

# Appendix J

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AB 52 Tribal Correspondence



Planning and Development Department  
Land Use Planning Division

December 22, 2020

Amah Mutsun Tribal Band of Mission San Juan Bautista  
Irene Zwielerlein, Chairperson  
789 Canada Road  
Woodside, CA 94062  
Via Email: [amahmutsuntribal@gmail.com](mailto:amahmutsuntribal@gmail.com)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Chairperson Zwielerlein:

The City of Berkeley is preparing an Initial Study and Subsequent Environmental Impact Report (SEIR) for the proposed Bayer Development Agreement (DA) Amendment Project (project). Bayer's existing 30-year DA with the City of Berkeley was approved in 1992 and is set to expire in 2022. The proposed project would: extend the terms of the DA for another 30 years from its February 2022 expiration date to 2052; extend the boundaries of the DA to include Bayer properties that are south of Carleton Street, and modify various development standards, operational restrictions, and campus layout. Within the 30-year time frame, Bayer envisions: retaining approximately 820,000 square feet of existing square footage, demolishing nine buildings totaling approximately 267,000 square feet, replacing some surface parking with two new parking structures and new underground parking facilities; and constructing approximately 918,000 square feet of new facilities for production, laboratory, and administrative uses. The proposed project is subject to the California Environmental Quality Act.

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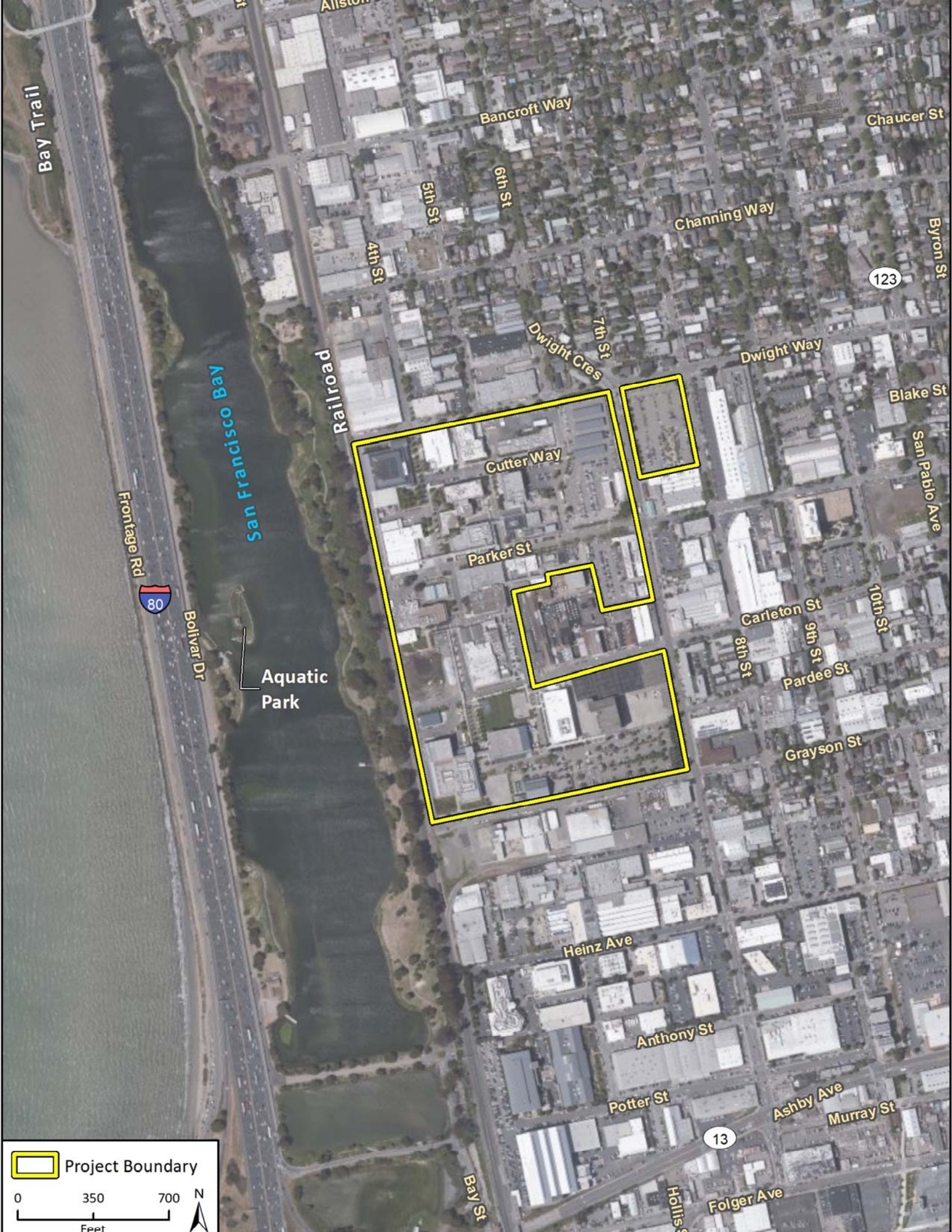
The input of the Amah Mutsun Tribal Band of Mission San Juan Bautista is important to the City of Berkeley's planning process. Under AB 52, you have 30 days from receipt of this letter to respond in writing if you wish you consult on the proposed project. If you require any additional information or have any questions, please contact me at (510) 981-7426 or via e-mail at [LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info). Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leslie Mendez".

Leslie Mendez, Senior Planner  
City of Berkeley

Enclosure: Project Location Map



Bay Trail

Frontage Rd



Bolivar Dr

San Francisco Bay

Aquatic Park

Railroad

4th St

5th St

Bancroft Way

6th St

Dwight Cres

7th St

Channing Way

Dwight Way

Cutter Way

Parker St

Carleton St

8th St

Pardee St

Grayson St

Heinz Ave

Anthony St

Potter St

Ashby Ave

Murray St

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Folger Ave

Chaucer St

123

Byron St

Blake St

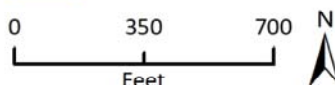
San Pablo Ave

10th St

Bay St

Hollis St

Project Boundary





Planning and Development Department  
Land Use Planning Division

December 22, 2020

The Confederated Villages of Lisjan  
Corrina Gould, Chairperson  
10926 Edes Avenue  
Oakland, CA 94603  
Via Email: [cvltribe@gmail.com](mailto:cvltribe@gmail.com)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Chairperson Gould:

The City of Berkeley is preparing an Initial Study and Subsequent Environmental Impact Report (SEIR) for the proposed Bayer Development Agreement (DA) Amendment Project (project). Bayer's existing 30-year DA with the City of Berkeley was approved in 1992 and is set to expire in 2022. The proposed project would: extend the terms of the DA for another 30 years from its February 2022 expiration date to 2052; extend the boundaries of the DA to include Bayer properties that are south of Carleton Street, and modify various development standards, operational restrictions, and campus layout. Within the 30-year time frame, Bayer envisions: retaining approximately 820,000 square feet of existing square footage, demolishing nine buildings totaling approximately 267,000 square feet, replacing some surface parking with two new parking structures and new underground parking facilities; and constructing approximately 918,000 square feet of new facilities for production, laboratory, and administrative uses. The proposed project is subject to the California Environmental Quality Act.

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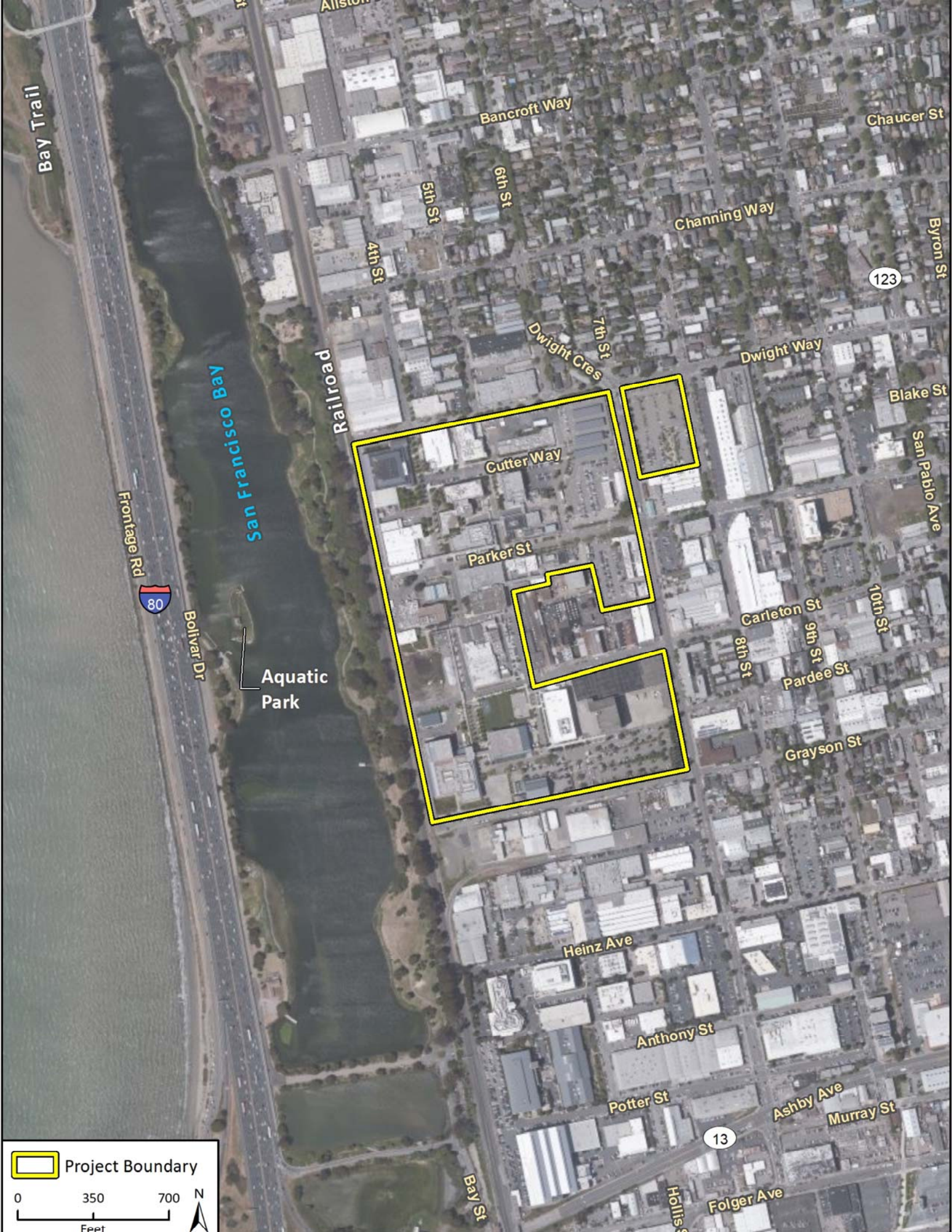
The input of the Confederated Villages of Lisjan is important to the City of Berkeley's planning process. Under AB 52, you have 30 days from receipt of this letter to respond in writing if you wish you consult on the proposed project. If you require any additional information or have any questions, please contact me at (510) 981-7410 or via e-mail at [LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info). Thank you for your assistance.

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City of Berkeley

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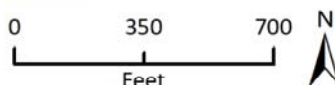
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Project Boundary





Planning and Development Department  
Land Use Planning Division

December 22, 2020

Costanoan Rumsen Carmel Tribe  
Tony Cerda, Chairperson  
244 E 1<sup>st</sup> Street  
Pomona, CA 91766  
Via Email: [rumsen@aol.com](mailto:rumsen@aol.com)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Chairperson Cerda:

The City of Berkeley is preparing an Initial Study and Subsequent Environmental Impact Report (SEIR) for the proposed Bayer Development Agreement (DA) Amendment Project (project). Bayer's existing 30-year DA with the City of Berkeley was approved in 1992 and is set to expire in 2022. The proposed project would: extend the terms of the DA for another 30 years from its February 2022 expiration date to 2052; extend the boundaries of the DA to include Bayer properties that are south of Carleton Street, and modify various development standards, operational restrictions, and campus layout. Within the 30-year time frame, Bayer envisions: retaining approximately 820,000 square feet of existing square footage, demolishing nine buildings totaling approximately 267,000 square feet, replacing some surface parking with two new parking structures and new underground parking facilities; and constructing approximately 918,000 square feet of new facilities for production, laboratory, and administrative uses. The proposed project is subject to the California Environmental Quality Act.

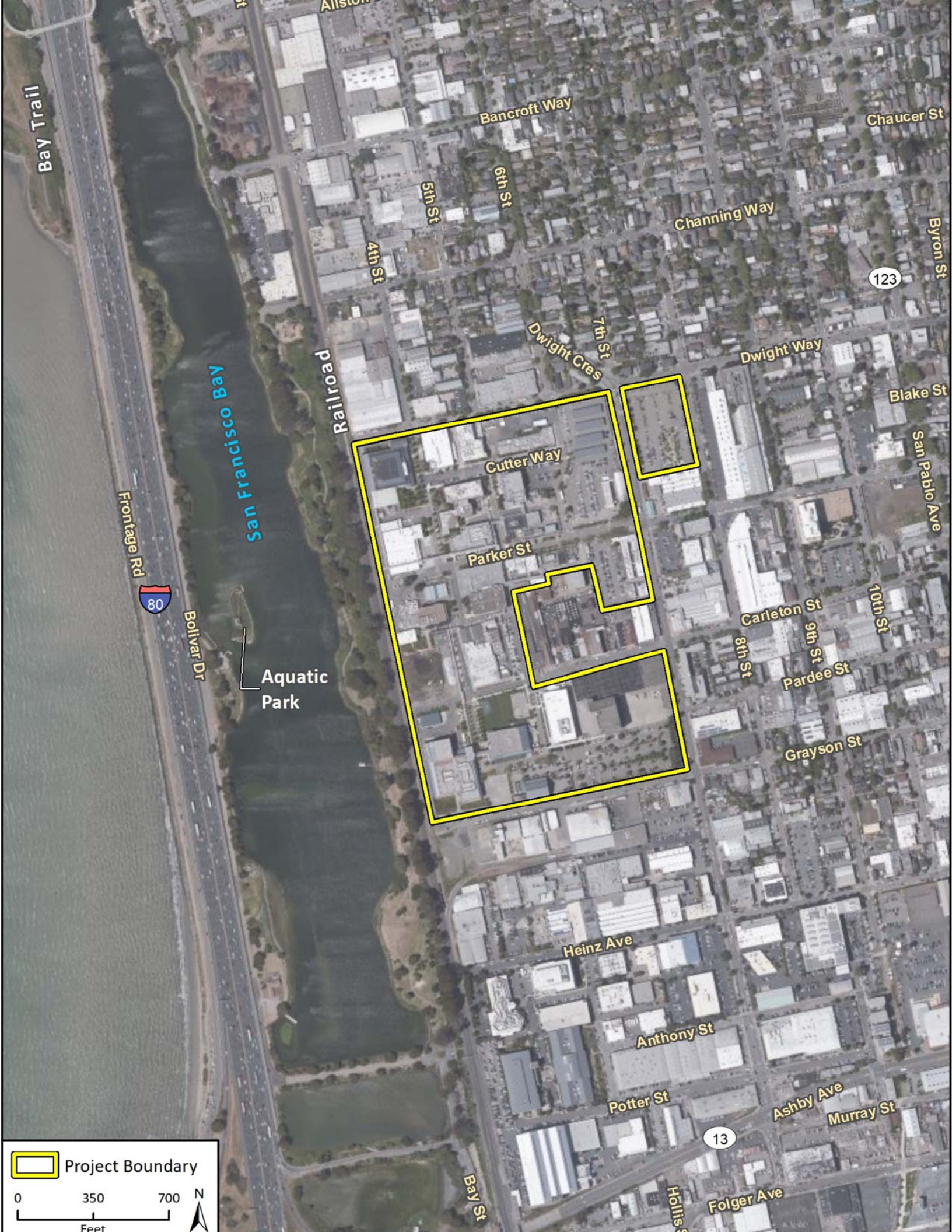
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The input of the Costanoan Rumsen Carmel Tribe is important to the City of Berkeley's planning process. Under AB 52, you have 30 days from receipt of this letter to respond in writing if you wish you consult on the proposed project. If you require any additional information or have any questions, please contact me at (510) 981-7410 or via e-mail at [LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info). Thank you for your assistance.

Sincerely,

Leslie Mendez, Senior Planner  
City of Berkeley

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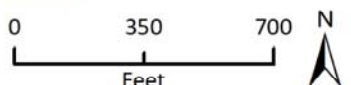
Byron St

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San Pablo Ave

10th St

Project Boundary





Planning and Development Department  
Land Use Planning Division

December 22, 2020

Guidiville Indian Rancheria  
Merlene Sanchez, Chairperson  
PO Box 339  
Talmage, CA 95481  
Via Email: [admin@guidiville.net](mailto:admin@guidiville.net)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Chairperson Sanchez:

The City of Berkeley is preparing an Initial Study and Subsequent Environmental Impact Report (SEIR) for the proposed Bayer Development Agreement (DA) Amendment Project (project). Bayer's existing 30-year DA with the City of Berkeley was approved in 1992 and is set to expire in 2022. The proposed project would: extend the terms of the DA for another 30 years from its February 2022 expiration date to 2052; extend the boundaries of the DA to include Bayer properties that are south of Carleton Street, and modify various development standards, operational restrictions, and campus layout. Within the 30-year time frame, Bayer envisions: retaining approximately 820,000 square feet of existing square footage, demolishing nine buildings totaling approximately 267,000 square feet, replacing some surface parking with two new parking structures and new underground parking facilities; and constructing approximately 918,000 square feet of new facilities for production, laboratory, and administrative uses. The proposed project is subject to the California Environmental Quality Act.

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The input of the Guidiville Indian Rancheria is important to the City of Berkeley's planning process. Under AB 52, you have 30 days from receipt of this letter to respond in writing if you wish you consult on the proposed project. If you require any additional information or have any questions, please contact me at (510) 981-7410 or via e-mail at [LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info). Thank you for your assistance.

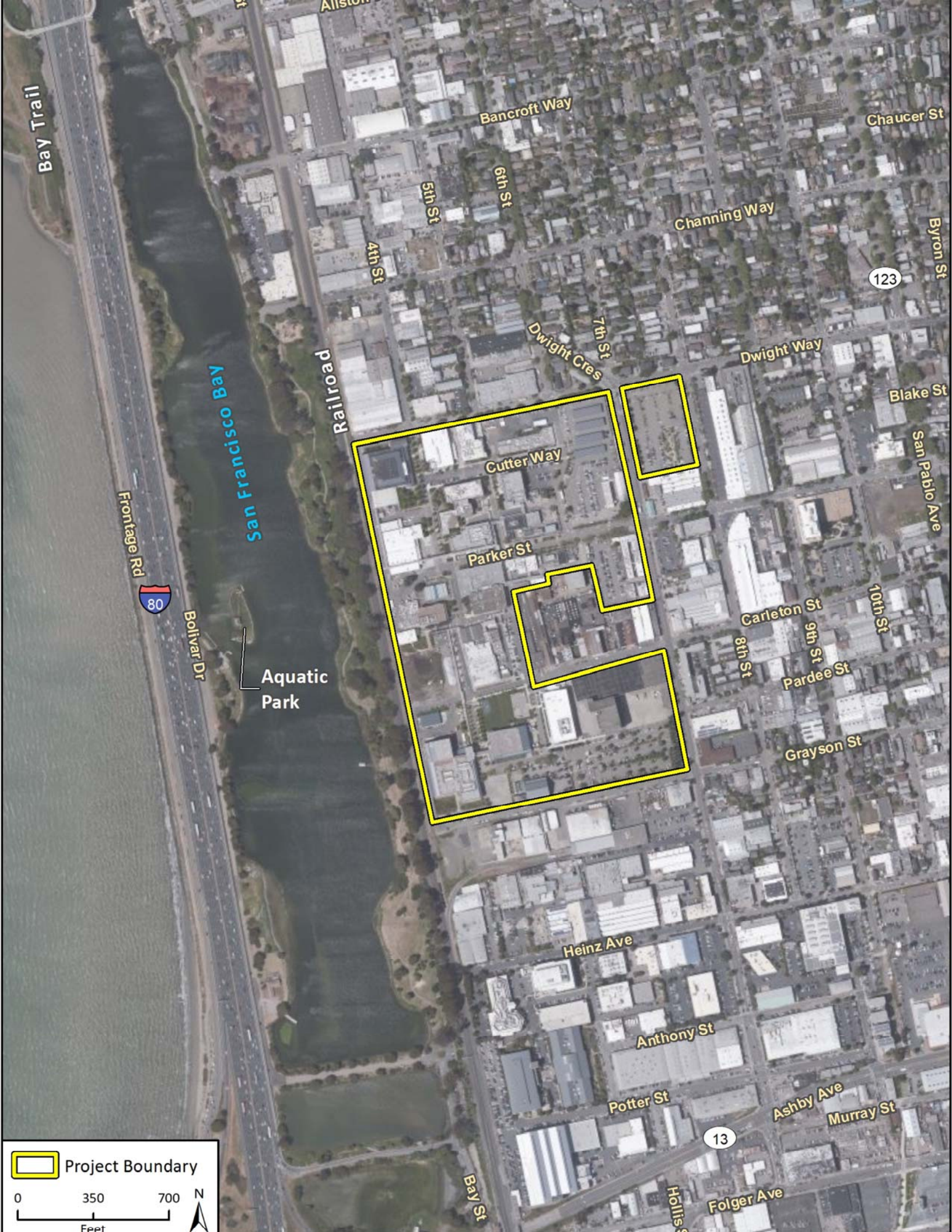
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Leslie Mendez, Senior Planner  
City of Berkeley

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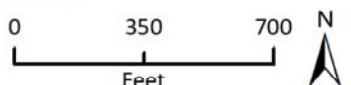
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Project Boundary





Planning and Development Department  
Land Use Planning Division

December 22, 2020

Indian Canyon Mutsun Band of Costanoan Ohlone  
Kanyon Sayers-Roods, MLD  
1615 Pearson Court  
San Jose, CA 95122  
Via Email: [kanyon@kanyonkonsulting.com](mailto:kanyon@kanyonkonsulting.com)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Ms. Sayers-Roods:

The City of Berkeley is preparing an Initial Study and Subsequent Environmental Impact Report (SEIR) for the proposed Bayer Development Agreement (DA) Amendment Project (project). Bayer's existing 30-year DA with the City of Berkeley was approved in 1992 and is set to expire in 2022. The proposed project would: extend the terms of the DA for another 30 years from its February 2022 expiration date to 2052; extend the boundaries of the DA to include Bayer properties that are south of Carleton Street, and modify various development standards, operational restrictions, and campus layout. Within the 30-year time frame, Bayer envisions: retaining approximately 820,000 square feet of existing square footage, demolishing nine buildings totaling approximately 267,000 square feet, replacing some surface parking with two new parking structures and new underground parking facilities; and constructing approximately 918,000 square feet of new facilities for production, laboratory, and administrative uses. The proposed project is subject to the California Environmental Quality Act.

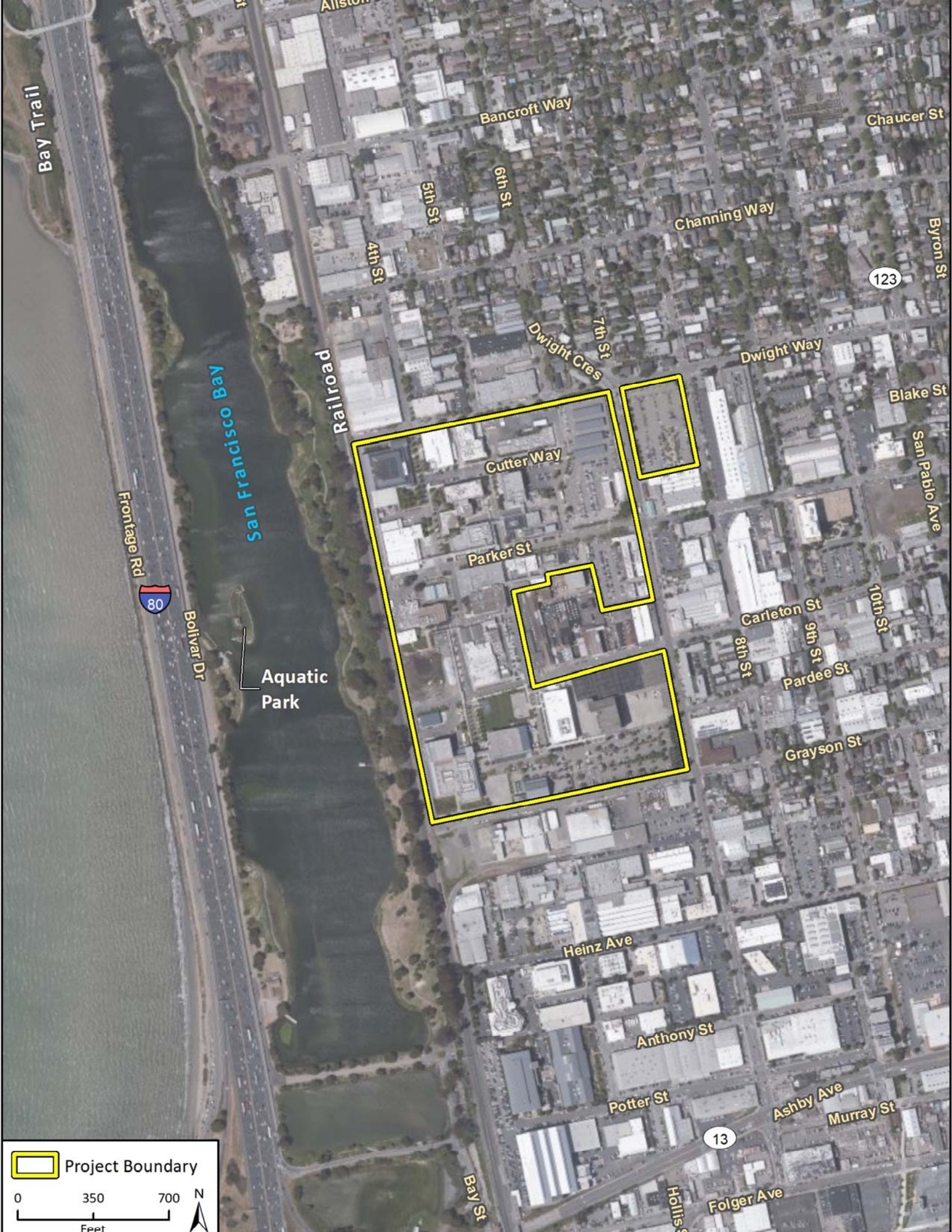
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The input of the Indian Canyon Mutsun Band of Costanoan is important to the City of Berkeley's planning process. Under AB 52, you have 30 days from receipt of this letter to respond in writing if you wish you consult on the proposed project. If you require any additional information or have any questions, please contact me at (510) 981-7410 or via e-mail at [LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info). Thank you for your assistance.

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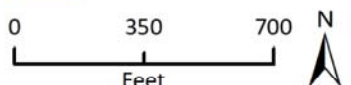


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Planning and Development Department  
Land Use Planning Division

December 22, 2020

Indian Canyon Mutsun Band of Costanoan  
Ann Marie Sayers, Chairperson  
PO Box 28  
Hollister, CA 95024  
Via Email: [ams@indiancanyon.org](mailto:ams@indiancanyon.org)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Chairperson Sayers:

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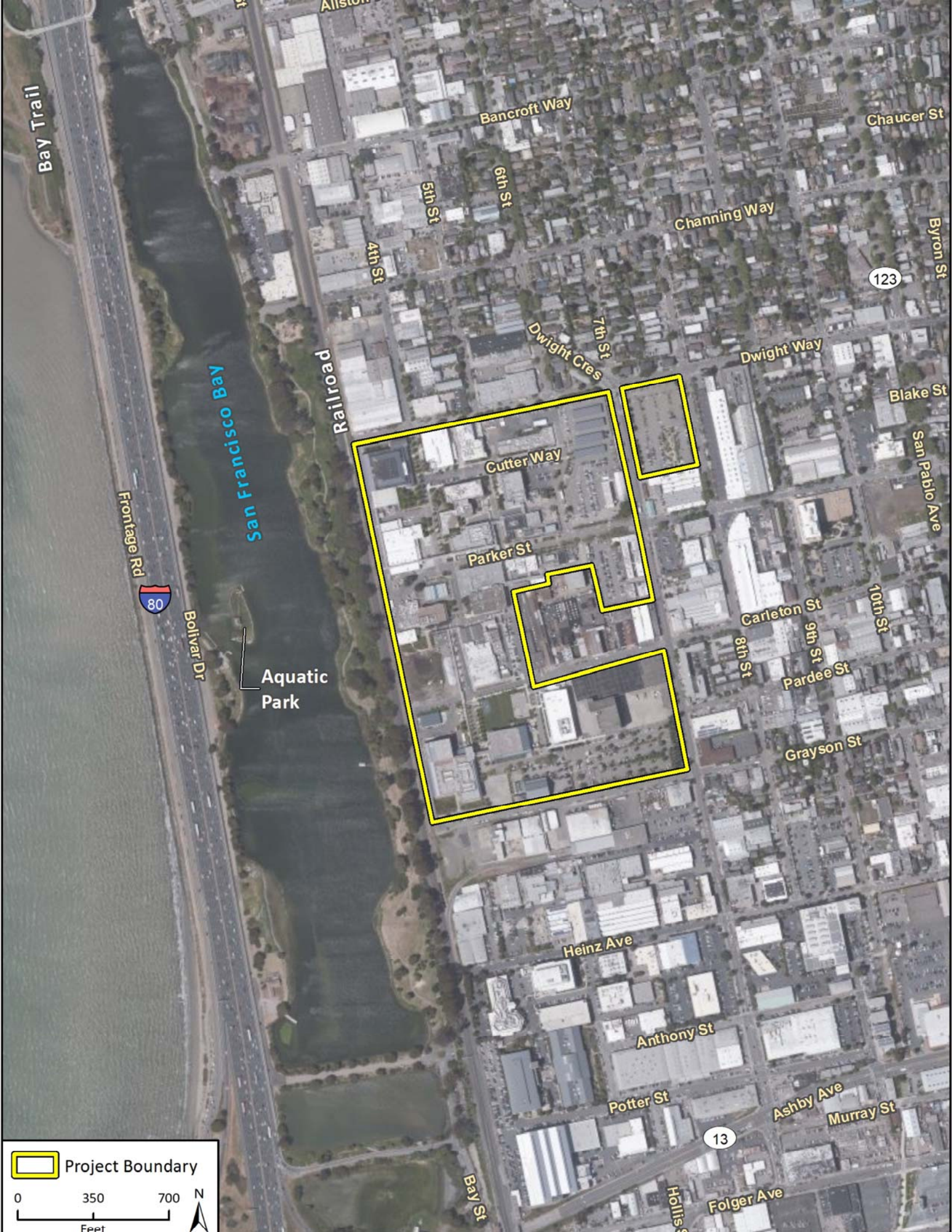
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City of Berkeley

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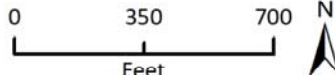
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Project Boundary





Planning and Development Department  
Land Use Planning Division

December 22, 2020

Muwekma Ohlone Indian Tribe of the SF Bay Area  
Monica Arellano  
20885 Redwood Road, Suite 232  
Castro Valley, CA 94546  
Via Email: [marellano@muvekma.org](mailto:marellano@muvekma.org)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Ms. Arellano:

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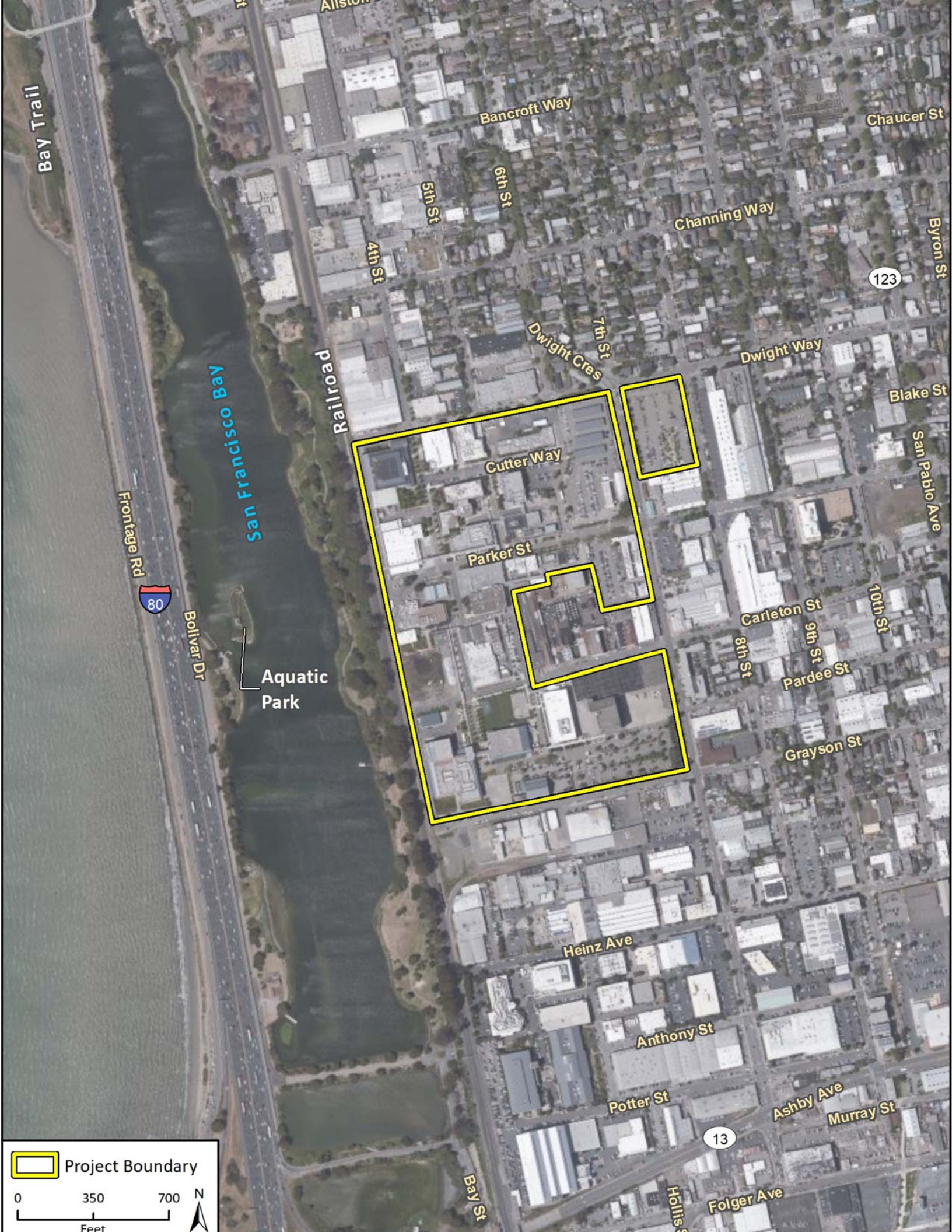
The input of the Muvekma Ohlone Indian Tribe of the SF Bay Area is important to the City of Berkeley's planning process. Under AB 52, you have 30 days from receipt of this letter to respond in writing if you wish you consult on the proposed project. If you require any additional information or have any questions, please contact me at (510) 981-7410 or via e-mail at [LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info). Thank you for your assistance.

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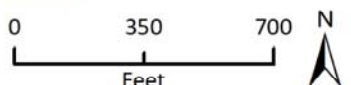
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Project Boundary





Planning and Development Department  
Land Use Planning Division

December 22, 2020

North Valley Yokuts Tribe  
Timothy Perez, MLD Contact  
PO Box 717  
Linden, CA 95236  
Via Email: [huskanam@gmail.com](mailto:huskanam@gmail.com)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Mr. Perez:

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The input of the North Valley Yokuts Tribe is important to the City of Berkeley's planning process. Under AB 52, you have 30 days from receipt of this letter to respond in writing if you wish you consult on the proposed project. If you require any additional information or have any questions, please contact me at (510) 981-7410 or via e-mail at [LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info). Thank you for your assistance.

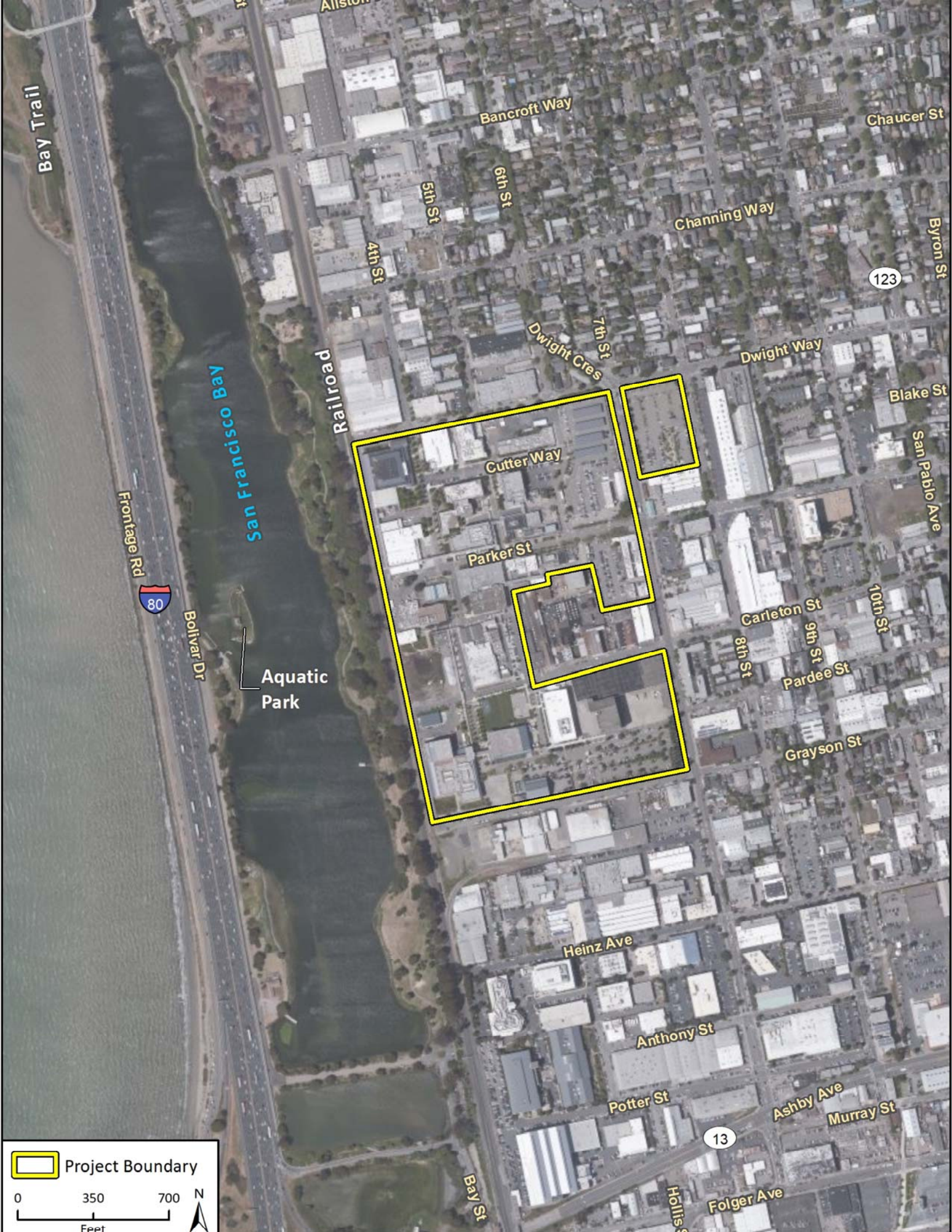
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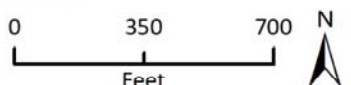
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Project Boundary





Planning and Development Department  
Land Use Planning Division

December 22, 2020

North Valley Yokuts Tribe  
Katherine Perez, Chairperson  
PO Box 717  
Linden, CA 95236  
Via Email: [canutes@verizon.net](mailto:canutes@verizon.net)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Chairperson Perez:

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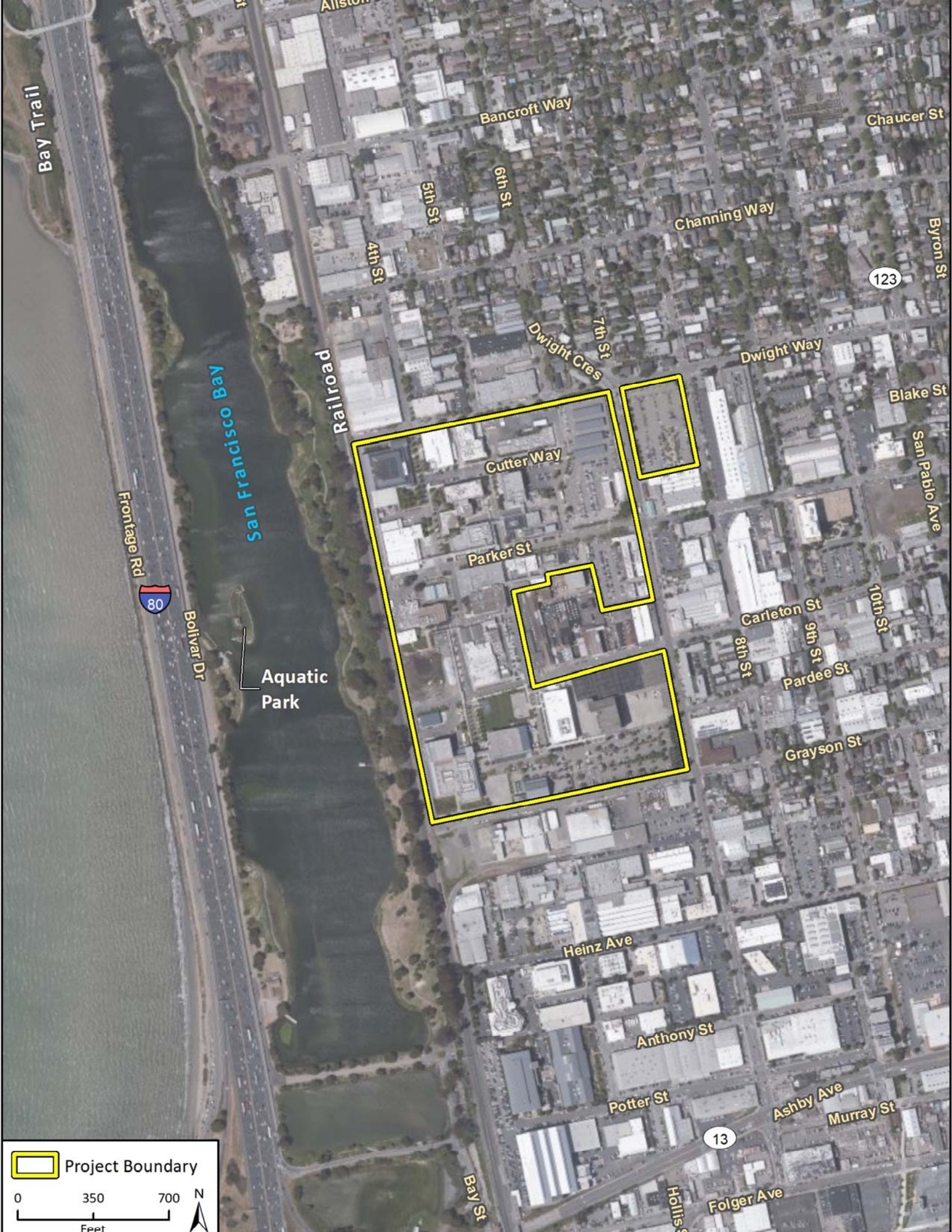
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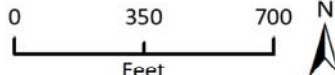
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Planning and Development Department  
Land Use Planning Division

December 22, 2020

The Ohlone Indian Tribe  
Andrew Galvan  
PO Box 3388  
Fremont, CA 94539  
Via Email: [Chochenyo@AOL.com](mailto:Chochenyo@AOL.com)

RE: AB 52 Consultation, Bayer Development Agreement Amendment Project, City of Berkeley, Alameda County, California

Dear Mr. Galvan:

The City of Berkeley is preparing an Initial Study and Subsequent Environmental Impact Report (SEIR) for the proposed Bayer Development Agreement (DA) Amendment Project (project). Bayer's existing 30-year DA with the City of Berkeley was approved in 1992 and is set to expire in 2022. The proposed project would: extend the terms of the DA for another 30 years from its February 2022 expiration date to 2052; extend the boundaries of the DA to include Bayer properties that are south of Carleton Street, and modify various development standards, operational restrictions, and campus layout. Within the 30-year time frame, Bayer envisions: retaining approximately 820,000 square feet of existing square footage, demolishing nine buildings totaling approximately 267,000 square feet, replacing some surface parking with two new parking structures and new underground parking facilities; and constructing approximately 918,000 square feet of new facilities for production, laboratory, and administrative uses. The proposed project is subject to the California Environmental Quality Act.

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.

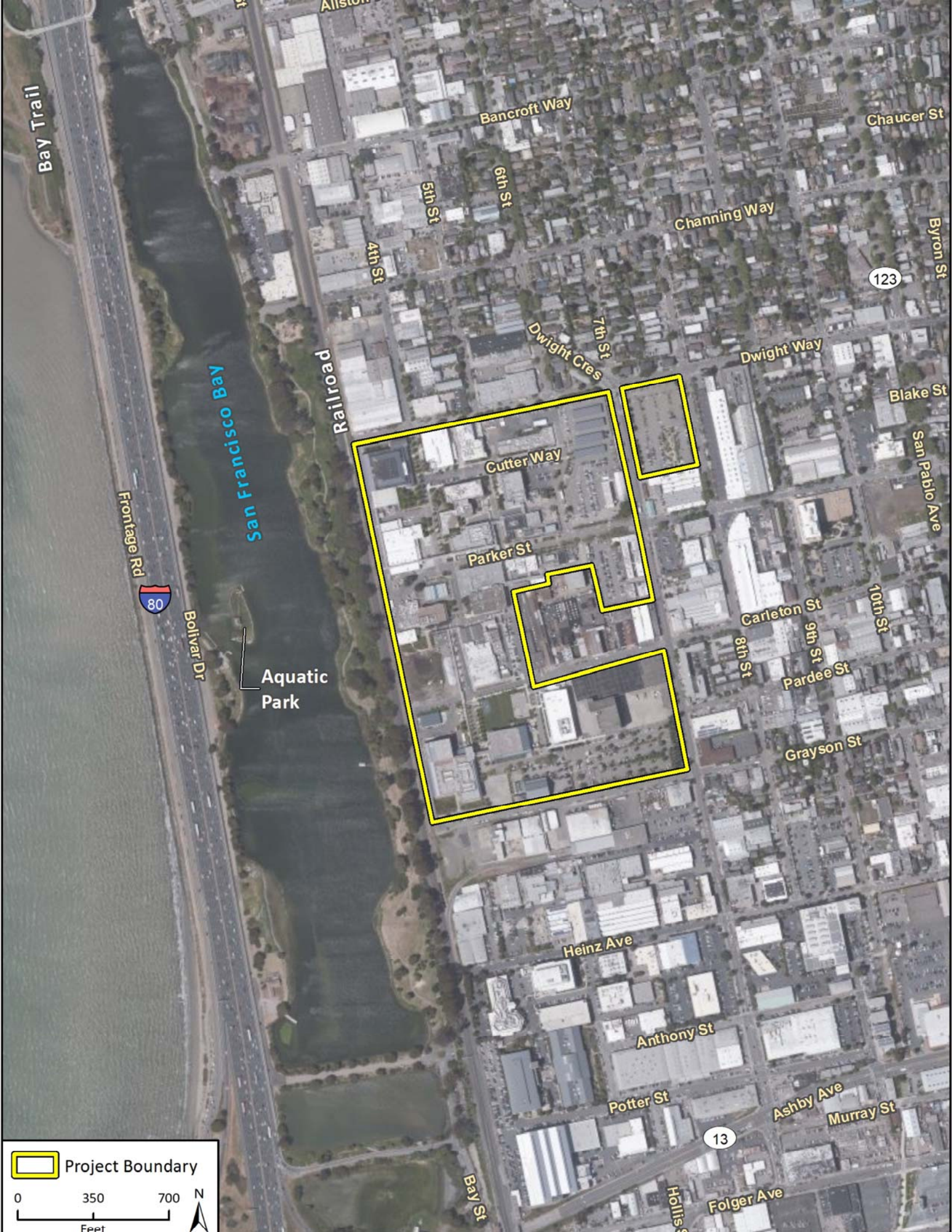
The input of the Ohlone Indian Tribe is important to the City of Berkeley's planning process. Under AB 52, you have 30 days from receipt of this letter to respond in writing if you wish you consult on the proposed project. If you require any additional information or have any questions, please contact me at (510) 981-7410 or via e-mail at [LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info). Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leslie Mendez".

Leslie Mendez, Senior Planner  
City of Berkeley

Enclosure: Project Location Map



Bay Trail

Frontage Rd



Bolivar Dr

San Francisco Bay

Aquatic Park

Railroad

4th St

5th St

Bancroft Way

6th St

Dwight Cres

7th St

Channing Way

Dwight Way

Cutter Way

Parker St

Carleton St

8th St

Pardee St

Grayson St

Heinz Ave

Anthony St

Potter St

Ashby Ave

Murray St

13

Folger Ave

Chaucer St

Byron St

123

Blake St

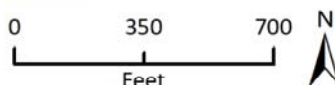
San Pablo Ave

10th St

Bay St

Hollis St

Project Boundary



**From:** Mendez, Leslie  
**Sent:** Wednesday, May 19, 2021 9:15 AM  
**To:** 'Katherine Perez'  
**Subject:** AB52 Consultation: Bayer DA Amendment Project

Hello Katherine

I am resending the proposed Mitigation Monitoring and Reporting Program that incorporates the revised mitigations per our AB 52 Consultation/Site Visit. Please see CR-3 through CR-11 and TRC1 through TRC3. The revised mitigations include stronger language regarding avoidance as a priority, a worker training program, as well as the inclusion of the Cultural Resources Open Space Easement.

Please let me know if this satisfied the AB 52 Consultation or if you have any further concerns. I will deem the Consultation “closed” if I do not hear back.

If you have time and inclination, the Draft Subsequent EIR Comment meeting is scheduled before Planning Commission on Wednesday June 2<sup>nd</sup>. The agenda will be available on the PC webpage a week before the meeting:

[https://www.cityofberkeley.info/Clerk/Commissions/Commissions\\_Planning\\_Commission\\_Homepage.aspx](https://www.cityofberkeley.info/Clerk/Commissions/Commissions_Planning_Commission_Homepage.aspx)

Best,  
Leslie

**Leslie Mendez** | Senior Planner | City of Berkeley  
Planning and Development | Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Floor | Berkeley, CA 94704  
LUP Division: ☎ 510.981.7410  
✉ [lmendez@CityofBerkeley.info](mailto:lmendez@CityofBerkeley.info)

**From:** Mendez, Leslie  
**Sent:** Tuesday, May 11, 2021 2:43 PM  
**To:** 'Katherine Perez'  
**Subject:** RE: Draft Cultural Resources Technical Report

Hello Katherine,

Happy May! I hope this email finds you well.

I am writing to follow up and “close” the AB 52 Consultation that you requested regarding the Bayer HealthCare Development Agreement Amendment Project. Attached please find the final draft Tribal Cultural Resources section as well as the Draft Mitigations. Mitigations include those you requested including monitoring, training, and avoidance first.

If you could please review and let me know if you have any questions on these or whether this addresses the Tribe’s concerns. If you could respond by this Friday (May 14<sup>th</sup>), I would greatly appreciate it.

Best,

**Leslie Mendez** | Senior Planner | City of Berkeley  
Planning and Development | Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Floor | Berkeley, CA 94704  
LUP Division: ☎ 510. 981.7410  
✉ [lmendez@CityofBerkeley.info](mailto:lmendez@CityofBerkeley.info)

**From:** Mendez, Leslie  
**Sent:** Friday, February 19, 2021 10:54 AM  
**To:** Katherine Perez  
**Subject:** RE: Draft Cultural Resources Technical Report

Hello Katherine,

I am following up to see if you have any questions, comments on the Draft Cultural Resources Technical Report, or wish to officially consult on the Bayer Development Agreement Amendment Project.

If you are able to respond by next Wednesday, February 24, 2021, I would greatly appreciate it.

I hope all is well,

Leslie

**From:** Mendez, Leslie  
**Sent:** Wednesday, February 3, 2021 12:03 PM  
**To:** Katherine Perez <[canutes@verizon.net](mailto:canutes@verizon.net)>  
**Subject:** RE: Draft Cultural Resources Technical Report

Hello Katherine,

I just wanted to add that if you could respond with any comments/questions by February 18, 2021, that would be greatly appreciated.

Thank you,  
Leslie

**From:** Mendez, Leslie  
**Sent:** Wednesday, February 3, 2021 11:57 AM  
**To:** Katherine Perez <[canutes@verizon.net](mailto:canutes@verizon.net)>  
**Subject:** Draft Cultural Resources Technical Report

Hello Katherine,

It was a pleasure to meet you yesterday on the Bayer campus tour.

Attached, please find the draft Cultural Resources Technical Report for the Bayer Development Agreement Amendment project. After you have a chance to review, please let me know if you would like to have further consultation.

Best,  
Leslie

**Leslie Mendez** | Senior Planner | City of Berkeley  
Planning and Development | Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Floor | Berkeley, CA 94704  
LUP Division: ☎ 510.981.7410  
✉ [lmendez@CityofBerkeley.info](mailto:lmendez@CityofBerkeley.info)



**From:** Katherine Perez [<mailto:canutes@verizon.net>]  
**Sent:** Wednesday, December 23, 2020 1:44 PM  
**To:** Mendez, Leslie <[LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info)>  
**Subject:** Re: AB 52 Consultation: Bayer DA Amendment

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December 23, 2020

City of Berkeley  
1947 Center Street, 2nd Floor  
Berkeley, CA 94704  
Ph: 510.981.7410

RE: AB 52 Consultation Request for the Bayer Campus DA Amendment.

Dear City of Berkeley Representative,

Northern Valley Yokuts Tribe and Nototomne Cultural Preservation received an email letter from Leslie Mendez (City of Berkeley) dated December 22, 2020, formally notifying us of a proposed project, the Bayer Development Agreement (DA) Amendment Project (Extending the terms of the DA for another 30 yrs), and an opportunity to consult under AB 52. This letter is notice that Northern Valley Yokuts Tribe and Nototomne Cultural Preservation would like to initiate consultation under AB 52.

We would like to discuss the topics listed in Cal. Public Resources Code section 21080.3.2(a), including the type of environmental review to be conducted for the project; project alternatives; the project's significant effects; and mitigation measures for any direct, indirect, or cumulative impacts the project may cause to tribal cultural resources. As consultation progresses, we may also wish to discuss design options that would avoid impacts to tribal cultural resources; the scope of any environmental document that is prepared for the project; pre-project surveys; and tribal cultural resource identification, significance evaluations and culturally-appropriate treatment.

This letter is also a formal request to allow Northern Valley Yokuts Tribe and Nototomne Cultural Preservation tribal representatives to observe and participate in all cultural resource surveys, including initial pedestrian surveys for the project. Please send us all existing cultural resource assessments, as well as requests for, and the results of, any records searches that may have been conducted prior to our first consultation meeting. If tribal cultural resources are identified within the project area, it is our policy that tribal monitors must be present for all ground disturbing activities. Finally, please be advised that our strong preference is to preserve

tribal cultural resources in place and avoid them whenever possible. Subsurface testing and data recovery must not occur without first consulting with and receiving written consent from Northern Valley Yokuts Tribe and Nototomne Cultural Preservation.

In the letter you are identified as the lead contact person for consultation on the proposed project. I will be our point of contact for this consultation. Please contact me by phone 209.649.8972 or email at [canutes@verizon.net](mailto:canutes@verizon.net) begin the consultation process.

Thank you for involving Northern Valley Yokuts Tribe and Nototomne Cultural Preservation in the planning process at an early stage. We ask that you make this letter a part of the project record and we look forward to working with you to ensure that tribal cultural resources are protected.

Sincerely,

**Katherine Erolinda Perez, Chairwoman**

-----Original Message-----

From: Mendez, Leslie <[LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info)>

To: [canutes@verizon.net](mailto:canutes@verizon.net) <[canutes@verizon.net](mailto:canutes@verizon.net)>

Sent: Tue, Dec 22, 2020 12:14 pm

Subject: AB 52 Consultation: Bayer DA Amendment

Dear Chairperson Perez,

Attached please find the AB52 Consultation letter with project map for the Bayer Campus DA Amendment.

Let me know if you have any questions.

Happy Holidays!

Leslie

**Leslie Mendez** | Senior Planner | City of Berkeley  
Planning and Development | Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Floor | Berkeley, CA 94704  
LUP Division: ' 510. 981.7410  
✉ [lmendez@CityofBerkeley.info](mailto:lmendez@CityofBerkeley.info)

**From:** Mendez, Leslie  
**Sent:** Wednesday, May 19, 2021 9:13 AM  
**To:** Corrina Gould  
**Subject:** AB52 Consultation Bayer DA Amendment Project Closure

Hello Corrina,

I am resending the proposed Mitigation Monitoring and Reporting Program that incorporates the revised mitigations per our AB 52 Consultation. Please see CR-3 through CR-11 and TRC1 through TRC3. The revised mitigations include stronger language regarding avoidance as a priority as well as the inclusion of the Cultural Resources Open Space Easement (TCR-3).

Please let me know if this satisfied the AB 52 Consultation or if you have any further concerns. I will deem the Consultation “closed” if I do not hear back.

If you have time and inclination, the Draft Subsequent EIR Comment meeting is scheduled before Planning Commission on Wednesday June 2<sup>nd</sup>. The agenda will be available on the PC webpage a week before the meeting:

[https://www.cityofberkeley.info/Clerk/Commissions/Commissions\\_Planning\\_Commission\\_Homepage.aspx](https://www.cityofberkeley.info/Clerk/Commissions/Commissions_Planning_Commission_Homepage.aspx)

Best,  
Leslie

**Leslie Mendez** | Senior Planner | City of Berkeley  
Planning and Development | Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Floor | Berkeley, CA 94704  
LUP Division: ☎ 510.981.7410  
✉ [lmendez@CityofBerkeley.info](mailto:lmendez@CityofBerkeley.info)

**From:** Mendez, Leslie <LMendez@cityofberkeley.info>  
**Sent:** Tuesday, May 11, 2021 5:29 PM  
**To:** cvltribe@gmail.com  
**Cc:** Andrew Pulcheon <apulcheon@rinconconsultants.com>; Hannah Haas <hhaas@rinconconsultants.com>; Karly Kaufman <kkaufman@rinconconsultants.com>  
**Subject:** [EXT] RE: Bayer DA Amendment Revised Mitigation Measures

Hello Corrina and Family,

If you could please review both the Tribal Cultural Resources Section and the revised Mitigation Measures and let me know if you have any questions on these or whether this addresses the Tribe's concerns. If you could respond by this Friday (May 14<sup>th</sup>), I would greatly appreciate it.

Best,  
Leslie

**From:** Karly Kaufman  
**Sent:** Tuesday, May 11, 2021 2:14 PM  
**To:** [cvltribe@gmail.com](mailto:cvltribe@gmail.com); Mendez, Leslie <[LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info)>  
**Cc:** Andrew Pulcheon <[apulcheon@rinconconsultants.com](mailto:apulcheon@rinconconsultants.com)>; Hannah Haas <[hhaas@rinconconsultants.com](mailto:hhaas@rinconconsultants.com)>  
**Subject:** RE: Bayer DA Amendment Revised Mitigation Measures

Good afternoon,

Attached please find our further revised draft mitigation measures. These include the revisions discussed on last Friday's call to add additional information to clarify what is considered "feasible" and change "shall" to "will." Other revisions include some clarifying edits and further information on timing of the mitigation and enforcement.

Also, attached is the latest draft of the Tribal Cultural Resources section of the EIR.

Please let us know if you have further questions on these.

Thank you!!  
Karly

**Karly Kaufman, MESM, Supervising Planner/Project Manager**  
Rincon Consultants, Inc.  
Environmental Scientists | Planners | Engineers  
510-671-0179 Direct  
510-834-4455 x1005 Office  
[rinconconsultants.com](http://rinconconsultants.com)



**From:** Hannah Haas <[hhaas@rinconconsultants.com](mailto:hhaas@rinconconsultants.com)>  
**Sent:** Friday, May 7, 2021 12:00 PM  
**To:** [cvltribe@gmail.com](mailto:cvltribe@gmail.com); Mendez, Leslie <[LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info)>  
**Cc:** Karly Kaufman <[kkaufman@rinconconsultants.com](mailto:kkaufman@rinconconsultants.com)>; Andrew Pulcheon <[apulcheon@rinconconsultants.com](mailto:apulcheon@rinconconsultants.com)>  
**Subject:** Bayer DA Amendment Revised Mitigation Measures

Hi all!

Attached please find the revised draft mitigation measures. As discussed last Friday, this includes modification to both the Extended Phase I Testing and the Avoidance measures from the CR section and the addition of a Tribal Cultural Resource Preservation Easement measure to the TCR section. Please let me know if you have any questions or would like any additional information before our meeting this afternoon.

Thank you!

**Hannah Haas, MA, RPA**  
**Cultural Resources Program Manager/Senior Archaeologist**  
Rincon Consultants, Inc.  
Environmental Scientists | Planners | Engineers  
916-706-1374 x230  
760-517-9132 Direct  
[rinconconsultants.com](http://rinconconsultants.com)



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 Please consider the environment before printing this email.

**From:** Corrina Gould [<mailto:cvltribe@gmail.com>]  
**Sent:** Wednesday, March 17, 2021 2:18 PM  
**To:** Mendez, Leslie <[LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info)>  
**Subject:** Re: Bayer DA Amendment Draft Cultural Resources Technical Report

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**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Hello Leslie,

The tribe has had a lot of emails to go through recently and this one may have been lost along the way. The Tribe would like to consult on this project moving forward.

'Uni (Respectfully),

***Corrina Gould, Tribal Chair***  
Confederated Villages of Lisjan Tribe

On Fri, Feb 19, 2021 at 10:52 AM Mendez, Leslie <[LMendez@cityofberkeley.info](mailto:LMendez@cityofberkeley.info)> wrote:

Hello Corrina,

I am following up to see if you have any questions, comments on the Draft Cultural Resources Technical Report, or wish to officially consult on the Bayer Development Agreement Amendment Project.

If you are able to respond by next Wednesday, February 24, 2021, I would greatly appreciate it.

I hope all is well,

Leslie

**Leslie Mendez** | Senior Planner | City of Berkeley  
Planning and Development | Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Floor | Berkeley, CA 94704  
LUP Division: ☎ 510.981.7410  
✉ [lmendez@CityofBerkeley.info](mailto:lmendez@CityofBerkeley.info)

**From:** Mendez, Leslie  
**Sent:** Wednesday, February 3, 2021 12:03 PM  
**To:** Corrina Gould <[cvltribe@gmail.com](mailto:cvltribe@gmail.com)>  
**Subject:** Bayer DA Amendment Draft Cultural Resources Technical Report

Hello Corrina,

Attached, please find the Administrative Draft Cultural Resources Technical report for the Bayer Development Agreement Amendment project.

After you have reviewed, please let me know if the Confederated Villages of the Lisjan Tribe has any questions or concerns and/or would like to participate in AB52 consultation.

If you are able to respond by February 18<sup>th</sup>, that would be greatly appreciated.

Best,

Leslie

**Leslie Mendez** | Senior Planner | City of Berkeley  
Planning and Development | Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Floor | Berkeley, CA 94704  
LUP Division: ☎ 510.981.7410  
✉ [lmendez@CityofBerkeley.info](mailto:lmendez@CityofBerkeley.info)