



Peace and Justice Commission

May 4, 2016

Dee Williams-Ridley
City Manager
2180 Milvia Street, 5th Floor
Berkeley, CA 94704

RE: “Free, prior and informed consent of the Chochenyo Ohlone people should be integral to any alteration planning for the Berkeley Shellmound sacred site” (ref: Resolution No. 67,353—N.S., adopted January 19, 2016, as it pertains to permit #UP2014-0041, address 1919 Fourth Street)

Dear Ms. Williams-Ridley,

In keeping with the Berkeley City Council’s commitment to implement the United Nations Declaration on the Rights of Indigenous People as municipal policy (ref: Resolution No. 67,328—N.S., adopted December 15, 2015), the Peace and Justice Commission calls upon city leaders to immediately halt all construction at 1919 Fourth Street and any development in the vicinity of the Berkeley Shellmound.

Regrettably, despite the passage of above referenced resolution No. 67,353, construction has continued in the vicinity of the Shellmound Historic Landmark sacred site. Development permits were granted that omitted consideration of the 5,700-year-old Ohlone burial and ceremonial site.

The Peace and Justice Commission calls attention to the lack of key community stakeholders with input into this issue. No archaeologist or Native American representative was engaged on the construction site until the public intervened. Even after that intervention brought oversight and monitoring into the project, EBMUD carried out trenching along Fifth Street to provide water to the retail development project under a city permit without an archaeologist present, again until the public intervened.

The Peace and Justice Commission calls for an immediate halt to all development in the vicinity of the Berkeley Shellmound indigenous sacred site.

Furthermore, the city must seek consultation with the Chochenyo Ohlone people in compliance with the Berkeley Shellmound resolution and the Declaration on the Rights of Indigenous People, and establish lines of responsibility for enforcement of the City policy adopted in January.

Finally, the Commission urgently requests a meeting with the City Manager's office, Planning, and Legal staff, including participation of community stakeholders, to assist your team in establishing a process that adheres to the policies the City Council has established.

Sincerely yours,


George Lippman, Chairperson
Peace & Justice Commission

cc: Mayor Bates,
Berkeley City Council members
Landmark Preservation Commission
Zoning Appeals Board,
Assembly Member Tony Thurmond
Congress Member Barbara Lee