

3.15 Tribal Cultural Resources

This section evaluates the potential impacts related to tribal cultural resources that may result from implementation of the proposed Larkspur Ferry Service Expansion and Parking Project (Project). The following discussion addresses existing tribal cultural resources of the Project area and surroundings, considers applicable laws and regulations, identifies and analyses environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from Project implementation, as applicable. Information in this section is based on the *Cultural Resources Report* prepared for the Project, unless otherwise noted (Appendix D). Information provided in Section 3.4, Cultural Resources, is included by reference. Impacts related to the No-Project Alternative are discussed in Chapter 5, Alternatives to the Project. Specific, precise locations of sensitive tribal resources are withheld from public disclosure consistent with state confidentiality laws.

3.15.1 Existing Conditions

3.15.1.1 Regulatory Setting

The Golden Gate Bridge, Highway and Transportation District (District), as the owner of the Larkspur Ferry Terminal, is the California Environmental Quality Act (CEQA) Lead Agency for the Project and has prepared this Draft Environmental Impact Report to evaluate potential impacts and identify required mitigation to avoid or reduce potentially significant impacts. The federal, state, and regional and local regulations applicable to the Project are provided in this section.

Federal

National Historic Preservation Act and National Register of Historic Places

Traditional cultural properties are protected through the National Historic Preservation Act (NHPA) (16 United States Code 470f). Section 106 of the NHPA requires federal agencies to evaluate project impacts on historic properties, consult with tribal nations, and recognize traditional cultural properties when projects involve federal funding or permitting or occur on federal land. Traditional cultural properties are historic properties of religious and cultural significance to tribes. They are sites tied to the traditional beliefs, cultural practices, or history of a living community and are protected under the NHPA.

The NHPA establishes the National Register of Historic Places (NRHP), which provides a framework for resource evaluation and informs the process of determining impacts on historic properties.

The NRHP is the nation's official comprehensive inventory of historic resources. Administered by the National Park Service, the NRHP includes buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, tribal, or cultural significance at the national, state, or local level. Typically, a resource that is more than 50 years of age is eligible for listing in the NRHP if it meets any one of the four eligibility criteria and retains sufficient historical integrity. A resource less than 50 years old may be eligible if it can be demonstrated that it is of "exceptional importance" or a contributor to a historic district. NRHP criteria are defined in *National Register Bulletin: How to Apply the National Register Criteria for Evaluation* (NPS 1997).

Properties that are listed in the NRHP, as well as properties that are formally determined to be eligible for listing in the NRHP, are automatically listed in the California Register of Historical Resources and, therefore, are considered historical resources under CEQA.

State

California Environmental Quality Act

CEQA, as codified in Public Resources Code (PRC) Section 21000 et seq. and implemented by the State CEQA Guidelines (14 CCR Section 15000 et seq.), is the principal statute governing environmental review of projects in California. CEQA defines a historical resource as a property listed in, or eligible for listing in, the California Register of Historical Resources (CRHR); included in a qualifying local register; or determined by a lead agency to be historically significant. To be considered a historical resource, a property must generally be at least 50 years old. Section 21084.1 of the PRC and Section 15064.5 of the State CEQA Guidelines define a historical resource for purposes of CEQA. When discovered during construction, an archaeological resource is potentially also a tribal cultural resource. Determining whether an archaeological resource is a tribal cultural resource requires consultation with Native American tribe(s) with cultural and heritage ties to the geographic region in which it is discovered.

CEQA requires lead agencies to determine whether a proposed project would have a significant effect on important historical resources or unique archaeological resources. If a resource is neither a unique archaeological resource nor a historical resource, the State CEQA Guidelines note that the effects of the project on that resource shall not be considered a significant effect on the environment (State CEQA Guidelines Section 15064.5[c][4]). In addition, projects that comply with the secretary's standards benefit from a regulatory presumption under CEQA that they would have a less-than-significant impact on a historical resource (14 CCR 15126.4[b][1]). Projects that do not comply with the secretary's standards may or may not cause a substantial adverse change in the significance of a historical resource and must be subject to further analysis to assess whether they would result in material impairment of a historical resource's significance.

Under CEQA, a substantial adverse change in the significance of a historical resource, including tribal cultural resources, means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. Actions that would materially impair the significance of a historical resource are any actions that would demolish or adversely alter the physical characteristics that convey the property's historical significance and qualify it for inclusion in the CRHR, the NRHP, or in a local register or survey that meets the requirements of PRC Sections 5020.1(k) and 5024.1(g), as follows:

- PRC Section 5024 requires state agencies to identify and protect state-owned resources that meet the listing criteria of the NRHP, including significant tribal cultural resources. Sections 5024(f) and 5024.5 require state agencies to provide notice to and consult with the State Historic Preservation Officer before altering, transferring, relocating, or demolishing state-owned historical resources that are listed or eligible for listing in the NRHP or registered or eligible for registration as California Historical Landmarks.
- PRC Sections 5097.9–5097.991 provide protection to tribal cultural resources, including Native American historical and cultural resources as well as sacred sites. These sections also identify the powers and duties of the Native American Heritage Commission (NAHC) and require notification of descendants when Native American human remains are discovered. They also provide for the treatment and disposition of human remains and associated grave goods.
- PRC Section 21084.2 outlines the key points of Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014), which establishes a formal consultation process for California Native American tribes as part of CEQA. This section equates significant impacts on tribal cultural resources with significant environmental impacts.

Assembly Bill 52

Tribal cultural resources were identified as a distinct CEQA environmental category with the adoption of AB 52 in September 2014. Cultural resources, in particular precontact Native American archaeological sites, such as shellmounds commonly found in the San Francisco Bay Area, may also be considered tribal cultural resources by California Native American tribes. For all projects that are subject to CEQA and received a notice of preparation, notice of negative declaration, or mitigated negative declaration on or after July 1, 2015, AB 52 requires the lead agency on a proposed project to consult with the geographically affiliated California Native American tribes.

AB 52 defines tribal cultural resources as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are included in or determined to be eligible for inclusion in the CRHR; included in a local register of historical resources, as defined in PRC Section 5020.1(k); or determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria of PRC Section 5024.1(c) (CEQA Section 21074).

The CRHR criteria for the listing of resources, as defined in PRC Section 5024.1(c), are the following:

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

AB 52 also sets up an expanded consultation process. For projects initiated after July 1, 2015, lead agencies are required to provide notice of the proposed projects to any tribe that is traditionally and culturally affiliated with the geographic area that requested to be informed by the lead agency, following PRC Section 21018.3.1(b). If, within 30 days, a tribe requests consultation, the consultation process must begin before the lead agency can release a draft environmental document. Consultation with the tribe may include a discussion regarding the type of review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe. The consultation process will be deemed concluded when either (1) the parties agree to mitigation measures or (2) any party concludes, after a good-faith effort, that an agreement cannot be reached. Any mitigation measures agreed to by the tribe and lead agency must be recommended for inclusion in the environmental document. If a tribe does not request consultation, or to otherwise assist in identifying mitigation measures during the consultation process, a lead agency may still consider mitigation measures if the agency determines that a project will cause a substantial adverse change to a tribal cultural resource.

Assembly Bill 168

AB 168, adopted in September 2020, provides additional protection for tribal cultural resources as defined in AB 52. This bill applies in situations where a developer seeks to streamline approval under Senate Bill (SB) 35 and, in doing so, bypass CEQA requirements. AB 168 rectifies a loophole in SB 35 that allowed developers to apply for fast-tracked approval without notifying Native American tribes affiliated with the project area. Instead, under AB 168, projects would be ineligible for SB 35 and subject to CEQA if (1) the site of the proposed development is a tribal cultural resource that is on a national, state, tribal, or local historic register list; (2) the local government and the California Native American tribe do not agree

that no potential tribal cultural resource would be affected by the proposed development; or (3) the local government and California Native American tribe find that a potential tribal cultural resource could be affected by the proposed development and the parties do not document an enforceable agreement regarding the methods, measures, and conditions for treatment of those tribal cultural resources, as provided.

Local

Marin County Ordinance 1589

The Marin County Code of Ordinances includes Ordinance 1589, which outlines procedures related to protecting archaeological resources in the county. Because some archaeological resources may also be tribal cultural resources, the protection procedures relevant to tribal cultural resources that are archaeological resources include the following:

- Requirement of a permit to excavate an Indian midden (Section 5.32.020)
- Designation of a liaison agency between institutions of higher learning or an association and the department of public works for the purpose of the study of Indian relics of archaeological significance (Section 5.32.030)
- Requirement of permits to excavate Indian middens to follow formats approved by the director of public works and to note that the excavation is for either archaeological or nonarchaeological purposes (Section 5.32.040)
- Requirement for the director of public works or designee to send the application for excavation to the liaison agency and, within 5 days of receipt, for the liaison agency to inform the director of public works if the midden is of archaeological significance; only nonarchaeological midden sites will be issued a permit (Section 5.32.050)
- If the midden requesting permit for excavation is certified to have archaeological significance, allowance for the director of public works to issue a permit with certain conditions (Section 5.32.060)
- Requirement for actions done under an issued permit to follow the permit's terms and conditions (Section 5.32.070)
- Requirement that persons in violation of the chapter's provisions are guilty of a misdemeanor and shall incur punishments as listed under Section 1.04.270; violations that occur on multiple days will each be considered as separate violations per day (Section 5.32.090)

The conditions of Section 5.32.050 are as follows:

- A. Prior to nonarchaeological excavation or removal of materials from the middens, the permittee shall not excavate for a period of sixty days in order to allow archaeological excavation of the site.
- B. The permittee or owner of the property shall be required to grant a license for the excavation, identification, and classification of artifacts and proper scientific analysis of materials having historical or archaeological significance to recognized institutions of higher learning or associations having as their major purpose the study of Indian relics and other sites having archaeological value. The terms of the license shall be such as are agreed to by the prospective licensee and property owner (Ord. 1825 § 2, 1971; Ord. 1589 § 6, 1967).

The City of Larkspur 2040 General Plan

In 2024, the City adopted *The City of Larkspur 2040 General Plan* to guide future planning efforts and development in the city. *The City of Larkspur 2040 General Plan* includes the following goal and policies related to the protection of tribal cultural resources as well as built environment, archaeological resources (City of Larkspur 2024).

Larkspur's archaeological and tribal cultural resources. Archaeological resources are the material remains of past human life, culture, or activities. Historic archaeological resources may include buried remains of built structures or artifacts dating from Larkspur's settlement by Europeans. Precontact archaeological resources in Larkspur include several known Native American sacred sites, which are protected under state and federal law. Tribal cultural resources may include a site, feature, place, habitat, landscape, sacred place, or object with cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register or included in a local register of historical resources. The Federated Indians of Graton Rancheria (FIGR), a federally recognized tribe and sovereign government, remains responsible for preserving the culture of the Coast Miwok people throughout its tribal territory, including the City of Larkspur. FIGR may at its discretion choose to treat a resource as a tribal cultural resource. The City of Larkspur has and will continue to ensure the continued protection of all archaeological and tribal cultural resources existing within its Planning Area (City of Larkspur 2024).

Archaeological and Tribal Cultural Resources

Goal CHAR-4: Awareness of and sensitivity toward Larkspur's archaeological and tribal cultural resources

Policy CHAR-4.1: Consult and cooperate with the California NAHC, the FIGR, and the Northwest Information Center to identify, protect, and preserve Native American archaeological sites and tribal cultural resources. Action Programs applicable to the Project are listed as follows:

Action Program CHAR-4.1.a: As required by the State PRC, notify FIGR (or other appropriate Tribe[s]), if recommended by the NAHC, when a project application is complete, or when a draft General Plan update or amendment is proposed, or designated open space is proposed to determine whether the Tribe(s) chooses to engage in the formal consultation process defined by State law. If consultation is requested, complete the consultation process as defined by State law.

Action Program CHAR-4.1.b: Comply with the State PRC requirements regarding notifications, assessments and disposition of resources, mitigation (including permanent conservation easements), confidentiality requirements, and other requirements enacted for review and protection of cultural and tribal cultural resources.

Action Program CHAR-4.1.d: Treat with respect and dignity any human remains discovered at a project site and ensure full compliance with the California Native American Graves Protection and Repatriation Act and other appropriate laws.

Action Program CHAR-4.1.e: At the initial application stage for new projects that would involve disturbance of soils, inform project applicants of the legal mandates incumbent on the applicant and his/her contractors not to damage or remove archaeological resources and tribal cultural resources. Explain the City's duty and intent to notify FIGR about the project once the City deems the application complete. Encourage applicants to contact FIGR prior to completing the application to avoid the need to subsequently revise the project design if the Tribe requests, and the City concurs, that such changes are

needed to avoid damage or disturbance of tribal cultural resources. Alternatively, the project applicant can request that the City initiate this early consultation with FIGR.

Policy CHAR-4.2: Ensure that the loss of archaeological and tribal cultural resources is avoided, when feasible, or mitigated appropriately. Action Programs applicable to Project are listed as follows:

Action Program CHAR-4.2.b: When a project is found to be in proximity to a known Native American or historic archaeological site, City staff will work in conjunction with a professional archaeologist, or FIGR (or other appropriate Tribe[s]), and the Northwest Information Center to determine the particular qualities to be preserved and the methods of preservation.

Action Program CHAR-4.2.c: Comply with the requirements of the California Environmental Quality Act to ensure a complete analysis of potential impacts to Native American and historic archaeological sites and that feasible mitigation options are identified.

Action Program CHAR-4.2.d: Develop guidelines and standards to address situations where a historic or archaeological resource is discovered during any phase of construction and grading activities of ongoing maintenance or ministerial projects that may not be subject to CEQA. Provide a "quick-response" assessment of the site's significance by the City's historic or archaeological consultant and identify appropriate preservation strategies, or tribal consultation if appropriate, before allowing project construction to commence.

Action Program CHAR-4.2.e: Add the following construction best management practices to the Larkspur Municipal Code Chapter 14.42.040 (C) to follow if a potentially significant archaeological resource or tribal cultural resource is encountered during ground-disturbing activities. Best management practices could include the following:

- All construction activities within a 100-foot radius of the find shall cease until a qualified archaeologist determines whether the resource requires further study.
- All developers, contractors, and subcontractors in the study area shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement.
- Any previously undiscovered resources found during construction activities shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of the CEQA criteria by a qualified archaeologist.
- If the resource is a tribal resource, the consulting archaeologist shall consult with the FIGR to evaluate the significance of the resource and to recommend appropriate and feasible avoidance, testing, preservation or mitigation measures, in light of factors such as the significance of the find, Project design, costs, and other considerations.
- If avoidance is infeasible, other appropriate measures (e.g., data recovery) may be implemented.
- If the resource is a nontribal resource determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant.

- The archaeologist shall also perform appropriate technical analyses; prepare a comprehensive report complete with methods, results, and recommendations; and provide for the permanent curation of the recovered resources.
- The report shall be submitted to the City of Larkspur, Northwest Information Center, and State Historic Preservation Office, if required (City of Larkspur 2024).

3.15.1.2 Environmental Setting

The environmental setting of the Project area consists of the existing conditions and relevant historical conditions of the CEQA study area, which is limited to the footprints of the Build Alternatives being considered, including the Main and the North Lots. The CEQA study area is delineated to consider potential impacts on archaeological and tribal cultural resources because of Project activities, including ground disturbance and alteration, relocation, or demolition of buildings in the Project area. This information is provided in Section 3.4, Cultural Resources.

Native American Consultation

The District initiated Native American outreach and consultation February 18, 2021, requesting a Sacred Lands File (SLF) search and contact list of California Native American tribes that are traditionally and culturally affiliated with Marin County from the NAHC. As the CEQA lead agency, the District has responsibilities under AB 52 to consult with California Native American tribes that are affiliated with the geographic area of any proposed project.

The NAHC responded on March 2, 2021, stating that the SLF search was negative and providing a list of the two Marin County tribes requesting consultation, the FIGR and Guidiville Indian Rancheria. On April 16, 2021, the District sent a letter to the identified tribes describing the project and informing the tribes that that the NAHC search of the SLF was negative and that the record search conducted by the NWIC did not identify any previously recorded archaeological resources within the CEQA study area. A record of Native American outreach communications is documented in Appendix A of the Cultural Resources Report (Appendix D).

The Tribal Historic Preservation Officer (THPO) for the FIGR, Buffy McQuillen, replied to the District by email on June 9, 2021. She indicated “The Tribe has reviewed the project notification dated April 16, 2021, and would like to let you know that there may be Tribal Cultural Resources in the project area. Please let us know if you have any questions.”

The District met with FIGR representatives on August 23, 2021. The FIGR shared their concerns about the potential presence of tribal cultural resources in the Project area of the Larkspur Ferry Terminal.

In a letter dated July 18, 2023, sent by email and certified mail, the District provided a project status update and invited the FIGR to monitor preliminary geotechnical investigations to be undertaken the week of August 14, 2023. The direct push coring and core penetration tests were designed to determine the underlying geotechnical site conditions for building foundation design. The District received no response from FIGR.

The District sent a letter by email and certified mail to THPO McQuillen of FIGR September 19, 2024, inviting FIGR to attend the upcoming Open House and Scoping Meeting to be held October 15, 2024, to formally initiate the environmental process for the Project and invite the public to provide feedback on the Environmental Investigation Report.

The District sent a letter by email and certified mail to FIGR THPO McQuillen June 10, 2026, notifying her of upcoming soil coring investigations to test archaeological sensitivity of subsurface deposits, and inviting FIGR to provide a monitor for the investigation. FIGR THPO McQuillen, Cultural Resources Specialist Hector Garcia Cabrales, and Kyle Rabellino, Archaeologist for FIGR, visited the investigation on Friday, June 26, observed the coring, and discussed observations with Jacobs geoarchaeologist Kyle Brudvik.

3.15.2 Environmental Impacts

This section describes the impact analysis related to tribal cultural resources for the Project. It describes the methods and thresholds used to determine whether an impact would be significant. Measures to mitigate (that is, avoid, minimize, rectify, reduce, eliminate, or compensate for) significant impacts accompany each impact discussion, as applicable. The CEQA study area includes the project footprints within the Main and North Lots.

3.15.2.1 Methodology

Tribal Cultural Resources and Archaeological Resources in the Project Area

The FIGR, a federally recognized tribe and sovereign government, remains responsible for preserving the culture of the Coast Miwok people throughout its tribal territory, including the City of Larkspur and the CEQA study area. FIGR may at its discretion choose to treat a resource, including archaeological resources, as a tribal cultural resource. The City of Larkspur has and will continue to ensure the continued protection of all archaeological and tribal cultural resources existing within its Planning Area (City of Larkspur 2024). When archaeological resources are discovered during Project activities, the FIGR are consulted on whether they choose to treat the resource as a tribal cultural resource. For this reason, the identification of tribal cultural resources is linked to all discussions of archaeological resources in Section 3.4, Cultural Resources.

To identify previously recorded tribal cultural resources, the District asked the NAHC for a SLF search and consulted with the FIGR. No tribal cultural resources were identified in the CEQA study area. To identify archaeological resources, including those potentially considered tribal cultural resources, Jacobs obtained a records search April 5, 2026, from the NWIC. No archaeological or potential tribal cultural resources were identified within the CEQA study area. Four precontact archaeological resources were identified within 0.5 mile of the CEQA study area.

Jacobs cultural resources staff conducted a pedestrian survey of the CEQA study area in 2021 and examined the reported location of the nearest precontact archaeological site. No archaeological resources were identified in the CEQA study area, which is obscured by pavement and other development and has no exposed native soils. The nearest precontact archaeological site, outside of the CEQA study area, was no longer visible because of disturbance related to development, erosion, and thick vegetation.

The CEQA study area has heightened sensitivity for buried archaeological deposits that may be considered tribal cultural resources, based on its location at the edge of the San Francisco Bay, and the FIGR have expressed concerns that there may be such deposits in the CEQA study area. Jacobs conducted a geoarchaeological study to investigate the potential of the CEQA study area for such deposits. A review of the history of site development, underlying soils and geology, and known precontact era Coast Miwok sites in the surrounding area confirms the sensitivity of the CEQA study area for buried tribal cultural resources. Jacobs drilled six core samples spread across the Main and North Lots in June 2026 and confirmed the potential for underlying sediments to have archaeological and tribal cultural resources but did not identify archaeological materials or tribal cultural resources (Jacobs Forthcoming).

3.15.2.2 Thresholds of Significance

The following State CEQA Guidelines Appendix G thresholds identify significance criteria to be considered for determining whether a project could have significant impacts related to tribal cultural resources.

Would the proposed Project do the following:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC section 5020.1(k)?
 - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Section 15064.5(b)(1) of the State CEQA Guidelines defines “substantial adverse change to a historical resource” as “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired.” Material impairment of a historical resource, as defined in State CEQA Guidelines Section 15064.5(b)(2), occurs when a project “demolishes or materially alters in an adverse manner” those physical characteristics of the resource that express its significance and justify its inclusion in, or eligibility for listing in, the CRHR or a qualified local register of historical resources or evaluation as historically significant in a qualified local survey.

3.15.2.3 Impacts

Project tribal cultural resource impacts would be substantively the same for both Build Alternatives. Within this section, impacts for Alternative 1 and Alternative 2 are discussed together as the Build Alternatives.

Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource, Defined in PRC § 21074 as Either a Site, Feature, Place, Cultural Landscape that is Geographically Defined in Terms of the Size and Scope of the Landscape, Sacred Place, or Object with Cultural Value to a California Native American Tribe, and that is Listed or Eligible for Listing in the California Register of Historical Resources, or in a Local Register of Historical Resources as Defined in PRC Section 5020.1(k) or a Resource Determined by the Lead Agency, in its Discretion and Supported by Substantial Evidence, to be Significant Pursuant to Criteria Set Forth in Subdivision (c) of Public Resource Code § 5024.1

Construction

Build Alternatives

No known tribal cultural resources are in the CEQA study area.

Construction of the Build Alternatives would involve ground-disturbing activities that may extend below existing artificial fill, including the mass removal of fill, installation of piles to support the new parking garage in the Main Lot, trench excavation for tie-ins to existing storm drain and utility infrastructure and the excavation of an elevator shaft in proposed parking garages in both the Main Lot and the North Lot. The planned depth of disturbance of these activities would extend beneath the artificial fill into underlying

Bay Mud, and therefore, construction of the Build Alternatives has the potential to disturb previously undiscovered and unrecorded subsurface tribal cultural resources. Should this occur, the ability of the deposits to convey their significance, either as containing information about prehistory or history, or as possessing traditional or cultural significance to Native American descendant communities, would be materially impaired, and ***impacts would be significant***.

These impacts would be reduced to a less-than-significant level with the implementation of the mitigation measures outlined as follows.

While no tribal cultural resources were previously recorded or observed in the CEQA study area, construction of Build Alternatives could impact previously unidentified tribal cultural resources. This ***impact would be significant***. However, implementation of MM-CULT-CNST-1, MM-CULT-CNST-2, and MM-CULT-CNST-3 described in Section 3.4, Cultural Resources, and MM-TCR-CNST-1, described as follows, would ensure that impacts related to tribal cultural resources would be ***less than significant with mitigation***.

Operation

Build Alternatives

Operation of the Larkspur Ferry Terminal under any alternative would not include ground disturbance and therefore would result in ***no impact*** on any tribal cultural resources.

Mitigation Measures

Four mitigation measures have been proposed to reduce the impacts on tribal cultural resources to a ***less-than-significant*** level. These include three mitigation measures from Section 3.4, Cultural Resources, and one proposed as follows.

MM-CULT-CNST-1: Conduct Cultural Resource and Tribal Cultural Resource Awareness Training Prior to Project- Related Ground Disturbance (refer to Section 3.4, Cultural Resources)

MM-CULT-CNST-2: Develop and Implement a Tribal Cultural and Archaeological Monitoring and Discovery Plan (refer to Section 3.4, Cultural Resources)

MM-CULT-CNST-3: Comply with State Laws Relating to Human Remains (refer to Section 3.4, Cultural Resources)

MM-TCR-CNST-1: Tribal Monitoring

A qualified Tribal Monitor, approved by the FIGR, will be present during all ground-disturbing activities as detailed in the Tribal Cultural and Archaeological Monitoring and Discovery Plan.