



WISHTOYO
CHUMASH FOUNDATION
FIRST NATIONS ECOLOGICAL CONSERVATION ALLIANCE

December 14, 2016

SUBMITTED ELECTRONICALLY AT 4:16 P.M.

Adrian Fernandez
Senior Planner City of Malibu
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VIA E-MAIL

Dear Adrian:

I'm writing to you to express concern with regards to the City of Malibu's Proposed Malibu Memorial Park Project ("Project"), which has the potential to desecrate an area that is already a well-known cemetery site to the ancestral remains of the pre-historical ancestors of Modern Chumash People, their Ancestors.

The area of the "Project" site is not merely known as an "archeologically" significant site and burial site. It is an established cemetery where there are Grandmothers, Aunties, and Uncles, and children who have a human right to be undisturbed and taken care of by their descendants. They are family and are referenced as less than human by using scientific terms that make it okay to desecrate the ancestor's graves. How is that a negative impact?

"Capping" the "Project" site at CA-LAN-266 is not a solution to the potential problem. The fact that the proposed "Project" both acknowledges the cultural sensitivity of the site and at the same time intends to bury the modern day dead of non-Chumash people over the ancestors who are already buried there, is highly problematic on a Human Rights level and on a scientific procedural level. First, as was previously stated, there are already Human Beings buried in an established historic graveyard. This area is also a known pre-historic settlement, burial grounds and a significant ceremonial site.

While I appreciate the idea of "capping" the site at CA-LAN-266 as a measure to "reduce the potential for impacts" to this known cemetery and sacred ceremonial site. I propose that you take into deep consideration preserving this cemetery in



WISHTOYO

CHUMASH FOUNDATION

FIRST NATIONS ECOLOGICAL CONSERVATION ALLIANCE

place; instead of taking the highly probable chance of breaching this already established historical cemetery and sacred site.

The capping, as you know, of 24 inches cannot be adhered to until the job is taking place where the potential is high that there will be grading or preparation of the area to be capped and disturbance of the site undeniable. Even with Mitigation Measures CR-1 and CR-2 “would reduce” but not prohibit “impacts to this known historic cemetery and sacred ceremonial site.

This area at CA-LAN-266 should be preserved in place and permanently protected by listing it on the California Register of Historical Places especially being both the phase I report from 1990s and the phase II report from 2016 both confirm this is already a sacred site, burial site, and ceremonial site.

It is no surprise then that the report from the South Central Coast Information Center, California State University, Fullerton from 2012 show a consistency in the fact that this “Project” area AND adjacent areas of study are historically and archeologically significant natural cultural resources, known burial sites, and sacred sites at CA-LAN-31, 319, 406, 2790, 2937, 1417, AND 1715.

“In the case of CA-LAN-266, as in other habitation sites of the similar age and location, there is a high probability that the site contains multiple human burials. From the information available, I judge that, rather than being utilized primarily as a hunting encampment, the site was used as a settlement...Typically, people from this time have different sized of grinding tools: larger tools remained at the village, and smaller, more portable grinding tools that would be used at excursion sites. Because this site contains larger tools and a variety of artifacts used for manufacturing, this site was most definitely used as a habitation site rather than a temporary hunting encampment.”

“In almost every settlement site from this time period, including the smaller settlements of similar size, there is a cemetery form human burials and sweat lodges and moon lodges for spiritual practices. In site contemporary with CA-LAN-266, mutates usually indicate human burials, as they were used as offerings and grave markers,” --synonymous to modern day head stones.

Excerpt from an assessment report by Chester King, Archeologist, on CA-LAN-266

In the mission statement of the City of Malibu it states: “Malibu will plan to preserve its natural and cultural resources, which include the ocean, marine life, tide pools, beaches, creeks, canyons, hills, mountains, ridges, views, wildlife and plant life, open spaces,



WISHTOYO

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archaeological, paleontological and historic sites, as well as other resources that contribute to Malibu's special natural and rural setting."

If we protect cultural resources we protect the environment. Therefore I urge the City of Malibu to show leadership in denying this project to create a gigantic graveyard of close to 30,000 in ground burial plots, almost 4,000 standing wall crypts, a Chapel, mausoleum, and parking structure that will positively inhumanly impact and be built directly on top of an 8,000 year old historical Chumash burial, sacred and ceremonial site.

It would be wonderful to see a protection of the already historical and established burial and ceremonial site not only to be listed on the California Register of Historical Places but also in addition set aside as a "Sacred Heart" Spiritual Reserve and Place of Reflection. A place where the Chumash People could erect a memorial to take care of the Ancestors and where all people could go to pray and reflect.

Thank you for the opportunity to provide comment. Please feel free to contact me at any time.

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