

From: [Amah Mutsun Tribal](#)
To: [Planning AP](#)
Subject: Re: City of Sunnyvale - CEQA Notice of Intent to Adopt a Negative Declaration - 781 South Wolfe Road, Sunnyvale, CA (State Clearing House# 2025041162)
Date: Friday, April 25, 2025 10:32:14 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[General Recommendations \(1\) \(1\).pdf](#)
[2025 Letter of Response for AMTB LLC.pdf](#)

WARNING - This email came from an EXTERNAL source. Confirm the sender and its contents are safe before responding, opening attachment or links.

Hello and Good Morning,

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 set up a meeting to discuss consultation, please give us a call at 650-851-7489 or email us at [REDACTED].

Thank you,

Lorelei Alli

On Thu, Apr 24, 2025 at 10:29 AM Planning AP <planning@sunnyvale.ca.gov> wrote:

Interested Party for CEQA Submissions:

Attached is a Notice of Intent and Notice of Completion of the California Environmental Quality Act (CEQA). This document has been filed and may be viewed online at the following locations:

- State of California Governor's Office of Planning and Research:
<https://ceqanet.opr.ca.gov/2025041162>
- City of Sunnyvale's CEQA Environmental Notices Web Page:
<https://www.sunnyvale.ca.gov/business-and-development/planning-and-building/ceqa-environmental-notices>
- Santa Clara County Recorder:
<https://scccrosselfservice.org/web/document/DOC1333S2021?search=DOCSEARCH516S4>

Thank you,

Aastha Vashist

Senior Planner

Community Development Department

Phone: 408-730-7458

Email: avashist@sunnyvale.ca.gov

www.sunnyvale.ca.gov

c/o



Joey Mariano (Pronouns: he/his/him)
Senior Office Assistant
Community Development Department
Phone: 408-730-7486
Sunnyvale.ca.gov

Follow us on:



* The Sunnyvale Planning Division continues to provide virtual services, such as [electronic permit submittals](#) and virtual meetings. In-person services are also available at the [One Stop Permit Center](#), located on the second floor of the new City Hall building at 456 W. Olive Avenue. Underground parking is available and can be accessed on W. Olive Avenue. Masks and appointments (pcappointment@sunnyvale.ca.gov) are strongly encouraged.

General zoning information is also available on the [Planning Division webpage](#).

**The Amah Mutsun Tribal Band of San Juan Bautista &
AMTB**

Letter of Response

To whom it may concern:

It is our pride and privilege to be of service for any Native American Cultural Resource Monitoring, Consulting and/ or Sensitivity Training you may need or require. We take our Heritage and History seriously and are diligent about preserving as much of it as we can. Construction is a constant in the Bay Area and with that new discoveries are bound to happen. If you choose our services, we will gladly guide all personnel through proper procedures to safely protect and preserve: Culture, Heritage, and History.

It is highly recommended, if not previously done, to search through Sacred Lands Files (SLF) and California Historical Resource Information Systems (CHRIS) as well as reaching out to the Native American Heritage Commission (NAHC) In order to determine whether you are working in a Cultural and/ or Historic sensitivity.

If you have received any positive cultural or historic sensitivity within 1 mile of the project area here are A.M.T.B Inc's and Amah Mutsun Tribal Band of San Juan Bautista's recommendations:

- All Crews, Individuals and Personnel who will be moving any earth be Cultural Sensitivity Trained.
- A Qualified California Trained Archaeological Monitor is present during any earth movement.
- A Qualified Native American Monitor is present during any earth movement.

If further Consultation, Monitoring or Sensitivity Training is needed please feel free to contact A.M.T.B. Inc. or Myself Directly. A.M.T.B. Inc. 650-851-7747

Irenne Zwiierlein

Irenne Zwiierlein

2451 Tyrolean Way, Sacramento CA
95821

Amah Mutsun Tribal Band of San Juan Bautista & AMTB

2451 Tyrolean Way, Sacramento CA 95821

Our rates for 2025 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) 2025, standard per diem rate of \$425. (\$333. lodging, \$92 M&IE).

M&IE Breakdown FY 2025

| 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 2025, 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 Zwielerlein

Irenne Zwielerlein

2451 Tyrolean Way, Sacramento CA
95821



[Handwritten signature]



CERTIFICATE OF LIABILITY INSURANCE

Attachment 9

Page 5 of 9

DATE (MM/DD/YYYY)
01/14/2025

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 SUBROGATION IS 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 ALLIED BROKERS INSURANCE AGCY INC 57101434 591 LYTTON AVENUE PALO ALTO CA 94301 | CONTACT NAME: | |
| | PHONE (A/C, No, Ext): (866) 467-8730 | FAX (A/C, No): (888) 443-6112 |
| | E-MAIL ADDRESS: | |
| | INSURER(S) AFFORDING COVERAGE NAIC# | |
| INSURED AMTB LLC 2451 TYROLEAN WAY SACRAMENTO CA 95821-4809 | INSURER A: Hartford Underwriters Insurance Company 30104 | |
| | INSURER B: | |
| | 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 | | | | | | EACH OCCURRENCE |
| | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) |
| | <input checked="" type="checkbox"/> General Liability | | | | | | MED EXP (Any one person) |
| | | | | | | | PERSONAL & ADV INJURY |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERAL AGGREGATE |
| | <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | | PRODUCTS - COMP/OP AGG |
| | OTHER: | | | | | | |
| A | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) |
| | ANY AUTO | | | | | | BODILY INJURY (Per person) |
| | ALL OWNED AUTOS | | | | | | BODILY INJURY (Per accident) |
| | HIRED AUTOS | <input checked="" type="checkbox"/> | | | | | PROPERTY DAMAGE (Per accident) |
| | NON-OWNED AUTOS | | | | | | |
| | UMBRELLA LIAB EXCESS LIAB | | | | | | EACH OCCURRENCE |
| | <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE | | | | | | AGGREGATE |
| | DED RETENTION \$ | | | | | | |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | | | PER STATUTE |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | | | | | | OTH-ER |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. EACH ACCIDENT |
| | | | | | | | E.L. DISEASE -EA EMPLOYEE |
| | | | | | | | E.L. DISEASE - POLICY LIMIT |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Business Liability Coverage Part includes a Blanket Additional Insured By Contract Endorsement, Form SL 30 32.

CERTIFICATE HOLDER**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

© 1988-2015 ACORD CORPORATION. All rights reserved.

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.

From: David Pearson <[REDACTED]>
Sent: Friday, May 9, 2025 2:53 PM
To: Aastha Vashist <AVashist@sunnyvale.ca.gov>
Cc: 'David Pearson' <[REDACTED]>
Subject: 781 S. Wolfe Rd (APN:211-05-009) Rezoning and General Plan Amendment

WARNING - This email came from an EXTERNAL source. Confirm the sender and its contents are safe before responding, opening attachment or links.

Hello Aastha,

I saw the sign at 781 S. Wolfe Rd regarding the upcoming public hearings about the proposed Rezoning and General Plan Amendment for this property.

I have a concern about the proposal and would like to educate myself before the 5/27 Planning Commission hearing.

I've seen the proposed site plan from the developer, most recently in the 2/21/25 City Manager's Newsletter (image below). You will notice that the Developer is communicating the intent to change this site from a "Wolfe Rd" property to a development that can only be accessed from Lusterleaf Drive:

Update Sunnyvale 2/21/25

UPCOMING MEETINGS AND EVENTS

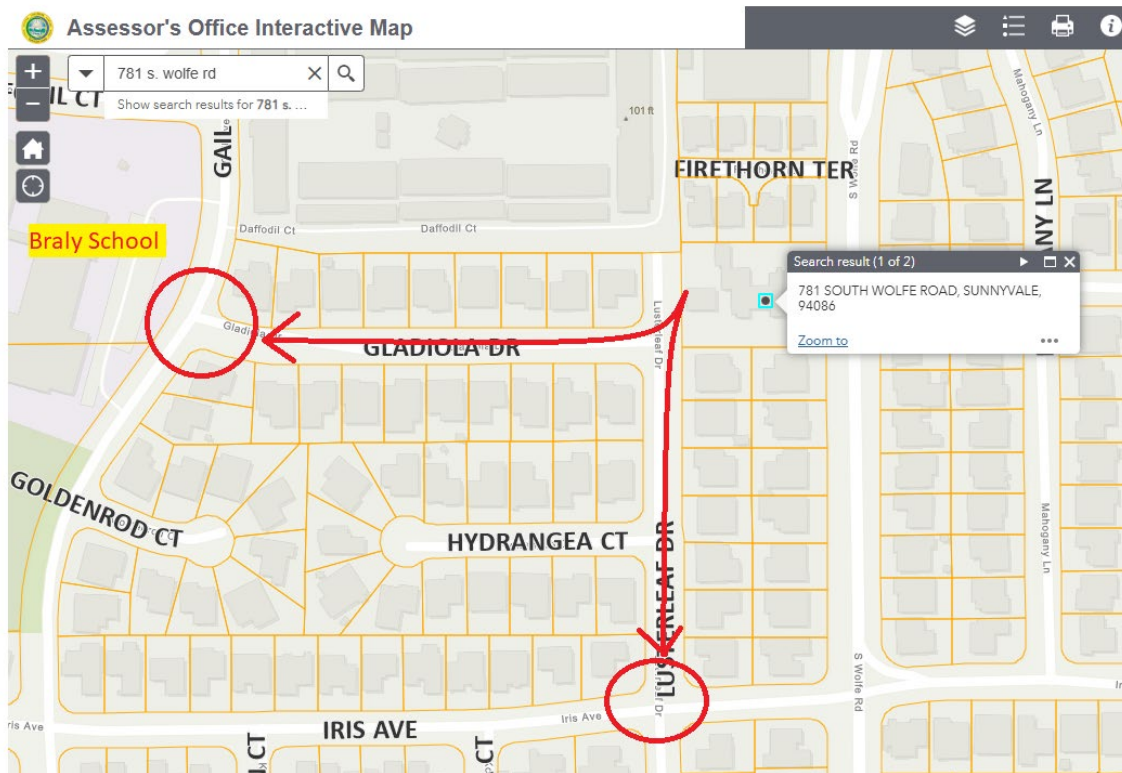
Neighborhood Outreach Meeting for General Plan Amendment and Rezoning Planning Project at 781 S. Wolfe Road



The proposed access via Lusterleaf Dr. would create additional traffic at the following intersections which are already congested and dangerous:

- Lusterleaf Dr. and Iris Ave.: (Often gridlocked during commute times)
- Gladia Dr. and Gail Ave.: (Directly in front of Braly Elementary School, very congested during school pick-up/drop-off hours, speeding traffic, 15 MPH speed limit, and the location of numerous DPS "special traffic enforcement" deployments.)

See below for the map showing these traffic hot spots:



While the proposal to change the General Plan designation and zoning of 781 S. Wolfe Rd. is consistent with Wolfe Rd. (most notably, the Firethorn Terrace development), the proposal to change the access to the property from Wolfe Rd. to Lusterleaf is inconsistent with the neighboring properties on Lusterleaf and Gladiola. Further, it creates traffic risks to motorists and the children attending Braly School. In my opinion, the Rezoning and General Plan Amendment proposals should only be approved if the access to the site remains on Wolfe Rd. as it is today, consistent with the neighboring Firethorn Terrace development.

With all the above in mind, a couple of questions:

1. Have the traffic and student safety concerns above been considered?
2. Is the hearing regarding the Rezoning and General Plan Amendment proposals the appropriate place to discuss and hopefully address the concern with changing the access of the property from Wolfe Rd. to Lusterleaf Drive?

Thanks in advance for any information you can provide.

David Pearson

[REDACTED]
[REDACTED]