



AN ARCHAEOLOGICAL EVALUATION OF THE PROPOSED MARINDA HEIGHTS PROJECT, FAIRFAX, MARIN COUNTY, CALIFORNIA

SUBMITTED BY

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SUBMITTED FOR

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A.R.S. Project 16-043

INTRODUCTION

As requested and authorized, Archaeological Resource Service has conducted an archaeological evaluation of the parcel described below. The evaluation consisted of these separate aspects:

1. A check of the information on file with our office and the Regional Office of the California Historical Resources Information System, to determine the presence or absence of previously recorded historic or prehistoric cultural resources,
2. A check of appropriate historic references to determine the potential for historic era archaeological deposits, and;
3. Contact with the Native American Heritage Commission to determine the presence or absence of listed Sacred Lands within the project area;
4. Contact with the County of Marin listing all appropriate Native American organizations or individuals designated by the Native American Heritage Commission as interested parties for the project area;
5. A surface reconnaissance of all accessible parts of the project area to locate any visible signs of potentially significant historic or prehistoric cultural deposits.
6. Preparation of this report describing the work accomplished, the results of the research, and making appropriate recommendations for further action, if warranted.

PROJECT DESCRIPTION

The proposed project would develop nine ten-acre parcels, one 15,000 sq. ft. lot, and a dedicated open space parcel (about 6.5 acres) as well as a new open space trail within a property that was the subject of a previous, uncompleted, development project. Building envelopes have been identified within each lot. New residences will be built within the area of the existing graded building pads. All development will be limited to the access roads and building envelopes.

The access road and building pads are already existing and will require some work to make them ready for use after many years of erosion. Access to all but one property will be by way of an extension to Miranda Drive. The remaining property will be accessed from Ridgeway Drive.

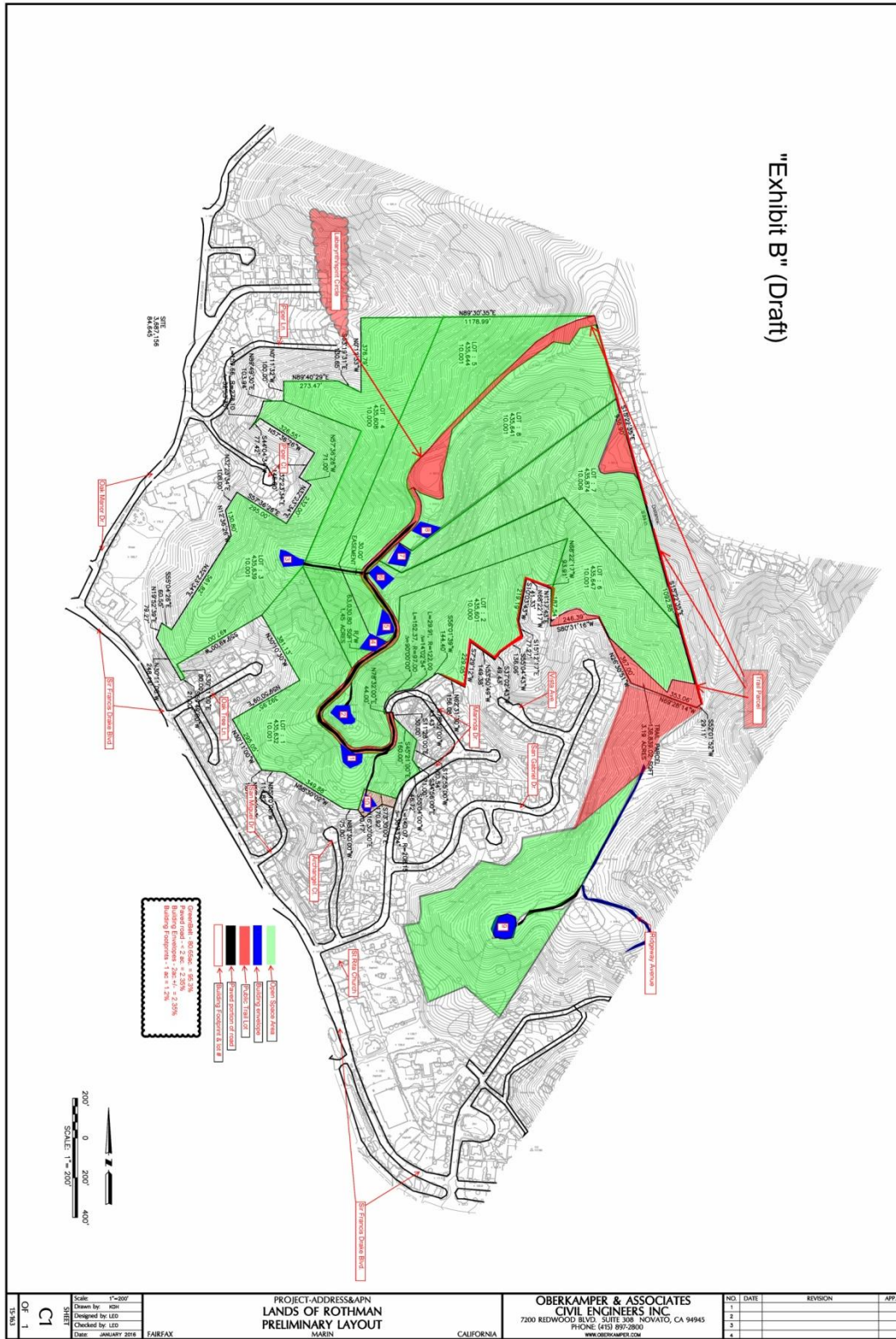


FIGURE 1 -- PROPOSED PROJECT
 The project site is shown in green, building envelopes are in blue

PROJECT LOCATION

The project area is located at the terminus of Marinda Drive, Fairfax, Marin County, California. The parcel consists of about 100 acres of forested mountainous terrain land bounded by similar properties and developed subdivisions.

The project area lies in the Mexican era land grant of Canada De Herrera within unsectioned land of Township 2 North, Range 7 West, Mt. Diablo Base and Meridian. The Universal Transverse Mercator Grid coordinates to the approximate center of the project area, as determined by measurement from the USGS 7.5' San Rafael, California Quadrangle Map (1954 (photorevised 1968)) are: 4205450 Meters North, 536100 Meters East, Zone 10

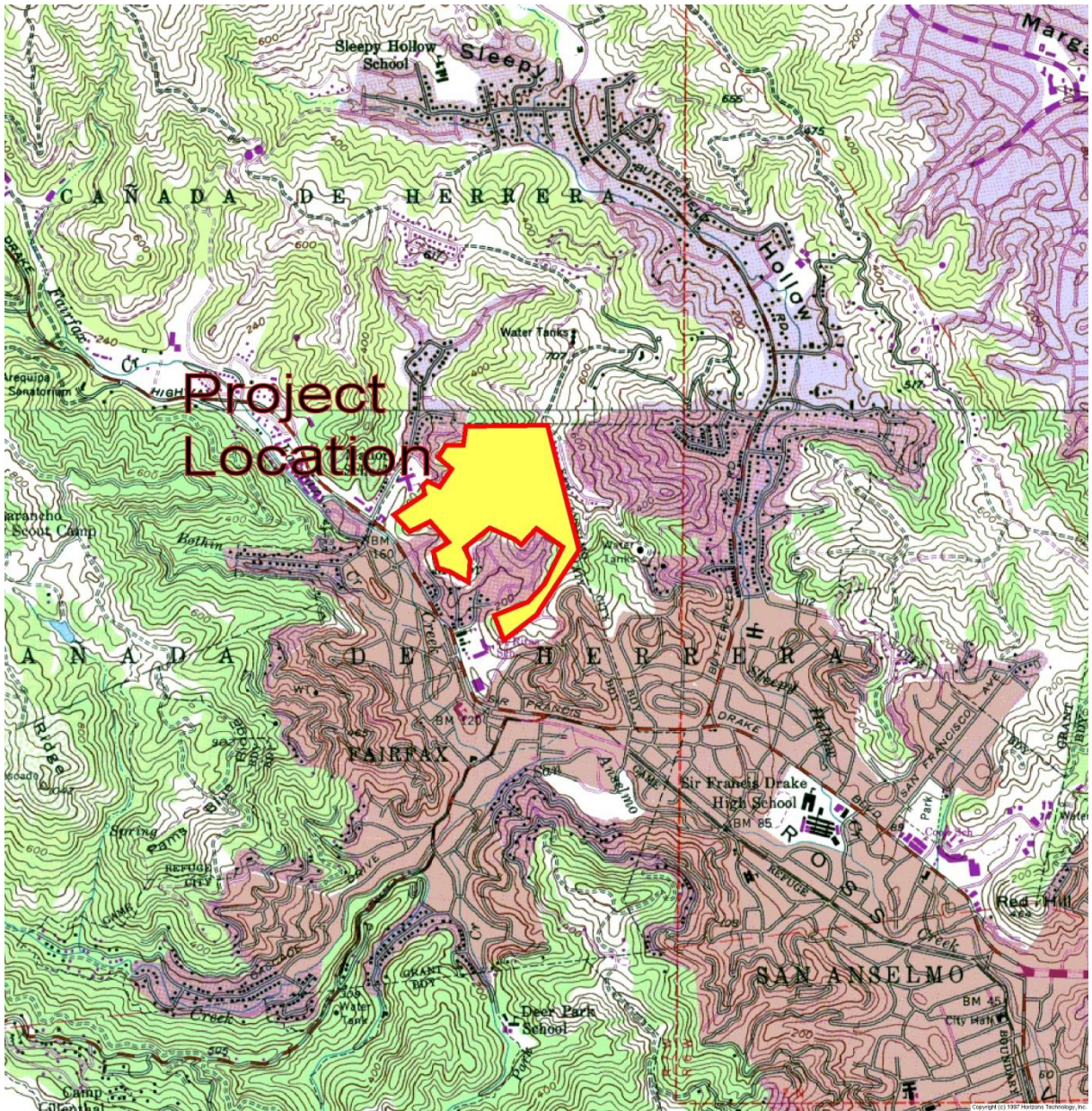


FIGURE 2 -- PROJECT LOCATION ON THE USGS SAN RAFAEL QUADRANGLE MAP

REGULATORY SETTING

There are no previously recorded prehistoric or historic resources located within the project area. Archaeological resources, once identified, are evaluated using criteria established in the California Environmental Quality Act (CEQA) (14 CCR 15064.5 and PRC 21084.1). Significant historical resources need to be addressed before environmental mitigation guidelines are developed and approved. A “significant historical resource” (including both a prehistoric and historic resource) is one that is found eligible for listing in the California Register of Historical Resources. As per Title 14, California Code of Regulations Section 15064.5, historical resources are those that are:

- Listed in, or eligible for listing in, the California Register of Historic Resources (Public Resources Code 5024.1, Title 14 CCR, Section 4850 et. seq.);
- Listed in, or eligible for listing in, the National Register of Historic Places (CRHR);
- Included in a local register of historical resources, as defined in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resource Code; or
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the lead agency’s determination is supported by substantial evidence in light of the whole record.

Additionally, historical resources and historic districts designated or listed as city or county landmarks or historic properties or districts pursuant to any city or county ordinance can also be listed in the California Register, if the criteria for listing under the ordinance have been determined by the Office of Historic Preservation to be consistent with California Register criteria adopted by the commission (pursuant to Section 5024.1(e) of the PRC).

A resource may be listed as an historical resource in the California Register if it has integrity and meets any of the following National Register of Historic Places criteria:

- 1) Is associated with events that have made a significant contribution to the broad patterns of our history; or
- 2) Is associated with the lives of persons important in our past; or
- 3) Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possesses high artistic values, or represent a
- 4) significant and distinguishable entity whose components may lack individual distinction; or
- 5) Has yielded, or may be likely to yield, information important in prehistory or history.

CEQA (PRC 21083.2) also distinguishes between two classes of archaeological resources: archaeological sites that meet the definition of a historical resource as above, and “unique archaeological resources.” A “unique archaeological resource” has been defined in CEQA as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- 1) Contains information needed to answer important scientific research questions and that there is a demonstratable public interest in that information,
- 2) Has a special and particular quality such as being the oldest of its type or the best available example of its type, or

- 3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Buildings, sites, structures, objects, and districts representative of California and United States history, architecture, archaeology, engineering, and culture convey significance when they also possess integrity of location, design, setting, materials, workmanship, feeling, and association. A resource has integrity if it retains the characteristics that were present during the resource's period of significance. Enough of these characteristics must remain to convey the reasons for its significance.

As of July 2015, two new classes of resources have been defined. Tribal cultural resources and Tribal cultural landscapes can be any of a variety of cultural sites as defined by the individual tribe. These resources, once identified, are treated as significant resources under CEQA.

The fact that a resource is not listed in, or determined to be eligible for listing in the CRHR, or included in a local register of historical resources (pursuant to Section 5020.1(k) of the PRC), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resources as defined in PRC sections 5020.1(j) or 5024.1.

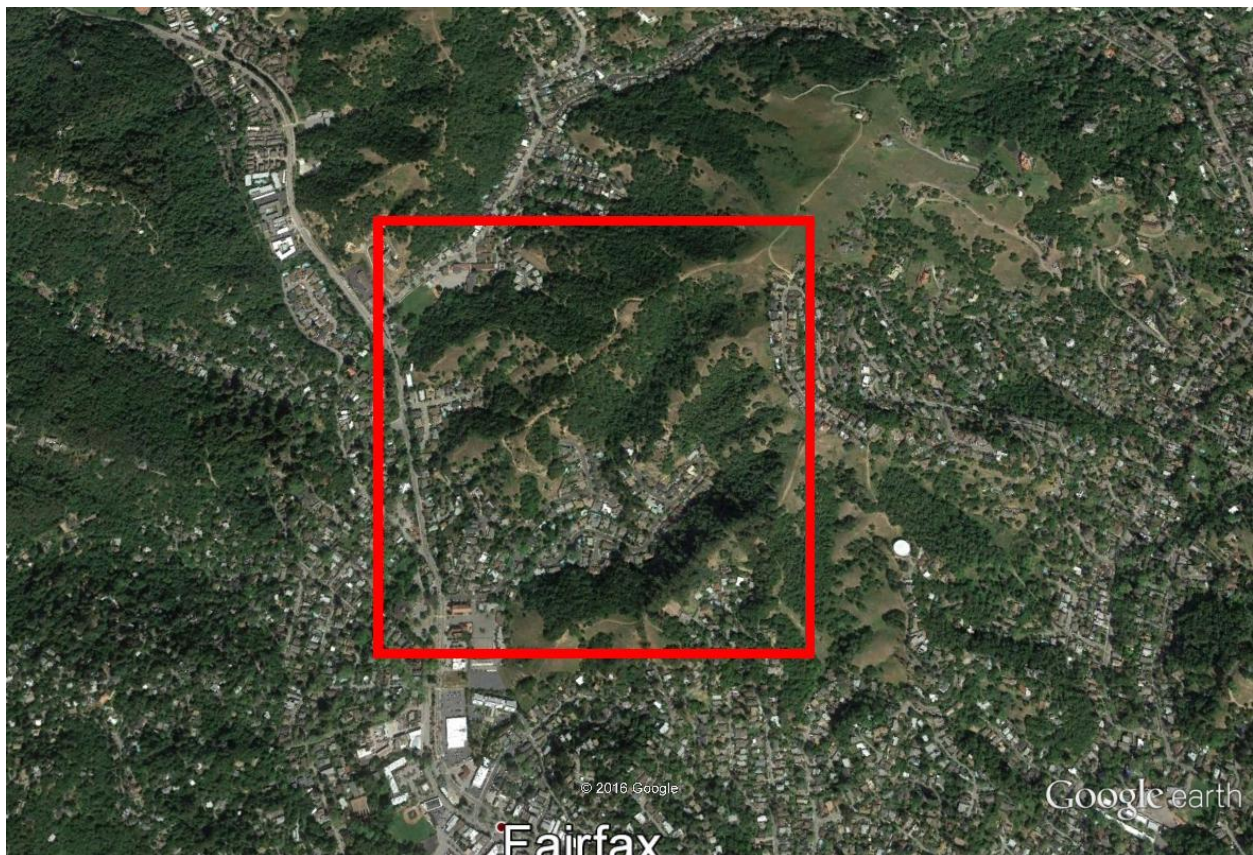


FIGURE 3 -- PROJECT VICINITY ON GOOGLE EARTH

RESEARCH METHODOLOGY

The historic and archaeological records and maps on file at the Archaeological Resource Service office were consulted to check for cultural resources in the project vicinity. A search of

the maps and records on file at the NWIC was conducted by ARS to determine the presence or absence of cultural resources within a 1 mile radius of the project vicinity.

The Native American Heritage Commission was contacted, with a request to check the Sacred Lands file maintained by them. This database lists sacred places recorded by Native Americans or observed by anthropologists or archaeologists. These places can be rock art sites (petroglyphs or pictographs), cemeteries or funerary locations, important village sites, or locations associated with specific events or features of oral tradition. A request was also made for a list of local Native American parties who may have interest or knowledge about the project area.

No response has yet been received from the NAHC. Previous communication for this area has recommended consultation with members of the Federated Indians of Graton Rancheria (FIGR). The organization was contacted by email. No further communication or action has been made at the time of this writing.

RESULTS OF LITERATURE CHECK

NATIVE AMERICAN BACKGROUND

This area of Marin County was within the territory of Coast Miwok speaking people during the time of European and American contact (Barrett 1908; Kelly 1978). Coast Miwok is a branch of the Penutian language stock. The Coast Miwok occupied Marin and Southern Sonoma Counties. The people who inhabited this particular area were identified with the Hookoeko tribelet (Kelly 1978:424; Kroeber 1925:273; Legare 1994:3). The Coast Miwok were hunters, fishers and gatherers, who enjoyed a diverse array of natural food resources in their Native land. Foods from the sea, marsh, freshwater and land were exploited, including: fish, shellfish, sea kelp, waterfowl, large and small land mammals, seeds, nuts, berries and especially acorns. Shelters were conical structures covered with grasses. Large villages had circular, semi-subterranean sweathouses and dance houses which served as social centers. Clamshell disk beads served as an important form of currency, particularly for inter-tribal trade, such as with the Wappo for obsidian. Flaked, carved and groundstone objects included blades, mortars, pestles and charmstones, among other things. Basketry was a well developed craft, and baskets served many purposes- from burden baskets, to cooking and eating vessels, to decorative and ceremonial wares (Kelly 1978).

The Coast Miwok were first encountered by Europeans in 1579 when Sir Francis Drake stopped to repair his ship the Golden Hinde somewhere in the Point Reyes Vicinity. In 1769 Portola arrived in the San Francisco Bay area, and by 1776 Mission Dolores was established in what is now San Francisco. In 1817 Mission San Rafael Arcangel was established, and in 1823 Mission San Francisco Solano was established in Sonoma. By 1817 three quarters of the Coast Miwok population had entered the mission system (Evans 2009). European disease and forceful missionization decimated the Coast Miwok population and culture by the mid 19th century. A small number of Coast Miwok descendants did survive the initial encounter with Euro-Americans. During ethnographic times, the closest Coast Miwok village to the project area was *Awani-wi*, near present day San Rafael (Bryne 2002:9; Kelly 1978:415). Today, the Coast Miwok are a federally recognized tribe, and are very active in the preservation of their ancestral traditions and lands.

PREHISTORIC BACKGROUND

The Coast Miwok can be divided into two groups with their own distinct dialects; the Western-Bodega Miwok (Olamentko), and the Southern Marin, or Hookooeko tribe, who spoke the Southern Marin dialect with some linguistic differences between valley and coastal peoples (Kelly 1978: 414). Merriam (1907) discusses a third group from the northern area of Southern Marin Valley known as the Lekahtewutko tribe. Bennyhoff (1977) and Slaymaker (1982) have further divided the Coast Miwok into political tribelets. Within the Hookooeko territory included the Huimen tribelet. This tribelet is believed to have been located the closest to the project area (Evans 2004).

Due to the diverse supply of resources throughout this region, the Coast Miwok were well suited to an economy based on hunting, fishing and the gathering of acorns (Kelly 1978: 415). They were well adapted to exploiting the wetland and marsh areas in particular, and wetland plants and shellfish from the ocean and bays were a prime source of food. They used dip nets and spears to catch salmon and steelhead, as well as bow and arrows with obsidian points to kill small and large game. Along with acorns, which were ground down to make mush or bread, the Coast Miwok utilized the buckeye fruit, the pepperwood fruit, and a variety of greens. The collecting of shellfish led to the formation of shell deposits known as midden heaps, mounds, or scatters, which are now the primary remains of most prehistoric sites around the bay (Kelly 1978: 417-418).

The Coast Miwok lived in conical structures that were small and made from two forked and interlocking poles, onto which additional poles were lashed to form a cone shaped frame, then covered by grass (Kelly 1978: 417). Approximately 6 to 10 people would reside in one of these structures. Larger villages often contained a large, circular sweathouse that was dug four feet into the ground and covered with a frame of poles topped with grass, and a large ceremonial house that was built in the same manner as the sweathouse.

Tools were made from locally obtained materials including chert, obsidian, basalt, bone, antler, and various types of plants. Beads and pendants were manufactured from locally obtained shell and include clamshell disc beads (used as money), Olivella beads and abalone shell pendants. Clothing was minimal, but based on seasonal weather. Women wore a double apron made of deerskin and men wore a similar type of loincloth. Baskets were important to the Coast Miwok



FIGURE 4 -- COAST MIWOK TERRITORY (KROEBER 1925)

This map from the Handbook of California Indians shows one ethnographic village site south of Sausalito.

and were used for portage, storage, and cooking containers, as well as for seed beating, winnowing, and as hoppers for groundstone mortars. The Coast Miwok also traded for venison, medicinal plants, yellow paint, and turtles (Kelly 1978: 419).

The Coast Miwok culture became severely disrupted after the establishment of surrounding missions in San Francisco (1776), San Rafael (1817), and Sonoma (1823) (Kelly 1978). The rapid and forceful desocialization and acculturation imposed upon the Coast Miwok by the missionaries left very little of their culture intact. European diseases eventually decimated the population, and due to the use of Coast Miwok lands for lumbering, dairying, and agriculture, the Coast Miwok people almost disappeared completely. By 1920, only five Coast Miwok descendants remained. Ethnographic data on the Coast Miwok is based primarily the accounts of two Miwok informants, Tom Smith and Maria Capa Frias, who were interviewed between 1931 and 1932 by Isabel Kelly (Breece & Lipo 1990).

The typical indications of Coast Miwok habitation consists of a shell midden deposit which is represented by a dark, ashy, or loamy soil with shellfish, fish, and animal remains throughout the deposit. Because stone tools and debitage (manufacturing waste) tend to preserve well, these materials are also often associated with Coast Miwok habitation sites. Thus, prehistoric shell midden sites often contain chipped stone tools, debitage, and ground stone tools such as mortars, pestles, manos, metates, and hammerstones. Fire cracked rock, charcoal, and ash from cooking fires can also be associated with Coast Miwok shell midden sites. More permanent habitation sites may also contain house depressions, usually identifiable by a hard packed earthen floor containing stone and other cultural materials (Kelly 1978, Slaymaker 1977).

There is also the potential for isolated artifacts to be present from the result of basic subsistence activities such as gathering and processing fruits and vegetables, and hunting game (Roop 1992). These subsistence activities did not necessarily take place at the more permanent village sites, but would occur in an area where desired materials could be obtained, such as the grasslands between creeks and marshes. These isolated materials include chipped stone or ground stone tools left behind after hunting and gathering activities (Kallenbach 1996, Morre 1997).

HISTORIC SETTING

The present project area lies within the *Cañada de Herrera* land grant. *Cañada de Herrera* was described as “one-half square league, in Marin County, granted August 10, 1839 by Manuel Jemino to D. [Domingo] Sais” (Muro-Fraser 1880:192). Fairfax and half of San Anselmo occupy land that was part of Sais’s original 6,658 acre tract of land (Sagar and Sagar 2005:7). Sais was born in California in 1806, and was a soldier in the Mexican Army. Domingo Sais and his wife Manuella had 9 children, 8 of whom reached adulthood and married into prominent families. While under Sais family possession, *Cañada de Herrera* was mostly ranch land. In 1855 Domingo Sais gifted 32 acres of his rancho to a doctor named Alfred Taliaferro. Five years later, Taliaferro gifted that land to his childhood friend, Charles Snowden Fairfax. Charles S. Fairfax was the successor of a line of British nobility traceable to the 16th century. His ancestors came to the New World with the Virginia Company in the 17th century, and were major land holders in Virginia. Charles Snowden Fairfax would have been the 10th Lord, Baron of Cameron, had he accepted the title and moved back to England, but instead he denounced the title and remained in the United States. Fairfax travelled from his life of luxury in Virginia to the California gold fields in 1849. After Charles Fairfax and his new wife, Ada, were given their property in 1860, their reputation for entertaining left their name engrained on the area until the town was incorporated and named after them in 1931.

In 1875, Manuella Sais leased 1,600 acres of her portion of *Cañada de Herrera* to the new North Pacific Coast Railroad (NPCRR). The narrow gauge railroad was built to haul timber, dairy, produce and passengers through the coast lands of Marin and Sonoma Counties. In 1875, a park and dance hall were established in Fairfax as a destination for railway passengers, and the festivities held there quickly gained a lively reputation.

During its 27 years of activity, the NPCRR was extremely important to the North Bay Area. The railroad played an enormous role in the timber industry, making it possible to transport vast amounts of redwood timber to the markets in San Francisco. The railroad aided in the growth of the towns it stopped in, such as Sausalito, Fairfax, San Rafael, Tomales, Point Reyes Station, Duncan’s Mills and Cazadero. The NPCRR also hosted some significant advances in locomotive technology. In 1899, the NPCRR received its Engine 18 from Brooks Locomotive Works of Dunkirk, New York. At that time, Engine 18 “was the largest narrow gauge locomotive in the world. It weighed 79,400 pounds and was almost twice the weight of most other engines in the system. It made its last run under NWP ownership in 1929 and was scrapped in 1935” (Sagar and Sagar 2005:22). The NPCRR was also the first railroad in the world to develop a cab-in-front steam locomotive engine (Fickeworth 1992:89).

PREVIOUS CULTURAL RESOURCE STUDIES AND SITES IN THE VICINITY

No previous evaluation of the project area has been found. The literature check indicates that no potentially significant cultural resources have been reported in the project area. Several cultural resource evaluations have been undertaken in the general vicinity of the current project. These are summarized in the table below.

TABLE 1: CULTURAL RESOURCE STUDIES CONDUCTED WITHIN A 1 MILE RADIUS OF THE PROJECT AREA.

Record Number	Date	Title	Author(s)	Results
S-1628	1979	Environmental Assessment of the Mc Inerney Property, Sir Francis Drake Blvd., Marin County, California.	Dietz, Stephen	Negative
S-10686	1989	An Archaeological Survey for Improvements Along 1600 Feet of Sir Francis Drake Blvd., near Fairfax, Marin County, California.	Origer, Thomas	Negative
S-11759	1989	Archaeological Field Inspection of the Lands of Busse, Fairfax, Marin County, California.	Holman, Miley	Negative
S-13820	1990	Archaeological Field Inspection of the Baywood Canyon Ranch, 3200 Sir Francis Drake Blvd., Fairfax, Marin County, California	Holman, Miley	Negative
S-15810	1994	Archaeological Field Inspection of the Proposed Shadow Creek Development Near Fairfax, Marin County, California.	Holman, Miley	Negative
S-17651	1994	A Cultural Resources Assessment for the San Geronimo Sediment Reduction Program, San Geronimo Valley, Marin County, California	Shannon, Peggy	Positive (CA-MRN-612H/P-21-000003)
S-25049	2002	Cultural Resources Inventory of APN 174-050-68, 100 Iron Springs Road, Fairfax, Marin County, California.	Bryne, Stephen	Negative
S-26626	2002	A Cultural Resources Inventory of the Camp Tamarancho Hiking/Biking Trail, 1000 Iron Springs Road, Fairfax, Marin County, California.	Bryne, Stephen	Positive (P-21-002542, -002545, -002546, -002547) 002543, -002544, -

S-29402	1998	An Archaeological Sensitivity Analysis of the Whites Hill and Cascade Canyon Open Space Preserves, Marin County, California.	Origer, Thomas	Positive (NPCRR Historic tunnel)
S-31664	2006	A Cultural Resources Survey for the Cascade Canyon Fuel Reduction Project, Marin County, California	Steen, Eileen and Thomas Origer	Negative
S-36177	2009	Results of a Cultural Resources Records Search for the Sir Francis Drake Slurry Overlay Project (Phase C), June Court to Western Town Limits of Fairfax, Marin County, California.	Evans, Sally	Negative
S-38217	2011	A Cultural Resources Evaluation of the San Geronimo Valley Sediment Source Reduction P California Department of Fish and Game Project #RS-071, Marin County, California.	Salisbury, Melinda and James Roscoe	Negative
S-38221	2011	White Hill Middle School Reconstruction, Fairfax, Marin County. Archaeological Survey Report.	Koenig, Heidi	Negative

The majority of nearby cultural resource evaluations have been negative, indicating that no potentially significant resources were identified. Prehistoric resources that have been identified are in predictable locations; near reliable water supplies, in areas with good solar exposure, near exploitable resources, etc. Historic era resources have related to logging and railroad history as well as settlement of the valley below the project area. No locations likely to harbor indications of Native American or significant historic era habitation or use have been identified in the project area.

RESULTS OF SURFACE EXAMINATION

All proposed building envelopes and access roads were examined in a pedestrian survey of the project area. It was observed that building pads and roads had been graded into place previous to the examination. The pads are overgrown and eroded; indicating that quite a bit of time has passed since the pads were built. This is consistent with the failed plan to develop the property in a previous decade. Each proposed building area was examined for any indication of Native American settlement or use, or historic era use. The building pads are generally clear of vegetation while the surrounding areas are densely vegetated. The soils observed throughout the property are light buff to tan in color and do not appear to be culturally modified. No potentially significant artifacts, deposits, or sites were observed.



FIGURE 5 -- A TYPICAL ROAD SECTION

The previously established roads will be improved for access to the building envelopes.

The building pads are entirely composed of disturbed soils that were pushed into place for a previous project. If any cultural resource had been disrupted in that construction, some evidence would still be present. The scientific value of an archaeological site can be lost due to extensive disturbance in construction, but the evidence of the site's presence is rarely

completely removed. No culturally modified soils, artifacts, burned rocks, or other indications of Native American settlement or use were seen in any location. The same can be said of historic era artifacts. Recent trash was observed, but no items of historical interest were seen in any location.

CONCLUSIONS

The examined area appears unsuitable for settlement by prehistoric populations. Additionally, exploitable resources of stone or other material are lacking. The area was undoubtedly used as a hunting territory and may have contained some usable plant materials that Native American gatherers would have valued. There is a potential for the discovery of isolated tools or artifacts that were lost by previous inhabitants of the area. The potential for discovery of artifact concentrations is very low and considered unlikely to occur.

In the unlikely event that a concentration of artifacts or culturally modified soil deposits including any trash pits older than fifty years of age are discovered at any time during grading, scraping or excavation within the property, all work should be halted in the vicinity of the find and a qualified archaeologist should be contacted immediately to make an evaluation. If warranted by the discovery of a concentration of artifacts or soil deposits, further work in the discovery area should be monitored by an archaeologist.

Artifacts that are typically found associated with prehistoric sites include humanly modified stone, shell, bone or other cultural materials such as charcoal, ash and burned rock indicative of food procurement or processing activities. Prehistoric domestic features include hearths, firepits, or house floor depressions, whereas typical mortuary features are represented by human skeletal remains. Historic artifacts potentially include all by-products of human land use greater than 50 years of age.

Although highly unlikely, if human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and the County Coroner and a qualified archaeologist must be notified immediately so that an evaluation can be performed. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated.

REFERENCES CONSULTED

ASC (Anthropological Studies Center)

2006 A Cultural Resources Inventory of Eight Stream Crossings, San Geronimo Valley, Marin County, California. Unpublished report on file at the CHRIS as S-31548.

Barrett, S. A.

1908 The Ethno-geography of the Pomo and Neighboring Indians. *University of California Publications in American Archaeology and Ethnology* 6 (1): 1-332, Berkeley.



FIGURE 6 -- A TYPICAL BUILDING PAD

The previously graded pads will be used for the current project.

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2005 A Cultural Resources Investigation of the San Geronimo Creek Bank Stabilization Project, Located in Marin County, California DF&G # 309-R3. Unpublished report on file at the CHRIS as S-29785 and S-29903.
- Chavez, David
1981 Cultural Resources Evaluation for the Skye Ranch EIR, Marin County, California. Unpublished report on file at the CHRIS as S-2491.
1988 Archaeological Resources Evaluation for the Spirit Rock Project. Unpublished report on file at the CHRIS as S-9862.
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1988 Archaeological Field Reconnaissance of the Spirit Rock Center, San Geronimo Valley, Marin County, California. Unpublished report on file at the CHRIS as S-10477.
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Origer, Thomas

1998 An Archaeological Sensitivity Analysis of the Whites Hill and Cascade Canyon Open Space Preserves, Marin County, California. Unpublished report on file at the CHRIS as S-29402.

Painter Preservation & Planning

2006 Historic Resource Report: Woodacre Stream Crossing (21-06-01), Marin County, California. Unpublished report on file at the CHRIS as S-31964.

Pilas-Treadway, Debbie (NAHC)

2007 Results of Sacred Lands search request and list of Native American organizations/individuals to contact for additional information/comments. Letter on file at ARS under 07-005 and at the NAHC.

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1990 Results of a Subsurface Test Procedure within the Prehistoric Site Mrn-516, Skye Ranch Subdivision, Marin County, California. ARS 90-46. Unpublished report on file at the CHRIS as S-12477.

Salzman, Sally

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