

APPENDIX B

ARCHAEOLOGICAL RESOURCES INVENTORY REPORT

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November 24, 2021

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Stephen Logan
Merlone Geier
4365 Executive Drive
San Diego, CA 92121**Subject: Archaeological Resources Inventory Report for the Northgate Town Square Project, City of San Rafael, California**

Dear Mr. Stephen Logan:

This letter report provides a summary of the archaeological resources inventory conducted by Dudek for the proposed Northgate Town Square Project (Project), located in the City of San Rafael (City), California. The City is the lead agency responsible for compliance with the California Environmental Quality Act (CEQA).

Dudek completed a Northwest Information Center (NWIC) records search and Native American Heritage Commission Sacred Lands File search. An intensive pedestrian survey for archaeological resources was completed for the entire Project site. All archaeological resources work was completed in compliance with and in accordance with the standards and guidelines defined by the California Office of Historic Preservation (OHP) and CEQA.

Project Location, Existing Setting and Description

The Project site is currently occupied by the Northgate Mall and is located at 5800 Northgate Drive in San Rafael, California. The Project site occupies approximately 44.76 acres and is currently occupied by the main mall building, five separate retail buildings and associated parking lots. The associated Assessor's Parcel Numbers (APNs) are 175-060-12, 175-060-66, 175-060-59, 175-060-67, 175-060-61, and 175-060-40. The property contains the addresses 1000, 1500, 5000, 5010, 5800, 6000, 7000, and 9000 Northgate Drive. The property was undeveloped until the late 1960s when the first retail buildings were built. The mall continued to expand to its current configuration by 2012.

The Project consists of the phased redevelopment of the property, which will include the demolition of most of the existing retail space, and construction of new retail space and residential units.

The Project falls within Public Lands Survey System (PLSS) Section 20 of Township 2 North, Range 6 West, on the Novato, California 7.5' USGS Quadrangle maps (Figures 1 and 2).

Regulatory Context

The Project is only subject to state regulatory requirements, outlined below.

State Regulations

The California Register of Historical Resources (Public Resources Code Section 5020 et seq.)

In California, the term "historical resource" includes but is not limited to "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California." (PRC Section 5020.1(j)). In 1992, the California legislature established the California Register of Historical Resources (CRHR) "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change." (PRC section 5024.1(a).) The criteria for listing resources on the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the National Register of Historic Places (NRHP), enumerated below. According to PRC Section 5024.1(c)(1-4), a resource is considered historically significant if it (i) retains "substantial integrity," and (ii) meets at least one of the following criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

In order to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than fifty years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (see Cal. Code Regs., tit. 14, Section 4852(d)(2)).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological, historic, and tribal cultural resources:

- PRC Section 21083.2(g) defines “unique archaeological resource.”
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a) defines “historical resources.” In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource;” it also defines the circumstances when a project would materially impair the significance of an historical resource.
- PRC Section 21074(a) defines “tribal cultural resources.”
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.

PRC Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource." (PRC Section 21084.1; CEQA Guidelines Section 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of PRC Section 5024.1(q)), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA. (PRC Section 21084.1; CEQA Guidelines Section 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption. (PRC Section 21084.1; CEQA Guidelines Section 15064.5(a)).

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines Section 15064.5(b)(1); PRC Section 5020.1(q)). In turn, the significance of an historical resource is materially impaired when a project:

- (1) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
- (2) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

- (3) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA (CEQA Guidelines Section 15064.5(b)(2)).

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any "historical resources," then evaluates whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource's historical significance is materially impaired.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a], [b], and [c]).

PRC Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Impacts to non-unique archaeological resources are generally not considered a significant environmental impact (PRC Section 21083.2(a); CEQA Guidelines Section 15064.5(c)(4)). However, if a non-unique archaeological resource qualifies as tribal cultural resource (PRC Sections 21074(c); 21083.2(h)), further consideration of significant impacts is required.

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, these procedures are detailed in PRC Section 5097.98.

Native American Historic Cultural Sites (PRC Section 5097 et seq.)

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the Heritage Commission to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the CRHR.

California Health and Safety Code Section 7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (Section 7050.5b). PRC Section 5097.98 also outlines the process to be followed in the event that remains are discovered. If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the California Native American Heritage Commission (NAHC) within 24 hours (Section 7050.5c). The NAHC will notify the Most Likely Descendant. With the permission of the landowner, the Most Likely Descendant may inspect the site of discovery. The recommendations must be provided by the MLD within 48 hours of being provided access. The MLD may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Background Research

Cultural Records Search Results

NWIC staff completed a records search of the Project site and a 0.5 mile buffer on October 12, 2021. The NWIC search included their collection of mapped prehistoric, historical and built-environment resources, Department of Parks and Recreation (DPR) Site Records, technical reports, archival resources, and ethnographic references. Additional consulted sources included the National Register of Historic Places (NRHP), California Inventory of Historical Resources/CRHR and listed OHP Archaeological Determinations of Eligibility, California Points of Historical Interest, California Historical Landmarks, and Caltrans Bridge Survey information.

The records search identified 60 previous studies (including their addendums/supplemental reports) that have been performed within the records search area (Table 1). None of these studies intersect any portion of the Project site.

Table 1. Previous Cultural Resource Studies

Report ID	Year	Author	Title
Reports Intersecting the Project Site			
None			
Reports within a 0.5 Mile of the Project Site			
S-002751	1981	Mara Melandry	Archaeological Survey Report, 04-MRN-101 11.0/15.7, High Occupancy Vehicle Lanes on Route 101 from Mission Street in San Rafael to Miller Creek Road Interchange, 04225-101901
S-002825	1981	David Chavez	Civic Center Plaza Development Project, Marin County, California (letter report).
S-002828	1981	David Chavez	Scettrini Property, San Rafael, California (letter report).
S-005031	1982	David Chavez	Proposed Pump Station and Interceptor Improvements for the Las Gallinas Valley Sanitary District Project, Marin County, California, SWRCB Project No. C-06-2469-020 (letter report)

Report ID	Year	Author	Title
S-007555	1985	Robert Cartier	Archeological Resource Evaluation of the Merrydale Overcrossing Project in the City of San Rafael, County of Marin
S-007555a	1985	Robert Cartier and Charlene Detlefs	Section 106, Historic Property Survey Report for the Merrydale Overcrossing Project in the City of San Rafael, County of Marin
S-007555b	1985	Robert Cartier	Archeological Resource Evaluation of the Merrydale Overcrossing Project in the City of San Rafael, County of Marin; 4-MRN-101-13.5/13.6 4232-115740
S-007555c	1985	Robert Cartier and Charlene Detlefs	Section 106, Historic Property Survey Report for the Merrydale Overcrossing Project in the City of San Rafael, County of Marin 4-MRN-101-13.5/13.6 4232-115740
S-010760	1989	Terry Jones, Robert Gross, and Denise O'Connor	Historic Properties Survey Report for Construction of High Occupancy Vehicle Lanes on Route 101 from Lucky Drive to San Pedro Road and Modifications of Routes 101/580 Interchange, in Cities of San Rafael and Larkspur, Marin County, 4-MRN-101, P.M. 8.4/12.7 04232-115750
S-010760a	1989	Terry Jones	Archaeological Survey Report for the Marin HOV Gap Closure, City of San Rafael, Marin County, California 4-MRN-101, P.M. 8.4/12.7 04232-115750
S-010760b	1988	Denise O'Connor	Historic Architectural Survey Report for Construction of High Occupancy Vehicle Lanes on Route 101 from Lucky Drive to San Pedro Road and the Upgrading of the Route 101/580 Interchange 4-MRN-101, P.M. 8.4/12.7 04232-115750
S-010760c	1989	Stephen D. Mikesell	Historical Resources Evaluation Report, Northwestern Pacific Railroad Tracks Within Project APE, 4-MRN-101, P.M. 8.4/12.7 04232-115750
S-010760d	1999	California Department of Transportation, District 4	Historic Property Survey Report for the Marin HOV Gap Closure, City of San Rafael, Marin County, California, 04-MRN-101, PM 8.4/12.7, 04-115750
S-010760e	1999	Katherine M. Dowdall and Nelson B. Thompson	First Addendum Positive Archaeological Survey Report for the Marin HOV Gap Closure, City of San Rafael, Marin County, California 04-MRN-101, PM 8.4/12.7 EA 4232-115750
S-010760f	1999	Jeffrey A. Lindley and Daniel Abeyta	FHWA990311B: Historic Property Survey Report; 04-MRN-101, PM 8.4/12.7. HOV Gap Closure, State Route 101, City of San Rafael, Marin County, California
S-010760g	1999	Andrew Hope	Addendum Historic Property Survey Report, for the Marin-101 HOV Gap Closure Project, in the City of San Rafael, Marin County, 04-Mrn-101, P.M. 8.2/12.7, EA 4232-115750
S-012726	1991	William Roop	Precise location of Mrn-130 within the Scettrini Property, San Rafael (letter report)
S-012946	1976	Miley Paul Holman	Cultural Resources Survey Report, Archaeology - Las Gallinas Valley Wastewater Reclamation Project
S-013217	1990	Thomas M. Origer	An Archaeological Survey for the AT&T Fiber Optics Cable, San Francisco to Point Arena, California

TO: MR. STEPHEN LOGAN

SUBJECT: ARCHAEOLOGICAL RESOURCES INVENTORY REPORT FOR THE NORTHGATE TOWN SQUARE PROJECT, CITY OF SAN RAFAEL, CALIFORNIA

Report ID	Year	Author	Title
S-013217a	1990	Thomas M. Origer	Archaeological findings regarding a selection of a route through Novato for the AT&T Fiber Optics Cable (letter report)
S-013217b	1991	Thomas M. Origer	An archaeological study of revised portions of the AT&T route near Santa Rosa and Sausalito (letter report)
S-013217c	1991	Thomas M. Origer	Archaeological study of AT&T revised fiber cable routes (letter report)
S-013217d	1992	Thomas M. Origer	Archaeological survey of alternative fiber optics cable routes, Point Arena (letter report)
S-015162	1992	William Roop	A Cultural Resources Evaluation of the Las Gallinas Reclaimed Water Project, Marin County, California
S-017556	1977	Thomas L. Jackson	A preliminary archaeological reconnaissance of the property proposed for development as "San Rafael Skatepark", San Rafael, CA. (letter report)
S-018580	1993	Katherine S. Flynn	A Cultural Resources Evaluation of the Proposed Senior Citizens' Housing Development on the Grounds of St. Isabella Catholic Church, 1 Trinity Way, San
S-019202	1997	Darren Milman	A Cultural Resources Evaluation of the Property at 280 Channing Way, San Rafael, Marin County
S-020358	1997	Katherine Flynn	Results of Archaeological Monitoring of the Construction of the Maria Freitas Senior Housing Project near the St. Isabella Catholic Church, 1 Trinity Way, San Rafael, Marin County
S-022890	2000	Cassandra Chattan	A Cultural Resources Evaluation of the Channing Heights Project, Channing Way, San Rafael, Marin County, California
S-029469	None Given	EarthTouch, LLC	Nextel Communications, CA-0838E/ Santa Margarita Valley, 899 Northgate Boulevard, Novato, California
S-031707	2006	Brian F. Byrd	Historic Property Survey Report for Two Bioswale Areas, Marin Highway 101 HOV Lane Gap Closure Project, Marin County, California, 04-MRN-101, KP 18.0/PM 11.2 and KP 21.1/PM 13.1, EA 226141
S-031707a	2006	Brian F. Byrd and Michael Darcangelo	Archaeological Survey Report for Two Bioswale Areas, Marin Highway 101 HOV Lane Gap Closure Project, Marin County, California, 04-MRN-101, KP 18.0/PM 11.2 and KP 21.1/PM 13.1, EA 226141
S-031737	2004	Carole Denardo and Daniel Hart	Archaeological Resources Technical Report for the Sonoma Marin Rail Transit (SMART) Project, Sonoma and Marin Counties, California
S-031737a	2004	Garcia and Associates	Historic Architectural Resources Technical Report for the Sonoma Marin Area Rail Transit (SMART) Project
S-037738	2010	Heidi Koenig	Emergency Operating Facility Project, San Rafael, Marin County, California
S-039157	2012	Heidi Koenig	Abovenet Lucas Film Segment 2 & 3 Project, Marin County, California, Archaeological Survey Report
S-044351	2014	Emily Darko	Archaeological Survey Report for the Proposed Freeway Performance Initiative Project, Marin County, California, 04-MRN-101, PM 0.0/27.6, 04-MRN-580, PM 2.4/4.5, EA 151600

Report ID	Year	Author	Title
S-044351a	2013	Emily Darko	Extended Phase I Archaeological Testing at CA-MRN-157 (P-21-000182) and CA-MRN-4 (P-21-000035) for the Proposed Freeway Performance Initiative Project, Hwy 101 and 580, Marin County, 04-MRN-101, PM 0.0/27.6, 04-MRN-580, PM 2.4/4.5, EA 151600
S-047093	2015	Monte Kim	Historic Property Survey Report, Marin Civic Center Drive Improvements Project, STPL-5927 (103), San Rafael, Marin County, California
S-047093a	2015	Meg Scantlebury and Kathryn Haley	Historic Resources Evaluation Report for the Marin Civic Center Drive Improvements Project, California Department of Transportation, District 4, Marin County, California STPL-5927 (103)
S-047093b	2015	Robin Hoffman	Archaeological Survey Report for the Marin Civic Center Drive Improvements Project, San Rafael, Marin County, California, Caltrans District 4, San Rafael, Marin County, Federal-Aid# STPL-5927 (103)
S-047093c	2015	Monte Kim	Finding of Effects for the Marin Civic Center Drive Improvements Project, San Rafael, Marin County, California, Caltrans District 4, San Rafael, Marin County, Federal-Aid Project# STPL 5927 (103)
S-047093d	2015	Monte Kim	Secretary of the Interior's Standards (SOIS) for the Treatment of Historic Properties Action Plan for the Marin Civic Center Drive Improvements Project, San Rafael, Marin County, California, Caltrans District 4, San Rafael, Marin County, Federal-Aid Project# STPL 5927 (103)
S-047093e	2015	Robin D. Hoffman	Environmentally Sensitive Area (ESA) Action Plan for the Marin Civic Center Drive Improvements Project, San Rafael, Marin County, California, Caltrans District 4, San Rafael, Marin County, Federal-Aid Project# STPL 5927 (103)
S-047093f	2015	Robin Hoffman	Post-Review Discovery and Monitoring Plan for the Marin Civic Center Drive Improvements Project, San Rafael, Marin County, California, Caltrans District 4, San Rafael, Marin County, Federal-Aid Project# STPL 5927 (103)
S-048626	2013	Meg Scantlebury, Tait Elder, Melissa Cascella, Monte Kim, Aisha Rahimi-Fike, Lily Henry Roberts, and Patrick Maley	Cultural Resources Inventory & Evaluation Report for Sonoma-Marin Area Rail Transit (SMART): Downtown San Rafael, Marin County to Petaluma, Sonoma County (MP17-MP 37.02)
S-048626a	2014	ICF International	Archaeological Monitoring Plan For Sonoma-Marin Area Rail Transit (SMART): Downtown San Rafael, Marin County To Petaluma, Sonoma County (MP 17-MP 37.02)
S-048626b	2014	Julianne Polanco and Jane M. Hicks	COE_2013_0628_001, Section 106 Consultation for the Sonoma Marin Area Rail Transit (SMART) Railroad Initial Operating Segment-1 South Project
S-050469	1989	Katherine Flynn	Archaeological evaluation of the Scettrini property, San Rafael, APN 180-121-43, Marin County

Report ID	Year	Author	Title
S-051475	2018	William Roop	A Cultural Resources Evaluation of 350 Merrydale, 3833 Redwood Highway, San Rafael, Marin County, California
S-052727	2018	Leven Kraushaar	Cultural Resources Assessment Report, R-914 L-021G 1.62MI MP 18.12-20.07 Gas Pipeline Replacement Project (#74008652)
S-052727a	2018	Julianne Polanco and Rick M. Bottoms	COE_2018_1206_002, Section 106 Consultation for the PG&E Gas Transmission Line 021G Replacement Project, Marin County, California
S-002751	1981	Mara Melandry	Archaeological Survey Report, 04-MRN-101 11.0/15.7, High Occupancy Vehicle Lanes on Route 101 from Mission Street in San Rafael to Miller Creek Road Interchange, 04225-101901
S-002825	1981	David Chavez	Civic Center Plaza Development Project, Marin County, California (letter report).
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S-010760	1989	Terry Jones, Robert Gross, and Denise O'Connor	Historic Properties Survey Report for Construction of High Occupancy Vehicle Lanes on Route 101 from Lucky Drive to San Pedro Road and Modifications of Routes 101/580 Interchange, in Cities of San Rafael and Larkspur, Marin County, 4-MRN-101, P.M. 8.4/12.7 04232-115750
S-010760a	1989	Terry Jones	Archaeological Survey Report for the Marin HOV Gap Closure, City of San Rafael, Marin County, California 4-MRN-101, P.M. 8.4/12.7 04232-115750

The records search did not identify any cultural resources within the Project site. Five cultural resources are located within a 0.5 mile of the Project site (Table 2; Confidential Appendix A). Of these resources, two are prehistoric sites and three are historic resources.

Table 2. Previously Recorded Cultural Resources

Primary Number	Trinomial	Name	Type	Age	Attributes
Resources Intersecting the Project Site					
None					
Resources within a 0.5 Mile of the Project Site					
P-21-000154	CA-MRN-000129	Nelson No. 129	Site	Prehistoric	Bedrock Milling; Habitation Debris
P-21-000155	CA-MRN-000130	Nelson No. 130	Site	Prehistoric	Habitation Debris
P-21-000943	None	Mount Olivet Cemetery	Structure, Site	Historic	Landscaping/Orchard; Graves/Cemeteries; Monument/Mural/Gravestone; Trees/Vegetation; Cemetery
P-21-002618	CA-MRN-000699H	Northwestern Pacific Railroad	Structure, Object, Site, Element of district	Historic	Foundations; Roads/Trails; Standing Structures; Engineering Structure
P-21-002902	None	Marin Center Marin Veterans Memorial Auditorium (VMA)	Building, Element of district	Historic	Civic Auditorium; Community Center

Historical Map and Imagery Review

Dudek consulted historical maps and aerial photographs to understand development of the Project areas and surrounding properties. Fifteen USGS maps were available for review, dating 1914-2018 (NETR 2021). Fifteen aerial photographs were available for review, dating 1946-2018. Both historical maps and aerial images do not indicate any prior development in the Project site at any time prior to construction of Northgate Mall, with the exception of a few dirt trails. As indicated by maps, Northgate Mall was constructed between 1968 and 1969, in roughly the same configuration as it is today.

Geomorphology

The topography of the Marin County consists of north to northwest trending mountain ranges and intervening valleys that are characteristic of the Coast Range geomorphic province. The underlying geology is composed primarily of the Franciscan complex rock bounded on the east by the Hayward Fault and on the west by the San Andreas Fault. The Franciscan rocks are formed by pieces of former oceanic crust that have been accreted to North America by subduction and collision of the North American and Pacific Plates. These rocks are primarily marine sandstone and shale. However, chert and limestone are also found within the assemblage.

The Marin County landscape has been subject to substantial change since the Late Pleistocene. Between 15,000-9,000 years ago sea levels rose approximately 230 feet, resulting in the initial infilling of San Francisco Bay (Meyer

2011). Over time stream and river channels were diverted by sediments, resulting in the creation of large alluvial floodplains like the San Pablo Peninsula. The Bay continued to grow in size over the last 4000 years, allowing the formation of large tidal mudflats and peat marshes, further promoting the deposition of sediment around the Bay. By approximately 3,500 years ago, the Bay was 22 feet below its current level. Landforms became more stable after approximately 2,800 years ago, after which there was less comparative deposition of alluvial sediments. Radiocarbon dates taken from Palo Alto Marsh and lower Colma Creek suggest that these were formed in the last 2,000 years (Meyer 2011). Historical use for agriculture and other purposes had the result of contributing erosional fill to areas throughout the area. Pollen analysis has suggested coastal prairie, redwood forests, and San Francisco Bay salt marshes were most affected by the resource procurement and management during the Historic period (Duncan 1992).

Potential for yet identified archaeological resources in the vicinity was reviewed against geologic and topographic GIS data for the area and information from other nearby projects. The “archaeological sensitivity,” or potential to support the presence of a buried prehistoric archaeological deposits, is generally interpreted based on geologic landform and environmental parameters (i.e., distance to water and landform slope). The landform in the area is comprised of Urban land-Xerorthents complex, 0 to 9 percent slopes, normally associated with valley floors that have been highly developed (USDA 2021). Historically, a drainage to the South Fork Creek passed through the Project site. The Project site is fairly level consisting of slopes ranging from 0 to 9 percent. Based on review of this information and ignoring its disturbed context, the flat topography and proximity to a drainage indicates the Project site would be well suited to support the formation or continued presence of buried archaeological deposits or surface manifestations.

Native American Heritage Commission Sacred Lands File

Dudek contacted the NAHC on September 22, 2021 to request a search of the Sacred Lands File. The NAHC responded on November 1, 2021 indicating that the search identified potential resources within the Project site and recommended contacting the Federated Indians of Graton Rancheria for more information. Additionally, the NAHC provided a list of individuals and organizations to contact that may have additional information. Dudek has not followed up contacting these individuals and organizations.

The proposed Project is subject to compliance with Assembly Bill (AB) 52 (PRC Section 21074), which requires consideration of impacts to “tribal cultural resources” as part of the CEQA process and requires the CEQA lead agency to notify any groups (who have requested notification) of the Project who are traditionally or culturally affiliated with the geographic area of the Project. Formal consultation with Native American tribes pursuant to AB 52 will be completed by lead agency staff, if applicable. Because AB 52 is a government-to government process, all records of correspondence related to AB 52 notification and any subsequent consultation would be on file with the City.

Methods and Results

Intensive Pedestrian Survey

Archaeologist William Burns, MSc, RPA, conducted an intensive-level pedestrian archaeological survey of the Project site on October 25, 2021. The survey crew was equipped with a Global Positioning System (GPS) receiver with sub-meter accuracy. The Project site has been fully developed with the mall and parking areas leaving few areas of

exposed soil, these being landscaping islands within and at the periphery of the parking areas. These portions were surveyed for any cultural material. Likewise, parking areas were surveyed for any exposed areas in the asphalt. The interior of the mall and other building interiors were not surveyed as these areas contain no ground visibility. The area has been substantially disturbed from development; however, there is some potential for existing development, notably parking areas, to have capped and preserved native soils at depth. This considered, the Project site appears to have a moderate potential for intact buried deposits.

Management Recommendations

No archaeological resources were identified within the Project site as a result of intensive pedestrian survey. The NWIC records search did not identify any archaeological resources within the Project site. Mount Olivet Cemetery is immediately adjacent. The boundaries of historic-era cemeteries are generally well mapped in this region; however, such locations do have the potential to contain additional, poorly documented burials in the surrounding area. While prehistoric archaeological resources have been recorded in the surrounding half-mile area, they have not been recorded in the immediate vicinity. Having considered the present conditions, there is a moderate potential for the discovery of unanticipated archaeological resources during initial Project-related ground disturbance. Management recommendations to reduce potential impacts to unanticipated archaeological resources and human remains during project construction are provided below.

Monitoring Roles and Responsibilities

Given the proximity to a known historic-era cemetery in the vicinity, archaeological monitors are recommended to be present during initial ground-disturbing activities with the potential to encounter cultural resources, which are considered to include soils beneath existing parking and landscaped areas to a depth of five feet (Figure 3). Areas presently occupied by existing buildings are considered to have a low potential for buried cultural resources due the depth of disturbance from foundations and underground utilities associated with commercial buildings. Prior to the initiation of ground-disturbing work, construction crews shall be made aware of the potential to encounter cultural resources and the requirement for cultural monitors to be present during these activities. This may occur as part of a Worker Environmental Awareness Program. Archaeological monitoring may be adjusted (increase, decreased, or discontinued) at the recommendation of the archaeological principal investigator based on inspection of exposed cultural material and the observed potential for soils to contain intact cultural deposits or otherwise significant archaeological material. The requirement for a Native American monitor shall be determined by the City in consultation with traditionally culturally affiliated tribes.

The archaeological monitor shall be provided a copy of this technical report and its pertinent appendices to inform their monitoring efforts. The archaeological monitor shall have the authority to temporarily halt work to inspect areas for potential cultural material or deposits. In the event that unanticipated -archaeological deposits or features are exposed during construction activities, all construction work occurring within 50 feet of the find shall immediately stop until the archaeological principal investigator can evaluate the significance of the find and determine whether or not additional study is warranted. The work exclusion buffer may be adjusted as appropriate to allow work to feasibly continue at the recommendation of the archaeological principal investigator. Should it be required, temporary flagging shall be installed around this resource in order to avoid any disturbances from construction equipment. The potential for avoidance should be the primary consideration of this initial process. Significance of the find shall be assessed as outlined by CEQA (14 CCR 15064.5[f]; PRC Section 21082). If the

archaeological principal investigator observes the discovery to be potentially significant under CEQA, additional efforts, such as preparation of an archaeological treatment plan, testing, and/or data recovery, may be warranted prior to allowing construction to proceed in this area.

Inadvertent Discovery of Human Remains

In accordance with Section 7050.5 of the California Health and Safety Code, if potential human remains are found, the county coroner shall be immediately notified of the discovery. The coroner shall provide a determination within 48 hours of notification. No further excavation or disturbance of the identified material, or any area reasonably suspected to overlie additional remains, shall occur until a determination has been made regarding if the find is human in origin. If the county coroner determines that the remains are, or are believed to be, Native American, the coroner shall notify the NAHC within 24 hours. In accordance with PRC Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendent from the deceased Native American. Within 48 hours of the notification, the most likely descendent shall recommend to the lead agency their preferred treatment of the remains and associated grave goods.

Reporting Requirements

Daily monitoring logs shall be completed by an on-site archaeological monitor. Within 60 days following completion of construction, the qualified archaeological principal investigator shall provide an archaeological monitoring report to the City. This report shall include the results of the cultural monitoring program (even if negative), including a summary of any findings or evaluation/data recovery efforts, and supporting documentation that demonstrates all mitigation measures defined in the environmental document were appropriately met. Appendices shall include archaeological monitoring logs and documentation relating to any newly identified or updated cultural resources. This report shall be submitted to the NWIC once considered final.

If you have any questions about this report, please contact me at wburns@dudek.com.

Respectfully Submitted,



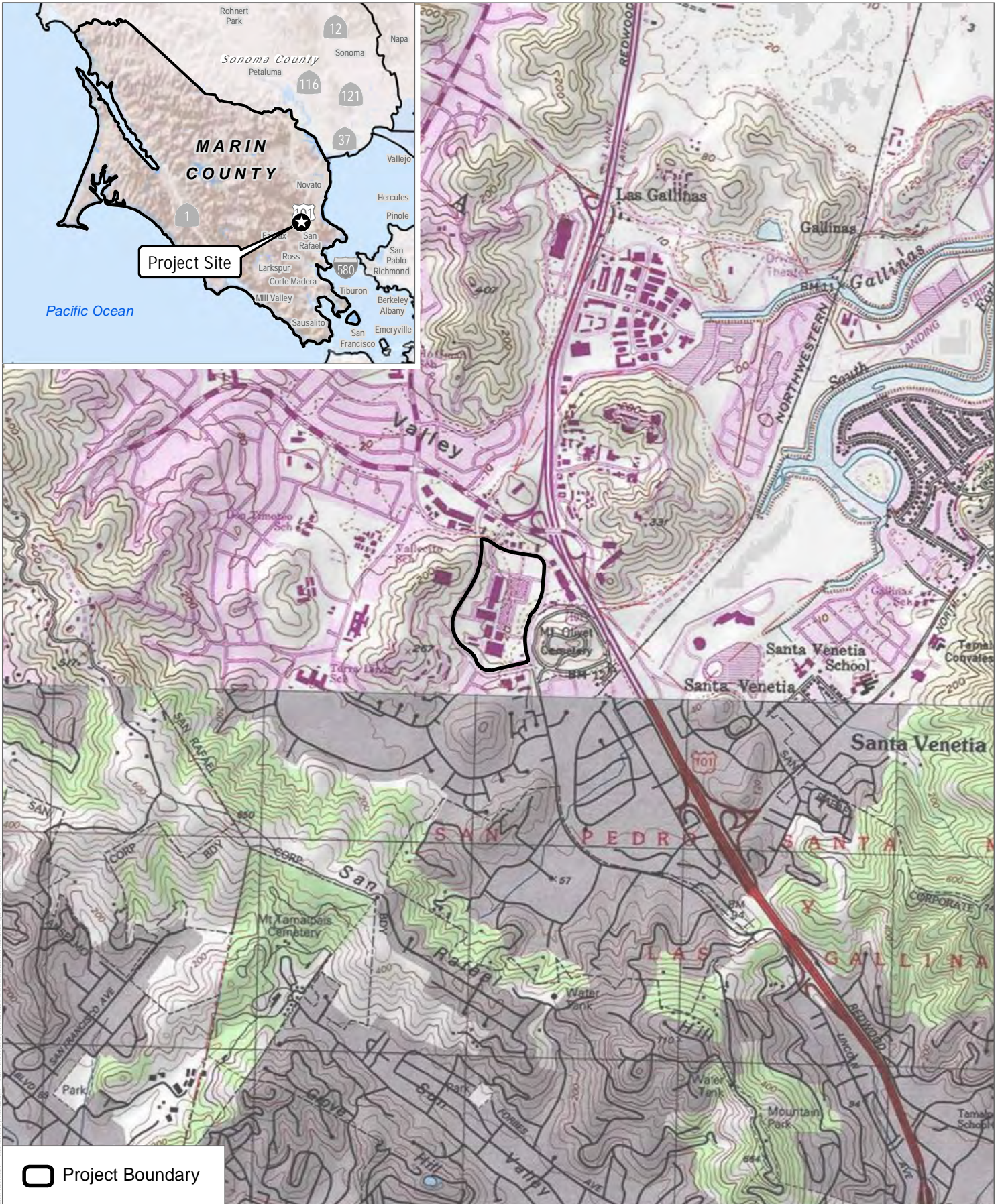
William Burns, Msc, RPA
Archaeologist

Att.: *Figure 1. Project Location*
Figure 2. Project Site
Figure 3. Monitoring Locations
National Archaeological Database (NADB) Information

cc: *Adam Giacinto, Dudek*
Rachel Struglia, Dudek

References Cited

- Duncan, Faith L. 1992. *Botanical Reflections of the Encuentro and the Contact Period in Southern Marin County, California*. Doctoral dissertation. Department of Anthropology, University of Arizona, Tucson.
- Meyer, Jack 2011. Buried Archaeological Site Assessment and Extended Phase I Subsurface Explorations for the I-80 Integrated Corridor Mobility Project, Caltrans District 04, Alameda and Contra Costa Counties, California, 04-ALA-CC-80, P.M. ALA 1.99/P.M. ALA 8.04, P.M. CC 0.0/P.M. CC 13.49, EA 3A7761 / EA 3A7771
- NETR (Nationwide Environmental Title Research). 2021. 'Historic Aerials Online'. Historic Topographic Maps available for 1914, 1924, 1940, 1942, 1947, 1955, 1959, 1961, 1968, 1969, 1981, 1985, 2012, 2015, and 2018. Historic Aerial Images available for 1946, 1952, 1968, 1982, 1983, 1987, 1993, 2002, 2005, 2009, 2010, 2012, 2014, 2016, and 2018. Accessed November 10, 2021. www.historicaerials.com.
- USDA. 2021. *Natural Resources Conservation Service: Web Soil Survey*. Accessed November 11, 2021. <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.



SOURCE: USGS 7.5-Minute Series Novato & San Rafael Quadrangles

FIGURE 1

Project Location

Northgate Town Square Project



SOURCE: Esri Clarity World Imagery 2021, Marin County 2020

FIGURE 2
Project Site
 Northgate Town Square Project



SOURCE: Esri Clarity World Imagery 2022, Marin County 2020

FIGURE 3
Monitoring Locations
 Northgate Town Square Project

National Archaeological Data Base Information

Authors: William Burns, MSc, RPA, and Adam Giacinto, MA, RPA

Firm: Dudek

Proponent: Merlone Geier

Report Date: November 2021

Report Title: Archaeological Resources Inventory Report for the Northgate Town Square Project, City of San Rafael, California

Type of Study: Archaeological Resources Inventory

New Sites: None

Updated Sites: None

USGS Quad: Novato, CA 7.5-Minute USGS Quadrangles

Acreage: Approximately 44.8 acres

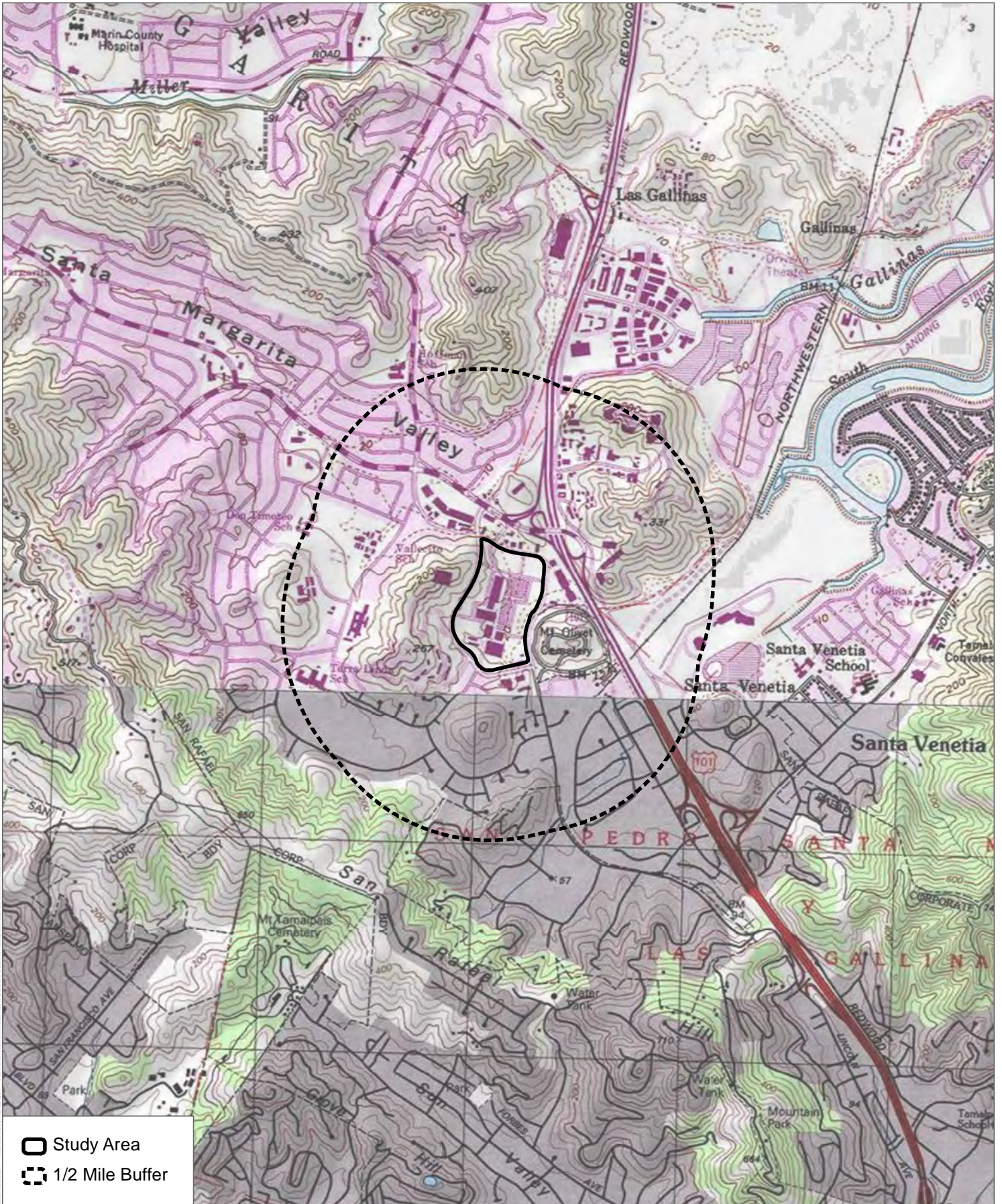
Key Words: San Rafael, Northgate, Pedestrian Survey



Attachment A (Confidential)

Northwest Information Center Records Search Results

Attachment B

Native American Heritage Commission Sacred Lands File Search Results



 Study Area
 1/2 Mile Buffer

SOURCE: USGS 7.5-Minute Series Novato & San Rafael Quadrangles
 Township 2N; Range 6W; Sections 16, 17, 18, 19, 20, 21



NATIVE AMERICAN HERITAGE COMMISSION

November 1, 2021

William Burns
Dudek

**Submitted via Electronic and USPS Mail
Via Email to: wburns@dudek.com**

Re: Northgate Town Square, Marin County

Dear Mr. Burns:

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 positive. Please contact the Federated Indians of the Graton Rancheria on the attached list for more information. 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: Katy.Sanchez@nahc.ca.gov.

Sincerely,

Katy Sanchez
Associate Environment Planner

Attachment



CHAIRPERSON
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Luiseño

VICE CHAIRPERSON
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Chumash

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**Native American Heritage Commission
Native American Contacts List
November 1, 2021**

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