

Appendix F

Tribal Consultation Supporting Information

**Corte Madera Creek Flood Risk Management Project
AB 52 Coordination Tracking Sheet**

Tribe	Name	Address	Contact Information	Notification Letter Mailed	Letter Receipt Date	Tribe 30-Day Reply	Designated Tribal POC	Contact Information	Agency 30-Day Reply	Follow-up/Comments
Federated Indians of Graton Rancheria	Buffy McQuillen Tribal Heritage Preservation Officer	6400 Redwood Drive, Suite 300 Rohnert Park, CA 94928	THPO@gratonrancheria.com Office: 707.566.2288; ext. 137 Cell: 707.318.0485	June 23, 2020 August 5, 2020 – email follow up	June 26, 2020	August 6, 2020 via emailed letter	Buffy McQuillen Tribal Heritage Preservation Officer (THPO)	THPO@gratonrancheria.com Office: 707.566.2288; ext. 137 Cell: 707.318.0485	August 21, 2020, via email	August 6, 2020: FIGR emailed letter to County requesting consultation. August 21, 2020: Email reply to FIGR letter October 21, 2020: County email follow-up to August 21 email December 3, 2020: County email to FIGR requesting comment by January 1, 2021 or consultation will be considered complete. December 8, 2020: Email from FIGR, accepting mitigation measures and ending consultation.
Ione Band of Miwok Indians	Sara D. Setshwaelo, Chairperson	P.O. Box 699 9252 Bush Street, Suite 2 Plymouth, CA 95669	sara@ionemiwok.net	June 23, 2020 August 5, 2020 – email follow up	June 25, 2020					No responses

Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite 100

West Sacramento, CA 95691

916-373-3710

916-373-5471 – Fax

nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: Corte Madera Creek Flood Risk Management Project

County: Marin

USGS Quadrangle Name: San Rafael 7.5-minute

Township: 2 N, 1 N **Range:** 6 W **Section(s):** 31; 5, 6

Company/Firm/Agency: Janis Offermann/Horizon Water and Environment

Street Address: 400 Capitol Mall, Suite 2500

City: Sacramento **Zip:** 95814

Phone: 530-220-4918

Fax: _____

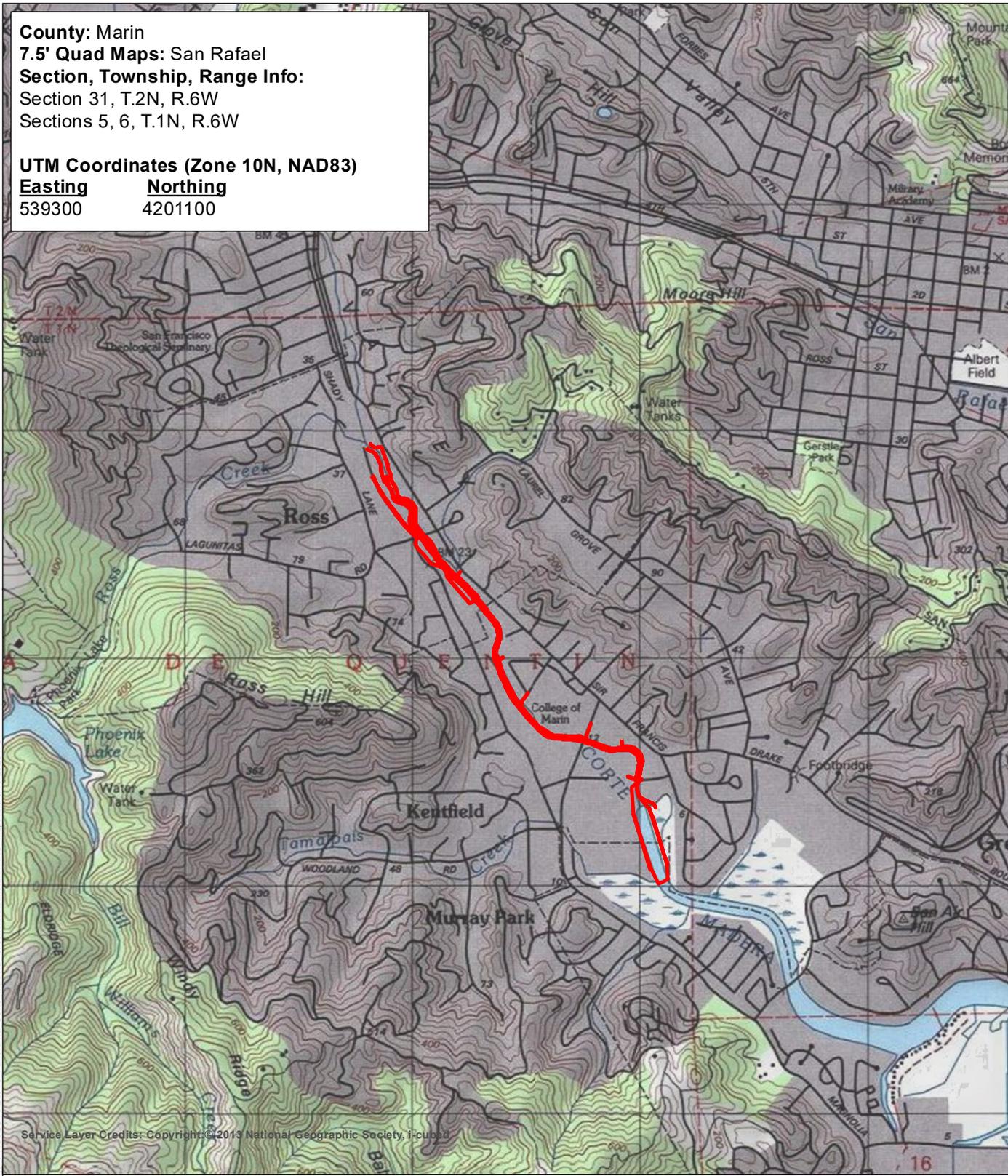
Email: janis@horizonh2o.com

Project Description:

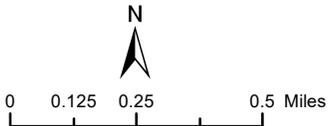
The project proposes to restore and improve portions of Corte Madera Creek, including removal of a fish ladder, in order to enhance habitat for salmon spawning in the creek.

County: Marin
7.5' Quad Maps: San Rafael
Section, Township, Range Info:
Section 31, T.2N, R.6W
Sections 5, 6, T.1N, R.6W

UTM Coordinates (Zone 10N, NAD83)
Easting **Northing**
539300 4201100



Project Area



 Project Area



Marin County Flood Control and Water Conservation District
Corte Madera Creek Flood Risk Management Project, Phase 1

NATIVE AMERICAN HERITAGE COMMISSION

June 16, 2020

Janice Offerman, Cultural Resources Practice Leader
Horizon Water and Environment

Via Email to: janis@horizonh2o.com**Re: Corte Madera Creek Flood Risk Management Project, Marin County**

Dear Ms. Offerman:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Sarah.Fonseca@nahc.ca.gov.

Sincerely,



Sarah Fonseca
Cultural Resources Analyst

Attachment



CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
Marshall McKay
Wintun

COMMISSIONER
William Mungary
Paiute/White Mountain Apache

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

**Native American Heritage Commission
Native American Contact List
Marin County
6/16/2020**

***Federated Indians of Graton
Rancheria***

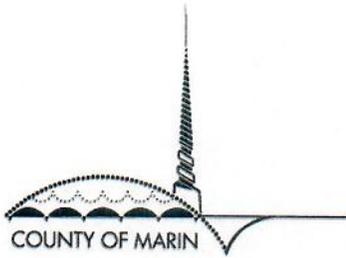
Greg Sarris, Chairperson
6400 Redwood Drive, Ste 300 Coast Miwok
Rohnert Park, CA, 94928 Pomo
Phone: (707) 566 - 2288
Fax: (707) 566-2291
gbuvelot@gratonrancheria.com

Guidiville Indian Rancheria

Merlene Sanchez, Chairperson
P.O. Box 339 Pomo
Talmage, CA, 95481
Phone: (707) 462 - 3682
Fax: (707) 462-9183
admin@guidiville.net

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

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Corte Madera Creek Flood Risk Management Project, Marin County.



DEPARTMENT OF PUBLIC WORKS

Quality, Excellence, Innovation

Raul M. Rojas
DIRECTOR

Administration
PO Box 4186
San Rafael, CA 94913-4186
415 473 6528 T
415 473 3799 F
415 473 3232 TTY
CRS Dial 711
www.marincounty.org/pw

June 23, 2020

Buffy McQuillen
Tribal Heritage Preservation Officer
Federated Indians of Graton Rancheria
6400 Redwood Drive, Suite 300
Rohnert Park, CA 94928

Accounting

Airport

Building Maintenance

Capital Projects

Certified Unified Program
Agency (CUPA)

Communications
Maintenance

County Garage

Disability Access

Engineering & Survey

Flood Control &
Water Resources

Land Development

Purchasing

Real Estate

Reprographic Services

Road Maintenance

Stormwater Program

Transportation &
Traffic Operations

Waste Management

RE: Tribal Cultural Resources under the California Environmental Quality Act, AB 52 (Gatto, 2014). Formal Notification of determination that a Project Application is Complete or Decision to Undertake a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code § 21080.3.1 (hereafter PRC).

Dear Ms. McQuillen,

In accordance with Public Resources Code Section 21080.3.1 and the request from the Federated Indians of Graton Rancheria (FIGR) in the letter dated July 1, 2015, this is to notify you that the County of Marin Flood Control and Water Conservation District is proposing a flood risk management project along Corte Madera Creek within the Town of Ross and unincorporated Kentfield areas of the County of Marin. The County will serve as the lead agency under the California Environmental Quality Act (CEQA). This notice has been sent via certified U.S. Mail.

Attached please find a description of the proposed project and a map showing the project location. Please note that in accordance with Public Resources Code Section 21080.3.1 subd. (b), FIGR has 30 days from receipt of this notice to request consultation.

Ms. McQuillen
June 18, 2020
Page 2

Please feel free to contact me at JDixon@marincounty.org or (415) 473-7031 should you have any questions, or if you would like to schedule a meeting. If you are interested in scheduling a meeting to discuss this project, following receipt of your response, we will send you a list of potential meeting dates and times.

Sincerely,

A handwritten signature in black ink that reads "Joanna Dixon". The signature is fluid and cursive, with the first name "Joanna" written in a larger, more prominent script than the last name "Dixon".

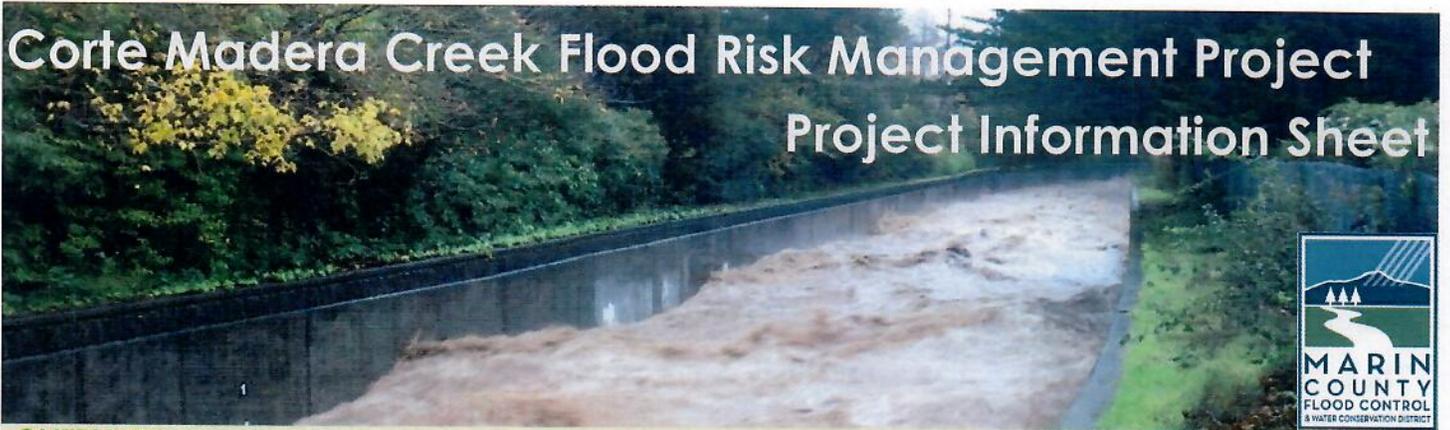
Joanna Dixon
Associate Civil Engineer

Attachments: Project Information Sheet
Project Location Map

Cc: Rachel Reid, Marin County Planning Department
Susanne Heim, Panorama Environmental, Inc.

Corte Madera Creek Flood Risk Management Project

Project Information Sheet



OVERVIEW

The Marin County Flood Control and Water Conservation District (District) proposes the Corte Madera Creek Flood Risk Management Project, Phase 1 (Project). Corte Madera Creek has flooded numerous times in the past 70 years resulting in loss of human life and significant property and infrastructure damage. Goals of the Project include protection of life and property from flooding and improved fish passage within Corte Madera Creek within Kentfield and the Town of Ross. The Project is funded through a combination of local funding and a grant from the California Department of Water Resources (DWR). The Project will be locally managed by the District, in partnership with the Town of Ross, Friends of Corte Madera Creek and other local stakeholders.

Project History

- 1960s–70s: USACE and the District began work on the Corte Madera Creek Flood Control Project; however, the project was not implemented due to litigation.
- 2015: USACE reinitiated study and design of the flood management project.
- 2018: USACE released a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Corte Madera Creek Flood Risk Management Project.
- 2019: District and USACE worked together to terminate the joint effort in support of a locally-managed project

Previous Environmental Review

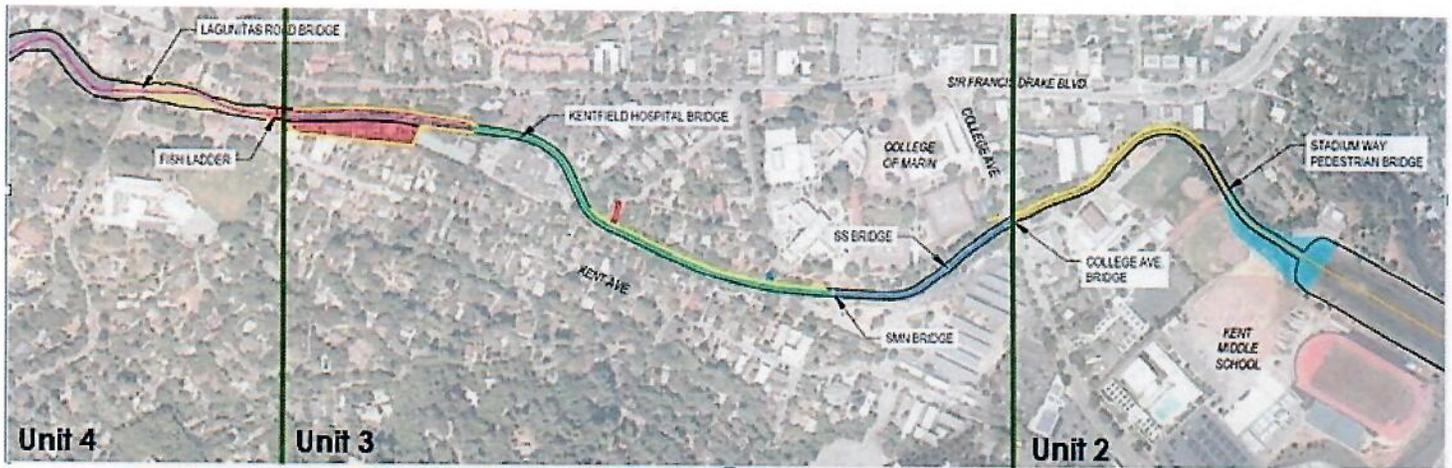
The USACE published a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Project in 2018. Upon careful review of the public comments on the Draft EIS/EIR, the District recognized that additional analysis of the project alternatives would be necessary to ensure that public and agency comments were adequately addressed in compliance with the California Environmental Quality Act (CEQA). The District Board of Supervisor decided to terminate the agreement with the USACE as of December 31, 2019, and transition the Project to a locally-managed project.

Current District-Led Project

Under local leadership and management, the District plans to use public input, additional evaluation of the “Phase 1” components, and the completed 2018 Draft EIS/EIR to develop a redefined project concept that is reflective of local community priorities. The Project design will integrate multiple benefits including flood risk mitigation, ecosystem restoration, improved fish passage, and recreational enhancements.

The Project will reduce the risk of flood damage in the Town of Ross and unincorporated Kentfield through Corte Madera Creek channel improvements and widening; removal of a USACE wooden fish ladder; removal of portions of the existing concrete channel; construction of new floodwalls; installation of a storm drain pump station; construction of improved fish pools; and natural channel restoration.

The current Project design does not include a bypass pipeline or closure of Sir Francis Drake Boulevard, which was previously a major area of public concern due to traffic impacts.

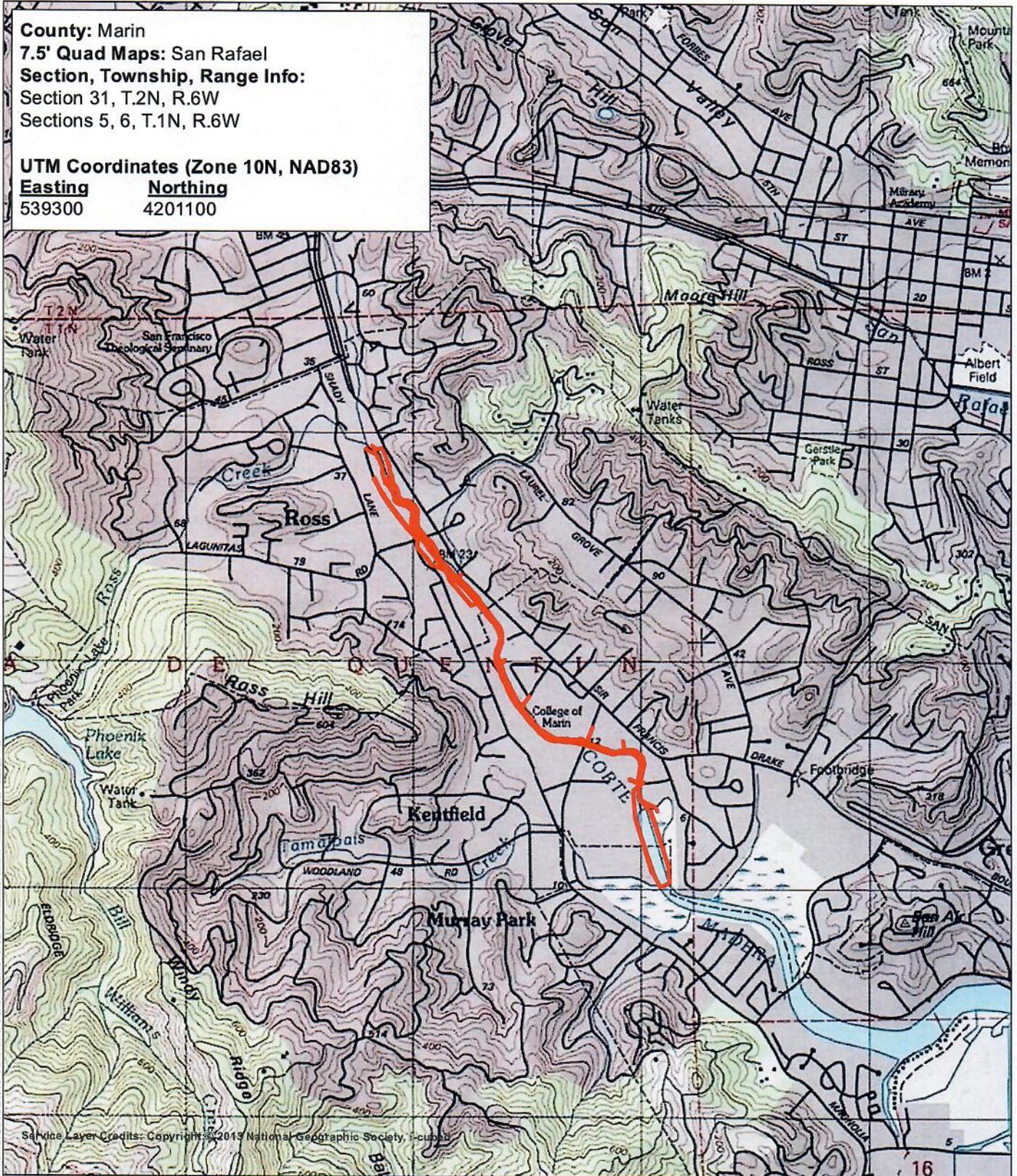


Project Elements by Unit

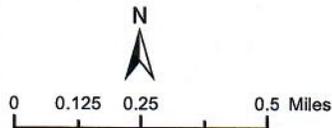
Unit	Project Elements
Unit 4	<ul style="list-style-type: none"> • Fish Ladder Removal. The existing fish ladder located at the upstream limit of the concrete channel would be removed. • Channel Improvements. The existing bed and banks of the channel would be graded to provide a hydraulically gradual and smooth transition from the upstream natural channel to the downstream concrete channel. • Grade Control and Slope Protection. Large rock would be strategically placed to line the bed and banks to meet the finished grades and protect an existing Ross Valley Sanitation District sanitary sewer pipeline from erosion and scouring.
Unit 3	<ul style="list-style-type: none"> • Upper Channel Concrete Removal. The existing concrete channel and walls in Frederick Allen Park would be removed and replaced with natural substrate. • Channel Improvements. The channel corridor within Frederick Allen Park would be widened along the left bank¹ after the existing concrete is removed. A portion of the existing park would be lowered to yield a new floodplain bench. • New and Modified Flood Wall. A new floodwall would be constructed along the western edge of the Frederick Allen Park with heights up to 3 feet above grade. Another floodwall (up to 4 feet height) would be constructed on top of the existing concrete wall downstream of College Avenue. • New and Enhanced Fish Pools.² New fish pool structures would be installed to improve fish passage in the concrete channel. • New Permanent Access. A new access ramp would be constructed in the intersection of Locust Avenue and Cedar Avenue to provide channel access. • Stormwater Pump Station and Backup Power. A new stormwater pump station would be constructed at Laurel Avenue to convey runoff from the Granton Park neighborhood and tributary area to east of Sir Francis Drake Boulevard.
Unit 2	<ul style="list-style-type: none"> • Lower Channel Concrete Removal.³ The existing concrete channel from the Stadium Way pedestrian bridge downstream to the confluence at the earthen channel would be removed. • New and Modified Floodwall. The left bank would remain either an existing concrete wall, a new shorter wall, or a rock embankment to protect the existing Ross Valley Sanitation District sanitary sewer pipeline.

County: Marin
7.5' Quad Maps: San Rafael
Section, Township, Range Info:
Section 31, T.2N, R.6W
Sections 5, 6, T.1N, R.6W

UTM Coordinates (Zone 10N, NAD83)
Easting **Northing**
539300 4201100



Project Area



 Project Area



Marin County Flood Control and Water Conservation District
Corte Madera Creek Flood Risk Management Project, Phase 1



DEPARTMENT OF PUBLIC WORKS

Quality, Excellence, Innovation

Raul M. Rojas
DIRECTOR

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415 473 3799 F
415 473 3232 TTY
CRS Dial 711
www.marincounty.org/pw

June 23, 2020

Sara D. Setshwaelo, Chairperson
P.O. Box 699
9252 Bush Street, Suite 2
Plymouth, CA 95669

Accounting

Airport

Building Maintenance

Capital Projects

Certified Unified Program
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Dear Honorable Chairperson Sethswaelo,

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Honorable Sethswaelo

June 18, 2020

Page 2

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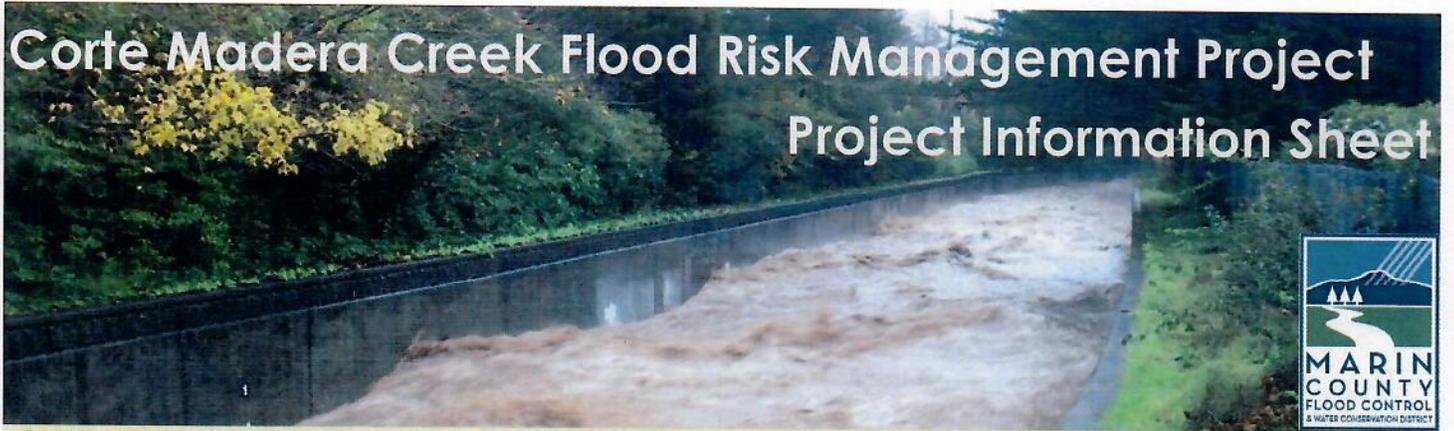
Joanna Dixon
Associate Civil Engineer

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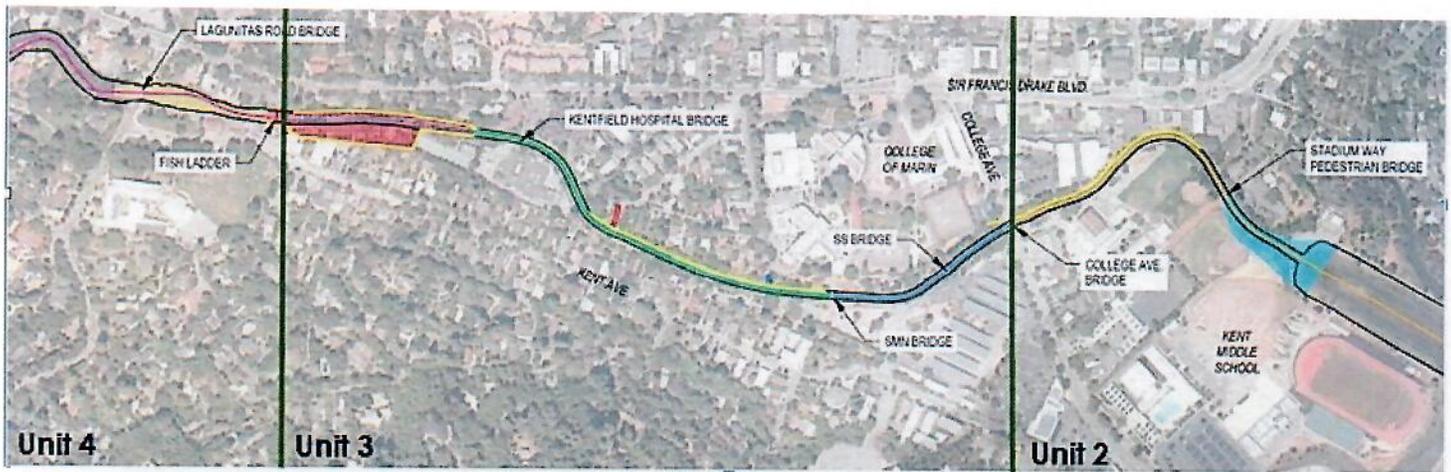
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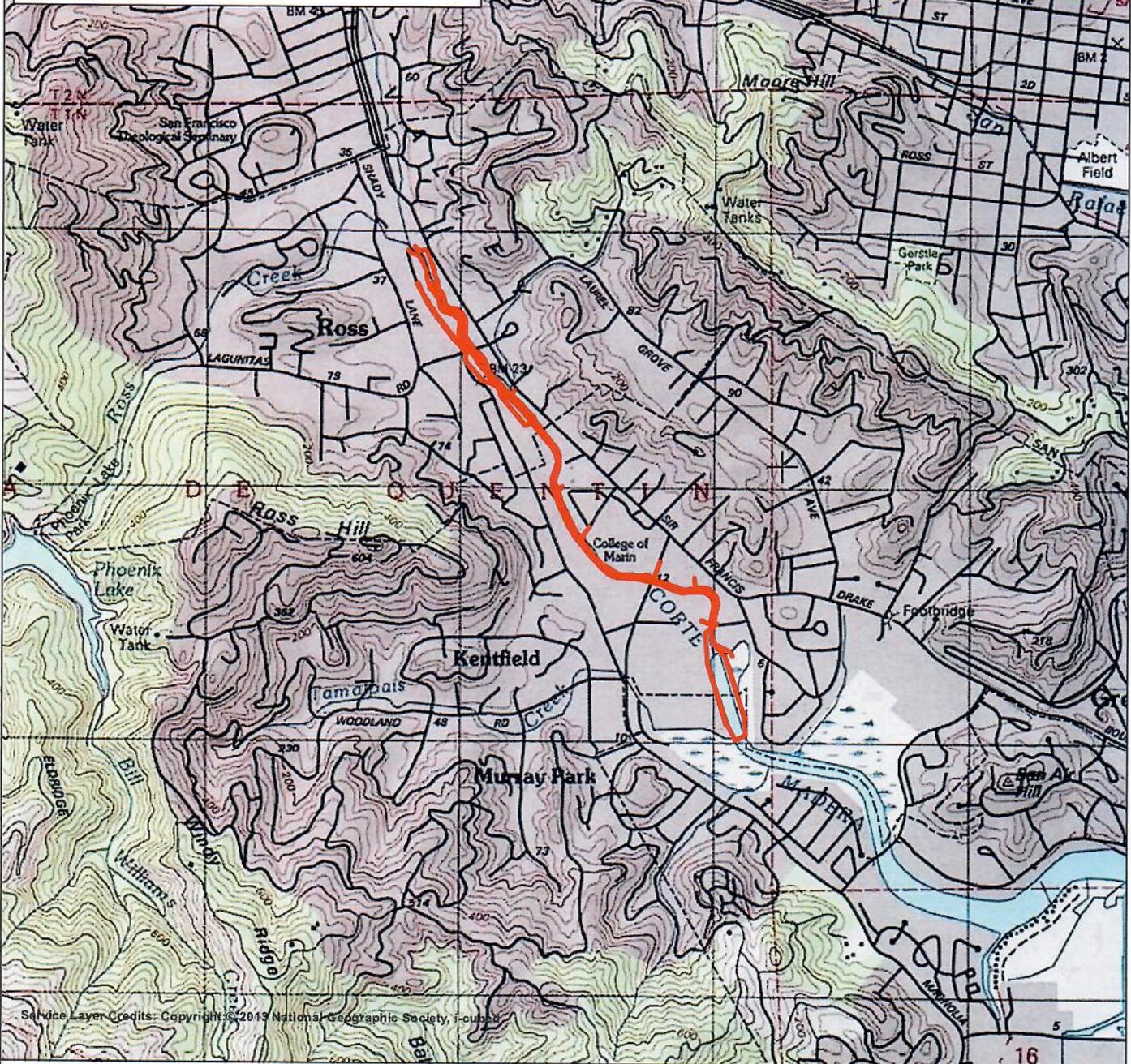


Project Elements by Unit

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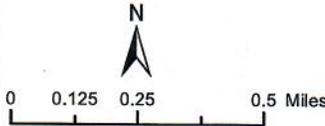
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UTM Coordinates (Zone 10N, NAD83)
Easting **Northing**
539300 4201100



Service Layer Credits: Copyright © 2013 National Geographic Society, i-cubed

Project Area



 Project Area



Marin County Flood Control and Water Conservation District
Corte Madera Creek Flood Risk Management Project, Phase 1

From: [Janis Offermann](#)
To: ["THPO@gratonrancheria.com"](mailto:THPO@gratonrancheria.com)
Cc: ["JDixon@marincounty.org"](mailto:JDixon@marincounty.org); ["Susanne Heim"](#); [Brian Piontek](#)
Subject: FW: Corte Madera Creek Flood Risk Management Project
Date: Wednesday, August 05, 2020 5:04:00 PM
Attachments: [Compiled FIGR AB52 letter 06232020.pdf](#)

Good afternoon Buffy,

I am writing on behalf of Marin County about the above referenced project. To date, the County has not received any formal comments from the Federated Indians of Graton Rancheria regarding the attached letter sent on June 23, 2020 pursuant to Public Resources Code § 21080.3.1 (Assembly Bill 52). Please contact Joanna Dixon at JDixon@marincounty.org or (415) 473-7031 by Wednesday, August 12, 2020, seven days from tomorrow, if you wish to comment on this project.

Thank you for your time
janis

Janis Offermann
Cultural Resources Practice Leader
Horizon Water and Environment
400 Capitol Mall, Suite 2500
Sacramento, CA 95814
916.465.8076 – office
530.220.4918 – mobile

From: [Janis Offermann](#)
To: ["sara@ionemiwok.net"](mailto:sara@ionemiwok.net)
Cc: ["JDixon@marincounty.org"](mailto:JDixon@marincounty.org); ["Susanne Heim"](#); [Brian Piontek](#)
Subject: Corte Madera Creek Flood Risk Management Project
Date: Wednesday, August 05, 2020 5:01:00 PM
Attachments: [Compiled Ione AB52 letter 06232020.pdf](#)

Good afternoon Chairwoman Setshwaelo,

I am writing on behalf of Marin County about the above referenced project. To date, the County has not received any formal comments from the Ione Band of Miwok Indians regarding the attached letters sent on June 23, 2020 pursuant to Public Resources Code § 21080.3.1 (Assembly Bill 52). Please contact Joanna Dixon at JDixon@marincounty.org or (415) 473-7031 by Wednesday, August 12, 2020, seven days from tomorrow, if you wish to comment on this project.

Thank you for your time
janis

Janis Offermann
Cultural Resources Practice Leader
Horizon Water and Environment
400 Capitol Mall, Suite 2500
Sacramento, CA 95814
916.465.8076 – office
530.220.4918 – mobile



Submitted via electronic e-mail: JDixon@marincounty.org

August 6, 2020

RE: Formal Request for Tribal Consultation Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code section 21080.3.1, subs. (b), (d) and (e) for the *Corte Madera Creek Flood Risk Management Project within the Town of Ross and unincorporated Kentfield areas of the County of Marin.*

Dear Agency Representative:

This letter constitutes a formal request for tribal consultation under the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21080.3.1 subdivisions (b), (d) and (e) for the mitigation of potential project impacts to tribal cultural resource for a project within the Federated Indians of Graton Rancheria's ancestral lands.

Receiving this letter sets forth the Tribe's formal request for consultation on the following topics checked below, which shall be included in consultation if requested (Public Resources Code section 21080.3.2, subd. (a):

- Alternatives to the project
- Recommended mitigation measures
- Significant effects of the project

The Tribe also requests consultation on the following discretionary topics checked below (Public Resources Code section 21080.3.2, subd. (a):

- Type of environmental review necessary
- Significance of tribal cultural resources, including any regulations, policies or standards used by your agency to determine significance of tribal cultural resources
- Significance of the project's impacts on tribal cultural resources
- Project alternatives and/or appropriate measures for preservation or mitigation that we may recommend, including, but not limited to:

- (1) Avoidance and preservation of the resources in place, pursuant to Public Resources Code section 21084.3, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks or other open space, to incorporate the resources with culturally appropriate protection and management criteria;
- (2) Treating the resources with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resources, including but not limited to the following:
 - a. Protecting the cultural character and integrity of the resource;



- b. Protection the traditional use of the resource; and
 - c. Protecting the confidentiality of the resource.
- (3) 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.
- (4) Protecting the resource.

Additionally, the Tribe would like to receive any cultural resources assessments or other assessments that have been completed on all or part of the project's potential "area of project effect" (APE), including, but not limited to:

- 1). The results of any record search(es) conducted at an archaeological information center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - (a) Any known cultural resources that have already been recorded on or adjacent to the potential APE;
 - (b) Whether the probability is low, moderate or high that cultural resources are located in the potential APE; and
 - (c) If a survey is required to determine whether previously unrecorded cultural resources are present in the potential APE.
- 2). The results of any archaeological inventory survey that was conducted of all or part of the potential APE, including, but not limited to:
 - (a) Any report that may contain site forms, site significance, and suggested mitigation measures.
- 3). The results of any Sacred Lands File searches conducted through the Native American Heritage Commission for all or part of the potential APE;
- 4). Any ethnographic studies conducted for any area including all or part of the potential APE; and
- 5) Any geotechnical reports regarding all or part of the potential APE.

We would like to remind your agency that CEQA Guidelines section 15126.4, subdivision (b)(3) states that preservation in place is the preferred manner of mitigating impacts to archaeological sites. Section 15126.4, subd. (b)(3) of the CEQA Guidelines has been interpreted by the California Court of Appeal to mean that "feasible preservation in place must be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of impacts." *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal.App.4th 48, disapproved on other grounds, *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439.



FEDERATED INDIANS OF
GRATON
RANCHERIA

The Tribe would like to begin consultation within 30 days of your receipt of this letter. Please contact my office at (707) 566-2288 or by email at bmcquillen@gratonrancheria.com as the person who will serve as the lead contact on behalf of the Tribe.

Sincerely,

Buffy McQuillen, THPO/NAGPRA
Federated Indians of Graton Rancheria

From: [Janis Offermann](#)
To: ["THPO@gratonrancheria.com"](mailto:THPO@gratonrancheria.com)
Cc: ["JDixon@marincounty.org"](mailto:JDixon@marincounty.org); ["Susanne Heim"](#); [Brian Piontek](#)
Subject: Corte Madera Creek Flood Risk Management Project - Response to AB52 consultation request
Date: Friday, August 21, 2020 11:15:00 AM
Attachments: [Results Letter_01052017.pdf](#)
[19-2242_Results Letter.pdf](#)
[Resource list_01072017.pdf](#)
[Resource list_072020.pdf](#)
[SLF No Corte Madera Creek Offerman Marin 2020.06.16 \(003\).pdf](#)

Good morning, Buffy.

My name is Janis Offermann, with Horizon Water and Environment (Horizon), and I am the contractor who is leading the cultural resources and tribal cultural resources elements of the Corte Madera Creek Flood Risk Management Project. Joanne Dixon, with Marin County, has asked that I respond to some of the requests for information that you included in your letter to her dated August 6, 2020, as I have access to the confidential files and she does not. With this in mind, I will respond to the following items requested in your letter:

- 1). The results of any record search(es) conducted at an archaeological information center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - (a) Any known cultural resources that have already been recorded on or adjacent to the potential APE;
 - (b) Whether the probability is low, moderate or high that cultural resources are located in the potential APE; and
 - (c) If a survey is required to determine whether previously unrecorded cultural resources are present in the potential APE.
- 2). The results of any archaeological inventory survey that was conducted of all or part of the potential APE, including, but not limited to:
 - (a) Any reports that may contain site forms, site significance, and suggested mitigation measures.
- 3). The results of any Sacred Lands File searches conducted through the Native American Heritage Commission for all or part of the potential APE;
- 4). Any ethnographic studies conducted for any area including all or part of the potential APE; and
- 5) Any geotechnical reports regarding all or part of the potential APE.

Before addressing these topics, I would like to point out that this is the same project that was put forward by the U.S. Army Corps of Engineers (USACE) in their Corte Madera Creek Flood Risk Management Project Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) (available at https://www.marinwatersheds.org/sites/default/files/2018-10/Corte_Madera_Creek_FRM_Draft_EIS-EIR_6Oct2018_0.pdf), but the County has now taken over the project with minor alterations. According to information in Appendix M – Cultural Resources of the draft EIS/EIR (at https://www.marinwatersheds.org/sites/default/files/2018-10/Appendix_M_Cultural_Resources.pdf), the USACE requested consultation with the FIGR via

letters dated September 12, 2016 and again on September 25, 2018. Text in the EIS/EIR suggests that the FIGR did not respond to these requests. I wanted to bring this to your attention in case this project seemed familiar. Now on to the information requested.

1). The results of any record search(es) conducted at an archaeological information center of the California Historical Resources Information System (CHRIS).

I have attached the record search response letters from the two record searches that have been conducted by the Northwest Information Center of the CHRIS. The USACE conducted a record search in 2017 (NWIC File No.: 16-0601) and I requested a record search during this summer of 2020 (NWIC File No.: 19-2242). Note that I requested information that augmented the USACE's search; I did not request an entirely new search of the project footprint.

The USACE record search identified two previously recorded resources within the project area and eight within the 500-foot search buffer. The two in the project area include a bridge and a prehistoric site that was determined to consist of redeposited material through site investigations. Four of the eight within the 500-foot search buffer were Native American sites. The 2020 record search did not identify and other previously recorded sites within the project footprint, but one built environment resource had been recorded within the search buffer. I will send the site records for the Native American sites to you via a secure file share site, Hightail. If you would also like the built environment site records, please let me know. The two lists of resources from the record searches are attached.

As demonstrated by the numbers of previous surveys within the project area in the record search results, the footprint, as well as the 500-foot search buffer, has been well-covered in the past. If you would like additional details on these previous studies, please let me know and I will forward you the study lists and studies. I will send the IC maps of resource and study locations when I send the site records.

2). The results of any archaeological inventory survey that was conducted of all or part of the potential APE.

The USACE conducted an archaeological survey of the project area, as noted in the 2018 draft EIS/EIR, but they did not prepare a stand-alone report. However, a letter to the State Historic Preservation Officer, found in Appendix M, summarizes the results of the study. Furthermore, I recently talked with the USACE archaeologist to determine what portions of the project area, if any, had not been surveyed. She indicated that two parcels, just downstream from Lagunitas Bridge were not accessible for survey. The USACE did not observe any archeological resources in the project footprint, but did see some shell fragments that are likely associated with site CA-MRN-406, which was in the larger project study area.

In July of this year, a Horizon archaeologist surveyed the areas not covered by the USACE, along with all of the proposed staging areas, a proposed access ramp, and a new pump location. Furthermore, he examined the location of the Native American site in the project footprint, as identified in the first record search, and did not see any evidence of the deposit. He also surveyed project areas in proximity to other previously recorded sites (i.e., CA-MRN-406), and did not see evidence of cultural resources. Horizon will be preparing a stand-alone report in which we will summarize the USACE work as well as the survey from this summer. Furthermore, we will do a geoarchaeological analysis

of the project area. It is worthy to note that the current alignment of the creek has been moved a bit from its original position. We will be discussing it in our report and in the project EIR. A draft of the report will be provided to you for comment, at your request.

3) The results of any Sacred Lands File searches conducted through the Native American Heritage Commission for all or part of the potential APE;

The Sacred Lands File search by the NAHC was negative. A copy of their response letter is attached.

4) Any ethnographic studies conducted for any area including all or part of the potential APE; and

5) Any geotechnical reports regarding all or part of the potential APE.

The USACE did not conduct an ethnographic study for their project, and a study is not planned for the County project. Also, there currently is not a geotechnical report available for the project, although a geotechnical study will be conducted in the future.

I hope this information has been helpful. Please watch for an email from Hightail, which will contain the site records I mentioned, along with the maps from the IC record searches. If you would like other information provided by the IC, please don't hesitate to contact me.

Please contact Joanna Dixon, of Marin County (cc'd here), if you would like to schedule a site visit or otherwise set up a meeting for further consultation.

Best regards
janis

Janis Offermann
Cultural Resources Practice Leader
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Sacramento, CA 95814
916.465.8076 – office
530.220.4918 – mobile

From: [Dixon, Joanna](#)
To: [Lewis, Liz](#); susanne.heim@panoramaenv.com
Cc: [Janis Offermann](#); [Brian Piontek](#)
Subject: FW: Corte Madera Creek Flood Risk Management Project - Response to AB52 consultation request
Date: Wednesday, October 21, 2020 3:05:16 PM
Attachments: [Results Letter_01052017.pdf](#)
[19-2242_Results Letter.pdf](#)
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[Resource list_072020.pdf](#)
[SLF No Corte Madera Creek Offerman Marin 2020.06.16 \(003\).pdf](#)
[FIGR AB52 Letter - Corte Madera Creek Flood Risk Management Project.pdf](#)

Hi all,
FYI, below is a copy of the follow – up email I just sent to Buffy regarding AB-52 consultation.
Thanks,
Joanna

From: Dixon, Joanna
Sent: Wednesday, October 21, 2020 3:02 PM
To: THPO@gratonrancheria.com; bmcquillen@gratonrancheria.com
Subject: FW: Corte Madera Creek Flood Risk Management Project - Response to AB52 consultation request

Hello Buffy,

I'm reaching out to follow up on your previous request for consultation to find out if you had any remaining questions or concerns regarding our Corte Madera Creek Flood Risk Management Project. Please refer to the information provided by Janis Offermann in the email below sent 8/21/20. If you have remaining questions or need any other information please let me know. I am also happy to organize a meeting with our consultants if you would like to discuss together.

Thank you kindly,
Joanna Dixon
Associate Civil Engineer
Marin County Flood Control & Water Conservation District
(415) 497-9773 cell

From: [Dixon, Joanna](mailto:Dixon_Joanna)
To: bmcquillen@gratonrancheria.com
Cc: [Janis Offermann](mailto:Janis.Offermann); susanne.heim@panoramaenv.com
Subject: Corte Madera Creek Flood Risk Management Project AB 52 consultation
Date: Thursday, December 03, 2020 2:26:11 PM
Attachments: [Draft EIR Cultural Resource Mitigation Measure.docx](#)

Hello, Buffy

I am writing to follow up on the Corte Madera Creek Flood Risk Management Project. The following is a chronology of our AB 52 consultation efforts with Federated Indians of the Graton Rancheria (FIGR), to date:

- June 23, 2020: Project notification letter from Joanna Dixon, Marin County Flood Control & Water Conservation District, sent to Buffy McQuillen, Tribal Historic Preservation Officer for the FIGR.
- August 5, 2020: Email follow up to Buffy McQuillen from Janis Offermann, Cultural Resources Specialist with Horizon Water and Environment, on behalf of Ms. Dixon regarding receipt of the project notification letter.
- August 6, 2020: Email from Ms. McQuillen containing a letter requesting AB 52 consultation on the project. The letter also requested information, including but not limited to, information from a records search, archaeological survey, and a sacred lands file search.
- August 21, 2020: Email reply to Ms. McQuillen from Ms. Offermann, providing results from the records search, archaeological survey, and a sacred lands file search.
- October 21, 2020: Email from Ms. Dixon to Ms. McQuillen as a follow up to the August 21 email.

We have not received any concerns or comments from you about this project since the information was sent in August. We are currently preparing to issue the public draft

Environmental Impact Report for this project and in lieu of receiving comments from you, we have drafted the attached mitigation measure for addressing the discovery of archaeological resources that could be determined tribal cultural resources. The District respectfully requests that FIGR review and comment on the attached mitigation measure within 30 days (January 1, 2021). If we do not hear from you within that time, we will assume that you have no comments and our consultations on this project will be complete.

Please note, however, that the District remains open to discussing any specific issues you have about tribal cultural resources within the project area or modifications to the mitigation measures, and requests that you notify me as soon as possible so that we can schedule a meeting to discuss such issues.

Sincerely,

Joanna Dixon
Project Manager
Marin County Flood Control and Water Conservation District
(415) 497-9773

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

From: [Buffy McQuillen](#)
To: [Dixon, Joanna](#)
Cc: [Janis Offermann](#); susanne.heim@panoramaenv.com
Subject: Re: Corte Madera Creek Flood Risk Management Project AB 52 consultation
Date: Tuesday, December 08, 2020 6:10:54 AM

Hi Joanna, the measure is acceptable. Thank you for consulting on the project.

Buffy McQuillen

**Sincerely,
Buffy McQuillen, THPO
NAGPRA
Federated Indians of Graton Rancheria
(707) 318-0485**

Federated Indians of Graton Rancheria and Tribal TANF of Sonoma & Marin - *Proprietary and Confidential*: This transmittal is a confidential communication or may otherwise be privileged. If you are not the intended recipient, you are hereby notified that you have received this transmittal in error and that any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you have received this communication in error, please notify this office and immediately destroy this message and all its attachments if any.