

***FINAL***

## **ARCHAEOLOGICAL SENSITIVITY ASSESSMENT**

**For the Balboa Reservoir Project, City and County of San Francisco,  
California**

Planning Department Case No. 2018-007883ENV; Assessor's Block 3180/Lot 190

**Submitted to:**

San Francisco Planning Department  
1650 Mission St., Suite 400  
San Francisco, CA 94013

**On behalf of:**

Jelani Dotson  
Bridge Housing  
600 California Street, Suite 900  
San Francisco, CA 94108

**Submitted by:**

Archeo-Tec Inc.  
5283 Broadway  
Oakland, CA 94618

December 11, 2018

## Table of Contents

Introduction .....	3
Project Description .....	3
Anticipated Ground Disturbance .....	3
Regulatory Framework .....	3
Summary of Sources Consulted .....	5
Archaeological and Historical Records .....	5
Native American Consultation .....	5
Construction Records .....	6
Historical Context .....	7
Environmental Setting .....	7
Indigenous Settlement .....	7
Contact Period/Mission Era (1775-1821) .....	8
Mexican Era (1821-1848) .....	9
American Period (1848 - Present) .....	10
Archaeological Sensitivity Assessment .....	12
Potential Cultural Materials .....	12
Indigenous Settlement .....	12
Historical Period .....	13
Previous Disturbance .....	13
Proposed Ground Disturbance .....	13
Sensitivity Assessment .....	14
Conclusions and Recommendations .....	15
Procedures Regarding Discovery of Human Remains .....	16
Works Cited .....	17
Appendix I: Native American Correspondence .....	20
Appendix II: SFPUC Correspondence .....	21

## Introduction

This document presents the methods and findings of an Archaeological Sensitivity Assessment (ASA) for the Balboa Reservoir Project, City and County of San Francisco, California. This assessment addresses the area's potential for archaeological resources and analyzes the potential for the proposed project to result in impacts to archaeological resources.

## Project Description

The proposed Project, which lies within the Balboa Park Station Area, would construct housing, parking, and open space facilities within a 17-acre portion of the Balboa Reservoir known as the West Basin (Figure 1). The Project site encompasses the western half of the empty reservoir, the interior of which was excavated in the 1950s to approximately 15 feet below grade; excavated soils were used to build perimeter berms on the north, east, and west sides of the basin. The reservoir was never used to store water and currently serves as a parking lot.

### Anticipated Ground Disturbance

The proposed project would remove the berms—returning the reservoir's raised areas to street grade—and fill the interior of the excavated basin, such that the parcel would be generally at the same grade as the surrounding streets.

A total of ten detached buildings (Figure 2) would be constructed, all with slab foundations (maximum thickness 6 feet).

Two buildings (TH-1 and TH-2) along the western portion of the Project site, in the footprint of the berm, would have slab-on-grade foundations with no subgrade basements. Construction excavation in this area would thus reach a maximum of 6 feet of below finished ground surface, and would take place after existing raised berms surrounding the reservoir are removed.

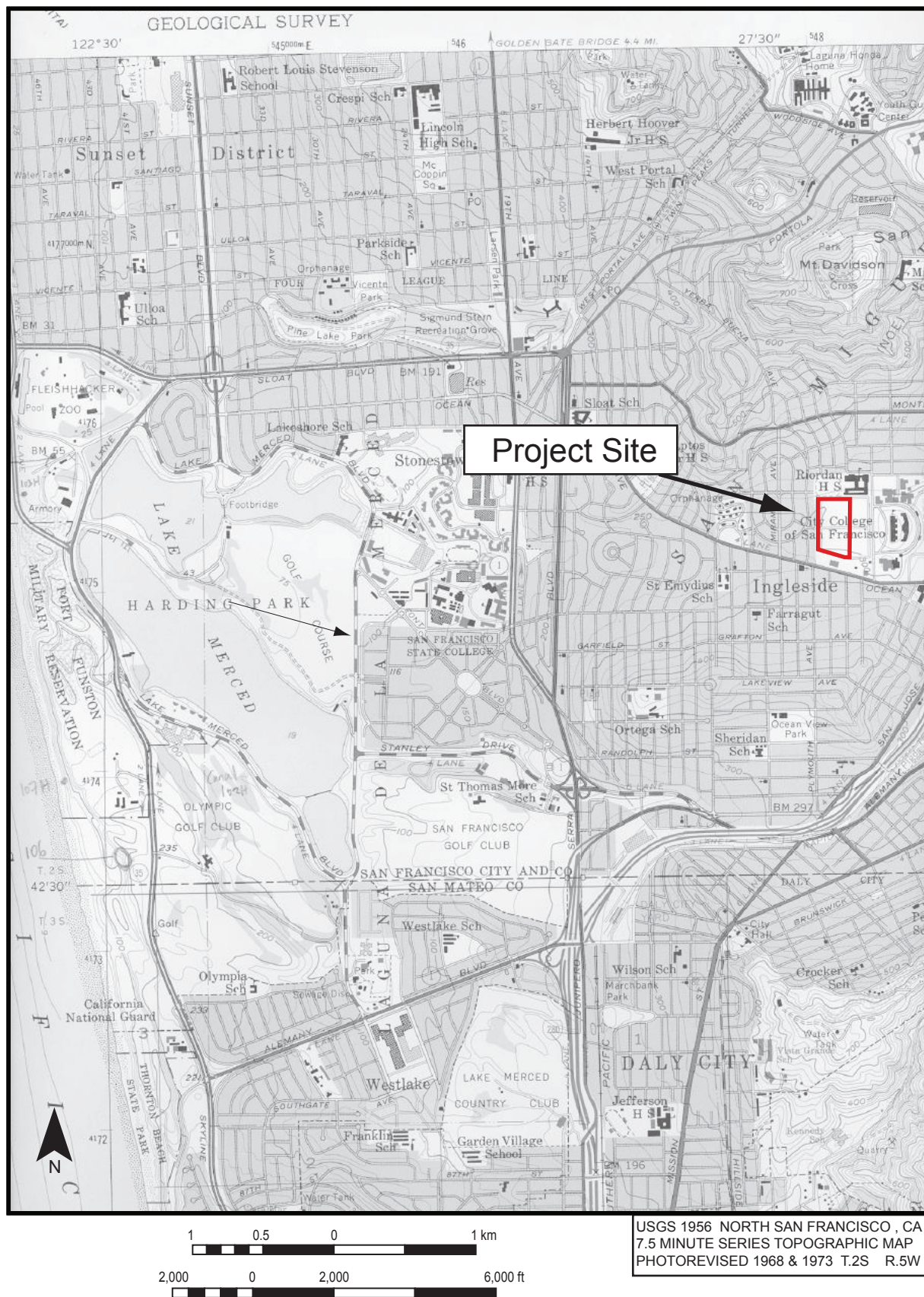
Six buildings (A, C, D, F, H and I) would have one 12-foot-deep level of basement parking over a slab foundation (a maximum of 6 additional feet) for a maximum excavation depth of 18 feet below finished surface. Two buildings (B and E/G) would entail only foundation excavation, for a total maximum depth of 6 feet.

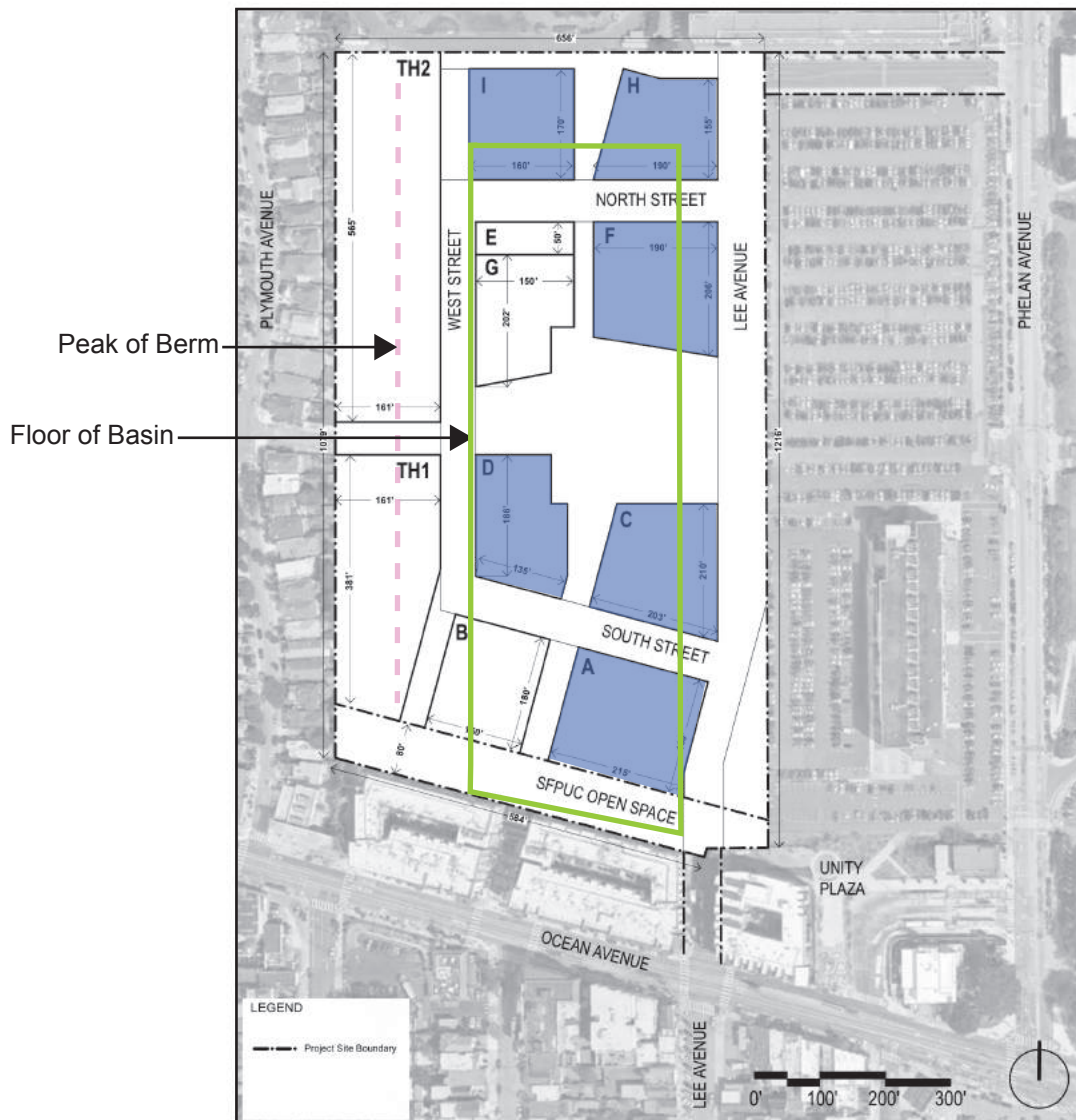
The structures in the center of the basin—C, D, E/G, and F—would be constructed mostly within proposed fill in the reservoir's former basin and would disturb little to no previously undisturbed soil.

The structures toward the south (A and B) and the north (H and I) ends of the parcel would be constructed within the footprint of the former slope of the reservoir's basin; in these areas, excavation would disturb previously undisturbed soils to a depth up to 18 feet at the extreme ends of the project, where proposed finished grade would match the original (pre-reservoir) grade (Figure 2). New streets, utilities, and open spaces would also be constructed; ground disturbance associated with this infrastructure installation is estimated to be between 2 and 6 feet below finished grade.

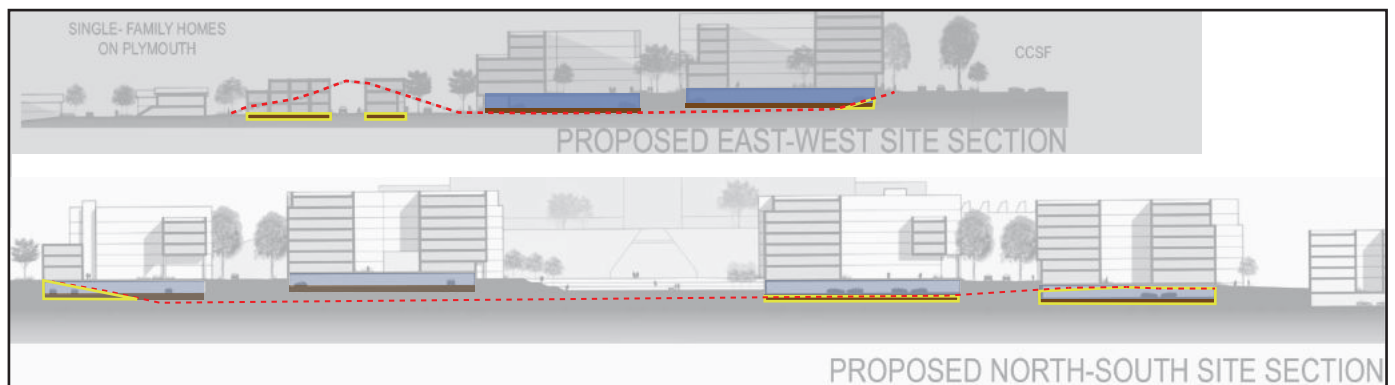
## Regulatory Framework

The San Francisco Planning Department serves as Lead Agency for this Project and has required this Archaeological Sensitivity Assessment (ASA) to be prepared in compliance with the California Environmental Quality Act (CEQA). CEQA requires that the CEQA Lead Agency consider the effects of a





Proposed Subgrade Basement Excavation (Approx. 12 feet)



- ..... Current Ground Surface
- Proposed Foundation Excavation (6 feet - Maximum Estimate)
- Excavation in Previously Undisturbed Ground

**Figure 2. Proposed Areas of Excavation**

project on significant archaeological resources (termed “historical resources” under CEQA) and Tribal Cultural Resources (resources of cultural value to local Native American groups) as part of the environmental review process. The purpose of the current study is to assess the potential for any such resources to be both present within the project footprint and affected by project development.

An archaeological resource is considered a historical resource under CEQA if it meets the following eligibility requirements of the California Register of Historical Resources (CRHR):

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
2. Is associated with the lives of persons significant in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important to prehistory or history [Public Resource Code SS5424.1, Title 14 CCR, Section 4852].

Archaeological sites are most commonly eligible under Criterion 4 of the CRHR. Any evidence of prehistoric archaeological material in San Francisco is typically deemed potentially significant by the City of San Francisco even if its integrity appears impacted; an archaeological evaluation would then assess data potential to determine significance. The existence and significance of tribal cultural resources is determined through consultation with the Native American Heritage Commission and local Native American groups.

## Summary of Sources Consulted

A formal archival records search of archaeological and historical records held by the California Historical Resources Information System (CHRIS) was conducted, as well as a focused archival review encompassing historic maps and photographs, property data, local histories, historical newspaper articles, explorer's accounts, and prehistoric period research in San Francisco. Previous environmental and technical reports within or encompassing the Balboa Reservoir Project site, including the Balboa Park Station Area Plan Environmental Impact Report (EIR), the City College of San Francisco Master Plan EIR (San Francisco Planning Department 2008; Impact Sciences 2004), and project geotechnical reports, were also reviewed. Archeo-Tec also consulted with the Native American Heritage Commission (NAHC) and tribal representatives, and the San Francisco Public Utilities Commission (SFPUC).

## Archaeological and Historical Records

No previous archaeological sites have been documented within or directly adjacent to the Project area.

On September 21, 2018, staff archaeologist Juliana Quist performed an in-person search of historical records housed within the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC) located in Rohnert Park, California. The goal of the search was to identify all archaeological and relevant historical resources and studies within a ½ mile of and including the Balboa Reservoir Project area.

No previously recorded prehistoric or historic archeological sites were identified within the study area. Four historic buildings (including the San Francisco Fire Station Number 15 at 1000 Ocean Avenue) are present within the records search radius, but were deemed not archaeologically pertinent to the current project. A fifth historic built environment resource, the San Francisco Fire Department's original Auxiliary Water Supply System (AWSS), is a discontinuous historic district that includes a buried pipeline segment along nearby Ocean Avenue, near but outside the project footprint. However, unlike the original AWSS components, which were constructed between 1908 and 1913, the Ocean Avenue portion is a late 20<sup>th</sup>-century improvement, installation of which was itself archaeologically monitored with no positive archaeological results (Tetra Tech 2009; Woodward-Clyde Consultants 1994). Five previously completed cultural resource studies within the ½ mile study area (S-16093, S-18024, S-37046, S-39854, S-49248) provide additional historical context information which may be of interest to readers but the reports do not reveal any archaeological resources relevant to the Balboa Reservoir Project.

The record search results suggest that the area surrounding the Balboa Reservoir Project is not highly sensitive for prehistoric or historical period archaeological resources. However, no formal subsurface archaeological studies have been conducted within the Project area itself.

## Native American Consultation

On September 18, 2018, Emily Wick of Archeo-Tec consulted the Native American Heritage Commission, requesting a search of the Sacred Lands File and a list of nearby tribal representatives. On October 24, 2018, NAHC representative Gayle Totton, Ph.D., responded that a search of the Sacred Lands File was negative. The letter cautioned that the fact that no sacred sites have been noted in this area does not preclude the presence of Native American cultural resources. Included with the letter was a list of tribal representatives in the area. A copy of the NAHC letter of October 24, 2018, is included in Appendix I of this report.

On October 24, 2018, Archeo-Tec sent individual letters via email to each of the tribal representatives on the NAHC's list. An email response from Charlene Nijmeh, Chairperson of the Muwekma Ohlone Tribe, dated October 30, 2018, stating that the tribe did not have any additional information about the parcel. The letter requested that current ethnohistoric research be used for the historical context, and also that details about the tribe's more recent history to be included in the report. Ms. Wick replied that the report itself focused on the period of history that may have resulted in the creation of archaeological sites rather than on the more recent past, and that the full text of the request letter would be included in this report. The letter can be found in Appendix I.

Per the recommendations of the NAHC, follow-up telephone calls were placed to all individuals who did not respond after a two-week period; the calls were conducted on November 7, 2018. Irenne Zwierlein of the Amah Mutsun Tribal Band of Mission San Juan Bautista asked that construction crews be culturally trained, and requested to be contacted if anything was found. A voice message was left for Andrew Galvan of The Ohlone Indian Tribe. Ann Marie Sayers of the Indian Canyon Mutsun Band of Costanoan and Tony Cerda of the Costanoan Rumsen Carmel tribe did not answer and no voicemail was provided; follow-up emails were thus sent the same day. As of the submission of this report, no further communications were received. No individuals or groups noted the presence of any known Tribal Cultural Resources.

## Construction Records

At the request of Archeo Tec, Molly Petrick of the San Francisco Public Utilities Commission (SFPUC) reviewed SFPUC archives in search of any records pertaining to the construction of Balboa Reservoir. She provided construction photographs (Appendix II), but could not find any other construction records. Ms. Petrick also provided a 1974 geotechnical report (Earth Sciences Associates 1974).

## Historical Context

### Environmental Setting

Geologically, the Balboa Reservoir project is located within the Coast Range. The Franciscan Complex constitutes the basement for the Coast Ranges east of the present-day San Andreas Fault, including the San Francisco Peninsula. The Franciscan Complex primarily consists of greywacke, sandstone, and argillite but also contains smaller amounts of greenstone, radiolarian ribbon chert, limestone, serpentine, and a variety of high-grade metamorphic rocks.

Directly below the Project's footprint is an inactive fault line known as the City College Fault, described as "a linear zone of sheared Franciscan rock" (Earth Sciences Associates 1974). It sits on Franciscan bedrock overlain by the Colma Formation. The Colma Formation is a Pleistocene-era alluvium (Qoa) that predates human occupation on what is now the San Francisco Peninsula. Described as a marine, estuarine and fluvial unconsolidated fine- to medium- grained sand with silt and clay (Knudsen et al. 2000), the Colma Formation has been dated to 70,000 to 130,000 years B.P. (Konigsmark 1998). A geotechnical report prepared for the construction of Balboa Reservoir notes:

fossil evidence and lack of deformation indicate [Colma Formation] deposition during late Pleistocene time. The Colma Formation is a horizontally bedded, friable clean to silty sand with lesser amounts of sandy silt; a few thin clay beds and gravel beds are also present (Earth Sciences Associates 1974).

Recent geotechnical investigations have recorded the presence of the Colma Formation at 46 feet below ground surface, the maximum depth explored (Rockridge Geotechnical 2018:4).

The Project area lies approximately 300 feet above sea level on the southern slope of Mount Davidson. In its natural setting prior to reservoir construction, it sat upon the gentle slope (approximately 2.5 percent grade) of the hillside (Earth Sciences Associates 1974). It lay west of the historical, possibly year-round drainage of a tributary of Islais Creek called Islay Creek (San Francisco Planning Department 2008).

### Indigenous Settlement

For thousands of years, Native Americans inhabited the area in and surrounding what is now the San Francisco Bay. The earliest traces of human habitation found on the San Francisco peninsula date to around 7,000 years ago (William Self Associates 2015), and human occupation may have been continuous since then. Relatively little is known about the peninsula's earliest occupants; for more recent populations, more information exists, such as ethnographic studies and explorer's accounts as well as a rich archaeological record. Present-day descendant communities, whose interest in cultural deposits goes beyond the informational value discussed herein, are part of the legal environmental impact evaluation process.

Prior to the arrival of the first Europeans, the San Francisco area was occupied by the Ohlone people, who are sometimes referred to synonymously as the Costanoan in the anthropological and historical literature (Levy 1978:487). The Ohlone language was the most widespread of five distinct languages spoken in the vicinity of the San Francisco Bay at the time of contact with Spanish explorers (Milliken 1995:24): Ohlone, Bay Miwok, Coast Miwok, Patwin and Wappo. Ohlone was spoken on the San Francisco Peninsula, in the Santa Clara Valley and the mountains to the east and west, and throughout much of the East Bay. The

dialect of Ohlone spoken within the area now constituting the city of San Francisco was Ramaytush (Milliken 1995:24).

The San Francisco Peninsula, at the time just prior to the arrival of Juan Bautista de Anza's expedition party, fell within the *Yelamu* district – an autonomous tribal subset of the Ohlone. The Yelamu (about 200 people) were one of a number of smaller tribal groups within the larger Ohlone language family (Milliken 1995; Milliken et al. 2009). The Yelamu district occupied the northern tip of the Peninsula – approximately the same location as present-day San Francisco. The Yelamu resided in village clusters: the westernmost group resided in *Petlenuc*, a small village near the Presidio; the Mission Creek group moved seasonally between *Sitlintac* and *Chutchui*; and a third group moved between *Amuctac* and *Tubsinte*, villages in the south-central San Francisco area (Milliken et al. 2009; Voss 2008:48). Although there is much dispute over the precise political organization of the Ohlone, it is clear that at the time of Spanish incursion these tribal districts were neither unified nor insular (Voss 2008:51).

The Yelamu were tied by marriage to several tribes throughout the Bay Area, especially those of the East Bay, and likely played a central role in trade, bringing materials across the bay and down the Peninsula, then back again (Milliken 1995:62).

No archaeological evidence of indigenous settlement has been found within, or in close proximity to, the Balboa Reservoir Project site. The Balboa Park Station Area EIR suggests that, aside from the possibility of an unknown/unrecorded settlement, there is the potential that indigenous people may have traversed the southern slope of Mount Davidson (the current Balboa Reservoir vicinity) en route between the Pacific shore/Lake Merced area and the Islais Creek/San Francisco Bay shoreline (San Francisco Planning Department 2008).

### Contact Period/Spanish Era (1775-1821)

The first Spanish ship to sail through the Golden Gate was *San Carlos*, under the command of Lieutenant Juan Bautista de Ayala, in 1775. Spanish exploration parties consisting of scouts, soldiers, priests, and servants set out to identify favorable locations to construct missions, presidios, and pueblos.

The Yelamu encountered a Spanish-led party of 75—consisting of fourteen soldiers, seven settlers, missionary priests Francisco Palou and Pedro Cambon, women and children, and thirty Indian servants—on June 27, 1776. The Spaniards set up tents in what was then called Mission Valley (the valley through which Mission Creek flowed, about three miles northeast of the Project site), near the seasonal village of *Chutchui*. The Spaniards began constructing a palisaded mission compound in August. Shortly after that, an attack by a San Mateo-based people called the Ssalson forced the Yelamu to abandon their villages in Mission Valley (Milliken 1995:63).

The first baptisms at Mission San Francisco de Asís, now more commonly called Mission Dolores, took place on June 24, 1777 (Milliken 1995:68). Most of these were Yelamu youth with one or both parents deceased. Conversion and catechism were largely facilitated by the church's emphasis on routine and ritual, as well as bestowing presents of clothing and food to native families that moved into the villages adjacent to the missions, beginning a process that would irreversibly alter life on the San Francisco Peninsula. Milliken (1995:1) writes:

“...each tribe left its homeland for the missions when a significant portion of its members came to believe that the move was the only reasonable alternative in a transformed world. They were not

marched to the baptismal front by soldiers with guns and lances (cf. Cook 1943:74). Although many tribal people came to view themselves as culturally inferior, requiring the guidance of foreign missionaries, not every tribal person was impressed by the Spanish invaders. Many people despised the missions. There people were subjected to the paternalistic controls on their work schedules, on their sexual practices, their eating habits, their religious expression, all in ways contrary to indigenous values. Daily operations were maintained by threats of punishment in this life and an eternal afterlife. And the missions were breeding grounds for disease.” (Milliken 1995:1).

As populations in villages further and further to the north and east were decimated as individuals were forced and coerced into the mission, the indigenous population living at the mission experienced a high death rate due to disease and poor living conditions. The peak of activity at Mission Dolores occurred during the early decades of the 19<sup>th</sup> century. According to historian J. S. Hittell, in 1813 the Indian inhabitants of the mission numbered 1,205 (Hittell 1878). In 1820, the last year before Mexico won independence from Spain, H. H. Bancroft reports that a total of 1,252 Indian neophytes were registered on church rolls (Bancroft 1886).

The Presidio and Mission Dolores represent the principal centers of Spanish (and later Mexican) activity in the region until the establishment of the Yerba Buena village to the north in 1835. All were located at a considerable distance from the Project area. The Project property, though several miles southwest of the Mission Dolores complex itself, was located within the mission’s outlying lands. Adobe structures associated with the Mission’s activities extended south into the area along what is now San Jose Avenue east of the Project site, and wood framed structures, whose number and location is unknown, were also present (San Francisco Planning Department 2008).

### Mexican Era (1821-1848)

Following the transition of California from Spanish to Mexican rule in 1821, activity at the missions began to slow. Spanish supply ships, once providers of necessary goods at colonial outposts, ceased to arrive, and the Mexican government, depleted by wartime costs, did not replace them. The California missions were secularized in 1834, and lands were privatized by the Mexican government and distributed to prominent families who established large ranchos and claimed the missions’ animals and equipment.

Cattle ranching was the primary industry in Alta California during the Mexican era. The hide and tallow trade was the principal foundation for early commercial interest on the California coast and the San Francisco Bay (Phelps 1983:25), to the extent that hides were sometimes called “California bank notes” (Nickel 1978).

With the rancho system as the primary socioeconomic institution of the state, the Indian populations, deprived of their right to mission lands, were forced to adapt. Their former villages had been decimated by missionization, then abandoned due to depopulation. The once-resource-rich landscape had transformed: by the introduction of livestock (who overgrazed and drove out larger wild mammals), the disruption of environmental burning practices, and the diversion of waterways for agricultural irrigation depleted key food sources on which indigenous inhabitants once depended (Milliken 1995:221).

Once the mission system broke down, one of the few viable options for former mission residents was to enter employment as rancho laborers. This arrangement ranged from slavery to wage labor. Typically, a

system of peonage was created where a master provided housing, food, and basic support for an Indian in exchange for labor. Mission records show that rancho families brought in “orphans” (i.e., indigenous children of non-Christian parents) to be baptized, and there is some evidence that capture of children from remaining indigenous hunter-gatherer communities was a common practice (Milliken et al. 2009:153–167).

The Project area was part of the 4,340-acre Rancho San Miguel land grant, granted to Jose de Jesus Noe in 1845. Noe ranched cattle on his land and kept horses; no known structures were built during this time.

The date of July 8, 1846, marked the conversion of the hamlet of San Francisco from Mexican to American jurisdiction. On this day, a landing party from the sloop-of-war *Portsmouth*, under the command of Captain John B. Montgomery, waded ashore at the town of Yerba Buena and raised the stars and stripes to the top of the flagpole in the town’s dusty plaza, thereby claiming California for the United States.

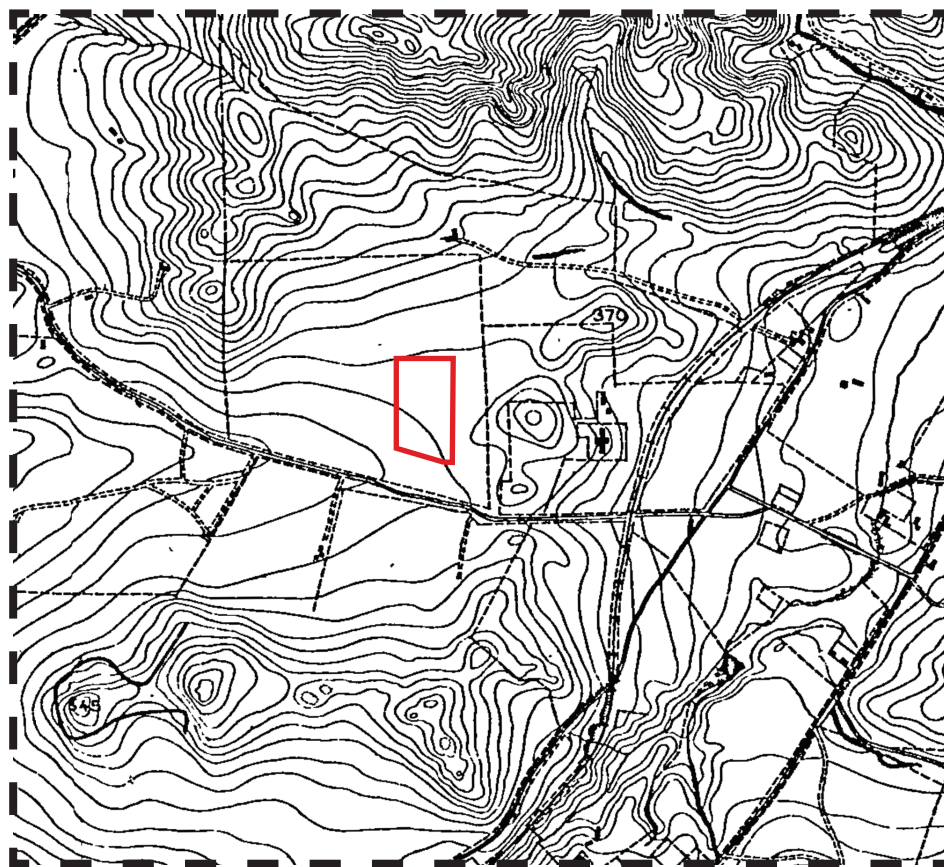
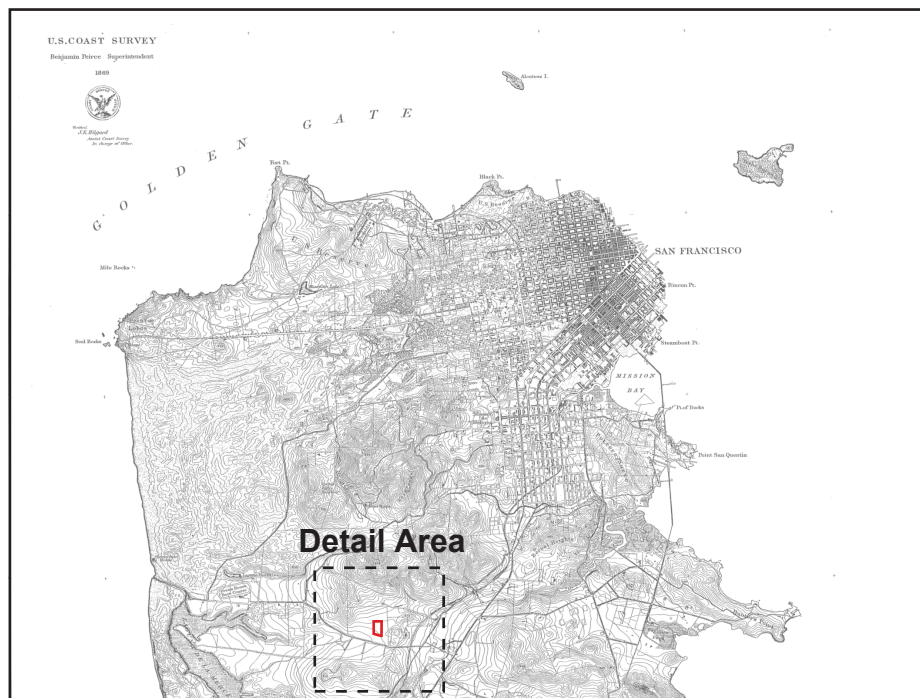
### American Period (1848 - Present)

California was claimed for the United States in 1846 during the Mexican-American War; the Treaty of Guadalupe Hidalgo confirmed the transfer in 1848. In the years after the American conquest of “Upper California”, owners of rancho lands underwent the years-long process of securing legal title under the United States government; many were divided and sold to cover legal expenses and other debts. With the discovery of gold in 1848, the population of San Francisco grew from about eight hundred to nearly eight thousand people by the end of 1849. Though Rancho San Miguel was then a considerable distance from the city center, the chaos of the city’s rapid growth impacted life in the former rancho as settlers deluged the city and the economy boomed and busted. Security became a major expense for ranch owners, as did legal fees for the seemingly endless defense of titles from squatters and other claimants (Silver 1992a).

Noe obtained the American title to Rancho San Miguel in 1856, but had sold it to farmer and real estate pioneer John Horner and his brother William in 1853 (Silver 1992b). In 1859, the San Francisco Industrial School, initially known as the House of Refuge, was established by the City of San Francisco—who purchased the land from Horner—on a large lot just east of the Project area, and operated until 1862. The Project area continued to be used agriculturally. The 1869 U.S. Coast Survey map (Figure 3) shows a detailed view of the Project site and its surroundings. No structures or delineated lots are present within the Project site, which was located on a hillside at approximately 300-320 feet in elevation. To its south, Ocean Avenue (then Ocean House Road) is delineated (about 300 feet south of the Project site’s southern border), and the House of Refuge/Industrial School lot and structures lie to the east (the Industrial School structure is pictured about a quarter mile east of the project’s eastern border). Few other roads or structures lay in the vicinity of the parcel (U.S. Coast Survey 1869).

In 1881, the land was acquired by Adolph Sutro (O’Hair 2018a). In 1894, the Spring Valley Water Company bought the parcel from Sutro, who had been refusing to make the sale for years. The water company enlisted an agent to buy it and turn the title over, and by the time Sutro found out about the scheme, the sale had already gone through. An 1894 article in the *San Francisco Call* describes plans for the reservoir: 25 feet in depth, 20 acres, and a capacity of 200,000,000 gallons of water, “enough to last San Francisco for ten days” (Anonymous 1894).

Nearly two years after purchasing the property, and after making little to no effort to plan or build a reservoir on the site, the Spring Valley Water Company leased the land to a gambling organization to run



**Detail Area**

— = Project Location

0 2000 ft.  
APPROXIMATE SCALE  
(DETAIL)



**Figure 3. 1869 U.S. Coast Survey Map**

Balboa Reservoir Project

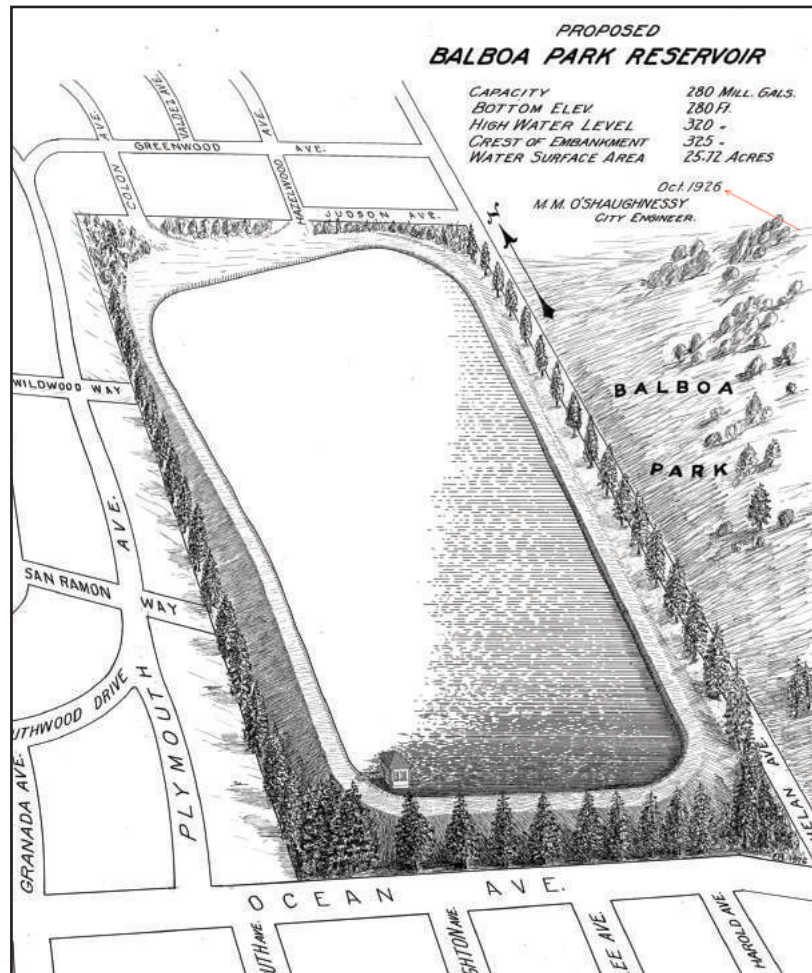
a dog coursing venue (O’Hair 2018b). In 1896, the Ingleside Coursing Park opened; it was the first recorded development within the Balboa Reservoir project area. Though the dog coursing grounds themselves were within the Project site, the associated structure (grandstand/food service area) was not. The park was one part of a growing gambling district: only six months earlier, a horse racing facility, the Ingleside Race Track, opened down the street to the west. Before long, businesses catering to gamblers, as well as illegal gambling operations, began to fill in Ocean Avenue between and around the two racetracks. Irish populations were particularly well-represented among fans, and Irish groups often used the facilities for tournaments. (LaBounty 2011a).

The 1906 Earthquake and Fire, which devastated the more developed parts of the city, brought refugees to the city’s western neighborhoods; the former horse stables, sold the previous year, became a refugee camp until 1907, then a temporary hospital until 1908. The dog coursing park operated until 1910, when it closed due to pressure from nearby residents and anti-gambling organizations (LaBounty 2011b).

Throughout the 1910s and 1920s, the parcel remained vacant. Around the 1910s, it began to be referred to as the Balboa Reservoir due to its proximity to the Balboa Park parcel, a large tract located just to the east where a park was proposed but never built. In 1930, the City of San Francisco purchased the holdings of the Spring Valley Water Company (a private enterprise), forming the municipal utility then known as the San Francisco Water Department. These holdings included the planned Balboa Reservoir, which was in a good location to serve as an emergency water supply. In 1932, the San Francisco Water Department became the San Francisco Public Utilities Commission (SFPUC), and the Balboa Reservoir was not a top priority (O’Hair 2018a).

The first known excavations for a reservoir basin took place during the 1930s as an unfinished Works Progress Administration project that consisted initially of manually removing soil from the parcel for a proposed reservoir (Figure 4). During World War II, military housing was built within the Project site for the U.S. Navy Women’s Reserve, which opened in July 1945. In September of 1946, it was converted from active military housing to dormitories for student veterans at the nearby City College of San Francisco (O’Hair 2018b). The structures are apparent on aerial photos from 1946 and 1956 (Earth Sciences Associates 1974; Rockridge Geotechnical 2018; O’Hair 2018b).

The first geotechnical investigation of the Project site took place in 1952, and included borings that reached 29 feet below surface. Reservoir construction took place during the second half of 1956 and first half of 1957 (Figure 5). The buildings and their associated utilities were removed, and excavated soils—consisting primarily of silty sand—were used to construct the embankments along the sides of the parcel (Earth Sciences Associates 1974). The initial excavation of basin removed soils to a depth of “up to 15 feet below original grade for the original reservoir” (Rockridge Geotechnical 2018:1). A berm in the center separated the basin into two sub-basins. Pipelines and other drainage apparatus were installed. The basin interiors were paved and the north basin was converted into a parking lot for the nearby City College of San Francisco; the south basin sat empty for decades. The facility was never filled or used for water storage: throughout the 1960s and 1970s, various attempts were made, through both bond measures and the SFPUC budget, to fund and complete the reservoir for use. Efforts were largely abandoned by the late 1970s, when the cost had reportedly become prohibitive relative to the need for additional water storage in the area, and the south basin was converted to an additional college parking lot in 1998 (O’Hair 2018b). The center berm was removed in the mid-2000s (SCS Engineers 2018; Impact Sciences 2004).



1926 Proposal Drawing.

Source: SFPUC

Note: Reservoir property originally extended north to Judson Ave. and south to Ocean Ave.

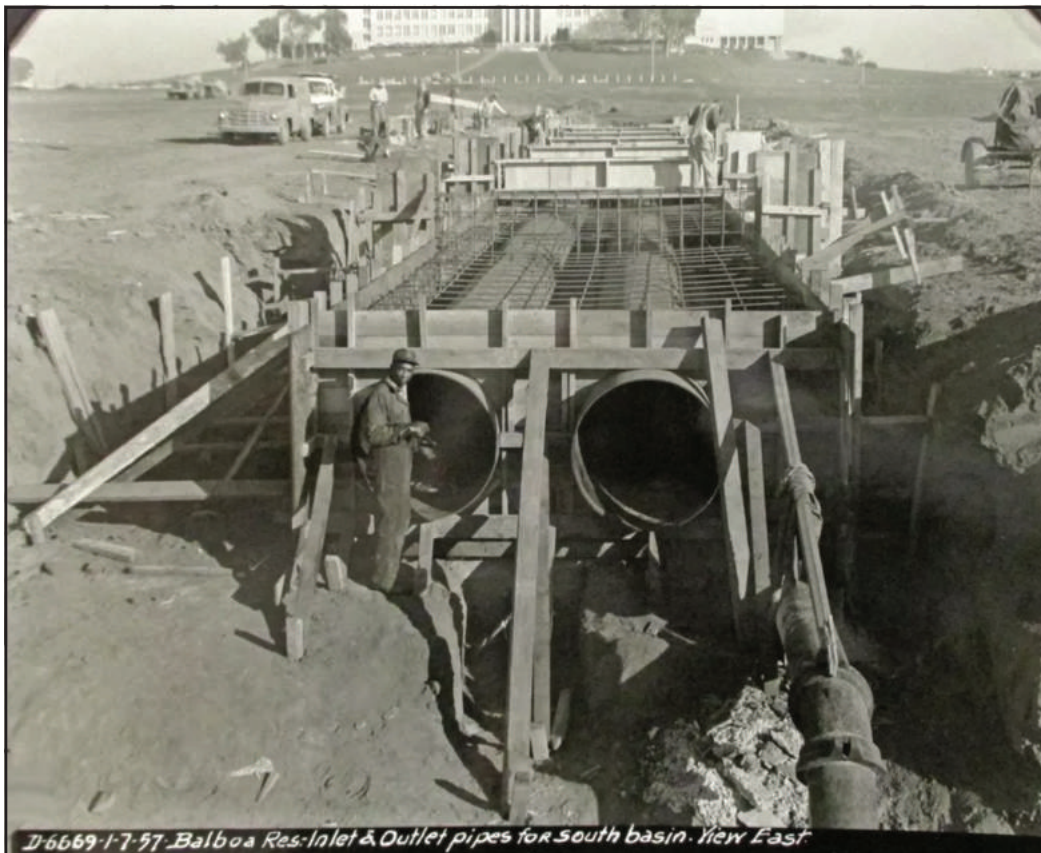


1934 Works Progress Administration Excavation.

Source: SFPUC

## Figure 4. Plans and Beginnings of Reservoir Development

Balboa Reservoir Project



1957 View of pipe installation in center berm, looking east.

Source: O'Hair 2018b



1957 Aerial view of finished reservoir, looking west.  
Note: Center berm was eventually removed.

Source: O'Hair 2018b

## Figure 5. 1957 Reservoir Pipe Installation and 1959 Finished Reservoir Basin

Balboa Reservoir Project

## Archaeological Sensitivity Assessment

Proposed construction excavation within the current footprint of the reservoir basin floor (Figures 2 and 6, the parking lot) has no potential to encounter archaeological resources. This excavation shall take place within planned fill deposits that will be used to return the interior of the excavated basin to its original grade. The small amount of native soil that could be displaced below this fill is in an area previously excavated beyond the vertical zone of archaeological sensitivity. Excavation beneath the current berm and along basin slopes will disturb a small amount of native soil; however, archaeological sensitivity is low.

This assessment is detailed below, beginning with a discussion of the cultural materials that may have been deposited within the Project site based on what is known about indigenous and historical-period land use. A discussion of previous and proposed ground disturbance follows: how previous living surfaces have been affected by 20<sup>th</sup>-century development, and whether and how proposed excavations would disturb areas that could contain intact sites. Potentially intact areas spared from the massive cutting that took place during reservoir construction shall be identified with as much precision as possible, and mitigation recommendations for these areas, as well as for disturbed or re-deposited cultural remains outside of the intact areas, shall be outlined.

### Potential Cultural Materials

#### Indigenous Settlement

The likelihood of indigenous cultural materials can be estimated using the following factors: geography/proximity to water sources, proximity to known archaeological sites, and proximity to known villages or settlements. Geographic or ethnographic factors are limited to more recent indigenous settlement; the period of potential settlement goes back thousands of years, over which time drastic changes in both geography and settlement patterns have taken place. Geologically, the surface of the Colma Formation predates any human occupation on what is now the San Francisco Peninsula; below its upper levels (which populations could have settled on top of and dug into), it is considered culturally sterile. Construction of the reservoir basin entailed excavation to a depth of 15 feet, such that the basin footprint is 15 feet below the top of the Colma formation. On this basis, there is no potential for project excavation in the floor of the basin to encounter indigenous archaeological deposits.

There is the potential that the prior basin excavations could have removed cultural deposits from near the surface of the Colma Formation and potentially redeposited this material as part of the construction of the surrounding berms. However, shell deposits, especially substantial deposits such as might represent a shell midden or mound, are often reflected in geotechnical boring logs, and no such finds were reported during the prior excavations or geotechnical coring. While, given the small size of the borings and the ephemeral and discontinuous nature of many prehistoric deposits, the absence of such reporting does not indicate the lack of a prehistoric site, it is likely that if human remains or an extensive prehistoric deposit was encountered, it would have been of interest at the time, and evident in the SFPUC archives or the historical record. No evidence of such a deposit was apparent in the historic photographs and newspaper accounts reviewed for this study.

No prehistoric cultural materials have been documented previously in the vicinity of the Project site, and it is not located in an area of particular geographic sensitivity (such as near a creek or bay shoreline). The Balboa Park Station Area Plan EIR states that the portion including the reservoir site was sensitive for

“Transhumant activity sites – archeological evidence of small ephemeral activity loci (temporary encampment, tool-making or foraging sites, etc.)” rather than occupation sites (San Francisco Planning Department 2008).

In summary, there are no known nearby sites or settlements, and while the area’s most recent pre-urbanization geography may have been the site of ephemeral activity, it does not appear to have been particularly optimal for permanent settlement. Given the lack of documented nearby sites, the absence of reported cultural remains in geotechnical boring logs throughout the years, and the fact that extensive excavation in the area that did not reveal evidence of a site, the area does not appear sensitive for prehistoric remains. This does not completely rule out the possibility that prehistoric cultural materials were deposited within the Project site.

### Historical Period

It is extremely unlikely that important historical-period remains were deposited within the Project site. In the early days of San Francisco, the area was used agriculturally. The only 19<sup>th</sup>-century settlement was the Ingleside Coursing Park, and no associated structures or outbuildings are known to have been built within the site in the 19<sup>th</sup> or early 20<sup>th</sup> century. The parcel remained vacant until the 1930s. It is possible that structures were built, or events took place, at the site that went unrecorded; however, nothing in the historical record suggests archaeological sensitivity.

### Previous Disturbance

The second factor to be considered is what effect previous disturbance may have had on any cultural resources that may have been deposited within the Project area.

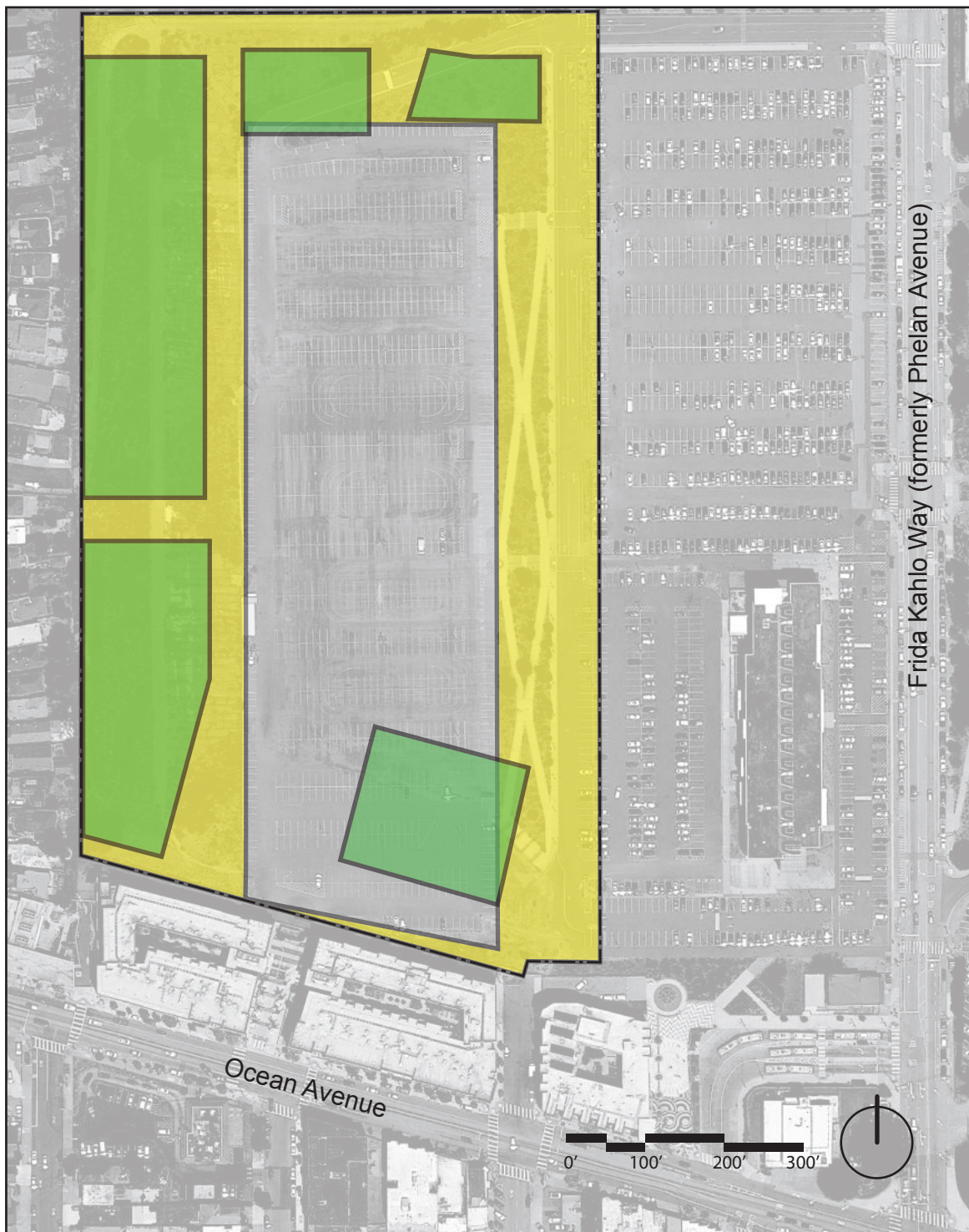
The first major disturbance of the site took place in the 1930s, when the first attempt to build a reservoir took place; however, the most extensive and deepest ground disturbance on the parcel was the construction of the reservoir basin in the 1950s, when approximately 15 feet of soil was removed from all but the outer edges of the parcel.

According to geotechnical studies (Rockridge Geotechnical 2018; Earth Sciences Associates 1974), the original ground surface consisted of the Colma Formation, a soil layer whose deposition predates human settlement. Though it is possible that human settlement took place atop the Colma Formation, and that its surface or upper levels contain archaeological deposits, an excavation of 15 feet into the Colma Formation would have disturbed and most likely completely removed any extant prehistoric sites, as noted above. Confirmation that this layer did consist of the Colma Formation, and that its upper levels were disturbed, is depicted in a 1974 geotechnical cross-section (Earth Sciences Associates 1974).


However, these extensive deep excavations did not take place throughout the entire Project site. The areas beneath the built-up berms in the northern and western portions of the site were not excavated, and the original ground surface may be intact in these areas.


### Proposed Ground Disturbance

Having identified the areas of potentially intact historic surface (that is, native soils)—those at the north and west of the site beneath existing berms (see Figure 6)—we shall turn to proposed construction plans to assess the extent to which excavation would affect these areas.



----- Project Site Boundary

 Areas of previously undisturbed soil

 Proposed building footprints affecting previously undisturbed soil

**Figure 6. Areas of Proposed Disturbance to Previously Undisturbed Soil**

Ten buildings are proposed within the site, and of these, six have a one-level basement (approximate depth 12 feet) over a mat foundation (maximum additional depth 6 feet) and four would have a slab-on-grade foundation (total maximum depth 6 feet). Maximum mass excavation impacts would thus range from 6-18 feet throughout the site; additional minor impacts include utility trenching and landscaping throughout the site, which would entail excavations between 2 and 6 feet deep.

The inner portion of the basin would be filled in prior to the start of construction such that the new ground level would reach, approximately, the original grade prior to excavation of the basins or construction of berms. The majority of basement excavation for buildings in what is now the inner portion of the basin—C, D, E/G and F—would take place within the fill. The exceptions to this are minor: the extreme western edge of the buildings where the slope—rather than the bottom of the basin—is present, and the areas where the lowest 3 or 4 feet of excavation would extend deeper than the fill but would affect only deep Colma deposit, which has no archaeological potential.

The buildings proposed around the perimeter of the berm would disturb more native soil than those in the inner portion of the basement. Along the western portion of the Project site, two large buildings, TH-1 and TH-2, would be constructed within what is currently the footprint of the berm. Construction in this area would involve excavating away the redeposited soil that was used to construct the berm down to the level of the native surface, then excavating to a maximum depth of up to 6 feet into the native surface for foundation construction. In addition, portions of the footprints of buildings I and H at the northern and end of the project and A and B at its southern end of the Project site extend out of the basin footprint over the basin's slopes. In these areas, the basement excavations for structures A, B, H, and I would intrude into nearer-surface Colma formation deposits, and potentially into native soils surfaces, as well as deeper into the Colma Formation.

All areas of excavation in previously undisturbed ground are highlighted in yellow in the profile views depicted in Figure 2 and in green in the plan view on Figure 6.

## Sensitivity Assessment

In order for a project to affect intact archaeological resources, it must disturb soils in which cultural materials were deposited and have not been removed or excessively disturbed in the interim. It is possible that cultural materials may have been deposited in soils above the Colma Formation or in the upper several feet of the formation in the Balboa Reservoir project area, but the potential appears to be low based on the analyses presented above. Native surface soils were removed from the center of the Project site in the mid-20<sup>th</sup> century during construction of the reservoir, but are present under the berms surrounding the basin. The soils comprising the berms have the potential to contain archaeological materials redeposited during basin and berm construction, but based on the analysis presented herein, the potential is low. Any such archaeological materials, if present, are likely to be prehistoric rather than historical and are more likely to represent ephemeral activity rather than occupation sites, based on the sensitivity analysis above.

## Conclusions and Recommendations

The Balboa Reservoir project area appears to have low sensitivity for the presence of historic or prehistoric archaeological resources. While there are limited areas within the footprint of the basin-edge berm where previously undisturbed soil will be disturbed, the majority of the proposed ground disturbance would take place either in engineered fill or in areas previously cut well below historic or prehistoric surfaces. Further, while it is possible that the redeposited soil that comprises the berms could contain cultural materials or disturbed/re-deposited human remains, if such materials were present in the basis from which the berm soils were excavated, the potential appears to be low based on the sensitivity analysis presented above.

It is nonetheless recommended that, prior to demolition of the berms, work crews be trained by an archaeologist to identify human remains/archaeological deposits during both demolition and construction, consistent with the procedures set forth in the San Francisco Planning Department's Accidental Discovery measure. The Balboa Park Station Area Plan EIR (San Francisco Planning Department 2008:50–51), which encompasses the Project area, outlines these procedures as Mitigation Measure AM-1:

AM-1 applies to projects involving activities including excavation, construction of foundations, soils improvement/densification, installation of utilities or soils remediation resulting in soils disturbance/modification to a depth of four (4) feet or greater below ground surface.

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried historical resources as defined in CEQA Guidelines Section 15064.5(a)(c). The project sponsor shall distribute the Planning Department archeological resource "ALERT" sheet to the project prime contractor; to any project subcontractor (including demolition, excavation, grading, foundation, pile driving, etc. firms); or utilities contractor involved in soils disturbing activities within the project site. Prior to any soils disturbing activities being undertaken each contractor is responsible for ensuring that the "ALERT" sheet is circulated to all field personnel, including machine operators, field crew, pile drivers, supervisory personnel, etc. The project sponsor shall provide the Environmental Review Officer (ERO) with a signed affidavit from the responsible parties (prime contractor, subcontractor(s), and utilities firm) to the ERO confirming that all field personnel have received copies of the Alert Sheet.

Should any indication of an archeological resource be encountered during any soils disturbing activity of the project, the project Head Foreman and/or project sponsor shall immediately notify the ERO and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the ERO has determined what additional measures should be undertaken.

If the ERO determines that an archeological resource may be present within the project site, the project sponsor shall retain the services of a qualified archeological consultant. The archeological consultant shall advise the ERO as to whether the discovery is an archeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archeological resource is present, the archeological consultant shall identify and evaluate the archeological resource. The archeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the ERO may require, if warranted, specific additional measures to be implemented by the project sponsor.

Measures might include: preservation in situ of the archeological resource; an archaeological monitoring program; or an archeological testing program. If an archeological monitoring program or archeological testing program is required, it shall be consistent with the Major Environmental Analysis (MEA) division guidelines for such programs. The ERO may also require that the project sponsor immediately implement a site security program if the archeological resource is at risk from vandalism, looting, or other damaging actions.

The project archeological consultant shall submit a Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describing the archeological and historical research methods employed in the archeological monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above (San Francisco Planning Department 2008:50–51).

## Procedures Regarding Discovery of Human Remains

The Balboa Park Station Area Plan EIR (San Francisco Planning Department 2008:349) outlines the following procedures for human remains:

Human Remains, Associated or Unassociated Funerary Objects: The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects (San Francisco Planning Department 2008:349).

## Works Cited

Anonymous

1894 A New Reservoir. *San Francisco Call*.

Bancroft, H. H.

1886 *History of California, Volume 5: 1846-1848*. Vol. 5. The History Company, San Francisco.

Earth Sciences Associates

1974 *Geotechnical Investigation of Balboa Reservoir*. Unpublished Report prepared for San Francisco Water Department, San Francisco.

Hittell, John S.

1878 *A History of the City of San Francisco and Incidentally of the State of California*. A. L. Bancroft & Company, San Francisco.

Impact Sciences

2004 *City College of San Francisco Master Plan Final Environmental Impact Report*. Report prepared for the City College of San Francisco (CCSF).

Knudsen, K.L., Janet M. Sowers, R.C. Witter, C.M. Wentworth, and Edward Helley

2000 Description of Geologic Units. In *Description of Mapping of Quaternary Deposits and Liquefaction Susceptibility, Nine County San Francisco Bay Region, California*. Appendix A.

Konigsmark, T.

1998 *Geologic Trips: San Francisco and the Bay Area*. GeoPress, Gualala, California.

LaBounty, Woody 2011a Ingleside Coursing Park. [Http://Www.OutsideLands.Org](http://www.OutsideLands.Org).  
<http://www.outsidelands.org/ingleside-coursing.php>.

2011b Ingleside Coursing Park. [Http://Www.OutsideLands.Org](http://www.OutsideLands.Org).

Levy, Richard

1978 Costanoan. In *Handbook of North American Indians*, R. F. Heizer, editor, VIII: Smithsonian Institution, Washington D.C.

Milliken, Randall

- 1995 *A Time of Little Choice: The Disintegration of Tribal Culture in the San Francisco Bay Area 1769-1810*. Ballena Press Anthropological Papers. Ballena Press, Menlo Park.

Milliken, Randall, Laurence H Shoup, Beverly R Ortiz, and Archaeological and Historical Consultants

- 2009 *Ohlone/Costanoan Indians of the San Francisco Peninsula and Their Neighbors, Yesterday and Today*. National Park Service, Golden Gate National Recreation Area, San Francisco.

Nickel, Nancy A.

- 1978 Looking Back: Early Glimpses of Union City. In . City of Union City, Union City. <http://museumoflocalhistory.org/wordpress2/wp-content/uploads/2014/10/LookingBack.pdf>.

O'Hair, Amy

- 2018a Greyhounds, Aeroplanes, and Wheelbarrows: The History of the Balboa Reservoir, 1894-1944. <Http://Www.Sunnysidehistory.Org>. <https://sunnysidehistory.org/2018/01/28/greyhounds-aeroplanes-and-wheelbarrows-the-history-of-the-balboa-reservoir-1894-1944/>.

- 2018b WAVES, West Campus, and Waterless Basins: The History of the Balboa Reservoir 1945-1983. <Http://Www.Sunnysidehistory.Org>. <https://sunnysidehistory.org/2018/02/03/waves-west-campus-and-waterless-basins-the-history-of-the-balboa-reservoir-1945-1983/>.

Phelps, William Dane

- 1983 *Alta California 1840-1842 The Journal and Observations of William Dane Phelps Master of the Ship "Alert."* Briton Cooper Busch, Glendale.

Rockridge Geotechnical

- 2018 *Draft Preliminary Geotechnical Investigation Proposed Residential Development at Balboa Reservoir, Phelan and Ocean Avenues, San Francisco, California*. Unpublished Report prepared for Bridge Housing Corporation, San Francisco.

San Francisco Planning Department

- 2008 *Final Environmental Impact Report: Balboa Park Station Area Plan*. Unpublished document on file at the San Francisco Planning Department, San Francisco.

SCS Engineers

- 2018 Phase I Environmental Site Assessment, Balboa Reservoir, 11 Phelan Street, San Francisco, California. Unpublished Report prepared for Bridge Housing Corporation, San Francisco.

Silver, Mae

1992a Rancho San Miguel Disappears.

*FoundSF.Org*. [http://www.foundsf.org/index.php?title=Rancho\\_San\\_Miguel\\_Disappears](http://www.foundsf.org/index.php?title=Rancho_San_Miguel_Disappears).

1992b Rancho San Miguel Disappears.

Tetra Tech, Inc.

2009 Primary Record for the SFFD AWSS, P-38-004672. Record on file at the Northwest Information Center, Sonoma State University, Rohnert Park, CA.

U.S. Coast Survey

1869 San Francisco Peninsula. U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service, Washington, D.C.

Voss, Barbara L.

2008 *The Archaeology of Ethnogenesis: Race and Sexuality in Colonial San Francisco*. University of California Press, Berkeley.

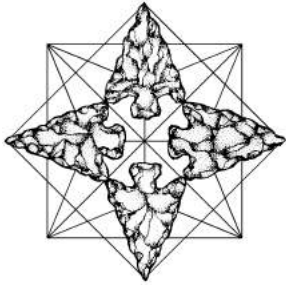
William Self Associates

2015 One of California's Earliest Visitors: The Discovery of Transbay Man. In *80th Annual Meeting of the Society for American Archaeology*. Society for American Archaeology, San Francisco.

Woodward-Clyde Consultants

1994 Final Archaeological Monitoring Report, Ocean Ave./Mission St. AWSS Connection Job No. 6684E, City and County of San Francisco, California. Oakland, CA.

## **Appendix I: Native American Correspondence**



# ARCHEO-TEC

CONSULTING ARCHAEOLOGISTS

Debbie Pilas-Treadway  
Native American Heritage Commission  
1550 Harbor Blvd, Suite 100  
West Sacramento, California 95691

September 18, 2018

**Subject: Sacred Lands File & Native American Contacts List Request for the Balboa Reservoir Project, City and County of San Francisco, California**

Dear Ms. Pilas-Treadway:

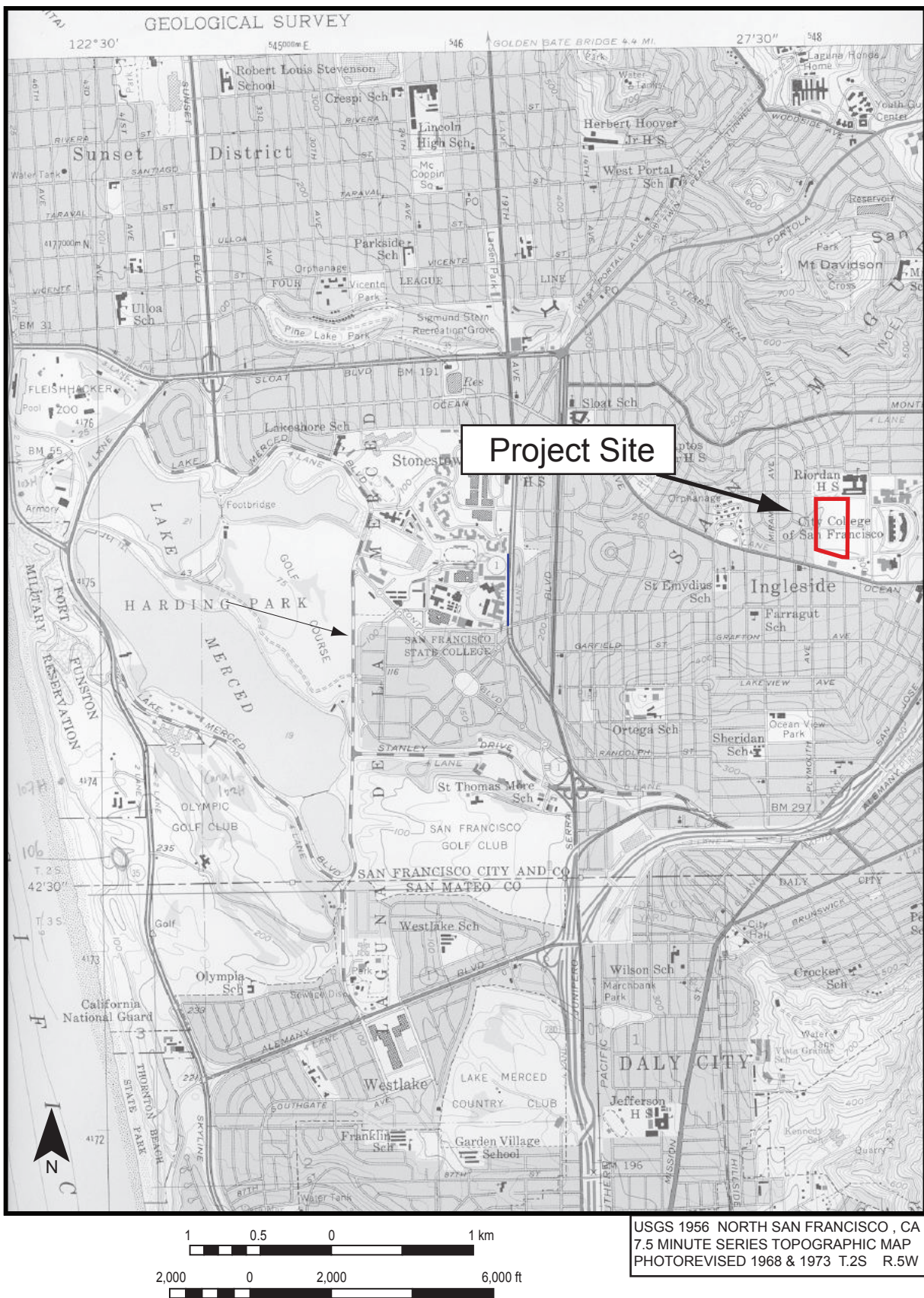
Bridge Housing proposes to undertake the Balboa Reservoir Project on a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

Please review the Sacred Lands File and notify us of any sacred lands that would be affected by the Project, as well as individuals or groups whom we should contact. As always, we can accept the results by email at [archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com) or by fax at (510) 858-7248.

Sincerely,

Emily Wick  
Archeo-Tec Consulting Archaeologists



## Project Location Map

Balboa Reservoir Project

**NATIVE AMERICAN HERITAGE COMMISSION**

Cultural and Environmental Department  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
(916) 373-3710



October 24, 2018

Emily Wick  
Archeo-Tec Consulting Archaeologists

Sent by E-mail: archeo-tec@archeo-tec.com

RE: Proposed Balboa Reservoir Project, City of San Francisco; San Francisco South USGS  
Quadrangle, San Francisco County, California

Dear Ms. Wick:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.

Attached is a list of tribes culturally affiliated to the project area. I suggest you contact all of the listed Tribes. If they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: [gayle.totton@nahc.ca.gov](mailto:gayle.totton@nahc.ca.gov).

Sincerely,

Gayle Totton, M.A., Ph.D.  
Associate Governmental Program Analyst  
(916) 373-3714

**CONFIDENTIALITY NOTICE:** This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

**Native American Heritage Commission  
Native American Contact List  
San Francisco County  
10/24/2018**

***Amah Mutsun Tribal Band of  
Mission San Juan Bautista***

Irenne Zwielerlein, Chairperson  
789 Canada Road  
Woodside, CA, 94062  
Phone: (650) 851 - 7489  
Fax: (650) 332-1526  
amahmutsuntribal@gmail.com

Costanoan

***Costanoan Rumsen Carmel  
Tribe***

Tony Cerda, Chairperson  
244 E. 1st Street  
Pomona, CA, 91766  
Phone: (909) 629 - 6081  
Fax: (909) 524-8041  
rumsen@aol.com

Costanoan

***Indian Canyon Mutsun Band of  
Costanoan***

Ann Marie Sayers, Chairperson  
P.O. Box 28  
Hollister, CA, 95024  
Phone: (831) 637 - 4238  
ams@indiancanyon.org

Costanoan

***Muwekma Ohlone Indian Tribe  
of the SF Bay Area***

Charlene Nijmeh, Chairperson  
20885 Redwood Road, Suite 232  
Castro Valley, CA, 94546  
Phone: (408) 464 - 2892  
cnihmeh@muwekma.org

Costanoan

***The Ohlone Indian Tribe***

Andrew Galvan,  
P.O. Box 3152  
Fremont, CA, 94539  
Phone: (510) 882 - 0527  
Fax: (510) 687-9393  
chochenyo@AOL.com

Bay Miwok  
Costanoan  
Patwin  
Plains Miwok

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Balboa Reservoir Project, San Francisco County.

**Subject:** Balboa Reservoir Project, San Francisco  
**From:** Archeo-Tec <archeo-tec@archeo-tec.com>  
**Date:** 10/24/18, 10:57 AM  
**To:** amahmutsuntribal@gmail.com

Dear Chairperson Zwierlein,

I am writing with regard to The Balboa Reservoir Project, a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

The reservoir, which was never actually used to hold water, was excavated to a depth of 15 feet below former ground surface during its 1950s excavation, and currently serves as a parking lot. Foundation impacts across the site would reach 3 to 6 feet. Prior to excavation the interior of the reservoir will be filled, and a majority of the below-grade parking will be built into fill; impacts to previously undisturbed soil will be relatively minor.

We have already contacted the Native American Heritage Commission, and a search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. We are interested to know if you have information about culturally significant resources on this site, or can recommend others who might share such information. Please send any response you may have within the next 30 days either by email at [archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com) or by fax at (510) 858-7248.

Sincerely,  
Emily Wick

Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

---

— Attachments: —

Balboa Reservoir Project Location Map.pdf

6.8 MB

**Subject:** Balboa Reservoir Project, San Francisco  
**From:** Archeo-Tec <archeo-tec@archeo-tec.com>  
**Date:** 10/24/18, 10:53 AM  
**To:** ams@indiancanyon.org

Dear Chairperson Sayers,

I am writing with regard to The Balboa Reservoir Project, a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

The reservoir, which was never actually used to hold water, was excavated to a depth of 15 feet below former ground surface during its 1950s excavation, and currently serves as a parking lot. Foundation impacts across the site would reach 3 to 6 feet. Prior to excavation the interior of the reservoir will be filled, and a majority of the below-grade parking will be built into fill; impacts to previously undisturbed soil will be relatively minor.

We have already contacted the Native American Heritage Commission, and a search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. We are interested to know if you have information about culturally significant resources on this site, or can recommend others who might share such information. Please send any response you may have within the next 30 days either by email at [archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com) or by fax at (510) 858-7248.

Sincerely,  
Emily Wick

Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

---

—Attachments:—

Balboa Reservoir Project Location Map.pdf

6.8 MB

**Subject:** Balboa Reservoir Project, San Francisco  
**From:** Archeo-Tec <archeo-tec@archeo-tec.com>  
**Date:** 10/24/18, 10:55 AM  
**To:** rumsen@aol.com

Dear Chairperson Cerda,

I am writing with regard to The Balboa Reservoir Project, a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

The reservoir, which was never actually used to hold water, was excavated to a depth of 15 feet below former ground surface during its 1950s excavation, and currently serves as a parking lot. Foundation impacts across the site would reach 3 to 6 feet. Prior to excavation the interior of the reservoir will be filled, and a majority of the below-grade parking will be built into fill; impacts to previously undisturbed soil will be relatively minor.

We have already contacted the Native American Heritage Commission, and a search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. We are interested to know if you have information about culturally significant resources on this site, or can recommend others who might share such information. Please send any response you may have within the next 30 days either by email at [archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com) or by fax at (510) 858-7248.

Sincerely,  
Emily Wick

Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

— Attachments: —

Balboa Reservoir Project Location Map.pdf

6.8 MB

**Subject:** Balboa Reservoir Project, San Francisco  
**From:** Archeo-Tec <archeo-tec@archeo-tec.com>  
**Date:** 10/24/18, 10:52 AM  
**To:** chochenyo@AOL.com

Dear Mr. Galvan,

I am writing with regard to The Balboa Reservoir Project, a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

The reservoir, which was never actually used to hold water, was excavated to a depth of 15 feet below former ground surface during its 1950s excavation, and currently serves as a parking lot. Foundation impacts across the site would reach 3 to 6 feet. Prior to excavation the interior of the reservoir will be filled, and a majority of the below-grade parking will be built into fill; impacts to previously undisturbed soil will be relatively minor.

We have already contacted the Native American Heritage Commission, and a search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. We are interested to know if you have information about culturally significant resources on this site, or can recommend others who might share such information. Please send any response you may have within the next 30 days either by email at [archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com) or by fax at (510) 858-7248.

Sincerely,  
Emily Wick

Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

— Attachments: —

Balboa Reservoir Project Location Map.pdf

6.8 MB

**Subject:** Balboa Reservoir Project, San Francisco  
**From:** Archeo-Tec <archeo-tec@archeo-tec.com>  
**Date:** 10/30/18, 10:35 AM  
**To:** cnijmeh@muwekma.org

Dear Chairperson Nijmeh,

I am writing with regard to The Balboa Reservoir Project, a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

The reservoir, which was never actually used to hold water, was excavated to a depth of 15 feet below former ground surface during its 1950s excavation, and currently serves as a parking lot. Foundation impacts across the site would reach 3 to 6 feet. Prior to excavation the interior of the reservoir will be filled, and a majority of the below-grade parking will be built into fill; impacts to previously undisturbed soil will be relatively minor.

We have already contacted the Native American Heritage Commission, and a search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. We are interested to know if you have information about culturally significant resources on this site, or can recommend others who might share such information. Please send any response you may have within the next 30 days either by email at [archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com) or by fax at (510) 858-7248.

Sincerely,  
Emily Wick

Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

— Attachments: \_\_\_\_\_

Balboa Reservoir Project Location Map.pdf	6.8 MB
---	--------

**Subject:** RE: Balboa Reservoir Project, San Francisco  
**From:** Charlene Nijmeh <cnijmeh@muwekma.org>  
**Date:** 11/1/18, 10:52 PM  
**To:** Archeo-Tec <archeo-tec@archeo-tec.com>  
**CC:** Monica Arellano <marellano@muwekma.org>

Dear Ms. Wick

Thank you for notifying the Muwekma Ohlone Tribal Administration about the proposed Balboa Reservoir Project in the City and County of San Francisco, California. I have attached a response letter and tribal documentation for your review.

Thank you and Best Regards,

Charlene Nijmeh  
Chairwoman

***Muwekma Ohlone Tribe of the San Francisco Bay Area***

---

**From:** "Archeo-Tec" <[archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com)>  
**To:** "Charlene Nijmeh" <[cnijmeh@muwekma.org](mailto:cnijmeh@muwekma.org)>  
**Subject:** Balboa Reservoir Project, San Francisco

Dear Chairperson Nijmeh,

I am writing with regard to The Balboa Reservoir Project, a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

The reservoir, which was never actually used to hold water, was excavated to a depth of 15 feet below former ground surface during its 1950s excavation, and currently serves as a parking lot. Foundation impacts across the site would reach 3 to 6 feet. Prior to excavation the interior of the reservoir will be filled, and a majority of the below-grade parking will be built into fill; impacts to previously undisturbed soil will be relatively minor.

We have already contacted the Native American Heritage Commission, and a search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. We are interested to know if you have information about culturally significant resources on this site, or can recommend others who might share such information. Please send any response you may have within the next 30 days either by email at [archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com) or by fax at (510) 858-7248.

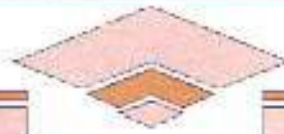
Sincerely,  
Emily Wick

Archeo-Tec Consulting Archaeologists

5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

—Attachments:—

BIA Smith Letter 1998.pdf	230 KB
DC District Court Muwekma.pdf	35.1 KB
Federal Court Opinion Muwekma-1.pdf	380 KB
Lt. Governor Letter 2002.pdf	145 KB
Miller's Restoration Bill 2000.pdf	647 KB
Muwekma Elder Lucas Marine 1928 BIA-1.pdf	540 KB
Previous Recognition 5-24-96-1.pdf	349 KB
Archaeo-tech.pdf	1.1 MB



# MUWEKMA OHLONE INDIAN TRIBE

## OF THE SAN FRANCISCO BAY AREA REGION

**'Innu Huššıştak Makiš Mak-Muwekma "The Road To The Future For Our People"**

October 30, 2018

**TRIBAL CHAIRPERSON**  
CHARLENE NIJMEH

**TRIBAL VICE CHAIRPERSON**  
MONICA V. ARELLANO

**TRIBAL SECRETARY**  
GLORIA E. ARELLANO-GOMEZ

**TRIBAL TREASURER**  
KARL THOMPSON

**TRIBAL COUNCIL**  
JOANN BROSE  
DOLORES LAMEIRA  
ROBERT MARTINEZ, JR.  
RICHARD MASSIATT  
VINCENT MEDINA (ALTERNATE)  
FRANK RUANO  
SHEILA SCHMIDT  
CAROL SULLIVAN

**TRIBAL ETHNO-HISTORIAN**  
ALAN LEVENTHAL

Ms. Emily Wick  
Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618

Horšc tūuxi Ms. Wick,

Thank you for notifying the Muwekma Ohlone Tribal administration about the proposed Balboa Reservoir Project, presently consisting of a 17-acre parcel located in the City and County of San Francisco, California.

As you may already know the Muwekma Ohlone Tribe is comprised of all of the surviving lineages who are aboriginal to the San Francisco Bay region and whom were missionized into **Missions Dolores, Santa Clara and San Jose**. Our Tribe became Federally recognized through the Congressional Homeless California Indian Appropriation Acts of 1906 and 1908 and later years, and our Tribe was identified as the Verona Band of Alameda County by the Indian Service Bureau and the Reno, and later, Sacramento Agencies between 1906 to 1927. Our family heads enrolled with the BIA under the 1928 California Indian Jurisdictional Act and all of our applications were approved by the Secretary of Interior. Our families again enrolled with the BIA during the 1948-1957 and 1968-1970 enrollment periods and those applications were also approved by the Secretary of Interior as well. Furthermore, as the only documented previously Federally Recognized Ohlone tribe, we, along with our over 550+ BIA documented tribal members claim this region as part of our ancestral and historic homeland.

Based upon the information provided in your request, we have consulted our cultural resources maps and historic documents and found no recorded evidence of any of our ancestral heritage sites located with the subject property.

Even though we have no record of cultural resources, we are nonetheless concerned about any subsurface excavations within the project area. This project is located approximately 2 miles west/northwest of Visitacion Valley, which was the location of two of our ancestral *Yelamu*-Ohlone villages Tubsinte and Amuctac.

### **The Yelamu Tribal Group of the San Francisco Peninsula**

The Yelamu tribal group of Ohlone Indians controlled the region comprising the City and County of San Francisco. According to the comprehensive mission record and ethnogeographic studies conducted by anthropologist Randall Milliken, it appears that the first four people from Yelamu were baptized by Father Cambon, and the others of the tribe were baptized by Fathers Palou and Santa Maria between 1777 - 1779.

Apparently the first converts from the "rancheria de Yelamu" into Mission Dolores also had relations with the neighboring rancherias (villages) of Sitlintac (located about 2.6 miles northeast of Mission Dolores), Chutchui, Amuctac, Tubsinte, and Petlenuc all located within the present boundaries of San Francisco. Sitlintac and Chutchui were located in the valley of Mission Creek. Amuctac and Tubsinte were established in the Visitation Valley area to the south. The village of Petlenuc may have been near the location of the Presidio.

The Ohlone people from the Yelamu territory, as well as other tribal groups to the south, and across the East Bay, were missionized into Mission Dolores between the years 1777 to 1787. According to Fathers Palou and Cambon, the Ssalsones (the Ohlone tribal group located on the San Mateo Peninsula to the south), were intermarried with the Yelamu and they called the Yelamu "Aguazios" which means "Northerners".

Based upon genealogical information derived from the Mission Dolores records, the Yelamu Ohlone people of San Francisco were intermarried with other Ohlone tribal groups to the south and across the East Bay (i.e., Contra Costa), prior to contact with the Spaniards. For example, Fathers Palou, Cambon and Noriega over a period of time baptized the family of a Yelamu chief or capitane named Xigmacse (a.k.a. Guimas) who was identified by Palou as the "Captain of the village of this place of the Mission". Father Cambon recorded two of Xigmacse's wives, Huitanac and Uttanaca (who were sisters) as coming "from the other shore to the east at the place known as Cosopo".

Recently some scholars have suggested that the ending "-cse" on a man's name (as in the case of Captain Xigmacse) served as an appellation of distinction or preeminence, thus identifying that person as a chief or one of distinguished status and high lineage. In another case of cross-Bay intermarriage between tribal groups involved a Yelamu woman named Tociom. Tociom had a daughter named Jojcote who according to Father Cambon was "born in the mountains to the east on the other side of the bay in the place called by the natives Halchis". The place called "Halchis" is the territory of the Jalquin Ohlone Tribe located within the greater Hayward/San Leandro/southern Oakland region.

It was into this complex and rapidly changing world that a young Jalquin Ohlone man named Liberato Culpecse, at the age of 14 years old (born 1787) was baptized on November 18, 1801 at Mission Dolores, along with other members of his tribe. Seven years later in 1808 Liberato Culpecse had married his first wife Catalina Pispisoboj and she died three years later on October 16, 1811. After the death of his wife, Liberato was allowed to move to the Mission San Jose region, where he met his second wife, Efrena Quennatole. Efrena who was Napien/Karquin Ohlone was baptized at Mission San Jose on January 1, 1815. Father Fortuny married Efrena and Liberato on July 13, 1818. Liberato Culpecse and Efrena Quennatole had a son named Jose Dionisio (Nonessa) Liberato and a daughter, Maria Efrena. Both Jose Dionisio and Maria Efrena married other Mission San Jose Indians and they had children (who included members of the Guzman and Marine lineages) who later became the Elders of the historic Federally Recognized Verona Band (Muwekma) community during the mid-19th and 20th centuries. The direct ancestors of the Muwekma resided at the following East Bay rancherias: San Leandro/San Lorenzo, Alisal (Pleasanton), Del Mocho (Livermore), Niles, Sunol, and later Newark.

In the 1880s, the Hearst family decided to leave San Francisco and they purchased part of the Bernal Rancho containing the Alisal Rancheria and Mrs. Hearst permitted the 125 Muwekmas living at Alisal to remain on the land, and even employing some of them to do her laundry. During the early part of the 20th century, the Muwekma Ohlone Indians (later identified as the Verona Band by the BIA) became Federally Recognized and appear on the Special Indian Census conducted by Agent C. E. Kelsey in 1905-1906

Concurrently, during this period of time, Mrs. Phoebe Hearst was responsible for funding the fledgling Department of Anthropology at U.C. Berkeley. Dr. Alfred L. Kroeber, one of the early pioneering anthropologists, became known as "the Father of California Anthropology" interviewed some of the knowledgeable speakers of the Indian languages amongst the Mission San Jose Indians in the East Bay.

### Shattering the Myth that the Ohlones were Never Federally Recognized

In 1989 our Tribe sent a letter to the Branch of Acknowledgement and Research in order to have our Acknowledged status restored. After eight years in the petitioning process, and after the submittal of several thousand pages of historic and legal documentation, on May 24, 1996 the Bureau of Indian Affairs' Branch of Acknowledgment and Research (BAR) made a positive determination that:

Based upon the documentation provided, and the BIA's background study on Federal acknowledgment in California between 1887 and 1933, we have concluded on a preliminary basis that the Pleasanton or Verona Band of Alameda County was previous acknowledged between 1914 and 1927. The band was among the groups, identified as bands, under the jurisdiction of the Indian agency at Sacramento, California. The agency dealt with the Verona Band as a group and identified it as a distinct social and political entity.

On December 8, 1999, the Muwekma Tribal Council and its legal consultants filed a law suit against the Interior Department/BIA – naming Secretary Bruce Babbitt and AS-IA Kevin Gover over the fact the Muwekma as a previously Federally recognized tribe it should not have to wait 20 or more years to complete our reaffirmation process.

In 2000 – D.C. District Court Justice Ricardo Urbina wrote in his Introduction of his Memorandum Opinion Granting the Plaintiff's Motion to Amend the Court's Order (July 28, 2000) and Memorandum Order Denying the Defendants' to Alter or Amend the Court's Orders (June 11, 2002) that:

"The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma tribe as an Indian tribe under the jurisdiction of the United States." (Civil Case No. 99-3261 RMU D.D.C.)

On October 30, 2000, response by the Department of Interior's Branch of Acknowledgment and Research/Tribal Services Division of the Bureau of Indian Affairs to Justice Urbina's Court Order regarding the Muwekma Ohlone Tribal enrollment and descendency from the previous Federally recognized tribe, BIA staff concluded:

"... . When combined with the members who have both types of ancestors), 100% of the membership is represented. Thus, analysis shows that the petition's membership can trace (and, based on a sampling, can document) its various lineages back to individuals or to one or more siblings of individuals appearing on the 1900, "Kelsey", and 1910 census enumerations described above."

On July 25, 2002, Congresswoman Zoe Lofgren issued her "Extension of Remarks" on the floor of the House of Representatives stating:

"The Muwekma Ohlone Indian Tribe is a sovereign Indian Nation located within several counties in the San Francisco Bay Area since time immemorial.

In 1906, the Tribe was formally identified by the Special Indian Census conducted by Indian Agent C. E. Kelsey, as a result of the Congressional Appropriation Act mandate to identify and to purchase land for homeless California Indian tribes.

At this time, the Department of Interior and the Bureau of Indian Affairs federally acknowledged the Verona Band as coming under the jurisdiction of the Reno and Sacramento Agencies between 1906 and 1927.

The Congress of the United States also recognized the Verona Band pursuant to Chapter 14 of Title 25 of the United States Code, which was affirmed by the United States Court of Claims in the Case of Indians of California v. United States (1942) 98 Ct. Cl.583.

The Court of Claims case judgment instructed the identification of the Indians of California with the creation of Indian rolls. The direct ancestors of the present-day Muwekma Ohlone Tribe participated in and enrolled under the 1928 California Indian Jurisdictional Act and the ensuing Claims Settlement of 1944 with the Secretary of the Interior approving all of their enrollment applications.

Meanwhile, as a result of inconsistent federal policies of neglect toward the California Indians, the government breached the trust responsibility relationship with the Muwekma tribe and left the Tribe landless and without either services or benefits. As a result, the Tribe has suffered losses and displacement. Despite these hardships the Tribe has never relinquished their Indian tribal status and their status was never terminated.

In 1984, in an attempt to have the federal government acknowledge the status of the Tribe, the Muwekma Ohlone people formally organized a tribal council in conformance with the guidelines under the Indian Reorganization Act of 1934.

---

In 1989, the Muwekma Ohlone Tribal leadership submitted a resolution to the Bureau of Indian Affairs' Branch of Acknowledgment and Research with the intent to petition for Federal acknowledgment. This application is known as Petition #111. This federal process is known to take many years to complete.

Simultaneously, in the 1980's and 1990's, the United States Congress recognized the federal government's neglect of the California Indians and directed a Commission to study the history and current status of the California Indians and to deliver a report with recommendations. In the late 1990's the Congressional mandated report – the California Advisory Report, recommended that the Muwekma Ohlone tribe be reaffirmed to its status as a federally recognized tribe along with five other Tribes, the Dunlap Band of Mono Indians, the Lower Lake Koi Tribe, the Tsnungwe Council, the Southern Sierra Miwuk Nation, and the Tolowa Nation.

On May 24, 1996, the Bureau of Indian Affairs pursuant to the regulatory process then issued a letter to the Muwekma Ohlone tribe concluding that the Tribe was indeed a Federally Recognized Tribe.

In an effort to reaffirm their status and compel a timely decision by the Department of the Interior, the Muwekma Ohlone Tribe sued the Bureau of Indian Affairs. The Court has mandated that the Department issue a decision this year. That decision is expected in early August.

Specifically, on July 28, 2000, and again on June 11, 2002, Judge Ricardo Urbina wrote in his Introduction of his Memorandum Opinion Granting the Plaintiff's Motion to Amend the Court's Order (July 28, 2000) and Memorandum Order Denying the Defendants' to Alter or Amend the Court's Orders (June 11, 2002) affirmatively stating that:

"The Muwekma Tribe is a tribe of Ohlone Indians indigenous to the present-day San Francisco Bay area. In the early part of the Twentieth Century, the Department of the Interior ("DOI") recognized the Muwekma tribe as an Indian tribe under the jurisdiction of the United States." (Civil Case No. 99-3261 RMU D.D.C.)

I proudly support the long struggle of the Muwekma Ohlone Tribe as they continue to seek justice and to finally, and without further delay, achieve their goal of their reaffirmation of their tribal status by the federal government. This process has dragged on long enough. I hope that the Bureau of Indian Affairs and the Department of Interior will do the right thing and act positively to grant the Muwekma Ohlone tribe their rights as a Federally Recognized Indian Tribe. The Muwekma Ohlone Tribe has waited long enough; let them get on with their lives as they seek to improve the lives of the members of this proud tribe. To do anything else is to deny this tribe Justice. They have waited patiently and should not have to wait any longer." (Lofgren January 25, 2002).

In conclusion, while our Tribe is still awaiting a decision from the Interior Department about reaffirmation our status, we nonetheless, are continuing to exercise our sovereignty and authorit

as a Recognized Tribe. We also want to be fully informed should any of our ancestral remains, sub-surface features and material culture be discovered at this project location during earthmoving excavation or grading.

Once again thank you for contacting our Tribal office with regards the proposed project and we would like for your company to include in its ethnographic section accurate and updated historic and legal information about our Tribe. In the past we have been troubled by the generic treatment in EIR's about our tribe's history and heritage, which are usually fraught with myths, stereotypes and much outdated information usually cited from Malcolm Margolin's interpretive fantasy The Ohlone Way, and Levy's section "Costanoan" in the Handbook on North American Indians, Vol. 8. 1978.

Your researchers can obtain useful information from Milliken's publications as well as from our website [www.muwekma.org](http://www.muwekma.org). You can also obtain a copy of one of our final archaeological reports that we recently published for Santa Clara Valley Transportation Authority entitled Report on the Burial and Archaeological Data Recovery Program, Analysis and AMS Dating of Ancestral Muwekma Ohlone Human Remains Recovered from the Cashrishmini 'Awweš 'İrek 'İnnutka (Yellow Salt [Alum] Rock Road) Site, CA-SCL-950) VTA/BRT Project Located at the Intersection of Alum Rock Avenue and Jackson Street, City of San Jose, Santa Clara County, California by Leventhal et al. (2017) at Academia.com or at the NWIC at Sonoma State University.

Should you would like to obtain any additional primary documentation (see attached), please contact our tribal office and we shall consider your request. Finally, we would like to obtain a copy of your cultural resource report that includes this response, from our Tribe. Also we would like to obtain acknowledged that you did indeed receive this response.

Should you have any questions, please feel free to contact me at [cnijmeh@muwekma.org](mailto:cnijmeh@muwekma.org), phone: 408-464-2892.

'Útaspu meene,

Charlene Nijmeh, Tribal Chairwoman

Cc:

Muwekma Tribal Council

Cultural resources File Archaeo-Tec Balboa Reservoir Project

Attachments:

**Subject:** Re: Balboa Reservoir Project, San Francisco  
**From:** Archeo-Tec <archo-tec@archo-tec.com>  
**Date:** 11/6/18, 5:30 PM  
**To:** Charlene Nijmeh <cnijmeh@muwekma.org>  
**CC:** Monica Arellano <marellano@muwekma.org>

Dear Chairwoman Nijmeh,

Thank you for sending your recommendations. We shall include the full text of your letter in the Archaeological Sensitivity Assessment. The report is focused on the period of history that may potentially result in cultural sites; a detailed legal and genealogical history from the 20th and early 21st centuries, while important, is outside of our scope of work.

Thank you again for your response and all the best,

Emily Wick  
Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

On 11/1/18 10:52 PM, Charlene Nijmeh wrote:

Dear Ms. Wick

Thank you for notifying the Muwekma Ohlone Tribal Administration about the proposed Balboa Reservoir Project in the City and County of San Francisco, California. I have attached a response letter and tribal documentation for your review.

Thank you and Best Regards,

Charlene Nijmeh  
Chairwoman  
**Muwekma Ohlone Tribe of the San Francisco Bay Area**

---

**From:** "Archeo-Tec" <[archo-tec@archo-tec.com](mailto:archo-tec@archo-tec.com)>  
**To:** "Charlene Nijmeh" <[cnijmeh@muwekma.org](mailto:cnijmeh@muwekma.org)>  
**Subject:** Balboa Reservoir Project, San Francisco

Dear Chairperson Nijmeh,

I am writing with regard to The Balboa Reservoir Project, a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

The reservoir, which was never actually used to hold water, was excavated to a depth of 15 feet below former ground surface during its 1950s excavation, and currently serves as a parking lot. Foundation

impacts across the site would reach 3 to 6 feet. Prior to excavation the interior of the reservoir will be filled, and a majority of the below-grade parking will be built into fill; impacts to previously undisturbed soil will be relatively minor.

We have already contacted the Native American Heritage Commission, and a search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. We are interested to know if you have information about culturally significant resources on this site, or can recommend others who might share such information. Please send any response you may have within the next 30 days either by email at [arqueo-tec@arqueo-tec.com](mailto:arqueo-tec@arqueo-tec.com) or by fax at (510) 858-7248.

Sincerely,  
Emily Wick

Arqueo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

## **Phone Call Log**

The Muwekma Ohlone Indian Tribe of the San Francisco Bay Area was the only tribe to reply via email to the consultation letter. Per the recommendations of the NAHC response, Archeo-Tec followed up by telephone to all tribes that did not respond.

**Date: November 7, 2018**

**Staff: Emily Wick**

**10:55 AM: Irenne Zweirlein, Amah Mutsen Tribal Band of Mission San Juan Bautista**

Ms. Zweirlein answered the phone, asked for a summary of the project. Ms. Wick described the location and gave a basic project description. Ms. Zweirlein asked if there were any sites nearby, and Ms. Wick replied that there were no known sites in the vicinity, and told Ms. Zweirlein that, while the study was not yet complete, the property was not highly sensitive for indigenous sites, and had also been extensively disturbed. Ms. Zweirlein recommended sensitivity training to the crew. "If you need us, call us, and if you find anything, call us."

**11:01 AM: Tony Cerda, Costanoan Rumsen Carmel Tribe**

No answer and no voicemail. The phone rang until the call disconnected. Ms. Wick sent a follow-up email. As of November 12, no response was received.

**11:03 AM: Ann Marie Sayers, Indian Canyon Mutsen Band of Costanoan**

No answer and full mailbox. Ms. Wick sent a follow-up email. As of November 12, no response was received.

**11:05 AM: Andrew Galvan, The Ohlone Indian Tribe**

No answer: Ms. Wick left a voicemail. As of November 12, no response was received.

**Subject:** Re: Balboa Reservoir Project, San Francisco  
**From:** Archeo-Tec <archeo-tec@archeo-tec.com>  
**Date:** 11/7/18, 11:22 AM  
**To:** rumsen@aol.com

Dear Chairperson Cerda,

I'm writing to follow up on this consultation email from two weeks ago after attempting to reach you by telephone today. We welcome any information or recommendations you may have and can be contacted by email or phone.

Thanks,

Emily

Emily Wick  
Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

On 10/24/18 10:55 AM, Archeo-Tec wrote:

Dear Chairperson Cerda,

I am writing with regard to The Balboa Reservoir Project, a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

The reservoir, which was never actually used to hold water, was excavated to a depth of 15 feet below former ground surface during its 1950s excavation, and currently serves as a parking lot. Foundation impacts across the site would reach 3 to 6 feet. Prior to excavation the interior of the reservoir will be filled, and a majority of the below-grade parking will be built into fill; impacts to previously undisturbed soil will be relatively minor.

We have already contacted the Native American Heritage Commission, and a search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. We are interested to know if you

have information about culturally significant resources on this site, or can recommend others who might share such information. Please send any response you may have within the next 30 days either by email at [archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com) or by fax at (510) 858-7248.

Sincerely,  
Emily Wick

Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

**Subject:** Re: Balboa Reservoir Project, San Francisco  
**From:** Archeo-Tec <archeo-tec@archeo-tec.com>  
**Date:** 11/7/18, 11:24 AM  
**To:** ams@indiancanyon.org

Dear Chairperson Sayers,

I'm writing to follow up on this consultation email from two weeks ago after attempting to reach you by telephone today. We welcome any information or recommendations you may have and can be contacted by email or phone.

Thanks,

Emily

Emily Wick  
Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618

(510) 601-6185 On 10/24/18 10:53 AM, Archeo-Tec wrote:

Dear Chairperson Sayers,

I am writing with regard to The Balboa Reservoir Project, a 17-acre parcel located in the City and County of San Francisco, California. The Project site is located northwest of the intersection of Phelan Avenue and Ocean Avenue, just west of San Francisco's Balboa Park neighborhood. The project footprint encompasses the western portion of a large parking lot located at the bottom of an unused reservoir. Current plans call for topographic modification entailing levelling raised areas and filling lower areas of the parcel, and the subsequent construction of a series of residential structures, some of which will have below-grade parking.

As shown on the attached map, the subject parcel is located on the San Francisco South 7.5-minute USGS topographic map within Township 2S, Range 5W.

The reservoir, which was never actually used to hold water, was excavated to a depth of 15 feet below former ground surface during its 1950s excavation, and currently serves as a parking lot. Foundation impacts across the site would reach 3 to 6 feet. Prior to excavation the interior of the reservoir will be filled, and a majority of the below-grade parking will be built into fill; impacts to previously undisturbed soil will be relatively minor.

We have already contacted the Native American Heritage Commission, and a search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. We are interested to know if you

have information about culturally significant resources on this site, or can recommend others who might share such information. Please send any response you may have within the next 30 days either by email at [archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com) or by fax at (510) 858-7248.

Sincerely,  
Emily Wick

Archeo-Tec Consulting Archaeologists  
5283 Broadway  
Oakland, CA 94618  
(510) 601-6185

## **Appendix II: SFPUC Correspondence**

**Subject:** RE: Records Request: Balboa Reservoir Construction Documentation  
**From:** "Petrick, Molly" <MPetrick@sflower.org>  
**Date:** 10/11/18, 12:05 PM  
**To:** Archeo-Tec <archeo-tec@archeo-tec.com>

This is the only other report we could find that discusses the original digging of the reservoir. It doesn't mention encountering anything, but this is a geo tech report.

<https://sfpuc.sharefile.com/d-s764ea90534149d09>

If we happen to find anything else, we'll send it your way.

Thanks,  
Molly

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

From: Archeo-Tec [<mailto:archeo-tec@archeo-tec.com>]  
Sent: Thursday, October 11, 2018 11:53 AM  
To: Petrick, Molly <[MPetrick@sflower.org](mailto:MPetrick@sflower.org)>  
Subject: Re: Records Request: Balboa Reservoir Construction Documentation

Yes, thank you. Would there have been any records kept of finds encountered during excavation (e.g., if human remains were encountered)?

If so, this documentation--perhaps official logs of progress?--would be very helpful.

Thanks,

Emily

On 10/10/18 4:27 PM, Petrick, Molly wrote:

Hi,

We have some old photos, but that's all could find for now. Will these help at all?

<https://sfpuc.sharefile.com/d-s9641200868343e38>

-Molly

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

From: Archeo-Tec [<mailto:archeo-tec@archeo-tec.com>]  
Sent: Monday, October 08, 2018 10:49 AM  
To: Petrick, Molly <[MPetrick@sflower.org](mailto:MPetrick@sflower.org)>  
Subject: Re: Records Request: Balboa Reservoir Construction Documentation

Thanks Molly: much appreciated.

Emily

On 10/4/18 2:14 PM, Petrick, Molly wrote:

Hi,

I'll see what I can find. Stay tuned....

Thanks,  
Molly

---

Molly Petrick  
Program Development and Policy Manager SFPUC  
525 Golden Gate Ave, 13th Floor  
San Francisco, CA 94102  
T: 415.934.5767  
[mpetrick@sfgwater.org](mailto:mpetrick@sfgwater.org)

San Francisco Water, Power, and Sewer | Services of the San Francisco  
Public Utilities Commission

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

From: Archeo-Tec [<mailto:archeo-tec@archeo-tec.com>]  
Sent: Wednesday, October 03, 2018 10:40 AM  
To: Petrick, Molly <[MPetrick@sfgwater.org](mailto:MPetrick@sfgwater.org)>  
Subject: Records Request: Balboa Reservoir Construction Documentation

Hello Molly:

I am conducting background research on the potential for archaeological resources at the Balboa Reservoir project for Archeo-Tec, an archaeological consulting firm in Oakland. The San Francisco Planning Department has specifically requested that we review any available SFPUC records documenting the construction of the Balboa Reservoir. Joe Kichofer from Avalon Bay gave me your contact info and said you could probably point me in the right direction.

Thanks in advance for any help you can offer.

Emily

---


Emily Wick  
Archeo-Tec Consulting Archaeologists  
5283 Broadway, Oakland, CA 94618  
(510) 601-6185  
[archeo-tec@archeo-tec.com](mailto:archeo-tec@archeo-tec.com)

## Files from Molly Petrick at San Francisco Public Utilities Commission

☐ Select All

Sort By Name ▾ ≡ ☰

☐



Background - images.pdf  
3 MB

☐



balboa photo.TIF  
441 KB

☐



SFPUC-#325773-v1-Bal...  
439 KB

☐



SFPUC-#325775-v1-Bal...  
437 KB

☐



SFPUC-#325776-v1-Bal...  
438 KB

☐



SFPUC-#325777-v1-Bal...  
439 KB

☐



SFPUC-#325778-v1-Bal...  
439 KB

☐



SFPUC-#325779-v1-Bal...  
439 KB

☐



SFPUC-#325780-v1-Bal...  
440 KB

☐



SFPUC-#325781-v1-Bal...  
7 MB

☐



SFPUC-#325782-v1-Bal...  
436 KB

0 Items Selected

Download