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To: Sean Kennings, Planning Consultant, LAK Associates, LLC.

From: Cassidy DeBaker, Senior Archaeologist, and Robin Fies, Archaeologist, Garcia and

Associates

Date: May 24, 2017

Re: Archaeological Resources Report for the Kaiser Permanente 1650 Los Gamos

Medical Office Project, San Rafael, Marin County, California

The information contained in this document is confidential and should not be distributed to the public.

1.0 INTRODUCTION

Garcia and Associates (GANDA) conducted an archaeological investigation for the conversion of an existing office building to a medical office and associated construction at 1650 Los Gamos Drive, City of San Rafael, Marin County, California (Project) (Assessor Parcel Numbers [APN] 165-220-12 and 13) (Attachment 1: Figures 1 and 2). This study was conducted to comply with cultural resource requirements of the California Environmental Quality Act (CEQA); the City of San Rafael is the lead agency.

This report presents the methods and results of the investigation based on the following information:
1) a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS); 2) a literature and archival review including historic topographic maps and aerial photographs; 3) a buried site sensitivity analysis; 4) Native American consultation; and 5) a pedestrian survey. No prehistoric or historic-era archaeological resources were identified as a result of this investigation.

1.1 PROJECT LOCATION AND DESCRIPTION

The Area of Direct Impact (ADI) for the Project is predominately located within an existing parking lot adjacent to 1650 Los Gamos Drive, south of Lucas Valley Road and west of Highway 101 in unincorporated San Rafael (Attachment 1: Figure 3). The proposed Project includes converting an existing three-story, 147,200-gross-square-foot office building into medical offices. Associated construction may include building a new parking structure on the west side of Los Gamos Drive at the location of an existing parking lot to increase the amount of available parking space. Additionally, due to a predicted increased amount of traffic, a signal light would need to be installed at the intersection of Lucas Valley Road and Los Gamos Drive and the intersection would need to be widened. The ADI is an 11.1-acre parcel encompassing all proposed property improvements and construction elements. The ADI includes wooded slopes and developed commercial property and the terrain varies from relatively flat to moderately steep (slopes are between approximately three and 30 percent).

2.0 REGULATORY CONTEXT

2.1 STATE REGULATIONS

California Environment Quality Act (CEQA)

The CEQA Statutes and Guidelines (Title 14 of the California Code of Regulations 15064.5) include procedures for identifying, analyzing, and disclosing potential adverse impacts to historical resources. CEQA defines a "historical resource" as a resource that meets any of the following criteria:

- A resource listed in, or determined to be eligible for listing in, the National Register of Historic Places (NRHP) or CRHR.
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code (PRC), unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- A resource identified as significant (i.e. rated 1-5) in a historical resource survey meeting the requirements of PRC Section 5024.1(g) (Department of Parks and Recreation [DPR] Form 523), unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- 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 determination is supported by substantial evidence in light of the whole record. Generally, a resource is considered "historically significant" if it meets the criteria for listing on the CRHR.

California Register of Historical Resources (CRHR) Criteria of Evaluation

The CRHR is a listing of State of California resources that are significant within the context of California's history, and includes all resources listed in or formally determined eligible for the NRHP. The CRHR is a state-wide program of similar scope to the NRHP. In addition, properties designated under municipal or county ordinances are also eligible for listing in the CRHR. A historic resource must be significant at the local, state, or national level under one or more of the following four criteria defined in the CCR Title 14, Chapter 11.5, Section 4850:

- 1. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States (Criterion 1);
- 2. It is associated with the lives of persons important to local, California, or national history (Criterion 2);
- 3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values (Criterion 3); or
- 4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (Criterion 4).

The CRHR criteria are similar to the NRHP criteria, and are tied to CEQA, as any resource that meets the above criteria is considered a historical resource under CEQA.

Assembly Bill 52 (Native Americans: CEQA)

Assembly Bill 52 (AB 52) amended CEQA to address California Native American tribal concerns regarding how cultural resources of importance to tribes are treated under CEQA. CEQA now specifies that a project that may cause a substantial adverse change in the significance of a "tribal cultural resource" [as defined in PRC 21074(a)] is a project that may have a significant effect on the environment. According to AB 52, tribes may have expertise in tribal history and "tribal knowledge about land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources."

The AB 52 process entails the following:

- The CEQA lead agency must begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation.
- A proposed Negative Declaration (ND), Mitigated Negative Declaration (MND), or Draft Environmental Impact Report (EIR) cannot be released for public review before the tribe(s) has had the opportunity to request consultation.
- If the tribe(s) requests formal consultation, a MND cannot be released for public review until consultation between the tribe(s) and the lead agency is completed and mitigation measures acceptable to the tribe(s) are incorporated into the MND and the related Mitigation Monitoring or Reporting Program (MMRP).

AB 52 further defines the following legislative terms:

- Tribal Cultural Resource: The passage of AB 52 created a new category of resource called a "tribal cultural resource" (TCR). The statute clearly identifies a TCR as a separate and distinct category of resource, separate from a historical resource. New PRC Section 21074 defines a TCR as any of the following under its subsections (a) through (c):
 - (a) (1) Sites, features, places, and objects with cultural value to descendant communities or cultural landscapes that are any of the following:
 - o Included in the CRHR.
 - o Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
 - O Deemed to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.
 - (a) (2) Sacred places, including, but not limited to, Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines that meet either of the following criteria:
 - o Listed on the California Native American Heritage Commission's (NAHC) Sacred Lands File pursuant to Section 5097.94 or 5097.96 and a California Native American tribe has submitted sufficient evidence to the lead agency demonstrating that the sacred places are of special religious or cultural

- significance to the California Native American tribe or contain known graves and cemeteries of California Native Americans.
- Listed or determined pursuant to criteria set forth in subdivision (g) of Section 5024.1 to be eligible for listing in the California Register of Historical Resources.
- (b) A cultural landscape is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
- (c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 also may be a tribal cultural resource if it conforms with the criteria of subdivision (a).
- California Native American Tribe: New PRC Section 21074 defines a "California Native American Tribe" to mean a Native American tribe located in California that is on the contact list maintained by the NAHC. This definition is broader than the concept of a "federally recognized tribe" that is typically used with various federal laws, including the National Environmental Policy Act (NEPA).
- Formal Tribal Consultation: Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact, or a tribal representative, of traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification notice that includes a brief description of the proposed project and its location, the lead agency's contact information, and a notification statement that the federally recognized California Native American tribe has 30 days to request consultation.
- Treatment of Mitigation Measures and Alternatives: New PRC Section 21080.3.2 provides that as part of the consultation process, parties could propose mitigation measures. If the California Native American tribe requests consultation to include project alternatives, mitigation measures, or significant effects, the consultation would be required to cover those topics. New Section 21082.3 provides that any mitigation measures agreed upon during this consultation "shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring program" if it is determined that the measure(s) avoid or lessen a significant impact on a tribal cultural resource.

Regulations Concerning Discovery of Human Remains

California Public Resources Code §5097.98 (notification of Native American human remains, descendants; disposition of human remains and associated grave goods) mandates that the lead agency adhere to the following regulations when a project results in the identification or disturbance of Native American human remains:

Whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains

and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 24 hours of their notification by the commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

- Whenever the NAHC is unable to identify a descendent, or the descendent identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendent, and the mediation provided for in subdivision (k) of Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.
- Notwithstanding the provisions of Section 5097.9, the provisions of this section, including those actions taken by the landowner or his or her authorized representative to implement this section and any action taken to implement an agreement developed pursuant to subdivision (l) of Section 5097.94, shall be exempt from the requirements of CEQA [Division 13 (commencing with Section 21000)].
- Notwithstanding the provisions of Section 30244, the provisions of this section, including those actions taken by the landowner or his or her authorized representative to implement this section, and any action taken to implement an agreement developed pursuant to subdivision (1) of Section 5097.94 shall be exempt from the requirements of the California Coastal Act of 1976 [Division 20 (commencing with Section 30000)].

2.2 LOCAL REGULATIONS

San Rafael General Plan

The City of San Rafael General Plan was adopted in 2004 and has been amended several times, most recently in 2013. The General Plan outlines goals for protecting and maintaining historic buildings and archaeological resources (Section 10: Culture and Arts Element [Goal 26:226-230]) (San Rafael General Plan 2013). The San Rafael General Plan is consistent with the San Rafael Municipal Codes' Archaeological Resources Protection ordinance (Ord. 1772 § 2 (part), 2001), which states the following:

2.19.010 Archaeological Resources Protection

Certain lands and geographic areas within the city of San Rafael contain significant archeological resources, which include deposits and remains of the local Native Americans and other early inhabitants. These deposits and remains represent an important part of the early history of San Rafael and the culture of the Native American community. Without proper regulations and monitoring, continued excavation and grading activities within the city council significantly impact these resources.

In recognizing the importance of protecting significant archeological resources, the city of San Rafael has determined to:

- a) Establish a procedure for identifying, when possible, archeological resources and potential impacts to such resources prior to authorizing excavation and grading activities;
- b) Provide valuable information and direction to property owners in the community in order to make them aware of these resources;
- c) Implement measures that would preserve and protect valuable archeological resources, when there is a potential for encountering such resources;

- d) Establish a procedure which would ensure that appropriate advisory agencies and organizations are contacted and consulted, when there is a probability that archeological resources could be encountered during an activity involving grading, excavation, and/or construction;
- e) Establish and implement specific protection and preservation measure in the event archeological resources are encountered during grading, excavation and/or construction.

2.19.020 Archeological Sensitivity Map

Geographic areas of archeological sensitivity shall be depicted on a citywide map. This map shall be prepared by an archeologist and shall be maintained by and kept on file with the city department of community development. This map shall:

- a) Identify sensitivity level based on the criteria adopted by council resolution;
- b) Be used as a reference by the city whenever considering or analyzing projects involving excavation and grading; and
- c) Be reviewed and updated periodically as new information becomes available.

2.19.030 Procedures and Regulations for Archeological Resource Protection Specific procedures and regulations shall be implemented by the city to ensure the protection of archeological resources as adopted by council resolution.

3.0 BACKGROUND RESEARCH

This section presents background information regarding previously recorded cultural resources and archaeological investigations within 0.5 mile of the ADI. This section also summarizes the results of a records search and historic map review, including a brief description of the prehistoric and ethnographic context of the ADI.

3.1 RECORDS SEARCH RESULTS

On March 17, 2016, a records search was conducted at the NWIC/CHRIS at Sonoma State University in Rohnert Park, California by GANDA Archaeologist Robin Fies, M.A. (File No. 15-1354). The NWIC is a repository of all cultural resources site records, previously conducted cultural resources investigations, and historic information concerning cultural resources for 18 counties, including Marin County. The purpose of this records search was to compile information pertaining to the locations of previously recorded cultural resources and prior cultural resources studies within a 0.5-mile radius of the ADI that inform the cultural resources sensitivity of the Project. The following sources were consulted during the records search:

- NWIC base map: USGS 7.5-minute series topographic quadrangles of Novato, California (1980);
- Survey reports from previous cultural resources investigations and cultural resources site
 records to identify recorded archaeological sites and built environmental resources (i.e.,
 buildings, structures, and objects) located within a 0.5-mile radius of the ADI; and
- California Office of Historic Preservation (OHP) sources, including the California Inventory of Historic Resources (1976), California Archaeological Determinations of Eligibility (2012a), and the Historic Properties Directory (2012b), which combines cultural resources listed as California Points of Historical Interest and California Historical Landmarks and those that are listed in or determined eligible for listing in the NRHP or the CRHR.

The records search results indicate that two cultural resources investigations have been completed

within or directly adjacent to the ADI: Chavez 1979 and Darko 2014. Additionally, the records search indicated that eight cultural resources investigations have been completed within a 0.25-mile radius of the ADI: Hastings 1975; Melandry 1981; Chavez 1985; Flynn 1989; Woodward-Clyde Consultants 1991; Holman 1976; and Roop 1992a and 1992b. No cultural resources have been identified within the ADI or within a 0.25-mile radius of the ADI; however, three documented prehistoric archaeological sites/shellmounds (CA-MRN-138, 139, and 145) along Miller Creek are within a 0.5-mile radius of the ADI (Table 1). Brief descriptions of these three sites are presented below.

Table 1. Previously Recorded Archaeological Resources within a 0.5-mile Radius of the ADI.

Primary No./	Resource Type/Name	Proximity to the ADI	NRHP
Trinomial			Eligibility Status
P-21-000163/	Prehistoric Shellmound	Approx. 0.42 mile north	Not evaluated
CA-MRN-138			
P-21-000164/	Prehistoric Shellmound	Approx. 0.49 mile northwest	Not evaluated
CA-MRN-139			
P-21-000170/	Prehistoric Shellmound	Approx. 0.50 mile northwest	Not evaluated
CA-MRN-145			

Previously Recorded Cultural Resources within 0.5 mile of the ADI

<u>P-21-000163/CA-MRN-138</u>: This prehistoric shellmound site is located approximately 0.42 mile north of the ADI along the south bank of Miller Creek. Several artifacts have been identified in association with the site including chert debitage and a small cobble pestle. This site was likely heavily impacted as a result of historic and modern development (Riddell 1955a). This site has not been formally evaluated for listing in the CRHR or the NRHP.

<u>P-21-000164/CA-MRN-139</u>: This prehistoric shellmound site is located approximately 0.49 mile northwest of the ADI along the south bank of Miller Creek. Human burials have been identified in association with the site in addition to chert debitage. This site was historically looted and was likely heavily impacted through historic and modern development (Riddell 1955a). This site has not been formally evaluated for listing in the CRHR or the NRHP.

<u>P-21-000170/CA-MRN-145</u>: This prehistoric shellmound site is located approximately 0.50 mile northwest of the ADI along the north bank of Miller Creek (Nelson 1907). This site was likely destroyed through historic and modern development and has not been formally evaluated for listing in the CRHR or the NRHP.

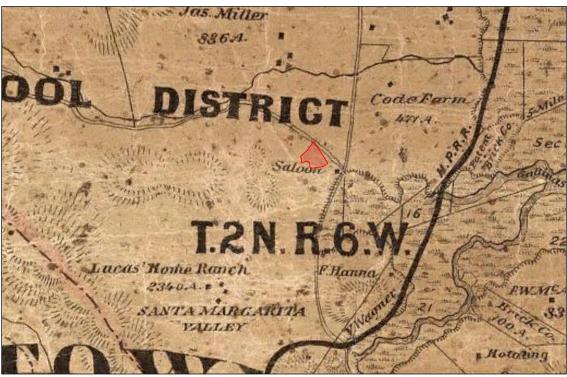
3.2 HISTORIC MAP AND LITERATURE REVIEW

GANDA Archaeologist R. Fies reviewed historic maps and aerial photographs illustrating features such as buildings, roads, railways, and waterways in order to provide additional information to assess the sensitivity for the presence of historic-era resources within the ADI. The following sources were consulted during the historic map review:

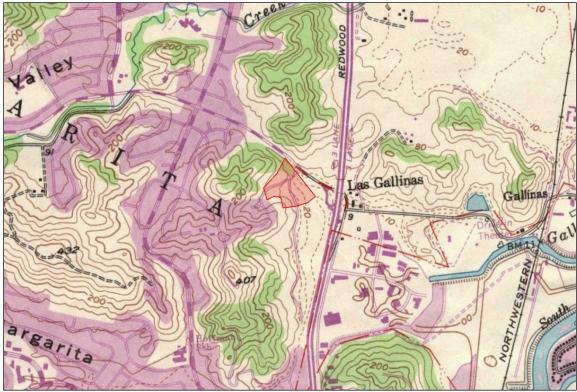
- Map of Marin County, California, David Rumsey Map Collection (Austin and Whitney 1873);
- Official Map of Marin County, California, David Rumsey Map Collection (Dodge 1892);
- Petaluma, California, 15-minute topographic quadrangle (USGS 1914, 1942, and 1954a); and
- Novato, California, 7.5-minute topographic quadrangle (USGS 1954b, 1968, and 1980).

The earliest map dates to 1873 and shows that Lucas Valley Road was already built essentially following its modern route along the northern end of the ADI and another road was built following the modern route of Highway 101 (Redwood Highway) approximately 0.12 mile east of the ADI. The location of

the ADI is on undeveloped land located on a large ranch owned by the Lucas family with a saloon built approximately 0.10 mile to the southeast of the ADI along the west side of the Redwood Highway (Map 1). By 1892, the saloon was no longer depicted on the maps and the parcel of land encompassing the ADI was shown as owned by Mrs. Maria L. Lucas. By 1914, the large parcel of land owned by the Lucas family appears to have been broken up. A building was constructed within the northern edge of the ADI along the south side of Lucas Valley Road but had been demolished by 1942. Highway 101 was built by 1954 with an on-ramp from Lucas Valley Road approximately 210 feet east of the ADI. By 1968, Los Gamos Drive was built through the ADI following its modern route; Salvador Way was also built through the ADI, continuing east from its modern configuration through the parking area currently located within the ADI along the west side of Los Gamos Drive and connecting with Los Gamos Drive approximately 240 feet south of the Los Gamos Drive/Lucas Valley Road intersection. The ADI otherwise remained undeveloped but the adjacent residential neighborhood, which is currently located along Salvador Way southwest of the ADI, was depicted as fully developed (Map 2). The office building at 1600 Los Gamos Drive was built by 1980. A review of aerial photographs shows that the office complex currently located at 1650 Los Gamos Drive and the adjacent parking lot across Los Gamos Drive was built by 1987, at which point the ADI was essentially fully developed in its modern configuration (Nationwide Environmental Title Research 2017).



Map 1. 1873 map showing the approximate location of the ADI (red polygon) (Austin and Whitney 1873).



Map 2. 1968 topographic map showing the approximate location of the ADI (red polygon) (USGS 1968).

3.3 PREHISTORY

The general cultural chronology currently defined for the northern San Francisco Bay Area (North Bay) is presented here with specific details pertaining to the prehistory of Marin County. Significant efforts to construct a prehistoric cultural chronology for the North Bay can be traced to the 1930s during excavations in the Lower Sacramento and Upper San Joaquin valleys (Lillard, Heizer, and Fenenga 1939). The observations of three culturally stratified artifact assemblages and burial lotassociated grave goods led to the development of what would become the Early, Middle, Late taxonomy of the Central California Taxonomic System (CCTS) (Gerow 1968). The system of the CCTS was refined and applied to the San Francisco Bay Area by Beardsley (1954) based on his extensive excavations along Point Reyes and the Marin Coast. Fredrickson's (1973 and 1993) taxonomic system was originally designed to allow enough flexibility to be applicable to many different cultural chronologies found in different regions of the state, by defining broad temporal periods (Archaic, Emergent, etc.) that would be defined by regional cultural patterns. Milliken et al. (2007) use a hybrid system of these two taxonomies that combine the Early, Middle, Late periods of the CCTS with the patterns and aspects of Fredrickson's system. Fredrickson's Paleo-Indian, Archaic, and Emergent period system covers a much longer period of time and is commonly used in Marin County. While the CCTS terminology has been more commonly used in shell midden excavations near the San Francisco Bay Area and in Marin County, both period terms are presented here, with Fredrickson's terms in parenthesis.

Pleistocene-Holocene Transition to Middle Holocene (Paleo-Indian and Early Archaic) cal. 8000 BC to 3500 BC

Cultural chronologies of the San Francisco Bay Area typically define the Early Period as beginning around 3500 BC. However, there is evidence for occupation extending much earlier in time in the surrounding Bay Area. The Post Pattern of the Paleo-Indian Period is poorly defined but has been identified through the discovery of fluted points similar to Clovis and eccentric crescents at places like

Warm Springs in Sonoma County and Borax Lake in Lake County (Hildebrandt 2007). Little is known of the lifeways representing this time period and no evidence of occupation from this period has been found in Marin County. It is known that a sea level rise during this period inundated portions of the coastline and likely buried sites from this period under alluvial fans and floodplain deposits. Early Holocene sites along the periphery of the San Francisco Bay Area have been identified in bay margin settings (Rosenthal and Meyer 2004).

Early Period (Middle Archaic) cal. 3500 to 500 BC

The earliest evidence of human occupation found in Marin County comes from the Early Period. Radiocarbon dates from sites CA-MRN-17 and CA-MRN-152 demonstrate native occupation dating back 3000 to 5000 years ago (Schwitalla and Powell 2014). CA-MRN-67, an excavated prehistoric site in Larkspur, contained a well-defined early component dating back 5000 years (Schwitalla and Powell 2014). The excavation of CA-MRN-67 resulted in the recovery of hundreds of burials, a large ground stone assemblage, and extensive evidence of charmstone manufacturing.

Middle Period (Upper Archaic) cal. 500 BC to AD 1050

The representative adaptive cultural pattern in Marin County for the Middle Period is the Berkeley Pattern. Spanning from about 2500 to 1300 years ago, this pattern generally resembles earlier cultural patterns; however, there appears to be an increase in larger settlements and a higher frequency of settlements. In 1973, Fredrickson defined the Berkeley Pattern through the economic adaptive strategies developed around the extensive and rich resources of the Bay Area during this time period. There were numerous marshes, tidal wetlands, and inland areas that offered an abundant resource base due to the slightly wetter environmental pattern during the late Holocene. Larger occupation sites located near water sources with the presence of projectile points and atlatls (spear-throwers) emerged during the Berkeley Pattern (Fredrickson 1989). During excavations at the Middle Period site CA-MRN-27 in Tiburon, Tom King studied 49 burials and the level of social stratification evident in the presence of grave goods. The artifact distribution and type strongly suggested clear status differentiation and the development of a social organization that centered on an increase in sedentism, access to and storage of resources, and the subsequent consolidation of wealth (Bieling 1998:45).

Late Period (Emergent Period) cal. AD 1050 to 1550

The Middle to Late transition and the Late Period in the North Bay are characterized by evidence of elaborate social organization and the formation of small, autonomous socio-political groups called tribelets. The Augustine adaptive pattern exhibits an increase in ceremonialism, social organization, and stratification. Many small groups maintained an economic relationship, and trade was frequent between the coastal groups and the valley and bayshore groups. The importance of trade as part of this adaptation is evident in the presence of various types of obsidian from other regions and shell beads (Hylkema 2002). Late Period archaeological sites are characterized by a general increase in population and settlements, a more regularized exchange system, and greater evidence of ceremonialism. A widespread series of droughts from AD 800 to 1300, known as the Medieval Climatic Anomaly, likely had significant effects on the environment and resources bases that the native populations relied upon throughout the San Francisco Bay Area and surrounding regions (Fagan 2003; Lightfoot and Luby 2002).

3.4 COAST MIWOK ETHNOGRAPHY

Traditional Coast Miwok territory encompassed the area along the coast and inland between Duncan's Point north of Bodega Bay southward to San Pablo Bay in Marin and Sonoma counties, extending as far inland as the Napa River. Coast Miwok villages were mainly located near watercourses and not necessarily near the coast (Kelly 1978). According to Milliken (2009), the tribal groups nearest to the ADI were the Aguastos, who held an area within the Lagunitas watershed, and the southern Tamal, who were centered near San Rafael and Miller Creek. Mission baptismal and marriage records point to a high rate of intermarriage between the groups, leading Milliken to suggest that the combined Tamal-

Aguastos peoples may have behaved as a single regional group. The closest recorded Contact-period village site was *shotomoko-cha*, located approximately 0.95 mile northeast of the ADI along the south bank of Miller Creek near the historical tidal bayshore marshes. Other villages known to have been in the vicinity were *Puyuku* along Miller Creek, *Ewu*, at Gallinas Creek, and *Awani-wi* at the site of Mission San Rafael (Kelly 1978). Contact period history and the missionization of the Coast Miwok began with the founding of Mission Dolores in San Francisco. Between 1802 and 1810, over 170 people from the Tamal tribe and 40 people called the Olemaloque were baptized at this mission, and approximately five people at Mission San Rafael (Milliken 2009).

Coast Miwok political organization revolved around village life. In larger villages, the chief held a non-hereditary position. The chief was responsible for taking care of the villagers, advising them, and overseeing activities in the mixed dance house. The reigning chief and four elderly women tutored upcoming chiefs (Kelly 1978). Other leaders of the Coast Miwok included the female chief and *maien*, the head of the female ceremonial house. The woman chief functioned primarily as a ceremonial leader, deeply involved in the Bird Cult that presided over the Acorn Dance and Sunwele Dance. The *maien* directed construction of new dance houses, hauled wood for festivals and events, supervised the preparation of food for special events, sent invitations for dances, and often selected dancers (Kelly 1978).

Coast Miwok villages were composed of various structures, including residential dwellings, sweathouses, and secret society dance houses. Residential dwellings were conical structures framed with willow or driftwood and thatched with bunches of grass, tule reeds, or rushes. Each house held from six to ten individuals and had a central stone hearth and a smoke hole in the roof. Sweat lodges were round semi-subterranean structures, recessed four to five feet into the earth. A framework of poles supported a brush, grass, and earth covering. Secret society dance houses were much like the sweat lodges. One type was built for mixed gender dances, and another was reserved for female secret society dances (Kelly 1978). Today, members of the Coast Miwok, together with members of the Southern Pomo, make up the federally recognized Federated Indians of the Graton Rancheria (FIGR) tribe. Members of FIGR are active in preserving and protecting native plant landscapes, biological resources, traditional cultural knowledge, and tribal cultural resources throughout Marin County and southern Sonoma County.

3.5 HISTORIC CONTEXT

In 1542, Juan Sebastian Cabrillo was the first of the exploring Europeans to sail along the California coast. The goal of this expedition was to explore the new territory and to find worthy locations for establishing Franciscan missions. Several accounts of this expedition exist including those of Fray Juan Crespi (Bolton 1971), Miguel Costansó (Browning 1992), and Pedro Fages (Priestley 1937). Francis Drake set out from England in 1579 and landed along the northern California coast. The Coast Miwok Indians, who resided in the area from about 700 AD, first encountered Europeans during this voyage as well as subsequent expeditions by Spanish and Russian explorers (Stewart 1982:3; Marin History Museum 2013). Although the exact location at which Drake and his crew first arrived remains undetermined, archival accounts and historical research have declared several Marin County locations, including Drakes Bay, Bodega Bay and San Francisco Bay as possible landing sites (Kyle 1990).

The arrival of the Spanish, and the subsequent establishment of the missions, marked the beginning of dramatic landscape changes due to the introduction of European plants and animals, the destruction of social systems by new mission lifeways, and introduction of European diseases. The missions of the San Francisco Bay Area were established as follows: Mission Dolores in 1776, Mission Santa Clara in 1777, Mission San Jose in 1797, and Mission San Rafael in 1817. The Russian colony at Bodega Bay, Fort Ross, also coincided with the Mission Period having been founded in 1809.

In 1821, Mexico declared independence from Spain, and the following year, California became a Mexican Territory. Following the secularization of the missions in 1833, representatives of the Mexican government distributed 21 large land grants or ranchos in Marin County (Marschner 2000). In 1844, Timothy Murphy was awarded three adjoining parcels, San Pedro, Las Gallinas, and Santa Margarita, as one land grant comprising 21,678 acres. This grant included the lands surrounding the town of San Rafael, including the ADI, west to Red Hill, north to Terra Linda, Marinwood and Lucas Valley, and the land east to Point San Pedro (Spitz 2006). Mexican settlements and livestock soon dotted the landscape in what would become Marin County (Marin History Museum 2013). The 1848 gold discovery and subsequent Gold Rush launched a period of landscape change on Marin County. The old cattle ranchos gave way to smaller ranches and farms; however, agriculture remained important to the county's economy and culture. Timothy Murphy died in 1853 and his rancho was divided among his surviving family members. The 2,340-acre Santa Margarita Ranch, including Lucas Valley and Terra Linda (and the ADI), was inherited by Murphy's nephew, John Lucas (Marin County Free Library 2017). The Lucas family continued to live in the area until the 1890s, as depicted in historic maps (see Section 3.2).

3.6 BURIED SITE SENSITIVITY ANALYSIS

A buried site sensitivity analysis consists of a review of geology and landscape maps, soil surveys and topographical maps to better understand the natural processes that have created the existing landscape and landforms (e.g., hills, valleys, and stream channels) within and surrounding the ADI. The analysis enables archaeologists to better understand the age of landforms, how landforms were formed and changed over time, where deposited sediments originated, and how long soils have been forming in the area. Ultimately, the information gleaned from the analysis is used to model the potential for surface, near surface, and buried archaeological deposits and the potential for preservation of such deposits.

The western portion of the ADI is situated on sedimentary bedrock of the Franciscan geologic complex associated with the Cretaceous Period and the eastern portion of the ADI is situated on Holocene-age alluvium (Attachment 1: Figure 4). Soils underlying the western portion of the ADI are comprised of Los osos-bonnydoon complex with 30 to 50 percent slopes and Tocaloma-saurin association, very steep; the soils underlying the eastern portion of the ADI are comprised of Xerorthents-urban land complex with 0 to 9 percent slopes (Attachment 1: Figure 5). The location of the ADI is northwest of the north fork of Las Gallinas Creek, historically located approximately 0.21 mile from the ADI, and south of Miller Creek, located approximately 0.47 mile from the ADI. Tidal marshes that historically lined Las Gallinas Creek were located approximately 0.11 mile southeast of the ADI on the east side of Highway 101 but have since been filled in (Attachment 1: Figure 4).

Recorded prehistoric occupation sites in and around the San Francisco Bay reveal a pattern of settlements on high ground (i.e. topographic high points) adjacent to freshwater resources and estuarine resources. This pattern is seen among hundreds of prehistoric shellmounds recorded by Nelson (1909). Locally, this pattern is substantiated by three nearby shellmounds, also discussed in the records search results (Section 3.1). The ADI is in a location that is somewhat consistent with typical prehistoric settlement patterns, which makes the location moderately sensitive for the presence of prehistoric archaeological sites. Although the ADI is located on high ground within 0.25 mile of the historic tidal marshes and Las Gallinas Creek, it is not located adjacent to any freshwater or estuarine resources, making this specific location only moderately sensitive. The eastern portion of the ADI is located in an area where sediments have accumulated over time and could have resulted in buried prehistoric archaeological deposits. As such, ground disturbance within native soils in this area have a moderate potential to expose buried archaeological materials. The remainder of the ADI (western portion) is located largely atop bedrock and 30 percent slopes with some pockets of sediment accumulation. As such, archaeological resources would be found at the surface and no such materials have been identified.

While the ADI demonstrates some sensitivity for the presence of buried prehistoric deposits, due to the nearby presence of three shellmounds (CA-MRN-138, 139, and 145); the distance of approximately 0.25 mile from the closest historic tidal marshes and Las Gallinas Creek, and the prior historic and modern disturbances in and around the ADI indicate that there is not a high potential for identifying buried prehistoric archaeological deposits within the ADI. However, project-related disturbances into native soil have some potential to encounter buried prehistoric deposits.

4.0 NATIVE AMERICAN CONSULTATION

GANDA Archaeologist R. Fies initiated consultation with the NAHC on March 16, 2016, requesting information via email regarding a search of their Sacred Lands File for resources that may be located within the ADI as well as a list of interested Native American groups and individuals. A response was received from the NAHC on April 5, 2016 which did not indicate the presence of any cultural resources within the ADI. GANDA sent letters to Gene Buvelot and Greg Sarris of the Federated Indians of the Graton Rancheria (FIGR) on April 27, 2017, as listed by the NAHC, and a copy of the letter was emailed to Buffy McQuillen, FIGR's Tribal Heritage Preservation Officer, on April 28, 2017. The project notification letter included the results of the Sacred Lands File search, records search, and field survey. On May 17, 2017, GANDA received an email from B. McQuillen stating the following:

This project is within the ancestral territory of the Tribe and we have concerns about the projects impacts to Tribal Cultural Resources. Please keep us updated and provide us with additional information about your project.

A copy of this report will be emailed to FIGR and follow-up outreach will be made by the lead agency; the City of San Rafael. Copies of correspondence letters are included in Attachment 2.

5.0 ARCHAEOLOGICAL FIELD SURVEY

5.1 FIELD SURVEY METHODS AND RESULTS

In March of 2016, GANDA Archaeologist Chris Kimsey, M.A., conducted a pedestrian survey of the entire ADI (Attachment 1: Figure 3). A follow-up pedestrian survey was conducted by GANDA Archaeologist Bill Bloomer, M.A, on April 26, 2017. The survey area was identified in the field by a combination of a field map and Geographic Information System (GIS) shape files that were loaded onto a hand-held Trimble Global Position System (GPS) data logger. Most of the ADI is covered by an asphalt parking lot and existing buildings; however, areas of natural ground surface are present to the north, west, and south. The undeveloped portions of the ADI are generally hilly with slopes ranging from 10-30 degrees and are generally grass-covered with some areas vegetated with brush, trees, and poison oak. Ground visibility is generally poor, ranging from 0 to 25 percent, but pockets of exposed soils were examined for artifacts. A seasonal drainage currently runs through the northeastern portion of the ADI and through a culvert under Los Gamos Drive to Las Gallinas Creek. The drainage is deeply incised and cuts through hilly areas. The exposed banks of the drainage within the ADI were examined for cultural materials but none were observed. No archaeological materials or sites were observed during the survey.

Concrete-lined drainage ditches that feed runoff from Salvador Way down to Las Gallinas Creek run through the ADI. The concrete-lined drainage ditches and associated culverts appear to be modern and were likely installed concurrently with the construction of the commercial properties along Los Gamos Drive in the 1980s. Two culverts were identified, the larger measuring approximately four feet in diameter and the smaller measuring approximately two feet in diameter. The creek bed is located approximately seven feet below the ground surface. The concrete ditch, located at the southwest corner of the upper parking lot, measures approximately three feet wide at the top and approximately one foot deep with a "V" shaped bottom and one section has been more recently upgraded to PVC pipe.

About one to two inches of dirt has built up in the bottom of the ditch and supports a healthy growth of grasses. The outer wall of the ditch rises approximately eight inches above the gravel and dirt path located along the north side of the ditch.

Based on the results of the field survey, no cultural resources were identified within the ADI. The culverts and ditch system observed within the ADI are less than 45 years old and are considered modern structures.



Photo 1. Natural area in the northern ADI, view north



Photo 2. Modern culvert routing Las Gallinas Creek under Los Gamos Drive, view southeast



Photo 3. Upper parking area, looking from Las Gallinas Creek, view southwest



Photo 4. Modern concrete water runoff ditch intersection/angle point with newer dirt ditch with PVC at the bottom of the frame, view southeast



Photo 5. Modern concrete ditch extension east from ditch intersection/angle point, view east

6.0 CONCLUSION

This investigation, which included a review of records search results, a review of historic maps and aerial photographs, a buried site sensitivity analysis, and a pedestrian survey of the entire ADI, did not result in the identification of any cultural resources within the ADI.

While the buried site sensitivity analysis demonstrates that the eastern portion of the ADI is moderately sensitive for buried prehistoric deposits, the ADI and surrounding vicinity have undergone historic and modern landscape disturbances, including the construction of the commercial building at 1650 Los Gamos Drive and the adjacent parking lot and filling in of the nearby marshlands and creek setting. However, the possibility remains that prehistoric deposits may be present within intact native soils within the eastern portion of the ADI.

6.1 UNANTICIPATED ARCHAEOLOGICAL SITES

If there is an unanticipated discovery of archaeological deposits or remains during Project implementation, construction crews shall stop all work until a qualified archaeologist can assess the discovery and provide recommendations. Resources could include buried historic features such as artifact-filled privies, wells, and refuse pits, and artifact deposits, along with concentrations of adobe, stone, or concrete walls or foundations, or concentrations of ceramic, glass, or metal materials. Native American archaeological materials could include obsidian and chert flaked stone tools (such as projectile points and knives), midden (darken soil created culturally from use and containing heat-affected rock, artifacts, animal bones, or shellfish remains), and/or groundstone implements (such as mortars and pestles).

6.2 ENCOUNTERING HUMAN REMAINS

While the possibility is low, there remains a chance of encountering human remains either in association with prehistoric occupation sites or separately. Section 7050.5 of the California Health and Safety Code states that it is a misdemeanor to knowingly disturb a human burial and Section 5097.99 of the Public Resources Code defines the obtaining or possession of Native American remains or grave goods to be a felony. If human remains are encountered as a result of construction activities, any work in the vicinity shall stop and the Marin County Coroner shall be contacted immediately. In addition, a qualified archaeologist and the appropriate Native American group shall be contacted immediately to evaluate the discovery. If the human remains are Native American in origin, then the Coroner must notify the NAHC within 24 hours of this identification.

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Attachment 1:

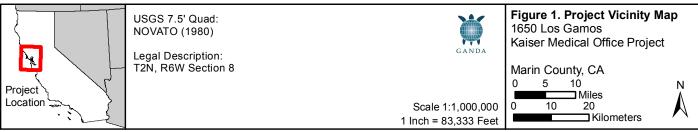
Project Maps

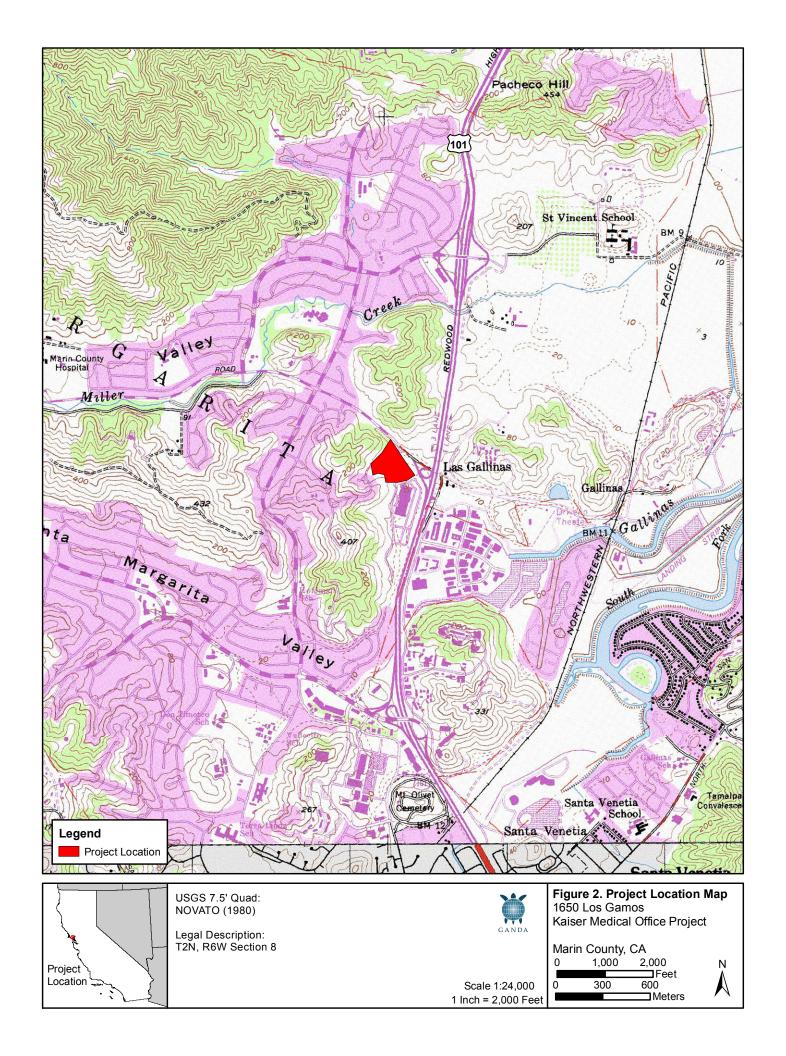
Figure 1: Project Vicinity Map

Figure 2: Project Location Map
Figure 3: Area of Direct Impact (ADI) Map
Figure 4: Underlying Geology Map

Figure 5: Soils Map











USGS 7.5' Quad: NOVATO (1980)

Legal Description: T2N, R6W Section 8



Scale 1:4,000

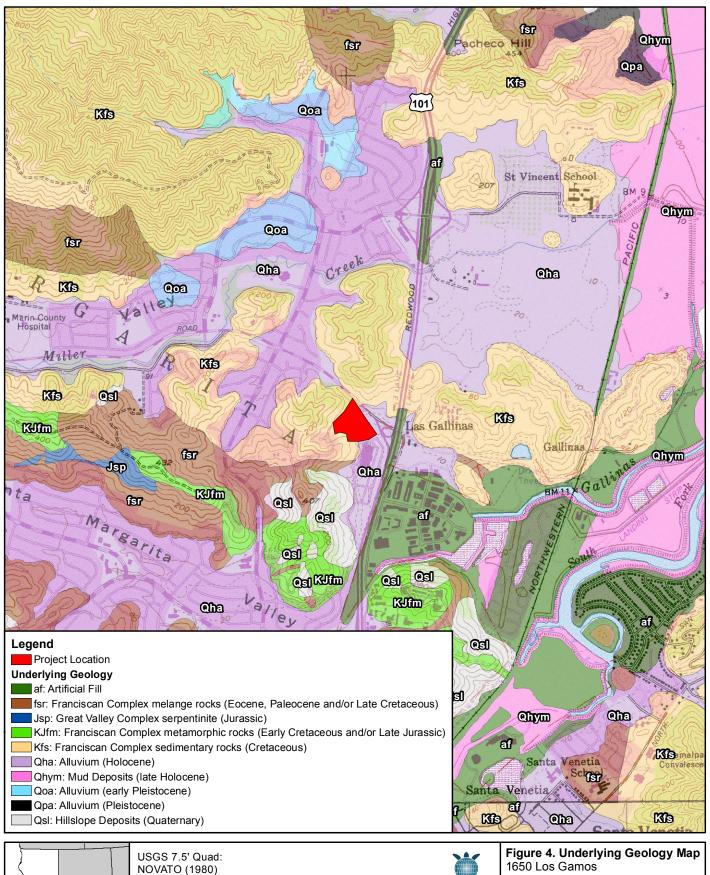
1 Inch = 333 Feet

Figure 3. Area of Direct Impact Map 1650 Los Gamos Kaiser Medical Office Project

Marin County. CA

Marin County, CA
0 100 200
Feet
0 50 100
Meters







NOVATO (1980)

Legal Description: T2N, R6W Section 8

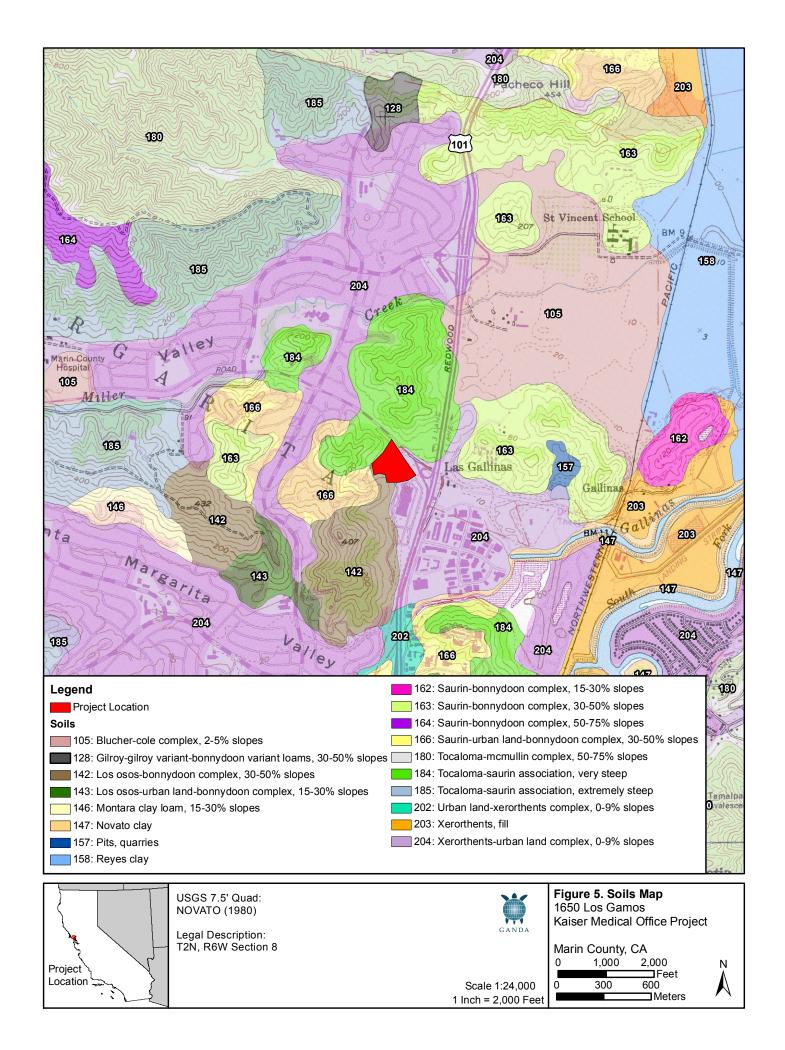


Kaiser Medical Office Project

Marin County, CA 1,000

2,000 Feet 600 300 Meters

Scale 1:24,000 1 Inch = 2,000 Feet



Attachment B:

Native America Consultation

March 16, 2016

Ms. Debbie Pilas-Tredway California Native American Heritage Commission 1550 Harbor Boulevard, Suite 100 West Sacramento, CA 95691

Project: 1650 Los Gamos Kaiser Medical Office Project, San Rafael, Marin County.

Dear Ms. Pilas-Tredway,

Garcia and Associates (GANDA) is conducting a cultural resources investigation for Kaiser Permanente (Kaiser) for the 1650 Los Gamos Kaiser Medical Office Project in the City of San Rafael, Marin County, California. Please review the Sacred Lands File for any Native American cultural resources that may be located within or adjacent to the project area. The project is located on the *Novato, California*, 7.5-minute USGS Quadrangle in T02N, R06W, Section 8 (please see the attached project location map).

We also request a list of Native American individuals and organizations who may have knowledge of cultural resources in the project area. If you have any questions, please contact me at the address and phone number above or via email at rfies@garciaandassociates.com. I look forward to hearing from you.

Sincerely,

Robin Fies

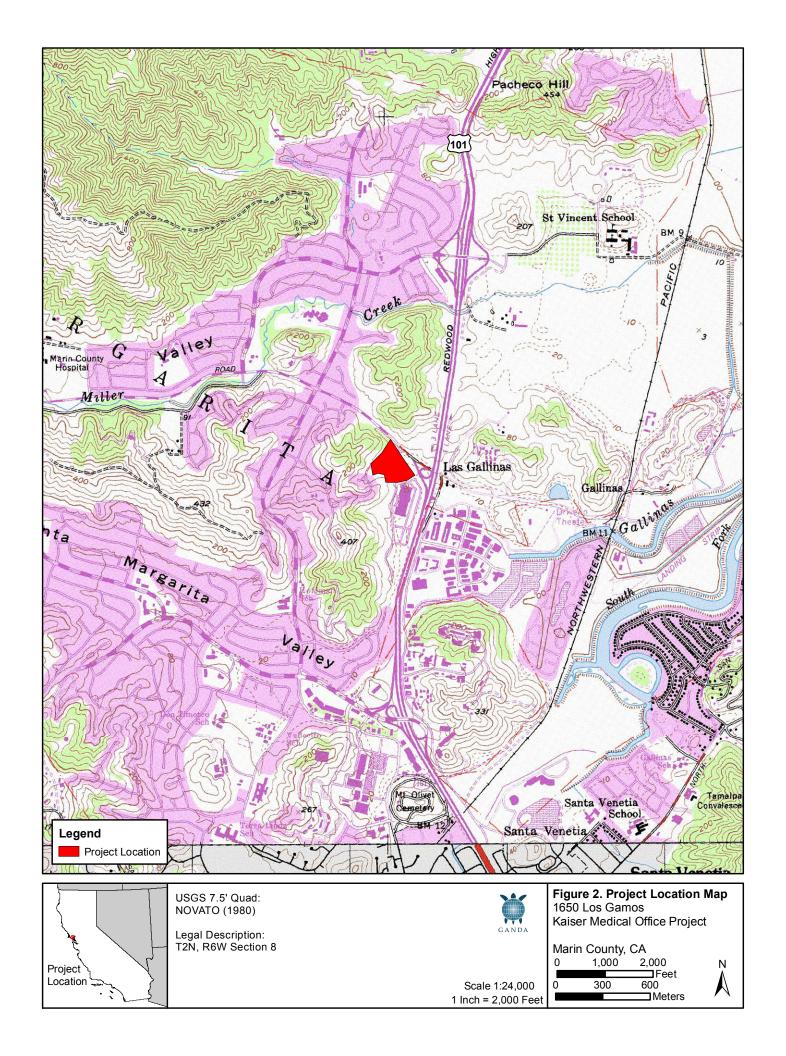
Staff Archaeologist

Kolinfjier

415.458.5803 office 707.591.3568 cell Garcia and Associates

Attachments (1)





NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100 West Sacramento, CA 95691... (916) 373-3710 (916) 373-5471 FAX



April 5, 2016

Robin Fies García and Associates

Sent by Email: rfies@garciaandassociates.com

Number of Pages: 3

RE: 1650 Los Gamos Kaiser Project, San Rafael, Marin County

Dear Ms. Fies:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties. Please note that the intent above reference codes is to mitigate impacts to tribal cultural resources, as defined, for California Environmental Quality Act (CEQA) projects.

As of July 1, 2015, Public Resources Code Sections 21080.3.1 and 21080.3.2 require public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose mitigating impacts to tribal cultural resources:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section. (Public Resources Code Section 21080.3.1(d))

The law does not preclude agencies from initiating consultation with the tribes that are culturally and traditionally affiliated with their jurisdictions. The NAHC believes that in fact that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

In accordance with Public Resources Code Section 21080.3.1(d), formal notification must include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation. The NAHC believes that agencies should also include with their notification letters information regarding any cultural resources assessment that has been completed on the APE, such as:

- 1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

- The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measurers.

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 pubic disclosure in accordance with Government Code Section 6254.10.

- 3. The results of any Sacred Lands File (SFL) check conducted through Native American Heritage Commission. A search of the SFL was completed for the USGS quadrangle information provided with negative results.
- 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.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the case that they do, having the information beforehand well help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at my email address: Sharaya.souza@nahc.ca.gov

Sincerely,

Sharaya Souza

Staff Services Analyst

Native American Heritage Commission Tribal Consultation List Marin County March 30, 2016

Federated Indians of Graton Rancheria Greg Sarris, Chairperson 6400 Redwood Drive, Ste 300 Coast Miwok Rohnert Park CA 94928 Southern Pomo (707) 566-2288 Office (707) 566-2291 Fax

Federated Indians of Graton Rancheria
Gene Buvelot
6400 Redwood Drive, Ste 300 Coast Miwok
Rohnert Park CA 94928 Southern Pomo
gbuvelot@gratonrancheria.
(415) 279-4844 Cell

(707) 566-2288 ext 103

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 7,050.5 of the Health and Safety Code, Section 5097,94 of the Public Resources Code and Section 5097,98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed 1650 Los Gamos Kaiser Medical Office, San Rafael, Marin County.

813 D STREET SAN RAFAEL, CALIFORNIA 94901

April 27, 2017

The Federated Indians of Graton Rancheria Gene Buvelot 6400 Redwood Drive, Suite 300 Rohnert Park, CA 94928

Project: Archaeological Resources Report for the Kaiser Permanente 1650 Los Gamos Medical Office Project, San Rafael, Marin County, California

Dear Mr. Buvelot,

Garcia and Associates (GANDA) is conducting cultural resources services for Kaiser Permanente for the 1650 Los Gamos Medical Office Project in an incorporated area of the City of San Rafael, Marin County, California. The County of Marin Planning Division is the California Environmental Agency (CEQA) lead agency. Please review this letter and preliminary project information for the proposed project.

The Project is located on the *Novato*, *California* 7.5-minute USGS quadrangle in Township 02N, Range 06W, Section 8 (please see attached Project Location map). The Study Area is located at 1650 Los Gamos Drive and within an existing adjacent parking lot south of Lucas Valley Road and west of Highway 101 in unincorporated San Rafael. The proposed Project includes the conversion of an existing office building to a medical office, potentially including the construction of a new parking structure at the site of an existing adjacent parking lot and the signalization and widening of the intersection of Lucas Valley Road and Los Gamos Drive. The Study Area encompasses an 11.1-acre parcel located within a relatively flat to moderately steep (slope approximately between 3% and 17%) wooded and developed terrain.

Results of the records search at the Northwest Information Center of the California Historical Resources Information System did not identify any prehistoric archaeological sites or cultural resources within the Study Area or within a 0.25 mile radius, (see attached Project Location Map). An archaeological survey was conducted in March of 2016, which did not result in the identification of any archaeological resources. A sample of field survey photographs is enclosed. A letter was sent to the Native American Heritage Commission (NAHC) on March 16, 2016 requesting a search of the Sacred Lands File (SLF). A response was received on April 5, 2016 and a search of the SLF failed to indicate the presence of Native American cultural resources and/or archaeological resources within the Study Area.

Please contact GANDA Senior Archaeologist, Cassidy DeBaker at (415) 250-1687 should you have any questions or comments regarding this Project. Thank you in advance for your cooperation and I look forward to hearing from you.

Best Regards,

Cassidy DeBaker, GANDA Senior Archaeologist

cdebaker@garciaandassociates.com 415-870-2982 (office) 415-250-1687 (cell)



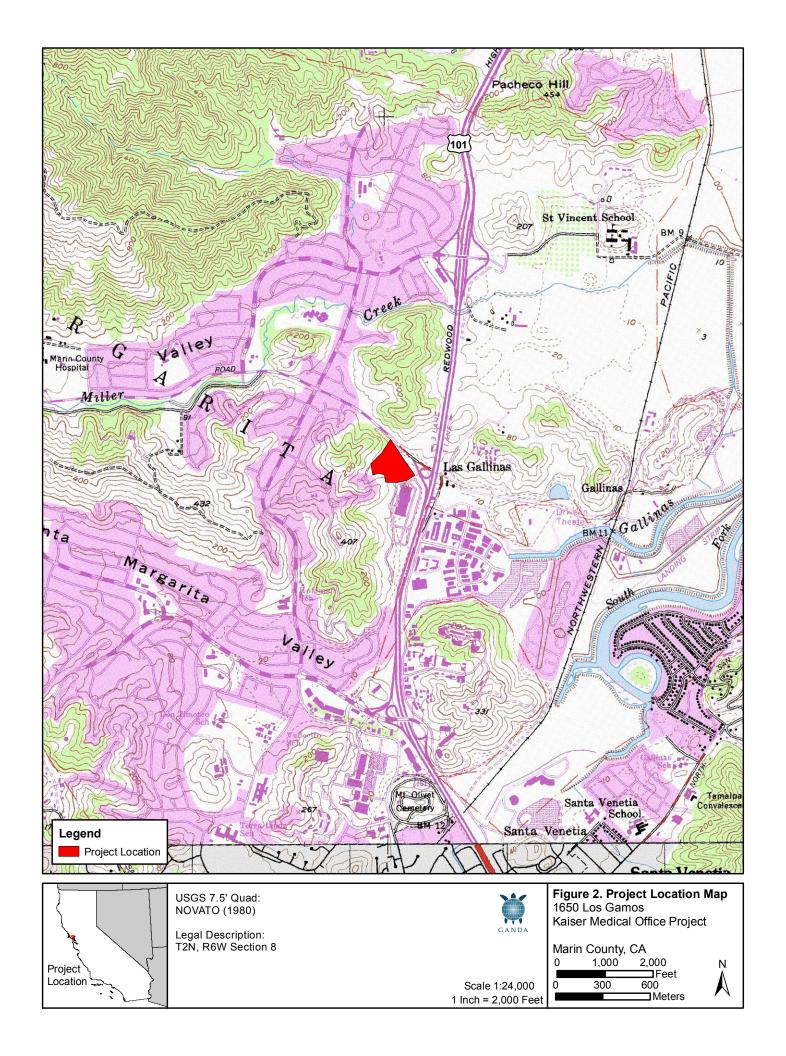




Photo 1: Overview of natural area in northern portion of Study Area.



Photo 2: Overview of the upper parking area, looking from Las Gallinas Creek.

813 D STREET SAN RAFAEL, CALIFORNIA 94901

April 27, 2017

The Federated Indians of Graton Rancheria Greg Sarris, Chairperson 6400 Redwood Drive, Suite 300 Rohnert Park, CA 94928

Project: Archaeological Resources Report for the Kaiser Permanente 1650 Los Gamos Medical Office Project, San Rafael, Marin County, California

Dear Mr. Sarris,

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Best Regards,

Cassidy DeBaker, GANDA Senior Archaeologist cdebaker@garciaandassociates.com

415-870-2982 (office) 415-250-1687 (cell)



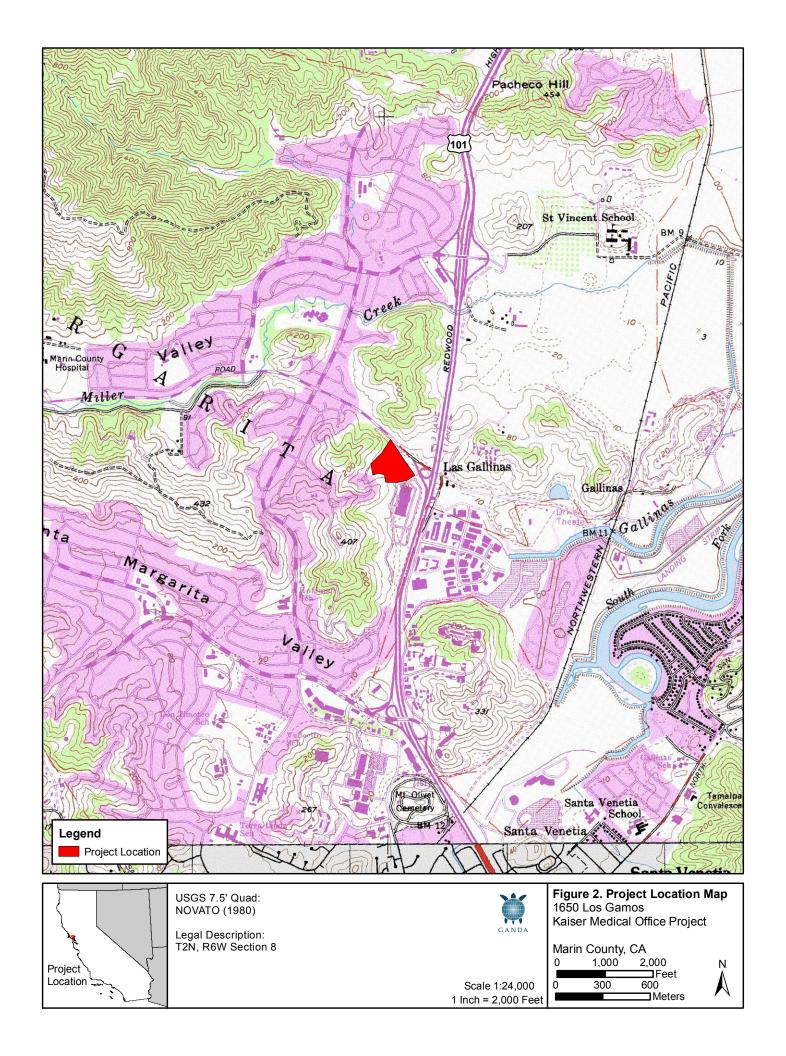




Photo 1: Overview of natural area in northern portion of Study Area.



Photo 2: Overview of the upper parking area, looking from Las Gallinas Creek.