13. STREET TREES:	STREET TREES SHALL BE PROVIDED AS REQUIRED BY THE CITY AND WILL BE PRIVATELY MAINTAINED.
14. TREES:	ALL EXISTING TREES WITHIN THE DEVELOPMENT OF THE SITE ARE TO BE REMOVED UNLESS OTHERWISE NOTED.
15. UTILITY PROVIDERS:	
WATER:	SAN JOSE WATER COMPANY
SANITARY SEWER:	WEST VALLEY SANITATION DISTRICT
STORM DRAIN:	CITY OF CAMPBELL
GAS & ELECTRIC:	PG&E
TELEPHONE:	TBD
CABLE TV:	TBD
16. UTILITY:	ALL ONSITE DOMESTIC WATER MAINS WILL BE PUBLIC UP TO EACH INDIVIDUAL METER. SANITARY SEWER WILL BE PUBLIC UP TO THE UNIT CLEANOUT. THE STORM DRAIN SYSTEM SERVING JUST THE RESIDENTIAL DEVELOPMENT WILL BE PRIVATE. THE STORM DRAIN SYSTEM SERVING THE UPSTREAM OFFSITE RUNOFF WILL BE PUBLIC.
17. LIGHTING:	ALL LIGHTING ON PRIVATE STREETS SHALL BE PRIVATELY MAINTAINED.
18. TRASH:	INDIVIDUAL TRASH CAN PICKUP IS TO BE PROVIDED BY WEST VALLEY COLLECTION AND RECYCLING.
19. STREETS:	ALL ONSITE STREETS ARE TO BE PRIVATE AND PRIVATELY MAINTAINED.
20. GRADING:	PROPOSED GRADING AS SHOWN IS PRELIMINARY, FINISHED GRADING IS SUBJECT TO FINAL DESIGN.
21. DIMENSIONS:	ALL PARCEL AND LOT DIMENSIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE WITH FINAL DESIGN.
22. EROSION CONTROL:	EROSION CONTROL WILL BE PREPARED PER CITY STANDARDS AND ABAG RECOMMENDATIONS.
23. COMMON AREAS:	COMMON AREAS ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
24. FLOOD ZONE:	ZONE X (SHADED): AREAS OF MINIMAL FLOOD HAZARD. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. SOURCE: FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP. MAP NUMBERS 06085C0239H & 06085C0237H DATED: MAY 18, 2009
25. BASIS OF BEARING:	THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN FOUND MONUMENTS ON CAMPBELL TECHNOLOGY PARKWAY, THE BEARING BEING N50°03'30"E PER PARCEL MAP (716 M 25).
26. BENCHMARK:	THE BENCHMARK FOR THIS SURVEY IS A BRASS DISK SET IN CONCRETE BEING NGS MONUMENT DESIGNATION U 176 RESET, PID HS3127, HAVING AN NAVD88 PUBLISHED ELEVATION OF 195.29 FEET.
27. CONDOMINIUM MAP:	A CONDOMINIUM PLAN WILL BE RECORDED FOR LOTS 1 THROUGH 43. THE SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 4285 ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM DWELLING UNITS SHALL BE NO MORE THAN 263 RESIDENTIAL CONDOMINIUM UNITS FOR LOTS 1 THROUGH 43.
28. EASEMENTS:	PARCELS A THROUGH N ARE TO INCLUDE THE FOLLOWING PUBLIC AND PRIVATE EASEMENTS TO SERVE ONSITE PRIVATE AND PUBLIC FACILITIES AND PROVIDE GRANT ACCESS AS NOTED: EVAE, PSDE, PUE, SDE AND SSE. EASEMENTS MAY CHANGE SUBJECT TO FINAL DESIGN.

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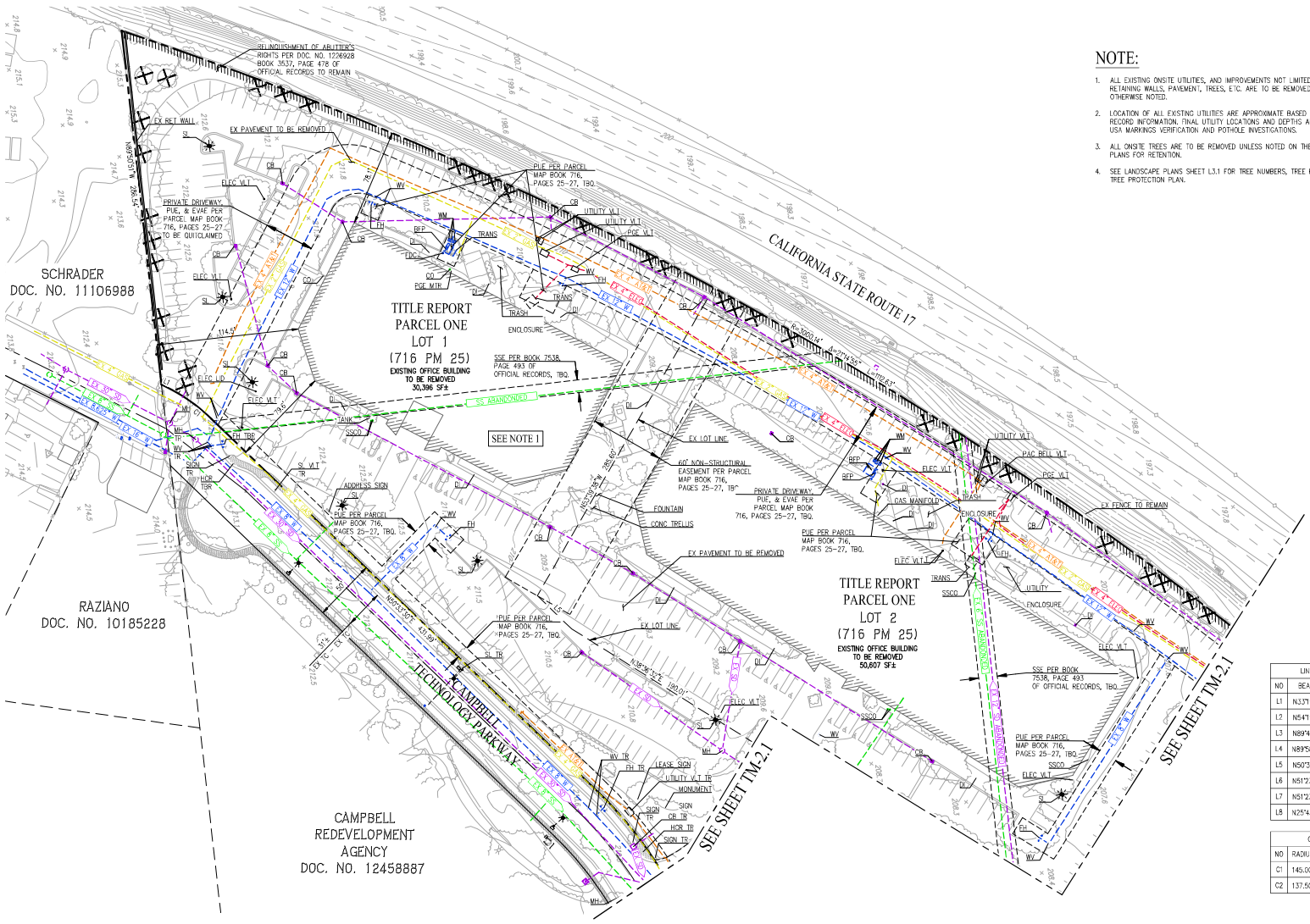
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 08, 2024

0 30 60 120

VESTING TENTATIVE MAP FOR CONDOMINIUM PURPOSES

TM-1.0



NOTE:

1. ALL EXISTING ONSITE UTILITIES, AND IMPROVEMENTS NOT LIMITED TO BUILDINGS, RETAINING WALLS, PAVEMENT, TREES, ETC. ARE TO BE REMOVED UNLESS OTHERWISE NOTED.
2. LOCATION OF ALL EXISTING UTILITIES ARE APPROXIMATE BASED ON FIELD AND RECORD INFORMATION. FINAL UTILITY LOCATIONS AND DEPTHS ARE SUBJECT TO USA MARKINGS VERIFICATION AND POTHOLE INVESTIGATIONS.
3. ALL ONSITE TREES ARE TO BE REMOVED UNLESS NOTED ON THE LANDSCAPE PLANS FOR RETENTION.
4. SEE LANDSCAPE PLANS SHEET L3.1 FOR TREE NUMBERS, TREE REMOVAL, AND TREE PROTECTION PLAN.

LEGEND

	BOUNDARY LINE
	MONUMENT LINE
	EASEMENT LINE
	ADJACENT PROPERTY LINE
	EXISTING LOT LINE
	RETAINING WALL
EX 12" SD	EXISTING STORM DRAIN MAIN
EX 10" W	EXISTING WATER MAIN
EX 8" SS	EXISTING SANITARY SEWER MAIN
EX GAS	EXISTING GAS LINE
EX ELEC	EXISTING UNDERGROUND ELECTRIC
EX AT&T	EXISTING AT&T LINE
	EXISTING STORM DRAIN MANHOLE
	EXISTING STORM DRAIN FIELD INLET
	EXISTING FIRE HYDRANT
	EXISTING BACK FLOW
	EXISTING PRESSURE INDICATOR VALVE
	EXISTING FIRE DEPARTMENT CONNECTION
	EXISTING WATER VALVE
	EXISTING SANITARY SEWER MANHOLE
	EXISTING SANITARY SEWER CLEANOUT
	EXISTING UTILITY BOX/VAULT
	EXISTING STREET LIGHT
	EXISTING TREE TO BE REMOVED
	EXISTING TREE TO REMAIN
N	NORTH
S	SOUTH
E	EAST
W	WEST
BLDG	BUILDING
BFP	BACK FLOW PREVENTER
CB	CATCH BASIN
CONC	CONCRETE
DWY	DRIVEWAY
DI	DRAIN INLET
ELEC	ELECTRICAL
EX	EXISTING
FDC	FIRE DEPARTMENT CONNECTION
FH	FIRE HYDRANT
FS	FIRE SERVICE
GM	GAS METER
HCR	HANDICAP RAMP
LAT	LATERAL
PB	PULL BOX
PIV	POST INDICATOR VALVE
PL	PROPERTY LINE
PP	POWER POLE
PUE	PUBLIC UTILITY EASEMENT
SL	STREET LIGHT
SSCO	SANITARY SEWER CLEAN OUT
SSE	SANITARY SEWER EASEMENT
TBR	TO BE REMOVED
TBQ	TO BE QUITCLAIMED
TR	TO REMAIN
UTIL	UTILITY
VLT	VAULT
WLE	WATER LINE EASEMENT
WM	WATER METER
WS	WATER SERVICE
WV	WATER VALVE

LINE TABLE		
NO	BEARING	LENGTH
L1	N33°19'53"E	5.43'
L2	N54°19'42"E	16.35'
L3	N89°44'24"E	47.73'
L4	N89°58'06"W	3.52'
L5	N50°33'30"E	38.53'
L6	N51°23'28"W	25.73'
L7	N51°23'28"W	17.45'
L8	N25°43'39"W	26.99'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	145.00'	17°13'37"	43.60'
C2	137.50'	25°39'49"	61.59'

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Campbell, CA # 2023-0039

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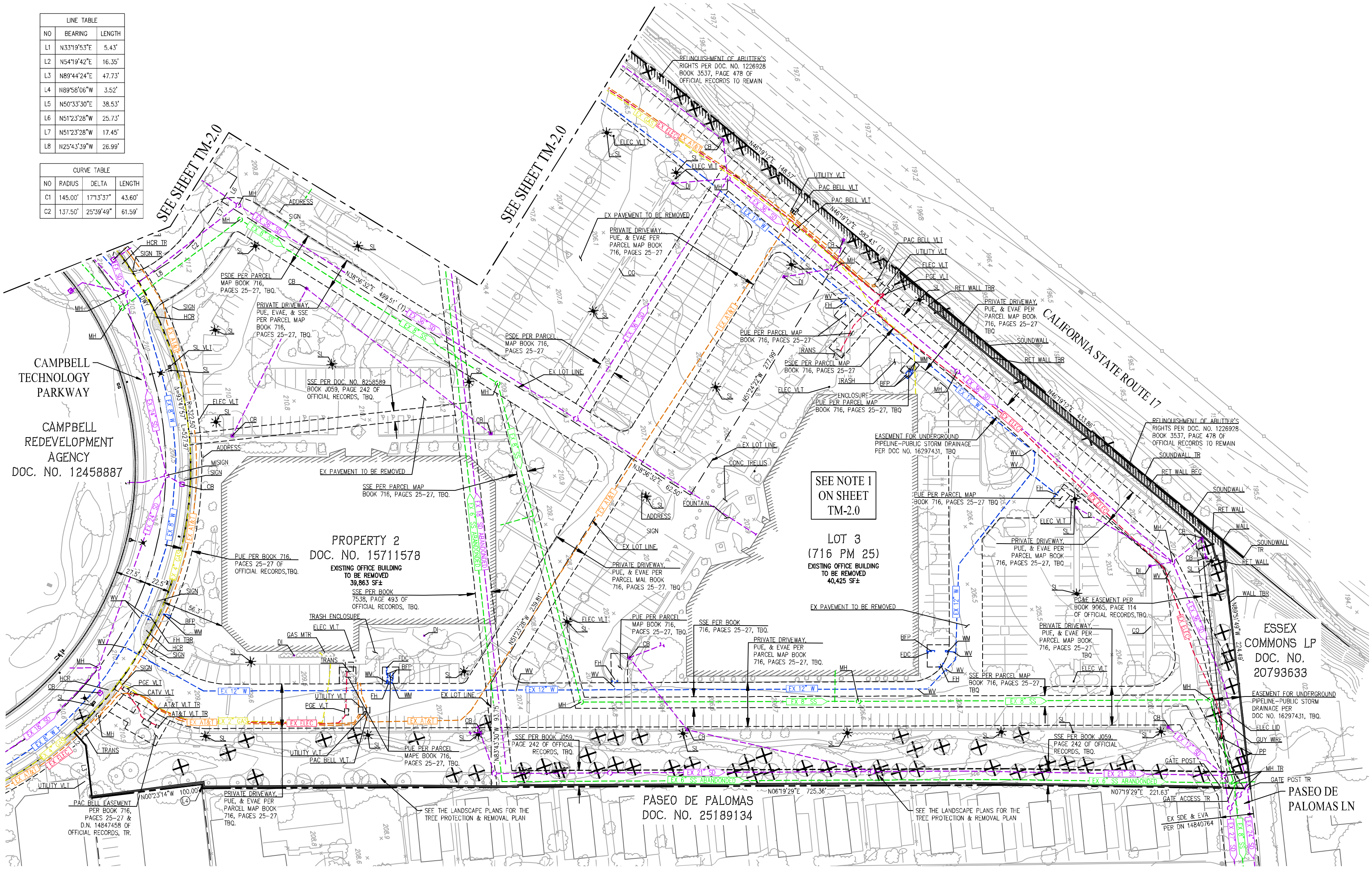
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EXISTING BOUNDARY AND DEMOLITION PLAN

TM-2.0

LINE TABLE		
NO	BEARING	LENGTH
L1	N33°19'53"E	5.43'
L2	N54°19'42"E	16.35'
L3	N89°44'24"E	47.73'
L4	N89°58'06"W	3.52'
L5	N50°33'30"E	38.53'
L6	N51°23'28"W	25.73'
L7	N51°23'28"W	17.45'
L8	N25°43'39"W	26.99'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	145.00'	17°13'37"	43.60'
C2	137.50'	25°39'49"	61.59'



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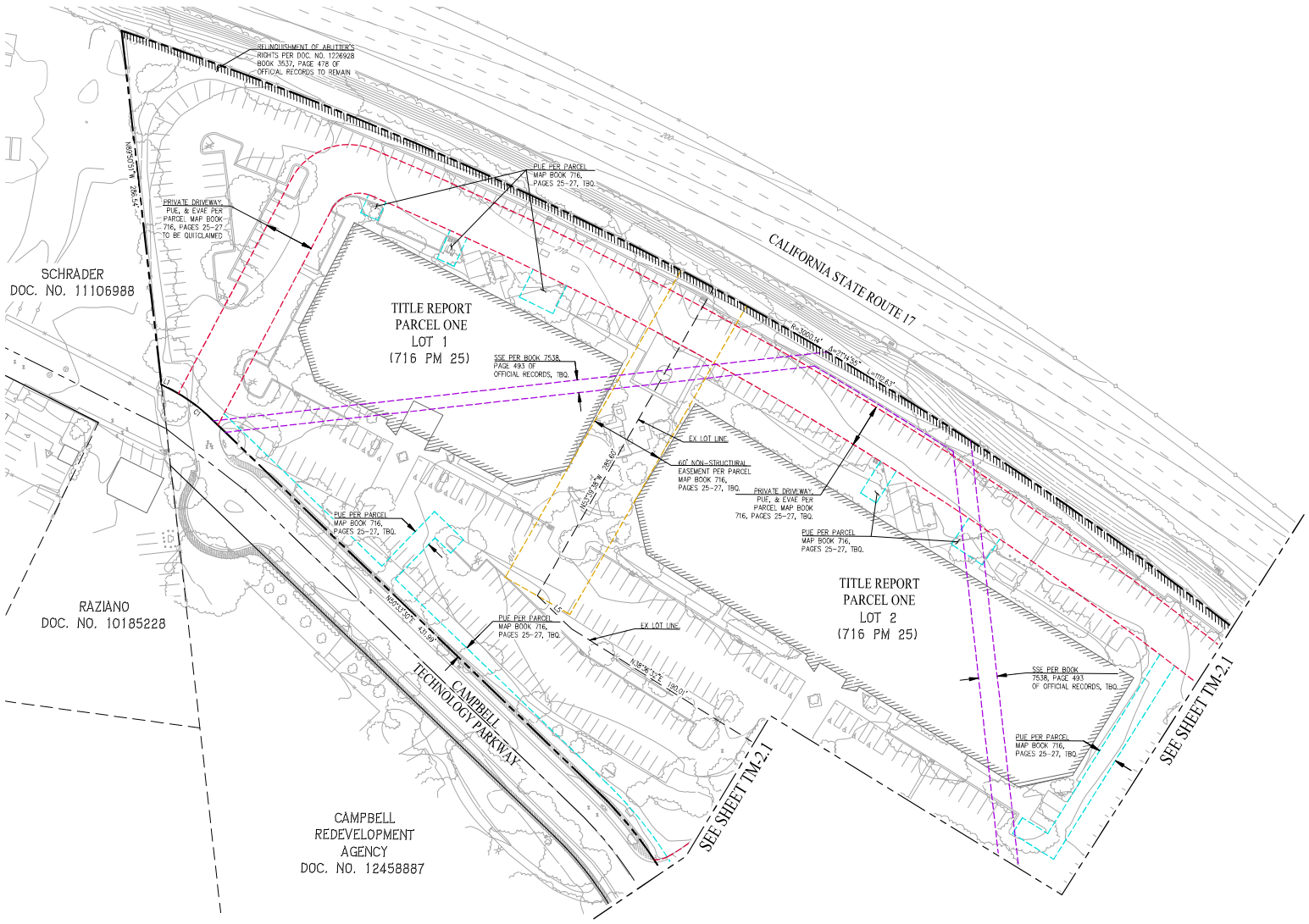
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EXISTING BOUNDARY AND DEMOLITION PLAN

TM-2.1



LEGEND

	BOUNDARY LINE
	MONUMENT LINE
	EASEMENT LINE
	ADJACENT PROPERTY LINE
	EXISTING LOT LINE
	EXISTING PRIVATE DRIVEWAY, PUE, & EVAE EASEMENT PER BOOK 716
	EXISTING PUBLIC UTILITY EASEMENT PER BOOK 716
	EXISTING NON-STRUCTURAL EASEMENT PER BOOK 716
	EXISTING SANITARY SEWER EASEMENT PER BOOK 7538
	EXISTING SANITARY SEWER EASEMENT PER BOOK 716
	EXISTING SANITARY SEWER EASEMENT PER BOOK J059
	EXISTING STORM DRAIN EASEMENT PER BOOK 716
	EXISTING PG&E EASEMENT PER BOOK 9065
EX	EXISTING
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SDE	STORM DRAIN EASEMENT
SSE	SANITARY SEWER EASEMENT
TBQ	TO BE QUITCLAIMED
TR	TO REMAIN

LINE TABLE		
NO	BEARING	LENGTH
L1	N33°19'53"E	5.43'
L2	N54°19'42"E	16.35'
L3	N89°44'24"E	47.73'
L4	N89°58'06"W	3.52'
L5	N50°33'30"E	38.53'
L6	N51°23'28"W	25.73'
L7	N51°23'28"W	17.45'
L8	N25°43'39"W	26.99'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	145.00'	17°13'37"	43.60'
C2	137.50'	25°39'46"	61.59'

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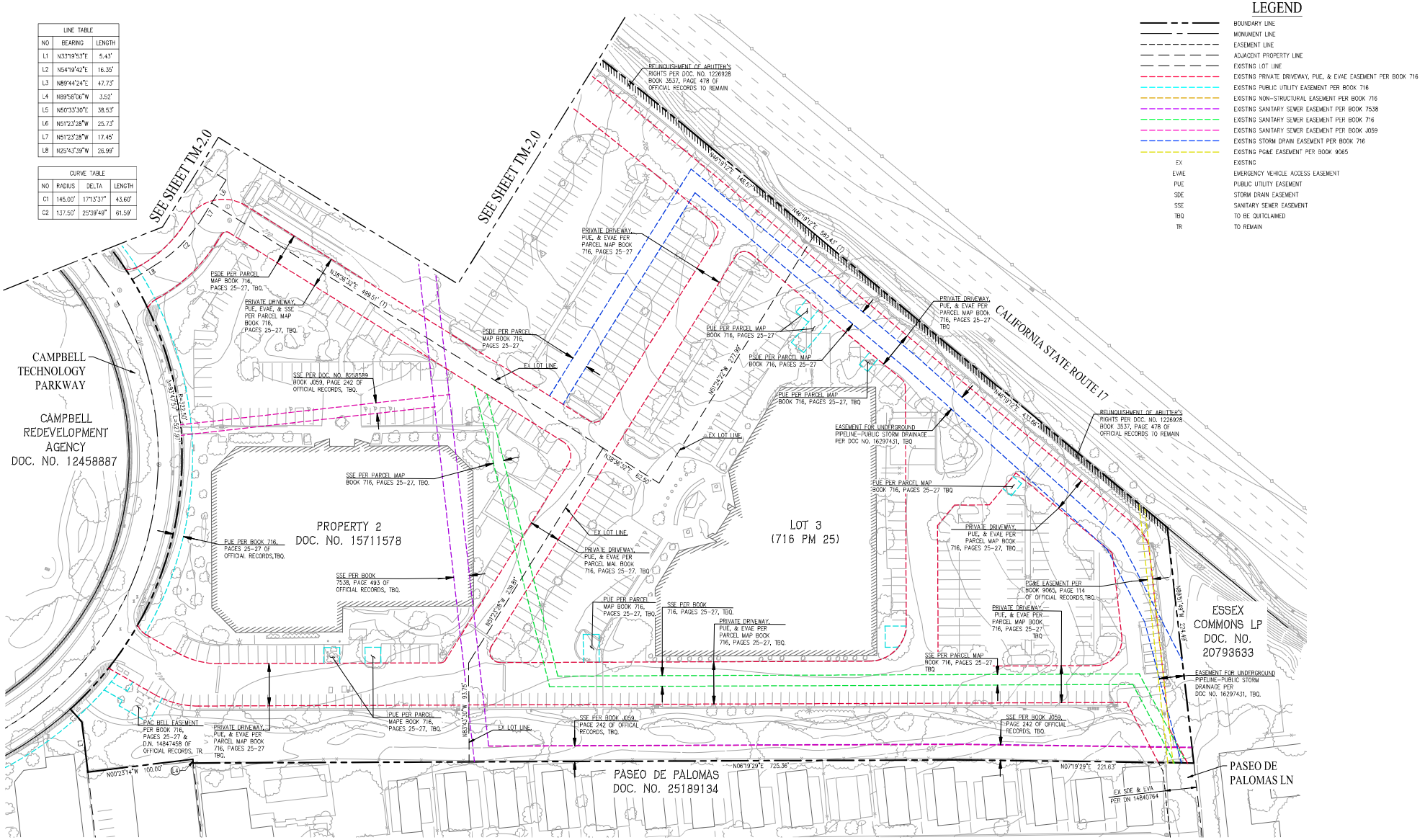
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0 20 40 80

EXISTING EASEMENTS

TM-2.2

H:\2023-0000\ACAD\TM\TM-2.2.DWG



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NOVEMBER 08, 2024

EXISTING EASEMENTS

TM-2.3

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NOTE:

1. SEE LANDSCAPE PLANS BY OTHERS FOR ALL LANDSCAPE & IRRIGATION DETAILS.
2. SEE LANDSCAPE PLANS FOR ALL WALKWAY SURFACE TYPE DETAILS.
3. ALL PEDESTRIAN STREET CROSSINGS WILL BE PROVIDED WITH AN ACCESSIBLE CURB RAMP & TRUNCATED DOMES AND WILL BE DETAILED ON THE PROJECTS CONSTRUCTION DRAWINGS.
4. PER SJMC REQUIREMENTS A MINIMUM 3' MIN SEPARATION BETWEEN DEEPENED CURBS AND WATER MAINS IS REQUIRED.
5. PER PG&E DESIGN REQUIREMENTS 5' OF SEPARATION SHALL BE PROVIDED BETWEEN GAS MAIN AND TREE PLANTING.

PARKING SUMMARY	
PARKING PROVIDED	
RESIDENTIAL IN GARAGE PARKING STALLS	580
ON SITE PARKING STALLS	138
TOTAL PROVIDED PARKING STALLS	718
SITE PARKING USE SUMMARY	
ACCESSIBLE PARKING STALLS	7
ELECTRIC VEHICLE CAPABLE STALLS (EC)	14
ELECTRIC VEHICLE READY STALLS (ER)	35
ELECTRIC VEHICLE CHARGER STALLS (EV)	7

ACCESSIBLE UNIT COUNT SUMMARY		
# UNITS	REQUIRED ADA UNIT COUNT	PROVIDED ADA UNIT COUNT
149 TOWNHOMES	15	15
114 PIGGYBACK	12	12
263 TOTAL	27	27

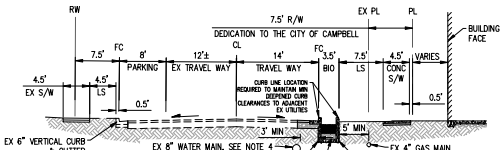
LEGEND:

- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- ADJACENT PROPERTY LINE
- MONUMENT LINE
- CENTERLINE
- RIGHT OF WAY LINE
- LOT LINE
- PROPOSED EASEMENT LINE
- PROPOSED RETAINING WALL
- PROPOSED DEEPENED SIDEWALK CURB
- EX GAS — EXISTING GAS MAIN
- EX W — EXISTING WATER MAIN
- ACCESSIBLE PEDESTRIAN PATH OF TRAVEL
- ASPHALT PAVEMENT
- UNASSIGNED AND VISITOR PARKING STALL (ASPHALT PAVEMENT)
- ACCESSIBLE PARKING STALL
- ACCESSIBLE UNIT
- CONCRETE DRIVEWAY
- BIO-RETENTION AREA
- PARKING COUNT
- LADDER PAD

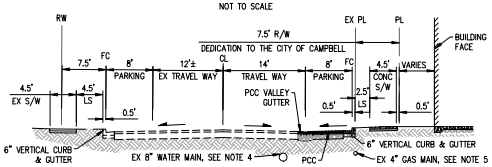
ABBREVIATIONS

BIO-RET	BIO-RETENTION
CL	CENTERLINE
CONC	CONCRETE
DWY	DRIVEWAY
EC	ELECTRIC VEHICLE CAPABLE PARKING STALL
ER	ELECTRIC VEHICLE READY PARKING STALL
EV	ELECTRIC VEHICLE PARKING STALL
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT
EX	EXISTING
FC	FACE OF CONCRETE & GUTTER CURB
LS	LANDSCAPE
ML	MONUMENT LINE
MIN	MINIMUM
PAE	PUBLIC ACCESS EASMENT
PL	PROPERTY LINE
PR	PROPOSED
R/W	RIGHT OF WAY
S/W	SIDEWALK
TC	TOP OF CONCRETE CURB & GUTTER
TYP	TYPICAL
VG	VALLEY GUTTER



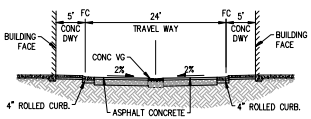


TYPICAL CAMPBELL TECHNOLOGY PARKWAY WITH STORMWATER TREATMENT SECTION
NOT TO SCALE

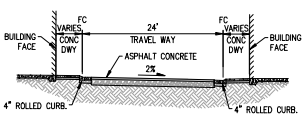


TYPICAL CAMPBELL TECHNOLOGY PARKWAY WITH PARKING SECTION
NOT TO SCALE

TYPICAL EVA SECTION
NOT TO SCALE

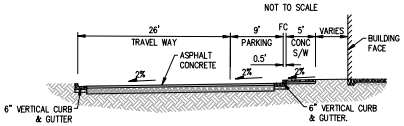


TYPICAL 24' ALLEY SECTION W/ 5' DWY
S, T, U, V, W, X, Y STREET
NOT TO SCALE

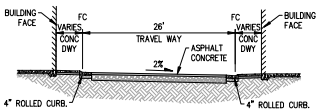


TYPICAL 24' ALLEY SECTION
H, K, L, M STREET
NOT TO SCALE

G STREET SECTION
G STREET
NOT TO SCALE



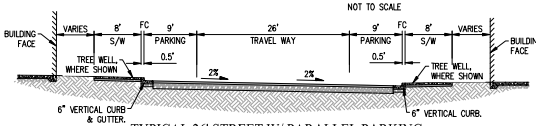
E STREET W/ PARALLEL PARKING
STREET E
NOT TO SCALE



TYPICAL 26' ALLEY SECTION
D, F, I, N, O, P, Q, R STREET
NOT TO SCALE

J STREET SECTION
J STREET
NOT TO SCALE

TYPICAL 26' STREET W/ PERPENDICULAR PARKING
A STREET
NOT TO SCALE



TYPICAL 26' STREET W/ PARALLEL PARKING
B, C STREET
NOT TO SCALE

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PRELIMINARY SITE PLAN

TM-3.0



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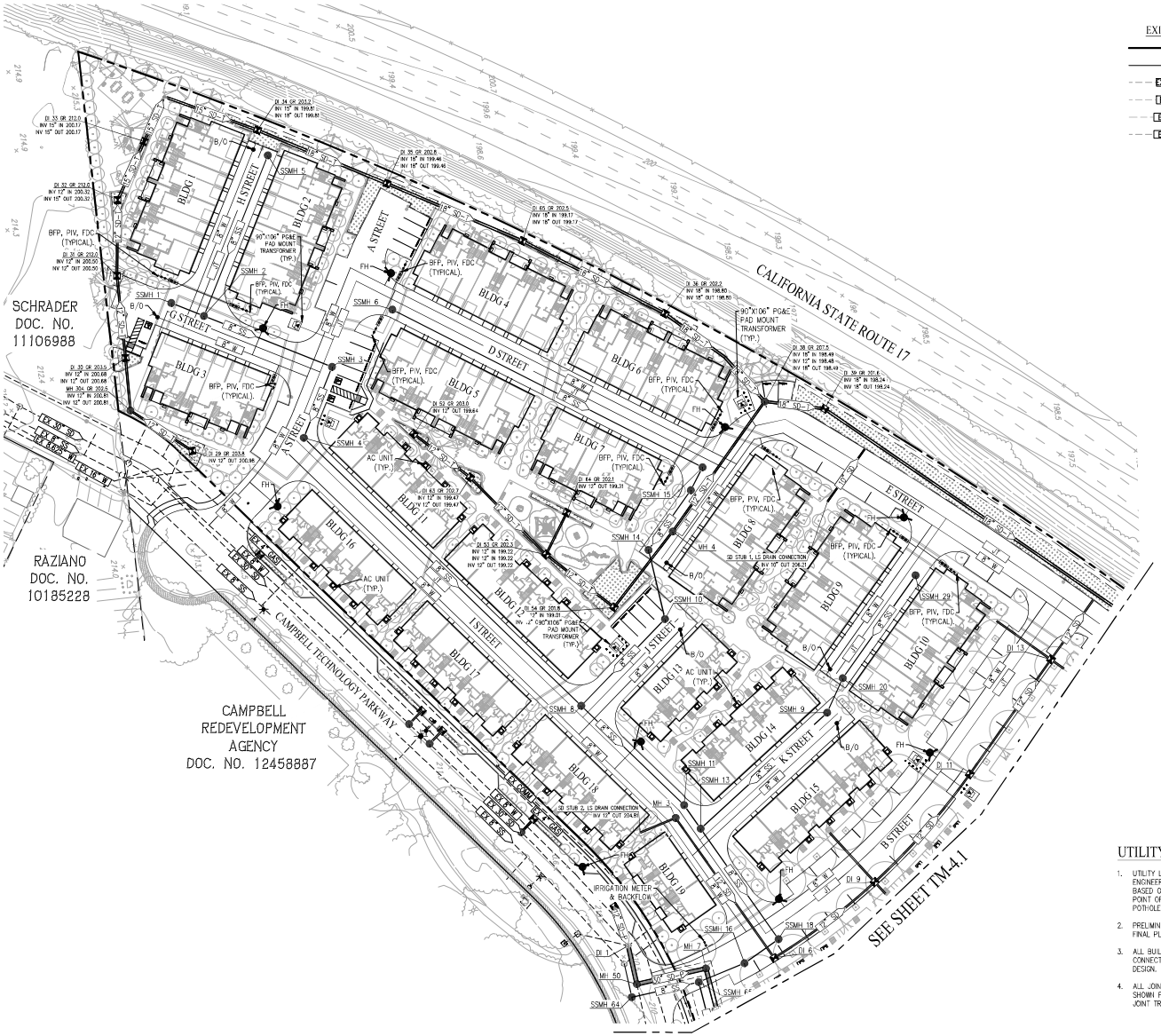
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PRELIMINARY SITE PLAN

TM-3.1

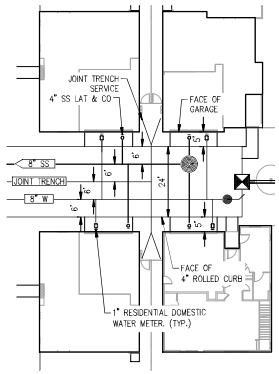


LEGEND:

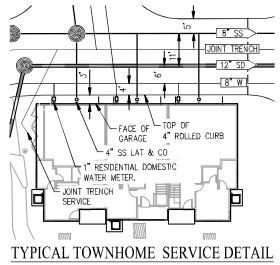
EXISTING	PROPOSED	DESCRIPTION
		PROPERTY LINE
		RIGHT OF WAY
EX GAS		GAS MAIN
EX W	8"W	WATER MAIN
EX SS	8" SS	SANITARY SEWER PIPE
EX SD	12" SD	STORM DRAIN PIPE (UNTREATED)
	12" SD-T	STORMWATER PIPE (TREATED)
	12" SD-P	STORMWATER PIPE (PUBLIC)
	JT	JOINT TRENCH
		STORM DRAIN INLET
		MANHOLE
		FIRE HYDRANT
		BACK FLOW PREVENTER
		FIRE DEPARTMENT CONNECTION
		POST INDICATOR VALVE
		BIO-RETENTION AREA
		90"X106" PG&E PAD MOUNT TRANSFORMER
		50"X52" PG&E PAD MOUNT TRANSFORMER
		VALVE
		STREET LIGHT
		UTILITY BOX/VAULT
		AC UNIT

ABBREVIATIONS

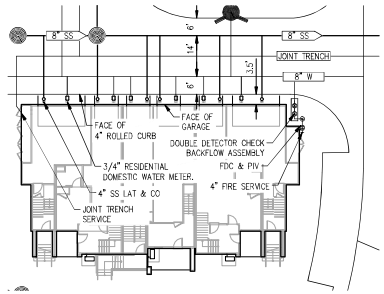
BFP	BACK FLOW PREVENTER
BLDG	BUILDING
B/O	BLOW OFF VALVE
CB	CATCH BASIN
DI	DRAIN INLET
ELEC	ELECTRICAL
EX	EXISTING
FDC	FIRE DEPARTMENT CONNECTION
FH	FIRE HYDRANT
FS	FIRE SERVICE
JT	JOINT TRENCH
LAT	LATERAL
LS	LANDSCAPE
PIV	POST INDICATOR VALVE
PP	POWER POLE
SL	STREET LIGHT
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEAN OUT
UTIL	UTILITY
VLT	VAULT
WM	WATER METER
WS	WATER SERVICE
WV	WATER VALVE



TYPICAL SINGLE FAMILY SERVICE DETAIL
BLDGS 46–73
SCALE 1" = 20'



TYPICAL TOWNHOME SERVICE DETAIL
BLDGS 11–19, 25–45
SCALE 1" = 20'



TYPICAL PIGGYBACK SERVICE DETAIL
BLDGS 1–10, 20–24
SCALE 1" = 20'

UTILITY NOTES:

1. UTILITY LAYOUT AS SHOWN IS PRELIMINARY AND SUBJECT TO FINAL ENGINEERING DESIGN. EXISTING UTILITY LOCATIONS ARE APPROXIMATE BASED ON RECORD INFORMATION AND FIELD SURVEY DATA. UTILITY POINT OF CONNECTIONS SHALL BE VERIFIED WITH USA MARKINGS AND POTHOLE INFORMATION.
2. PRELIMINARY DOMESTIC AND FIRE SERVICE SIZES ARE SUBJECT TO FINAL PLUMBING ENGINEERS DESIGN.
3. ALL BUILDING STORM DRAIN, WATER, AND SEWER POINT OF CONNECTIONS ARE SUBJECT TO FINAL BUILDING PLUMBING ENGINEERS DESIGN.
4. ALL JOINT TRENCH MAINS AND TRANSFORMER LOCATIONS HAVE BEEN SHOWN FOR REFERENCE ONLY AND ARE SUBJECT TO THE FINAL JOINT TRENCH CONSULTANTS DESIGN.

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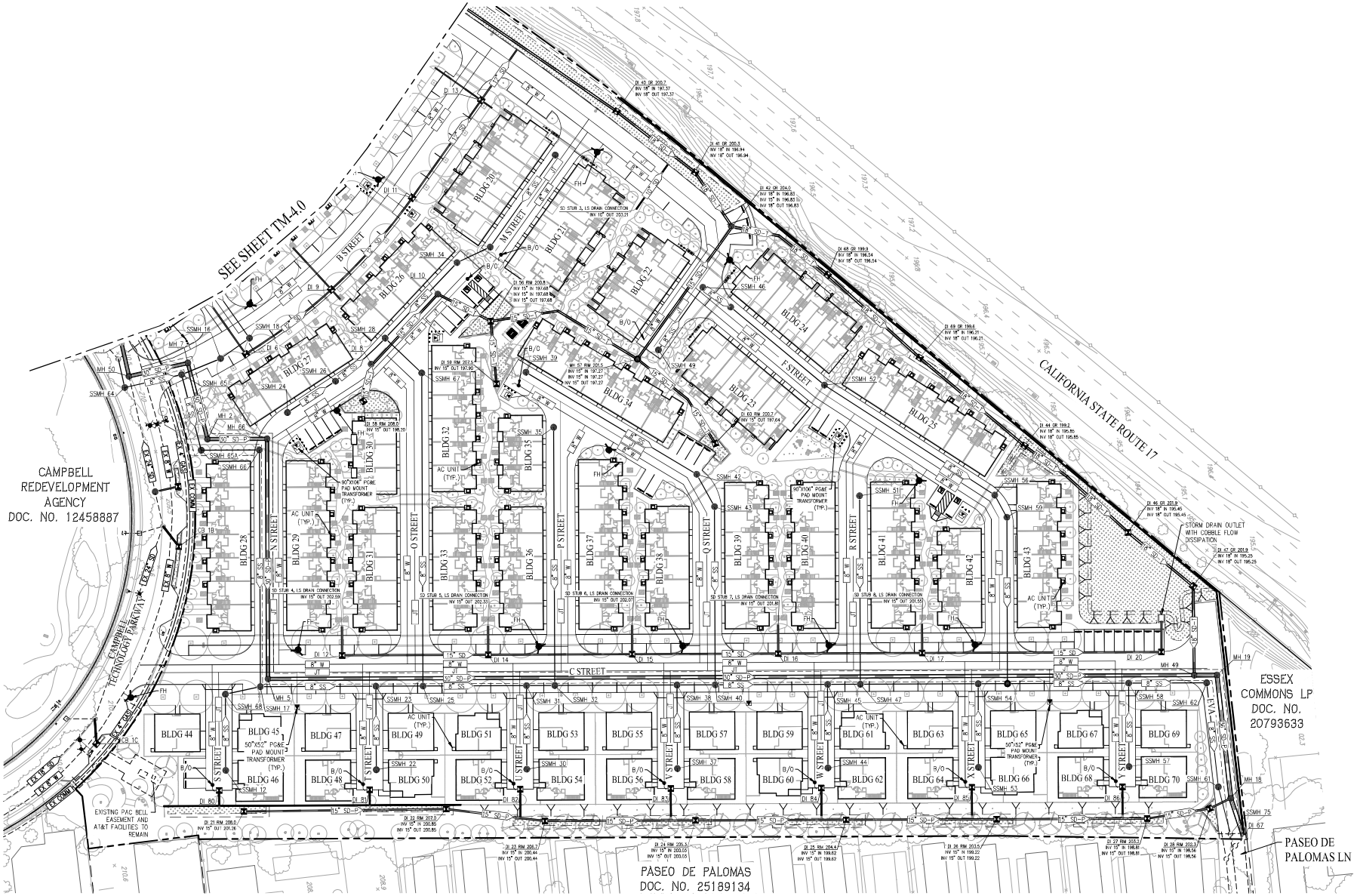
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PRELIMINARY UTILITY PLAN

TM-4.0



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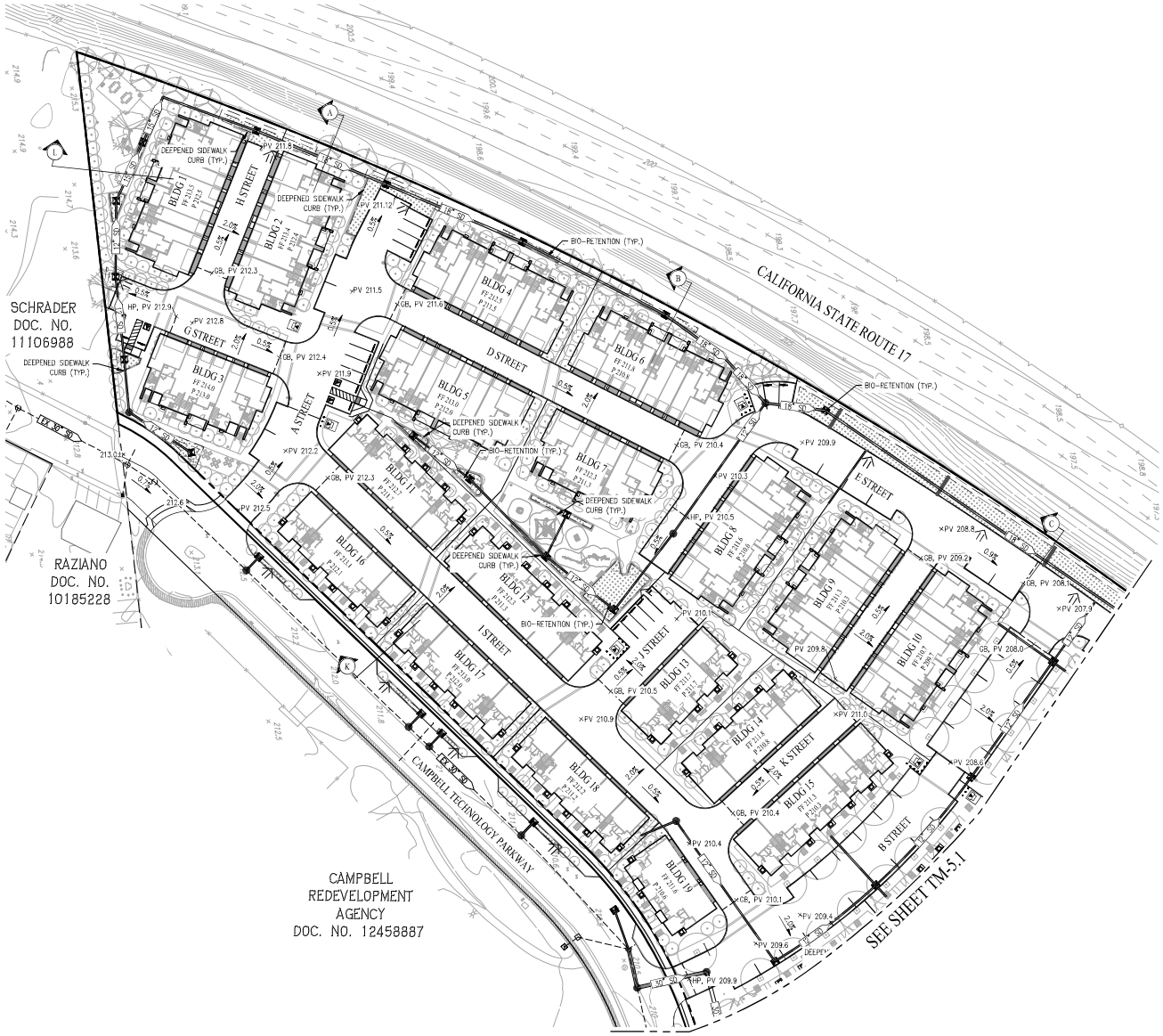
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PRELIMINARY UTILITY PLAN

TM-4.1



LEGEND:

EXISTING	PROPOSED	DESCRIPTION
		PROPERTY LINE
		RIGHT OF WAY
EX SD	12" SD	STORM DRAIN
		TRENCH DRAIN
		RETAINING WALL
		DEEPENED SIDEWALK CURB
		DEEPENED FOOTING
		STORM DRAIN FIELD INLET
		MANHOLE
		AREA DRAIN
		BIO-RETENTION AREA
		CURB CUT/SLOT DRAIN
		DIRECTION OF OVERLAND RELEASE

ABBREVIATIONS

BLDG	BUILDING
BR	BIORETENTION
CB	CATCH BASIN
DI	DRAIN INLET
E/B	EASTBOUND
EG	EXISTING GRADE
EX	EXISTING
FC	FACE OF CURB
FF	FINISHED FLOOR
GB	GRADE BREAK
HP	HIGH POINT
LAT	LATERAL
LL	LOT LINE
LP	LOW POINT
LS	LANDSCAPE
PR	PROPOSED
PV	PAVEMENT
RW	RIGHT OF WAY
RET	RETAINING
SD	STORM DRAIN
SDMH	STORM DRAIN MANHOLE
SL	STREET LIGHT
STND	STANDARD
TCB	TOP OF CONCRETE BAND
WAL	WALL
W/B	WESTBOUND

PRELIMINARY ESTIMATED ROUGH GRADING EARTHWORK SUMMARY

DESCRIPTION	CUT (CY)	FILL (CY)	NET (CY)
ROUGH GRADING	10,000	23,000	13,000 (F)
UTILITY & BIORETENTION SPOILS	8,000	0	8,000 (C)
TOTAL	18,000	23,000	5,000 (F)

NOTE:
1. ROUGH GRADING AND EARTHWORK QUANTITIES, ARE PRELIMINARY AND SUBJECT TO FINAL DESIGN.
2. ALL REQUIRED ADA ACCESSIBLE UNITS FOR THE PROPOSED TOWNHOMES WILL BE DESIGNED PER CBC REQUIREMENTS. SEE SHEET TM-3.0 FOR PRELIMINARY ACCESSIBLE UNIT LOCATIONS.
3. MAXIMUM DEPTH OF CUT IS ROUGHLY 8' AND THE MAXIMUM DEPTH OF FILL IS ROUGHLY 9'. THE MAXIMUM DEPTHS OF CUT AND FILL ARE PRELIMINARY AND ARE SUBJECT TO THE FINAL DESIGN.

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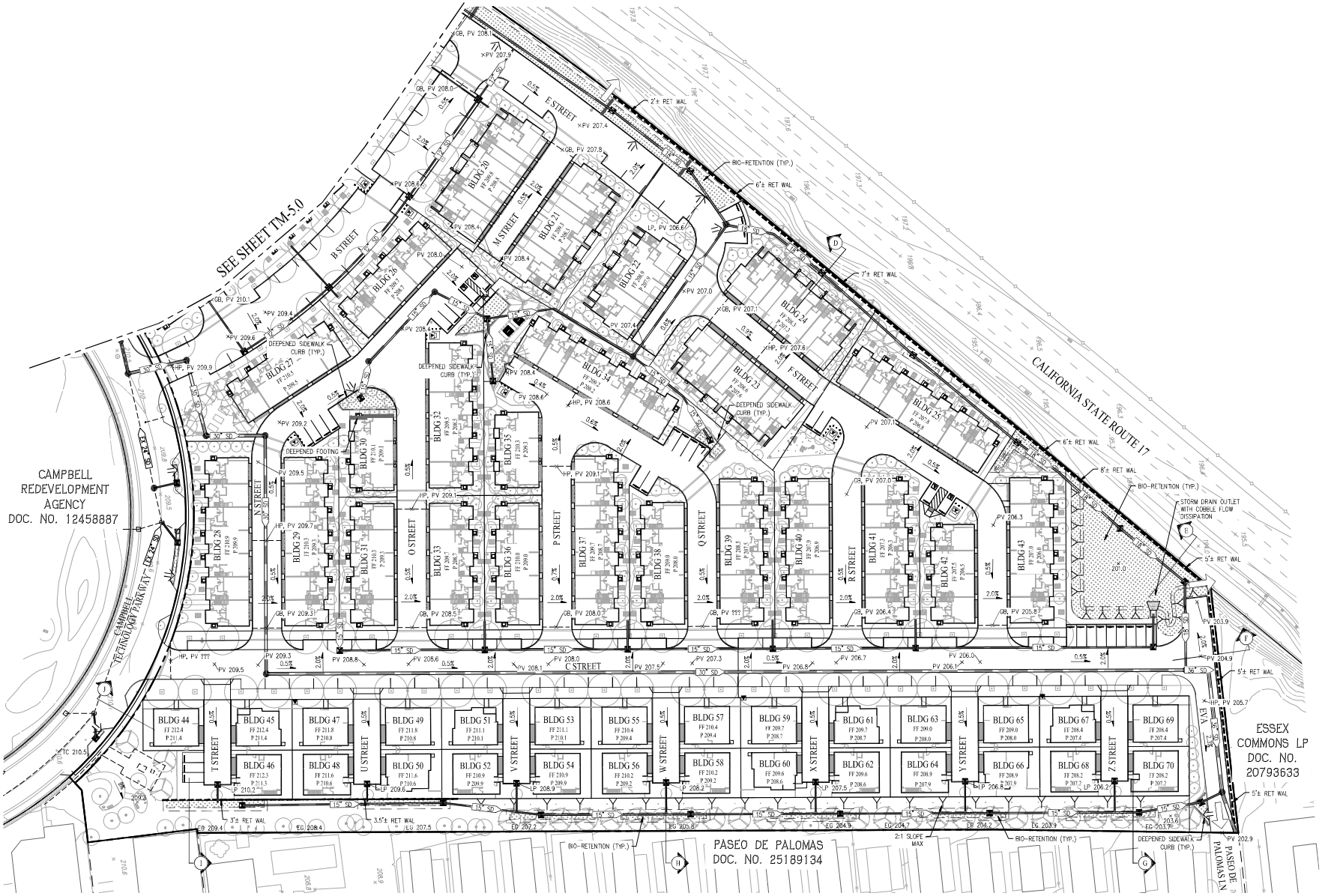
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PRELIMINARY GRADING & DRAINAGE PLAN

TM-5.0



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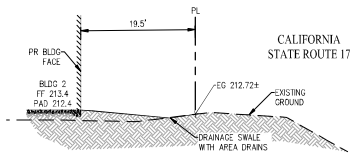
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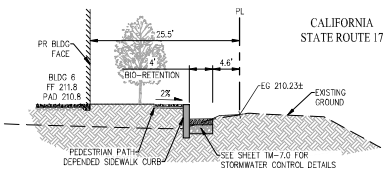
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PRELIMINARY GRADING & DRAINAGE PLAN

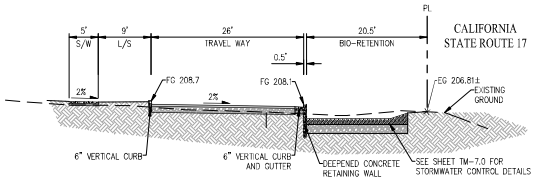
TM-5.1



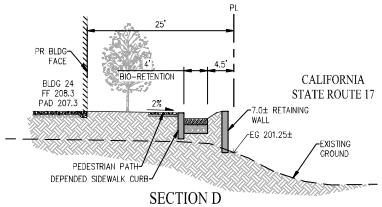
SECTION A
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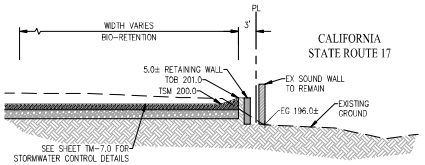
SECTION B
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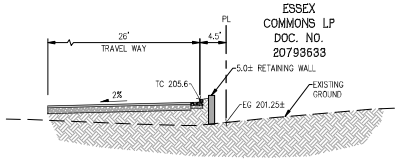
SECTION C
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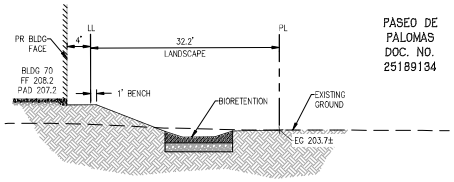
SECTION D
NOT TO SCALE



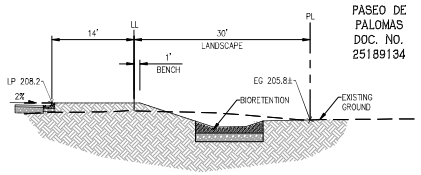
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NOT TO SCALE



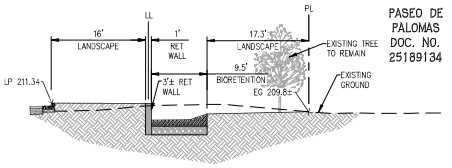
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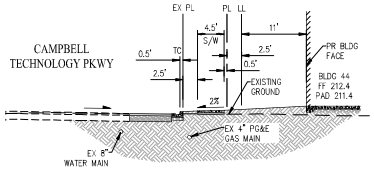
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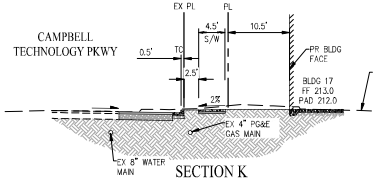
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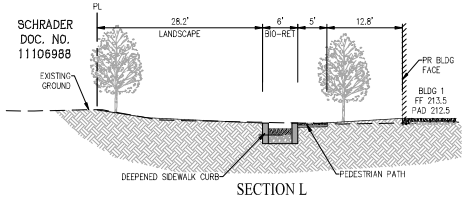
SECTION I
NOT TO SCALE



SECTION J
NOT TO SCALE



SECTION K
NOT TO SCALE



SECTION L
NOT TO SCALE

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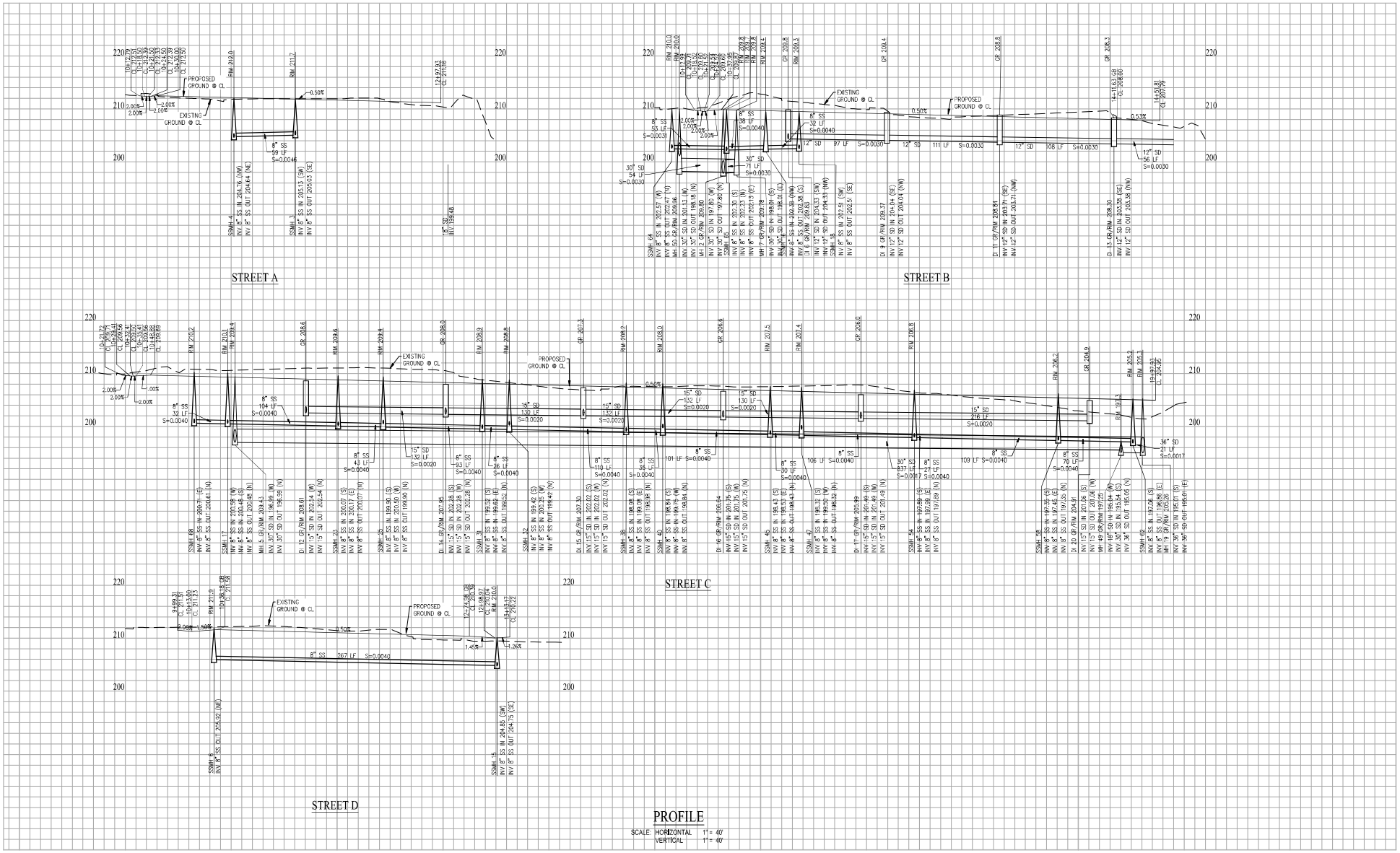
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Campbell, CA # 2023-0039

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NOVEMBER 08, 2024

0 20 40 80

PRELIMINART GRADING SECTIONS

TM-5.2



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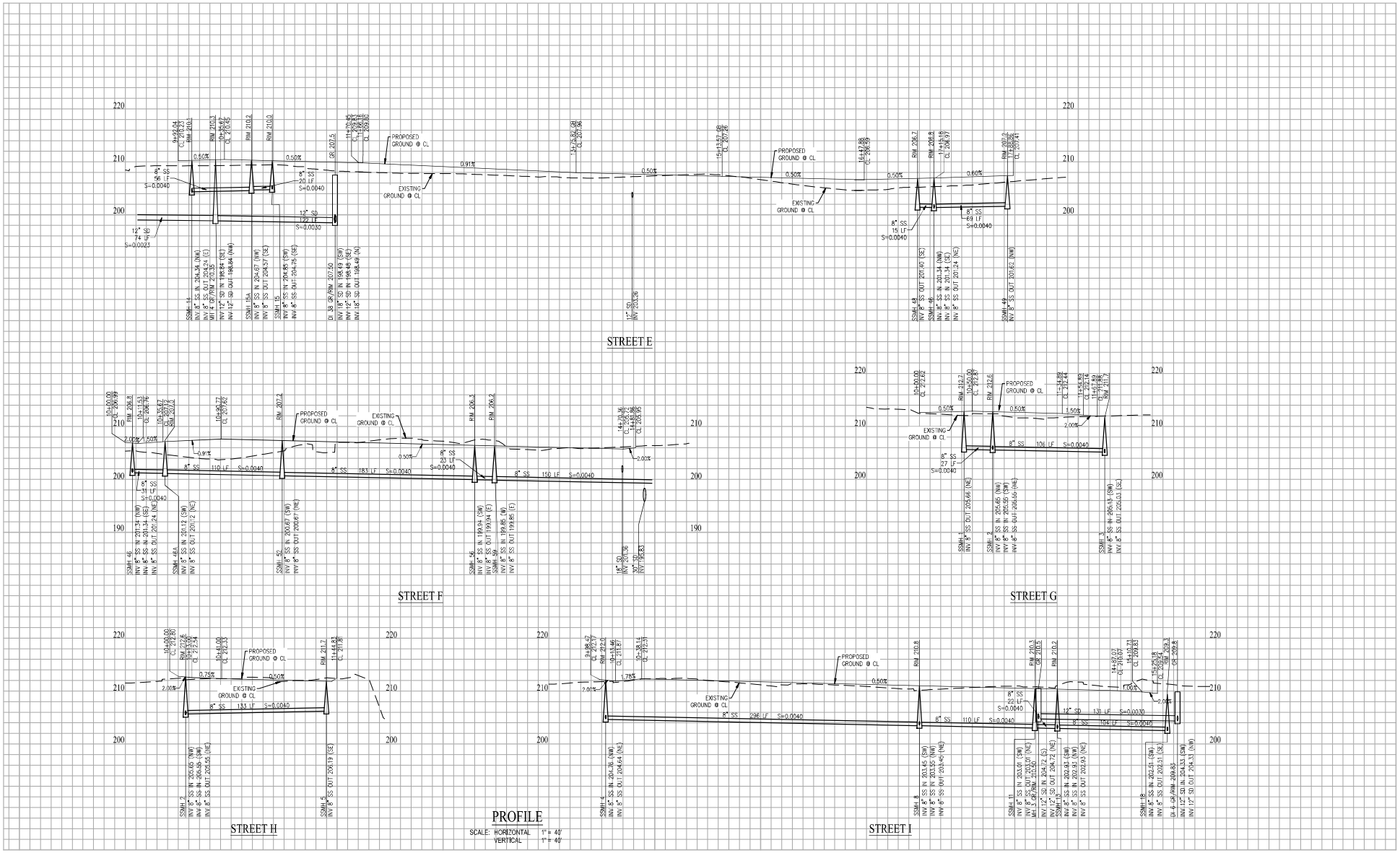
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PRELIMINARY STREET PROFILES

TM-6.0



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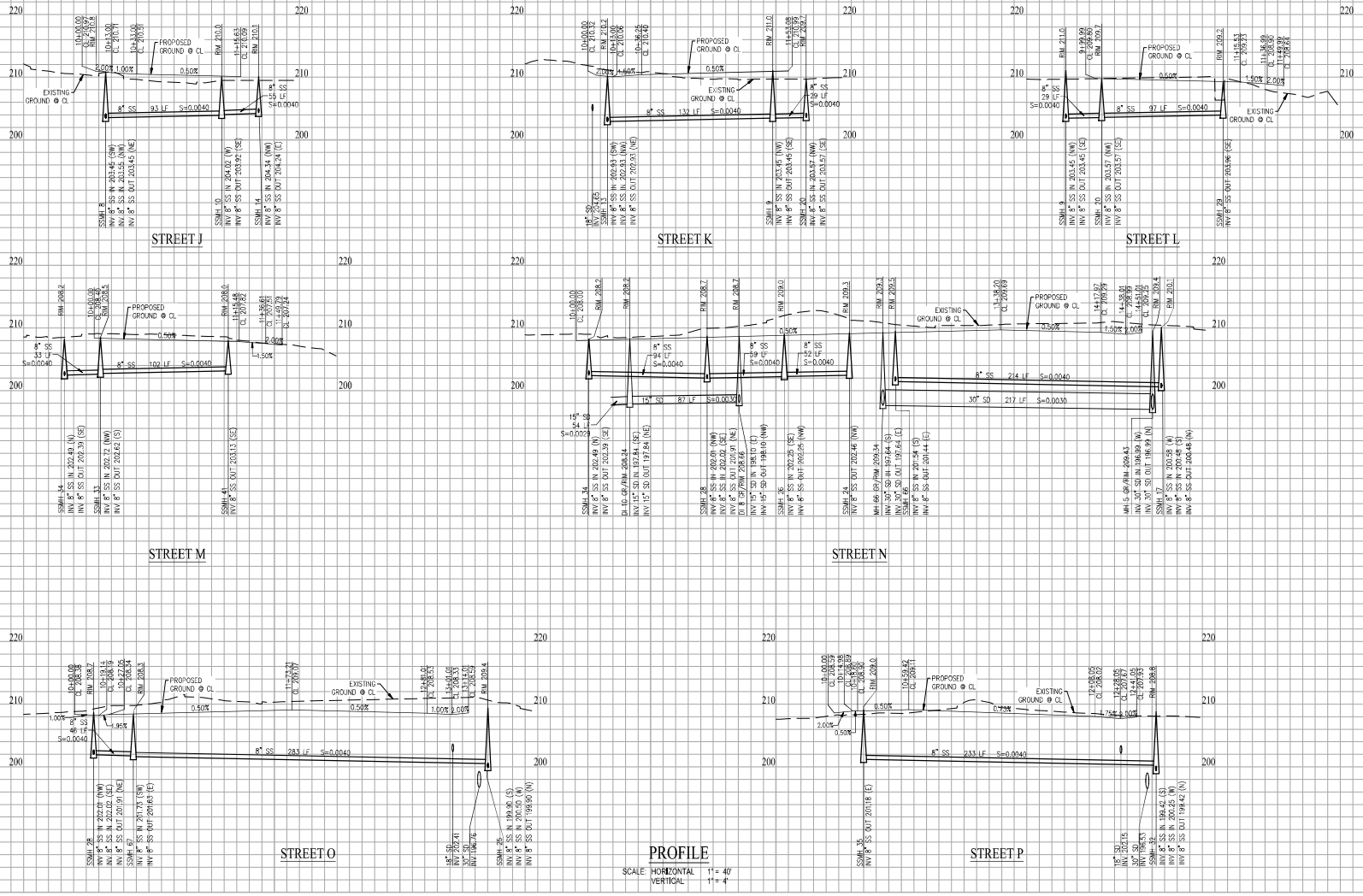
Campbell Technology Park
Campbell, CA # 2023-0039

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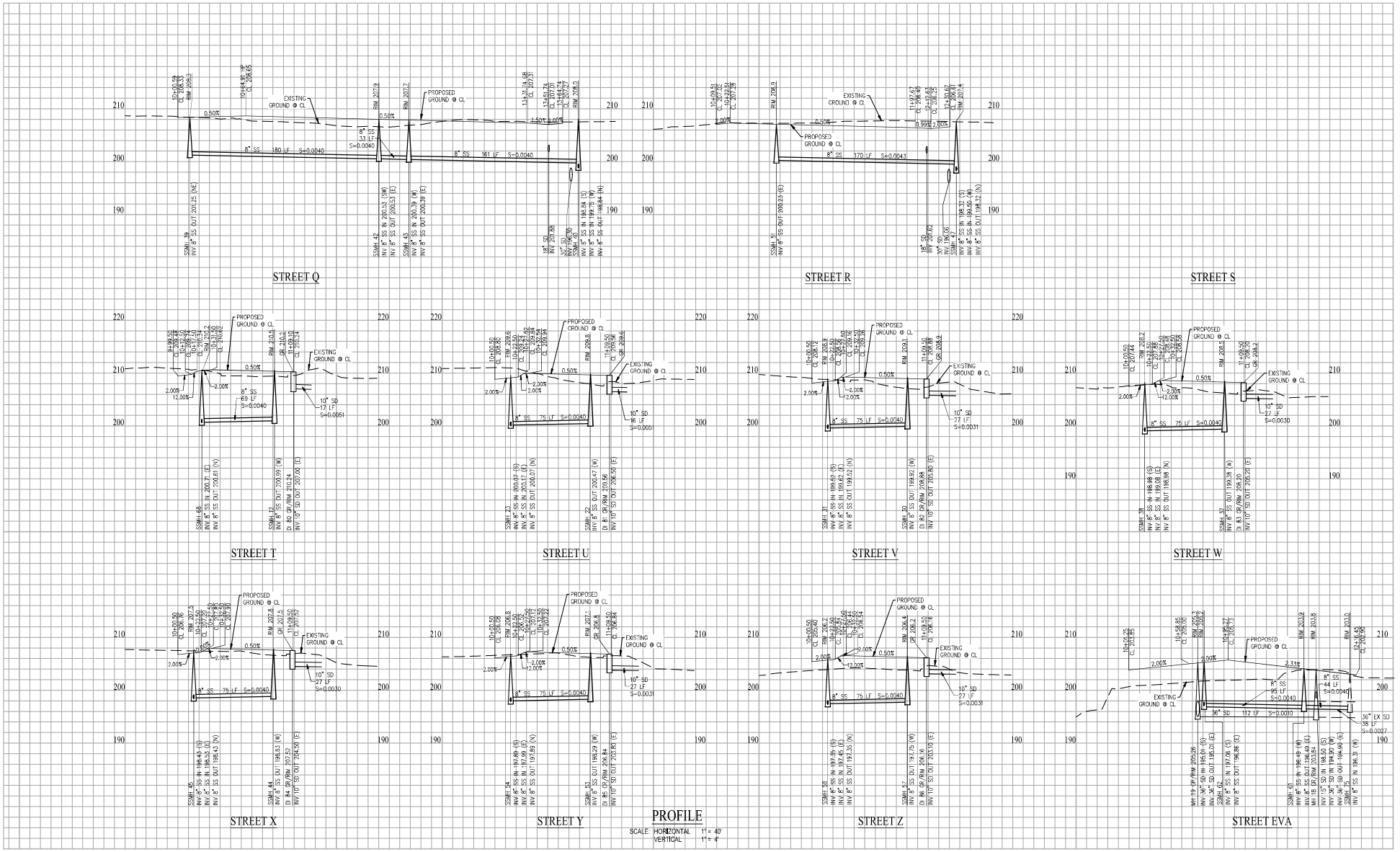
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PRELIMINARY STREET PROFILES

TM-6.1



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Campbell Technology Park LLC

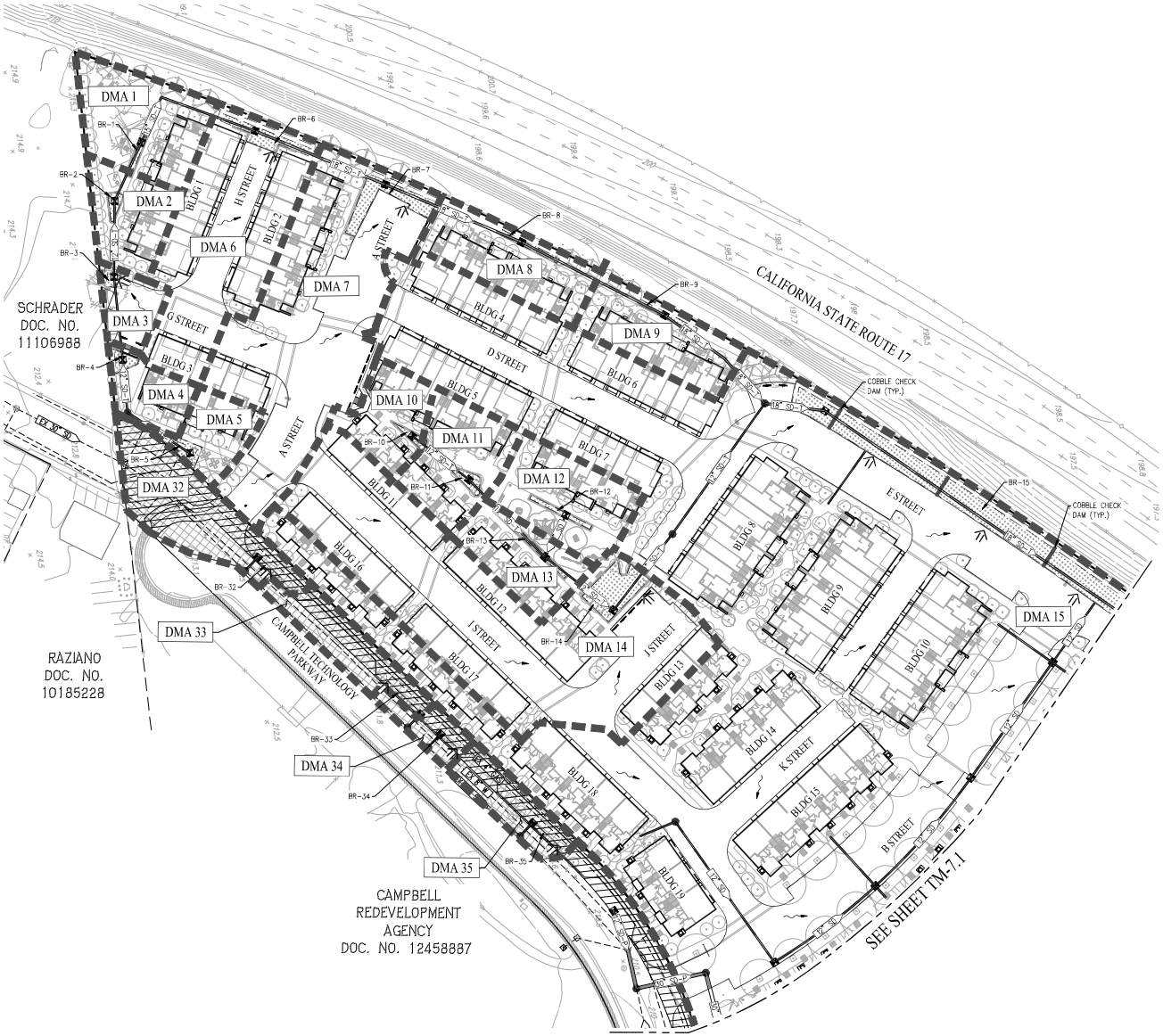
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PRELIMINARY STREET PROFILES

TM-6.3



LEGEND

- EX SD — EXISTING STORM DRAIN
- 12" SD — STORM DRAIN PIPE (UNTREATED)
- 12" SD-T — STORMWATER PIPE (TREATED)
- 12" SD-P — STORMWATER PIPE (PUBLIC)
- DMA BOUNDARY
- BIORETENTION AREA
- DMA 1 — DRAINAGE MANAGEMENT AREA LABEL
- COBBLE CHECK DAM
- RUNOFF DIRECTION
- CURB CUT/SLOT DRAIN
- STORM DRAIN MANHOLE
- STORM DRAIN FIELD INLET
- AREA DRAIN
- REQUIRED OFFSITE TREATMENT AREA
- PROVIDED EQUIVALENT OFFSITE TREATMENT AREA

ABBREVIATIONS

BR	BIORETENTION
DMA	DRAINAGE MANAGEMENT AREA
EX	EXISTING
FC	FACE OF CURB
LAT	LATERAL
PR	PROPOSED
SD	STORM DRAIN
TC	TOP OF CURB

NOTE

1. STORM DRAIN LAYOUT AND DMA TREATMENT AREAS ARE SUBJECT TO CHANGE WITH FINAL SITE GRADING AND DRAINAGE PLAN. EXACT DOWNSPOUT LOCATIONS ARE UNKNOWN.
2. BIO-RETENTION AREAS HAVE BEEN DESIGNED PER THE SANTA CLARA COUNTY C.3 GUIDANCE MANUAL.
3. BIO-RETENTION AREAS HAVE BEEN SIZED USING THE 4% METHOD AND COMBINATION FLOW & VOLUME SIZING PER CHAPTER 5 OF THE SANTA CLARA COUNTY C.3. GUIDANCE MANUAL.
4. SITE DESIGN MEASURES INCLUDES MARKING CLUSTERING STRUCTURES & PAVEMENT SOURCE CONTROL MEASURES SHALL INCLUDE MARKING ALL INLETS WITH LABELS NOTING ALL DRAINING FLOWS TO THE BAY.
5. THIS PROJECT HAS SUBMITTED AN SB 330 APPLICATION PRIOR TO JUNE 30, 2023. THEREFOR, THE PROJECT IS SUBJECT TO MRP 2.0 REQUIREMENTS PROVIDED THE PROJECT REMAINS IN COMPLIANCE WITH THE REQUIREMENTS OF SB 330.

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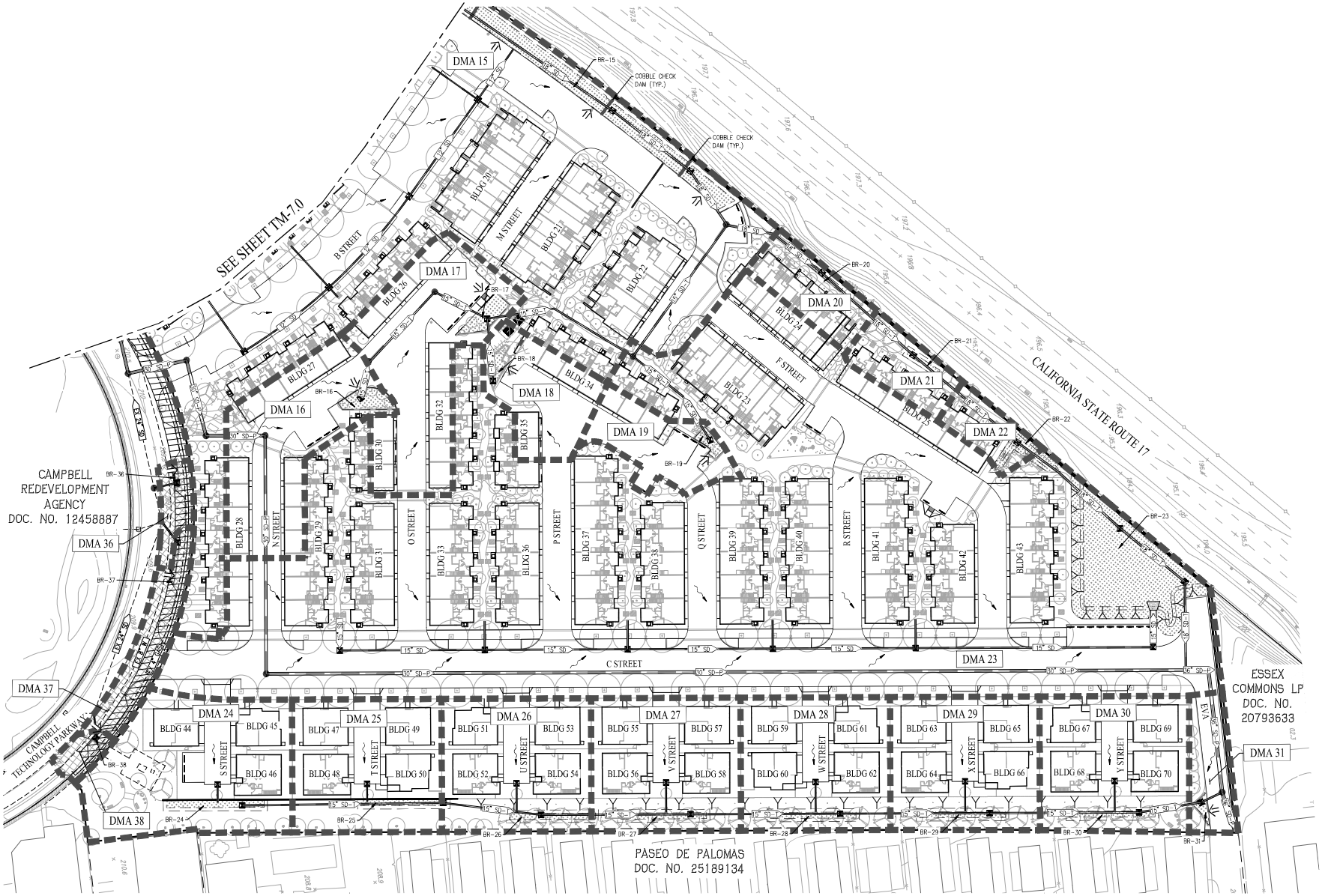
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PRELIMINARY STORMWATER MANAGEMENT PLAN

TM-7.0



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Campbell Technology Park
Campbell, CA # 2023-0039

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PRELIMINARY STORMWATER MANAGEMENT PLAN

TM-7.1

PRELIMINARY STORMWATER TREATMENT SUMMARY TABLE

DMA	TREATMENT TYPE	DMA AREA (SF)	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	EFFECTIVE IMPERVIOUS AREA (SF) (IMPERVIOUS + PERVIOUS X 0.1)	SIZING METHOD	REQUIRED BIORETENTION (SF)	PROVIDED BIORETENTION (SF)	MINIMUM PONDING DEPTH PROVIDED (IN)
1	BIORETENTION	7,107	4,883	2,224	5,105	4%	204	204	6
2	BIORETENTION	4,312	2,939	1373	3,076	4%	123	123	6
3	BIORETENTION	2,325	1,435	890	1,524	4%	61	61	6
4	BIORETENTION	3,474	2,902	572	2,959	4%	118	118	6
5	BIORETENTION	3,280	2,528	752	2,603	4%	104	104	6
6	BIORETENTION	15,383	13,991	1392	14,130	4%	565	656	6
7	BIORETENTION	24,361	21,496	2,865	21,783	4%	871	871	6
8	BIORETENTION	7,174	4,292	2882	4,580	4%	183	183	6
9	BIORETENTION	7,174	4,292	2882	4,580	4%	183	183	6
10	BIORETENTION	3,954	3,299	655	3,365	4%	135	135	6
11	BIORETENTION	5,730	4,864	866	4,951	4%	198	198	6
12	BIORETENTION	5,764	3,590	2174	3,807	4%	152	152	6
13	BIORETENTION	5,359	3,017	2342	3,251	4%	130	130	6
14	BIORETENTION	30,499	27,334	3165	27,651	4%	1106	1106	6
15	BIORETENTION	219,002	176,741	42261	180,967	COMBO	6644	6644	9
16	BIORETENTION	16,473	14,455	2018	14,657	4%	586	586	6
17	BIORETENTION	18,988	17,771	1,217	17,893	4%	716	716	6
18	BIORETENTION	7,473	6,638	835	6,722	4%	269	269	6
19	BIORETENTION	7,149	6,340	809	6,421	4%	257	257	6
20	BIORETENTION	6,587	3,993	2,594	4,252	4%	170	170	6
21	BIORETENTION	5,952	2,813	3139	3,127	4%	125	125	6
22	BIORETENTION	4,270	2,416	1854	2,601	4%	104	104	6
23	BIORETENTION	212,464	183,168	29,296	186,098	4%	7444	7444	8
24	BIORETENTION	21,892	13,368	8,524	14,220	4%	569	569	6
25	BIORETENTION	16,456	9,716	6740	10,390	4%	416	416	6
26	BIORETENTION	16,456	9,716	6,740	10,390	4%	416	416	6
27	BIORETENTION	16,456	9,716	6740	10,390	4%	416	416	6
28	BIORETENTION	16,456	9,716	6740	10,390	4%	416	416	6
29	BIORETENTION	16,456	9,716	6740	10,390	4%	416	416	6
30	BIORETENTION	16,456	9,716	6,740	10,390	4%	416	416	6
31	BIORETENTION	5,040	3,350	1,690	3,519	4%	141	141	6
32	BIORETENTION	7,348	4,304	3,044	4,608	COMBO	138	138	6
33	BIORETENTION	3,156	2,601	555	2,657	COMBO	80	80	6
34	BIORETENTION	2,388	1,513	875	1,601	COMBO	48	48	6
35	BIORETENTION	3,227	2,182	1,045	2,287	COMBO	67	67	6
36	BIORETENTION	2,278	1,740	538	1,794	COMBO	54	54	6
37	BIORETENTION	5,849	4,839	1,010	4,940	COMBO	148	148	6
38	BIORETENTION	1,221	934	287	963	COMBO	29	29	6
TOTAL	–	775,389	608,324	167,065	625,031	–	24,217	24,309	–

EQUIVALENT OFFSITE TREATMENT AREA SUMMARY

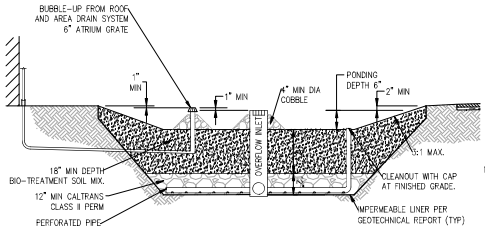
CRITERIA	TOTAL AREA (SF)	TOTAL IMPERVIOUS AREA (SF)	TOTAL PERVIOUS AREA (SF)
REQUIRED EQUIVALENT OFFSITE TREATMENT AREA (NEW AND/OR REPLACED IMPERVIOUS SURFACE)	19523	13455	6068
PROVIDED EQUIVALENT OFFSITE TREATMENT AREA (DMA 32-38)	25467	18113	7354

NOTE

1. ALL FINAL SITE RETAINING WALLS, DEEPENED CURB, AND DEEPENED RETAINING CURB DETAILS WILL BE PROVIDED WITH THE FINAL CONSTRUCTION DRAWINGS WHICH WILL INCLUDE THE FINAL REINFORCING AND FOOTING DESIGNS.

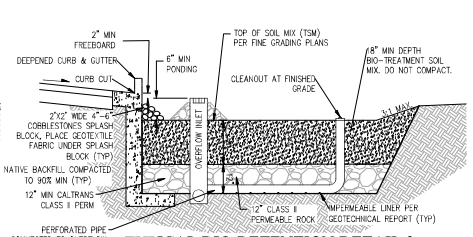
REQUIRED OFFSITE TREATMENT AREA

PROVIDED EQUIVALENT OFFSITE TREATMENT AREA



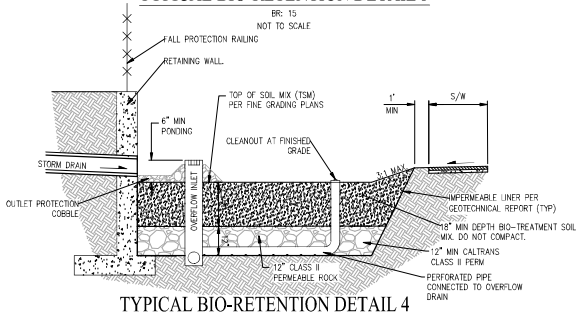
TYPICAL BIO-RENTENTION DETAIL 1

BR: 5, 8, 9, 20–22
NOT TO SCALE



TYPICAL BIO-RENTENTION DETAIL 2

BR: 3, 6, 7, 18
NOT TO SCALE

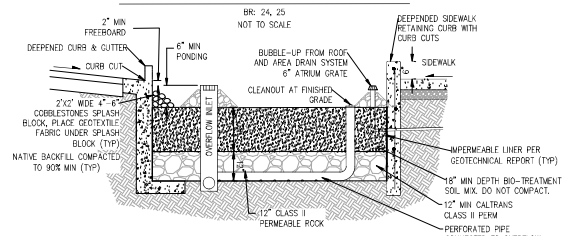


TYPICAL BIO-RENTENTION DETAIL 3

BR: 15
NOT TO SCALE

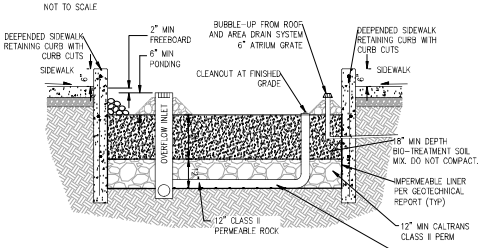
TYPICAL BIO-RENTENTION DETAIL 4

BR: 24, 25
NOT TO SCALE



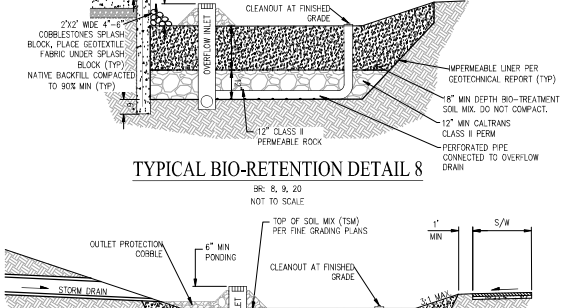
TYPICAL BIO-RENTENTION DETAIL 5

BR: 14, 19, 31
NOT TO SCALE



TYPICAL BIO-RENTENTION DETAIL 6

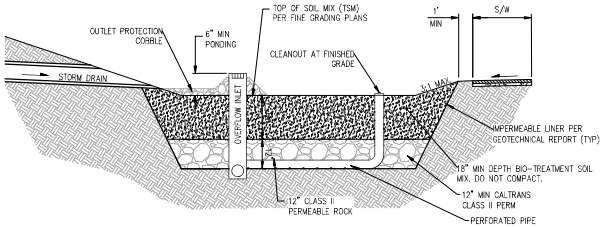
BR: 1, 2, 4, 10–13, 16, 17
NOT TO SCALE



TYPICAL BIO-RENTENTION DETAIL 7

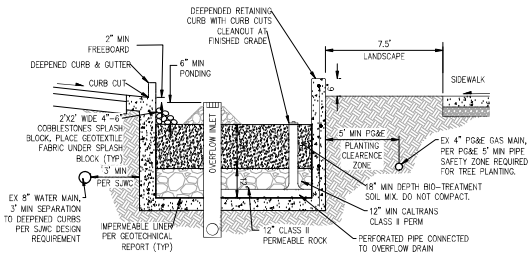
TYPICAL BIO-RENTENTION DETAIL 8

BR: 8, 9, 20
NOT TO SCALE



TYPICAL BIO-RENTENTION DETAIL 9

BR: 26–30
NOT TO SCALE



TYPICAL BIO-RENTENTION DETAIL 10

BR: 32–38
NOT TO SCALE

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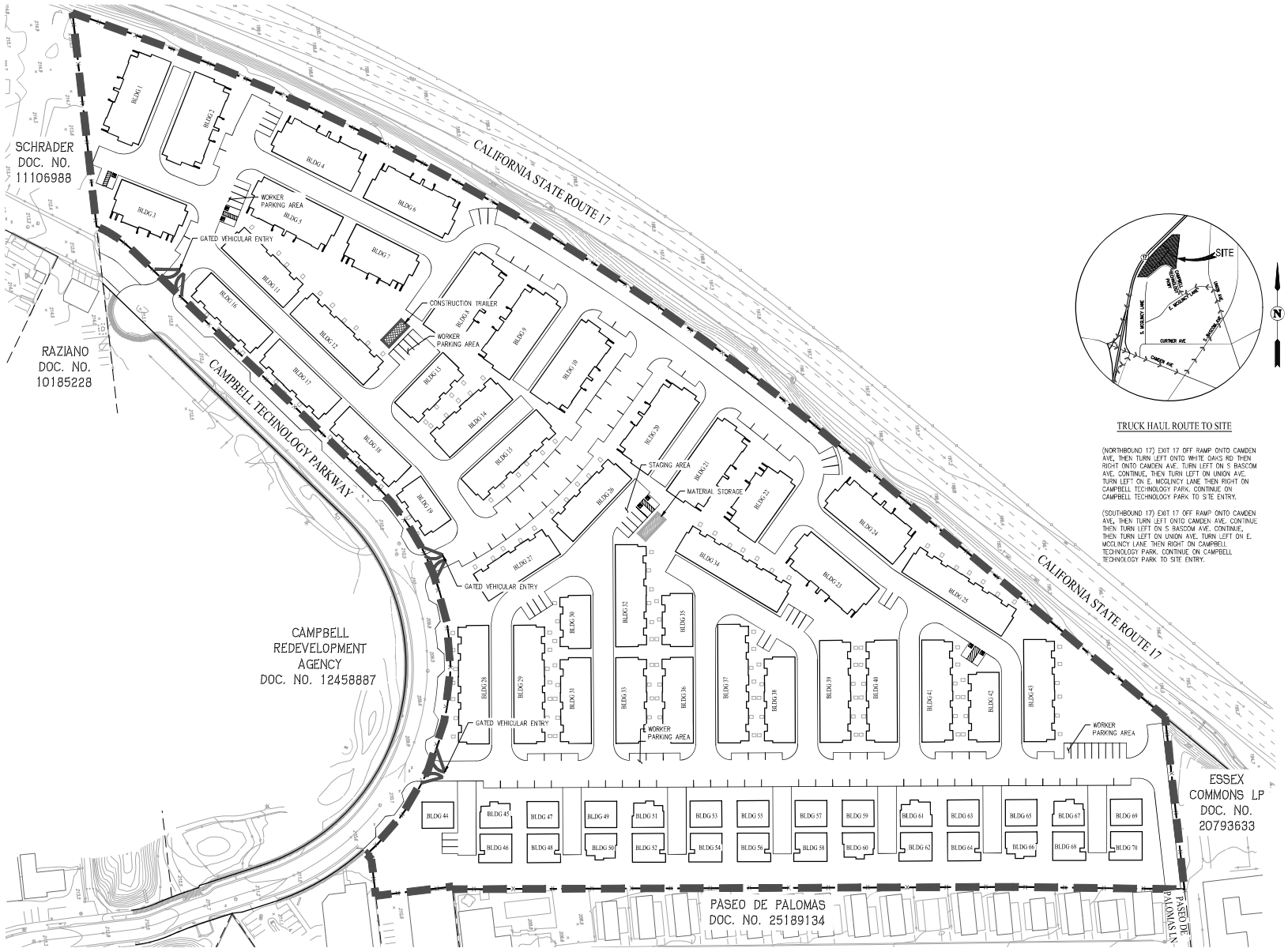
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PRELIMINARY STORMWATER CONTROL PLAN DETAILS

TM-7.2



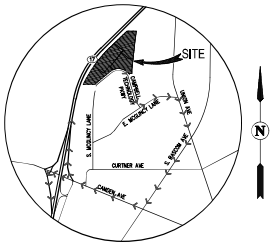
LEGEND:

- PROPERTY LINE
- RIGHT OF WAY
- CONSTRUCTION FENCE
- CONSTRUCTION TRAILER
- MATERIAL STORAGE

TRUCK HAUL ROUTE TO SITE

(NORTHBOUND 17) EXIT 17 OFF RAMP ONTO CAMDEN AVE, THEN TURN LEFT ONTO WHITE OAKS RD THEN RIGHT ONTO CAMDEN AVE. TURN LEFT ON S BASCOM AVE. CONTINUE, THEN TURN LEFT ON UNION AVE. TURN LEFT ON E. MCGLINCY LANE THEN RIGHT ON CAMPBELL TECHNOLOGY PARK. CONTINUE ON CAMPBELL TECHNOLOGY PARK TO SITE ENTRY.

(SOUTHBOUND 17) EXIT 17 OFF RAMP ONTO CAMDEN AVE, THEN TURN LEFT ONTO CAMDEN AVE. CONTINUE THEN TURN LEFT ON S BASCOM AVE. CONTINUE, THEN TURN LEFT ON UNION AVE. TURN LEFT ON E. MCGLINCY LANE THEN RIGHT ON CAMPBELL TECHNOLOGY PARK. CONTINUE ON CAMPBELL TECHNOLOGY PARK TO SITE ENTRY.



TRUCK HAUL ROUTE FROM SITE

(NORTHBOUND 17) EXIT SITE ONTO CAMPBELL TECHNOLOGY PARK THEN LEFT ON E MCGLINCY LANE. TURN RIGHT ON UNION AVE THEN TURN RIGHT ON S BASCON AVE. CONTINUE THEN TURN LEFT ON CAMDEN AVE. CONTINUE ON CAMDEN AVE THEN TAKE FREEWAY RAMP NORTH 17.

(SOUTHBOUND 17) EXIT SITE ONTO CAMPBELL TECHNOLOGY PARK THEN LEFT ON E MCGLINCY LANE. TURN RIGHT ON UNION AVE THEN TURN RIGHT ON S BASCON AVE. CONTINUE THEN TURN LEFT ON CAMDEN AVE. CONTINUE ON CAMDEN AVE THEN TAKE FREEWAY RAMP SOUTH 17.

NOTE

1. CONSTRUCTION EQUIPMENT TO BE USED IS NOT LIMITED TO BIG RIG TRUCKS, HEAVY EQUIPMENT, AND TRACTORS AS REQUIRED FOR CONSTRUCTION OF THE DEVELOPMENT.

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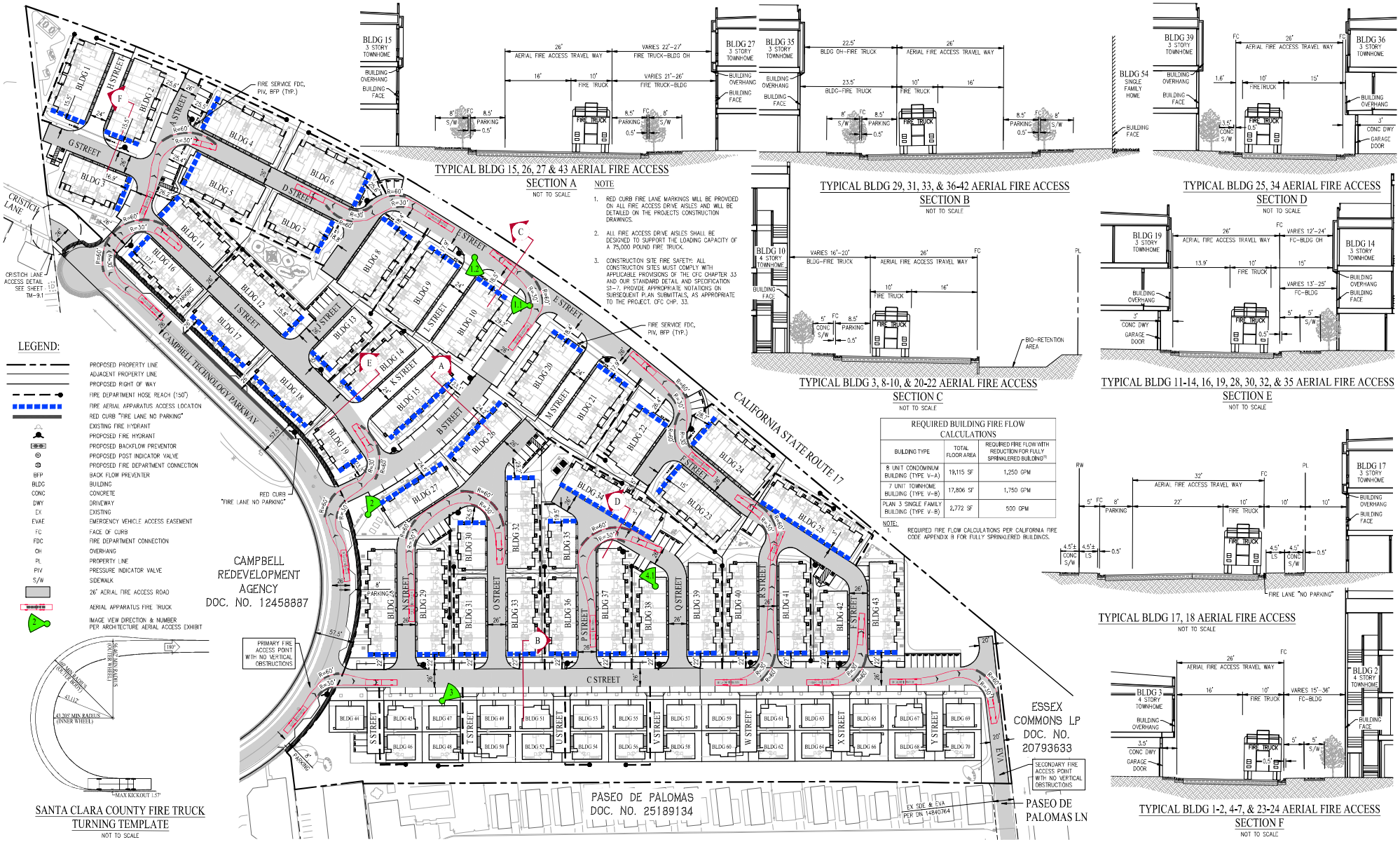
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PRELIMINARY CONSTRUCTION STAGING PLAN

TM-8.0



SANTA CLARA COUNTY FIRE TRUCK TURNING TEMPLATE

NOT TO SCALE

TYPICAL BLDG 15, 26, 27 & 43 AERIAL FIRE ACCESS SECTION A

NOT TO SCALE

TYPICAL BLDG 29, 31, 33, & 36-42 AERIAL FIRE ACCESS SECTION B

NOT TO SCALE

TYPICAL BLDG 25, 34 AERIAL FIRE ACCESS SECTION D

NOT TO SCALE

NOTE

1. RED CURB FIRE LANE MARKINGS WILL BE PROVIDED ON ALL FIRE ACCESS DRIVE AISLES AND WILL BE DETAILED ON THE PROJECTS CONSTRUCTION DRAWINGS.
2. ALL FIRE ACCESS DRIVE AISLES SHALL BE DESIGNED TO SUPPORT THE LOADING CAPACITY OF A 75,000 POUND FIRE TRUCK.
3. CONSTRUCTION SITE FIRE SAFETY: ALL CONSTRUCTION SITES MUST COMPLY WITH APPLICABLE PROVISIONS OF THE CFC CHAPTER 33 AND OUR STANDARD DETAIL AND SPECIFICATION SI-7. PROVIDE APPROPRIATE NOTATIONS ON SUBSEQUENT PLAN SUBMITTALS, AS APPROPRIATE TO THE PROJECT. CFC CHP. 33.

TYPICAL BLDG 3, 8-10, & 20-22 AERIAL FIRE ACCESS SECTION C

NOT TO SCALE

TYPICAL BLDG 11-14, 16, 19, 28, 30, 32, & 35 AERIAL FIRE ACCESS SECTION E

NOT TO SCALE

REQUIRED BUILDING FIRE FLOW CALCULATIONS		
BUILDING TYPE	TOTAL FLOOR AREA	REQUIRED FIRE FLOW WITH REDUCTION FOR FULLY SPRINKLERED BUILDING[1]
8 UNIT CONDOMINIUM BUILDING (TYPE V-A)	19,115 SF	1,250 GPM
7 UNIT TOWNHOME BUILDING (TYPE V-B)	17,806 SF	1,750 GPM
PLAN 3 SINGLE FAMILY BUILDING (TYPE V-B)	2,772 SF	500 GPM

NOTE:
1. REQUIRED FIRE FLOW CALCULATIONS PER CALIFORNIA FIRE CODE APPENDIX B FOR FULLY SPRINKLERED BUILDINGS.

TYPICAL BLDG 17, 18 AERIAL FIRE ACCESS

NOT TO SCALE

TYPICAL BLDG 1-2, 4-7, & 23-24 AERIAL FIRE ACCESS SECTION F

NOT TO SCALE

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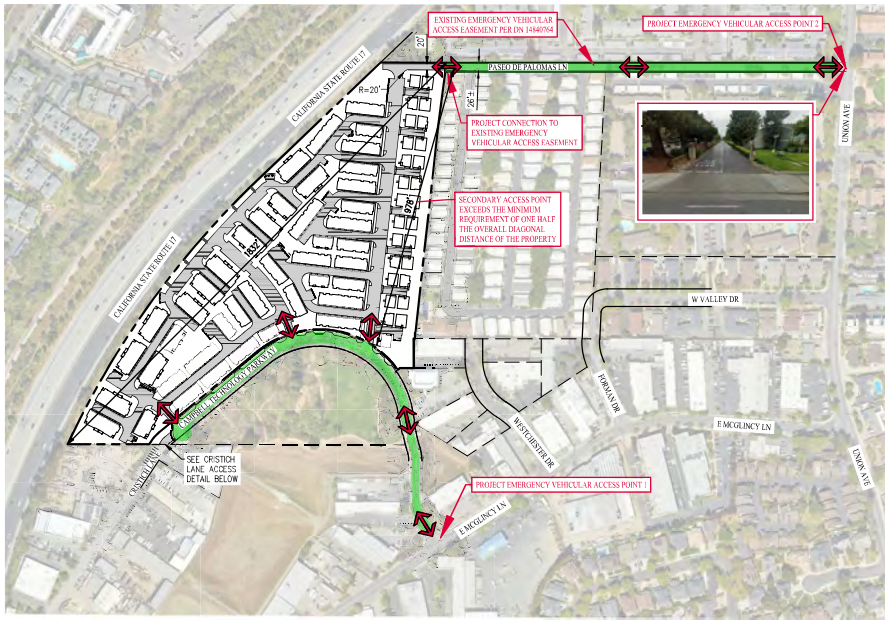
Campbell Technology Park
Campbell, CA # 2023-0039

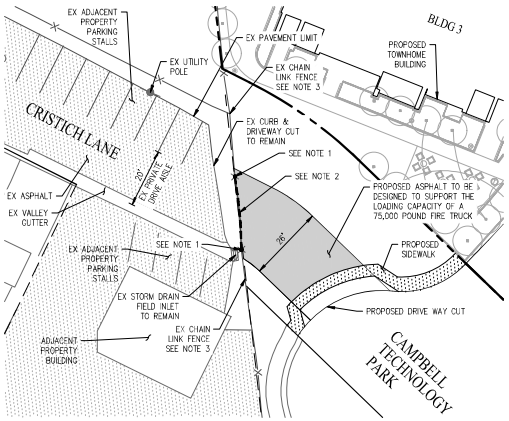
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PRELIMINARY FIRE ACCESS PLAN

TM-9.0





CRISTICH LANE ACCESS DETAIL

SCALE: 1" = 20'

LEGEND:

- PROPOSED PROPERTY LINE
- ADJACENT PROPERTY LINE
- PROPOSED RIGHT OF WAY
- CODE COMPLIANT EMERGENCY VEHICULAR ACCESS ROADWAY
- FIRE APPARATUS DIRECTIONAL ARROW

NOTE

1. EXISTING GATE POST TO REMAIN OR TO BE REMOVED AND REPLACED IN KIND AS REQUIRED FOR THE REPLACED GATE INSTALLATION. GATE SPECIFICATIONS TO BE DETAILED WITH THE PROJECTS CONSTRUCTION DOCUMENTS.
2. EXISTING GATE TO BE REMOVED AND REPLACED IN KIND IN COORDINATION WITH ADJACENT PROPERTY OWNER. A MINIMUM GATE CLEAR WIDTH OF 20' SHALL BE PROVIDED FOR FIRE APPARATUS ACCESS.
3. EXISTING CHAIN LINK FENCE TO REMAIN OR TO BE REMOVED AND REPLACED IN KIND AS REQUIRED FOR THE FIRE ACCESS GATE INSTALLATION IN COORDINATION WITH THE ADJACENT PROPERTY OWNERS.

COMPLIANCE TO SANTA CLARA COUNTY FIRE FIRE APPARATUS ACCESS REQUIREMENTS STANDARD SPEC A-1

ROAD DESIGN

1. MINIMUM CLEAR WIDTH: THE MINIMUM CLEAR WIDTH OF FIRE DEPARTMENT ACCESS ROADS SHALL BE 20 FEET. MODIFICATIONS TO THE DESIGN OR WIDTH OF A FIRE ACCESS ROAD, OR ADDITIONAL ACCESS ROAD(S) MAY BE REQUIRED WHEN THE FIRE CODE OFFICIAL DETERMINES THAT ACCESS TO THE SITE OR A PORTION THEREOF MAY BECOME COMPROMISED DUE TO EMERGENCY OPERATIONS OR NEARBY NATURAL OR MANMADE HAZARDS (FLOOD PRONE AREAS, RAILWAY CROSSINGS, BRIDGE FAILURES, HAZARDOUS MATERIAL-RELATED INCIDENTS, ETC.)

   THE WIDTH OF SECONDARY ACCESS ROADS MAY BE REDUCED TO LESS THAN 20 FEET PROVIDED TURNOUTS ARE INSTALLED ADJACENT TO THE ROADWAY EVERY 500 FEET WITH A MINIMUM DIMENSION OF 10 FEET WIDE AND 40 FEET LONG OR AS OTHERWISE DETERMINED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, ALL EXISTING AND PROPOSED FIRE ACCESS ROADWAYS HAVE BEEN PROVIDED WITH A MINIMUM 20 ACCESS ROAD AND WHERE REQUIRED FOR AERIAL ACCESS HAVE BEEN PROVIDED WITH 26' DRIVE AISLES.

2. ACCESS AND LOADING: FACILITIES, BUILDINGS OR PORTIONS OF BUILDINGS HEREAFTER CONSTRUCTED SHALL BE ACCESSIBLE TO FIRE DEPARTMENT APPARATUS BY WAY OF AN APPROVED FIRE APPARATUS ACCESS ROAD (INCLUDING BRIDGES AND CULVERTS) WITH AN ASPHALT, CONCRETE OR OTHER APPROVED DRIVING SURFACE CAPABLE OF SUPPORTING THE IMPOSED LOAD OF FIRE APPARATUS WEIGHING AT LEAST 75,000 POUNDS (34050 KG) OR AS OTHERWISE DETERMINED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, ALL ROADWAYS USED FOR FIRE APPARATUS ACCESS FOR THE PROJECT CONSISTS OF ASPHALT AND CONCRETE CAPABLE UP SUPPORTING A 75,000 POUND FIRE TRUCK.

3. MINIMUM CLEAR HEIGHT: VERTICAL CLEARANCE OVER REQUIRED VEHICULAR ACCESS ROADS AND DRIVEWAYS SHALL BE 13'6".

   COMPLIANT, ALL FIRE ACCESS ROADWAYS HAVE A VERTICAL CLEARANCE OF AT LEAST 13'6".

4. GRADE: MAXIMUM GRADE SHALL NOT EXCEED 15% (6.75 DEGREES).

   COMPLIANT, NO FIRE ACCESS ROADWAYS SERVINGS THE PROJECT EXCEED THE MAXIMUM GRADE OF 15%.

5. TURN RADIUS (CIRCULATING): THE MINIMUM OUTSIDE TURNING RADIUS IS 42 FEET FOR REQUIRED ACCESS ROADWAYS. GREATER RADIUS UP TO 60 FEET MAY BE REQUIRED WHERE THE FIRE DEPARTMENT DETERMINES THAT LADDER TRUCK ACCESS IS REQUIRED. CIRCULATING REFERS TO TRAVEL ALONG A ROADWAY WITHOUT DEAD ENDS.

   COMPLIANT, ALL ROADWAYS MEET THE MINIMUM STANDARDS NOTED ABOVE ALONG THE FIRE APPARATUS ACCESS WAYS. PLEASE REFER TO THE FIRE ACCESS SITE PLAN SHEET UNDER SEPARATE COVER FOR ADDITIONAL DETAILS.

6. TURNING RADIUS (CUL-DE-SACS): THE MINIMUM OUTSIDE TURNING RADIUS IS 36 FEET. USE OF CUL-DE-SACS IS NOT ACCEPTABLE WHERE IT IS DETERMINED BY THE FIRE DEPARTMENT THAT LADDER TRUCK ACCESS IS REQUIRED, UNLESS GREATER TURNING RADIUS IS PROVIDED.

   COMPLIANT, NO DEAD END CUL-DE-SAC IS PROPOSED AS PART OF THE NEW DEVELOPMENT. ONSITE ACCESS WILL BE PROVIDED AT THE CUL-DE-SAC AT THE END OF THE CAMPBELL TECHNOLOGY PARKWAY ROADWAY SUCH THAT A FIRE TRUCK CAN GO INTO THE PROJECT SITE TO TURN AROUND IN LIEU OF USING THE EXISTING CUL-DE-SAC.

7. TURNAROUNDS: TURNAROUNDS ARE REQUIRED FOR ALL DEAD END ROADWAYS WITH A LENGTH IN EXCESS OF 150 FEET. THE TURNAROUND DETAILS SHOWN IN THIS DOCUMENT ARE INTENDED TO PROVIDE A GENERAL DESIGN CONCEPT ONLY. MODIFICATIONS OR VARIATIONS OF THESE DESIGNS MAY BE APPROVED BY THE FIRE DEPARTMENT ON A CASE-BY-CASE BASIS. ALL TURNAROUND DESIGNS SUBMITTED FOR FIRE DEPARTMENT REVIEW SHALL MEET ALL PREVIOUSLY STATED REQUIREMENTS. THESE DETAILS ARE APPLICABLE WHEN A 36-FOOT MINIMUM TURNING RADIUS FOR DEAD ENDS IS SPECIFIED. THESE DETAILS ARE NOT APPLICABLE WHERE TURNING RADIUS GREATER THAN 36 FEET IS SPECIFIED OR WHEN A CIRCULATING RADIUS IS SPECIFIED.

   COMPLIANT, SUFFICIENT FIRE ACCESS HAS BEEN PROVIDED THROUGHOUT THE DEVELOPMENT SUCH THAT TURN AROUNDS SHALL NOT BE NEEDED FOR FIRE ACCESS.

8. DEAD ENDS: DEAD-END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 150 FEET (45720 MM) SHALL BE PROVIDED WITH WIDTH AND TURNAROUND PROVISIONS AS DETERMINED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, NO DEAD-END FIRE APPARATUS ROADS HAVE BEEN PROPOSED OR ARE REQUIRED FOR THE DEVELOPMENT.

9. PARKING: WHEN PARKING IS PERMITTED ON STREETS, IN BOTH RESIDENTIAL/COMMERCIAL APPLICATIONS, IT SHALL CONFORM TO THE FOLLOWING:
   - PARKING IS PERMITTED BOTH SIDES OF THE STREET WITH STREET WIDTHS OF 36 FEET OR MORE
   - PARKING IS PERMITTED ON ONE SIDE OF THE STREET WITH STREET WIDTHS OF 28 – 35 FEET
   - NO PARKING IS PERMITTED WHEN STREET WIDTHS ARE LESS THAN 28 FEET

   NOTE: ROLLED CURBS CAN BE PART OF THE CURB/SIDEWALK AND USED TO INCREASE THE ROADWAY WIDTH WITH APPROVAL FROM THE FIRE CODE OFFICIAL. ADDITIONAL REQUIREMENTS MAY APPLY FOR BUILDINGS 30 FEET IN HEIGHT OR GREATER. SEE REQUIREMENTS UNDER AERIAL FIRE APPARATUS ACCESS ROADS.

   COMPLIANT, ALL FIRE ACCESS ROADS MEET THE REQUIREMENTS ABOVE. WHERE FIRE ACCESS ROADS ARE REQUIRED FOR AERIAL FIRE APPARATUS ACCESS THE ROADWAYS HAVE BEEN PROVIDED WITH 26' CLEAR SEPARATION.

10. ACCESS TO A HYDRANT: FIRE HYDRANTS LOCATED ON A PUBLIC OR PRIVATE STREET, OR ON-SITE, SHALL HAVE AN UNOBSTRUCTED CLEARANCE OF NOT LESS THAN 30 FEET (15 FEET EITHER SIDE OF HYDRANT), IN ACCORDANCE WITH CALIFORNIA VEHICLE CODE 22514. MARKING SHALL BE PER CALIFORNIA VEHICLE CODE 22500.1

    COMPLIANT, 30' CLEARANCE IS PROVIDED AT ALL EXISTING AND PROPOSED FIRE HYDRANTS AS REQUIRED TO SERVE THE DEVELOPMENT.

11. TRAFFIC CALMING: TRAFFIC CALMING DEVICES AND THE DESIGN THEREOF SHALL BE APPROVED BY THE FIRE CODE OFFICIAL PRIOR TO INSTALLATION.

    NOT APPLICABLE, NO TRAFFIC CALMING DEVICES ARE PROPOSED FOR THE DEVELOPMENT.

FIRE APPARATUS ROADWAY SIGNS

WHERE REQUIRED BY THE FIRE CODE OFFICIAL, FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNATED AND MARKED AS A FIRE LANE AS SET FORTH IN SECTION 22500.1 OF THE CALIFORNIA VEHICLE CODE. THE DESIGNATION SHALL BE INDICATED (1) BY A SIGN POSTED IMMEDIATELY ADJACENT TO, AND VISIBLE FROM, THE DESIGNATED PLACE CLEARLY STATING IN LETTERS NOT LESS THAN ONE INCH IN HEIGHT THAT THE PLACE IS A FIRE LANE; (2) BY OUTLINING OR PAINTING THE PLACE IN RED AND, IN CONTRASTING COLOR, MARKING THE PLACE WITH THE WORDS 'FIRE LANE', WHICH ARE CLEARLY VISIBLE FROM A VEHICLE, OR (3) BY A RED CURB OR RED PAINT ON THE EDGE OF THE ROADWAY UPON WHICH IS CLEARLY MARKED THE WORDS 'FIRE LANE'.

COMPLIANT, ALL APPLICABLE FIRE APPARATUS ACCESS ROADS WILL BE PROVIDED WITH FIRE LANE CURBS AND SIGNS.

NUMBER OF ACCESS ROADS REQUIRED

1. MULTI-FAMILY RESIDENTIAL PROJECTS HAVING MORE THAN 100 DWELLING UNITS SHALL BE EQUIPPED THROUGHOUT WITH TWO SEPARATE AND APPROVED FIRE APPARATUS ACCESS ROADS.
2. DEVELOPMENTS OF ONE OR TWO FAMILY DWELLINGS WHERE THE NUMBER OF DWELLING UNITS EXCEEDS 30 SHALL BE PROVIDED WITH TWO SEPARATE AND APPROVED FIRE APPARATUS ACCESS ROADS AND SHALL MEET THE REQUIREMENTS LISTED UNDER; SEPARATION OF ACCESS ROADS.

   COMPLIANT, TWO EXISTING CODE COMPLIANT FIRE APPARATUS ACCESS ROADS WILL SERVE THE PROPOSED DEVELOPMENT AS SHOWN IN THE IMAGE ABOVE. THE FIRST BEING THE ACCESS POINT ALONG THE CAMPBELL TECHNOLOGY PARKWAY AND THE SECOND BEING THE ACCESS POINT ALONG THE NORTH EASTERN MOST CORNER OF THE DEVELOPMENT AT THE PASEO DE PALOMAS LANE CONNECTION WITH THE ADJACENT TRAILER PARK DEVELOPMENT. AN EXISTING PUBLIC EMERGENCY ACCESS EASEMENT IS IN PLACE PER THE RECORD DOCUMENT NUMBER 14840764 ALONG THE PASEO DE PALOMAS DRIVE WHICH CURRENTLY SERVES THE EXISTING COMMERCIAL SITE AND WILL BE USED AS PART OF THE PROPOSED DEVELOPMENT. BOTH ACCESS ROADS MEET THE MINIMUM FIRE ACCESS STANDARDS AS NOTED IN THE AFOREMENTIONED REQUIREMENTS.

REQUIREMENTS FOR SECONDARY ACCESS ROADS

1. SEPARATION OF ACCESS ROADS. WHERE TWO ACCESS ROADS ARE REQUIRED, THEY SHALL BE PLACED A DISTANCE APART EQUAL TO NOT LESS THAN ONE HALF OF THE LENGTH OF THE MAXIMUM OVERALL DIAGONAL DIMENSION OF THE PROPERTY OR AREA TO BE SERVED, MEASURED IN A STRAIGHT LINE BETWEEN ACCESSES (FROM CENTERLINE TO CENTERLINE).

   COMPLIANT, THE TWO FIRE APPARATUS ACCESS ROADS ARE LOCATED SUCH THAT THEY MEET THE ABOVE REQUIREMENTS.

2. CONNECTION TO OTHER ROADS: WHERE A SECONDARY ACCESS ROADWAY CONNECTS TO A PUBLIC OR PRIVATE STREET THERE SHALL BE EITHER; NO CURB, A ROLLED CURB OR A DRIVEWAY CUT AS APPROVED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, THE TWO FIRE APPARATUS ACCESS ROADS WILL BE PROVIDED WITH OUT CURBS TO ALLOW UNIMPEDED ACCESS TO THE SITE.

3. EASEMENTS: ONLY LANDS OWNED OR IN CONTROL OF THE PROPERTY OWNER, HELD IN COMMON WITH ADJACENT PROPERTIES OR PUBLICLY OWNED MAY BE USED FOR SECONDARY ACCESS. SECONDARY ACCESS ROADWAYS SHALL NOT BE LOCATED IN EASEMENTS THROUGH PRIVATE PROPERTY UNLESS SPECIFICALLY APPROVED BY THE FIRE CODE OFFICIAL. WHEN EASEMENTS ARE REQUIRED FOR SECONDARY ACCESS ROADWAYS, THEY SHALL BE RECORDED AS EMERGENCY VEHICLE INGRESS EGRESS EASEMENTS (E.V.I.E.E) GRANTED TO THE FIRE DEPARTMENT.

   COMPLIANT, THE EXISTING FIRE ACCESS ROADWAY ALONG THE PASEO DE PALOMAS LANE ROADWAY HAS AN EXISTING EMERGENCY VEHICLE ACCESS EASEMENT IN PLACE SUCH THAT A FIRE ACCESS TRUCK CAN USE THE ROADWAY TO SERVE THE PROJECT SITE.

4. MARKING AND IDENTIFICATION: WHEN NECESSARY, SIGNS OR OTHER APPROVED NOTICES SHALL BE POSTED AT SECONDARY ACCESS ROADWAYS TO PREVENT OBSTRUCTION BY PARKED VEHICLES. SUCH SIGNS OR NOTICES SHALL BE IN ACCORDANCE WITH FIRE DEPARTMENT STANDARDS.

   COMPLIANT, ALL PROPOSED FIRE ACCESS ROADWAYS WILL INCLUDE SIGNAGE OR STRIPING ON ALL FIRE ACCESS ROADWAYS. ALL EXISTING SIGNAGE AND STRIPING ALONG THE EXISTING FIRE ACCESS ROADS WILL REMAIN.

5. MAINTENANCE: SECONDARY ACCESS ROADWAYS SHALL BE MAINTAINED AT ALL TIMES BY THE PROPERTY OWNER. THE ROADWAY SURFACE GATES/LOOKS AND VERTICAL AND HORIZONTAL CLEARANCES SHALL BE MAINTAINED IN SERVICEABLE CONDITION. MAINTENANCE OF SECONDARY ACCESS ROADWAYS ON COMMONLY HELD LANDS SHALL BE CLEARLY STATED IN THE COVENANT, CONDITIONS, AND RESTRICTIONS (CC&R) OR LANDSCAPE MAINTENANCE

   AGREEMENTS OF THE DEVELOPMENT PROJECT. THE CC&RS SHALL MANDATE THAT THE OWNERS ASSOCIATION SHALL RETAIN PROFESSIONAL MANAGEMENT TO OVERSEE MAINTENANCE RESPONSIBILITIES.

   COMPLIANT, MAINTENANCE OF ALL ACCESS ROADS WILL BE PROVIDED AS REQUIRED FOR PROVIDED FIRE APPARATUS ACCESS.

AERIAL FIRE APPARATUS ACCESS ROADS

1. WHERE REQUIRED: BUILDINGS OR PORTIONS OF BUILDINGS OR FACILITIES EXCEEDING 30 FEET (9144 MM) IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS SHALL BE PROVIDED WITH APPROVED FIRE APPARATUS ACCESS ROADS CAPABLE OF ACCOMMODATING FIRE DEPARTMENT AERIAL APPARATUS. OVERHEAD UTILITY AND POWER LINES SHALL NOT BE LOCATED WITHIN THE AERIAL FIRE APPARATUS ACCESS ROADWAY.

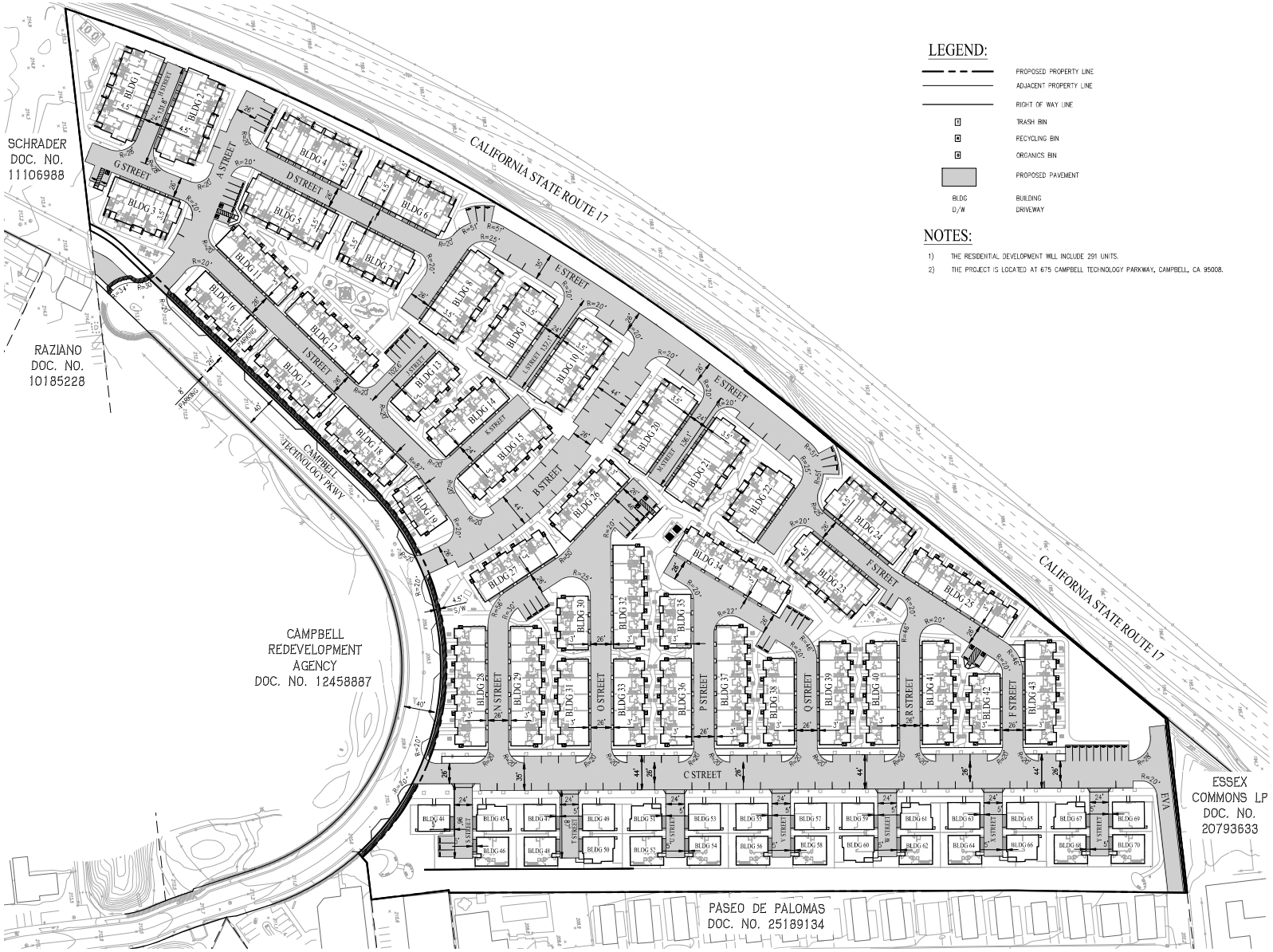
   COMPLIANT, WHERE AERIAL FIRE APPARATUS ROADWAYS HAVE BEEN PROVIDED THERE WILL BE NO OVERHEAD UTILITY AND POWER LINES THAT WOULD IMPED AERIAL FIRE ACCESS.

2. WIDTH: FIRE APPARATUS ACCESS ROADS SHALL HAVE A MINIMUM UNOBSTRUCTED WIDTH OF 26 FEET (7925) IN THE IMMEDIATE VICINITY OF ANY BUILDING OR PORTION OF BUILDING MORE THAN 30 FEET (9144 MM) IN HEIGHT.

   COMPLIANT, WHERE REQUIRED 26' ROADWAYS HAVE BEEN PROVIDED TO SERVE ANY BUILDINGS THAT ARE OVER 30' PROPOSED AS PART OF THE DEVELOPMENT. PLEASE REFER TO THE FIRE ACCESS PLAN UNDER SEPARATE COVER FOR ADDITIONAL DETAILS.

3. PROXIMITY TO BUILDING: AT LEAST ONE OF THE REQUIRED ACCESS ROUTES MEETING THIS CONDITION SHALL BE LOCATED WITHIN A MINIMUM OF 15 FEET (4572) AND A MAXIMUM OF 30 FEET (9144MM) FROM THE BUILDING, AND SHALL BE POSITIONED PARALLEL TO ONE ENTIRE SIDE OF THE BUILDING, AS APPROVED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, WHERE REQUIRED A MINIMUM 15' TO MAXIMUM OF 30' OF SEPARATION TO THE BUILDINGS HAS BEEN PROVIDED TO ALLOW FOR AERIAL APPARATUS ACCESS. PLEASE REFER TO THE FIRE ACCESS PLAN UNDER SEPARATE COVER FOR ADDITIONAL DETAILS.

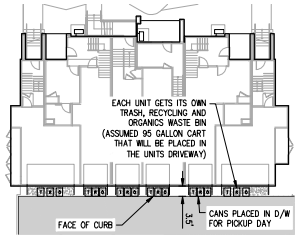


LEGEND:

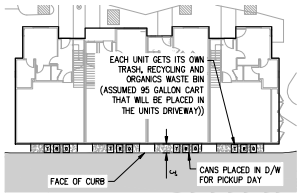
- PROPOSED PROPERTY LINE
- ADJACENT PROPERTY LINE
- RIGHT OF WAY LINE
- TRASH BIN
- RECYCLING BIN
- ORGANICS BIN
- PROPOSED PAVEMENT
- BLDG — BUILDING
- D/W — DRIVEWAY

NOTES:

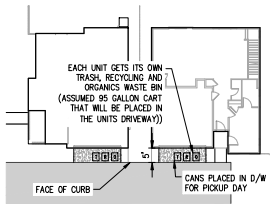
1) THE RESIDENTIAL DEVELOPMENT WILL INCLUDE 291 UNITS.
2) THE PROJECT IS LOCATED AT 675 CAMPBELL TECHNOLOGY PARKWAY, CAMPBELL, CA 95008.



TYPICAL SERVICE DETAIL
(BLDG 1-10, 20-24)
NOT TO SCALE



TYPICAL SERVICE DETAIL
(BLDG 11-19, 25-43)
NOT TO SCALE



TYPICAL SERVICE DETAIL
(BLDG 44-70)
NOT TO SCALE

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 08, 2024

0 30 60 120

PRELIMINARY GARBAGE SERVICE PLAN

TM-10.0



LEGEND:

- PROPOSED PROPERTY LINE
- USABLE OPEN SPACE
- COMMON PRIVATE YARD

OPEN SPACE SUMMARY TABLE	
OPEN SPACE	AREA SF
USABLE OPEN SPACE	125,943
COMMON PRIVATE SPACE	17,425
TOWNHOUSE BALCONIES PRIVATE OPEN SPACE	18,000

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
NOVEMBER 08, 2024

0 30 60 120

OPEN SPACE EXHIBIT

TM-11.0

H:\7737-000\ACAD\TM\TM-11.DWG



Notes-
1. All plantings designated for stormwater treatment areas are consistent with Appendix D of the C.3 Stormwater Handbook published by the Santa Clara Valley Urban Pollution Prevention Program.
2. Construction of play areas shall be inspected and approved by a Certified Playground Safety Inspector (CPSI).

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 60' - 0"
0' 30' 60' 120'

OVERALL LANDSCAPE SITE PLAN

L1.1





6'H Good Neighbor Fence



6' H CMU Wall



6' H Pre-cast Wall
8' H Pre-cast Wall

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 60' - 0"
0' 30' 60' 120'

OVERALL FENCING AND WALL PLAN

L1.2



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Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 60' - 0"
0' 30' 60' 120'

VEHICULAR CIRCULATION PLAN

L1.3



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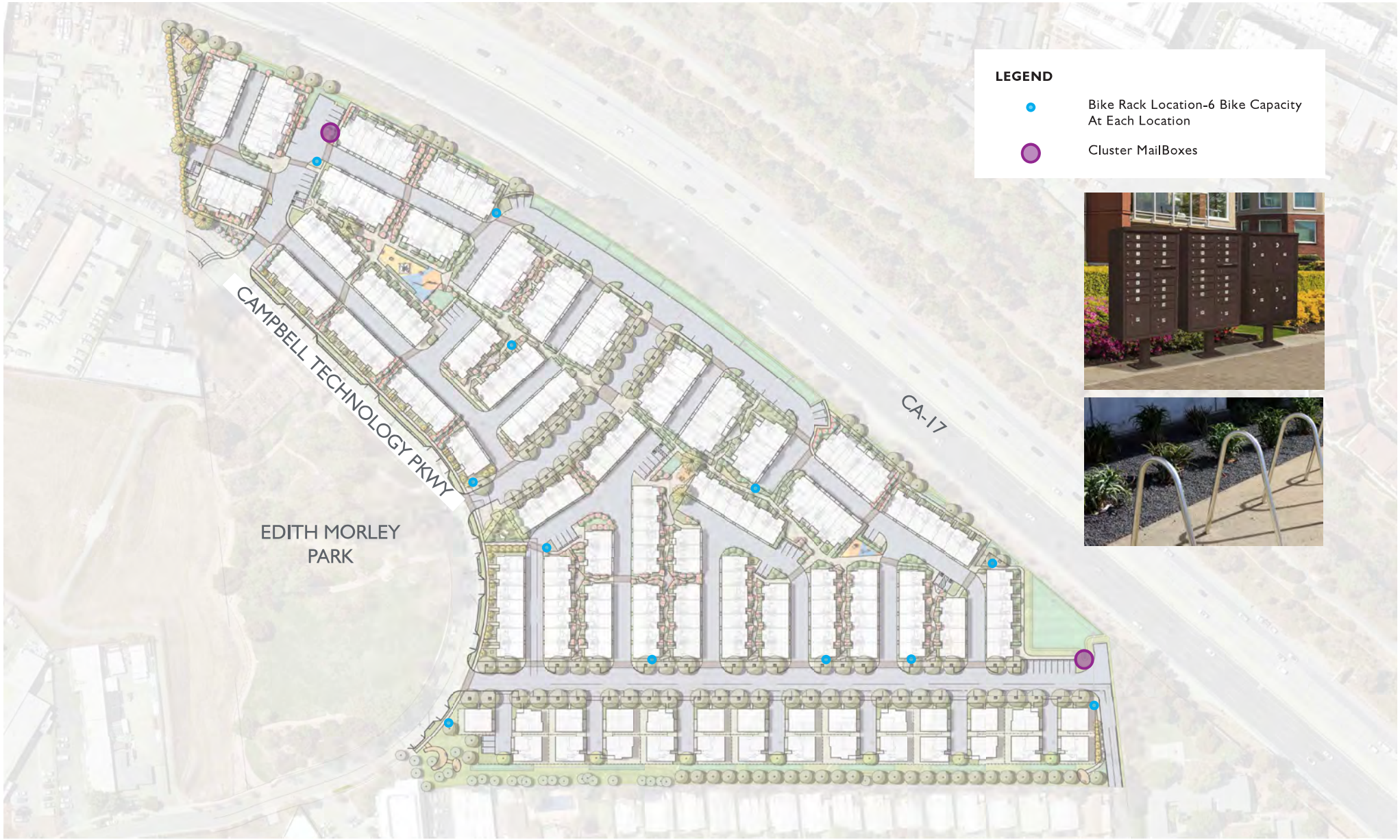
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 60' - 0"
0' 30' 60' 120'

PEDESTRIAN CIRCULATION PLAN

L1.4



LEGEND

- Bike Rack Location-6 Bike Capacity At Each Location
- Cluster MailBoxes

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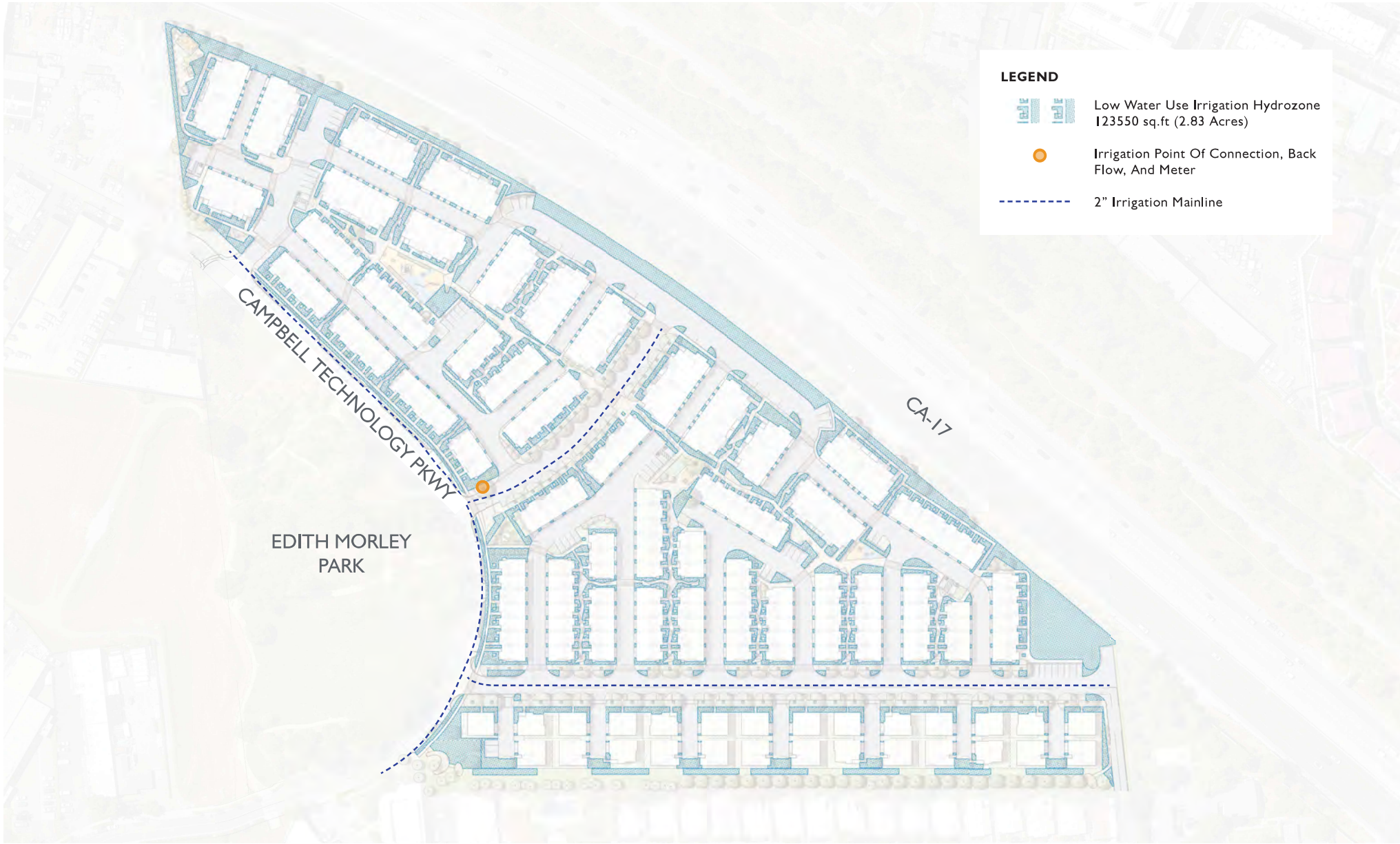
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 60' - 0"
0' 30' 60' 120'

BIKE RACK AND CLUSTER MAILBOXES LOCATION PLAN

L1.5



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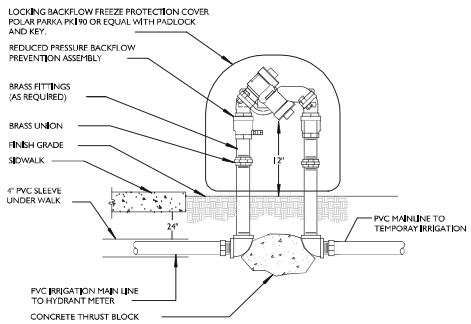
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

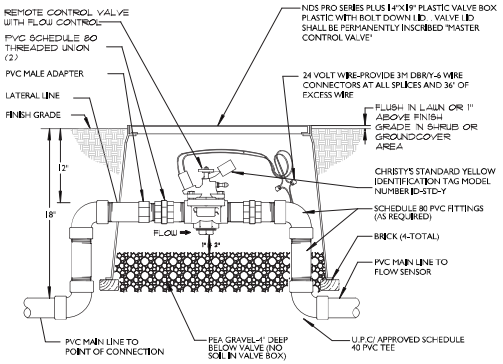
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0' 30' 60' 120'

OVERALL IRRIGATION PLAN

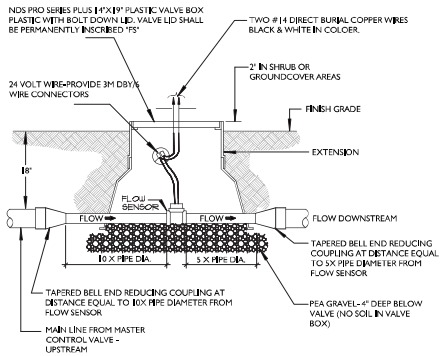
L2.1



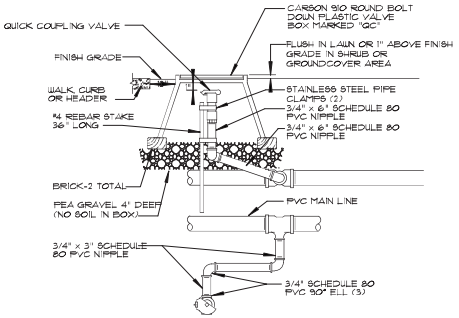
1 BACKFLOW ASSEMBLY
NTS



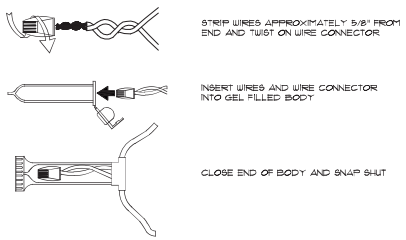
2 MASTER CONTROL VALVE INSTALLATION
NTS



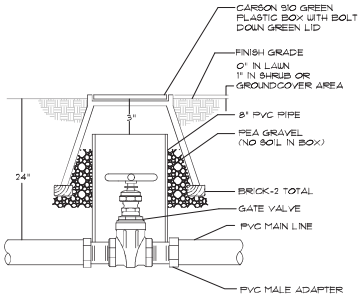
3 FLOW SENSOR INSTALLATION
NTS



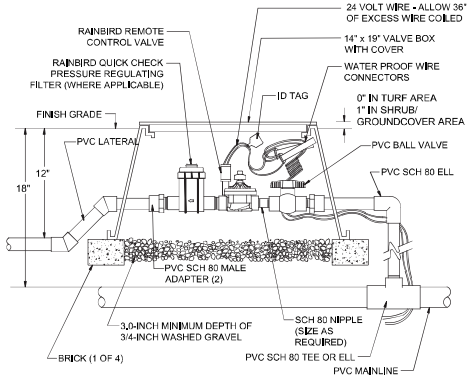
4 3/4" QUICK COUPLER IN BOX
NTS



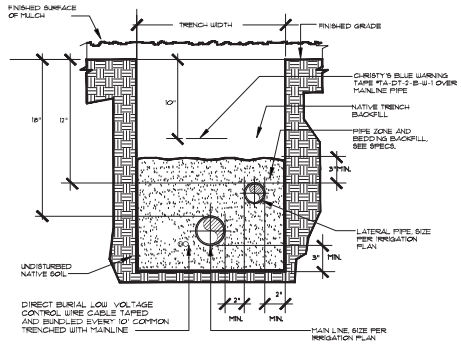
5 3M-DBY-6 WIRE CONNECTION
NTS



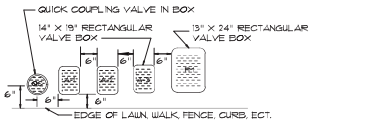
6 GATE VALVE INSTALATION
NTS



7 CONTROL VALVE AND FILTER INSTALLATION
NTS



8 TYPICAL COMBINATION TRENCH
NTS



NOTES:

1. CENTER BOX OVER REMOTE CONTROL VALVE TO FACILITATE SERVICING VALVE.
2. SET BOXES 1" ABOVE FINISH GRADE IN GROUND COVER/SHRUB AREA AND FLUSH WITH FINISH GRADE IN TURF AREA.
3. SET RCV AND VALVE BOX ASSEMBLY IN GROUND COVER/SHRUB AREA WHERE POSSIBLE. INSTALL IN LAWN AREA ONLY IF GROUND COVER DOES NOT EXIST ADJACENT TO LAWN.
4. SET BOXES PARALLEL TO EACH OTHER AND PERPENDICULAR TO EDGE.
5. AVOID HEAVILY COMPACTING SOIL AROUND VALVE BOX EDGES TO PREVENT COLLAPSE AND DEFORMATION OF VALVE BOX SIDES.
6. ALL VALVE BOXES SHALL HAVE BOLT DOWN LIDS.
7. ALL REMOTE CONTROL VALVE BOX LIDS SHALL BE HOT STAMPED WITH "RIV", CONTROLLER LETTER AND STATION NUMBER. ALL VALVE BOXES AND LIDS SHALL BE GREEN IN COLOR AND APPROVED FOR RECYCLED WATER USE.

9 VALVE BOX INSTALLATION
NTS

WATER TYPE	POTABLE
SITE ETO=	45.4

REGULAR LANDSCAPE AREAS

HYDROZONE #	HYDROZONE NAME	PLANT WATER USE TYPE	PLANT FACTOR (PF)	IRRIGATION METHOD	IRRIGATION EFFICIENCY	ETAF (PF/IE)	AREA (SQ. FT) (HA)	ETAF X AREA (HA)	ETWU (GAL/YR)	ACRE FEET/ YEAR	HCF/ YEAR	PERCENTAGE OF LANDSCAPE
1	TREES - M	MOD	0.5	BUBBLER	0.81	0.62	2,120	**1,309**	36,836	0.11	49.25	2%
2	TREES - L	LOW	0.3	BUBBLER	0.81	0.37	4,000	**1,481**	41,701	0.13	55.75	3%
3	TREES - VL	LOW	0.1	BUBBLER	0.81	0.12	1,590	**196**	5,525	0.02	7.39	1%
4	MIXED SHRUB/GROUNDCOVER	LOW	0.3	DRIP	0.81	0.37	108,230	**40,085**	1,128,318	3.46	1,508.45	93%
					TOTALS		**115,940**	**43,072**	**1,212,380**	**3.72**	**1,620.83**	**100%**

SPECIAL LANDSCAPE AREAS

HYDROZONE #	HYDROZONE NAME											
3					1							0%
					TOTALS		0					**0%**

MAWA	GALLONS/YR	1,794,914
	ACRE FEET/YR	5.51
	HCF/YR	2,399.62

ETWU	GALLONS/YR	1,212,380
	ACRE FEET/YR	3.72
	HCF/YR	1,620.83

SITE IRRIGATION EFFICIENCY	SITE PLANT FACT0R	MAWA COMPLIANT
81.0%	0.30	YES

ETAF Calculations	
REGULAR LANDSCAPE AREAS	
TOTAL ETAF x AREA	43,072
TOTAL AREA	115,940
AVG. ETAF	37.15%

MAWA FORMULA
MAXIMUM APPLIED WATER ALLOWANCE (MAWA) GALLONS PER YEAR
MAWA = (ETo)(0.62)[(LA x 0.55) + (0.45 x SLA)]

ETo = REFERENCE EVAPOTRANSPIRATION

0.55= ET ADJUSTMENT FACTOR

LA=LANDSCAPED AREA (SQUARE FEET)

0.62 = CONVERSION FACTOR (GALLONS/SQ.FT/YR)

ETWU FORMULA
ESTIMATED TOTAL WATER USE (ETWU) GALLONS PER YEAR
ETWU= ((ETO)(.62)(ETAF x LA))

ETo = REFERENCE EVAPOTRANSPIRATION

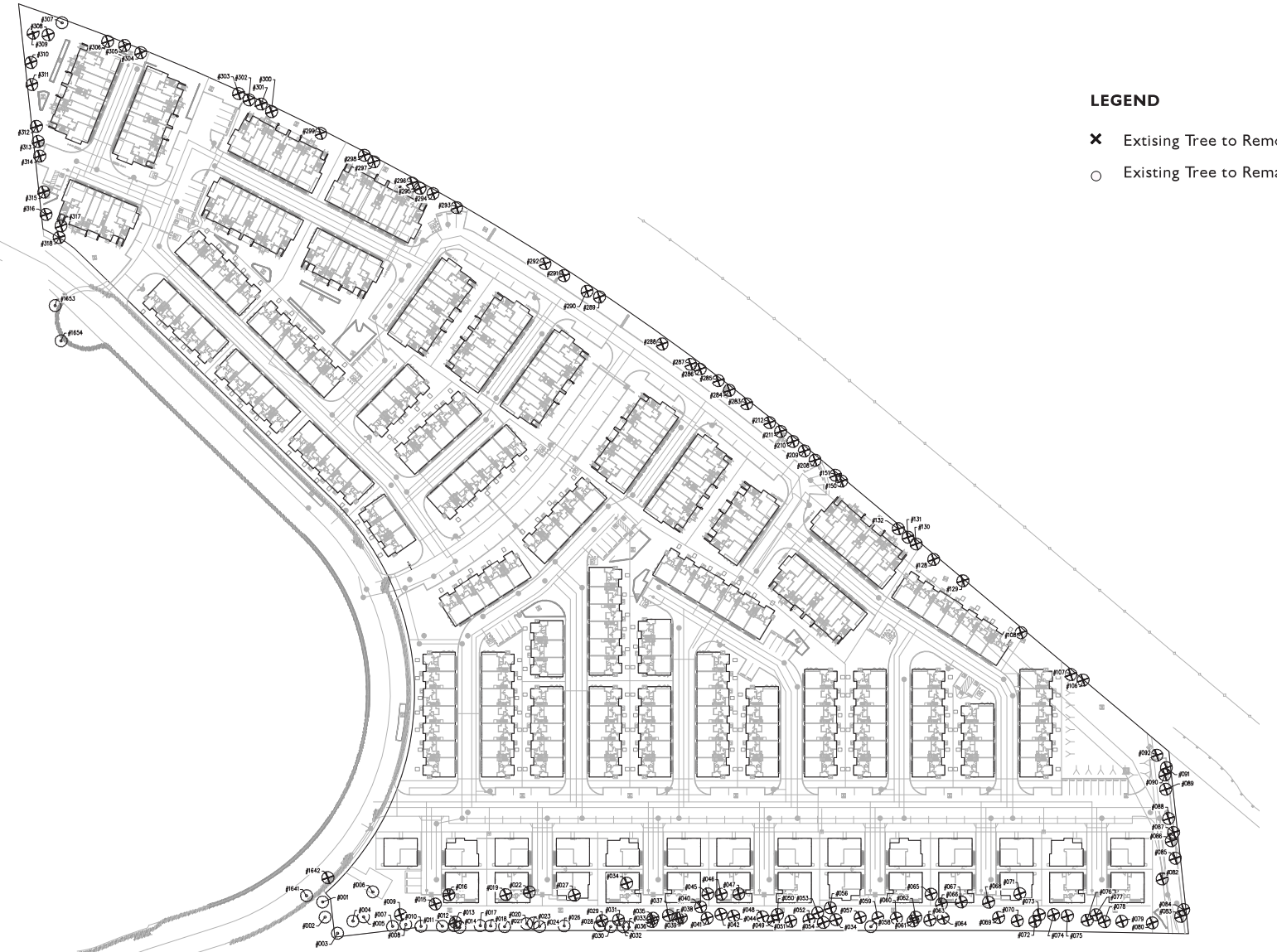
PF = PLANT FACTOR FOR HYDROZONES

HA = HYDROZONE AREA (SQ.FT)

0.62 = CONVERSION FACTOR (GALLONS/SQ.FT/YR)

IE = IRRIGATION EFFICIENCY (0.81)-BUBBLER/DRIP

IE = IRRIGATION EFFICIENCY (0.75)-ROTORS/SPRAY



LEGEND

- ✕ Extising Tree to Remove
- ○ Existing Tree to Remain

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 60' - 0"
0' 30' 60' 120'

TREE REMOVAL AND PROTECTION PLAN

L3.1

Tag #	Species	DIA	Protected	Condition	Suitability
1	African sumac	13	Yes	3	Moderate
2	African sumac	13	Yes	3	Moderate
3	Coast live oak	7	No	4	Moderate
4	Water gum	12	Yes	4	Moderate
5	Coast live oak	8	No	4	Moderate
6	Water gum	10	No	5	High
7	Monterey pine	35	Yes	3	Low
8	Monterey pine	23	Yes	3	Low
9	Coast live oak	6	No	3	Moderate
10	Silver dollar gum	22	Yes	3	Moderate
11	Silver dollar gum	27	Yes	3	Moderate
12	Silver dollar gum	14,8	Yes	3	Moderate
13	Coast live oak	20	Yes	3	Low
14	Silver dollar gum	15	Yes	3	Low
15	Sweetgum	6	No	3	Moderate
16	Sweetgum	8	No	3	Low
17	Silver dollar gum	25	Yes	3	Low
18	Silver dollar gum	22	Yes	3	Low
19	Sweetgum	9	No	4	Moderate
20	Monterey pine	24	Yes	3	Low
21	Silver dollar gum	22	Yes	3	Low
22	Sweetgum	10	No	4	Moderate
23	Coast live oak	23	Yes	3	Moderate
24	Silver dollar gum	16	Yes	3	Low
25	Callery pear	9	No	3	Low
26	Silver dollar gum	32	Yes	3	Moderate
27	Callery pear	13	Yes	3	Low
28	Silver dollar gum	15,14	Yes	3	Moderate
29	Coast live oak	17	Yes	3	Low
30	Silver dollar gum	14	Yes	3	Moderate
31	Coast live oak	14	Yes	3	Low
32	Silver dollar gum	21	Yes	3	Low
33	Silver dollar gum	24	Yes	3	Moderate
34	African sumac	15	Yes	4	Moderate
35	Coast redwood	26	Yes	4	Moderate
36	Australian willow	18	Yes	3	Moderate
37	Coast redwood	6	No	4	Moderate
38	Coast redwood	9	No	4	Moderate
39	Coast redwood	8	No	4	Moderate
40	Sweetgum	8	No	4	Moderate
41	Coast redwood	34,31	Yes	4	Moderate
42	Coast redwood	26	Yes	4	Moderate
43	Australian willow	14,6	Yes	3	Low
44	Sweetgum	7	No	3	Moderate
44	Coast redwood	27,25	Yes	3	Moderate
45	Sweetgum	8	No	3	Moderate
46	Sweetgum	7	No	3	Moderate
48	Coast redwood	25,24,21	Yes	3	Moderate
49	Australian willow	18	Yes	3	Low
50	Coast redwood	13	Yes	3	Low
51	Australian willow	21	Yes	3	Low
52	Coast redwood	15	Yes	4	Moderate
53	Coast redwood	19	Yes	4	Moderate
54	Coast redwood	24	Yes	4	Moderate
55	Coast redwood	24	Yes	4	Moderate
56	Sweetgum	6	No	3	Moderate
57	Coast redwood	26,24	Yes	4	Moderate
58	Coast redwood	24	Yes	3	Moderate
59	Coast redwood	24	Yes	4	Moderate
60	Coast redwood	24	Yes	4	Moderate
61	Australian willow	16	Yes	2	Low
62	Coast redwood	31,29,23,19	Yes	4	Moderate
63	Callery pear	8	No	2	Low
64	Coast redwood	17	Yes	3	Moderate
65	Callery pear	8	No	3	Low
66	Callery pear	6	No	3	Low
67	Callery pear	10	No	3	Low
68	Callery pear	9	No	3	Low
69	Coast redwood	39	Yes	4	Moderate
70	Australian willow	16	Yes	3	Moderate
71	Callery pear	10	No	2	Low
72	Australian willow	22	Yes	4	Moderate
73	Coast redwood	13,9	Yes	3	Moderate
74	Coast redwood	16,10,8	Yes	3	Moderate
75	Coast redwood	35	Yes	4	Moderate
76	Australian willow	16,14	Yes	3	Moderate
77	Coast redwood	19,18,13	Yes	4	Moderate
78	Australian willow	16,11	Yes	3	Moderate
79	Australian willow	14,14,10	Yes	3	Moderate
80	Hackberry	10	No	4	Moderate

Tag #	Species	DIA	Protected	Condition	Suitability
81	African sumac	14	Yes	4	Moderate
82	Holly oak	7	No	4	High
82	African sumac	12	Yes	3	Moderate
83	Holly oak	8	No	4	High
85	Coast redwood	13	Yes	4	Moderate
86	Coast redwood	11	No	4	Moderate
87	Coast redwood	13	Yes	4	Moderate
88	Coast redwood	12	Yes	4	Moderate
89	Coast redwood	13	Yes	3	Moderate
90	Coast redwood	14	Yes	3	Moderate
91	Coast redwood	7	No	3	Moderate
92	Coast redwood	17	Yes	4	Moderate
93	African sumac	14	Yes	3	Moderate
94	African sumac	13	Yes	2	Low
95	Coast redwood	18	Yes	4	Moderate
96	Coast redwood	12	Yes	4	Moderate
97	Coast redwood	13	Yes	4	Moderate
98	African sumac	14	Yes	4	Moderate
99	African sumac	14	Yes	4	Moderate
100	African sumac	11	No	3	Moderate
101	African sumac	14	Yes	3	Moderate
102	Hackberry	8	No	4	Moderate
103	Hackberry	9	No	4	Moderate
104	Coast redwood	22	Yes	4	Moderate
105	Coast redwood	21	Yes	4	Moderate
106	Fremont cottonwood	11	No	3	Moderate
107	Coast live oak	8	No	4	Moderate
108	Tree of heaven	8,7,6,6,6,5,5	No	2	Low
109	Coast redwood	15	Yes	4	Moderate
110	Coast redwood	13	Yes	3	Moderate
111	Coast redwood	15	Yes	4	Moderate
112	Coast redwood	17	Yes	4	Moderate
113	Coast redwood	13	Yes	3	Moderate
114	Coast redwood	17	Yes	4	Moderate
115	African sumac	12	Yes	4	Moderate
116	African sumac	12	Yes	4	Moderate
117	African sumac	12	Yes	4	Moderate
118	African sumac	11	No	4	Moderate
119	African sumac	12	Yes	4	Moderate
120	African sumac	12	Yes	4	Moderate
121	African fern pine	8	No	4	Moderate
122	African fern pine	7	No	4	Moderate
123	African fern pine	6	No	3	Low
124	African fern pine	7	No	3	Moderate
125	African fern pine	6	No	3	Low
126	African fern pine	6	No	3	Low
127	African sumac	16	Yes	3	Moderate
128	Monterey pine	28	Yes	3	Low
129	Chinese elm	8	No	5	High
130	Coast redwood	11	No	3	Moderate
131	Coast redwood	8	No	3	Moderate
132	Coast redwood	12	Yes	3	Moderate
133	African sumac	13	Yes	4	Moderate
134	Red oak	10	No	3	Moderate
135	Red oak	10	No	4	Moderate
136	Red oak	12	Yes	4	Moderate
137	Red oak	9	No	3	Low
138	Callery pear	6	No	3	Low
139	Red oak	9	No	3	Moderate
140	Red oak	10	No	4	High
141	African sumac	13	Yes	4	Moderate
142	African sumac	11	No	4	Moderate
143	African sumac	10	No	4	Moderate
144	Flowering cherey	12	Yes	1	Low
145	Flowering cherey	8	No	1	Low
146	Hackberry	9	No	4	Moderate
147	Hackberry	8	No	3	Moderate
148	Hackberry	8	No	3	Moderate
149	African sumac	10	No	3	Moderate
150	Coast live oak	16	Yes	3	Moderate
151	Coast live oak	22,15,8	Yes	4	Moderate
152	African sumac	13	Yes	3	Moderate
153	African sumac	13	Yes	3	Moderate
154	Chinese elm	6	No	3	Moderate
155	Chinese elm	7	No	3	Moderate
156	Chinese elm	13	Yes	5	High
157	Sweetgum	7,6	No	3	Moderate
158	Sweetgum	7	No	3	Moderate
158	Sweetgum	8	No	3	Moderate

Tag #	Species	DIA	Protected	Condition	Suitability
160	African sumac	10	No	2	Low
161	Sweetgum	6	No	3	Moderate
162	Sweetgum	6,4	No	3	Moderate
163	African sumac	15	Yes	3	Moderate
164	Sweetgum	6	No	3	Moderate
165	African sumac	15	Yes	3	Moderate
166	Sweetgum	8	No	3	Moderate
167	Sweetgum	7	No	3	Moderate
168	Water gum	7	No	5	High
169	Sweetgum	8	No	3	Moderate
170	Sweetgum	6	No	3	Moderate
171	Water gum	10	No	5	High
172	Water gum	8	No	4	High
173	Sweetgum	8	No	3	Moderate
174	Sweetgum	6	No	3	Moderate
175	Sweetgum	8	No	3	Moderate
176	Callery pear	6	No	2	Low
177	Chinese elm	8	No	3	Moderate
178	Chinese elm	10	No	4	Moderate
179	African sumac	7	No	2	Low
180	African sumac	14	Yes	4	Moderate
181	Tulip poplar	11	No	4	Moderate
182	Tulip poplar	11	No	3	Moderate
183	Tulip poplar	10	No	3	Moderate
184	Tulip poplar	7	No	3	Moderate
185	Chinese elm	14	Yes	4	High
186	Chinese elm	12	Yes	3	Moderate
187	African sumac	11	No	3	Moderate
188	African sumac	10	No	3	Moderate
189	Callery pear	6	No	3	Low
190	Callery pear	7	No	3	Low
191	African sumac	15	Yes	4	Moderate
192	Callery pear	9	No	3	Moderate
193	Chinese elm	11	No	4	High
194	Chinese elm	7	No	3	Moderate
195	African sumac	11	No	3	Moderate
196	Chinese elm	10	No	3	Low
197	Chinese elm	14	Yes	3	Moderate
198	Chinese elm	12	Yes	3	Moderate
199	Chinese elm	12	Yes	3	Moderate
200	Chinese elm	8	No	3	Moderate
201	African sumac	13	Yes	3	Moderate
202	African sumac	9	No	3	Moderate
203	Chinese elm	7	No	3	Moderate
204	Chinese elm	6	No	3	Low
205	Chinese elm	11	No	4	High
206	African sumac	15	Yes	3	Moderate
207	African sumac	15	Yes	3	Moderate
208	African sumac	12	Yes	4	Moderate
209	African sumac	10	No	3	Moderate
210	African sumac	13	Yes	3	Moderate
211	African sumac	10	No	3	Moderate
212	African sumac	13	Yes	3	Moderate
213	African sumac	14	Yes	3	Moderate
214	African sumac	14	Yes	3	Moderate
215	African sumac	15	Yes	3	Moderate
216	African sumac	15	Yes	3	Moderate
217	Paper bark	18	Yes	4	Moderate
218	Paper bark	14	Yes	4	Moderate
219	Paper bark	21	Yes	4	Moderate
220	Paper bark	15	Yes	3	Moderate
221	Japanese maple	6,5,5,4,4	No	4	High
222	Paper bark	21	Yes	3	Moderate
223	Paper bark	21	Yes	3	Moderate
224	Paper bark	20	Yes	4	Moderate
225	Paper bark	17	Yes	3	Low
226	African sumac	12	Yes	4	Moderate
227	African sumac	13	Yes	4	Moderate
228	Chinese pistache	6	No	5	High
229	Chinese pistache	6	No	5	High
230	Chinese pistache	6	No	5	High
231	Paper bark	22	Yes	4	Moderate
232	Paper bark	10	No	3	Low
233	Paper bark	13	Yes	3	Moderate
234	Chinese pistache	8	No	4	Moderate
235	Chinese pistache	6	No	4	Moderate
236	Chinese pistache	8	No	4	Moderate
237	Chinese pistache	6	No	3	Moderate
238	Chinese pistache	8	No	4	Moderate

Tag #	Species	DIA	Protected	Condition	Suitability
239	Paper bark	22	Yes	3	Moderate
240	Paper bark	17	Yes	3	Moderate
241	Paper bark	18	Yes	4	Moderate
242	Paper bark	14	Yes	4	Moderate
243	African sumac	19	Yes	4	Moderate
244	African sumac	19	Yes	4	Moderate
245	Paper bark	19	Yes	4	Moderate
246	Paper bark	15	Yes	3	Moderate
247	Paper bark	23	Yes	3	Moderate
248	Paper bark	18	Yes	3	Moderate
249	Paper bark	13	Yes	3	Low
250	Paper bark	23	Yes	4	Moderate
251	African sumac	13	Yes	3	Moderate
252	African sumac	12	Yes	3	Moderate
253	Paper bark	14	Yes	3	Moderate
254	Paper bark	17	Yes	3	Moderate
255	Paper bark	16	Yes	3	Moderate
256	Paper bark	16	Yes	3	Moderate
257	Paper bark	22	Yes	3	Moderate
258	Little leaf azara	6,4,2	No	4	High
259	Strawberry tree	10,8,7	No	4	Moderate
260	Coast redwood	17	Yes	4	Moderate
261	Coast redwood	13	Yes	3	Moderate
262	Coast redwood	20	Yes	4	Moderate
263	Australian willow	6	No	3	Low
264	Strawberry tree	12	Yes	3	Moderate
265	Strawberry tree	7,6,5	No	3	Moderate
266	Coast redwood	21	Yes	4	Moderate
267	Coast redwood	17	Yes	4	Moderate
268	Strawberry tree	9	No	3	Low
269	Strawberry tree	9	No	2	Low
270	Strawberry tree	8	No	4	Moderate
271	Coast redwood	14	Yes	4	Moderate
272	Coast redwood	20	Yes	4	Moderate
273	Coast redwood	17	Yes	4	Moderate
274	Coast redwood	9	No	3	Moderate
275	Australian willow	9,8	No	3	Moderate
276	Australian willow	7	No	3	Moderate
277	Australian willow	6	No	3	Low
278	Strawberry tree	7	No	4	Moderate
279	Coast redwood	10	No	3	Moderate
280	Coast redwood	12	Yes	3	Moderate
281	Strawberry tree	7	No	4	Moderate
282	African sumac	15	Yes	4	Moderate
283	Coast redwood	14	Yes	2	Low
284	Coast redwood	13	Yes	3	Moderate
285	Coast redwood	11	No	2	Low
286	Deodar cedar	11	No	5	High
287	Deodar cedar	12	Yes	5	High
288	Deodar cedar	9	No	5	High
289	African sumac	9	No	4	Moderate
290	African sumac	10	No	4	Moderate
291	African sumac	10	No	4	Moderate
292	Coast redwood	8	No	2	Low
293	Deodar cedar	18	Yes	4	High
294	Coast redwood	12	Yes	4	Moderate
295	Coast redwood	12	Yes	3	Moderate
296	Coast redwood	13	Yes	3	Moderate
297	Deodar cedar	12	Yes	4	High
298	Deodar cedar	16	Yes	4	High
299	Coast redwood	13	Yes	2	Low
300	African sumac	13	Yes	3	Low
301	African sumac	12	Yes	3	Moderate
302	African sumac	14	Yes	3	Moderate
303	African sumac	11	No	3	Moderate
304	Deodar cedar	6	No	3	Moderate
305	Deodar cedar	11	No	3	Moderate
306	Deodar cedar	11,8	No	3	Moderate
307	Coast redwood	10	No	2	Low
308	Coast redwood	10	No	2	Low
309	Coast redwood	11	No	2	Low
310	Coast redwood	16	Yes	3	Moderate
311	Coast redwood	12	Yes	3	Moderate
312	Coast redwood	16	Yes	3	Moderate
313	Coast redwood	14	Yes	3	Moderate
314	Coast redwood	15	Yes	3	Moderate
315	Coast redwood	16	Yes	4	Moderate
316	Coast redwood	22	Yes	4	Moderate
317	African sumac	16	Yes	3	Moderate

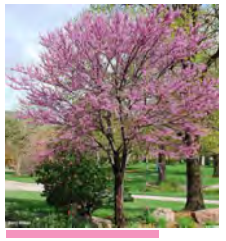
Tag #	Species	DIA	Protected	Condition	Suitability
318	African sumac	13	Yes	3	Moderate
319	African sumac	15	Yes	3	Moderate
320	African sumac	18	Yes	4	Moderate
321	Coast redwood	17	Yes	3	Low
322	Coast redwood	16	Yes	3	Low
323	Coast redwood	13	Yes	3	Low
324	Coast redwood	15	Yes	3	Low
325	African sumac	12	Yes	4	Moderate
326	African sumac	11	No	4	Moderate
327	African sumac	16	Yes	4	Moderate
328	Brisbane box	16	Yes	5	High
329	Brisbane box	18	Yes	5	High
330	Brisbane box	15	Yes	4	Moderate
331	Brisbane box	18	Yes	5	High
332	Brisbane box	16	Yes	4	High
333	Brisbane box	15	Yes	4	High
334	Brisbane box	18	Yes	5	High
335	Brisbane box	7	No	3	Moderate
336	Brisbane box	7	No	3	Moderate
337	Brisbane box	9	No	4	Moderate
338	Callery pear	7	No	4	Moderate
339	Callery pear	8	No	4	Moderate
340	Callery pear	7	No	3	Moderate
341	Callery pear	10	No	4	Moderate
342	Callery pear	8	No	3	Moderate
343	African sumac	13	Yes	4	Moderate
344	Chinese elm	8	No	5	High
1642	Little leaf linden	12	Yes	5	Moderate
1643	Little leaf linden	9	No	4	Moderate
1644	Little leaf linden	10	No	4	Moderate
1645	Little leaf linden	6	No	3	Low
1646	Little leaf linden	8	No	4	Moderate
1647	Little leaf linden	8	No	3	Low
1648	Little leaf linden	7	No	3	Moderate
1649	Little leaf linden	10	No	3	Moderate
1651	Little leaf linden	10	No	3	Moderate
1652	Little leaf linden	12	Yes	3	Moderate



TREE LEGEND



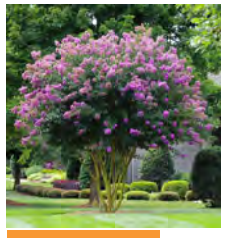
Acer rubrum 'Armstrong'
Armstrong Maple



Cercis canadensis
Eastern Redbud



Koelreuteria paniculata
Golden Rain Tree



Lagerstroemia indica x fauriei 'Muskogee'
Muskogee Crape Myrtle



Prunus serrulata 'Kwanzan'
Kwanzan Cherry



Quercus virginiana
Coastal Live Oak



Ulmus parvifolia
Chinese Elm

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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 60' - 0"
0' 30' 60' 120'

OVERALL TREE PLAN

L3.3

SHRUBS AND GROUND COVERS



Abutilon palmeri
Palmer's Indian Mallow



Achillea millefolium
Common Yarrow



Agave attenuata
Foxtail Agave



Alyogyne huegelii
Blue Hibiscus



Arbutus unedo
Strawberry



Arctostaphylos Dr Hurd
Dr Hurd Manzanita



Baccharis pilularis 'Pigeon Point'
Pigeon Point Coyote Brush



Bouteloua
Grama Grass



Callistemon viminalis 'Little John'
Bottle Bush



Carex divulsa
Grassland Sedge



Carex tumulicola
Berkeley Sedge



Chondropetalum tectorum
Cape Rush



Cistus
Rock Rose



Coprosma kirkii 'Variegata'
Mirrorplant



Cotinus coggygria
Smokebush



Dietes variegate
African Iris



Encelia californica
California Brittlebush



Euonymus japonicus
Japanese Euonymus



Festuca mairei
Atlas Fescue



Hesperaloe parviflora 'Brakelights'
Brakelights Yucca



Iris douglasiana
Douglas iris



Juncus patens
Common Rush



Lantana montevidensis
Trailing Lantana



Lavatera maritima
Mediterranean Tree Mallow



Lavendula angustifolia
English Lavender



Lomandra longifolia
Mat Rush



Mimulus
Monkeyflower



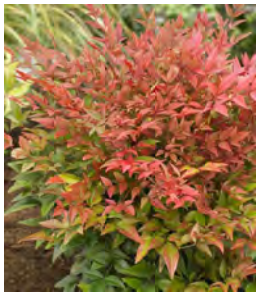
Muhlenbergia capillaris 'pink cloud'
Pink Cloud Muhly Grass



Muhlengergia dubia
Common Muhly Grass



Myrtus communis
Dwarf Myrtle



Nandina
Heavenly Bamboo



Nepeta x 'Walker's Low'
Catmint



Olea europaea 'Little Ollie'
Dwarf Olive



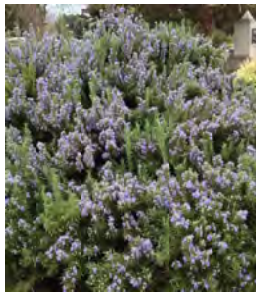
Russian Sedge
Perovskia



New Zealand Flax
Phormium



Rhaphiolepis umbellata
Dwarf Yeddo Rhaphiolepis



Rosemary
Rosemarinus



Salvia
Sage



Santolina
Cotton Lavender



Teucrium fruticans 'Azureum'
Bush Germander



Westringia fruticose
Coast Rosemary



Zauschneria californica
California Fushia











LEGEND

1. Outdoor Seating Area
2. Pedestrian Concrete Paving
3. Covered Outdoor Dining Area with String Lights
4. Pedestrian Crossing
5. Specimen Tree
6. Bioretention Area

KEY MAP



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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 20' - 0"
0' 10' 20' 40'

LANDSCAPE ENLARGEMENT

L4.1



LEGEND

1. Play Area
2. Plaza
3. Pedestrian Concrete Paving
4. Specimen Tree
5. Flowering Tree Alley
6. Bioretention Area
7. Pedestrian Crossing
8. Bench













KEY MAP



ktgy | cbg CARLSON, BARBEE & GIBSON, Inc. | GATES + ASSOCIATES

Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 20' - 0"
0' 10' 20' 40'

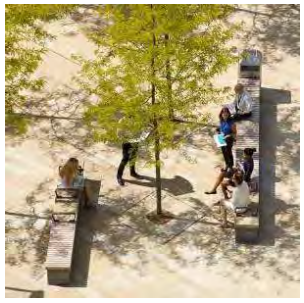
LANDSCAPE ENLARGEMENT

L4.2



LEGEND

1. Linear Pedestrian Spine
2. Flowering Tree Alley with Gathering Node
3. Bioretention Area
4. Street Tree in Tree Grates
5. Pedestrian Crossing











KEY MAP



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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 20' - 0"
0' 10' 20' 40'

LANDSCAPE ENLARGEMENT

L4.3



LEGEND

1. Outdoor Library Nook
2. Seating Area
3. Natural Play Area
4. Flowering Tree Alley with Gathering Node
5. Pedestrian Concrete Paving
6. Pedestrian Crossing
7. Bioretention Area











KEY MAP



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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 20' - 0"
0' 10' 20' 40'

LANDSCAPE ENLARGEMENT

L4.4



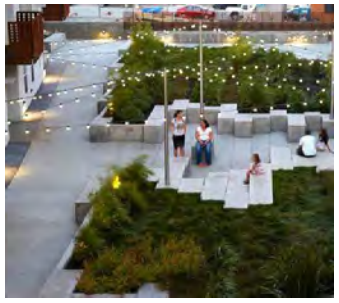
LEGEND

1. Entry Plaza
2. Game Zone
3. Flowering Tree Alley with Gathering Node
4. BBQ Area With Shade And String Lights
5. Main Street Trees in Tree Grates
6. Bench
7. Pedestrian Crossing









KEY MAP



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Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 20' - 0"
0' 10' 20' 40'

LANDSCAPE ENLARGEMENT

L4.5

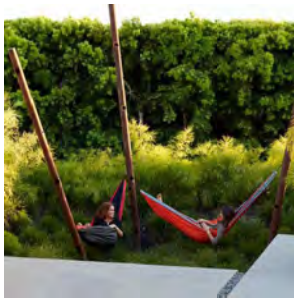


LEGEND

1. Bench
2. Plaza
3. Bioretention Area
4. Pedestrian Concrete Paving
5. Existing Trees to Remain

KEY MAP













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Campbell Technology Park LLC

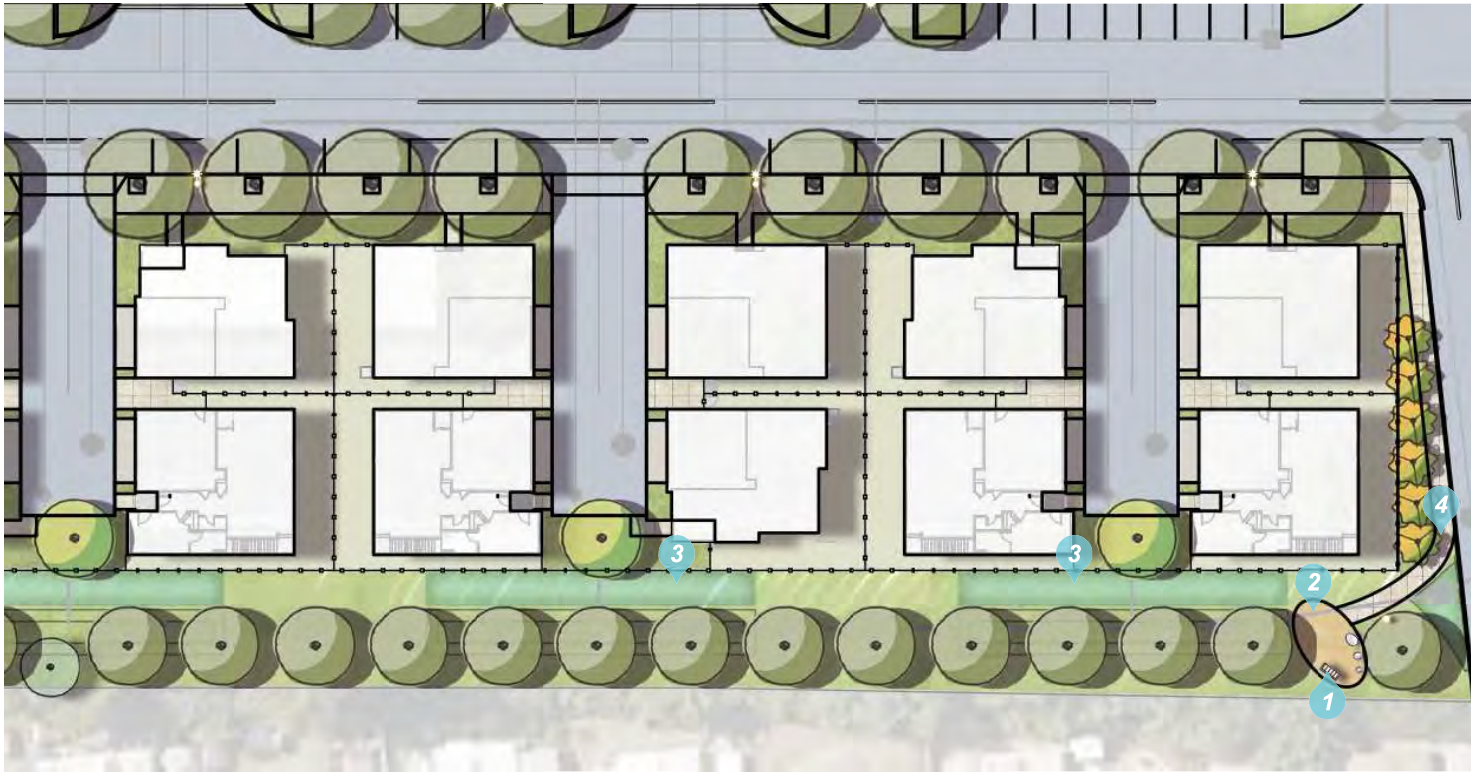
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 20' - 0"
0' 10' 20' 40'

LANDSCAPE ENLARGEMENT

L4.6



LEGEND

1. Bench
2. Plaza
3. Bioretention Area
4. Pedestrian Concrete Paving











KEY MAP



ktgy | cbg CARLSON, BARBEE & GIBSON, Inc. | GATES + ASSOCIATES

Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : 1" = 20' - 0"
0' 10' 20' 40'

LANDSCAPE ENLARGEMENT

L4.7

BENCHES





SEAT PADS





TRASH RECEPTACLE



TABLE AND CHAIRS





ACCENT PAVING





CONCRETE PAVING



LIGHTING







TREE GRATE



BIKE RACK





PLAN VIEW

Luminaire Schedule									
Symbol	Qty	Label	Arrangement	Description	LLF	Lum. Lumens	Lum. Watts	Tot. Watts	Data Source Filename
	85	F1	Single	BEGA 77 264-K3	0.850	131	3	267	77263_BEGA_IES.ies
	38	F2A	Single	GARDCO PFT-19SL-E5O-WW-G2-S-UNV - GN 14' POLE	0.850	2775	30	840	PFT-19SL-E5O-WW-G2-S-UNV.ies
	6	F2B	Single	GARDCO PFT-19SL-E5O-WW-G2-S-UNV - GN 14' POLE	0.850	3182	30	240	PFT-19SL-E5O-WW-G2-S-UNV.ies
	5	F2C	Single	GARDCO PFT-19SL-E5O-WW-G2-S-UNV - GN 14' POLE	0.850	3065	30	150	PFT-19SL-E5O-WW-G2-S-UNV.ies
	22	F3A	Single	GARDCO P15-W-A03-730-T3M - GN 20' POLE	0.850	6192	44.6	981.2	P15-W-A03-730-T3M.ies
	4	F3B	Single	GARDCO P15-W-A03-730-T3M - GN 20' POLE	0.850	6099	44.6	178.4	P15-W-A03-730-T3M.ies
	2	F3C	Single	GARDCO P15-W-A03-730-T4S - GN 20' POLE	0.850	6240	44.6	89.2	P15-W-A03-730-T4S.ies
	204	F4	Single	STONCO LDW7-10-WW-G3-S - 10' M.H.	0.850	1051	9.7	1978.8	LDW7-10-WW-G3-S-UNV.ies

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
DRIVE LANE 1	Illuminance	Fc	1.65	3.0	0.1	16.50	30.00
DRIVE LANE 2	Illuminance	Fc	1.06	3.3	0.1	10.60	33.00
DRIVE LANE 3	Illuminance	Fc	1.31	3.7	0.2	6.55	18.50
TYPICAL PASEO	Illuminance	Fc	0.10	2.4	0.0	N.A.	N.A.

Note: Unless otherwise specified - the lamp lumen depreciation (LLD) for legacy sources used in these calculations is based on published mean lumen ratings by major lamp manufacturers. 0.80 LLD for pulse start metal halide, 0.90 LLD for high pressure sodium, 0.95 LLD for linear T8 and T5 fluorescent; 0.86 LLD for compact fluorescent and induction. 0.88 LLD for Cosmo and Elite lamps. 0.94 LDD for all LED sources. Unless otherwise noted - 0.90 luminaire dirt depreciation (LDD) is commonly applied. In cases where appropriate - ballast factor (BF) is applied. Additional user defind factors (UDF) may be applied if necessary to represent luminaire performance to a higher degree of accuracy. Total light loss factor (LLF) is the product of all multiplied loss factors.

LIGHTING PLAN - PHOTOMETRIC ANALYSIS - LAYOUT VERIFICATION

(ALL VALUES SHOWN ARE MAINTAINED HORIZONTAL FOOTCANDLES AT FINISHED GRADE, U.O.N.)

PRELIMINARY - NOT FOR CONSTRUCTION
NOT FOR QUOTING PURPOSES

Associated Lighting Representatives, Inc.

Lighting Analysis

GATES & ASSOCIATES
ASSOCIATED LIGHTING REPRESENTATIVES, INC.
ASSOCIATED LIGHTING REPRESENTATIVES, INC.

CAMPBELL TECH PARK
CAMPBELL, CA
22-PHPAL-R3.DWG/.AGI
1" = 30'-0"
11-07-2024
1 OF 2

ktgy | CARLSON, BARBEE & GIBSON, Inc. | GATES + ASSOCIATES

Campbell Technology Park LLC

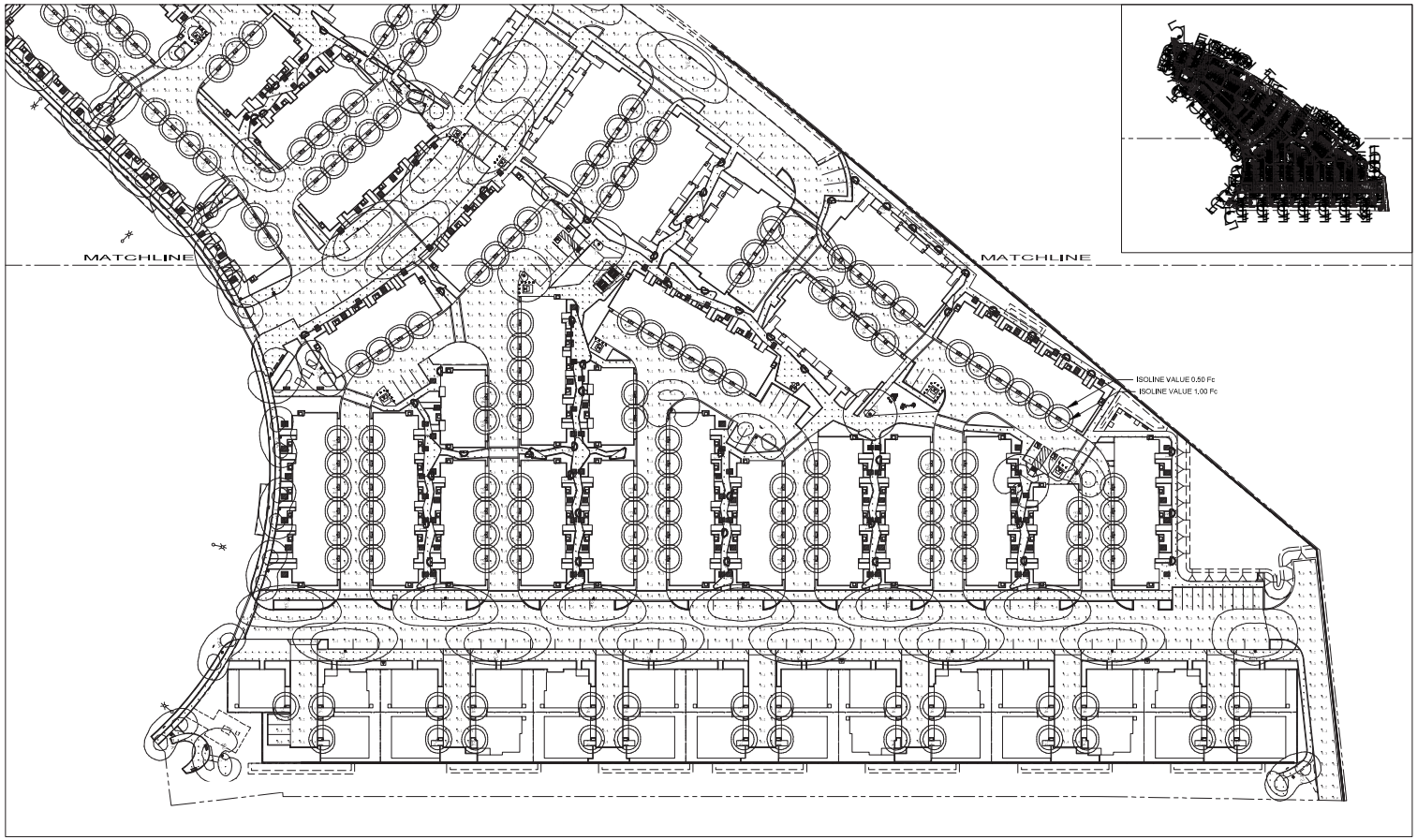
Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : N.T.S

PHOTOMETRIC PLAN

L6.2



SCALE: 1" = 30'-0"

PLAN VIEW

Luminaire Schedule

Symbol	Qty	Label	Arrangement	Description	LLF	Lum. Lumens	Lum. Watts	Tot. Watts	Data Source Filename
	89	F1	Single	BEGA 77 263-K3	0.850	131	1	267	77263_BEGA_IES.ies
	28	F2A	Single	GARDCO PPT-196L-850-AW-D2-1-UNV - ON 14' POLE	0.850	3775	30	240	PPT-196L-850-AW-D2-1-UNV.ies
	8	F2B	Single	GARDCO PPT-196L-850-AW-D2-1-UNV - ON 14' POLE	0.850	3182	30	240	PPT-196L-850-AW-D2-1-UNV.ies
	5	F2C	Single	GARDCO PPT-196L-850-AW-D2-1-UNV - ON 14' POLE	0.850	3065	30	150	PPT-196L-850-AW-D2-1-UNV.ies
	22	F3A	Single	GARDCO P15-P-A03-730-T3M - ON 20' POLE	0.850	6192	44.6	981.2	P15-P-A03-730-T3M.ies
	4	F3B	Single	GARDCO P15-P-A03-730-T3M - ON 20' POLE	0.850	6059	44.6	178.4	P15-P-A03-730-T3M.ies
	2	F3C	Single	GARDCO P15-P-A05-730-T4S - ON 20' POLE	0.850	6240	44.6	85.2	P15-P-A03-730-T4S.ies
	204	F4	Single	STONCO LPWT-10-WW-G3-2-S - 10' M.H.	0.850	1051	9.7	1578.8	LPWT-10-WW-G3-2-UNV.ies

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
DRIVE LANE 1	Illuminance	Fc	1.05	3.0	0.1	10.50	30.00
DRIVE LANE 2	Illuminance	Fc	1.08	3.3	0.1	10.80	33.00
DRIVE LANE 3	Illuminance	Fc	1.31	3.7	0.2	6.55	18.50
TYPICAL PASEO	Illuminance	Fc	0.10	2.4	0.0	N.A.	N.A.

Note: Unless otherwise specified- the lamp lumen depreciation (LLD) for legacy sources used in these calculations is based on published mean lumen ratings by major lamp manufacturers. 0.80 LLD for pulse start metal halide, 0.90 LLD for high pressure sodium, 0.95 LLD for linear T8 and T5 fluorescent, 0.88 LLD for compact fluorescent and induction. 0.88 LLD for Cosmo and Elite lamps, 0.94 LDD for all LED sources. Unless otherwise noted- 0.90 luminaire dirt depreciation (LDD) is commonly applied. In cases where appropriate - ballast factor (BF) is applied. Additional user defind factors (UDF) may be applied if necessary to represent luminaire performance to a higher degree of accuracy. Total light loss factor (LLF) is the product of all multiplied loss factors.

LIGHTING PLAN - PHOTOMETRIC ANALYSIS - LAYOUT VERIFICATION

(ALL VALUES SHOWN ARE MAINTAINED HORIZONTAL FOOTCANDLES AT FINISHED GRADE, U.O.N.)

PRELIMINARY - NOT FOR CONSTRUCTION
NOT FOR QUOTING PURPOSES

Associated Lighting Representatives, Inc.

PHOTOMETRIC DATA USED IS BASED ON EXISTING LUMINAIRES & LAMPS AS MANUFACTURED BY THE LISTED MANUFACTURERS. ALL ACTUAL INSTALLATIONS SHALL BE FIELD VERIFIED BY A QUALIFIED LIGHTING PROFESSIONAL.

Lighting Analysis

ARCH. / INTERIOR D.S.
AS A CONSULTANT WITH ARA, LTD. INC.
10338 WORTHINGTON ROAD, LITTLE ROCK, CALIFORNIA 90727

PROJECT#: GATES & ASSOCIATES
CAMPBELL TECH PARK
CAMPBELL, CA.

ARA REPRESENTATIVE:
TIM HILEY
ASSOCIATED LIGHTING REPRESENTATIVES, INC

ARA REPRESENTATIVE:
HUNTER SMARRS
ASSOCIATED LIGHTING REPRESENTATIVES, INC

2224RHAL-R3.DWG A3.2

NO	PHASE	DATE	SCALE
3	2 OF 2	11-07-2024	1" = 30'-0"

ktgy | CBG Carlson, Barbee & Gibson, Inc. | Gates + Associates

Campbell Technology Park LLC

Campbell Technology Park
Campbell, CA # 2023-0039

DESIGN REVIEW
Nov 7, 2024

Scale : N.T.S

PHOTOMETRIC PLAN

L6.1

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PARTNER
DIRECT DIAL (925) 746-8471
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NIRAN S. SOMASUNDARAM
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HansonBridgett

November 21, 2025

Rob Eastwood
Community Development Director
Campbell City Hall
City of Campbell
70 N. First Street
Campbell, CA 95008

Re: 635, 655, 675, and 695 Campbell Technology Parkway (PLN-2023-165)

Dear Mr. Eastwood:

As you know, we represent Campbell Technology Park LLC ("Applicant") in connection with Application PLN-2023-165 to develop a 290-unit residential development located at 635, 655, 675, and 695 Campbell Technology Parkway (the "Project") in the City of Campbell. As you know, the Project has been submitted pursuant to the Builder's Remedy provisions of the Housing Accountability Act.

By this letter, the Applicant is opting into certain provisions of the recently enacted Assembly Bill 1893 ("AB 1893").

AB 1893 amended certain provisions of the Housing Accountability Act and associated Builder's Remedy effective January 1, 2025. AB 1893's amendments to the Housing Accountability Act are intended to provide clear guidance to cities on how applicants may adjust Builder's Remedy applications without forfeiting rights. (*See* AB 1893 at Sections 1(d); (i)). To this end, the revised Government Code section 65589.5(f)(7)(A) provides that any project that qualifies as a Builder's Remedy project under new provisions of AB 1893, but submitted a preliminary application prior to January 1, 2025, may "choose to be subject to ***any or all*** of the provisions of this section applicable as of January 1, 2025." As you know, the City accepted a preliminary application under Senate Bill 330 ("SB 330") for the Project on April 18, 2023, and determined that the Project's application was complete as of October 24, 2023.

As detailed below, the Project meets the criteria for a Builder's Remedy project as set forth under AB 1893. At this time, the Applicant is choosing to be subject to the AB 1893-amended Government Code section 65589.5(f)(6)(D), which requires that City treat the Project as consistent with its General Plan and zoning regulations for all purposes – including any analysis of the vehicle miles traveled associated with the Project.

The Applicant is not choosing to subject the Project to any other amended provisions of the Housing Accountability Act at this time. In all other respects, the City must continue to process Application PLN-2023-165 pursuant to the provisions of the Housing Accountability Act as they existed on January 31, 2024. (Gov. Code § 65589.5(f)(7)(A)).

The Project Meets AB 1893's Definition of a Builder's Remedy Project.

Government Code section 65589.5(h)(11) sets forth the four criteria that a Builder's Remedy project must meet to opt into chosen provisions of the Housing Accountability Act as amended by AB 1893:

- The project is a housing development project that provides "housing for very low, low- or moderate income households";
- The jurisdiction did not have a housing element that was in substantial compliance with State law when the preliminary application for project was submitted;
- The project's density does not exceed fifty percent greater than the minimum density deemed appropriate to accommodate housing for the jurisdiction under Government Code section 65583.2(c)(3)(B);
- The project's density is not less than the local agency's minimum density for the project site.

The Project satisfies each of these criteria, and therefore may choose to be subject to any or all of the amended provisions.

The Project satisfies the first two criteria as the Project's preliminary application was submitted on April 18, 2023, at which time the City did not have a certified housing element in substantial compliance with State law. The Project will provide 20 percent of its units as affordable low-income households, which exceeds the 13 percent of its units required to qualify as "housing for very low, low- or moderate income households." (*See* Gov. Code §§ 65589.5(h)(11)(A); (B)).

The third and fourth criteria are a maximum and minimum density for each Builder's Remedy project, calculated in part based upon the population of the jurisdiction in which the project is being constructed.

The Project does not exceed the maximum density limit for an AB 1893 Builder's Remedy project. Under Government Code section 65583.2(c)(3)(B), a density of 20 units per acre is deemed appropriate for a project site in a suburban jurisdiction such as Campbell. Applied to a 17 acre project site, this yields an appropriate density of 340 units. Under Government Code section 65589.5(h)(11)(C)(i)(I), the maximum density for a Builder's Remedy project is 50 percent greater than this appropriate density, or 510 units. The Project's 290 units fall well below this maximum threshold.

Under AB 1893, there is no minimum density for a Builder's Remedy project unless the local jurisdiction imposes a minimum residential density on the property.[1] When the Project's preliminary application was filed on April 18, 2023, the Property was not zoned or designated for residential development, and therefore had no minimum residential density. Under SB 330, the Project must be evaluated pursuant to the City's laws as they existed on April 18, 2023. Even if the minimum density provisions of AB 1893 were to apply, under Government Code section

[1] Government Code § 65589.5(h)(11)(D).

65589.5(h)(11)(D)(ii), that minimum would be set at one half of the appropriate density under Government Code section 65583.2(c)(3)(B). As applied to the Property, the minimum density for an AB 1893 Builder's Remedy project would be 170 units. The Project's 290 units would exceed any applicable minimum.

The Project is Deemed Consistent with Applicable City Ordinances, and Shall Not Require a General Plan Amendment, Rezone, or Other Legislative Approval.

Since the Project qualifies as a Builder's Remedy project under new provisions of AB 1893, the Applicant may elect to subject the Project to *any or all* of AB 1893's amended provisions. The Applicant is electing to subject the Project to the entirety of Government Code section 65589.5(f)(6)(D), which clarifies that the Project must be treated as consistent with the City's applicable regulations, ordinances, and policies.

Government Code section 65589.5(f)(6)(D)(iii) provides that all Builder's Remedy projects must be deemed consistent, compliant, and in conformity with any applicable City plan, program, policy, ordinance, standard, requirement, or other similar provision *for all purposes* – including the application of screening thresholds related to review of the Project under the California Environmental Quality Act. Relatedly, Government Code sections 65589.5(f)(6)(D)(i) and (ii) clarify that the Project may not be required to apply for or receive a legislative approval, including a general plan amendment or rezone, or any approval or permit not generally required of similar residential projects.

* * *

We appreciate the City's continued cooperation in entitling the Project, and look forward to providing the City with residential units to satisfy local and Statewide housing goals. Please do not hesitate to contact us if you would like to discuss this matter further.

Sincerely,



Sean R. Marciniak
Partner



Niran S. Somasundaram
Senior Counsel

MEMORANDUM

Community Development Department
Planning Division

To: Site and Architectural Review Committee **Date**: September 23, 2026

From: Daniel Fama, Senior Planner

Via: Rob Eastwood, Community Development Director

Subject: Planned Development Permit, Vesting Tentative Subdivision Map, and Tree Removal Permit

File No.: PLN-2023-165 ~ 635, 655, 675, and 695 Campbell Technology Parkway

BACKGROUND

Project Site: The approximately 17-acre project site consists of four parcels located at 635, 655, 675, and 695 Campbell Technology Parkway. The property is currently developed as the Campbell Technology Park, a research and development campus containing four buildings totaling approximately 280,000 square feet. The site is bordered by Highway 17 to the north and west, the Paseo de Palomas mobile home community to the east, and Campbell Technology Parkway and Edith Morley Park to the south.



Preliminary Application: On April 18, 2023, the City received an "SB 330" preliminary application under the Housing Crisis Act to redevelop the Campbell Technology Park with 334 residential units. Submittal of the preliminary application established April 18, 2023, as the date for determining the ordinances, policies, and standards applicable to the project. As the City had not adopted its 2023–2031 Housing Element by the state-mandated January 31, 2023 deadline, it was therefore subject to the Housing Accountability Act provisions commonly referred to as the "Builder's Remedy." These provisions generally prohibit a city from denying a project or reducing its density based on inconsistency with the General Plan or zoning.

Proposed Project / Formal Application: On September 26, 2023, the City received a formal development application for the project. As currently proposed, the project includes 290 residential units, consisting of 27 two-story detached single-family homes and 263 attached units distributed among 43 buildings, including 149 three-story townhomes and 114 four-story townhomes[1]. The project also includes related site, parking, and landscaping improvements.

PROJECT DATA

Zoning Designation[2]: Planned Development (P-D)

General Plan Designations[2]: *Research and Development*

Gross Lot Area: 17.28 acres

Proposed Density: 16.78 units/acre

Landscaping Area: 131,552 square feet

Parking: 718 spaces (2.48/unit)

Building Height: 31 ft (SFD); 44–47 ft (townhomes)

Typology	Building Type	# Buildings	DU/Building	# Total DU	Building Gross SF*	Total Building Gross SF
3- Story Townhouse	3-Plex	3	3 DU	9 DU	8,303 SF	24,909 SF
	4-Plex	2	4 DU	8 DU	10,887 SF	21,774 SF
	5-Plex	11	5 DU	55 DU	13,239 SF	145,629 SF
	6-Plex	7	6 DU	42 DU	15,823 SF	110,761 SF
	7-plex	5	7 DU	35 DU	18,407 SF	92,035 SF
	Subtotal			**149 DU**		**395,108 SF**
4-Story Condominium	6-Plex	3	6 DU	18 DU	15,462 SF	46,386 SF
	8-Plex	12	8 DU	96 DU	20,309 SF	243,708 SF
	Subtotal			**114 DU**		**290,094 SF**
Single Family Detached	Plan 1	7	1 DU	7 DU	2,505 SF	17,535 SF
	Plan 2	10	1 DU	10 DU	2,588 SF	25,880 SF
	Plan 3	4	1 DU	4 DU	2,772 SF	11,088 SF
	Plan 3X	6	1 DU	6 DU	2,772 SF	16,632 SF
	Subtotal			**27 DU**		**54,503 SF**
CURRENT 1/16/2024 **SB330 Submittal**	**TOTAL**			**290 DU**		**739,705 SF**

[1] Although mapped as condominiums, the attached units are designed to read as individual townhomes. Accordingly, this memorandum refers to the three- and four-story units as "townhomes".

[2] The General Plan and zoning designations shown are those in effect on April 18, 2023, when the City received the project's SB 330 preliminary application. Under the current 2040 General Plan, three parcels are designated High Density Mixed-Use and one parcel remains Research and Development; current zoning is High Density Mixed-Use on those same three parcels and Planned Development (P-D) on the remaining parcel.

DISCUSSION

Scope of Review: As noted above, the project is subject to the regulations in effect on April 18, 2023, including the applicable policies of the prior General Plan and the Zoning Code as it existed at that time. Consequently, the project is not subject to the subsequently adopted *Multi-Family Development and Design Standards*. Instead, the Site and Architectural Review Committee's (SARC) review is governed by the former P-D (Planned Development) zoning regulations and the now defunct 1994 *Design Guidelines for Low-Medium Density Residential Developments*.

Unlike conventional zoning districts, the former P-D regulations established no objective development standards and instead relied on the traditional discretionary review process, and consideration of applicable design guidelines. The 1994 *Design Guidelines* similarly provided largely subjective guidance, and therefore have limited applicability under the Housing Accountability Act. Nonetheless, the former P-D regulations directed the SARC and the City's decision-making bodies to consider site circulation, landscaping, and structure and site layout. These considerations include the general silhouette and mass of the development in relation to the surrounding neighborhood, exterior design in relation to adjoining structures, and compatibility with adjacent uses. Accordingly, the discussion below is organized around these considerations, including site layout and circulation, structure design, landscaping, and related site improvements.

Potential Revisions: While the application was filed by Bay West Development, the property owner and Bay West are in contract with another developer, Brookfield Residential, who would undertake construction of the project following approval. They are considering revisions to the architectural design presented in this memorandum. If timing allows, Brookfield may present preliminary design concepts at the SARC meeting for feedback. The City has historically allowed architectural refinements to approved projects to be approved by the Community Development Director, provided the revisions do not increase the size of any building or substantially change the site layout. Revisions beyond this scope would typically require approval by the original decision-making body.

Site Layout: The proposed development is organized by building type across the approximately 17-acre site. Fifteen four-story townhome buildings are located within the northern and central portions of the site, nearest to Highway 17. Twenty-eight three-story townhome buildings occupy the remaining interior portions of the site, while 27 two-story detached homes are located along the easterly boundary neighboring the Paseo de Palomas mobile home community. Common landscaped and recreational areas are placed among the attached residential buildings. This arrangement places the taller and higher-density buildings toward the freeway and transitions to lower-scale detached homes along Paseo de Palomas.



Circulation and Access: Vehicular access is provided by three entrances from Campbell Technology Parkway that together connect the project site to the broader street network by way of E McGlincy Lane. The entrances connect to an interconnected system of internal streets and drive aisles. The circulation network forms a series of loops through the northern and central portions of the development, with an east-west street extending across the southern portion of the site. Residential garages are accessed from the internal drive aisles, with additional surface parking distributed throughout the development. A secondary emergency vehicle access is provided through an existing easement extending through the Paseo de Palomas community to Union Avenue.

As depicted below, a network of sidewalks and pedestrian paths extends throughout the site which connect the residential buildings to parking areas, common open spaces, recreational amenities, and the Campbell Technology Parkway frontage near Edith Morley Park. The main walkways stretch through the central and southern portions of the development, with smaller walkways passing between buildings to reach individual unit entrances. Marked crossings are provided where the pedestrian routes cross drive aisles. A crosswalk to Edith Morley Park will also be provided.



Structure Design: As noted, the project includes three-story and four-story townhomes, as well as detached single-family homes. Although differing in scale, height, and form, the buildings share a contemporary architectural character through coordinated use of stucco, fiber-cement siding, wood-look siding, metal accents, and neutral and earth-tone color palettes. Consistent with the former Planned Development regulations, the discussion below considers each building type's massing, design, and material composition.

Four-Story Townhomes



The four-story townhome buildings are presented in six-unit and eight-unit configurations. They feature a contemporary architectural design characterized by parapeted rooflines, rectilinear forms, and varied wall planes. The longer elevations are broken up into smaller vertical bays through use of varied wall depth, changes in materials and colors, and variations in parapet height. Individual units are further differentiated by street-facing entrances, raised stoops, balconies, metal railings, and vertically grouped windows.

The plans reflect two coordinated color and material schemes. The first combines light-gray stucco with blue, gray, and brown accents and painted horizontal lap siding. The second reflects a mix of warm-gray and off-white stucco with light and dark wood-look siding. Both styles incorporate metal railings and screens, varied accent colors at entrances, and neutral-toned garage doors. The building offsets, balconies, material changes, and differentiated entrances provide depth and variation across the façades to maintain a consistent character.

Three-Story Townhomes



The three-story townhomes come in a wide range of row sizes, from three to seven units per row. These buildings would continue the project's contemporary architectural character through parapeted rooflines, rectilinear forms, and a series of projecting and recessed wall planes. Individual units would read as distinct vertical bays through alternating colors and materials, projecting upper-story elements, and vertical siding components. Ground-floor entrances face walkways and are defined by entry canopies, accent siding, and individual door colors. Some units also incorporate upper-level balconies with metal railings.

Two coordinated color and material schemes are proposed. The first style uses light and dark gray stucco with blue-gray and brown accents and reddish-brown or charcoal wood-look siding. The second style reflects a warmer palette of cream, sage, olive, and dark brown with lighter natural wood tones. Exterior materials include stucco, fiber-cement board-and-batten and lap siding, wood-look siding, vinyl-framed windows, metal railings, and composition-shingle roofing. The alternating unit bays, vertical accents, and varied material treatments break up the longer buildings and provide visual distinction among individual units.

Detached Single-Family Homes



The 27 detached single-family homes consist of three base floor plans, with three architectural elevation styles. Each two-story home includes an attached garage and a main entry defined by a covered porch or canopy and contrasting materials. Ten homes include an optional accessory dwelling unit (ADU) configuration consistent with the City's "ADU Ready" policy. The elevations range from contemporary designs with low-sloped and shed roof elements to more traditional forms with intersecting gable roofs. Variations in roof form, second-story projections, window placement, entry treatment, and garage configuration distinguish the individual plans and elevations.

Exterior materials vary by elevation and include stucco, fiber-cement lap and board-and-batten siding, wood-look siding, stone veneer, composition-shingle roofing, and limited standing-seam metal roofing. The homes use palettes of white, gray, brown, beige, blue, and green, with contrasting entry and garage doors. The combination of multiple elevation styles and varied material palettes reduces repetition, while their two-story height and residential roof forms provide a lower-scale transition along the boundary with Paseo de Palomas.

Landscaping: The landscape plan includes property line planting, trees, common open spaces, and bioretention areas. Trees, shrubs, and groundcover would be provided along the site boundaries, internal streets, building frontages, parking areas, and pedestrian paseos. Continuous tree planting would line the principal internal streets and southern edge of the development, with additional landscaping along Highway 17, Campbell Technology Parkway, Edith Morley Park, and Paseo de Palomas. The project would remove 116 existing trees that would conflict with new buildings and improvements, most of which are located around the site perimeter. Replacement trees would be provided in accordance with the City's Tree Preservation Ordinance.

Common Areas: Given the site's proximity to Edith Morley Park, the project provides a reasonable amount of on-site common recreational and gathering space. These areas are distributed within the attached residential portions of the project and include a children's play area with an adjoining plaza and benches, as well as outdoor seating and covered dining areas with pedestrian paving and string lighting. Specimen trees, flowering tree alleys, and ornamental planting would define these spaces and distinguish them from the surrounding residential walkways.





Fencing and Walls: The project incorporates several fence and wall types. An eight-foot-high precast wall would extend along the Highway 17 boundary. Six-foot-high precast walls would be provided along the boundary adjoining Paseo de Palomas and at portions of the eastern and northwestern property lines. The detached single-family lots would have six-foot-high wood good-neighbor fences that define each individual private yards.

Lighting: The lighting plan includes building-mounted fixtures and freestanding site lights. Various wall fixtures would illuminate entrances, garages, and walkways. Fourteen-foot poles and 20-foot poles would serve the drive aisles, larger parking areas, and common open spaces. Lower-output fixtures would provide supplemental lighting within pedestrian areas. The lighting plan generally follows the site's vehicular and pedestrian circulation network, with higher levels at intersections, pedestrian crossings, building entrances, parking areas, and lower levels along lighting along pedestrian walkways. The photometric plan shows average illumination tapering off toward the site perimeter to limit spillover onto neighboring properties.

CONCLUSION

The proposed development is designed as a cohesive residential community, with taller buildings concentrated near Highway 17 and lower-scale homes along Paseo de Palomas. Connected streets and walkways, common areas, landscaping, fencing, and lighting help tie the site together and provide transitions to surrounding properties. The three building types share a contemporary design while using changes in form, materials, colors, and individual unit details to create variety.

Aside from the limited requirement in the 1994 *Design Guidelines* discussed above, no objective design standards apply to the project. SARC's discretion to seek changes to the proposed design is therefore narrowly constrained. Accordingly, staff recommends that the SARC forward a recommendation of approval of the project to the Planning Commission, as presented.

CAPITAL PROJECT

Project #:	26-JJ	**Funding Type:**	New
Program #:	730	**Useful Life:**	20 years
Department:	Public Works		
Category:	Streets & Signals	**Total Appropriation:**	$ 1,007,500
		Encumbrance:	$ -

Project Title: **SR 17/San Tomas/Camden/White Oaks Improvements**

Project Description

To improve traffic operations and safety, implement the following: northbound SR17 off-ramp improvements to include signal at White Oaks with interconnect at San Tomas/Camden/White Oaks signal and lane reconfigurations. The project is included on the Valley Transportation Authority (VTA) Valley Transportation Plan 2040 (VTP 2040) Highway Project List for $1 million in anticipated future grant funds through the VTA Measure B program. The preliminary design effort will prepare the project to apply for additional grant funding. The current local funding of $7,500 is through developer contributions collected. Local contribution requirement is estimated at $200,000.

Relationship to Strategic Goals, Objectives, and Action Strategies

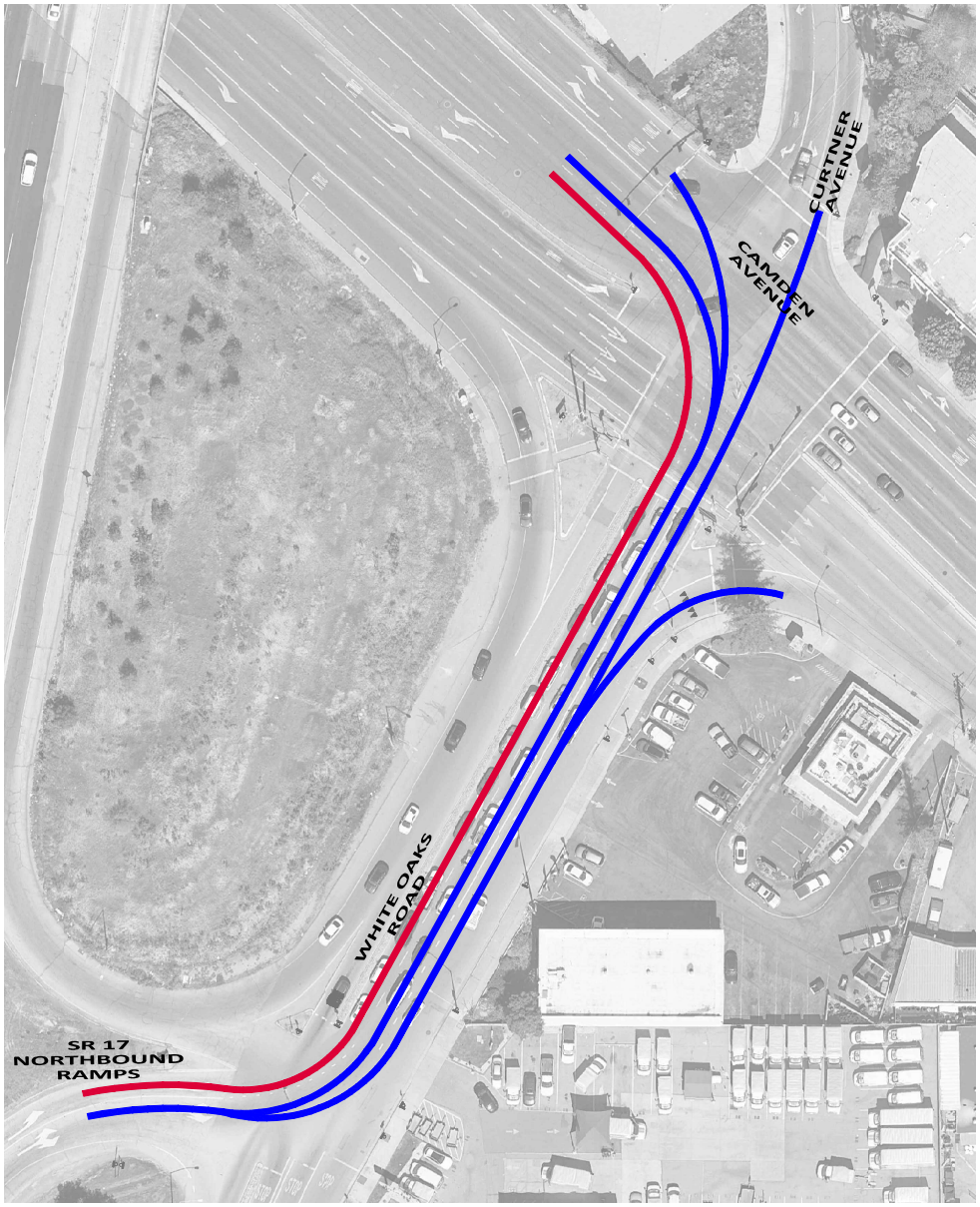
This project will address Strategic Plan Objectives 3.5 - Regional improvements that meet the transportation needs of Campbell residents and businesses; 3.6 - Streets that serve the needs of adjacent land uses; and 3.7 - Streets that operates efficiently and effectively.

Alternatives

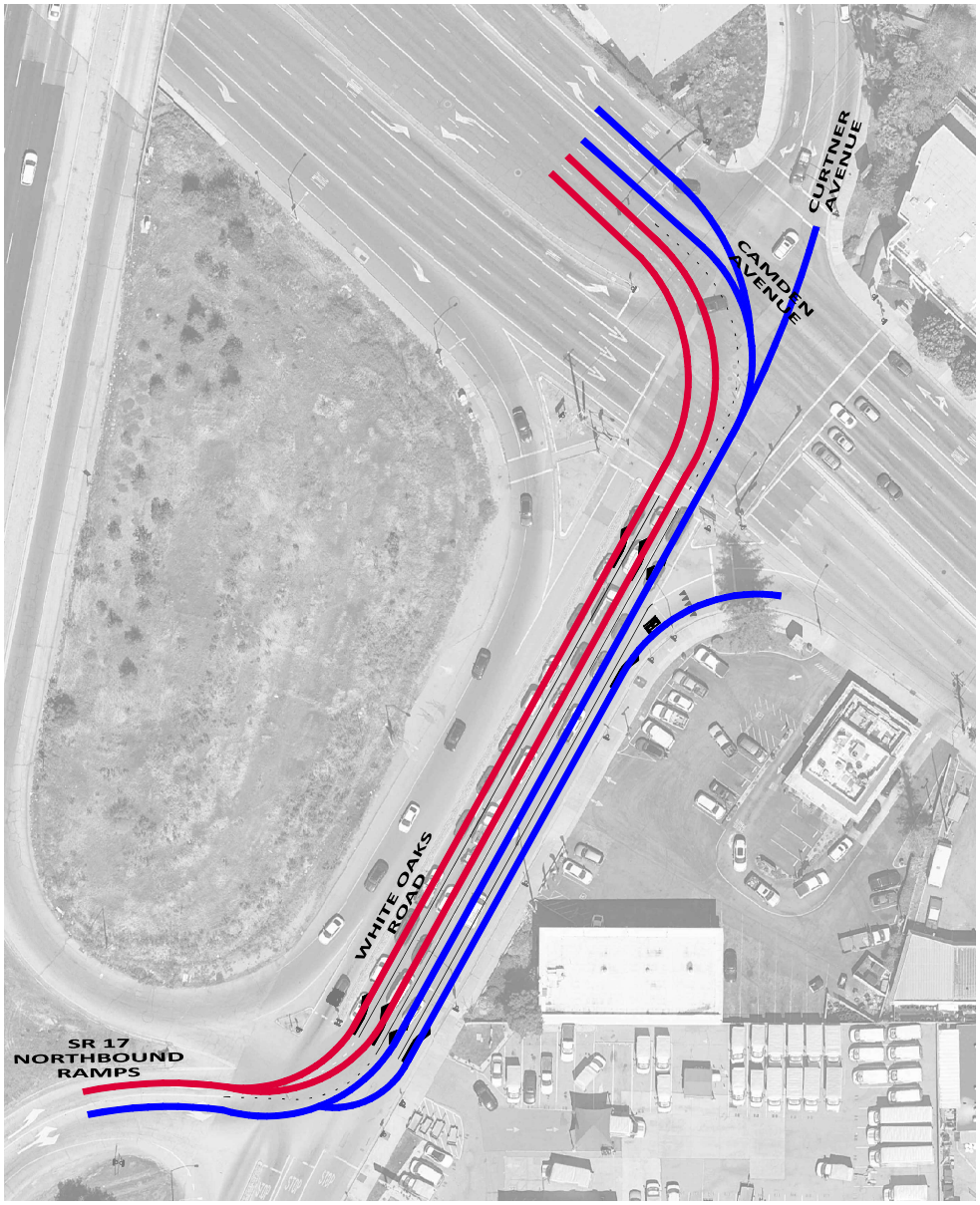
1. Defer implementing project.

Source	Carryover	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Total
Grants - Measure B	$ -	$ -	$ -	$ -	$ -	$ 1,000,000	$ 1,000,000
Private (Developer)	-	-	-	-	-	7,500	7,500
TOTAL	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 1,007,500**	**$ 1,007,500**

Project Manager: Amy Olay, City Engineer



EXISTING OPERATION



PROPOSED OPERATION

SR 17 NB OFF-RAMP NO. 1 LANE MOVEMENT OPTIONS

SR 17 NB OFF-RAMP NO. 2 LANE MOVEMENT OPTIONS

GRAPHIC SCALE

30 0 10 20 30 60 120

1 INCH = 30 FEET

Subject: Re: Campbell Tech Park Project Draft EIR
Date: Wednesday, September 23, 2026 at 12:31:08 PM Pacific Daylight Time
From: TONY CLEMENTS <ttuba@comcast.net>
To: Rob Eastwood <RobE@campbellca.gov>
CC: Terry Hines <terryh@campbellca.gov>, Daniel Fama <danielf@campbellca.gov>, Brian Loventhal <brianl@campbellca.gov>, techparkproject <techparkproject@campbellca.gov>

THANK YOU.

I read all of that in the 2,800-plus-page report. What I did not find was any specific information identifying who conducted the study, what methodology was used, or what the actual results were. The only conclusion I found was the vague statement that there was "no significant impact."

I found no detailed procedure addressing or disproving my claims, no supporting data, and no actual report explaining how that conclusion was reached. Instead, it reads like a dismissive response from a system more interested in protecting its own power and financial interests than in providing transparency or accountability.

TONY CLEMENTS
ttuba@comcast.net

Subject: Campbell Technology Park Project
Date: Friday, September 25, 2026 at 8:58:07 AM Pacific Daylight Time
From: John Varni <john.varni@comcast.net>
To: Terry Hines <terryh@campbellca.gov>

[You don't often get email from john.varni@comcast.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Terry,
At the meeting on Monday, I would like to hear how the city plans to handle the traffic from 290 housing units (close to 600 vehicles). Anyone trying to get to 17 or San Tomas will follow McGlincy to Curtner. The traffic on Curtner already backs up badly (from Camden to McGlincy and further down Curtner) in the mornings. I can't even imagine hundreds of more cars clogging that corridor. Any traffic currently generated by the existing office buildings is counter commute so it doesn't directly add to the commute traffic. Placing 290 high density housing units tucked back in a corner with only 1 small street (McGlincy) as access just doesn't make sense.

Regards,

John Varni
965 Norin Ct.
Campbell

Subject: Campbell Technology Park Housing Project
Date: Monday, September 28, 2026 at 4:38:10 PM Pacific Daylight Time
From: Kevin Crane <kgcrane@gmail.com>
To: Terry Hines <terryh@campbellca.gov>

You don't often get email from kgcrane@gmail.com. Learn why this is important

Hi Terry,

I am a neighbor who lives near this project. I am concerned about the impact on the San Tomas/17th interchange. This interchange is already beyond congestion. There are already other high density apartments going up in the area. Not to mention the Union/Camden project at some point. Your study in the report is 4 years old. A lot has changed. As 2022 is to close to the Covid years of traffic pattern where many of us worked from home.

Based on this, can we lower the density of this project based on impact to surrounding traffic?

Thanks,
Kevin

HAS THE TRAFFIC IMPACT ON:

BASCOM AVE

UNION AVE

CURTNER AVE

HELLYER AVE

CAMPBELL AVE

NEAR PRUNEYARD

BEEN CONSITERED

how much recreation / open space use would be loss from the development.

- what nearby improvements is the city going to do for the community

Traffic study is too old. Covid, working from home still going on. Plus New apartments on Bascom.

How many of the existing units already up are rented or sold?

- where is traffic counting for? which streets?
- includes deliveries? from traffic study
- what triggers threshold? traffic (you said it was small)
- builders remedy?
- what are the mitigation measures for construction?
- what is being done to increase public parks to citizens for Campbell village
- what measures are ~~[illegible]~~ taken to increase fire, police, EMTs to serve extra populations?

How about other companies have there workers drop off there at EMPARK all day so there is no parking from 8 AM - 5 PM on M-F

Has city considered changing the street parking at Edith Morely park on street from parallel to perpendicular? This may make it more accessable

sorry for spellings

How much time have planners actually spent on McGlincy Ave to know how traffic flows & accident potential

Number of Roosevelt in present area

Final EIR

~~Will a~~

Are any mitigation measures included for Campbell Village neighborhood.

All four gentlemen seemed true and kind. So it hurts to see this project wrong & this project happens, I hope you are able to stay with the Lord to Blessings

As someone who has used the existing crosswalk - The current intersection with only a stop sign seems will not be sufficient with more cars.
DID the EIR Consider a stop light @ McGlincy?
ALSO trucks unload & block traffic
Daily - how will cars get by?

Will there be sidewalks on Curtner between Campbell Tech Parkway and Camden? Right now cars park on curb + pedestrians are in the roads.

WILL THE BUILDER BE RESPONSIBLE FOR PROVIDING A WALL BETWEEN THE DEVELOPMENT AND PASEO DE PALOMAS

How many parking spots have been allocated in the plan For the 290 units - IE
27 Homes
149 units accross 28 buildings
114 units accross 15 buildings
Is there on street parking

How did the EIR conclude that 1000 parking spots are available?

Topical Response No. 8 VMT Analysis states "The Down town Campbell Light Rail station is located in the Vicinity of more than 1000 parking spaces that are available for use."

When will a second road be opened in and out of the development?

— Joe Burman —

① Flawed TRAFFIC Study
* many more Businesses + workers since Jan. 2024.

② Campbell TECH Parkway & E. McGlincy will Become a chockpoint for Traffic at Rush Hour.

③ Need Paseo de Palomas TO Be open For this TO work.

Will there still be available parking for the park?

Builds Remedy date
April 19 or 18.
by Campbell
Housing
approved April 18

Why wasn't Union Pacific included in Survey?

will the trees along the wall separating Paseo de Palomas and "tech center" be left or cut down?
Removed ↑

The EIR references a possible future pedestrian and bicycle bridge over SR 17. TRANS 1 reserves an ~~easement~~ only. Is there an actual plan for that bridge and will the City require the developer to fund its construction as a condition of approval?

The EVA identified in the EIR is ~~blocked~~ blocked by a power pole. There is not an existing unobstructed access to the CTP project from Paseo de Paloma Ln. Will the City confirm appropriate and adequate access before certifying the EIR?

- Has the city decided on a final configuration of the site?
- What would be the speed limit for the development?
- What public and open space alternatives for the development?

MEMORANDUM

Community Development Department
Planning Division

To: Chair Fields and Planning Commissioners **Date**: October 13, 2026

From: Daniel Fama, Senior Planner

Via: Rob Eastwood, Community Development Director

Subject: Campbell Technology Park Correspondence

The City has received additional correspondence concerning the Campbell Technology Park Project that was either not included in the published Planning Commission agenda packet or received after its publication. The correspondence is provided for the Commission's consideration and summarized below. Staff has reviewed these communications and determined that they do not warrant revisions to the Final Environmental Impact Report (FEIR), identify significant new information requiring recirculation of the EIR pursuant to CEQA Guidelines Section 15088.5, or necessitate changes to the recommended conditions of approval.

- **Amah Mutsun Tribal Band of San Jaun Bautista:** The Tribe provided recommendations concerning cultural sensitivity training, archaeological monitoring, procedures for the discovery of cultural resources, and treatment of human remains. As discussed in the staff report regarding the Muwekma Ohlone Tribe, Mitigation Measures CUL-1 through CUL-3 establish requirements for cultural sensitivity training, archaeological resource discovery procedures, and protection of cultural resources and human remains encountered during construction. These measures address the potential impacts underlying the Tribe's recommendations and reduce identified impacts to a less-than-significant level. Prior to construction, an Archaeological Monitoring Plan will be prepared pursuant to Mitigation Measure CUL-1, during which the City may consult with the Tribe to consider incorporating additional recommendations, as appropriate.

- **Pacific Gas and Electric (PG&E):** PG&E provided its standard plan review correspondence and general requirements for development near existing gas and electric facilities. PG&E indicated that its project-specific review remains underway and that any necessary coordination concerning utility facilities and easements will occur through its established review process. The correspondence does not identify a specific environmental impact or conflict associated with the proposed project.

- **California Housing Defense Fund (CalHDF):** CalHDF submitted a letter expressing support for the proposed development and emphasizing the City's obligations under the Housing Accountability Act, including the project's Builder's Remedy protections. The correspondence does not identify additional environmental issues requiring analysis.

- **West Valley Construction Company (WVCC)**: The City received an October 9, 2026, letter from the law firm Atkinson, Andelson, Loya, Ruud & Romo on behalf of West Valley Construction Company (WVCC). The letter largely reiterates concerns previously submitted by WVCC and addressed in the FEIR, with additional discussion concerning emergency vehicle access. Staff provides the following supplemental responses to clarify the administrative record.

Emergency Vehicle Access

WVCC questions the legal sufficiency and physical functionality of the existing emergency vehicle access (EVA) easement through Paseo de Palomas. As explained in FEIR Topical Response No. 6 (pages 2-15 to 2-16), the proposed project would utilize an existing easement recorded on June 2, 1999, as Santa Clara County Document No. 14840764. The recorded instrument expressly grants the City of Campbell an easement for access by emergency vehicles, stating that "Paseo De Palomas, Inc., a California corporation, hereby GRANT(s) to the City of Campbell, a municipal corporation, of the County of Santa Clara, State of California, an easement for access for emergency vehicles only…":

GRANT OF EASEMENT FOR DRAINAGE PURPOSES AND ACCESS FOR EMERGENCY VEHICLES ONLY

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Paseo De Palomas, Inc., a California corporation,

hereby GRANT(s) to the City of Campbell, a municipal corporation, of the County of Santa Clara, State of California, an easement for access for emergency vehicles only and an easement for drainage purposes to build and maintain an underground pipeline, and necessary devices and appurtenances, over, under, along and across, all of that certain real property within said City and more particularly described as follows:

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

The accompanying legal description and plat identify an approximately 30-foot-wide easement extending along Paseo de Palomas Lane from Union Avenue to the project site. This corridor coincides with the existing private two-way paved roadway serving as the primary entrance to the Paseo de Palomas mobile home community, which is regularly accessible to emergency service vehicles.

The Santa Clara County Fire Department, which provides fire protection services to Campbell pursuant to a contractual agreement with the City, is the responsible authority for determining compliance with applicable fire access requirements. Under this arrangement, the Fire Department provides fire protection and emergency response services on the City's behalf, including operating from two City-owned fire stations. Similarly, the existing emergency vehicle access easement is held by the City for the purpose of providing emergency access, a function carried out by the Fire Department as the City's contracted fire protection provider. The fact that the City, rather than the Fire Department, is the recorded grantee does not, by itself, preclude the Fire Department from utilizing the easement for emergency response as the Fire Department is acting on the City's behalf.

Fire Department Standard A-1, Section V.C (Easements), expressly permits secondary emergency access through private-property easements when "specifically approved by the Fire Code Official". In its November 18, 2024, Developmental Review Comment Sheet (Plan Review No. 24-4733), the Fire Department approved the proposed project plans and specifically acknowledged the documentation provided for the existing Paseo de Palomas emergency access easement. This approval, as contained in the administrative record, constitutes substantial evidence that the proposed secondary emergency access arrangement satisfies the Fire Department's applicable requirements.

In evaluating the project under CEQA, the City may rely upon the technical determination of the responsible fire protection authority. Following detailed review of the comment, staff finds no evidentiary basis to question the approval of the Fire Department and concludes the Department's approval is entitled to deference in light of its specialized expertise and the evidence in the administrative record.

WVCC also identifies existing utility infrastructure, fencing, and a gate near the proposed emergency access connection. These photographs depict existing conditions rather than the proposed development. As explained in the staff report (response to Community Question No. 5), the application materials provide for the removal of the existing PG&E pole and guy wire and their replacement with underground electrical service within a new joint trench, as separately confirmed by the project's engineering team. These improvements are incorporated into the proposed development and would be completed during project construction. CEQA does not require that proposed project improvements be physically constructed before certification of the EIR. The environmental analysis evaluates the project as proposed, including the improvements necessary for its operation.

The project plans identify an emergency vehicle access connection at Paseo de Palomas Lane. Although the Existing Boundary and Demolition Plan (Sheet TM-2.1) depicts an existing gate and gate posts at this location, the gate is not identified for retention on any other plan sheet. Should the applicant propose to install a gate at this location, Fire Department review and approval would be required. Final grading, site improvement, and fire access plans will undergo further Fire Department review during the standard post-entitlement permitting process to verify compliance with applicable Fire Code requirements, including unobstructed emergency vehicle access. The required access must be established in accordance with the approved plans and applicable Fire Department requirements before occupancy.

Accordingly, the FEIR's emergency access determination is supported by the existing recorded easement, the physical characteristics of the established access roadway, the proposed project improvements, and the Fire Department's review and approval of the proposed access configuration. With implementation of the required improvements and continued verification of compliance through the permitting process, the supplemental comments do not establish that the project would result in inadequate emergency access.

Other Environmental Comments

The remaining comments from the WVCC letter largely reiterate issues previously addressed in the FEIR, as summarized below:

- *Pedestrian and Bicycle Safety*: Topical Response No. 2 (pages 2-8 to 2-11) evaluates existing roadway conditions, truck activity, pedestrian and bicycle trip generation, and collision history. The FEIR acknowledges and corrects the reported collision data from one to five collisions during the study period, and concludes that the corrected information does not change the identified potential impacts or significance determinations. Mitigation Measure TRANS-1 addresses the project's potential pedestrian circulation impact through specified pedestrian improvements.

- *Industrial Compatibility and Indirect Environmental Effects*: FEIR Topical Responses Nos. 3 and 5 (pages 2-11 to 2-15) address potential conflicts with surrounding industrial operations and explain why the asserted displacement of existing businesses and associated indirect

environmental effects are not supported by substantial evidence demonstrating reasonably foreseeable physical impacts.

- *Alternative Site Access*: FEIR Topical Response No. 4 (pages 2-12 to 2-13) addresses the potential for additional vehicular access through Paseo de Palomas. The FEIR distinguishes the existing easement for emergency vehicle access from the property rights necessary for general vehicular access and explains why an additional connection is not required under CEQA.

- *State Route 17 Pedestrian Bridge*: Responses to Comments CL-WVCC-20 and CL-WVCC-21 (pages 2-54 to 2-56) clarify that the potential pedestrian bridge is a separate, conceptual improvement and that the EIR does not rely upon its construction to support its environmental conclusions. The FEIR further explains that construction of the bridge is not necessary to mitigate the project's potential pedestrian circulation impact, which is addressed through other components of Mitigation Measure TRANS-1.

- *Vehicle Miles Traveled (VMT)*: FEIR Topical Response No. 8 (pages 2-18 to 2-20), Draft EIR Section 3.7.3 (page 3-162), and the corresponding FEIR revisions (pages 3-83 to 3-84) explain the project's eligibility for transit-based VMT screening under the City's adopted VMT Policy. The EIR applies a straight-line distance measurement, consistent with the geographic measurement approach reflected in HCD's November 17, 2023, technical assistance guidance concerning transit proximity under AB 2097. The FEIR explains that a pedestrian path-of-travel measurement is not required under the City's policy or CEQA Guidelines Section 15064.3 (page 2-19).

  The analysis also recognizes that the project is subject to the deemed-consistency provisions of AB 1893 (Government Code Section 65589.5(f)(6)(D)(iii)), which provide that qualifying Builder’s Remedy projects shall be deemed "consistent, compliant, and in conformity" with applicable plans, programs, policies, ordinances, standards, requirements, redevelopment plans, and implementing instruments *for all purposes.* Because the applicant has elected to apply these provisions, the City must treat the project as consistent with its General Plan and zoning regulations, notwithstanding the site's underlying Research and Development designation. This statutory determination satisfies the General Plan consistency component of the City's transit-based VMT screening criteria. Accordingly, together with the project's qualifying proximity to the Winchester Light Rail Station, the EIR concludes that the project meets the adopted screening criteria and is presumed to have a less-than-significant VMT impact.

- *Mitigation and Conditions of Approval*: The project's identified environmental mitigation measures, including Mitigation Measure TRANS-1, are incorporated into the Mitigation Monitoring and Reporting Program (MMRP). Other required access, circulation, and infrastructure improvements are addressed through the project plans and proposed conditions of approval. These requirements provide enforceable mechanisms for implementing the mitigations evaluated in the EIR. The MMRP has also been made available for public review as part of the Planning Commission's hearing materials posted online at the City’s website.

CEQA Recirculation

Staff has reviewed the supplemental comments and determined that recirculation of the EIR is not required under CEQA Guidelines Section 15088.5. The comments primarily reiterate or elaborate upon environmental issues previously evaluated in the Draft EIR and addressed in the FEIR. To the extent the comments contain new information, such information does not disclose any new significant environmental effects, a substantial increase in the severity of previously identified impacts, or other significant new information requiring recirculation. The FEIR, together with this memorandum, constitutes a good-faith effort at full disclosure and provides the information necessary for informed decision-making. Accordingly, staff concludes that recirculation of the EIR is not required.

Enclosures

1. Amah Mutsun Tribal Band of San Jaun Bautista Email and Attachments
2. Pacific Gas and Electric (PG&E) Email and Attachments
3. California Housing Defense Fund (CalHDF) Letter
4. Atkinson, Andelson, Loya, Ruud & Romo Letter

Daniel Fama

From: Amah Mutsun Tribal <irennezwierlein@gmail.com>
Sent: Wednesday, September 23, 2026 1:15 PM
To: Planning Division
Subject: Re: Campbell Tech Park Project Final EIR and Response to Comments Available
Attachments: General Recommendations (1) (1) (1) (1).pdf; 2026 Rate sheet W Insurance Cert.pdf

You don't often get email from irennezwierlein@gmail.com. Learn why this is important

WARNING: This email originated from an external sender! Please do not open attachments or click on links unless you are certain it is legitimate.

Hello and Good Afternoon,

Thank you for the information on the proposed project, and please see the attached documents with our recommendations. If you have any questions about the attached documents or would like to schedule a consultation with us, please give us a call at 916-730-9468 or email us at amtbinc21@gmail.com.

Thank you,

Lorelei Alli

Provisions to Address Discovery of a Tribal Cultural Resource During Construction

Tribal Cultural Resources Sensitivity Training. The project sponsor, in consultation with any Cultural Resources Team if one is available, shall retain the services of an Ohlone Native American representative and/or archeological consultant from the Qualified List of Archaeological Consultants to provide cultural sensitivity and archeological awareness training to all work crews who will be involved in ground disturbing activities at the project site. The training shall inform all project contractors, subcontractors and work crew members to be on the alert for evidence of the presence of potential tribal cultural resource(s), of how to identify the evidence of such a resource(s), and of stop work, resource protection, and notification requirements in the event of suspected discovery of a tribal cultural resource by construction crew members.

Stop Work and Notification Upon Discovery. Should any indication of a tribal cultural resource be encountered during any soils-disturbing activity of the project, the project Head Foreperson and/or project sponsor shall immediately notify tribe and shall immediately suspend any soils-disturbing activities in the vicinity of the discovery until the Cultural Monitor and a qualified archeological consultant from the Qualified Archeological Consultants List have assessed the find and the respective parties have determined whether and what additional measures should be undertaken.

Preservation in Place. In the event of the discovery of a tribal cultural resource, the cultural resource team (if one is present on job), the project sponsor, the archeological consultant, and the Ohlone representative shall consult to determine whether preservation in place would be feasible and effective in preserving the values represented by the resource. The archeological consultant, in consultation with the Ohlone representative, shall document the find to current professional standards. The tribe may also require that the project sponsor immediately implement a site security program if the resource is at risk from vandalism, looting, or other damaging actions.

If it is determined that preservation-in-place of the tribal cultural resource would be both feasible and effective, the archeological consultant shall prepare a Resource Preservation Plan (RPP) in consultation with the Ohlone representative, for review, which shall be implemented by the project sponsor during construction.

If it is determined that preservation in place would not be feasible or effective, then archeological assessment and treatment shall be implemented and in consultation with the Ohlone representative, as detailed below.

Archeological Treatment. If it is determined, in consultation with the Ohlone representative and the project sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option to preserve the values represented by the resource, then the archeological consultant, in consultation with the Ohlone representative, shall conduct archeological assessment to determine

the significance of the find and determine whether it retains sufficient integrity to warrant additional treatment. If the tribal cultural resource is determined to be a significant archeological resource, the archeological consultant, in consultation with the Ohlone representative, shall recommend appropriate archeological treatment to preserve the data and values of the tribal cultural resource, which may include archeological data recovery. Data recovery shall be implemented in consultation with the Ohlone representative and shall include appropriate analyses and reporting. If an archeological interpretive, monitoring, and/or testing program is required, it shall be consistent with Standard guidelines for such programs and shall be implemented immediately.

Human Remains and Funerary Objects. The treatment of any human remains, and funerary objects discovered during any soils disturbing activity shall comply with applicable State laws, including Section 7050.5 of the Health and Safety Code and Public Resources Code 5097.98. If human remains or suspected human remains are encountered during construction, the contractor and project sponsor shall ensure that ground-disturbing work within 50 feet of the remains is halted immediately and shall arrange for the protection in place of the remains until appropriate treatment and disposition have been agreed upon and implemented in accordance with this section. The project sponsor shall immediately notify the Medical Examiner of the County in which the job resides and the Tribe of the find. In the event of the Medical Examiner's determination that the human remains are Native American in origin, the Medical Examiner will notify the California State Native American Heritage Commission (NAHC) within 24 hours and all provisions of Public Resources Code 5097.98 will be followed.

Interpretive Program. If it is determined, in consultation with Ohlone representative and the project sponsor, determines that preservation-in-place of the tribal cultural resource is not a sufficient or feasible option, the project sponsor, in consultation with local Native American representatives, shall prepare a Cultural Resources Public Interpretation Plan (CRPIP) to guide the interpretive program. The CRPIP shall be submitted for review and approval prior to implementation of the program. The interpretive program may but is not limited to artist installations, preferably by local Native American artists, oral histories with local Native Americans, cultural displays, educational panels, or other interpretive elements agreed upon by the sponsor, and Ohlone Native American representatives, and shall include an on-site acknowledgement that the project is built on traditional Ohlone land. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. Upon approval of the CRPIP and prior to project occupancy, the interpretive program shall be implemented by the project sponsor. The project sponsor shall work with the tribal representative to identify the scope of work by the tribal representative to fulfill the requirements of this mitigation measure, which may include participation in preparation and review of deliverables (e.g., plans, interpretive materials, artwork). Tribal representatives shall be compensated for their work as identified in the agreed upon scope of work.

Amah Mutsun Tribal Band of San Juan Bautista
&
AMTB

2451 Tyrolean Way, Sacramento CA 95821

Our rates for 2026 are

$200.00 per hour.

4 hours minimum

Cancellations not 48 hours (about 2 days) prior will be charged as a 4-hour minimum. There is a round trip mileage charge if canceled after they have traveled to site.

Anything over 8 hours a day is charged as time and a half.

Weekends are charged at time and a half.

Holidays are charged at double the time.

For fiscal year (FY) 2026, standard per diem rate of $425. ($333. lodging, $92 M&IE).

M&IE Breakdown FY 2026

M&IE Total	Continental Breakfast/ Breakfast	Lunch	Dinner	Incidental Expenses	First & Last Day of Travel
$92.00	$23.00	$26.00	$38.00	$5.00	$69.00

Beginning 2026, the standard mileage rates for the use of a car round trip (also vans, pickups or panel trucks) will be: $.70 cents per mile driven for business use or what the current federal standard is at the time.

Our Payment terms are 5 days from date on invoice.

Our Monitors are Members of the Amah Mutsun Tribal Band of Mission San Juan Bautista.

If you have any questions, please feel free to contact the A.M.T.B. Inc. at the below contact information.

Sincerely,

Irenne Zwierlein

Irenne Zwierlein

2451 Tyrolean Way, Sacramento CA 95821
amtbinc21@gmail.com

(916)730-9468

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 03/06/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATIONIS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER AUTO DATA PROCESSING INS AGCYINC 76250717 71 HANOVER ROAD FLORHAM PARK NJ 07932	**CONTACT NAME:** **PHONE (A/C, No, Ext):** (800) 524-7024 **FAX (A/C, No):** (800) 524-4013 **E-MAIL ADDRESS:**
INSURED AMTB LLC 2451 TYROLEAN WAY SACRAMENTO CA 95821-4809	**INSURER(S) AFFORDING COVERAGE** — **NAIC#** **INSURER A :** Hartford Underwriters Insurance Company — 30104 **INSURER B :** Hartford Casualty Insurance Company — 29424 **INSURER C :** **INSURER D :** **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED.NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/Y YY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR [X] General Liability GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC OTHER:			76 SBU BX9D7K	01/14/2026	01/14/2027	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$1,000,000 $1,000,000 $10,000 $1,000,000 $2,000,000 $2,000,000
A	**AUTOMOBILE LIABILITY** ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS [X] HIRED AUTOS [X] NON-OWNED AUTOS			76 SBU BX9D7K	01/14/2026	01/14/2027	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$1,000,000
	UMBRELLA LIAB **EXCESS LIAB** OCCUR CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE AGGREGATE	
B	**WORKERS COMPENSATION AND EMPLOYERS' LIABILITY** ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? **Y/N** **(Mandatory in NH)** If yes, describe under DESCRIPTION OF OPERATIONS below	N/ A		76 WEG BR0UU9	03/04/2026	03/04/2027	[X] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE -EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$1,000,000 $1,000,000 $1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES **(ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

Those usual to the Insured's Operations.

CERTIFICATE HOLDER

For Informational Purposes
2451 TYROLEAN WAY
SACRAMENTO CA 95821-4809

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Susan L. Castaneda

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Daniel Fama

From: PGE Plan Review <PGEPlanReview@pge.com>
Sent: Wednesday, September 23, 2026 10:41 AM
To: Daniel Fama
Cc: techparkproject; Planning Division
Subject: RE: Campbell Tech Park Project Final EIR and Response to Comments Available
Attachments: Initial_Response_Letter_09232026.pdf; PGE-Plan-Review-Step-by-Step-Guide.pdf

Some people who received this message don't often get email from pgeplanreview@pge.com. Learn why this is important

WARNING: This email originated from an external sender! Please do not open attachments or click on links unless you are certain it is legitimate.

Classification: Internal

Dear Daniel Fama,

Thank you for submitting **the Campbell Tech Park** project plans. The PG&E Plan Review Team is currently reviewing the information provided. If the project has the potential to interfere with PG&E's facilities, we will provide project-specific comments in response.

Attached, you will find general guidelines regarding work near PG&E facilities and land rights. Please ensure compliance with these requirements when conducting work in proximity to PG&E's infrastructure. Also, attached is an updated guide for our review process.

Please note that this email and its attachment do not constitute PG&E's consent to utilize any portion of PG&E's land rights for purposes not previously granted. If there are any modifications to your design, we kindly request that you resubmit the revised plans to the email address listed below to ensure accurate review and assessment.

Should you have any questions regarding our review process or require further clarification, please do not hesitate to contact the PG&E Plan Review Team at **pgeplanreview@pge.com**.

Thank you for your cooperation. We appreciate the opportunity to assist.

Best regards,

Pacific Gas and Electric Company
Plan Review Team
Email: pgeplanreview@pge.com

From: Planning Division <planning@campbellca.gov>
Sent: Tuesday, September 22, 2026 12:05 PM
Cc: techparkproject <techparkproject@campbellca.gov>; Daniel Fama <danielf@campbellca.gov>
Subject: Campbell Tech Park Project Final EIR and Response to Comments Available

Pacific Gas and Electric Company

Plan Review Team
Land Management

PGEPlanReview@pge.com

September 23, 2026

Daniel Fama
Campbell City Planning
70 N. 1st Street
Campbell, CA 95008

Ref: Gas and Electric Transmission and Distribution

Dear Daniel Fama,

Thank you for submitting the **Campbell Tech Park** project plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en/account/service-requests/building-and-renovation.html.

2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.

3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team

Land Management

Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch

wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line ‘kicker blocks’, storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E’s ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4’) in height at maturity may be planted within the easement area.

11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.

Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING."**

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), plant only low-growing shrubs under the wire zone and only grasses within the area directly below the tower. Along the border of the transmission line right-of-way, plant only small trees no taller than 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.

8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (https://www.dir.ca.gov/Title8/sb5g2.html), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

PG&E Preliminary Document and Plan Review
Step-by-Step Guide

When planning a development project, it is important that any new buildings or landscaping are located a safe distance from overhead and underground utility lines. Pacific Gas and Electric Company (PG&E) has developed the following 3-step guide to assist cities/counties, builders, and developers with ensuring preliminary plans are compatible with any PG&E electric or gas facilities in the area.

STEP 1
SUBMIT

Please send all preliminary planning documents to pgeplanreview@pge.com. Planning documents include (but may not be limited to): Engineer drawings, subdivision/tract maps, surveys.

This plan review process does not replace the application process for PG&E gas or electric service. For these requests, please submit requests on PG&E's Your Projects.

STEP 2
REVIEW

PG&E will review the planning documents to confirm:

- Plans accurately depict the location(s) of PG&E's facilities. Contact DilineationMapRequests@pge.com to obtain maps delineating PG&E's existing gas facilities. Sign up for PG&E's Joint Use Map Portal (Jump) to obtain maps delineating PG&E's existing electric facilities.
- Plans are compatible with any existing or proposed gas or electric facilities.
- Compliance with existing easements, if applicable.

STEP 3
RESPONSE

Within 45-days* of submission, PG&E will issue a response letter.

- If no impacts are identified, PG&E will provide a no impact letter, along with any requirements that must be followed when working near PG&E's facilities. If impacts are identified, PG&E will provide comments to the submitter to update and re-submit the plans.

*High volume of requests may extend the expected response to the submitted plans.

Oct 12, 2026

City of Campbell
70 N. First St.
Campbell, CA 95008

Re: Proposed Housing Development Project at 635, 655, 675, and 695 Campbell Technology Parkway

By email: planning@campbellca.gov

Cc: clerksoffice@campbellca.gov; cmoffice@campbellca.gov; bill@southbaylaw.com; robe@campbellca.gov

Dear City of Campbell,

The California Housing Defense Fund ("CalHDF") submits this letter to remind the City of its obligation to abide by all relevant state laws when evaluating the proposed 290-unit housing development project at 635, 655, 675, and 695 Campbell Technology Parkway, which includes 58 low-income units. We urge the City to approve the project, as is required by the Housing Accountability Act (Gov. Code, § 65589.5; the "HAA").

Under the HAA,[1] a local agency may not disapprove a qualifying affordable housing project (i.e., a housing development project that provides at least a certain percent of the total units to lower income households, as defined by Health and Safety Code Section 50079.5) on the grounds it does not comply with the city's zoning and general plan if the developer submitted either a statutorily defined "preliminary application" or a "complete development application" while the city's housing element was not in substantial compliance with state law. (See Gov. Code, § 65589.5, subds. (d)(5), (h)(5), (o)(1)[2].) This statutory provision temporarily suspends the power of non-compliant local agencies to enforce their zoning rules against qualifying affordable housing projects. (See, e.g., *California Housing Defense Fund v. City of La Cañada Flintridge*, Case Number: 23STCP02614 (attached), for a recent court decision affirming the plain language of the statute in this regard.)

[1] AB 1893, effective January 1, 2025, has amended the "Builder's Remedy" provisions of the HAA. However, the AB 1893 allows for vested Builder's Remedy applications to proceed under the previous version of the law.
[2] These code section numbers correspond to the HAA as it existed when the preliminary application for the project at issue was submitted (i.e. before AB 1893 went into effect).

The City's Housing Element was not in substantial compliance with state law when the preliminary application under SB 330 was submitted. The City must therefore allow the project to be developed as proposed.

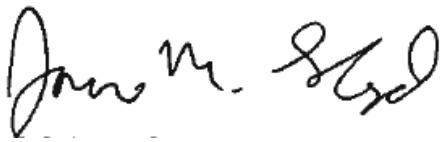
As you are well aware, California remains in the throes of a statewide crisis-level housing shortage. New housing such as this is a public benefit: by providing affordable housing, it will mitigate the state's homelessness crisis; it will increase the city's tax base; it will bring new customers to local businesses; and it will reduce displacement of existing residents by reducing competition for existing housing. While no one project will solve the statewide housing crisis, the proposed development is a step in the right direction. CalHDF urges the City to approve it, consistent with its obligations under state law.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,



Dylan Casey
CalHDF Executive Director



James M. Lloyd
CalHDF Director of Planning and Investigations

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

A PROFESSIONAL LAW CORPORATION

ATTORNEYS AT LAW

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RIVERSIDE
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SACRAMENTO
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SAN DIEGO
(858) 485-9526

WESTLAKE VILLAGE
(805) 446-4141

Jonathan.Riker@aalrr.com
(626) 773-7655

October 9, 2026

VIA EMAIL

Planning Commission
City of Campbell
70 N. First Street
Campbell, CA 95008
Attn: Daniel Fama, Senior Planner
planning@campbellca.gov
danielf@campbellca.gov

Re: Campbell Tech Park Project Environmental Impact Report (SCH No. 2024121066) – Supplemental Comments on FINAL EIR on Behalf of West Valley Construction Company

Dear Honorable Commissioners and Mr. Fama:

We represent West Valley Construction Company, Inc. ("***WVCC***"), a longstanding Campbell employer and essential infrastructure contractor operating multiple industrial facilities in the immediate vicinity of the proposed Campbell Technology Park Project (the "***Project***"). WVCC has operated continuously in this area for more than fifty years and provides essential infrastructure construction and 24-hour emergency utility response services throughout the region.

WVCC previously submitted extensive comments on the Draft Environmental Impact Report ("***DEIR***"), together with supporting analyses prepared by its transportation consultant and economic consultant. We appreciate the effort reflected in the Final Environmental Impact Report ("***FEIR***") and the City's responses to comments. However, after reviewing the FEIR, several significant issues remain unresolved. WVCC expressly incorporates by reference its June 1, 2026 DEIR comment letter and all exhibits thereto—including the Economic and Operational Impact Report prepared by Kosmont Companies and the transportation analysis prepared by Fehr & Peers—its scoping (NOP) comments, and the materials submitted herewith, as if fully set forth in this letter.

WVCC's DEIR comments were supported by extensive factual submissions, transportation analysis, operational evidence, and an economic and operational impact report. Although the FEIR includes responses to those comments, many responses either fail to engage with the evidence presented, respond to issues different from those actually raised by WVCC, or offer legal conclusions rather than analysis. As discussed below, several of the FEIR's core conclusions

continue to rely on assumptions unsupported by substantial evidence and therefore remain vulnerable under CEQA. These issues are particularly significant because they relate to emergency access, circulation, transportation safety, industrial compatibility, and project design alternatives that could substantially lessen Project impacts.

I. The FEIR Does Not Adequately Resolve the Paseo de Palomas Access Issue

The FEIR repeatedly relies on the assumed functionality of the Paseo de Palomas emergency vehicle access ("***EVA***") route to support a less-than-significant emergency access finding. See FEIR Response to Comment CL-WVCC-30, pp. 2-59 to 2-60 and Topical Response No. 6 (Emergency Access and Circulation), pp. 2-15 to 2-16. However, despite relying on that corridor to support its conclusions, the FEIR never demonstrates that the route presently functions, or can feasibly function, in the manner assumed by the analysis. The FEIR's less-than-significant emergency access conclusion rests upon assumptions that are neither supported by substantial evidence nor adequately examined through environmental analysis.

The FEIR's response to Comment CL-WVCC-30, and Topical Response No. 6, relies on the existence of a recorded easement and on the County Fire Department's February 2024 plan review to conclude that secondary emergency access is assured. The FEIR therefore substitutes the existence of a recorded document for an analysis of whether the corridor actually functions, or can feasibly be made to function, in the manner assumed by the emergency access analysis. The existence of a recorded easement is not substantial evidence that emergency access can be provided in the manner assumed by the FEIR. The FEIR's recitation of design metrics—easement width, the separation between the two access points, and fire-apparatus roadway dimensions—and the fact of the Fire Department's plan review do not fill that gap: dimensional compliance on paper and a plan-review letter are not an analysis of whether the corridor can function as an emergency access route for a 290-unit residential community.

The recorded instrument on which the FEIR relies does not bear the weight placed on it. The easement the Fire Department and applicant cite—Document No. 14840764, recorded June 2, 1999—is titled a "Grant of Easement for Drainage Purposes and Access for Emergency Vehicles Only," and grants the City of Campbell "an easement for access for emergency vehicles only and an easement for drainage purposes to build and maintain an underground pipeline." The only operative rights the instrument actually develops—to enter, survey, construct, maintain, and remove improvements—are expressly those "related to drainage" and the underground pipeline. The "emergency vehicles only" grant contains no developed roadway, ingress-egress, width, maintenance, or gate terms, and it runs to the City, not as an access easement appurtenant to the Project site. (A copy of the easement is attached as **Exhibit A**.) A title search of the Paseo de Palomas property confirms that Document No. 14840764 is the only recorded emergency-vehicle access easement burdening the corridor; no other recorded instrument establishes the secondary access the FEIR assumes.

WVCC does not contend that no emergency-vehicle easement exists. Rather, the issue is whether the easement, in its current form and under current site conditions, establishes the functional secondary access route that the FEIR assumes in concluding that emergency access impacts are less than significant.

The easement also does not appear to satisfy the Fire Department's own standard for the secondary access on which the Project depends. Santa Clara County Fire standard A-1 provides that, where easements are required for secondary access roadways, they "shall be recorded as Emergency Vehicle Ingress Egress Easements (E.V.I.E.E) granted to the Fire Department." (See Preliminary Fire Access Plan, **Exhibit B**.) Document No. 14840764 is a 1999 drainage-and-"emergency-vehicles-only" easement granted to the City of Campbell—not a recorded E.V.I.E.E. granted to the Fire Department. The applicant's plan asserts compliance without addressing this discrepancy, and the FEIR does not resolve it. Nor does the FEIR explain whether the identified discrepancy affects the availability, legality, or operational readiness of the emergency access route on which the FEIR relies.

The City's own prior approval confirms the point: the City Council's final approval of the predecessor project required that emergency-vehicle easements be "granted and recorded to the fire department" (Resolution No. 9307, Fire Department Condition 17)—the recorded, Fire-Department-held easement the applicable standard requires, and that Document No. 14840764 is not.

The corridor's physical condition confirms the gap. The Preliminary Fire Access Plan depicts the Project's emergency access points as providing access "with no vertical obstructions," and the Fire Department's aerial-access standard requires that overhead utility and power lines not be located within the fire-apparatus access roadway. As shown in **Exhibit C**, however, the end of Paseo de Palomas Lane abutting the Project site is presently gated and fenced, contains utility infrastructure—including an overhead utility pole located within the path of the assumed roadway connection—and has no constructed roadway connection into the Project site.

These are physical conditions and third-party property approvals from the Paseo de Palomas community. The FEIR never evaluates whether they must be modified before emergency access can function as assumed, nor does it demonstrate that the necessary approvals, property-owner cooperation, access rights, utility relocations, or physical improvements have actually been obtained.

The City's own October 13, 2026 Planning Commission staff report confirms the problem rather than resolving it. The staff report acknowledges that "[a] concern was raised about an existing PG&E pole and guy wire near the EVA connection," and states that "[t]he pole does not need to be physically relocated before the EIR is certified because the relocation is part of project construction." (Staff Report, p. 23.) The City thus concedes that the corridor is presently obstructed and that its functionality depends on future work, yet defers that work to construction rather than analyzing it in the EIR. That is impermissible on two levels. An agency may not defer the very

improvement on which a less-than-significant finding depends without first analyzing its feasibility and efficacy and adopting enforceable performance standards. (*Communities for a Better Environment v. City of Richmond (2010) 184 Cal.App.4th 70*.) And the required analysis must appear in the EIR itself; a staff report prepared for project approval cannot supply the environmental analysis the FEIR omits. (*Sierra Club v. County of Fresno (2018) 6 Cal.5th 502*.)

The Project plans in the same agenda packet confirm that the necessary improvement is neither designed nor secured. The plans' only representation that overhead utility and power lines are absent is limited to the on-site aerial fire-apparatus roadways—not the Paseo de Palomas connection where the pole stands; the utility relocation appears on the plans' joint-trench sheets "for reference only" and subject to the final joint-trench consultant's design; and the existing gate and chain-link fence at the connection are to be "removed and replaced in kind in coordination with adjacent property owner." The record therefore establishes that the FEIR's emergency-access conclusion rests on undesigned, unanalyzed improvements on land the applicant does not control, requiring the cooperation of the Paseo de Palomas community that the record does not show has been obtained.

CEQA requires environmental conclusions to be supported by substantial evidence and prohibits reliance on assumptions that are unsupported by the record. (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 393 (*Laurel Heights I*).) Where an environmental document relies on a project feature to support a significance determination, that feature must be adequately described and analyzed; an agency may not fold a feature into the Project and declare its impacts less than significant without first analyzing whether the feature functions. (*County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d 185, 193; Lotus v. Department of Transportation (2014) 223 Cal.App.4th 645*.)

Accordingly, the FEIR's emergency access analysis is not supported by substantial evidence because it assumes the functionality of a critical project feature without demonstrating that the feature presently exists or can feasibly function in the manner assumed.

II. The FEIR Fails to Evaluate a Feasible Paseo de Palomas Access Alternative

The FEIR's treatment of the Paseo de Palomas corridor is internally inconsistent. It relies on the corridor to support its less-than-significant emergency access finding, yet refuses to evaluate whether that same corridor—improved or expanded—could serve as a primary and/or secondary ingress-egress route capable of materially reducing traffic concentration on Campbell Technology Parkway and the associated circulation, safety, evacuation, and industrial-compatibility impacts. Because the FEIR already relies on the corridor for emergency access, analyzing its use as a primary or secondary access route is a logical extension of the circulation assumptions the FEIR has already embedded, not a mere design preference.

CEQA requires evaluation of feasible alternatives capable of avoiding or substantially lessening significant effects, even where additional design, engineering, or property rights may be

required, and an alternative may not be rejected as infeasible on conclusory grounds without supporting facts and analysis. (*CEQA Guidelines §15126.6; Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564–565.) The FEIR instead dismisses the alternative **based on** asserted legal and property-right constraints and never evaluates its comparative performance—its effect on traffic distribution, emergency response, evacuation, truck-residential conflicts, or circulation efficiency. (See FEIR, Topical Response No. 4 – Alternate Site Access, pp. 2-12 to 2-13.) The FEIR also never evaluates whether those asserted constraints could be addressed through acquisition of rights, design modifications, gated-access arrangements, street-width exceptions, or other mechanisms reflected in the City's own historical planning documents and municipal code. Without that analysis, the FEIR cannot support its conclusion that the alternative is infeasible or justify its refusal to evaluate the alternative under CEQA. The FEIR therefore never performs the comparison CEQA requires: determining whether a potentially feasible circulation alternative could avoid or substantially lessen the Project's transportation, circulation, evacuation, safety, and industrial compatibility impacts.

The City's own prior approvals for this site confirm why that analysis is required. The earlier entitlements for the predecessor research-and-development campus anticipated a substantially more redundant circulation network than the Project now proposes—including future Cristich Lane connectivity, multiple vehicular access points, dedicated emergency-access facilities, and a future pedestrian and bicycle connection. (See Resolution Nos. 9306 and 9307, the 1991 Access Study prepared by Nolte & Associates, and the October 17, 1997 Public Works Conditions of Approval, attached as **Exhibits D, E, and F**.) The FEIR does not explain why a substantially more intensive 290-unit residential development—with continuous, twenty-four-hour residential occupancy and greater emergency-access and evacuation demands—requires fewer circulation options than the less intensive office and research campus the City previously approved for this same site. Nor does the FEIR evaluate whether the access configurations the City historically contemplated, or modified versions of them, could substantially lessen the Project's circulation, safety, and emergency-access impacts. And any suggestion that the existing corridor is too narrow to serve a broader circulation function would not excuse that omission: the City's subdivision ordinance authorizes the Planning Commission and City Council to approve a street narrower than the standard width (see Campbell Municipal Code §§ 11.24.170 and 11.24.180), so corridor width is a matter to be analyzed, not a basis to forgo analysis altogether.

The City's October 13, 2026 staff report underscores the point. It confirms that the Paseo de Palomas drive-aisle is private property that, in its current posture, "would not provide public access to the project site" (Staff Report, p. 23)—yet the FEIR never evaluates whether the access rights and improvements needed to make that corridor serve a broader circulation function could feasibly be obtained, which is precisely the comparative alternatives analysis CEQA demands.

The FEIR's threshold rationale—that because it identified no significant site-access impact, no access alternative need be studied—cannot be reconciled with its simultaneous reliance on the Paseo de Palomas corridor to reach that very no-impact conclusion. As shown in Section I, the corridor's emergency-access function is not supported by substantial evidence. If that predicate

fails, so does the FEIR's finding of no significant access impact, and with it the asserted basis for declining to analyze the alternative.

The FEIR also does not adequately address the buffering function of the fourth Project parcel, which remains designated for research-and-development use. Under the No Project (Future Development) Alternative, retention of that parcel and its existing structure would preserve an approximately 400-foot separation between the new residential parcels and the light-industrial uses to the south. The FEIR does not evaluate the comparative environmental advantage of maintaining that buffer.

III. The FEIR Does Not Adequately Address Industrial Compatibility or the Effects of Residential Intensification

The FEIR repeatedly responds to WVCC's compatibility concerns by observing that residential uses already exist within the vicinity of the Project site. (See FEIR Topical Response No. 5, Conflicts with Existing Industrial Uses and Operations, pp. 2-13 to 2-14.)

This response does not address the issue raised by WVCC. Rather than addressing the effects of substantially increasing residential intensity within a constrained industrial corridor, the FEIR responds by pointing to the existence of nearby residential uses. The existence of residential uses is not the issue. The issue is whether the Project materially changes the intensity of residential occupancy and the resulting interaction between residents, pedestrians, bicyclists, vehicles, and industrial operations.

WVCC has never argued that residential uses are absent from the area. Rather, WVCC demonstrated that the Project would introduce approximately 290 residential units and hundreds of additional residents—on a continuous twenty-four-hour basis, unlike the predominantly daytime office and research-and-development uses—into an active industrial and infrastructure-support environment characterized by truck traffic, constrained circulation, utility service activity, and commercial operations.

Specifically, the question is whether the scale and intensity of the Project materially increase:

- pedestrian activity;
- bicycle and e-bike activity;
- vehicle trips;
- interactions with industrial operations;
- complaint-driven pressure on existing businesses; and
- constraints on existing industrial activity.

The FEIR does not meaningfully analyze these foreseeable consequences, nor does it explain why the introduction of approximately 290 new residential units and a continuous residential presence would not exacerbate existing circulation, compatibility, and operational conflicts by increasing the frequency, duration, and intensity of interactions between residents and adjacent industrial operations.

Similarly, the FEIR does not meaningfully analyze how increased residential activity will interact with documented roadway and operational conditions along Campbell Technology Parkway and McGlincy Lane, including heavy-truck movements, constrained roadway geometry, truck staging activity, and incomplete pedestrian and bicycle facilities. The FEIR repeatedly acknowledges existing conditions but does not evaluate how those conditions change when the number of nearby residents and non-industrial roadway users increases substantially.

The FEIR compounds this by treating existing truck staging, lane blockages, and maneuvering within the public right-of-way as isolated code-enforcement matters rather than as baseline physical conditions. (See FEIR, Topical Response No. 7 – Environmental Setting, Baseline Conditions, pp. 2-16 to 2-17.) CEQA requires evaluation of the Project's effects against real-world conditions as they exist, not as they might exist if future enforcement eliminated them. By assuming away the operational setting, the FEIR understates the Project's foreseeable interaction with it.

The FEIR's safety conclusion is likewise unreconciled with its own corrected data. In response to comments, the FEIR revised the collision count for the McGlincy Lane/Campbell Technology Parkway area from one collision to five between 2019 and 2024—four attributable to unsafe speed and one to improper turning, with two of the five involving pedestrians—yet left its "less than significant" conclusion unchanged. That most of the collisions the City itself identified—four of five—were speed-related cannot be reconciled with the FEIR's characterization of local speeds as "modest" (FEIR, Topical Response No. 2, p. 2-9), particularly given a documented 85th-percentile speed of approximately 33 to 34 miles per hour in a 25-mile-per-hour zone. The FEIR's reliance on a Manual on Uniform Traffic Control Devices signal-warrant threshold likewise does not answer the CEQA question of added pedestrian and bicycle exposure.

Finally, the FEIR's refusal to require pedestrian improvements along East McGlincy Lane west of Campbell Technology Parkway—on the ground that there are no obvious destinations—disregards record evidence of existing pedestrian and bicycle activity, the Los Gatos Creek Trail, and documented sidewalk gaps. The Project's added pedestrian, bicycle, and e-bike activity presents a foreseeable public-street safety issue that the FEIR does not resolve by labeling particular walking trips discretionary.

IV. The FEIR Does Not Adequately Respond to Evidence Regarding Operational Constraints and Indirect Environmental Impacts

WVCC's Economic and Operational Impact Report was not limited to economic impacts. The FEIR largely dismisses the Economic and Operational Impact Report by characterizing the identified impacts as economic rather than environmental. (See FEIR, Topical Response No. 3 – Economic Impacts to Existing Businesses, pp. 2-11 to 2-12.) This response mischaracterizes the substance of the report. The report identified a chain of reasonably foreseeable environmental consequences arising from operational constraints imposed on industrial uses:

- reduced operational efficiency;
- increased travel distances;
- increased vehicle miles traveled;
- increased emissions;
- degraded infrastructure service efficiency; and
- potential relocation pressures.

The FEIR characterizes these issues as economic concerns, but that characterization does not answer the point. CEQA expressly contemplates that an EIR will trace a chain of cause and effect from a project, through anticipated economic or social changes, to the physical changes those changes cause—with the analysis focused on the physical changes. (*CEQA Guidelines §§ 15064(e), 15131(a), 15358(a)(2)*.) Where the forecasted economic effects of a project will lead, directly or indirectly, to adverse physical changes in the environment, those physical effects must be disclosed and analyzed. (*Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal.App.4th 1184*.) CEQA likewise requires consideration of reasonably foreseeable indirect effects, including effects that occur later in time or at a different location. (*Laurel Heights I*, supra, 47 Cal.3d at p. 396.)

The Economic and Operational Impact Report supplies the specific, record evidence of such physical effects that the FEIR says is absent. It documents that WVCC operates a fleet of 114 on-road vehicles and employs more than 130 people based in Campbell—80% of whom live in the San Jose area or farther south; that WVCC responded to 140 unscheduled utility emergency events in 2025 under a 24-hour service agreement; and that the Campbell yard sits at the geographic center of its service area, minimizing travel distances. Based on a broker's site search that identified fewer than a dozen comparable Bay Area sites—the nearest, in Livermore or Gilroy, roughly 30 to 35 miles away—the Report estimates that displacement would increase vehicle miles traveled by approximately 30,000 miles per week across more than 100 vehicles, which it describes as a "substantial and quantifiable change in environmental conditions attributable to displacement." That is precisely the concrete, localized physical effect the FEIR asserts the Report lacks.

The Report's physical-impact evidence does not rest on relocation alone. It documents on-site underground diesel and gasoline fuel storage that would impose remediation requirements on

any residential reuse of the WVCC site—a direct physical-environment effect independent of any relocation. And the foreseeability of the displacement chain is confirmed not by conjecture but by a 2017 Caltrans/University of California Transportation Center study finding that residential encroachment forces industrial businesses to relocate to peripheral locations, "causing increase in vehicle miles traveled and greenhouse gas emissions," and by documented California closures of industrial operations following residential-adjacency complaints. The FEIR's response—that these impacts are speculative or merely economic—does not engage this evidence, and therefore does not satisfy CEQA's requirement of a good-faith, reasoned response. (*CEQA Guidelines §15088; Sierra Club*, supra, 6 Cal.5th 502.)

The FEIR does not adequately address the substantial evidence submitted by WVCC concerning those issues.

V. The FEIR's Treatment of the SR-17 Pedestrian Bridge Remains Internally Inconsistent

The FEIR also fails to reconcile its treatment of the potential pedestrian and bicycle bridge across State Route 17.

The administrative record reflects active discussions among the City, VTA, and the applicant regarding preservation of land and access associated with a future bridge connection—underscoring that the concept is more than a purely hypothetical future improvement. Yet the FEIR simultaneously treats the bridge as outside the Project and declines to evaluate its potential transportation benefits. The FEIR cannot preserve bridge-related infrastructure, acknowledge those planning efforts, and at the same time refuse to evaluate whether the same facility would materially affect circulation, accessibility, pedestrian safety, or VMT assumptions.

The same barrier undermines the FEIR's VMT screening. The FEIR presumes a less-than-significant transportation impact based on straight-line proximity to the Winchester light-rail station, yet State Route 17 physically separates the site from that station and materially lengthens the actual walking route. The FEIR dismisses the Caltrans 2.3-mile figure as inaccurate without supplying its own walking-distance measurement. Even if the City's policy permits a straight-line metric, the FEIR must still address the substantial record evidence that the SR-17 barrier makes that metric unreliable for this site.

At a minimum, the FEIR was required to evaluate whether a circulation alternative incorporating a functional Paseo de Palomas access connection together with future bridge connectivity would avoid or substantially lessen the Project's transportation, circulation, safety, and industrial compatibility impacts.

VI. The FEIR's Responses to Comments Remain Inadequate

The FEIR repeatedly responds to issues different from those actually raised by WVCC. For example:

- WVCC raised concerns regarding residential intensification; the FEIR responds by identifying existing residential uses.
- WVCC raised concerns regarding environmental consequences of operational constraints; the FEIR responds by characterizing the concerns as purely economic.
- WVCC raised concerns regarding the functionality of the Paseo de Palomas corridor; the FEIR responds by identifying the existence of an easement.

As a result, the FEIR frequently responds to a different issue than the one actually raised by WVCC and therefore does not meaningfully engage with the substantial evidence submitted into the administrative record. In several instances, the FEIR responds to the existence of current conditions while failing to address the effects of substantially increasing residential intensity within those same conditions.

VII. Recirculation is Required

The FEIR's responses add new information and assumptions concerning emergency access while leaving the following critical questions unresolved and the following analyses omitted:

- the physical condition and operational functionality of the Paseo de Palomas corridor, and the improvements, approvals, and property rights required to make it operational;
- the feasibility of the corridor as a primary and/or secondary circulation alternative;
- the effects of substantially increasing residential intensity within the corridor;
- the environmental consequences of constraints on existing industrial operations;
- the relationship between future SR-17 bridge connectivity and the Project's transportation and VMT impacts; and
- the physical obstruction of the corridor (the existing PG&E pole and guy wire) and the undesigned, deferred improvements the City now treats as part of future project construction rather than analyzing in the EIR.

The unresolved status of these issues is particularly significant because the FEIR relies upon several of these assumptions to support less-than-significant conclusions concerning emergency access, transportation, and circulation impacts. To the extent additional information regarding emergency access functionality, access rights, roadway improvements, circulation alternatives, or transportation assumptions is necessary to support the FEIR's conclusions, that information would constitute significant new information requiring further environmental review. (*CEQA Guidelines §15088.5*.)

Recirculation is required where significant new information reveals a previously undisclosed or inadequately analyzed condition bearing on a substantial environmental effect. (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal.4th 1112 (*Laurel Heights II*).) Here, the FEIR's newly detailed reliance on the 1999 Paseo de Palomas easement and on Fire-Code design metrics—coupled with the record evidence (Exhibits A through C) that the cited easement is a drainage-and-emergency-vehicles-only grant to the City rather than the recorded Fire-Department ingress-egress easement the applicable standard requires, and that the corridor is physically obstructed and unbuilt— discloses potentially significant emergency-access and life-safety issues that the public has not previously had a meaningful opportunity to review through the CEQA process.

The City's October 13, 2026 staff report and the Project plans confirm the point, disclosing for the first time that the relied-upon corridor is physically obstructed and that the corrective work is deferred to construction, undesigned, and dependent on the cooperation of the adjacent property owner—itself significant new information bearing on a substantial environmental effect.

For these reasons, WVCC respectfully submits that the FEIR remains incomplete, that significant issues identified in the administrative record remain unresolved, and that recirculation pursuant to CEQA Guidelines section 15088.5 is required before certification of the FEIR and approval of the Project.

VIII. Requested Actions

Prior to certification of the FEIR and approval of the Project, WVCC respectfully requests that the City:

1. Evaluate the existing condition and operational functionality of the Paseo de Palomas corridor;
2. Require the applicant to demonstrate the physical functionality, operational readiness, and code compliance of the Paseo de Palomas corridor—including removal or relocation of the existing PG&E pole and guy wire and securing the necessary rights and improvements from the adjacent property owner—before relying upon that corridor to support emergency access conclusions, rather than deferring that demonstration to a condition of approval or to future project construction;
3. Evaluate a Project alternative utilizing an improved Paseo de Palomas corridor as a primary and/or secondary ingress-egress route and assess its ability to reduce identified transportation, circulation, safety, and emergency access impacts;
4. Evaluate Project impacts both with and without reliance on the proposed EVA connection;

5. Reconsider transportation and compatibility impacts associated with the Project's residential intensity;
6. Address the environmental consequences identified in the Economic and Operational Impact Report;
7. Adopt additional conditions and mitigation measures necessary to reduce conflicts with existing industrial operations;
8. Make the Mitigation Monitoring and Reporting Program available for public and responsible-agency review before certification; and
9. Adopt any pedestrian, access, signage, parking, and circulation measures relied upon in the FEIR as enforceable mitigation measures rather than aspirational conditions.
10. Require recordation, concurrent with the final map and binding on all future owners and occupants, of an Industrial Operations Disclosure and Compatibility Easement acknowledging the presence of nearby industrial and commercial operations and associated noise, truck traffic, loading activities, dust, odors, vibration, lighting, and emergency-response activity. The easement shall require Planning Department review and good-faith mediation of compatibility complaints before formal nuisance-related or code-enforcement proceedings are pursued.

    This measure is intended to supplement, not replace, CEQA-required mitigation and environmental review.

IX. Reservation of Rights

WVCC expressly reserves all rights, including the right to supplement these comments, submit additional evidence, and challenge any certification of the FEIR or approval of the Project. Nothing contained herein shall be construed as a waiver of any claim, argument, or remedy available under CEQA or other applicable law.

X. Conclusion

Although the FEIR expands upon several topics addressed during the DEIR process, it continues to rely on unsupported assumptions regarding emergency access and circulation, fails to evaluate a potentially significant circulation alternative, and does not meaningfully engage with substantial evidence submitted by WVCC and its consultants.

For the reasons set forth above, WVCC respectfully requests that the City address these deficiencies before certifying the FEIR or approving the Project.

Best regards,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO



Jonathan H. Riker

JHR:
Enclosures

cc: Paula Clark
Sblend Sblendorio
Kevin Kelly
Jeff Boss
Chris Darman

Exhibit A: Grant of Easement for Drainage Purposes and Access for Emergency Vehicles Only (Santa Clara County Recorder Document No. 14840764, recorded June 2, 1999)

RECORD WITHOUT FEE UNDER SECTION 6103
GOVERNMENT CODE OF THE STATE OF CALIF.

CITY OF CAMPBELL 001

Recording Requested by

CITY OF CAMPBELL

When Recorded Mail To

City Clerk
City of Campbell
70 North First Street
Campbell, CA 95008

DOCUMENT: 14840764

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Titles: 1 / Pages: 5

Fees.... * No Fees
Taxes...
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BRENDA DAVIS
SANTA CLARA COUNTY RECORDER
Recorded at the request of
Title Company

RDE # 006
6/02/1999
3:36 PM

APN: 412-29-001

(Space Above This Line For Recorder's Use)

GRANT OF EASEMENT FOR DRAINAGE PURPOSES AND ACCESS FOR EMERGENCY VEHICLES ONLY

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Paseo De Palomas, Inc., a California corporation,

hereby GRANT(s) to the City of Campbell, a municipal corporation, of the County of Santa Clara, State of California, an easement for access for emergency vehicles only and an easement for drainage purposes to build and maintain an underground pipeline, and necessary devices and appurtenances, over, under, along and across, all of that certain real property within said City and more particularly described as follows:

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

Said property contains 0.916 acres, more or less, and is generally shown on the attached Plat Map.

The Grant of Easement herein contained related to drainage shall include the right to enter said premises, to survey, construct, reconstruct, lay, relay, maintain, operate, control, use and remove said pipeline, its fixtures, appurtenances, and to remove objects interfering with the construction, operation and maintenance thereof. The Grantor reserves the right to occupy and use said premises for any purpose not inconsistent with the rights and privileges above granted and which will not interfere with or endanger said pipeline, its fixtures and appurtenances or the use thereof. The City shall use due care in the construction, operation and maintenance of said pipeline, its fixtures and appurtenances.

The provisions hereof shall inure to the benefit of and be binding upon heirs, successors, assigns, and personal representatives of the respective parties hereto.

STATE OF CALIFORNIA

COUNTY OF Santa Clara

On February 26, 1999 before me, the undersigned, a Notary Public in and for said State, personally appeared Joel Filios and Arvid L. Hansen personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) ~~is~~/are subscribed to the within instrument and acknowledged to me that ~~he/she~~/they executed the same in ~~his/her~~/their authorized capacity (ies), and that by ~~his/her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Michelle L. Dillabough

Name Michelle L. Dillabough
(typed or printed)

DATED February 26, 1999

Paseo De Palomas, Inc., a California Corporation

By: Arvid L. Hansen
SIGNATURE

ARVID L. HANSEN
Printed

Joel Filios
SIGNATURE

JOEL FILIOS
Printed

MICHELLE L. DILLABOUGH
Comm. # 1179955
NOTARY PUBLIC - CALIFORNIA
Santa Clara County
My Comm. Expires May 4, 2002

This area for official notarial seal.

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HMH, Incorporated
Civil Engineers • Planners • Surveyors

James T. Harper
William J. Wagner, R.C.E.

January 13, 1999
HMH 2332-02-31

EXHIBIT "A"
STORM DRAIN EASEMENT
& EMERGENCY ACCESS EASEMENT

REAL PROPERTY in the City of Campbell, County of Santa Clara, State of California, described as follows:

Being a portion of Lot 6 of the Willett Partition as shown on the Record of Survey filed for record November 4, 1966 in Book 216 of Maps at page 29, Santa Clara County Records:

Commencing at the northeasterly corner of said portion of Lot 6;

Thence along the northerly line of said portion of Lot 6, West, 30.05 feet to a point in the westerly line of Union Avenue and the True Point of Beginning;

Thence along said westerly line, South 03°15'00" West, 30.00 feet to the general southerly line of said portion of Lot 6, which is shown on said Record of Survey with a bearing and distance of "East, 817.06 feet";

Thence along said southerly line and the prolongation of said southerly line, West, 1328.95 feet;

Thence South 68°37'30" West, 7.14 feet to the westerly line of said portion of Lot 6;

Thence along said westerly line, North 07°18'20" East, 32.82 feet to the northerly line of said portion of Lot 6;

Thence along said northerly line, East, 1333.12 feet to the True Point of Beginning;

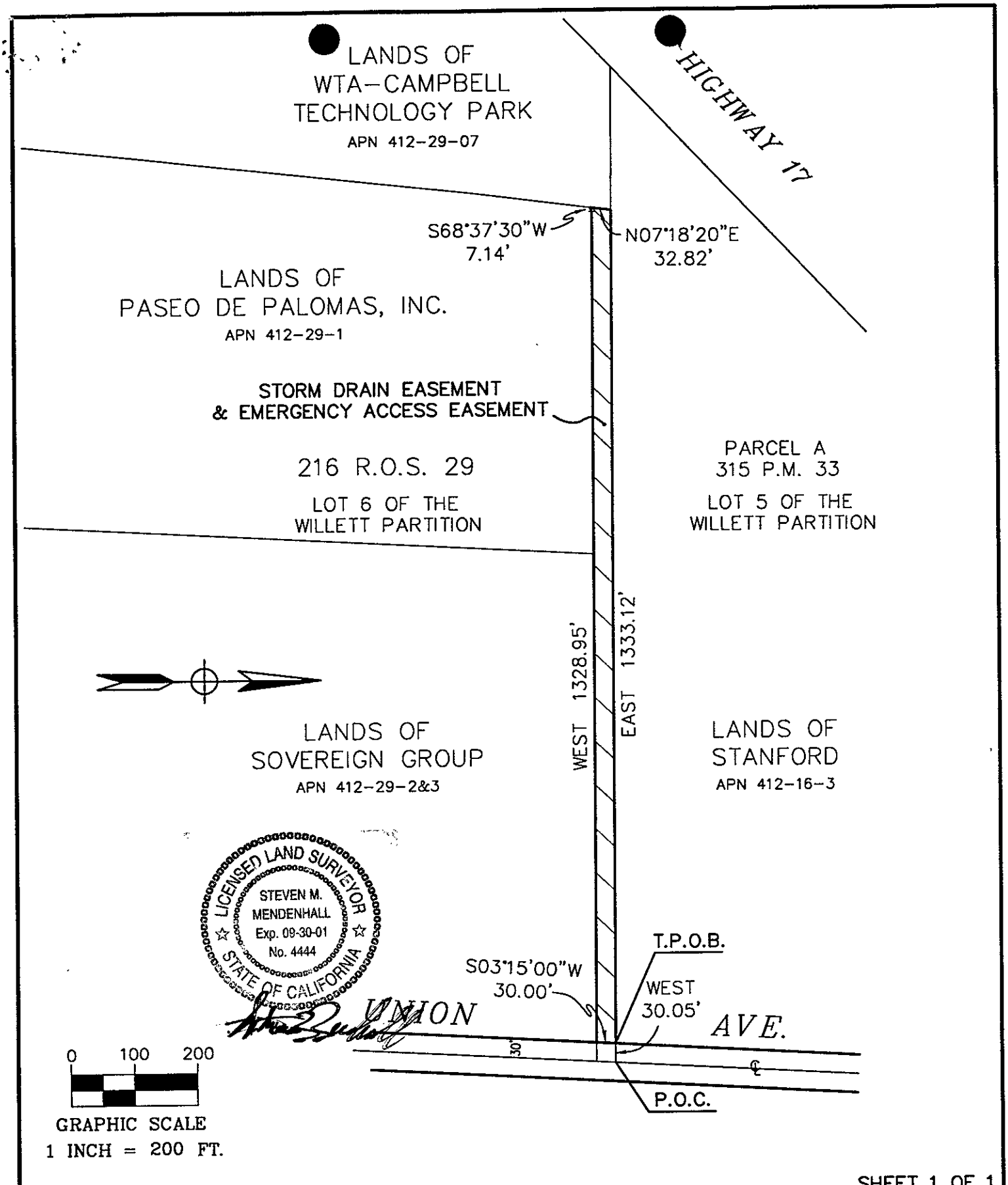
Containing an area of 0.9176 acres, more or less;

And generally shown on Exhibit "B" attached hereto and made a part hereof.

LICENSED LAND SURVEYOR
STEVEN M. MENDENHALL
Exp. 09-30-01
No. 4444
STATE OF CALIFORNIA

2332LDTG.007

1570 Oakland Road, Suite 200 • P.O. Box 611510 • San Jose, CA 95161-1510 • Tel: (408) 487-2200 • Fax: (408) 487-2222



SHEET 1 OF 1

Date:	1/13/99
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Proj. Engr.:	—
Dwg Name:	2332PL07

HMH, Incorporated
Civil Engineers · Planners · Surveyors
1570 OAKLAND ROAD, SUITE 200
P.O. BOX 611510 SAN JOSE, CALIFORNIA 95161-1510
(408) 487-2200 FAX: (408) 487-2222

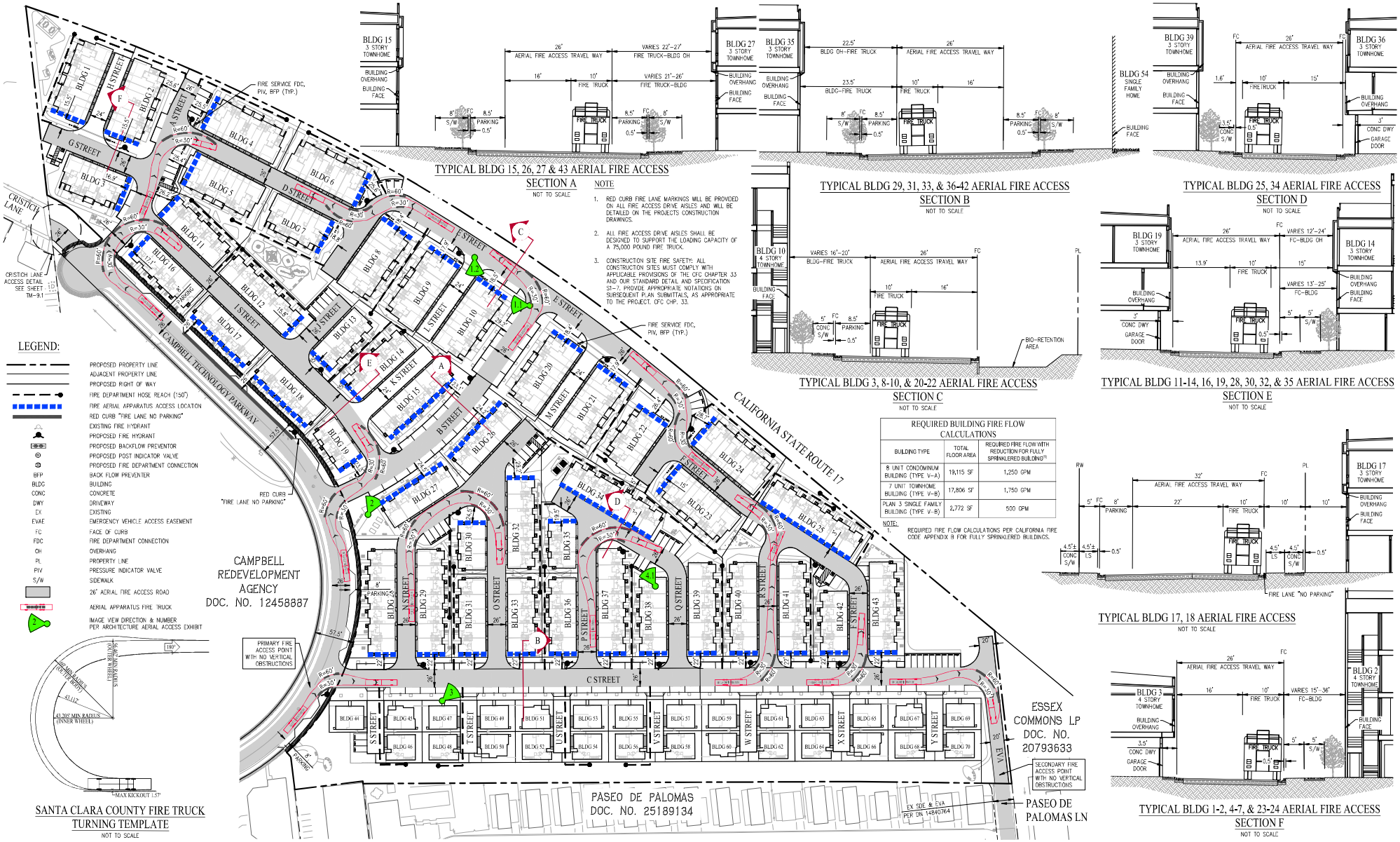
PLAT TO ACCOMPANY DESCRIPTION
EXHIBIT "B"

Campbell California

ACCEPTED ON THIS 21st day of May, 1969 for and on behalf of the City of Campbell, a Municipal Corporation, of the State of California, pursuant to Resolution No. 749, recorded in Book 4509 — Page 180 Santa Clara County Records.

Anne Bybee, City Clerk
City of Campbell, California

Exhibit B: Preliminary Fire Access Plan (Site and Architectural Review Committee materials), reflecting the Project's reliance on the Paseo de Palomas corridor as the secondary fire access point and the applicable Santa Clara County Fire access standards



SANTA CLARA COUNTY FIRE TRUCK TURNING TEMPLATE
NOT TO SCALE

TYPICAL BLDG 15, 26, 27 & 43 AERIAL FIRE ACCESS
SECTION A
NOT TO SCALE

NOTE

1. RED CURB FIRE LANE MARKINGS WILL BE PROVIDED ON ALL FIRE ACCESS DRIVE AISLES AND WILL BE DETAILED ON THE PROJECTS CONSTRUCTION DRAWINGS.
2. ALL FIRE ACCESS DRIVE AISLES SHALL BE DESIGNED TO SUPPORT THE LOADING CAPACITY OF A 75,000 POUND FIRE TRUCK.
3. CONSTRUCTION SITE FIRE SAFETY: ALL CONSTRUCTION SITES MUST COMPLY WITH APPLICABLE PROVISIONS OF THE CFC CHAPTER 33 AND OUR STANDARD DETAIL AND SPECIFICATION SI-7. PROVIDE APPROPRIATE NOTATIONS ON SUBSEQUENT PLAN SUBMITTALS, AS APPROPRIATE TO THE PROJECT. CFC CHP. 33.

TYPICAL BLDG 29, 31, 33, & 36-42 AERIAL FIRE ACCESS
SECTION B
NOT TO SCALE

TYPICAL BLDG 3, 8-10, & 20-22 AERIAL FIRE ACCESS
SECTION C
NOT TO SCALE

TYPICAL BLDG 25, 34 AERIAL FIRE ACCESS
SECTION D
NOT TO SCALE

TYPICAL BLDG 11-14, 16, 19, 28, 30, 32, & 35 AERIAL FIRE ACCESS
SECTION E
NOT TO SCALE

REQUIRED BUILDING FIRE FLOW CALCULATIONS

BUILDING TYPE	TOTAL FLOOR AREA	REQUIRED FIRE FLOW WITH REDUCTION FOR FULLY SPRINKLERED BUILDING[1]
8 UNIT CONDOMINIUM BUILDING (TYPE V-A)	19,115 SF	1,250 GPM
7 UNIT TOWNHOME BUILDING (TYPE V-B)	17,806 SF	1,750 GPM
PLAN 3 SINGLE FAMILY BUILDING (TYPE V-B)	2,772 SF	500 GPM

NOTE:
1. REQUIRED FIRE FLOW CALCULATIONS PER CALIFORNIA FIRE CODE APPENDIX B FOR FULLY SPRINKLERED BUILDINGS.

TYPICAL BLDG 17, 18 AERIAL FIRE ACCESS
NOT TO SCALE

TYPICAL BLDG 1-2, 4-7, & 23-24 AERIAL FIRE ACCESS
SECTION F
NOT TO SCALE

ktgy | cbg CARLSON, BARBEE & GIBSON, Inc. | GATES + ASSOCIATES

Campbell Technology Park LLC

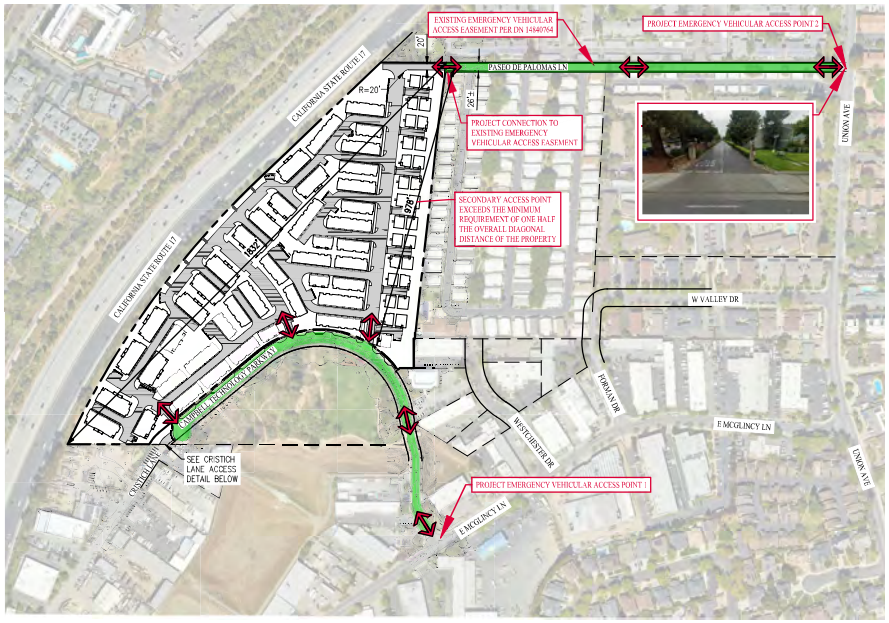
Campbell Technology Park
Campbell, CA # 2023-0039

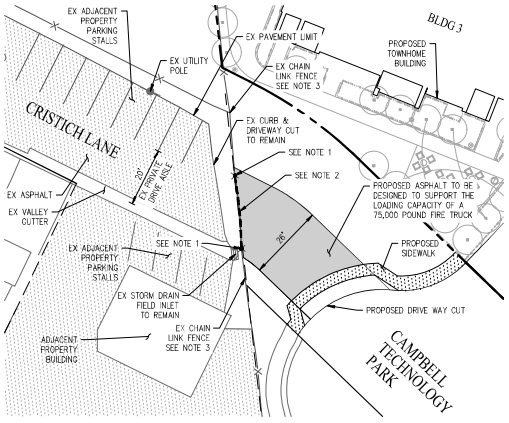
DESIGN REVIEW
NOVEMBER 08, 2024

0 30 60 120

PRELIMINARY FIRE ACCESS PLAN

TM-9.0





CRISTICH LANE ACCESS DETAIL

SCALE: 1" = 20'

LEGEND:

- PROPOSED PROPERTY LINE
- ADJACENT PROPERTY LINE
- PROPOSED RIGHT OF WAY
- CODE COMPLIANT EMERGENCY VEHICULAR ACCESS ROADWAY
- FIRE APPARATUS DIRECTIONAL ARROW

NOTE

1. EXISTING GATE POST TO REMAIN OR TO BE REMOVED AND REPLACED IN KIND AS REQUIRED FOR THE REPLACED GATE INSTALLATION. GATE SPECIFICATIONS TO BE DETAILED WITH THE PROJECTS CONSTRUCTION DOCUMENTS.
2. EXISTING GATE TO BE REMOVED AND REPLACED IN KIND IN COORDINATION WITH ADJACENT PROPERTY OWNER. A MINIMUM GATE CLEAR WIDTH OF 20' SHALL BE PROVIDED FOR FIRE APPARATUS ACCESS.
3. EXISTING CHAIN LINK FENCE TO REMAIN OR TO BE REMOVED AND REPLACED IN KIND AS REQUIRED FOR THE FIRE ACCESS GATE INSTALLATION IN COORDINATION WITH THE ADJACENT PROPERTY OWNERS.

COMPLIANCE TO SANTA CLARA COUNTY FIRE FIRE APPARATUS ACCESS REQUIREMENTS STANDARD SPEC A-1

ROAD DESIGN

1. MINIMUM CLEAR WIDTH: THE MINIMUM CLEAR WIDTH OF FIRE DEPARTMENT ACCESS ROADS SHALL BE 20 FEET. MODIFICATIONS TO THE DESIGN OR WIDTH OF A FIRE ACCESS ROAD, OR ADDITIONAL ACCESS ROAD(S) MAY BE REQUIRED WHEN THE FIRE CODE OFFICIAL DETERMINES THAT ACCESS TO THE SITE OR A PORTION THEREOF MAY BECOME COMPROMISED DUE TO EMERGENCY OPERATIONS OR NEARBY NATURAL OR MANMADE HAZARDS (FLOOD PRONE AREAS, RAILWAY CROSSINGS, BRIDGE FAILURES, HAZARDOUS MATERIAL-RELATED INCIDENTS, ETC.)

   THE WIDTH OF SECONDARY ACCESS ROADS MAY BE REDUCED TO LESS THAN 20 FEET PROVIDED TURNOUTS ARE INSTALLED ADJACENT TO THE ROADWAY EVERY 500 FEET WITH A MINIMUM DIMENSION OF 10 FEET WIDE AND 40 FEET LONG OR AS OTHERWISE DETERMINED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, ALL EXISTING AND PROPOSED FIRE ACCESS ROADWAYS HAVE BEEN PROVIDED WITH A MINIMUM 20 ACCESS ROAD AND WHERE REQUIRED FOR AERIAL ACCESS HAVE BEEN PROVIDED WITH 26' DRIVE AISLES.

2. ACCESS AND LOADING: FACILITIES, BUILDINGS OR PORTIONS OF BUILDINGS HEREAFTER CONSTRUCTED SHALL BE ACCESSIBLE TO FIRE DEPARTMENT APPARATUS BY WAY OF AN APPROVED FIRE APPARATUS ACCESS ROAD (INCLUDING BRIDGES AND CULVERTS) WITH AN ASPHALT, CONCRETE OR OTHER APPROVED DRIVING SURFACE CAPABLE OF SUPPORTING THE IMPOSED LOAD OF FIRE APPARATUS WEIGHING AT LEAST 75,000 POUNDS (34050 KG) OR AS OTHERWISE DETERMINED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, ALL ROADWAYS USED FOR FIRE APPARATUS ACCESS FOR THE PROJECT CONSISTS OF ASPHALT AND CONCRETE CAPABLE UP SUPPORTING A 75,000 POUND FIRE TRUCK

3. MINIMUM CLEAR HEIGHT: VERTICAL CLEARANCE OVER REQUIRED VEHICULAR ACCESS ROADS AND DRIVEWAYS SHALL BE 13'6".

   COMPLIANT, ALL FIRE ACCESS ROADWAYS HAVE A VERTICAL CLEARANCE OF AT LEAST 13'6".

4. GRADE: MAXIMUM GRADE SHALL NOT EXCEED 15% (6.75 DEGREES).

   COMPLIANT, NO FIRE ACCESS ROADWAYS SERVINGS THE PROJECT EXCEED THE MAXIMUM GRADE OF 15%.

5. TURN RADIUS (CIRCULATING): THE MINIMUM OUTSIDE TURNING RADIUS IS 42 FEET FOR REQUIRED ACCESS ROADWAYS. GREATER RADIUS UP TO 60 FEET MAY BE REQUIRED WHERE THE FIRE DEPARTMENT DETERMINES THAT LADDER TRUCK ACCESS IS REQUIRED. CIRCULATING REFERS TO TRAVEL ALONG A ROADWAY WITHOUT DEAD ENDS.

   COMPLIANT, ALL ROADWAYS MEET THE MINIMUM STANDARDS NOTED ABOVE ALONG THE FIRE APPARATUS ACCESS WAYS. PLEASE REFER TO THE FIRE ACCESS SITE PLAN SHEET UNDER SEPARATE COVER FOR ADDITIONAL DETAILS.

6. TURNING RADIUS (CUL-DE-SACS): THE MINIMUM OUTSIDE TURNING RADIUS IS 36 FEET. USE OF CUL-DE-SACS IS NOT ACCEPTABLE WHERE IT IS DETERMINED BY THE FIRE DEPARTMENT THAT LADDER TRUCK ACCESS IS REQUIRED, UNLESS GREATER TURNING RADIUS IS PROVIDED.

   COMPLIANT, NO DEAD END CUL-DE-SAC IS PROPOSED AS PART OF THE NEW DEVELOPMENT. ONSITE ACCESS WILL BE PROVIDED AT THE CUL-DE-SAC AT THE END OF THE CAMPBELL TECHNOLOGY PARKWAY ROADWAY SUCH THAT A FIRE TRUCK CAN GO INTO THE PROJECT SITE TO TURN AROUND IN LIEU OF USING THE EXISTING CUL-DE-SAC.

7. TURNAROUNDS: TURNAROUNDS ARE REQUIRED FOR ALL DEAD END ROADWAYS WITH A LENGTH IN EXCESS OF 150 FEET. THE TURNAROUND DETAILS SHOWN IN THIS DOCUMENT ARE INTENDED TO PROVIDE A GENERAL DESIGN CONCEPT ONLY. MODIFICATIONS OR VARIATIONS OF THESE DESIGNS MAY BE APPROVED BY THE FIRE DEPARTMENT ON A CASE-BY-CASE BASIS. ALL TURNAROUND DESIGNS SUBMITTED FOR FIRE DEPARTMENT REVIEW SHALL MEET ALL PREVIOUSLY STATED REQUIREMENTS. THESE DETAILS ARE APPLICABLE WHEN A 36-FOOT MINIMUM TURNING RADIUS FOR DEAD ENDS IS SPECIFIED. THESE DETAILS ARE NOT APPLICABLE WHERE TURNING RADIUS GREATER THAN 36 FEET IS SPECIFIED OR WHEN A CIRCULATING RADIUS IS SPECIFIED.

   COMPLIANT, SUFFICIENT FIRE ACCESS HAS BEEN PROVIDED THROUGHOUT THE DEVELOPMENT SUCH THAT TURN AROUNDS SHALL NOT BE NEEDED FOR FIRE ACCESS.

8. DEAD ENDS: DEAD-END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 150 FEET (45720 MM) SHALL BE PROVIDED WITH WIDTH AND TURNAROUND PROVISIONS AS DETERMINED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, NO DEAD-END FIRE APPARATUS ROADS HAVE BEEN PROPOSED OR ARE REQUIRED FOR THE DEVELOPMENT.

9. PARKING: WHEN PARKING IS PERMITTED ON STREETS, IN BOTH RESIDENTIAL/COMMERCIAL APPLICATIONS, IT SHALL CONFORM TO THE FOLLOWING:
   - PARKING IS PERMITTED BOTH SIDES OF THE STREET WITH STREET WIDTHS OF 36 FEET OR MORE
   - PARKING IS PERMITTED ON ONE SIDE OF THE STREET WITH STREET WIDTHS OF 28 – 35 FEET
   - NO PARKING IS PERMITTED WHEN STREET WIDTHS ARE LESS THAN 28 FEET

   NOTE: ROLLED CURBS CAN BE PART OF THE CURB/SIDEWALK AND USED TO INCREASE THE ROADWAY WIDTH WITH APPROVAL FROM THE FIRE CODE OFFICIAL. ADDITIONAL REQUIREMENTS MAY APPLY FOR BUILDINGS 30 FEET IN HEIGHT OR GREATER. SEE REQUIREMENTS UNDER AERIAL FIRE APPARATUS ACCESS ROADS.

   COMPLIANT, ALL FIRE ACCESS ROADS MEET THE REQUIREMENTS ABOVE. WHERE FIRE ACCESS ROADS ARE REQUIRED FOR AERIAL FIRE APPARATUS ACCESS THE ROADWAYS HAVE BEEN PROVIDED WITH 26' CLEAR SEPARATION.

10. ACCESS TO A HYDRANT: FIRE HYDRANTS LOCATED ON A PUBLIC OR PRIVATE STREET, OR ON-SITE, SHALL HAVE AN UNOBSTRUCTED CLEARANCE OF NOT LESS THAN 30 FEET (15 FEET EITHER SIDE OF HYDRANT), IN ACCORDANCE WITH CALIFORNIA VEHICLE CODE 22514. MARKING SHALL BE PER CALIFORNIA VEHICLE CODE 22500.1

    COMPLIANT, 30' CLEARANCE IS PROVIDED AT ALL EXISTING AND PROPOSED FIRE HYDRANTS AS REQUIRED TO SERVE THE DEVELOPMENT.

11. TRAFFIC CALMING: TRAFFIC CALMING DEVICES AND THE DESIGN THEREOF SHALL BE APPROVED BY THE FIRE CODE OFFICIAL PRIOR TO INSTALLATION.

    NOT APPLICABLE, NO TRAFFIC CALMING DEVICES ARE PROPOSED FOR THE DEVELOPMENT.

FIRE APPARATUS ROADWAY SIGNS

WHERE REQUIRED BY THE FIRE CODE OFFICIAL, FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNATED AND MARKED AS A FIRE LANE AS SET FORTH IN SECTION 22500.1 OF THE CALIFORNIA VEHICLE CODE. THE DESIGNATION SHALL BE INDICATED (1) BY A SIGN POSTED IMMEDIATELY ADJACENT TO, AND VISIBLE FROM, THE DESIGNATED PLACE CLEARLY STATING IN LETTERS NOT LESS THAN ONE INCH IN HEIGHT THAT THE PLACE IS A FIRE LANE; (2) BY OUTLINING OR PAINTING THE PLACE IN RED AND, IN CONTRASTING COLOR, MARKING THE PLACE WITH THE WORDS 'FIRE LANE', WHICH ARE CLEARLY VISIBLE FROM A VEHICLE, OR (3) BY A RED CURB OR RED PAINT ON THE EDGE OF THE ROADWAY UPON WHICH IS CLEARLY MARKED THE WORDS 'FIRE LANE'.

COMPLIANT, ALL APPLICABLE FIRE APPARATUS ACCESS ROADS WILL BE PROVIDED WITH FIRE LANE CURBS AND SIGNS.

NUMBER OF ACCESS ROADS REQUIRED

1. MULTI-FAMILY RESIDENTIAL PROJECTS HAVING MORE THAN 100 DWELLING UNITS SHALL BE EQUIPPED THROUGHOUT WITH TWO SEPARATE AND APPROVED FIRE APPARATUS ACCESS ROADS.
2. DEVELOPMENTS OF ONE OR TWO FAMILY DWELLINGS WHERE THE NUMBER OF DWELLING UNITS EXCEEDS 30 SHALL BE PROVIDED WITH TWO SEPARATE AND APPROVED FIRE APPARATUS ACCESS ROADS AND SHALL MEET THE REQUIREMENTS LISTED UNDER; SEPARATION OF ACCESS ROADS.

   COMPLIANT, TWO EXISTING CODE COMPLIANT FIRE APPARATUS ACCESS ROADS WILL SERVE THE PROPOSED DEVELOPMENT AS SHOWN IN THE IMAGE ABOVE. THE FIRST BEING THE ACCESS POINT ALONG THE CAMPBELL TECHNOLOGY PARKWAY AND THE SECOND BEING THE ACCESS POINT ALONG THE NORTH EASTERN MOST CORNER OF THE DEVELOPMENT AT THE PASEO DE PALOMAS LANE CONNECTION WITH THE ADJACENT TRAILER PARK DEVELOPMENT. AN EXISTING PUBLIC EMERGENCY ACCESS EASEMENT IS IN PLACE PER THE RECORD DOCUMENT NUMBER 14840764 ALONG THE PASEO DE PALOMAS DRIVE WHICH CURRENTLY SERVES THE EXISTING COMMERCIAL SITE AND WILL BE USED AS PART OF THE PROPOSED DEVELOPMENT. BOTH ACCESS ROADS MEET THE MINIMUM FIRE ACCESS STANDARDS AS NOTED IN THE AFOREMENTIONED REQUIREMENTS.

REQUIREMENTS FOR SECONDARY ACCESS ROADS

1. SEPARATION OF ACCESS ROADS. WHERE TWO ACCESS ROADS ARE REQUIRED, THEY SHALL BE PLACED A DISTANCE APART EQUAL TO NOT LESS THAN ONE HALF OF THE LENGTH OF THE MAXIMUM OVERALL DIAGONAL DIMENSION OF THE PROPERTY OR AREA TO BE SERVED, MEASURED IN A STRAIGHT LINE BETWEEN ACCESSES (FROM CENTERLINE TO CENTERLINE).

   COMPLIANT, THE TWO FIRE APPARATUS ACCESS ROADS ARE LOCATED SUCH THAT THEY MEET THE ABOVE REQUIREMENTS.

2. CONNECTION TO OTHER ROADS: WHERE A SECONDARY ACCESS ROADWAY CONNECTS TO A PUBLIC OR PRIVATE STREET THERE SHALL BE EITHER; NO CURB, A ROLLED CURB OR A DRIVEWAY CUT AS APPROVED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, THE TWO FIRE APPARATUS ACCESS ROADS WILL BE PROVIDED WITH OUT CURBS TO ALLOW UNIMPEDED ACCESS TO THE SITE.

3. EASEMENTS: ONLY LANDS OWNED OR IN CONTROL OF THE PROPERTY OWNER, HELD IN COMMON WITH ADJACENT PROPERTIES OR PUBLICLY OWNED MAY BE USED FOR SECONDARY ACCESS. SECONDARY ACCESS ROADWAYS SHALL NOT BE LOCATED IN EASEMENTS THROUGH PRIVATE PROPERTY UNLESS SPECIFICALLY APPROVED BY THE FIRE CODE OFFICIAL. WHEN EASEMENTS ARE REQUIRED FOR SECONDARY ACCESS ROADWAYS, THEY SHALL BE RECORDED AS EMERGENCY VEHICLE INGRESS EGRESS EASEMENTS (E.V.I.E.E) GRANTED TO THE FIRE DEPARTMENT.

   COMPLIANT, THE EXISTING FIRE ACCESS ROADWAY ALONG THE PASEO DE PALOMAS LANE ROADWAY HAS AN EXISTING EMERGENCY VEHICLE ACCESS EASEMENT IN PLACE SUCH THAT A FIRE ACCESS TRUCK CAN USE THE ROADWAY TO SERVE THE PROJECT SITE.

4. MARKING AND IDENTIFICATION: WHEN NECESSARY, SIGNS OR OTHER APPROVED NOTICES SHALL BE POSTED AT SECONDARY ACCESS ROADWAYS TO PREVENT OBSTRUCTION BY PARKED VEHICLES. SUCH SIGNS OR NOTICES SHALL BE IN ACCORDANCE WITH FIRE DEPARTMENT STANDARDS.

   COMPLIANT, ALL PROPOSED FIRE ACCESS ROADWAYS WILL INCLUDE SIGNAGE OR STRIPING ON ALL FIRE ACCESS ROADWAYS. ALL EXISTING SIGNAGE AND STRIPING ALONG THE EXISTING FIRE ACCESS ROADS WILL REMAIN.

5. MAINTENANCE: SECONDARY ACCESS ROADWAYS SHALL BE MAINTAINED AT ALL TIMES BY THE PROPERTY OWNER. THE ROADWAY SURFACE GATES/LOOKS AND VERTICAL AND HORIZONTAL CLEARANCES SHALL BE MAINTAINED IN SERVICEABLE CONDITION. MAINTENANCE OF SECONDARY ACCESS ROADWAYS ON COMMONLY HELD LANDS SHALL BE CLEARLY STATED IN THE COVENANT, CONDITIONS, AND RESTRICTIONS (CC&R) OR LANDSCAPE MAINTENANCE

   AGREEMENTS OF THE DEVELOPMENT PROJECT. THE CC&RS SHALL MANDATE THAT THE OWNERS ASSOCIATION SHALL RETAIN PROFESSIONAL MANAGEMENT TO OVERSEE MAINTENANCE RESPONSIBILITIES.

   COMPLIANT, MAINTENANCE OF ALL ACCESS ROADS WILL BE PROVIDED AS REQUIRED FOR PROVIDED FIRE APPARATUS ACCESS.

AERIAL FIRE APPARATUS ACCESS ROADS

1. WHERE REQUIRED: BUILDINGS OR PORTIONS OF BUILDINGS OR FACILITIES EXCEEDING 30 FEET (9144 MM) IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS SHALL BE PROVIDED WITH APPROVED FIRE APPARATUS ACCESS ROADS CAPABLE OF ACCOMMODATING FIRE DEPARTMENT AERIAL APPARATUS. OVERHEAD UTILITY AND POWER LINES SHALL NOT BE LOCATED WITHIN THE AERIAL FIRE APPARATUS ACCESS ROADWAY.

   COMPLIANT, WHERE AERIAL FIRE APPARATUS ROADWAYS HAVE BEEN PROVIDED THERE WILL BE NO OVERHEAD UTILITY AND POWER LINES THAT WOULD IMPED AERIAL FIRE ACCESS.

2. WIDTH: FIRE APPARATUS ACCESS ROADS SHALL HAVE A MINIMUM UNOBSTRUCTED WIDTH OF 26 FEET (7925) IN THE IMMEDIATE VICINITY OF ANY BUILDING OR PORTION OF BUILDING MORE THAN 30 FEET (9144 MM) IN HEIGHT.

   COMPLIANT, WHERE REQUIRED 26' ROADWAYS HAVE BEEN PROVIDED TO SERVE ANY BUILDINGS THAT ARE OVER 30' PROPOSED AS PART OF THE DEVELOPMENT. PLEASE REFER TO THE FIRE ACCESS PLAN UNDER SEPARATE COVER FOR ADDITIONAL DETAILS.

3. PROXIMITY TO BUILDING: AT LEAST ONE OF THE REQUIRED ACCESS ROUTES MEETING THIS CONDITION SHALL BE LOCATED WITHIN A MINIMUM OF 15 FEET (4572) AND A MAXIMUM OF 30 FEET (9144MM) FROM THE BUILDING, AND SHALL BE POSITIONED PARALLEL TO ONE ENTIRE SIDE OF THE BUILDING, AS APPROVED BY THE FIRE CODE OFFICIAL.

   COMPLIANT, WHERE REQUIRED A MINIMUM 15' TO MAXIMUM OF 30' OF SEPARATION TO THE BUILDINGS HAS BEEN PROVIDED TO ALLOW FOR AERIAL APPARATUS ACCESS. PLEASE REFER TO THE FIRE ACCESS PLAN UNDER SEPARATE COVER FOR ADDITIONAL DETAILS.

Exhibit C: Existing condition of the Paseo de Palomas emergency access location adjacent to the Project site



Photograph depicting existing condition of the Paseo de Palomas emergency access location adjacent to the Project site — gated and fenced, with utility infrastructure (including an overhead utility pole in the path of the assumed roadway connection) and no constructed roadway connection into the site. Offered to show that the FEIR does not evaluate the approvals, improvements, utility relocations, or access controls the corridor would require to function as the emergency access analysis assumes.

Exhibit D: Resolutions No. 9306 and 9307

RESOLUTION NO. 9306

BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL CERTIFYING A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR-1996) AND AN ADDENDUM MAKING FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND MAKING A STATEMENT OF OVERRIDING CONSIDERATIONS IN COMPLIANCE WITH CEQA IN THE CONSIDERATION OF A PROJECT TO REDEVELOP THE FORMER WINCHESTER DRIVE-IN SITE ON PROPERTY LOCATED AT 535 WESTCHESTER DRIVE AND 571 MCGLINCEY LANE:

WHEREAS, the following recitals summarize information more fully set forth in the attached Exhibits A & B, which is incorporated in this Resolution by this reference. Various capitalized terms used in this Resolution are more fully defined in Exhibits A & B; and

WHEREAS, in June 1992 the City Council certified an environmental impact report (the "1992 EIR") that evaluated the environmental impacts of development of a proposed destination retail center on the former Winchester Drive-In site (the "Property"); and

WHEREAS, in April 1994 the Agency acquired the Property and thereafter conducted land use and economic feasibility studies and a developer selection process, from which WTA Development (the "Developer") was selected to negotiate a disposition and development agreement (the "DDA") for development of the Property; and

WHEREAS, the Developer proposed development on the Property of an approximately 330,000 square foot research and development and light industrial business park with related on-site and off-site improvements (the "Original Project"); and

WHEREAS, because the Original Project contained land uses that vary from the land uses evaluated in the 1992 EIR, the City caused preparation of a Supplemental Environmental Impact Report (the "1996 SEIR") in accordance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the local CEQA Implementing Guidelines; and

WHEREAS, the 1996 SEIR builds upon and incorporates analysis from the 1992 EIR that was certified by the City Council and that remains valid, while providing new analysis of environmental impacts that will be different as a result of the change in land use proposed for the Original Project; and

WHEREAS, the Planning Commission considered the Original Project on April 22, April 30, May 13, and May 27, 1997 recommending to the City Council certification of the 1996 SEIR and recommending findings for a statement of overriding considerations; and

WHEREAS, on June 17, 1997 at a public hearing of the City Council to consider the Planning Commission's recommendation, and after receiving public testimony the City Council requested

that the Developer present a redesign of the Original Project to accommodate a four acre public open space on the Property; and

WHEREAS, the Developer has submitted a revised application proposing a 280,000 square foot research and development business park on 19.58 acres with the Agency retaining four acres for public open space (the "Project"); and

WHEREAS, the Agency has prepared an Addendum pursuant to Section 15164 of the State CEQA Guidelines to address the changes proposed between the Project and the Original Project and the City Council finds that the Addendum is the appropriate environmental document to address the changes between the Project and the Original Project in that the project: 1) will not result in substantial changes which will require major revisions of the 1992 EIR or 1996 SEIR due to the involvement of new environmental effects or a substantial increase in severity of the previously identified significant effects; 2) has no substantial changes proposed under the Project which will require major revisions of the previous 1996 SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 3) will not have any new significant effects not discussed in the previous EIR and significant effects previously examined will be generally less, but in no case more severe than shown in the 1992 EIR and 1996 SEIR; and

WHEREAS, the City Council further finds that the one significant effect previously examined (Air Quality) will actually be less severe under the Project due to less traffic generation but still remains a significant impact under CEQA; and

WHEREAS, the 1996 SEIR and the Addendum have been prepared to serve as the CEQA document for Planning Commission and City Council in consideration of the Planning Approvals for the Project; and

WHEREAS, the Redevelopment Agency serves as the "lead agency" and the City serves as a "responsible agency" under CEQA in the preparation and certification of the 1996 SEIR and Addendum; and

WHEREAS, through this resolution, the City Council desires to comply with the State CEQA, and the Local CEQA Implementing Guidelines in the consideration, certification, and use of the 1996 SEIR and Addendum in connection with their consideration of the Planning Approvals.

RESOLVED that the City Council finds that the above recitals and the information contained in Exhibits A & B are accurate.

FURTHER RESOLVED that the City Council find and certify that the 1996 SEIR and Addendum have been completed in compliance with CEQA, the State CEQA Guidelines and the Local CEQA Implementing Guidelines; that in light of the 1992 EIR, the 1996 SEIR and Addendum adequately addresses the environmental issues of the Project; and that the Planning Commission and the City Council have reviewed and considered the information contained in the

1996 SEIR and Addendum, in light of the 1992 EIR, prior to acting on the Project and the discretionary approvals necessary for the development of the Project.

FURTHER RESOLVED that the City Council hereby finds and determines that the 1996 SEIR and Addendum reflect the independent judgment of the City Council.

NOW,THEREFORE, BE IT RESOLVED that the City Council hereby identifies the significant effects, makes a statement of overriding considerations, requires the mitigation measures, adopts the monitoring program to be implemented for such mitigation measures, and makes the findings set forth in detail in the attached Exhibits A & B. The statements, findings, and determinations set forth in Exhibits A & B are based on the previously certified 1992 EIR and 1996 SEIR, the Addendum and other information available to the City Council, and are made in compliance with Section 15091 of the State CEQA Guidelines and Section 21081(a) of CEQA.

Passed and adopted this 18th day of November, 1997 by the following vote:

AYES:	COUNCILMEMBERS:	Watson, Furtado, Conant
NOES:	COUNCILMEMBERS:	Dougherty, Dean
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

APPROVED: Barbara D. Conant
Barbara D. Conant, Mayor

ATTEST: Anne Bybee
Anne Bybee, City Clerk

j:Seir96

THE FOREGOING INSTRUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
ATTEST: ANNE BYBEE, CITY CLERK, CITY OF CAMPBELL, CALIFORNIA.
BY Colette Ramsey, Deputy City Clerk
DATED 11/24/97

EXHIBIT A

ANALYSIS OF ENVIRONMENTAL IMPACTS, RECOMMENDATION OF MITIGATION MEASURES AND MONITORING PROGRAM, AND FINDING OF FACTS FOR THE PROPOSED REDEVELOPMENT OF THE WINCHESTER DRIVE-IN SITE AND THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT AND ADDENDUM PREPARED IN CONNECTION THEREWITH

I. GENERAL INFORMATION

A. Project Description. On January 7, 1997 the City Council/Agency certified the SEIR and authorized execution of the Original DDA. The original proposal examined by the 1996 SEIR consisted of a 330,000 square foot research and development/light industrial business park on 23.58 acres (the "Original Project"). On June 17, 1997 the City Council, upon recommendation of the Planning Commission requested WTA Campbell Technology Park (the "Developer") to present redesign of the Original Project to accommodate a four acre park or open space. The revised project (the "Project") under consideration by the City Council is the proposed sale and land use change of 19.58 acres from "Commercial" to "Industrial" for the development of an approximately 280,000 square foot research and development business park, and the proposed land use designation change of four acres from "Commercial" to "Public/Semi-Public" for use as public open space on the former Winchester Drive-In Site (the "Property") within the Central Campbell Redevelopment Project Area (the "Project Area") in the City of Campbell, California (the "City"). The Revised Project building square footage will consist of three, two story buildings ranging in size from 60,000 square feet to 100,000 square feet, and a 40,000 square foot single story building. The proposed site plan of the Project is contained in the Addendum to the 1996 SEIR.

As a result in the change in project description, the Agency and the Developer have agreed to a First Amended and Restated Disposition and Development Agreement (the "DDA") for the purpose of reducing the size of the Property to be acquired from 23.58 acres to 19.58 acres (the "Site") to accommodate a four acre public open space, to provide a more detailed description of the improvements to be developed on the Site, to make related adjustments to the purchase price, and to address specific circumstances that have changed since execution of the Original DDA;

As was the case under the Original Project, the Project will require removal of the deteriorated asphalt paving currently on the Property, and site preparation activities such as minor excavation, grading, and possible importation of engineered fill. Off-site improvements will include extension of water and utilities to the Property,

traffic mitigation improvements to affected intersections in the area, access street improvements and the extension of storm drain facilities across the Property.

B. Background; The 1992 EIR. The Property has been vacant for the past 15 years, and has been under various ownerships. In 1984, Caz Development was approved to construct a 420,000 square foot light industrial project.

However the project was never built. In 1991, Western Federal Savings (then the owner of the Property) submitted a Planned Development permit application (PD91-04) to the City to construct a 245,000 square foot destination retail center on the Property. At the same time, the Agency initiated an amendment to the Central Campbell Redevelopment Plan to allow for the addition of the McGlincey Lane Expansion Area, within which the Property is located, to the Project Area. The PD permit application for the Property and the redevelopment area expansion were evaluated together under the California Environmental Quality Act (Public Resources Code Section 21000 et seq., "CEQA") in an EIR during 1991-92 (SCH#91053013) (the "1992 EIR").

The 1992 EIR consists of a Draft EIR dated September 1991 (SCH#91053013) (the "1992 Draft EIR"), a Final EIR dated March 1992 (containing responses to comments received on the Draft EIR) (the "1992 Final EIR"), and Exhibit A to the 1992 Resolution (described below) (containing certain text additions to the foregoing documents). The 1992 EIR evaluated the then-proposed destination retail development of the Property at a project level of detail and evaluated the other projects proposed to be undertaken in the McGlincey Lane Expansion Area at a program level of detail. The 1992 EIR was certified by the City Council and Agency in a concurrent resolution on June 2, 1992 (Resolution Nos. 8322 and 1992-19, respectively) (the "1992 Resolution"). Findings were contained in the 1992 Resolution in accordance with CEQA, including a Statement of Overriding Considerations for impacts pertaining to regional air quality.

The destination retail project for the Property evaluated in the 1992 EIR was not developed. The Agency purchased the Property in April 1994. Shortly thereafter, the Agency began a process to determine the optimum land use for the Property. In June 1994, a series of public meetings were held to receive early input into the decision making process. From those meetings a variety of ideas for the Property were obtained, including light industrial, commercial recreation, non-profit recreation, and other uses. These potential uses were then evaluated by an economic consulting firm, Economics Research Associates, to determine the financial feasibility of these uses. In August 1995, the Agency distributed a Request for Proposals (RFP) package to developers, corporations, or other parties that might be interested in purchasing and developing all or a portion of the Property. The Agency received eight proposals from developers.

After evaluation of the proposals, the Agency entered into an exclusive negotiating rights agreement with the Developer. In December 1996, Agency staff concluded negotiations with Developer on the proposed terms of a disposition and development agreement (a "DDA") which was presented for consideration by the Agency and City Council at a duly noticed public hearing on January 7, 1997.

The 1996 SEIR and Addendum. The Original Project as proposed by the Developer differed in land use from the destination retail project that was proposed and evaluated in the 1992 EIR in terms of impacts related to traffic/circulation/parking, noise, air quality following buildout, land use, water supply, storm drainage, aesthetics, and alternatives. However, much of the information and analysis contained in the 1992 EIR remained valid for the Original Project and remains valid for the Project , particularly with regard to impacts involving air quality during construction, hazardous materials, cultural resources, geology, drainage/flooding, biological resources, cumulative impacts, and growth inducing impacts.

Under these circumstances, the City Council determined that a Supplemental EIR (the "1996 SEIR") was required, in accordance with Section 15163 of the State CEQA Guidelines (defined below), to build upon the relevant aspects of the 1992 EIR and address the different potential environmental impacts that may result from the change in the nature of the Original Project compared to the project that was evaluated in the 1992 EIR. The determination to prepare the 1996 SEIR was also consistent with the requirements of the 1992 Resolution calling for performance of further appropriate environmental analysis when a specific project proposal for the Property was presented for Planning Commission and City Council consideration.

The 1997 Addendum to the 1996 SEIR was prepared to address the changes between the Original Project and the Project. The changes do not lead to new, more severe potential environmental effects in that there is a reduction of 50,000 square feet in industrial building area being replaced with a four acre public open space area. There have been no substantial changes in circumstances, or new information made available relevant to the Project which lead to new, more severe environmental effects. No new, different or newly feasible mitigation measures have been identified which are applicable to the Project.

The 1996 SEIR incorporates by reference the 1992 EIR. The 1996 SEIR consists of the Draft Supplemental Environmental Impact Report dated October 1996 (SCH#96082018) (the "Draft 1996 SEIR") and a Final Supplemental Environmental Impact Report dated December 1996 (the "Final 1996 SEIR") (containing responses to comments on, and making certain revisions to, the Draft 1996 SEIR), as more fully described below.

The 1996 SEIR was prepared in accordance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (14 California Code of Regulations Section 15000 et seq., with particular reference to Section 15163), and the City's and Agency's Local CEQA Implementation Guidelines.

CEQA and the State CEQA Guidelines authorize preparation of a supplement to an EIR when certain conditions are present, and when limited additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

A supplement to an EIR must be given the same kind of notice and review as is given to an initial EIR. To that end, the Agency issued a Notice of Preparation ("NOP") for the Draft 1996 SEIR to the State Clearinghouse and others on August 7, 1996. The required 30-day notice period for the NOP ended on September 6, 1996. In addition, the Agency/City conducted a public scoping meeting for the Project on July 24, 1996.

The Draft 1996 SEIR was circulated from October 2 to November 16, 1996 to various Federal, State, and local agencies for their review and comment. The Draft 1996 SEIR was also provided to the Campbell Library, and was made available to members of the general public.

A public meeting on the Draft 1996 SEIR was held on October 29, 1996 at 7:00 p.m. at the Campbell City Hall Council Chambers. Approximately 10 members of the public were in attendance at the workshop.

The Final 1996 SEIR was made available to the public and distributed to the public agencies that commented on the Draft 1996 SEIR on December 18, 1996. The Final 1996 SEIR contains responses to 12 letters received during the Draft 1996 SEIR comment period and to comments made at the October 29, 1996 public workshop on the Draft 1996 SEIR. The Final 1996 SEIR also contains text revisions to the Draft 1996 SEIR made a result of responding to the comments received.

The 1996 SEIR (with the 1992 EIR as a reference) came before the Agency and the City Council on January 7, 1997 at a duly noticed joint public hearing, at which time the Agency and City Council heard oral testimony and received written communications. The City Council and Agency acting jointly certified the 1996 SEIR as complete and adequate.

The 1997 Addendum has been prepared in compliance with Section 15164 of the State CEQA Guidelines to address the changes from the Original Project to the Project together with any relevant changes in circumstances, new information or

potential new mitigation measures. While CEQA does not require a public review period for an Addendum, public notice of its availability for public review was provided beginning October 17, 1997, ten days before the Planning Commission public hearing to consider the Project, and 30 days prior to the City Council public hearing to consider the Project.

D. Use of 1996 SEIR and Addendum; Imposition of Mitigation Measures.
Two primary sets of local discretionary approvals are required before the Project may be developed. The first set of approvals consists of approval by the Agency, and consent by the City Council (with specified findings under the Community Redevelopment Law), of the DDA. The DDA sets forth the terms and conditions under which the Agency will sell the property to the Developer. A primary condition to the sale of the property is that the Developer must first obtain the Planning Approvals. Approval of the DDA is scheduled for consideration at a duly noticed joint public hearing on November 18, 1997. The Planning Approvals constitute the second set of local discretionary approvals necessary to develop the Project. The Planning Approvals include a proposed General Plan amendment, a Planned Development Permit, approval of a vesting tentative map, and Site and Architectural approval. The Planning Commission considered the Project at a duly noticed public hearing on October 28, 1997 and recommended certification of the 1996 SEIR and the Addendum as adequate and complete in serving as the CEQA document for the Project and recommended to the City Council making the statement of overriding considerations.

In Section IV of Exhibit A of Concurrent Resolution 1997-1 and 9181, the City Council and Agency adopted specified mitigation measures to address potentially significant environmental impacts of the Original Project that still apply to the Project. Those mitigation measures are reaffirmed by this resolution and incorporated herein. No new or newly feasible mitigation measures have been identified by the Addendum or the Commission. In particular, no new or newly feasible mitigation measures have been identified with respect to carbon monoxide emissions, the one unavoidable potentially significant environmental impact of the project.

If the City Council approves the Planning Approvals in their policy discretion, these adopted mitigation measures will be imposed through conditions of the Planning Approvals. Imposition of EIR mitigation measures through conditions of land use approval is the standard procedure in Campbell, and most localities, for imposing mitigation measures related to specific projects.

Nothing in this Exhibit A or the Resolution to which it is attached will affect the City Council's discretion, as applicable, in taking action on the Planning Approvals, or in imposing conditions of approval in addition to the mitigation measures adopted

below.

II. OVERALL FINDINGS

Before the Agency and City Council may act upon the discretionary approvals described in Section I.D above, CEQA mandates that the Agency and City Council consider the record and make certain findings required by Public Resources Code Sections 21081 and 21081(a) and Sections 15091, 15092 and 15093 of the State CEQA Guidelines. The 1996 SEIR (which incorporates the 1992 EIR) and as amended by the 1997 Addendum, identifies potentially significant impacts on the environment which are likely to result from development of the Project. Based on the following findings as to each such impact, the 1996 SEIR concludes that changes or alterations have been adopted and will be incorporated into the Project which avoid or substantially lessen all identified potentially significant environmental impacts except for the local air quality impact identified in Section III. and in Section IV below.

Further, as required by Public Resources Code Section 21081.6, a monitoring program is adopted for the mitigation measures stated in and required by this Exhibit A.

The purposes of the findings contained in Exhibits A and B -include: (1) certifying the 1996 SEIR including the 1997 Addendum prepared for the discretionary approvals described in Section I.D above; (2) briefly describing and summarizing the potentially significant environmental impacts of the Project; (3) describing mitigation measures for, and alternatives to, the Project; (4) making a statement of overriding considerations for the one unavoidable, unmitigated impact and (5) presenting the Agency's and the City's findings as to the impacts of the Project after adoption or rejection of the mitigation measures and alternatives. In addition, Section IV of Exhibit A to the Concurrent Resolution of the City Council and the Agency, Resolution Nos. 9181 and 1997-1 respectively adopts mitigation measures for certain other environmental impacts that were addressed in the 1996 SEIR (including the 1992 EIR incorporated by reference), but determined not to be potentially significant adverse environmental impacts. The description of impacts contained in this Exhibit A is intended as a summary only. The 1996 SEIR, the documents which it incorporates (including the 1992 EIR) and the 1997 Addendum, describe these impacts in detail.

The City Council and Agency certify that the 1996 SEIR with the 1997 Addendum has been completed in compliance with CEQA and that it was presented to, and reviewed and considered by, the Planning Commission prior to acting on the discretionary approvals related to the Project. In so certifying, the City Council and Agency recognizes that there may be "differences" among and between the information and opinions offered in the documents and testimony that make up the record related to the City Council and Agency actions. Therefore, by these findings (including Exhibit A of Resolutions Nos. 9181 and 1997-1 by reference), the City Council and Agency

acknowledge and certify the clarifications and/or modifications of the 1996 SEIR, the 1997 Addendum, as set forth in these findings, and determines that these findings shall control and that the 1996 SEIR shall be deemed to be adequate subject to the determinations reached by the City Council and Agency in these findings, which are based on the substantial evidence in the record.

III. POTENTIALLY SIGNIFICANT IMPACTS OF THE PROJECT

On January 7, 1997 the City Council and Agency adopted Resolution Nos. 9181 and 1997-1 (the "Prior Findings") certifying the 1996 SEIR as complete and adequate for the Original Project under the Original DDA. In compliance with Public Resources Code Section 21081(a) and Section 15091 of the State CEQA Guidelines, the City Council and Agency in adopting the Prior Findings made the appropriate findings regarding potentially significant environmental impacts related to the Original Project as identified in the 1996 SEIR, including the potentially significant impacts identified in the 1992 EIR that have been found to remain relevant to the Original Project and the Project.

The City Council and Agency reaffirms the analysis and findings made based on substantial evidence in the record including the 1992 EIR, 1996 SEIR and the Addendum because the Addendum identifies no new or more potentially significant environmental impacts, and no additional available mitigation measures, the Prior Findings and Mitigation Monitoring Program are hereby incorporated by reference.

For each identified potentially significant impact, the Prior Findings: 1) summarizes the impact, 2) describes and adopts applicable mitigation measures for the impact, 3) adopts a monitoring program for the adopted mitigation measures in accordance with Public Resources Code Section 21081.6, and 4) makes one of the findings required by Public Resources Code Section 21081(a) and Section 15091 of the State CEQA Guidelines.

The City Council and Agency recognizes that in certain respects the Project contemplated under the DDA may have impacts less than those of the Original Project contemplated under the Original DDA as described in the Prior Findings. In particular, the Project will contain only 280,000 square feet of building space, not 330,000 square feet as noted in Section C.2.d of the Prior Findings. The Project will increase critical movement traffic volumes at the Camden/Union intersection less than the 1.35 percent as noted in Section A.2.a of the Prior Findings. Nonetheless, despite any reduction in impacts, the Commission recommends implementation of all mitigation measures described in the Prior Findings, and therefore reaffirms the Prior Findings on these points as well.

IV. UNAVOIDABLE SIGNIFICANT IMPACT

Based on the analysis contained in the 1996 SEIR (including the 1992 EIR), with the Addendum and Section III of this Exhibit A, the following unavoidable significant adverse impact of approval and implementation of the Project is identified:

The increase in concentrations of carbon monoxide at the Camden/Curtner and Union/Campbell intersections as a result of anticipated Project-related traffic would represent a significant unmitigated air quality impact because 1-hour and 8-hour carbon monoxide exceedance would become worse under Project conditions.

As to this significant environmental impact, the City Council and Agency finds that there are no feasible mitigation measures identified in the 1996 SEIR and Addendum that might reduce the level of significance of this impact, and specific economic, social, or other considerations make infeasible the adoption of the only possible mitigation measure (as detailed in the Prior Findings) or the project alternatives (as detailed in Section V). Therefore, in order to approve the Planning Approvals, the approval resolution or other official approval action must contain the City Council's statement of overriding considerations (contained in Exhibit B) in accordance with Public Resources Code Section 21081 (b) and Section 15093 (b) of the State CEQA Guidelines.

V. ALTERNATIVES TO THE PROPOSED PROJECT

A. OVERVIEW OF ALTERNATIVES AND EVALUATION CRITERIA

1. Introduction. This Section V provides an introduction to and overview of the extensive evaluation of alternatives to the Project and reuse of the Property that has been performed by the Agency and City Council, in consultation with nearby property owners and the general Campbell community, over the past several years. This section evaluates four specific alternative uses for the Property in terms of environmental effects and ability to achieve redevelopment and other community objectives. The information and analysis is drawn from Section 5 of the 1992 Draft EIR, Section 4 of the Draft 1996 SEIR (as modified in the Final 1996 SEIR)including the 1997 Addendum, the ERA Alternatives Study, the Staff Reports on Alternatives, and other information known through deliberations and discussions on alternative uses for the Property.

2. Overview of Process Since 1992 EIR. The 1992 EIR evaluated several alternatives for the Property in accordance with the State CEQA Guidelines, including the No Project Alternative and several alternative land uses on the Property. After the Agency purchased the Property in 1994, it conducted an extensive public process to determine the optimum land use for the Property. A variety of land use concepts for the Property were developed, and were formally evaluated in the ERA Alternatives Study (1995) and the Staff Reports on

Alternatives (1996).

The purpose of the ERA Alternatives Study, the Staff Reports on Alternatives, and the Agency's public input process was to help determine a land development strategy that balanced environmental considerations, Campbell's financial and non-financial objectives for the Property, and the ability to improve the McGlincey Lane area's infrastructure. Through a series of meetings and evaluations, four land use alternatives for the site were developed, taking into account and building upon the evaluation of land use alternatives set forth in the 1992 EIR. The predominant land uses in the four alternatives were: commercial recreation, industrial, residential, and public park. Because there was an interest in relocating the City's corporation yard to the Property, each alternative then had two sub-alternatives or variations, one with and one without the corporation yard.

The land sale or land lease revenue potential of each alternative was analyzed, in addition to overall municipal cost and revenue implications.

The cost analysis included roadway improvements, utilities upgrading, park development, park maintenance, and other General Fund service costs. The Agency's evaluation on how to proceed with the use of the Property also considered the compatibility of the use with the surrounding neighborhood, other environmental issues as outlined in the 1992 EIR, the desires of the community, and potentially creative proposals which developers would be able to bring into the process.

After the ERA Alternatives Study was received and reviewed by the Agency Board, the Agency decided to issue an RFP to developers, corporations, and other parties that might be interested in purchasing and developing all or a portion of the Property. The RFP did not restrict the proposals to a certain land use or development type; rather, it identified the range of four land uses that had been evaluated in the ERA Alternatives Study and encouraged submittals for creative projects that could meet the City's and Agency's financial and non-financial objectives.

The Agency received eight proposals from developers; four for commercial recreation, three for research and development/light industrial, and one for a private school. Upon extensive evaluation and public discussion, the Agency Board chose to negotiate with the Developer for the sale of the Property and development of the Project because the Project appears to best meet the goals and objectives established for the Property, taking into account relevant environmental impacts.

3. Redevelopment and Planning Objectives. In determining what land use alternatives were viable for the Property, several objectives were considered including the following (the "Redevelopment and Planning Objectives"):

a) Land Use Compatibility. The Agency evaluated what kind of land use would be compatible where the surrounding land use consisted of primarily industrial uses bordered by a freeway. This setting makes a residential reuse of the Property very problematic. Additionally, residents of the Paseo de Palomas Mobile Home Park immediately adjacent to the Property are particularly concerned with a recreational use that might include sports activities, such as a golf driving range or sports fields where noise would be a concern. Development of a research and development/light industrial business park on the Property is generally viewed as the most compatible land use. The site reserved for a public park or open space in the Project as more recently modified is at the far side of the Property from the mobile home park and will minimize any effect on the mobile homes.

b) Redevelopment Goals and Objectives. The Redevelopment Plan identifies several goals for the McGlincey Lane area, including improvement of Cristich Lane to a public street, extending storm drain to address existing point and non-point source water pollution concerns, improving water supply to provide adequate fire flow and to address inadequate fire suppression conditions in the area, and to facilitate the development of the Property which has been a blight in the area for 15 years. Existing redevelopment funds and anticipated tax increment revenues are not adequate to finance these capital projects. The net proceeds generated by the sale of the Property and the development of the site itself could help finance many of these improvements. Without such net sale proceeds, Agency tax increment revenue from the area is not likely to be sufficient to fund new redevelopment activities in the forseeable future.

c) Financial Feasibility. The City loaned the Agency $3.34 million to acquire the Property on a short term basis to help facilitate its development. The Agency determined that, at a minimum, the sale of the Property should generate enough revenue to retire the Agency's debt to the City, net of any Agency costs and obligations associated with the development of the Property. Based on the commercial recreation projects proposed, none were determined to be financially feasible under this standard, while the proposed research and development Project is estimated to provide a net return sufficient to fund certain public improvements including storm drain

and a four acre public open space area of benefit to the McGlincey Lane area and yield additional funds in excess of $2 million after costs and expenses.

d) Public Open Spaces. In addition to the acquisition costs, developing and maintaining the entire Property as a public park would require an additional $5 to $7 million depending upon the extent of on-site improvements and required off-site improvements needed to develop adequate access and infrastructure to the Property. The focus of the Open Space Element of the General Plan is on creating more neighborhood parks; and in particular, the east side of Campbell is deficient of neighborhood park space. However, the Property is challenged in meeting many of the criteria established on page 8 of the Open Space Element of the General Plan for acquiring and developing open space.

For example, the Property is not within walking distance to a significant number of Campbell neighborhoods, it is not particularly visible or accessible to Campbell residents due to lack of convenient pedestrian and vehicular access, and the frequency of commercial trucks and vehicles in the area does not provide a desirable condition for public open space and park land as defined by the Open Space Element.. Given the costs for development, a park occupying most of the 23.58-acre Property does not appear to be financially feasible for a City which already supports a City-wide 30-acre recreational facility at the Community Center and John D. Morgan Park, a 25 acre public park. In addition, local youth sports groups such as the Campbell Little League, Bobby Sox, and Soccer Leagues have not expressed support, and other public agencies either did not express support or were not financially able to consider a partnership with Campbell for development of the site.

In the Commission's April and May 1997 consideration of the Original Project, substantial community interest was expressed in setting aside some portion of the Property for public park or open space use. Based on the community interest, the Commission has determined to recommend a four-acre public open space. The response by the Commission to recommend a public open space component is at least partially to address the need of a four to six acre "neighborhood " size park while preserving the development of the balance of the site for an economically viable commercial project that addresses the Agency's redevelopment goals and objectives in the area.

These Redevelopment and Planning Objectives have been distilled from the General Plan, the Redevelopment Plan, the 1992 Report to City Council, the Agency's Implementation Plan, hearings and comment on the Original Project, and other evidence in the record, and provide a basis for evaluating the ability of various alternatives to satisfy the Agency/City goals for redevelopment of the Property.

4. The 1996 SEIR Alternatives Analysis. Several of the land use alternatives for the Property evaluated in the 1992 EIR remain relevant and valid as alternatives to the Project for CEQA purposes. The analysis of these alternatives is incorporated by reference in the 1996 SEIR and is summarized in Section V.B below. Specifically, SectionV.B.1 evaluates the No Project Alternative, as required by CEQA.

   Section V.B.2 evaluates two land use alternatives for the Property that were initially considered in the 1992 EIR and that have been a focus of continuing consideration by the Agency over the past three years, as outlined above: a residential use, and a large public park use.

   The only uses of the Property that have received serious consideration in the ERA Alternatives Study and subsequent Agency deliberations, but that was not evaluated from an environmental alternatives perspective in the 1992 EIR are the commercial recreation use and a small public park or open space in conjunction with light industrial development, which has now become part of the project itself. Section V.B.3 below provides a summary of the environmental and other impacts of a commercial recreation use, based on the new discussion of that alternative contained in the 1996 SEIR.

   The 1992 EIR and the 1996 SEIR did not analyze any alternative location for the Project. Recent court cases suggest that CEQA may, where appropriate, require an analysis of alternative locations for a project, as well as alternative projects on the same site. CEQA requires that the alternatives be capable of obtaining the basic objectives of the proposed project (Section 15126(d) of the State CEQA Guidelines).

   For the following reasons, it has been concluded that there is no feasible alternative location for the Project. The Property is the only relatively large, currently undeveloped site in the City of Campbell or immediate environs that could accommodate a high-end research and development park of the size and scope contemplated for the Project. Assembling a sufficiently large site to accommodate the Project at another location in Campbell or its environs would result in business and/or residential relocation, demolition, public infrastructure

improvements, and conflicting land use in built-up neighborhoods that would cause more disruption and adverse environmental impact than would development of the Project on the vacant, relatively isolated Property. The costs of land assembly would be several times greater than the land cost of the Property, making development of the Project at another location in the general vicinity of the Property economically impractical for the Agency and any private developer. In short, an alternative location for the Project would be prohibitively costly to assemble and would cause more severe environmental impacts than locating the Project on the Property.

Consequently, consistent with Section 15125(d)(3) of the State CEQA Guidelines, an alternative location for the Project is found to be infeasible and has not been evaluated further in the 1996 SEIR or this Exhibit A.

B. SUMMARY OF ALTERNATIVES AND REASONS FOR REJECTION

Following is a summary of the proposed land use alternatives for the Property evaluated in the 1996 SEIR (including relevant alternatives from the 1992 EIR as incorporated by reference). The reasons for their selection as the most viable alternatives are addressed in SectionV.A above.

The likely environmental impacts of each alternative and each alternative's ability to meet the Redevelopment and Planning Objectives are briefly summarized and are compared to the environmental impacts and potential of the Project to meet the Redevelopment and Planning Objectives.

Each alternative is rejected as being infeasible because it fails to meet one or more of the Redevelopment or Planning Objectives in a timely manner and/or would cause various adverse environmental or fiscal impacts that can be avoided through implementation of the Project. The reasons for rejection of the alternatives are summarized below and are supported by substantial evidence in the record.

1. The No Project Alternative. The No Project Alternative means that the Property would remain vacant (unless the Agency permitted reuse for one of the other alternatives analyzed separately below). Potentially significant adverse impacts of the Project related to traffic, noise, air quality, construction impacts, hazardous materials, seismic safety, and cultural resources would generally not occur under the No Project Alternative since such impacts are generally associated with the development process. The vacant site would be less aesthetically appealing to some observers then a well designed Project. On balance, the No Project Alternative would have

the fewest adverse environmental effects and would be considered the environmentally superior alternative among those evaluated in the 1992 EIR and the 1996 SEIR.

Most important, the No Project Alternative would prevent the reuse of the largest and one of the most blighted parcels in the Project Area, thereby frustrating an essential purpose of the Redevelopment Plan and the Agency's Implementation Plan.

For these reasons, the No Project Alternative fundamentally fails to achieve the underlying Redevelopment and Planning Goals of the Agency and the City. On this basis, the finding is made that specific economic, social, or other considerations make infeasible the No Project Alternative, and the No Project Alternative is hereby rejected even though it might prove to be an environmentally superior alternative.

2. Alternative Land Uses on Property Evaluated in 1992 EIR (as Updated in 1996). Several alternative land uses for the Property were considered in the 1992 EIR. Two of the alternatives -- residential and larger public park -- are relevant to the current consideration of alternatives to the Project because they reflect two of the four basic alternatives considered in the ERA Alternatives Study, the Staff Reports on Alternatives, and the Agency's recent deliberations on appropriate uses for the Property. Following is a brief summary of those two alternatives that builds upon the material in the 1992 EIR.

   a) Residential. Although the traffic generation rates are lower for residential uses on the Property than for commercial, office or industrial uses like the proposed Project, residential uses generate traffic in both the morning and evening peak periods. Residential uses also place a higher demand on City services and generate limited City revenues. A residential use in the Property would not be compatible with the elevated noise levels generated from SR-17 traffic, and marketing a residential development on the site would be difficult, given its access through and proximity to the McGlincey Lane industrial area.

      In summary, a residential use of the Property might be marginally superior to the Project from a traffic and air quality perspective, but would cause greater land use conflict and noise impacts than the Project. Overall, it is difficult to judge if the residential alternative would be superior or inferior to the Project from an environmental perspective. On the other hand, the residential alternative would clearly fail to meet Redevelopment and Planning Objectives related to land use

compatibility. For these reasons, the finding is made that specific economic, social or other considerations make infeasible the residential alternative for the Property, and the residential alternative is hereby rejected.

b) Large Public Park. During the public scoping meetings for the 1992 EIR, several comments from nearby residents suggested the City consider a park/open space use as the main use for the Property. In June 1990, the Cambrian Community Council also recommended that a park be considered for the Property as part of a mixed use project. A public park use would generate less traffic than the Project, and generally would produce more limited environmental effects related to air quality, construction impacts, hazardous materials impacts, cultural resource impacts, and seismic safety impacts.

From this perspective, a large public park use would be the environmentally superior alternative for the Property (other than the No Project Alternative). However, a public park use would be susceptible to the same negative land use compatibility effects as a residential use at the Property, i.e., traffic noise and air quality impacts from proximity to SR-17. In addition, the Property would have no direct access to a public street and is not centrally located to the remainder of the Union Avenue neighborhood. Drive-by surveillance of the site would be difficult. Lack of public visibility is often a factor leading to security and vandalism at parks.

As noted in Section V.A.3 above, the Property is challenged in meeting many of the General Plan Open Space Element criteria for suitable public park locations. Finally, a public park use alternative for the entire 23.58 acre site could cause negative financial impacts to the City and Agency as described in Section VI.A.3. Park development could require $5-7 million of City funds and approximately $350,000 in annual maintenance costs could further impact the General Fund, possibly precluding funding other competing capital projects, including implementation of the Campbell Community Center Master Plan and future park acquisition and development in other areas of the City. The Agency would lose the ability to generate net sale proceeds to fund other activities in the McGlincey Lane area or to repay the City loan.

In April and May 1997, the Planing Commission considered the Original Project and after recommending certification of the 1996 SEIR, recommended to the City Council that the project be redesigned to allow

for incorporation of a four acre public open space amenity on the Site.

On June 17, 1997, the City Council in considering the Original Project and in response to the recommendation of the Planning Commission, requested that the Developer submit a redesign of the Original Project, to permit consideration of a four acre public open space area. The Planning Commission, in making its recommendation, acknowledged that while it was not desirable to develop the entire Site as public open space, the Open Space Element of the General Plan identifies a need for "neighborhood" size parks or opens space sites (4 to 6 acres in size), particularly in the Union Avenue area (including the McGlincey Lane area). And while it is acknowledged that this area may not conform to all Open Space criteria, this condition does not create a potential adverse environmental impact. In fact, it may provide environmental benefit. For these reasons, the Commission has recommended that a four -acre park or open space be included in the Project as revised.

This acreage can be set aside without an unacceptable significant effect on the economics of developing the Property and furthering the redevelopment goals in the area.

In summary, while a public park use over the entire Site would prove environmentally superior to the Project, that alternative would fail to satisfy nearly all of the community's Redevelopment and Planning Objectives in the McGlincey Lane area. For these reasons, the finding is made that specific economic, social or other considerations make feasible the partial use of the Site for public open space use and infeasible the entire use of the Site for public park and the use of the entire Site for a public park alternative is hereby rejected.

3. The Commercial Recreation Alternative. A commercial recreation land use on the Property might consist of a golf practice range, a family recreation complex, a buffer area between the site and the mobile home park, and possible inclusion of the City corporation yard. The golf practice range is assumed to have 50 stations on two levels, and a club house/pro shop of about 2,000 square feet. The family recreation complex may include uses such as an arcade, restaurant, miniature golf course, go-cart track, batting cages, bumper rides, children rides, and "soft play" area. Most of these activities would be outdoors.

   A commercial recreation alternative would generate approximately 5,800 vehicle trips daily (as opposed to an estimated 2,538 daily trips for the Project), but the trips would likely be distributed more evenly throughout a

24-hour period than the AM/PM peak distribution associated with the proposed Project. A substantial number of trips would be generated in the late afternoon and evening, when children are not in school. This alternative would also generate higher noise levels than the proposed Project, because the majority of activities would take place outdoors. Several activities, such as go-carts, bumper cars, and children rides, could generate substantial noise levels which may impact the Paseo de Palomas mobile home park. Other variants of a commercial recreation alternative might have fewer high-noise impacts, but any commercial recreation variant involving outdoor activities is likely to have noise impacts that exceed those anticipated for the Project. Environmental effects of a commercial recreation alternative related to construction impact, hazardous materials, and cultural resource disturbance are likely to be similar to the anticipated impacts of the Project.

A commercial recreation alternative would fail to meet fundamental Redevelopment and Planning Objectives related to land use compatibility problems with the adjacent mobile home park (see Section VA.3 above). One variant of the commercial recreation alternative considered by the Agency was the proposal in response to the development RFP submitted by a non-profit recreational entity called "Sports Mall". When other development proposals were rejected by the Agency Board, the "Sports Mall Task Force" was provided an opportunity to demonstrate the financial viability of their project. The Sports Mall proposal includes various indoor and outdoor sports activities on a lease or membership basis. An independent economic report commissioned by the Task Force indicated that financing for such a project was tenuous. It was determined that this kind of facility would likely serve as a regional rather than local resource, and no other public agencies were willing to step forward at that time to participate in financing such a project. The Task Force was not able to adequately demonstrate the financial viability of their project, and the proposed sports mall concept was not considered further.

For these reasons, the finding is made that specific economic, social or other considerations make infeasible the commercial recreation alternative for the Property, and the commercial recreation alternative is hereby rejected.

C. OVERALL FINDING REGARDING ALTERNATIVES

After consideration of a reasonable range of identified alternatives to the Project, the Agency and the City Council find that none is as beneficial to the community as the proposed Project in terms of achieving the Redevelopment and Planning Objectives, and that because of each alternative's inability to achieve one or more of the Redevelopment and Planning Objectives, each

identified alternative is rejected as being infeasible.

RESOLUTION NO. 9307

BEING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL APPROVING A VESTING TENTATIVE SUBDIVISION MAP (TS 97-01) TO ALLOW THE CREATION OF 4 LOTS AND A REMAINDER LOT ON PROPERTY LOCATED AT **535 WESTCHESTER DRIVE** AND **571 McGLINCEY LANE.** APPLICATION OF MR. KEN NEUMEISTER, ON BEHALF OF WTA DEVELOPMENT AND HEUTTIG & SCHROMM, INC. FILE NO. TS 97-01.

After notification and public hearing, as specified by law, and after presentation by the Community Development Staff, proponents and opponents, the hearing was closed.

After due consideration of all evidence presented, the City Council did find as follows with respect to application TS 97-01.

1. The proposed lots are of sufficient size and shape to accommodate the intended mixed uses

2. The proposed map is consistent with the Planned Development Application (PD 96-06) which has been recommended for approval subject to the proposed conditions of approval.

3. The proposed subdivision layout provides sufficient open space to accommodate the intended users of the facility and the surrounding area with inclusion of a 4.0 acre public open space area.

4. The design of the proposed subdivision allows for the appropriate grading and drainage facilities, public utility easements, improvement of utilities, and private driveway and access easements necessary to serve these properties.

5. The 1996 SEIR and its addendum prepared for the development of the project identifies the impacts associated with the development of this site with four industrial buildings

6. Absent the easement, the development of the industrial park would impede access to and from the existing and proposed recreation areas in the City of Campbell.

Based on the foregoing findings of fact, the City Council further finds and concludes that, subject to the imposed conditions:

1. The proposed subdivision is consistent with the policies and intent of the recommended General Plan Amendment.

2. The proposed subdivision does not impair the balance between the housing needs of the region and the public service needs of the residents and available fiscal and environmental resources;

3. The site is physically suitable for the proposed type of development and the proposed lot pattern.

4. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

5. The subdivision of the property does not alter the intensity or impacts of the project as examined in the SEIR previously certified by the City Council on January 7, 1997, and as discussed in the addendum, the revised project presents a less intensive use than the original project.

6. There is no substantial evidence that the subdivision of the property, in-and-of itself, may have a significant effect on the environment.

7. The subdivision of the property will not substantially change the proposed project from that examined in the SEIR in any way that would involve new significant environmental effects or a substantially increase the severity of any previously identified significant effects.

8. The subdivision of the property will not substantially change the circumstances under which the project is undertaken in a way which would involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

9. The subdivision of the property does not present any new information not previously known at the time the SEIR was certified that would indicate that:
   a. The project will have any significant effects not previously discussed in the SEIR, or
   b. That any effects will be substantially more severe; or
   c. That mitigation measures found not to be feasible would not be feasible; or
   d. That mitigation measures or alternatives exist that are considerably different from those analyzed in the SEIR.

10. The subdivision does not require any minor additions or changes to the SEIR or its addendum.

The applicants are hereby notified, as part of this application, that they are required to meet the following conditions in accordance with the Ordinances of the City of Campbell and the State of California. The lead department with which the applicant will work is identified. Additionally, the applicants are hereby notified that they are required to comply with all applicable Codes and Ordinances of the City of Campbell and the State of California that pertain to this development and are not contained herein.

PUBLIC WORKS CONDITIONS

1. Map Requirements: Prior to issuance of any building permits for the site, the applicant shall prepare and submit a Final Tract Map for review by City Engineer and recordation upon City approval. The current fee for processing the Final Tract Map is $1,380 plus

$25/lot. Applicant shall provide all documents as required for review and approval of the Final Map.

Prior to approval of the Final Map, the applicant must provide evidence from each utility and special district that they approve of the filing of the Final Map as submitted, that the easements shown on the map are adequate for each utility to serve the proposed development and that the procedure for abandonment of any existing easements is acceptable.

2. Dedication to City: Prior to approval of the final map, the applicant shall dedicate, acquire land for dedication and/or obtain dedications as necessary to accommodate construction of the required public street improvements for: the 45-foot public street access to McGlincey Lane; the 50-foot public street across the south end of the site; the right of way needed to construct the cul-de-sac and intersection at McGlincey Lane as shown on the approved tentative map; and the right of way/easements necessary (15-foot minimum) to construct the public storm drain system through the development and through the private Paseo de Palomas street. Applicant shall prepare all documents necessary to obtain the dedications and/or remove any existing easements, provide all information required for reviewing these documents and shall pay all costs associated with obtaining the required dedications and/or easements and recordation of these dedications. Should it be necessary for the City to implement eminent domain proceedings in order to obtain right-of-way, the applicant shall pay all costs associated with the condemnation proceedings, including attorney's fees.

   Prior to approval of the Final Map, the applicant must determine the adequacy of the existing storm drainage easement along Paseo de Palomas. If the existing easement is not adequate for construction of the proposed parallel/upsized storm drain from the site to the existing system in Union Avenue, the applicant shall provide all documents necessary for the City to obtain this easement. These documents shall include all engineering plans, plats and descriptions of the easement required for construction of this storm drain facility.

3. Storm Drain Area Fee: Prior to issuance of any building permits for the site, the applicant shall pay the required storm drain area fee of $2,500/acre.

4. Grading and Drainage Plan: Prior to approval of the final map or issuance of any building permits for the site, the applicant shall conduct hydrology studies as necessary, prepare grading and drainage plans and pay fees required to obtain necessary grading permits for the site.

   Grading plans shall include the disposition of and abandonment of existing utility lines as necessary.

Hydrology studies, grading and storm drainage plans shall include the public access road from McGlincey to the site. Storm drainage plans shall include existing invert and top of pipe elevations of the SCVWD culvert crossing the proposed roadway.

Hydrology studies and storm drainage design shall include the drainage area bounded by Highway 17 to the west, Curtner Avenue to the south, the City limits to the east and the existing storm drain in McGlincey Lane easterly of the development to the north. The storm drainage plans for this drainage area shall include removal, replacement and/or installation of new storm lines as needed in McGlincey and Cristich Lanes to connect to a new and/or upsized storm drainage line required through the development, through the Paseo de Palomas private road and ultimately connecting to the existing storm drainage facilities in Union Avenue.

Completion of this design is required to determine the appropriate size, location and invert elevations of the storm drainage facilities to be constructed on site that will allow for the future construction of the off-site storm drainage improvements in McGlincey Lane and Cristich Lane.

The applicant shall be required to construct only the portions of this storm drainage facility that are on-site and the connection to the existing system in Union Avenue through the storm drain easement in Paseo de Palomas. The applicant shall provide a "stub-out" to Cristich Lane to allow for the future storm drain construction off-site.

5. Standard Street Improvements: Prior to approval of the final map or issuance of any building permits for the site, the applicant shall prepare plans, pay fees, post securities and provide insurance as required to obtain an encroachment permit to construct public street improvements as required by the City Engineer. Public street improvement plans shall be prepared by a registered Civil Engineer licensed in the State of California and shall include:

- Construction of the 45-foot public street access to McGlincey Lane to include: 30-foot of asphalt concrete roadway; a standard marginal 5-foot sidewalk and a 5-foot landscaping strip along the west side of the street; a 5-foot landscaping strip along the east side of the street; no parking signs, signing and striping, standard curb and gutter, storm drainage facilities and street lighting facilities along both sides of the street; construction of driveways as required for existing parcels; and all conforms necessary to accommodate the existing improvements on the parcels south of the proposed development.
- Construction of a 50-foot right of way public street along the southern frontage of the property to include: 35-feet of asphalt concrete roadway; standard driveway approaches for the entrances to the development; a standard marginal 5-foot sidewalk; and a 10-foot Public Utilities Easement along the north side of the street; a 5-foot landscape strip and a 5-foot separated walk along the southern side of the street; no parking signs for the northern side of the street, signing and striping, standard curb and

gutter, storm drainage facilities and street lighting along both sides of the street All improvements shall be designed and constructed to allow future continuation of the improvements on Cristich Lane and an appropriate cul-de-sac terminus shall be designed and constructed at the western end of the new public street.

- Construction of the intersection as shown on the approved tentative map and as directed by the City Engineer. Intersection improvements may include sidewalks, handicap ramps, signing, striping and increased street widths as shown on the approved tentative map.
- All streets and their intersections with access points to the site shall be designed to accommodate all truck turning movements. Improvements at the west end of the new public street shall be constructed to allow for a future connection to Cristich Lane. Street trees shall be of a type that will not grow to encroach or interfere with public traffic.
- Construction of a complete traffic signal system and equipment, signing, striping, utility relocation and related improvements to provide for signalization of the intersection of Union Avenue and McGlincey Lane. The traffic signal system and equipment shall include but not be limited to: vehicle detection equipment, traffic signal standards, street lighting and electrical services; pavement repair; signing and striping and other components as required by the City Traffic Engineer.
- Reconfiguration of the intersection of McGlincey Lane and Curtner Avenue to provide for a free right turn lane from southbound McGlincey to westbound Curtner, a free left turn from eastbound Curtner to northbound McGlincey and stop controls for westbound Curtner east of the intersection as directed by the City Engineer. Existing pavement in this intersection may need to be resurfaced to allow for the additional lanes and new striping pattern.
- Provide signing, striping and pavement reconstruction at the intersection of McGlincey Land and the new public access road as necessary to provide lane configurations as directed by the City Engineer.
- Construction of the storm drain facility extending from Cristich Lane through the development via storm drain easements to connect to the existing system in Union Avenue.

Construction of storm drain facilities for all public streets including the public access road from McGlincey.

6. Completion of Public Street Improvements: Prior to issuance of occupancy for the site, all public street improvements as required by the encroachment permit must be completed and accepted by the City Engineer and the applicant must provide the one-year maintenance security.

7. Landscaping Maintenance Agreements: Prior to recordation of the final map, the applicant shall prepare and execute a landscape maintenance agreement requiring the development to post securities and maintain all landscaping, irrigation and irrigation facilities, walls and fences within all public areas, including the public access street to

McGlincey Lane and the new public access road adjacent to the property. This agreement shall be reviewed and approved by the City prior to being executed by both parties and recorded by the City.

8.. Underground Utilities: All new on-site utilities shall be installed underground per Section 20.36.150 of the Campbell Municipal Code for any new or remodeled buildings or additions. Applicant shall comply with all plan submittals, permitting and fee requirements of the serving utility company.

Applicant shall submit a Utility Coordination Plan and Schedule for approval by the City Engineer for installation of all utilities. The plan shall minimize the damage to all public facilities.

9.. Soils Report: Provide a soils report prepared by a registered Geotechnical or Civil Engineer

10. Title Report: Provide a current Preliminary Title Report.

11. Street Name: The final map shall contain the City-approved street name for the new public street.

12. Storm Water Management: Comply with the Regional Water Quality Control Board's industrial storm water general permit and California Storm Water Best Management Practices Handbook, prepared by Storm Water Quality Task Force, Santa Clara Valley Water District.

13. Coordination with Capital Improvement/Other Projects: Applicant shall coordinate with other city improvement projects within the vicinity. Location and installation of off-site improvements that may be required by other districts and utility companies shall be approved by the City.

14. Monumentation: Prior to recording the Final Map, the applicant shall provide security guaranteeing the cost of setting all monuments as shown on the Final Map.

15. Street Improvement Agreement: Prior to the approval of the final map, the applicant shall execute a street improvement agreement and post securities to guarantee the installation of the required street improvements.

16. Notification to Adjacent Properties: Prior to any construction activity on the development, applicant shall notify all adjacent properties, including the management of the adjacent mobile home park. Notification shall include a contact number for the developer which can be used by the property owners during construction should questions or problems arise.

FIRE DEPARTMENT CONDITION

17. Emergency Vehicle Egress Access Easements: Emergency Vehicle Egress Access easements (EVEA) shall be granted and recorded to the fire department for emergency egress.

PASSED AND ADOPTED this 18th day of November, 1997, by the following roll call vote:

AYES:	COUNCILMEMBERS:	Watson, Furtado, Conant
NOES:	COUNCILMEMBERS:	Dougherty, Dean
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

APPROVED: Barbara D. Conant
Barbara D. Conant, Mayor

ATTEST : Anne Bybee
Anne Bybee, City Clerk

Exhibit E: 1991 Access Study prepared by Nolte & Associates

ACCESS STUDY

WINCHESTER DRIVE-IN SITE
IN THE CITY OF CAMPBELL

For

WESTERN FEDERAL SAVINGS AND LOAN
WATER DISTRICT

Prepared by
Nolte and Associates
0115-91-00
February, 1991

STUDY PURPOSE

By letter agreement dated November 8, 1990, Nolte and Associates was retained by Western Federal Savings and Loan Association to prepare a study and Conceptual Plans to provide access to serve the proposed development of the Winchester Drive-In property located in the City of Campbell.

STUDY DESCRIPTION AND PROJECT LOCATION

The 25-acre Winchester Drive-In site is located approximately one-half mile north from the intersection of Camden Avenue and Curtner Avenue in the City of Campbell (See Figure "A").

The access study is based on the results of a traffic study prepared by Nolte and Associates entitled "Traffic Impact Study for the Winchester Drive-In Property, Western Federal Savings and Loan" dated June, 1990. Two of the three access possibilities cited in the traffic report were investigated:

1. Cristich Lane, a private street approximately 1,500 feet long.

2. An existing 45-foot wide easement off of McGlincey Lane approximately 500 feet west of Westchester Drive.

Conceptual Plans were prepared and conceptual costs were developed to provide access to the subject property at the two locations cited above together with other off-site improvements shown in Table 6 on Page 13 of the Traffic Impact Study Report as follows:

- Re-stripe McGlincey Lane to provide a two-way left turn lane along businesses, and left turn pockets at intersections.

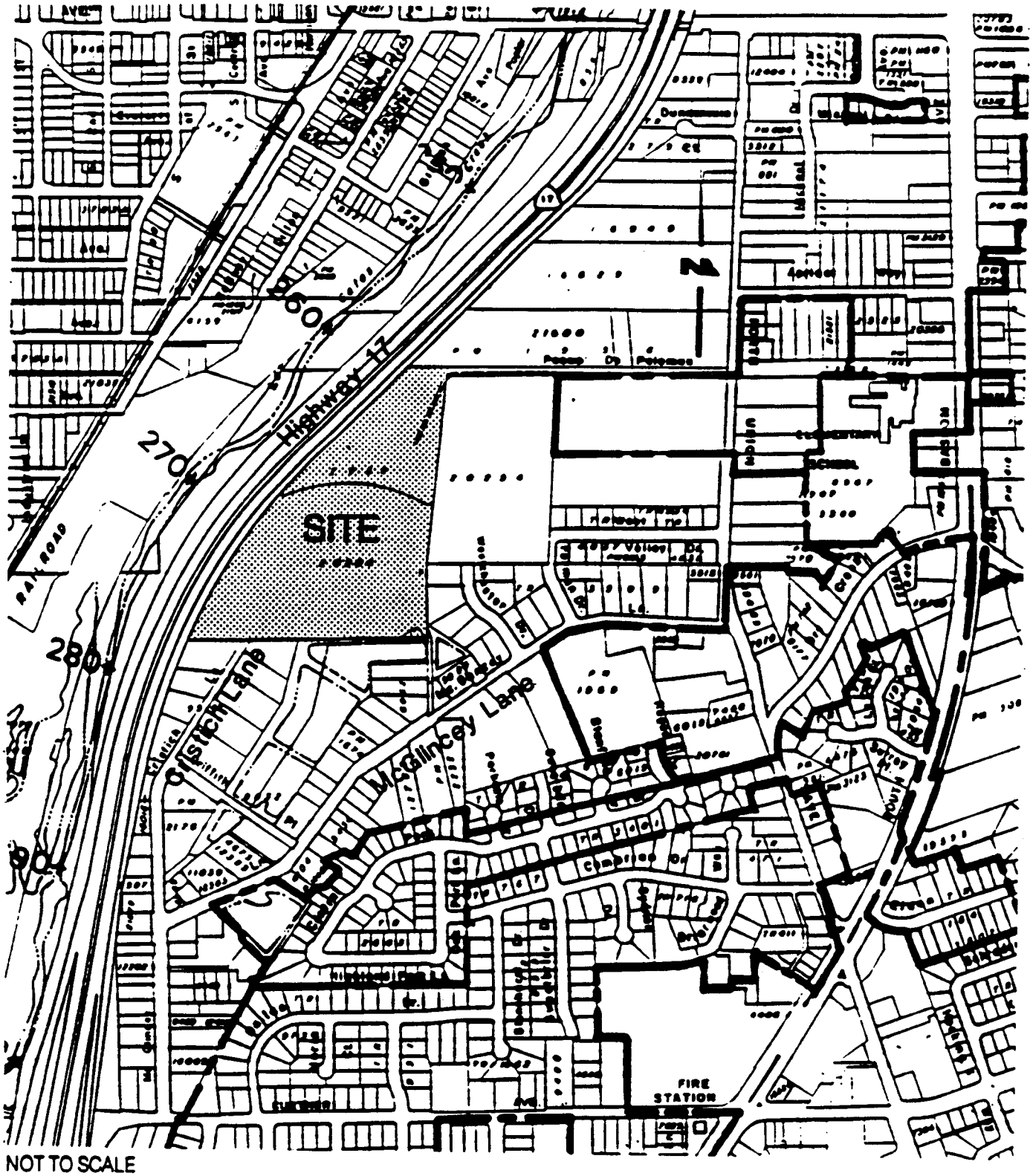
- Widen the north leg of the intersection of McGlincey and Curtner to provide free right-turn movement for McGlincey and extend left-turn storage on Curtner.

- Provide a traffic signal system at McGlincey and Curtner.

- Provide a traffic signal system at McGlincey and Union.

EXISTING ACCESS

Primary access to the subject site is via Cristich Lane. Cristich Lane is a private street with on-street parking for the adjacent businesses and will require substantial improvements and the purchase of right-of-way to satisfy public street standards. Access is also provided by an existing 45-foot wide easement approximately 500 feet west of Winchester Drive



NOT TO SCALE

VICINITY MAP

FIGURE A

which connects to McGlincey Lane. To become a viable access road, right-of-way must be purchased and the easement improved to collector street standards. McGlincey Lane connects to Union Avenue to the east and Curtner Avenue and Camden Avenue to the west.

IMPROVEMENT OF CRISTICH LANE

Alternate "A"

The official plan lines established by the City of Campbell for Cristich Lane calls for a right-of-way width of 60 feet. The standard curb-to-curb width for a 60-foot right-of-way street is 40 feet and is normally striped to provide two 12-foot traffic lanes plus 8 feet of parking along each curb line. However, in this case it is recommended that Cristich Lane be striped to provide a 12-foot wide two-way left turn lane to serve adjacent commercial and industrial sites. Thus, 14-foot wide traffic lanes would be provided adjacent to each curb for through traffic. This would minimize the delay to through traffic caused by automobiles and trucks making left turns into the commercial and industrial sites. A disadvantage of this scheme is that the existing on-street parking would be discontinued. This could be partially offset by providing parking for 30 cars along Griffiths Lane adjacent to Cristich Lane. This alternative can provide for either of the two striping schemes described above and is shown on sheets 1A and 2A of the Conceptual Plans.

As shown on Sheet 2A of the Conceptual Plans, four existing buildings located on Assessor's Parcels 412-32-08 and 09 encroach approximately five feet into the official plan lines for Cristich Lane. Therefore, if this alternative is used, the acquisition of right-of-way from these two parcels may have to be delayed until these buildings are torn down or the City would need to grant a variance for this encroachment for the life of the buildings.

Alternate "B"

For this alternate the planned right-of-way line along the east side of Cristich Lane is moved five feet to the west thereby eliminating the encroachment by the four buildings as described above. The planned right-of-way along the west side of Cristich Lane would remain as shown in Alternate "A" resulting in a 55-foot wide right-of-way. The curb-to=curb width would be 45 feet which would be striped to provide for a 14-foot traffic lane, an 11-foot traffic lane, a 12-foot two-way left turn lane and an 8-foot parking lane on one side of the street. The width of the sidewalks would be reduced to five feet. The limited on-street parking provided by this alternate would be supplemented by a proposed parking lot at the intersection of Cristich Lane and Griffiths Lane as described above for Alternate "A". A conceptual layout of this parking lot is shown on sheets 2A and 2B of the conceptual plans.

Alternate "B", shown on Sheets 1B and 2B of the Conceptual Plans, would require the relocation of nine existing utility poles along the west side of Cristich Lane and one existing utility pole in Griffiths Lane.

IMPROVEMENT OF THE EXISTING 45-FOOT EASEMENT OFF OF MCGLINCEY LANE

A conceptual layout for improvement of the existing 45-foot wide access easement at the north end of the Winchester Drive-In site to public collector street standards is shown on Sheet 3 of the Conceptual Plans. A standard 40-foot curb-to-curb street on a 60-foot wide right-of-way is proposed for this location. It is proposed that this street be striped to provide for two 12-foot traffic lanes and 8-foot parking lanes with provisions for a left turn pocket at McGlincey Lane.

The construction of this street would require the placement of a small amount of additional fill where the street crosses the Santa Clara Valley Water District ponds.

RE-STRIPING OF MCGLINCEY LANE

Sheets T1, T2, T3 and T4 of the Conceptual Plans shows the re-striping of McGlincey Lane as recommended in the traffic report. This will provide for a two-way left turn lane to serve businesses with left turn pockets at intersections. In order to do this it will be necessary to discontinue on-street parking along McGlincey Lane from Curtner to Union.

To provide for the re-striping as described above, it will be necessary to widen the existing pavement approximately 10 feet and construct new curb and gutter for a distance of approximately 500 feet along one side of McGlincey Lane near Union.

It should be noted that the re-striping of McGlincey Lane as described above has not been approved by the City of Campbell engineering department. They are concerned about the loss of on-street parking.

OTHER IMPROVEMENTS

As recommended in the Traffic Impact Study Report, a Conceptual Plan for widening of the north leg of the McGlincey Lane/Curtner Avenue to provide for a free right turn movement for McGlincey was prepared and is shown on Sheet T1 of the Conceptual Plans. This Plan also provides for additional left turn storage on Curtner at McGlincey Lane by addition of double left turn lanes.

The Traffic Impact Study also recommends that traffic signal systems be provided for the McGlincey/Union and the McGlincey/Curtner intersections. The cost of these signal systems is included in the conceptual costs shown in Table I.

TABLE I. CONCEPTUAL COSTS

Item No.	Description	Unit	Unit Price	Quantity	Amount	See Note
	Cristich Lane (Alternate "A")					
1.A	Street Improvements	L.F.	$ 150	1,500	$225,000	A
2.A	Allowance for Driveways	L.F.	32	700	22,400	B
3.A	Allowance for Drainage	L.F.	40	1,500	60,000	C
	Subtotal - Alternative "A"				$307,400	
	Cristich Lane (Alternate "B")					
4.B	Street Improvements	L.F.	146	1,500	$219,000	D
5.B	Allowance for Driveways	L.F.	13	700	9,100	B
6.B	Allowance for Drainage	L.F.	40	1,500	60,000	C
7.B	Relocate Utility Pole	EA	5,000	9	45,000	
	Subtotal - Alternative "B"				$333,100	
8.	Street Improvements	L.F.	150	400	$ 60,000	A
9.	Allowance for Driveways	L.F.	32	50	1,600	B
10.	Allowance for Drainage	L.F.	40	400	16,000	C
11.	Embankment Widening at SCVWD Ponds	L.S.	L.S.	L.S.	10,000	
12.	Relocate Utility Pole	EA.	5,000	1	5,000	
	Subtotal				$92,600	
	McGlincey Lane					
13.	Street Improvements	L.S.	L.S.	L.S.	$22,000	E
14.	Re-Striping	L.S.	L.S.	L.S.	12,000	F
	Subtotal				$34,000	
	McGlincey/Curtner Intersection					
15.	Intersection Improvements	L.S.	L.S.	L.S.	45,000	G
	Parking Lot					
16.	On Griffiths Lane	L.S.	L.S.	L.S.	35,000	H
	Traffic Signals					
17.	At McGlincey/Union	L.S.	L.S.	L.S.	120,000	
18.	At McGlincey/Curtner	L.S.	L.S.	L.S.	120,000	
	Subtotal				$240,000	
	Total using Cristich Lane Alternate "A"				$754,000	
	Total using Cristich Lane Alternate "B"				$779,700	
					Use $780,000	

NOTES:

A. See Appendix "A" Calculations - Page 5

B. See Appendix "A" Calculations - Page 7

C. See Appendix "A" Calculations - Page 8

D. See Appendix "A" Calculations - Page 6

E. See Appendix "A" Calculations - Page 9

F. See Appendix "A" Calculations - Page 12

G. See Appendix "A" Calculations - Page 14

H. See Appendix "A" Calculations - Page 11

RIGHT-OF-WAY

A conceptual estimate of costs for right-of-way required for the access streets described above is being prepared by Mr. Jim Free of Urban Land Research and will be covered in a separate report.

RECOMMENDATION

It is recommended that access be provided to the Winchester Drive-In property as follows:

1. Acquire additional right-of-way and improve Cristich Lane to public street standards using Alternate "B" as described above.

2. Acquire the required right-of-way and improve the existing 45-foot wide easement off of McGlincey Lane to public street standards.

3. Acquire the required additional right-of-way and modify the intersection of McGlincey Lane and Curtner Avenue to provide for a free right turn movement for McGlincey Lane and to increase left turn storage on Curtner.

4. Re-stripe McGlincey Lane from Curtner Avenue to Union Avenue to provide for a two-way left turn to serve businesses and left turn pockets at intersections.

5. Provide traffic signal systems at the McGlincey/Curtner and McGlincey/Union intersections.

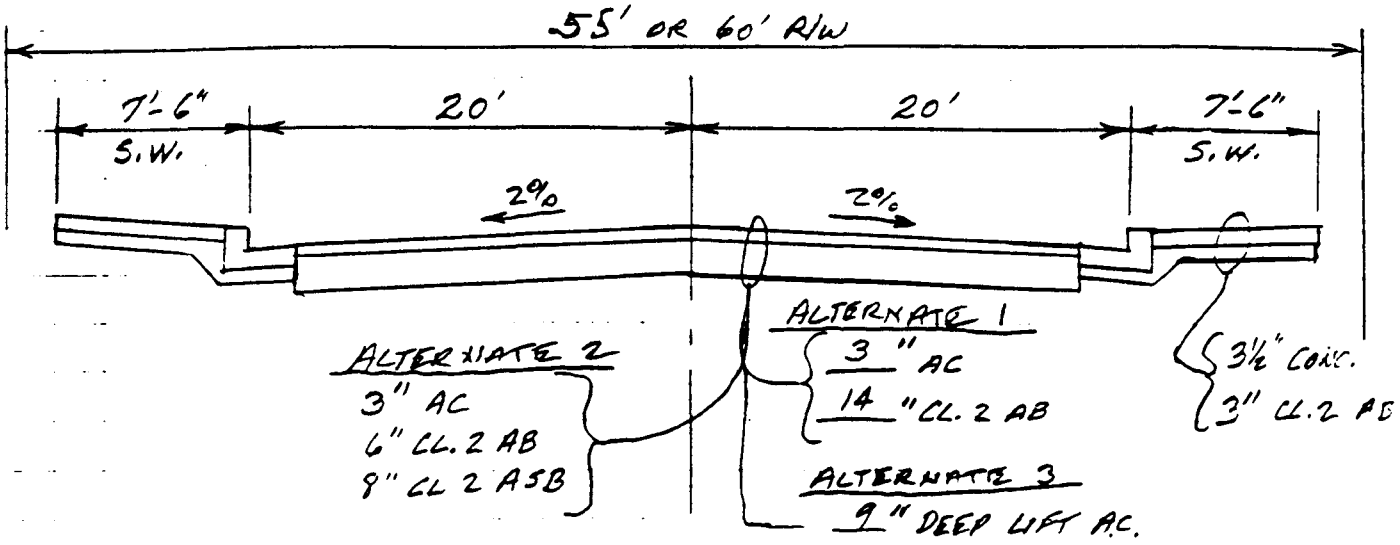
The total anticipated cost of the improvements described above is $780,000. For preliminary planning purposes it is recommended that a 15% to 20% contingency be added to these costs.

APPENDIX A

NOLTE and ASSOCIATES
Engineers / Planners / Surveyors

JOB NO. 115-91-00
DATE 11-28-90
DESIGNED BY SAM NASH
CHECKED BY

SUBJECT WINCHESTER DRIVE-IN SITE ~ ACCESS STUDY
DESIGN OF STREET CROSS-SECTION



ASSUMED STREET SECTION
CRISTICH LANE
(ALTERNATE A)

STRUCTURAL SECTION DESIGN

ASSUME; "R" VALUE = 15 ; TRAFFIC INDEX = 6.5

ALTERNATE 1 - AC on CLASS 2 AB.

1. ASPHALT CONCRETE LAYER ON CL 2 AB (R=78)

$GE = 0.0032\,(TI)\,(100-R) = 0.0032\,(6.5)(100-78) = 0.46$ REQUIRED

$$Gf_{AC} = 2.5\left(\frac{5.14}{TI}\right)^{0.5} = 2.5\left(\frac{5.14}{6.5}\right)^{0.5} = 2.22$$

$$\text{THICKNESS OF AC REQUIRED} = \frac{GE}{Gf_{AC}} = \frac{0.46'}{2.22} = 0.21' \text{ USE } 3" = 0.25'$$

2. CLASS 2 AGGREGATE BASE LAYER ON BASEMENT SOIL (R=15)

$GE = 0.0032(6.5)(100-15) =$ ------ 1.77
DEDUCT GE FURNISHED BY AC = $2.22 \times 0.25 =$ 0.56
GE REQUIRED FOR AGGREGATE BASE = 1.21

$$\text{THICKNESS OF AB REQUIRED} = \frac{1.21}{1.10} = 1.10' \text{ USE } 14" = 1.17'$$

3. TOTAL GE REQUIRED = 1.77
TOTAL GE FURNISHED WITH: $0.25'$ AC $\times 2.22 = 0.56$
$1.17'$ AB $\times 1.10 = 1.29$
TOTAL GE FURNISHED ---------- 1.85 > 1.77 - O.K.

SUBJECT WINCHESTER DRIVE-IN SITE ~ ACCESS STUDY
DESIGN OF STREET CROSS-SECTION

4. PAVEMENT STRUCTURAL SECTION – ALTERNATE NO. 1 :

3" ASPHALT CONCRETE
14" CLASS 2 AGGREGATE BASE
ON SUBGRADE COMPACTED TO 95% RELATIVE DENSITY
FOR A MINIMUM DEPTH OF 6".

ALTERNATE 2 – AC ON CLASS 2 AGGREGATE BASE & CLASS 2 AGG. SUBBASE

1. ASPHALT CONCRETE LAYER ON CLASS 2 AB (R=78)
THICKNESS OF AC REQUIRED = 0.25' = 3" (See Above)

2. CLASS 2 AGGREGATE BASE LAYER ON CLASS 2 AGG. SUBBASE (R=50)
GE OVER 50 R-VALUE MATERIAL = 0.0032 (6.5)(100-50) = 1.04
DEDUCT GE FURNISHED BY AC = 2.22 x 0.25 = 0.56
GE REQUIRED FOR AGGREGATE BASE = 0.48
THICKNESS OF AB REQUIRED = 0.48/1.10 = 0.44 USE 0.50 = 6" AB

3. CLASS 2 AGGREGATE SUBBASE ON BASEMENT SOIL (R=15)
GE REQUIRED OVER 15 R-VALUE MATERIAL = 0.0032(6.5)(100-15) = 1.77'
GE FURNISHED BY 0.25' AC = 2.22 x 0.25 = 0.56
GE FURNISHED BY 0.50' AB = 1.10 x 0.50 = 0.55
-1.11'
GE REQUIRED FOR CLASS 2 AGGREGATE SUBBASE = 0.66'
GRAVEL FACTOR (Gf) FOR CL 2 ASB = 1.0
THICKNESS OF CL 2 ASB REQUIRED = 1.0 x 0.66 = 0.66'
USE 8" = 0.67'

4. TOTAL GE REQUIRED OVER 15 R-VALUE BASEMENT SOIL = 1.77' (See Above
GE FURNISHED BY 0.25' AC = 2.22 x 0.25 = 0.56'
GE FURNISHED BY 0.50' CL 2 AB = 1.10 x 0.50 = 0.55
GE FURNISHED BY 0.67' CL 2 ASB = 1.0 x 0.67 = 0.67
TOTAL GE FURNISHED
1.78 > 1.77 - O.K

5. PAVEMENT STRUCTURAL SECTION - ALTERNATE NO. 2:

3" ASPHALT CONCRETE
6" CLASS 2 AGGREGATE BASE
8" CLASS 2 AGGREGATE SUBBASE
ON SUBGRADE COMPACTED TO 95% RELATIVE DENSITY
FOR A MINIMUM DEPTH OF 6"

ALTERNATE 3 - FULL DEPTH ASPHALT CONCRETE ON BASEMENT SOIL

1, FOR R-VALUE OF 15 FOR BASEMENT SOIL AND T.I. OF 6.5
REQUIRED THICKNESS OF FULL DEPTH AC = 0.75' = 9"
(FROM TABLE IV IN "FLEXIBLE PAVEMENT STRUCTURAL SECTION
DESIGN GUIDE FOR CALIFORNIA CITIES AND COUNTIES" DATED
JANUARY 1979 PUBLISHED BY COUNTY ENGINEERS ASSOCIATION
OF CALIFORNIA AND THE LEAGUE OF CALIFORNIA CITIES.

2. PAVEMENT STRUCTURAL SECTION - ALTERNATE NO. 3

9" FULL DEPTH ASPHALT CONCRETE
ON SUBGRADE COMPACTED TO 95% RELATIVE DENSITY
FOR A DEPTH OF 6"

JOB NO. 115-91-00
DATE 11-28-90
DESIGNED BY SAM NASH
CHECKED BY

SUBJECT WINCHESTER DRIVE-IN SITE ~ ACCESS STUDY
COST COMPARISON OF STREET SECTION ALTERNATIVES

COMPARISON OF COST PER LIN. FT. OF STREET

ITEM NO.	DESCRIPTION	UNIT	UNIT PRICE	QUANT.	AMOUNT
ALTERNATE NO. 1 - 3" AC ON 14" CL. 2 AB					
1.	ROADWAY EXCAVATION/REMOVAL OF EXISTING PAVEMENT	C.Y.	$5.00	2.15	$10.75
2.	ASPHALT CONCRETE - 3" THICK	TON	40.00	0.68	27.20
3.	AGGREGATE BASE - 14" THICK	C.Y.	20.00	1.56	31.20
	TOTAL				$69.15
ALTERNATE NO. 2 - 3" AC ON 6" CL. 2 AB & 8" CL. 2 ASB					
1.	ROADWAY EXCAVATION/REMOVAL OF EXISTING PAVEMENT	C.Y.	$5.00	2.15	$10.75
2.	ASPHALT CONCRETE - 3" THICK	TON	40.00	0.68	27.20
3.	AGGREGATE BASE - 6" THICK	C.Y.	20.00	0.67	13.40
4.	AGGREGATE SUBBASE - 8" THICK	C.Y.	15.00	0.89	13.35
	TOTAL				$64.70
ALTERNATE NO. 3 - FULL DEPTH ASPHALT CONCRETE - 9" THICK					
1.	ROADWAY EXCAVATION/REMOVAL OF EXISTING PAVEMENT	C.Y.	$5.00	1.11	$5.55
2.	ASPHALT CONCRETE - 9" THICK	TON	40.00	2.03	81.20
	TOTAL				$86.75

USE ALTERNATE NO. 2 FOR IMPROVEMENT OF CRISTICH LANE, AND FOR IMPROVEMENT OF EASEMENT OFF OF MCGLINCEY LANE.

JOB NO. 115-91-00
DATE 11-28-90
DESIGNED BY SAM NASH
CHECKED BY

SUBJECT WINCHESTER DRIVE-IN SITE - ACCESS STUDY
CRISTICH AVE - ESTIMATE OF COST PER L.F. OF NEW STREET. (ALTERNATE A)

ASSUME STREET CROSS-SECTION SHOWN ON SHEET 1 USING ALTERNATE NO. 2 STRUCTURAL SECTION: 3" AC; 6" CL. 2 AB; 8" CL 2 ASB.

ITEM NO.	DESCRIPTION	UNIT	UNIT PRICE	QUANT.	AMOUNT	SEE NOT
1.	ROADWAY EXCAVATION/REMOVAL OF EXISTING PAVEMENT.	C.Y.	$5.00	2.15	$10.75	(A)
2.	SUBGRADE PREPARATION	S.F.	0.20	55	11.00	
3.	AGGREGATE SUBBASE - 8" THICK	C.Y.	15.00	0.89	13.35	
4.	AGGREGATE BASE - 6" THICK	C.Y.	20.00	0.67	13.40	
5.	ASPHALT CONCRETE - 3" THICK	TON	40.00	0.68	27.20	
6.	CURB AND GUTTER (24" GUTTER)	L.F.	11.00	2	22.00	
7.	P.C.C. SIDEWALK (WITH 3" AB)	S.F.	2.50	14	35.00	
8.	STREET LIGHTING	L.S.	—	L.S.	13.33	(B)
9.	MISCELLANEOUS	L.S.	—	L.S.	3.50	(C)
	TOTAL ESTIMATED COST PER L.F. OF STREET				$149.53	
				USE	$150.00	

NOTES:

(A) ASSUME ROADWAY EXCAVATION / PAVEMENT REMOVAL EQUAL TO THE DEPTH OF THE ROADWAY SECTION FOR A WIDTH OF 41 FT. (OUTSIDE TO OUTSIDE OF CURB)

(B) ASSUME SINGLE ELECTROLIERS SPACED AT 150 FT. O.C. COST = $2000 EACH INCLUDING BASE, CONDUIT & WIRE. COST / L.F. OF STREET = $2,000/150 = $13.33

(C) ALLOWANCE FOR STREET SIGNS, TRAFFIC SIGNS, MONUMENTS, PAVEMENT MARKING, ADJUSTING MANHOLE & VALVE BOX COVERS TO GRADE etc.

NOLTE and ASSOCIATES
Engineers / Planners / Surveyors

JOB NO. 115-91-00
DATE 2/15/91
DESIGNED BY Sam Nash
CHECKED BY

SUBJECT WINCHESTER DRIVE-IN SITE ACCESS STUDY
CRISTICH AVE - ESTIMATE OF COST PER L.F. OF NEW STREET USING ALTERNATE STREET SECTION

Assume street cross-section same as shown on Sheet 1 except modified as follows:

1. Curb to curb width is 45 ft. instead of 40'
2. Width of sidewalk from face of curb to outside edge of sidewalk is 5'-0" instead of 7'-6"
3. The right-of-way width is 55 ft. instead of 60 ft.

ITEM NO.	DESCRIPTION	UNIT	UNIT PRICE	QUANT.	AMOUNT	See Note
1.	ROADWAY EXCAVATION	C.Y.	5.00	2.41	12.05	(A)
2.	SUBGRADE PREPARATION	S.F.	0.20	55	11.00	
3.	AGGREGATE SUBBASE - 8" THICK	C.Y.	15.00	1.02	15.30	
4.	AGGREGATE BASE - 6" THICK	C.Y.	20.00	0.76	15.20	
5.	ASPHALT CONCRETE - 3" THICK	TON	40.00	0.77	30.80	
6.	CURB AND GUTTER (24" GUTTER)	L.F.	11.00	2	22.00	
7.	P.C.C. SIDEWALK (WITH 3" AB)	S.F.	2.50	9	22.50	
8.	STREET LIGHTING	L.S.	—	L.S.	13.33	(B)
9.	MISCELLANEOUS	L.S.	—		3.50	(C)
	TOTAL ESTIMATED COST PER L.F. OF STREET (ALTERNATE "B")				$145.68	
					USE $146.00	

NOTES:

(A) ASSUME ROADWAY EXCAVATION/PAVEMENT REMOVAL EQUAL TO THE DEPTH OF THE ROADWAY SECTION FOR A WIDTH OF 46 FT. (OUTSIDE TO OUTSIDE OF CURB).

(B) ASSUME SINGLE ELECTROLIERS SPACED AT 150 FT. O.C. COST = $2000 EACH INCLUDING BASE, CONDUIT AND WIRE. COST PER L.F. OF STREET = $2,000/150 = $13.33

(C) ALLOWANCE FOR STREET SIGNS, TRAFFIC SIGNS, MONUMENTS, PAVEMENT MARKINGS, ADJUSTING MANHOLE AND VALVE BOX COVERS TO GRADE ETC.

SUBJECT WINCHESTER DRIVE-IN ACCESS STUDY

DRIVEWAYS

CALCULATION OF ADDITIONAL COST PER L.F. OF DRIVEWAY WIDTH TO REPLACE CURB, GUTTER AND SIDEWALK WITH A STANDARD COMMERCIAL DRIVEWAY:

ALTERNATE "A"
FOR 60' R/W AND 40 Ft. CURB TO CURB (ALTERNATE "A")

6" Concrete on 6" Class 2 Agg. Base – 12 S.F. @ $5.00 = $60.00
Less: Curb and Gutter – 1 L.F. @ $11.00 = $11.00
Sidewalk – 7 S.F. @ 2.50 = 17.50
TOTAL DEDUCT 28.50
Net Increase per L.F. of Driveway width = $31.50

USE 32.00

ALTERNATE "B"
FOR 55' R/W AND 45 Ft. CURB TO CURB (ALTERNATE "B")

6" Concrete on 6" Class 2 Agg. Base – 7 S.F. @ $5.00 = $35.00
LESS: Curb & Gutter – 1 L.F. @ $11.00 = $11.00
Sidewalk – 4.5 S.F. @ 2.50 = 11.25
TOTAL DEDUCT 22.25
Net Increase per L.F. of Driveway width $12.75

USE $13.00

NOLTE and ASSOCIATES
Engineers / Planners / Surveyors

JOB NO. 115-91-00
DATE 2-19-91
DESIGNED BY Sam Nash
CHECKED BY

SUBJECT WINCHESTER DRIVE-IN SITE ~ ACCESS STUDY

ALLOWANCE FOR STORM DRAINAGE

Assume an average storm drain size of 18" for 2/3 of the length of new street and a storm drain manhole, two catchbasins and a 15" cross drain every 500 ft. of new street.

60' R/W - 40' CURB TO CURB (ALTERNATE "A")

18" RCP STORM DRAIN = $40.00 x 2/3 = $26.67 per L.F. of Street

Storm drain manhole	1 ea. @ $2,000	= $2,000
Catchbasins	2 ea. @ 1,500	= 3,000
15" RCP Cross-drain	40 L.F. @ $35	= 1,400
Total per Cross-drain assembly		$6,400

COST PER L.F. of Street = $6,400/500 = 12.80 per L.F. of Street

TOTAL ALLOWANCE FOR STORM DRAIN $39.47 use $40.00
FOR 60' R/W & 40' CURB TO CURB

FOR 55' R/W & 45' CURB TO CURB (ALTERNATE "B")

18" RCP STORM DRAIN = $40.00 x 2/3 = $26.67 Per L.F. of St.

Storm drain manhole	1 ea. @ $2,000	= $2,000
Catchbasins	2 ea. @ 1,500	= 3,000
15" cross-drain	45 L.F. @ $35	= 1,575
TOTAL PER CROSS-DRAIN ASSEMBLY		= $6,575

COST PER L.F. of New Street $6575/500 = 13.15 Per L.F. of St.

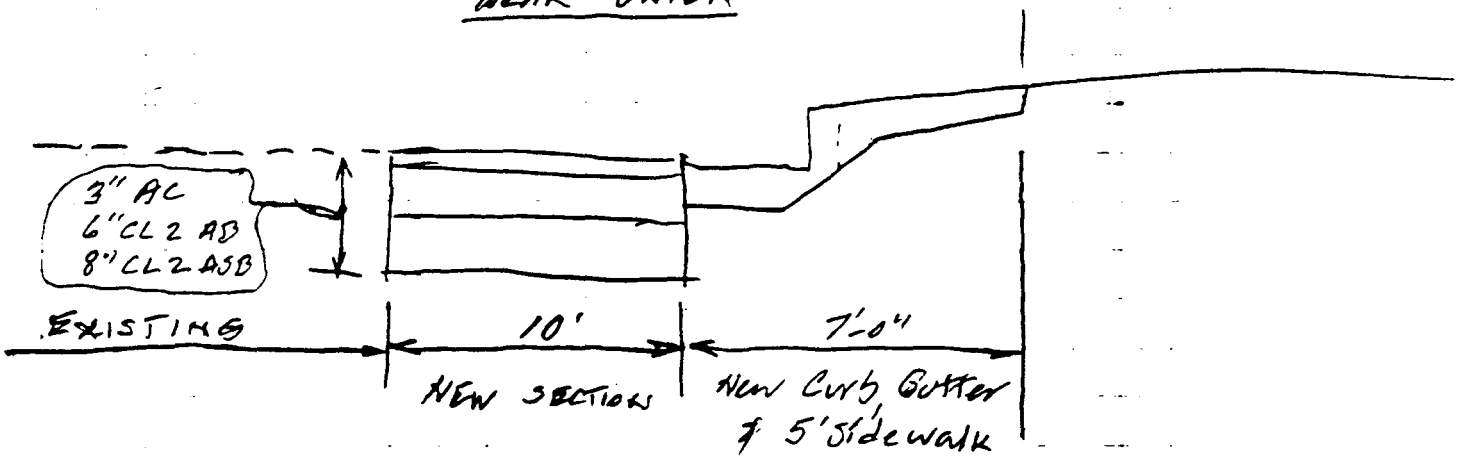
$39.82 use $40.00

NOLTE and ASSOCIATES
Engineers / Planners Surveyors

JOB NO. 115-91-00
DATE 3-4-91
DESIGNED BY Sam Nash
CHECKED BY

SUBJECT WINCHESTER DRIVE-IN SITE - ACCESS STUDY

COST ESTIMATE FOR IMPROVEMENTS ON McGLINCEY NEAR UNION



TYPICAL SECTION

IMPROVEMENTS NEEDED FOR A DISTANCE OF 500 L.F.

ITEM NO	DESCRIPTION	UNIT	UNIT PRICE	QUANT.	AMOUNT
1.	ROADWAY EXCAVATION	C.Y.	$5.00	265	$1,325
2.	SUBGRADE PREPARATION	S.F.	0.20	5,000	1,000
3.	AGGREGATE SUBBASE - 8" THICK	C.Y.	15.00	125	1,875
4.	AGGREGATE BASE - 6" THICK	C.Y.	20.00	95	1,900
5.	ASPHALT CONCRETE - 3" THICK	TON	40.00	95	3,800
6.	CURB & 24" GUTTER	L.F.	11.00	500	5,500
7.	P.C.C. SIDEWALK (INCL. 3" AB)	S.F.	2.50	2,500	6,250

TOTAL McGLINCEY AVE IMPROVEMENTS $21,650

USE - $22,000

JOB NO. 11-91-06
DATE 3/4/91
DESIGNED BY Sam Nash
CHECKED BY

SUBJECT WINCHESTER DRIVE-IN SITE - ACCESS STUDY
DESIGN OF PARKING LOT
STRUCTURAL SECTION

ASSUME: "R" VALUE FOR BASEMENT SOIL = 15
TRAFFIC INDEX = 5.5
A.C. ON CLASS 2 A.B.

1. ASPHALT CONCRETE LAYER ON CL 2 AB (R=78)

$GE = 0.0032(T.I.)(100-R) = 0.0032(5.5)(100-78) = 0.39$ Req'd.

$Gf_{AC} = 2.5\left(\frac{5.14}{T.I.}\right)^{0.5} = 2.5\left(\frac{5.14}{5.5}\right)^{0.5} = 2.42$

Thickness of AC Required $= \frac{GE}{Gf_{AC}} = \frac{0.39}{2.42} = 0.16'$ use $2" = 0.17'$

2. CLASS 2 AGGREGATE BASE LAYER ON BASEMENT SOIL (R=15)

$GE = 0.0032(5.5)(100-15) =$ ---------- $= 1.50$
DEDUCT GE FURNISHED BY AC $= 2.42 \times 0.17 = 0.41$
GE REQUIRED FOR AGGREGATE BASE $= 1.09$
THICKNESS OF AB REQUIRED $= \frac{1.09}{1.10} = 0.99'$ use $12" = 1.0'$

3. TOTAL GE REQUIRED ON BASEMENT SOIL $= 1.50$
TOTAL GE FURNISHED WITH $0.17'$ AC $\times 2.42 = 0.41$
1.00 AB $\times 1.10 = 1.10$
TOTAL GE FURNISHED ———— $1.51 > 1.50 - OK.$

USE SECTION: 2" AC
12" Cl. 2 AB

NOLTE and ASSOCIATES
Engineers / Planners Surveyors

– 11 –

JOB NO. 115-91-00
DATE 3/4/91
SUBJECT WINCHESTER DRIVE-IN SITE – ACCESS STUDY
DESIGNED BY Tom Nash
CHECKED BY

COST ESTIMATE FOR PARKING LOT IMPROVEMENTS

PARKING LOT PAVED AREA = 62' x 135' = 8,370 S.F.
USE 9,010 S.F.

STRUCTURAL SECTION = 2" AC ON 12" Cl. 2 AB

ITEM NO.	DESCRIPTION	UNIT	UNIT PRICE	QUANT	AMOUNT
1.	EXCAVATION/PAVEMENT REMOVAL	C.Y.	5.00	390	$1,950
2.	SUBGRADE PREPARATION	S.F.	0.20	9,000	1,800
3.	AGGREGATE BASE	C.Y.	15.00	335	5,025
4.	ASPHALT CONCRETE	TON	40.00	115	4,600
5.	CURB & 24" GUTTER	L.F.	11.00	270	2,970
6.	SIDEWALK (5' WIDE)	S.F.	2.50	1,350	3,375
7.	ELECTROLIERS	EA.	2,000.00	2	4,000
8.	CATCH BASINS	EA.	1,500.00	2	3,000
9.	15" RCP	L.F.	35.00	20	700
10.	RELOCATE UTILITY POLE	EA.	5,000.00	1	5,000
					32,420
				USE	$35,000

NOLTE and ASSOCIATES
Engineers / Planners / Surveyors

JOB NO. 115-91-00
DATE 3-8-91
SUBJECT WINCHESTER DRIVE-IN SITE ACCESS STUDY
DESIGNED BY Sam Nash
CHECKED BY

CONCEPTUAL COST ESTIMATE
RE-STRIPING McGLINCEY LANE
(Includes Re-striping McGlincey/Curtner Intersection)

ITEM No	DESCRIPTION	UNIT	UNIT PRICE	QUANT.	AMOUNT
			$		$
1.	DETAIL 1	L.F.	1.50	170	255.00
2.	DETAIL 2	L.F.	2.00	1180	2,360.00
3.	DETAIL 4	L.F.	2.00	3310	6,620.00
4.	DETAIL 5	L.F.	1.50	330	495.00
5.	DETAIL 6	L.F.	1.50	145	217.50
6.	12" WHITE (THERMOPLASTIC)	L.F.	2.00	230	460.00
7.	8" WHITE (THERMOPLASTIC)	L.F	1.50	100	150.00
8.	TYPE IV ARROW (THERMOPLASTIC)	EA.	70.00	8	560.00
9.	TYPE VI ARROW (THERMOPLASTIC)	EA.	70.00	1	70.00
	TOTAL				$11,187.50
					USE $12,000.00

NOTE: FOR COST OF STREET WIDENING REQUIRED, SEE CALCULATION SHEET 9.

NOLTE and ASSOCIATES
Engineers / Planners / Surveyors

JOB NO. 115-91-00
DATE March 8, 1991
DESIGNED BY Sam Nash
CHECKED BY

SUBJECT WINCHESTER DRIVE-IN SITE — ACCESS STUDY

IMPROVEMENTS FOR WIDENING THE INTERSECTION OF McGLINCY LANE AND CURTNER AVENUE.

The improvements required are as follows:

1. Widen McGlincy Lane for a distance of approx. 250' and construct a traffic island to provide for a free right turn lane onto Curtner.

2. Widen Curtner Avenue for a distance of approx. 12± ft. to provide for a channelized right turn lane onto McGlincy Ave.

3. Construct new curb, gutter and sidewalk required for the above widening.

4. Following are quantities required.

   a. New Pavement — 3800 S.F.
   b. New Curb & Gutter — 600 L.F.
   c. Roadway excavation / Pavement removal.

      3800 S.F. x 1.42 deep = 5396 Cu. Ft. = 200 Cu. yds.

   d. Subgrade preparation — 3800 S.F.

   e. Relocate one utility pole.

   f. Assume that a one coat slurry seal is provided for the modified intersection to the limits of work for the new improvements. (22,000 S.F.)

   g. Assume that a 6' High Chain link fence is provided along the new sidewalks.

JOB NO. 115-91-00
DATE March 8, 1991
DESIGNED BY Dan Nash
CHECKED BY

SUBJECT WINCHESTER DRIVE-IN SITE ~ ACCESS STUDY

CONCEPTUAL COSTS FOR IMPROVEMENTS FOR WIDENING THE INTERSECTION OF McGLINCEY LANE AND CURTNER AVENUE

ITEM NO	DESCRIPTION	UNIT	UNIT PRICE	QUANT.	AMOUNT
1.	ROADWAY EXCAVATION / PAVEMENT REMOVAL	C.Y.	$ 5.00	200	$ 1,000
2.	SUBGRADE PREP.	S.F.	0.20	3800	760
3.	AGGREGATE SUBBASE (8" THICK)	C.Y.	15.00	95	1,425
4.	AGGREGATE BASE (6" THICK)	C.Y.	20.00	70	1,400
5.	ASPHALT CONCRETE (3" THICK)	TON	40.00	70	2,800
6.	CURB AND 24" GUTTER	L.F.	11.00	600	6,600
7.	P.C.C. SIDEWALK (INCL. 3" AB)	S.F.	2.50	3,300	8,250
8.	ONE COAT SLURRY SEAL	S.F.	0.20	22,000	4,400
9.	RELOCATE UTILITY POLE	EA.	5,000.00	2	10,000
10.	6' HIGH CHAIN LINK FENCE	L.F.	15.00	400	6,000
	TOTAL				$ 42,635
				USE	$ 45,000

NOTE; COSTS FOR STRIPING THIS INTERSECTION ARE INCLUDED IN THE COSTS FOR RESTRIPING McGLINCEY LANE.

Exhibit F: October 17, 1997 Public Works Conditions of Approval

MEMORANDUM CITY OF CAMPBELL PUBLIC WORKS DEPARTMENT

TO: Tim Haley, Project Planner DATE: 10/17/97

FROM: Michelle Quinney, City Engineer MQ
Harold Housley, Land Development Engineer

RE: APPLICATION NO: GP 96-02, PD 96-06, TS 97-01, S 97-05
ADDRESS: 535 Westchester Drive
APPLICANT: Ken Neumeister
PROJECT DESCRIPTION: Technology Park

PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL ARE ATTACHED:

PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL
FOR FILE NO. GP 96-02, PD 96-06, TS 97-01, S 97-05
SITE ADDRESS: 535 WESTCHESTER DRIVE
APPLICANT: KEN NEUMEISTER
DATE: 10/17/97

Map Requirements: Prior to issuance of any building permits for the site, the applicant shall prepare and submit a Final Tract Map for review by City Engineer and recordation upon City approval. The current fee for processing the Final Tract Map is $1,380 plus $25/lot. Applicant shall provide all documents as required for review and approval of the Final Map.

Prior to approval of the Final Map, the applicant must provide evidence from each utility and special district that they approve of the filing of the Final Map as submitted, that the easements shown on the map are adequate for each utility to serve the proposed development and that the procedure for abandonment of any existing easements is acceptable.

Dedication to City: Prior to approval of the final map, the applicant shall dedicate, acquire land for dedication and/or obtain dedications as necessary to accommodate construction of the required public street improvements for: the 45' public street access to McGlincey Lane; the 50' public street across the south end of the site; the right of way needed to construct the cul-de-sac and intersection at McGlincey Lane as shown on the approved tentative map; and the right of way/easements necessary (15' minimum) to construct the public storm drain system through the development and through the private Paseo de Palomas street. Applicant shall prepare all documents necessary to obtain the dedications and/or remove any existing easements, provide all information required for reviewing these documents and shall pay all costs associated with obtaining the required dedications and/or easements and recordation of these dedications. Should it be necessary for the City to implement eminent domain proceedings in order to obtain right-of-way, the applicant shall pay all costs associated with the condemnation proceedings, including attorney's fees.

Prior to approval of the Final Map, the applicant must determine the adequacy of the existing storm drainage easement along Paseo de Palomas. If the existing easement is not adequate for construction of the proposed parallel/upsized storm drain from the site to the existing system in Union Avenue, the applicant shall provide all documents necessary for the City to obtain this easement. These documents shall include all engineering plans, plats and descriptions of the easement required for construction of this storm drain facility.

Storm Drain Area Fee: Prior to issuance of any building permits for the site, the applicant shall pay the required storm drain area fee of $2,500/acre.

Grading and Drainage Plan: Prior to approval of the final map or issuance of any building permits for the site, the applicant shall conduct hydrology studies as necessary, prepare grading and drainage plans and pay fees required to obtain necessary grading permits for the site.

PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL
FOR FILE NO. GP 96-02, PD 96-06, TS 97-01, S 97-05
SITE ADDRESS: 535 WESTCHESTER DRIVE
APPLICANT: KEN NEUMEISTER
DATE: 10/17/97

Grading plans shall include the disposition of and abandonment of existing utility lines as necessary.

Hydrology studies, grading and storm drainage plans shall include the public access road from McGlincey to the site. Storm drainage plans shall include existing invert and top of pipe elevations of the SCVWD culvert crossing the proposed roadway.

Hydrology studies and conceptual storm drainage design shall include the drainage area bounded by Highway 17 to the west, Curter Avenue to the south, the City limits to the east and the existing storm drain in McGlincey Lane easterly of the development to the north. The storm drainage plans for this drainage area shall include removal, replacement and/or installation of new storm lines as needed in McGlincey and Cristich Lanes to connect to a new and/or upsized storm drainage line required through the development, through the Paseo de Palomas private road and ultimately connecting to the existing storm drainage facilities in Union Avenue.

Completion of this design is required to determine the appropriate size, location and invert elevations of the storm drainage facilities to be constructed on site that will allow for the future construction of the off-site storm drainage improvements in McGlincey Lane and Cristich Lane.

The applicant shall be required to construct only the portions of this storm drainage facility that are on-site and the connection to the existing system in Union Avenue through the storm drain easement in Paseo de Palomas. The applicant shall provide a "stub-out" to Cristich Lane to allow for the future storm drain construction off-site.

Standard Street Improvements: Prior to approval of the final map or issuance of any building permits for the site, the applicant shall prepare plans, pay fees, post securities and provide insurance as required to obtain an encroachment permit to construct public street improvements as required by the City Engineer. Public street improvement plans shall be prepared by a registered Civil Engineer licensed in the State of California and shall include:
Construction of the 45' public street access to McGlincey Lane to include: 30' of asphalt concrete roadway; a standard marginal 5' sidewalk and a 5' landscaping strip along the west side of the street; a 5' landscaping strip along the east side of the street; no parking signs, signing and striping, standard curb and gutter, storm drainage facilities and street lighting facilities along both sides of the street; construction of driveways as required for existing parcels; and all conforms necessary to accommodate the existing improvements on the parcels south of the proposed development.

PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL
FOR FILE NO. GP 96-02, PD 96-06, TS 97-01, S 97-05
SITE ADDRESS: 535 WESTCHESTER DRIVE
APPLICANT: KEN NEUMEISTER
DATE: 10/17/97

- Construction of a 50' right of way public street along the southern frontage of the property to include: 35' of asphalt concrete roadway; standard driveway approaches for the entrances to the development; a standard marginal 5' sidewalk; and a 10' Public Utilities Easement along the north side of the street; a 5' landscape strip and a 5' separated walk along the southern side of the street; no parking signs for the northern side of the street, signing and striping, standard curb and gutter, storm drainage facilities and street lighting along both sides of the street. All improvements shall be designed and constructed to allow future continuation of the improvements on Cristich Lane and an appropriate cul-de-sac terminus shall be designed and constructed at the western end of the new public street.
- Construction of the intersection as shown on the approved tentative map and as directed by the City Engineer. Intersection improvements may include sidewalks, handicap ramps, signing, striping and increased street widths as shown on the approved tentative map.
- All streets and their intersections with access points to the site shall be designed to accommodate all truck turning movements. Improvements at the west end of the new public street shall be constructed to allow for a future connection to Cristich Lane. Street trees shall be of a type that will not grow to encroach or interfere with public traffic.
- Construction of a complete traffic signal system and equipment, signing, striping, utility relocation and related improvements to provide for signalization of the intersection of Union Avenue and McGlincey Lane. The traffic signal system and equipment shall include but not be limited to: vehicle detection equipment, traffic signal standards, street lighting and electrical services; pavement repair; signing and striping and other components as required by the City Traffic Engineer.
- Reconfiguration of the intersection of McGlincey Lane and Curtner Avenue to provide for a free right turn lane from southbound McGlincey to westbound Curtner, a free left turn from eastbound Curtner to northbound McGlincey and stop controls for westbound Curtner east of the intersection as directed by the City Engineer. Existing pavement in this intersection may need to be resurfaced to allow for the additional lanes and new striping pattern.
- Provide signing, striping and pavement reconstruction at the intersection of McGlincey Land and the new public access road as necessary to provide lane configurations as directed by the City Engineer.
- Construction of the storm drain facility extending from Cristich Lane through the development via storm drain easements to connect to the existing system in Union Avenue.
- Construction of storm drain facilities for all public streets including the public access road from McGlincey.

PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL
FOR FILE NO. GP 96-02, PD 96-06, TS 97-01, S 97-05
SITE ADDRESS: 535 WESTCHESTER DRIVE
APPLICANT: KEN NEUMEISTER
DATE: 10/17/97

Completion of Public Street Improvements: Prior to issuance of occupancy for the site, all public street improvements as required by the encroachment permit must be completed and accepted by the City Engineer and the applicant must provide the one-year maintenance security.

Landscaping Maintenance Agreements: Prior to recordation of the final map, the applicant shall prepare and execute a landscape maintenance agreement requiring the development to post securities and maintain all landscaping, irrigation and irrigation facilities, walls and fences within all public areas, including the public access street to McGlincey Lane and the new public access road adjacent to the property. This agreement shall be reviewed and approved by the City prior to being executed by both parties and recorded by the City.

Underground Utilities: All new on-site utilities shall be installed underground per Section 20.36.150 of the Campbell Municipal Code for any new or remodeled buildings or additions. Applicant shall comply with all plan submittals, permitting and fee requirements of the serving utility company.

Applicant shall submit a Utility Coordination Plan and Schedule for approval by the City Engineer for installation of all utilities. The plan shall minimize the damage to all public facilities.

Soils Report: Provide a soils report prepared by a registered Geotechnical or Civil Engineer.

Title Report: Provide a current Preliminary Title Report.

Street Name: The final map shall contain the City-approved street name for the new public street.

Storm Water Management: Comply with the Regional Water Quality Control Board's industrial storm water general permit and California Storm Water Best Management Practices Handbook, prepared by Storm Water Quality Task Force, Santa Clara Valley Water District.

Coordination with Capital Improvement/Other Projects: Applicant shall coordinate with other city improvement projects within the vicinity. Location and installation of off-site improvements that may be required by other districts and utility companies shall be approved by the City.

Monumentation: Prior to recording the Final Map, the applicant shall provide security guaranteeing the cost of setting all monuments as shown on the Final Map.

PUBLIC WORKS DEPARTMENT CONDITIONS OF APPROVAL
FOR FILE NO. GP 96-02, PD 96-06, TS 97-01, S 97-05
SITE ADDRESS: 535 WESTCHESTER DRIVE
APPLICANT: KEN NEUMEISTER
DATE: 10/17/97

Street Improvement Agreement: Prior to the approval of the final map, the applicant shall execute a street improvement agreement and post securities to guarantee the installation of the required street improvements.

Notification to Adjacent Properties: Prior to any construction activity on the development, applicant shall notify all adjacent properties, including the management of the adjacent mobile home park. Notification shall include a contact number for the developer which can be used by the property owners during construction should questions or problems arise.

CC&R's: Prior to recordation of the final map, applicant to submit a copy of the CC&R's for review and approval by the City Engineer and the Community Development Director.

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