

Attn: Shannon Allen
City of Berkeley Planning Dept.
1947 Center Street, 2nd Floor
Berkeley, CA 94704

March 13, 2017

**Re: Comments on the Draft Environmental Impact Report on proposed
1900 4th St. Project**

Dear Ms. Shannon Allen:

horše tuuxi, Ms. Allen. My name is Vincent Medina, and I am writing you this letter as a Chochenyo Ohlone man, as well as a citizen of the City of Berkeley. I have been asked to speak on behalf of the listed individuals of the Chochenyo Ohlone community that I am a part of; I have been delegated by members of Chochenyo Ohlone extended family to represent our shared interests in relation to the sacred landscape of the West Berkeley Shellmound and the Draft Environmental Impact Report (DEIR) regarding 1900 Fourth Street, in Berkeley.

I would like to introduce my community to you. We are the indigenous people of what is now known as “the East Bay.” All of the individuals I am representing are descended from the East Bay tribal areas of Halkin and Saklan; as well as the outlying Bay Area tribal areas of Napa and Gualcomne. Consistently through the past 240 years of European invasion in our homeland, our Chochenyo Ohlone family has persisted through difficult and painful intrusions, but not without extreme loss and hardships. Indian life in the East Bay was directly impacted by three different waves of subsequent colonization by the Spanish, Mexicans, Americans – each actively working, systematically and institutionally, to eradicate Ohlone culture from the land itself.

This happened through various methods: legal bounties placed on the scalps of Indian people throughout California – including the East Bay, actively working to suppress our Chochenyo language, destruction of our ancestors remains and material culture from the land, legal restrictions on our religion, lack of an ability to testify in courts against abuse on account of Ohlone people not being full citizens of the United States until 1924. This list of disrespect and injustice is not without shortage, but because of the tenacity and strength of our ancestors –somehow– our Chochenyo Ohlone identity persisted. Ohlone identity is flourishing in expression and visibility in the present day.

An intense and undeniable love for homeland is among the reasons our identity was able to survive in the East Bay. In this very small geographic space, every moment in our our Chochenyo Ohlone history has occurred; in this place our very world began on the peak of ʔuuʂtak (Mt. Diablo) during the Great Flood that covered the whole of the world. There, our heroes, ruupaywa (Eagle), ʔumunhum (Hummingbird), and mayyan (Coyote) created us Ohlones and all of our land. Every bit of our culture originates from this very place, the East Bay – our Chochenyo language, our sacred narratives, our religion all originate from this place. Our ancestors, they too are in this very land that we are born in this very day. While our voices might be few in a sea of millions living in our homeland, there is an undeniable connection we have to the whole of the East Bay as the first people of the place. We have an inalienable right to protect mak-piretka – our homeland – and our ancestors in the land itself.

For these solid reasons, we have a legitimate interest in protecting sites deemed to us to be sacred. Over the past two months, our Chochenyo Ohlone family has had in-depth conversations on on the issue of sacredness – particularly pertaining to the sacredness of the West Berkeley Shellmound, and the threat it is under with the potential approval of the 1900 Fourth Street project. Beginning in December of 2016, I visited several members of our extended family – all people who have genealogy that is traced to the East Bay villages I listed previously in this letter. In these internal conversations, we discussed what the West Berkeley Shellmound means to us Chochenyo Ohlone people, the indigenous people of the East Bay.

We discussed the relevance of the West Berkeley Shellmound to our community’s culture today, and we discussed sacredness and land. We defined a “sacred site” within our community as a space that we are certain our direct Ohlone ancestors used for religious purposes, and had an undeniable spiritual connection to. We talked about our desire to protect our ancestors in the ground, and to protect the integrity of our Ohlone history in the very earth itself.

By having these internal discussions, I was allowed to share well-documented facts of the archaeological record of the specific study that was completed by Archaeo-Tec in 2014 on the 1900 Fourth Street property. I also shared known

historical information on the larger landscape that the West Berkeley Shellmound once fully enveloped.

During these discussions, Our listed family has decided that there is a vital and urgent need to protect to integrity of the entirety of the 1900 Fourth Street site on the basis of the protection our ancestors, and to keep Chochenyo identity of the site intact. **We, the Chochenyo Ohlone signatories of this letter, declare that the West Berkeley Shellmound, in its entirety, is a Chochenyo Ohlone sacred landscape. We are opposed to any development on areas where the West Berkeley Shellmound is located – including at 1900 Fourth Street.**

We have defined amongst ourselves, internally, what a sacred site is, the West Berkeley Shellmound fulfills what we consider to be a sacred landscape; a landscape because its composed of multiple sites formed into one continuous, interconnected, sacred landscape. To reiterate, we defined a sacred site within our community as a space that “we are certain our direct Ohlone ancestors used for religious purposes, and had an undeniable spiritual connection to.”

Given our family’s connection, the West Berkeley Shellmound – including the property at 1900 Fourth Street – are considered by our community to be sacred; we bring to attention the ceremonial and religious nature of the West Berkeley Shellmound prior to colonization, the proximity of our direct family’s pre-contact East Bay villages to the Shellmound site, and the likeliness of our direct family being interred in the location of the Shellmound. These solid and legitimate interests in protecting our deceased family, as well as protecting what remains of our history under the surface of modern-day Berkeley, is why this letter is being brought to your attention. I’d like to share with you oral testimony, archaeological evidence, as well as recordings from our community’s ancestors on how the dead should be treated.

Testimony

- *“Sacred ground to me, is something to be honored, cherished, and above all else, protected. It is what makes our history rich, and connects us to our past. It reminds us of who we are and helps keep our culture alive. Without it, we are nothing.”* Victoria Robins (Chochenyo [East Bay] Ohlone)
- *"As an Ohlone Indian, being able to visit the sacred grounds of our people allows me to feel a connection with my ancestors and honor them. So much of our land has already been*

desecrated and destroyed, it is important to me that future generations of Ohlone people will also be able to stand on the same earth that our ancestors once lived and thrived on.”

Jennifer Laudani-Barajas (Chochenyo [East Bay] Ohlone)

- *“When I go to the old areas where my family lived and all that I feel really good to know that we still live here in this place and even if we might be in a different times, we are all the same family.”* Gabriel Medina (Chochenyo [East Bay] Ohlone)

These individuals express common sentiments that have been discussed and felt by our family when the topic of the West Berkeley Shellmound is discussed. Victoria Robins expresses a connection between the living cultures of Ohlone people and the link to our ancestors who are buried in the ground. Jennifer Laudani-Barajas agrees with that sentiment, and adds that the pain of past injustice of desecration that our community has experienced reminds her of the need to have places here in the East Bay where future Ohlone people can go and feel a connection to their ancestors. My little brother, Gabriel, expresses in his 13-year old way the same sentiment: that it is good to be connected to be our family.

In the East Bay, so much of our culture has been literally paved over, and so many of our sacred sites have been desecrated by newcomers. When we connect to the religious places our ancestors prayed to, we connect to them and to our traditional Ohlone spirituality. We know that the West Berkeley Shellmound had immense religious role for our ancestors, given amount of burials interred there, the religious cultural objects described from there, the description of a religious structure on the mound itself, known connections our community sees to the sacred – such as the use of red ochre paint on burials, to the inherent love our community still maintains for this place, and the people there.

However, colonization attempted to break us from our Shellmounds – and the horrors of invasion – as I described in the first paragraphs of this letter. Our community was left, essentially powerless, as ancestors were pulled from the Shellmounds around the Bay Area for amusement or anthropological studies. In 1902, while the living Ohlone community was institutionally abused, under threat of slavery or death, and still not accorded citizenship, archaeologists from the University of California, Berkeley begun the first excavation of the West Berkeley Shellmound. Our community could formulate no response to the horror that started in 1902 and still continues in its current form as I write this letter. Even in 2016, just last year, burials of our ancestors were removed from

their resting place at the West Berkeley Shellmound, for the purpose of a “beer garden” being constructed on their resting spot. When will enough be enough? How long will our community have to suffer this disrespect and continued injustice?

Our community’s oral testimony on the Shellmound’s religious nature is substantiated by findings from previous archaeological investigations from 1902-1908, and again from 1950-1954. These investigations, while done with our our community’s consent or approval, prove to non-Indians who might not believe our community otherwise that there is evidence that the nearly 5,000 year old West Berkeley Shellmound is a religious site. A 40-foot long structure was found on what is now Third and Hearst Streets, there were 78 burials unearthed in the first excavation from 1902-1908, and 93 burials unearthed from 1950-1954, during the second excavation. The artifacts and materials associated with the burials are objects we our community still venerates and recognizes to this day: abalone pendants, red ochre paint, shell beads, bird bone whistles, quartz, and charmstones. In addition, a Condor burial, was unearthed, too. A Condor has immense religious meaning, even in our community today.

I would also to share with you an excerpt from Angela de los Colos and Jose Guzman, a Chochenyo Ohlone-speaking woman and man who are heroic people of our community during the Rancheria period post-mission secularization in 1832 to about 1934. Angela and Jose’s deep knowledge of the old ways were recorded in between 1921 and 1934 by John Harrington in the Pleasanton Rancheria – a mere 40 miles from the West Berkeley Shellmound. In the Rancheria, many Ohlone and other Indians from nearby escaped the worst horrors of violence against Indians. Angela and Jose kept narratives alive about death, and the funerary customs that went along with death. One particular excerpt from our notes sheds insight into the amount of respect and the intensity of expression our Ohlone ancestors had for deceased ones.

hill near Livermore
said that the Indians here used to
mourn hard. They would take fire and just
put it on their heads, burning hair + all
(gest. of putting fire on head blindly with own
hands). and would take pestles such as
they used for pounding and pound heads
or breasts (Angela makes gestures, sometimes
hitting own head so hard that it killed
them (women evidently did thus, Angela means).

“Said that the Indians here used to mourn hard. They would take fire and just put it on their heads, burning hair and all. And would take pestles such as they used for pounding and pound heads or breasts. Sometimes hitting own head so hard that it killed them.” – Angela de los Colos and Jose Guzman, as dictated to John Harrington. 1921, Pleasanton.

This excerpt reminds me of the intense respect and ritual our Ohlone ancestors had for the deceased, and to know that practices such as this were also had at the West Berkeley Shellmound, likely over the burials of the same people who who removed from their final resting place.

The fact is, our ancestors do not deserve to be treated with such disrespect. Our culture heritage should not be disrespect and removed from the earth, and our sacred and religious sites should not be desecrated. While test trenches and studies may attempt to prove that there is no evidence of Shellmound material on the site of the 1900 Fourth Street, our community deems the entire landscape of the West Berkeley Shellmound to be sacred, and again reiterate we are opposed to any development where the West Berkeley Shellmound is known, or thought, to exist – including 1900 Fourth Street. We, the Chochenyo Ohlone community, call on the City of Berkeley to honor Resolution No. 67,353-NS, which states, *“BE IT FURTHER RESOLVED that free, prior, and informed consent of the Ohlone and other indigenous peoples of the region be integral to any alteration planning for*

the Berkeley Shellmound sacred site, in accordance with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and calls upon all parties to follow the principles of the Declaration with respect to the West Berkeley Shellmound site.”

We, the indigenous people of the East Bay, deserve better. We implore you, Ms, Allen and City Planners, to protect our ancestors and to protect our Ohlone heritage in Berkeley by denying approval to the 1900 Fourth Street Project. Our history in this ancient place can not be replaced if destroyed for a condominium project. We trust that the City of Berkeley can do better than this.

‘uʔaspu makkam,
Sincerely,

Vincent Medina
A Chochenyo Ohlone Man
A Citizen of Berkeley

Chochenyo Ohlone Individuals Opposed To 1900 Fourth Street Project:

- Louis Medina
- Vincent Medina, Sr.
- Gabriel Medina
- Woody Alvarez
- Dolores Lamera-Galvan
- Lisa Medina-Martinez
- Carla Medina-Santiago
- Jennifer Laudani-Barajas
- Tina Laudani
- David Arroquin
- Traci Massiet-Lents
- Victoria Robins
- Ayden Garth
- Geraldine Garcia
- Ramona Robins
- Dominic Galvan
- Douglas Galvan
- Jennifer Garcia
- Ayden Garth

