

Tesla 47700 Kato Road and 1055 Page Avenue Improvements Project

Attachment 1.19: Tribal Resources

A. City of Fremont, Tribal Contact Letter, March 4, 2020



March 4, 2020

Amah Mutsun Tribal Band of Mission San Juan Bautista
Irene Zwielerin, Chairperson
789 Canada Road
Woodside, CA 94062

**RE: Assembly Bill 52 Consultation for Tesla R&D Manufacturing at Kato Road
(Fremont File No. PLN2020-00157), 47700 Kato Road and 1055 Page Avenue;
APN: 519-1010-130-1**

Dear Ms. Zwielerin,

This letter is intended to notify you of a proposed project involving the expansion of an existing industrial building with associated improvements (please see attached aerial map) at 47700 Kato Road and 1055 Page Avenue (APN: 519-1010-130-1) in the Bayside Industrial Community Plan Area of Fremont. The City of Fremont is the lead agency for the environmental review for this development project.

Assembly Bill 52 (AB 52), which became law January 1, 2015, requires that, as part of the CEQA review process, public agencies provide early notice of a project to California Native American Tribes, and if formally requested in writing by a Tribe, consult with Tribes in regards to the project. With this letter, the City is hereby providing notice per AB 52 and as part of the CEQA process for the project.

The purpose of AB 52 and the consultation, if requested, is to identify and consider potential impacts to a new category of resources called Tribal Cultural Resources (TCRs)¹, and take into account tribal cultural values in addition to scientific and archaeological values when determining possible impacts and mitigation. An impact to a TCR may result in a significant impact under CEQA and require avoidance or minimization of the impacts.

A summary of the proposed project and site background is provided below.

Proposed Project – Tesla R&D Manufacturing at Kato Road

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¹ Public Resources Code (PRC) Section 21074(a) defines Tribal Cultural Resources as either of the following:

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- 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.

would be constructed between the existing buildings located at the site. No other exterior improvements are proposed.

Site Background

The project site consists of a fully developed 9.31 acre lot in the City of Fremont (see attachments). The project site was originally developed in 1989 with the 1055 Page Avenue building. The subject building at 47700 Kato Road building was constructed in 1996 to accommodate the expansion of the existing high tech manufacturing business occupying the site. Prior historic uses likely include agriculture as that was the predominant land use in the area prior to development.

A Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

To request consultation under AB 52 for the project, please contact me in writing within 30 days of receipt of this letter. Failure to respond within this timeframe means that the City is not required to enter into consultation with you on this matter.

If you have any questions or comments regarding this project, please contact me directly at (510) 494-4449 or jwillis@fremont.gov.

Sincerely,

James Willis
Associate Planner

Attachments: Initial project site plan, Aerial, Draft geotechnical investigation

cc: Tony Cerda, Costanoan Rumsen Carmel Tribe
Anne Marie Sayers, Indian Canyon Mutsun Band of Costanoan
Charlene Nijmeh, Muwekma Ohlone Indian Tribe of the SF Bay Area
Monica Arellano, Muwekma Ohlone Indian Tribe of the SF Bay Area
Katherine Perez, North Valley Yokuts Tribe
Andrew Galvan, The Ohlone Indian Tribe
Corrina Gould, The Confederated Villages of Lisjan



March 4, 2020

Costanoan Rumsen Carmel Tribe
Tony Cerda, Chairperson
244 E. 1st Street
Pomona, CA, 91766

**RE: Assembly Bill 52 Consultation for Tesla R&D Manufacturing at Kato Road
(Fremont File No. PLN2020-00157), 47700 Kato Road and 1055 Page Avenue;
APN: 519-1010-130-1**

Dear Mr. Cerda,

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Sincerely,

James Willis
Associate Planner

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Andrew Galvan, The Ohlone Indian Tribe
Corrina Gould, The Confederated Villages of Lisjan



March 4, 2020

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister, CA, 95024

**RE: Assembly Bill 52 Consultation for Tesla R&D Manufacturing at Kato Road
(Fremont File No. PLN2020-00157), 47700 Kato Road and 1055 Page Avenue;
APN: 519-1010-130-1**

Dear Ms. Sayers,

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March 4, 2020

Muwekma Ohlone Indian Tribe of the SF Bay Area
Charlene Nijmeh, Chairperson
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546

**RE: Assembly Bill 52 Consultation for Tesla R&D Manufacturing at Kato Road
(Fremont File No. PLN2020-00157), 47700 Kato Road and 1055 Page Avenue;
APN: 519-1010-130-1**

Dear Ms. Nijmeh,

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March 4, 2020

Muwekma Ohlone Indian Tribe of the SF Bay Area
Monica Arellano
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546

**RE: Assembly Bill 52 Consultation for Tesla R&D Manufacturing at Kato Road
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Dear Ms. Arellano,

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March 4, 2020

North Valley Yokuts Tribe
Katherine Perez, Chairperson
P.O. Box 717
Linden, CA, 95236

**RE: Assembly Bill 52 Consultation for Tesla R&D Manufacturing at Kato Road
(Fremont File No. PLN2020-00157), 47700 Kato Road and 1055 Page Avenue;
APN: 519-1010-130-1**

Dear Ms. Perez,

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March 4, 2020

The Ohlone Indian Tribe
Andrew Galvan
P.O. Box 3388
Fremont, CA, 94539

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Dear Mr. Galvan,

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March 4, 2020

The Confederated Villages of Lisjan
Corrina Gould, Chairperson
10926 Edes Avenue
Oakland, CA, 94603

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