Dear Ms. Allen and Berkeley City Planners,

I am writing to express my deep concerns about the Draft Environmental Impact Report (DEIR) regarding 1900 Fourth Street. The site was designated as a City of Berkeley Landmark # 227 by the Landmarks Preservation Commission in 2000, noting the site is "most highly significant to native descendants as a sacred burial ground." The site was also listed in the California Register of Historical Resources, and determined to be eligible for the National Register of Historic Places. It is known to be the oldest bayside settlement and one of the largest Shellmounds in the San Francisco Bay Area—more than 5,000 years old. It is the true birthplace of Berkeley. It continues to be of utmost significance as a ceremonial center to the Ohlone Peoples today—a fact not acknowledged in the DEIR.

The content of the DEIR is heavily disputed, as revealed by widespread community opposition at multiple Zoning Adjustment Board and Landmark Preservation Commission meetings beginning March 2016. There is significant controversy surrounding the methodology used to create the archaeological report, and the archaeological analysis is inadequate and misleading. Past excavations in and around the proposed site have uncovered many prehistoric human burials and undisturbed cultural remains. The report completely fails to address human remains uncovered in past excavations, specifically those documented in the EIR for the adjacent Grocery Outlet site that is part of the same Landmark Shellmound site. This constitutes a significant oversight and inaccuracy in the methodology and conclusions of the 1900 Fourth Street DEIR.

The Ohlone people comprise more than a dozen tribes and languages, yet the DEIR consults only one individual. This consultant has a conflict of interest and does not represent all of the Ohlone people indigenous to the Bay Area. Another Ohlone California Tribal group indigenous to Berkeley area and community has formally and repeatedly requested tribal consultation as required by the California Environmental Quality Act. The City to date has not consulted with this group for purposes of preparing the DEIR. The DEIR also fails to assess the importance of this site as a "tribal cultural resource", separate from the category of "cultural resources - archaeological," and thus does not consider the tribal cultural values in addition to the archaeological values when determining impacts. Neither the discussion nor the proposed mitigation complies with CEQA requirements to consult with impacted Tribes and to include a new and separate category addressing "tribal cultural resources."

Resolution No. 67,353-NS of the City of Berkeley 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.” Honoring this promise requires consultation will additional Ohlone people who recognize this site as sacred, as a tribal cultural property and it requires consent of
the Ohlone and other indigenous peoples of the region. To date, Berkeley has not honored this promise and has failed to seek the free, prior and informed consent of the indigenous people of the region—and has failed to respect the indigenous peoples’ opposition to the proposed project.

At this point, the only official recognition of this sacred Shellmound and Ohlone Village Site is a series of murals and a small plaque in the parking lot under the nearby freeway. Certainly, the City of Berkeley would benefit from truly meaningful public acknowledgement of its Ohlone past, present, and future by working with local Ohlone peoples to develop a major memorial and educational site in the form of a culturally-appropriate, green open space park at 1900 Fourth Street. The DEIR fails to analyze and offer meaningful alternatives. I strongly support the development of such a memorial and educational site in lieu of the proposed development.

This is a clear opportunity for the City of Berkeley to follow through on its resolutions to honor and protect sacred sites and the rights of indigenous peoples. I implore Berkeley to take a stand against this construction that will benefit wealthy developers at the expense of more than 5,000 years of history and a living culture. Reject the DEIR and embrace the No Plan / Create a Berkeley Gateway / Memorial Site Alternative!

Sincerely,

Signed name:

Printed name: DANIEL REITZ

Additional comments:
• The alternatives analysis is inadequate and insufficient. The draft EIR does not adequately assess alternatives as required by CEQA. A reasonable range of alternatives should have been considered. A reasonable range of alternatives would have considered designating the entire site as culturally-significant, memorial, open space, as the site would be excellent for wetlands mitigation and state agencies are ready and willing to step in and assist in culturally-appropriate ecological restoration. There are few such properties available for wetlands mitigation. This site also has the potential for an urban creek restoration project that could provide restoration of a portion of what was the nature landscape of the area, enhancing water quality, promoting climate change mitigation, and allowing protection in perpetuity of this critical tribal cultural resource. The developer should have also analyzed an alternative location for this mega-development; a site that is not as close to the freeway, and not located within the boundaries of the West Berkeley Shellmound and Village Site.
• The project proposes housing close to the freeway and train tracks, with 155 apartments and perhaps 3-500 new residents and 372 parking spaces: The DEIR does not adequately address traffic impacts in that it fails to include all approved and ongoing projects in the area. The failure to address these other projects means that the cumulative impacts analysis is fatally flawed. The DEIR fails to account for safety issues that will result from additional traffic in the area and the railroad crossing. The DEIR does not fully address potential air quality impacts nor does it adequately discuss studies regarding increased asthma and other respiratory problems for people living near freeways and industrial areas. The DEIR does not sufficiently address the potential for release of hazardous chemicals through ground disturbance. The DEIR does include a sufficient discussion of potential impacts to water resources on site that could result from development on the site, nor does the document include an adequate alternatives analysis.
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Sincerely,

Signed name: 

Printed name: **Jamie Pollian**

**Additional comments:**

- The EIR ignores the many hundreds of burials already known to have been removed from sanctified burial ceremonies that laid them there. Burials have been found from 2-13 feet below the surface in the site. They surround the site and are likely within the 2.2 acres from which 8-feet of subsurface soil would be excavated. The developer should not destroy this site, disturb burials and separate us all from ever knowing them and their world.

- The city and the developer have not complied with AB52, having failed to consult with members of the Ohlone community. The Ohlone comprise more than a dozen tribes and languages yet the draft EIR consults only one individual.

- The West Berkeley Shellmound and Ohlone Village Site is still used for prayer and ceremony by members of the Ohlone community. This will no longer be possible if the project is approved. These important facts are not mentioned in the draft EIR.
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Signed name: [Signature]

Printed name: John Pfennig

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Printed name: William Hobieg

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Sincerely,

Signed name: [Signature]

Printed name: Anais Waldorf

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Printed name: Jenny Creed

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ERIN KERRIGAN

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Printed name:  

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Signed name: Elizabeth McKee, MS, R.D.

Printed name: Elizabeth McKee, MS, R.D.

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Signed name: [signature]

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Printed name:  Leslie Drayer

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Signed name: [Signature]

Printed name: EMILY AQUIRE 94703

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Signed name: [Signature]

Printed name: ROBERT IRBINGER

246 PRECITA AVE. 512CA 94110

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Signed name: [Signature]

Printed name: CURTIS GILL

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Signed name: [Signature]
Printed name: Jennifer Watson
Address: Box 53 Mountain View, AB, Canada

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[Signature]

Signed name:

Printed name: Danielle Stannard

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Printed name: ROMAN RIMER 3756 24TH ST 4 SAN FRANCISCO, CA 94114

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Signed name: [Signature]

Printed name: Kierah Leach

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Signed name: Gabriella Jimenez

Printed name: Gabriella Jimenez

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Printed name: Maura Fallon-McKnight

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Printed name: [Printed Name]

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Printed name:

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Printed name: Jessica Alennon

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Printed name: 

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Cynthia Kang

Signed name:  
Cynthia Kang

Printed name:  
651 Addison St, Berkeley, CA 94710

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Signed name: Sarah Hodgdon

Printed name: Sarah Hodgdon 605 Scott St #4 SF CA 94117

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Signed name: [Signature]

Printed name: Jesse A. Cherbak

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Sincerely, Shawn DeCar

Signed name: Shawn DeCar

Printed name: Shawn DeCar

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Printed name: Kate Swearingen

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Printed name: Sarah Thorsen

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Signed name: [Signature]

Printed name: Kathryn Schuchter

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Signed name: [Signature]

Printed name: Megan La Fleur 280-41st Street Oakland 94611

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Printed name: Amber Mullins 4105 Capital St. Oakland 94610

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Printed name: K Ben

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Signed name: *Briana Aguirre*

Printed name: *BRIANA AGUIRRE*

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Printed name: Carol Coyote Cook

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Printed name: Marge Sossman

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Printed name: Roberta Ryan

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Printed name: John Barlow

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Signed name: [Signature]

Printed name: Megan Zapanta

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Printed name: Adalyn Naka

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Printed name: JESSICA BOWDENFF

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Printed name:

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Signed name: Kate Blood

Printed name: KATE BLOOD

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Printed name:  Marissa Medina

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Signed name: [Signature]

Printed name: Michael Sandoval

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Signed name: [Signature]

Printed name: Ryan Sava

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Alternative!

Sincerely,

Signed name: [Signature]

Printed name: Alison Cohee

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Signed name: [Signature]

Printed name: Anna Rose

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Signed name: [Signature]

Printed name: Alexander Ward

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Signed name: Judi Lewis

Printed name: Judi Lewis

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Sincerely, [Signature]

Signed name: [Signature]

Printed name: Elsa Soluri

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Signed name: Colleen Cameron

Printed name: Colleen Cameron

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Printed name: Michael Connolly

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Signed name: [Signature]
Printed name: Melanie Cobb

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Signed name: [Signature]

Printed name: Sara M Broski

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Printed name: Margaret Taffe

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Alternative!

Sincerely,

Signed name: Irene Araujo

Printed name: Irene Araujo

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Sincerely,

Signed name: [Signature]

Printed name: KRISCASLER

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Sincerely,

Signed name: Tracy Tien

Printed name: TRACY TIERNAN

Additional comments: 3425 California St, Apt 2
SF, CA 94118

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Sincerely,

Signed name: Melinda J. Gould
Printed name: 829 Masonic Ave, SF 94117

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: Cris Bauhsa

Additional comments: 107 Larissa Lane
Vallejo, CA 94589

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Signed name: [Signature]

Printed name: Rebecca Lefore
637 Naples St. SF CA 94112

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Sincerely,

Signed name: Taylor Stokes
Printed name: Taylor Stokes

1533 Clement St.
SF, CA 94118

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Sincerely,

Signed name:

Printed name: Nicole Quitevis

San Francisco CA 94121

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: Lester Kakol

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Apt 302
San Francisco, CA 94122
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Sincerely,

Signed name: Christine Shannon

Printed name: Christine Shannon
710 Shady Glen, CA 94551

Additional comments:

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Signed name: Melissa Hulsey

Printed name: Melissa Hulsey

Additional comments: 537 Jones St. #321

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Sincerely,

Signed name: 

Printed name: Zander Walbridge

Additional comments: SF, CA 94107

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Sincerely, [Signature]

Signed name: [Handwritten Name]
Printed name: [Printed Name]

Additional comments:

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Kathy Wiele

Signed name:

619 25 Ave

Printed name:

San Francisco CA 94131

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[Signature]
Signed name:
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Printed name:
[Address]
SFCA 94112

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Sincerely,

Rachel Ravelli

Signed name: [Signature]

Printed name: 744 20th Ave San Francisco, CA 94121

Additional comments:

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Sincerely,

[Signature]

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Signed name: [Signature]

Printed name: [Signed Name]

Additional comments: 4504 Clarke St., Oakland, CA 94609

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Signed name: Jackie H. Santos

Printed name: Jackie H. Santos

Additional comments:

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KATHERINE SNELL

Signed name: 

Printed name: 1556 8TH ST, OAKLAND CA

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Signed name: _____________________________

Printed name: Michael Fontana

Additional comments:

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Signed name: Jonathan Feingold

Printed name: Jonathan Feingold

Additional comments:

525 B 28th St
Oakland, CA 94609

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Signed name:

Printed name: Anke Stennink

1075 Olive Drive, Davis, CA

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Sincerely,

Signed name: ClAMb

Printed name: Christina Morales

Additional comments: 3400 Richmond Plwv 4/5/24

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This is a clear opportunity for the City of Berkeley to follow through on its resolutions to honor and protect sacred sites and the rights of indigenous peoples. I implore Berkeley to take a stand against this construction that will benefit wealthy developers at the expense of more than 5,000 years of history and a living culture. Reject the DEIR and embrace the No Plan / Create a Berkeley Gateway / Memorial Site Alternative!

Sincerely,

Signed name: Emma Liss

Printed name: Emma Liss

Additional comments: (121 E 23RD ST

OAKLAND, CA 94606

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Sincerely,

[Signature]

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Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: Jacqueline Whistler

Additional comments:

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Sincerely,

Jaime Hafer Salz

Signed name:  
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Printed name:  
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Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: MATT McMAHON

Additional comments:

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Sincerely,

Signed name: 

Printed name: Matthew Carlstrom

Additional comments:

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Signed name: Margaret Lee
Printed name: Margaret Lee

Additional comments:

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Signed name: [signature]

Printed name: [signature]

Additional comments: [Handwritten note]

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Sincerely,

Signed name: EMILY ALFORD

Printed name: EMILY ALFORD
822 PARK WAY
SANTA CRUZ, CA 95065

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Signed name: [signature]

Printed name: Jessica Lehman

Additional comments:

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Signed name: [Signature]

Printed name: Lee Staub

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: John R Gregory

Additional comments:

Honor tradition-value all cultures!

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Sincerely,

Signed name: [Signature]

Printed name: Nicole Sandoval-Coastanoan

Additional comments: Please present my ancestors' sacred land

- The EIR ignores the many hundreds of burials already known to have been removed from sanctified burial ceremonies that laid them there. Burials have been found from 2-13 feet below the surface in the site. They surround the site and are likely within the 2.2 acres from which 8-feet of subsurface soil would be excavated. The developer should not destroy this site, disturb burials and separate us all from ever knowing them and their world.

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Sincerely,

Signed name: [Signature]

Printed name: Georgia Schreiber

Additional comments:

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Sincerely,

Signed name: Matthew Hubbard
Printed name: Matthew Hubbard

Additional comments:

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Sincerely,

Signed name:

Printed name: Emilytricia López Marchena

Additional comments:

- Respect the treaties and indigenous rights. You are on stolen indigenous land!
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Sincerely,

Signed name: [Signature]

Printed name: Roberta Carosianco

Additional comments:

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Signed name: [Signature]

Printed name: Tess Geyer

Additional comments:

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Printed name: 

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Signed name: Tatiana Irwin

Printed name: Tatiana Irwin

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Sincerely,

Signed name: Zachary Habe
Printed name: Zachary Habe

Additional comments: 1122 12th St
Oakland, Ca 94607

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Sincerely,

Signed name: FRANCESCA BEASLEY

Additional comments:

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Sincerely,

[Signature]

Signed name: [Signature]

Printed name: Robert Espinoza

Additional comments: San Francisco

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Signed name: [Signature]
Printed name: KATRINA DOLGUSHKIN

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: Barry Barton

Additional comments:

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Sincerely,

Signed name: Ashley Allison

Printed name: Ashley Allison

Additional comments: 701 Pine Street, Apt 62
San Francisco, CA 94108

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Signed name:  

Printed name: Brandy Palm

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: Shelly Arlberg

Additional comments:

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Additional comments:

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Sincerely,

Signed name: 
Printed name: John Cameron (water protector)

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: Shoshana Toubman

Additional comments:

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Signed name: [Signature]
Printed name: Kim White

Additional comments:

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 Signed name: [Signature]

Signed name: Sara J. Burant
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Sincerely,

Signed name:

Printed name: Nicholas Pacini

Additional comments:

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Sincerely,

Signed name: Sage Miller

Printed name: Sage Miller

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Sincerely,

[Signature]

Signed name:  

Printed name:  Ian Ward Comfort

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Sincerely,

Signed name:  Ebrahim Abdul
Printed name:  Ebrahim Abdul

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Sincerely,

Signed name: [Signature]

Printed name: Audrey N. Wynn

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Signed name:

Printed name: Lindsey Shively Oakland

Additional comments:

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the Ohlone and other indigenous peoples of the region. To date, Berkeley has not honored this promise and has failed to seek the free, prior and informed consent of the indigenous people of the region—and has failed to respect the indigenous peoples’ opposition to the proposed project.

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Sincerely,

Signed name: [Signature]

Printed name: ALEX YEUNG

Additional comments:
• The alternatives analysis is inadequate and insufficient. The draft EIR does not adequately assess alternatives as required by CEQA. A reasonable range of alternatives should have been considered. A reasonable range of alternatives would have considered designating the entire site as culturally-significant, memorial, open space, as the site would be excellent for wetlands mitigation and state agencies are ready and willing to step in and assist in culturally-appropriate ecological restoration. There are few such properties available for wetlands mitigation. This site also has the potential for an urban creek restoration project that could provide restoration of a portion of what was the nature landscape of the area, enhancing water quality, promoting climate change mitigation, and allowing protection in perpetuity of this critical tribal cultural resource. The developer should have also analyzed an alternative location for this mega-development; a site that is not as close to the freeway, and not located within the boundaries of the West Berkeley Shellmound and Village Site.
• The project proposes housing close to the freeway and train tracks, with 155 apartments and perhaps 3-500 new residents and 372 parking spaces: The DEIR does not adequately address traffic impacts in that it fails to include all approved and ongoing projects in the area. The failure to address these other projects means that the cumulative impacts analysis is fatally flawed. The DEIR fails to account for safety issues that will result from additional traffic in the area and the railroad crossing. The DEIR does not fully address potential air quality impacts nor does it adequately discuss studies regarding increased asthma and other respiratory problems for people living near freeways and industrial areas. The DEIR does not sufficiently address the potential for release of hazardous chemicals through ground disturbance. The DEIR does include a sufficient discussion of potential impacts to water resources on site that could result from development on the site, nor does the document include an adequate alternatives analysis.
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Sincerely,

Signed name: [Signature]

Printed name: Tyson Walker

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Signed name: [Signature]

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Signed name: \\
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Additional comments:

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Additional comments:

address: 1332 Rose St 94702

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Signed name: [Signature]

Printed name: Lisa

Additional comments:

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the Ohlone and other indigenous peoples of the region. To date, Berkeley has not honored this promise and has failed to seek the free, prior and informed consent of the indigenous people of the region—and has failed to respect the indigenous peoples' opposition to the proposed project.

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Sincerely,

Signed name: [Signature]

Printed name: Natalia Semeraro

Additional comments:
- The alternatives analysis is inadequate and insufficient. The draft EIR does not adequately assess alternatives as required by CEQA. A reasonable range of alternatives should have been considered. A reasonable range of alternatives would have considered designating the entire site as culturally-significant, memorial, open space, as the site would be excellent for wetlands mitigation and state agencies are ready and willing to step in and assist in culturally-appropriate ecological restoration. There are few such properties available for wetlands mitigation. This site also has the potential for an urban creek restoration project that could provide restoration of a portion of what was the nature landscape of the area, enhancing water quality, promoting climate change mitigation, and allowing protection in perpetuity of this critical tribal cultural resource. The developer should have also analyzed an alternative location for this mega-development; a site that is not as close to the freeway, and not located within the boundaries of the West Berkeley Shellmound and Village Site.
- The project proposes housing close to the freeway and train tracks, with 155 apartments and perhaps 3-500 new residents and 372 parking spaces: The DEIR does not adequately address traffic impacts in that it fails to include all approved and ongoing projects in the area. The failure to address these other projects means that the cumulative impacts analysis is fatally flawed. The DEIR fails to account for safety issues that will result from additional traffic in the area and the railroad crossing. The DEIR does not fully address potential air quality impacts nor does it adequately discuss studies regarding increased asthma and other respiratory problems for people living near freeways and industrial areas. The DEIR does not sufficiently address the potential for release of hazardous chemicals through ground disturbance. The DEIR does include a sufficient discussion of potential impacts to water resources on site that could result from development on the site, nor does the document include an adequate alternatives analysis.
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Signed name: [Signature]

Printed name: Rev. Will Hocker

Additional comments:

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Printed name: Elizabeth Pallatto

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Printed name: Sonia Clerc

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Signed name: [Signature]

Printed name: Jonathan Kocher

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Signed name: Hailey Clarke

Printed name: Hailey Clarke

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Signed name: [Signature]

Printed name: Gladys Ramirez

Additional comments:

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Sincerely,

[Signature]

Signed name: [Cathleen Pucicour]

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Sincerely,

Signed name: [Signature]

Printed name: MICHAEL ENGEMANN

Additional comments:

• This is our last opportunity to protect and preserve the West Berkeley Shellmound and Ohlone Village Site. Almost all of the other shellmound and villages sites have been developed and buried under concrete. Please do not approve the destruction of this unique, historic, irreplaceable site. We should preserve and enhance the remaining sites and our collective efforts should start with this site.

• This is the oldest sacred site in the Bay Area. It has to be protected. If destroyed by development it will be lost forever—and Berkeley will be responsible for a sacred place’s cultural, spiritual and ecological history being swept off the Earth.

• Berkeley is on record supporting the rights of indigenous people. The Landmarks Commission noted that this site is “highly significant to native descendants as a sacred burial site.” The city of Berkeley should not be approving and defending the destruction of a sacred site. The City of Berkeley has passed resolutions supporting the protection of sacred sites outside of Berkeley, such as the resolution passed supporting the Standing Rock Sioux opposition to the Dakota Access Pipeline. For the City to have credibility it must take action to protect the sacred sites within its boundaries that it has pledged to protect—including this important site.

• The draft EIR language and archaeological analysis cleverly seeks to distract from the larger landmarked village site by claiming there are no shellmound remains within the 2.2 acre parking lot site. This is deceptive and inaccurate. We are concerned about the entire site, which is eligible for the National Register of Historic Places, and whose boundary is already determined. 1900 Fourth St. sits within this larger site.
has failed to seek the free, prior and informed consent of the indigenous people of the region—and has failed to respect the indigenous peoples’ opposition to the proposed project.

At this point, the only official recognition of this sacred Shellmound and Ohlone Village Site is a series of murals and a small plaque in the parking lot under the nearby freeway. Certainly, the City of Berkeley would benefit from truly meaningful public acknowledgement of its Ohlone past, present, and future by working with local Ohlone peoples to develop a major memorial and educational site in the form of a culturally-appropriate, green open space park at 1900 Fourth Street. The DEIR fails to analyze and offer meaningful alternatives. I strongly support the development of such a memorial and educational site in lieu of the proposed development.

This is a clear opportunity for the City of Berkeley to follow through on its resolutions to honor and protect sacred sites and the rights of indigenous peoples. I implore Berkeley to take a stand against this construction that will benefit wealthy developers at the expense of more than 5,000 years of history and a living culture. Reject the DEIR and embrace the No Plan / Create a Berkeley Gateway / Memorial Site Alternative!

Sincerely,

Signed name: Valerei Ranum

Printed name: Valerei Ranum

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: EMILY CHARLES

Additional comments:

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Sincerely,

Signed name: Caroline L. Hatch
Printed name: Caroline F. Hatch

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Sincerely,

Signed name: [Signature]

Printed name: Candice Turchin

Additional comments:

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Sincerely,

Signed name: Gabriela Gonzalez

Printed name: [signature]

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: Esther Dane

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: Chloé Dalquist

Additional comments:

- CEQA requires that 1900 Fourth Street be respected in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties (1995) whose “Standards for Preservation” states: “A property will be used as it was historically... The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.” The draft EIR fails to identify and address these state and federal protection requirements (as does the proposed project). Mitigation “below a level of significance” in thus impossible. The draft EIR is inadequate and should not be certified or approved even if revised.

- CEQA Guidelines under Section 15126.4 (b) Mitigation Measures Related to Impacts on Historical Resources. (3)(A), states: “Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.” Mitigation “below a level of significance” is impossible. The draft EIR is inadequate and should not be certified or approved even if revised.

- There is no feasible way to mitigate the disturbance of burials. These impacts are unavoidable significant impacts and cannot be mitigated.
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Sincerely,

Signed name: Armando Silva

Printed name: Armando Silva

Additional comments:

- The EIR ignores the many hundreds of burials already known to have been removed from sanctified burial ceremonies that laid them there. Burials have been found from 2-13 feet below the surface in the site. They surround the site and are likely within the 2.2 acres from which 8-feet of subsurface soil would be excavated. The developer should not destroy this site, disturb burials and separate us all from ever knowing them and their world.

- The city and the developer have not complied with AB52, having failed to consult with members of the Ohlone community. The Ohlone comprise more than a dozen tribes and languages yet the draft EIR consults only one individual.

- The West Berkeley Shellmound and Ohlone Village Site is still used for prayer and ceremony by members of the Ohlone community. This will no longer be possible if the project is approved. These important facts are not mentioned in the draft EIR.
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Printed name:  

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Sincerely, Kyleen Manning

Signed name:

Printed name: Kyleen Manning

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Sincerely,

Signed name: [Signature]

Printed name: MATEJ SEDA

Additional comments:

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Signed name: [Signature]

Printed name: CLAIRE SEDA

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Signed name: [Signature]

Printed name: [Printed Name]

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Sincerely,

Signed name: RITA MURRED

Printed name: RITA MURRED

Additional comments:

How would you feel if these people buried here were your grandmother, grandfather?

- The EIR ignores the many hundreds of burials already known to have been removed from sanctified burial ceremonies that laid them there. Burials have been found from 2-13 feet below the surface in the site. They surround the site and are likely within the 2.2 acres from which 8-feet of subsurface soil would be excavated. The developer should not destroy this site, disturb burials and separate us all from ever knowing them and their world.

- The city and the developer have not complied with AB52, having failed to consult with members of the Ohlone community. The Ohlone comprise more than a dozen tribes and languages yet the draft EIR consults only one individual.

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Sincerely,

[Signature]

Signed name: [Name]

Printed name: Drake Geithner

Additional comments:

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Signed name:

Printed name: Susana Leni

Additional comments:

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Sincerely,

[Signature]

Printed name: [Printed Name]

Additional comments: 651 Galvin Drive
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Sincerely,

Signed name: [signature]

Printed name: Emily P. Corona

Additional comments: 14116 23rd Ave SF 94122

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Sincerely,

Signed name:

Printed name: Isabella Doc/A

Additional comments: Honor Indigenous people and their right to their land!

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Printed name: MORGAN CURTIS OAKLAND, CA

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Additional comments:

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Printed name: ALANA NAPA STEVENS

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Sincerely,

Signed name: [Signature]
Printed name: Hannah Lesser

Additional comments:
Please do what's right!

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[Signature]

Signed name: [Signature]

Printed name: Rachael Zovak

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Sincerely,

Signed name: [Signature]

Printed name: Greg Jan

Additional comments:

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Sincerely, 

Signed name: MOLLY HANKWITZ

Printed name:  

Additional comments: STOP DRILLING! ALT-FUELS!

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Signed name: [Signature]

Printed name: Betsy McCall 1135 Page Street, Berkeley, CA

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Sincerely,

Signed name: [Signature]

Printed name: LORI HIGA

Additional comments:

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Signed name: [Signature]

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Additional comments:

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Signed name: Genelle Wood

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Signed name: [Signature]

Printed name: Roshann Pressman

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Sincerely,

Signed name: 

Printed name: BOB GORRINGE

Additional comments:

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Printed name: Adrienne Fong

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Signed name: [Signature]

Printed name: Allen Harder

Additional comments:

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Sincerely,

Signed name: [Signature]

Printed name: Rachel Lastra

Additional comments:

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Signed name:

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Additional comments:

• This is our last opportunity to protect and preserve the West Berkeley Shellmound and Ohlone Village Site. Almost all of the other shellmound and villages sites have been developed and buried under concrete. Please do not approve the destruction of this unique, historic, irreplaceable site. We should preserve and enhance the remaining sites and our collective efforts should start with this site.

• This is the oldest sacred site in the Bay Area. It has to be protected. If destroyed by development it will be lost forever—and Berkeley will be responsible for a sacred place's cultural, spiritual and ecological history being swept off the Earth.

• Berkeley is on record supporting the rights of indigenous people. The Landmarks Commission noted that this site is "highly significant to native descendants as a sacred burial site." The city of Berkeley should not be approving and defending the destruction of a sacred site. The City of Berkeley has passed resolutions supporting the protection of sacred sites outside of Berkeley, such as the resolution passed supporting the Standing Rock Sioux opposition to the Dakota Access Pipeline. For the City to have credibility it must take action to protect the sacred sites within its boundaries that it has pledged to protect—including this important site.

• The draft EIR language and archaeological analysis cleverly seeks to distract from the larger landmarked village site by claiming there are no shellmound remains within the 2.2 acre parking lot site. This is deceptive and inaccurate. We are concerned about the entire site, which is eligible for the National Register of Historic Places, and whose boundary is already determined. 1900 Fourth St. sits within this larger site.
has failed to seek the free, prior and informed consent of the indigenous people of the region—and has failed to respect the indigenous peoples' opposition to the proposed project.

At this point, the only official recognition of this sacred Shellmound and Ohlone Village Site is a series of murals and a small plaque in the parking lot under the nearby freeway. Certainly, the City of Berkeley would benefit from truly meaningful public acknowledgement of its Ohlone past, present, and future by working with local Ohlone peoples to develop a major memorial and educational site in the form of a culturally-appropriate, green open space park at 1900 Fourth Street. The DEIR fails to analyze and offer meaningful alternatives. I strongly support the development of such a memorial and educational site in lieu of the proposed development.

This is a clear opportunity for the City of Berkeley to follow through on its resolutions to honor and protect sacred sites and the rights of indigenous peoples. I implore Berkeley to take a stand for this construction that will benefit wealthy developers at the expense of more than 5,000 years of history and a living culture. Reject the DEIR and embrace the No Plan / Create a Berkeley Gateway / Memorial Site Alternative!

Sincerely,

Signed name: [Signature]

Printed name: [Printed Name]

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Sincerely,

Signed name:

Printed name: NELDA ALVAREZ

Additional comments:

• CEQA requires that 1900 Fourth Street be respected in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (1995) whose "Standards for Preservation" states: "A property will be used as it was historically... The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided." The draft EIR fails to identify and address these state and federal protection requirements (as does the proposed project). Mitigation "below a level of significance" in thus impossible. The draft EIR is inadequate and should not be certified or approved even if revised.

• CEQA Guidelines under Section 15126.4 (b) Mitigation Measures Related to Impacts on Historical Resources. (3)(A), states: "Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site." Mitigation "below a level of significance" is impossible. The draft EIR is inadequate and should not be certified or approved even if revised.

• There is no feasible way to mitigate the disturbance of burials. These impacts are unavoidable significant impacts and cannot be mitigated.
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