



Zoning Adjustments Board
Land Use Planning Division
ATT: Shannon Allen, Secretary
2120 Milvia Street
Berkeley, CA 94704
zab@ci.berkeley.ca.us

Dear ZAB Commissioners,

On behalf of the West Berkeley Alliance for Clean Air and Safe Jobs (Alliance) I am submitting public comment regarding the Environmental Impact Report for the West Berkeley Shellmound/Village site (1900 Fourth St.).

This site once held at least one shellmound/funerary site of the Ohlone people and is the oldest inhabited site in the entire Bay Area. The site has been declared eligible for the National Registry of Historic Places, suggesting that its significance goes beyond just local interest.

In a series of proclamations passed earlier in 2016 the Berkeley City Council affirmed the rights of Native Americans and called upon the elected officials to consult with the Native community on issues affecting their well-being, cultural sovereignty, and spiritual practice.

The Alliance advocates for the protection of the West Berkeley Shellmound/Village site as an historic place and urges it be preserved as an open space. The Alliance further asserts that the proposed development of this site would put shop employees, shoppers and new housing residents at risk of exposure to toxic emissions emanating from Pacific Steel Casting Company (PSC), Berkeley Asphalt and other nearby sources of pollution. Please see: (<http://westberkeleyalliance.org/wp-content/uploads/2012/10/PSC-Emissions.pdf>) showing the increases in levels of CO, SO₂, PM, PM 10, PM 2.5 according to the California Air Resources Board (CARB) for PSC and Berkeley Asphalt. Also see: http://westberkeleyalliance.org/wp-content/uploads/2012/10/toxics_and_your_health.pdf This diagram shows potential health impacts from Chemicals Of Potential Concern (COPC) in Pacific Steel's Emissions Inventory Report.

The Alliance urges the ZAB to reject the application for commercial development of this site based on the importance of the site to the Ohlone people, as a landmark historical site, and the potential harm to people, especially sensitive receptors, living, shopping or working in a commercial development in this space due to nearby stationary sources of pollution.

Sincerely,
Janice Schroeder
Core Member
West Berkeley Alliance for Clean Air and Safe Jobs

Allen, Shannon

From: Margy Wlikinson <margylw@earthlink.net>
Sent: Monday, January 09, 2017 10:14 AM
To: Zoning Adjustments Board (ZAB)
Subject: 1900 4th St

Dear ZAB: I know you are considering the Draft EIR for this project and I urge you to reject it and demand a more complete and appropriate process going forward.

However, my main concern however is the city's social & political responsibilities.

First I do not understand why this project is even being considered. Given that the land in question is sacred Native land and that the City has already indicated that it is land that is not appropriate for development, why is the ZAB even talking about the project? Who in the City allowed this matter to get this far?

At this point in our history, it is clearly time for all of us to consider our responsibilities to our Native brothers and sisters and honor their demands that we respect their sovereignty and begin to consider reparations for the centuries of crimes committed against them by us and our predecessors.

Please put an end to the 1900 4th project once and for all.

Thank you.

Margy Wilkinson
South Berkeley

Allen, Shannon

From: Rhiannon <pwrbus@pacbell.net>
Sent: Tuesday, January 10, 2017 5:04 AM
To: Zoning Adjustments Board (ZAB)
Subject: More comments on 1900 4th St. DEIR

I didn't see my letter in the communications files, so please excuse me if this is a duplicate from December.

 Unfortunately I couldn't make it to the ZAB last night, so here are the comments that I prepared to read last night:

12/8/2016

Back in the dark ages when we worked on the West Berkeley Plan, the City promised that we would have a chance to fine-tune the nodes and districts with a Fourth Street Strategic Plan and a San Pablo Ave. Plan*, both of which were "in the works", and 30 years later we are still waiting. When agreeing to increased density housing South of the University Avenue overpass, we were promised and expected that the sites North of the overpass would be protected for the lower intensity Fourth Street shopping area, and light and heavier manufacturing.

When the Landmarks Commission created a landmark on this site, they made it very clear that the designation was not only for the shell mound, but for the site itself and all sub surface items; not only indigenous artifacts but:

"any Victorian items, 20th-century industrial era, including but not limited to artifacts found from the Pioneer Starch and Grist Mill, West Berkeley's first smokestack factory, and the Monarch (later Keystone) Oil Refinery (the Largest refinery of its time East of the Rockies) both of which were located in blocks currently used by Truitt and White Lumber company. Designation would also include the Strawberry Creek creek bed, both the original course and the current course (both having historical importance) and native or historic articles found beneath or around Spenger's parking lot (former Willow Grove Park)." *LANDMARKS COMMISSION: NOD: 2/7/2000*

In addition the City applied for and received a \$25,000 grant from the US Department of the Interior and the CA State Historic Resources Division in order to preserve and promote this Landmark. *(COB Contract R5517)*

CEQA guidelines recommends that an Initial Study be issued before a Notice of Preparation. This allows discussion of what is or isn't a significant impact early in the project review. By issuing the Initial Study at the same time as the Draft EIR, many obvious impacts of concern to the community were dismissed without citizen input. I might suggest that if the City would engage the neighbors and other stakeholders early enough in the process to make a difference, they may find much less neighborhood opposition to individual projects.

rhiannon

**WEST BERKELEY PLAN:*

The San Pablo Ave. Economic Development Study (Economic Development Strategy)
4th St. Area Strategic Plan (Physical Form)

(last minute comment: I see no mention of the refinery, which I believe was also called *El Dorado Oil*, in the Hazards section of the DEIR.)