

Appendix H

AB 52/SB 18 Correspondence



Planning and Development Department
Land Use Planning Division

November 18, 2021

Amah Mutsun Tribal Band of Mission San Juan Bautista
Irene Zwierlein, Chairperson
3030 Soda Bay Road
Lakeport, California 95453
Via Email: amahmutsuntribal@gmail.com

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element
Project, City of Berkeley, Alameda County, California

Dear Chairperson Zwierlein:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

The proposed project must comply with California Public Resources Code § 21080.3.1 (Assembly Bill [AB] 52 of 2014), which requires local governments to conduct meaningful consultation with California Native American tribes that have requested to be notified by lead agencies of proposed projects in the geographic area with which the tribe is traditionally and culturally affiliated.

The proposed project includes an update of a the City of Berkeley General Plan and, therefore, must also comply with California Public Resources Code § 65352.3 – 65352.4 (Senate Bill 18), which requires local governments to conduct meaningful consultation with California Native American tribes on the contact list maintained by the Native American Heritage Commission prior to the adoption or amendment of a city or county general plan for the purpose of protecting cultural places on lands affected by the proposal.

Your tribe's input is important to the City of Berkeley planning process. We request that you advise us as early as possible if you wish to consult on the proposed project. Under AB 52, you have 30 days and under the provisions of SB 18, have 90 days from the date of receipt of this notice to advise the City of Berkeley if you are interested in further consultation. If you require any additional information or have any questions, please contact me at (510) 981-7484 or via e-mail at GWu@cityofberkeley.info. Thank you for your assistance.

Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

Enclosed: Project Location Map



Planning and Development Department
Land Use Planning Division

November 18, 2021

Costanoan Rumsen Carmel Tribe
Tony Cerda, Chairman
244 E. 1st Street
Pomona, California 91766
Via Email: rumsen@aol.com

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element Project, City of Berkeley, Alameda County, California

Dear Chairman Cerda:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

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Planning and Development Department
Land Use Planning Division

November 18, 2021

Guidiville Indian Rancheria
Donald Duncan, Chairperson
P.O. Box 339
Talmage, California 95481
Via Email: admin@guidiville.net

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element Project, City of Berkeley, Alameda County, California

Dear Chairperson Duncan:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

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Planning and Development Department
Land Use Planning Division

November 18, 2021

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister, California 95024
Via Email: ams@indiancaynons.org

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element
Project, City of Berkeley, Alameda County, California

Dear Chairperson Sayers:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

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Planning and Development Department
Land Use Planning Division

November 18, 2021

Muwekma Ohlone Indian Tribe of the SF Bay Area
Charlene Nijmeh, Chairperson
20885 Redwood Road, Suite 232
Castro Valley, California 94546
Via Email: cnijmeh@muwekma.org

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element Project, City of Berkeley, Alameda County, California

Dear Chairperson Nijmeh:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

Enclosed: Project Location Map



Planning and Development Department
Land Use Planning Division

November 18, 2021

North Valley Yokuts Tribe
Katherine Erolinda Perez, Chairperson
P.O. Box 717
Linden, California 95236
Via Email: canutes@verizon.net

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element Project, City of Berkeley, Alameda County, California

Dear Chairperson Perez:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

Enclosed: Project Location Map



Planning and Development Department
Land Use Planning Division

November 18, 2021

Tamien Nation
Quirina Luna Geary, Chairperson
P.O. Box 8053
San Jose, California 95155
Via Email: qgeary@tamien.org

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element
Project, City of Berkeley, Alameda County, California

Dear Chairperson Geary:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

Enclosed: Project Location Map



Planning and Development Department
Land Use Planning Division

November 18, 2021

The Confederated Villages of Lisjan
Corrina Gould, Chairperson
10926 Edes Avenue
Oakland, California 94603
Via Email: cvltribe@gmail.com

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element
Project, City of Berkeley, Alameda County, California

Dear Chairperson Gould:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

Enclosed: Project Location Map



Planning and Development Department
Land Use Planning Division

November 18, 2021

The Ohlone Indian Tribe
Andrew Galvan
P.O. Box 3388
Fremont, California 94539
Via Email: chocheny@aol.com

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element Project, City of Berkeley, Alameda County, California

Dear Mr. Galvan:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

Enclosed: Project Location Map



Planning and Development Department
Land Use Planning Division

November 18, 2021

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville, California 93258
Via Email: neil.peyron@tulerivertribe-nsn.gov

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element Project, City of Berkeley, Alameda County, California

Dear Chairperson Peyron:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

Enclosed: Project Location Map



Planning and Development Department
Land Use Planning Division

November 18, 2021

Wilton Rancheria
Jesus G. Tarango Jr., Chairperson
9728 Kent Street
Elk Grove, California 95624
Via Email: jtarango@wiltonrancheria-nsn.gov

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element Project, City of Berkeley, Alameda County, California

Dear Chairperson Tarango:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

Enclosed: Project Location Map



Planning and Development Department
Land Use Planning Division

November 18, 2021

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas, California 93906
Via Email: kwood8934@aol.com

RE: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element
Project, City of Berkeley, Alameda County, California

Dear Chairperson Woodrow:

The City of Berkeley is preparing an Environmental Impact Report (EIR) for the proposed City of Berkeley 2023-2031 Housing Element Update. The proposed project consists of an update of the City of Berkeley's General Plan Housing Element for the 2023-2031 (6th Cycle) planning period, which includes necessary rezones and updates to other General Plan elements. Specifically, the Housing Element Site Assessment will identify sites that can accommodate density requirements and additional units, and as necessary, properties will be rezoned. The project also includes any necessary amendments to the General Plan to maintain consistence among General Plan elements and with the municipal code.

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Sincerely,

Justin Horner
Associate Planner, Land Use Planning Division
City of Berkeley

Enclosed: Project Location Map

From: Corrina Gould <cvltribe@gmail.com>
Sent: Wednesday, November 24, 2021 12:52 PM
To: Horner, Justin
Subject: Assembly Bill 52 and Senate Bill 18 Consultation, City of Berkeley Housing Element

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello Justin Horner,

The Tribe has received your letter and would like to consult with you on this proposed project. The Tribe is available most Wednesdays and some Friday afternoons. Please let us know when you have next availability. Thank you.

'Uni (Respectfully),

Corrina Gould, Tribal Chair
Confederated Villages of Lisjan Tribe

From: [Horner, Justin](#)
To: [Corrina Gould](#)
Cc: [Crane, Fatema](#)
Subject: Lijan-City of Berkeley Consultation Dec 15, 2021
Date: Wednesday, December 15, 2021 11:32:00 AM
Attachments: [image001.png](#)
[image002.png](#)

Corrina,

It was a pleasure meeting you this morning and discussing the City of Berkeley's Housing Element Update. As we discussed, I want to share with you the City's take-aways from this first consultation meeting and identify our next steps.

1. As the initial consultation letter included the entire city as the site of the Housing Element Update project, the City will collect and share publicly-available information about any more specific geographical boundaries or locations of proposed zoning changes that could be part of the Housing Element Update. This may help determine which specific areas of the city we may want to focus further consultations.
2. As we move forward in later stages of the process, including the environmental review and the General Plan amendment process, the City will consult with the Lijan about how they are written about in City-produced documents.

Item #1, above, is the first action item. The City will share any available information with you with the goal of meeting again at a to-be-scheduled second consultation meeting in January, 2022. Item #2, above, is not an immediate item and will be addressed later in the Housing Element Update process as documents are developed and drafted.

Thank you again, Corrina. Please let me know if the above is an accurate characterization of what you gathered from the first consultation meeting, or whether there are items that are missing.

Justin Horner

Associate Planner

Planning and Development, Land Use Division

1947 Center St., 2nd Floor, Berkeley, CA 94704

Phone: (510) 981-7476

Website: www.cityofberkeley.info

Email: jhorner@cityofberkeley.info

REDUCED LAND USE HOURS ARE IN EFFECT! Land Use and Zoning counter services are available at the Permit Service Center (PSC) between 8:30 am – 1:30 pm (final check in at 1:00 pm) Monday through Thursday during November and December. To limit the spread of COVID-19, face masks and social distancing are required when visiting our offices, and some Planning staff continue to work remotely.

All permit-related and Zoning services are also available online. Please visit us online for more information

<https://www.cityofberkeley.info/covid19-land-use-planning/>.

General Planning Department questions: Planning@cityofberkeley.info

Zoning questions: ZoningCounter@cityofberkeley.info

Short Term Rentals: STR@cityofberkeley.info

Current forms and guidance sheets for Zoning Permits: [Forms - City of Berkeley, CA](#)

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General Planning Department questions: Planning@cityofberkeley.info

Zoning questions: ZoningCounter@cityofberkeley.info

Short Term Rentals: STR@cityofberkeley.info

From: [Horner, Justin](#)
To: ["Corrina Gould"](#)
Cc: [Crane, Fatema](#); [Wu, Grace](#)
Subject: Lijan-City of Berkeley Consultation
Date: Thursday, February 10, 2022 3:34:00 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)

Corrina,

I wanted to follow-up on our first consultation and share some information, per item 1), below.

While the project description you received as part of the tribal notification identified the entire City as part of the project area, the scope of the project has been reduced such that we can share that properties within the West Berkeley Plan Area are not included in the proposed project. The West Berkeley Plan Area is defined as the area bounded by the Eastshore Freeway to the west, the City of Albany to the north, the cities of Oakland and Emeryville to the south, and San Pablo Avenue (both sides) to the east. As we had discussed land located adjacent to the historic waterfront in our initial consultation, we thought it would be helpful to know that the proposed project does not include any area adjacent to the historic waterfront.

With respect to item 2) below, the City has not yet produced any materials that include discussion of the Lijan. When such materials are being drafted, we shall contact you to consult on the text.

Thank you and please let me know if you have any questions or would like any additional information.

Justin Horner

Associate Planner

Planning and Development, Land Use Division

1947 Center St., 2nd Floor, Berkeley, CA 94704

Phone: (510) 981-7476

Website: www.cityofberkeley.info

Email: jhorner@cityofberkeley.info

REDUCED LAND USE HOURS: Zoning counter services are available at the [Permit Service Center \(PSC\)](#) between 8:30 am – 1:30 pm (final check in at 1:00 pm) Monday through Thursday. To limit the spread of COVID-19, face masks and social distancing are required when visiting our offices, and some Planning staff continue to work remotely.

All permit-related and Zoning services are available online. Please visit us online for more information

<https://www.cityofberkeley.info/covid19-land-use-planning/>.

General Planning Department questions: Planning@cityofberkeley.info

Zoning questions: ZoningCounter@cityofberkeley.info

Short Term Rentals: STR@cityofberkeley.info

From: [Horner, Justin](#)
To: [Corrina Gould](#)
Cc: [Crane, Fatema](#); [Wu, Grace](#); [Karly Kaufman](#)
Subject: RE: Lijan-City of Berkeley Consultation
Date: Monday, June 27, 2022 3:49:00 PM
Attachments: [4.15 Tribal Cultural Resources.docx](#)
[4.4 Cultural Resources.docx](#)
[2 Project Description.docx](#)
[image001.png](#)
[image002.png](#)
[image005.png](#)

Corrina,

Per item 2) in our correspondence below, I wanted to share with you the draft Environmental Impact Report sections for **Cultural Resources** and **Tribal Cultural Resources** for your review and comment.

I have attached a copy of the project description, as background.

The City of Berkeley is doing its own review of the draft EIR and is sending our comments to our consultant in early July. Accordingly, if you could share any comments you have with me by COB on **Friday, July 8, 2022**, I could ensure that they are included.

Thank you and please let me know if you have any questions or need any additional information.

Justin Horner, Associate Planner

City of Berkeley Department of Planning and Development
Land Use Planning Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704
510-981-7476
Jhorner@cityofberkeley.info

From: [Horner, Justin](#)
To: ["Corrina Gould"](#)
Cc: [Crane, Fatema](#); [Wu, Grace](#); ["Karly Kaufman"](#)
Subject: RE: Lijan-City of Berkeley Consultation
Date: Wednesday, July 06, 2022 10:19:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image005.png](#)

Corrina,

I just wanted to send a gentle reminder to please provide any comments you may have on the sections send last Monday by COB, this **Friday, July 8th, 2022.**

Please do not hesitate to contact me with any questions.

Justin Horner

Associate Planner

Planning and Development, Land Use Division

1947 Center St., 2nd Floor, Berkeley, CA 94704

Phone: (510) 981-7476

Website: www.cityofberkeley.info

Email: jhorner@cityofberkeley.info

From: [Corrina Gould](#)
To: [Horner, Justin](#)
Subject: Tribal Offices Closed RE: Lijan-City of Berkeley Consultation
Date: Tuesday, July 12, 2022 1:23:11 PM

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Horše Tuuxi,

The Tribal offices are currently closed for ceremony and will reopen on 8/1/2022, we will respond to emails as soon as possible and continue consultations upon our return. Thank you for your patience and understanding.
Wishing you and yours all the best,

--

'Uni (Respectfully),

Corrina Gould, Tribal Chair
Confederated Villages of Lisjan Nation

From: [Horner, Justin](#)
To: [Corrina Gould](#)
Cc: [Wu, Grace](#); [Karly Kaufman](#); [Crane, Fatema](#)
Subject: RE: Lijan-City of Berkeley Consultation
Date: Tuesday, July 12, 2022 1:22:58 PM
Attachments: [image001.png](#)
[image003.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)

Thank you, Corrina, for the email. Yes, let's find a time this week to discuss the Admin Draft of the Housing Element EIR. I am available for most of Wednesday and Thursday afternoon, and Friday morning. If you can find a few times in those windows, I will work on including our CEQA consultant and Fatema Crane.

Justin Horner, Associate Planner

City of Berkeley Department of Planning and Development
Land Use Planning Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704
510-981-7476
Jhorner@cityofberkeley.info

From: Corrina Gould <cvltribe@gmail.com>
Sent: Friday, July 08, 2022 3:39 PM
To: Horner, Justin <JHorner@cityofberkeley.info>
Subject: Re: Lijan-City of Berkeley Consultation

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Hello Justin,

I'm so sorry for the lateness, but my legal team has been looking through this and would really rather set up a meeting with you to go through this as there are many areas of concern. We are trying to get the mitigation measures to you shortly.
Is there a possibility of meeting about this next week?

'Uni (Respectfully),

Corrina Gould, Tribal Chair
Confederated Villages of Lisjan Nation

From: [Horner, Justin](#)
To: [Corrina Gould](#)
Cc: [Wu, Grace](#); [Karly Kaufman](#); [Crane, Fatema](#)
Subject: RE: Lijan-City of Berkeley Consultation
Date: Monday, August 08, 2022 10:25:00 AM
Attachments: [image001.png](#)
[image007.png](#)
[image005.png](#)
[image006.png](#)
[image008.png](#)

Hello Corrina,

As I understand that tribal offices reopened on August 1st, I wanted to check in with you regarding the below. Please let me know when we can arrange a time to talk.

Justin Horner, Associate Planner

City of Berkeley Department of Planning and Development
Land Use Planning Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704
510-981-7476
Jhorner@cityofberkeley.info

From: Horner, Justin
Sent: Tuesday, July 12, 2022 1:23 PM
To: Corrina Gould <cvltribe@gmail.com>
Cc: Wu, Grace <GWu@cityofberkeley.info>; Karly Kaufman <kkaufman@rinconconsultants.com>; Crane, Fatema <FCrane@cityofberkeley.info>
Subject: RE: Lijan-City of Berkeley Consultation

Thank you, Corrina, for the email. Yes, let's find a time this week to discuss the Admin Draft of the Housing Element EIR. I am available for most of Wednesday and Thursday afternoon, and Friday morning. If you can find a few times in those windows, I will work on including our CEQA consultant and Fatema Crane.

Justin Horner, Associate Planner

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Land Use Planning Division
1947 Center Street, 2nd Floor
Berkeley, CA 94704
510-981-7476
Jhorner@cityofberkeley.info

From: Horner, Justin <JHorner@cityofberkeley.info>
Sent: Friday, August 19, 2022 11:25 AM
To: Corrina Gould
Cc: Wu, Grace; Crane, Fatema; Karly Kaufman
Subject: Housing Element EIR AB 52 Tribal Consultation

Good morning Corrina,

Pursuant to AB 52, this email indicates our formal conclusion of the tribal consultation between the City of Berkeley and the Confederated Villages of Lisjan on the matter of the Housing Element Update EIR. Please find below a summary of the consultation:

- The City of Berkeley prepared and mailed AB 52 notification letters on November 18, 2021 to tribes listed by the Native American Heritage Commission.
- On November 24, 2021, the Confederated Villages of Lisjan responded to request consultation under AB 52.
- On December 15, 2021, the City of Berkeley met with the Confederated Villages of Lisjan over teleconference to discuss the project and proposed mitigation measures. The Confederated Villages of Lisjan requested additional information about the physical extent of the project area, and whether the proposed project could result in changes in areas of tribal concern, specifically the historic Berkeley waterfront/shoreline and Indian Rock. The Confederated Villages of Lisjan also requested drafts of the Cultural Resources and Tribal Cultural Resources sections of the EIR to allow their review of the sections' portrayal of tribal groups.
- On February 10, 2022, the City of Berkeley communicated by email with the Confederated Villages of Lisjan and confirmed that the project area does not include any areas adjacent to the historic waterfront/shoreline.
- On June 27, 2022, the City of Berkeley communicated by email with the Confederated Villages of Lisjan and shared drafts of the Cultural Resources and Tribal Cultural Resources sections of the EIR and requested comments. No comments were received.
- On July 8, 2022, the Confederated Villages of Lisjan shared a mitigation measure by email and asked that it be considered for inclusion in the EIR. As a result of that request, the Draft EIR includes Mitigation Measure Tribal Cultural Resources-1, which is based upon the Confederated Villages of Lisjan's proposed mitigation measure.
- On August 8, 2022, the City of Berkeley communicated by email with the Confederated Villages of Lisjan and requested comments on the Cultural Resources and Tribal Cultural Resources sections of the EIR. No comments were received.

While this is the formal end of the AB 52-mandated tribal consultation process, the City of Berkeley remains available to discuss the EIR at any time and the City welcomes any additional comments from the Confederated Villages of Lisjan during the DEIR public comment period.

Thank you and please let me know if you have any questions or need any additional information.



Justin Horner
Associate Planner
Planning and Development, Land Use Division
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Email: jhorner@cityofberkeley.info