

# Santa Clara Unified School District

## Peterson Laurelwood Master Plan Final Environmental Impact Report

Prepared by:

**IMPACT  
SCIENCES**

20445 Prospect Road  
Suite C  
San José, California 95129

Prepared for:

Santa Clara Unified School District  
Facility Development and Planning  
1889 Lawrence Road  
Santa Clara, California 95051

**March 2023**



# **SANTA CLARA UNIFIED SCHOOL DISTRICT PETERSON LAURELWOOD MASTER PLAN**

## **Final Environmental Impact Report**

### **Prepared for:**

Santa Clara Unified School District  
Facility Development and Planning  
1889 Lawrence Road  
Santa Clara, California 95051

### **Prepared by:**

Impact Sciences, Inc.  
20445 Prospect Road, Suite C  
San José, California 95129

**March 2023**

## TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
1.0 Introduction.....	1.0-1
2.0 Revisions and Additions.....	2.0-1
3.0 Responses to Comments .....	3.0-1
4.0 Mitigation Monitoring and Reporting Program.....	4.0-1
5.0 List of Preparers and Persons Consulted .....	5.0-1

## LIST OF TABLES

<u>Table</u>	<u>Page</u>
3.0-1 List of Commenters on the DEIR.....	3.0-2
3.0-2 Existing and Planning Capacity and Enrollment .....	3.0-9
4.0-1 Mitigation Monitoring and Reporting Program Matrix .....	4.0-2

## 1.0 INTRODUCTION

---

This Final Environmental Impact Report ('Final EIR' or 'FEIR') has been prepared by the Santa Clara Unified School District ("School District," or "SCUSD") for the Proposed Peterson Middle School and the New Laurelwood Elementary School Master Plan (referred to as the 'Proposed Master Plan'). This FEIR complies with the requirements of the California Environmental Quality Act (CEQA) statutes (Cal. Pub. Res. Code, Section 21000 et. seq.) and implementing guidelines (Cal. Code Regs., Title 14, Section 15000 et. seq.) (the "*CEQA Guidelines*").

### 1.1 CEQA REQUIREMENTS

Before approving a project that may cause a significant environmental impact, CEQA requires the lead agency to prepare and certify a FEIR. According to the *CEQA Guidelines*, Section 15132, the FEIR shall consist of:

1. The Draft EIR (DEIR) or a revision of the DEIR;
2. Comments and recommendations received on the DEIR, either verbatim or in summary;
3. A list of persons, organizations, and public agencies commenting on the DEIR;
4. The responses of the lead agency to significant environmental points raised in the review and consultation process; and
5. Any other information added by the lead agency.

As shown, under the *CEQA Guidelines*, the FEIR includes the Draft EIR (DEIR) as well as the other items listed. For purposes of clarity, the term "Final EIR" in this document refers to everything contained in this document (as described in **Section 1.2, Content of the FEIR**) and not the DEIR. The term "EIR" in this document refers to the FEIR and the DEIR.

### 1.2 CONTENT OF THE FEIR

As discussed above, the primary intent of the FEIR is to provide a forum to air and address comments pertaining to the analysis contained within the DEIR. Pursuant to Section 15088 of the *State CEQA Guidelines*, the School District has reviewed and addressed all comments received on the Notice of Preparation (NOP) and DEIR by the comment period deadline. Included within the FEIR are the written comments that were submitted during the public comment period.



In order to adequately address the comments provided by interested agencies and the public in an organized manner, this FEIR includes the following chapters and appendices:

**Section 1.0, Introduction.** This chapter summarizes the contents of the Final EIR and the environmental review process.

**Section 2.0, Corrections and Additions.** This chapter provides a list of changes that were made to the DEIR. These revisions are shown in strikeout and additions are shown in underline text.

**Section 3.0, Responses to Comments.** The SCUSD received a total of nine comment letters during the DEIR public review period and three comments during the Notice of Preparation review period. Of these, five letters pertain only to comments on the DEIR, two letters include comments pertaining to both the DEIR and the Proposed Master Plan itself, and two letters are directed exclusively at the Proposed Master Plan rather than the DEIR. This chapter contains summaries of the comment letters and the District's responses to those comments that raise significant environmental points. A list of individuals, organizations, and public agencies commenting on the Draft EIR is provided. The comment letters are also included in this chapter.

**Section 4.0, Mitigation Monitoring and Reporting Program.** This chapter includes the Mitigation Monitoring and Reporting Program (MMRP) prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Section 15091(d) and 15097 of the *State CEQA Guidelines*.

**Section 5.0, List of Preparers.** This chapter includes the list of preparers and persons consulted on this EIR.

The FEIR also includes the previously circulated DEIR.

## 1.3 REVIEW AND CERTIFICATION OF THE FEIR

Consistent with CEQA (Public Resource Code Section 21092.5), responses to agency comments are being forwarded to each commenting agency prior to certification of the FEIR. In addition, responses are also being distributed to all commenters via email. The FEIR can be downloaded at:

<https://www.santaclarausd.org/PetersonLaurelwoodmasterplan>

## 2.0 REVISIONS AND ADDITIONS

---

As required by *California Environmental Quality Act (CEQA) Guidelines* Section 15088, this chapter provides revisions or clarifications of certain statements in the Draft Environmental Impact Report (DEIR). The revision(s) and/or addition(s) do not constitute significant new information, as defined by *CEQA Guidelines* Section 15088.5, because none would result in new significant impacts or a substantial increase in the severity of any impact already identified in the DEIR. New information is not significant unless the DEIR changes in a way that deprives the public of a meaningful opportunity. Specifically, Section 15088.5(a) defines significant new information which requires recirculation to be any of the following:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
4. The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043).

Revisions or information have been added to the DEIR pursuant to *CEQA Guidelines* Section 15132, as part of the preparation of the Final EIR (FEIR). Additions to the text of the DEIR are shown by underline and deletions from the text of the DEIR are shown by strikethrough unless otherwise described. Where mitigation measures are replaced or revised, the replacement or revised measures are listed under the relevant impact section; however, the revisions also apply to mitigation measures listed in the Executive Summary. As noted above, the following revisions and additions included herein involve minor modifications that clarify or amplify information contained in the DEIR and none would result in new significant impacts from those identified in the DEIR impact analysis or conclusions.

### **3.11 Land Use and Planning**

Page 3.11-5 – Revise the fourth paragraph under “3.11.1.1, Project Location,” to read as follows:

The other site is the current location of Laurelwood Elementary School, in the City of Santa Clara. The campus is fronted by Teal Drive to the west and Kensington Drive to the south. The school enrolls grades TK-5 and has an enrollment of ~~522~~ 623 students.

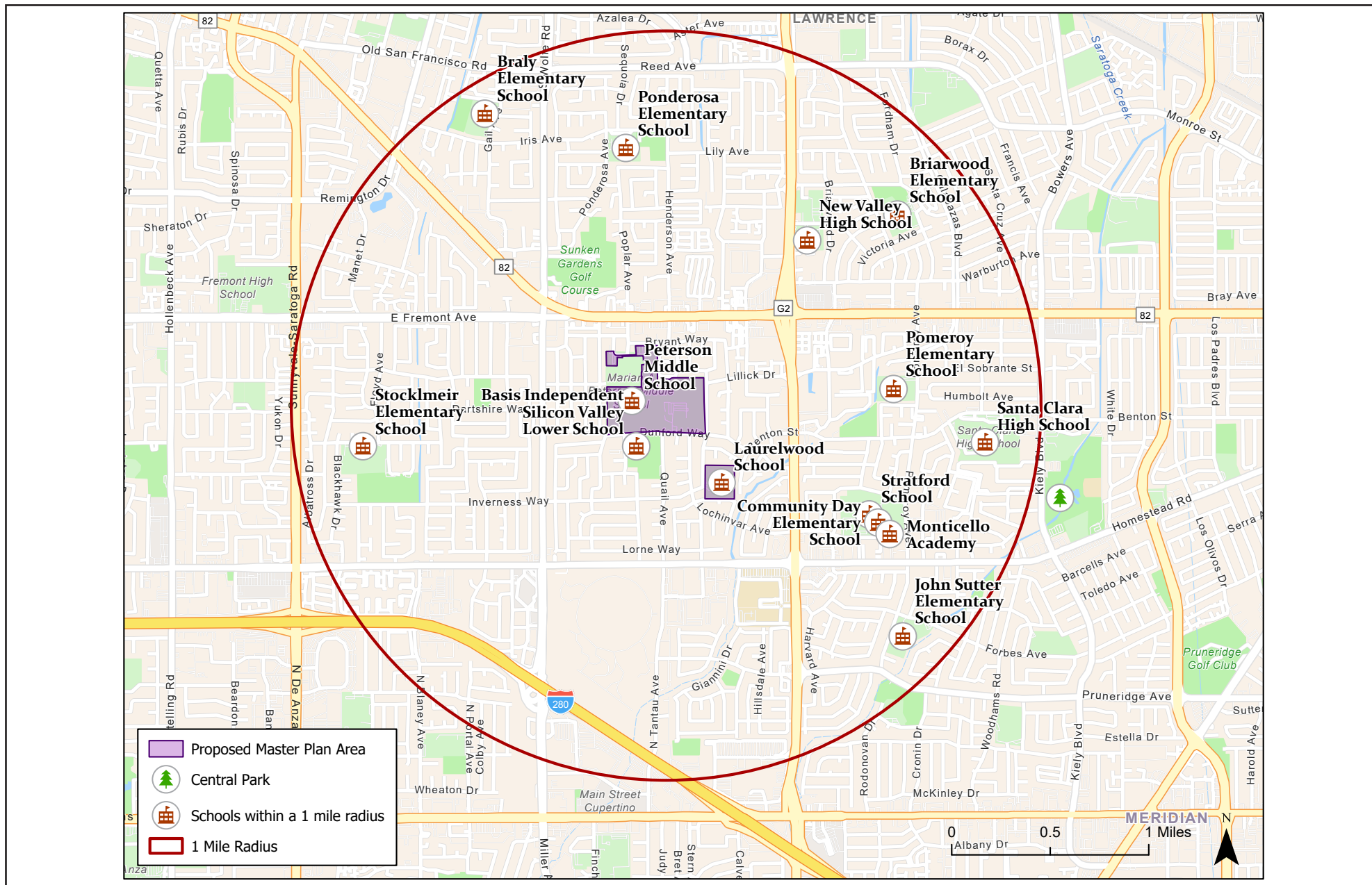
### **3.13 Noise and Vibration**

Page 3.13-21 – Revise the third paragraph under “Impact NOI-1,” to read as follows:

Other operational noise sources are associated with on-site vehicle circulation. The location of the New Laurelwood Elementary School was originally occupied by Patrick Henry Intermediate School and then subsequently occupied by other institutional, and school uses. While the relocation of the New Laurelwood Elementary School would alter on-site traffic patterns and corresponding noise, the Proposed Master Plan does not introduce new noise sources to the Plan Area. Furthermore, under the Proposed Master Plan the maximum student capacity of the proposed new facilities in and around the site would be approximate 2,621 students, or approximately ~~745-699~~ fewer students than the baseline uses. This would result in a decrease in the total number of vehicular trips entering and departing the Plan Area. Therefore, there would be a corresponding decrease in on-site vehicular noise and impacts would be less than significant.

### **3.15 Public Services and Recreation**

Page 3.15-24 – Revise Figure 3.15-4, Public Schools Near Plan Area, to include the Basis Independent Silicon Valley Lower School, located at 1500 Partridge Ave, Sunnyvale, CA 94087.



SOURCE: Esri 2022; SCUSD 2022

FIGURE 3.15-4

### 3.16 Transportation

Page 3.16-2 – Revise 3.16.1 heading to read as follows: “3.16.1 ~~Environmental~~ Environmental Setting”

Page 3.16-8 – Revise the third paragraph under “Impact TRA-2,” to read as follows:

Under the Proposed Master Plan, the maximum student capacity of the planned uses would be as follows: Peterson Middle school (1,221 students); New Laurelwood Elementary (850 students); District Farm and Environmental Education Center (250 students); and Alternative High School (300 students). Thus, the maximum student capacity of the proposed new facilities in and around the site would be approximate 2,621 students, or approximately ~~745~~ 699 fewer students than the baseline uses. As a result, the total number of vehicular trips entering and departing the project vicinity on a daily basis would decline as a result of the proposed changes.

### 3.17 Utilities and Service Systems

Page 3.17-1 – Revise the first paragraph under “3.17.1, Environmental Setting,” to read as follows:

The City of Sunnyvale’s water supply is provided by Calwater and the City of Sunnyvale ~~Public Works Department Utility~~ Environmental Services Department. The City of Sunnyvale has three different sources of drinking water supply: treated surface water from the San Francisco Regional Water System managed by the San Francisco Public Utilities Commission (SFPUC), treated surface water from the Santa Clara Valley Water District (Valley Water), and local groundwater. There are also some Sunnyvale customers who receive water from the California Water Service Company (Cal Water). The City purchases water from SFPUC to serve the northern part of the City, and treated surface water from Valley Water for the southern portion of the City, where the Proposed Master Plan is located. Valley Water’s surface water is mainly imported from the South Bay Aqueduct, Dyer Reservoir, Lake Del Valle, and San Luis Reservoir, which all draw water from the Sacramento - San Joaquin Delta (Delta) watershed. Valley Water’s local water sources include Anderson and Calero Reservoirs. The City owns, operates, and maintains six wells that supplement imported water during peak demand.

Page 3.17-5 – Revise the first paragraph under “3.17.1.2, Wastewater,” to read as follows:

The City of Sunnyvale owns and operates the Donald M. Sommers Water Pollution Control Plant (WPCP) located at 1444 Borregas Avenue in Sunnyvale. The WPCP treats wastewater from residential, commercial, and industrial sources in Sunnyvale, the Rancho Rinconada portion of Cupertino, and a portion of Moffett Federal Airfield. Treated wastewater is discharged to the

southern San Francisco Bay via the Guadalupe Slough. Five major trunk networks terminate at the WPCP, referred to as the Lawrence, Borregas, Lockheed, Moffett, and Cannery trunks. The Plant is a three-step (tertiary) treatment facility that removes pollutants from wastewater to make it clean enough to safely discharge into San Francisco Bay or recycle for non-potable uses. The Plant produces and delivers about 0.8 million gallons of recycled water per day for more than 100 customers, or 300 million gallons of recycled water per year. The Plant also produces over 2,500 dry tons of biosolids, which are used as fertilizer, and biogas, which is utilized as operational energy.

Page 3.14-14 – Revise the paragraph under “City of Sunnyvale Climate Action Plan” to read as follows:

The Sunnyvale Climate Action Plan (CAP), adopted in 2014, contains the following measures and action items for reducing water consumption: Measure WC-2 Reduce indoor and outdoor potable water use in residences, businesses, and industry. Action WC-2.1 Require new development to reduce potable indoor water consumption by 30% (Tier 1 CalGreen) and outdoor landscaping water use by 40%. Action WC-2.3 Require new open space and street trees to be drought-tolerant. Action WC-2.4 Implement the City’s Urban Water Management Plan to facilitate a 20% reduction in per capita water use by 2020. In addition, under Action Item WC-2.2, development standards would be revised to ensure the use of graywater, recycled water, and rainwater catchment systems is allowed in all zoning districts. The CAP also includes action items that would help promote the use of recycled water by improving the quality of recycled water (WC-1.1), promote the use of “purple pipe” infrastructure in new construction or major renovation projects (WC-1.2 and WC-1.3), and create flexible provisions that would encourage residents and businesses to collect rainwater for irrigation purposes (WC-1.4). The City of Sunnyvale adopted the Sunnyvale Climate Action Playbook in 2017, which builds upon the 2014 CAP. The playbook sets a vision for the City of Sunnyvale to reduce carbon emissions by 2050.

Page 3.17-17 – Revise the first paragraph under “Impact USS-1” to read as follows:

The Plan Area receives water supplies from the City of Sunnyvale ~~Public Works Department~~, and the City of Santa Clara Water Utility, which both provide water pumped from municipal water wells and treated surface water from Valley Water. Implementation of the Proposed Master Plan would slightly increase student capacity, but enrollment is projected to stay the same and decline over time. The Proposed Master Plan would not trigger increased population or density within or surrounding the Plan Area. As a result, demand for water would remain the same as existing conditions. Due to current drought conditions, there is not enough supply to meet current demand. However, the Proposed Master Plan would not exacerbate water supply issues.

Additionally, the Proposed Master Plan would be subject to State and local regulations to reduce water consumption. The Proposed Master Plan would not require or result in the construction of new water treatment facilities or expansion of existing facilities. Impacts would be less than significant.

Page 3.17-22 – Revise the second paragraph under “3.17.6, Cumulative Impacts,” to read as follows:

As noted above, wastewater is collected through a sewer system that is serviced by the City of Sunnyvale and the City of Santa Clara. Wastewater collected in the City of Sunnyvale is conveyed to Donald M. Sommers Water Pollution Control Plant (WPCP) located at 1444 Borregas Avenue in Sunnyvale. Wastewater collected in the City of Santa Clara is conveyed to San Jose/Santa Clara Regional Wastewater Facility (RWF) in San Jose. Both provide tertiary treatment that is either recycled or discharged into the San Francisco Bay. Both treatment plants have a combined capacity of 196.5 million gallons of wastewater per day (MGD), while they only process approximately 111 MGD. With respect to future growth in the WPCP and RWF service areas and associated increases in wastewater treatment demands, it is anticipated that there will be insufficient treatment capacity for increases in wastewater generation beyond the 2035 population growth assumptions included in the WPCP (population of 174,600). Recently approved EIRs for projects that would generate population growth within the City of Sunnyvale concluded that impacts to wastewater infrastructure would be significant and unavoidable. However, the Proposed Master Plan would not induce population growth. As a result, the Proposed Master Plan would not exacerbate those conditions or contribute to cumulative impacts. To meet the City’s growing needs, continued implementation of system improvements that follow the guidance of the City of Sunnyvale 2020 Sewer System Management Plan and the City of Santa Clara Sewer System Management Plan would ensure sufficient conveyance and treatment capacity to meet cumulative needs. Funding for such increases is available through a combination of connection fees paid by developers, service districts, and general fund monies. Despite the need for future improvements, the Proposed Master Plan would not increase ~~Compliance with these requirements would reduce~~ cumulative impacts to wastewater treatment and collection systems ~~to a less than significant level~~ and the Proposed Master Plan’s contribution to wastewater service impacts would not be cumulatively considerable.

### 3.0 RESPONSES TO COMMENTS

---

This section includes comments received during the circulation of the DEIR prepared for the Proposed Peterson Middle School and the New Laurelwood Elementary School Master Plan (hereafter referred to as “Proposed Master Plan”). The comment letters were submitted to the Santa Clara Unified School District (“School District”, or “SCUSD”) by public agencies and private citizens. Responses to written comments received have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Draft EIR (DEIR) addresses pertinent environmental issues. Any changes made to the text of the DEIR correcting information, data, or intent, other than minor typographical corrections or minor working changes, are noted in **Chapter 2.0, Corrections and Additions**.

On June 27, 2022, the Santa Clara Unified School District (School District) released a Notice of Preparation (NOP) for the Peterson Laurelwood Master Plan. Pursuant to California Public Resources Code Sections 21083.9, 2182.2, and the California Code of Regulations, Title 14 (*State CEQA Guidelines*) Sections 15082 and 15083, the NOP included a 30-day comment period from June 27, 2022, to July 28, 2022, to solicit comments regarding the appropriate scope and content of the Environmental Impact Report (EIR). While there are no legal requirements to respond to the public comments received during the scoping period, SCUSD would like to address these comments to maintain transparency and a collaborative relationship with all stakeholders.

The DEIR was submitted to the State Clearinghouse Office of Planning and Research and circulated for a 45-day public review, beginning on November 23, 2022, and ending on January 9, 2023.

The School District received seven comment letters during the DEIR public review period and six comments during the Notice of Preparation review period. A list of commenters on the DEIR is shown in the **Table 3.0-1, List of Commenters on the DEIR**.

As discussed further in Master Response 1 below, CEQA only requires lead agencies to respond to comments that relate to significant environmental issues, including the adequacy of the analysis in the DEIR (*State CEQA Guidelines* Sections 15088 and 15024). As such, SCUSD has not responded herein to comments that do not raise significant environmental issues and/or pertain to the adequacy of the DEIR.

The original bracketed comment letters are provided followed by a numbered response to each bracketed comment. Individual comments within each letter are numbered and the response is given a matching number. For the letters that pertain to the DEIR, each separate DEIR comment, if more than one, has been assigned a number. The responses to each DEIR comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1-1, for example, indicates that the response is for



the first issue raised in comment Letter No. 1). For the letters that pertain only partially to the DEIR, only the comments on the DEIR are bracketed and numbered. The letters that pertain only to the Proposed Master Plan and include no DEIR comments are included herein and provided to decision makers for their consideration, but as noted above, no response to these comments is included.

**Table 3.0-1**  
**List of Commenters on the DEIR**

<b>Letter Number</b>	<b>Organization</b>	<b>Commenter Name</b>	<b>Comment Date</b>	<b>Response Page Number</b>
1	City of Sunnyvale	Amber Blizinski	January 5, 2023	3.0-9
2	Individual	Alina Mamrot	December 1, 2022	3.0-15
3	Individual	Enhao Gong	January 9, 2023	3.0-19
4	Individual	Gurinder Dhillon	November 30, 2022	3.0-21
5	Individual	Henry L.	January 9, 2023	3.0-23
6	Individual	Jiaton Chen	January 9, 2023	3.0-25
7	Individual	Susan Sandstrom	January 9, 2023	3.0-29
8	Native American Heritage Commission	Cody Campagne	July 1, 2022	3.0-35
9	Muwekma Ohlone Indian Tribe of the SF Bay Area	Charlene Nijmeh	July 11, 2022	3.0-37
10	Individual	Darlene Ebeling	July 25, 2022	3.0-265
11	Individual	Susan Sandstrom	July 27, 2022	3.0-267
12	Individual	Roger Riffenburgh	July 28, 2022	3.0-272
13	Individual	Sal Valente	December 2, 2022	3.0-274

## 2.1 MASTER RESPONSES TO COMMENTS

Several comments raise common issues relating to general concerns and non-CEQA issues. Therefore, rather than responding to each comment on these topics individually, the following Master Response has been prepared to provide single comprehensive responses to address comments that were brought up in multiple instances.

### Master Response-1: General Comments and Non-CEQA Issues

Lead agencies need only respond to comments related to significant environmental issues associated with a project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR (*State CEQA Guidelines* Section 15204). Responses are not provided for comments that do not relate to significant environmental issues, including the adequacy of

the analysis in the EIR; other issues raised by comments are generally addressed outside the CEQA process (*State CEQA Guidelines* Sections 15088 and 15204).

Opinions regarding the significance of environmental impacts already addressed in the EIR without additional substantial evidence in support of the opinions(s) do not require a response. Comments regarding topics not addressed by CEQA (e.g., socio-economic issues that do not result in physical environmental impacts) are not addressed as part of the CEQA process.

The EIR is not intended or required to provide justification for the Proposed Master Plan nor is it a vehicle for making changes to the Proposed Master Plan absent the proposed change reducing one or more identified significant adverse environmental impact. Rather, the EIR is an informational document that is intended to provide public agencies and the public with detailed information about the effect that the Proposed Master Plan is likely to have on the environment. Comments regarding suggested changes to the Proposed Master Plan are not addressed in detail as part of the CEQA process unless such changes could result in reducing or avoiding a significant adverse environmental impact.

Expressions of opposition to or support for the Proposed Master Plan are made a part of the administrative record and forwarded to the decision-makers for their consideration in taking action on the Proposed Master Plan, but they require no further response.

## **2.2 RESPONSES TO COMMENTS RECEIVED ON THE DRAFT PEIR**

The original bracketed comment letters and numbered responses are provided on the following pages. Individual comments within each letter are numbered and the response is given a matching number.



Sunnyvale

January 5, 2023

City Hall  
456 West Olive Avenue  
Sunnyvale, CA 94088-3707  
TDD/TYY 408-730-7501  
sunnyvale.ca.gov

Michal Healy - Facility Development and Planning Director  
Santa Clara Unified School District, Facility Development and Planning  
1889 Lawrence Road  
Santa Clara, CA 95051  
Sent via e-mail: PetersonLaurelwoodPlan@scusd.net

Re: Comments on the Draft Environmental Impact Report for the Peterson Laurelwood Master Plan

Dear Ms. Healy:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the proposed Peterson Laurelwood Master Plan (PLMP). This letter includes comprehensive comments from the City of Sunnyvale on the project DEIR.

**Comments on 3.16 Transportation**

1. The Santa Clara Unified School District (SCUSD) shall continue to coordinate with the City of Sunnyvale on the site plan design, safe routes to school roadway improvements implementation by the school district, as well as identification of future crossing guard locations.
2. In the DEIR, the existing land use and the proposed land use are discussed in different chapters, and there are inconsistencies between them. Include a table that summarizes the existing enrollment, existing capacity, and planned maximum capacity for each of the locations.
  - a. Chapter 2.1.2 Existing Conditions, Page 2.0-4: The existing Laurelwood Elementary School serves K-5 and enrolls 623 students. Peterson Middle School serves grades 6 through 8 and enrolls approximately 871 students.
  - b. Chapter 2.4 Project Summary, Page 2.0-9: The Proposed Master Plan anticipates a maximum study capacity of 3,375 students as follows:
    - i. Peterson Middle School: 1,221 study capacity
    - ii. Environmental Center and Farm: 250 student capacity
    - iii. New Alternative High School: 300 student capacity
    - iv. New Laurelwood Elementary School: 850 student capacity
    - v. Existing Laurelwood Elementary School: 754 student capacity



Sunnyvale

Note that the capacity of 3,375 students at full build out also includes the capacity of existing Laurelwood School (754 student capacity based on Elementary Capacity).

- c. Chapter 3.11.1.1 Project Location, Page 3.11-5: The other site is the current location of Laurelwood Elementary School, in the City of Santa Clara. The campus is fronted by Teal Drive to the west and Kensington Drive to the south. The school enrolls grades TK-5 and has an enrollment of 522 students.
- d. Chapter 3.16.5 Environmental Impacts, Impact TRA-2 Conflict or be inconsistent with CEQA Guidelines section 15064.3(b), Page 3.16-8:
  - i. Under existing conditions, Peterson Middle School has a maximum capacity of 1,221 students, Laurelwood Elementary has a maximum capacity of 754 students, and the existing District Farm Center accommodates up to 250 students. In addition, the Patrick Henry Intermediate School was located onsite, and was closed in the 1980s, but these buildings and grounds were leased to or occupied simultaneously by various tenants including: Appleseed Montessori (650 students); Silicon Valley Academy (300 students); New Concept Chinese School (60 students); Mount Bell (25 students); and SCUSD District Resource Center (60 adults). Sunnyvale Alliance Soccer also rented the fields and the Patrick Henry site. These uses were recently vacated in preparation for the proposed Master Plan project. Thus, the maximum student capacity of the baseline uses in and around the site was approximately 3,319 students.
  - ii. Under the Proposed Master Plan, the maximum student capacity of the planned uses would be as follows: Peterson Middle school (1,221 students); Laurelwood Elementary (850 students); District Farm and Environmental Education Center (250 students); and Alternative High School (300 students). Thus, the maximum student capacity of the proposed new facilities in and around the site would be approximately 2,621 students, or approximately 745 fewer students than the baseline uses. As a result, the total number of vehicular trips entering and departing the project vicinity on a daily basis would decline as a result of the proposed changes.

Note: This excludes the capacity of the existing Laurelwood Elementary School since the future use of the existing Laurelwood site has not been determined at this time. For the purposes of this process, the existing Laurelwood site will be used for District administrative uses including storage.



Sunnyvale

- e. Appendix 3.16-1 Focused VMT Analysis, Page 2: With the relocation of Laurelwood Elementary School, its enrollment capacity would not change and remain 800 students.
- f. Appendix 3.16-1 Focused VMT Analysis, Page 3 Table 1, Trip Generation Estimates is based on 800 students.

1-3

- 3. Chapter 3.15.3.1 Environmental Setting, Figure 3.15-4: Missing Basis Independent Silicon Valley Lower School, located at 1500 Partridge Ave, Sunnyvale, CA 94087.

1-4

- 4. Chapter 3.16.1 Environmental Setting, Page 3.16-2: Environmental is misspelled as Enironmental.

1-5

### **Comments on 3.17 Utilities and Service Systems**

- 5. Page 3.17-1 First paragraph: Correction. There are two water purveyors in Sunnyvale: Calwater and City of Sunnyvale. The conveyance system is maintained by the Environmental Services Department, not Public Works.

1-6

- 6. Page 3.17-5 Remainder of the sentence from page before: The WPCP treats a portion of the Moffett Federal Airfield.

1-7

- 7. Page 3.17-14: The most recent adoption of the Climate Action Plan is the Climate Action Playbook, approved in 2017.

1-8

- 8. Page 3.17-17 Water Supply: The Plan Area receives water supplies from the City of Sunnyvale ~~Public Works Department~~ ..."

1-9

### **9. Wastewater Comments**

- a. Identify the breakout of how much sewage is sent to the Sunnyvale WPCP vs. RWF. The Sunnyvale WPCP is undergoing a series of improvements which cover the buildout of Sunnyvale's Land Use and Transportation Element (LUTE), adopted in 2017. This proposed school master plan was not included in the LUTE. As a result, the EIRs of recent area plans that have been considered subsequent to the LUTE adoption have language in their EIR's which speak to WPCP capacity concerns. This project should be consistent with the subsequent EIRs and come to the same conclusion, unless the breakout of gallons of sewage (not percentage of sewage) being sent to the WPCP vs. RWF does not increase from the existing condition.

1-10

Language from the Moffett Park Specific Plan DEIR reads: "The ADWF processing capacity of the WPCP would be reduced from the current 29.5 mgd to 19.5 mgd by end of 2022. The projected wastewater flows for the



Sunnyvale

WPCP in 2035, per flow data and population and growth assumptions in the 2015 WPCP Master Plan, which is based on the 2017 LUTE update buildout, is 19.5 mgd of ADWF. The increase in wastewater generated by the project would surpass the wastewater flows projected in the 2015 WPCP Master Plan and 2017 LUTE EIR by 2.6 mgd.” Please further review the conclusions, and detailed analysis, in the Moffett Park Specific Plan DEIR on Pages 339-340 in this document:

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/4013/638068052644470000>. Additionally, the adopted EIR for the El Camino Real Specific Plan comes to similar conclusions on pages 3.16-1 through 3.16-33 in this document:

[https://m.box.com/shared\\_item/https%3A%2F%2Fm-group.app.box.com%2Fs%2Fvtx15cw4a2rbyju2ohw9d0a1t2yu8l9m/view/928827186563](https://m.box.com/shared_item/https%3A%2F%2Fm-group.app.box.com%2Fs%2Fvtx15cw4a2rbyju2ohw9d0a1t2yu8l9m/view/928827186563)

To summarize, there is insufficient treatment capacity at the WPCP for population and growth beyond the assumptions in the 2015 WPCP Master Plan and 2017 LUTE update. The WPCP would not have treatment capacity for projects requiring General Plan amendments resulting in substantial increases in wastewater generation compared to the assumptions for those sites in the 2015 WPCP Master Plan and 2017 LUTE update. The City’s recent General Plan Amendment projects with measurable increases in wastewater generation allowed for land uses and densities that would result in a total net increase of approximately 1.13 mgd (or approximately six percent) above the WPCP’s planned capacity and resulted in impacts that were **significant and unavoidable**.

- b. Page 3.17-18 Revise Level of Significance Before Mitigation and Mitigation Measures to reflect comments above.
- c. Page 3.17-20 Impact USS-3: See above language. The Plant will not be operating at a capacity of 29.5mgd. Revise this section accordingly with comments above, including Level of Significance Before Mitigation and Mitigation Measures.
- d. Page 3.17-22 Revise Cumulative section to reflect all comments above.

1-10



Sunnyvale

The City of Sunnyvale appreciates your consideration of the DEIR comments described above. Please contact me at [ablizinski@sunnyvale.ca.gov](mailto:ablizinski@sunnyvale.ca.gov) if you have any questions or concerns about the items presented in this letter.

1-11

Sincerely,

*Amber Blizinski*

Amber Blizinski  
Principal Planner, Community Development Department

cc: Trudi Ryan, Director, Community Development Department  
Chip Taylor, Director, Department of Public Works  
Ramana Chinnakotla, Director, Environmental Services Department  
Jennifer Ng, Assistant Director, Department of Public Works  
Shaunn Mendrin, Planning Officer, Community Development Department  
Dennis Ng, Transportation/Traffic Manager, Department of Public Works  
Lillian Tsang, Principal Transportation Engineer/Planner, Department of Public Works

**Response 1-1**

The comment is an introduction to the City of Sunnyvale’s detailed comments, which are addressed below. No further response is required.

**Response 1-2**

The commenter states that the City of Sunnyvale will continue to coordinate with the Santa Clara Unified School District on the site plan design, safe routes to school roadway improvements implementation by the school district, and the identification of future crossing guard locations. SCUSD appreciates this coordination and will continue to engage with the City in this regard and no further comment is required.

**Response 1-3**

The commenter requests reconciliation of existing enrollment, existing capacity, and planned maximum capacity for each of the proposed school facilities throughout the DEIR. See **Chapter 2.0, Revisions and Additions**, for the revisions made to rectify inconsistencies. The commenter requests a summary table. A summary of existing and planning capacity and enrollment is provided below (see **Table 3.0-2, Existing and Planned Capacity**).

**Table 3.0-2**  
**Existing and Planned Capacity**

	Existing Capacity	Existing Enrollment (2020-21)	Future Capacity
Existing Peterson Middle School	1,221	871	1,221
Existing Environmental Center and Farm	250	-	250
Existing Laurelwood Elementary School	754	623	754*
Existing Patrick Henry Campus	1,095	-	-
New Alternative High School	-	-	300
New Laurelwood Elementary School	-	-	850
<b>Total</b>	<b>3,320</b>	<b>1,494</b>	<b>3,375</b>

*\* At build out, the Proposed Master Plan facilities would serve 2,621 students. The 754 seats available at the existing Laurelwood campus would remain available to the District but would require a supplemental CEQA review prior to occupancy.*

The Proposed Master Plan does not currently include programming for the existing Laurelwood Elementary School. The future use of the Laurelwood site has not been determined at this time and will be subject to a supplemental CEQA process and document, including stakeholder engagement, when the



proposed use is determined. As a result, the building may be used for District administrative uses including storage. Without utilization of the existing Laurelwood Elementary School (capacity of 754), the future total capacity of the facilities included in the Proposed Master Plan will be reduced to 2,621.

**Response 1-4**

The commenter states that Figure 3.15-4 is missing the Basis Independent Silicon Valley Lower School, located at 1500 Partridge Ave, Sunnyvale, CA 94087. Figure 3.15-4 has been updated to include Basis Independent Silicon Valley Lower School.

**Response 1-5**

The commenter states that a typo was made on page 3.16-2. See **Chapter 2.0, Revisions and Additions**, for this revision made to Section 3.16, Transportation (p 3.16-2).

**Response 1-6**

The commenter makes a correction to Section 3.17.1. There are two water purveyors in Sunnyvale: Calwater and City of Sunnyvale. The conveyance system is maintained by the Environmental Services Department, not Public Works. See **Chapter 2.0, Revisions and Additions**, for this revision made to Section 3.17, Utilities and Service Systems (p 3.17-1).

**Response 1-7**

The commenter makes a correction to Section 3.17.1. See **Chapter 2.0, Revisions and Additions**, for this revision made to Section 3.17, Utilities and Service Systems (p 3.17-5).

**Response 1-8**

The commenter makes a correction to Section 3.17.1. See **Chapter 2.0, Revisions and Additions**, for this revision made to Section 3.17, Utilities and Service Systems (p 3.17-14).

**Response 1-9**

The commenter makes a correction to Section 3.17.1. See **Chapter 2.0, Revisions and Additions**, for this revision made to Section 3.17, Utilities and Service Systems (p 3.17-17).

**Response 1-10**

The commenter states that the wastewater impacts, and detailed analysis should be reevaluated, as there is there is insufficient treatment capacity at the WPCP for population and growth beyond the assumptions in the 2015 WPCP Master Plan and 2017 LUTE update. The commenter refers to the Moffett Park Specific Plan DEIR as an example and recommends that this project be consistent with recent EIRs. The commenter

also requests a breakdown of how much sewage is sent to the Donald M. Sommers Water Pollution Control Plant (WPCP), and the San Jose/Santa Clara Regional Wastewater Facility (RWF).

The Moffett Park Specific Plan would add 20,000 new households to the City of Sunnyvale. Of the 20,000 residential unit, approximately 2,800 units would be within the SCUSD boundaries. However, the Draft EIR for the Moffet Park Specific Plan (December 2022) indicates that impacts to schools would be less than significant. As a result, it is not an appropriate comparison to the Proposed Master Plan. The Proposed Master Plan would not induce population growth within or surrounding the Plan Area. The Plan would serve existing student enrollment, which is projected to decrease over time. While the City's recent General Plan Amendment would result in increases in wastewater generation above the WPCP's capacity, the Proposed Master Plan would not exacerbate those conditions. Further, according to the WPCP, the 2015 Service Population was 147,000, buildout for the Water Pollution Control Plan Master Plan (2035) would be able to provide service for 174,600, and the City of Sunnyvale's current population is 152,258. As a result, the Proposed Master Plan would have a less than significant impact on wastewater conveyance capacity.

See **Chapter 2.0, Revisions and Additions**, for this revision made to "Cumulative Impacts" under Section 3.17, Utilities and Service Systems (p 3.17-22).

#### **Response 1-11**

The commenter provides their contact information and states their appreciation for consideration. SCUSD appreciates this coordination and will continue to engage with the City in this regard and no further comment is required.

**From:** [Peterson Laurelwood Plan](#)  
**To:** [alina mamrot](#)  
**Cc:** [mhealy@scusd.net](mailto:mhealy@scusd.net)  
**Subject:** Re: Peterson Laurelwood Plan  
**Date:** Monday, December 5, 2022 11:37:37 AM

---

Alina,

Thank you for your email. I responded to each of your questions and comments below.

Michal Healy  
Santa Clara Unified School District  
Facility Development and Planning Department  
[Peterson Laurelwood Master Plan Website](#)  
[PetersonLaurelwoodPlan@scusd.net](mailto:PetersonLaurelwoodPlan@scusd.net)

On Thu, Dec 1, 2022 at 12:43 PM alina mamrot <[alina56m@yahoo.com](mailto:alina56m@yahoo.com)> wrote:

Hello,

This email is regarding recent mailed correspondence about changes to our neighborhood proposed by SCSD Peterson Laurelwood 2022 Master Plan.

1.

The note stated that the deadline for submitting comments is 1/9/2022.

I would like to submit comments about the Plan, but the time frame is not sufficient to study your plan in details and form an opinion on the subject. As you know this is very busy time of the year with holiday seasons and related activities such as travels, family gatherings etc. I would appreciate the extension of the time for the submission of comments to allow the members of the community to respond to proposed plan possibly until 1/30/2023.

Please consider your Plan a major factor effecting changes in neighborhood and as such it has to be reviewed throughout and in details.

[Comment Recieved.](#)

2.

The information provided in the plan is not sufficient for the extend of the proposed changes. The development is planned in 5 phases but there is no information about the changes in each of those phases. I understand that this time frame is only in regard to the first phase and the four that will follow are not under discussion at this time. Do you plan to prepare EIR Drafts for the next Phases as well?

[The completed master plan with all five phases are included in the analysis of the Peterson Laurelwood Master Plan CEQA Draft EIR, even though only the first phase is funded. The](#)

2-1

2-2

only portion of a future project that may require another CEQA study is the final decision of what programs will be housed at the existing Laurelwood Elementary School Site. Here is a link to the June 23, 2022 Board Presentation that shows all phases and what is included in the phases.

Final Peterson Laurelwood Master Plan Phases.

3.

I would appreciate more detailed information regarding proposed changes on the First Phase. For example: I need more details regarding the exact location of the proposed “Peterson Multipurpose Field”, description of its purpose, access and parking, lights and sound system if included in project, it’s future use regulations.

2-3

The Peterson Multipurpose Field is not included in Phase 1, as it is not funded at this time. It will be located in the northwest corner of the Patrick Henry property and will be used by the school for soccer and other field sports. Access will be from the new Peterson parking lot along the eastern property line, where the existing tennis courts are located. The field may have lights and a sound system and would be used for school sporting events.

4.

I would like to have the same information regarding proposed new “Outdoor Amphitheater” as the plan does not provide details about its size, purpose, sound&light system etc. This will be outdoor activity venue located next to current residential area. It will be extremely important to prevent future disturbances of the resident’s life by finding right location and sufficient protection.

2-4

The outdoor amphitheater's purpose is to provide an outdoor learning area for the students during the school day and a few evenings during the school year. The size and other details have not yet been determined, since this is not in Phase 1 and is unfunded.

5.

I would like to clarify if the Patrick Henry school will also find place in the proposed changes to the Peterson campus. What will be its location and size? What will be the time frame scheduled for the construction of the school? The current plan seems to be very ambiguous about it.

2-5

The Patrick Henry School is the new Laurelwood Elementary, which will be constructed on the existing footprint of the Patrick Henry Campus. Construction will begin in 2024 and the school is anticipated to open in August of 2026.

Finally, I need to point out that I understand the need for the proposed changes. I am also aware the this will be a huge change for the residents of this community. I hope that there will be a productive conversation to develop a perfect plan that will be satisfying both sides.

2-6

Over the past year, there have been numerous presentations and community meetings discussions during the development of the plan. Please reference the [Peterson Laurelwood Website](#) for copies of all presentations for more information.

Regards,

Alina Mamrot  
Sunnyvale, CA

[alina56m@yahoo.com](mailto:alina56m@yahoo.com)

**Letter 2**                      **Alina Mamrot**  
**December 1, 2021**

**Response 2-1**

The commenter states that the public review period provided is insufficient to provide comments on the DEIR and requests the review period be extended to January 30, 2023. SCUSD has met all CEQA requirements with respect to public noticing of the availability of the Notice of Preparation of the DEIR and circulation of the DEIR. The DEIR public review period was 45 days, as required by CEQA. The DEIR was made available on SCUSD's website, and several community meetings were held to gather public input prior to the release of the DEIR.

**Response 2-2**

The commenter states that there is insufficient information regarding the phases of the Proposed Master Plan. The commenter asks if subsequent EIRs will be prepared for later phases.

The DEIR evaluates all five phases of the Proposed Master Plan. Phase I is the only phase that has been funded. Details regarding future phases will be available as funding is procured. All future phases and development, as described in the Project Description, will be within the parameters of the analysis included in the DEIR. As described in Section 2.0, Project Description, the SCUSD Peterson Laurelwood Master Plan EIR is a Program EIR which allows the general analysis of broad environmental effects of the program with the acknowledgement that subsequent, project specific, environmental review may be required for particular aspects or portions of the program at the time of project implementation. Future Phases will be subject to additional project-level environmental review pursuant to CEQA as additional details become available and project approvals are sought. No further response is required.

**Response 2-3**

The commenter requests additional details regarding Phase I of the Proposed Master Plan, and the exact location and operation of the Peterson Multipurpose Field.

Phase I includes the Peterson track and field, the demolition of the existing Patrick Henry buildings, and building the new Laurelwood Elementary school. The Peterson Multipurpose Field is not included in Phase I, as it is not funded at this time. The Peterson Multipurpose Field is part of Phase II and is proposed in the northwest corner of the Patrick Henry property and will be used by the school for soccer and other field sports. Access will be from the new Peterson parking lot along the eastern property line, where the existing tennis courts are located.

As described in **Section 3.1, Aesthetics**, the Proposed Master Plan may include lighting for the athletic fields. Any nighttime lighting would be limited to 10:30pm Sunday through Thursday, and 11:00pm on

Fridays and Saturdays. These lights would increase nighttime lighting in the area, but they would be subject to the California Building Code that requires any lighting to be shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property. This would reduce any potential impacts to adjacent properties to a less than significant level.

Further, as described in **Section 3.13, Noise**, existing sources of noise consists of roadway noise, HVAC equipment, delivery and trash hauling trucks, and typical noise associated with school environments. The current school noise operations include the athletic fields. The Proposed Master Plan does not propose an increase in the number or size of the athletic facilities within the existing campus. As analyzed on page 3.13-21, on-site operational noise would be less than significant. Finally, the installation of any sound increasing systems also would be subject to the California Building Code pertaining to noise.

No further response is required.

#### **Response 2-4**

The commenter requests information regarding the size, purpose, sound, and lighting information for the Outdoor Amphitheater. The commenter expresses concern about the placement of the amphitheater adjacent to residential areas.

The outdoor amphitheater's purpose is to provide an outdoor learning area for the students during the school day and a few evenings during the school year. The amphitheater is not included in Phase I, and therefore, the size and other details have not yet been determined. As described in Section 2.0, Project Description, the SCUSD Peterson Laurelwood Master Plan EIR is a Program EIR which allows the general analysis of broad environmental effects of the program with the acknowledgement that subsequent, project specific, environmental review may be required for particular aspects or portions of the program at the time of project implementation. Future Phases will be subject to additional project-level environmental review pursuant to CEQA as additional details become available and project approvals are sought. No further response is required.

#### **Response 2-5**

The commenter requests clarification on the future use of the Patrick Henry School. The Patrick Henry School is the location of the new Laurelwood Elementary, which will be constructed on the existing footprint of the Patrick Henry Campus. Construction will begin in 2024 and the school is anticipated to open in August of 2026. No further response is required.

**Response 2-6**

The commenter acknowledges the need for the Proposed Master Plan and expresses hope for future conversations to produce a plan. Over the past year, SCUSD hosted several presentations and community meetings during the development of the Proposed Master Plan. Copies of those presentations and recordings of meetings are available on SCUSD's website (<https://www.santaclarausd.org/Page/3677>). No further response is required.



Timestamp	First Name	Last Name	Please comment below		
1/9/2023 14:26:22	enhao	Gong	The location of the project is really bad since it add additional flow to the already very crowded and unsafe if added more traffic for both children and local residents.		3-1

**Letter 3            Enhao Gong**  
**January 9, 2023**

**Response 3-1**

The commenter states that the project will add additional traffic flow, which will exacerbate already crowded and unsafe traffic conditions.

As analyzed in Section 3.16, Transportation, of the Draft EIR implementation of the Proposed Master Plan will result in a maximum student capacity that would be approximately 699 fewer students than the current baseline within the Plan Area. As a result, the total number of vehicular trips entering and departing the project vicinity on a daily basis would decline as a result of the proposed changes. All of the Proposed Master Plan uses would be local serving, supportive of residential uses, and a daily activity. The Proposed Master Plan would not exacerbate existing traffic conditions. Furthermore, the Proposed Master Plan would add pedestrian pathways, increasing safety for children and residents walking in the surrounding area.

**From:** [Peterson Laurelwood Plan](#)  
**To:** [John Anderson](#); [Margaret Lin](#)  
**Subject:** Fwd: SCUSD Peterson Patrick Henry CEQA Comments Lighted field and alternative high school  
**Date:** Monday, December 5, 2022 10:52:05 AM

---

Santa Clara Unified School District  
Facility Development and Planning Department  
[Peterson Laurelwood Master Plan Website](#)  
[PetersonLaurelwoodPlan@scusd.net](mailto:PetersonLaurelwoodPlan@scusd.net)

----- Forwarded message -----

From: **Gurinder Dhillon** <[gurinder.dhillon@gmail.com](mailto:gurinder.dhillon@gmail.com)>  
Date: Wed, Nov 30, 2022 at 2:41 PM  
Subject: Lighted field and alternative high school  
To: <[PetersonLaurelwoodPlan@scusd.net](mailto:PetersonLaurelwoodPlan@scusd.net)>  
Cc: <[boardmembers@scusd.net](mailto:boardmembers@scusd.net)>

Hi

I just found out that draft EIR for the Peterson Laurelwood Master Plan includes plan for lighted playing fields with games/activities lasting until 10:30/11:00 pm at night and also to construct an alternative high school right behind my house.

This doesn't make any sense. This must be disclosed earlier and clearly to public.

I strongly oppose including these in the plan.

--

Gurinder Dhillon  
408-431-9673

**Letter 4**                    **Gurinder Dhillon**  
**January 9, 2023**

**Response 4-1**

The commenter expresses concern regarding the athletic facilities operation, the construction of an alternative high school, and the proximity to the residential areas. The commenter states that the Proposed Master Plan should have been disclosed earlier and requests the removal of the Peterson Multipurpose Fields and Alternative High School from the Plan.

As described in Section 3.1, Aesthetics, the Proposed Master Plan may include lighting for the athletic fields. Any nighttime lighting would be limited to 10:30pm Sunday through Thursday, and 11:00pm on Fridays and Saturdays. These lights would increase nighttime lighting in the area, but they would be subject to the California Building Code that requires any lighting to be shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property. This would reduce any potential impacts to adjacent properties to a less than significant level.

As described in Section 3.13, Noise, existing sources of noise consists of roadway noise, HVAC equipment, delivery and trash hauling trucks, and typical noise associated with school environments. The current school noise operations include the athletic fields. The Proposed Master Plan does not propose an increase in the number or size of the athletic facilities within the existing campus. As analyzed on page 3.13-21, on-site operational noise would be less than significant. Finally, the installation of any sound increasing systems also would be subject to the California Building Code pertaining to noise.

The recommendation to remove the Peterson Multipurpose Fields and Alternative High School from the Proposed Master Plan expresses an opinion related to the Proposed Master Plan and does not relate to the adequacy of the analysis included in the DEIR. Please see Master Response No. 1 – General Comments and Non-CEQA Issues. The commenter’s statements will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Master Plan.

**From:** [Peterson Laurelwood Plan](#)  
**To:** [John Anderson](#); [Margaret Lin](#)  
**Subject:** Fwd: Opinion about Laurelwood School Plan  
**Date:** Monday, January 9, 2023 7:03:27 PM

---

FYI  
Santa Clara Unified School District  
Facility Development and Planning Department  
[Peterson Laurelwood Master Plan Website](#)  
[PetersonLaurelwoodPlan@scusd.net](mailto:PetersonLaurelwoodPlan@scusd.net)

----- Forwarded message -----

From: **Henry L** <[hhl1687@gmail.com](mailto:hhl1687@gmail.com)>  
Date: Mon, Jan 9, 2023 at 2:30 PM  
Subject: Opinion about Laurelwood School Plan  
To: [petersonlaurelwoodplan@scusd.net](mailto:petersonlaurelwoodplan@scusd.net) <[petersonlaurelwoodplan@scusd.net](mailto:petersonlaurelwoodplan@scusd.net)>

Hello:

Happy new year and I hope this email finds you well.

I am a resident on the east side of zip code 94087 and I am writing to voice my concern about the Laurelwood School Plan.

1) Is there any detail on Phase 5 of the plan? There is a large amount of empty space south of the row of SFHs on Castleton Way. Please share more details on Phase 5, its planning, etc.

2) In the handout mailed to us, it was mentioned that people are considering incorporating a new high school into this master plan. I hope this is not part of the final plan. Peterson Middle and Laurelwood Elementary will crowd the space allocated. Adding another high school here (even if a downsized one) will increase the noise, traffic and safety burden for the adjacent neighborhoods.

Thank you very much.

Henry

5-1

5-2

5-3

**Letter 5**            **Henry L.**  
                         **January 9, 2023**

**Response 5-1**

The commenter states their residency and expresses concern over the Proposed Master Plan. The comment is noted, and no further response is required.

**Response 5-2**

The commenter requests additional details on Phase 5 of the Proposed Master Plan.

Phase 5 may include the construction of a 300-student Alternative High School on the Patrick Henry site. At this time, no additional details are available. No further response is required.

**Response 5-3**

The commenter expresses concern that the Proposed Master Plan would add another high school, which would increase noise, traffic, and safety burdens for the adjacent neighborhoods.

Phase 5 proposes to construct an Alternative High School on the Patrick Henry Campus. The Alternative High School would have a capacity of 300 students. The DEIR evaluates a maximum total capacity of 3,375 students, including the new Alternative High School. The 745 seats available at the existing Laurelwood Elementary School campus would remain available to the District but would require a supplemental CEQA review prior to occupancy. At build out, the Proposed Master Plan facilities would serve 2,261 students. This is less than the existing capacity, and enrollment is expected to decline in the future. As analyzed in **Section 3.13, Noise** and **Section 3.16, Transportation**, impacts of the Proposed Master Plan would have a less than significant impact on noise and traffic conditions. As stated on page 3.16-8, the maximum student capacity of the planned uses would be approximately 699 fewer students than the baseline uses. As a result, the total number of vehicular trips entering and departing the project vicinity on a daily basis would decline as a result of the proposed changes. As stated on page 3.13-21, the Proposed Master Plan does not introduce new noise sources to the Plan Area. Furthermore, under the Proposed Master Plan the maximum student capacity in and around the site would be approximately 2,621 students, or approximately 699 fewer students than the baseline uses. As discussed in Section 2.0, Project Description on page 2.0-9 through 2.0-11, the Proposed Master Plan will construct pedestrian infrastructure to better connect the Plan Area to the surrounding area and include amenities to improve the pedestrian experience. These pedestrian pathways will be designed to City and State engineering design standards to meet sight distance requirements, including visibility of pedestrians and bicyclists. As a result, pedestrian safety will increase on the surrounding streets.

**From:** [Peterson Laurelwood Plan](#)  
**To:** [John Anderson](#); [Margaret Lin](#)  
**Subject:** Fwd: a birdland neighbor comment on the Laurelwood Master Plan Area  
**Date:** Monday, January 9, 2023 2:48:42 PM

---

Another Comment.

Santa Clara Unified School District  
Facility Development and Planning Department  
[Peterson Laurelwood Master Plan Website](#)  
[PetersonLaurelwoodPlan@scusd.net](mailto:PetersonLaurelwoodPlan@scusd.net)

----- Forwarded message -----

From: **alchencjt**  
Date: Mon, Jan 9, 2023 at 1:48 AM  
Subject: a birdland neighbor comment on the Laurelwood Master Plan Area  
To: [petersonlaurelwoodplan@scusd.net](mailto:petersonlaurelwoodplan@scusd.net) <[petersonlaurelwoodplan@scusd.net](mailto:petersonlaurelwoodplan@scusd.net)>

Dear Santa Clara Unified School District members,

I am a neighbor living on Spoonbill Way. The master plan looks good in general. I am happy to see a lot of facilities improvement on Peterson middle school in the future.

One thing I am strongly **against** is **Phase 5**. I don't think building another alternative high school is a good idea since we have already got three schools (basis, peterson middle, laurelwood) in this area. Adding a third school will definitely deteriorate the Birdland local traffic. It's not safe for the kids to walk around. On the other hand, the existing soccer fields will not be large enough to build a high school. And we don't want to lose the green area in our neighborhood. The existing soccer fields is one of the beauties of Birdland neighbors. People enjoy walking there.

Thank you for working on this project and making our schools and neighborhood better!

Best,  
Jiatong Chen  
Neighbor from        Spoonbill Way

6-1

6-2

6-3

**Letter 6**            **Jiatong Chen**  
                         **January 9, 2023**

**Response 6-1**

The commenter states their residency and expresses general approval of the Proposed Master Plan. The comment is noted, and no further response is required.

**Response 6-2**

The commenter expresses strong opposition to Phase 5 of the Proposed Master Plan. The commenter states that there are already three schools, the Alternative High School would deteriorate the Birdland neighborhood traffic, and decrease safety. The commenter also states that the existing soccer fields are not large enough and building a high school would cause a loss of green space.

As stated in Response 5-3, the DEIR evaluates a maximum total capacity of 3,375 students, including the new Alternative High School. The 745 seats available at the existing Laurelwood Elementary School campus would remain available to the District but would require a supplemental CEQA review prior to occupancy. At build out, the Proposed Master Plan facilities would serve 2,261 students. This is less than the existing capacity, and enrollment is expected to decline in the future. As analyzed in Section 3.13, Noise, and Section 3.16, Transportation, impacts of the Proposed Master Plan would have a less than significant impact on noise and traffic conditions. As a result, the total number of vehicular trips entering and departing the project vicinity on a daily basis would decline as a result of the proposed changes. As stated on page 3.13-21, the Proposed Master Plan does not introduce new noise sources to the Plan Area. Furthermore, under the Proposed Master Plan the maximum student capacity in and around the site would be approximately 2,621 students, or approximately 699 fewer students than the baseline uses. As discussed in Section 2.0, Project Description, on page 2.0-9 through 2.0-11, the Proposed Master Plan will construct pedestrian infrastructure to better connect the Plan Area to the surrounding area and include amenities to improve the pedestrian experience. These pedestrian pathways will be designed to City and State engineering design standards to meet sight distance requirements, including visibility of pedestrians and bicyclists. As a result, pedestrian safety will increase on the surrounding streets.



**From:** [Peterson Laurelwood Plan](#)  
**To:** [John Anderson](#); [Margaret Lin](#)  
**Subject:** Fwd: Peterson Laurelwood Master Plan: Draft EIR Comments and Concerns About CEQA Compliance  
**Date:** Wednesday, January 11, 2023 5:03:29 PM

FYI  
 Santa Clara Unified School District  
 Facility Development and Planning Department  
[Peterson Laurelwood Master Plan Website](#)  
[PetersonLaurelwoodPlan@scusd.net](mailto:PetersonLaurelwoodPlan@scusd.net)

----- Forwarded message -----

**From:** Susan Sandstrom  
**Date:** Mon, Jan 9, 2023 at 5:28 PM  
**Subject:** Peterson Laurelwood Master Plan: Draft EIR Comments and Concerns About CEQA Compliance  
**To:** [petersonlaurelwoodplan@scusd.net](mailto:petersonlaurelwoodplan@scusd.net) <[petersonlaurelwoodplan@scusd.net](mailto:petersonlaurelwoodplan@scusd.net)>  
**Cc:** [boardmembers@scusd.net](mailto:boardmembers@scusd.net) <[boardmembers@scusd.net](mailto:boardmembers@scusd.net)>

To Whom It May Concern:

I am submitting my comments on the Draft Environmental Impact Report (DEIR) for the Peterson Laurelwood Master Plan and voicing concerns about compliance with the CEQA process. I am a homeowner who lives next to the proposed development and a parent of a current Laurelwood Elementary School student. I am copying the SCUSD Board of Trustees on my comments because of broken trust in the process and because it seems as if the district is operating in bad faith regarding its future plans. As a member of the SCUSD community, I am disappointed in how the district is conducting itself, with lack of transparency and misleading actions.

**(A) Here are my concerns about how the CEQA process is being conducted:**

**(1) Omission of public comments in the DEIR:** During a community outreach meeting regarding the CEQA process, we, the public, were told that written comments submitted during the Notice of Preparation (NOP) phase and that related to environmental impacts of the plan would need to be considered and evaluated during the preparation of the DEIR. However, my comments and my neighbors' comments during the NOP commenting phase back in July were ignored and excluded from the DEIR. If the district were adhering to the CEQA process and were following the law, this would not have happened. I suspect that my comments and others' comments were intentionally censored from the DEIR. I have attached the email thread regarding the district's response to my missing NOP comments below this message. Please see Item (D) below. Wouldn't the district want to be a good neighbor and work with the public to devise the best plan possible for school constituents and the community?

**(2) Inadequate review and commenting timeframe:** The DEIR commenting phase is ill-timed, with the public being notified the day before Thanksgiving of the DEIR and being provided with an incorrect deadline ("December 9, 2023") for comments. Even though the actual, corrected deadline of January 9, 2023, complies with the minimum 30-day CEQA guidelines, the timeframe from November 23 through January 9 spans the busy holiday season and winter break. This does not give people enough time to review the report and provide their comments. **Can the DEIR commenting period be extended until the end of January to allow people sufficient time to review and comment on the DEIR?** Extending the commenting deadline would be fairer and more equitable.

**(3) Insufficient details for proper environmental analysis:** During the community outreach meetings, the district did not disclose any information about adding playing field lights or a sound system to the proposed Peterson Multipurpose Field (planned for Phase 2) or about constructing a 300-student alternative high school (planned for Phase 5). Neither the Master Plan nor the DEIR provides enough details about those proposed changes for one to do a proper environmental analysis.

For example, the DEIR mentions that, in Phase 2, the plan "may include lighting for the athletic facilities for nighttime use, such as the fields, tennis courts, and swimming pool," and that "nighttime lighting would be limited to 10:30pm Sunday through Thursday, and 11:00pm on Friday and Saturday." Please see page 3.1-17, PDF page 72 of the DEIR: [https://files.ceqanet.opr.ca.gov/279706-2/attachment/sbqPabkCSynjbRpit6\\_pY1hnyfekWeR79AhheJuZx6hbs0EJMFf5ILrTXA2jP1u9dNsUebqGkFjWFHWx0](https://files.ceqanet.opr.ca.gov/279706-2/attachment/sbqPabkCSynjbRpit6_pY1hnyfekWeR79AhheJuZx6hbs0EJMFf5ILrTXA2jP1u9dNsUebqGkFjWFHWx0). However, the plan does not mention what type of lighting will be installed at the athletic fields, how tall the light poles will be, how many lights will be installed, and where the lights will be located on the site. Neither the Master Plan nor the DEIR mentions a sound or PA system being installed at the new athletic fields; however, a district employee responded by email to my neighbor's inquiries about the Master Plan stating that the "field may have lights and a sound system." If a sound system is being planned for the athletic fields, how many loudspeakers will there be, and where will they be positioned? All of those details were omitted from the current plan but would be important details to know to determine environmental impacts and mitigation.

In Phase 5 of the Master Plan, the DEIR ([https://files.ceqanet.opr.ca.gov/279706-2/attachment/sbqPabkCSynjbRpit6\\_pY1hnyfekWeR79AhheJuZx6hbs0EJMFf5ILrTXA2jP1u9dNsUebqGkFjWFHWx0](https://files.ceqanet.opr.ca.gov/279706-2/attachment/sbqPabkCSynjbRpit6_pY1hnyfekWeR79AhheJuZx6hbs0EJMFf5ILrTXA2jP1u9dNsUebqGkFjWFHWx0)) mentions on page 2.0-8 (PDF page 43) that an alternative high school for 300 students will be constructed on the Patrick Henry site near the homes on Castleton Way and Teal Drive. Neither the Master Plan nor the DEIR contains any details about how many buildings will be constructed for the high school, how many stories those buildings will be, or where the buildings and parking lots will be situated on the land.

How can we do a proper environmental review of all phases of this project, and determine potential adverse impacts on our community and possible mitigation/prevention measures, when we do not have enough information about the later, unfunded phases at this time? Is it

compliant with the CEQA process to have one EIR for multiple phases of a development project when the later phases are currently vague and poorly defined? As such, the current EIR seems to be a Trojan horse and does not give us neighbors a fair chance to raise concerns and get them addressed so that the negative environmental impacts on us can be properly identified, prevented, and/or mitigated. How can the district approve the EIR when it is incomplete and lacking the necessary details to conduct a proper environmental review? Is the district expecting to push through its plans without proper review or public comment and do whatever it wants during Phases 2-5, regardless of the impact on neighbors and the community? **To ensure a fair, thorough, and transparent CEQA process, can the district conduct separate CEQA processes and EIRs for each phase of the Peterson Laurelwood Master Plan as details about the later phases emerge? If the district knows the details of what it plans to implement during later phases, why is the district withholding that information from us, the public?**

7-4

**(B) Here are my remaining comments on the DEIR:**

The DEIR states that nighttime lighting for the new playing fields next to my home should have "less than significant impact" ("no mitigation required") on my neighborhood. Please see "Impact AES-4" on pages 3.1-17 to 3.1-19 (PDF pages 72-74) of this link: [https://files.ceqanet.opr.ca.gov/279706-2/attachment/sbqPabkCSynjbRpit6\\_pY1hnyfekWeR79AhheJuZx6hbs0EJMFf5ILrTXA2JP1u9dNsUebqGkFjWFHWx0](https://files.ceqanet.opr.ca.gov/279706-2/attachment/sbqPabkCSynjbRpit6_pY1hnyfekWeR79AhheJuZx6hbs0EJMFf5ILrTXA2JP1u9dNsUebqGkFjWFHWx0). It's hard to believe that nighttime playing field lights, even if they are shielded, will not have an adverse effect on those of us who live right next to the playing fields. From what I have seen, playing field lights are extremely tall, towering structures, much taller and brighter than any of the existing street lights in my residential neighborhood. For an example, please see the attached photo below of the playing field lights at Fair Oaks Park in Sunnyvale. Is the district planning to install those types of playing field lights around the Peterson Track and Multipurpose Fields? Those types of lights towering next to my home and my neighbors' homes will adversely affect our daytime scenic views and will create a significant amount of nighttime light pollution, much more than what currently exists. **Nighttime games up to 10:30 p.m. or 11:00 p.m. every night will generate considerable noise, light pollution, and traffic in our quiet residential neighborhood surrounding the school and will negatively affect our quality of life.** Please do not try to profit financially — by installing playing field lights in order to rent out the playing fields, such as to adult leagues, for evening and late-night games and functions — at the expense of our, the neighbors', quality of life. **Please rethink your plans to add nighttime playing field lights, which are NOT compatible with the existing nature of our quiet residential neighborhood and are NOT necessary for an elementary or middle school campus (this is not a high school campus).**

7-5

**(C) Here are my comments submitted during the NOP phase back in July 2022, which were omitted from the DEIR:**

I have several concerns (enumerated below) about the planned Peterson Multipurpose Field, which is part of Phase 2 of the Master Plan. This field is planned for the area near the townhomes on Castleton Terrace.

(1) Adding lights to the Peterson Multipurpose Field (or any playing field on the Peterson/Laurelwood campus) will be very disruptive to the neighbors living next to those lighted playing fields. The bright lights and noise from nighttime games will be intrusive and disrupt the peace and quiet that those neighbors are accustomed to at night. Noise reverberates up Sage Hen Way from the field, and neighbors living as far away as Bryant Way have heard noise from daytime soccer games. If there are nighttime baseball or other games, the noise from those games will disrupt much of the surrounding neighborhood, not just the immediate neighbors, but immediate neighbors will suffer the worst effects of the lighted playing fields. People do not want to hear noisy nighttime games when they are in their homes resting, relaxing, or trying to sleep at night. Light pollution from the lighted fields will negatively affect the neighbors' health and quality of life, and the presence of ballfield lights will reduce their property values. Light pollution from lighted fields might also negatively impact and harm birds and other wildlife in the area and might disrupt the nature center, particularly the many ducks that fly in to the nature center at dusk. Please, please no lighted fields! They are incompatible with the existing residential neighborhood setting. The neighbors do NOT want playing fields that are lighted.

7-6

(2) Please consider using natural grass rather than synthetic turf on the multipurpose field—and on all playing fields—for health and environmental reasons. The existing natural fields are habitat to native bird species, including:

- Killdeer (*Charadrius vociferus*), which nest and feed on the fields
- Western Bluebirds (*Sialia mexicana*), which feed on insects above the fields and nest in tree cavities along the perimeter of the fields
- Black Phoebe (*Sayornis nigricans*), which feed on insects above the fields
- Cliff Swallows (*Petrochelidon pyrrhonota*), which feed on insects above the fields upon their arrival from South America in the late spring

7-7

Removing the natural grass and replacing it with synthetic turf will ruin the birds' habitat and destroy biodiversity. Also, synthetic turf traps heat and heats up to dangerously hot levels: <https://www.safehealthyplayingfields.org/heat-levels-synthetic-turf/>. This is not healthy for kids playing on it and is not good for the environment. There is also concern about kids' exposure to toxic chemicals found in recycled tire crumb rubber used in synthetic turf on playing fields: <https://www.ewg.org/news-insights/news/new-studies-show-pfas-artificial-grass-blades-and-backing> and <https://www.epa.gov/chemical-research/july-2019-report-tire-crumb-rubber-characterization-0>. Keep the fields natural. Consider irrigating with recycled water. Maybe you could work with the City of Sunnyvale to develop an innovative way for them to deliver recycled water to irrigate the playing fields, hence keeping the playing fields natural and safe for kids while limiting water consumption and cutting water costs.

(3) Where will the spectators for the Peterson Multipurpose Field park? The multipurpose field is far from any of the planned parking lots. Not having adjacent parking nearby the field might lead to people parking in the nearby private parking lot of the

7-8

townhome complex and in front of people's homes on Sage Hen and Castleton Way. Maybe you could put a parking lot in the empty space between the multipurpose field and the planned "Field with Running Path" and have a road leading out to Teal Drive? That parking lot could serve the multipurpose field and the new track & field.

(4) Where will spectators for the multipurpose field sit? Will you be adding bleachers next to the multipurpose field? Consider the impact of bleachers and their placement on the neighboring homes' privacy and on neighborhood noise levels.

(5) Fly balls and home runs from the multipurpose field's proposed baseball diamonds have the potential to damage property (parked cars, windows) close to the baseball diamonds. Please situate the backstop of the baseball diamond that is closest to the nearby townhomes on Castleton Terrace so that it points away from those homes, not toward those homes.

**(D) Here is the district's response to my missing NOP comments:**

On Monday, December 5, 2022 at 09:39:56 AM PST, Peterson Laurelwood Plan <[petersonlaurelwoodplan@scusd.net](mailto:petersonlaurelwoodplan@scusd.net)> wrote:

The omission of your comments and other neighbors comments in the Draft EIR was an accidental oversight and they will be included in the Final EIR. The comments were received and noted.

Santa Clara Unified School District  
Facility Development and Planning Department  
[Peterson Laurelwood Master Plan Website](#)  
[PetersonLaurelwoodPlan@scusd.net](mailto:PetersonLaurelwoodPlan@scusd.net)

On Mon, Nov 28, 2022 at 3:24 PM <[srstrom@yahoo.com](mailto:srstrom@yahoo.com)> wrote:

My neighbors and I submitted written comments electronically during the Notice of Preparation (NOP) comment period. I submitted my comments by the 7/28/22 deadline via the Google form that was posted on the project website. Why aren't my comments or any other public comments included in the draft EIR? I searched the draft EIR and the appendices and could not find my comments anywhere. The only item provided in Appendix 1.0-2, Comments Letters, is a letter from the California Department of Transportation. Why were my comments and other comments submitted by the public omitted from the draft EIR?

On Nov 28, 2022, at 1:57 PM, Peterson Laurelwood Plan <[petersonlaurelwoodplan@scusd.net](mailto:petersonlaurelwoodplan@scusd.net)> wrote:

Dear Peterson and Laurelwood Community Members,

There is a typo in the email below and it should read the comment period ends January 9, 2023.

Santa Clara Unified School District  
Facility Development and Planning Department  
[Peterson Laurelwood Master Plan Website](#)  
[PetersonLaurelwoodPlan@scusd.net](mailto:PetersonLaurelwoodPlan@scusd.net)

On Wed, Nov 23, 2022 at 10:35 AM Peterson Laurelwood Plan <[petersonlaurelwoodplan@scusd.net](mailto:petersonlaurelwoodplan@scusd.net)> wrote:

The Peterson Laurelwood Master Plan California Environmental Quality Act Draft Environmental Impact Report (CEQA DEIR) is available for Public Comment from November 23, 2022 through December 9, 2023.

The documents are available on the Project Website and at this link: <https://ceqanet.opr.ca.gov/Project/2022060599>

Please submit any comments to this email address.

Santa Clara Unified School District  
Facility Development and Planning Department  
[Peterson Laurelwood Master Plan Website](#)  
[PetersonLaurelwoodPlan@scusd.net](mailto:PetersonLaurelwoodPlan@scusd.net)

7-8

7-9

7-10

7-11

**Letter 7            Susan Sandstrom**  
**January 9, 2023**

**Response 7-1**

The commenter states that their comments during the NOP commenting period were excluded from the DEIR and suggests that SCUSD did not adhere to the CEQA process.

SCUSD received the commenter's NOP comment letter on July 27, 2022. In that letter the commenter expresses concerns over light, noise, biological resources, and hazardous materials as a result of the implementation of the Peterson Multipurpose Fields. The commenter also stated concerns over the design of the Peterson Multipurpose Fields. The comment letter was received, and a detailed response is provided below. The DEIR addressed all CEQA-related concerns and determined there would be a less than significant impact related to light and glare, biological resources, and hazardous materials. The commenter's design concerns are a non-CEQA issue, and therefore the DEIR is not required to evaluate those issues. Please see Master Response No. 1 – General Comments and Non-CEQA Issues for additional detail.

**Response 7-2**

The commenter requests that the public review period provided is insufficient to provide comments on the DEIR, and requests the review period to be extended to January 30, 2023. SCUSD has met all CEQA requirements with respect to public noticing of the availability of the Notice of Preparation of the DEIR and circulation of the DEIR. The DEIR public review period was 45 days, as required by CEQA. The DEIR was made available on SCUSD's website, and several community meetings were held to gather public input prior to the release of the DEIR.

**Response 7-3**

The commenter expresses concern that there is a lack of information on the lighting proposed for the Peterson Multipurpose Fields. At this time, no details on the lighting for the Multipurpose Field are available, as it is not funded at this time. The DEIR evaluates the potential for all types of field lighting to impact the surrounding neighborhood. As described in Section 3.1, Aesthetics, any field lighting would increase nighttime lighting in the area, but they would be subject to the California Building Code that requires any lighting to be shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property. This would reduce any potential impacts to adjacent properties to a less than significant level.

**Response 7-4**

The commenter requests additional details on Phase 5 of the Proposed Master Plan. The commenter also expresses concern over the lack of details on Phase 2 through Phase 5, and that the DEIR does provide enough details in order to properly evaluate the environmental impacts of all Phases.

Phase 5 may include the construction of a 300-student Alternative High School on the Patrick Henry site. At this time, no additional details are available. As described in Section 2.0, Project Description, the SCUSD Peterson Laurelwood Master Plan EIR is a Program EIR which allows the general analysis of broad environmental effects of the program with the acknowledgement that subsequent, project specific, environmental review may be required for particular aspects or portions of the program at the time of project implementation. Future Phases will be subject to additional project-level environmental review pursuant to CEQA as additional details become available and project approvals are sought.

**Response 7-5**

The commenter expresses concerns over the type of lighting proposed for the Peterson Multipurpose Field. As discussed in Response 7-3, the type of lighting for the Peterson Multipurpose Field has not been defined at this time. As described in the DEIR, all lighting would be subject to the California Building Code.

The commenter also requests that SCUSD not rent out the fields to adult leagues. Please see Master Response No. 1 – General Comments and Non-CEQA Issues. The recommendation to not rent out the fields expresses an opinion related to the Proposed Master Plan and does not relate to the adequacy of the analysis included in the DEIR. The commenter's statements will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Master Plan.

**Response 7-6 through 7-10**

The commenter reiterates their concerns expressed in their July 27<sup>th</sup> response to the NOP. These comments are addressed below in comment Letter 8 Responses 11-1 through 11-5.

**Response 7-11**

The commenter attaches the email exchange with SCUSD requesting their NOP comments be addressed. The exchange is noted, and a response is provided below. No further comment is necessary.

STATE OF CALIFORNIA

Gavin Newsom, Governor

## NATIVE AMERICAN HERITAGE COMMISSION

July 1, 2022

Michal Healy  
 Santa Clara Unified School District  
 1889 Lawrence Road  
 Santa Clara, CA 95051

**Re: 2022060599, Santa Clara Unified School District Peterson Laurelwood Master Plan Project, Santa Clara County**

Dear Michal Healy:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**



CHAIRPERSON  
**Laura Miranda**  
 Luiseño

VICE CHAIRPERSON  
**Reginald Pagaling**  
 Chumash

PARLIAMENTARIAN  
**Russell Atebery**  
 Karuk

SECRETARY  
**Sara Dutschke**  
 Miwok

COMMISSIONER  
**William Mungary**  
 Paiute/White Mountain  
 Apache

COMMISSIONER  
**Isaac Bojorquez**  
 Ohlone-Costanoan

COMMISSIONER  
**Buffy McQuillen**  
 Yokayo Pomo, Yuki,  
 Nomlaki

COMMISSIONER  
**Wayne Nelson**  
 Luiseño

COMMISSIONER  
**Stanley Rodriguez**  
 Kumeyaay

EXECUTIVE SECRETARY  
**Raymond C. Hitchcock**  
 Miwok/Nisenan

**NAHC HEADQUARTERS**  
 1550 Harbor Boulevard  
 Suite 100  
 West Sacramento,  
 California 95691  
 (916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)



AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

**7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

**8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

**9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

**10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**

- a. Avoidance and preservation of the resources in place, including, but not limited to:
  - i. Planning and construction to avoid the resources and protect the cultural and natural context.
  - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
  - i. Protecting the cultural character and integrity of the resource.
  - ii. Protecting the traditional use of the resource.
  - iii. Protecting the confidentiality of the resource.
- c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

**11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).



SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at:

[https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal: **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
- a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e), (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

**8-1**

If you have any questions or need additional information, please contact me at my email address:  
[Cody.Campagne@nahc.ca.gov](mailto:Cody.Campagne@nahc.ca.gov).

Sincerely,

*Cody Campagne*

Cody Campagne  
Cultural Resources Analyst

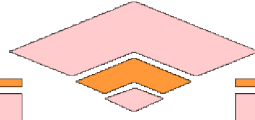
cc: State Clearinghouse

**Letter 8            Native American Heritage Commission**  
**July 1, 2022**

**Response 8-1**

The commenter recommends consultation with California Native American tribes that are traditionally and cultural affiliated with the Proposed Master Plan Area and provides a summary of AB 52 and SB 18, as well as NAHC's recommendations for conducting cultural resources assessments.

On June 2, 2022, the SCUSD sent SB 18 and AB 52 notice letters to the eleven Native American groups as identified in the Native American Heritage Commission Tribal Consultation List for Santa Clara County received from the Native American Heritage Commission, dated March 27, 2022. One response was received from the Muwekma Ohlone Indian Tribe of the San Francisco Bay Area (Muwekma Tribe). The letter states that the Tribe has ancestral ties and cultural affiliation to SCUSD's jurisdictional area and a vested interest in the AB 52 and Section 106 consultation process with District.



# MUWEKMA OHLONE INDIAN TRIBE

## OF THE SAN FRANCISCO BAY AREA REGION

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

July 11, 2022

TRIBAL CHAIRPERSON  
CHARLENE NIJMEH

TRIBAL VICE CHAIRPERSON  
MONICA V. ARELLANO

TRIBAL SECRETARY  
GLORIA E. ARELLANO-GOMEZ

TRIBAL COUNCIL  
JOANN BROSE  
RICHARD MASSIATT  
FRANK RUANO  
SHEILA SCHMIDT  
CAROL SULLIVAN

TRIBAL ETHNO-HISTORIAN  
ALAN LEVENTHAL

ACTING TRIBAL HISTORIC  
PRESERVATION OFFICER  
DR. MICHAEL WILCOX

TO: Mr. James Sarmiento  
Albion Environmental  
1414 Soquel Avenue, Suite 205  
Santa Cruz, California 95062  
Email: jsarmiento@albionenvironmental.com

Ms. Angeline Ruiz  
Santa Clara Unified School District  
1889 Lawrence Road,  
Santa Clara, California 95051  
Email: angruiz@scusd.net

FR: Charlene Nijmeh, Muwekma Tribal Charwoman  
Monica V. Arellano, Muwekma Vice Chairwoman, MLD

RE: Response to AB 52 Tribal Consultation for the Santa Clara Unified School Proposed Master Plan EIR, Santa Clara, California

HorSe Tuuxi Mr. Sarmiento and Ms. Ruiz,

Thank you for contacting our tribal administration with regards to the proposed Peterson Laurelwood Master Plan and the existing Laurelwood Elementary School Campus Project (Proposed Master Plan) located in the Cities of Sunnyvale and Santa Clara, Santa Clara County, California.

We have reviewed our site sensitivity maps and as far as we can tell there are no specifically known or recorded ancestral heritage sites within the subject parcel(s) that are situated in proximity to Calabazas Creek, which in all likelihood in the past periodically flooded and created important inland marsh resources. Furthermore, given the fact of previous construction within these two parcels, does not mean there are no extant subsurface occupational and/or mortuary-related ancestral remains within these two areas. We do know, however, that there are major and significant ancestral cemetery sites that have been recorded within the nearby region, such as the ***Kalawwasa Rummeytak (Calabazas [Squash] Creek Site, CA-SCL-134)*** located adjacent to, and to the north of Calabazas Creek, approximately 2 miles to the northeast of the larger subject parcel; and ***CA-SCL-612***, located approximately 2 miles due east of the smaller subject parcel at the intersection of Homestead Road and Scott Blvd, east of Saratoga Creek. Also, we know that Dr. Bert Gerow in the early 1970s recovered burials on Kiefer Road, at an unrecorded site located approximately 1.6 miles north of the larger property. Given these factors, can you please share with us the results of your archival literature search conducted at the Northwest Information Center, Sonoma State University, in order for us to update our site sensitivity maps?

As you may already know that this project area falls within the aboriginal territory of *Thámien* Ohlone-speaking tribal groups of the greater Santa Clara Valley whose villages were missionized into Missions Santa Clara and San Jose, and therefore, have historic and biological ties to the Muwekma Tribe's history and genealogical heritage. The enrolled Muwekma members are directly descended from this region (specifically to the *Thámien* Ohlone-speaking *Alson* [Santa Agueda] Ohlone Tribe), and our genealogy was independently verified by the Bureau of Indian Affairs' Office of Federal Acknowledgement in 2002 as part of our petitioning efforts to regain the Tribe's previous federally acknowledge status. Furthermore, as the only documented previously Federally Recognized Ohlone tribe of the S.F. Bay Area, we, along with our over 600+ BIA documented tribal members claim this region as part of our ancestral and historic homeland.

Based upon our review of what you have sent to our Tribe, as mentioned above, there is a possibility of potential impacts to unreported and previously disturbed and undisturbed subsurface ancestral heritage features within the project parcels. As in the case of many areas within the greater Santa Clara County region, when 19<sup>th</sup> and 20<sup>th</sup> century construction projects occurred, almost never were our ancestral remains reported upon by the newspapers or formally recorded by municipalities, agencies and their representatives, and at times, by archaeologists, therefore, our knowledge-base has been obfuscated by these very same agencies, archaeologists and entities of dominant society.

### **Muwekma Tribe's Formal Determination of Previous Unambiguous Federal Recognition**

The enrolled Muwekma members are directly descended from the aboriginal tribal groups whom were missionized into Missions Santa Clara, Dolores (SF), and San Jose, and our tribal member's genealogy and descendancy was independently verified by the Bureau of Indian Affairs' Office of Federal Acknowledgement in 2002 as part of our petitioning efforts to regain our Tribe's previous federally acknowledged status. Furthermore, as the only documented previously Federally Recognized Ohlone/Costanoan tribe, we, along with our over 600+ BIA documented tribal members, we claim the greater Santa Clara Valley region as part of our ancestral and historic homeland. Although, through various marginalizing mechanisms enacted by the dominant society, our ancestors found safe havens on our rancherias established in the East Bay, where it was one of the few areas, our people were able to live unmolested especially after the newly arrived intolerant American colonists.

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 submitting several hundred 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 lawsuit against the Interior Department/BIA – naming Secretary Bruce Babbitt and previous AS-IA Kevin Gover over the fact the Muwekma as a previously Federally recognized tribe it should not have to wait 24 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.)

Based upon the above, supported by the attached ethnohistoric and **legal** background information about our tribe's historic status that we are submitting, we make the following cultural resources management recommendations in dealing with any potential adverse effects on any and all ancestral heritage sites, features, and/or artifacts located within our aboriginal territory, and in this specific case:

1. Due to the proposed future construction as stated in the proposed Peterson Laurelwood Master Plan and the existing Laurelwood Elementary School Campus Project within these identified parcels, and given their proximity to the Calabazas Creek and flood plain, as well as to previously recorded sites in the area, we are recommending that all subsurface excavations be monitored by a Muwekma Ohlone tribal monitor in conjunction with the contracted environmental/CRM (Albion) firm's field personnel and/or other consulting archaeologists.
2. Should any significant subsurface pre-contact ancestral Muwekma Ohlone features and/or burials be encountered, then all work shall be halted within 50 feet of the find until the feature be fully evaluated and determined to be significant under extant laws and statutes.
3. Should any ancestral human remains be discovered during the course of construction, then the Muwekma Ohlone Tribe should be contracted and involved along with the contracted environmental/CRM (Albion) firm's archaeologists in the exposure, removal, documentation, analysis, final report writing, and reburial of our ancestral remains.


In conclusion, the Muwekma Ohlone Tribal leadership expects a comprehensive monitoring program be implemented that will offset any adverse impacts to any of the Tribe's ancestral heritage cemeteries and village sites.


Furthermore, should evidence of our ancestral heritage indeed be identified during the testing and/or monitoring phases within those identified project locations, then our Tribal leadership desires to also submit an updated tribal ethnohistory to the final archaeological report that addresses the Muwekma Ohlone history and heritage, and our ties to the greater *Thámien* Ohlone-speaking tribal regions (now referred to as San Francisco Bay Costanoan Language region; Milliken et al 2009), as well as to the neighboring tribal groups that were brought under the sphere of influence of Missions, Santa Clara, San Jose, San Francisco, Pueblo de San Jose; and addressing the ensuing adverse impacts that occurred to our ancestral people through the colonial eras of Spanish and American conquests and destruction, as well as, about the Tribe's continued existence today.

I am attaching a copy of one of the Tribe's ethnohistorical reports on the recovery of our ancestors from 3<sup>rd</sup> *Mission Santa Clara de Thámien* (CA-SCL-30/H) along with other legal and historic documentation.

Should you have any questions, please feel free to contact me at [marellano@muwekma.org](mailto:marellano@muwekma.org), or Chairwoman Charlene Nijmeh at [cnijmeh@muwekma.org](mailto:cnijmeh@muwekma.org) (408-464-2892), or Alan Leventhal at [aleventh@muwekma.org](mailto:aleventh@muwekma.org) (408-761-4526).

On behalf of the Muwekma Ohlone Tribe of the San Francisco Bay Area,

Charlene Nijmeh, Chairwoman, Muwekma Ohlone Tribe, 

Monica V. Arellano, Vice-Chairwoman and Most Likely Descendant (MLD),  
Muwekma Ohlone Tribe 

Alan Leventhal, Muwekma Tribal Archaeologist and Ethnohistorian, 

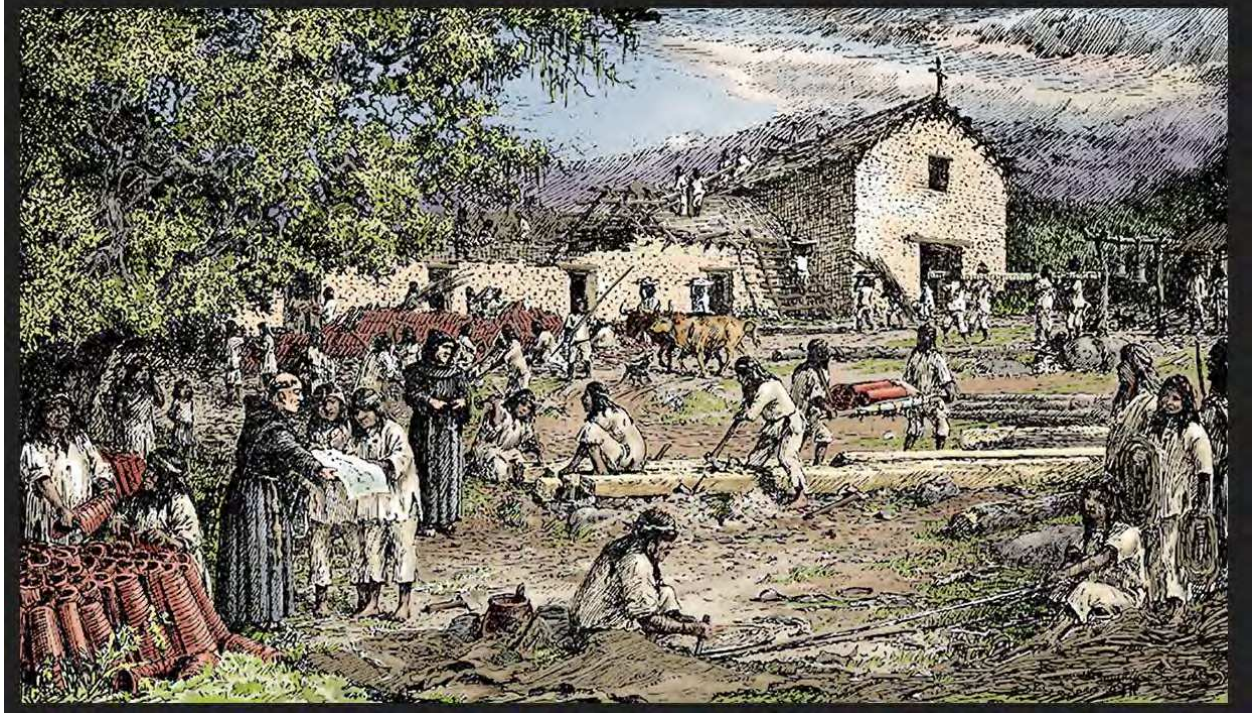
Cc: Muwekma Ohlone Tribal Council  
Native American Heritage Commission

CRM Files: AB 52 Tribal Consultation for the Santa Clara Unified School Proposed Master Plan EIR, Santa Clara, California Peterson Laurelwood Master Plan and the existing Laurelwood Elementary School Campus Project



## Volume III

**An Ethnohistory of Santa Clara Valley and Adjacent Regions; Historic Ties of the  
Muwekma Ohlone Tribe of the San Francisco Bay Area and Tribal Stewardship  
Over the Human Remains Recovered on the Prometheus Project located at 575 Benton  
Street and Affiliated with the 3<sup>rd</sup> Mission Santa Clara de Thámien  
Indian Neophyte Cemetery and Indian Rancheria:  
*Clareño Muwékma Ya Túnneshste Nómmo*  
[Where the Clareño Indians are Buried] Site CA-SCL-30/H**



**Report Prepared for:**

**Prometheus Construction  
and  
PaleoWest**

**Prepared by:**

**Monica V. Arellano, Alan Leventhal, Sheila Guzman-Schmidt, Gloria E. Arellano Gomez,  
and Charlene Nijmeh  
Muwekma Ohlone Tribe of the San Francisco Bay Area**

**2021**

**Table of Contents**

<b>Chapter</b>	<b>Page No.</b>
<b>Table of Contents .....</b>	<b>i</b>
<b>List of Figures.....</b>	<b>ii</b>
<b>List of Maps .....</b>	<b>vi</b>
<b>Acknowledgements .....</b>	<b>vii</b>
<b>Dedication of Report.....</b>	<b>vii</b>
<b>An Ethnohistory of Santa Clara Valley and Adjacent Regions; Historic Ties of the Muwekma Ohlone Tribe of the San Francisco Bay Area and Tribal Stewardship Over the Human Remains Recovered on the Prometheus Project located at 575 Benton Street and affiliated with the 3<sup>rd</sup> Mission Santa Clara de Thámien Indian Neophyte Cemetery and Indian Rancheria: <i>Clareño Muwékma Ya Túnnešte Nómmo</i> [Where the Clareño Indians are Buried] Site CA-SCL-30/H.....</b>	<b>1</b>
<b>References Cited.....</b>	<b>R-1</b>



List of Figures

Figure No.	Page No.
Figure TOC-1: Muwekma Elder Albert Benjamin Galvan.....	viii
Figure TOC-2: Albert, Jenny Galvan and Dottie Lameira..... at CA-SCL-732 <i>Kaphan Húunikma</i> (The Three Wolves Site	x
Figure TOC-3: Albert and Family) .....	xiii
Figure TOC-4: Albert's Parents Listed as Ohlone Members 1965.....	xiv
Figure TOC-5: Ohlone Dancer/Warrior Mission Dolores (1816) .....	xv
Figure TOC-6: Ohlone Dancers at Mission San Jose in 1806.....	xvii
Figure 1: Indians at Mission Dolores in 1816 (Drawn by Louis Choris) .....	21
Figure 2: Pedro Evencio .....	39
Figure 3: John C. Fremont.....	53
Figure 4: Governor Peter Hardeman Burnett (1849-1851) .....	53
Figure 5: Eighteen Unratified Treaties of California .....	55
Figure 6 Portraits of Carl Duerr and Louis Nusbaumer .....	67
Figure 7: Muwekma Indians at the Niles and Pleasanton Rancherias .....	70
Figure 8: 1900 Indian Population Census, Niles, Washington Township Alameda County .....	72
Figure 9: Special Indian Agent Charles E. Kelsey.....	73
Figure 10: Toney Guzman (1934).....	78
Figure 11: Graves Joseph Aleas, Fred Guzman, Toney Guzman, Henry Nichols.....	80
Figure 12: World War I Veteran Headstone for Franklin Guzman .....	81
Figure 13: WW I Veteran Headstone for John Nichols .....	82
Figure 14: Henry Nichols, Franklin Guzman, John Nichols .....	82
Figure 15: Native American Code Talkers During WWI .....	83

**List of Figures (continued)**

<b>Figure No.</b>	<b>Page No.</b>
<b>Figure 16: President Calvin Coolidge with Four Osage Indian Leaders.....</b>	<b>84</b>
<b>Figure 17: Sacramento Superintendent Lafayette A. Dorrington October 21, 1926.....</b>	<b>87</b>
<b>Figure 18: Lucas Marine BIA Application # 10298.....</b>	<b>90</b>
<b>Figure 19: Lucas Marine BIA Application Identifying His Tribe “Ohlones” .....</b>	<b>91</b>
<b>Figure 20: Francisca Guzman and Family BIA Application # 10293 .....</b>	<b>92</b>
<b>Figure 21: Phoebe Alaniz BIA Application # 10301 .....</b>	<b>93</b>
<b>Figure 22: Magdalena Thompson BIA Application # 10296 .....</b>	<b>94</b>
<b>Figure 23: Flora Emma Thompson Martel and Daughter BIA Application # 10294 ...</b>	<b>95</b>
<b>Figure 24: Maggie Pinos Juarez and Family BIA Application # 10676.....</b>	<b>96</b>
<b>Figure 25: Chona Bautista Armija Andrade BIA Application # 10297.....</b>	<b>97</b>
<b>Figure 26: Dolores Marine Galvan and Children, BIA Application # 10681.....</b>	<b>98</b>
<b>Figure 27: Dario Marine and Children, BIA Application # 10677.....</b>	<b>99</b>
<b>Figure 28: Dolores Sanchez and Siblings, BIA Application # 10680.....</b>	<b>100</b>
<b>Figure 29: Albert Arellano and Sister, BIA Application # 10679.....</b>	<b>101</b>
<b>Figure 30: Mary Munoz, Sister Flora and Son, BIA Application # 10678 .....</b>	<b>102</b>
<b>Figure 31: Trina Marine, BIA Application # 10682 .....</b>	<b>103</b>
<b>Figure 32: Joseph Aleas, BIA Application # 10299.....</b>	<b>104</b>
<b>Figure 33: Cecilia Armija Marine BIA Application # 10637.....</b>	<b>105</b>
<b>Figure 34: Catherine Peralta Marine BIA Application # 10675.....</b>	<b>106</b>
<b>Figure 35: Jose Binoco BIA Application # 8419.....</b>	<b>107</b>
<b>Figure 36: Belle Nichols BIA Application # 10300.....</b>	<b>108</b>
<b>Figure 37: Belle Nichols BIA Application # 10300 “Olanian Tribe” .....</b>	<b>109</b>

**List of Figures (continued)**

<b>Figure No.</b>	<b>Page No.</b>
<b>Figure 38: J. P. Harrington, Muwekma Elders Jose Guzman and Angela Colos.....</b>	<b>111</b>
<b>Figure 39: Muwekma Men Who Served During World War II.....</b>	<b>127</b>
<b>Figure 40: Muwekma Men Who Served During World War II.....</b>	<b>127</b>
<b>Figure 41: Ernest Thompson Membership in Bay Area California Indian Council.....</b>	<b>128</b>
<b>Figure 42: Lillian Massiat, Ramona and Michael Galvan at Ohlone Cemetery.....</b>	<b>130</b>
<b>Figure 43: Muwekma Elders Maggie Juarez and Erolinda Santos Juarez Corral .....</b>	<b>140</b>
<b>Figure 44: Beatrice Marine and her Distribution Check for \$668.51 (1972).....</b>	<b>142</b>
<b>Figure 45: Letter of Support from BIA Acting Area Director Michael R. Smith .....</b>	<b>149</b>
<b>Figure 46: Title Page of Congressman Miller’s Recognition Bill (2000) .....</b>	<b>150</b>
<b>Figure 47: Page 3 of Congressman Miller’s Recognition Bill (2000) .....</b>	<b>151</b>
<b>Figure 48: Page 15 of Congressman Miller’s Recognition Bill (2000) .....</b>	<b>152</b>
<b>Figure 49: Letter of Support from California Lt. Governor Cruz Bustamante .....</b>	<b>154</b>
<b>Figure 50: Memorandum of Opinion U.S. District Court (2000).....</b>	<b>157</b>
<b>Figure 51: U.S. District Court Opinion (2006).....</b>	<b>158</b>
<b>Figure 52: History Walk Historical Marker Downtown San Jose, California.....</b>	<b>163</b>
<b>Figure 53: Historic Marker: The Site of Tamien an Ohlone Indian Village.....</b>	<b>164</b>
<b>Figure 54: Honoring Plaque: Park Avenue Bridge Downtown San Jose .....</b>	<b>165</b>
<b>Figure 55: Eagle with Two Humming Birds.....</b>	<b>166</b>
<b>Figure 56: Coyote (One of the First People).....</b>	<b>166</b>
<b>Figure 57: Hummingbird (One of the three First People) .....</b>	<b>167</b>
<b>Figure 58: One of the Four Corner Plaques Honoring the Muwekma Tribe .....</b>	<b>168</b>
<b>Figure 59: Commemoration History of San Jose and the Muwekma Tribe .....</b>	<b>169</b>

List of Figures (continued)

Figure No.	Page No.
Figure 60: Tamien CalTrain Station Plaque .....	170
Figure 61: CalTrain Tamien Station Plaque Honoring Muwekma Ohlone .....	170
Figure 62: Muwekma Ohlone Tribe Campout 2003.....	171
Figure 63: Muwekma Big Feast and Annual Meeting (2010).....	171
Figure 64: Muwekma Tribal Leadership at the Dedication Ceremony for the Roberto Antonio Balermino Neighborhood Park (2014).....	172
Figure 65: Muwekma Tribal Representatives at the Opening of the “Back from Extinction” and “Cement Prairie” Exhibits at the New Museum in Los Gatos (2016).....	172
Figure 66: Muwekma Information Booth at Stanford Powwow (May 2018).....	173
Figure 67: Muwekma at Máyyan Šáatošikma – Coyote Hills East Bay Regional Park Ohlone Gathering (October 2018).....	173
Figure 68: Muwekma Ohlone Tribal Council opens the First Indigenous Peoples Day Celebration at Yerba Buena Gardens within the Tribe’s Yelamu Territory in San Francisco (October 8, 2018) .....	174
Figure 69: Muwekma Leadership Singing Welcoming Song at the Inaugural California Indian Flag Raising Event City of Milpitas (2018).....	174
Figure 70: Assemblyman Ash Kalra Honoring the Muwekma Tribe during California Indian Flag Raising Event City of Milpitas (2018).....	175
Figure 71: Muwekma Town Hall Tribal Meeting Stanford University (2018) .....	176
Figure 72: Opening Ceremony with Muwekma Representatives and Keynote Address Dolores Huerta, American Anthropological Association Meeting (2018) .	176
Figure 73: Renaming Peter Burnett to Muwekma Ohlone Middle School (June 2019)...	177
Figure 74: Muwekma Paddleling a Tule Boat in San Francisco Bay (October 14, 2019) ..	178
Figure 75: Proclamation from the San Jose City Council (October 12, 2020) .....	179
Figure 76: Muwekma Tribal Flag .....	180

**List of Maps**

<b>Map No.</b>	<b>Page No.</b>
<b>Map 1: Rancho Map of Santa Clara County.....</b>	<b>7</b>
<b>Map 2: Distribution of Ohlone Tribal Groups and Tribal Districts in the Santa Clara Valley (C. King 1994) .....</b>	<b>18</b>
<b>Map 3: Distribution of the Ohlone Tribal Groups Surrounding the Thámien Region (Milliken 1994) .....</b>	<b>19</b>
<b>Map 4: Distribution of Tribal Groups/Districts in the San Francisco Bay Area.....</b>	<b>20</b>
<b>Map 5: Location of the Duerr and Nusbaumer Property and Alisal Rancheria .....</b>	<b>68</b>
<b>Map 6: Indian Agent Kelsey’s Map of Indian Rancherias – Verona Band.....</b>	<b>76</b>

## **Acknowledgements**

The Muwekma Tribal Council wants to thank Prometheus who funded the Burial and Archaeological Data Recovery Program for the recovery of the Muwekma Ohlone Tribe's ancestral remains from the **3<sup>rd</sup> Mission Santa Clara Indian Neophyte Rancheria** area adjacent to the *Clareño Muwékma Ya Túnnešte Nómмо* [Where the Clareño Indians are Buried] Site CA-SCL-30/H on this construction project.

We want to thank the archaeological field personnel from PaleoWest for working closely with Muwekma tribal members assigned to monitor this project and for supporting the publication of our ethnohistory as a companion volume to the final archaeological report.

We want to offer acknowledgement and thanks to the Elders of the Muwekma Ohlone Tribe, members of the Tribe's Language Committee **Monica V. Arellano, Sheila Guzman Schmidt** and **Gloria E. Arellano Gomez** who originally named this site in the Tribe's language, and also enrolled tribal members for their support on this as well as other projects addressing their ancestral heritage sites.

We also want to acknowledge the tribal co-authors Vice Chairwoman and MLD **Monica V. Arellano**, Tribal Councilwoman **Sheila Guzman Schmidt**, Tribal Councilwoman **Gloria E. Arellano Gomez**, Chairwoman **Charlene Nijmeh**, and Tribal Ethnohistorian **Alan Leventhal** who contributed to the ethnohistory chapter.

It is our hope that this report provides historical, cultural, and educational information about our Tribe's history and heritage and dispels many of the myths about our people. It is in the spirit of the preservation and dissemination of the Tribe's long history, struggle, and heritage that this report has been written. Aho!

## **Reburial Honoring Ceremony**

A **Reburial Honoring Ceremony** will be conducted on-site of our ancestral infant remains within this heritage cemetery site. Plans for a Reburial Honoring Ceremony will be held by the Muwekma Ohlone tribal leadership by the time this volume has been published.

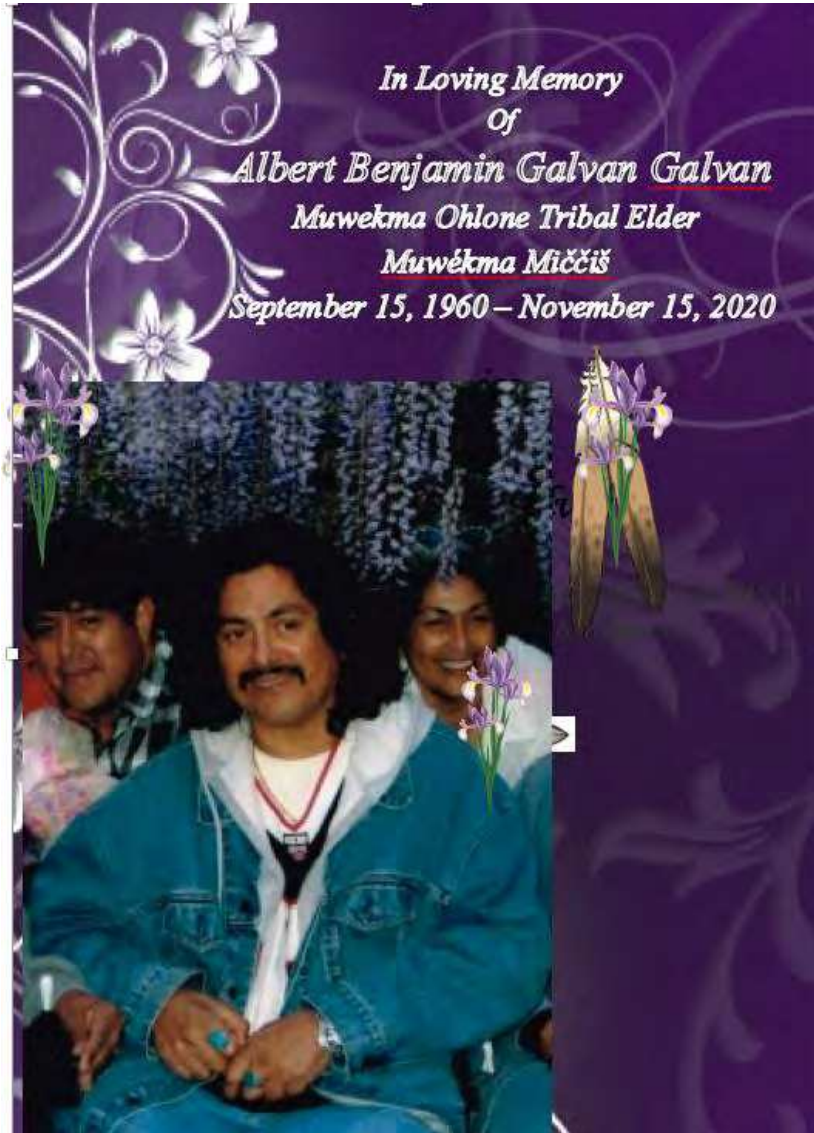
## **Dedication of this Report**

## **Dedication of this Report**

This report is dedicated to and in honor of the passing of

- 1) Muwekma Tribal Elder Albert Galvan, and;**
- 2) The unknown Infant who was buried at *Clareño Muwékma Ya Túnnešte Nómмо* Site (CA-SCL-30/H);**
- 3) The approximately 8,000 Ancestral Ohlone, Yokuts, Plains Miwok and other tribal relations who are buried at the two Indian Neophyte cemeteries associated with the 3<sup>rd</sup> and 4<sup>th</sup> Santa Clara de Thámien Missions, and throughout California.**

In almost all of the previous published Muwekma Tribal archaeological reports, we honor one of the Elders or tribal members who have passed away. A decision was made to honor Tribal Elder and former Tribal Councilman **Albert Benjamin Galvan** who had passed away on November 20, 2020 at the age of 60 (**Figure TOC-1**).



**Figure TOC 1: Albert Benjamin Galvan**

On November 15, 2020, Albert Benjamin Galvan, Muwekma Ohlone Tribal Elder - *Muwékma Miččiš*, and former Tribal Councilman passed away peacefully in Hayward, California surrounded by his family. Albert was 60 years old.

Born September, 15 1960 in Oakland, California to Muwekma Ohlone parents Jenny Mora and Ben Michael Galvan. He is survived by his sons Chad, Adam and Alex, grandchildren Gabriel, Phoenix, Silas and Raiden, by his many loving family members and friends, Muwekma Tribal relations, and will be greatly missed. Albert grew up in the San Leandro area within his families' ancestral homeland of the Jalquin/Yrgin Ohlone Tribe.



## *Clareño Muwékma Ya Túnnesḥte Nóṃmo Site (CA-SCL-30/H)*

From 1968-1976, Albert worked with his father Ben and Uncle Phil on the maintenance and care of the **Ohlone Indian Cemetery**. He attended Pacific and Lincoln High Schools from 1974 -1977. Albert also worked on the recovery of pre-contact and historic artifacts during the restoration of Mission San Jose. During the 1980s Albert worked at Star Catering, at the Oakland Airport Flexigraphics, in Union City, and the San Leandro Glass Company.

During the 1990s he worked on several ancestral heritage sites through the Muwekma Ohlone Tribe's Cultural Resource Management business, and participated in several celebratory Tribal events such as the 1992 Cinco de Mayo Parade in San Francisco with the Muwekma Ohlone float which won first prize, 4<sup>th</sup> of July American's Festival, Guadalupe Park in San Jose, and others.

His mother Jenny Mora was a middle daughter of Muwekma Elder Mary Muñoz and Jose Mora. His aunts and uncles include Joseph Mora, Lupe Mora Massiatt, Margaret Mora, Alice Mora, Frances Mora Smith, Virginia Mora Massiet, Louis E. Medina, Edward Medina and Jesse Ramos. Albert's father was Muwekma Elder Michael F. Galvan (Ben) who in the early 1950s lived in the Oakland area and later in their ancestral homeland of San Leandro. Albert's four siblings are Theresa A. Laudani, Katherine J. Galvan, Ramona Robins, and Michael F. Galvan Jr.

During the early 1960s, Albert's parents and the other Muwekma Ohlone families gathered and worked under the principal efforts of his grandmother Dolores Marine Alvarez Piscopo Galvan and his aunt, Dottie Galvan Lameira, in order to protect the Ohlone Indian Cemetery in Fremont from destruction. His mother's mom, Mary Muñoz Mora, and her extended family attended various meetings and barbecues that were held near Mission San Jose. They all worked cleaning up and weeding the Ohlone Indian cemetery. Albert's mother was also listed as a Member of the "Ohlone Chapter, American Indian Historical Society."

By 1984, the Muwekma Ohlone Tribal leadership formed a formal Tribal government in order to articulate with Federal, State and local agencies about legal and cultural issues confronting the disenfranchised Muwekma Ohlone Tribal community. A few years later, Albert Galvan joined the Muwekma Tribal Council. As the Tribal Council developed policies and political strategies to deal with legal issues, Albert's family had been introduced to the effort by the Tribe to obtain Federal Recognition from the U.S. Government. Albert's cousins JoAnn Brose and Richard Massiatt are presently serving as Tribal Council members, while his aunt Lupe Mora Massiatt was a member of the Muwekma Ohlone Elders Council.

By the time the Tribe sent in its letter to petition the Federal Government for Acknowledgement in 1989, Albert's family got involved with both archaeological issues and the Tribe's efforts to regain its former Federal Recognition. Albert and his family participated as Tribal members at Tribal Council meetings; Tribal sponsored events and educational workshops. During the Tribe's response to the Bureau of Indian Affairs' (BIA) negative proposed finding, Albert's grandmother along with several of his aunts provided critical oral histories that helped reverse some of the negative findings and disprove some of the negative assumptions that the BIA had previously determined about the continuous existence of the Muwekma Ohlone Tribe



## *Clareño Muwékma Ya Túnnešte Nómmo Site (CA-SCL-30/H)*

Albert Benjamin Galvan, following in the footsteps of his mother Jenny Mora Galvan, of his grandmother Mary Muñoz Mora Archuleta, continued to serve as a cultural bridge between two worlds – the post-transitional world of the neglected Federally Recognized Verona Band of Alameda County – to the incipient Ohlone Indian Tribe, Inc. to which his father Benjamin Michael Galvan became the president/chairman from 1965 to 1971 – and the revitalized and organized Muwekma Ohlone Tribe to which he was indeed a Tribal Elder of distinction. Soft spoken, loving and caring father, he fully knew and understood his Ohlone Indian identity from both sides of his family.

During the 1990s Albert gave various educational and cultural-related presentations at Coyote Hills East Bay Region Park, at the Blackhawk Museum in Danville, San Jose State University, at several public schools, and other educational institutions. Even though Albert struggled with his MS condition, this did not stop him from working on several of his Tribe's ancestral heritage sites, such as *Kaphan Húunikma* (The Three Wolves Site) CA-SCL-732 and CA-SCL-548 in San Jose. He also served as a Most Likely Descendant for the Tribe, and co-authored several articles on the Tribe's history including: The Muwekma Ohlone Indians of the San Francisco Bay, and The Cultural Revitalization and Federal Acknowledgment of Three Costanoan Tribes: A View from the Families of Harrington's Linguistic and Cultural Consultants.



**Figure TOC 2: Albert, his Mother Jenny Galvan (right) and Aunt Dottie Lameira (left) at CA-SCL-732 *Kaphan Húunikma* (The Three Wolves Site)**

Albert and his family lived to see a potentially bright future for all of the Muwekma Ohlone families. He also saw history being made when the title of the Ohlone Indian Cemetery in Fremont passed from the Catholic Church to the American Indian Historical Society, and then to his father's family whom made up the Board of Directors of Ohlone Indian Tribe, Inc.

Albert lived to see the Muwekma obtain a formal determination by the BIA of previous unambiguous Federal Recognition, a successful lawsuit against the Department of the Interior, and a positive determination that 100% of the enrolled membership are directly descended from members of the previously recognized **Verona Band of Alameda County**, which was also determined to be a historic tribe. Albert also lived to see U.S. District Judge, Ricardo Urbina formal opinion that:

## ***Clareño Muwékma Ya Túnnešte Nómmo Site (CA-SCL-30/H)***

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.

Albert represented the seventh generation of a line of Ohlone Indians whose lives were disrupted by the expanding Hispanic Empire and the American Conquest of California. All of Albert’s maternal and paternal Ohlone ancestors came into the Mission San Jose. Albert’s lineage is descended from his great-great-great-great grandmother Efrena Quennatole who was born in 1797 and was of the Carquin Ohlone/Napian Coast Miwok Tribe of the North S. F. Bay and his great-great-great-great grandfather, Liberato Culpecse who was born in 1787, and baptized at Mission Dolores, and who was of the Jalquin/Saclan Tribes of the East Bay. Albert was further descended from Liberato’s parents Faustino Poylemja who was born around 1764 from the Saclan Tribe (Walnut Creek/Concord/Lafayette area) and Obdulia Jobocme who was born around 1766 from the Jalquin Tribe from the greater San Lorenzo/San Leandro/Hayward region.

Efrena and Liberato’s daughter was Maria Efrena Yakilamne. She was born in 1832 and was baptized at Mission San Jose, and buried at the Ohlone Cemetery. Maria Efrena had married Panfilo Yakilamne (Ilamne Tribe), and their daughter was Avelina Cornates. Avelina was born in 1863 and was baptized in 1864 at Mission San Jose, and she died in 1904 and buried at the Ohlone Indian Cemetery. Avelina had married Rafael Marine, and one of their daughters was Dolores Marine who was born in 1890, and another daughter, Victoria Marine who was born on May 9, 1897 on the Pleasanton Rancheria, and both were baptized at Mission San Jose. Victoria died and was buried at the Ohlone Cemetery in 1922 at the young age of 25. Victoria had married John Muñoz and they had two surviving children, Albert’s grandmother, Mary who was born in 1910 and his great-aunt, Flora who was born in 1917.

Albert’s Ohlone Tribal ancestors and families have been waiting since 1906 for their **rights** to be recognized and honored by the United States Government. Albert had been waiting his entire 60-year life span for full Federal rights to be accorded to his Tribe. In his own quiet way, Albert had made major contributions towards the reaffirmation of the Muwekma Ohlone Tribe, and he leaves that legacy for the future generations of the Tribe.

Albert passed away within his Tribe’s ethnohistoric Jalquin Ohlone ancestral territory. Go with peace and join your Muwekma relations and ancestors and know that you made this world a better place for your Tribe.

***’Útaspu Méene Albert - Mak ’Aččo, Mak Suyya, Mak Miččiš. Hemmen Heyešmin Meene Hišmet. Good Bye Albert - Our Friend, Our Relation, Our Elder. May the Great Creator Bless You.***

***Sunuuniy makiš ’em-suyya tušwiikne, makiš kaayi mak-hinnan makkam rokét ’ayye  
’em-suyyakma.  
Makkam kam mak sai-tak.***

**We are sorry your family member has passed, our hearts  
are very sad for you and your family.  
You all are in our prayers. Aho!**

**Albert Galvan's Muwekma Ohlone Ancestral Lineage  
Through his Mother  
Mission San Jose and Mission Dolores Records**

**Faustino Poylemja** ----- **Obdulia Jobocme**

(b. ca. 1764/Chaclanes/Saclanes) | (b. ca. 1766/Jalquin)

**Liberato Culpecse** ----- **Efrena Quennatole**

(b. 1787/Jalquin/Saclan) | (b. 1797/Karkin/Jarquin/Napian)

**Maria Efrena** -- **Ponfilo Yakilamne**

(b. 1832) | (baptized 1835?, Ilamne Tribe)

**Avelina (Cornates) Marine** -- Rafael Marine

(b. 1863/d. 1904 buried at the Ohlone Cemetery) |

**Victoria Marine** -- John Munoz

(b. 5-9-1897/d. 11-27-1922) |

**Mary Munoz** -- Jose Mora

(b. 8-28-1910/d. 11-23-2002) |

**Jenny Mora** -- **Michael F. Galvan**

(b. 2-8-1936/d. 2-26-2014) |

**Albert B. Galvan**

(b. 9-15-1960/ d. 11-15-20)

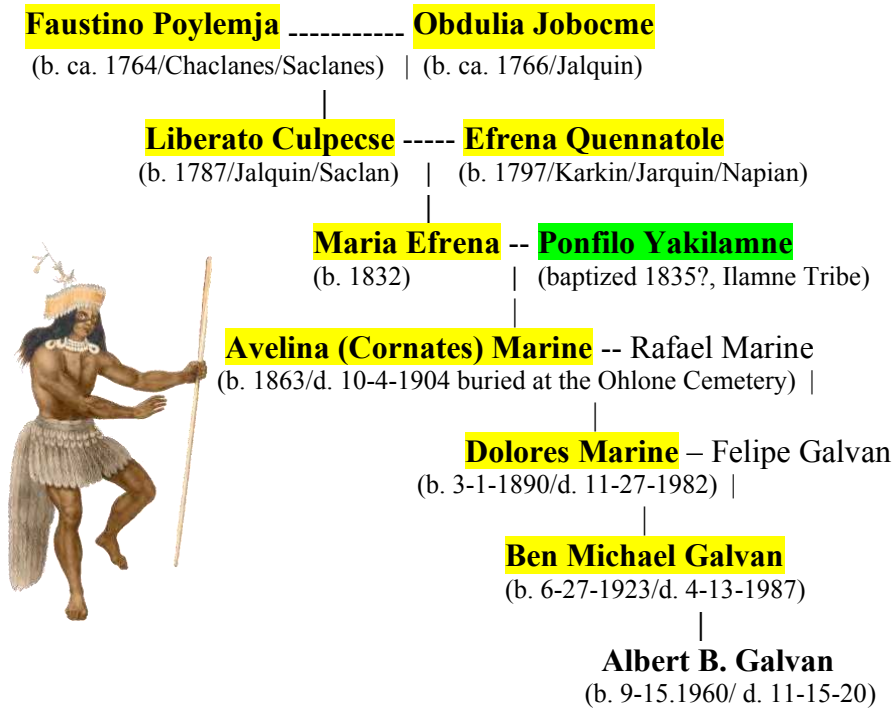


**California Indians**

**Ohlone Indian** (East Bay)

**Plains Miwok** (Sacramento Delta)

**Albert Galvan's Muwekma Ohlone Ancestral Lineage  
Through his Father  
Mission San Jose and Mission Dolores Records**



**Figure TOC 3: Albert and his Family**

**Circa. May 1965 – “Listing of Ohlone Contacts and Ohlone Members**

<b>Henry A. Alvarez</b>	<b>Jose Rodriguez</b>
<b>Stella T. Alvarez</b>	<b>Concha Rodriguez</b>
<b>Thomas M. Alvarez</b>	<b>Henry Rodriguez</b>
<b>Carol Ann Alvarez</b>	<b>Susanne Rodriguez</b>
	<b>Caroline Rodriguez</b>
<b>Alfonso A. Juarez</b>	
<b>Pauline Juarez</b>	<b>Margaret (Sanchez) Martinez</b>
<b>Peter D. Juarez</b>	<b>Ricardo Martinez</b>
<b>James A. Juarez</b>	<b>Robert Martinez</b>
<b>Richard H. Juarez</b>	<b>Natividad Martinez</b>
<b>C. M. Juarez (Sullivan)</b>	
<b>Rose Mary M. Juarez</b>	<b>Dolores (Sanchez) Martinez</b>
	<b>Candelario Martinez</b>
<b>Ruben Arellano</b>	<b>Manuel Martinez</b>
<b>Ofelia F. Arellano</b>	<b>Rose Mary (Cambra) Martinez</b>
<b>Ruben F. Arellano</b>	<b>Mary Louise Martinez</b>
<b>(Cruz/Cline)</b>	
<b>Arthur Steven Arellano</b>	
	<b>Octavia W. Lopez</b>
<b>Sammy Arellano</b>	<b>Julia Lopez</b>
	<b>William James Lopez</b>
<b>Albert M. Arellano</b>	<b>Sylvia Lopez</b>
<b>Frank A. Arellano</b>	<b>Geraldine Lopez</b>
<b>Albert Tomas Arellano</b>	<b>Mrs. Emily Dewey (Marshall sister)</b>
<b>Edwina E. Arellano</b>	<b>Jackie Dewey</b>
<b>Gregory Arellano</b>	
<b>Rebecca M. Arellano</b>	<b>Lydia Arellano Jaurequi</b>
<b>Timothy Arellano</b>	<b>Pamela Jaurequi</b>
<b>Frances Marie Arellano</b>	<b>Kathleen Jaurequi</b>
<b>Oscar Jaurequi</b>	
<b>Arnold Sanchez</b>	<b>Joel Arellano</b>
<b>Edward Sanchez</b>	<b>Helen Arellano</b>
	<b>Judy Arellano</b>
<b>Enos M. Sanchez</b>	<b>Donna Arellano</b>
<b>Angie C. Sanchez</b>	<b>Evelyn Arellano</b>
<b>Arthur R. Sanchez</b>	<b>Joel Arellano, Jr.</b>
<b>Ishmael Arellano</b>	<b>Virginia Arellano</b>
<b>Juanita Arellano</b>	<b>Albert's Mother</b>
<b>Michael Galvan</b>	<b>Albert's Father</b>
<b>Mary Archuleta</b>	<b>Jenny Galvan</b>
<b>Philip Galvan</b>	<b>Dolores D. Galvan</b>
	<b>Dolores M. Galvan</b>

**Figure TOC-4: Albert's Parents Listed as Ohlone Members 1965**





**Figure TOC-5: Ohlone Dancer/Warrior Mission Dolores** (Kotzebue Expedition 1816)

## *Clareño Muwékma Ya Túnnešte Nómmo Site (CA-SCL-30/H)*

The authors would also like to dedicate this report to all of the Ohlone/Costanoan men, women and children, **especially to the infant** recovered during the Prometheus project and reburied at *Clareño Muwékma Ya Túnnešte Nómmo Site (CA-SCL-30/H)*, and those who had perished as a result of the impacts of the European and American colonization of Native American homelands, the majority of whom have remained faceless and nameless. No monument yet stands to honor Indigenous tribes who have resided over the millennia throughout the San Francisco Bay Area or the rest of California, and who paid the ultimate price as a result of the genocide of our people.

We also want to dedicate this report to the memory of those Muwekma families who had survived into the 20<sup>th</sup> Century and became members of the **Federally Recognized Verona Band of Alameda County**. Without them we would not have life today for our children and continue the struggle to obtain justice for our people.

The authors would also like to dedicate this report to our Muwekma ancestors who were recovered from their sacred ancestral burial grounds at *Thámien Rúmmeytak [Guadalupe River Site], (CA-SCL-128)*, as well as all of the thousands of Ohlone/Costanoan men, women, children and their tribal relations who had perished at the missions and homelands as a result of the impacts of the European and American colonial invasion, the majority of whom have remained nameless and faceless. No monument yet stands to honor the multitude of the Indigenous tribes who have resided over the millennia throughout California and who paid the ultimate price as a result of the genocide of our people.

We also want to dedicate this report to the memory of those Muwekma families who had survived into the 20<sup>th</sup> Century and became members of the Federally Recognized **Verona Band of Alameda County**. Without them we would not have life for our children today as we continue the struggle to obtain justice for our people. **Aho!**



**Figure TOC-6: Ohlone Dancers at Mission San Jose in 1806 (Langsdorff Expedition)**



**Volume III:**  
**An Ethnohistory of Santa Clara Valley and Adjacent Regions; Historic Ties of the Muwekma Ohlone Tribe of the San Francisco Bay Area and Tribal Stewardship Over the Human Remains Recovered on the Prometheus Project located at 575 Benton Street and affiliated with the 3<sup>rd</sup> Mission Santa Clara de Thámien Indian Neophyte Cemetery and Indian Rancheria: *Clareño Muwékma Ya Túnneshé Nómmo* [Where the Clareño Indians are Buried] Site CA-SCL-30/H.**

by

Monica V. Arellano, Alan Leventhal, Charlene Nijmeh, Shelia Guzman Schmidt, and  
Gloria Arellano Gomez

## **Introduction**

As presented elsewhere in this report the Muwekma Ohlone Tribe of the San Francisco Bay Area had oversight and monitored the burial recovery/mitigation program conducted on this portion of the land surrounding the **3<sup>rd</sup> Mission Santa Clara de Thámien**, its adjacent **Indian Neophyte Cemetery**, and **Indian Rancheria Site CA-SCL-30/H** which is located at 575 Benton Street, City of Santa Clara, Santa Clara County, California. The Muwekma Ohlone Tribe has over the past 41 years continuously exercised its stewardship over the Tribe's ancestral heritage sites and human remains discovered within our aboriginal territory. The Tribe's leadership and members were involved in the recovery program and contributed this chapter to the final report on this ancestral cemetery site which the Tribe, in 2011, had renamed the cemetery portion of site CA-SCL-30/H ***Clareño Muwékma Ya Túnneshé Nómmo* [Where the Clareño Indians are Buried]** in the Tribe's aboriginal Chochenyo/Thámien (San Francisco Bay) Ohlone language (Milliken et al. 2019; Leventhal et al. 2011).

The Muwekma Ohlone Tribal leadership has over the past 41 years continuously exercised its stewardship over and renaming the Tribe's ancestral heritage village and cemetery sites, as well as some of the ancestral human remains discovered within our aboriginal ethnohistoric territory. This practice follows Muwekma Tribal tradition by which the Tribal leadership has over these past decades renamed some of our ancestral village and cemetery sites as part of a process to reclaim the Tribe's ancestral homeland with our Heritage Sites. This renaming tradition has formally occurred at many other South, East and West Bay pre-contact ancestral Muwekma Ohlone cemetery sites.

## **The Renaming of the 3<sup>rd</sup> Mission Santa Clara de Thámien (CA-SCL-30/H) Locality by the Muwekma Ohlone Tribe in Our Native Chochenyo/Thámien (San Francisco Bay) Ohlone Language**

Previously, back in 2011, as the designated **Most Likely Descendant Tribal Group**, a decision was made by the Muwekma Ohlone Tribal leadership and the Tribe's Language Committee (Monica V. Arellano, Sheila Guzman-Schmidt and Gloria E. Arellano-Gomez) to honor their deceased ancestors by renaming the site with a place name in the Tribe's aboriginal Ohlone Chochenyo/Thámien language.

This renaming tradition has formally occurred at a multitude of Bay Area pre-contact ancestral Muwekma Ohlone cemetery sites as part of a reclamation process of the Tribe's Ancestral Heritage sites which include:

- 1) CA-SCL-732 located to the south/southeast of CA-SCL-128 along Coyote Creek. CA-SCL-732 was renamed *Kaphan Umux (Three Wolves) Site* [and recently corrected to *Kaphan Húunikma*] in 1995 (Cambra et al. 1996; Hammett 1996);
- 2) CA-SCL-38 located in Milpitas located to the north of the site consisting of a very large mortuary earth mound that was renamed the *Yukisma (“at the Oaks”) Site* in 1996 (Bellifemine 1997);
- 3) CA-SCL-867 which is located in the Willow Glen area of San Jose approximately 3.75 miles to the south/southeast of CA-SCL-30/H, was renamed the *Rúpin Waréptak Site* which means “(in the) Willows Area” in 2006 (Leventhal, et. al 2007);
- 4) CA-SCL-869 located approximately 6 miles to the south of CA-SCL-128 was renamed *Katwáš Ketneyma Waréptak (The Four Matriarchs) Site* in 2009 (Leventhal et al. 2009);
- 5) In 2010 the CA-SCL-287/CA-SMA-263 site complex was renamed *Yuki Kutsuimi Šaatoš Inūxw [Sand Hill Road] Sites* located approximately 23 miles to the northwest on Stanford University lands (Leventhal et. al 2010);
- 6) At CA-SCL-894 (redesignated as CA-SCL-948 by the Northwest Information Center on August 17, 2016) entailed the recovery of a single male burial from the California Fox Theatre located approximately 1000 feet east of CA-SCL-128 on South Market Street in downtown San Jose was renamed *Tupiun Táareštak* meaning **Place of the Fox Man Site** (Leventhal et. al 2012a);
- 7) The Muwekma Language Committee renamed a site excavated by San Jose State University in 1964 as part of a finalized archaeological report on site CA-SCL-895/Blauer Ranch. The language committee decided to rename this site after the original Mexican land grant **Yerba Buena y Socayre** which translates into the Muwekma language as *Kiriṭ-smin ’ayye Sokóte Tápporikmatka [Place of Yerba Buena and Laurel Trees Site]* (McDaniel et al. 2012);
- 8) CA-SCR-12 on the Santa Cruz coast was excavated by San Jose State University in 1986 and was renamed by the Tribe to *Satos Rini Rumaytak* meaning **At the Hill Above the River Site** (Starek 2014);
- 9) The Tribe’s language committee renamed site CA-SCL-125 which includes the **Santa Teresa Spring** at the Bernal-Gulnac-Joice Ranch County Park to *’Arma ’Ayttakiš Rúmmey-tak* meaning **(Place of the Spirit Woman Spring Site)** (Mabie 2015);
- 10) The Tribe had renamed CA-SCL-128 (the Holiday Inn Site) located in downtown San Jose in the *Chochenyo/Thámien* language to *Thámien Rúmmeytak* meaning **Place of the Thámien [(Guadalupe) River Site (CA-SCL-128/Hyatt Place Hotel)]** and is currently in the process of finalizing an extension of that ancestral cemetery (Leventhal et al 2015, Report in progress 2021);
- 11) Beginning in 2014, the monitoring of the construction on the expansion of the **Ronald McDonald House** on Stanford University campus, uncovered, three discrete **Early Bay Period** ancestral Muwekma burials, along with several isolated human remains, as well as non-burial features at site CA-SCL-609. The Tribe decided to honor the important service offered by the Ronald McDonald House to families by renaming the site *Horše ’Iššéete Ruwwatka* meaning **Place of the Good Health House Site** (Leventhal et al. 2016);
- 12) In September 2016, while working on a new Rapid Bus Transit platform along with water lines to a fire hydrant located on the eastside of San Jose, **Santa Clara Valley Transportation Authority** construction crews encountered an ancestral Muwekma burial at a site designated as CA-SCL-950. During the course of skeletal analysis, the Tribe’s language committee named the site *Cashrishmini ’Awweš ’Írek ’Innutka* meaning **Yellow Salt (Alum) Rock Road Site** in the Tribe’s language (Leventhal et al. 2017a);

- 13) **CA-SCL-851 (MST Site)** our Tribe was involved in the recovery project that involved ten ancestral Muwekma Ohlone burials which was conducted on behalf of Public Storage on Tully Road in San Jose in 2000. Public Storage failed to allow the Tribe to continue to monitor the rest of the construction project, as well as, did not provide funding for any analysis, final report, or reburial of those remains. The Muwekma leadership decided to rename this site **'Utthin Širkeewis Tcítca 'Irekmatka** meaning **Two Black Obsidian Rocks Site** (Leventhal et al. 2020);
- 14) In December 2017 several areas in a housing development located south of the Eastridge Mall in east San Jose yielded evidence of over 20 ancestral Muwekma Ohlone ancestral burials. As a result, during the course of the recovery of the ancestral remains, the Muwekma language committee named this site: **Yakmuy 'Ooyákma-tka** meaning **Place of the East Ridge Site (CA-SCL-215)** (Analysis and report in progress);
- 15) In the East Bay near the Tribe's historic Sunol and Alisal Rancherias our Tribe had renamed an ancestral cemetery site **'Ayttakiš 'Éete Hiramwiš Trépam-tak [Place of Woman Sleeping Under the Pipe Site]**, **CA-ALA-677/H** (Leventhal et al. 2017b);
- 16) Our Tribal Language Committee had named a major **Late Period** ancestral Muwekma Ohlone cemetery on an on-going project located at the **Sunol Water Temple (CA-ALA-565)** to **Sii Túupentak** meaning **Place of the Water Round House Site** (Byrd et al 2020);
- 17) **CA-ALA-704** located between the Town of Sunol and the Sunol Water Temple (site CA-ALA-565/H), was concurrently named **Rummey Ta Kuččuwiš Tiprectak** meaning **Place of the Stream of the Lagoon Site** by the Muwekma Ohlone Tribal leadership and Language Committee in our **Chochenyo/Thámien** language [see brief discussion about the background of the origins of the place name **Thámien**, and the use of the Muwekma Ohlone **Chochenyo/Thámien** language in translating names for these sites as part of the Tribe's language revitalization and ancestral heritage site reclamation below]. The **Rummey Ta Kuččuwiš Tiprectak** locality is an ancestral Muwekma Ohlone heritage site that was occupied from 2437 to 177 calibrated years before present based on 60 radiocarbon dates. It is also the location of the mid-nineteenth-century Mexican Period Suñol Adobe (Byrd et al. 2020);
- 18) The Muwekma Tribal leadership recently working with East Bay Regional Park District (EBRPD) on the Garms Staging Area Project, Pleasanton Ridge, in the City of Pleasanton located north of the Tribe's historic Alisal Rancheria, has named site **CA-ALA-706, Garms Tarin Wareptak** meaning the **Garms Grassland Site** (project and report in progress Shoup et al. Archaeological/ Historical Consultants);
- 19) Since 1982, the Muwekma Tribal leadership and Language Committee has worked with the East Bay Regional Park District administration and staff in naming parks, trails and places. In January of 2015, the Muwekma Language Committee proposed translating **Coyote Hills** into the Chochenyo language and presented the staff with **Máyyan Šáatošikma**. Later that year, EBRPD staff reached out to the Tribe and requested a translation for potential translated signage for 12 trails in various parks. In 2018, EBRPD staff requested a translation for a sign at Coyote Hill EBRPD. The Muwekma Language Committee recommended **'Akkoyt Mak Muwékma Hiswi Warep Máyyan Šáatošikma** meaning **Welcome to Muwekma's Ancestral Homeland Coyote Hills**. However, the EBRPD staff suggested otherwise, and limited the signage to read **'Akkoyt Máyyan Šáatošikma** meaning **Welcome to Coyote Hills**;
- 20) During the late 1950s through the 1960s, Stanford University and San Jose State University ran a series of summer excavations at **CA-ALA-329**, the Ryan Mound located at Coyote Hills, East Bay Region Park District. Over 550 burials were recovered along with several having the distinctive N Series "Banjo/Big Head" Kuksu pendants. As a result of the presence of so many of

the abalone pendants, the Muwekma Language Committee renamed this ancestral heritage mortuary mound *Mánni Muwékma Kúksú Hóowok Yatiš Túnnešte-tka* which translates as **Place Where the People of the Kúksú (Bighead) Pendants are Buried Site** (Leventhal 1993).

21) Working with Stanford University's administration on the Senior Class housing project, due to the Early Bay temporal period of the AMS dated burials, the Muwekma Tribal leadership renamed **CA-SCL-623, Mánni Miččiyma Muwékma Yatiš Túnnešte-tka** which means **Place Where the Ancient People are Buried Site** (Morley and Cambra 2000; Leventhal et al. in progress).

22) More recently, the Tribal leadership recovered an adult male ancestor at a site located in southwest San Jose along the upper reaches of the Guadalupe River. The individual was discovered laying on a bed of blue mussel shells, and as a result, the Tribe's Language committee, named the site *Táareš Tunnešte 'Ullaastak Chitcomini Šaro-tka* meaning **Place of the Man Buried on a Bed of Blue Mussel Shells Site CA-SCL-967** (Leventhal et al. 2020);

As mentioned above, because of the discovery in 2011 of at least thirteen individuals whom were buried on top of each other and who had died very close in time to each other (1781-1818), the Muwekma Tribal Language Committee decided upon the name *Clareño Muwékma Ya Túnnešte Nómmo* [**Where the Clareño Indians are Buried**] Site. Therefore, CA-SCL-30/H will at times be referred interchangeably as *Clareño Muwékma Ya Túnnešte Nómmo Site* in following chapter.

In this ethnographic section, we provide an ethnohistoric overview of the **Santa Clara Valley** and surrounding geographic regions. This section also explores the complex historic interrelationships between the aboriginal Ohlone tribal groups from the greater San Francisco Bay region at the time of contact and the ensuing impacts resulting from the advent of the expanding late 18th century Hispanic Empire; the establishment of the Catholic Church and the effects of Missionization; the mid-19th century American conquest of California; the Gold Rush and theft of California Indian lands; the effects of the emergent State of California; and the Federal Recognition of California Indian Tribes, and specifically the **Verona Band of Alameda County** [the Bureau of Indian Affairs' (BIA) formal designation of the Muwekma Tribe from 1906-1927; see details below]. These topics are introduced and explored through discussions involving contact-period regional and ethnohistorical tribal ties to the present-day Muwekma Ohlone Tribe and by presenting aspects of the survival strategies and continual cultural and political identity of this historic tribe.

### **Ethnographic, Ethnohistoric and Ethnogeographic Setting**

The *Clareño Muwékma Ya Túnnešte Nómmo* [**Where the Clareño Indians are Buried**] Site represents a post-contact ancestral Muwekma Ohlone heritage cemetery associated with the Third or Murguiá Mission Santa Clara (1781-1818). Formally designated with the State's trinomial system as CA-SCL-30/H, the site is located within the contact-period ethnogeographic territory of the **Our Mother Santa Clara Tribal Group/District** which was part of the larger defined **Thámien Ohlone-speaking** linguistic territory of the greater Santa Clara Valley. The *Clareño Muwékma Ya Túnnešte Nómmo Site* is also located within the larger catchment of the adjacent contact-period **Thámien** Ohlone-speaking village districts that includes **Our Patron San Francisco, San Juan Bautista and San Carlos/Matalan** Tribal Groups/Districts which were so named by the Mission Santa Clara priests (see C. King 1994, Milliken 1991, 1995, 2004; Hylkema 1995, 2007 [CA-SCL-690 Tamien Station]).

Milliken in his major study on the reconstructed ethnogeography of the San Francisco Bay region writes that “Fathers Murguiá and Peña of Mission Santa Clara noted in the title page of their *Libro de Bautismos* (Book of Baptisms), and again in a letter dated 1777, that the mission was built in an area known as **Tamien**” (Milliken 1995:256). Elsewhere, Milliken states that “Our Patron San Francisco, probably placed on the Guadalupe River near Our Mother Santa Clara and Santa Ysabel, east of present-day downtown Santa Clara” was part of the core villages that comprised the Tamien tribal district (Milliken in Hylkema 2007:52). He also suggested that “the villages of San Jose Cupertino, Our Mother Santa Clara, and Our Patron San Francisco formed a single tribelet that controlled most of the Guadalupe River system, and therefore, the core of the Santa Clara Valley” (ibid:54).

Although Winter, Milliken (and others) have spelled Tamien without the letter “h,” historian Arthur Spearman, however, in his 1963 publication titled The Five Franciscan Churches of Mission Santa Clara, provided the following historic excerpt from a letter from Father Peña to Father Serra:

Letter to Padre Presidente Junipero Serra  
From Padre Tomas de la Peña  
**Mission Santa Clara de Thámien**

December 31, 1777

The site of the Mission, which in the language of the natives is called **Thámien**, is a plain stretching more than three leagues in every direction, pleasant to behold, with much land for irrigation of crops, and extensive areas for raising cattle. There is abundance of Ash, Alders. White Poplar, and Red, Willow, Laurel, black and live Oaks. At the distance of four leagues to the west is much redwood, so-called, from which we have already obtained some boards. A large population of Gentiles surrounds the site, such that we judge there are more than forty rancherias within a radius of five leagues, of a people that we may call Tares, since this is the name they give to the men (Spearman 1963:15). [Cited from Hylkema 2007: iii].

Furthermore, Milliken (1991) noted the following observation by the Spanish priests whom had established the **First Mission Santa Clara** in 1777 located 1 mile to the north of the **Prometheus Project** and the **3<sup>rd</sup> Mission Santa Clara**, its neophyte cemetery and rancheria (**Map 1**):

“Mission Santa Clara in Thámien Lands

... The Santa Clara Mission settlement lay at the northeastern edge of the **Thámien** tribal district, very near to lands of three other tribes. Three large villages of over 120 inhabitants each lay within four-mile radius of the Santa Clara Mission site. The native names of those villages are not known. The missionaries at Mission Santa Clara gave each of them a Spanish designation; San Francisco Solano village of the Alson tribe a mile or two downstream at the mouth of the Guadalupe River, Santa Ysabel village of a different, unnamed tribe east of San Francisco Solano on the lower Coyote River, and San Joseph Cupertino village of the Thámien tribe in the oak grove about three miles to the southwest of the mission site.

Still nearer to the site were two tiny hamlets, **Our Mother Santa Clara** within a few hundred yards of the first mission site, and **Our Patron San Francisco** perhaps another mile upstream on the Guadalupe River” (Milliken 1991:116-117).

It is interesting to note that, on June 9, 1907, the San Jose Mercury News published an article titled **Marking the County’s Historic Sites** noted the following about the founding of Mission Santa Clara:

The mission Santa Clara, California, or **Mission Santa Clara de Thamien**, as it came to be known, most probably from a prior Indian name, “Thamien,” was founded on January 12, 1777, by the Franciscan father, Tomas de le Pena, acting under the direction of the pioneer of Christianity in these parts, the illustrious Father Junipero Serra.

Milliken (2007) stated that “**Our Mother Santa Clara**, which was probably west of the Guadalupe River within a few yards of one of the Mission Santa Clara sites” was part of the core villages that comprised the Tamien tribal district (Milliken in Hylkema 2007:52). He also suggested that “the villages of **San Jose Cupertino**, **Our Mother Santa Clara**, and **Our Patron San Francisco** formed a single tribelet that controlled most of the Guadalupe River system, and therefore, the core of the Santa Clara Valley” (ibid). Some of these intermarried tribal groups, village communities, and districts also included the: **San Francisco Solano**, **San Juan Bautista**, and **San Carlos** or **Matalan Tribal Group/Districts**, and the bilingual **Alson** Thámien/Chochenyo Ohlone-speaking tribal group from the Alviso/Milpitas area.

The **San Juan Bautista** Tribal District located to the south of Mission Santa Clara, (not to be confused with the **Mission San Juan Bautista** established about 20 years later in 1797 which is located further south within **Mutsun** Costanoan-speaking territory in San Benito County), was identified by the Mission Santa Clara priests as being located to the south of the mission that included a portion of the Coyote Creek Corridor. To the west were the Puichon Ohlone (San Bernardino), and directly across on the eastern side of the bayshore, were the northern Santa Clara Valley **Thámien/Chochenyo Alson**, and the East Bay Chochenyo Ohlone-speaking **Tuibun** Ohlone tribal groups from the Santa Agueda District.





These studies helped lay the foundation for reconstructing the geopolitical and linguistic boundaries of those tribal groups and districts that were brought into each Bay Area mission, as well as providing information about the transformation and the cultural and political adaptation and responses of those surviving Ohlone/Costanoan tribal groups who adjusted to the disruption caused by the expanding Hispanic colonial empire, the impacts of missionization and ensuing spread of diseases and malnutrition.

The Santa Clara Valley and adjacent areas supported fairly large populations of Native peoples for upwards to over a period spanning the past 10,000 years [e.g., CA-SCR-177 (Cartier ed. 1993) and CA-SCL-178 (Hildebrandt 1983)]. During the Early to Late Periods (past 4000 years) this is evidenced by the prevalence of large pre-contact cemeteries within the San Francisco Bay region [see reports on Emeryville (CA-ALA-309); Ellis Landing (CA-CCO-295); Santa Rita Village (CA-ALA-413) [Wiberg 1984]; Patterson Mound (CA-ALA-328) [Davis and Treganza 1959]; Ryan Mound (CA-ALA-329) [Leventhal 1993]; CA-SCL-732, Three Wolves Site (Cambra et. al 1996); CA-SCL-38 (Bellifemine 1997); CA-SCL-690 Tamien Station (Hylkema 2007); CA-SCL-674 Rubino Site (Grady et al. 1999); University Village (CA-SMA-77) [Gerow 1968], CA-SCL-6W Lick Mill Boulevard (Cartier and others); CA-SCL-128 (Winter 1978a and 1978b; Leventhal et al. 2015); CA-ALA-565/H and CA-ALA-704 (Byrd et al. 2020a, 2020b); and others].

Furthermore, based upon the analysis of grave-associated wealth and mortuary patterns derived from central California cemetery sites and specifically at **CA-SCL-128 *Thámien Rúmmeytak***, **CA-SCL-690 Tamien Station**, **CA-SCL-38 *Yukisma* Mound**, **CA-ALA-329 *Mánni Muwékma Kúksú Hóowok Yatış Túnneste-tka***, and more recently at **CA-ALA-565 *Sii Túupentak***, **CA-CCO-138 Hotchkiss Mound (Delta Region)** (Atchley 1994), **Castlewood Country Club, Pleasanton**, **CA-ALA-309 Emeryville Mound, Tomales Bay (Marin County)**, **Sacramento Valley**, and sites from the **Napa Region** (Gifford 1947), it can be postulated that the greater San Jose area appears to have been located within the southwestern most region of a Late Period religious complex, ceremonial, economic interaction sphere that employed the use of **Kuksu "Big Head"** (or "N series") abalone shell effigy pendants. These Kuksu effigy pendants first appeared sometime around the Middle Late Transition Period (MLT) 1000 A.D./Phase IA - Late Period (ca. 1100 A.D.), and presumably represents inclusion in the greater geographically-area-wide ceremonial interaction sphere that included the **Kuksu** religion that was practiced by a multitude of North-Central California Indian tribal groups (Kroeber 1925, Loeb 1932, 1933, Winter 1978a; Leventhal 1993; Hedges 2019).

These Kuksu practicing tribal groups ranged from the Hokan-speaking Salinans to the south (southern Monterey County); to the San Francisco Bay Penutian-speaking Ohlone and interior Bay Miwok and North Valley Yokuts tribal groups (Contra Costa and San Joaquin Counties), to the Penutian-speaking Coast Miwok and Patwin (Marin, Napa, Yolo, and Colusa Counties); to the Penutian-speaking Plains Miwoks and Konkow-Nisenan (Maidu-speaking groups) in the Sacramento and Central Valley foothills of the Sierra Nevada; to the Hokan-speaking Pomoan tribal groups (Sonoma, Lake and Mendocino Counties), Yukian-speaking Yukian tribal groups (northern Mendocino), and the Athabascan-speaking Cahto tribe located to the north of Fort Bragg. (see Loeb 1932, 1933; Du Bois 1939; Gifford 1947:20; Bennyhoff 1977:50; Winter 1978a; Bean and Vane 1978; Leventhal 1993:230-236; Hylkema 2007).



The preliminary data derived from comparatively similar mortuary patterning and associated grave assemblages identified from Late Period cemetery sites factored in conjunction with the similarities of tribal personal name-endings derived from the mission records such as “-*tole*” and variations of “-*mayen*” for females (of high status or chief) and “-*cse*” (or a variant thereof e.g., “*csi*”) for males (also of high status or chief/capitan) that are found amongst the different linguistic groups within the same macro-geographical area as the **Big Head/Kuksu** pendants, supports the contention that the South and East Bay regions had very strong cultural ties, via trade, intermarriage, ceremonial interaction and shared religious belief systems as well as other cultural influences with the Central Valley interior, including the Sacramento and San Joaquin Delta (Stockton) regions (Lillard, Heizer and Fenenga 1939; Heizer and Fenenga 1939; Gifford 1947; Bennyhoff 1977; (CA-ALA-329) Leventhal 1993; Milliken 1995; Jones and Klar 2007; also see CA-SCL-128, Holiday Inn Site, Winter 1978a; (CA-SCL-38) Bellifemine 1997; (CA-SCL-128) Leventhal et al. 2015; (CA-ALA-565/H) Byrd et al., 2020; Hedges 2019). Gifford while discussing chieftanship notes that:

Among the Southern Maidu, such a woman chief bore the title of *mayen* (cf. Miwok *mayengo*, Costanoan *mayin*). The Southern Maidu female chiefs who bore this title were either wives or daughters of chiefs. Such a chiefess functioned when the chief died without a male heir. She gave ceremonies like a male chief (Gifford 1927:250).

The evidence of a far-flung ceremonial and economic interaction sphere further suggests that the Thámien Ohlone-speaking tribal groups, including the **Our Mother Santa Clara** tribal/village/district catchment region and their further neighbors (i.e., **San Antonio** tribal district), were significantly involved within this larger religious and ceremonial interaction network that was partially influenced through mechanisms of trade, economic, military and marriage alliances with those tribal groups located to the east and north (Delta region) of the South Bay region – a region that at the time of Spanish contact had already cross-cut several major linguistic boundaries (including San Francisco Bay Ohlone, North Valley Yokut, Patwin, Coast Miwok, Bay Miwok and Plains Miwok) as well.

Limited detailed ethnohistoric (Contact Period) information about the aboriginal lifeways of the different San Francisco Bay Ohlonean-speaking tribal groups who resided within this mega-sphere of socio-cultural interaction, tends to be restricted to the various accounts written by early Spanish explorers, missionaries, secular and military authorities, and visiting European travelers. Other historical records written after the cataclysmic impact caused by missionization, colonialism and the ensuing American conquest continuing through the 20th century includes research conducted by more formally trained ethnographers, ethnohistorians, linguists as well as by other chroniclers to the greater Bay Area.

### **Early Spanish Expeditions to the San Francisco Bay Region**

According to ethnohistoric research conducted by Milliken and others, an expedition led by **Gaspar de Portola** and Father **Juan Crespi** had traveled north along the California coast north of Monterey and on October 23, 1769 had encountered the **Quiroste** Ohlone village of **Mitenne** near *Punta de Año Nuevo* (New Year’s Point). The **Quiroste** were located on the Pacific coast between Bean Hollow Creek and *Año Nuevo* and approximately 25 miles to the southwest of the **Puichon** tribal group from the Palo Alto and San Francisquito Creek region of the West Bay. Milliken citing Crespi [1769] noted that:

The friendly Quirostes showered the Spaniards with foods and gifts. They brought two or three bags of the (wild) tobacco they use, and our people took all they wanted of it. One (old) heathen man came up smoking upon a very large (and well carven) Indian pipe made of hard stone. The Indians almost all carry tall red-colored staffs, some with many feathers; they presented four of these to Sergeant Don Francisco Ortega (Milliken 2007:87)

Sometime around mid-November [1769] the Portola expedition traveling south along the east side of the San Francisco peninsula eventually entered the territories of the Ssalsons, Lamchins and Puichons. The Lamchin Ohlone-speaking tribal group was the immediate northern neighbor of the Puichon and their territory spanned from Belmont to Redwood City. The Ssalson tribal group was located north of the Lamchin. Milliken indicated that the expedition “camped in the Palo Alto area” (2007:88).

In 1770 Captain Commander **Pedro Fages**, was perhaps, the first Spanish exploration to travel through the northern part of the **San Juan Bautista** and **San Carlos/Matalan** tribal districts (Thámien Ohlone-speaking territory) within the greater Santa Clara Valley. The **San Juan Bautista** and **San Carlos** (aka **Matalan**) Thámien Ohlone-speaking groups occupied the areas of south San Jose south to Morgan Hill. Milliken commented on and noted in his 1991 doctoral study on the San Francisco Bay tribal groups such as the “**Matalans** and **Thámiens**” (whom were also intermarried with the neighboring **San Antonio** rancherias) at the time of contact (1770-1810) in the following historical account derived from Captain Fages’ diary:

The **Matalans** and **Thámiens** of Santa Clara Valley watched a small Spanish party pass north through their lands in November of 1770. The party, under Pedro Fages, continued north along the east shore of San Francisco Bay (until) (sic) it reached a plain opposite the Golden Gate (presently North Oakland). ... Fages wrote of only one encounter:

‘Up close to the lake we saw many friendly good-humored heathens, to whom we made a present of some strings of beads, and they responded with feathers and geese stuffed with grass, which they avail themselves of to take countless numbers of these birds [Fages 1770 in Bolton 1911].’

The goose hunters were Tuibuns or Alsons at a lake on the Fremont Plain just south of Alameda Creek (Milliken 1991:78).

The Chochenyo Ohlone-speaking **Tuibuns** or the Thámien Ohlone-speaking **Alsons** of the northeastern Santa Clara Valley whom Fages observed at the “lake on the Fremont Plain just south of Alameda Creek” were from the **Santa Agueda/Estero District** and were missionized into the Santa Clara Mission “during the 1780s and 1790s” (Milliken 1995:258).

Captain Commander Fages apparently at a later date again passed through the Thámien-Ohlone-speaking region in 1772 and explored the interior of the East Bay (see Crespi in Bolton 1926:336; Hylkema 1995). However, it was not until 1774 that the first intensive exploration of the Santa Clara Valley region occurred, which was led by Captain Fernando Rivera y Moncada who was accompanied by Fray (Father) Francisco Palóu. Writing of this expedition, Milliken made note of one of Rivera y Moncada's accounts:

The next Spanish expedition into the Bay Area, in the late fall of 1774, came for the purpose of scouting locations for a possible mission and military base on the San Francisco Peninsula. ... Near the town of Coyote, probably Matalan territory, a group of local people were startled, but not terrorized.

‘We passed a patch of willows and cottonwoods, and now found running water in the creek. Here all at once there were heathens standing with their weapons in hand [though] they made no show of them. In people such as these, who have no knowledge of others and live like wild beasts at bay, it is a second nature to snatch them up (Rivera y Moncada [1774] quoted in Milliken 1991:80-81).’

Milliken commenting on the Fernando Rivera y Moncada expedition going through the **Puichon** Ohlone territory of the West Bay noted that:

The new Spanish party intended to document the nature of San Francisco Bay and scout a location for a Spanish presidio and mission near its mouth. Passing through the Santa Clara Valley, the party arrived among the **Puichons** on San Francisquito Creek on November 28, 1774, where it was warmly received. Here, Father Palou commented about similarities between the local language and that of the natives at Mission Carmel (Milliken 2007:89)

Presumably near the same location as noted above by Rivera y Moncada, on November 26, 1774, Father Palóu independently recorded that the expedition had descended the north slope of what was probably Tulare Hill (south San Jose) and approached a stretch of trees where they found pools of water. Palóu wrote:

We descended the hill and approached the trees, which we found to mark a river which had water only in pools. At about half-past twelve we halted near it, close to some live oaks with which the plain of the river (was) covered. Near the camping place we found vestiges of a village which showed evidences of having been recently moved (Bolton 1926:261).

Bolton while translating Palóu's dairy also attempted to plot the location of where the party halted: "This camp was made soon after crossing the hills north of Coyote" (ibid). Conceivably, this location possibly represents the first written record near the location of the **Kaphan Húunikma** (Three Wolves Site: CA-SCL-732) locality because that site is located approximately one mile north of Tulare Hill (see Cambra et al 1996). The Three Wolves Site as mentioned above is located approximately 12 miles to the southeast of the first Mission Santa Clara (near where the San Jose International Airport is located) and the Prometheus Project.

Three years later, Mission Santa Clara was established on January 12, 1777. Collectively, with the establishment of Mission Dolores in 1776, Mission Santa Clara in 1777, and later Mission San Jose in 1797, located east of the Fremont Plain, the various Ohlonean tribal groups within the San Francisco Bay region began to experience the cataclysmic disintegration from this newly imposed colonial system of indenture and peonage. Milliken in one of his studies offered the following explanation of the circumstances under which the Ohlone tribal people agreed to enter into these missions:

Through the ritual of baptism some young people from the Yelamu tribe began to exchange their independence for a subservient role of "neophytes" at Mission San Francisco in the spring of 1777. During the summer and fall local **Alson** and **Thamien** teenagers joined the Mission Santa Clara community. Francisco Palóu wrote that the first converts came to the missions out of interest in cloth, trinkets, and Spanish foods.

‘They can be conquered first only by their interest in being fed and clothed, and afterwards they gradually acquire knowledge of what is spiritually good and evil. If the missionaries had nothing to give them, they could not be won over [Palóu 1786].

Most scholars have agreed with Palóu's assessment that a material impulse brought the first Indian converts to be baptized at the mission. Sherburne Cook [1943:73] wrote that "ceremony, music, processions" and "inducements of clothing, shelter, and food" attracted large numbers of converts over the first twenty years. Malcolm Margolin [1989:28] pointed out "the dazzle of Spanish goods" (Milliken 1991:109-110).

Panich in his 2020 study titled Narratives of Persistence: Indigenous Negotiations of Colonialism in Alta and Baja California contributes to this discussion that:

The Spanish clearly abhorred Indigenous beliefs, but they typically approached their initial face-to-face interactions with native people very differently. These were facilitated by gift exchanges that served as potent social lubricants among people of widely divergent worldviews. Like Native Californians throughout the region, Ohlone people often presented the Spanish with gifts of food and gladly received foreign objects in return – particularly glass beads and cloth that the Spanish purposefully brought along for just these kinds of occasions. There is little doubt the Spanish viewed these exchanges through an ethnocentric lens (Panich 2020:58).

While some of these limited interpretive perspectives provides an explanation from the contemporary “dominant society” perspective, which suggests at its foundation that “lesser complex indigenous cultures” were unilaterally influenced by the “more complex European colonizing cultures,” perhaps as an alternative perspective we need to consider and explore possible other explanations, especially when viewing these dynamics through the social rules and mechanisms of late 18th century California Indian world view rather than through the colonial lens. Such alternative explanations should consider those pre-existing and established Native protocols and socio-cultural-political rules of social conduct, interaction and integration accorded to strangers, visitors, and distinguished guests as practiced by central California tribal groups.

For example, in cases when elites and high status families from neighboring tribal groups made arrangements to visit, and/or those who were invited to ceremonies, funerals, and/or economic exchange functions (e.g., Mourning Anniversaries, ceremonial dances, weddings, trade feasts, and etc.), there were specific rules that these groups would follow as social protocols. These same social principals and rules that were enacted between tribal groups and elite families would have no doubt been in effect at the time when the Spanish expeditions made their presence known.

After the period of contact had been established between the Indian tribal communities and the newly settled Spanish colonizers, no doubt, those established elites and their families desired to have their children associated (to some degree) with these newly established powerful and (relatively) wealthy Spanish entities and power brokers.

Some of these aboriginal social rules and protocols probably included:

1. Marriage arrangements of eligible teenagers for purposes of establishing and/or strengthening inter-tribal and/or intra-tribal alliances especially between and amongst powerful elite families;
2. The attempt by these powerful elites and/or families of specialists to establish formal ties with these newly emergent Spanish power brokers through “apprenticeships” – by having their children enter into the missions through the ritual of baptism-- and by doing so, creating and thus perpetuating, an extant belief system that this “apprenticed relationship” would continue to maintain their own power brokerage with the extant and transformed communities and provide them additional prestige within this new order.

By acting in conformance with these older socio-political-economic rules for establishing and maintaining military alliances, trade networks, and marriage alignments with neighboring tribal groups, villages and the with newly established Spanish colonial settlements, these elites were probably under the belief that by exercising this formal process, partially through the ceremony of baptizing themselves and/or their children, it was done as a continuation of their aboriginal power brokerage (see Bean 1978). For example there was a reciprocal ceremonial practice of purifying with water (ritual washing) persons of the opposite moiety (deer vs. bear or land vs. water) amongst central California tribal groups especially during and after the handling of the dead and their personal property. Therefore, the use of water in baptism had some pre-existing analogous practice and meaning in aboriginal purification ceremonies (Gifford 1955).

Initially, the "official policy" of the Spanish Empire was to develop the missions into self-supporting agricultural centers whereby Indians would be "civilized" and become peon laborers for the civilian pueblos and presidios. Ultimately it was expected that the Indians would themselves become citizens of the crown and help further colonize the region for Spain (see Rawls 1986, Hurtado 1988 and Monroy 1990). Nonetheless, the colonial experience resulted in the decimation of the California Indian tribes who were exposed to European diseases, unsanitary living conditions, and malnutrition while residing at and around the missions (Cook 1976a,b; Milliken 1995). Although the Native population was severely depleted after the first 40 years, by the time of the secularization of the missions during the mid-1830s, the surviving missionized Ohlone/Costanoan Indians continued to live and work in several Post-Contact Indian communities within the Santa Clara Valley as well as on the various rancherias and *Californio* ranchos surrounding each of the other greater Bay Area missions.

## **Distribution of Ohlone Tribal Groups of Santa Clara Valley and Adjacent East Bay**

At the time of European contact in 1769, the Spanish explorers called the Indians living along the Monterey coast "Costeños," or people of the coast. After the missions were established, the Indians and the Spanish priests referred to the Mission Santa Clara Indian people as "Clareños" (Harrington 1921-1934). During the mid-19th century, scholars anglicized the term Costeños into "Costanoan"<sup>1</sup> to encompass all those tribal groups whose aboriginal territories spanned from greater Monterey Bay, Missions Soledad, Santa Cruz, Santa Clara, San Francisco, East Bay and the Carquinez Straits, and who spoke cline of distinctive, but related languages (Heizer 1974; Levy 1978; Milliken et al 2007; Milliken et al. 2009).

Very little information about the aboriginal Thámien-Ohlone speaking tribal groups who once occupied the lower Guadalupe River, Coyote Creek and Alameda Creek drainages was recorded by Contact Period Spanish missionaries who first established Mission Santa Clara de Thámien. Apparently some of these missionaries did not record the names of the many Thámien tribal rancherias and villages, as was practiced at the other neighboring Costanoan linguistic area missions (e.g., Missions San Jose, Dolores, San Juan Bautista and others). Instead, the mission Fathers had simply assigned names of Saints to the various villages and as directional "districts" surrounding Mission Santa Clara, rather than documenting the specific tribal villages from where the newly recruited and baptized Indians came from (see C. King 1994).

Milliken (1983, 1991, 1995, and 2007) and C. King (1978, 1994) have to date, conducted the most comprehensive geopolitical reconstructive ethnohistoric studies using the available Santa Clara Mission records (also see Winter 1978a and 1978b). Their studies clearly demonstrate that both the Thámien-Ohlone speaking tribal groups of Santa Clara Valley and the neighboring East Bay Chochenyo-Ohlone speaking tribal groups (e.g., Santa Agueda, Alson and Tuibun) of the Fremont Plain were brought under the sphere of influence of Mission Santa Clara and many of these Indians were baptized, married and had died at this mission. Chester King in his 1994 study entitled "Central Ohlone Ethnohistory" noted:

The area between San Jose and San Juan Bautista [mission] and extending from Santa Cruz to the San Joaquin Valley has proven to be difficult map by village or tribe. At Santa Clara Mission only the closest villages were given separate names. The more distant were grouped by region (C. King 1994:203).

---

<sup>1</sup> More recently, various authors have suggested that the present-day descendants prefer to be called "Ohlone"; however, there are three surviving historic BIA-documented tribal groups with ancestral ties to 1) Missions San Jose, Dolores, Santa Clara, 2) Missions San Juan Bautista and Santa Cruz, and 3) Missions San Carlos (Carmel) and Soledad, who have formally organized (in accordance with the 1934 Indian Reorganization Act). These three historic tribal communities whose ancestors spoke their respective Costanoan/Ohlone languages as late as the 1930s, have since revitalized and organized themselves as tribal governments and communities. All three are presently listed with the BIA's, Office of Federal Acknowledgment (OFA) as: Muwekma Ohlone Tribe of the San Francisco Bay Region, Amah-Mutsun Ohlone Tribal Band, and Ohlone/Costanoan-Esselen Nation respectively. The tribal name Muwekma is actually the aboriginal term referring to "la Gente" meaning "the People" in the Thámien and Chochenyo languages spoken in the South and East Bay (Kroeber 1910; Harrington 1921-1934; Milliken et al. 2007).

The closest villages to the mission were given the names “our mother Santa Clara” (north San Jose), “**our father San Francisco**” (downtown San Jose), **San Juan Bautista** (San Jose south of Hillsdale), **San Jose Cupertino** (Cupertino), **Santa Ysabel** (east San Jose), and **San Francisco Solano** (Milpitas-Alviso).

The next four groups recognized in the Santa Clara Mission registers are very large and include people from villages located in particular directions from the mission. The four groups were **Santa Agueda** (villages north of Milpitas), **San Bernardino** (villages west of Cupertino), **San Carlos** (villages south of San Jose), and **San Antonio** (villages east of San Jose), northeast of San Antonio were the **Luechas** and southeast of San Antonio were **Tayssen**. (King 1977, Milliken 1991) [Cited by King 1994:203].

Milliken, in his 1995 published monumental doctoral study *A Time of Little Choice: The Disintegration of Tribal Culture in the San Francisco Bay Area 1769-1810*, provides a more detailed location for the southern neighboring **Matalan** or San Carlos group:

The **Matalan** tribe held the Santa Clara Valley corridor from the present town of Coyote south to the present town of Morgan Hill (1995:248).

In the 2007 **Tamien Station (CA-SCL-690)** site report, Milliken also provides reconstructed information regarding the geographical distribution and inter-relationships between the Thámien Ohlone-speaking tribal groups within the region surrounding Mission Santa Clara by noting that:

... Four of the seven towns near Mission Santa Clara supplied enough converts to suggest that they originally contained more than 100 inhabitants.

**San Bernardino**, probably located on lower Stevens Creek, at what is now Mountain View (44 adult married converts 1778-1800).

**San Francisco Solano**, probably situated on the lower Guadalupe River at or near present Alviso (44 adult married converts 1778-1800).

**Santa Ysabel**, probably established on the lower Coyote River or Penitencia Creek, now in north San Jose (40 adult married converts 1794-1802).

**San Jose Cupertino**, probably found on Calabazas Creek or upper Stevens Creek, now part of Cupertino (50 adult married converts between 1780 -1797).

The other three smaller villages were:

**Our Mother Santa Clara**, which was probably west of the Guadalupe River within a few yards of one of the Mission Santa Clara sites ... .

**Our Patron San Francisco**, probably placed on the Guadalupe River near Our Mother Santa Clara and Santa Ysabel, east of present-day downtown Santa Clara

**San Juan Bautista**, probably located on the Guadalupe River in the Willow Glen area south of present-day downtown San Jose ... (Milliken 2004:58-59; 2007:51-52).

In the same study, Milliken also noted that:

The **Santa Agueda** district was the source of 90 percent of the Native people who went to Mission San Jose. Thus the Santa Agueda district actually must have been located on the Fremont Plain (2004:61; 2007:54) [see **Map 2** and **Map 3** below].

In an earlier study, Milliken (1983) determined that:

The East Bay people at Santa Clara Mission were listed under the district name "Santa Agueda". ... The earliest were the "Estero," "Alameda," "Palos Colorados," and "Este." Many "Alameda" and "Estero" adults at Mission San Jose had children that had been baptized at Santa Clara under the "Santa Agueda" designation. ... Most of the Santa Clara converts who later married at Mission San Jose were also "Santa Agueda"..., although some were from "San Bernadino"...

... The Mission San Jose priests provided more detailed genealogical information for each person than did those at Mission San Francisco. ... The cross references indicate that people from the "Estero" and the "Alameda" districts came from the Yrgin and Tuibun tribelets (Milliken 1983:99).

In his 1991 dissertation, Milliken, presented information about the "Santa Clara Valley Conversions, 1780-1784" stating that:

At the start of 1780 the core group of adult Christians at Mission Santa Clara were from the Alson village of San Francisco Solano, rather than the nearer tiny Thamien villages of Our Mother Santa Clara and Our Patron San Francisco. (1991:139)

Within the Santa Clara Valley and adjacent regions, during the first twenty years since the establishment of Mission Santa Clara, Milliken suggested that "(c)onversion of adult married couples in April (1795) had been concentrated among people from the southern East Bay, **Alson**, **Tuibun**, and perhaps **Jalquin/Yrgin**" tribal groups (1991:224).

Milliken's research also demonstrated that after the Mission San Jose was established in 1797, that "(i)n January of 1801 twenty-one couples became Christians, ... (t)hey were **Alsons** and **Tuibuns** from the local villages of the Fremont Plain" (1991:265). These East Bay Chochenyo (and possibly) Thámien-Ohlone speaking tribal couples were relations to the families from those same tribal groups who were baptized years earlier at Mission Santa Clara.

Furthermore, it is interesting to note that Milliken also pointed out that "(i)n January and February (1802) twenty-one **Jalquin/Yrgin** families moved to Mission San Francisco" and, "they were intermarried with **Seunens** and **Tatcans**" (1991:266); [see **Map 3** and **Map 4**, and **Figure 1 Ohlone Indians at Mission Dolores** drawn by **Louis Choris** below].



It is important to note here that many of the lineages enrolled in the Muwekma Ohlone Tribe trace their direct ancestry to the Thámien/Chochenyo Ohlone-speaking **Alson**, and to the Chochenyo Ohlone-speaking **Seunen** and **Jalquin** tribal groups whom were missionized in to Missions Santa Clara, Dolores and San Jose.

Milliken noted that the **Alson** was “a tribe that held the low marshlands at the very southern end of the San Francisco Bay, probably both north and south of the mouth of the Coyote River [Creek] now the cities of Newark, Milpitas and Alviso” (1995:235). He also mentions that the **Seunen** tribal group was:

A tribe that held a fairly small territory at the northwest side of the Livermore Valley in the hills east of San Francisco Bay. ... Most of the Seunens went to Mission San Jose between 1801 and 1804, although four of them went to Mission San Francisco in 1801 and 1802 as part of a large Jalquin group” (1995:254).

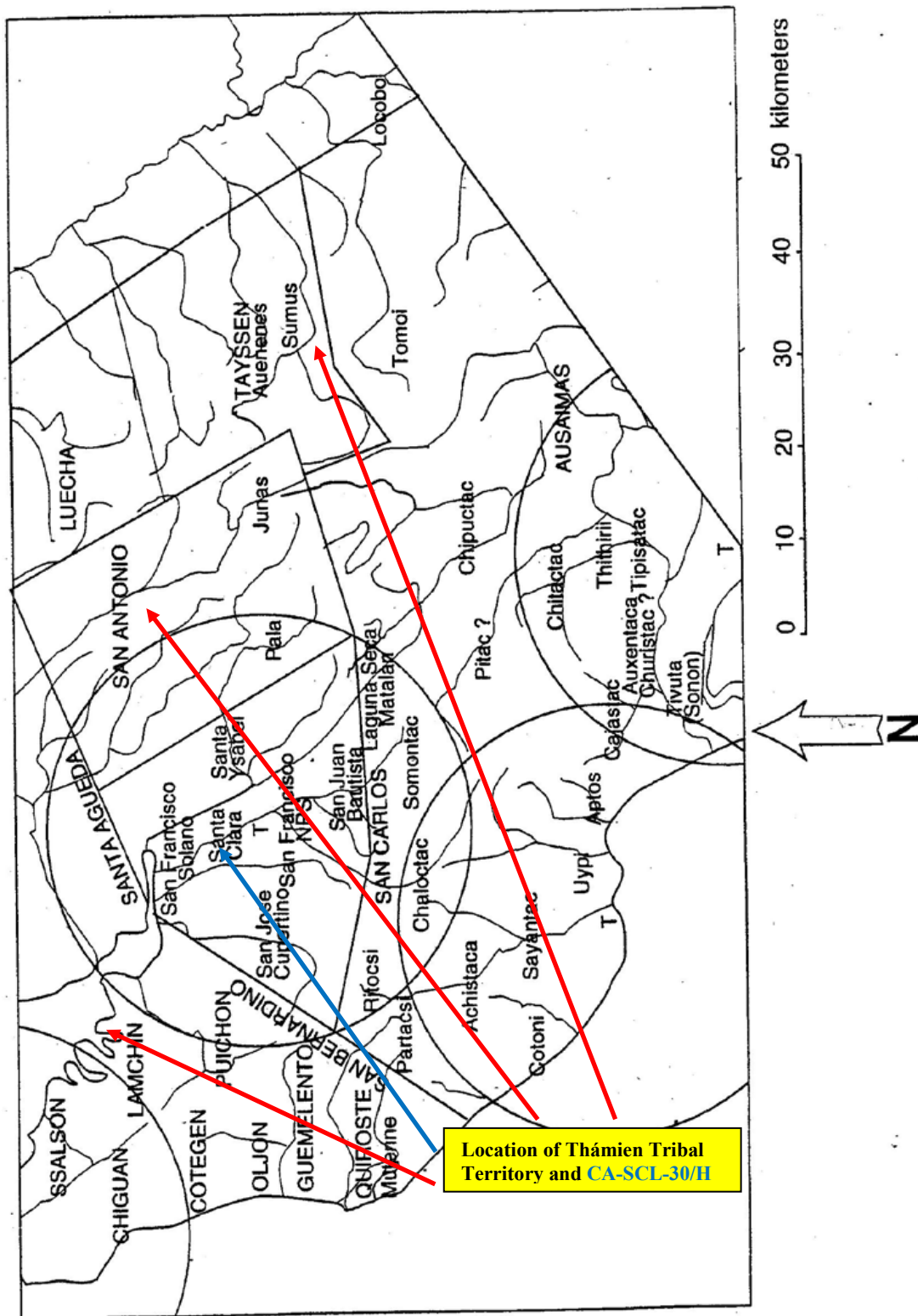
Milliken stated that the **Jalquins** and **Yrgins** were most probably a single tribal group. He suggested that the Yrgins represented the southernmost community from this tribal group who were missionized into Mission San Jose, while the northern Jalquins came under the influence of Mission Dolores in San Francisco.

The complex process that brought together East Bay and Santa Clara Valley Ohlone tribal groups into the mission system, though cataclysmic, these newly emergent mission-based communities had nonetheless maintained vestiges of their languages and culture that survived into the early 20<sup>th</sup> century. The impact of the Hispano-European colonization and missionization resulted in the first major rupture in the lives of California Indians and especially those along the coastal-interior mission strip.

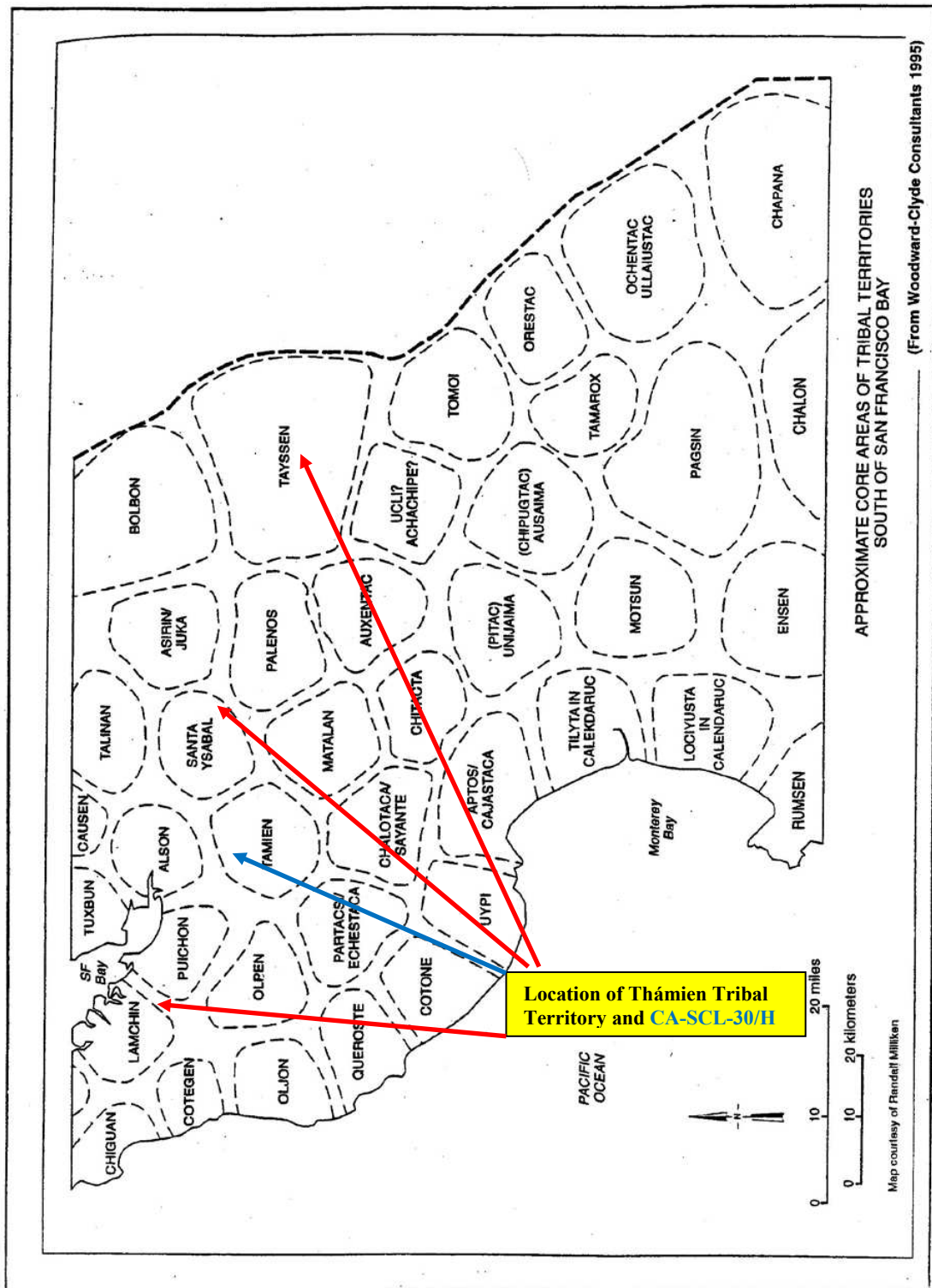
Thus two of the East Bay Chochenyo Ohlone-speaking linguistic consultants, Maria de los Angeles Colos who was born in 1839/40 and Jose Guzman who was born about 1853, had provided Smithsonian’s Bureau of American Ethnology linguist John Peabody Harrington with the observation that “the **Clareños** [Indians of Mission Santa Clara] were very much intermarried with the **Chocheños** [Indians of Mission San Jose], the dialects were similar,” and also at this time Harrington recorded the Chochenyo linguistic term – “*mu”e’kma, la gente*” [meaning the people] (Harrington 1929 field notes [1921-1934]).

Milliken (1991), based upon the mission records, conducted ethnogeographic reconstructions of tribal, village and district locations surrounding Mission Santa Clara for inclusion in his doctoral dissertation and had noted that:

The Santa Clara Mission settlement lay at the northeastern edge of the **Thamien** tribal district, very near to the lands of three other tribes. ...



**Map 2: Distribution of Thámien Ohlone Tribal Groups/Districts and Location of CA-SCL-30/H (blue) in the Santa Clara Valley [From C. King 1994]**



**Map 3: Distribution of Ohlone Tribal Groups Surrounding the Thámien Region**  
[From Milliken 1994]



**Map 4: Distribution of San Francisco Bay Tribal Groups**  
 [From Milliken 1991]



**Figure 1: Indians at Mission Dolores in 1816 [Drawn by Louis Choris 1816]**

The missionaries at Mission Santa Clara gave each of them a Spanish designation; San Francisco Solano village of the **Alson** tribe a mile or two downstream at the mouth of the Guadalupe River, Santa Ysabel village of a different, unnamed tribe east of San Francisco Solano on the lower Coyote River, and San Joseph Cupertino village of the **Thamien** tribe in the oak grove about three miles to the southwest of the mission site (1991:117).

### **Chester King's Almaden Valley Ethnohistoric Study**

In 1978 Chester King contributed an important ethnohistoric study focusing on one of the first major Thámien Ohlonean tribal groups to be brought into Mission Santa Clara. This study entitled *Almaden Valley Ethnohistory* was published in **The Archaeological Mitigation of 04-SCL-132, Alamitos Creek** by Archaeological Resource Management (1978). The following subsection presents excerpted information from King's study that principally focuses on the San Carlos Thámien Ohlone-speaking tribal group from the greater Almaden Valley and adjacent areas that were brought into Mission Santa Clara beginning in 1781:

#### **Introduction**

The Spanish colonization of the central Santa Clara Valley centered at Mission Santa Clara, where the Ohlone Indians living in the area were concentrated. The missionization program first directed its efforts to recruiting converts to the Church from the native settlements closest to the mission. As the population of these villages was depleted, the missionaries recruited converts from greater distances. The historical evidence indicated that conversions increased following Spanish military expeditions during which native people were killed. Fear of reprisals seems to have been one of the main motives for giving children to the missions or for personally joining the system.



After 1796, the mission population ceased to grow although many Ohlone were recruited every year. Diseases introduced by the Spanish resulted in the deaths of numerous Indians. It seems as though the concentration of people beyond a certain number resulted in increases in deaths as a result of disease. Violence against the native people by missionaries, settlers, and soldiers was also a cause of death. The data in the mission registers indicates that following 1782, many parents of young baptized children died without being baptized themselves.

### **Mission Recruitment from the San Carlos [Matalan] Tribe**

... The people of the San Carlos tribe lived in the Almaden and Coyote Valleys with their tribal center at *Rancho La Laguna Seca*. The *Ranchos* were huge tracts of land, located in the undeveloped areas surrounding the Pueblo de San Jose, used for grazing. *La Laguna Seca* was centered in the Coyote Valley and encompassed the foothills on either side of the valley. *Rancho de Los Capitancillos* contained the Santa Cruz Mountain foothills on the east [west] side of the Almaden Valley, and was probably the "Mountains" referred to in the mission data of the 1780s ... .

... When the missionaries began baptizing people from a settlement, they usually first recruited children who were surrendered by their parents. Later, the Fathers increasingly induced adults to come to the missions. Many adults were often baptized in large numbers following times of major military activity.

... [P]laces mentioned in the Santa Clara Mission registers for villages within the San Carlos group illustrate a model of recruitment from the area. As recruitment of neophytes for Mission Santa Clara diminished the size of the settlements closest to the mission, the missionaries began taking people from villages farther from the mission.

... The mission registers ... show that in the San Carlos tribe, people who lived in the mountains or *sierra* (*Los Capitancillos*--Almaden) were, in 1781, the first group to be baptized by the missionaries. Following the mountain people, Indians from *Rancho La Laguna Seca*--Coyote (also called *Matalanes*) were then baptized, beginning in 1789. The last date for a baptism of a person from the mountains (Almaden) was September 1790. After 1790, most of the baptisms were from *Rancho La Laguna Seca* (Coyote). This dominance continued until July 1802, then a single baptism in September 1803 was the last recorded from *Rancho La Laguna Seca*. The main villages in the Coyote Valley and remaining settlements of the Almaden Valley were essentially abandoned in 1802. After 1802, most of the people baptized by the missionaries were from a "*Rancheria de Guarto*." In the register, a man named Guarto was baptized #4871. Some of the latest (1807) associations between the mission and the Indians were with a *rancheria* of *Tomoy* which also contributed many baptisms to Mission Santa Cruz.

The information presented [in the Santa Clara baptism registry] shows that prior to 1794 some of the children baptized by the missionaries remained in their native villages with their unbaptized parents. The Fathers usually baptized the children in a settlement first, then tried to convert the parents at a later time.

The [data] also indicates that occasionally old people stayed in their native villages until they died. The relatively high frequency of burials or cremations of children by non-Christian parents demonstrates resistance by many adults to convert.

[The baptismal data also] indicates that a number of non-Christian San Carlos Indians were living in the Pueblo de San Jose at the time that they were baptized, during the later half of the 1790s. The move into the Pueblo was probably prompted by the Spanish military expeditions against the Ohlone in 1794.

## **Relations Between the Spanish and Indians from 1782 to 1802**

### **Militarism and Baptism:**

In January of 1783, Pedro Fages, Governor of Alta California, led a military expedition against *rancherias* in the vicinity of Mission Santa Clara. Father Palou of the mission reported:

He came back again to chastise some heathen in the neighborhood of Santa Clara who had killed some mares belonging to the settlers of the Pueblo de San Jose. The heathen took up arms, and our soldiers killed two of them without having one of ours even wounded, and being frightened by this they voluntarily gave up some of their children for baptism (Bolton, 1926: 224).

The increase in baptisms in the San Carlos tribe in 1783 ... may have been an effect of this expedition. On May 15, 1783, Fages sent a letter saying, among other things, that "the Indians of the *Sierra de San Jose* (Almaden hills) and those around Monterey are very peaceful as a result of the threat made to them, and many have been baptized at Santa Clara Mission" (California Archives 23: 99).

Except for those from close villages, most of the baptisms made between 1783 and 1789 were of children less than eleven years old. The recruitment situation during this time was described by Father Peña on December 31, 1786:

There are innumerable heathen in the *Rancherias* that surround the mission and only a few of them know [Christianity] from those who have become baptized. We are denied the assistance of the guard in order to go out to allure them, flatter them, and charm them, without which we are unable to assure the fruit that we are after, as we have experimented, visiting from time to time the *rancherias*, to request them humbly [to submit] to the superiority... . (AGN. Mexico: Missions, Alta California, Series 2A, Vol. 2, Santa Clara Archives).

Brutality on the part of the missionaries was both a symptom and a cause for resistance by the Ohlone. When Father Peña of Mission Santa Clara was tried in 1786 for beating four Indians to death, he cited the behavior of Spanish soldiers against the Indians in his own defense. It was probably the Fages expedition of 1783 to which Peña referred:

... it has already been two years since the same Captain Don Nicholas Soler has told and published to the whole province that the Governor (Pedro Fages) had killed with lashes and had commanded the two Sargeants at the Monterey Presidio and the San Francisco Presidio to kill more than twenty heathen Indians. On occasions soldiers use their weapons against the heathen without having encountered resistance. At times the heathen have been left abused by the cruel punishment of being hung in the trees by a foot, by scarifying their buttocks with swords, the soldiers hang them and then beat them with staffs alternating until they have all had a turn (AGN Prov. Internas, Vol. 1, No. 6: 46).

#### Military Policy in the Pueblo:

A series of dispatches written by Pedro Fages from Monterey and Ygnacio Vallejo, *Commandante* of the Pueblo de San Jose, indicate the 1785 to 1788 policy of the military. This policy was to keep all unbaptized Indians out of the settlement of San Jose, to not trade with the unbaptized Indians, to not allow the Indians to ride horseback, and to maintain an alert guard at the Pueblo because of potential attacks by the surrounding Indians, and to punish any neophyte who came to the Pueblo without passes (California Archives 44: 5-8).

On January 5, 1788, Fathers Peña and Noboa observed:

... [the heathen live with some] frequency in the Pueblo de San Jose, where many of both sexes have become semi-domestic servants and laborers of our neighbors. They are allowed to live with their old freedoms and heathen customs; along with these they have learned other unbecoming vices that they acquaint themselves with the Pueblo, and since they get food for their work they reject submission to the yoke of Evangelicism. (AGN Mexico: Missions Alta Calif, Series 2A, Vol. 2, Santa Clara Archives).

The situation of non-Christian Indians living in the Pueblo de San Jose described by Fathers Peña and Noboa was counter to instructions issued by Governor Fages on September 4, 1785. Fages' orders stated that "the Indians should be watched, not let into houses, not allowed to sleep in houses, and not permitted to ride horses, nor herd animals" (California Archives 44: 5). Also, "if anyone goes out in order to trade with the Indians or non-Christians for other hides that are worth some means ought to be punished, 103 *estoperotes* are required" (*Ibid.*: 22).

These orders seem to indicate that during the last half of the 1780s, interactions between the Spanish settlers, the military, and the unbaptized Ohlones increased. ... On April 30, 1788, Arguello reported to Fages concerning an altercation between heathen Indians in the vicinity of Santa Clara Mission and Spanish involvement. He said that Sargeant Amador was dispatched to Mission Santa Clara because of a report that the heathen of the *rancheria* near the mission had fought with the "Mountain Indians," and several mission Indians were involved in the skirmish. Sargeant Amador found two or three Christian Indians, who had gone to see the skirmish, being punished by the missionaries upon his arrival.



After this, Sargeant Amador went around to all the surrounding *rancherias* and scolded the leaders. He was informed that a heathen called "the Corporal of the laborers of the Pueblo" went about calling a meeting to make war against other heathen on account of a woman. He was captured, given several lashes and after being held prisoner for three days was set free (California Archives 4: 261).

A letter by Governor Fages to Macario Castro on January 2, 1790, outlined the degree to which the military should be involved in native disputes:

When some non-Christians are being persecuted by others who have taken their women, you should persuade them that they ought to return them (the women). Try to make the persecutors see the wrong in what they have done, and tell them that if I know [about it], it will make me angry. Then I will come with many soldiers to punish them. The same approach is to be used if natives of the distant *Rancherias* steal women of their neighbors. The officials should be sent to petition the chiefs with the same council. If, on the other hand, the women have already been captured for some time and are with children, leave them as they are since it is desired that the non-Christians be free" (California Archives 44: 27-29).

#### Monterey Presidio:

The first year in which non-Christian Indians recruited from the San Jose area worked for the Monterey Presidio was 1790. Indians who lived in the Almaden Valley were probably among those providing services at Monterey, though it seems that the San Carlos tribe was not extensively involved in the labor program. After 1795, it appears that the San Antonio tribe [from the hills to the east of San Jose] provided the Presidio with most of the day laborers and harvesters of hemp.

Men were given a blanket or other payment and provisions of grain in return for working for the Presidio. In correspondence concerning Indian day laborers, *Capitancillos* are mentioned. It is possible that the name *Los Capitancillos*, associated with the Land Grant in the Almaden Valley, was derived from "sub-chiefs" discussed in Fages' May 31, 1790 letter to Macario Castro:

... neither hatchets nor other types of tools or arms are to be given to the Indians or their *Capitancillos* who struck the Indian woman. They should be admonished that if they repeat their act, they will be punished (California Archives 44: 37).

On July 22, 1790, Fages again wrote to Castro, this time concerning Indian laborers:

Of the twenty-four Indians who arrived, not all are useful. The old ones have little value for the work. Can you see to getting fifty or twenty more and send them.

The saddened Indian is in grievous condition due to being surprised in his dance. He has been strange, this action was not commanded, but contrary to it.

In the company of Romero, you go to them. So as to not confuse them, it is best to see the *Capitancillos* and persuade them with suavity and style that four, six, or eight workers should come from each *Rancheria*. In this way they will come ... (California Archives 44: 39).

On August 3, 1790, Governor Fages wrote:

The method of gathering Indians is for the *Capitanejos* to be found and shown the need that the King has of them (*Ibid.*: 41).

On August 22, 1798, Fages wrote:

Pablo and the other "capitan" came and pledged their aid, with Romero they will gather the Indians in the *Rancherias* that they are able to ... (*Ibid.* : 42).

#### Abandonment of the Almaden Valley:

The mission registers seem to indicate that most of the members of the San Carlos tribe left the Almaden Valley and were baptized sometime around 1795. Abandonment of the valley and joining the Church was probably a result of military expeditions in 1794, which were in reprisal to the Ohlone's slaughtering of Spanish stock animals. In late 1794 to early 1795, following the military action, an increase in the baptisms of adults occurred. Later baptisms listed for the San Carlos tribe are of people who were probably coming from the Coyote Valley and other areas more distant from the mission than the Almaden Valley. The pattern of baptisms from more distant areas seems to indicate that most of the Ohlone had been removed from the Almaden Valley by 1795 (cited from King 1978:39-46 in A.R.M. 1978)

### **Distribution of Costanoan/Ohlone Languages**

Ohlone/Costanoan-related languages were spoken over a considerable geographic area, stretching from the San Francisco Peninsula, Angel Island and the Carquinez Strait to the north (e.g., the bilingual Karkin/Carquin) to a less well defined southern boundary near or inland around Soledad and just south of Monterey Bay on the coast bordering Esselen and Esselen-Costanoan (e.g., the bilingual Sargentaruc) speaking tribal groups.

The interpretive linguistic literature, which includes Kroeber (1910, 1925), Beeler (1961), Levy (1976; 1978), and Milliken (1991) diverges concerning the extent to which the variation between what language was spoken from place to place should be differentiated as either **dialects** of one idiom or as completely separate languages. Levy (1976; 1978) identified eight distinct Ohlone idioms: **Ramaytush** (San Francisco Peninsula), **Awawas** (Santa Cruz area), **Rumsen** (Monterey Bay and Carmel Valley), **Mutsun** (San Juan Bautista), **Chalon** (Soledad), **Thámien** (Santa Clara Valley), **Chochenyo** (East Bay), and **Karkin** (southern and northern shores of Carquinez Strait and possibly up to lower the Napa Valley).

Perhaps the most-weighty first-hand study in this regard was initiated by Father Felipe Arroyo de la Cuesta, who was perhaps the first literary person to describe the regional variation and interrelatedness of Costanoan/Ohlone languages. In his May 1, 1814 reply to the Interrogatory of 1812 regarding the languages spoken around Mission San Juan Bautista, Father de la Cuesta stated the following about the Costanoan/Ohlone languages:

Though they appear to speak distinct languages this is only accidentally true; that is, some of the words are different only because of the manner of pronunciation, in some cases rough, in others agreeable, sweet, and strong. Hence it is that the Indians living in a circumference of thirty or forty leagues\* understand one another (Arroyo de la Cuesta [1814] in Geiger and Meighan 1976: 20-21).

[\***Note:** a league equals about  $2\frac{2}{3}$  miles or 4.3 kilometers]

Aided by the linguistic records written by Father Arroyo de la Cuesta, Milliken (1991) concluded that people who lived in neighboring villages and regions likely would have spoken mutually comprehensible dialects, but that those who lived at the farthest extremes of the Costanoan/ Ohlone area probably would not have been able to understand one another. If, in fact, language variation occurred as smooth clines in this way, then the southern Santa Clara Valley was one of the regions of transition from one dialect to another. The Mission San Juan Bautista Mutsun-speaking dialect, bordered on the south of the centrally located Santa Clara Valley dialect Thámien-Ohlone speaking language area, likely making the Coyote Creek corridor a place where dialectic differences merged or overlapped [see Forbes 1969:184, for the **Muwekma (northern)** and **Mutsun-Rumsen (southern)** divisions of Ohlonean languages; Levy 1976; 1978].

Ortiz (1994a) in her study entitled **Chocheño and Rumsen Narratives: A Comparison** points to this difference by employing Costanoan personal names generated by Milliken from the mission records centering around the terms **Kaknú** (prairie falcon) from the Santa Clara Valley area to the North Bay and **Ka-kun** (Chicken Hawk) which was used in Costanoan speaking tribal territories to the south of Santa Clara Valley (Mutsun/Rumsen –speaking areas within the greater Monterey Bay region):

Kaknú's use disappears in the personal names of those individuals baptized at Mission San Carlos Borromeo, Mission Santa Cruz, and San Juan Bautista. The similar "cancun," however, occurs in the names of four persons baptized at Mission Santa Clara. Two such names belong to individuals from the Fremont area, one from the San Antonio Valley, and only one outside that area. (Ortiz 1994a:107).

The existence of the **Mutsun** and **Thámien** linguistic boundary was also noted by 19<sup>th</sup> century historian Frederic Hall in his 1871 publication **The History of San Jose and Surroundings:**

... The tribe of Indians which roamed over this great valley, from San Francisco to near San Juan Bautista Mission, (known a century ago as the valley of San Bernardino,) were the Olhones (sic) or (Costanes.)

Their language slightly resembled that spoken by the Mutsuns, at the Mission of San Juan Bautista, although it was by no means the same. (1871:40)

Although Levy strongly implied that language areas were coterminous with areas of ethnic identity, e.g., that those people who spoke the Chochenyo dialect self-identified as the Chochenyo people, there is no evidence to support such a view. To the contrary, regional cultural identities in native California clearly overlapped language boundaries. Moreover, based upon pre-contact inter-marriages, especially among elites, natives (especially women due to village exogamy and patrilocal residential patterns) were more than likely multi-lingual speakers (see Blackburn 1976;

Milliken 1983:70; 1991), which again in the case of the Coyote Creek corridor seems particularly likely amongst the Thámien-speaking San Carlos/Matalan tribal group due to their strategic location bordering north of the Mutsun-speaking tribal groups. [Note: for an updated re-classification of the circum-San Francisco Bay Ohlone languages as a single language identified as **San Francisco Bay Costanoan** as determined by linguist Catherine Callaghan, see Milliken et al. 2009].

### **Evidence of Social Stratification and Hereditary Leadership in the S.F. Bay Area**

Clearly, the basic political unit for native Californians, including those of the Thámien Ohlone-speaking tribal groups, was the sedentary residential village (representing one of many within the larger geo-political tribal territory). Pre-contact and contact-period central California tribal geopolitical boundaries, social structures, subsistence-settlement patterns and ceremonial and economic institutions were very complex and social interactions and ritual obligations between lineages went beyond the residential village community (Goldschmidt 1951; Blackburn 1976; Bean 1978; Bean and Vane 1978; T. King 1970, 1974; Wiberg 1984; Luby 1991; Leventhal 1993; Bellifemine 1997; Panich 2020, and others).

Because of the seasonality of subsistence-related activities covering a wide range of the micro-ecosystems (e.g. fresh water creeks and streams, inland lagoons and marshes, bay shore wetlands, coastal, and estuarine resources, hardwood and mixed chaparral forests, grasslands, etc.) that were all possibly located within a single tribal territory, Native families and small multi-family groups may have moved about during the course of a year from one harvesting locality to another all within a half day's trek from sedentary villages or resource-base camps.

These temporary resource-based sites and camps, possibly composed of several temporary house-shelters, contrasted with the larger, permanent (or semi-permanent) strategically situated principal ceremonial village. Thus each tribal group actually occupied a territory dotted with seasonal resource-related occupational and specialized task sites, lesser villages, as well as, semi-sedentary and sedentary villages. The Coyote Creek corridor, with its mostly year-round water supply and mixture of seasonally variable riparian, fresh water marshes, foothill, upland and valley habitats, fits this description well. **Father Palou**, in 1774, described his encounter with this riparian habitat:

[We] came to a large bed of a river [Coyote Creek], well grown with cottonwoods, alders, and willows, but without water. We followed this bed along its bank, which was very high and steep, and we made out across the river on a hill to the north of a village of heathen.

We followed the bed of the river and came to a thick wood of several kinds of trees and blackberry bramble which it was necessary to cross, and in it we found some little houses of the heathen, who at the noise we made, left their things and concealed themselves in the thick woods. We crossed, near a village, a good brook of running water, which we soon saw no more, and we judged that it sank into the sand (Bolton 1926: 260).

Encompassing the territorial areas of each tribal group and its macro-resource harvest (catchment) zone were larger regions composed of several villages and their outliers (ceremonial shrines, cemeteries and specialized task sites). The Spanish explorers called these territorial units *rancherias*. Anthropologists have described these larger regions variably. Kroeber (1939, 1962) used the term "tribelet" to denominate rather small multi-village regions that he asserted composed the largest political units in native California.

C. King's (1977) description of pre-contact conditions in the southern Santa Clara Valley offers an early assessment of the political geography of what he calls the "**Matalan** tribelet," who inhabited the Coyote Creek corridor, Almaden Valley and environs just south of the Santa Teresa Hills area to just south of Morgan Hill. Perhaps unsurprisingly, King conflated language boundaries with the political borders of Kroeberian defined tribelets. There is also some confusion between the extent to which villages and multi-village regions composed units of kinship, such as clans, moieties, lineages, or residence groups, which are not equivalent.

Milliken (1991) recognized that villages were residential units composed of several non-related kin groups in the Ohlone/Costanoan areas generally, and the Santa Clara Valley specifically (Milliken 2004; 2007). He also described the larger multi-village regions as political groups that defended large territories. Bean (1976) has shown that intermarriage between village elites constructed regional elites, also described by King (1977) specifically for the **Thámien**-Ohlone speaking **Matalan** tribal territory. Through trade fairs and feasts, marriages and funerals, and other important ceremonial events were part of widespread ritual complexes such as the **Kuksú** religion, such elites were able to intermarry across considerable distances, effectively integrating even larger zones of complex interaction.

As far as these elites and the social hierarchy are concerned, many early explorers made clear that institutions of authoritarian leadership existed among native Californians in the San Francisco Bay area. While Father Arroyo de la Cuesta erroneously wrote "they neither had nor recognized any captain or superior," (Arroyo de la Cuesta [1814] 1976:115), he nonetheless described charismatic individuals who were instrumental in organizing both warfare and peacemaking with neighboring groups.

Milliken (2004) quoting Father Narciso Duran from Mission San Jose:

They recognize neither distinction nor superiority at all. Only in war do they obey the most valiant or the luckiest, and in acts of superstition they obey the sorcerers and witch-doctors. Outside of these they do not recognize any subordination, either civil or political (Duran quoted in McCarthy 1958: 274).

C. King, by contrast, quoting Father Amoros' description of the natives near Mission San Carlos (Monterey) noted:

The prominent Indians are the captains or kings. There is one for each tribe. They command obedience and respect during their lifetime. This office is hereditary, or, in default of an heir by direct descent, it goes to the closest relative. This chief alone among the pagans could retain or desert a number of unmarried women; but if he had children by one of them, she was held in higher esteem and he lived permanently with her (King 1977 quoting Heizer 1974: 41).

Bean (1976) concurs that chiefs (often referred to as *capitanes* (captains) by the Spaniards) utilized their kin-ties with neighboring elites to facilitate trade relations that acted as insurance against periods of relative resource deprivations, as well as possessing the power to collect and redistribute food surpluses in their own territories.

The power of chiefs and the elite families that controlled chiefly positions were symbolized by the possession of treasure goods which passed down through families over considerable lengths of time. King's ethnohistory of the Matalan (the **San Carlos** Thámien Ohlone-speaking tribal group) describes leadership and social stratification that accords with Bean's framework.

Milliken's view (1983, 1991), while tending more toward a strictly charismatic rather than stratified view of chiefs, also makes clear the importance of leadership among the pre-contact Ohlone/Costanoan peoples. He (Milliken 1983: 55-56) cites Father Vicente de Santa Maria who wrote:

We noticed an unusual thing about the young men: none of them ventured to speak and only their elders replied to us. They were so obedient that, notwithstanding we pressed them to do so, they dared not stir unless one of the old men told them to; ...  
[Santa Maria in Galvin 1971 [1775]: 31].

Leventhal (1993:155-157) in his archaeo-mortuary study entitled A Reinterpretation of Some Bay Area Shellmound Sites: A View from the Mortuary Complex at CA-ALA-329, the Ryan Mound also considered the first-hand ethnohistoric observations made by Father Santa Maria in 1775 concerning Native political authority and military capability recorded among the **Carquin** (Karkin) Ohlone tribal group residing on both sides of the Carquinez Straits, in the southern vicinity of the Town of Martinez. Father Santa Maria noted:

On the 15<sup>th</sup> of August the longboat set out on a reconnaissance of the northern arm [of the bay] with provisions for eight days. On returning from this expedition, which went to have a look at the rivers, José Cañizares said that in the entranceway by which the arm connects with them [Carquinez Strait] there showed themselves fifty-seven Indians of fine stature who as soon as they saw the longboat began making signs for it to come to the shore, offering with friendly gestures assurances of good will and safety.

There was in authority over all these Indians one whose kingly presence marked his eminence above the rest. Our men made a landing, and when they had done so the Indian chief addressed a long speech to them ... .

... After the feast, and while they were having a pleasant time with the Indians, our men saw a large number of heathen approaching, all armed with bows and arrows.

... This fear obliged the sailing master to make known by signs to the Indian chieftain the misgivings they had in the presence of so many armed tribesmen. The *themí\** (chief) (sic), understanding what was meant, at once directed the Indians to loosen their bows and put up all their arrows, and they were prompt to obey. The number of Indians who had gathered together was itself alarming enough.

There were more than four hundred of them, and all, or most of them, were of good height and well-built [Santa Maria in Galvin 1971:51-53].

[\*Note: The term *themí* might be in the root of the place-name **Thámien** in reference to *Capitans* or Chiefs as in the case of the 1842 land grant to Justo Larios' **Rancho Cañada de los Capitancillos** meaning "Valley of the Little Captains" located near New Almaden in south San Jose and site **CA-SCL-967**].

Captain Commander Fages (governor of Alta California, Monterey) in 1775 also contributed first-hand descriptive accounts about aspects of aboriginal contact-period political authority, social structure, and redistributive economy among the Costanoan-Esselen groups in the Monterey Bay region:

Besides their **chiefs of villages**, they have in every district another one who **commands four or five villages together, the village chiefs being his subordinates**.

Each of them collects every day in his village the tributes which the Indians pay him in seeds, fruits, game, and fish. ...

The subordinate captain is under obligation to give his commander notice of every item of news or occurrence, and to send him all offenders under proper restraint, that he may reprimand them and hold them responsible for their crimes. ... Everything that is collected as the daily contribution of the villages is turned over to the commanding captain of the district, who goes forth every week or two to visit his territory. The villages receive him ceremoniously, make gifts to him of the best and most valuable things they have, and they assign certain ones to be his followers and accompany him to the place where he resides (Priestley1937:73-74).

## **Material Culture and Subsistence**

The Spanish explorers encountered in central coastal California modes of living which were alien to their sensibilities. While the soils were clearly fertile, the native peoples did not cultivate (with the exception of Native tobacco). The numbers and diversity of wildlife astounded such early writers as Pedro Fages and Fray Juan Crespi, yet through their eyes such faunal abundance connoted untrammelled wilderness; everywhere they traveled they encountered villages and substantial populations of Native peoples. It is only recently that anthropologists have been able to pierce the incomprehension that the Spaniards and other European evinced about native Californian peoples before the latter's ways of life were destroyed by the activities of the former.

The material culture -- in other words the technologies for producing goods and products [technomic, sociotechnic and ideotechnic products (after Binford 1962, 1971)] -- that native Californians created are clearly derived from their adaptation to the landscapes they inhabited and the resources they utilized. Native Californians were sedentary-to-semi-sedentary gathering, hunting and fishing peoples living in an extraordinarily rich biotic habitat who, by their subsistence activities, tended to increase rather than deplete the resources upon which they depended.

Lewis (1973), Bean and Lawton (1976) and Blackburn (1976) were among the first to demonstrate that natives' use of controlled burns augmented the growth of wild grains eaten both by humans and herds of herbivores who congregated around areas humans altered in this way. These practices have been referred to as "quasi-agriculture" and "incipient game management." Fire management also helped to create concentrations of oak trees in specific areas from which harvests of acorns played an important seasonal role in native diets (Lewis 1973; Bean and Lawton 1976; Weigel 1993; Anderson 2006; Lightfoot and Parrish 2009).

Tools manufactured by natives were thus utilized to process the foods obtained from native resource management. Hunters, mostly male (women did engage in rabbit and possibly antelope drives and fishing; (see E. Wallace 1978), flaked ultra-sharp chert and obsidian arrow points, dart points, knives, chopping tools, scrapers, etc., found at the sites of their hunting camps, hunting blinds, and village sites. Such tools could also be used by women to process and cook meat, fish, and shellfish. Both sexes likely contributed to the weaving of string, cordage, rope, fishing nets and the construction of basketry traps for fish and small animals. But women clearly excelled in fiber manufactures: California is renowned as the locus of the finest and most diverse basketry in the world, and the macro-Ohlonge/Costanoan region was no exception in this regard. Women utilized porous baskets to leach acorn meal in order to remove toxic tannic acid, and water-tight baskets to cook a variety of meals from different plants, animals and fish. Baskets were used in fishing, for hauling abalone and other mussels from the waterside, and for winnowing wild grain. Very large woven baskets on stilts acted as granaries and very small baskets were used to store jewelry and other commodities (Elsasser 1978; Shanks and Shanks 2006).

Both genders may have worked *Haliotis* (abalone), *Olivella* shells, and colorful feathers were integrated into elaborate necklaces, ear, nose and hair ornaments, and beads woven into dance skirts, headdresses and other ceremonial regalia (Bates 1982). While men and children commonly virtually wore no clothing during the warmer summer months, women used plant fibers and deer skin to fashion skirts and aprons. Ritual regalia and the finery of the social elite were also manufactured from the pelts of rabbits, deer, elk, antelope, bear and wild cat or, in coastal and bay areas, from sea otter and sea lion fur.

Residential shelters were basically round grass or tule and bulrush thatched structures built on willow pole frames, while the larger, excavated semi-subterranean ceremonial buildings utilized for assembly or dance houses and sweat lodges, probably used boughs of hardwood or redwood trees (especially on the West Bay) as center posts for structural support. The sweat lodges and dance houses (*túupentak* in the Chochenyo dialect, but more commonly referred to in the literature by the Mexican term "temescal") may also have been earth covered as elsewhere in California.

### **Ritual Practices and Ceremonial Sites**

Of all aspects of pre-contact native Californian culture, religion and ritual evoked the most hostility from Spanish colonial invaders whose observations accordingly are difficult to assess for accuracy. It is clear that performances which in Western discourse are referred to as dancing were central aspects of religious ritual and reenactment of Creation Time, not only in the sense of worship, but also as activities which could themselves positively affect the balance of forces in the world and universe (Bean and Vane 1978).



From the reports and diaries of Fages, Font, Paloú, Crespi, Arroyo de la Cuesta, and others it is also apparent that each region's rituals may have varied in details of procedure, regalia, and song. However, given the view that these rituals were perhaps practiced within a larger framework or ceremonial interaction sphere among neighboring tribal groups, Milliken's caution (2004) that one ought not to draw excessively direct conclusions about the nature of ritual in the Santa Clara Valley from what is known about dance ceremonies conducted by East Bay Ohlones or the peoples of the Monterey region that may be useful, but not necessarily conclusive.

Notwithstanding that proviso, Santa Clara Valley Ohlone tribal groups likely danced world renewal ceremonies and paid a great deal of attention to funerary and mourning rituals as can be ascertained by Late Period mortuary sites (e.g., **CA-SCL-128**, [*Thámien Rúmmeytak*] Holiday Inn Site (Leventhal et al. 2015); **CA-SCL-38**, *Yukisma Mound* (Bellifemine 1997), **CA-SCL-690 Tamien Station** (Hylkema 2007); **CA-ALA-329 Mánni Muwékma Kúksú Hóowok Yatış Túnnešte-tka** (Leventhal 1993); and more recently *Sii Túupentak*/CA-ALA-565/H in Sunol (see Byrd et al. 2020).

Dance enabled participants to open and travel through doors between the conscious world and an ongoing supernatural world where the beings who had initiated the creation of the world and of human beings continued to enact mythic dramas. Dancers' regalia were imbued with the power of these rituals, and certain natural locations, such as springs, rock formations, trees, etc. marked nodal points and served as shrines where ritual performance became particularly effective (see Bean 1975; Bean and Vane 1978, Bates 1982, Davis 1992).

Humans could also hallow sacred places through the burial of their ancestors in locations that even the Spanish identified as cemeteries (Leventhal 1993; Font in Bolton 1933 below). This is of note specifically in the case of the analysis conducted at the *Clareño Muwékma Ya Túnnešte Nómno Site* (**CA-SCL-30/H** – 3<sup>rd</sup> Mission Santa Clara) which contained at least several thousand burials that bridged traditional Ohlonean world view and the transformed/emergent Hispano-Catholic Clareño world view of cemeteries as “sacred places” (Leventhal et al. 2011; Panich 2015, 2018, 2020). This is also of especial note for the purposes of this study since the *Thámien Rúmmeytak Site* (**CA-SCL-128**) contains at least upwards to 100 ancestral burials, and therefore does indeed represent the presence of a large ancient cemetery.

Pedro Font traveling through different parts of the Santa Clara Valley made several observations about the nature of Contact Period Ohlone cemeteries. Near modern-day Gilroy, Font noted:

On passing near the village I mentioned on the road we saw on the edge of it something like a cemetery. It was made of several small poles, although it was not like the cemeteries which we saw on the Channel [between Santa Barbara and the Channel Islands]. On the poles were hung some things like snails and some tule skirts which the women wear. Some arrows were stuck in the ground, and there were some feathers which perhaps were treasures of the persons buried there (in Bolton 1933: 322).

Even closer to the 3<sup>rd</sup> Mission Santa Clara Indian Neophyte cemetery *Muwékma Ya Túnnēšte Nómmo Site (CA-SCL-30/H)*, and approximately 3 miles northwest of the *Thámien Rúmmeytak Site*, Father Font described the following scene within the nearby Coyote Creek corridor located approximately 7 miles southeast of the mission. From his description, it can be understood that the use of feathers and other regalia hung from poles and related structures may not have been exclusive to cemeteries but were established as a kind of shrine:

At this place we found still standing the poles of the little bower erected in the journey which in September of last year was made by the ship captain Don Bruno de Hezeta and Father Paloú . . . . We found that the Indians had made a fence of little poles around them, and in the middle had set up a thick post about three spans long, decorated with many feathers tied in something like a net, as if dressed, and with an arrow stuck through them.

On one pole many arrows were tied and from another were hung three or four balls of grass like tamales, filled with pinole made of their seeds and of acorns, or of others of their foods which we did not recognize. In the middle of a long stake there was hung a tuft of several goose feathers, but we were unable to understand what mystery this decoration concealed (Font 1930 [1776]:321-322).

These above ethnohistoric observations potentially provide some of the parameters of ceremonial activity and ritual performance that were carried on at the **CA-SCL-128** site locality (within the ancestral Thámien-Ohlone speaking tribal territory) approximately between 2000 to ~300 years ago when these ancestral Ohlone people died and were buried at what was to be named *Thámien Rúmmeytak* by the present-day Muwekma Ohlone Tribe of the San Francisco Bay Area.

### **The Transformation of Costanoan/Ohlone Societies Resulting from the Impact of the Spanish Empire's Expansion into Alta California (1769-1836)**

Based upon the research of many Californian anthropological scholars (e.g., Kroeber 1932, 1939, Goldschmidt 1951; Gifford 1955; T, King 1970, 1974; Fredrickson 1973; Bennyhoff 1977; Chertkoff and Chertkoff 1984; Moratto 1984; Bean and King, eds. 1974; Bean and Blackburn, eds. 1976; and others), prior to the time of contact with the expanding Spanish empire, central California Indian societies had already developed complex social, political, economic and ceremonial institutions that interconnected neighboring tribal groups and regions. This is evidenced by the wide distribution of artifact assemblages, traits and burial patterns found in central California mortuary mounds (sometimes referred to as Shellmounds in the San Francisco Bay Area) especially during **Phases I and II of the Late Period (Dating Scheme B1: Bennyhoff and Hughes 1987)** or during the beginning of the **Middle-Late Transition Augustine Pattern post-AD 1020** (Groza 2011; Byrd et al. 2017 the **Dating Scheme D2 Late Phase 1 (L1) AD 1265 –AD 1520** and **Late Phase 2 (L2) AD 1520 – AD 1770** (Groza et al. 2011; Byrd et al. 2019), and also demonstrated by the even wider distribution of the **Kuksú religion** which as stated above geographically ranged from the Salinan tribal groups to the south in Monterey County to the Cahto and Yuki to the north in Mendocino County; (see Mason 1918; Loeb 1932, 1933; Bennyhoff 1977; Bean and Vane 1978; Winter 1978a; Leventhal 1993; Bellifemine 1997; Hedges 2019; Byrd et al. 2020a).

These inter-regional linkages were principally integrated through mechanisms of trade, kinship (especially through marriage alliances of elites), the performance of shared rituals and ceremonial obligations (e.g., Kuksu ceremonies, trade feasts, funerals and mourning anniversaries [see Blackburn 1976]).

Among village elites, for example, the political world clearly did not stop at the boundaries of their own territory. Elites from villages throughout the territory of Ohlone/Costanoan-speaking peoples (and neighboring linguistic groups) married their children into other elite families from important neighboring villages, villages in which Ohlone/Costanoan-related languages may or may not have been spoken by neighboring tribal groups (see Milliken 1993; Milliken et al. 2009).

Intermarriage gave rise to extended kinship networks of multi-lingual elite families and communities, whose wealth and status represented the accumulation of economic surpluses from territories much larger than the village community itself (Bean 1978; Milliken 1990, 1991; Brown 1994). Through elite intermarriage, larger regions were integrated which overlapped and crossed linguistic boundaries (Bean and Lawton 1976; Bean 1992; Byrd et al. 2020a).

Elite intermarriage patterns also facilitated and underscored other regional integrating forces such as trade and ritual obligation (see Blackburn 1976). People from different villages, often distantly related, struck up personal trading relationships, called “special friendships,” which often lasted whole lifetimes (Bean 1976). Through networks of “special friends” different foods, tools, and treasure goods were traded from village to village over long distances.

Networks of ritual and ceremonial obligation called together large numbers of diverse peoples for particular occasions, such as the funerals of significant inter-village elite personages (Blackburn 1976). On such occasions, trade fairs also occurred where elites likely arranged the future marriages of their children. Taken all together, the trading of subsistence and treasure goods, the exchanges of marriage partners, and the cycles of ritual and ceremony tied together constellations of kin-based village communities into integrated political, economic and cultural fields led by a small, inter-village elite strata (see Fages 1775 [1937]; Bean 1992). These elite-ruled realms might be described as quasi-chiefdoms or ranked chiefdoms (Service 1962, 1975; Fried 1967; for an archaeological perspective on evidence of social ranking within the San Francisco Bay see T. King 1970, 1974; Wiberg 1984; Luby 1991; Leventhal 1993; Bellifemine 1997; and others).

The paradox of a bountiful environment, large populations, and lack of recognizable cultivation confounded the Spaniards, the first Europeans determined to control what is now the state of California. Elsewhere in Latin America, particularly in the Andes and Meso-America (see Salomon 1981, Rappaport 1990, Smith 1990, many others), indigenous structures of governance and processes for manufacturing commodities were more familiar to European eyes. Therefore, at least for a time following the initial conquest of indigenous civilizations, the Spaniards harnessed indigenous political and economic organization for their own purposes. Because the Spaniards could not cognitively apprehend a civilization whose productive base, economic surplus, and sources of wealth were fundamentally alien, their domination of Californian natives hinged upon completely re-molding their cultures and societies into forms that were comprehensible to European sensibilities.

The Franciscan missions, the method the Spanish Empire used to lay claim to California, may be seen as the process of implanting European political and economic systems. This process required that Native American religions and cultural practices be restricted and eventually forbidden, and later, the destruction of the economic and environmental foundations of native life (Cook 1976b; Castillo 1978).

The missionized Native peoples of the Bay Area and elsewhere in coastal California became a labor force for an emergent agricultural and pastoral economy which obliged natives to leave aside most indigenous ritual and ceremonial practices, as well as the manufacture of many aspects of aboriginal material culture. As agricultural laborers, missionized Indians were largely separated from the seasonal rhythms of their own food production practices, while the growth of mission farms and rangeland for cattle initiated an environmental transformation of the Bay Area and the entire coast that destroyed much of the resource base of the indigenous economy.

Demographic collapse of the Ohlone/Costanoan populations held captive at Mission Dolores at the tip of the San Francisco peninsula, Missions Santa Clara and San Jose in the South and East Bay respectively; Mission San Juan Bautista farther to the south (San Benito County), and the Esselens at Mission San Carlos surrounding the Monterey peninsula occurred because of the horrendous effects of European-introduced diseases, exacerbated by the unhealthy diet and overcrowded living conditions at the missions. Birth rates plummeted from a psychological phenomenon now recognized as post-traumatic stress (Cook 1976a; Rawls 1986; Hurtado 1988; Jackson 1992).

As the populations of Ohlone/Costanoans both inside and surrounding the missions contracted diseases, survivors tended to congregate around the missions, seeking solutions to their seemingly unsolvable problems from the missionaries and colonists who were causing those same problems. Under the circumstance of socio-cultural “holocaust” which took approximately forty years (1769-1810) to unfold, many Bay Area Ohlones may have identified with their oppressors, who seemed to have overthrown and taken control of all of the old systems of spiritual and earthly power, although others may have fled and sought protection with the interior tribes to the east (see Milliken 1991, 1995, and 2008 for a different interpretation that partly exonerates the missions).

In response to the diminution of their labor-force, the Franciscan fathers and civil authorities directed Spanish soldiers to bring in new converts from outlying tribal areas. The neighboring Coast Miwok, Bay and Plains Miwok, Yokut, Patwin, and Esselen speaking peoples from villages located east, north and south of the Bay Area missions became the new cohort of neophytes as laborers, and they intermarried with the surviving “*viejos Cristianos*” Ohlone-speaking peoples (Harrington 1921-1939; Milliken 1978, 1982, 1983, 1990, 1991, 1995, 2007, 2008; Milliken et al. 2009; Panich 2020, and others).

Such intermarriage patterns were, as emphasized above, already established between neighboring North Valley Yokuts, Coast Miwok, Bay Miwok and Plains Miwok, Patwin and Ohlone/Costanoan-speaking elites during the late pre-contact and contact periods. Milliken (1991) discussing common female name suffixes amongst the **Huchiun-Aguastos** Ohlone/Costanoan-speaking tribal group of the southeast shore of the San Pablo Bay region noted:

The Huchiun-Aguastos spoke a Costanoan dialect most similar to their Huchiun neighbors, and also very similar to the Carquins, if female personal names suffix clusters are good reflections of language. “Maen/main” [mayen] was the most common female name suffix at thirty-one percent, higher than any other Bay Area group.

... Huchiun-Aguastos, Huchiun, and Carquin personal names contains numerous root and suffix syllable clusters common to Coast Miwok, and Bay Miwok names, such as “eyum,” “joboc,” “ottaca,” “saquen,” and “tole”, suggesting extensive culture sharing in the San Pablo Bay area across language boundaries. (1991:427)

At the missions, intermarriage apparently continued to subtly reinforce sociopolitical hierarchies and older surviving elite families. Even under the triple assault of religious conversion, ecological and economic transformation, and demographic collapse, indigenous political leadership and resistance did not disappear.

In Panich’s 2020 study, he contributes to this discussion by stating that:

In the northern region of Alta California, people of diverse tribal backgrounds bonded together based on the shared experience of living and working at particular mission establishments. Through this pattern of coalescence, mission-based Native populations typically acquired generalized identities associated with the missions themselves (e.g., Clareño, Gabrielino, etc.) but it likely that these externally applied ethnonyms masked considerable internal divisions.

Time was an important variable affecting the nature of mission communities. Indigenous people who were baptized in the early years had, for better or worse, adapted certain aspects of their precontact politics and lifeways to the constraints of the mission system. These people—whom colonists dubbed *Christianos Viejos*, or “Old Christians” – may not have truly embraced Christianity more were they particularly loyal to the colonial order but they nonetheless saw some advantages to aligning themselves with Euro-Americans, who by now were clearly here to stay (Panich 2020:99).

The missions struggled against frequent desertions by neophytes, and armed rebellions occurred at Missions Dolores, San Jose and Santa Clara (Milliken 1983, 1991). Led by **Pomponio** and **Charquin** at Mission San Francisco (early 1820s), by the famous **Estanislao** at Mission San Jose (1828-1829), and by **Cipriano** and **Yozcolo** at Mission Santa Clara (late 1830s), indigenous guerrilla armies combined the forces of both runaway neophytes and natives from villages the Spanish had not yet dominated (Holterman 1970; Brown 1975; Rawls 1986; Milliken 2008; Panich 2020). Yet the Spaniards mostly succeeded in destroying the ecological basis for the indigenous economy, and in transforming the Bay Area peoples and their close neighbors into an exploited, impoverished soon-to-be landless working class.

In Frances L. Fox’s 1978 publication titled **Land Grant to Landmark**, he noted that:

In reality no picture of this period could be complete without mentioning the Indians, as they were the working arms which made it possible to carry out agriculture and other projects needed to provide necessities of daily living. Without them the romantic leisurely days of early California would not have existed, as it was not uncommon for the *ranchero* to have from fifty to a hundred servants in the household. .

Dr. John Marsh, American pioneer of 1836m stated, "Throughout all California the Indians were the principal laborers; without them the business of the country could hardly be carried on. ... (Fox 1978:7-8).

It was as indebted peons that the ancestors of the Muwekma, the Ohlone people of the San Francisco Bay Area and elsewhere in Hispanic California confronted the next two stages of European domination, with the secularization of the missions and the ensuing conquest of California by the United States.

### **West Bay Ohlone Tribal Groups and the Last of the Puichon Descended Indians - The Evencio Family of San Mateo County**

Randall Milliken, Lawrence Shoup and Bev Ortiz (2009) had conducted a comprehensive ethnohistoric study for the Golden Gate National Park on the Indians of the San Francisco Bay Area, wrote the following historic account on the Evencio family. Descended from the **Lamchin/Puichon Ohlone**-speaking tribal groups of the West Bay around San Francisquito Creek area, and the Saclan Bay Miwok speaking tribal group of the East Bay, Pedro Evencio (**Figure 2**) and his children were the last of the **Doloreño** Indians who had aboriginal descent from the West Bay. Milliken wrote:

A four year old boy named Yaculo, who was to found the only San Mateo county Indian extended family documented into the twentieth century, was baptized at Mission Dolores on October 31, 1790. He was brought to the mission by his father Gesmon ("The Sun" [also spelled Exmon]) and his mother Ssapiem, San Francisco Bay Costanoan speakers from either the **Lamchin** or **Puichon** local tribe, and he was christened Evencio. Four years later, Evencio's future parents-in-law were baptized. They were Sacalinci and his wife Uimusmaen, who led the first group of adult **Saclan Bay Miwoks** [from the East Bay] through the baptismal ceremony at the mission in December of 1794; after fleeing in 1795 they returned with a son who was christened Juan Diego in 1798. Their mission-born daughter Geronima, Evencio's future wife, was baptized in June of 1800. Geronima and Evencio were married in about 1826 and had at least eight children between that year and 1844. Their oldest son, **Pedro Evencio**, was the man whose testimony in federal court in 1869 about the eviction of the Indians from Rancho San Mateo ....

... Pedro Evencio's paternal grandparents, Rosendo Exmon and Osana Ssapiem, were baptized at Mission Dolores in 1793 (SFR-B 1231, 1248), three years later than their son Evencio Yaculo. Evencio Yaculo grew up in the Mission Dolores community and married Salaverba, a Huchiun San Francisco Bay Costanoan, in 1804 (SFR-M 953, SFR-B 2747).

Evencio and Salaverba had five children before she died in 1820 .... Evencio Yaculo then married Geronima sometime during the mid-1820s, although no record of the wedding has been found. The seven children of Evencio and Geronima who appear in the Mission Dolores baptismal record were baptized between 1828 and 1844. Since none of them was named Pedro, we presume that he was born in 1826 and that Evencio Yaculo and Geronima were also married that year.

Evencio Yaculo and Geronima raised their children during the Rancho Era at the mission outstation of Rancho San Mateo. Pedro Evencio stated in 1869 court testimony that his father had been the leader of the San Mateo Indian community when Pedro was young. ...

Pedro Evencio married Pastora at Mission Dolores in December of 1846. She was a Churuptoy **Patwin** from the present Woodland, Yolo county area by way of Mission San Francisco Solano (SFS-B 1166). The marriage entry lists Pedro as 20 years old and the bride as 18 (SFR-M 2162). Pedro Evencio and Pastora had four children who were baptized at Mission Dolores between 1852 and 1862. Those children were typical mixed-ancestry Doloreños, having as they did a Puichon San Francisco Bay Costanoan/Saclan Bay Miwok father and a Churuptoy Patwin mother.



**Figure 2: Pedro Evencio (Photo taken by Mary S. Barnes from Stanford in 1894)**

Unfortunately, with the passing of the Evencio family, there are no other known living descendants from either the *Puichon* Ohlone or other West Bay Ohlonean tribal groups that survived into the late 20th century with the possible exception of individuals within the Cordero family (see below).

There are however enrolled members of the Muwekma Ohlone Tribe, who are descendants of *Doloreños*, Ohlone Indians who were brought into Mission Dolores, during the early part of the 19th century from the East Bay. Mission records attest that there was intermarriage between elites from the *Yelamu* Ohlone of San Francisco and the *Jalquin* East Bay Ohlones during the early Contact Period (Milliken 1991:111; 1995:62).

In 2009, Milliken et al. noted the **recently discovered descendency of the Cordero family** noting:

Until recently, it was believed that the last known descendent of a native Peninsula group died in the 1920s. We have now learned that Jonathon Cordero, sociology professor at California Lutheran University, traces his family's roots back to Francisca Xavier, a San Francisco Bay Costanoan from the Aramai village of Timigtac, on the Pacific Coast just south of San Francisco. From a wider perspective, hundreds of people are alive today who descend from local groups that spoke the same San Francisco Bay Costanoan language, but lived elsewhere around San Francisco Bay. Additionally, thousands of people trace their ancestry back to tribal speakers of Mutsun and Rumsen, two Monterey Bay Area languages of the same language family as San Francisco Bay Costanoan. The single-language family to which their ancestors all belonged has been labeled Costanoan since 1891, Ohlonean (by a few) since the 1930s, Ohlone (by some) since 1978, and Ohlone/Costanoans (mainly by government agencies) since the early 1990s. (Milliken et al. 2009:2).

Milliken et al. also noted about the recent genealogical revelation conducted on the Cordero family that:

Only one descendent family of San Francisco Peninsula Ohlone/Costanoans can now be identified. The family descends from Francisca Xaviera of the Aramai local tribe (of modern Pacifica) and her husband Jose Ramos (from Tulanzingo, Mexico), who married at Mission Dolores in 1783. Their children and grandchildren considered themselves to gente de razón, and were so considered within the hierarchal world of early Hispanic California. Their modern descendents, who carry the surnames Cordero, Robles, and Soto, among others, **have not participated as Indians in the modern cultural or political arenas** (Milliken et al. 2009:239).

Panich in his 2020 publication set the stage for the post-secularization of the Bay Area missions stating that:

From secularization [1834-36] to the dawn of the twentieth century, Bay Area Ohlone people faced a new set of challengers spurred by the advance of American settler colonialism. Though the promises of secularization were almost immediately broken by Mexican-period elites, Native people were able to fall back on the skills learned in the missions to maintain economic continuity in California's agrarian economy. In the late 1840s, the dual revolution of American annexation and the Gold Rush quickly transformed the region, and Ohlone families and their



relations sought refuge in the hills of the southeastern Bay Area as the demographic and political changes radiated outward from the north. There, they found common cause at Alisal and other interrelated rancherias. Indigenous religion thrived at the same time that agricultural work remained an important sources of livelihood despite the rapid urbanization of San Francisco, Oakland, and San Jose. The lives of individual Ohlone are difficult to see against the backdrop of the region's demographic and economic growth during this time, but Native people maintained significant social identities based on precontact and mission ancestry even as they intermarried with each other to perpetuate their contemporary community (2020:141).

### **1834-1846 Secularization of the Missions and its Aftermath**

In the last decades of Mission San Jose's existence, between 1800 and the 1830s under Franciscan administration, the population of Ohlone peoples from the East, South and West Bay had endured such steep demographic declines that, as mentioned above, the mission's fathers were obliged to seek further afield for native people for conversion and to provide the labor to maintain the mission's farmlands, ranches and extensive herds.

As discussed above, many Indians from the Coast Miwok, Bay and Plains Miwok, to the north and east of the missions, and from the North Valley Yokut and Patwin tribal groups as well, were converted at Missions Dolores, San Jose and Santa Clara (Cook 1957, 1960; McCarthy 1958; Bennyhoff 1977; Milliken 1982, 1991, 1995, 2008; Milliken, Leventhal and Cambra 1987). Also as noted previously, marriage exchanges between these tribal peoples followed extremely old and established kinship traditions in central California; intermarriage and strong relations of kinship continued within the setting of the mission, albeit under circumstances Indian peoples found alien, harsh and objectionable.

Notwithstanding the enormously destructive changes missionization wreaked upon indigenous culture and society, the missions themselves were vulnerable to the winds of political change. Situated at the very northern edge of the Spanish empire, central California's history was really a part of a larger Latin American history until the late 1840s.

The Spanish crown had decided to secularize the missions as early as 1813, but the struggle for Mexican independence intervened. Between 1834 and 1836, the Mexican Republic enacted legislation that terminated the missions and proposed to divide mission properties among the missionized indigenous peoples. Yet this division of land and resources did not fully occur in the San Francisco Bay region. Instead, the local families of Spanish-Mexican descent, known as *Californios*, proceeded to make formal claims upon most of the property owned by missions Santa Clara and San Jose. Large cattle ranchos were created and the *Californios* established themselves as neo-feudal lords (Phillips 1981; Milliken 2008; Milliken, Leventhal and Cambra 1987).

Milliken, conducting research with the Muwekma Tribe for the Interpretive Recommendations and Background Report for the East Bay Regional Park District, noted:

Under Spanish law, Mission lands were to be held in trust for the Indians until the government felt that they had become enough like Europeans to be considered "people of reason". The Mexican government came under strong pressure during the 1820's to ignore the Indian land rights and open up mission lands to settlement by the families of ex-soldiers and by new settlers from Mexico. The government of Mexico finally gave in to these pressures with a series of secularization acts between 1834 and 1836. On paper these acts protected the Indian land rights. Administrators were to divide mission properties among the Indians, with the left over lands to be allocated to Mexican immigrants through petition.

A veritable landrush began among local Mexican families from San Jose when Jose Jesus Vallejo became administrator of Mission San Jose in 1836. Within a two-year period, an instant feudal aristocracy was formed, complete with a population of Indian serfs. Families such as the Vallejos, Pachecos, Alvisos, Castros, and Bernal gained control of the mission lands and herds. These new land owners continued to live in San Jose, while former Mission San Jose Indians did all the labor on various ranchos (Milliken, Leventhal and Cambra 1987:11).

Thus the ancestors of the Muwekma Ohlone experienced a second abrupt and catastrophic shift in their lives when the Mexican government secularized the Franciscan Missions. Although, as stated above, Mexican law decreed that half of all the mission held lands were to be issued to the newly patriated neophytes, no such lands were formally granted with the exception of three or four individual land grants to several Clareño Ohlone Indian families (see below). Most Indians left the missions to become manual laborers, domestics and vaqueros on neighboring Californio-owned ranchos.

## **Mexican Land Grants Issued to Secularized Clareño Indians**

### **Rancho Ulistac**

Around the area of **Mission Santa Clara**, however, several (**Clareño**) Ohlone families were fortunate to be granted land grants by the Mexican government. In 1845, Governor Pio Pico granted the **Ulistac** land grant near Alviso in Santa Clara to **Marcello** (SCL-B #1360; baptized June 15, 1789 at age 4), whose father Alexandro Seunes (SCL-B # 4577; baptized July 21, 1804 at age 44 and died August 5, 1812) and whose mother Pacanagua (not baptized) were from the **San Bernardino** (district) Tamien Ohlone-speaking tribal group located to the west of Mission Santa Clara.

The Ulistac land grant was also issued to two other Mission Santa Clara Indian men named **Pio Guatus** (SCL-B # 4805; baptized June 21, 1805 at age 12 and died November 21, 1846) and **Cristobal** (SCL-B # 6157; baptized November 7, 1813 at age 3 days) and whose father was Audito Lataig (SCL-B # 4737; baptized June 20, 1805 at age 20) and whose mother Audita Petsilate (SCL-B # 4838; baptized June 21, 1805 at age 20, and died February 1, 1825) were from the **Tayssen** Ohlone-speaking tribal group.

As mentioned above, the **San Bernardino** tribal group/district was located in the Stevens Creek, Saratoga and Pescadero Creek water shed region to the west/southwest of Mission Santa Clara (Milliken 1995). **Pio Guatus** and **Cristobal** were traced through the Mission Santa Clara Baptismal records to the **Tayssenes** (and **Sumu**) Thámien Ohlone-speaking tribal group whose territory included the upland valleys to the southeast of San Jose towards the Orestimba Creek drainage and who were located to the east of the **Paleños/San Antonio** tribal group (Milliken 1995:229).

Rancho **Ulistac** measured half a league (2270 acres) and included the bay shore of the present-day cities of Santa Clara and Alviso (Brown 1994).

### **Rancho Posolmi**

Earlier, on February 15, 1844, another Clareño Ohlone Indian named, **Lope Yñigo**, was issued title to 1695.9 acres (2.64 square miles) around present-day Moffett Field near Mountain View by Governor Micheltorena (Brown 1994). This land grant was called **Rancho Posolmi y Pozitas de las Animas (Little Wells of Souls)**. Apparently, Yñigo was recognized as a chief or *capitane* of the "San Bernardino" Ohlone-speaking people who originally occupied this region. He was baptized at Mission Santa Clara in 1789 (SCL-B # 1501; baptized December 26, 1789 at age 8 years old). Yñigo's father Celedonio Samis (SCL-B # 3106; baptized April 5, 1795 at age 4 and died November 8, 1820) and mother Temnen (died before being baptized) were also from the **San Bernardino** tribal district located to the west/northwest of Mission Santa Clara (Huntington Library On-Line Mission Database).

Posolmi land grant was also referred to as **Yñigo's grant**, **Yñigo Reservation** (Thompson and West 1876 Historical Atlas Map of Santa Clara County) and **Pozitas de las Animas**, or **Little Wells of the Souls**.

Although reduced to approximately 400 acres, Yñigo's claim came under review in the U.S. Land Commission of 1852 (Walkinshaw vs. the U.S. Government, Posolmi, 125, Land Case 410) and he retained this small portion of his land until his death on March 2, 1864. Yñigo was buried somewhere on his land which is now occupied by Moffett Field and Lockheed Corporation. After Yñigo's death, it appears that his descendants may have afterwards moved to the Alviso Rancho [(see U.S. Land Commission Index to land Grants 1852, U.S. General Land Office, Posolmi, 125, Land case 410); Bancroft 1886; Harrington 1921-1934; Arbuckle 1968; see: Thompson and West 1876 Map identifies Yñigo Reservation (Moffett Field); Yñigo Rancho by Pat Joyce; Obituary of Yñigo in the **San Jose Patriot**].

### **Rancho de los Coches**

Also in 1844, Governor Manuel Micheltorena formally granted **Rancho de los Coches (the Pigs)**, totaling 2219.4 acres, to a Mission Santa Clara (Clareño Ohlone) Indian named **Roberto Balermينو**. Since 1836 Roberto had occupied this land west/southwest of the confluence point where the Guadalupe River and Los Gatos Creek meet in downtown San Jose. He built his adobe dwelling in the "Willows" area of what is now part of Willow Glen.

It is interesting to note that Rancho San Juan Bautista borders on the southeastern side of Rancho de los Coches and the *Clareño Muwékma Ya Túnnešte Nómmo Site (CA-SCL-30/H – Mission Santa Clara)* is located approximately three miles to the northwest of Roberto's adobe/homestead.

Fox (1978) in his publication, wrote about Roberto and his Land Grant stating:

Undoubtedly Roberto was an Indian of stature as judged by his position of authority with the mission, the subsequent granting of the *Rancho de los Coches*, and the issuing of a "Certificate of Emancipation" giving him full citizenship rights. Such recognition was seldom given to Indians during this period (1978:15).

...An interesting sidelight of the Roberto's Adobe history is that a part of the *Rancho de los Coches* it was a landmark case in the land grant settlements confirming the rights of Indians to hold grants and dispose of them. It was believed unusual for an Indian to receive a land grant, although in the same year 1844, Governor Manuel Micheltorema granted Rancho Posolmi (1695.90 acres) to Yñigo, chief of the tribe inhabiting land now occupied by Moffett Field (1978:21).

Roberto was baptized **Roberto Antonio** on September 26, 1785 at the age of 3 years old (SCL-B # 0791). He was identified as being from the **San Juan Bautista (district)** Tamien Ohlone-speaking tribal group. Roberto's father was Juan Jose, who was baptized on December 4, 1802 at the age of 40 years (SCL-B. #4384). Juan Jose was also identified as being from the San Juan Bautista (district) Ohlone tribal group. Juan Jose's Indian name was **Guascaí** and he died on February 7, 1825 (MSC death register #5808). Roberto's mother's name was identified as **Sulum** but there was no additional baptism information.

**Rancho de los Coches** was adjacent to the aboriginal territory of Roberto's tribal homeland that included the district that the Spanish Priest called **San Juan Bautista** (again not to be confused with Mission San Juan Bautista located south near Hollister). At the age of nineteen (around 1801) Roberto had married his first wife Maria Estefana (this date is based upon the birth of one of their children). Roberto's marriage to Maria Estefana connected him to the **Alson** Ohlone Tribal group of the **San Francisco Solano** district located to the north of Mission Santa Clara (Milpitas/Alviso), and also connected him to the **Santa Ysabel** district to the east hills above San Jose (Brown 1994; C. King 1994).

Maria Estefana was baptized on August 8, 1785 (5 days old) and she was identified as coming from the **Santa Ysabel** (district) Costanoan/Ohlone-speaking tribal group (SCL-B. #0773). Maria Estefana's mother was **Micaelina Antonia** who was baptized at Mission Santa Clara on June 18, 1780 at the age of 18 years. She was identified as belonging to the **San Francisco Solano** (district) Costanoan/Ohlone tribal group (SCL-B #0181). Maria Estefana's father was named **Francisco Gil** by the Spanish priests and was baptized on April 21, 1782 at the age of 20 years (SCL-B #0347). His Indian name was Gilan. Francisco Gil was identified as coming from the **Santa Ysabel** (district) Costanoan/Ohlone tribal group. Maria Estefana died on April 29, 1811,

Approximately 4 years after the death of Maria Estefana, Roberto married a Clareño Ohlone Indian woman named **Manuela**. Manuela was baptized at Mission Santa Clara on November 30, 1804 at the age of 7 years (MSC Bapt. # 4656). Her Indian name was **Chebuunot** and she was identified as coming from the **Rancheria San Antonio** – Sojue(?) district/tribal group located in the mountains to the east of the mission. Forty-four years later, Manuela died on February 17, 1849 (MSC death register # 8207).

Roberto and Manuela sold the rancho to Antonio Sunol on January 1, 1847m for the equivalent of \$500.00, and recorded in that deed of sale it states “I am in debt to him [Sunol] for \$500, and have no means to acquit myself of this debt. Signed Jose Roberto Valermino ... (Fox 1978:23). Roberto died later that year on October 26, 1847 (MSC death register #8053).

Years later, on February 17, 1851, Juan Balermينو, Roberto’s son renounce any claims to the Rancho, which was sold by his father to Antonio Sunol. Fox noted that “by the end of 1851 the entire family was deceased. They may have succumbed as a result of. The deadly choler epidemic that swept through the valley during that time” (1978:23).

[**Note:** between the summer of 2009 to its grand opening on March 7, 2015, the Muwekma Tribal leadership and Language Committee, brought the history and heritage of Roberto Antonio Balermينو and his family back to visibility by naming a public park located at 1527 Almaden Expressway in his honor as a major Clareño Muwekma Ohlone Indian historic figure.]

### **Rancho La Purisima Concepcion**

On the West Bay, a land grant was issued to another Clareño Ohlone Indian man named **Jose Gorgonio** and his family. **Jose Gorgonio** and his son, **Jose Ramon**, were granted **Rancho La Purisima Concepcion** by Governor Juan B. Alvarado on June 30, 1840. This rancho comprised 4,440 acres or 1 square league around the present day Palo Alto/Los Altos Hills area (Brown 1994). **Jose Gorgonio** was probably baptized as **Gorgonio** (SCL-B #1721; baptized July 15, 1790 at age 1½ years). His father’s Indian name was **Lulquecse** and his mother’s name was **Seguem**. Lulquecse was identified as **Chrisostomo Lulquesi** (SCL-B #2672; baptized November 27, 1794 at age 42 and had died November 5, 1801). He was listed as being from the **San Bernardino** district located to the west of Mission Santa Clara. Gorgonio was also identified as being from the San Bernardino tribal district.

### **Other Indian Settlements**

During the post-secularization period (after 1836), there were at least six Indian rancheria settlements established areas surrounding **Pueblo de San Jose**. One major rancheria was located on the **Santa Teresa Rancho** (Bernal's property) south of the Pueblo San Jose near the Santa Teresa Hills. Another was located in the valley east of San Jose called **Pala Rancho**, while a third was established along the Guadalupe River above Agnew on the **Rinca de los Esteros Rancho** (City of Santa Clara).

In the present-day City of Cupertino was the **Quito Rancho**. In **Pueblo de San Jose**, there was a settlement of "free Indians" on the east side of Market Street, and the sixth community was located further west along the banks of the Guadalupe River near Santa Clara Street (King 1978; Winter 1978a).

## **Establishment of the East Bay Rancherias**

After secularization of the missions, many of the Mission Santa Clara (Clareño) Ohlones, including the **Luecha**, **Santos** and other families, found refuge with their familial cousins residing in the East Bay on rancho lands owned by Californios, especially near the present-day towns of **Pleasanton**, **San Leandro/San Lorenzo**, **Livermore**, **Sunol**, **Niles** and **Alviso** (Harrington 1921-1934).

During the years 1841-1842 some of the surviving Bay Area Mission Indians left the missions and found work on many of these neighboring ranchos as domestics, field laborers, farm hands and vaqueros (cowboys). During this period of time there appears to have been a free and independent Indian community working (and possibly owning) land between the San Leandro and San Lorenzo Creeks located within the aboriginal **Jalquin/Yrgin Ohlone**-speaking tribal territory near the present-day City of Hayward (see Nicholas Gray Survey Map of 1855; also see Harrington 1921-1934 interviews with Susanna Nichols, Jose Guzman and Maria de los Angeles Colos).

Recent research was conducted into the land claims made by two direct ancestral Muwekma Indian brothers Ancieto and Silvestre who lived on the **San Lorenzo/San Leandro Rancheria**. Detailed information was found in the following publication titled **A Geographic History of the San Lorenzo Creek Watershed: Landscape Patterns Underlying Human Activities. Prepared for the Alameda County Clean Water Program. A Technical Report of the Regional Watershed Program**, published in SFEI Contribution 85. San Francisco Estuary Institute, Oakland, California by, R. Grossinger and E. Brewster, in 2003. The following has been excerpted from that report:

### **Mission San Jose - Rangeland**

In 1796 the alluvial plain surrounding San Lorenzo Creek, from which the Yrgin [Jalquin Ohlone] had harvested grains and hunted wildlife for generations, became part of the Mission San Jose Rancho. Established 15 miles south of San Lorenzo Creek, Mission San Jose constitutes the first major European land use of the area, and a potentially significant early impact to the watershed. The Mission is also the initial center of European development of the southern East Bay.

After the secularization of the California missions in 1834, the lands around San Lorenzo Creek were granted by the Mexican government to several men including Joaquin Estudillo (San Leandro), Guillermo Castro (San Lorenzo Alto), Francisco Soto (San Lorenzo Baja), and Jose Amador (San Ramon) before the establishment of ranchos. During this period, grazing density may have reached even higher levels than during the Mission era. Some accounts put Castro's herd at 10,000–15,000 head in an area of less than 30,000 acres (a density of 1 cow/2-3 acres). As the herds expanded into the Yrgin's lands during this period, the Yrgin themselves probably served as vaqueros, herding the cattle on lands that had been previously their own. The high human mortality rate at the mission necessitated continual recruitment of converts, often using force to cause relocation to the mission. After 1810, many of the converts brought to the mission each year were from the larger populations of the Central Valley, who became the new labor force for Mission system.

The relationship between native peoples and the land has typically been denigrated since European contact (e.g. “In this land of plenty they had scarcely wits enough to keep alive” (Stuart 1951). Yet local tribes not only helped shape the open grassland ecosystem that facilitated the Spanish cattle-based economy, but also largely built the Mission landscape, as the primary source of labor for Mission activities. A rare recognition is found in a cemetery marker near Mission San Jose: “Here sleep Four Thousand of the Ohlone Tribe who helped the Padres build this Mission San Jose de Guadalupe. Sacred be their memory.” (Stuart 1951: 39)

The Diramaderos, or “overflowing of the springs”, was an array of mineral springs associated with the Hayward Fault. The springs produced a sizable flow (est. 3000 gallons of water per minute, ~6.7 cfs) that had a large zone of spatial influence. Early maps show stream channels extending from the springs across nearly the entire alluvial plain.

The spreading of these waters toward San Lorenzo Creek created an area between the spring channels and the creek that had an unusually high water table and supported extensive willow marshes, or “sausals.” The sausals supplied native peoples with building materials and were likely managed, with techniques such as coppicing, to provide straight branches for arrows, baskets, and houses. The groves also provided shade on an open plain, shelter from the winds off the Bay, and probably contained smaller springs. In fact, the one native village in the area that was not associated with the Bay or the base of the hills was located in these groves, and later became downtown San Lorenzo. The water supplied by the Diramaderos may also have been partly responsible for San Lorenzo Creek’s perennial flow along its lower reaches. The flowing of the springs at Diramaderos is said to have ended with the 1868 Hayward fault earthquake.

Some writers speculate that as many as 150 people lived in the native village at Diramaderos during the early 19th century, in a community that received unusual legal recognition from the Mexican government. As a condition of the grant to Estudillo, the Indians at the Diramaderos were granted the land “on the meadows” north of San Lorenzo Creek. These wet meadows and “overflow lands” were to be used by the Yrgin as a hunting and fishing preserve (Sandoval 1988: 43).

This stipulation was a rare instance of explicit transfer of lands to an Indian group in the Bay Area. It appears to have contributed to the general confusion regarding the boundary between Estudillo and Soto, making their claims more difficult to pursue in the American courts. Eventually both the Yrgin and the Mexican Rancheros lost ownership of the land to immigrant Americans. A map produced as part of these court

## **Towns**

At the time of European contact, San Lorenzo Creek watershed was part of the lands of the Yrgin people. The Yrgin appear to have been closely related to their neighbors to the north, the **Jalquin**, who lived in the vicinity of San Leandro Creek and the Redwoods, and the **Seunen**, of the present San Ramon-Dublin area to the east. The Yrgins entered Mission San Jose primarily between 1799 and 1805, due to a variety of pressures, including aggressive missionary work, disease, and decreasing food supply.

In their initial contacts, the native people were generally peaceful in response to the newcomers. In an indicative description by Father Font, he reports that “[o]ne Indian who carried his provisions on the end of a pole invited us to eat some of them” (Bolton 1933: 357). In the vicinity of San Lorenzo Creek, Father Font describes the local language as “distinct from all those we had formerly heard,” reflecting the cultural diversity of the Bay Area, which supported several dozen distinct tribes at the time of European contact (Milliken 1985).

Studies of the Alameda Creek area, several miles to the south, and other parts of the Bay Area, suggest that indigenous residences shifted seasonally to utilize the resources available at different times of year. Because of the year-round availability of shellfish and other aquatic foods, however, tribes usually maintained some permanent presence in a village on the shores of the Bay. In the San Lorenzo area, the shellmounds located at the northern edge of the vast South Bay marshlands may have been such a village. During winter, migratory waterfowl were hunted in the marshes. During spring and summer, groups spread out to collect bulbs, greens, and grass seeds from the alluvial plain. They developed base camps and brought materials back to the bayside village for winter storage. In summer and fall, the hills were utilized for hunting deer and the intensive gathering of acorns from groves of oak trees. Seasonal villages were associated with these activities.

Artifacts and historical information suggest that seasonal villages in the San Lorenzo Creek area were probably located at the Diramaderos springs, in downtown Hayward, in the vicinity of the San Lorenzo Cemetery, and at the Holy Sepulcher Cemetery. These summer and fall habitations are located at springs or creeks at the base of the hills that would provide water sources later into the year, or, in the case of downtown San Lorenzo, along the creek in the willow groves downstream of the large spring at Diramaderos. Miller suggests that the Hayward Civic Plaza was a key village site because San Lorenzo Creek provided the only perennial source of freshwater (1975: 10).

Most of the early Spanish and American town centers in the vicinity - including San Lorenzo, Hayward, Alvarado (numerous shellmounds), and Mission San Jose (the Indian village of Oroysom) — were established on native village sites, which had already been identified as the best spots for human settlement. In fact, some of these sites, such as San Lorenzo and Alvarado, had been physically constructed by indigenous communities. Shellmounds several stories high provided an elevated position above the valley floor, removed from floods, and often planted with buckeye trees for shade.



Despite persistent Indian presence in the vicinity, squatters such as Mulford and Roberts were able to establish an American settlement in the shellmounds and willow groves near the Bay during the 1850s. “Squattersville” became the town of San Lorenzo, well-positioned for access to the waterfowl and salt resources of the marshes, and a natural crossroads (leading to its other historical name: “Four Corners”).

### **Roads**

When Europeans first explored the Bay Area, they generally didn't have to blaze trails through thick chaparral or tall grass. Rather, they followed the road - “el camino.” The first Spanish expeditions commonly record “well-beaten paths,” even in places where few native peoples were encountered (e.g. Bolton 1927: 285). Coming up the East Bay in 1776, Font comments that “the road is apart from the estuary, at first about a league and then farther and farther away” (Bolton 1933: 359) and “the road followed the foothills” (Bolton 1933: 361). Anza’s diary from the same expedition summarizes the route near San Lorenzo Creek, also notes the grassland-covered hills, conspicuously lacking forest: “the road runs close to a small range completely bare of trees, for none are seen except some which grow in the canyons” (Bolton 1930: 135).

The roads encountered by the Spanish had been etched into the landscape through centuries of indigenous use, connecting villages or towns to local resources and more distant destinations. The Indian road described above linked the Santa Clara Valley with the Oakland area. With the assumption of control by the Spanish government, it became El Camino Real, the only continuous road along the East Bay plain in historical times. Present-day Mission Boulevard (East 14th St./International Blvd. in Oakland) largely follows the original Indian and subsequent Spanish road, but some adjustments were made. ...

Despite these variations, many important modern roads generally follow ancient routes. Redwood Road carried felled trees from the neighboring San Leandro Creek watershed down through the less rugged Castro Valley. Marina Boulevard crossed the alluvial plain to Mulford Landing, the shellmounds, and a large salt pond. Similarly, Hesperian Boulevard split off from El Camino south of San Leandro to reach the important shellmounds, salt ponds, and landings on Alameda Creek at Alvarado.

As mentioned above in the study, eventually both the Indians and the Californios lost their ownership of their respective lands as a result of the U.S. land claims commission.

### **The Muwekma Enrolled Armija Family Descendancy from Silvestre Avendano**

Genealogical studies conducted by the Muwekma tribal leadership as well as genealogists, have demonstrated direct lineal descent from Silvestre and his brother, Ancieto through Silvestre’s son Jose Elias Armija (aka Elias Aleas Armijo). The following Mission San Jose record information has been identified for Elias Armija's (Jose Aleas) ancestry. Jose Elias Armija’s mother **Perpetua SSAUECHEQUI** was from the **Tamcan** Tribal group from around the Byron area.

1809 Mar 16, #1636      **Perpetua SSAUECHEQUI**, Tamcan Tribe  
 Born: 1807 (2 years old at baptism)  
 Father: Deceased (gentil difunto)  
 Mother: Oyojola o Guayaatne  
 Godparents: Maria Higuera

Jose Elias' father was Silvestre (Avendano) who was born February 26, 1800. It was from the baptismal information of one of his siblings **Ancieto** and Fermin that we know that they were from "del estero" which is located on the Fremont Plain within the **Alson** Ohlone Tribal territory:

1800 Feb 26, #292      **Silvestre**, Mission (del estero)  
 Born: Feb 26, 1800  
 Father: Crisanto (neofitos)  
 Mother: Crisanta  
 Godparents: Teodora Peralta

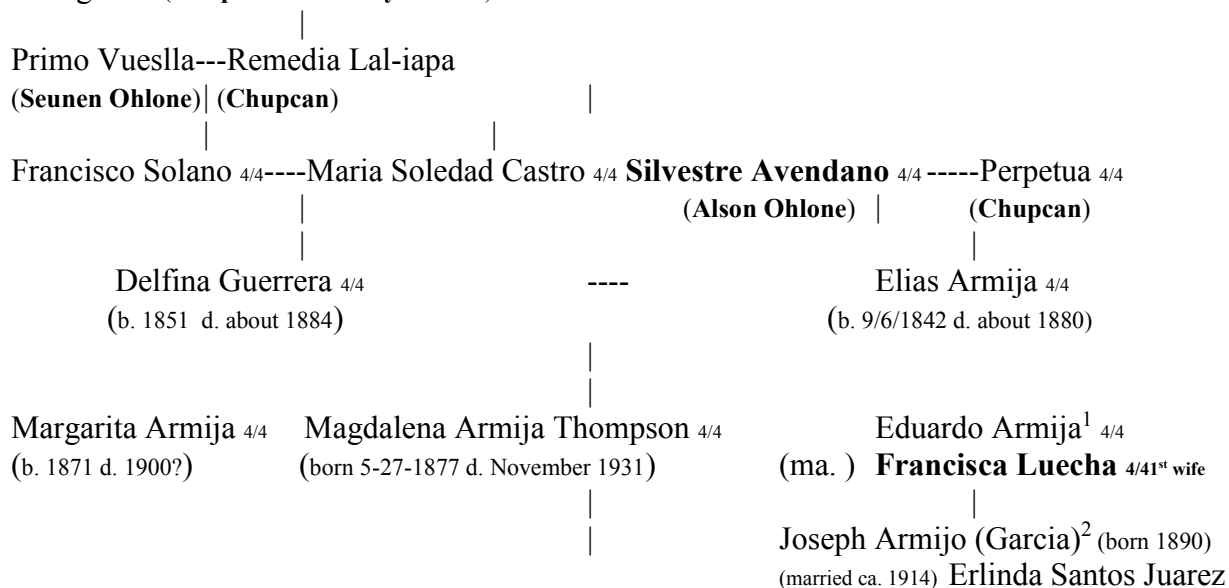
By 1842, Perpetua Ssauechequi had married Silvestre Avendano in October 1842 and they had a son named Jose Elias who was baptized at Mission San Jose:

1842 Nov 6, #8167,      **Jose Elias**  
 Born: Oct 1842 (1 month old)  
 Father: Silvestre Avendano (MSJ # 292)  
 Mother: Perpetua (MSJ # 1636)

The Mission records for Jose Elias document that **Silvestre Avendano** was his father who was also baptized at Mission San Jose (MSJ Bapt. #292).

**The Armija Family Ancestry** is traced through several generations of Indians. The following is a basic genealogical tree:

Radegunda (Chupcan Tribe/Bay Miwok)



(children)

Belle Stokes (Nichols)  
[bapt. Isabelle S. Olivares]  
(born 2-19-1890)  
Joseph Aleas  
(born 5-11-1893)

(children)|

Rosa Bernal  
Henry Marshall  
Roberto Mach (Marshall)  
Flora Emma Thompson Martel  
Emily Thompson  
Ernest Thompson  
Eduardo Thompson (enrolled Muwekma tribal member)  
Lorenzo Thompson, Sr. (enrolled Muwekma tribal member)

|  
Alphoso and Daniel Juarez  
(b. 1914 and b. 1917)

(married) **Chona Bautista** 4/4 2<sup>nd</sup> wife

|  
Cecelia Armija Marine  
(born 1900 – d. 1949)

Another Muwekma lineage having affiliation with the **San Lorenzo Rancheria** included the founding Elders **Liberato Culpecse** and his wife **Efrena Quennatole** who lived on that rancho. Based upon Mission San Jose record studies, the Muwekma Ohlone Tribe has documented that **Efrena Quennatole** [who was the great-grandmother of Dario, Dolores, Isabelle, Ramona, Mercedes, Victoria, Lucas and Trina Marine, grandmother of **Avelina Cornates Marine** and **Francisca Nonessi Guzman**, and the mother of **Maria Efrena** and **Liberato Nonessi, Jr.**] was recalled by Verona Band/Muwekma Ohlone consultants **Jose Guzman** and **Maria de los Angeles Colos** during one of their interviews with Harrington (see below). Mission records suggest that Efrena Quennatole and her third husband **Ybon Uacu-uga**, were living at "**de Rancho de San Lorenzo**" at the time of the birth and baptism of their son Ybon in 1838 (Mission San Jose baptism dated March 31, 1838). Years later, Ybon (Jr.) went through life by the name of Miguel Santos Pastor and he had married Celsa Santos<sup>2</sup>. The following is Ybon's Mission San Jose 1838 baptismal record:

1838 Mar 31,	<b>Ybon</b> , "de Rancho de San Lorenzo"
Born:	Mar 16, 1838 (15 days old)
Father:	Ybon
Mother:	Efrena

Based upon his research, Milliken also discovered that during this period of time:

One group of Indians established an independent community somewhere along the road north from Mission San Jose toward Alameda Creek during the 1840's. The head of the community was Buenaventura, one of the few survivors of the original villages from the local "Estero" area, or bayshore.

---

<sup>2</sup> On the **1880 Census**, **Miguel Santos** (age 40); Maria (Celsa), wife, age 35; Hosa S. (Jose Santiago), son, age 15; Maria (Antonia), daughter, age 7; Vincent (Jose Antonio), son, age 5; and Pappoose, son, age 5/12, (born January 1880), were residing in Brooklyn Township, north of the San Leandro Creek near the old San Lorenzo Rancheria, possibly near the old town of Fitchburg (now Oakland).

Buenaventura had been baptized as a two-year old at Mission San Jose in 1798 (JOB 161). Father Miguel Muro granted a license to Buenaventura, six other adult males and their families on 2 November 1844. His wife Desideria was of a family that had moved to the mission from the Jalalon area, now eastern Contra Costa county. Buenaventura died in 1847. Desideria sold the group's license to an American in 1849. The U.S. Land Commission of the 1850's did not recognize the license as a valid land title, however [Land Case 290 n.d.:11] (Milliken, Leventhal and Cambra 1987).

The "**Estero**" area along the bayshore included the **Chochenyo/Thámien Ohlone**-speaking (bilingual) **Alson** tribal group located along the lower Guadalupe River and the Chochenyo Ohlone-speaking **Tuibun** tribal group of the Fremont Plain. As discussed above both of these groups were first missionized at Mission Santa Clara (Milliken 1983, 1991, 2007, 2008).

### **1846 - 1870s American Invasion and Post-Conquest Period**

Many of the missionized Indians, who had previously labored in the mission's fields and cared for the livestock, were hired on as vaqueros by the new Californio estate-owners, who continued the tradition of controlling indigenous peoples on and near the old mission lands. Yet, many of the formerly missionized Indians who worked on these ranchos opted in some cases to move to the most remote areas of the back-country within their old homelands. At least a thousand former mission Indians lived in the vicinity of Mission San Jose in the early 1840s, and it is likely that more Indians came to the area from the Mission Santa Clara region (History of Washington Township 1904). During this historic period, the part of the East Bay extending north of Mission San Jose up to San Leandro became a region of refuge (especially after the American invasion and conquest of California), to which the missionized Indian peoples of the East and South Bay migrated and in which communities of mission survivors coalesced.

During this period, invasion of the tribal territories throughout California accelerated dramatically and created the third major rupture to the lives of California Indians. Losses of land due to the Bear Flag Revolt of 1846-47 (American Conquest under **John C. Fremont [Figure 3]**), Gold Rush of 1848-49, and indifferent enforcement of the Treaty of Guadalupe Hidalgo of 1848 cut off any traditional means of subsistence, and forced the ancestors of the Muwekma Ohlones residing on the East Bay rancherias and surrounding ranchos into even greater dependence on the non-Indian economy.



**Figure 3: John C. Fremont**

[Note: Sent by his Father-in-Law Senator Thomas Hart Benton to Seize California in 1846]

The transition of power during the Gold Rush years and California Statehood witnessed great changes in policies towards Native Americans in California. One of the major figures to emerge during this period was **Peter Hardeman Burnett** (November 15, 1807 – May 17, 1895) (**Figure 4**) was an American politician who briefly served as the territorial civilian governor of California in December 1849. Burnett was the first elected state Governor of California, who served from December 20, 1849 to January 9, 1851. He was also the first California governor to resign from office.



**Figure 4: Governor Peter Burnett**

On September 9, 1850, California became the 31<sup>st</sup> state in the Union and with tensions rising between the newly established American settlers as they claimed more and more Indian lands and committed depredations against tribal groups. Four months later, on January 7, 1851, in Governor Peter Burnett's first address to the California State legislature, he opined that "**a war of extermination will continue to be waged between the races until the Indian race becomes extinct ...**" (California State Senate Journal, 1851; Hurtado 1988:135).

Peter Burnett's legacy is largely mixed. While regarded as one of the "fathers" of modern California, Burnett's openly racist attitudes towards Black people, Chinese, and Native Americans has left a tarnished legacy for himself and California's treatment toward minority groups. Furthermore, while Burnett was serving in the Oregon Territorial Legislature (1848) his attitude toward minorities especially African Americans helped facilitate the exclusion of Black people from that state until 1926. Also, his open hostility to foreign laborers influenced a number of federal and state California legislators to push legislation, such as the Chinese Exclusion Act of 1882.

As mentioned above Burnett was also an advocate of exterminating California Indian tribes, a policy that continued with successive state administrations over the ensuing decades. The State at one point offered a bounty ranging from 25 cents to 5 dollars for Indian scalps.

After California statehood, in 1850, President Millard Fillmore and the United States Congress appointed three commissioners to enter into treaties (the only legal instrument that the federal government had to take land from tribes) with the Indians of California for the purpose of ceding and to have them quit-claim all lands identified within the eighteen treaties which were negotiated between 1851-1852 (**Figure 5**). In return for quit claiming their aboriginal title to California, the tribes of California were to receive, as a set-aside, reservation lands totaling approximately 8.5 million acres along with food, supplies and services (Heizer 1972; Hoopes 1975)..

Although reaching Washington D.C., these eighteen treaties were never ratified by the United States Senate (Heizer 1972; Hoopes 1975). Under the terms of these treaties, the ancestors of the Muwekma Ohlone Tribe were to be the intended "beneficiaries" of two of the treaties: **E. Treaty of Dent's** and **Vantine's Crossing**, May 28, 1851 and **M. Treaty of Camp Fremont**, March 19, 1851. Had these treaties been ratified the Muwekma Ohlone tribal communities would have, in all likelihood, been rounded up and forced to move to the central valley.



satisfactory and protective, which shall amply pay the Indians for the rights which they yield, and secure to them the means of subsistence (published in *Exterminate Them!* by Trafzer and Hyer 1999.)

Trafzer and Hyer also noted that:

... [T]he federal government dispatched three commissioners – Redick McKee, George Barbour, and O. M. Wozencraft – to negotiate agreements with the indigenous inhabitants of California. They negotiated 18 treaties with California's tribes, which the United States Senate rejected. At one time, California's tribes controlled all of the land, water, minerals, and other resources of the region, but under the treaties of the 1850s, they would have lost most of their estate. However, they would have retained for themselves approximately one-seventh of the state as Indian reservations. Even this was too much for whites in California, and the California delegation worked feverishly to scuttle the treaties, so that the native people had little formal relationship with the federal government, so that the state could assert its powers over the Indians. As a result, California allowed whites to steal Indian land, enslave Indian children, rape native women, and murder indiscriminately Indian men, women, and children (1999: 135-136).

As stated above, the newly elected senators from California, argued that the Indians should get nothing, and as a result the 18 unratified treaties were submerged under a seal of secrecy. No one was to know that the United States Government recognized the aboriginal title of all of California, belonged to the Indians facing genocide.

During this transformative American Conquest period between the late 1840s and 1860s, the small steps that the Indian rancherias of the San Francisco Bay, the ancestors of the contemporary Muwekma Ohlone, had taken to revitalize their communities and culture suffered a series of severe blows. The military invasion of California by the United States in 1846 and the subsequent Gold Rush (1849), followed by statehood in 1850, ushered in a new period of genocide against indigenous Californians.

A war of involuntary servitude and extermination was launched against indigenous peoples by the first legislators of the state (Hoopes 1975; Rawls 1986). Laws barred Indians from voting, from giving testimony in court, or from bringing lawsuits (Rawls 1986; Hurtado 1988). At the same time, American laws in most cases refused to recognize the validity of the land titles for the Californios' ranchos (1853 land cases). Coupled with a crippling drought afflicting central California during the 1860s, most of the Californios could not afford to maintain their land bases and were driven off their South and East Bay estates (Wood 1883). New American owners most likely expelled the Indian vaqueros and their families from the land (Milliken 2008; Milliken, Leventhal and Cambra 1987).

Between the decades spanning 1840 and the early 1860s, for reasons that are still not completely clear, many if not most of the remaining Indian people from Mission San Jose, perhaps many from Mission Santa Clara and elsewhere, gathered at several refuges which included the **Alisal (the Alders) Rancheria**, located just southwest of the city of Pleasanton on **Rancho El Valle de San Jose** which was granted to Antonio Maria Pico, Antonio Suñol and Augustin and Juan Bernal on April 10, 1839.



One historic account about the establishment of some of the East Bay rancherias has recently come to light via the oral recollections of Mary Ann Harlan Smith which was recorded by her daughter Emma Smith. Mary Ann Harlan was the daughter of George Harlan who was a wagon master on the ill-fated Donner Party expedition and who led his group successfully into California in 1846/47. Mary Ann Harlan had married Henry C. Smith in 1847 and was living at Mission San Jose at the time of the removal of the Indians to Alisal located between Sunol and Pleasanton. Emma Smith recorded the following account from her mother:

My husband was appointed the first Alcalde or justice of the peace by Gov. Riley, Military Governor of California. He could speak Spanish very fluently and the Spaniards came to him with their difficulties. My husband and his brother remained in partnership for a couple of years, then his brother sold his interest to E. L. Beard and moved to Martinez. Beard and my husband continued in business for a short time. My husband purchased tract of land two and a half miles from the Mission, and also 800 acres on the Arroyo De Alameda, where he afterwards laid out and named the town of Alvarado. My second daughter, Emma was born in Mission San Jose. . . .

I grew very tired of living there, so we built a house on the rancho, near the Mission and moved there. We engaged in farming and stock raising. In the summer of 1850, my father who was living in Mission San Jose died from typhoid fever at the age of forty-eight.

. . . . **The Mission Indians had a rancheria on our rancho and we often watched them performing their religious ceremonies.** They had a large room dug in the ground and covered with brush and earth, with one door to enter. This place was called a sweet house. The Indians decorated themselves with feathers and all sorts of ridiculous costumes. A fire was built in the center of the room and the Indians danced around it. When one made a trip in those days from Oakland to San Jose, one would see millions of cattle and quite a lot of wheat which was raised by the Indians.

**Cholera broke out among the Indians, and a number of them died.** Their crying and howling and moaning were almost unbearable. My brother Joel, was obliged to take his family and go away where they could not hear the dreadful noise. When I found out that he was going, I had our men take me and my family along. I was very much afraid of the disease. My husband was away at the time. **When he returned and found us gone, he immediately had all the Indians moved to the Alisal, located where Pleasanton now is.** (Emma Smith, 1923). [Emphasis added]

The Alisal Rancheria appears to have been established in the vicinity of a large pre-contact ancestral Muwekma Ohlone village, now underneath or near the Castlewood Country Club (Gifford 1947). The Bernal, who, unlike many of their Californio neighbors, were able to hold onto their rancho lands, continued to maintain their economy with the help of Indian labor. The Bernals also had a long history of sponsoring Indian children as godparents and apparently had children with some of the ancestors of the Muwekma Ohlone.

Furthermore, Muwekma Elder **Maria de los Angeles Colos** (Angela), one of J. P. Harrington's principal Chochenyo speaking and cultural consultants, stated that she was born on the Bernal rancho located at the Santa Teresa Hills (near ancestral heritage site CA-SCL-125) in south San Jose located approximately nine miles southeast from the Third Mission Santa Clara (Harrington 1921-1934; Ortiz 1994a).

From the Santa Clara and San Jose Mission records research conducted by the Muwekma Ohlone Tribe, it was discovered that Maria de los Angeles' parents were Zenon and Joaquina Pico whom were married at Mission Santa Clara in 1838. Angela Colos informed J. P. Harrington that her father was a **Koriak** whom some have thought to be originally from northern Siberia (Ortiz 1995:101). However, C. Hart Merriam in his collection of place names suggested that the “Koreakka’ was a variant of the name for the Karquins (Korekines) ... Tribe of South of Suisun Bay, probably same as Karquines” (unpublished Merriam notes, U.C. Berkeley). The Karquins were northern Ohlone.

Other examples of interrelationships with the Bernal and Sunol families are found in the mission records, censuses and historic documents. In the Alisal Rancheria community there was a Clareño Ohlone man named Raymundo Bernal, who was also identified in San Jose Mission records as Raymond Sunol. Mission Santa Clara baptismal records identifies a child by the name of **Jose Raymundo (Bernal)** who was baptized on April 10, 1842 (MSC Baptism # 10219). He was identified as the son of Domingo Bernal and Maria Tacia Sunol who were both listed as “neofitos” (baptized Indians). His godparents were **Antonio Bernal** and Eusebia Valencia.

Raymundo Bernal (Sunol) was married to a Angela Cornelia (**Angela Colos**) and they had a child named **Joaquino Guadalupe Sunol** who was baptized at Mission San Jose on May 15, 1872.

1872 May 15, #1046, Page 211, **Joaquino Guadalupe Sunol** (Indiei) [Indians]

Born: Jul 7, 1872 (probably 1871)

Father: Raimundi Sunol (Bernal)

Mother: Angela Cornelia (Colos?)

A year later, on May 30, 1873, Maria de los Angeles and Raymundo Bernal (Sunol) joined with other Indian couples of the Muwekma community to renew their marriage vows at Mission San Jose. Interestingly, this was done during the height of the 1870 Ghost Dance religious movement (Milliken 2008:90-91).

1873 May 30, #212, Page 62, Jose cum Refugia - This entry holds three marriages.

Die 30, May 1873, coram Maria Selio et Raimundo consentium renovavares J.o Jose cum Rafaela; 2. **Reimendums Bernal (Sunol) et Maria de los Angeles** 3. Maria con Selso.

In 1875, Raymundo Sunol (Bernal) and Maria had their third son, Eduardo Sunol who was baptized at Mission San Jose on December 19, 1875:

1875 Dec 19, #1378, Page 262, **Eduardo Sunol**

Born: Oct 13, 1875

Father: Raymundo Sunol

Mother: Maria (de los Angeles)

Godparents: Philippo & Maria Catharina Gonzales\*

[\*Note: Philippo and Maria Catherina Gonzales were Indians from the Alisal community]

the 1880 Census for **Murray Township**, Alameda County (District 26), **Angela Colos** was identified as **Sincion, Anchaline**, (Asuncion, Angeline) Indian, age 30. She was listed as a **widow** and living with her daughters, **Francisca (Luecha)**, Indian, age 14 (born ca. 1866), Juana, Indian,

age 11 (born ca. 1869), Louisa (Aloisia?), Indian, age 6, Rita (Aloisia?), Indian, age 2. Angela Colos and her family were living eight houses away from **Antonio Bernal, Jr.**

Also on the 1880 Census for **Murray Township**, Alameda County (District 26), a **Ramon Sinol** (Sunol), estimated age 22 (born ca. 1858) was listed as a farm hand in the household of John Kottenger. He was also living not too far from Angela Colos and her daughters. Ramon was in all likelihood Angela and Raymundo's son Joseph who was born in 1862. Raymundo Sunol (Bernal) and his half-sister, **Francesca Luecha** appeared as godparents for another Indian couple in 1882.

Raymundo Bernal was remembered by Muwekma Ohlone Elder **Dario Marine** in 1965, when he was interviewed by members of his sister's family during the time when the Tribe was involved in saving the Ohlone Indian Cemetery located in Fremont from destruction. Dario was born in 1888 and in that 1965 interview he identified the Ohlones who were members of the Muwekma/Verona Band/Mission San Jose Indian community. Dario remembered Raymundo and Guadalupe Bernal stating:

**Raymundo Vernal [Bernal/Sunol]** was Great grandfather people, so were Lupe Vernal and Jose Vinoco [Binoco] an uncle (Avelina Family History, Dario Marine Interview 1965).

In 1894, Antonio Bernal (most likely Jr.?) and Muwekma ancestor, **Magdalena Armija Marshall Thompson** (b. 1878 – d. 1931) had a daughter named Rosa Bernal who was baptized at Mission San Jose on January 26, 1895:

1895 Jan 26,       **Rosa Bernal** (Indian)  
Born:           Nov 20, 1894  
Father:       Antonio Bernal  
Mother:       Magdalena Armina (Armija)  
Godparents:   Manetta Cosmo\* & Petra Igo (Phoebe Inigo Alaniz)  
[\*Note: Rosa's Godfather was either Daniel Cosmos or Manuel Santos]

Perhaps, as a consequence of these factors and familial interrelationships between the Bernals, Sunols and the ancestors of the Muwekma Ohlone, the Bernal family was willing to allot a portion of their rancho lands to the Muwekma Indian community which became the Alisal Rancheria.

In other areas throughout the East Bay, small groups of formerly missionized Indians also settled at lesser known rancherias in nearby Livermore (**Arroyo del Mocho**), Niles (**El Molino**), San Lorenzo (**The Springs**) and Sunol (Harrington 1921-1934). All of these rancherias maintained close ties with their Plains Miwok, Bay Miwok, and Coast Miwok and North Valley Yokut neighbors and Ohlone blood-relations as well (Kroeber 1904; Gifford 1926, 1927; Kelly 1932).

The Alisal Rancheria was unquestionably one of the most prominent and important communities of Ohlone Indians from at least the 1860s onward into the early twentieth century, and constituted the first known post-American conquest, Indian revitalization center within the Bay Area.

The people of Alisal and surrounding rancherias revived many dance ceremonies during the early 1870s, which strongly implies that other traditional arts and kinds of cultural knowledge, about ceremonial regalia, songs, sacred language, and crafts also experienced a cultural resurgence. But more than revival took place at Alisal and the other rancherias.

The available evidence depicts a constant ebb and flow of people, of surviving Indians from all over the Bay Area (including **Clareño Ohlones** from the Mission Santa Clara area) and central California moving into and out of Alisal, Niles, San Lorenzo and Livermore rancherias (Gifford 1926, 1927; Gayton 1936; Kelly 1978; Harrington 1921-1934). Thus, many surviving fragments of traditional knowledge and ritual were brought together in this one place, from the many Ohlone peoples, each with their own varying customs and ways of thinking, as well as from the intermarried and neighboring Miwoks, Yokuts, and other more distant tribal peoples brought under the sphere of influence of the missions. Inevitably, a blending of older forms took place, a fusion of traditions and religious beliefs that together generated a new cultural vitality (Gifford 1926, 1927; DuBois 1939).

### **1870 Religious Revitalization Movement: The Ghost Dance at the Pleasanton Rancheria**

During the 1870s, a religious messianic-oriented revitalization movement referred to as “**the Ghost Dance**” spread throughout central California. This first Ghost Dance originated in Nevada beginning around 1869, involved a Paiute prophet named Wodziwob who taught that by dancing certain dream inspired dances, Indian people could end the domination of their land and destruction of their lives by the whites, and usher in a new golden age for all Indian peoples (Du Bois 1939).

At Alisal, the ancestors of the contemporary Muwekma Ohlone combined elements and doctrine from the imported Ghost Dance with the ancient **Kuksú** Religion, regalia and compliment of dances, the World Renewal Ceremonies as well as other rites practiced throughout central and northern California (Gifford 1926; Loeb 1932, 1933; DuBois 1939; Bean and Vane 1978). So potent was the syncretic combination derived by the people of Alisal (and the surrounding rancherias) that non-Christian Native American missionaries were sent out from there to preach the new religious doctrine to other indigenous peoples to the east, south, and north of the Pleasanton (Alisal) Rancheria (Gifford 1926, 1927, 1955; Kelly 1932, 1991; Gayton 1936; Field et al. 1992).

Berkeley Anthropologist Edward W. Gifford visited the Livermore and Pleasanton region in 1914 and the Alisal Rancheria in particular. Still later, as a result of field work conducted in the interior amongst neighboring central California tribes, Gifford reported in his Miwok Cults (1926) and Southern Maidu Religious Ceremonies (1927) that his principal cultural consultants recollected that the songs, dances and regalia were brought to them by three non-Christian missionaries from the Pleasanton region. These three teachers were **Sigelizu**, who taught the following dances to the Central Miwok: *Tula*, *Oletcu*, *Kuksuyu*, *Lole*, *Sunwedi*, *Sukina*, *Kilaki*, *Mamasu*, and *Heweyi*. Another man named **Yoktco**, from Pleasanton, introduced similar dances to Southern Maidu, while a third, named **Tciplitcu** taught these dances to Miwoks and North Valley Yokut people at Knight's Ferry.

Interestingly, all three teachers had non-Hispanic or non-Anglo names, thus perhaps representing through a revitalized religious doctrine a rejection of the colonial (alien) order. Knight's Ferry is on the Stanislaus River, in *Lacquisamne* North Valley Yokut tribal territory (see information relating to the Estanislao rebellion), showing continuous ties to the area throughout the 1870s.

The *Lacquisamne* tribal region is also where Muwekma Elder Jose Guzman's maternal grandmother, Nimfadora, originally came from in the early 19<sup>th</sup> century (Milliken, Leventhal and Cambra 1987; Milliken 1991; see MSJ baptismal record # 4276, September 26, 1820).

Ethnographic information from the Coast Miwok region on the Marin Peninsula recorded by Berkeley anthropologist Isabel Kelly 1931-1932 (1932, 1978, and 1991) who independently provided other accounts about how important the Pleasanton/San Jose Mission [**Verona Band**] region was to the Coast Miwok and demonstrates the ebb and flow of contact between Marin and Pleasanton areas during this period of time. Tom Smith and Maria Copa were two of Kelly's principal Coast Miwok linguistic and cultural consultants. Kelly inquired from them "Did they dance Kuksui at San Jose?" Maria Copa's response was:

I should say so. My grandmother said that the people here had to buy Kuksui Dance from the San Jose people. All of those songs are in the San Jose language (Kelly 1991:354).

There were also specific references to Mrs. Martha Guzman (herself a Coast Miwok and Costanoan descendant) from Marin regarding the *kawai-yoyolomko* (horse eaters) [Costanoans]:

This is what the people around Redwood City were called. Mrs. Guzman's father belonged to those people. I saw Mrs. Guzman last night. Her father came from Santa Clara, although once before she said Redwood City (Kelly 1991:355).

Jose Guzman (born around 1853) was one of the last knowledgeable singers from the Muwekma community until his death in 1934 (Harrington recorded 27 songs at Niles in 1930). He recollected songs that he and his father were introduced to while visiting other Indian communities to the south at Missions San Juan Bautista and San Antonio (and possibly San Carlos/Carmel) during the time the 1870 Ghost Dance was in its full height.

Although not mentioned by name, Berkeley anthropologist Cora DuBois attempted to interview Jose Guzman in 1934 as part of her 1870 Ghost Dance Study stating:

In the central portion of California which lies to the north and south of the Sacramento delta there occurred during the 1870's an interchange of dances and ceremonies.

Gifford described a portion of these movements when he presented data concerning the Pleasanton revival. One man from Pleasanton, called Yoktco, took the Kuksui and other dances to the Nisenan of Ione; while Sigelizu, also of Pleasanton, imported a series of dances to the Central Miwok of Knights Ferry. Gifford is inclined to attribute the Pleasanton "revival" and the spread of dances from there to the 1870 Ghost Dance. ...

Unfortunately, the last survivor of the Pleasanton period is unable to throw light on the tentative suggestions of Gifford and Gayton. Repeated attempts to elicit information were useless because his physical disabilities and senility. (1939:114)

U. C. Berkeley ethnographer Edward Gifford during the early twentieth century interviewed various Maidu and Miwok elders who remembered aspects of the 1870 Ghost Dance religious revitalization when they were young. These interior Miwok elders recollected that "there appeared... teachers of dances who came from the west" (Gifford 1926:400). As mentioned above, based upon Gifford's interviews with both Miwok and Maidu elders they identified the names of three of these missionaries: **Yoktco**, who preached among the Southern Maidu; **Sigelizu**, himself a Plains Miwok, who came to the Central Sierra Miwok; and **Tciplitcu**, a Costanoan/Ohlone man who taught the dances to the Plains Miwok were known to have come from the Pleasanton area (ibid).

Gifford wrote the following background information about Yoktco and his ties to the northern Ohlone/Bay Miwok region in his 1927 Southern Maidu Religious Ceremonies:

Yoktco, the introducer of the third and latest stratum of dances was said by informants. To have dwelt in the vicinity of Mt. Diablo (regarded by the Indians as the home of spirits), Contra Costa county. Actually he lived at the Indian settlement near Pleasanton, Alameda county, but that fact of dwelling near the great mountain, which is visible over a large area in central California, seemed to impress the informants more and may have been also impressed upon them by Yoktco.

...At dancing time Yoktco spoke a strange language, Yokuts or Costanoan perhaps, both of which he would have become acquainted with at Pleasanton, where he resided the Indians formerly gathered at Mission San Jose, Alameda county.

When Yoktco came to Ione, in Northern Miwok territory, to give instruction he brought dancers from Pleasanton to show the Ione people the steps. He also taught his dances at Folsom in Southern Maidu territory,. There he taught *hiweyi*, *kilaki*, *kuksui*, (with two performers called *kuksui* and *musil*), *mamas*, and *ta* (Gifford 1927:229-230).

Also as mentioned above, all of these men's names are in their respective indigenous language, whereas after missionization, Costanoan/Ohlones, Miwoks, Yokuts, and their descendants were given either Hispanic or Anglo Christian names when baptized. A more generalized revival of indigenous names may have also taken place at Alisal as well as on the other rancherias in order to "reject" the older imposed colonial system. Although the Ghost Dance did not achieve its full objectives, its fluorescence at Alisal and at the other rancherias demonstrates the depth and conviction of indigenous identity and culture in the East Bay during the late nineteenth and early twentieth centuries.

Furthermore, cultural ties to the interior tribes continued to be maintained during the 1940s and later years, especially by Dario Marine and his son Lawrence Domingo Marine who had married Pansy Potts (daughter of Marie Potts) who was from one of the Maidu tribal groups. Dances that

were exported from Pleasanton continued to be danced by members of the Miwok, Nisenan and Maidu tribal communities into the present day (see Gifford 1926, 1927; Du Bois 1939). The children of Lawrence Domingo Marine (Lawrence Mason Marine and Marvin Lee Marine) were taught tribal dances and continued the tradition of dancing with these interior tribal communities to present day and some of these dances have been recently reintroduced back to the Costanoan/Ohlone area (News from Native California, Vol. 7 No. 3, 1993). More recently Marvin Lee Marine (Maidu/Muwekma) has reintroduced traditional dances back to the Costanoan/Ohlone region, with the Amah-Mutsun Tribal Band having learned some of the dances from him. His older brother, Lawrence Mason Marin, recently passed away on December 22, 2020.

A number of published and unpublished documents also record the lifeways and linguistic complexity of the Alisal Indian community or as it also came to be known after the construction by Western Pacific of the Verona Railroad Station nearby, the “**Verona Band of Alameda County**.” In 1880, French linguist Alphonse Pinart recorded a detailed North Valley Yokuts vocabulary from the mother of Phoebe Inigo Alaniz, **Maria Trinidad Gonzales** at Alisal (Kroeber 1908; Merriam 1955). Other languages were also spoken, particularly the Plains Miwok **Ki'k** (meaning “water”) language, as well as the Chochenyo and Thámien Ohlone dialects as well as other Costanoan idioms (Curtin 1884, Kroeber 1910; Gifford 1914; Mason 1916; Harrington 1921-1934; Milliken, Leventhal and Cambra 1987). It was Phoebe Inigo Alaniz and her mother Trinidad Gonzales who raised two of Mercedes Marine’s sons, Albert Arellano and Thomas Garcia, after Mercedes died in 1914. Albert Marine, who was born on the Alisal Rancheria was the grandfather of Muwekma Vice Chairwoman Monica V. Arellano who is also the lead author on this ethnohistory.

## **LATE 19TH CENTURY: EAST BAY RANCHERIAS**

### **Muwekma Community Identified as the “Nusbaumer Indians” by the News Media**

During the 1880s to the early 1900s the Muwekma Ohlone tribe and members of their community occasionally appeared in the various Bay Area newspapers. Other than referring to them just as Indians, they were at times referred to as the **Nusbaumer Indians** because the **Alisal Rancheria** was located on the land purchased by **Carl Duerr** and **Louis Nusbaumer** that was part of the old Bernal-Sunol-Pico **Rancho El Valle de San José (Map 5)**. Furthermore, various articles written by members of the dominant society, in one newspaper, the San Francisco Call on December 29, 1889 published caricatures of some of the notable people of the Pleasanton area including one of the “Nusbaumer Indians,” as well as another article in the Daily Alta California casting negative impressions on the surviving members of the ancestral Muwekma Alisal/Sunol/Niles communities.

**Daily Alta California, Volume 80, Number 167, 16 June 1889**

**A DECAYING TRIBE.**

**Chief Avencio and His Four Score Subjects at Sunol.**

**Once There Were Hundreds.**

**The Story of Their Life as Told by Those Who Have Lived Among Them in the [Sunol] Glen— A Doomed Race.**

The story is the old one of whisky, disease and indolence, which have always marked the contact of high pressure Caucasian civilization with the rude habits of the savage whom he found in possession of this continent through all its width of forest, mountain and prairie between the two oceans. But in this story the chapter of violence has never been written which has been so prominent in the other tales of Indian affairs, and for that much one should be thankful; the story of the Indians of Alameda county is not blotted with the record of midnight raid and vengeful reprisal; rows of scalps do not dry in the smoke of the lodges, and murdered settlers not lie bleeding on the edges of their clearings.

It is a story of the survival of the fittest, which is the strongest, of the steady, merciless extinction of the lower race before the higher. What remnants have they left? A shell mound on the bay shore, two more on the encinal shore of the basin, a few forgotten burial places in the marshes or the canyons in the hills, just one topographical name and some eighty people slowly dying in **Sunol Glen** and at **Niles**. Once they covered the land. The mission priests of the rule of St. Francis found them numerous enough a century ago to found for their instruction the Mission of San Jose, where pious fathers taught native catechumens that Christian civilization of progress which has killed them. In the childhood of men yet young there were still hundreds of them, and now but four score may be found. Who knows aught about them?

**Neglected by the church, forgotten by the Government**, they linger in the canyon of the Alameda where passers on the railroad sometimes catch a glimpse of the brown shimmer of their skins as they wade the creek in search of fish; the curious may have caught a phrase or so of their guttural speech, but it is probable that there is not a white man in the county who knows by what name they call themselves. Long years ago the **Nusbaumers** settled in the narrows of the Livermore valley, first at Pleasanton, later on a portion of the **Rancho el Valle de San Jose** at **Sunol**. The Indians then were thick all about them, and it is from conversation with the two brothers, **George Nusbaumer**, the County Surveyor, and **Emil Nusbaumer**, of the District Attorney's office, that this fragmentary account of the remnants of the Indians has been drawn.

Wherever, in the pastoral days of the land, there was a Spanish rancho, there was always in the neighborhood an Indian rancherie, whose people were practically peons of the Spaniards.

But they led an easy life, their services were only seldom required, and meanwhile they were not ill-treated, and received a fair provision of food in case of need; but the land was such a savage paradise, so filled with all sorts of game, that the food supply rarely gave them concern. When the Nusbaumers lived at Pleasanton there was a large rancherie on the Bernal portion of the rancho, and the Indians were all about.

When they moved to the old homestead in the glen the chief, **Avencio**, [although this is the name of Jose Guzman and his father Habencio Guzman, this might be mistaken as the name of **Captain Jose Antonio**] who still lives, came to ask permission to



build a rancherie on the property, which was granted, and the Nusbaumer boys had, therefore, good facilities for watching the Indian life.

In this rancherie were nine large houses, a temescal, and a number of smaller houses. These structures were uniformly four sided, with a pitched roof. The walls were formed by driving stakes of the proper length and then weaving between them osiers and reeds tied with rawhide. Over this was plastered adobe. The roofs were made of tules and were quite water-tight. The floors were always the natural soil stamped hard and even. It was characteristic of the tribe that though they carefully eschewed any neatness about their persons, their houses were kept very clean, and before each was a little area where no rubbish was allowed to lie. A sweat-house, known in the native tongue as a "temescal," [*Tupentak*] was a prominent feature of every rancherie. It was always built near some pool in the creek, and was generally partly underground. A pit was dug about four feet deep, and some fifteen feet across, and over this was built a penthouse with a small vent in the top. The only entrance was through a little passage some ten feet long, which would allow a man to enter by crawling, and at its inner end was a door, which could be closed so as almost completely to exclude the air. Into this they were wont to crawl whenever ill, build a fire on the floor and fill it with cobbles, and when they were sufficiently heated, deluge them with water, while the patient sat in the hot cloud of steam until he could bear it no longer, when he crept out of the temescal and plunged at once into a cool stream.

The people were well formed and rugged, and rarely had an illness before they were contaminated by the vices of civilization. Men full six feet in height were not uncommon. Quarrels with white men were unknown, and among themselves were rare, except when they were drunk. Though it is contrary to law, whisky is constantly sold them, and they are no good until the whisky is all gone. They retain no traditions of their former history and religion, or if there are any such they are too taciturn to communicate them even to those who know them best. They are in the main kind to their women, rarely abusing them, though, according to savage custom, making them do all the hard work. Marriage is simply cohabitation, and divorce was equally simple. Their families seem never to have been large, and are now smaller than ever. Most of those still remaining are of the pure blood, and the few half-breeds are, as usual, endowed with all the characteristic vices and none of the virtues of their parent stocks.

For food they used the native vegetables, game and fish, and the refuse of the ranches, being quite content to feed upon a cow that was found dead in the pasture, and which no white man would touch. They are expert fishermen, and are fond of the big dace [minnow family] and suckers in the Alameda. These fish they sometimes caught with spears and sometimes by building elaborate fish traps composed of dams and weirs. More commonly they made use of a recumbent weed which grows everywhere along the creek, and is known only as the "fishweed" [*Yerba de Pescado*].

The leaves and stems of this they were in the habit of bruising to a pulp and then throwing into a pool. Soon all the fish for a considerable distance around within reach of its stupefying influence floated to the surface, belly up, and were brought to shore. The poison was only temporary in its effect, and never had any bad effect upon the food value of the fish. They would seem never to have had any hooks, but were experts in the use of slip nooses of horse hair, with which they were very deft in catching fish of even considerable size. Their customary drink was a decoction of the parched acorns of the live oak, which **Emil Nusbaumer** describes as not unpleasant to the taste.

They seemed to know almost by instinct when the sturgeon were running in the San Joaquin, and all the men organized a great party to cross the mountains and spear the fish. Sometimes they smoked the sturgeon and brought a supply home, but more commonly they feasted and speared and speared and feasted, until they were gorged. Similarly, they were in the habit of forming parties to go down to the salt marshes and net ducks. Smoked duck and jerked beef were the only provisions that they ever stored, and not much of either. They were never known to beg for food; and in general begging was not characteristic of them. One of their greatest delicacies was the flesh of the chickenhawk.

Twice a year they had great dances, and the custom is still kept up. This is about the only occasion in which the chief seems to have any power over the tribe, and even then it is but ceremonial. One dance comes in the spring, about the time when the berry crop is at its best, the others along later when the watermelons are most abundant. Sometimes the dance is held in the temescal, but more often in the woods, where an area some fifty feet in diameter is cleared and surrounded with handles. In the center is a fire, and about it dance men and women painted with bars of red and white across their cheeks and clad in costumes of reeds and feathers. About the fire they dance and whoop and yell, while an orchestra of eight or ten men sing in agreeable cadences monotonous tones to the accompaniment of split sticks, which they shake in regular measure. Sleeping by day and dancing by night they often consume a week at a time, and can give no explanation except that the custom is traditional.

On the death of an Indian the women sit around and howl for a day or so, the length of the howling time being dependent upon the degree of consideration in which the dead was held. After a sufficient howl the body is encased in a plain box and put in the ground without further ceremony. A favorite burial ground up to within the last dozen years was on the first little hill this side of Pleasanton, on the lands of Neal. Those who best knew them rarely learned any words of their native language, which is still used by them universally in communication among themselves. Two salutations are all that are known — wellawella\* huga for "good morning," and for "good night" wellawella hi. Such and so much is what is known of that swiftly vanishing tribe known in default of a better name as the **Nusbaumer Indians** (Daily Alta California, Vol 80, No. 167, 16 June 1889).

\*[Note: **welwel** means "good" and **hi** means "sun" in the Plains Miwok "kik" language spoken at the Alisal Rancheria (Barrett 1908:366.)]

### Brief Background on the Nusbaumer Family (1856-1878)

Louis Nusbaumer and his wife Elizabeth (Roth) Nusbaumer lived in San Francisco until the fall of 1856, when they moved on an eighty-acre farm on Dry Creek, Washington Township, Alameda County, which was purchased by Carl (Charles) Duerr for Nusbaumer and himself. In October, 1857 Duerr and Nusbaumer (**Figure 6**) had rented the estate of John W. Kottinger, which was situated in Murray Township, embracing the larger part of the present town of Pleasanton. Their business consisted of merchandising and sheep-raising. At the expiration of their lease in 1862, they bought a joint interest in the old Bernal-Sunol-Pico *Rancho El Valle de San José* consisting of some three thousand acres, where they made their permanent home.

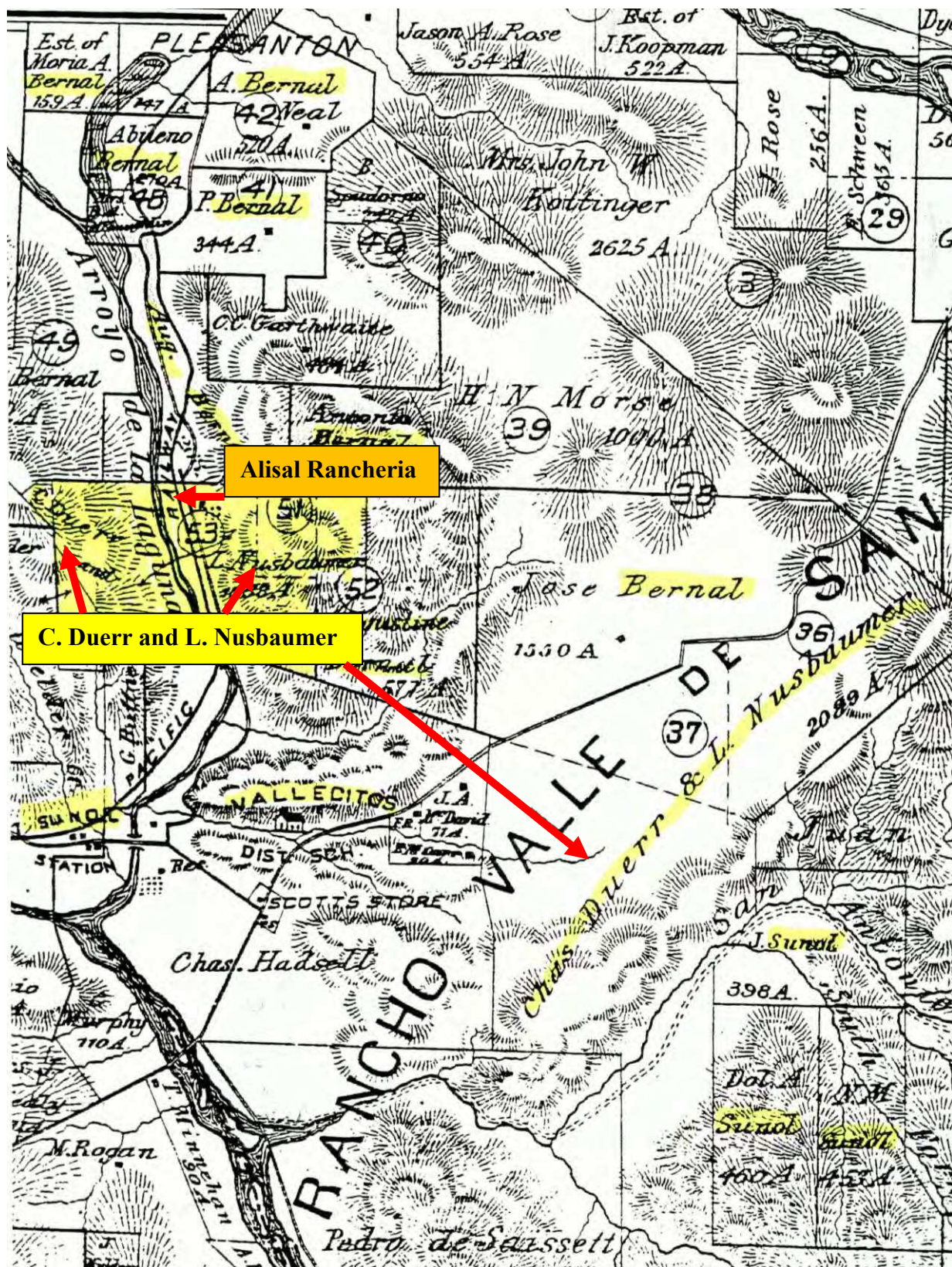


**Figure 6: Portraits of Carl Duerr and Louis Nusbaumer**

Years later on the 10th day of July, 1878, Louis Nusbaumer's youngest son Emil became the Deputy District Attorney of Alameda County. He was born in San Francisco, February 13, 1856. He first attended school six miles from home, in Dublin, afterwards in Pleasanton, when a school was first established there about 1865, and later in Vallecitos (Sunol) from 1868 to 1872 (**Map 6**).

In 1873 Louis became a clerk in Sunol, in a general store [Scott's store by Sunol Corner which was opened in the 1850s ], which had also the post-office and express office. Years later Emil became a Judge of the Superior Court, where he remained until his election as Justice of the Peace for Oakland Township in 1882. From January 1, 1883, to December 31, 1888, he served as Justice, and in 1889 was appointed Deputy by George W. Reed, District Attorney.





**Map 5: 1878 Map of the Duerr and Nusbaumer Properties and Alisal Rancheria**  
(1878 Thompson and West)

Sometime during the late 1870s, U.S. Senator **George** and **Phoebe Apperson Hearst** purchased a large parcel of land from either Duerr and Nusbaumer or the Bernal that included the Alisal Rancheria, and they allowed the Indians to maintain their community for a time being and some worked for the Hearsts and Appersons. A slow decline in the Verona Band community during the late 19<sup>th</sup> century, however, is apparent in light of later events. Pressures of assimilation, an increasingly large number of white Americans settling in surrounding towns and farmlands and taking over the old *Californio* ranchos, the precarious economics of seasonal ranch work, and some out-migration, as well as death due to infectious diseases all contributed to the waning of the indigenous revival at Alisal (Olsen, Leventhal and Cambra 1985; Milliken 1994 in Davis et al. 1994).

According to several historic documents, the last Kuksú dances were held at Alisal in 1897 (Womens' Research Committee of Washington Township 1904; Marine Family History 1965; Galvan 1968). Writing in 1904, the authors of the History of Washington Township wrote about such ceremonial events:

The dance in September was a very serious, ceremonial dance, lasting several days. Their dresses, worn for the dance, were very elaborate and well made, of feathers. Upon one day, the Coyote dance, a rude sort of play, was given, one of the favorite characters being Cooksuy [Kuksu]—a clown.

There must have been some meaning of a memorable character to this dance, because when asked why they danced, they always replied: "**Because our fathers are dead**" (1904:52).

Earlier that year, on January 6, 1897, the last recognized *Capitan* of the Alisal Rancheria, **José Antonio**, died. Noted in Book of Funerals at Mission San Jose 1859-1908 (p. 147):

**Josephus Antonius, Indian** DOD: 6 Jan 1897, Age: about 70 [60]. Buried: Indian Cemetery, Mission San Jose, D.A. Rapora, Astt. Mission San Jose

In 1904, the **Northern Association for California Indians**, a philanthropic group of concerned citizens who advocated on behalf of the dying and landless Indians submitted a "**Memorial of the Northern California Indian Association, Praying that Lands be Allotted to the Landless Indians of the Northern Part of the State of California**" to President Theodore Roosevelt. The Memorial was signed by Mrs. T. C. Edwards, President, and **Charles E. Kelsey**, Secretary for the Association. Attached to the **Memorial** was a "Schedule" identifying the landless Indian bands/communities and their estimated population which were scattered throughout northern California (meaning north of Los Angeles County).

In Alameda County, the Schedule identified the Indians living at **Pleasanton** (Verona Band) as having a population of 70, at **Niles (Figure 7)** [there was a community with a population of 8, and in Contra Costa County in the towns of Danville and Byron having a population of 5 and 20 people, respectively].

All four communities were identified as "Costanoan." (Sen. Doc. No. 131, 58th Cong., 2d Sess., 1904, 1-16 (reprinted in Robert Heizer's Federal Concern about Conditions of California Indians 1853 to 1913: Eight Documents 1979).



## Members of the Verona Band, Alameda County, California



**Peregrina Piños and George Santos Marriage  
Photo, circa 1904  
Lived on the Niles Rancheria**



**Maria Trinidad Gonzales Reyes and  
Paula, circa 1905  
Lived on the Alisal, Pleasanton Rancheria**



Muwekma Ohlone Tribe Of The San Francisco Bay Area

**Figure 7: Muwekma Indians at the Niles and Pleasanton Rancherias**

In the History of Washington Township published in 1904, the authors provided the following commentary about the Mission San Jose/Verona Band/Muwekma Indians residing at the nearby rancherias:

The only remaining Indian villages today in this part of the state are in this township. They are in the native tongue, El Molino, the mill near Niles, and Alisal near Pleasanton, with perhaps half a hundred persons in each village. In the former, the last full-blooded Indian chief died some three years ago. In Alisal, the wife of the chief still lives, and six others of full blood. ... Alisal is on Mrs. Phoebe Hearst's property, and that lady has always a kindly hand ready to help them when necessary. ...

All of the information appearing in these papers concerning the old Indian history and customs has been gleaned from these seven full-blooded Indians, one being the widow [Jacoba] of the last chief, whose name was **Jose Antonio**. .... (History of Washington Township, 1904:53).

From the interviews conducted between 1925-1930 with Muwekma Elders Jose Guzman and Maria de los Angeles Colos, Bureau of American Ethnology linguist John Peabody Harrington, was able to learn that **Capitan Jose Antonio's** Indian name was **Hu'ská** (Harrington Field Notes 1921-1934). Jose Antonio was a great-great-grand relation to some of the current generation of the Muwekma Elders and ex-council members such as Lawrence Mason Marine, Jr. and his younger brother (Dance Leader) Marvin Lee Marine are directly descended from him and Jose Guzman. Jose Guzman had married Jose Antonio's daughter Augusta Losoyo.

After his death in 1897, Jose Antonio's wife Jacoba, who was a *mayen* (meaning the wife of a captain or a female chief), directed that the ceremonial round house/sweat-lodge (or **tuupentak** in Chochenyo) be torn down, in keeping with tradition (Galvan 1968). A new **tuupentak** was not constructed, as it would have been in previous times, because the community did not formally select a new captain. Apparently, the political power was inherited by Jacoba through marriage as well as her descendency from her parents *Capitan* Taurino and Joaquina.

According to Muwekma oral tradition, it was Raphael Marine, husband of Avelina Cornates Marine who was tasked to take down the old ceremonial **Tuupentak** (roundhouse). Interestingly, just two years prior to his death, in 1895 *Capitan* Jose Antonio and his wife Jacoba served as godparent to Raphael and Avelina Marine's fourth daughter, **Mercedes Marine** (co-authors Monica V. Arellano and Gloria Gomez's great-grandmother) who after the death of her mother Avelina in 1904, was raised on the Alisal rancheria by Jacoba. (1910 Federal Indian Population Census, "**Indian Town**," Pleasanton Township, Alameda County).

Also raised by Jacoba was **Catherine Guzman Peralta** one of Jose Guzman's granddaughters (**Figure 8**). who was identified on the **1900 Federal Indian Census** (Washington Township); **Kelsey's 1905-1906 Special Indian Census**; (Heizer 1971); and the **1910 Federal Indian Population Census** (Pleasanton Township) as an Indian resident of the Alisal Rancheria in Alameda County.

Just before the turn of the 20<sup>th</sup> century (1897) there were still at least eleven casitas (houses) and the **Tuupentak** (temescal/round house) still standing on or near the Alisal Rancheria. During this critical period of time, the Guzman, Armija, Santos, Pinos, Marine, Nichols, Inigo (Alaniz), and other interrelated Muwekma (**Verona Band**) families remained in the Sunol/Pleasanton/Livermore area or on the original Alisal Rancheria until fire destroyed the remaining houses due to work along the Western Pacific Railroad tracks sometime around 1916.

The house of **Catherine Peralta** (granddaughter of Jose Guzman) and **Dario Marine** (eldest son of Avelina Cornates Marine) which was originally owned by Jacoba and Jose Antonio had burned down as a result of that fire. Prior to the fire, Catherine and Dario had raised their first four children, Beatrice (born 1909), Josephine (b. 1911), Evelyn (b. 1914) and Filbert Marine (b. 1915) on the rancheria.

By the time their fifth child, Lawrence Domingo Marine was born in 1919, they had moved to 544 Alvarado-Centerville Road in Centerville now part of the City of Fremont (see 1900 and 1910 Indian Censuses and 1920 Census, Washington Township; Harrington field notes; Olsen, Leventhal and Cambra 1985; 1928-1933 California Enrollment Applications # 10298 and 10675; 1910, 1920 and 1930 Federal Censuses).





Avelina Cornates Marine's children [Dario, Dolores, Elizabeth (Belle), Ramona, Mercedes, Victoria, Lucas and Trina Marine] along with the Nichols, Guzman, Binoco, Pinos, Santos, Inigo, Juarez, Armija and other Muwekma families, had to readapt and relocate to other nearby residences in order to work and maintain their families. Some of the men worked for Southern Pacific Railroad, Spring Valley Water Company, Leslie Salt, and on the local orchards, ranches, and farms.

During the 20<sup>th</sup> century Muwekma families continued to marry and baptize their children at Mission San Jose, St. Augustine's Church in Pleasanton, Corpus Christi in Niles, and St. Edwards in Newark. Photographic and other records showing life around the Alisal Rancheria and neighboring areas from the early 1900s, WW I, the depression, and WW II survive.

**Kelsey Special Indian Census 1905-1906, Congressional Homeless California Indian Act of 1906, and the Federal Recognition of the Muwekma/Verona Band of Alameda County.**

In 1905, as a result of the discovery of the **18 unratified California Indian Treaties** (which were negotiated between 1851-1852) from the **U. S. Senate Secret Archives**. Mr. **Charles E. Kelsey**, a lawyer who resided on S. 12<sup>th</sup> Street in San Jose, was serving at that time as the Secretary for the philanthropic **Northern Association for California Indians (Figure 9)**. In 1905 he was appointed **Special Indian Agent to California** by the Commissioner of Indian Affairs (**Indian Service Bureau/Bureau of Indian Affairs**) in Washington, D.C. Agent Kelsey was charged by the BIA to conduct a Special Indian Census and identify all of the landless and homeless California tribes and bands residing from north of Los Angeles to the Oregon border who were to come under the jurisdiction of the BIA and the ensuing Congressional Homeless Indian Acts. For a detailed overview of the rediscovery of the 18 treaties and the efforts of Charles E. Kelsey, see *The Secret Treaties with California's Indians* by Larisa K. Miller published by Prologue Magazine, Fall/Winter 2013.

(<https://followingdeercreek.files.wordpress.com/2017/03/secret-treaties-with-california-indians.pdf>.)



**Figure 9: Special Indian Agent Charles E. Kelsey**

Based upon the partial results of Kelsey's Special Indian Census which was initiated by the discovery of the 18 unratified California Indian treaties in 1905 from the Senate archives, Congress passed multiple Appropriation Acts beginning in 1906 on through 1937, for the purpose of purchasing "home sites" for the many surviving, but landless, California Indian tribes and bands.

One of the bands officially identified by Special Indian Agent Kelsey was the **Verona Band of Alameda County** residing between Pleasanton, Sunol and Niles (as well as living in other adjacent towns, areas and ranches surrounding Mission San Jose). The direct ancestors of the present-day Muwekma Tribe who comprised the Verona Band became **Federally Acknowledged** by the U.S. Government through the **Appropriation Acts of Congress** beginning in 1906.

While Kelsey was working out details of his Special Indian Agent assignment in Washington D.C., after he completed his Special Indian Census (1905-1906), Acting Indian Commissioner Charles F. Larrabee forwarded the following letter to President Theodore Roosevelt:

May 23, 1908 Letter from Acting Commissioner C. F. Larrabee to President Theodore Roosevelt

"Doctor [Stanford's President David Starr] Jordan commends, and justly, the services of Special Agent C. E. Kelsey, who during the past few years has been engaged in an attempt to secure them fixity of tenure in their homes, security of legal rights and additional lands on which the homeless Indians can be placed from an appropriation granted by Congress under the act of June 21, 1906 (34 Stat. L 325, 335).

Among the resolutions passed by the conference was one pledging the members of the conference ... to assist in the upholding and continuance of this work until every landless Indian in California shall be secured land upon which he can maintain a home; ...

...

When California was ceded to the United States by the treaty of Guadalupe Hidalgo, the Indian occupants of that state had certain rights to the lands which they occupied and under the law then existing could not be legally ejected therefrom.

...

Also treaties which had been concluded with the various bands or tribes were overlooked or ignored and failed of ratification, the Indians claimants never being paid for their land.

It is believed that Congress realizes this fully and if the money which has already been appropriated is insufficient **to give every landless Indian a place he may call his own**, that later it will grant additional appropriation for their benefit.

It is the intention of the Office to persist in the work that is now going on until every Indian has been cared for, and while it is impossible now to undo all that is past and restore the original owners of the soil to their possessions, the Congress will be asked from time to time, if necessary, to do what seem reasonable and enable the homeless Indians to have a fair start in life even at this late day (Letter dated May 23, 1908; pages 1-4, National Archives).

Between the years 1906 and 1927, the Verona Band fell under the direct jurisdiction of the Indian Service Bureau in Washington, D.C., and by 1914, the Tribe's jurisdiction was transferred to the **Reno Agency**, and later again, transferred over to the **Sacramento Agency** (sometime around 1923). During this time, Federal Government Indian Service Bureau agents attempted to purchase land for many of the Federally Recognized, landless, California Indian tribes and bands.

To this effort, both the Indian Service Bureau agents and the Indian bands were faced with two major obstacles:

1. Many Californian landowners did not want Indians living next to or near them, so they would not sell suitable parcels of land.
2. Others who were willing to sell parcels to the government wanted greatly inflated prices, usually at prices much higher than what was either allocated to purchase lands, or above the actual value of the land.

After the Congressional Appropriation Acts of 1906, 1908, and ensuing years (until 1937) many Indians in California obtained trust lands as members of tribes which had not abandoned their respective tribal areas, and these homesites became known as Indian "**rancherias**." [see the Indian Homestead Act of March 3, 1875 (18 Stat. L. 420), 25 U. S. C. 334, 336, Feb. 8, 1887, Ch. 119, Sec. 4, and other statutes, (34 Stat. 325, June 24, 1906 and 35 Stat. 70, April 30, 1908), and using an added set aside of \$10,000 under the Joint Resolution of March 4, 1915 (CR 6122, March 4, 1915)].

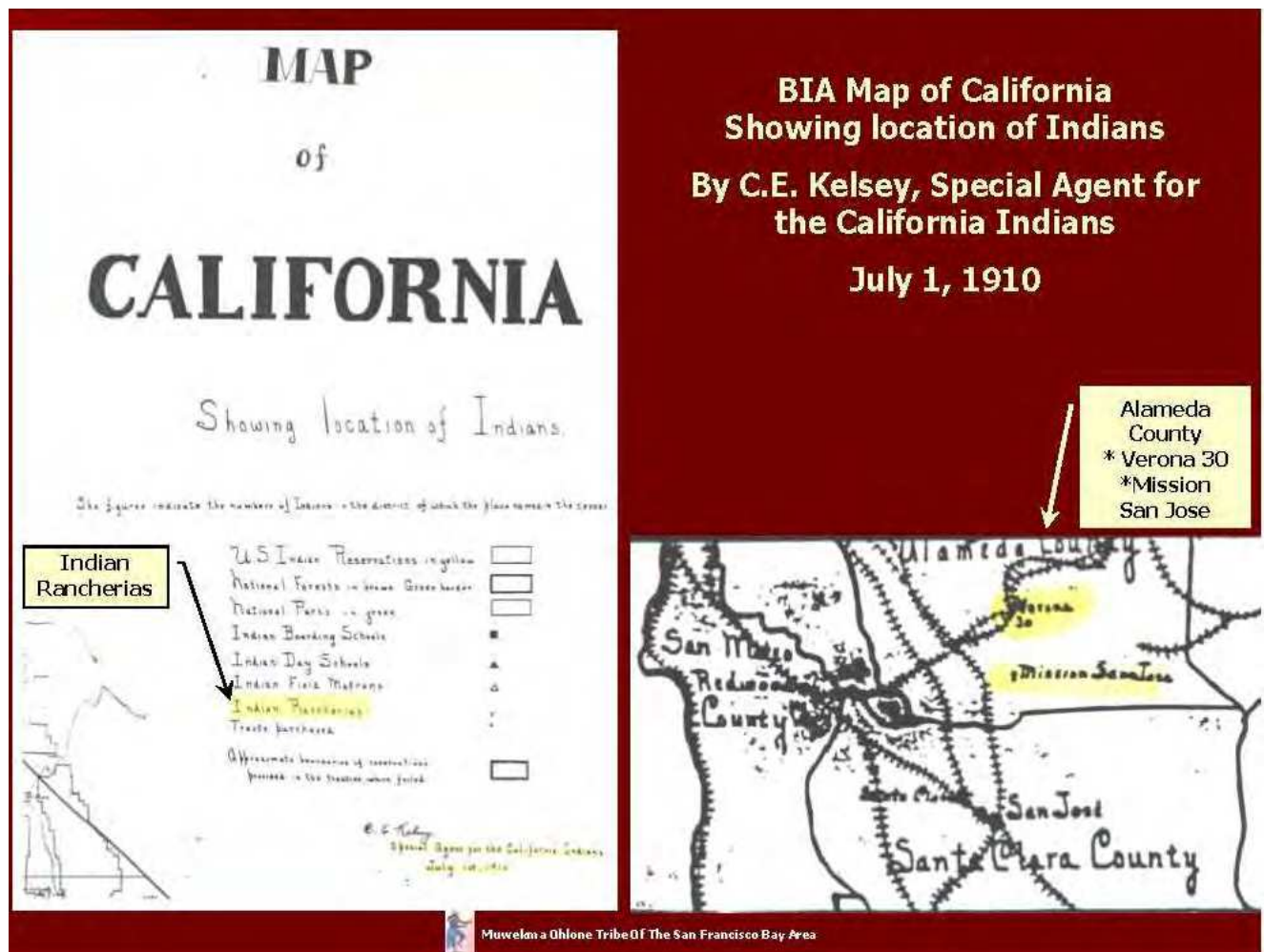
The evidence of previous **Federal Recognition** of virtually all the present-day unacknowledged tribal groups in California and especially in this case, the **Verona Band of Alameda County**, is found in the Federal records at the National Archives (Record Group 75. California Consolidated Files, Cal. Special, file # 12026113-032, filed with 114202-13-032; Map, accompanying Letter of October 4, 1913, Special Indian Agent for California C. E. Kelsey to Commissioner in response to request for information from 2nd Dist. Congressman John Raker, 9/22/1913. See file # 114202) (**Map 6 – Special Indian Agent Kelsey's 1910 Map of Indian Rancherias – Verona Band**).

On October 4, 1913, Special Indian Agent Charles Kelsey wrote a response letter to Cato Sells Commissioner of Indian Affairs informing him of the following information relative to the 18 unratified treaties:

1. None of the treaties mentioned in the Senate document were ever ratified. ... It is clear the treaties were never ratified and so never became technically operative. The Government took everything ceded in the treaties and more, i.e., for example the reservations, and paid nothing.
- ...
4. Absolutely no steps or measures have been taken or had to extinguish the rights of the tribes to the lands described in the treaties unratified, in any way, shape, or form.
12. ... The Indian Office did not even have record of the 18 treaties until we dug them out of the secret archives of the Senate.

... About two thousand Indians have still no land. ... It may be necessary to buy land for about 1100 of them. All of these 2,000 Indian still landless are descendants of Indians represented in the 16 [northern California] treaties.

By the end of 1913, being exhausted and personally in debt to the amount over \$18,000, Special Indian Agent C. E. Kelsey tendered his formal resignation. It was not until a year later that a new agent, **Charles H. Asbury** from the Reno Agency, was selected to replace Kelsey.



**Map 6: Indian Agent Kelsey's 1910 Map of Indian Rancherias – Verona Band**

Writing to the Commissioner of Indian Affairs on Dec. 7, 1914, from the Reno, Nevada Indian Agency, **Charles H. Asbury**, already named Special Indian Agent for California, reported progress in his investigation of the character, location and need of landless California Indians.

It is noteworthy that he called on his predecessor C. E. Kelsey for help in locating **30 individuals at Verona**, and then proceeded to suggest that they receive assistance in a land purchase in his report to the Commissioner. However, a thorough investigation of the Indians of California not provided with land would have required a great deal of time and expense.

Being understaffed and located in Reno, Special Agent Asbury was not able to accomplish anything on behalf of the landless California Indian bands and he was reassigned to the Indian Agency in the Southwest sometime in 1915. **John Terrell** was then selected as a replacement as Special Indian Agent for most of northern and central California by May 1915 and he continued to conduct on-site inspections and make censuses of many the bands that were under his jurisdiction.

However, during Terrell's tenure between 1915 and 1919, his efforts were oriented towards "needy" tribes and bands that were located in northern California counties (e.g., Mendocino and north) as well as the Sacramento Valley and the Sierra. Those tribes that were located within the northern "**mission area**" including the Muwekma (Verona Band of Alameda County), Amah Mutsun (San Juan Bautista Band), Esselen Nation (Monterey Band of Monterey County), the Salinan Indian tribal communities (Pleyto, Milpitas and Jolon) centering around Missions San Miguel and San Antonio, as well as the **Coast Miwok** tribal community located at the towns of Bodega Bay, Marshall, and Fishman were all but ignored and neglected.

### **A Call to War: Muwekma Men Enlist in all Three Branches of the U.S. Armed Forces Before and During World War I [1914 – 1920]**

Even before California Indians legally became citizens in **1924**, prior to and during America's entrance into World War I on **April 6, 1917**, at least six Muwekma men joined 17,000 other Native Americans and served in the United States Armed Forces in the Army, Navy, and Marine Corps. These Muwekma men enlisted through the **San Francisco Presidio** and **Mare Island** and four of them are buried at the **Golden Gate National Cemetery**.

**Antonio (Toney) Guzman**, U.S. Army, Private, **166th Field Artillery Brigade, Battery F, 347<sup>th</sup> Field Artillery, 91<sup>st</sup> Division**. Toney Guzman was born on March 27, 1890 either in Centerville or on the Niles Rancheria. He was the son of Muwekma Indians Francisca Nonessa and Jose Guzman. Toney enlisted in the U.S. Army and he fought in the **Meuse-Argonne** (September 26 to October 8, 1918), **Ypres-Lys**, and **Lorraine** campaigns in France. Toney served in the Army from April 29, 1918 and was honorably discharged at the **San Francisco Presidio** on April 26, 1919 (**Figure 10**).

The **91<sup>st</sup> Division** was known as the "**Wild West Division**." The Division's shoulder patch was a green fir tree referring to its origin at Camp Lewis in the Pacific Northwest. The Division was deployed to France in August, 1918 and fought with great distinction. In the **Ypres-Lys** campaign, the Division served in the **Flanders Army Group**, under the command of the **King of Belgium**. The Division was headquartered adjacent to Flanders Field. Five members of the Division earned the **Congressional Medal of Honor**. The **347<sup>th</sup> Field Artillery Regiment** was assigned 4.7" inch guns, and the **91<sup>st</sup> Division** received the following **Victory Medal Clasps**: **Ypres-Lys**, **St. Mihiel**, **Meuse-Argonne**, and **Defensive Sector**.

Twelve days before the end of World War I, the division, as part of the VII Corps of the French Sixth Army, helped drive the Germans east across the Escaut River. The division was awarded separate campaign streamers for its active role in the **Lorraine**, **Meuse-Argonne** and **Ypres-Lys** campaigns

In October 1931, Toney Guzman and his brothers enrolled with the **Bureau of Indian Affairs** under their mother's **BIA Application #10293**. On his WW II Registration Card dated April 27, 1942, Toney was identified as "**Indian.**" Toney passed away on **October 8, 1948** and was buried on October 12, 1948 at the **Golden Gate National Cemetery** (Section J, Grave 254).



**Figure 10: Toney Guzman (1934)**

**Alfred (Fred) Guzman**, U.S. Army, Private, **Company "C," 110<sup>th</sup> Infantry, 28<sup>th</sup> Division** under Brigadier General T. W. Darrah. Alfred Guzman was born on the Pleasanton Rancheria on June 27, 1896 to Francisca and Jose Guzman. Prior to the declaration of War, Fred Guzman had served in the **National Guard at Fort Mason in San Francisco in 1917**. Afterwards he enlisted in the U.S. Army, and served in the **28<sup>th</sup> Division, 55<sup>th</sup> Brigade Infantry, 110<sup>th</sup> Infantry, Company "C"** and fought in the major battles at **Ourcq-Vesle (July 28, 1918), Second Battle of the Marne (July 15-August 5, 1918), Meuse-Argonne Offensive (September 26 to October 8, 1918), and Havrincourt (October 8 – November 11, 1918)** in France.

The 28<sup>th</sup> Division fought in the following **campaigns**: Champagne-Marne, Aisne-Marne, Oise-Aisne, Meuse-Argonne, Champagne (1918), and Lorraine (1918). **The cost in lives of these six campaigns was 4,183 casualties including 760 dead. The six fleurs-de-lis on the regimental insignia commemorates their World War I service.** The **28th Infantry Division** was a unit of the United States Army formed in 1917 at the outbreak of World War I. It was nicknamed the "Keystone Division", as it was formed from units of the Pennsylvania Army National Guard; Pennsylvania is known as the "**Keystone State.**" It was also nicknamed the "Bloody Bucket" division by German forces in WWII, after its red insignia. Fred Guzman served from **July 28, 1917** and was honorably discharged at **San Francisco Presidio** on May 31, 1919. On his WW II Registration Card dated April 25, 1942, Fred was identified as **Indian**. Fred Guzman died on **November 3, 1961**, was buried at **Golden Gate National Cemetery** (Section Y, Grave 1059).

**Joseph Aleas**, U.S. Army, **Sergeant, Company D, 21<sup>st</sup> MG BN, 7<sup>th</sup> Division**. Joseph Aleas was born on the Alisal (Pleasanton) Rancheria on May 11, 1893 and was the son of Margaret Armija. He enlisted in the US Army on **June 30, 1916**. According to Armija-Thompson family recollections, he was a good horseman and wanted to fight against Pancho Villa, who had led approximately 1,500 Mexican raiders in a cross-border attack against Columbus, New Mexico, in response to the U.S. government's official recognition of the Carranza regime. Villa's troops attacked a detachment of the 13th U.S. Cavalry, seized 100 horses and mules, burned the town, killed 10 soldiers and eight of its residents, and made off with ammunition and weapons.

President Woodrow Wilson responded by sending 6,000 troops under General John J. Pershing to Mexico to pursue Pancho Villa and his troops. This military mobilization was called the Punitive or Pancho Villa Expedition.

Later, Joseph Aleas served in France with the **21<sup>st</sup> Machine Gun Battalion, 7th Infantry Division** (its Hourglass insignia dates back to 1918). Organized originally to serve in the American Expeditionary Forces (AEF) during World War I, the U.S. Army's 7th Infantry Division was created at Camp Wheeler, Georgia on December 6, 1917 and the 7<sup>th</sup> fought in **Alsace-Lorraine**, France during the war. The division also served as an occupation force during the post-war period.

On October 10-11, 1918 the 7th was shelled for the first time and later it encountered gas attacks in the **Saint-Mihiel** woods. Defensive occupation of this sector continued from October 10th to November 9th during which the infantry regiments of the 7th Division probed up toward **Prény** near the Moselle River, captured Hills 323 and 310, and drove the Germans out of the **Bois-du Trou-de-la-Haie** salient. After 33 days in the line of fire, the 7th Division had suffered 1,988 casualties, of which three were prisoners of war. Thirty Distinguished Service Crosses were awarded members of the 7<sup>th</sup> Division.

Joseph Aleas was honorably discharged at **Camp Funston**, Riley, Kansas on July 9, 1920 and was awarded the **World War I Victory Medal** and the **Bronze Victory Button**. Joseph Aleas enrolled with the **Bureau of Indian Affairs** in October 1931 (**BIA Application # 10299**). On May 24, 1955 Joseph enrolled during the second enrollment period with the **Bureau of Indian Affairs**. Joseph Francis Aleas passed away **July 13, 1964** and was buried at the **Golden Gate National Cemetery** Plot Z, grave 2597 (**Figure 11**).

**Henry Abraham Lincoln Nichols**, U.S. Navy, Fireman 1<sup>st</sup> Class, **Battleships USS Arizona and USS Oklahoma**. Henry Nichols was born in Niles on February 12, 1895 to Charles Nichols and Muwekma Ohlone Susanna Flores Nichols. Henry enlisted on May 23, 1917 and first served on the **USS Albatross**. By December 31, 1917 he was transferred to the Battleship **USS Arizona**, and later on March 26, 1918 he was transferred again to the Battleship **USS Oklahoma**. During World War I Henry Nichols served in the North Atlantic and was on escort duty in December 1918 when the *Oklahoma* was serving as escort during President Woodrow Wilson's arrival in France at the end of the war (November 11, 1918). The *Oklahoma* returned to Brest, France on June 15, 1919 to escort home President Wilson who was transported on the *USS George Washington* from his second visit to France.

Henry Nichols was honorably discharged at Mare Island on August 14, 1919 and was issued the **World War I Victory Medal**. On Henry Nichols Draft Registration Card dated April 27, 1942 he is identified as **Indian**. Henry Nichols died on January 5, 1956 and buried at the **Golden Gate National Cemetery** (Section L-5, Grave 7455).





**Figure 11: Grave Stones of Joseph Aleas, Fred Guzman, Toney Guzman, Henry Nichols**

**Franklin P. Guzman** (Service # 87843) Sergeant, **U.S. Second Marine Corps Division, Fourth Marine Infantry Brigade, Sixth Machine Gun Battalion, 81<sup>st</sup> “D” Company**. Franklin was born on the Alisal Rancheria on January 15, 1898 and was the son of Pleasanton Indians Teresa Davis and Ben Guzman (who later died in 1907). He was also the nephew of Toney and Fred Guzman. Franklin was listed on the **1910 Federal Indian Population Census** for “**Indian Town**”, Pleasanton Township. He enlisted on October 20, 1916 while working near Sacramento, reported for duty on October 25, 1916 and was assigned to **Company “B” Marine Barracks, Navy Yard, Mare Island**. On May 28, 1917 Franklin was promoted to the rank of Corporal. By March 31, 1918, he earned an **Expert Rifleman Badge** and a **Marksman Badge** and by April he was assigned to the **111<sup>th</sup> Company, 8<sup>th</sup> Regiment**.

In May, Franklin was transferred to the **150<sup>th</sup> Company 1<sup>st</sup> Machine Gun Replacement Battalion** at Quantico, Virginia and he was promoted to Sergeant on May 22, 1918.

The 1<sup>st</sup> Machine Gun Replacement Battalion sailed on May 26, 1918 on the *USS Henderson* and disembarked in France on June 8, 1918. The 1<sup>st</sup> Machine Gun Battalion was later renamed the 6<sup>th</sup> Machine Gun Battalion in France. From September 12 to 16, 1918 the brigade was engaged in the **St. Mihiel offensive** in the vicinity of **Remenauville, Thiaucourt, Xammes, and Jaulny**. On September 16, 1918, he was wounded in the left thigh and from September through December he was placed in various Field and Base Hospitals in France, and finally transferred back to the States on December 16, 1918. Franklin remained in recovery at the US Navy Hospital at Norfolk, Virginia until he was honorably discharged from service as a Sergeant on June 27, 1919.

Franklin’s Battalion participated in the **Chateau-Thierry** sector (capture of Hill 142, Bouresches, Belleau Wood) from June to July, 1918; **Aisne-Marne** (Soissons) offensive from July 18 to July 19, 1918; **Marbache** sector, near Pont-a-Mousson on the Moselle River from August 9 to August 16, 1918; **St. Mihiel** from September 12 to September 16, 1918; and later the **Meuse-Argonne** offensive (October 1 to 10, 1918, and November 1 to 10, 1918). Franklin passed away on May 30, 1979 and was buried in the **Riverside National Cemetery** (Section 8, Grave 2826) (**Figure 12**).





**Figure 12: Veteran Headstone for Franklin Guzman**

**John Michael Nichols** was a Muwekma Ohlone Indian from the San Francisco Bay Area. He was born on September 29, 1893 in Niles, California and was baptized at Mission San Jose. John was the older brother of Henry Nichols who had served in the Navy on the battleships *Arizona* and *Oklahoma* during WWI (May 1917 – August 1919).

John enlisted in the US Army on **October 27, 1914** and was stationed at **Fort McDowell on Angel Island**. He fought in France serving with the **59<sup>th</sup> Coast Artillery Corps (CAC)**. In 1913, the defenses of individual harbors were renamed coast defenses, as in “the **Coast Defenses of San Francisco**.” Coast artillery districts were retained, but the term now had a different meaning. Three continental coast artillery districts were created within the geographic departments. The Pacific Coast Artillery District (ranging from San Diego to Puget Sound) was established in the Western Department. Beginning in December 1917 and continuing into 1918, Regular Army and National Guard companies were combined, creating the **54<sup>th</sup>** through the **71<sup>st</sup> Artillery Regiments, CAC**.

The 59<sup>th</sup> was engaged in the **St. Mihiel** offensive and the **Meuse-Argonne** offensive and earned a Service Clasp (WWI Victory Medal for: **St. Mihiel Offensive, France** (2 September-16 September 1918), and **Meuse-Argonne Offensive, France** (26 September-11 November 1918)). John was discharged at **Fort Winfield Scott** at the **SF Presidio** on June 4, 1920. John apparently came back to the states with the 67<sup>th</sup> C.A.C. which appears on his gravestone. John M. Nichols was listed as an **Indian** on the 1930 Federal Census along with his son Alfred in Santa Cruz County, California. On John Nichols’s WWII Draft Registration Card dated April 27, 1942 he was identified as residing at the Veteran’s Home in Napa (Yountville), California and he had resided there from 1941 to 1953. John Nichols died in April 1968 while living in Stockton, California (**Figures 13 and 14**).

The regiments in France were largely demobilized as soon as possible after returning to the states, typically by March 1919. However, 12 regiments that had served in France were retained in active service at the end of the war for training purposes. This number was shortly reduced to 10: 42nd, 43rd, 52nd, and 53rd Artillery, CAC (Ry) formed the 30th Brigade, posted at Camp Eustis, VA. The 31<sup>st</sup> Brigade, consisting of the 55th, 57th, and **59th Artillery, CAC (TD)**, was initially posted at **Fort Winfield Scott, CA**, before moving to Camp Lewis, WA, in the later months of 1919 (California State Military History site: <http://www.militarymuseum.org/Muwekma.html>).



**Figure 13: Veteran Headstone for John Nichols and a World War I Victory Clasp**



**Figure 14: Henry Nichols (left) Franklin Guzman (center), John Nichols (right) [ca. 1918]**

## Muwekma Tribe Honors the Native American Code Talkers Who Served During WWI

Excerpted from two websites on the implementation and use of Native American code talkers on the front lines during World War I. Even though the Muwekma men who enlisted did not serve as code talkers, nonetheless, the tribal leadership thought it important to honor those Native men by including information of their service to the U.S. Those website authors provide the following information on line:

In France during World War I, the 142nd Infantry Regiment, 36th Division, had a company of Indians who spoke 26 languages and dialects. Two Indian officers were selected to supervise a communications system staffed by 18 Choctaw. The team transmitted messages relating to troop movements and their own tactical plans in their native tongue. Soldiers from other tribes, including the Cheyenne, Comanche, Cherokee, Osage, and Yankton Sioux also were enlisted to communicate as code talkers. Previous to their arrival in France, the Germans had broken every American code used, resulting in the deaths of many Soldiers. However, the Germans never broke the Indians' "code," and these Soldiers became affectionately known as "code talkers" (**Figure 15**).

([https://www.army.mil/americanindians/code\\_talkers.html](https://www.army.mil/americanindians/code_talkers.html))

When the United States entered World War I in April 1917, it had not yet granted citizenship to all Native Americans, and government-run boarding schools were still largely attempting to stamp out their languages and cultures. Nonetheless, several thousand Native Americans enlisted in the armed forces to fight the Central Powers. Nearly 1,000 of them representing some 26 tribes joined the 36th Division alone, which consisted of men from Texas and Oklahoma.

(<https://www.history.com/news/world-war-is-native-american-code-talkers>)



**Figure 15: Native American Code Talkers During WWI**

After serving overseas during World War I, the over 17,000 Native American servicemen were offered a path to citizenship if they wanted to apply. On November 6, 1919, the United States Congress granted citizenship to the honorably discharged Indian veterans of World War I who were not yet citizens.

BE IT ENACTED . . . that every American Indian who served in the Military or Naval Establishments of the United States during the war against the Imperial German Government, and who has received or who shall hereafter receive an honorable discharge, if not now a citizen and if he so desires, shall, on proof of such discharge and after proper identification before a court of competent jurisdiction, and without other examination except as prescribed by said court, be granted full citizenship with all the privileges pertaining thereto, without in any manner impairing or otherwise affecting the property rights, individuals or tribal, of any such Indian or his interest in tribal or other Indian property.

The 1919 American Indian Citizenship Act did not grant automatic citizenship to American Indian veterans who received an honorable discharge. The Act merely authorized those American Indian veterans who wanted to become American citizens to apply for and be granted citizenship. Few Indians actually followed through on the process, but it was another step towards citizenship.

It was during President Calvin Coolidge's Administration that the United States Congress finally granted citizenship to Native American servicemen and their respective tribes on June 2, 1924, (**Figure 16**). However, the Native American tribes of Arizona and New Mexico would have to wait another 24 years before full citizenship and voting rights were granted in 1948 after their service in the Armed Forces during World War II.



**Figure 16: President Calvin Coolidge with Four Osage Indian Leaders**

Thomas Grillo in his recently published book titled First Americans: U.S. Patriotism in Indian Country after World War I wrote that:

The years between 1918 and the end of the 1940s were crucial ones in recent Indian history. Beginning in the 1920s, reservation groups were allowed to claim reparation for broken treaties from the American government in the U.S. Court of Claims. A few years later, they were encouraged to write constitutions for their tribal governments. The New Deal saw the first major attempt to reverse the most undesirable effects of the assimilation policy the federal government had followed since the last decades of the nineteenth century. World War II occasioned the massive reenlistment of yet another generation of Indian soldiers. Finally, at the end of the 1940s, the major assault on the existence of reservations as separate territories known as “termination” began.

### **The Muwekma/Verona Band under the Jurisdiction of the Indian Service Bureau: Reno and Sacramento Agencies 1923 – 1927, and the Removal of 135 Landless Tribal Bands**

After Terrell left the Indian Service, the jurisdiction fell to **James Jenkins**, Superintendent of the Reno Agency. Writing his Annual Report to the Commissioner of Indian Affairs in 1923, Superintendent Jenkins commented:

The jurisdiction of Reno Agency comprises the following named reservations and colonies, villages, camps, etc., in addition to all scattered bands of Indians in Nevada and California not under the jurisdiction of any other superintendency; also Indians whose allotments, homesteads, etc., are carried at the land offices located at Stockton, Sacramento, Visalia, San Francisco, Los Angeles, and Independence and Marysville, California, and Carson City and Elko, Nevada. ...

... Other Indians in California under this jurisdiction but not occupying government lands are found in the localities named below:

<u>County</u>	<u>Communities</u>	<u>Estimated</u>
<b>Alameda</b>	<b>Verona</b>	<b>30</b>
(Jenkins:1923 Annual Report: 3-5)		

Sometime around 1923, the jurisdiction of the landless Indians of northern central California had shifted to the Sacramento Agency under the aegis **Colonel Lafayette A. Dorrington**, who was a prison warden in the Philippines during the American occupation. Dorrington, who was probably a political appointee to the Sacramento Superintendency and was probably rewarded for his military service as a prison warden in the Philippines during the post-Spanish American War period of occupation.

It is interesting to note that Dorrington’s on-line Military Burial record provides the following information: He was identified as a **1<sup>st</sup> Lieutenant Company H, 2<sup>nd</sup> Nebraska Infantry – 4/29/98 to 10/24/98; 2<sup>nd</sup> Lt., Company L, 2<sup>nd</sup> U.S. Infantry; 10/27/98 to 6/22/99** which served in **Cuba**. His last rank was **1<sup>st</sup> Lieutenant, Company A, 34<sup>th</sup> U.S. Volunteer Infantry**. His last



appointment was 7/5/99 and he was discharged on 6/30/1901. Dorrington died on October 8, 1934 and was buried at Arlington National Cemetery on January 13, 1937. His grave is located in Section 3, Grave No. 3947 (document from Ancestry.com).

In January 1927, Sacramento Superintendent **Col[onel]. Lafayette A. Dorrington** (1918-1930) received a detailed office directive from **Assistant Commissioner E. B. Merritt** for him to list by county all of the tribes and bands under his jurisdiction that had yet to obtain a land base for their “home sites.” This directive was issued so that Congress could plan its allocation budget for fiscal year 1929. Dorrington, who was not an advocate for California Indians, was chronically derelict in his duties and he decided not to respond to this directive. He also decided not to respond to many of the other requests issued by the Washington, D. C. Office. By May 1927, under threat of investigation, Dorrington yet again received another strongly worded directive from the Assistant Commissioner E. B. Merritt (**Figure 17**).

To this second directive, Dorrington reluctantly responded on June 23, 1927 by generating a report, which in effect, illegally, unilaterally, and administratively “**terminated**” the existence and needs of approximately 135 tribes and bands throughout northern California from their **Federally Acknowledged** status. He did this by completely dismissing the needs of these identified homeless and landless tribal groups. The very first casualty on Dorrington’s “**hit list**” was the **Verona Band of Alameda County**. Without any benefit of any on-site visitation or needs assessment, which he was charged to conduct by the Assistant Commissioner, Dorrington opined:

There is one band in Alameda County commonly known as the Verona Band, ... located near the town of Verona; these Indians were formerly those that resided in close proximity of the Mission San Jose. It **does not appear** at the present time that there is need for the purchase of land for the establishment of their homes. (Dorrington Report dated June 23, 1927)

The fact that Dorrington makes mention that the Verona Band resided “near the town of Verona” makes it clear that he never visited the Muwekma Tribal community. There is no town of Verona in Alameda County. Thus, with the stroke of a pen and without benefit of any due process or direct communication with the tribe, the Muwekma/Verona Band along with the other 134 tribes and bands of California, apparently **lost their formal status as Federally Recognized Tribes**. Although not formally “terminated” by any policy decision or act of Congress these tribes were essentially knocked off the “radar screen” of the Bureau of Indian Affairs and as landless tribes were considered **ineligible** to organize as tribes under the 1934 Indian Reorganization Act.

During the 20<sup>th</sup> Century, no other state within the United States had experienced the massive **illegal “termination”** of so many Federally Recognized tribal groups whose rights were extinguished by gross negligence and crass neglect.

This massive dismissal and removal of recognized landless tribes was deliberate and due as a result of the callous actions and dereliction of duty by an incompetent **Bureau of Indian Affairs** agent.

Three years later, Dorrington, still being prodded by BIA officials in Washington, D.C. about the needs of the landless and homeless Indians in California under his jurisdiction, offered insight to his actions and his personal beliefs in a letter he wrote to **Commissioner Rhoads**. In that letter dated April 23, 1930, Dorrington wrote:

...Kindly be respectfully advised that the matter of land purchase for homeless Indians has really been given constant and diligent attention throughout the current fiscal year to date and an earnest effort has been made to fully meet the needs of the Indians to the fullest extent without unnecessary or unjustified expenditure of funds, believing that to be the spirit of the law and your wishes in the premises. ...

**It has been my opinion, and therefore my belief**, for several years that the best interests of the Indians will be served through an arrangement whereby those concerned may be settled on the already acquired land **instead of procuring additional which cannot be turned to beneficial use and occupancy by the Indians** in mind because of their inability financially to establish themselves thereon.

...In its final analysis, Mr. Commissioner, kindly understand and know that **additional land for homeless Indians of California is not required and therefore further demands on the appropriation for the fiscal year 1930 are not warranted or justified** (Dorrington Letter to Commissioner Rhoads April 20, 1930). [Emphasis added]



**Figure 17: Sacramento Superintendent Lafayette A. Dorrington October 21, 1926**

By July 1931, **Dorrington** had either quit the Indian Service or was transferred or was fired and he was replaced by **Oscar H. Lipps** as Superintendent of the Sacramento Agency. **Lipps**, responding to an inquiry written by Assistant Commissioner J. Henry Scattergood offered specific concerns about the **conditions of the homeless California Indians** for whom land was purchased:

Receipt is acknowledged of your letter, dated June 30, 1931, relating to the matter of purchasing land for homeless Indians of California. ...I am addressing this letter to you personally and calling the subject matter thereof to your special attention for the reason that there **appears to be a grave lack of understanding in the Office regarding this whole matter of providing homes for homeless California Indians.**

I think it is all the more important that this matter be brought to your personal attention at this time in view of your recent visit to California with the Senate Committee and your familiarity with the sentiment and feeling in this State with respect to the past administration of the affairs of the California Indians.

The conditions on some of these rancherias are simply deplorable. No one can view many of them and observe the conditions under which the Indians are trying to exist without the feeling that someone is guilty of **gross neglect** or **inefficiency** and that a **cruel injustice** has been meted out to a helpless people under the name of beneficent kindness... And yet there are those who say that I will never do to let the local authorities have charge of the affairs of the Indians lest the Indians be neglected and abuse.

**...I have not yet seen a single instance where the federal government has done anything like so much for the improvement of the homes and living conditions of the Indians under this jurisdiction** as has been done by Sonoma County for the Indians residing on the Stewart's Point Rancheria.

Now it seems to me that the thing for us to do is to look at the facts in the face and admit that in the past the Government has been woefully negligent and inefficient, and then start out with the determination, as far as possible, to rectify our past mistakes.

It is difficult to locate the blame, but somewhere along the line there appears to have been **gross negligence** or **crass indifference**. If Congress has been honestly and fully advised of conditions and has refused or failed to give relief asked for, then the Indian Bureau is not responsible for the neglect of the Indians. On the other hand, if Congress believed and intended by appropriating funds for the purchase of lands for homeless Indians and improvements thereon that good and suitable lands would be purchased and houses constructed and improvements made, **then we have neglected to do our duty** (Lipps letter to Assistant Commissioner Scattergood 1931 [Emphasis added]).

Although left completely landless, and in some instances completely homeless, between 1929 and 1932 **all of the surviving Verona Band/Muwekma lineages enrolled with the BIA under the 1928 California Indian Jurisdictional Act** which were approved by the Secretary of Interior in the pending claims settlement. Concurrently, during the last decades of the 19<sup>th</sup> century and first three of the 20<sup>th</sup> century (between 1884 and 1934), renowned anthropologists and linguists such as Jeremiah Curtin, Alfred Kroeber, E. W. Gifford, John Alden Mason, C. Hart Merriam, and John



Peabody Harrington interviewed the last fluent speakers of the “Costanoan” and other Indian languages spoken at the East Bay rancherias. It was during this time period that **Verona Band Elders** still employed the linguistic term “**Muwekma**” which means “**la Gente or the People**” in Chochenyo and Thámien Ohlone language spoken in the East and South San Francisco Bay region.

### **Muwekma Enrollment with the Bureau of Indian Affairs (1928-1932): The Passage of the California Indian Jurisdictional Act of 1928**

As a result of the passage of the Indian Citizenship Act of 1924, also known as the Snyder Act, California Indians and Allied Indian Associations started to advocate looking into claims against the federal government for lands illegally taken under the 18 unratified treaties of California. Under the 1924 Act indigenous people did not have to apply for citizenship, nor did they have to give up their tribal citizenship to become a U.S. citizen. Most tribes had communal property and in order to have a right to the land, Indians must belong to the tribe.

In 1928, the United States Congress passed the **California Indian Jurisdictional Act**, which created a census of all eligible Indians who could prove that their ancestors resided in California at the time when the 18 unratified treaties were negotiated between 1851-1852. Between the years 1928 and 1932 a little over 17,000 California Indians filled out applications and almost all were approved by the Indian Service Bureau.

During this time period almost all of the Muwekma Indian head of households enrolled as “**Ohlones**” and/or as “**Mission San Jose Tribe**” under this act and their applications were approved by the Secretary of Interior, the BIA and Federal (**Figures 18 to 37: Muwekma Ohlone BIA 1928-1932 Applications**).

Enrolling were members of the Marine-Peralta, Marine-Alvarez-Piscopo-Galvan, Marine-Sanchez, Marine-Arellano-Garcia, Marine-Muños, Marine-Armija, Armija-Thompson, Armija-Aleas, Armija-Nichols, Guzman, Binoco, Bautista-Armija, Inigo-Gonzalez-Alaniz, Santos-Pinos-Colos-Saunders-Pena-Corral, and Pinos-Juarez families. All of these Muwekma families were living in the Pleasanton, Sunol, Niles, Newark, Livermore as well as other areas within the East Bay and Santa Clara County.

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number 10298

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,  
Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Marine, Lucas	Head	38	M	10-18-1900	1/2
" Ernest	Son	2	M	1-26-1926	3/4

Note: \* See application of Katie Marine, wife, Centerville, Alameda County, California. App. No. 10675

2. Residence on May 18, 1928 Centerville, Alameda County, California.

3. Post Office Centerville Alameda California.  
Town or City, Box Number or County State  
Rural Route Number.

Note: \* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children  
Near Sunol, Alameda County, California. My child was born  
in Alameda County, California.

Name Marine, Lucas  
Application Number 10298  
Action taken  
Approved, FAB

Figure 18: Lucas Marine BIA Application # 10298

5. Where have you and your children resided since birth? .....  
In Alameda and Mendocino Counties, California.

6. Are you married? ..... Yes.

7. If a married woman, give your name before you were married. ....  
 ---

8. Name and exact date of birth (Month, Day, and Year) of your wife (or husband).  
Katie Marine, nee Peralta-- Age about 35 years.

9. Is he (or she) of Indian blood? If so, state the name of the Tribe or Band, and degree of Indian blood.  
Yes 4/4 Ohlones, ( Tribal name unknown )  
Alameda County, California.

10. What is your degree of Indian blood and to what Tribe or Band of Indians of the State of California do you belong?  
1/2 Ohlones (?) Tribal name  
Unknown, Alameda County, California.  
 Degree of Indian Blood Name of Tribe or Band

11. To what Treaty or Treaties were you or your ancestors a party, and where did you (or they) reside on June 1, 1852? Where and when were said Treaties negotiated?  
I do not know.

12. Give the names of your California Indian ancestors living on June 1, 1852, through whom you claim, who were parties to any Treaty or Treaties with the United States. If you claim through more than one ancestor living on that date, set forth each claim separately. State your descent from said ancestor or ancestors setting forth your relationship to them.

<u>Names</u>	<u>Tribe or Band</u>	<u>Relationship by Blood</u>
<u>Evalina Marine</u>	<u>Ohlones, Tribal name unknown.</u>	<u>Mother.</u>
	<u>Alameda County, California.</u>	

( See Nos 15 and 26 )

Figure 19: Lucas Marine BIA Application Identifying his Tribe as "Ohlones"

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number 10293

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,  
Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Guzman, Francisca	Head	65	F	10-11-1863	4/4
" , Tony J.	( Separated ) Son	37	M	10-11-1891	4/4
" , Jack	Son	25	M	2-6-1903	4/4
Hernandez, Paul	Son	21	M	1-14-1907	1/2

2. Residence on May 18, 1928 Niles, Alameda County, California.

3. Post Office Niles Alameda California.  
Town or City, Box Number or  
Rural Route Number. County State

Note: \* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children  
Alameda County, California.

Application Number 10293  
Name Guzman, Francisca

Action taken

Approved. FAB

Figure 20: Francisca Guzman and Children BIA Application # 10293



DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number 10301

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,  
Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Alaniz, Phoebe	Head	51	F	8-1-1877	4/4
Garcia, Thomas	Adopted Son	11	M	1-1-1917	4/4
Gonzales, Trinidad	* Mother	72	F	11-28-1856	4/4

\* ( Died October 28, 1928 )

Note:- The husband of the applicant was a Mexican.

2. Residence on May 18, 1928 Livermore, Alameda County, California.

General Delivery,

3. Post Office Livermore, Alameda California  
Town or City, Box Number or County State

Rural Route Number.

Note: \* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children

Between Sunol and Pleasanton, Alameda County, California.

Adopted son born near Sacramento, California.

Application Number 10301  
Name Alaniz, Phoebe

Action taken

Approved, FAB

Figure 21: Phoebe Alaniz, her Mother and her Adopted Son BIA Application # 10301

31ck

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number 10296

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,  
Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Thompson, Magdalena	Head	51	F	5-27-1877	4/4
Thompson, <del>Amelia</del> ( Emily )	Dau	18	F	10-31-1910	1/2
" , Ernest	Son	16	M	4-21-1912	1/2
" , Eduardo ( Edward )	Son	14	M	7-21-1914	1/2
" , Lorenzo ( Lawrence )	Son	10	M	9-9-1918	1/2

Note: \* The husband of the applicant is not of Indian blood.

2. Residence on May 18, 1928 Alameda County, California.  
P.O. Box 3,  
3. Post Office Newark Alameda California.  
Town or City, Box Number or County State  
Rural Route Number.

Note: \* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children  
Alameda County, California.

Application Number 10296  
Name Thompson, Magdalena  
Action taken  
Approved. FAB

Figure 22: Magdalena Thompson and Children BIA Application # 10296

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number 10294

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

<u>English Names</u>	<u>Relationship in Family</u>	<u>Ages in 1928</u>	<u>Sex</u>	<u>Dates of Birth Month Day Year</u>	<u>Degree of Indian Blood</u>
Martel, Flora Emma Thompson	Head	19	F	3-7-1909	1/2
Martel, Laura May	Dau	2 Mos	F	3-2-1928	1/4

Note:- The husband of the applicant is a white man.

2. Residence on May 18, 1928 Newark, Alameda County, California.  
General Delivery,

3. Post Office Newark Alameda California.  
Town or City, Box Number or County State  
Rural Route Number.

Note:- Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children  
Newark, Alameda County, California.

Name Martel, Flora Emma Thompson  
Application Number 10294  
Action taken  
Approved. FAB

Figure 23: Flora Emma Thompson Martel and Daughter BIA Application # 10294

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number **10676**

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,  
Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Juarez, Maggie	Head	43	F	6-17-1885	4/4
(Margurita)					
Santos, Daniel	Grand Nephew	11	M	1-3-1917	4/4
X { Corral, Erolinda	Head	33	F	1895	4/4
" Arthur	Son	3	M	1925	4/4
" Robert	Son	1	M	1927	4/4
XX { Tongales, Eulario	Single	66	M	1862	4/4

2. Residence on May 18, 1928

Newark, California

3. Post Office

San Benito

Newark, Alameda Co., Calif.

Town or City, Box Number or Rural Route Number.

County

State

4. Place of birth of yourself and each of your minor children

Does not live in trust lands

Residence Alameda Co. Calif.

X Uncle of Maggie Juarez

XX Uncle of " "

-1-

Name **Juarez, Maggie**  
Application Number **10676**

Action taken

Approved

Figure 24: Maggie Pinos Juarez and Family BIA Application 10676



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number 10297

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,  
Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Indian Names	Ages	Sex	Dates of birth Month Day Year	Deg
Andrade, Chona	Head	50	F	11-27-1878	4/4

Note:- The husband of the applicant is a white man (Portuguese).

2. Residence on May 18, 1928 San Quentin, Marin County, California.

3. Post Office San Quentin, # 30036 Marin California.  
Town or City, Box Number or County State  
Rural Route Number.

Note:\* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children  
Niles, Alameda County, California.

Figure 25: Chona Bautista Armija Andrade BIA Application # 10297

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number **10681**

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Galvan, Dolores (Kola)	Self	33	F	3-2-1895	
Galvan, Jennie	Daughter	21	F	1-7-1907	
Galvan, Jessie	Daughter	20	F	5-20-1908	
Galvan, John	Son	14	S	5-24-1914	
Galvan, Bettie	Daughter	13	D	12-13-1915	
Galvan, Rungas	Son	9	S	9-6-1919	
Galvan, Henry	Son	6	S	2-27-1922	
Piscopo, Salvador D.	Son	5	S	10-1-1923	
Galvan, Philip	Son	2	S	1-18-1926	
Galvan, Benjamin	Son	1	S	6-23-1927	
Galvan, Dolores	Daughter	0		12-19-1931	

2. Residence on May 18, 1928

3. Post Office

Town or City, Box Number or Rural Route Number. County State

4. Place of birth of yourself and each of your minor children

Figure 26: Dolores Marine Alvarez Piscopo Galvan and Children, BIA Application 10681

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number **10677**

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,  
Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Marine, Dario J.	Head	40	M	12-18-1888	1/2
"	Beatrice Dan	19	F	1-15-1909	3/4
"	Josephine Dan	17	F	11-5-1911	3/4
"	Emeline Dan	15	F	1-15-1913	3/4
"	Gilbert Son	13	M	12-31-1915	3/4
"	Domingo Son	9	M	5-4-1919	3/4

Note: See application of Cecilia Arnica Marine, wife, App No 10637.

2. Residence on May 18, 1928 *Excelsior, Fresno County, California*

3. Post Office *Excelsior*

Town or City, Box Number or Rural Route Number. County State

4. Place of birth of yourself and each of your minor children

*San Joaquin County, California*

Figure 27: Dario Marine and Children, BIA Application 10677

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number **10680**

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Sanchez, Dolores	Sister	14	F	- 1914	
Sanchez, Augusta	Sister	13	F	- 1915	
"	Brother	11	M	- 1917	
"	Sister	9	F	- 1919	
"	Brother	16	M	- 1912	

2. Residence on May 18, 1928 *San Mateo Co. Calif.*

3. Post Office *Wilmington* *San Mateo* *Calif.*  
Town or City, Box Number or County State  
Rural Route Number.

4. Place of birth of yourself and each of your minor children  
*No. 1 on West Coast*  
*San Mateo County, Calif.*

Application Number **10680**  
Name *Sanchez, Dolores*

Action taken

Approved.

Figure 28: Dolores Sanchez and Siblings, BIA Application 10680

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number **10679**

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Arellano, Albert	Single	20	M	- 1908	-
"	Edwina	19	F	- 1909	-

2. Residence on May 18, 1928

*Musco, near Fresno, Calif*

3. Post Office

*Musco Fresno California*

Town or City, Box Number, or  
Rural Route Number.

4. Place of birth of yourself and each of your minor children

*Dosmat in on trust lands  
Alameda County, California*

Figure 29: Albert Arellano and Sister, BIA Application 10879

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number **10678**

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,  
Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Redondo, Mary Muñoz	Head	20	F	7 - 1908	
" , Joseph Sn	Son	1	M	6 - 1927	
Munoz, Flora	Sister	10	F	- 1918	

2. Residence on May 18, 1928 *Alameda Co. Calif.*

3. Post Office *Mountain View Contra Costa Calif.*

Town or City, Box Number or  
Rural Route Number.

County

State

4. Place of birth of yourself and each of your minor children *Alameda Co. Calif.*

Figure 30: Mary Munoz and Sister Flora and Son, BIA Application 10678

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number **10682**

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,  
Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
<i>Marina Trina</i> <i>(Trina)</i>	<i>Single</i>	<i>27</i>	<i>F</i>	<i>2-27-1901</i>	<i>1/2</i>

2. Residence on May 18, 1928 *San Leandro, Calif.*

3. Post Office *Box 438 Fruitwood Contra Costa Calif.*

Town or City, Box Number or  
Rural Route Number. County State

*Note Does not live on trust lands*  
4. Place of birth of yourself and each of your minor children  
*Blauvelt, California*

Name *Marina Trina*  
Application Number **10682**  
Action taken  
Approved.

Figure 31: Trina Marine, BIA Application 10682



DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number 10299

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

<u>English Names</u>	<u>Relationship in Family</u>	<u>Ages in 1928</u>	<u>Sex</u>	<u>Dates of Birth Month Day Year</u>	<u>Degree of Indian Blood</u>
Aleas, Joseph Francis	Single	35	M	5-11-1893	1/2

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

2. Residence on May 18, 1928 Newark, Alameda County, California.

3. Post Office Box 3, Newark Alameda California.

Town or City, Box Number or Rural Route Number. County State

Note: \* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children .....

Pleasanton, Alameda County, California.

Figure 32: Joseph Francis Aleas, BIA Application 10299

Application Number 10299  
Name Aleas, Joseph Francis  
Action taken Approved, FAB



DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number 10637

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Marine, Cecelia Armija	Wife	F	11-27-1900	1/2	

*Note: See application of Dario J. Marine,  
husband, #10677*

2. Residence on May 18, 1928 Escalon, California.

Route 1, Box 142-A  
Oakdale

3. Post Office Stanislaus California.

Town or City, Box Number or County State

Rural Route Number.

Note: \* Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children

Niles, Alameda County, California.

Figure 33: Cecilia Armija Marine BIA Application 10637

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number **10675**

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

English Names	Relationship in Family	Ages in 1928	Sex	Dates of Birth Month Day Year	Degree of Indian Blood
Mariane Catherine	Wife	35	F	11-22-1893	4
(Catherine)					

Husband, Lucas Marria, App No  
10298

2. Residence on May 18, 1928 *Conterville California*  
 3. Post Office *One of 12046*  
 Town or City, Box Number or *Conterville* County *Alameda* State *Calif*  
 Rural Route Number.

4. Place of birth of yourself and each of your minor children  
*Alameda County*  
*California*

Figure 34: Catherine Peralta Marine BIA Application 10675

Name *Marine, Catherine*  
Application Number **10675**

Action taken

Approved.

tion Number 8419  
 Bianco, Jose

Action taken

Approved, March 20, 1931

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

<u>English Names</u>	<u>Relationship in Family</u>	<u>Ages in 1928</u>	<u>Sex</u>	<u>Dates of Birth Month Day Year</u>	<u>Degree of Indian Blood</u>
Bianoco, Jose	Single	86	M	10-8-1842	4/4
( Widower )					

3. Post Office	San Leandro	Alameda	California.
	Town or City, Box Number or Rural Route Number.	County	State

4. Place of birth of yourself and each of your minor children .....  
Mission San Jose, Alameda County, California.

107

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Application Number 10300

Application for enrollment  
with the Indians of the State of California under  
the Act of May 18, 1928 (45 Stat. L. 602)

The Secretary of the Interior,

Washington, D. C.

Sir:

I hereby make application for the enrollment of myself (and minor children living on May 18, 1928) as Indians of the State of California in accordance with the provisions of the Act of Congress of May 18, 1928 (45 Stat. L. 602). The evidence of identity is herewith subjoined.

1. State the full names, ages, sex, and dates of birth of yourself and your minor children living on May 18, 1928.

<u>English Names</u>	<u>Relationship in Family</u>	<u>Ages in 1928</u>	<u>Sex</u>	<u>Dates of Birth Month Day Year</u>	<u>Degree of Indian Blood</u>
Nichols, Belle	Wife	38	F	2-19-1890	1/2

Note: \* See application of Joseph Nichols, husband, Niles,

Alameda County, California. App. No. \_\_\_\_\_

2. Residence on May 18, 1928 ..... Niles, Alameda County, California.

3. Post Office Niles, Gen. Del. Alameda California.  
Town or City, Box Number or County State  
Rural Route Number.

Note Does not live on Trust Lands.

4. Place of birth of yourself and each of your minor children .....  
Niles, Alameda County, California.

Figure 36: Belle Nichols BIA Application 10300

Application Number 10300 Name Nichols, Belle Action taken Approved. FAS

5. Where have you and your children resided since birth? .....  
Alameda County, California.
6. Are you married? ..... Yes.
7. If a married woman, give your name before you were married. ....  
Belle Stokes
8. Name and exact date of birth (Month, Day, and Year) of your wife (or husband).  
Joseph ( Joe ) Nichols, ---- Age 48 years.
9. Is he (or she) of Indian blood? If so, state the name of the Tribe or Band, and degree of Indian blood.  
Yes 1/2 Olanian Tribe, Alameda County,  
California.
10. What is your degree of Indian blood and to what Tribe or Band of Indians of the State of California do you belong?  
1/2 Olanian Tribe, Alameda County,  
California.  
Degree of Indian Blood Name of Tribe or Band
11. To what Treaty or Treaties were you or your ancestors a party, and where did you (or they) reside on June 1, 1852? Where and when were said Treaties negotiated?  
I do not know.
12. Give the names of your California Indian ancestors living on June 1, 1852, through whom you claim, who were parties to any Treaty or Treaties with the United States. If you claim through more than one ancestor living on that date, set forth each claim separately. State your descent from said ancestor or ancestors setting forth your relationship to them.
- | <u>Names</u>            | <u>Tribe or Band</u>  | <u>Relationship by Blood</u> |
|-------------------------|---|------------------------------|
| <u>Margarita Armijo</u> | <u>Olanian Tribe, Alameda County,</u><br><u>California.</u> | <u>Mother.</u>               |
- ( See Nos 15 and 26 )

Figure 37: Belle Nichols BIA Application 10300 "Olanian Tribe" (Page 2)

## **Muwekma Children Attend Indian Boarding Schools**

During the Great Depression years (1930s through the beginning of World War II), the Muwekmas continued to adjust to the economic hardships facing the families. Although at times moving around as farm hands, fruit pickers and laborers, the family heads still maintained important social kinship networks, religious, economic and political ties with each other.

Just prior to the outbreak of World War II, the youngest son of Dario Marine (BIA Application # 10677) and Catherine Peralta Marine (BIA Application # 10675), **Lawrence Domingo Marine** was sent to the Bureau of Indian Affairs' Indian boarding school at **Sherman Institute**, Riverside County in southern California from 1931-1940 and there he met his future wife, Pansy Lizzette Potts (daughter of Marie Potts Mason, Maidu Tribe). Lawrence and Pansy's first three children Lawrence Mason Marine, Marvin Lee Marine and Suzie Marine were born and raised in Quincy, California (Maidu territory) and later they lived in Sacramento. Both Lawrence and Marvin Lee became traditional California Indian dancers with the help of their grandmother Marie Potts and Nisenan/Miwuk tribal elder, Bill Franklin (see Bibby article in News for Native California Vol. 7, No. 3, Summer 1993:21-36).

The children of Jack Guzman and Flora (Marine) Munoz, John Guzman, Jr. and his sister Rena Guzman were sent to the BIA boarding school at **Chemawa**, in Salem, Oregon from 1944 -1947. At this time, leadership was still in the hands of Muwekma adults and elders: Phoebe Alaniz (Petra Inigo) [died 1947], Margarita Pinos Juarez, Francisca Nonessi Guzman (died 1942), Dolores Marine Galvan, Dario Marine, Lucas Marine, and Trina Marine.

## **John Peabody Harrington's Ethnographic and Linguistic Field Work: Interviews with the Muwekma Tribal Community**

During the late 1920s and early 1930s, anthropological linguist John Peabody Harrington from the Bureau of American Ethnology conducted interviews with members of the Muwekma tribal community (e.g., Susanna Nichols, Jose Guzman, Francisca Nonessi, Maria de los Angeles Colos, Catherine Peralta and others) who were still residing in the Niles, Centerville, Newark, Pleasanton and Livermore areas.

Harrington's principal linguistic and cultural consultants are direct biological ancestors of the Muwekma Ohlone families many of whom are presently living in the Oakland/Livermore/Hayward/Castro Valley/Fremont/Newark/Niles/San Jose/Tracy areas. Also during this period of time sound recordings made by Harrington of twenty-seven songs sung by Jose Guzman in 1930 and later in 1934 photos were taken by C. Hart Merriam of Jose Guzman and his family members which attest to the Tribe's presence within their historic homeland (See **Figure 38 - John P. Harrington, Muwekma Elders Jose Guzman and Maria de los Angeles "Angela" Colos**).

J. P. Harrington's field notes (dated October 12, 1929, and October 1934) provides information about the culture, history and languages spoken by the **Verona Band**/Mission San Jose Indians. Jose Guzman and Angela Colos shared the following information with him:

- The San Jose Indians were of many tribes gathered at the mission. They are called Chocheños.
- I asked inf. how to say Abajeños, but inf. never heard the term. But inf. knows how to say arribenos.... when I asked if these were the Indians of Oakland, Inf. said no, that they were from [Martinez].
- Inf. does know one tribe, Halkin. It is the name of a tribe up San Rafael way. Liberato here was a Halkin, or was said to be one. [inf.] told him he was a Halkin, and Liberato got mad, denied it.... He [Jose Guzman] made a map, showing the location of "Hacienda Station" for Mrs. Hearst's place.
- From Sunol, ... he drew a line, indicating the former location of "Barona" [Verona] Station north of the San Jose Mission. Then, he noted under Roundhouse/Dancehouse:
- Was a big temescal just up the road from here. Until recently could see the place. Door inside and a big hole & also a smaller hole in the roof. Tu'pentak, temescal. Used to have fiestas here.

## J.P. HARRINGTON PRINCIPAL CHOCHENYO LANGUAGE INFORMANTS 1921 - 1930



**John Peabody Harrington**  
(1884 – 1961)



**Jose Guzman**  
(circa 1934)



**Maria De Los Angeles Colos**  
(circa 1929)



Muwekma Ohlone Tribe Of The San Francisco Bay Area

**Figure 38: J. P. Harrington, Muwekma Elders Jose Guzman and Angela Colos**



## The Outbreak of World War II: Muwekma Men Again Answer the Call to War

During **World War II**, almost all of the Muwekma men served in the United States Armed Forces both in the Pacific and European theaters and stateside. Five brothers enlist in the Armed Forces.



- **Hank A. Alvarez, Pfc. U.S. Army, 101<sup>st</sup> Airborne Division landed Utah Beach Normandy.** Hank was born on February 27, 1922 in San Jose. He spent his childhood in Santa Cruz, Alvarado and Brentwood. While living in Brentwood, on March 18, 1932, his mother Dolores Marine enrolled herself and her children with the **Bureau of Indian Affairs** (see **Figure 26** BIA Application # 10681 above).

Hank enlisted at the San Francisco Presidio and served from December 28, 1942 to December 15, 1945 in the 101<sup>st</sup> Airborne Division. He returned home from Europe with the 82<sup>nd</sup> Medical Battalion, 12<sup>th</sup> Armored Division. While serving in the **101<sup>st</sup> Airborne Division** he landed at Utah Beach in Normandy, he was later reassigned to the **106<sup>th</sup> Infantry Division, 423<sup>rd</sup> Infantry Regiment, Company B** and continued to fight in France, Belgium, Luxembourg and Germany. His regiment saw action at Saint Laurent sur Mer and Saint Nazaire, France, and near Malmedy, Belgium. Later, Hank was reassigned to the **326<sup>th</sup> Engineer Battalion** during the **Battle of the Bulge** at **Bastogne** and at the **Ramagen Bridge** crossing the Rhine River in Germany. After landing in Europe Hank's units fought in the following campaigns with the 101<sup>st</sup> Airborne Division: **Ardennes, Rhineland (GO 40 WD 45), and Northern France (GO 33 WD 45).** Hank was issued the following medals and badges: **Sharpshooter M1, WWII Victory Medal, and European African Middle East Campaign Medal.** The 101<sup>st</sup> Airborne Division and the 106<sup>th</sup> Infantry Division earned **Presidential Unit Citations.** Hank was honorably discharged at Camp Beale, California on December 15, 1945.



Hank enrolled himself and his family with the **BIA** on April 26, 1950 during the second enrollment period. During the early 1960s Hank served in a leadership position along with his brothers and sister to save the Tribe's **Ohlone Indian Cemetery** from destruction. Hank has served on the Muwekma Tribal Council since 1992 and is presently the oldest surviving member of the Verona Band of Alameda County and oldest veteran in the Tribe.





- **John (Johnnie) Abraham Alvarez** was the older brother of Hank Alvarez. John Alvarez was born on May 24, 1914 in San Jose and spent most of his life living in Santa Cruz. He was enrolled with his siblings with the **BIA** in March 1932. John enlisted in **U.S. Army** on October 22, 1941 just prior to America's Declaration of War against Japan, Germany and Italy and he served as a Pfc. in the **U.S. Army Air Corps** in the **Pacific Theater**. A letter was sent to Dolores Marine Alvarez Piscopo Galvan that her son John while serving overseas was **missing in action**, however, although the details are now clouded he was either liberated or saved and he continued to serve. John was honorably discharged on November 20, 1945 and received the **American Defense Service Medal, American Campaign Medal, WWII Victory Medal, and Honorable Service Lapel Button WWII**. John Alvarez died on March 6, 2002.



- **Francis Salvador "Sal" Samuel Dominic Piscopo, Sergeant Technical [E-7] U.S. Army, European Theater**. Salvador was born in San Jose on October 1, 1923 and was a younger brother of Hank and John Alvarez. He went by the name of Samuel Dominic by the time he enlisted in the US Army. Sal was enrolled on March 18, 1932 with the **Bureau of Indian Affairs** with his siblings under his mother Dolores Marine's **BIA Application # 10681**. Sal spent his younger years living in San Jose and Brentwood.

Sal enlisted in the **U.S. Army** on January 25, 1943. He attained the rank of **Sergeant Technical (E-7)** and served in the **14<sup>th</sup> Mechanized Cavalry Group, 18<sup>th</sup> Cavalry Squadron**. On 28 August 1944, the 14th Cavalry Group sailed for Europe, where it landed on **Omaha Beach** on 30 September and pressed east. On 18 October 1944, the unit was split into the **18th Squadron**, attached to the **2nd Infantry Division**, and the 32nd Squadron, attached to the 83rd Infantry Division. The unit regained its autonomy on 12 December 1944 and began guarding the Losheim Gap in Belgium. On 16 December, the 14th Cavalry Group received the full brunt of the German winter counteroffensive in the **Battle of the Bulge**. After two days of savage fighting, the unit reassembled at Vielsam, Belgium and was attached to the **7th Armored Division**.

On 23 December, the unit secured the southern flank of the perimeter, which allowed friendly troops to withdraw to safety. On 25 December, the unit was reequipped, attached to the **XVIII Airborne Corps** and moved back into the Bulge to push back the German Army. After the bloody and brutal fight in the Ardennes, the regiment was assigned to the **3rd US Army**.



2nd Infantry Division



7th Armored Division



XVIII Airborne Corps



3rd Army

In December 1944, the **18th Cavalry Squadron** was “chopped” to the **106th Infantry Division** still in sector. The tasks for these squadrons were the traditional cavalry missions of screening to the front and reconnaissance. On 12 December, the 32nd Squadron was returned to Group control and passed lines to the rear for refitting. The 18th Squadron also returned to Group control but continued its screening mission in the Ardennes region of Belgium.

At 0630 on 16 December 1944, Von Rundstedt launched the final German bid for victory - the now famous ‘Ardennes Offensive’ or better known as the ‘Battle of the Bulge’. After a terrific artillery and rocket barrage designed to destroy communications and disrupt our organization, the German attack was launched. The full weight of this drive was felt early that morning when more than half of the **18th Cavalry Squadron became surrounded, and were captured** or killed by 10:00 hours.

Patton’s Third Army Division had begun the Lorraine Campaign by August 1944 and reached the Moselle River near Metz, France. By December 1944, Salvador’s tank division turned north to relieve the surrounded and besieged **101st Airborne Division at Bastogne** in the Ardennes during the **Battle of the Bulge**. By February 1945 the Third Army moved into the Saar Basin in Germany and later crossed the Rhine River at Oppenheim on March 22, 1945.

On Salvador Piscopo’s uniform at the time when his photograph was taken he had four **service bars** representing **two years of overseas service** and also one **three-year reenlistment service stripe**. Sal was wounded when his tank was hit by German anti-tank fire. He carried shrapnel in his chest all of his life. He also was captured by the Germans and was issued a medal with five **Bronze Service Stars, European-African-Middle Eastern Campaign, Good Conduct Medal** and **World War II Victory Medal** and participated in the **Rhineland** (15 Sep 44 to 21 Mar 45), **Ardennes-Alsace** (16 Dec 44 to 25 Jan 45), and **Central Europe** (22 Mar to 11 May 45) **Campaigns**. He was hospitalized after being liberated and after he was discharged. His brother Hank Alvarez said that Sal’s nickname was “**Fade Away**” meaning that “no one can find him, one day he’s around and then he would be gone for weeks and then show up again”. Sal was discharged at Camp Beale in 1945. Salvador died on September 21, 1968 and is buried in the Disabled Veterans section of **Oak Hill Cemetery** in San Jose, California.

- **Philip Galvan** Pvt. US Army, Fort Benning, Georgia. Philip was born in September 1926 in Alvarado, Alameda County and was the younger brother of Sal Piscopo. He was enrolled along with his siblings with the **Bureau of Indian Affairs** on his mother Dolores Marine’s BIA Application # 10681. Philip enlisted in the **U.S. Army** on April 13, 1944 and was sent to the Monterey Presidio and afterwards he was stationed at Fort Benning, Georgia. Fort Benning was the home of the 2nd Armored Division called “Hell on Wheels”. At Ft. Benning the core units of the 2nd Armored Division were the 41st Armored Infantry Regiment, the 66th Armored Regiment,

the 67th Armored Regiment, the 17th Armored Engineer Battalion, the 82nd Armored Reconnaissance Battalion, and the 142nd Armored Signal Company. The 2<sup>nd</sup> Armored had three artillery battalions (the 14th, 78th, and 92nd). The Division also had support units, including the 2nd Ordnance Maintenance Battalion, a Supply Battalion, the 48th Armored Medical Battalion, and a Military Police Platoon. Some of the units were attached to the 41<sup>st</sup> Infantry Division in Europe Philip was honorably discharge at Camp Beale in 1946. During the 1960s Philip and his siblings were responsible for protecting the Tribe's Ohlone Indian Cemetery from destruction. Later, Philip joined the editorial board of the American Indian Historical Society's Indian Historian publication journal. Philip also served as the Secretary for the Ohlone Indian Tribe from 1965 to 1971. Philip Galvan was the caretaker of the Tribe's Ohlone Indian Cemetery, located near Mission San Jose. On June 13, 1982, Phil and his brother Ben Galvan laid the cornerstone for the widely acclaimed reconstruction of the 1809 Mission San Jose adobe Church. Philip passed away on March 25, 2013 at the age of 87 years.



- **“Ben” Michael Benjamin Galvan, Merchant Marines, U.S. Navy – (USS *Enterprise*), U.S. Army and Army Air Corps.** Ben was born on June 23, 1927 in Alvarado and was the last “formal” member of the Federally Recognized Verona Band of Alameda County. In March 1932, he was enrolled with the Bureau of Indian Affairs under his mother Dolores Marine Alvarez Piscopo Galvan's BIA Application # 10681. After serving in the Merchant Marines because he was under aged, he served in the Navy on board the *USS Enterprise*.

The *USS Enterprise* participated in nearly every major engagement of the war against Japan, including the Battle of Midway, the Battle of the Eastern Solomons, the Battle of the Santa Cruz Islands, various other air-sea actions during the Battle of Guadalcanal, the Battle of the Philippine Sea, and the Battle of Leyte Gulf, as well as participating in the "Doolittle Raid" on Tokyo. *USS Enterprise* has the distinction of earning **20 battle stars** and a **Presidential Unit Citation**, the most for any U.S. warship in World War II. Ben Galvan was awarded six Battle Stars and a Purple Heart.

After being injured during combat on the *USS Enterprise*, Ben requested to be transferred to the U.S. Army/Army Air Corps. At the end of his service, he reenlisted in the service on January 15, 1946 at Camp Beale, Marysville, California. On December 4, 1951 Ben enrolled himself and his family during the second BIA enrollment period.

During the early 1960s he was involved in saving the Ohlone Indian Cemetery from destruction and in 1965 Ben became the first chairman of the Ohlone Tribe. Ben served as the chairman of the Ohlone Tribe for thirteen years from 1965 to 1978. Ben Galvan passed away on April 13, 1987.



- **Thomas Joseph Garcia, Pfc. U.S. Army, Co. F. 358<sup>th</sup> Engineers GS Regiment.** Joseph Garcia was born on December 12, 1912 on the Alisal Rancheria near Pleasanton. Both his mother Mercedes Marine and his father Joseph Armijo Garcia were Muwekma Ohlone Indians. After the death of his mother in 1914, Joseph was adopted by his godmother Phoebe Inigo Alaniz who was also a member of the Verona Band Indian Community. He enrolled with the **Bureau of Indian Affairs** with his step-mother **Phoebe Alaniz** on October 7, 1930 (Application # 10301) and spent most of his life in Livermore.

Thomas Garcia enlisted on July 30, 1942 at the **San Francisco Presidio** and he served until November 27, 1945. On January 10, 1943 the **358<sup>th</sup> Engineers Regiment** was activated at Camp Claiborne, Louisiana and they departed the U.S. for Europe on July 1, 1943. The Regiment landed in France on August 24, 1944 and crossed into Belgium November 27, 1944 and participated in the **Normandy, Northern France, Rhineland, and Central Europe Campaigns**. He was honorably discharge on November 27, 1945. On April 22, 1953, he enrolled during the second **BIA** enrollment period. Thomas Garcia passed away on February 9, 1956 and was buried **Golden Gate National Cemetery** (Section Q, Grave 59).



- **Ben L. (Angel) Guzman, Pfc. U.S. Army.** Bennie Guzman was born on October 2, 1922 in Niles. His father was Fred Guzman who had served in the 28<sup>th</sup> Infantry Division during WW I. Bennie enlisted on November 5, 1942 at **San Francisco Presidio**. He first went to Camp Niles, California and then onto Camp White, Oregon, and fought in the **Asiatic Pacific Theater of Operations**. His enlistment record identifies him as an “**American Indian, Citizen**”. Ben attained the rank of Private and was discharged on January 9, 1946 at Camp Beale, California. He was issued the **World War II Victory Medal, WW II Lapel Button, Asiatic-Pacific Campaign Medal, Bronze Star, and Combat Infantry Badge**. Ben Guzman died on March 11, 1995 and he is buried in the **San Joaquin National Cemetery** in Gustin, Ca. (Plot C-3 0 517).



- **Frank Harry Guzman, Pfc. U.S. Army.** Frank was the younger brother of Bennie Guzman and he was born on April 2, 1926 in Pleasanton. Muwekma Ohlone Indians Dario Marine and Cecelia Armija were his godparents. Frank and his brother Bennie were photographed with their uncle Toney Guzman by anthropologist C. Hart Merriam in September 1934.

Frank's enlistment record identifies him as an "**American Indian, citizen**" and that he enlisted at the **San Francisco Presidio**. Frank served from July 21, 1944 to June 1946 as a Light Machine Gunner in the unattached **345<sup>th</sup> Infantry Regiment, 87<sup>th</sup> Infantry Division** that was during the war assigned to the **3<sup>rd</sup> Corps, 8<sup>th</sup> Corps, 12<sup>th</sup> Corps of General Patton's 3rd Army** (25 Nov 1944), **15<sup>th</sup> Corps of the 7th Army, 8<sup>th</sup> Corps of the 1<sup>st</sup> Army** and the **8<sup>th</sup> Corps of the 9<sup>th</sup> Army** during the European Theater of Operations (October 1944 - May 1945). Frank was also briefly assigned to the **82<sup>nd</sup> Airborne Division** and received his Parachute Badge.

On December 15, 1944, the **345<sup>th</sup> Infantry Regiment** was in the vicinity of Rimling, France and by December 17<sup>th</sup> the regiment took the town of Medelsheim, Germany. By December 26<sup>th</sup> the Germans had broken through the American defenses along the German-Belgian border between Malmedy, Belgium and Echternach, Luxembourg and create a fifty-five mile salient through the Ardennes Forest. The 345<sup>th</sup> was sent to the Cathedral city of Rheims to prevent a German breakthrough there and by December 28<sup>th</sup> the regiment was reassigned to General Patton's Third Army. On 29 December 29<sup>th</sup> the 345<sup>th</sup> Infantry Regiment was again on the road bound for an assembly area in the Luchie Woods 19 kilometers southwest of Moircy, Belgium.

The **Battle of the Bulge** which lasted from December 16, 1944 to January 28, 1945 was the largest land battle of World War II in which the United States participated. More than a million men fought in this battle including some 600,000 Germans, 500,000 Americans, and 55,000 British. At the conclusion of the battle the casualties were as follows: 81,000 U.S. with 19,000 killed, 1,400 British with 200 killed, and 100,000 Germans killed, wounded or captured.

Frank was engaged in the **Rhineland** and **Central Europe** campaigns. He received the Army **Presidential Unit Citation Ribbon, Combat Infantry Badge, European Africa and Middle Eastern Campaign Medal (Three Bronze Stars for Campaigns), Good Conduct Medal, American Campaign Medal, World War II Victory Medal, Army of Occupation Medal (Berlin), Parachute Badge, Marksman Badge** for Machine Gun and Rifle. Frank Guzman was honorably discharged at Camp Beale, California on June 27, 1946. Frank Guzman was a member of the V.F.W. Post No. 1537 of Tracy, California; he died on March 17, 1982.





**Paul Marine, Pfc. U.S. Army, 58<sup>th</sup> Armored Field Artillery** the son of Muwekma Ohlone Indians Lucas Marine and Catherine y 26, 1926 in Centerville. He was enrolled with his father with the nuary 11, 1930 (**BIA Application # 10299**) and his mother had ollment (**Application # 10675**). His father Lucas Marine had Cornates Marine) and Ernest's mother (Catherine Peralta Marine) cation.

Ernest Marine enlisted on April 13, 1944 at the Monterey Presidio. On June 6<sup>th</sup> 1944 (D-Day), the 58<sup>th</sup> was ordered to land on Omaha Beach in support of the 116<sup>th</sup> Combat Team, and the 2<sup>nd</sup> and 5<sup>th</sup> Ranger Battalions. Ernest served in Europe in the unattached **58th Armored Field Artillery Battalion** self-propelled 105 Howitzers, temporarily attached to the **29<sup>th</sup> Infantry Division, V Corps** and **XIX Corps**, and he fought in the **Rhineland** (September 15, 1944 – March 21, 1945), **Ardennes-Alsace (Battle of the Bulge, Bastogne, Belgium, December 16, 1944 – January 25, 1945)** and **Central Europe Campaigns** (March 22, 1945 – May 11, 1945). Ernest enrolled with his father Lucas Marine during the second **BIA** enrollment period on December 23, 1950. Ernest Marine was honorably discharged at Camp Beale on June 15, 1946. After the war he spent most of his life living with his aunt Trina Thompson Ruano in Newark and he passed away on October 20, 1977 in Sacramento.



**- Filbert S. Marine, Technician Fifth Grade (T/5 or TEC 5, U.S. Army, Pacific Theater.** Filbert was the last child born on the Alisal Rancheria on December 31, 1915. Both of his parents Dario Marine and Catherine Peralta were **Muwekma Ohlone Indians**. His godparents were also Muwekma Ohlone Indians Franklin Guzman who served in the Marine Corps during WWI and Francisca Guzman. Filbert and his siblings were enrolled with the Bureau of Indian Affairs on their father's **BIA Application # 10677** on March 11, 1932.

Filbert enlisted in the Army on February 18, 1942 at the Presidio of Monterey. His enlistment record identifies him as "**American Indian, citizen.**" He fought in the Pacific Theater and was assigned to the **226<sup>th</sup> Field Artillery Battalion, Battery B**. His unit was assigned to **XXIV Corps** during the Battle of Leyte in the Philippines. The Marines that took part in the Leyte landings were elements of the VAC Artillery, which had been attached to the XXIV Corps earlier in 1944, while still at Hawaii. The **V Amphibious Corps** (VAC) was a formation of the United States Marine Corps and was composed of the 3rd, 4th and 5th Marine Divisions during World War II. They were the amphibious landing force for the United States Fifth Fleet and were notably involved in the battles for **Tarawa** and **Saipan** in 1944 and the **Battle of Iwo Jima in 1945**.

The Marine complement consisted of the 5th 155mm Howitzer Battalion; the 11th 155mm Gun Battalion, and Headquarters Battery. Army field artillery battalions in the XXIV Corps were the 198th Field Artillery Battalion (155mm Howitzer), the **226th Field Artillery Battalion (155mm Gun)**, and the 287th Field Artillery Battalion (Observation).

The Marine artillery elements assigned to the XXIV Corps, as well as the **226th Field Artillery Battalion** had been formed from former seacoast artillery units; though familiar with heavy artillery, the men had received only rudimentary field artillery training. Prior to the departure of these units from Hawaii, the Marine artillery had undergone intensive field artillery training. Embarkation of personnel from Hawaii was accomplished between 6 and 14 September 1944.

The island of Leyte, lying in the Visayas Group of the Central Philippines, is 115 miles in length and varies in width from 15 to 40 miles. The main mountain range runs the entire length of the island from north to south, leaving a wide coastal plain along the east coast. The Sixth Army troops for Operation KING II, code name for the invasion of Leyte, were composed of the X and **XXIV Corps** and the 6th Ranger Battalion. The X Corps included the 1st Cavalry Division and the 24th Infantry Division; the XXIV Corps consisted of the 7th and 96th Infantry Divisions. After the Leyte (20 Oct 1944) Philippine Campaign ended, the **226th Field Artillery Battalion** continued on and participated in the **Okinawa Campaign** (14 June 1945). Filbert's unit may have gone from Camp Forrest, Tennessee to Fort Oglethorpe Georgia to Fort Sill, Oklahoma to Camp Stoneman, California to Maui to Oahu to Molokai to Eniwetok to Manus to Leyte to Samar and ended up on (Ryukyus) Okinawa in 1945.

Filbert was issued the **Asiatic-Pacific Campaign Medal, Good Conduct Medal, Philippines Liberation Medal, World War II Victory Medal, and Philippine Liberation Medal** and was honorable discharged on November 24, 1945 with the rank of Tec. 5. He died in Sacramento on March 31, 1953 and was buried in the military section (Veteran's Plot) of the City of Sacramento Cemetery.



--**Lawrence Domingo Marine, Platoon Sergeant, U.S. Marine Corps** (Serial # 299599). Lawrence was the younger brother of Filbert Marine and he was born on May 4, 1919 in Centerville. He was one of the last Muwekma Ohlone Indians to be baptized at Mission San Jose. He was enrolled with the Bureau of Indian Affairs on his father's BIA **Application # 10677** on March 11, 1932. He was also sent to **Indian Boarding School at Sherman Institute**, Riverside, California in 1931 and graduated from there in 1939. He also met his future wife Pansy Potts from the Maidu Tribe while attending Sherman Institute.

After leaving Sherman Institute, Domingo returned to the Bay Area and enlisted in the U.S. Marine Corps in January 1940 in San Francisco. By December 1, 1940, he was assigned to **Headquarters and Service Battery, 1st Battalion, 10th Marine, 2nd Marine Brigade FMF**, in San Diego before shipping out to the Pacific. By April 1, 1942, Lawrence was promoted to Corporal while stationed

at Tutuila, American Samoa. Later by January 1, 1943, Lawrence was promoted to Sergeant while stationed at Guadalcanal while assigned to **Headquarters and Service Battery, 1<sup>st</sup> Battalion, 10<sup>th</sup> Marine, 8<sup>th</sup> Marine Reinforced**. He was later transferred to **Battery "A", 75mm Gun, 10<sup>th</sup> Marines, 2<sup>nd</sup> Marine Division, FMF, In the Field** by April 1943. By July 1, 1944, he was assigned to the **Light Anti-Aircraft Group, Eighth Anti-Aircraft Battalion, Corps Artillery, Fifth Amphibious Corps** and later by October 1, 1944, Lawrence was a **Platoon Sergeant**, (identified in the Muster rolls as **Assistant Platoon Commander, 2<sup>nd</sup> Platoon, 40 mm Battery**) with the **Light Anti-Aircraft Group, Eighth Anti-Aircraft Battalion, Fleet Marine Force, Pacific**. From April 1 – April 30, 1945, Lawrence's unit location and "secret agenda" was on Okinawa, Ryukyu Islands. By January 1 -January 30, 1946, Lawrence's unit returned to the U.S. and was station on Treasure Island. Lawrence was now with the **Guard Company Marine Barracks, Treasure Island Activities, San Francisco**. He was still classified as a Platoon Sergeant, Sergeant of Guard.

Lawrence D. Marine was engaged in the following major battles, engagements, and ports from January 2, 1942 – November 8, 1945: **Hawaiian Islands Area, American Samoan Islands, Wellington, New Zealand, Guadalcanal, B.S.I (British Solomon Islands, New Georgia), Eniwetok, Marshall Islands, Ulithi, Caroline Islands, Okinawa, and Ryukyu** (southern Japanese Islands). The **Battle of Eniwetok** was a battle of the Pacific campaign of World War II, fought February 17, 1944 - February 23, 1944 on Eniwetok Atoll in the Marshall Islands.

The invasion of Eniwetok followed the American success in the battle of Kwajalein to the southeast. Capture of Eniwetok would provide an airfield and harbor to support attacks on the Mariana Islands to the northwest. **Battle of Okinawa** was the largest amphibious invasion of the Pacific campaign and the last major campaign of the Pacific War. More ships were used, more troops put ashore, more supplies transported, more bombs dropped, more naval guns fired against shore targets than any other operation in the Pacific. The fleet had lost 763 aircraft. Casualties totaled more than 38,000 Americans wounded and 12,000 [including nearly 5,000 Navy dead and almost 8,000 Marine and Army dead killed or missing], more than 107,000 Japanese and Okinawan conscripts killed, and perhaps 100,000 Okinawan civilians who perished in the battle.

Lawrence Domingo Marine was honorably discharged at **Treasure Island** on November 20, 1946 after having an extended two-year reenlistment. He received the **Presidential Unit Citation, Good Conduct Medal, and Good Conduct Medal Bar No. (1), Honorable Discharge Button, Honorable Service Button**. Lawrence Marine enrolled during the second **BIA** enrollment period on October 12, 1950. He passed away on May 21, 1988 and was buried in Woodland, California.



- **Henry Vernon Marshall, Sergeant, U.S. Marine Corps** was born in Newark on June 27, 1925. He was the son of Muwekma Ohlone Indian Henry Marshall, Sr. who was the son of Magdalena Armija Marshall Thompson. Henry Marshall, Jr. was a member of the Verona band of Alameda County. His grandmother, Magdalena enrolled her children with the Bureau of Indian Affairs on October 7, 1930 (BIA Application # 10296). Henry Marshall, Jr. enlisted on May 19, 1942 (Service # 394908) in the United States Marine Corps and was assigned to the **1<sup>st</sup> Marine Division** (Guadalcanal). He fought in the Pacific Theater of Operations and was issued the **Navy Presidential Unit Citation** with one



**Bronze Star, American Campaign Medal, Asiatic Pacific Campaign Medal, Rifle Sharpshooter Badge,** and a three-tiered **Weapons(?)** qualifying badge. He was honorably discharged on May 19, 1946. His father later enrolled the family during the third **BIA** enrollment period on May 7, 1969 as part of the California Indian Claims Judgment. Henry passed away on September 24, 1986.



- **Arthur M. Pena, Sergeant, U.S. Army, Company A, 155<sup>th</sup> Engineers Combat Battalion, Pacific Theater.** Arthur was born in Crockett, California on September 24, 1924. His mother was Erolinda Santos (Juarez/Saunders) Pena Corral who was a member of the **Muwekma Ohlone Verona Band Indian Community.** Arthur was enrolled along with his mother and siblings with the **Bureau of Indian Affairs** on his great-aunt Maggie Pinos Juarez's **BIA Application # 10676** on March 18, 1932. Prior to WWII, Arthur was working for Southern Pacific Railroad.

Arthur Pena registered with the draft board on December 21, 1942 and enlisted in the army on April 13, 1943 at the **San Francisco Presidio** and served in the unattached **155<sup>th</sup> Engineering Combat Battalion** in the Pacific Theater. He served in the **Southern Philippines** and **Western Pacific Campaigns** (**Leyte** October 17, 1944 – July 1, 1945 and **Western Pacific** June 15, 1944 – September 2, 1945) and his battalion was sent to **Guadalcanal** (August 12 – August 24, 1944). From Guadalcanal, the battalion went on to **Palau, Ulithi, New Caledonia** (February 20, 1945), **Southern Philippines** (May 16, 1945), and **Japan** (September 8, 1944 – September 25, 1945).

Arthur Pena was honorably discharged at Camp Beale, Marysville, California on February 2, 1946 and he was issued the **Philippines Liberation Ribbon, Asiatic Pacific Campaign Medal, American Campaign Medal, Good Conduct Medal** and **World War II Victory Medal.** He reenlisted on August 7, 1946 and served in Germany in Company C 793<sup>rd</sup> Military Police Battalion and he also went through the European Command Intelligence School. He was honorably discharged on March 25, 1955 and then reenlisted again on March 26, 1955. After serving another two years, Arthur was discharged at Fort Leonard Wood, Missouri on December 9, 1957. Arthur was also issued the **UN Service Medal, National Defense Service Medal,** and **Army of Occupation Germany Medal.** On December 27, 1957, he enrolled his family with the Bureau of Indian Affairs during the second enrollment period.



- **Robert P. Corral, U.S. Army, Pfc. Infantry, Head Quarters Regiment, Ft. Benning, GA.** Robert was born in Crockett, California on June 1, 1926 and was the younger brother of Arthur Pena. His mother was Erolinda Santos (Juarez/Saunders) Pena Corral who was a member of the Muwekma Ohlone Verona Band Indian Community. Robert was enrolled along with his mother and siblings with the **Bureau of Indian Affairs** on his great-aunt Maggie Pinos Juarez's **BIA Application # 10676** on March 18, 1932.

Robert enlisted at the **San Francisco Presidio** on December 18, 1944 and was honorably discharged on November 13, 1946. At Fort Benning, Georgia Robert completed six parachute jumps and was awarded a **Parachutist Badge, World War II Victory Medal, Good Conduct Medal, and American Campaign Medal**. On May 16, 1955 Robert enrolled himself and his family during the second BIA enrollment period. During the third BIA enrollment period on April 30, 1969, Robert enrolled his family as "**Ohlone Indians**" with the BIA as part of the California Indian Claims Judgment (Application # 21123). During the 1990s Robert P. Corral served as a **Muwekma Ohlone Tribal Elder** and he passed away on June 28, 1996 in Stockton.



- **Enos Marine Sanchez, Pfc. U.S. Army, 89<sup>th</sup> Division, 1<sup>st</sup> Battalion, Co. M, 354<sup>th</sup> Infantry Regiment, (39 390 899).** Enos Sanchez was born on February 1, 1910 near the Alisal Rancheria in Sunol and his birth certificate identified him as "**California Indian.**" Enos and his younger siblings were enrolled with the **Bureau of Indian Affairs** on March 18, 1932 (**BIA Application # 10680**). He along with his mother was Ramona Marine Sanchez were members of the Federally Recognized **Verona Band of Alameda County**.

Enos enlisted on June 29, 1942 in Sacramento and was shipped out to Camp Carson, Colorado Springs and later that year served in Greenland and Iceland. The 89<sup>th</sup> Division was called the "**Rolling W**" standing for MW (Middle West). After landing at LeHarve, France, the 89<sup>th</sup> received orders to move into Mersch, Luxembourg (March 8, 1945). The 89<sup>th</sup> was assigned to the **XII Corps of General Patton's Third Army**. Crossing into Germany the 89<sup>th</sup> met the German 2<sup>nd</sup> Panzer Division and seven Volksgrenadier Divisions and by March 26, 1945, the 89<sup>th</sup> crossed the Rhine River. Enos' Military Occupational Specialty (MOS) was a Heavy Machine Gunner (605). On April 4, 1945, the 4<sup>th</sup> Armored and the 89<sup>th</sup> Infantry Divisions were involved in the liberation of the **Ohrdruf Death Camp**, which was part of the Buchenwald concentration camp network. It was the first Nazi concentration camp liberated by the U.S. Army.

Enos' unit fought in the **Rhineland and Central Europe (GO WO WD 45) Campaigns** and he was awarded the **Combat Infantry Badge (31), Good Conduct Medal, American Campaign Medal, European, African, Middle Eastern Campaign Medal, World War II Victory Medal (TWX WD 23 Oct 45), and Marksman M1 Rifle Sep 42 (55)**. Enos was honorably discharged on November 15, 1945 and separated from Camp Beale, California. In 1965 Enos was identified along with his family and fellow Tribal members by the American Indian Historical Society on a list of "**Ohlone Contacts and Ohlone Members**". He died on July 19, 1995 at the age of 85 and was buried at the **Calvary Cemetery** in San Jose California.



- **Robert R. Sanchez, U.S. Army, Technician Fourth Grade, 7<sup>th</sup> Co. 508<sup>th</sup> Pch. Infantry, 82<sup>nd</sup> Airborne Division.** Robert Sanchez was the younger brother of Enos Sanchez and he was born in Sunol near the Alisal Rancheria on March 26, 1917. Robert and his siblings were enrolled with the **Bureau of Indian Affairs** on March 18, 1932 (**BIA Application # 10680**).

Robert enlisted in October 1942, and he volunteered to join the 82<sup>nd</sup> Airborne Division, 508<sup>th</sup> Parachute Infantry Regiment. On June 5-6, 1944, the paratroopers of the 82<sup>nd</sup>'s three parachute infantry regiments and reinforced glider infantry regiment boarded hundreds of transport planes and gliders and, began the largest airborne assault in history. They were among the first soldiers to fight in Normandy, France.

The Division air-assaulted behind **Utah Beach, Normandy, France**, between Saint Mere Eglise and Carentan on June 6, 1944, being reinforced by the **325<sup>th</sup> Glider Regiment** the next day. The 82<sup>nd</sup> Airborne Division was reinforced by both the attached 507<sup>th</sup> PIR and the **508<sup>th</sup> PIR**.

The **508<sup>th</sup> Parachute Infantry Regiment** (a.k.a. the Red Devils) **whose battle cry was "Diablo!"** was originally an organic part of the **2<sup>nd</sup> (Battalion) Airborne Infantry Brigade** that was attached to the 82<sup>nd</sup> Airborne Division through most of its time in combat. Campaigns include Normandy (D-Day June 6, 1944), Rhineland, Ardennes-Alsace (France), and Central Europe (Nijmegen-Arnhem Holland, and Belgium).

By July 1945, the 82<sup>nd</sup> Airborne was moved to Berlin to occupy the American Sector. The 508<sup>th</sup> which had fought alongside the 82<sup>nd</sup> since Normandy was sent to occupy Frankfurt, Germany. For his service in the 508<sup>th</sup> PIR, **Robert Sanchez** was issued the **Distinguished (Presidential) Unit Citation, Combat Infantry Badge, Parachute Badge, European Africa and Middle Eastern Campaign Medal, World War II Victory Medal, Army of Occupation Medal (Berlin), Belgian Citation (Lanyard) and French Citation (Lanyard).**

The **82<sup>nd</sup> Airborne Division** and the 508<sup>th</sup> Parachute Infantry Regiment **were issued the Distinguished (Presidential) Unit Citations for actions during the Normandy Campaign.** "The 508<sup>th</sup> Parachute Infantry is cited for outstanding performance of duty in action against the enemy

between 6 and 9 of June 1944, during the invasion of France. ... The courage and devotion to duty shown by members of the 508<sup>th</sup> Parachute Infantry are worthy of emulation and reflect the highest traditions of the Army of the United States. The **Netherlands Citation** was issued by the Dutch Government to the 82<sup>nd</sup> Airborne and its attached divisions (508<sup>th</sup> PIR) on October 8, 1945 for airborne operations and combat actions in the central part of the Netherlands (**Nijmegen**) during the period from September 17, 1944 to October 4, 1944. The 82<sup>nd</sup> Airborne Division became the first non-Dutch military unit to be awarded the ***Militarie Willems Orde***, Degree of Knight Fourth Class to wear the Orange Lanyard of the Royal Netherlands Army.

The **Belgian Citation** (Lanyard) was issued by the Belgian Government to the 82<sup>nd</sup> Airborne Division with the 508<sup>th</sup> Parachute Infantry attached “has distinguished itself particularly in the Battle of the Ardennes” from December 17, 1944 – December 31, 1944. The **French Citation** (Lanyard) was issued to the 508<sup>th</sup> Parachute Infantry by the Government of France. “The President of the Provisional Government of the French Republic Cites to the Order of the Army: 508<sup>th</sup> Parachute Infantry Regiment: A magnificent unit, reputed for the heroism and spirit of sacrifice of its combatants and which made proof of the greatest military qualities during the battle of Normandy” (June 6, 1944 – June 20, 1944). This citation includes the award of the ***Croix de Guerre with Palm***.

O. B. Hill from the 508<sup>th</sup> P.I.R. Association, 82<sup>nd</sup> Airborne Division wrote: “2,056 men of the 508<sup>th</sup> Parachute Infantry Regiment (attached to the 82<sup>nd</sup> Airborne) jumped into Normandy on D-Day, and on July 15, 1,918 returned. The rest had been killed, captured or wounded”.

Robert was honorably discharged on February 2, 1948 and spent most his life in the greater Bay Area. Robert Sanchez was one of the early prime movers and active Elders in the Muwekma Ohlone Tribe. He passed away on April 26, 1999.



- **Daniel G. Santos (Juarez), Technical Sergeant, U.S. Army, 41<sup>st</sup> Division** – 1941-1945. Daniel Santos (Saunders/Juarez) was born in Sunol near the Alisal Rancheria on January 21, 1917. Both his parents Joseph Saunders and Erolinda Santos were members of the **Verona Band of Alameda County**. Daniel was enrolled with the **Bureau of Indian Affairs** along with his mother and siblings under his great-aunts' **BIA Application (# 10676)** on March 18, 1932.

**Daniel Juarez (Santos)** received a draft notice dated **March 14, 1941**, from Local Board No. 36 located in Manteca, California. It was addressed to Mr. Dan George Juarez, Route, Box 29A, Tracy, California. The letter stated:

We received a call for 70 men to be inducted from this area on March 27<sup>th</sup> 1941. ... it is probable that you will be included in the group, and we are therefore taking this

opportunity of notifying you, before (?) official order is issued, so that you may make your plans accordingly.

Daniel enlisted on March 27, 1941 at Sacramento before the war was declared. The **Jungleer** or **Sunset Division** was Federalized on September 16, 1940. By December 7, 1941, the 41<sup>st</sup> Division was ready. It continued the series of "firsts" by being the first United States Division to deploy to the South Pacific. It became the first American Division sent overseas after Pearl Harbor, the first American Division trained in Jungle Warfare. It spent 45 months overseas (longer than any other Division), and earned the title of "**Jungleers**". The 41<sup>st</sup> Division left for Australia in March of 1942. Elements of the division landed January 23, 1943 in **Dobodura, New Guinea**. On the **Island of Biak** (May 27, 1944) the American Forces fought the first tank battle of the war against the Japanese destroying seven without loss. The division also fought in the Philippines (January 9, 1945) and fought on **Palawan** and **Sulu Archipelago** (March 10, 1945) and arrived in **Japan** on October 6, 1945. The 41st participated in 3 campaigns (**New Guinea, Luzon, and Southern Philippines**) and suffered 4,260 casualties.

Former Secretary of Defense Caspar W. Weinberger also served in the 41<sup>st</sup> Division as an officer. The 41<sup>st</sup> Division earned three **Distinguished (Presidential) Unit Citations**. Daniel Santos was honorably discharged in 1945. Daniel enrolled with the Bureau of Indian Affairs during the second BIA enrollment period on May 23, 1955. He also worked at Leslie Salt Company in Newark and spent his life working on and racing cars. Daniel passed away on April 28, 1980.



- **Lawrence Thompson, Sr., Tec Fifth Grade, U.S. Army, 640<sup>th</sup> Tank Destroyer Battalion**. Lorenzo Thompson, Sr. was born in Newark September 9, 1918. His mother Magdalena Armija Thompson was a member of the **Verona Band of Alameda County**. Lawrence and his siblings enrolled with their mother with the Bureau of Indian Affairs on October 7, 1930.

The **640<sup>th</sup> Tank Destroyer Battalion** was formed at Camp San Luis Obispo on December 19, 1941 as an element of the **40<sup>th</sup> Infantry Division**, and served in the Pacific Theater of Operation. The 640<sup>th</sup> was activated on March 3, 1941 from National Guard Divisions from California and Utah and was sent overseas on August 23, 1942.

The 640<sup>th</sup> Campaigns included: **Bismarck Archipelago, Southern Philippines**, and Luzon and were issued 3 **Distinguished Unit Citations**; Awards: MH-1; DSC-12; DSM-1; SS-245; LM-21; SM-30; BSM-1,036; AM-57.

Lawrence Thompson enlisted at the age of 23 on September 10, 1941 at the **San Francisco Presidio**. At that time, he was living at 2370 Pine St. in San Francisco. His MOS was Cannons S45 and he fought in the following campaigns: **Aleutian Islands [Attu and Kiska Island with the 7<sup>th</sup> Infantry Division], Luzon and Southern Philippines and Eastern Mandates [Marshall**

**Islands, Kwajalein, Eniwetok].** Initially deployed to Hawaii in September 1942, the **640<sup>th</sup> Tank Destroyer Battalion** participated in combat landings at **Guadalcanal** (February 5, 1944), **Cape Gloucester, New Britain** (May 3, 1944), **Lingayen Gulf, Luzon, Commonwealth of the Philippines** (January 9, 1945), and **Los Negros Islands** (March 29, 1945). The **640<sup>th</sup> Tank Destroyer Campaign Honors** include: **Bismarck Archipelago [islands of New Guinea]** (December 15, 1943 – November 27, 1944), and **Luzon and Southern Philippines [GO 33 WD 45]** (December 15, 1944 – July 4, 1945). “**Seek, Strike, and Destroy**” was the motto of the Tank Destroyers.

Lawrence Thompson was honorably discharged on October 2, 1945 at Camp Beale, Marysville, California and was issued the **American Defense Service Medal, Asiatic Pacific Campaign Medal** and **Philippine Liberation Ribbon with Bronze Star**.

After the war Lawrence Thompson, Sr. and his son Lawrence Thompson, Jr. enrolled with the Bureau of Indian Affairs during the third BIA enrollment period on June 24, 1969. Later during the early 1990s Lawrence, Sr. served on the Muwekma Tribal Council. He passed away in November 1999.

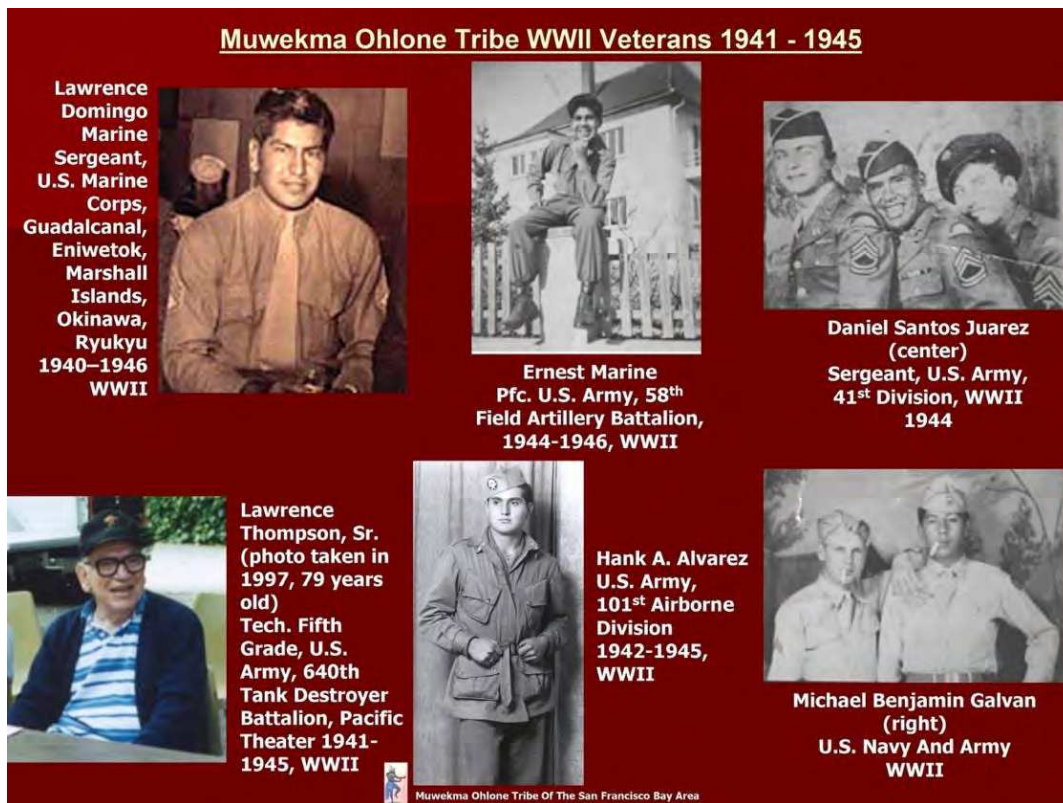


- **George James (Guzman) Hernandez** was born in Niles on November 13, 1923 to Candeliana (Carolyn/Carrie) Guzman Hernandez (born March 12, 1905) who was the daughter of Muwekma Elder **Francisca Guzman Nonessa** (BIA #10293) and Manuel Hernandez. Manuel Hernandez was working for Elbert Apperson during the early 1900s while living on Glenn Avenue in Sunol (1920 Federal Census). George enlisted on September 12, 1945 at Camp Beale, Marysville, California and had the rank of Private in the United States Army, he was discharged from the service on July 2, 1946. On his June 30, 1942 Draft Registration card he identified Paul Guzman (Hernandez) as his uncle and that he worked on the W. Walton Ranch in Centerville (now the City of Fremont) which was the same employer of his uncle Toney Guzman. He was the nephew of Toney and Fred Guzman, and first cousin to Frank Harry and Bennie Guzman.

George died in the Town of Middleton, Lake County on June 26, 1995 and was buried in the **Golden Gate National Cemetery**, Section K, Site 631.

See **Figures 39** and **40** for some of the Muwekma men who served in WWII.





**Figure 39: Some of the Muwekma Men Who Served During World War II**



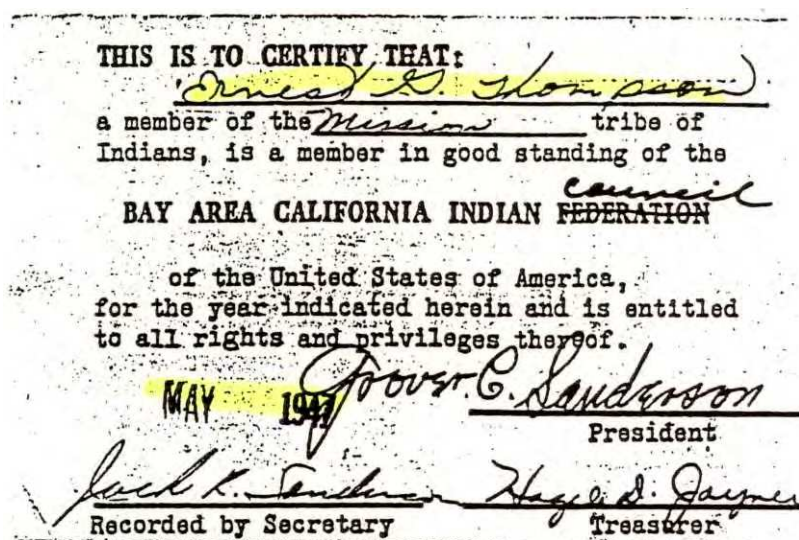
**Figure 40: Some of the Muwekma Men Who Served During World War II**



## From Post-World War II to the 1960s

At the end of the war, the returning Muwekma men had to readjust to the peacetime economy and search for employment throughout the central California region. Work was difficult to find at times, but families helped each other and maintained tribal relations through religious and social mechanisms (e.g., compadrazo/godparenting and witnessing) that have long been established within the Muwekma families.

After World War II, in May 1947, **Ernest Thompson, Jr.** the son of Magdalena Armija Thompson, along with other tribal elders became members of the **Bay Area California Indian Council** which represented the contractual interests for over one thousand California Indians residing in the Bay Area as a result of the 1928, 1944, and 1946 Indian Claims Acts and ensuing legal decisions by the Justice Department (**Figure 41**).



**Figure 41: Ernest Thompson Membership in Bay Area California Indian Council**

After 1950, those surviving Muwekma and other California Indians were issued checks for the sum of **\$150.00** per person as compensation for the value (with interest going back to 1852) for the value of the 8.5 million acres of land and promised services that they never received. Deducted from the final lump sum was the cost of every military operation, Indian services, and bullets spent to kill Indian people, so that the settlement would not be a burden to the American taxpayer.

Although still landless, community and tribal related activities fell under the leadership of Muwekma Elder, **Margarita (Maggie) Pinos Juarez**, and **Dolores Marine Galvan**, and her brothers **Dario Marine** and **Lucas Marine**, and her younger sister, **Trina Marine Thompson Ruano** (Ernest Thompson, Sr., had married Trina after the death of his first wife, Magdalena Armija Thompson). These tribal activities and interactions were further spurred by communications with the BIA Sacramento Agency, which notified the Muwekma lineages of the expanded enrollment opportunities under the California Indian Jurisdictional Act for children born after May 28, 1928. Families contacted and helped each other to go to Sacramento to enroll their children, nieces and nephews. After the California Indian Roll was approved on November 23,

1951, the Sacramento Area Office published a list of enrollees that identified **forty** Muwekma as "**Tribe Mission San Jose**" (BIA list 1951).

Also, during this period of time (from 1930s and 1950s), some of the families moved about seeking new employment opportunities and residential stability. The residence of Lucas Marine and Catherine Peralta (before her passing in 1934), as well as Francisca Guzman and her son Alfred Guzman and his family resided on the **Shinn Ranch** in Niles and became an important gathering place for the families and relations (see Harrington notes 1921-1934 regarding events between Liberato and Pedro Confessor prior to the turn of the century). Other important households were the residences of Dolores Marine Galvan in Brentwood and San Jose, Dario Marine in Centerville and later Woodland, and Margarita Pinos Juarez and Trina Marine Thompson Ruano in Newark where the families would gather for various occasions.

### **Continuous Connections to the Tribe's Sacred Sites: The Protection of the Ohlone Indian Cemetery, Located in Fremont, Mission San Jose, California**

The **Ohlone Indian Cemetery** located on Washington Boulevard, one mile west of Mission San Jose in Fremont, was used for burial by members of the Guzman, Santos, Pinos, Marine, Armija (Thompson) and Nichols families until 1926, while the original Ohlone burial ground was located under the northern wing of the mission church. Martin Guzman (died October 4, 1925), Victorian Marine Munoz (died November 27, 1922), and her son Jose Salvador Munoz (died 1921) were some of the last Muwekma Ohlone Indians to be buried there. On Jose Salvador Munoz's death certificate it identifies his place of burial as "**Ohlone Cem**"[etery].

During the 1960's Muwekma families under the leadership of **Dolores Marine Galvan**, participated in securing the legal title to the Historic Ohlone Cemetery located on Washington Boulevard in the City of Fremont. In 1971, a board of directors for the Ohlone Indian Tribe, Inc. was established by Dolores Marine Galvan and her children Philip Galvan, Benjamin Michael Galvan and Dolores Galvan Lameira in order to secure title to the tribe's ancestral cemetery.

During this period of time when the **American Indian Historical Society** obtained legal title of the Ohlone Cemetery on behalf of the Muwekma Ohlone community, invitations went out to various families, including the children of Magdalena Armija, Ernest Thompson and the other Marine-related families, to help clean up the run-down cemetery (**Figure 42 – Ohlone Cemetery**). As mentioned above, the Guzman, Marine, Armija-Thompson and Nichols families had loved ones (e.g., Avelina Cornates Marine (died 1904), Elizabeth (Belle) Marine Nichols (d. 1911), Ramona Marine Sanchez (d. 1921), Victoria Marine Munoz (d. 1922), Dario's son Gilbert Marine, Rosa Nichols and Mary Nichols, Salvador Munoz (d. 1922), Charles Thompson (d. ~ 1917), Martin Guzman (d. 1925), and others were buried there during the first three decades of this century (Marine Family History 1965; Leventhal, Escobar, Alvarez, Lameira, Sanchez, Sanchez, Sanchez and Thompson 1995).



**Figure 42: Lillian Massiatt, Ramona and Michael Galvan at Ohlone Cemetery (1966)**

**Benjamin Michael Galvan** who was born on June 23, 1927, and was the last formal member of the historic Verona Band of Alameda County to be born into the Federally Recognized tribe. Ben was born the same day that BIA Superintendent Lafayette A. Dorrington decided in his report that the landless Verona Band tribe did not need any land. Ben served as the **first chairman** of the Ohlone Indian Tribe between 1965 and 1978.

Since World War II, Dolores Marine's (1928 BIA Application 10681) children had married and raised families and Henry "Hank" Alvarez and his sister, Dolores "Dotty" Galvan Lameira are Muwekma Tribal Elders, and had served as elected council members. Dotty Lameira's son Arnold Sanchez had served as an elected tribal councilman. The family of Benjamin and Jenny Galvan are also enrolled in the Tribe and their son, Albert Galvan, had also served as a tribal council member. The same is the case for the children and grandchildren of Victoria Marine (1928 BIA Application # 10678). Magdalena Armija had married Ernest Thompson, Sr. and their sons Edward Thompson and Lawrence Thompson, Sr. were elders, and Lawrence was a former elected tribal councilman of the tribe (1928 BIA Application # 10296).

The children of Ernest Thompson, Jr. are also enrolled tribal members. As discussed earlier, Francisca Nonessi (1928 BIA Application 10293) was married to Jose Guzman, their son Jack Guzman (Sr.) had married Flora Freda Munoz (Victoria Marine's daughter), and their son John Guzman, Jr. (now deceased) and daughter, Rena Guzman Cerda and their respective children are Muwekma tribal members. Lawrence Mason Marine, the grandson of Dario Marine (1928 BIA Application 10677) and Catherine Peralta (1928 BIA Application 10675) also served as a tribal councilman.

The children and grandchildren (**1928 BIA Application 10680**) of Ramona Marine and Porfirio Sanchez instituted the contemporary leadership of the Muwekma Ohlone Tribe, and were joined by the children of Trina Marine Elston Thompson Ruano (**1928 BIA Application 10682**) and Albert Marine Arellano (**1928 BIA Application 10679**) in their efforts to spearhead the tribe's regaining its previously recognized status and revitalization.

In the late 1890s, George Santos (grandson of Hipolito Santos and Refugia Simon who were one of the founding families of the Niles rancheria) had married Peregrina Pinos (who was the daughter of Benedicta Guerrero and Manuel Pinos). Their eldest daughter, Erolinda Pinos Corral, enrolled with the BIA with her children along with her Aunt, Maggie Pinos Juarez, in 1932 (**1928 BIA Application 10676**). The children and grandchildren Alfonso Juarez, who was the eldest son of Erolinda Santos Juarez Pena Corral are enrolled members of the Muwekma Ohlone Tribe. Presently Carol Juarez Sullivan is a Muwekma tribal councilwoman.

### **Anthropologists and the Court of Claims of 1946 and the Hearings of 1954-1955**

Published elsewhere, that the adverse impact that Berkeley Anthropologist A. L. Kroeber's pronouncement in his 1925 monumental tome Handbook of the Indians of California (Bureau of American Ethnology Bulletin 78) had by stating that the "Costanoan group is extinct so far as all practical purposes are concerned," contributed to the perpetration and perpetuation of the myths, misinformation, marginalization, disenfranchisement, and detriment to the surviving Ohlone/Costanoan communities, as well as, to other tribal groups (Buckley 1989; Leventhal et al. 1992; Field et al. 1992; Leventhal et al. 1994; Field with the Muwekma Tribe 2003; Field et al. 2013; and others).

Kroeber and his colleagues had interviewed the Elders of the Muwekma Verona Band community in the early 1900s, yet by 1925 he issued his extinction sentence as the quintessential authority on California Indians. Independently, as presented elsewhere in this chapter, the Muwekma were: **1)** under the direct jurisdiction of the Bureau of Indian Affairs between 1906 [1914] and 1927; **2)** Muwekma tribal elders and their respective families enrolled with the Bureau of Indian Affairs (1929-1932) under the 1928 California Indian Jurisdictional Act; **3)** Muwekma children were sent to Indian boarding schools at Riverside and Chemawa (1930s -1940s); **4)** enrolled as members of the Bay Area California Indian Council (1947), **5)** and those Muwekma heads of households enrolled with the BIA during the second BIA enrollment period (1950-1957) and again during the third BIA enrollment (1968-1971). Therefore, how could the Muwekma tribal community be pronounced "extinct" by members of the dominant society, especially if they continued to present themselves as an actively living tribal community, but landless Indian tribe?

As stated above, the adverse effect of Kroeber's extinction sentence was especially felt when the Muwekma was involved in the repatriation of their ancestral human remains from Stanford University in 1989. Various anthropologists and educational institutions blatantly attacked Muwekma echoing Kroeber's sentence of extinction.

For example, Government Anthropologist Ruth Underhill essentially parroted Kroeber in her 1953 book **Red Man's America**:

Esselen . . . : Possibly a remnant of a larger group; first California group to become extinct.

Costanoan . . . : Now extinct for all practical purposes (1953:288, 291).

Lantis, Steiner, and Karinen, cultural geographers teaching at two California universities (Chico State and Long Beach State) wrote in their 1963 textbook **California: Land of Contrast** the following excerpted account for the Costanoans and the Esselens of the central coast:

The Hokans were represented by three groups (Esselens, Salinan, and Chumash). The Esselen lived south of the Costanoans in limited numbers. . . . These were the first California Indians to become extinct (1963:266).

In her very widely read 1992 Cultural Anthropology text on Native American Societies titled *Native North Americans: A Comprehensive Account*, Anthropologist Alice Kehoe declared:

The central coast south of San Francisco and the adjacent Santa Clara Valley across the Coast Range were occupied by the Costanoans, once speaking a language closely related to Miwok, now effectively extinct as a nation (1992:402).

Another such group, called ACPAC (American Committee for Preservation of Archaeological Collections) was supported by Constance Cameron (Museum of Anthropology, California State University) and Clement W. Meighan (Emeritus Professor of Anthropology, UCLA) and a number of others. This group published a politically charged informational newsletter that has made the Ohlones something of a *bete noire*. In 1993, E. J. Neiburger's article "Profiting From Reburial" declaimed:

Public money for reburials is the latest growth industry for numerous activists: \$135,000 of taxpayers' money was used to pay off land-owners, lawyers, archaeologists and activists . . . . Religious and historic traditions, accurate identifications and the desires of the next-of-kin have little influence on many activists who demand reburial of all remains under a variety of self-styled "traditional" religions. Thus, Stanford University has released 550 Ohlone skeletons to individuals who had identified with this tribe (**the last recognized member of which died in the early 1800s**) (Originally published in *Nature* 1990, 344:297; republished in ACPAC Newsletter, March 1993:3).

In 1989, Frank Norick, then Principal Museum Anthropologist at the Phoebe Apperson Hearst Museum at UC Berkeley, was quoted in a newspaper interview as follows:

. . . there are few Indians left in the Bay Area who have some vague Native American heritage, but until [a recent book on the subject] came out, they didn't know who the East Bay Indians were. We don't know who the East Bay Indians were, and the few Indians that happened to survive were swallowed up and exterminated by civilization by the latter part of the last century. That's not to say that there aren't people around here who are of Indian heritage, but I'd be willing to bet they couldn't give you even the semblance of a [lineage] account that was aboriginal (Norick interview in *Express Newspaper* 9/21/89:15-16).

These are some of the examples that the Muwekma Ohlone Tribe had brought forward in several previous publications. Nonetheless, while these anti-Ohlone perspectives had cast negative views about California Indian in general, and the Ohlone in particular, one anthropologist Dr. Omar C. Stewart, did publish an important narrative about the changing role of anthropologists as legal witnesses and advocates on behalf of California Indian tribes during the Claims Hearings of 1955.

### **Anthropologists Alfred L. Kroeber and Omar C. Stewart, and the California Indian Claims Hearings 1954-1955**

The following was excerpted from a 1961 paper written and submitted by Dr. Omar C. Stewart to The Kroeber Anthropological Society Papers (Number 25) that was included in a special edition titled Alfred L. Kroeber: A Memorial. The paper itself was titled Kroeber and the Indian Claims Commission Cases. Stewart at the invitation of Kroeber and others provided testimony at these hearings, and because of his previous interactions in Indian-related court cases, he helped guide the UC Berkeley team of anthropologists to prepare to present testimony and evidence before the Court of Claims.

#### **Kroeber and the Indian Claims Commission Cases**

The role of A. L. Kroeber in Docket 31-37, Indians of California vs. The United States of America, before the Indian Claims Commission, may well serve as the symbol of a change in anthropology in America. Kroeber and other anthropologists serving as expert witnesses on opposite sides in litigation before the U. S. Indian Claims Commission have marshalled in a new dimension of applied anthropology. A short history of Indian claims cases, particularly for California Indians, and a review of the contribution of anthropology to hearings under Public Law 726 - 79th Congress, 2nd Session (H.R. 4497) known as The Indian Claims Commission Act of August 13, 1946, 60 Stat. 1049, will reveal the extent of the changes which have come about.

At the outset we should be reminded that claims cases against the U. S. Government by Indian tribes are not new. In 1863 the law establishing the U. S. Court of Claims as amended bracketed Indian tribes with foreign countries and required all to obtain from Congress special permission to sue the U. S. Government. Nevertheless, a large number of claims were adjudicated during the last century. The procedure was for the tribe and/or its attorney to obtain a special act of Congress, called **Jurisdictional Act**, to allow a tribe to sue the government in the Court of Claims. Not only were years required to obtain congressional approval for such special laws, but additional years were needed to get a decision from the Court of Claims because of its chronic backlog of cases. Even more discouraging than the delays, from the point of view of the Indians and their attorneys, was the frequent very explicit and limiting phraseology of the bills of authorization, which in turn were followed to the letter by both the Court of Claims and the Supreme Court. Notwithstanding the slowness of legislation and of court action from January 28, 1884 to May 7, 1945, one hundred fifty-two separate cases were authorized by Congress and reached the Court of Claims. It will be of interest to review the decisions rendered before the passage of the Indian Claims Commission Act of 1946: ...

... In other words, during the seventy-one years preceding the Indian Claims Commission Act of 1946, the Court of Claims declared that \$37,753,954.13 should be paid the Indians to satisfy legal claims against the government, whereas payment of about **two billion dollars** had been requested. A review of many records reveals the curious fact that, in spite of the interest and knowledge that local anthropologists might always be expected to have concerning the American Indians, and in spite of the extent of the litigation, in all this time anthropologists, so far as I could discover, had nothing to do with either the obtaining of the permission to get into court or with the hearings in the Court of Claims, with two exceptions. The exceptions were the remarkable work of **Dr. C. Hart Merriam**, biologist turned ethnologist, on behalf of the Indians of California leading to a decision dated December 4, 1944, requesting Congress to pay them **\$5,024,842.34**, and the testimony of **Dr. John P. Harrington** in the Alcea Case (103 C.Cls. 494) in 1945.

The claims cases of the Indians of California **rest ultimately upon original Indian title**, which was recognized by the eighteenth and nineteenth century laws of Spain and of Mexico and **by the United States in the Treaty of Guadalupe Hidalgo**, proclaimed July 4, 1848. They are supported by Acts of Congress of September 30, 1850, and February 27, 1851, appropriating **\$50,000.00** to pay the expenses of a treaty commission **to negotiate with the Indians of California to extinguish their Indian title to the lands of California, and by the 18 treaties signed by the Indians but not ratified by Congress**. Traveling to get the treaties signed was a major exploring expedition as reported in "The Journal of the Expedition of Colonel Redick M'Kee [McKee]. .. through Northwestern California . . . 1851," by George Gibbs, and printed by Henry R. Schoolcraft in his History . . . of the Indian Tribes of the United States, Part III, 1853. (The Journal was reprinted in the Hearings for the Indians Claims Commission Act, 79th Cong., 2nd Session, June-July, 1946.) While M'Kee was negotiating treaties in northern California, O. M. Wozencroft and G. W. Barbour were getting treaties signed in central and southern California. Funds were exhausted before all tribes were visited. After the last treaty was signed January 7, 1852, with the Diegueno Indians [of southern California], the 18 treaties were delivered to the Senate by President Millard Fillmore, June 1, 1852, **with recommendation for ratification by officials of the Bureau of Indian Affairs**.

By coincidence, the first California State Legislature was in session when the 18 treaties were sent to the U. S. Senate and **the California Legislature memorialized the U. S. Senate not to ratify the treaties because the area to be assigned the Indians was evaluated at \$100,000,000**. It was then, on June 7, 1852, that **the California senators succeeded in having the treaties classified as secret and hidden away in Senate files**, where they remained until 1905 when **the injunction of secrecy was removed**. In many other ways the Gold Rush miners' disregard for the rights of the aborigines characterized California for at least three decades.

The **Century of Dishonor** by Helen Hunt Jackson, published in 1881, pricked the conscience of America to the extent that many people of good will decided to do something about the Indian problem. The Indian Rights Association was founded



in Philadelphia in 1882 with a California branch to follow soon. In **Ramona**, 1884, Mrs. Jackson so dramatized the poverty and misery of the Mission Indians of southern California that the Bureau of Indian Affairs bought many small farms to be permanent rancheros for landless Indians in California. Many of the reforms in Bureau administration were achieved by the publicity given Indian problems by the Board of Indian Commissioners from 1881 to 1933. The Board was composed of important citizens appointed by the President of the United States and authorized to visit reservations, investigate conditions and recommend administrative and legislative reforms.

In 1883, Mr. A. K. Smiley, an appointee of President Hayes to the U. S. Board of Indian Commissioners, sought to gain public support for needed changes in Indian affairs by a conference of interested and influential citizens convened at his summer lodge at Lake Mohonk, New York. The Lake Mohonk Conference on Indian Affairs became an annual meeting of officials, missionaries, Indians, and laymen who came together to seek ways to improve the conditions of the Indians. For nearly forty years the Lake Mohonk Conferences brought together annually two to three hundred citizens dedicated to helping the Indians. **Few anthropologists ever attended these conferences.** Many of the same people were listed as members of the Indian Rights Association, the Lake Mohonk Conference, the National Indian Association and many local organizations formed to help the Indians. From the Society of American Indians (1910) to the National Congress of American Indians (19hh) several organizations of "Indians to help Indians" sought assistance from all friends of the Indians to get laws passed which would allow the various tribes to have their claims adjudicated. Again, few anthropologists were members of such organizations.

Perhaps the most important man to help the California Indians get heard in court was Frederick G. Collett. In August, 1946, when he appeared before the congressional committee on Indian Affairs during Hearings on the Indian Claims Commission Act, ... .

... Collett helped, without doubt, to secure the passage of the California Indians Jurisdictional Act of May 18, 1928, which **authorized the California State Attorney General to sue for payment for the reservations the Indians had never received.** Collett attempted later to have it amended to allow the Indians to be represented by private legal counsel because he thought private counsel might obtain a better award than the Attorney General of the State of California working without additional recompense. It was during the Hearings before congressional committees concerned with the California Indians Jurisdictional Act from 1920 to 1928 that C. Hart Merriam testified.

No anthropologists were asked to testify before the Committee on Indian Affairs preceding the enactment of H.R. 4497, the Indians Claims Commission Act, August 13, 1946. Only two names of professional anthropologists, those of **A. V. Kidder** and **Gene Weltfish**, appeared in support of the bill, and they were given-only as

members of the Indian Committee of the American Civil Liberties Union. One might properly inquire why anthropologists should be so conspicuous' by their absence when legislation of such great importance to American Indians was being considered. Since the Society for Applied Anthropology had been formed in 1941, one might ask particularly: "Where were the applied anthropologists?"

... At any rate anthropologists, while considering themselves the experts on aboriginal cultures of America, have seemed to avoid involvement in modern Indian Affairs. However, America's first home-grown anthropologists did not feel this way. **Lewis H. Morgan**, for example, was always involved with the practical affairs of the Seneca [Iroquois]. **John W. Powell** made special studies of the Great Basin tribes for the Bureau of Indian Affairs in 1872 and often testified before congressional committees. **George Bird Grinnell** wrote and spoke regarding the contemporary conditions of the Plains Tribes from the time of his first visit in 1870 until his death in 1938. **Warren K. Moorehead**, archaeologist, from 1888, museum curator and teacher at Phillips Academy from 1901 to 1938, was associated with the Bureau of Indian Affairs, but only as investigator. Moorehead was appointed a member of the Board of Indian Commissioners by President Theodore Roosevelt in 1909, a position he kept until the Board system was dissolved in 1933. This, however, is a very small proportion of American anthropologists over this long period, and all four could be classified as "dedicated amateurs."

Professional American anthropology began largely as a museum science of the strange and exotic. Not until just before World War II when **Commissioner John Collier** employed a number of anthropologists was the pattern altered. A few remained in the Indian service during Collier's whole term of office and beyond, but a larger number found practical, applied anthropology not congenial to their training and interest. ... However, in March and June 1945, and in June and July 1946, congressmen failed to call anthropologists to testify regarding the proposed Indian Claims Commission Act.

It is against such a background that starting in 1950, dozens of anthropologists were approached and asked to testify as expert witnesses in cases involving millions of dollars. Kroeber received a letter from the attorneys for Indians of California, Docket No. 37, written on June 23, 1952. The attorneys for Indians of California, Docket No. 31, approached him on January 8, 1953, and were told he had "signed up two months ago . . . to work exclusively" for the attorneys for Docket No. 37. Docket No. 31 and Docket No. 37 were finally consolidated by order of the Indian Claims Commission.

Neither Kroeber nor his associates, **Robert F. Heizer**, **Edward W. Gifford**, **Samuel A. Barrett**, **S. F. Cook** and **Donald Cutter**, had previously testified before the Indian Claims Commission. Since I had testified twice, Kroeber invited me to Berkeley to tell him about my own experiences preparing exhibits and testifying, and also my reactions to court room procedures. Later I was invited to be present

when the Indians presented their case in Berkeley, in June, 1954, and also to serve as Kroeber's understudy during cross-examination of the witnesses for the Government in San Francisco, September, 1955.

In spite of the historic reluctance of anthropologists to be involved in modern Indian problems which still prompted a few established members of the profession to refuse employment by either side, Kroeber, past [age] 75, entered energetically and wholeheartedly into restudying the ethnohistory of California in order to present accurately and completely the information pertinent to the case. Realizing the research required to prepare for the searching and detailed questioning by Department of Justice attorneys, Kroeber and Heizer, with the help of a number of graduate students, combed the massive literature on California ethnology to assemble, reproduce if necessary, and tabulate, data on all ethnological points at issue.

Kroeber prepared a new map of the aboriginal linguistic groups of California, changing boundaries which had been drawn for the Handbook of California Indians in 1925 where new evidence had become available. (It is interesting that the 1925 map needed so few modifications).<sup>3</sup>

In accordance with the Indian Claims Commission Act and with decisions of earlier claims cases that had been reviewed by the U. S. Supreme Court, **aboriginal Indian title could be established by evidence that an identifiable group used and occupied a definable area, at the exclusion of others, since time immemorial.** Kroeber quickly recognized the types of data to be presented and then worked to assemble and review the publications which contained the relevant material. Kroeber's Handbook of California Indians was, of course, the primary basis for the case of the Indians of California, but an additional 186 exhibits were required to present ethnographic, historical, botanical and archaeological data not covered by the Handbook.

The attorneys for the Department of Justice are at a real disadvantage when handling cases based on aboriginal use and occupancy. It is simply a matter of fact that most ethnographic reports tend to support the claims of the Indians. However, in order to protect the American taxpayer and comply with the Indian Claims Commission Act itself, the Department of Justice must make the best defense possible. In addition to purely legal consideration, the attorneys for the government

---

<sup>3</sup> **Note:** it is also interesting that as a result of the passage of HR 2144 in 1992 that created the Advisory council on California Indian Policy (ACCIP), Leventhal contacted the BIA office in Sacramento for a map showing the Agency and sub-Agency jurisdictions in California so that the tribal communities could hold requisite elections for seven representatives from Recognized and Unrecognized, and two from Terminated tribes. Leventhal and others served as volunteers on the Federal Recognition Task Force to create such a map for seven geo-socio-cultural-political regions for those elections to proceed.

found that Kroeber's former students, **Julian H. Steward, William-Duncan Strong, Harold E. Driver, Erminie Brooke Wheeler Voegelin, Walter R. Goldschmidt, Abraham M. Halpern, and Ralph L. Beals** could testify that the Indians of California gained most of their subsistence from a relatively small proportion of their territory. ...

... It might be best to let Associate Commissioner Louis J. O'Marr himself explain why the Indian Claims Commission accepted Kroeber's interpretation of complete aboriginal land use in California and rejected the Government's ecological theory of partial use, by citing from the Opinion of the Commission rendered July 31, 1959 (8 Ind. Cl. Com. 1, pp. 31-36), viz.:

### **Land Use and Occupancy**

"One of the most difficult, if not the most difficult, questions we have to decide is what California lands the petitioners actually occupied and used for their subsistence, that is, the lands they exploited for their day to day existence.

We can proceed with our inquiry with the basic fact, which nobody questions, that Indians occupied and used California lands from time immemorial and as the aboriginal inhabitants thereof. The native population is unknown, but estimates range from a high of 700,000 to 260,000 by Dr. Merriam and 133,000 by Dr. A. L. Kroeber. (Pet. Ex. RH-125, pp. 68-71). These Indians were not an homogenous group, but were made up of many groups or tribelets which compose many linguistic divisions or nationalities in California. It has been estimated by Dr. Kroeber that there were 500 or more Indian groups in California about the time we acquired California from Mexico in 1848. (Record pp. 29-30, 129, 153 and 498).

These tribelets occupied and used fairly well defined areas dependent in sizes upon the economic resources of the particular area and the population requirements of those living in it. ...

... Furthermore, it is plain that because of the uneven and rather sparse distribution of the available natural resources in the state, large areas of land were needed to provide subsistence. The Indians' permanent and main habitats were, in general, in locations which provided the greatest abundance of natural resources, but they were required, and generally did, extend their searches over large areas beyond their places of permanent settlement. The record is replete with proof of temporary camps occupied by the Indians in their seasonal gathering, fishing and hunting operations which covered large areas in the mountains, plains and deserts. ...

... The testimony and ethnographic literature, of which there are volumes in evidence, show that the Indian groups ranged throughout their respective territories in their gathering, hunting, and fishing exertions. While these Indians were never considered nomads, their exploitation of the available resources in a given territory required frequent and extended traveling within the territories claimed. We believe it unrealistic and contrary to the Indian mode of life to

restrict Indian territorial rights to the lands which would simply provide adequate subsistence and disallow their land claims to the areas which were of secondary importance or supplemental to the main sources of supplies. We suspect territorial expanse was as much the desire of these primitive peoples as it is characteristic of the white man for there is much ethnographic evidence that the Indian groups in California moved about their respective domains gathering wild foods as they ripened or captured available wild game, and during a normal season would visit and use the whole territory to which they asserted ownership as their exclusive places of abode.

We know of no decision by the courts or the administrative officers of the Government which limited Indian land claims to those lands which provided them with the common necessities of life. The requirements of the Indians were so varied that they could only be obtained from a large area for salt, edible seeds and insects, flint and other important supplies were in most cases not available in the confined areas of valleys but obtainable from desert areas. ...

... Since 1946 there have been at least fifty anthropologists involved in the Indian Claims Cases as expert witnesses for the Government or for the Indians. Attorneys did not seek anthropological testimony for either side in the initial cases. Following an order for a rehearing by the Court of Claims in an appeal of a Northern Paiute case, and also a rehearing of a Chippewa case, anthropologists have participated in nearly every case since where aboriginal title was an issue. That anthropologists have also proved useful to the government is apparent. Otherwise it would not have obtained their services. That anthropologists have benefitted from this serious application of their knowledge to practical problems, far more than from the monetary remuneration they received, is also true (Stewart 1961).

**Omer Call Stewart** (August 17, 1908 – December 31, 1991) was an American cultural anthropologist and author who worked at the University of Colorado. He was a student of Alfred L. Kroeber. He defended Native American land claims. In 1940, he received his doctorate in Anthropology from the University of California, Berkeley. Years later, in 1978, Stewart contributed a chapter titled **Litigation and its Effects** in the Handbook of North American Indians, Vol 8. California,, edited Robert F. Heizer (1978), Washington, D.C.: Smithsonian Institution, Omer C. Stewart. Pages 705-712.

Here it should be pointed out that anthropologists and historians have worked diligently on behalf of Native American tribes as they seek federal recognition or reaffirmation of their previous federally acknowledged status under the 1978 Federal Acknowledgement Project (25 CFR Part 83 *Procedures for Federal Acknowledgment of Indian Tribes*). Both anthropologists and historians had also worked on behalf of petitioning tribes up until the Department of Interior put a stop to BIA scholars by stating:

The staff's research during the active consideration period is for the purpose of verifying and/or elaborating on an already complete petition. The staff's caseload no longer permits them to do the research necessary to fill in gaps in the petition on

behalf of the petitioner to the extent they have sometimes done in the past (Bureau of Indian Affairs, Office of Federal Acknowledgement Determinations - <https://www.bia.gov/as-ia/ofa>) .

### **Muwekma Families Enroll with the Bureau of Indian Affairs during the Second Enrollment Period (1950-1957)**

Under the Act of 1948, almost all of the Muwekma Ohlone “heads of household” enrolled with their families once again with during the **second BIA Enrollment** between 1950 and 1957. These Muwekma include:

**Dolores Marine Galvan**, October 6, 1950; **Domingo Lawrence Marine**, October 12, 1950; **Dario Marine**, November 1, 1950; **Flora Munoz Carranza**, December 12, 1950; **Lucas Marine**, December 23, 1950; **Henry Alvarez**, April 7 & 26, 1951; **Trina Marine Thompson Ruano**, May 21, 1951; **Maggie Pinos Juarez**, July 19, 1951 (**Figure 43**); **Benjamin Galvan**, December 4, 1951; **Belle Stokes Olivares Nichols**, February 25, 1952; **Ernest Thompson**, April 16, 1952; **Thomas Garcia**, April 22, 1953; **Flora Emma Martel Thompson**, February 4, 1954; **Erolinda Santos Juarez Pena Corral**, May 16, 1955 (**Figure 43**); **Robert Corral**, May 16, 1955; **Edward Thompson**, May 21, 1955; **Daniel Santos**, May 23, 1955; **Joseph Francis Aleas**, May 24, 1955; **Albert Arellano**, June 18, 1955; **Dolores “Dottie” Galvan Lameira**, October 3, 1955; and, **Arthur Pena Corral**, December 27, 1957.



**Figure 43: Muwekma Elders Maggie Pinos Juarez and Erolinda Santos Juarez Corral**

### **Third Bureau of Indian Affairs Enrollment Period (1969-1971)**

Following the Act of 1964, between 1969 and 1971, the following Muwekma “heads of households” and their families once again enroll during the third BIA Enrollment period with most of the applicants identifying themselves as “Ohlone” on Question # 6: “**Name the California Tribe, Band or Group of Indians with which your ancestors were affiliated on June 1, 1852**”:

**Mary Munoz Mora Ramos Archuleta**, January 10, 1969, “**Ohlone, Mission.**”  
**Mary Marine Galvan**, January 27, 1969, “**Ohlone.**”

**Ernest George Thompson**, February 20, 1969, "**Ohlone Tribe, Mission San Jose.**"  
**Patricia Ferne Thompson Brooks**, March 27, 1969, "Mission Indians."  
**Madeline Cynthia Thompson Perez**, March 27, 1969, "Mission Indians."  
**Karl Thompson**, March 27, 1969, "Mission Indians."  
**Robert P. Corral**, April 30, 1969, "**Ohlone Indian.**"  
**Henry Marshall**, May 7, 1969, "**Ohlones.**"  
**Glenn Thompson**, June 11, 1969, "Mission Indian."  
**Lorenzo Thompson**, June 24, 1969, "Costanoan."  
**Lawrence Thompson, Jr.**, June 24, 1969, "Costanoan."  
**Rosemary Juarez Ferreira**, July 15, 1969, "**Ohlone Indians.**"  
**Peter D. Juarez**, July 23, 1969, "**Ohlone Indians.**"  
**Dolores Sanchez Martinez**, August 11, 1969, "**Ohlone.**"  
**Margaret Martinez**, August 21, 1969, "**Ohlone Mission Indian.**"  
**Joan Guzman**, August 26, 1969, "**Ohlone Indian.**"  
**Belle Nichols**, September 4, 1969, "Mission."  
**John Paul Guzman**, September 12, 1969, "**Ohlone Mission Indian.**"  
**Beatrice Marine**, January 5, 1971, "Costanoan."

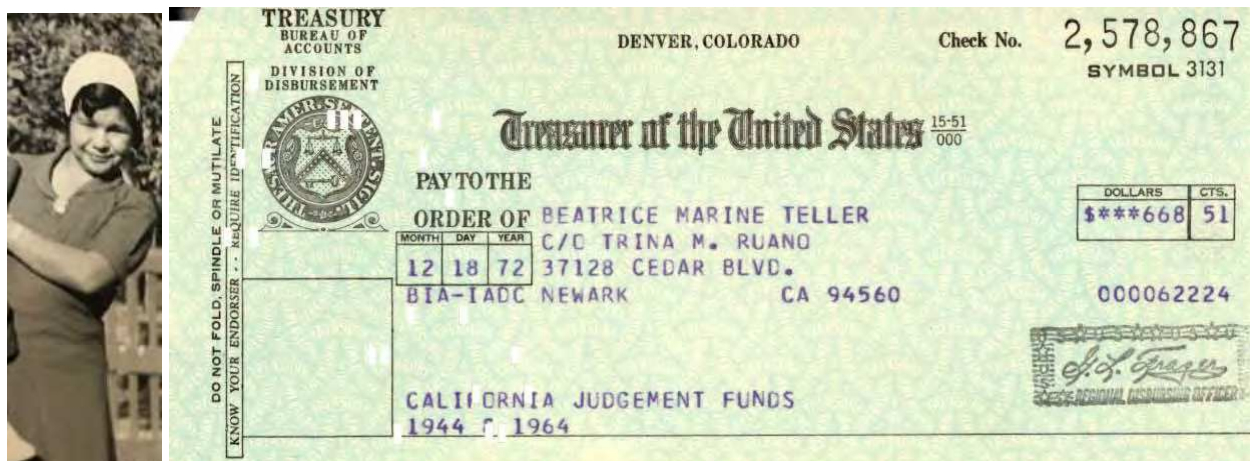
Neither the Amah Mutsun tribal community of the greater Mission San Juan Bautista/Gilroy area or the Esselen Nation tribal community of the greater Mission San Carlos (Carmel)/Monterey Bay region ever used the ethnonym tribal identifier "Ohlone" for any of their BIA enrollments (1928 – 1971). It was not until after Malcolm Margolin's interpretive book **The Ohlone Way** was published in 1978 that non-Indians were informing them that they were Ohlone Indians. Therefore, the broader use of 'Ohlone' was later applied by various scholars and archaeological firms to all Costanoan communities after 1978. Only the Muwekma Ohlone Tribe of the San Francisco Bay Area has a history of identifying themselves as Ohlone prior to and after 1978 (Escobar, Field and Leventhal 1999).

The efforts of California Indians to sue the federal government under the Jurisdictional Act of 1928 resulted in the creation of the Federal Indian Claims Commission in 1946. This federal body allowed Indian groups to press for compensation to tribes over the theft of their lands in the 19th century. After 20 years of tortuous maneuvering all separate California Indian claims were consolidated into a single case.

A compromise settlement of **\$29,100,000** was offered for **64,425,000 acres of land.** After deduction of (BIA) attorney's fees (**\$12,609,000**) plus interest the payment amounted to **47 cents per acre!**

Payments of **\$668.51** per eligible person was issued by 1972 (**Figure 44**). What is of great significance here is the fact that the entire claims activities were conducted outside of normal court proceedings protected by the constitution. Thus Indians are the only class of citizens in the United States who are denied constitutional protection of their lands.





**Figure 44: Distribution Check for Muwekma Elder Beatrice Marine for \$668.51 (1972)**

### **Muwekma Service in the United States Armed Forces During the 1950s, Viet Nam War, Desert Storm and Iraq**

During the 1950s, 1960s and 1970s Muwekma men served in Korea, Viet-Nam and elsewhere.



**Candelario T. Martinez** served in the **United States Marine Corps** during the Korean War.



**Ruben Cota Arellano**, Sr. Corporal, U.S. Army, Medical Corps, **SP4 E4 HQ Battery 1<sup>st</sup> TGT ACQ Battalion, 25<sup>th</sup> Artillery, APO 2**, July 5, 1960 – July 4, 1966, **Korea**. Ruben passed away on March 4, 2006.



**Lawrence Mason Marine** served in the United States Marine Corps from 1959-1965 and was a **Staff Sergeant** serving in Viet-Nam, **3<sup>rd</sup> Marine Division, 3<sup>rd</sup> Tank Battalion,** and **3<sup>rd</sup> Force Reconnaissance, Charlie Company (Viet-Nam) from 1960-1961.** Lawrence also served on the Muwekma Tribal Council. Lawrence passed away on December 22, 2020.



**Marvin Lee Marine** (younger brother of Lawrence Mason Marine) also served in the Vietnam War in the U.S. Army's **173<sup>rd</sup> Airborne Division.** His older brother Muwekma Elder Lawrence Mason Marine and his family are enrolled members of the Muwekma Tribe.



- **Karl Thompson, SP5, U.S. Army, 43<sup>rd</sup> Engineer Bn. 931<sup>st</sup> Eng. Gp.** **Armed Forces Expeditionary Medal (Korea),** May 8, 1968 – May 7, 1971.

**Tom M. Alvarez, Sr., U.S. Army, Medical Corps, 1965 – 1967, Vietnam,** recipient of **Soldier's Medal.**



**Frank Y. Ruano, Sr., E4, U.S. Army, 56<sup>th</sup> Artillery, 1965 – July 25, 1971, Vietnam.** Frank currently serves on the Muwekma Tribal Council.



**Robert C. Martinez, Sr., Sergeant, Air Cavalry, 14<sup>th</sup> Cavalry Regiment U.S. Army, European, 7<sup>th</sup> Army Command, May 22, 1968 – May 14, 1970.**



**Ricardo “Rick” Martinez, SP 5 (T) Sergeant, Company D, 69<sup>th</sup> Engineer Battalion, USARPAC Vietnam; National Defense Service Medal, Vietnam Service Medal, Vietnam Campaign Medal and Good Conduct Medal; January 26, 1967 – January 12, 1969, Reenlisted in the Army and Honorably discharged January 24, 1973. Rick passed away on February 8, 2020.**



**Wayne Gibson, Vietnam, US Army 1969-1971, 4th Infantry Division.** In August 1966, led by the 2nd Brigade, the 4th Infantry Division’s (“Ivy Division”—a play on the Roman numeral IV) headquarters closed in on the central highlands of Vietnam. On September 25, 1966, the division began a combat assignment against the North Vietnamese that would not end until December 7, 1970. By the time the Ivy Division completed their assignment in Vietnam and returned to Fort Carson, Colorado, at the end of 1970, some 2,497 Ivy soldiers had been killed and 15,229 had been wounded. Eleven Ivy Division soldiers earned the Medal of Honor during that period.

**John A. Massiatt, Airman, U.S. Air Force January 1, 1968 - October 1, 1969.**

**Thomas Joseph Marshall (U.S. Army Vietnam Era) [deceased]**



**Richard A. Juarez, SP 4 – E-4, U.S. Army, 589<sup>th</sup> Transportation Co., Co. B 4H BN 2D BCT BDE, 1<sup>st</sup> Army, Fort Eustis, Virginia., served from January 25, 1971 – October 30, 1973.**

**JayP Massiet, E5/Staff Sergeant, Military Police, U.S. Air Force Van Nuys Air National Guard, June 1975 – January 1988**



**Michael F. Galvan, Jr., Sergeant, U.S. Air Force, 95th Recon Squadron, 1977 – 1997 (Desert Storm Campaign)**



**Tracie Massiet Lents, U.S. Air Force, 1979 – 1983**

**Paul Guzman (Service Records n/a)**



**John J. Cambra, Jr., Pfc. U.S. Army Company C 4<sup>th</sup> Battalion 30<sup>th</sup> Infantry and Company B 2<sup>nd</sup> Battalion 159<sup>th</sup> Infantry, 1991 – 1994**



**David J. Splan**, Lance Corporal, **U.S. Marine Corps**, 1993 – 2001.

**Cory Gumersindo Massiet**, Airman 1<sup>st</sup> Class, **U.S. Air Force**, 1994 – 1997. Separated Edwards Air Force Base, Ca. Awards: Air Force Training Ribbon, National Defense Service Medal, Humanitarian Service Medal.



**Jesse Calles**, **US Army**, **November 2004-December 2009**, Specialist Grade 4, Field Artillery Automated Tactical Data Systems Specialist. Jesse is the grandson of Muwekma Elder Faye Thompson Frei who served the U.S. Army in Baghdad, Iraq (**Operation Iraqi Freedom**) since December 2005 in the **Headquarters and Headquarters Battery Fires Brigade 4<sup>th</sup> Infantry Division (Mechanized)**, Awarded the **Army Commendation Medal (2006)**.



**Angela Galvan**, the granddaughter of Muwekma Elder Jenny Galvan had recently served in Iraq in the **U.S. Marine Corps, Corporal/E-4, 1st Marine Logistics Group, 7th Engineer Support Battalion, Support Company Motor Transportation Platoon, May 27, 2003** – She had served in Iraq (twice deployed). **Campaigns and Citations: OIF 2 Fallujah Campaign** in Feb 2004 - Sept 2004 and **OIF 3-6** Sept 2005 - Mar 2006, **Combat Action Ribbon** for operations on Michigan ASR (Alternative Supply Route) and an impact **Navy Marine Corps Achievement Medal** for operations in Haditha (**December 2005**); also involved during **OIF February 3-6, 2004**.



**JayP Massiet, Jr.** **U.S. Army**, **Second Tour in Iraq**; issued a **Purple Heart**.

**Aaron Lenci, US Navy, Ensign**, stationed at Pensacola Naval Air Station (Currently Serving).

**David Marroquin, Jr., California Air National Guard, A1C** (Currently Serving)

### **Muwekma Tribal Stewardship over their Ancestral Heritage and Cultural Sites**

Since 1980 to the present, the Muwekma families have worked independently to establish the "Most Likely Descendant" (MLD) status of members of the Muwekma Tribe in their area with the Native American Heritage Commission of the State of California. Also in 1984 the Muwekma Ohlone Tribal leadership developed their own Cultural Resource Management arm of the tribe, previously identified as Ohlone Families Consulting Services (OFCS), which had been recognized since 1988 by the Department of the Interior as a Native American business under the Buy Indian Act. Over the past several years, all cultural, archaeological and educational-related project are fully under the jurisdiction of the Muwekma Tribal Council.

Since the establishment of the Tribe's Culture Resource Management arm, many of the Muwekmas, as well as, Amah-Mutsun and Esselen Nation tribal members, Pomo, Sioux, Yokuts, Miwok, Wiyot and other tribal people have gone through archaeological training and obtained employment as field crew on various archaeological projects. Over these past decades the Muwekma Tribe has sought alternatives for indigenous people who are concerned about their ancestral past. Under these circumstances, the documented aboriginal Ohlone tribal people of the San Francisco Bay Area have taken greater responsibility for their ancestral heritage as primary stakeholders by becoming fully engaged in the environmental and ensuing scientific processes that affect their ancestral sites, as in the case of the burial recovery project previously conducted at the *Clareño Muwékma Ya Túnnēšte Nómmo* [Where the Clareño Indians are Buried] Site (CA-SCL-30/H) at the 3<sup>rd</sup> Mission Santa Clara in 2010 (Leventhal et al 2011), and on the present Prometheus project on Benton Street.

### **Muwekma Ohlone Tribe and its Reaffirmation as a Federally Recognized Tribe**

In 1989 the Muwekma Ohlone Tribe began the arduous process of petitioning the U.S. Government regarding its status clarification as a Federally Recognized tribe under 25 C.F.R. Part 83. Over the years, interfacing with the BIA's Office of Federal Acknowledgment has been a very difficult and acrimonious process. However, in face of the "extinction" sentence issued by Alfred L. Kroeber in his 1925 California Handbook, and adversity by the BIA, the Muwekma Ohlone Tribe has nonetheless made great strides forward. In 1996, the Tribe shattered the myth perpetuated by the dominant society, that the Ohlone were never Federally Recognized.

On **May 24, 1996**, the United States Department of the Interior, Deborah Maddox, Director of the Office of Tribal Services for the Bureau of Indian Affairs, formally concluded in a letter sent to the Muwekma Ohlone Tribe that:

Based on the documentation provided, and the BIA's background study on Federal acknowledgment in California between 1887 and 1933, we have concluded ... that the Pleasanton or Verona Band of Alameda County was previously 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 (letter in response to the Muwekma Petition, Branch of Acknowledgment and Research, Bureau of Indian Affairs, Washington, D.C.).

In 1998 working with the Congressional created Advisory Council on California Indian Policy (ACCIP) which was legislated in 1992 (HR 2144) the Muwekma Tribe sought formal alternatives to the arduous Federal Recognition process under 25. CFR Part 83. After obtaining a formal positive determination of previous unambiguous federal recognition (under 25 CFR Part 83.8), the Muwekma leadership in concert with the leadership of another northern California Indian tribe, Tsungwe Council requested support from the BIA in Sacramento. Responding to the tribe's request, Acting Area Director, Michael Smith, wrote:

The Bureau of Indian Affairs, Sacramento Area Office, is ready to assist the Tsungwe Council and the Muwekma Ohlone Tribe in seeking administrative Federal recognition on the basis your tribes were never terminated (Letter Michael R, Smith dated January 23, 1998) [**Figure 45**].

On April 13, 2000 as a result of the submittal of reports to Congress the findings from the Advisory Council on California Indian Policy Act (HR 2144), California Congressman George Miller (D- Pleasant Hill) and his staff drafted a Recognition Bill titled California Indian Act of 2000 the purpose of which was:

To restore Federal recognition to certain California Indian tribes, address the special land need of the California Indians, establish equitable treatment of California Indians in the programs and services of the Bureau of Indians Affairs, develop adequate California tribal justice systems, and for other purposes. Be it enacted by the Senate and House of Representatives of the United State of American in Congress Assembled ...

Included in that proposed legislation was the legislative reaffirmation/restoration of six previously federally recognized tribes whose legal status was never terminated by any Act of Congress. These six tribes include: 1) Dunlap Band of Mono Indians; 2) Lower Lake Koi; 3) Tsungwe Council; 4) Muwekma Ohlone Tribe; 5) Tolowa Nation; and 6) Southern Sierra Miwok (from Yosemite) [**Figures 46 – 48**].





IN REPLY REFER TO:

## United States Department of the Interior

### BUREAU OF INDIAN AFFAIRS

Sacramento Area Office  
2800 Cottage Way  
Sacramento, California 95825



Ms. Dena Magdaleno  
Post Office Box 56  
Burnt Ranch, CA 95527

JAN 23 1998

Dear Ms. Magdeleno:

This is to acknowledge receipt of your letter dated December 16, 1997 and received in this office on December 22, 1997. Please accept our apologies for the delay in responding.

At your request, I am writing a letter of support for the Tsnungwe Council and the Muwekma Ohlone Tribe in their bid for Federal recognition. First let me state that the Bureau of Indian Affairs, Sacramento Area Office, is painfully conscious of the fact that California Indian tribes and their individual members have suffered numerous atrocities and inequities from the dominant culture through the hands of the United States Government and the State of California. To this day, those tribes who are fortunate to have Federal recognition status continue to suffer inequities in their share of Federal funds compared to funds received by similar tribes in other states. To that end, this office fully supports efforts by Indian groups such as the Tsnungwe Council and the Muwekma Ohlone Tribe in their bids for Federal recognition status.

Along with your request regarding the Tsnungwe Council, you provided a letter signed by the Acting Director, Office of Tribal Services, which acknowledged that you had established evidence that your ancestors were considered as parties to the 1864 Treaty. We concur with the Central Office of this finding and will support your bid for Federal recognition. I believe the Assistant Secretary - Indian Affairs has the administrative authority to reaffirm Federal status to your tribe.

Although the Central Office has noted that the 1851 Treaty did not provide conclusive evidence that the treaty did not establish clear evidence of Federal recognition of your ancestors, I am fully supportive of your efforts to establish "unambiguous" Federal recognition of your ancestral group as a tribal entity.

The Bureau of Indian Affairs, Sacramento Area Office, is ready to assist the Tsnungwe Council and the Muwekma Ohlone Tribe in seeking administrative Federal recognition on the basis your tribes were never terminated.

Sincerely,


  
Acting Area Director

Figure 45: Letter of Support from BIA Acting Area Director Michael R. Smith

H.L.C.  
[DRAFT]

April 13, 2000  
106th CONGRESS  
2nd Session  
H. R. \_\_\_\_

IN THE HOUSE OF REPRESENTATIVES

Mr. George Miller of California introduced the following bill; which was referred to the Committee on \_\_\_\_\_

A BILL

To restore Federal recognition to certain California Indian tribes, address the special land needs of the California Indians, establish equitable treatment of California Indians in the programs and services of the Bureau of Indian Affairs, develop adequate California tribal justice systems, and for other purposes.  
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

- (a) Short Title.--This Act may be cited as the "California Indian Act of 2000".  
(b) Table of Contents.--The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.  
Sec. 2. Findings and purpose.  
Sec. 3. Policy.  
Sec. 4. Definitions.

TITLE I--RESTORATION OF TERMINATED CALIFORNIA INDIAN TRIBES

- Sec. 101. Definitions.  
Sec. 102. Restoration of Federal recognition, rights, and privileges of the Tribes.  
Sec. 103. Economic development.  
Sec. 104. Transfer of land to be held in trust.  
Sec. 105. Membership rolls.  
Sec. 106. Interim government.  
Sec. 107. Tribal constitution.

**Figure 46: Title Page of Congressman Miller's Recognition Bill (2000)**



## SEC. 2. FINDINGS AND PURPOSE.

### (a) Findings.--Congress finds that--

- (1) the Advisory Council on California Indian Policy, pursuant to the Advisory Council on California Indian Policy Act of 1992 (Public Law 10209416; 25 U.S.C. 651 note), submitted its proposals and recommendations regarding remedial measures to address the special status of California's terminated and unacknowledged Indian tribes and the needs of California Indians relating to economic self-sufficiency, health, and education;
- (2) in the Advisory Council on California Indian Policy Extension Act of 1998 (Public Law 10509294), the Congress directed the Council to work with the Congress, the Secretaries of the Interior and Health and Human Services, and the California Indian tribes to implement the Council's proposals and recommendations contained in its report to Congress, including presenting draft legislation to Congress for implementation of the recommendations requiring legislative changes.
- (3) California Indian tribes cannot effectively exercise sovereignty or self-determination without a land base large enough to develop economically and provide for the basic needs of tribal members, including adequate housing, employment, and social welfare services;
- (4) as a result of their uniquely tragic history, California Indian tribes do not have a land base that is adequate to meet their immediate and essential needs for housing, economic development, and cultural and natural resource protection and preservation;
- (5) although a large number of California Indian tribes negotiated 18 treaties with the United States in the early 1850's that would have set aside approximately 8,500,000 acres as their tribal homelands, the United States Senate failed to ratify these treaties;
- (6) the Senate's failure to ratify the California Indian treaties, in conjunction with Congress' passage of the 1851 Land Claims Act which required those claiming interests in California lands to file their claim within 2 years or forever forfeit such claim, denied California Indians any legally cognizable claim to their ancestral lands;
- (7) most California Indians were rendered homeless by these Federal actions, a situation that remained unremedied for many years until the United States

**Figure 47: Page 3 of Congressman Miller's Recognition Bill (2000)**



and early 1860's by military and volunteer patrols that resulted either in their death, removal to the Hoopa Valley Reservation or hiding in the hills. However, a few years later the Tsnungwe returned to their aboriginal lands where they have remained ever since.

(4) The Muwekma are the aboriginal inhabitants of the southern, eastern, and western regions of the San Francisco Bay Area, including all of what is now San Francisco, San Mateo, Alameda, and Contra Costa Counties, much of what is now Santa Clara County, and parts of Santa Cruz, San Joaquin, Napa, and Solano Counties. The Muwekma Indians are from the following aboriginal tribes: Passasimi/Yatikumne, Tamcan, Josemite, Lacquisemne, Julpun, Napian/Karkin, Jalquin/Yrgin, Alson/Tamien, Suenen, Chupcan, Choquoime, and Nototomne. Spanish missionaries forced the ancestors of the Muwekma Tribe into the Missions Dolores, San Jose, and Santa Clara in the late 18th and early 19th centuries. In the 1830's the Mexican Government secularized the missions and distributed their lands. Many Muwekma left the missions and resettled in other parts of the Bay Area, including on a number of rancherias in Alameda County, including the Alisal Rancheria near Pleasanton, the Del Mocho Rancheria in Livermore, the El Molino Rancheria in Niles, as well as on rancherias in Sunol and San Leandro/San Lorenzo until the early part of the 20th century. The Muwekma people continue to reside in their aboriginal territory in the San Francisco Bay Area.

(5) The Tolowa are the aboriginal inhabitants of the present day county of Del Norte, located in the northwestern corner of California. In this area, their villages were scattered along the coastline, at the Lakes Earl and Tolowa, and along the larger tributaries of the Smith and Winchuck Rivers. The Tolowa signed a treaty with the United States on August 17, 1857, and were removed to the Klamath Reservation that same year. They were subsequently moved to the Smith River Reserve until it was discontinued on May 3, 1862, and thereafter moved several more times, including to the Siletz Indian Reservation in Oregon and to the Round Valley, Hoopa, and Klamath Reservations in California. Documents of the Bureau of Indian Affairs from 1915 through 1916 show that 100 acres of land was to be purchased for the Lake Earl (Tolowa) Indians and the Lipps-Michaels Survey of Landless Nonreservation Indians of California, 1919091920, confirms such a purchase of 100 acres of undivided land near Crescent City, Del Norte County, for these Indians.

(6) The Southern Sierra Miwuk Nation is composed of several bands or groups of Indians of the Yosemite/Mariposa area. These bands or groups are mentioned in countless official letters and journals of the United States Commissioners who were charged by Congress to negotiate treaties with the California Indian tribes during the period 1851091852. The first treaty camp was Camp Fremont, just northwest of Mariposa, California. The second treaty camp was Camp Barbour, south of Mariposa in the Millerton Lake area. Some of the Southern Sierra Miwuk bands or groups that signed the treaties or were mentioned in the

**Figure 48: Page 15 of Congressman Miller's Recognition Bill (2000)**

Another letter of support came from Lieutenant Governor Cruz Bustamante who wrote to the BIA on August 29, 2002:

The Muwekma Ohlone Tribe meets all of the criteria for reaffirmation set by the court as well as the Bureau of Indian Affairs' acknowledgement criteria. The tribe is a previously recognized tribe. It has demonstrated that it has had a trust relationship with the United States from 1906 to the present and Congress has never terminated their relationship. (Letter dated August 29, 2002) [Figure 49]

Even though support from recognition had been formally expressed by Congresswoman Zoe Lofgren, State and County politicians, the Advisory Council on California Indian Policy (1998), and in proposed federal legislation sponsored by Congressman George Miller in 2000, the Bureau of Indian Affairs stated in their Final Determination that they would not look at or consider any evidence after 1985.



CRUZ M. BUSTAMANTE  
Lieutenant Governor  
State of California

August 29, 2002

The Honorable Neal McCaleb  
Assistant Secretary-Indian Affairs  
United States Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Dear Secretary McCaleb:

I write to urge you to support Petition #111 by the Muwekma Ohlone Tribe for reaffirmation of Federal Acknowledgement.

The Muwekma Ohlone Tribe meets all of the criteria for reaffirmation set by the court as well as the Bureau of Indian Affairs' acknowledgement criteria. The tribe is a previously recognized tribe. It has demonstrated that it has had a trust relationship with the United States from 1906 to the present and Congress has never terminated their relationship.

The tribe's members descend from an historical Indian tribe and they are not members of any other Federally-recognized tribe.

After compiling data and completing extensive research, the Muwekmas have presented a compelling case for the tribe's Federal Acknowledgement. I respectfully urge you and the Bureau of Indian Affairs to carefully review their Petition.

Sincerely,

  
CRUZ M. BUSTAMANTE  
Lieutenant Governor

cc: The Honorable Aurene Martin, Deputy Assistant Secretary-Indian Affairs

**Figure 49: Letter of Support from California Lt. Governor Cruz Bustamante**

In 2000 – U.S. 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 later in his 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, the BIA's Office of Federal Acknowledgment and Tribal Services Division responded to Justice Urbina's Court Order regarding the Muwekma Ohlone Tribal enrollment and their descendency from the Verona Band of Alameda County:

... . 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 (**Figure 50**).

On June 30, 2005, Congressman Richard Pombo, then ranking Republican Chair of the House Resources Committee wrote to Secretary of Interior Gail Norton supporting a settlement of the Muwekma lawsuit against Interior:

Dear Secretary Norton:

As part of my Committee's oversight of the procedures for federal recognition of Indian Tribes, I have heard testimony in a hearing earlier this year of the protracted litigation concerning the recognition of the Muwekma Ohlone Tribe. The Tribe informs me that the Department of the Interior has determined that Muwekma is a previously recognized tribe, federally recognized until **1927**, also that no formal action by the Department and no Act of Congress removed it from recognition and that **99%** of the members of the current tribe are direct descendants of the members of the recognized tribe.

The Muwekma Tribe raises the issue that, in a very similar situation, the Department reaffirmed the federally-recognized status of the Lower Lake Koi Tribe and the Ione Band of Miwok in California by a letter signed by the then Assistant Secretary of the Interior restoring them to recognized **status** without making them go through formal recognition procedures.

I understand that in December of **2003** the Tribe explored with the Department a possible settlement, including a rehearing that might lead to reaffirmation of the Tribe, or, according to the Tribe, at the suggestion of a Department attorney, the organization of the half-blood members of the Tribe as a new Tribe under the Indian Reorganization Act. Therefore, I would suggest, if possible, that the Department meet with the Tribe to pursue settlement opportunities. (Letter Rep. Richard Pombo dated June 30, 2005).

After the Office of Federal Acknowledgement "declined" to extend, and therefore reaffirm the Tribe's Federally Acknowledged status on September 6, 2002, the Muwekma Tribe had to pursue its second lawsuit against the Department of the Interior.

### **Muwekma Tribe's Litigation Against the Department of Interior, Bureau of Indian Affairs**

On September 21, 2006, U.S. District Court Justice, Reginald B. Walton in **Muwekma Ohlone Tribe v. Dirk Kempthorne, Secretary of the Interior, et al.**, Civil Action No. 03-1231 (RBW) issued a favorable Court Opinion on the side of the Muwekma Tribe stating:

The following facts are not in dispute. Muwekma is a group of American Indians indigenous to the San Francisco Bay area, the members of which are direct



descendants of the historical Mission San Jose Tribe, also known as the Pleasanton or Verona Band of Alameda County (“the Verona Band”). ... From 1914 to 1927, the Verona Band was recognized by the federal government as an Indian tribe. ... Neither Congress nor any executive agency ever formally withdrew federal recognition of the Verona Band. ... Nevertheless, after 1927, the federal government no longer acknowledged the Verona Band, or any past or present-day incarnation of the plaintiff, as a federally recognized tribal entity entitled to a government-to-government relationship with the United States ... (alleging that “sometime after 1927 the Department began to simply ignore the Tribe for many purposes and substantially reduced the benefits and services provided to the Tribe”) ... (pages 2-3) **[Figure 51]**.

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

MUWEKMA TRIBE,

Plaintiff,

v.

BRUCE BABBITT,,  
Secretary of the United States Department  
of the Interior, and

KEVIN GOVER,  
Assistant Secretary for Indian Affairs,  
United States Department of the Interior,

Defendants.

Civil Action No.: 99-3261 (RMU)

Document Nos.: 27, 28

**MEMORANDUM OPINION**

**Granting the Plaintiff's Motion to Amend the Court's Order**

**I. INTRODUCTION**

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. In more recent times, however, and despite its steadfast efforts, the Muwekma Tribe has been unable to obtain federal recognition, a status vital for the Tribe and its members. Without federal recognition, the Tribe cannot receive the benefits of health care, housing, economic development, and self-governance that the United States provides to federally recognized tribes. *See* Pl.'s Mot. for Summ. J. at 2; 25 C.F.R. § 83.2.

**Figure 50: Memorandum of Opinion U.S. District Court (2000)**

Specifically, Muwekma contends, inter alia, that the Department violated the Equal Protection Clause and the APA by requiring it to undergo the Part 83 acknowledgment procedures while allowing similarly situated tribal petitioners to bypass these procedures altogether. Compl. ¶¶ 37-39; Points and Authorities in Support of Plaintiff’s Motion for Summary Judgment (“Pl.’s Mem.”) at 22-30. Currently before the Court are the parties’ cross-motions for summary judgment.<sup>4</sup> For the reasons set forth below, the Court denies both parties’ motions without prejudice and directs the Department to supplement the administrative record.

### **I. Background**

The following facts are not in dispute. Muwekma is a group of American Indians indigenous to the San Francisco Bay area, the members of which are direct descendants of the historical Mission San Jose Tribe, also known as the Pleasanton or Verona Band of Alameda County (“the Verona Band”). Pl.’s Mem. at 4; Defs.’ Mem. at 5; Answer at 6. From 1914 to 1927, the Verona Band was recognized by the federal government as an Indian tribe. Pl.’s Mem. at 4-5; Defs.’ Mem. at 5; Answer at 12-13. Neither Congress nor any executive agency ever formally withdrew federal recognition of the Verona Band. Pl.’s Mem. at 5; Answer at 14.

### **Figure 51: U.S. District Court Opinion (2006)**

#### **2003 Litigation**

U.S District Judge, Reginald B. Walton further wrote:

Muwekma brought this action on June 6, 2003, seeking reversal of the Final Determination, placement on the Department’s list of federally recognized tribes, and other injunctive relief. ... On July 13, 2005, Muwekma moved for summary judgment, alleging, inter alia, that the Department violated the APA and the Equal Protection Clause when it required Muwekma to petition for acknowledgment of its tribal status pursuant to the “lengthy and thorough” regulatory procedures of Part 83, ..., despite administratively reaffirming the status of similarly situated tribes without requiring those tribes to undertake the Part 83 process and without sufficient explanation for the disparate treatment. ... Specifically, Muwekma contends that “[t]he Department returned Lower Lake and Ione to the list of recognized tribes

outside of the [Part 83] procedures [while] requir[ing] Muwekma to complete the Part 83 process and then, applying a greater evidentiary burden, denied Muwekma recognition despite [its] significantly stronger case for recognition.” ... (pages 10-11) ...

If the Department were compelled to require tribes seeking federal recognition to complete petitions under Part 83—that is, if it had no discretion to exempt certain tribes from the Part 83 procedures—then its argument that “federal acknowledgment regulations specifically take into account demonstrations of previous acknowledgment,” ... Here, however, the Secretary of the Interior is **expressly** empowered to “waive or make exceptions to [the Department’s regulations] in all cases where permitted by law,” if the Secretary makes a finding that “**such waiver or exception is in the best interest of the Indians.**” 25 C.F.R. § 1.2; ... Thus, if the Department is “permitted by law” to waive or except the Part 83 tribal acknowledgment procedures when it is “in the best interest of the Indians,” 25 C.F.R. § 1.2, and if it appears that it has waived the acknowledgment procedures in other, ostensibly similar instances, then it is incumbent upon the Department to explain to Muwekma “why it has exercised its discretion in a given manner” in this instance, *State Farm*, 463 U.S. at 48-49. ... **This it has not done.** (pages 18-20) ...

In addition, the Department’s representation to Muwekma that it lacked the authority to confer federal recognition on the tribe outside of the Part 83 acknowledgment process, see Answer at 23 (admitting that “[n]otwithstanding the Department actions to the contrary with respect to the Ione Band and Lower Lake, [Department] staff repeatedly advised [Muwekma] that the Assistant Secretary [of Indian Affairs] lacked authority to administratively reaffirm tribal status”), appears from the Department’s own admission to be **patently false**, ... (footnote 12, page 21) ...

Upon remand, the Department must provide a detailed explanation of the reasons for its refusal to waive the Part 83 procedures when evaluating Muwekma’s request for federal tribal recognition, particularly in light of its willingness to “clarif[y] the status of [Ione] . . . [and] reaffirm [] the status of [Lower Lake] without requiring [them] to submit . . . petition[s] under . . . Part 83.” ... At issue for the purpose of this remand is not whether the Department correctly evaluated Muwekma’s completed petition under the Part 83 criteria, but whether it had a sufficient basis to require Muwekma to proceed under the heightened evidentiary burden of the Part 83 procedures in the first place, given Muwekma’s alleged similarity to Ione and Lower Lake. In addition, the Department **shall** express its position regarding whether it is permitted, under 25 C.F.R. § 1.2 or otherwise, to waive or make exceptions to the Part 83 acknowledgment procedures, and whether this waiver or exception imposes a lesser evidentiary burden on petitioning tribes than the completion of a Part 83 petition. (pages 31-32) ...

#### **IV. Conclusion**

When an agency provides a statement of reasons insufficient to permit a court to discern its rationale, or states no reasons at all, the usual remedy is a \_remand to the agency for additional investigation and explanation.’l ... Here, the Court is unable to

discern the Department's rationale for requiring Muwekma to proceed through the Part 83 tribal acknowledgment procedures while allowing other tribes that appear to be similarly situated to bypass the procedures altogether, an issue which is dispositive of Muwekma's Equal Protection Act and APA claims. Accordingly, it will remand this matter to the Department for the limited purpose of supplementing the administrative record in a manner consistent with this Opinion. During this time, the case shall be administratively closed. The Court shall retain jurisdiction over this matter and shall require the Department to complete its evaluation and submit a supplement to the administrative record by November 27, 2006. In light of the Department's past delays, and given the narrow purpose for which this matter is being remanded, the Court will look extremely skeptically on motions for extensions of time. .... (page 32)

On September 30, 2008 the US District Court in Washington, D.C. handed the Muwekma Tribe another **victory**. Judge Reginald B. Walton opined:

These arguments, and the explanation from the Department giving rise to them, seemingly cannot be reconciled with the Court's September 21, 2006, memorandum opinion. In that opinion, the Court noted that the defendants opposed the plaintiff's initial motion for summary judgment on three grounds, two of which concerned whether the plaintiff was similarly situated to Ione and Lower Lake for purposes of the plaintiff's constitutional and APA arguments. Specifically, —the defendants argue[d] that the Department ha[d] not treated like cases differently because by their very nature, federal acknowledgment decisions require highly fact-specific determinations,|| and —claim[ed] that [the plaintiff] was not treated differently than similarly situated petitioners because groups demonstrating or alleging characteristics similar to [the plaintiff] are regularly required to proceed through the federal acknowledgment process.

**The Court rejected both of these arguments.** It dismissed the defendants' —hand-waving reference to highly fact-specific determinations,“In which, in the Court's estimation, —[did] not free the defendants of their obligation to justify the decision to treat the plaintiff differently from Ione and Lower Lake based on the administrative record for the plaintiff's petition. Further, the Court found the argument —that groups such as [the plaintiff] have been regularly and repeatedly required to submit Part 83 petitions|| **insufficient** —to refute [the plaintiff's] claim that the Department has treated it differently from similarly situated tribal petitioners without sufficient justification.

The Court further noted in a footnote that the defendants —“obliquely provided a —basis for distinguishing [the plaintiff] and Lower Lake in their reply to [the plaintiff's] opposition to their cross-motion for summary judgment,” but also found this argument wanting. Specifically, the Court explained that:

First, and most obviously, [the defendants' argument] pertain[ed] only to a difference between [the plaintiff] and one of the tribes with whom it [was] claiming to be similarly situated. **The defendants [did] not assert any —highly fact-specific determination[.]**|| that would explain why [the plaintiff] is not similarly situated to Ione in such a way as to require a reasoned explanation of the Department's disparate

actions. Second, the Department [did] not contend, here or in the administrative record, that it required [the plaintiff] and not Lower Lake to undergo the Part 83 procedure because the latter, unlike the former, had received land in trust and had participated in an election.

**Having rejected all of the defendants' arguments on the issue of similarity of circumstances,** the Court proceeded to find that —the Department . . . ha[d] never provided a clear and coherent explanation for its disparate treatment of [the plaintiff] when compared with Ione and Lower Lake,<sup>11</sup> nor had it ever —articulated the standards that guided its decision to require [the plaintiff] to submit a petition and documentation under Part 83 while allowing other tribes to bypass the formal tribal recognition procedure altogether.<sup>12</sup> Because there was —virtually nothing<sup>13</sup> in the administrative record that would —allow the Court to determine whether [the Department's] judgment . . . reflect[ed] reasoned decisionmaking,<sup>14</sup> the Court concluded that it was —necessary to remand [the] case to allow the Department to supplement the administrative record in this regard.

In other words, the Court determined in its prior memorandum opinion that the defendants' arguments to the effect that the plaintiff was not similarly situated to Ione and Lower Lake were without merit, and remanded the case to the Department so that the Department could explain why it treated the plaintiff differently than other, similarly situated tribes. The necessary implication of both conclusions is that the Court found the plaintiff to be similarly situated to Ione and Lower Lake.

... Here, the Department's explanation and the defendants' arguments in defense of that explanation and in support of summary judgment in their favor would appear to run afoul of the law of the case established in this Court's prior memorandum opinion. The Court concluded, implicitly if not explicitly, that the plaintiff is similarly situated to Ione and Lower Lake, and remanded the case to the Department for the sole purpose of ascertaining a reason as to why the plaintiff was treated differently. Yet, the defendants do not even acknowledge that their arguments are inconsistent with the law-of-the-case, let alone provide a —compelling reason to depart<sup>15</sup> from it.

The defendants' insouciance regarding the law-of-the-case is particularly troubling because they appear to rely at least in part on administrative records for Ione and Lower Lake that were not considered when the Department initially considered the plaintiff's petition for recognition. This tactic harkens back to the defendants' reply memorandum in support of their initial cross-motion for summary judgment, where they argued —that because the full body of administrative records regarding Ione and Lower Lake [was] not before the Court, [the plaintiff] [could not] establish a violation of the Equal Protection Clause or the APA simply by alleging that it ha[d] been treated differently than those tribes.

**The Court rejected that argument,** explaining that —[w]hat matter[ed] . . . [was] whether the Department sufficiently justified in the administrative record for [the plaintiff's] tribal petition its decision to treat [the plaintiff] differently from Ione and Lower Lake.

The Court remanded this case to the Department so it could explain why it treated similarly situated tribes differently, **not so that it could construct post-hoc arguments** as to whether the tribes were similarly situated in the first place. **It certainly did not remand the case so that the**

**Department could re-open the record, weigh facts that it had never previously considered, and arrive at a conclusion** vis-à-vis the similarity of the plaintiff's situation to those of Ione and Lower Lake that it had never reached before. **The Court would therefore be well within its discretion to reject the defendants' arguments outright, grant the plaintiff summary judgment with respect to its equal protection claim, and bring this case to a close.** [Emphasis added]

As a result of newly appointed clerks in the Federal Courts, Justice Walton permitted a 180 degree reversal of his demand to Interior, and permitted a post-hoc argument from Interior, which did not exist in the administrative record on how the Office of Federal Recognition considered Muwekma's repeated requests to be treated equally as a similarly situated tribe as was accorded the Ione Miwok and Lower Lake Koi, who were reaffirmed without having to submit a documented petition.

### **Concluding Remarks**

The Muwekma Ohlone Tribe of the San Francisco Bay Area has moved both its legal history and efforts seeking reaffirmation as Federally Recognized tribe almost to full circle, thus completing its over century-long-plus journey since the Tribe first became Federally Acknowledged through the Congressional Homeless Indian Acts beginning in 1906.

The portion of the *Clareño Muwékma Ya Túnnēšte Nómmo* [Where the Clareño Indians are Buried] Site (CA-SCL-30/H) located at 575 Benton Street, as well as the many other ancestral heritage/archaeological projects that the Tribe has worked on have also served as important —bridges to the Tribe's long historic and pre-contact ancestral past. This archaeological work has been exceedingly important and meaningful to the Tribal membership by providing a forum -- in the form of the present study and its ethnohistorical ties to the Tribe's to Mission Santa Clara and to its larger territory -- thus allowing our Tribe to have a voice in telling part of its story after being completely disenfranchised for so many decades by public agencies, policy makers, academic institutions and archaeologists.

This present ethnohistory study has provided a greater in-depth ethnographic, ethnohistoric and legal background information about our ancestral Muwekma Tribe – the aboriginal and historic tribal people of the greater circum-San Francisco Bay region -- in both a historic and contemporary context. This has been presented in greater detail than most, if not all. CRM studies within the our ancestral homeland. Furthermore, this chapter was structured using contemporary anthropological and historical frameworks with two major research goals in mind:

1. . To present herein, ethnohistoric and historic information that addresses the biological and cultural continuation of our aboriginal Muwekma Ohlone Tribal people from the San Francisco Bay region and thus identifying and discussing those —"vital" cultural linkages between the living people and their ancestors and ancestral heritage sites, and specifically in this case, to those ancestral Clareño Muwekma Ohlone who buried at the Third Mission Santa Clara Indian Neophyte Cemetery, and surrounding areas;
2. To bring forward an interpretive understanding about the life of our ancestral Muwekma Ohlone people who were buried at the *Clareño Muwékma Ya Túnnēšte Nómmo Site* (CA-SCL-30/H) and within the Prometheus project area; and bring closure to this project with



the Reburial-Honoring ceremony of these ancestors by placing them back into the earth (*warep*), within the original cemetery location from which they were laid to rest by their people between 1781 and 1818.

The continuation of the Muwekma Tribe's cultural traditions and language has been an ongoing concern over these past decades.

Although there are almost no protections against the destruction of Native American Ancestral Heritage cemetery and village sites, and as far as we know, no ancestral Muwekma Ohlone site is eligible for Historical Landmark status under the Landmark statutes in Santa Clara County, nonetheless our Muwekma Tribe desires to honor the good efforts and diligent work displayed by the Prometheus project construction and management firm, and field archaeological staff from PaleoWest in facilitating the recovery of our ancestral remains who were buried at:

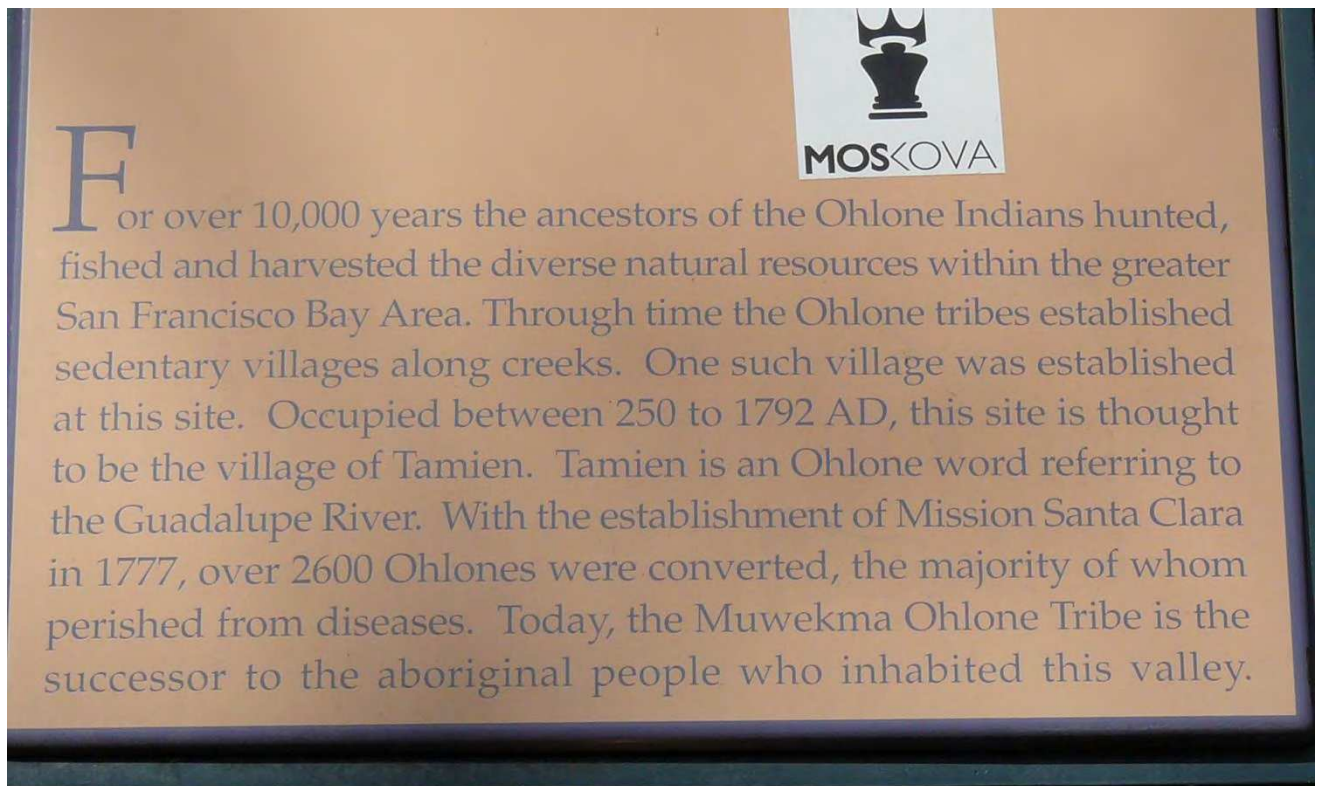
***Clareño Muwékma Ya Túnnesh̓te Nóm̓mo Site (CA-SCL-30/H).***

### **The Muwekma Tribal Council, AHo!**

The following photos (**Figures 52 - 75**) are from Tribal gatherings and events that celebrate our Native heritage, history, culture and traditions.



**Figure 52: History Walk Historical Marker Downtown San Jose, California**



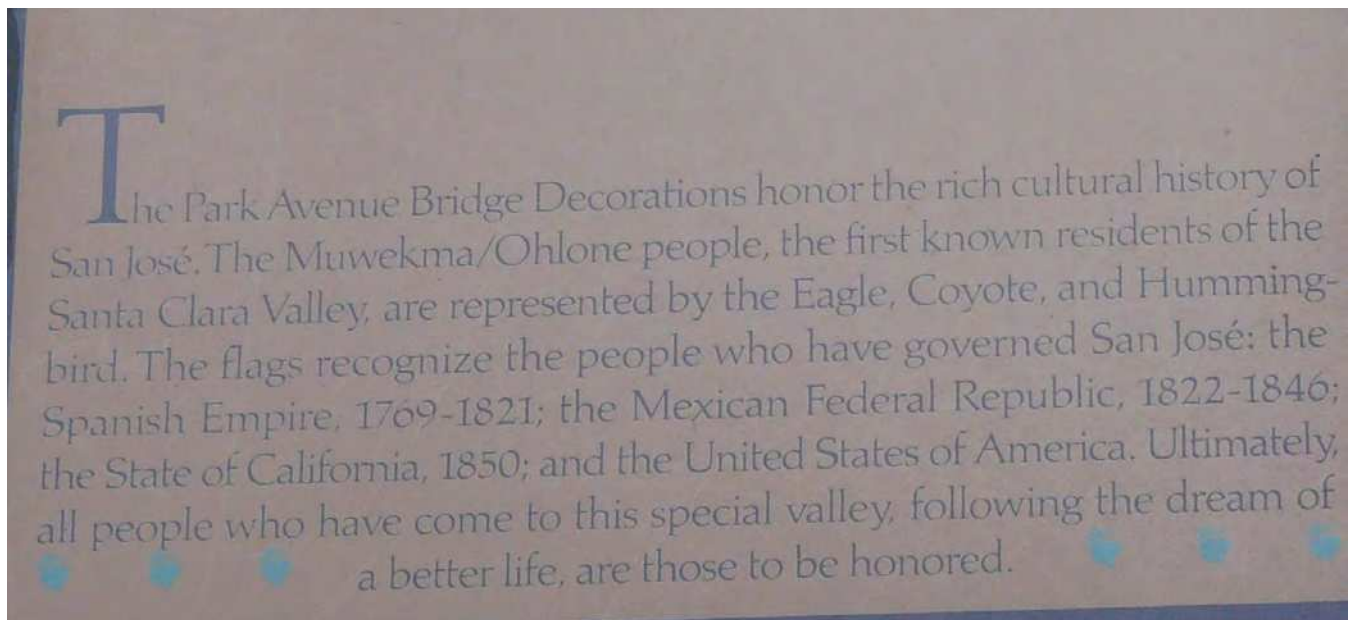
**Figure 53: The Site of Tamien an Ohlone Indian Village (*Thámien Rúmmeytak* Site)**

#### **Transcription of the Historical Marker Village of Tamien Text**

For over 10,000 years the ancestors of the Ohlone Indians hunted, fished and harvested the diverse natural resources within the greater San Francisco Bay Area. Through time the Ohlone tribes established sedentary villages along creeks. One such village was established at this site. Occupied between 250 and 1792 AD, this village is thought to be the village of Tamien [*Thámien*]. Tamien is an Ohlone word referring to the Guadalupe River. With the establishment of the Santa Clara Mission in 1777, over 2600 Ohlones were converted, the majority of whom perished to diseases. Today the Muwekma Ohlone Tribe is the successor to the aboriginal people who inhabited this valley.

#### **Public Art over the Park Avenue Bridge: Eagle, Coyote and Hummingbird**

On May 13, 1994 the City of San Jose unveiled the public art displaying Eagle, Coyote and Hummingbird and a version of the Ohlone Creation Narrative honoring the Muwekma Ohlone Tribe and later immigrants to San Jose, California with a plaque and sculptures (**Figures 54– 58**).



**Figure 54: Honoring Plaque over the Park Avenue Bridge Downtown San Jose**

**Transcription of the Informational Plaque on the Park Avenue Bridge**

The Park Avenue Bridge Decorations honor the rich cultural history of San Jose. The Muwekma Ohlone people the first know residents of the Santa Clara Valley, are represented by the Eagle, Coyote and Hummingbird. The flags recognize the people who have governed San Jose: the Spanish Empire, 1769-1821; the Mexican Federal Republic, 1822-1846; the State of California, 1850; and the United States of America. Ultimately all people who have come to this special valley following the dream of a better life, are those to be honored.

**The Muwekma Ohlone Tribute (Presented by the Guadalupe River Park Conservancy)**

“The Muwekma Ohlone people, Native Americans who once lived along the Guadalupe River, are honored with animal sculptures important to their tradition, on the Park Avenue Bridge. These include the Coyote, the Hummingbird, and the Eagle. The four flags that fly from atop the bridge represent the past and present governments of the area: Spain, Mexico, California and the United States. The Coyotes were created by artist Peter Schiffrin; the Eagle and Hummingbirds by Tom Andrews. The Coyote, Hummingbird and Eagle represent the Muwekma Ohlone creation story. Coyote was the father of the human race who was responsible for creating people and teaching them how to live properly. Hummingbird was wise and clever. Eagle was a leader” ([http://www.grpg.org/public-art\\_](http://www.grpg.org/public-art_)).



**Figure 55: Eagle with Two Humming Birds above**

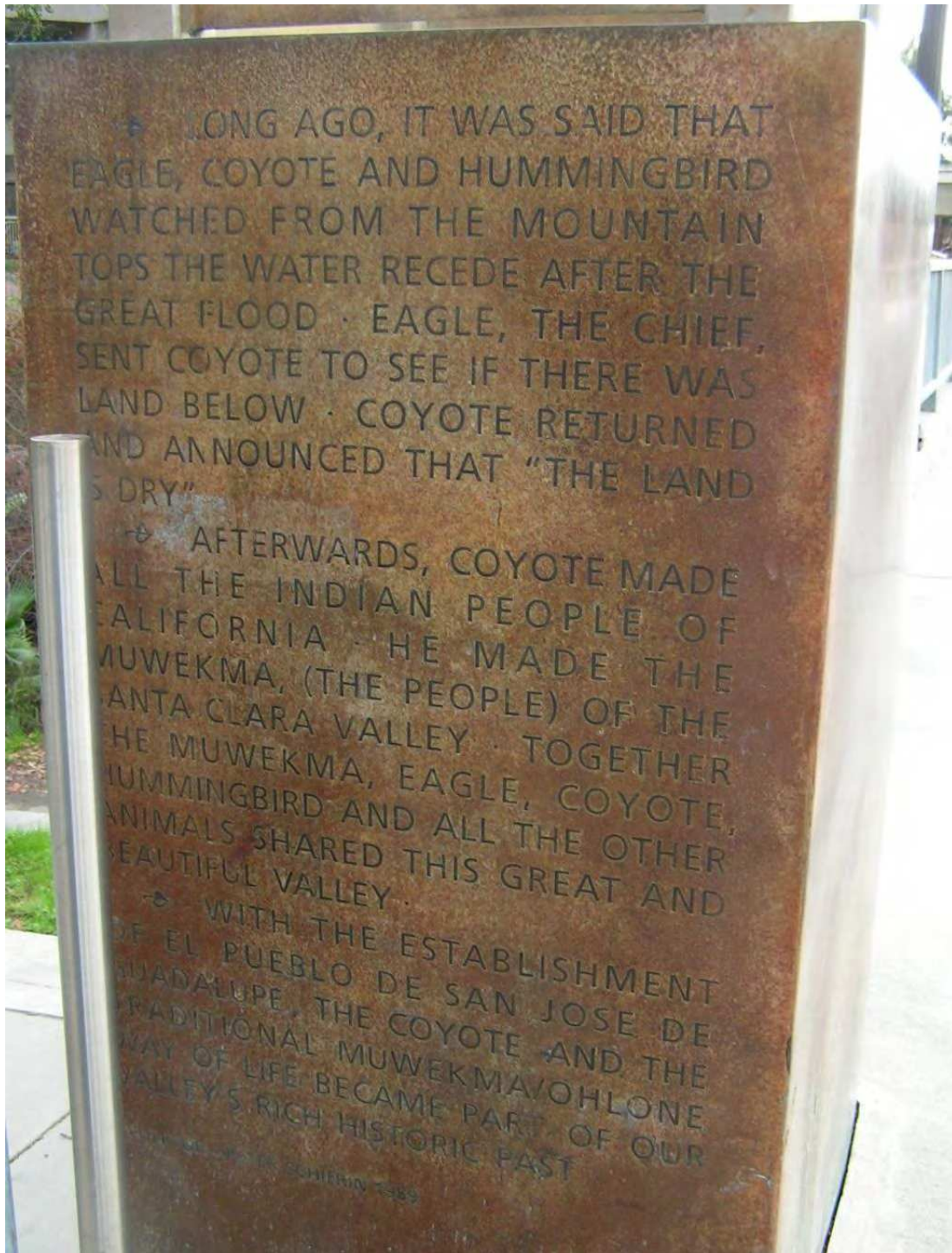


**Figure 56: Coyote (One of the First People)**



**Figure 57: Hummingbird (One of the three First People in Creation Narrative)**





**Figure 58: One of the Four Corner Plaques Honoring the Muwekma Ohlone Tribe**

For a transcription of the text engraved on one of the cornerstones at the Park Avenue Bridge and information about this Commemoration honoring the History of San Jose and Muwekma Ohlone Tribe (see **Figure 59** below):



*Eagle*



*Hummingbird*



*Coyote*

Long ago, it was said that Eagle, Coyote, and Hummingbird watched from the mountain tops the water recede after the great flood. Eagle, The Chief, sent Coyote to see if there was land below. Coyote returned and announced that "the land is dry".

Afterwards, Coyote made all the Indian people of California. He made the Muwekma, (The People) of the Santa Clara Valley. Together the Muwekma, Eagle, Coyote, Hummingbird and all the other animals shared this great and beautiful valley.

With the establishment of the El Pueblo De San José De Guadalupe, the Coyote and the traditional Muwekma / Ohlone way of life became part of our valley's rich historic past.

*Muwekma / Ohlone creation story*

### ***Commemoration of the history of San José***

*The Muwekma / Ohlone people*

*The Spanish Empire*

*The Mexican Federal Republic*

*The State of California*

*The United States of America*

Sponsored by The Redevelopment Agency of the City of San Jose

May 13, 1994

**Figure 59: Commemoration of the History of San Jose and the Muwekma Ohlone Tribe**





**Figure 60: CalTrain Tamien Station Plaque**



**Figure 61: Tamien CalTrain Station Plaque Honoring Muwekma Ohlone**



## **Muwekma Ohlone Tribe Cultural Campout Camp Muwekma 2003**



**CAMP MUWEKMA 2003**  
**Muwekma Ohlone Tribe Cultural Campout**  
**Developed For The People, By The People ~ Haššete Muwekmaš, Haššete Muwekmamu**  
**Del Valle Regional Park, Livermore, CA**  
**June 18 - 22, 2003**

**Family Campsite #24**  
**Del Valle Regional Park, Livermore, CA**  
**June 18 - 22, 2003**

**Photo taken at the "BIG FEAST BBQ" – June 21, 2003**



Muwekma Ohlone Tribe Of The San Francisco Bay Area

**Figure 62: Muwekma Ohlone Tribe Campout 2003**



**Figure 63: Muwekma Tribal Big Feast and Annual Meeting (2010)**

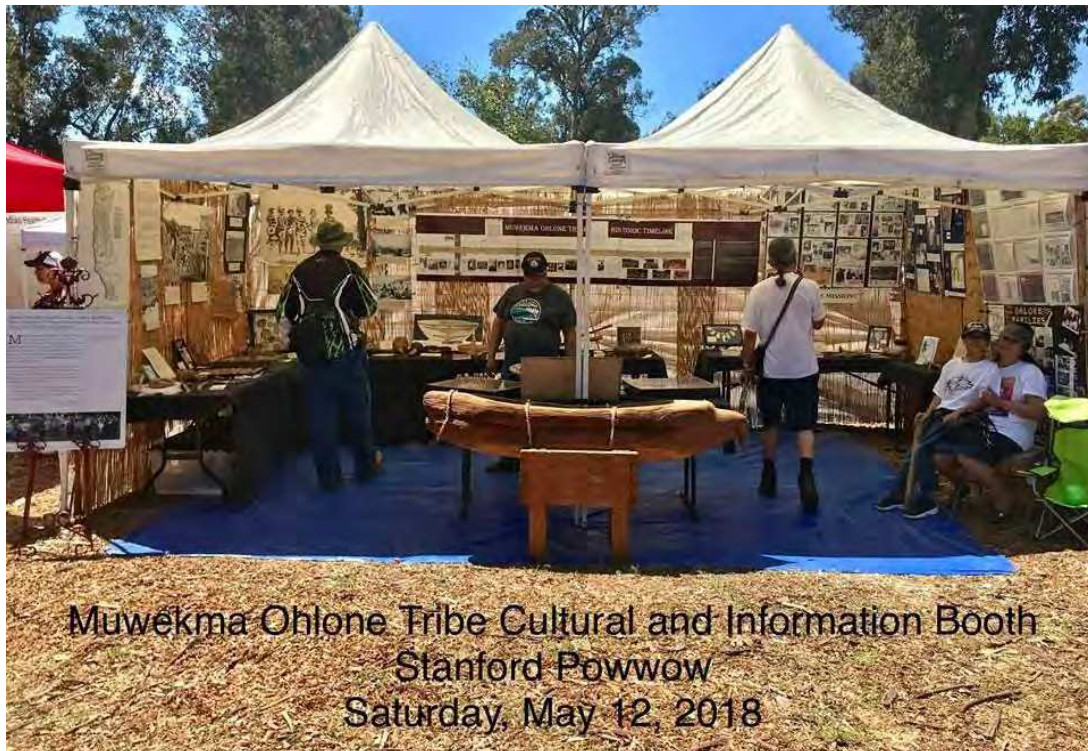


**Figure 64: Muwekma Tribal Leadership at the Dedication Ceremony for the Roberto Antonio Balermino Neighborhood Park**



**Figure 65: Muwekma Tribal Representatives at the Opening of the “Back from Extinction” and “Cement Prairie” Exhibits at the New Museum in Los Gatos (2016)**





**Figure 66: Muwekma Information Booth at Stanford Powwow (May 2018)**

East Bay  
Regional Park District  
[www.ebparks.org](http://www.ebparks.org)

25th Annual  
Gathering of  
Ohlone Peoples

Sunday, October 7, 2018

Time: 10 a.m. to 4:00 p.m.

Featured activities include:

- Songs, Stories, and Dances
- Games
- Native Foods
- Plant Uses
- Tuibun Village Site Open House

Where: Coyote Hills Regional Park  
8000 Patterson Ranch Rd  
Fremont, CA 94555



**Figure 67: Muwekma at Máyyan Šáatošikma – Coyote Hills  
East Bay Regional Park Ohlone Gathering (October 2018)**



**Figure 68: October 8, 2018 Muwekma Ohlone Tribal Council opened the First Indigenous Peoples Day Celebration at Yerba Buena Gardens within the Tribe's Yelamu Territory in San Francisco**



**Figure 69: Muwekma Leadership Singing Welcoming Song at the Inaugural California Indian Flag Raising Event City of Milpitas (November 1, 2018)**



CALIFORNIA LEGISLATURE

# Assembly

## CERTIFICATE OF RECOGNITION

PRESENTED TO

**MUWEKMA OHLONE TRIBE OF  
THE SAN FRANCISCO BAY AREA**

IN RECOGNITION OF THE

***Inaugural California Indian  
Heritage Flag Raising***

For creating a space for the City of Milpitas and its residents to honor the tribes and nations whose land we reside on. Your tireless efforts to demanding a more just and equitable world for all indigenous people is truly and inspiration to us all. On behalf of the 27<sup>th</sup> Assembly District, thank you for your commitment to celebrating the first people of this continent and congratulations on the success of your Inaugural California Indian Heritage Flag Raising.



Dated this 1<sup>st</sup> day of November, 2018

A handwritten signature in blue ink that reads "Ash Kalra".

**HONORABLE ASH KALRA**

Chair, Committee on Aging and Long Term Care  
27<sup>th</sup> Assembly District- San Jose

**Figure 70: Assemblyman Ash Kalra Honoring the Muwekma Tribe during the Inaugural California Indian Flag Raising Event City of Milpitas (November 1, 2018)**



**Figure 71: Muwekma Town Hall Tribal Meeting Stanford University (November 2018)**



**Figure 72: Opening Ceremony with Representatives of the Muwekma Ohlone Tribe and Keynote Address Dolores Huerta American Anthropological Association Meeting (November 14, 2018)**



In 2019, the downtown San Jose community, school district and students attending the Burnett Middle School voted to rename that school after the **Muwekma Ohlone Tribe**. Elizabeth Barcelos writing for the online San Jose Spotlight wrote on September 24, 2019:

The school's outgoing namesake is California's first governor, Peter Burnett, whose racist policies included the Chinese Exclusion Act of 1882 and attempts to keep black Americans out of California. He also believed that Native Americans should be eliminated from the newly-created state, making the change to Ohlone an especially strong statement.

The Ohlone people were the original inhabitants of what is now San Jose. Ohlone College in Fremont is also named after them. According to the ballot, "By choosing this name, we will be teaching students about the Ohlone people while honoring their historical importance in the Santa Clara Valley."



**Figure 73: Renaming Peter Burnett Academy to Muwekma Ohlone Middle School (June 2019)**

# San Francisco Maritime National Historical Park and Museum



## Indigenous Peoples' Day, October 14th

FOR IMMEDIATE RELEASE 10-12-2019

MAKING HISTORY -- MUWEKMA-OHLONE-TRIBE INFORMATION & CULTURAL EXHIBIT AT THE SAN FRANCISCO MARITIME NATIONAL HISTORIC PARK AND MUSEUM.

The Muwekma-Ohlone Tribe are presenting a one-day-only cultural exhibit and knowledge-giving event at the San Francisco Maritime National Historical Park and Museum.

The Muwekma Exhibit is in Honor of Indigenous Peoples' Day, October 14th, an important day of remembrance of our ancestors and an important day to rightly dispel the myth that Columbus discovered America.

¶  
From the Tribal Vice Chairwoman: ¶

¶  
We celebrate the Survival, Resilience and Contributions of the Indigenous Peoples who have lived in this area for more 3,000 years. We honor the special contributions that native peoples all over the world continue to give to our thriving societies. ¶

¶  
We invite you into our community to learn about our Muwekma-Ohlone Tribe & experience our Cultural Exhibit. Hope to see you this Monday at the San Francisco Maritime National Historic Park and Museum. <https://www.nps.gov/safr/index.htm> 499 Jefferson Street, at the corner of Hyde Street, San Francisco, CA 94109. Museum Hours: 9:30am to 5 pm. For more information on the Muwekma Ohlone Tribe of the San Francisco Bay Area visit [muwekma.org](http://muwekma.org). Find us on Facebook [www.facebook.com/muwekma/](https://www.facebook.com/muwekma/). Mákkín Mak Muwékma Wolwóolum -- We Are Muwekma Ohlone! Aho! ¶



Muwekma-Ohlone Tribal Members paddling in a canoe in the Aquatic Cove, just as their ancestors once traveled in the beautiful SF Bay waters.

Figure 74: Muwekma Paddling a Tule Boat in San Francisco Bay (October 14, 2019)



# CITY OF SAN JOSE *Proclamation*

**WHEREAS:** The Muwekma Ohlone have called our Valley home for thousands of years before expeditions brought people of European descent to the Bay Area, and comprise all of the known surviving Native American lineages aboriginal to the Bay; and

**WHEREAS:** Specifically, they constituted the Tamien community in the Santa Clara Valley who have led land-preservation and natural resource management practices in environmentally sensitive areas like the "Mayan Rumney" (Coyote) watershed; and

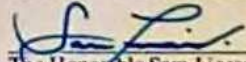
**WHEREAS:** Contrary to actions by the federal government in the 1920's to erase the historical memory of the tribe, several hundred tribal descendants remain in the region and devoutly carry on the traditions of their ancestors; and

**WHEREAS:** The Muwekma Ohlone, Amah-Mutsun, and Esselen tribes of our region have suffered severe injustice and dispossession, and we honor and support their descendants' efforts to revive their culture, language, and history;

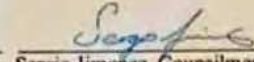
**NOW, THEREFORE, I, Sam Liccardo, Mayor of the City of San José, together with my colleagues on the City Council, on this 12<sup>th</sup> day of October 2020, do hereby recognize and proclaim**

## **INDIGENOUS PEOPLES' DAY**

To celebrate Native American history in our valley.

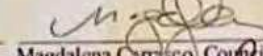
  
The Honorable Sam Liccardo  
MAYOR


  
Charles "Chappie" Jones, Vice Mayor


  
Sergio Jimenez, Councilmember

  
Raul Perez, Councilmember

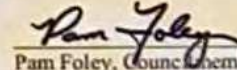
  
Lan Diep, Councilmember

  
Magdalena Carrasco, Councilmember

  
Dev Davis, Councilmember

  
Maya Esparza, Councilmember

  
Silvia Llerenas, Councilmember

  
Pam Foley, Councilmember

  
John Schamis, Councilmember

  
Toni Taber, City Clerk

Figure 75: Proclamation from the San Jose City Council (October 12, 2020)

---

Muwekma Ohlone Tribe  
of the  
San Francisco Bay Area



Figure 76: Muwekma Tribal Flag

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

Anderson, M. Kat

- 2006 *Tending the Wild: Native American Knowledge and the Management of California's Natural Resources*. University of California Press. Berkeley.

Applegate, Richard B.

- 1978 ?Atishwin: The Dream Helper in South-Central California. *Ballena Press Anthropological Papers* No. 13. Edited by Lowell J. Bean and Thomas Blackburn. Ballena Press.

Arbuckle, Clyde with Ralph Rambo

- 1968 *Santa Clara County Ranchos*. Harlan-Young Press. San Jose.
- 1986 *Clyde Arbuckle's History of San Jose*. Smith & McKay Printing Co.

Arroyo de la Cuesta, Felipe

- 1976 Reply to the Interrogatory of 1812 from Mission San Juan Bautista. May 1, 1814. In *As the Padres Saw Them: California Indian Life and Customs as Reported by the Franciscan Missionaries, 1813-1815*. Edited by Maynard Geiger and Clement Meighan. Santa Barbara Archives, Santa Barbara.

Bancroft, Hubert H.

- 1874 *History of California*, Seven Volumes. San Francisco: The History Company.
- 1886 *History of California*, Volumes II, III and IV. This History Company. S.F.

Basgall, M.E.

- 1987 Resource Intensification Among Hunter-Gatherers: Acorn Economies in Prehistoric California. In *Research in Economic Anthropology*, edited by B. L. Isaac, pp. 21-52. vol. 9. JAI Press, Greenwich, Connecticut.

Bates, Craig D.

- 1982 Feathered Regalia of Central California: Wealth and Power. *Occasional Papers of the Redding Museum* No. 2. Redding.

Baumhoff, M.A.

- 1963 Ecological Determinants of Aboriginal California Populations. *University of California Publications in American Archaeology and Ethnology* 49(2):155-235.

Bean, Lowell J.

- 1975 Power and Its Applications in Native California. *Journal of California Anthropology* 2(1):25-33.
- 1976 Social Organization in Native California. In, *Native Californians: A Theoretical Retrospective*, L. J. Bean and T. C. Blackburn, eds., pp. 99-123. Ballena Press. Socorro.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1978 Social Organization. In *California* Vol. 8, edited by Robert F. Heizer, pp. 673-682. Handbook of North American Indians. William C. Strutewant, general editor. Smithsonian Institution, Washington, D.C.
- 1992 Indians of California: Diverse and Complex Peoples. In *California History*, edited by Richard Orsi and Lowell Bean, pp. 302-322. Fall 1992. Vol. LXXI No.3.
- Bean, Lowell J. and Thomas Blackburn, eds.  
1976 *Native Californians: A Theoretical Retrospective*. Socorro: Ballena Press.
- Bean, Lowell J. and Thomas King, eds.  
1974 ?Antap: California Indian Political and Economic Organization. *Ballena Press Anthropological Papers* 2. Ramona.
- Bean, Lowell J. and Lawton, Harry  
1976 Some Explanations for the Rise of Cultural Complexity in Native California with Comments on Proto-Agriculture and Agriculture. In *Native Californians: A Theoretical Retrospective*. pp. 19-48. Lowell Bean and Thomas Blackburn, eds. Ballena Press. Menlo Park.
- Bean, Lowell J. and Vane, Sylvia B.  
1978 Cults and Their Transformations. In *Handbook of North American Indians*, pp 37-57, Vol. 8, California, ed. by Robert F. Heizer, Smithsonian Institution, Washington D.C.
- Beeler, Madison S.  
1961 Northern Costanoan. *International Journal of American Linguistics* 27:191-197.
- Bellifemine, Viviana  
1997 *Mortuary Variability in Prehistoric Central California: A Statistical Study of the Yukisma Site, CA-SCL-38*. Unpublished Master's Thesis, Social Sciences Program, San Jose State University, San Jose, California.
- Bennyhoff, James A.  
1977 *Ethnogeography of the Plains Miwok*. Center for Archaeological Research at Davis Publication No. 5. University of California, Davis.
- Bennyhoff, James A. and Hughes, Richard  
1987 Shell Bead and Ornament Exchange Networks Between California and the Western Great Basin. *Anthropological Papers of the American Museum of Natural History*. 64(2):79-175.
- Bibby, Brian  
1993 Still Going: Bill Franklin and the Revival of Miwuk Traditions. In *News for Native California*. Summer, Vol. 7, No. 3, pp. 21-36.
- Blackburn, Thomas



### References Cited:

#### *Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H*

- 1976 Ceremonial Integration and Social Interaction in Aboriginal California. In *Native Californians: A Theoretical Retrospective*, Lowell J. Bean and Thomas C. Blackburn, eds. Ballena Press. Socorro, New Mexico.
- Bocek, Barbara R.
- 1984 Ethnobotany of Costanoan Indians, California, Based on Collections by John P. Harrington. *Economic Botany* 38:240-255.
- Bolton, Herbert E. (Editor)
- 1911 Expedition to San Francisco Bay in 1770: Diary of Pedro Fages. *Academy of Pacific Coast History Publications* 2(3): 141-159.
- 1926 *Historical Memoirs of New California by Fray Francisco Palou, O.F.M.* 4 vols. University of California Press. Berkeley, California.
- 1927 *Fray Juan Crespi, Missionary Explorer on the Pacific Coast, 1769-1774.* University of California Press. Berkeley, California.
- 1930 *Anza's California Expeditions.* 5 volumes. University of California Press. Berkeley, California.
- 1933 Font's Complete Diary. University of California Press, Berkeley, CA.
- Book of Funerals at Mission San Jose
- 1859-1908 Funeral Records on file at the Mission San Jose, Fremont, California.
- Broek, J.O.M
- 1932 *The Santa Clara Valley, California: A Study in Landscape Changes.* Utrecht.
- Brown, Alan K.
- 1975 Pomponio's World. *The San Francisco Westerners Argonaut*, Number 6.
- 1994 The European Contact of 1772 and Some Later Documentation. In, *The Ohlone: Past and Present: Native Americans of the San Francisco Bay Region*, edited by Lowell Bean. *Ballena Press Anthropological Papers No. 42.*
- Buckley, Thomas
- 1989 Suffering in the Cultural Construction of Others: Robert Spott and A.L. Kroeber. In *The American Indian Quarterly, Journal of American Indian Studies. Special Issue: The California Indians, Volume XIII (4) Fall.*
- Byrd, Brian F., Laurel Engbring, and Michael Darcangelo (eds)
- 2020 Archaeological Data Recovery at *Rummey Ta Kuččuwiš Tiprectak* (CA-ALA-704/H), Sunol Long-term Improvements Project, Alameda County, California. Prepared for San Francisco Public Utilities Commission Bureau of Environmental Management.

**References Cited:**  
***Clareño Muwékma Ya Túnneste Nómmo CA-SCL-30/H***

- Byrd, Brian F., Laurel Engbring, Michael Darcangelo, and Allika Ruby; Gregory H. Wada (ed.)  
2020 *Protohistoric Village Organization and Territorial Maintenance: The Archaeology of Sii Túupentak (ALA-565/H) in the San Francisco Bay Area*. Center for Archaeological Research at Davis Publication No. 20.
- Byrd, Brian F., Adrian R. Whitaker, Patricia J. Mikkelsen, Jeffrey S. Rosenthal,  
2017 *San Francisco Bay-Delta Regional Context and Research Design for Native American Archaeological Resources, Caltrans District 4*. Prepared for the Office of Cultural Resource Studies, California Department of Transportation District 4, 111 Grand Avenue, Oakland, CA 94612.
- Cambra, Rosemary, Alan Leventhal, Laura Jones, Julie Hammett, Les Field, and Norma Sanchez.  
1996 *Archaeological Investigations at Kaphan Umux (Three Wolves) Site, CA-SCL-732: A Middle Period Prehistoric Cemetery on Coyote Creek in Southern San Jose, Santa Clara County, California*. Report prepared for CALTRANS and SCCVTA. On File at the Northwest Information Center, Sonoma, State University, Rohnert Park, Ca.
- Castillo, Ed  
1978 The Impact of Euro-American Exploration and Settlement. In *Handbook of North American Indians*, Vol. 8 California, pp. 99-127. Robert F. Heizer, ed., Smithsonian Institution, Washington, D.C. Los Angeles.
- Chartkoff, Joseph L. and Chartkoff, Kerry K.  
1984 *The Archaeology of California*. Stanford University Press, Stanford.
- Clifford, James  
1988 *The Predicament of Culture*. Harvard University Press. Cambridge.
- Cook, S.F.  
1943 The Conflict Between the California Indians and White Civilization. *Ibero-Americana*, Vol. 21. Berkeley: University of California Press.
- 1957 The Aboriginal Population of Alameda and Contra Costa Counties, California. *University of California Anthropological Records* 16(4):131-156. Berkeley.
- 1960 Colonial Expeditions to the Interior of California: Central Valley, 1800-1820. *University of California Anthropological Records* 16(6):239-292. Berkeley.
- 1976a *The Conflict Between the California Indian and White Civilization*. University of California Press. Berkeley.
- 1976b *The Population of the California Indians, 1769-1970*. University of California Press. Berkeley.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

Crespi, Juan

1769-1774 (see Bolton, Herbert 1927 above).

1884 *Linguistic Field Notes: California*. Recording the Indian languages spoken at Niles and Pleasanton, California. [Filed under "Yukian"] ms #1456. National Anthropological Archives, Smithsonian Institution, Washington, DC.

Curtis, Edward S.

1907-1930 *The North American Indian*. [California 1924] Norwood Press.

Davis, James T. and Adan E. Treganza

1959 The Patterson Mound: A Comparative Analysis of the Archaeology of Site ALA-328. *University of California Archaeological Survey Reports* 49:1-92. Berkeley

Davis, Lee

1992 Mt. Diablo: Captain of Central California. Paper presented at the Scholar's Conference: *The Ohlone Indians of the Bay Area: a Continuing Tradition*, C.E. Smith Museum of Anthropology, Cal State University, Hayward. Nov. 14, 1992.

Davis, Lee, Stewart, Suzanne, and Hitchcock, Richard

1994 *Native American History of the Los Vaqueros Project Area, Alameda and Contra Costa Counties, California*. Report prepared for the Contra Costa Waster District, Concord, Ca.

Delgado, James

1977 *Witness to Empire: The Life of Antonio Maria Sunol*. Sourisseau Academy for California State and Local History. San Jose State University.

Dixon, R.B.

1905a The Northern Maidu. New York: *American Museum of Natural History Bulletin* 17: 119-346.

1905b Maidu Myth. New York: *American Museum of Natural History Bulletin* 17(39), No.1. In *Tales of the North American Indians*, ed. By Stith Thompson, 1929 [1966]: 24-30. Indiana University Press, Bloomington.

Dobyns, Henry F.

1966 Estimating Aboriginal American Population: an Appraisal of Techniques with a New Hemispheric Estimate. *Current Anthropology* 7:395-416; 440-444.

Dorrington, Lafayette A.

1927 *Report to the Commissioner of Indian Affairs, June 23, 1927*. Roseberg Files, RG 75: the 1907-1939 Bureau of Indian Affairs Classified Files. National Archives, Washington, D.C.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1930 *Letter from Sacramento Superintendent L. A. Dorrington to Indian Commissioner Rhoads dated April 30, 1930.* Roseberg Files, RG 75: the 1907-1939 Bureau of Indian Affairs Classified Files. National Archives, Washington, D.C.

Driver, H.E.

- 1961 *Indians of North America.* University of Chicago Press, Chicago.

DuBois, Cora A.

- 1939 The 1870 Ghost Dance. *University of California Anthropological Records.* 3(1):1-151. Berkeley.

Elsasser, A. B.

- 1978 Basketry. In *Handbook of North American Indians*, Vol. 8:626-641, California. R. F. Heizer, ed. Smithsonian Institution. Washington, D.C.

Echo-Hawk, Roger C.

- 1996 Requote by Roger C. Echo-Hawk in *Society for American Archaeology* 11(4). In, *California Indians and Archaeology A Special Report*, Ray Moisa and Malcolm Margolin, eds. Printed by News for Native California. Berkeley.

Fages, Pedro

- 1911 Expedition to San Francisco Bay in 1770: Diary of Pedro Fages. Herbert E. Bolton, ed. *Publications of the Academy of Pacific Coast History* 2(3): 141-159. Berkeley, California.
- 1937 *A Historic, Political, and Natural Description of California, by Pedro Fages, Soldier of Spain [1775].* Translated by Herbert I. Priestley. Berkeley: University of California Press. (Reprinted: Ballena Press, Ramona, Calif., 1972).

Federal Census

- 1900 (1900 Twelfth Census/Indian Population Census Washington and Murray Townships, Alameda County, California), **1910** (Thirteenth Census/ Indian Population Census Pleasanton Township, Alameda County, California), **1920** (Fourteenth Census, Alameda and Santa Clara Counties), **1930** (Fifteenth Census, Alameda, Contra Costa, and Santa Clara Counties), 1940 (Sixteenth Census, Alameda, Contra Costa and Santa Clara Counties). Federal Archives.

Field, Les and Alan Leventhal

- 2003 What Must It Have Been Like!: Critical Considerations of Precontact Ohlone Cosmology as Interpreted Through Central California Ethnohistory. In *Wicazō Ša Review Journal of Native American Studies*, Special Issue on the Politics of Sovereignty, Fall 2003, Vol. 18, No. 2, pages 95-126.

Field, Les (with the Muwekma Ohlone Tribe)

- 2003 Unacknowledged Tribes, Dangerous Knowledge: The Muwekma Ohlone and How Indian Identities are “Known”. In *Wicazō Ša Review Journal of Native American*

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

Studies, Special Issue on the Politics of Sovereignty, Fall 2003, Vol. 18, No. 2, pages 79-94.

Field, Les, Alan Leventhal and Rosemary Cambra

- 2013 Mapping Erasure: The Power of Nominative Cartography in the Past and Present of the Muwekma Ohlones of the San Francisco Bay Area. In, *Recognition, Sovereignty Struggles and Indigenous Rights in the United States*. Edited by Amy E. Den Ouden and Jean M. O'Brien. University of North Carolina Press, Chappell Hill.

Field, Les, Alan Leventhal and Rosemary Cambra

- 2014 *The Politics of Erasure, Nominative Cartography, and the Muwekma Ohlone Tribe's Reclamation of their Ancestral Heritage Sites: A View from the Tribe's Excavation at the 3<sup>rd</sup> Mission Santa Clara Indian Neophyte Cemetery*. Paper presented at the 79th Annual Meeting of the Society for American Archaeology. Austin Texas, April 24, 2014

Field, Les, Alan Leventhal, Dolores Sanchez and Rosemary Cambra

- 1992 A Contemporary Ohlone Tribal Revitalization Movement: A Perspective from the Muwekma Ohlone Indians of the San Francisco Bay. In *California History: Indians of California* Vol. LXXI (3) Fall. California Historical Society. San Francisco.
- 2004 A Contemporary Ohlone Tribal Revitalization Movement: A Perspective from the Muwekma Ohlone Indians of the San Francisco Bay. In *Archaeological Investigations at CA-SCL-690, Tamien Station*. Mark Hylkema, editor. Caltrans, District 4.
- 2007 A Contemporary Ohlone Tribal Revitalization Movement: A Perspective from the Muwekma Ohlone Indians of the San Francisco Bay. In *Santa Clara Valley Prehistory: Archaeological Investigations at CA-SCL-690, Tamien Station*. Mark Hylkema, editor. Center for Archaeological Research at Davis Publication No. 15.

Font, Pedro

- 1930 *Font's Complete Diary of the Second Anza Expedition*. Vol. 4 of Anza's California Expeditions. H. Bolton, ed. University of California Press. Berkeley.

Forbes, Jack

- 1969 *Native Americans of California and Nevada: A Handbook*. Naturegraph Publishers. Healdsburg, California.

Fried, Morton

- 1967 *The Evolution of Political Society*. Random House. New York.

Fried, M.N. and Fried, M. H.

- 1980 *Transitions: Four Rituals in Eight Cultures*. Penguin Books

Galindo, Nasario

### References Cited:

#### *Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H*

- 1959 Early Days at Mission Santa Clara. *California Historical Society Quarterly* 38(2):101-111 [1883].
- Galvan, P. Michael  
1968 People of the West: The Ohlone Story. *The Indian Historian* 1(2):9-13.
- Galvin, John  
1971 *The First Spanish Entry into San Francisco Bay, 1775*. Howell Books. S.F.
- Gayton, Anna H.  
1930a Yokuts and Mono Chiefs and Shamans. *University of California Publications in American Archaeology and Ethnology* 24(8): 361-420. Berkeley.  
1930b The Ghost Dance of 1870 in South Central California. *University of California Publications in American Archaeology and Ethnology* 28(3):57-82. Berkeley.  
1935 Areal Affiliation of California Folktales. *American Anthropologist* 37(4):582-599.  
1936 Estudillo Among the Yokuts: 1819. In *Essays in Anthropology*, Presented to A. L. Kroeber in Celebration of his Sixtieth Birthday. Edited by Robert H. Lowie, pp. 67-85. University of California Press. Berkeley.  
1945 Yokuts and Western Mono Social Organization. *American Anthropologist* 47(3): 409-426.  
1948 Yokuts and Western Mono Ethnography. *University of California Anthropological Records* 10(1-2): 1-302. Berkeley.
- Geiger, Maynard and Clement Meighan  
1976 *As the Padres Saw Them : California Indian Life and Customs as Reported by the Franciscan Missionaries, 1813-1815*. Santa Barbara Mission Archive Library, Glendale, Calif.
- Gerow, B. A. (with Roland Force)  
1948 An Analysis of the University Village Complex with a Reappraisal of Central California Archaeology. Stanford University Press. Stanford.
- Gifford, Edwin W.  
1914 *Central Miwok Shamans*. Unpublished Fieldnotes. Ethnological Documents Collection, University Archives, University of California, Berkeley. CU-23.1 No. 179.  
1915 *Yokuts Moieties*. Unpublished Fieldnotes. Ethnological Documents Collection, University Archives, University of California, Berkeley. CU-23.1 no. 178.



**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1916a Miwok Moieties. *University of California Publications in American Archaeology and Ethnology* 12(4):139-194. Berkeley.
- 1916b Dichotomous Social Organization in South Central California. *University of California Publications in American Archaeology and Ethnology* 11(5):291-296. Berkeley.
- 1917 Miwok Myths. *University of California Publications in American Archaeology and Ethnology* 12(8):283-338. Berkeley.
- 1926 Miwok Cults. *University of California Publications in American Archaeology and Ethnology* 18(3):391-408. Berkeley.
- 1927 Southern Maidu Religious Ceremonies. *American Anthropologist* 29(3):214-257.
- 1940 California Bone Artifacts. *University of California Anthropological Records* 3(2):153-237. Berkeley.
- 1944 Miwok Lineages. *American Anthropologist* 46 (3):376-381.
- 1947 Californian Shell Artifacts. *University of California Anthropological Records* 9 (1). Berkeley.
- 1955 Central Miwok Ceremonies. *University of California Anthropological Records* 14(4):261-318. Berkeley.
- Goldschmidt, Walter
- 1948 Social Organization in Native California and the Origin of Clans. *American Anthropologist* 50(3):444-456.
- 1951 Nomlaki Ethnography. *University of California Publications in American Archaeology and Ethnology* 42(4): 303-443. Berkeley.
- Grady, D. L., K. A. Latham, V. A. Andrushko
- 1999 *Archaeological Investigations at CA-SCL-674, the Rubino Site, city of San Jose, Santa Clara County, California. Vol. 2, Human Skeletal Biology.* Archives of California Prehistory 50. Coyote Press, Salinas.
- Gray, Nicholas
- 1855 Map of a Survey of Lands Situated between San Leandro and San Lorenzo Creeks, the Bay of San Francisco and the Range of Mountains to the East, Exhibiting the Boundaries of the "Rancho San Leandro" and adjoining lands as Surveyed by Nicholas Gray, Deputy Surveyor, U.S., November 1855. From the UC Berkeley Bancroft Library, U.S. District Court Land Case Map F 524 (234 ND, p. 747).

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

Grossinger, R. and E. Brewster

- 2003 A Geographic History of the San Lorenzo Creek Watershed: Landscape Patterns Underlying Human Activities. Prepared for the Alameda County Clean Water Program. A Technical Report of the Regional Watershed Program. *SFEI Contribution 85*. San Francisco Estuary Institute, Oakland, California

Groza, Randall, Jeffrey Rosenthal, John Southon, and Randall Milliken

- 2011 A Refined Shell Bead Chronology for Late Holocene Central California. *Journal of California and Great Basin Anthropology* 31(2):13–32.

Hall, Frederic

- 1871 *The History of San José and Surroundings : with Biographical Sketches of Early Settlers*. San Francisco: A.L. Bancroft and Co.

Hammett, Julia E.

- 1996 *Paleoethnobotany of Site CA-SCL-732*. In, *Archaeological Investigations at Kaphan Umux, the Three Wolves Site, CA-SCL-732: A Middle Period Prehistoric Cemetery on Coyote Creek in Southern San Jose, Santa Clara County, California*, edited by R. Cambra, A. Leventhal, L. Jones, J. Hammett, L. Field and R. Jurmain, pp. 8.1-8.15. Ohlone Families Consulting Services and San Jose State University Foundation. Submitted to Caltrans and Santa Clara County.

Harrington, John P.

- 1921-1939 *Manuscript Field Notes on Costanoan: Chochenyo, Mutsun and Rumsen Linguistics* available on microfilm at San Jose State University Library. Kraus International Publications. New York.
- 1930 *Twenty-Seven Wax Cylinder Songs/Recordings of Jose Guzman. Recorded March 14-15, 1930 at Pleasanton*. Cylinder Nos.1307-1333. Federal Cylinder Project Library of Congress, American Folklife Center, Archive of Folk Culture, Washington, DC.
- 1933 Report of Fieldwork on Indians of Monterey and San Bernardino Counties. In *49th Annual Report of the Bureau of American Ethnology for the Years 1931-1932*, pp. 2-3. Washington D. C.
- 1942 Culture Element Distributions, XIX: Central California Coast. *University of California Anthropological Records* 7(1):1-46. Berkeley.

Hedges, Alicia A.

- 2019 *Recognition Through Remembrance: A Consideration of Muwekma Ohlone Oral Histories with Kuksu-Associated Material Culture to Infer Precolonial Connections to Place*. Master's Project, Department of Anthropology, San Jose State University.
- 1952 California Indian Linguistic Records: The Mission Indian Vocabularies of Alphonse Pinart. *University of California Anthropological Records* 15(1):1-84.

**References Cited:**  
***Clareño Muwékma Ya Túnneshé Nómmo CA-SCL-30/H***

- 1971 Census of Non-reservation California Indians, 1905-1906. R. F. Heizer, editor, *Miscellaneous Publications of the University of California Archaeological Research Facility*. Berkeley.
- 1972 The Eighteen Unratified Treaties of 1851-1852 Between the California Indians and the United States Government. *University of California Archaeological Research Facility*. Berkeley.
- 1974 *The Costanoan Indians*. Local History Studies Volume 18. California History Center, De Anza College. Cupertino, California.
- 1978a *Handbook of North American Indians* Vol. 8: California, W. C. Sturtevant, General Editor. Smithsonian Institution. Washington, D.C.
- 1978b Trade and Trails. In *Handbook of North American Indians*, Vol. 8:690-693, California. R. F. Heizer, ed. Smithsonian Institution. Washington, D.C.
- 1979 Federal Concern about Conditions of California Indians, 1853-1913: Eight Documents. *Ballena Press Publications in Archaeology, Ethnology and History* Number 13. Menlo Park, California.
- Heizer, Robert F. and Elsasser, Albert B.  
1980 *The Natural World of the California Indians*. University of California Press, Berkeley.
- History of Washington Township  
1904 *Women's Research Committee on Washington Township, History of Washington Township*. Compiled and Written by: The Country Club of Washington Township Research Committee, 1904. Second Edition 1950.
- Holterman, Jack  
1970 The Revolt of Estanislao. *The Indian Historian* 3(1):43-54.
- Hoopes, Chad  
1975 *Domesticate or Exterminate*. Redwood Coast Publications.
- Hughes, Richard E. and Milliken, Randall  
2007 Prehistoric Material Conveyance. In: *California Prehistory: Colonization, Culture and Complexity*. Edited by Terry L. Jones and Kathryn A. Klar. AltaMira Press.
- Hurtado, Albert L.  
1988 *Indian Survival on the California Frontier*. Yale University Press, New Haven.
- Hylkema, Mark

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1995 *Archaeological Investigations at the Third Location of Mission Santa Clara DeAsis: The Murguiá Mission, 1781-1818 (CA-SCL-30/H)*. Report prepared for CALTRANS District 4, Oakland, California.
- 2004 *Archaeological Investigations at Tamien Station: Site CA-SCL-690* edited by Mark Hylkema. CALTRANS District 4, Oakland, California.
- 2007 *Santa Clara Valley Prehistory: Archaeological Investigations at CA-SCL-690, Tamien Station*. Mark Hylkema, editor. Center for Archaeological Research at Davis Publication No. 15.

Jackson, Robert

- 1992 Patterns of Demographic Change in Alta California Missions: The Case of Santa Ines. In *California History: Indians of California* Volume LXXI (3) Fall. California Historical Society. San Francisco.

James, Steven R. and Graziani, Susan

- 1975 *California Indian Warfare*. Contributions of the California Research Facility, Ethnographic Interpretations: No. 12-13. University of California, Berkeley.

Jenkins, James

- 1923 Annual Report of the Reno Agency, James Jenkins, Superintendent. RG 75, Reno Indian Annual Narrative and Statistical Reports 1912-1924. Box 6; Folder "[Annual Narrative Reports 1923 Reno Indian Agency]" pp. 1-31.: *National Archives*, Washington, D.C.

Jones, Barbara Lee

- 2010 *Mythic Implications of Faunal Assemblages from Three Ohlone Sites*. Master's Thesis, Department of Anthropology, San Francisco State University, California.

Jones, T.L. and Raab, L.M. (editors)

- 2004 *Prehistoric California: Archaeology and the Myth of Paradise*. University of Utah Press, Salt Lake City.

Kelly, Isabel. T.

- 1932 *Ethnographic Field Notes on the Coast Miwok Indians*. Manuscript. On file at the Bancroft Library. University of California. Berkeley.
- 1978 Coast Miwok. In, *Handbook of North American Indians*, Vol. 8: 414-425, California. Edited by R. F. Heizer. Smithsonian Institution. Washington, D.C.
- 1991 Interviews with Tom Smith and Maria Copa: Ethnographic Notes on the Coast Miwok Indians of Marin and Southern Sonoma Counties, California. Edited by Mary Collier and Sylvia Thalman. *MAPOM Occasional Papers* Number 6.

Kelsey, C. E.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1906 *Report of the Special Agent for California Indians*. Printed by Carlisle Indian School. National Archives, Washington D.C.
- 1971 *Census of Non-reservation California Indians, 1905-1906*. Robert F. Heizer, ed. *Miscellaneous Publications of the University of California Archaeological Research Facility*. Berkeley.

King, Chester D.

- 1974 Northern Santa Clara Ethnography. In, *Environmental Impact Report, San Felipe Water Distribution System, Archaeological Resources* by T. King and G. Berg: Appendix I. Report prepared for Santa Clara Valley Water District.
- 1976 Chumash Inter-Village Economic Exchange. In *Native Californians: A Theoretical Retrospective* Lowell J. Bean and Thomas C. Blackburn (editors). Ramona: Ballena Press.
- 1977 Matalan Ethnohistory. In *Final Report of Archaeological Test Excavations for Construction of Freeway 04-SCL-101 Post Miles 17.2/29.4*. by S.A. Dietz. Chapter IV. Report prepared by Archaeological Consulting and Research Services for CALTRANS, District 04, San Francisco.
- 1978a The Historic Indian Settlements of San Jose. In, *Archaeological Investigations at CA-SCL-128: The Holiday Inn Site* by J. C. Winter, ed. Chapter XI. Report prepared for the Redevelopment Agency, City of San Jose.
- 1978b Almaden Valley Ethnogeography. In *The Archaeological Mitigation of 4-SCL-132 Alamos Creek, San Jose, CA*. Robert Cartier, editor. Report on file City of San Jose.
- 1990 *Evolution of a Chumash Society*. Garland Press. New York.
- 1994 Central Ohlone Ethnohistory. In, *The Ohlone: Past and Present Native Americans of the San Francisco Bay Region* edited by Lowell Bean. Ballena Press Anthropological Papers No. 42.

King, Thomas. F.

- 1970 The Dead at Tiburon. *Northwest California Archaeological Society, Occasional Papers* 2.
- 1974 The Evolution of Status Ascription Around San Francisco Bay. In *?Antap: California Indian Political and Economic Organization* edited by L. J. Bean and T. F. King. Pp. 35-54. Ballena Press Anthropological Papers 2.

Kroeber, Alfred L.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1904 The Languages of the Coast of California South of San Francisco. *University of California Publications in American Archaeology and Ethnology* 2(2):29-80. Berkeley.
- 1907 Indian Myths of South Central California. *University of California Publications in American Archaeology and Ethnology* 4(4):167-250. Berkeley.
- 1908 A Mission Record of the California Indians. *University of California Publications in American Archaeology and Ethnology* 8(1):1-27. Berkeley.
- 1910 The Chumash and Costanoan Languages. *University of California Publications in American Archaeology and Ethnology* 9:237-271. Berkeley.
- 1925 *Handbook of the Indians of California*. Bureau of American Ethnology Bulletin 78. Washington.
- 1932 The Patwin and Their Neighbors. *University of California Publications in American Archaeology and Ethnology* 29(4):253-423. Berkeley.
- 1939 Cultural and Natural Areas of Native North America. *University of California Publications in American Archaeology and Ethnology* 38:1-240. Berkeley.
- 1962 The Nature of Land-Holding Groups in Aboriginal California, pp. 19-58 in Two Papers on the Aboriginal Ethnography of California. D. H. Hymes and R. Heizer, eds. *University of California Archaeological Survey Reports* No. 56. Berkeley.
- Langsdorff, George H. von
- 1968 *Voyages and Travels in Various Parts of the World During the Years 1803, 1804, 1805, 1806, and 1807 (1813-1814)*. 2 vols. (Bibliotheca Australiana 41) Da Capo Press. New York.
- Latta, Frank
- 1949 *Handbook of Yokuts Indians*. Kern County Museum. Bakersfield.
- Leventhal, Alan
- 1993 *A Reinterpretation of Some Bay Area Shellmound Sites: A View from the Mortuary Complex at Ca-Ala-329, the Ryan Mound*. Unpublished Master's Thesis, Department of Social Sciences, San Jose State University.
- Leventhal, Alan, Melynda Atwood, Diane DiGiuseppe, Stephanya Frecklton, David Grant, Rosemary Cambra, Monica V. Arellano, Suzanne Rodriguez, Sheila Guzman-Schmidt, Gloria E. Arellano-Gomez and Norma Sanchez
- 2007 *Final Report of the Archaeological Recovery of a Pre-Contact Ohlone Burial from Prehistoric Site CA-SCL-867 (Riipin Waréptak) Located at 1170 Coolidge Avenue, San Jose, Santa Clara County, California*. Report Prepared for Pacific Gas and Electric Company by Muwekma Ohlone Tribe/Ohlone Families Consulting Services.



**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

Leventhal, Alan, R. Cambra, A. Miranda, J. Mondragon, A. Slagle, and I. Zwierlein.

- 1992 *Anthropology -- A Continued Process of Colonialism or California Indians Are Still Only Objects of Study*. Paper presented in the Ohlone Symposium, at the Southwestern Anthropological Association 63rd Annual Meeting. Berkeley, Ca.

Leventhal, Alan, Diane DiGiuseppe, Melynda Atwood, David Grant, Rosemary Cambra, Charlene Nijmeh, Monica V. Arellano, Susanne Rodriguez, Sheila Guzman-Schmidt, Gloria E. Gomez, Norma Sanchez, and Stella D'Oro

- 2009 *Final Report on the Burial and Archaeological Data Recovery Program Conducted on a Portion of a Middle Period Ohlone Indian Cemetery, Katwáš Ketneyma Waréptak (The Four Matriarchs Site) CA-SCL-869, Located at 5912 Cahalan Avenue, Fire Station # 12 San Jose, Santa Clara County, California*. Report Prepared for the City of San Jose, Santa Clara County, California by Muwekma Ohlone Tribe/Ohlone Families Consulting Services.

Leventhal, Alan, Diane DiGiuseppe, Melynda Atwood, David Grant, Susan Morley, Rosemary Cambra, Dr. Les Field, Charlene Nijmeh, Monica V. Arellano, Susanne Rodriguez, Sheila Guzman-Schmidt, Gloria E. Gomez, and Norma Sanchez

- 2010 *Final Report on the Burial and Archaeological Data Recovery Program Conducted on a Portion of a Middle Period Ohlone Indian Cemetery, Yuki Kutsuimi Šaatoš Inūx<sup>w</sup> [Sand Hill Road] Sites: CA-SCL-287 and CA-SMA-263, Stanford University, California*. Report Prepared for Stanford University by Muwekma Ohlone Tribe/Ohlone Families Consulting Services.

Leventhal, Alan, Diane DiGiuseppe, Melynda Atwood, David Grant, Susan Morley, Rosemary Cambra, Les Field, Charlene Nijmeh, Monica V. Arellano, Susanne Rodriguez, Sheila Guzman-Schmidt, Gloria E. Gomez, and Norma Sanchez

- 2011 *Final Report on the Burial and Archaeological Data Recovery Program Conducted on a Portion of Mission Santa Clara Indian Neophyte Cemetery (1781-1818): Clareño Muwékma Ya Túnnešte Nómmo [Where the Clareño Indians are Buried] Site] (CA-SCL-30/H), Located in the City of Santa Clara, Santa Clara County, California*. Report Prepared for Pacific gas and Electric Company by Muwekma Ohlone Tribe/Ohlone Families Consulting Services.

Leventhal, Alan, Diane DiGiuseppe, David Grant, Katrinka Reinhart, Rosemary Cambra, Monica V. Arellano, Sheila Guzman-Schmidt, and Gloria E. Gomez

- 2016 *Final Report on the Recovery, Analysis and AMS Dating of Ancestral Muwekma Ohlone Human Remains Recovered from the Horše 'Iššéete Ruwwatka [Place of the Good Health House Site] (Ronald McDonald House/CA-SCL-609) Located at 520 Sand Hill Road, Palo Alto, Santa Clara County, California*. Report Prepared for Laura Boudreau, Chief Operating Officer, Ronald McDonald House, 520 Sand Hill Road, Palo Alto, CA 94304 and Laura Jones, Stanford University Archaeologist, 477 Oak Rd., Stanford, CA 94305

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

Leventhal, Alan, Diane DiGiuseppe, David Grant, Rosemary Cambra, Monica V. Arellano, Sheila Guzman-Schmidt, Gloria E. Gomez, and Arnold Sanchez

2017a *Report on the Burial and Archaeological Data Recovery Program, Analysis and AMS Dating of Ancestral Muwekma Ohlone Human Remains Recovered from the Cashrishmini 'Awweš 'Írek 'Innutka (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.* Report Prepared for: Santa Clara Valley Transportation Authority 3331 North First Street San Jose, CA 95134.

2017b *Report on the Analysis and Temporal Placement of an Ancestral Muwekma Ohlone Burial Recovered from 'Ayttakiš 'Éete Hiramwiš Trépam-tak [Place of Woman Sleeping Under the Pipe Site], CA-ALA-677/H Located in the Town of Sunol, Alameda County, California.* Report prepared for the San Francisco Public Utilities Commission, 1155 Market St, San Francisco, CA 94103.

Leventhal, Alan, Diane DiGiuseppe, David Grant, Colin Jaramillo, Brianna Graves, Harrison Foo, Julie Jones, Rosemary Cambra, Monica V. Arellano, Sheila Guzman-Schmidt, Gloria E. Gomez, Norma Sanchez, Charlene Nijmeh, and Arnold Sanchez

2020 *Final Report on the Burial and Archaeological Data Recovery Program Conducted on a Portion of Prehistoric Site CA-SCL-851 'Utthin Širkeewis Tcitra 'Irekmatka [Two Black Obsidian Rocks Site] (P-43-001594), Located at 2298 S. 1st Street and Tully Road, City of San Jose, Santa Clara County, California.* Report prepared for the City of San Jose Planning Department, San Jose, Ca.

Leventhal, Alan, Briann DeOrnalles, Leslie Hoefert, Amanda Jorgenson, Rosemary Cambra, Monica V. Arellano, Sheila Guzman-Schmidt, Gloria E. Gomez, Charlene Nijmeh, and Arnold Sanchez

2020 *Report on the Burial and Archaeological Data Recovery Program, Analysis and AMS Dating of Ancestral Muwekma Ohlone Human Remains Recovered from the Táareš Tunnešte 'Ullaaštak Chitcomini Šaro-tka (Place of the Man Buried on a Bed of Blue Mussel Shells Site, CA-SCL-967) Located at 6055 Guadalupe Mines Road, City of San Jose, Santa Clara County, California..* Report prepared for Mr. Steve Saray and John McCann Developer, NEXGEN Builders Inc., 225 Demeter St., East Palo Alto, CA., 94303

Leventhal, Alan, Lorraine Escobar, Hank Alvarez, Dottie Lameira, Dolores Sanchez, Enos Sanchez, Robert Sanchez, Sr., and Lawrence Thompson, Sr.

1995 *Historical and Genealogical Information on the Muwekma Ohlone Lineages that Descend from the Aboriginal Tribes of the Greater San Francisco Bay and from the Historic Indian Rancherias that Comprised the Verona Band.* Documents submitted to the Branch of Acknowledgment and Research, Bureau of Indian Affairs, Department of the Interior. Washington, D.C.

Leventhal, Alan, Les Field, Hank Alvarez, and Rosemary Cambra

## References Cited:

### *Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H*

- 1994 The Ohlone: Back From Extinction. In, The Ohlone: Past and Present Native Americans of the San Francisco Bay Region, edited by Lowell Bean. *Ballena Press Anthropological Papers* No. 42.
- Leventhal, Alan, Lynn Ferris, Diane DiGiuseppe, David Grant, Melynda Atwood, Susan Morley, Rosemary Cambra, Les Field, Charlene Nijmeh, Monica V. Arellano, Susanne Rodriguez, Sheila Guzman-Schmidt, Gloria E. Gomez, and Norma Sanchez.
- 2012 *Report on the Reanalysis and AMS Dating of a Burial Recovered from the Tupiun Táareštak Site [Place of the Fox Man] (CA-SCL-894/California Fox Theatre) Located in the City of San Jose, Santa Clara County, California.* Report prepared for the City of San Jose, Muwekma Ohlone Tribe and College of Social Sciences Foundation. Report on file at San Jose State University and Northwest Archaeological Information Center, Sonoma State University
- Leventhal, Alan,, Nicholas Lara, Arianna Heathcote, Hannah Harrison, and Jazmin Alexander Diane DiGiuseppe, David Grant, Rosemary Cambra, Charlene Nijmeh, Monica V. Arellano, Sheila Guzman-Schmidt, and Gloria E. Gomez.
- 2019 *Report on the Archaeological Data Recovery Program, Analysis and AMS Dating of the 'Írek Šaro 'Ayttakiš (Fossil [Stone] Shell Woman Recovered from the 'Írek Šarotka [Place of the Fossil Shell Site], CA-SCL-314 Located at 1549 Fleming Avenue, City of San Jose, Santa Clara County California.* Report prepared for the Department of Anthropology, San Jose State University, Ca.
- Leventhal, Alan, Emily McDaniel, Diane DiGiuseppe, Melynda Atwood, David Grant, Colin Jaramillo Rosemary Cambra, Monica V. Arellano, Sheila Guzman-Schmidt, Gloria E. Gomez, and Norma Sanchez
- 2014 *Final Report on the Burial and Archaeological Data Recovery Program Conducted on a Portion of an Early Bay Period Ohlone Indian Cemetery, Loškowiš 'Awweš Táareštak [White Salt Man Site] (CA-SMA-267) Located at 1416 Bay Road, East Palo Alto, San Mateo County, California.* Report Prepared for Sanitation District, City of East Palo Alto. Report on file at San Jose State University and Northwest Archaeological Information Center, Sonoma State University
- Leventhal, Alan, Emily McDaniel, Melynda Atwood, Diane DiGiuseppe, David Grant, Colin Jaramillo, Rosemary Cambra, Charlene Nijmeh, Monica V. Arellano, Sheila Guzman-Schmidt, Gloria E. Arellano Gomez, Les Field, Dottie Galvan Lameira, Hank Alvarez, Jessica Veikune and Norma Sanchez
- 2015 *Final Report on the Burial and Archaeological Data Recovery Program Conducted on a Portion of Thámien Rúmmeytak [Guadalupe River Site], (CA-SCL-128/Hyatt Place Hotel) Located in Downtown San Jose, Santa Clara County, California.* Report Prepared for DiNapoli Construction Hyatt Place Hotel by Muwekma Ohlone Tribe of the San Francisco Bay Area Ohlone Families Consulting Services. On file at San Jose State University and Northwest Archaeological Information Center, Sonoma State University

Levy, Richard

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1976 *Costanoan Internal Relationships*. Contributions of the Archaeological Research Facility, Department of Anthropology, University of California. Berkeley.
- 1978 Costanoan. In *Handbook of North American Indians, Vol. 8, California*, edited by Robert F. Heizer, pp. 485-495. Smithsonian Institution. Washington.
- Lewis, Henry T.  
1973 *Patterns of Indian Burning in California: Ecology and Ethnohistory*. Ballena Press Anthropological Papers 1:1-101. Ramona, California.
- Lightfoot, Kent G.  
2007 *Indians, Missionaries, and Merchants*. University of California Press. Berkeley.
- Lightfoot, Kent G. and Otis Parrish  
2009 *California Indians and their Environment: An Introduction*. University of California Press, Berkeley.
- Lipps, Oscar H.  
1930 *Letter from Sacramento Superintendent Oscar Lipps to Assistant Indian Commissioner J. Scattergood dated June 30, 1931*. Roseberg Files, RG 75: the 1907-1939 Bureau of Indian Affairs Classified Files. National Archives, Washington, D.C.
- Loeb, Edwin M.  
1932 Western Kuksu Cult. *University of California Publications in American Archaeology and Ethnology* 33(1):1-137. Berkeley  
  
1933 Eastern Kuksu Cult. *University of California Publications in American Archaeology and Ethnology* 33(2):139-232. Berkeley
- Luby, Edward  
1991 Social Organization and Symbolism at the Patterson Mound Site, CA-ALA-328, Alameda County, California. *California Anthropologist* 18(2):45-52.
- Mabie, Elisabeth  
2015 The Temporal Dating and Analysis of the Archaeological Assemblage Recovered from a Portion of Prehistoric Site, 'Arma 'Ayttakiš Rúmmey-tak (Place of the Spirit Woman Spring) CA-SCL-125. Master's Thesis, Department of Anthropology, SJSU.
- Maddox, Deborah  
1996 *Letter to Rosemary Cambra, Chairwoman of the Muwekma Ohlone Tribe Regarding Formal Determination of "Previous Unambiguous Federal Recognition" under 25 CFR 83.8. Letter dated May 24, 1996*. On file Muwekma Tribal Office and Department of Interior, BIA, Office of Federal Acknowledgment, Washington, DC.
- Marcus, George E. and Fischer, Michael M. J.  
1986 *Anthropology as Cultural Critique*. University of Chicago Press. Chicago.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

Margolin, Malcolm

- 1989 [1978] *The Ohlone Way: Indian Life in the San Francisco-Monterey Bay Area*. Heyday Books. Berkeley.

Marine, Dario

- 1965 *Marine Family History Notes: Interview with Dario Marine about the Ohlone Cemetery*. Notes transcribed by Philip Galvan. On file at the Muwekma Tribal office, San Jose, California

Mason, John Alden

- 1912 The Ethnology of the Salinan Indians. *University of California Publications in American Archaeology and Ethnology* 10(4): 97-240. Berkeley.
- 1916 The Mutsun Dialect of Costanoan Based on the Vocabulary of de la Cuesta. *University of California Publications in American Archaeology and Ethnology* 11(7): 399-472. Berkeley.
- 1918 The Language of the Salinan Indians. *University of California Publications in American Archaeology and Ethnology* 14(1):1-154. Berkeley.

Mayfield, D.W.

- 1978 *Ecology of the Pre-Spanish San Francisco Bay Area*. Unpublished Master's Thesis, Department of Geography, San Francisco State University.
- 1980 Ecology of a Discovered Land. *Pacific Discovery* 33(5): 12-20. California Academy of Sciences. San Francisco.

McCarthy, Francis C.

- 1958 *History of Mission San Jose, California 1797-1835*. Academy Library Guild. Fresno.

McDaniel, Emily, Alan Leventhal, Diane DiGiuseppe, Melynda Atwood, David Grant, Rosemary Cambra, Charlene Nijmeh, Monica V. Arellano, Sheila Guzman-Schmidt, Gloria E. Gomez, and Norma Sanchez

- 2012 *Final Report on the Archaeological Field Work Conducted on a Portion of the Kirišmin 'ayye Sokôte Tápporikmatka [Place of Yerba Buena and Laurel Trees Site] CA-SCL-895 (Blauer Ranch) Located within the Evergreen Valley District, San Jose, Santa Clara County, Ca.* Report prepared for the Department of Anthropology and the Muwekma Ohlone Tribe of the San Francisco Bay Area.

Merriam, C. Hart

- 1902-1930 *Mewuk (Sierra Miwok) and Miwok (Plains Miwok) Tribes and Villages*. Manuscript on file at the University of California, Bancroft Library, C. Hart Merriam Collection. Berkeley.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1934 Photographs of Jose Guzman, Niles and Morrison Canyon, 1934. On file at the University of California, Berkeley and Muwekma Ohlone Tribal office.
- 1955 *Studies of California Indians*. Edited by the Staff of the Department of Anthropology of the University of California. University of California Press.
- 1967 Ethnographic Notes on California Indian Tribes, III: Central California Indian Tribes, Robert Heizer, ed. *University of California Archaeological Survey Reports* 68(3). Berkeley.

Miller, Larisa K.

- 2013 The Secret Treaties with California's Indians. *Prologue Magazine*, Fall/Winter.

Milliken, Randall T.

- 1978 Ethnohistory of the Lower Napa Valley. In, *Report of Archaeological Excavations at the River Glen Site (CA-NAP-261)*, pp. 2.1-2.43, Thomas Jackson, editor. U.S. Army Corps of Engineers, San Francisco District
- 1979 Ethnohistory of the Huchium. In, Peter Banks and Robert Orlins, Final Report of the Testing of Cultural Resources within the Wildcat and San Pablo Creeks Flood Control and Water Resources Project, Contra Costa County, California. Report submitted to the US Army Corps of Engineers, San Francisco District.
- 1982 An Ethnographic Study of the Clayton area, Contra Costa County, California. In, *Cultural Resource Evaluation of Keller Ranch, Clayton, California*, by Miley Holman and Matthew Clarke.
- 1983 *The Spatial Organization of Human Population On Central California's San Francisco Peninsula at the Spanish Arrival*. Unpublished Master's Thesis, Interdisciplinary Studies: Cultural Resources Management Sonoma State University.
- 1990 *Ethnogeography and Ethnohistory of the Big Sur District, California State Park System During the 1770-1810 Time Period*. Report submitted to the Department of Parks and Recreation, Sacramento, Ca.
- 1991 *An Ethnohistory of the Indian People of the San Francisco Bay Area from 1770-1810*. Ph.D. dissertation, Department of Anthropology, University of California, Berkeley.
- 1993 Historic Overview of the San Felipe Sink Area (Part 1) and Native Peoples (Part 2). Chapters in *Archaeological Test Excavations at Fourteen Sites Along Highways 101 and 152, Santa Clara and San Benito Counties, California*, Vol., 2: History, Ethnohistory, and Historic Archaeology. Far Western Anthropological Research Group. Report submitted to CALTRANS District 4, Oakland.
- 1994 The Costanoan-Yokuts Language Boundary in the Contact Period. In, *The Ohlone: Past and Present Native Americans of the San Francisco Bay Region*, edited by Lowell Bean. *Ballena Press Anthropological Papers* No. 42.



**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1995a *A Time of Little Choice: The Disintegration of Tribal culture in the San Francisco Bay Area 1769-1810*. Menlo Park: Ballena Press.
- 1995b *Indians Listed in Mission Santa Clara Baptismal Register 1777 to 1849*. Santa Clara Valley Transportation Agency Tasman Light Rail Project..
- 2004 The Ohlone People of the Santa Clara Valley in the 1770s. In *Archaeological Investigations at CA-SCL-690, Tamien Station*. Mark Hylkema, editor. Caltrans, District 4.
- 2007 The Ohlone People of the Santa Clara Valley in the 1770s. In *Santa Clara Valley Prehistory: Archaeological Investigations at CA-SCL-690, Tamien Station*. Mark Hylkema, editor. Center for Archaeological Research at Davis Publication No. 15.
- 2008 *Native Americans at Mission San Jose*. Malki-Ballena Press. Banning. Ca.
- Milliken, Randall T., and James A. Bennyhoff  
1993 *Temporal Changes in Beads as Prehistoric California Grave Goods*. In, *There Grows a Green Tree: Papers in Honor of David A. Fredrickson*. M. Basgall, W. Hildebrandt, P. Mikkelsen, and G. White, editors. Center for Archaeological Research at Davis Publication No. 11:381-395.
- Milliken, Randall. T., Alan Leventhal, and Rosemary Cambra  
1987 *Interpretive Recommendations and Background Report for the Coyote Hills Museum*. Submitted to the East Bay regional Park District, Oakland.
- Milliken, Randall, Fitzgerald, Richard T., Hylkema, Mark G., Groza, Randy, Origer, Tom, Bieling, David G., Leventhal, Alan, Wiberg, Randy S., Gottsfield, Andrew, Gillette, Donna, Bellifemine, Viviana, Strother, Eric, Cartier, Robert, and Fredrickson, David.  
2007 *Punctuated Culture Change in the San Francisco Bay Area*. In: *California Prehistory: Colonization, Culture and Complexity*. Edited by Terry L. Jones and Kathryn A. Klar. AltaMira Press.
- Milliken, Randall, Lawrence H. Shoup and Beverly R. Ortiz  
2009 *Ohlone/Costanoan Indians of the San Francisco Peninsula and their Neighbors, Yesterday and Today*. Report prepared for the National Park Service Golden Gate National Recreation Area, San Francisco, California
- Mission San Jose Baptismal Records  
1797-1859 Mission San Jose *Libro de Bautismos*. Archives of the Archdiocese of San Francisco, Mountain View, California.
- Monroy, Douglas  
1990 *Thrown Among Strangers*. University of California Press, Berkeley.
- Moratto, Michael J.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1984 *California Archaeology*. Academic Press, New York.
- Olsen, Nancy, Alan Leventhal, and Rosemary Cambra
- 1985 A Brief Ethnohistory and Genealogy of the Muwekma Mission San Jose and Pleasanton Rancheria Ohlone Families. In, *Results of an Archaeological Testing Program at CA-ALA-343*, edited by Jeff Hall. Report on file, Department of Anthropology, San Jose State University. San Jose.
- Ortiz, Beverly
- 1994a Chochenyo and Rumsen Narrative: A Comparison. In *The Ohlone: Past and Present Native Americans of the San Francisco Bay Region* edited by Lowell Bean. *Ballena Press Anthropological Papers* No. 42.
- 1994b Sacred Geography of the Los Vaqueros Project Area. *Native American History of the Los Vaqueros Project Area, Alameda and Contra Costa Counties, California*. Report prepared for the Contra Costa Waster District, Concord, CA.
- Panich, Lee M.
- 2015 “Sometimes they Bury the Deceased’s Clothes and Trinkets’: Indigenous Mortuary Practices at Mission Santa Clara de Assis.” *Historical Archaeology* 49(4): 110-29.
- 2018 “Death and Mourning, and Accomodation in the Missions of Alta California.” In *Franciscans and American Indians in Pan-Boardlands Perspective: Adaptation, Negotiation, and Resistance*, edited by Jeffrey M. Burns and Timothy J. Johnson, 251-64. Oceanside, California: American Acadamy of Franciscan History.
- 2020 *Narratives of Persistence: Indigenous Negotiations of Colonialism in Alta and Baja California*. University of Arizona Press, Tucson.
- Phillips, G.H.
- 1981 *The Enduring Struggle: Indians in California History*. Boyd and Fraser. San Francisco.
- Platt, Tony
- 2011 *Grave Matters: Excavating California’s Buried Past*. Heyday Press.
- Pombo, Richard W.
- 2005 Letter dated June 30, 2005 from Congressman Richard Pombo, Chairman of the House Resources Committee to Secretary of Interior Gale A. Norton Requesting Settlement Opportunities with the Muwekma Ohlone Tribe Relative to the Tribe’s Lawsuit Against the DOI. Letter on file Muwekma Tribal Office and DOI, Washington, DC.
- Powell, John W.

**References Cited:**  
***Clareño Muwékma Ya Túnneshé Nómmo CA-SCL-30/H***

- 1877 Linguistics. In Appendix to Stephen Powers, Tribes of California. *Contributions to North American Ethnography* 3:439-613. Washington: U.S. Geographical and Sociological Survey of the Rocky Mountain Region.
- Powers, Stephen  
1877 Tribes of California. *Contributions to North American Ethnography* 3. Washington: U.S. Geographical and Sociological Survey of the Rocky Mountain Region.
- Priestley, Hebert I.  
1920 Franciscan Exploration of California. *The Catholic Historical Review*, Vol. 6, No. 2 July, 1920:139-155. Catholic University of America Press
- Rappaport, Joanne  
1990 *The Politics of Memory: Native Historical Interpretations in the Colombian Andes*. Cambridge: Cambridge University Press.
- Rawls, James J.  
1986 *Indians of California: The Changing Image*. University of Oklahoma Press, Norman.
- Sanborn Fire Insurance Company  
1884 Map of the City of San Jose.  
1891 Map of the City of San Jose.  
1915 Map of the City of San Jose.
- Sandoval, John  
nd A Century of Mission San Jose in the East Bay. *Hayward Historical Society, No. 12*.
- San Jose Map:  
nd Memorabilia of San Jose. City of San Jose 1892 Survey Map of City of San Jose and Surrounding Areas.
- Sarris, Greg  
1993 *Keeping Slug Woman Alive*. University of California Press. Berkeley
- Sawyer, Eugene T.  
1922 *History of Santa Clara County, California*. Historic Record Company. Los Angeles, California.
- Service, Elman  
1962 *Primitive Social Organization: An Evolutionary Perspective*. New York: Random House.  
  
1975 *Origins of the State and Civilization: The Process of Cultural Evolution*. New York: Norton.  
  
1978 *Profiles in Ethnology*. Harper and Row Company. New York.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

Shanks, Ralph and Shanks, Lisa Woo

- 2006 *Indian Baskets of Central California: Art, Culture and History*. Costaño Books/MAPOM Publication Number 8.

Skowronek, R.K. and Graham, M.A.

- 2004 *Discovering Santa Clara University's Prehistoric Past: CA-SCL-755*. Research Manuscript Series on the Cultural and Natural History of Santa Clara. Department of Anthropology and Sociology at Santa Clara University: Santa Clara.

Slagle, Allogan, Leventhal, Alan, Field, Les, and Hampton, Neil

- 1995 *The Muwekma Tribe of Costanoan/Ohlone Indians: Petition for Status Clarification, or Federal Acknowledgment*. Prepared for Submission to the United States Department of Interior, Bureau of Indian Affairs. On file with the Muwekma Ohlone Tribe and Branch of Acknowledgment and Research, BIA. Washington, D.C.

Slagle, Allogan, with assistance by Alan Leventhal

- 1996 *Unfinished Justice II: A Study of Common and Particular California Indian Historical Factors and Conditions*. Report submitted to the Advisory Council on California Indian Policy, Sacramento. (Report forwarded to US Congress as mandated under HR 2144 [1992]).

Smith, Emma

1923. *Recollections of a Pioneer Mother Mary Ann Harlan Smith*. In, *Grizzly Bear May 1923 [History of George Harlan. Ms #852]*. Oakland Public Library California Room.

Spearman, A. D. S.J.

- 1963 *The Five Franciscan Churches of Mission Santa Clara: 1777 to 1825*. The National Press, Palo Alto, Ca.

Spier, Robert F.G.

- 1978 Foothill Yokuts. In, R.F. Heizer, ed., *Handbook of North American Indians*, Vol. 8, California. Washington, D.C., Smithsonian Institution.

Starek, Gerald

- 2013 *The Temporal Dating and Analysis of the Archaeological Assemblage Recovered from a Portion of Prehistoric Site, "Satos Rini Rumaytak" (At the Hill Above the River Site) CA-SCR-12*. Master's Project, Department of Anthropology, San Jose State University.

Stewart, Omar

- 1978 *Litigation and Its Effects*. In, *Handbook of North American Indians*, Vol. 8:705-712, California. R. F. Heizer, editor Smithsonian Institution. Washington, D.C.

Thompson, Stith

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1966 *Tales of the North American Indians*. Indiana University Press.
- Thompson and West  
1876 *Historical Atlas Map of Santa Clara County*. Thompson and West. San Francisco.
- Trafzer, Clifford E. and Joel R. Hyer  
1999 *Exterminate Them: Written Accounts of the Murder, Rape, and Enslavement of Native Americans during the California Gold Rush*. Michigan State University Press.
- Urbina, Richardo (Justice)  
2000-2002 *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). **Muwékma Ohlone Tribe v. Bruce Babbitt, Secretary of Interior, et. al.** U.S. District Court, Washington, DC.
- USGS  
1968 Topographic Map of San Jose East 7.5" Quadrant.  
  
1980 Revised Topographic Maps of San Jose West and San Jose East 7.5" Quadrants.
- Vayda, Andrew P.  
1967 Pomo Trade Feasts. In *Tribal and Peasant Economies: Readings in Economic Anthropology*; pp. 494-500. Edited by George Dalton, Published for the American Museum of Natural History. The Natural History Press. Garden City, New York.
- Walkinsaw, Robert  
1852 *Statement of Petitioner Robert Walkinsaw, March 23, 1852*. Land Case 410 ND. On file at the Bancroft Library, University of California. Berkeley.
- Wallace, Edith  
1978 Sexual Status and Role Differences. In, *Handbook of North American Indians*. Vol. 8, pp. 690-693, California. Robert F. Heizer, editor. Smithsonian Institution, Washington, DC.
- Walton, Reginald B. (Justice)  
2006 U.S. District Court Justice, Reginald B. Walton in **Muwékma Ohlone Tribe, v. Dirk Kempthorne, Secretary of the Interior, et al.**, Civil Action No. 03-1231 (RBW). September 21, 2006. U.S. District Court, Washington, DC.
- Weber, David J.  
1992 *The Spanish Frontier in North America*. Yale University Press. New Haven.
- Wiberg, R. S.  
1988 *The Santa Rita Village Mortuary Complex (CA-ALA-413) Evidence and Implications of a Meganos Intrusion*, Archives of California Prehistory 18. Coyote Press. Salinas.
- Weigal, Larry E.

**References Cited:**  
***Clareño Muwékma Ya Túnnešte Nómmo CA-SCL-30/H***

- 1993 Prehistoric Burning in Northwestern. In, *There Grows a Tree: Papers in Honor of David A. Fredrickson*, edited by Gregory G. White, Patricia Mikkelsen, William R. Hildebrandt, and Mark E. Basgall, 237-242. Center for Archaeological Research at Davis no. 11. University of California, Davis.

Winter, Joseph C.

- 1978a *Archaeological Investigations at Ca-SCL-128: The Holiday Inn Site*. Report prepared for the Redevelopment Agency of the City of San Jose.

- 1978b *Tamien: 6000 Years in an American City*. Report to the City of San Jose Redevelopment Agency. San Jose.

Wood, M.W.

- 1883 *History of Alameda County, California*. Published by M. W. Wood, Oakland.

**Letter 9            Muwekma Ohlone Indian Tribe**  
**July 11, 2022**

**Response 9-1**

The commenter states that they reviewed sensitivity maps and determined there are no specifically known or recorded ancestral heritage sites within the Proposed Master Plan Area. However, there are major and significant ancestral cemetery sites that have been recorded within the nearby region. As a result, there are possibility of potential impacts to undisturbed tribal cultural resources. As discussed in Section 3.5, Cultural Resources, impacts to cultural resources are potentially significant. Mitigation Measures MM CUL-1 and MM CUL-2, which requires the retention of an archaeologist, or implementation of a mitigation plan if resources are discovered, would reduce impacts to a less than significant level.



First Name	Last Name	Affiliation	Please comment below
Darlene	Ebeling	NOP	<p>I attended your meeting on 7/19/2022 and would like to confirm if my name was added to your mail list to receive updated information on this plan. I also have a pressing question for you as I live on Castleton Way directly behind the property which will be used for the school build. My question centers around the following,</p> <p>"in the past we've had a Mr. Peter Auth of SCUSD, Facilities, maintain not only the lawn for the 'soccer field' but trimming or cutting down trees, bush, and dry debris to clear and remove it between our Wooden fences on our Sunnyvale Property to the cyclone fences. There are two such cyclone fences. One is a few feet from our Wooden fences, then there's a pathway around the 'soccer field' to the 'track and field' area which leads to the 'Farm'. This section stopped being maintained since the 'soccer field' contract expired; other than mowing down the dead grass of that field. My direct neighbor's fence is falling into her yard due to a large messy tree that resides on the Santa Clara side between her wooden fence and that first Cyclone fence. I don't know if she needs to give you permission or not to cut that tree down. I would like the tree cut down but, IF NOT, then severely trimmed as the lack of trimming is causing a pest and mess hazard for my yard and my in ground swimming pool. In the past few weeks I've tried to contact Peter Auth and his boss, 'James' with NO replies returned to me.</p> <p>I know this is not necessarily your problem; however, my concern is that when your work begins there will be far less consideration of these homes on Castleton Way getting the trees, bushes, dry debris and trash removed behind our wooden fences. Can you bring this matter to the attention immediately to someone before your work begins?</p> <p>When your work begins, I am also concerned about the extent of work coming in 'close proximity' to our Sunnyvale home wooden fences. Can you specifically tell us whether your work would NOT extend beyond not the first but the second Cyclone fence as I can only dreadfully imagine the amount of dirt, dust, and debris which we, in particular, will have in our yards and swimming pools. There are about 3 homes on Castleton Way with pools. As you know, we're in a drought and we CANNOT empty and re-fill our pools without a major hardship and expense to us not including the water usage expense by the City of Sunnyvale. I've already had to do this ONCE due to the debris coming from the current situation. I can send you the Invoices for both the Cleaning of the Pool and the City of Sunnyvale Water Bill to empty and refill a 30,000 gallon pool. Will you be picking up the cost of airborne branches, debris, and possible damage due to ground squirrels and other pests who are already damaging concrete surrounding our pools and our yards? Ground squirrel damage was an inherent problem for the current buildings on your property which Peter Auth told me about but with your construction you'll be sending these rodents and pests directly into our yards. What is your proactive and preventative measures to handle this "environmental" hazard and damage from our yards including our swimming pools? Please add this information to your list of environmental concerns for the report you mentioned during your 7/15/2022 meeting.</p>

**Letter 10**      **Darlene Ebeling**  
**July 25, 2022**

**Response 10-1**

The commenter expresses concern over the potential damage from debris and pests during construction.

Construction debris and pests are not considered a CEQA impact. Please see Master Response No. 1 – General Comments and Non-CEQA Issues. However, as described on page 3.7-14, grading and tree removal activities would increase the potential for soil erosion during and after project construction, which may increase dirt and dust. It is possible that existing soil conditions may require the excavation and export of soil from the Plan Area during construction. Although the Project could result in the loss of topsoil, the excavated areas would either be filled with imported soil materials or covered with landscaping, pavement, buildings, or artificial turf, which would prevent substantial erosion. As discussed in Section 3.3, Air Quality, peak average daily emissions, including fugitive dust generated during the construction of the Proposed Master Plan would not exceed the BAAQMD construction emission thresholds.

Standard erosion control and grading best management practices (BMPs) will be incorporated in the project and implemented during construction to prevent substantial erosion from occurring during development of the site. The potential for erosion would be further reduced with implementation of the proposed dust control and water quality BMPs. Therefore, impacts related to dust and dirt would be less than significant.

Timestamp	First Name	Last Name	Affiliation	Please Comment Below
7/27/2022 8:43:11 AM	Susan	Sandstrom	Neighbor and Laurelwood Parent	<p>I have several concerns (enumerated below) about the planned Peterson Multipurpose Field, which is part of Phase 2 of the Master Plan, and the impact that that playing field will have on my family and my neighbors who live next to that proposed field. That field is planned for the area near the townhomes on Castleton Terrace.</p> <p>(1) Adding bright overhead lights to the Peterson Multipurpose Field (or any playing field on the Peterson/Laurelwood campus) will be very disruptive to the neighbors living next to those lighted playing fields. The bright lights and noise from nighttime games will be intrusive to people living there and will disrupt the peace and quiet that those neighbors are accustomed to at night. Noise reverberates up Sage Hen Way from the former soccer field, and neighbors living as far away as Bryant Way have heard noise from daytime soccer games. If there are nighttime baseball or other games, the noise from those games will disrupt much of the surrounding neighborhood, not just the immediate neighbors, but immediate neighbors will suffer the worst effects of the lighted playing fields. People do not want to hear noisy nighttime games or see bright lights when they are in their homes resting, relaxing, or trying to put young kids or themselves to sleep. Light pollution from the lighted fields will negatively affect the neighbors' health and quality of life, and the presence of ballfield lights will reduce their property values. Light pollution from lighted fields might also negatively impact and harm birds and other wildlife in the area and might disrupt the Peterson Nature Center, particularly the many ducks that fly in to the Nature Center at dusk. Please, please NO lighted fields! They are incompatible with the existing residential neighborhood setting. The neighbors do NOT want playing fields that are lighted.</p> <p>(2) Please consider using natural grass rather than synthetic turf on the Peterson Multipurpose Field—and on all playing fields—for health and environmental reasons. The existing natural fields where the proposed Peterson Multipurpose Field and Peterson Track &amp; Field will be located are habitat to native bird species, including:</p> <ul style="list-style-type: none"> <li>- Killdeer (<i>Charadrius vociferus</i>), which nest and feed on the fields</li> <li>- Western Bluebirds (<i>Sialia mexicana</i>), which feed on insects above the fields and nest in tree cavities along the perimeter of the fields</li> <li>- Black Phoebe (<i>Sayornis nigricans</i>), which feed on insects above the fields</li> <li>- Cliff Swallows (<i>Petrochelidon pyrrhonota</i>), which feed on insects above the fields upon their arrival here from their wintering grounds in South America in the late spring. Removing the natural grass and replacing it with synthetic turf will ruin the birds' habitat and destroy biodiversity.</li> </ul> <p>Also, synthetic turf traps heat and can heat up to dangerously hot levels (<a href="https://www.safehealthyplayingfields.org/heat-levels-synthetic-turf#">https://www.safehealthyplayingfields.org/heat-levels-synthetic-turf#</a>). This is not healthy for kids playing on it and is not good for the environment (possibly harming or killing adjacent trees).</p>

Timestamp	First Name	Last Name	Affiliation	Please Comment Below
				<p>There is also concern about kids' exposure to toxic chemicals found in recycled tire crumb rubber used in synthetic turf on playing fields (<a href="https://www.ewg.org/news-insights/news/new-studies-show-pfas-artificial-grass-blades-and-backing">https://www.ewg.org/news-insights/news/new-studies-show-pfas-artificial-grass-blades-and-backing</a> and <a href="https://www.epa.gov/chemical-research/july-2019-report-tire-crumb-rubber-characterization-0">https://www.epa.gov/chemical-research/july-2019-report-tire-crumb-rubber-characterization-0</a>).</p> <p>Please keep the fields natural. Consider irrigating with recycled water. Maybe you could work with the City of Sunnyvale to develop an innovative way for them to deliver recycled water to irrigate the playing fields, hence keeping the playing fields natural and safe for kids while limiting water consumption and cutting water costs.</p> <p>(3) Where will the spectators for the Peterson Multipurpose Field park? The multipurpose field is far from any of the planned parking lots. Not having adjacent parking nearby the field might cause people to park in the nearby private parking lot of the townhome complex and in front of people's homes on Sage Hen and Castleton Way. Maybe you could put a parking lot in the empty space between the multipurpose field and the planned "Field with Running Path" and have a road leading out to Teal Drive? That parking lot could serve the multipurpose field and the new track &amp; field.</p> <p>(4) Where will spectators for the multipurpose field sit? Will you be adding bleachers next to the multipurpose field? Consider the impact of bleachers and their placement on the neighboring homes' privacy and on neighborhood noise levels.</p> <p>(5) Fly balls and home runs from the multipurpose field's proposed baseball diamonds have the potential to damage property (parked cars, windows) close to the baseball diamonds. Please situate the backstop of the baseball diamond that is closest to the nearby townhomes on Castleton Terrace so that it points away from those homes, not toward those homes.</p>
7/28/2022 4:27:48 PM	Roger	Riffenburgh	Neighbor	<p>Currently there is a severe traffic congestion point at the exit from the Peterson parking lot onto Bryant Way. During school arrival and departure periods, vehicles exiting from the parking lot contend with busy student pedestrian traffic and with traffic from the adjacent Roadrunner Terrace.</p> <p>The proposed Master Plan would move the vehicle entry point to the dropoff/parking lot to be right beside the exit. It appears to me that this would make the congestion even worse.</p> <p>This proposal would probably also subject neighbors across the fence to increased traffic noise and air pollution.</p> <p>Roger Riffenburgh</p>

2

3

4

5

**Letter 11**            **Susan Sandstrom**  
**July 27, 2022**

**Response 11-1**

The commenter expresses concern over the overhead lights proposed for the Peterson Multipurpose Fields, as well as noise from evening games, and their impacts to adjacent properties.

As described in Section 3.1, Aesthetics, the Proposed Master Plan may include lighting for the athletic fields. Any nighttime lighting would be limited to 10:30pm Sunday through Thursday, and 11:00pm on Friday and Saturday. These lights would increase nighttime lighting in the area, but they would be subject to the California Building Code that requires any lighting to be shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property. This would reduce any potential impacts to adjacent properties to a less than significant level.

As described in Section 3.13, Noise, existing sources of noise consists of roadway noise, HVAC equipment, delivery and trash hauling trucks, and typical noise associated with school environments. School noise operations includes the athletic fields. The Proposed Master Plan does not propose an increase in the number or size of the athletic facilities within the existing campus. As analyzed on page 3.13-21, on-site operational noise would be less than significant.

**Response 11-2**

The commenter requests using natural grass rather than synthetic turf on the Peterson Multipurpose Fields, as it serves as habitat for several species, traps heat, and is a hazardous substance to children.

Please see Master Response No. 1 – General Comments and Non-CEQA Issues. The recommendation that to use natural grass on the Peterson Multipurpose Fields is an opinion related to the Proposed Master Plan and does not relate to the adequacy of the analysis included in the DEIR. The commenter’s statements will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Master Plan.

At this time SCUSD has not identified the material of the Peterson Multipurpose Fields. As analyzed in Section 3.4, Biological Resources, twelve sensitive plant species, and 35 special-status wildlife species were identified as having the potential to occur within the quadrangle in which the Plan Area is located. However, only one species, the burrowing owl (*Athene cunicularia*), has been identified as having occurred within the surrounding area. The Plan Area is located within an existing urban environment, surrounded by residential development that is suburban in nature. The Plan Area itself is highly disturbed. While the potential for the Proposed Master Plan to impact special status species is low, impacts were determined to be potentially significant. Mitigation Measures MM BIO-1, which avoids disturbance of nesting and special-

status birds, would reduce any potential direct and indirect impacts to protected nesting birds. As a result, impacts to biological resources would be less than significant without the use of synthetic turf.

As analyzed in Section 3.9, Hazards and Hazardous Materials, the Plan Area would remain an operating school site, and therefore would not expose students or the surrounding community to hazardous materials.

**Response 11-3**

The commenter asks where the spectators for the Peterson Multipurpose Field will park and expresses concern that attendees would park in the adjacent private parking lot and along Sage Hen and Castleton Way. The commenter recommends putting a parking lot in the empty space between the multipurpose field and the planned “Field with Running Path” and have a road leading out to Teal Drive.

Please see Master Response No. 1 – General Comments and Non-CEQA Issues. The recommendation of adding an extra parking lot expresses an opinion related to the Proposed Master Plan and does not relate to the adequacy of the analysis included in the DEIR. The commenter’s statements will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Master Plan.

The Proposed Master Plan aims to provide better access to the fields and aquatic center from the parking lots. After considering different configurations it was determined that parking was best suited to be reorganized and expanded to the east side of Peterson Middle School. To provide greater access to the fields, parking extends southwards, and the tennis courts will be moved to the north of the site. As a result, it is anticipated that sufficient parking will be provided to the athletic facilities.

**Response 11-4**

The commenter asks where the spectators for the Peterson Multipurpose Field will sit and expresses concerns that bleachers may impact the adjacent residential neighborhoods’ privacy and noise levels.

At this time, no bleachers are included in the design of the Multipurpose Field. Please see Master Response No. 1 – General Comments and Non-CEQA Issues. The recommendation to consider the placement of bleachers to minimize noise and privacy concerns expresses an opinion related to the Proposed Master Plan and does not relate to the adequacy of the analysis included in the DEIR. The commenter’s statements will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Master Plan.

**Response 11-5**

The commenter expresses concern regarding fly balls from the Multipurpose Field and potential damage to property. The commenter requests that the proposed baseball diamonds face away from Castleton Terrace.

At this time, the baseball diamonds are proposed to face away from adjacent properties to limit any potential fly ball. Please see Master Response No. 1 – General Comments and Non-CEQA Issues. The recommendation to consider the placement of the baseball diamond expresses an opinion related to the Proposed Master Plan and does not relate to the adequacy of the analysis included in the DEIR. The commenter's statements will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Master Plan.



Timestamp	First Name	Last Name	Affiliation	Please Comment Below
				<p>There is also concern about kids' exposure to toxic chemicals found in recycled tire crumb rubber used in synthetic turf on playing fields (<a href="https://www.ewg.org/news-insights/news/new-studies-show-pfas-artificial-grass-blades-and-backing">https://www.ewg.org/news-insights/news/new-studies-show-pfas-artificial-grass-blades-and-backing</a> and <a href="https://www.epa.gov/chemical-research/july-2019-report-tire-crumb-rubber-characterization-0">https://www.epa.gov/chemical-research/july-2019-report-tire-crumb-rubber-characterization-0</a>).</p> <p>Please keep the fields natural. Consider irrigating with recycled water. Maybe you could work with the City of Sunnyvale to develop an innovative way for them to deliver recycled water to irrigate the playing fields, hence keeping the playing fields natural and safe for kids while limiting water consumption and cutting water costs.</p> <p>(3) Where will the spectators for the Peterson Multipurpose Field park? The multipurpose field is far from any of the planned parking lots. Not having adjacent parking nearby the field might cause people to park in the nearby private parking lot of the townhome complex and in front of people's homes on Sage Hen and Castleton Way. Maybe you could put a parking lot in the empty space between the multipurpose field and the planned "Field with Running Path" and have a road leading out to Teal Drive? That parking lot could serve the multipurpose field and the new track &amp; field.</p> <p>(4) Where will spectators for the multipurpose field sit? Will you be adding bleachers next to the multipurpose field? Consider the impact of bleachers and their placement on the neighboring homes' privacy and on neighborhood noise levels.</p> <p>(5) Fly balls and home runs from the multipurpose field's proposed baseball diamonds have the potential to damage property (parked cars, windows) close to the baseball diamonds. Please situate the backstop of the baseball diamond that is closest to the nearby townhomes on Castleton Terrace so that it points away from those homes, not toward those homes.</p>
7/28/2022 4:27:48 PM	Roger	Riffenburgh	Neighbor	<p>Currently there is a severe traffic congestion point at the exit from the Peterson parking lot onto Bryant Way. During school arrival and departure periods, vehicles exiting from the parking lot contend with busy student pedestrian traffic and with traffic from the adjacent Roadrunner Terrace.</p> <p>The proposed Master Plan would move the vehicle entry point to the dropoff/parking lot to be right beside the exit. It appears to me that this would make the congestion even worse.</p> <p>This proposal would probably also subject neighbors across the fence to increased traffic noise and air pollution.</p> <p>Roger Riffenburgh</p>

**Letter 12**      **Roger Riffenburgh**  
**July 28, 2022**

**Response 12-1**

The commenter expresses concern regarding the severe traffic congestion on Bryant Way at the entrance to the Peterson Middle School. The commenter states that during school arrival and departure periods, vehicles exiting from the parking lot contend with busy student pedestrian traffic and with traffic from the adjacent Roadrunner Terrace. The commenter states that the new vehicle entry point would make congestion worse and subject neighbors to increased traffic, noise, and air pollution.

As analyzed in Section 3.16, Transportation, under the Proposed Master Plan, the maximum student capacity of the planned uses would be approximately 699 fewer students than the baseline uses. As a result, the total number of vehicular trips entering and departing the project vicinity on a daily basis would decline as a result of the proposed changes. All of the Proposed Master Plan uses would be local serving, supportive of residential uses, and a daily activity. The Proposed Master Plan would not significantly alter travel patterns outside of the immediate vicinity of the school sites, and as indicated in the discussion regarding existing and proposed student capacity, overall traffic in the neighborhood would be expected to decline.

Timestamp	First Name	Last Name	Affiliation	Please Comment Below
12/2/2022 12:39:23 PM	Sal	Valente	Laurelwood Resident	<div> <div>The Anticipated Significant Impacts does not address these items traffic flow issues, pedestrian safety issues, controlling trash and blowing dirt. Another item to address, the fact that exit and entry to the site is only on Dunford Way. Is there a possibility to have another entry and exit point on Teal Drive. All these issues need to be taken into consideration and addressed.</div> <div>If I have submitted these comments to the wrong place, please let me know.</div> <div>Thank you, Sal Valente, Sandpiper Court , Sunnyvale</div> </div>

1

2

**Letter 13**      **Sal Valente**  
**December 2, 2022**

**Response 13-1**

The commenter states that the DEIR does not address traffic flow issues, pedestrian safety issues, controlling trash and blowing dirt.

However, revisions to the *State CEQA Guidelines* in 2014, established new criteria for determining the significance of transportation impacts and define alternative metrics for traffic level of service (LOS). In 2016, Senate Bill 743 established vehicle miles traveled (VMT) as the most appropriate measure of transportation impacts. VMT analysis shifts the focus towards impacts caused by the distance traveled by vehicles rather than the localized congestion created by vehicles. The *State CEQA Guidelines* became effective on July 1, 2020. As such, automobile delay as measured by LOS or similar metrics is no longer to be considered a significant environmental impact. As a result, the DEIR does not analyze LOS and congestion impacts.

As described in Section 3.16, Transportation, Impact TRA-1 analyzes impacts to the circulation system as a result of the Proposed Master Plan. At buildout, the Proposed Master Plan facilities would serve a maximum student capacity of 2,621 students, which would be approximately 699 fewer students than the current baseline uses. As a result, the total number of vehicular trips entering and departing the project vicinity on a daily basis would decline as a result of the proposed changes. The Proposed Master Plan would add pedestrian pathways improving safety and access to the schools from the surrounding area.

Trash is not a CEQA impact. Section 3.7, Geology and Soils, analyzes impacts as a result of potential erosion. As the Plan Area has been developed with school uses, and the school's operation would remain the same, the potential for erosion is low. As described on page 3.7-14, grading and tree removal activities would increase the potential for soil erosion during and after project construction. It is possible that existing soil conditions may require the excavation and export of soil from the Plan Area during construction. Although the Project could result in the loss of topsoil, the excavated areas would either be filled with imported soil materials or covered with landscaping, pavement, buildings, or artificial turf, which would prevent substantial erosion.

Standard erosion control and grading best management practices (BMPs) will be incorporated in the Project and implemented during construction to prevent substantial erosion from occurring during development of the site. The potential for erosion would be further reduced with implementation of the proposed dust control and water quality BMPs. Therefore, impacts would be less than significant.

**Response 13-2**

The commenter expresses concern that the exit and entry to the site is only on Dunford Way and requests to have another entry and exit point on Teal Drive.

At this time, the proposed Laurelwood Elementary School would have entry and exit points on both Dunford Way and Teal Drive. However, please see Master Response No. 1 – General Comments and Non-CEQA Issues. The recommendation to consider the entry and exit points expresses an opinion related to the Proposed Master Plan and does not relate to the adequacy of the analysis included in the DEIR. The commenter's statements will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Master Plan.

## 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

---

### 4.1 INTRODUCTION

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with Section 21081.6 of the California Environmental Quality Act (CEQA). It is the intent of this program to: (1) verify satisfaction of the required mitigation measures of the EIR (EIR); (2) provide a methodology to document implementation of the required mitigation measures; (3) provide a record of the Monitoring Program; (4) identify monitoring responsibility; (5) establish administrative procedures for the clearance of mitigation measures; (6) establish the frequency and duration of monitoring; and (7) use existing review processes wherever feasible.

This MMRP describes the procedures that will be used to implement the mitigation measures adopted in connection with the approval of the project and the methods of monitoring such actions. It takes the form of a table identifying the responsible entity and timing for monitoring each mitigation measure.

**Table 4.0-1  
Mitigation Monitoring and Reporting Program Matrix**

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity
<b>Impact – Biological Resources</b>		
<b>MM BIO-1:</b> To avoid disturbance of nesting and special-status birds, including raptorial species protected by the Migratory Bird Treaty Act and California Fish and Game Code, activities related to the Proposed Master Plan, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 31). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than three days prior to initiation of construction activities. The nesting bird pre-construction survey shall be conducted on-foot inside portions of the area proposed for development, including a 50-foot buffer (100-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in northern California. If nests are found, an avoidance buffer shall be demarcated by a qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No parking, storage of materials, or construction activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is complete, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.	Ongoing over the life of the plan as individual projects are proposed	Santa Clara Unified School District
<b>Impact – Cultural Resources</b>		
<b>MM CUL-1:</b> If archaeological resources are encountered during construction or during ground-disturbing activities, work in the immediate area should be halted and the District shall retain an archaeologist meeting the SOI's Professional Qualification Standards for archaeology (National Park Service 1983) immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility.	Ongoing over the life of the plan as individual projects are proposed	Santa Clara Unified School District
<b>MM CUL-2:</b> Unanticipated Discovery of Tribal Cultural Resources. In the event that a cultural resource of Native American origin is identified in the Plan Area during the implementation of MM CUL-1 or during any project-related ground disturbance, the District, as Lead Agency, shall consult with local Native American tribes who have requested notification of projects under AB 52. If the District, in consultation with the local Native American tribe(s), determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with representatives of the Native American tribe(s). The mitigation plan may include but would not be limited to avoidance, capping in place, excavation and removal of the resource, interpretive displays, sensitive area signage, or other mutually agreed upon measures.	Ongoing over the life of the plan as individual projects are proposed	Santa Clara Unified School District



Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity
<b>Impact – Noise</b>		
<p><b>MM NOI-1:</b> The SCUSD shall implement the following strategies to reduce construction noise levels to the maximum extent feasible:</p> <ul style="list-style-type: none"> <li>• Mufflers. Construction equipment shall be properly maintained and all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds, as applicable, shall be in good condition and appropriate for the equipment. During construction, all equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards.</li> <li>• Electrical Power. Electrical power, rather than diesel equipment, shall be used to run compressors and similar power tools and to power any temporary structures, such as construction trailers.</li> <li>• Equipment Staging. All stationary equipment shall be staged as far away from the sensitive receptors as feasible.</li> <li>• Equipment Idling. Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.</li> <li>• Workers' Radios. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near construction activity.</li> <li>• Smart Back-up Alarms. Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction.</li> <li>• Disturbance Coordinator. Designate a disturbance coordinator who shall be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and identify remedies to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction sites.</li> </ul>	Ongoing over the life of the plan as projects are proposed	Santa Clara Unified School District

## **5.0 LIST OF PREPARERS AND PERSONS CONSULTED**

---

This Environmental Impact Report (EIR) was prepared by the Santa Clara Unified School District with the assistance of staff listed below from Impact Sciences, Inc., Albion Environmental, Inc., and Hexagon Transportation Consultants, Inc.

### **5.1 LEAD AGENCY**

#### **Santa Clara Unified School District, Facility Development and Planning Department**

Michal Healy, Facility Development and Planning Director  
Melissa Kersh, Project Manager  
Angeline Ruiz, Facility Development Technician  
Iris Salazar, Facility Development Technician

### **5.2 EIR PREPARERS**

#### **Impact Sciences, Inc. (Environmental)**

John Anderson, Principal-in-Charge  
Lynn Kaufman, CLA, Associate Principal  
Kara Yates Hines, Director of Operations & Publications Manager  
Margaret Lin, Senior Project Manager  
Kay Real, AICP, Planner  
Eleni Getachew, ENV SP, Planner  
Annalie Sarrieddine, Associate Planner

#### **Albion Environmental, Inc. (Cultural)**

Sarah Peelo, PhD, RPA, Lead Investigator  
Brenda Arjona, MA  
Stella D'Oro, MA, RPA

#### **Hexagon Transportation Consultants, Inc. (Traffic)**

Brett Walinski, T.E., Vice President & Principal Associate