



# COACHELLA VALLEY WATER DISTRICT

*Established in 1918 as a public agency*

GENERAL MANAGER  
Jim Barrett

ASSISTANT GENERAL MANAGER  
Robert Cheng

CLERK OF THE BOARD  
Sylvia Bermudez

ASSISTANT GENERAL MANAGER  
Dan Charlton

February 14, 2020

«First\_Name»«Last\_Name»  
«Title»  
«Tribe»  
«Address»  
«City\_State\_Zip»

Dear «Salutation»«Last\_Name»:

Subject: Whitewater River Groundwater Replenishment Facility, Right-of-Way Grant Project  
Formal Notification of Assembly Bill (AB) 52 Consultation regarding Tribal Resources  
under the California Environmental Quality Act (CEQA) Public Resources Code (PRC)  
§21080.3.1: AB 52 (Gatto, 2014)

The Coachella Valley Water District (CVWD) is conducting AB52 consultation for the *Whitewater River Groundwater Replenishment Facility, Right-of-Way Grant Project* (proposed project). Please consider this letter and preliminary project information as the initiation for AB52 Consultation for Tribal Resources under CEQA PRC §21080.3.1; AB 52 (Gatto, 2014).

CVWD's Environmental Services Department staff would like to meet with you at your earliest convenience to discuss the proposed project and AB52 compliance. Please respond within 30 days if you would like to consult on this project.

CVWD understands that Tribal information submitted to our agency shall be kept confidential (PRC §21082.3(c)(1)). The purpose of AB52 consultation is to obtain Tribal expertise on the subject project area (PRC §21080.3.1(a)) via Tribal submittal of comments, information and/or project design measures.

According to the State of California Governor's Office of Planning and Research's *Discussion Draft Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA* report (May 2015), the consultation process shall be considered concluded when either: 1) The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or 2) A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC §21080.3.2(b)).

Included for your information is a brief description of the proposed project and location (figure enclosed), and lead agency contact person pursuant to PRC §21080.3.1(d).

«First\_Name»«Last\_Name»

«Tribe»

February 14, 2020

Page 2

**Brief Description of the Proposed Project and Location:** CVWD is requesting a right-of-way grant from the Bureau of Land Management (BLM) for the continued operation and maintenance of CVWD's existing Whitewater River Groundwater Replenishment Facility; whereas a portion of this Facility is located on land managed by the BLM, as well as, land owned by CVWD. The Facility is located in the city of Palm Springs, within Riverside County.

For over 100 years, CVWD has been replenishing the groundwater basin in this area known as Windy Point. CVWD has held a BLM permit for groundwater replenishment purposes since 1924. The permit has gone through a number of renewals over the years. Prior to 1973, the source of water for groundwater replenishment was snow melt runoff from the mountains and stormwater. In 1973, CVWD constructed and began operating and maintaining the Whitewater River Groundwater Replenishment Facility. Groundwater replenishment in the Coachella Valley Groundwater Basin is critical to maintaining groundwater levels and ensuring local availability of water within CVWD's service area.

CVWD submitted an application to the BLM requesting a new 30-year right-of-way grant covering two individual locations totaling 690.73 acres.<sup>1</sup> These locations are summarized below:

- The “renewal area” consists of two individual areas originally included in right-of-way grant LA 052742, which was previously issued by the BLM in 1984 and expired in 2014, and right-of-way grant CA 19150, which was previously issued by the BLM in 1987 expired in 2012:
  - 509.7 acres that includes a portion the 19 replenishment ponds as well as the concrete-lined and earthen conveyance channels (right-of-way grant LA 052742); and
  - 2.2 acres that includes the low-flow dike and channel crossing (right-of-way grant CA 19150).
- The “amendment area” includes 178.83 acres located north of State Route 111 (SR-111) and west of the Facility. This area was not included in either of the previous right-of-way grants issued by BLM; however, CVWD accesses this area to maintain existing flood control berms in this area.

The right-of-way grant would allow CVWD to continue groundwater replenishment at the Facility by delivering Colorado River water at a maximum rate of 511,000 acre-feet in any given year. The proposed project does not involve new construction or ground-disturbing activities at the facility, apart from the existing, ongoing maintenance activities.

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<sup>1</sup> Although 511.9 acres were included in previous right-of-way grants issued by BLM, under the proposed Project CVWD would request a new right-of-way grant from BLM. This right-of-way grant would include both the renewal area and the amendment area totaling 690.73 acres.

«Contact\_Person\_»

«Tribe»

February 14, 2020

Page 3

**Contact:** If you have any questions regarding the project or content of this letter, please contact Elizabeth Meyerhoff, Environmental Specialist, at (760) 398-2651 extension 2775; or email: [Emeyerhoff@cvwd.org](mailto:Emeyerhoff@cvwd.org)

Thank you,



William Patterson  
Environmental Supervisor

Enclosure/1/as

EM: ms\Env Srvs\Env\2020\Feb\Whitewater EIR AB 52 ltr.docx  
File: 0106.4041







ec: With enclosure  
Elizabeth Meyerhoff  
William Patterson

EM: ms\Env Srvs\Env\2020\Feb\Whitewater EIR AB 52 ltr.docx

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List of Recipients for the Whitewater River Groundwater Replenishment Facility, Right-of-Way  
Grant Project Formal Notification of Assembly Bill (AB) 52 Consultation Letter dated 2-14-2020

Patricia Garcia-Plotkin  
Tribal Historic Preservation Director  
Agua Caliente Band of Cahuilla Indians  
5401 Dinah Shore Drive  
Palm Springs, CA 92264

Raymond Huaute  
Cultural Resource Specialist  
Morongo Band of Mission Indians  
12700 Pumarra Road  
Banning, CA 92220

Amanda Vance  
Tribal Chairperson  
Augustine Band of Cahuilla Mission Indians  
P.O. Box 846  
Coachella, CA 92236

Joseph Ontiveros  
Cultural Resources Director  
Soboba Band of Luiseno Indians  
P.O. Box 487  
San Jacinto, CA 92581

Doug Welmas  
Tribal Chairperson  
Cabazon Band of Mission Indians  
84-245 Indio Springs Parkway  
Indio, CA 92203-3499

Mary Resvaloso  
Tribal Chairperson  
Torres Martinez Desert Cahuilla Indians  
P.O. Box 1160  
Thermal, CA 92274

Gwendolyn Parada  
Tribal Chairwoman  
La Posta Band of Mission Indians  
8 Crestwood Road  
Boulevard, CA 91905-9725

Anthony Madrigal, Jr.  
Tribal Historic Preservation Officer  
Twenty-Nine Palms Band of Mission Indians  
46-200 Harrison Place  
Coachella, CA 92236



# AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



01-003-2019-001

March 12, 2020

[VIA EMAIL TO: WPatterson@cvwd.org]  
Coachella Valley Water District  
Mr. William Patterson  
75-515 E. Hovley Lane East  
Palm Desert, CA 92211

## **Re: Whitewater River Groundwater Replenishment Facility, Right-of-Way Grant Project**

Dear Mr. William Patterson,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Whitewater River Groundwater Replenishment Facility project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

\*Formal government to government consultation under California Assembly Bill No. 52 (AB-52).

\*Please provide our office with shapefiles of the APE. They can be emailed to [acbc-thpo@aguacaliente.net](mailto:acbc-thpo@aguacaliente.net)

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6956. You may also email me at [ACBCI-THPO@aguacaliente.net](mailto:ACBCI-THPO@aguacaliente.net).

Cordially,

Lacy Padilla  
Archaeologist  
Tribal Historic Preservation Office  
AGUA CALIENTE BAND  
OF CAHUILLA INDIANS



# COACHELLA VALLEY WATER DISTRICT

*Established in 1918 as a public agency*

GENERAL MANAGER  
Jim Barrett

ASSISTANT GENERAL MANAGER  
Robert Cheng

CLERK OF THE BOARD  
Sylvia Bermudez

ASSISTANT GENERAL MANAGER  
Dan Charlton

July 13, 2020

Lacy Padilla  
Archaeologist, Tribal Historic Preservation Office  
Agua Caliente Band of Cahuilla Indians  
5401 Dinah Shore Drive  
Palm Springs, CA 92264

Dear Ms. Padilla:

Subject: Whitewater River Groundwater Replenishment Facility, Right-of-Way Grant Project  
Formal Notification of Assembly Bill (AB) 52 Consultation  
Regarding Tribal Resources under the California Environmental Quality Act (CEQA)  
Public Resources Code (PRC) §21080.3.1: AB 52 (Gatto, 2014)

The Coachella Valley Water District (CVWD) initiated notification of AB52 consultation for the *Whitewater River Groundwater Replenishment Facility, Right-of-Way Grant Project* (proposed project) in February 2020. Your Native American tribal government responded to that notification in March 2020, requesting formal consultation. In April 2020, CVWD requested to schedule a teleconference to initiate information sharing regarding the project. In June 2020, CVWD send a secondary request. To date, no response has been received from your tribal government. For these reasons, this letter shall conclude our AB52 consultation effort.

If you have any questions regarding the project or content of this letter, please contact Elizabeth Meyerhoff, Environmental Specialist, at [emeyerhoff@cvwd.org](mailto:emeyerhoff@cvwd.org)

Sincerely,

William Patterson  
Environmental Supervisor

EM: ms\Env\Environmental\2020\July\AB 52 Closure Ltr to ACBCI  
File No. 0643.5219; 0932.55







01-003-2019-001

July 17, 2020

[VIA EMAIL TO: WPatterson@cvwd.org]  
Coachella Valley Water District  
Mr. William Patterson  
75-515 E. Hovley Lane East  
Palm Desert, CA 92211

## **Re: Whitewater River Groundwater Replenishment Facility, Right-of-Way Grant Project**

Dear Mr. William Patterson,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Whitewater River Groundwater Replenishment Facility project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

- \*Formal government to government consultation under California Assembly Bill No. 52 (AB-52).
- \*Copies of any cultural resource documentation (report and site records) generated in connection with this project.
- \*The presence of an approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior's Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.
- \* Notification of any testing or data recovery work.
- \* Notification of any ground disturbing maintenance activity.
- \* Tribal Cultural Resource "Haviñavitcum Village" is located within the project area.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6907. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

*Patricia Garcia-Peterson*

# AGUA CALIENTE BAND OF CAHUILLA INDIANS

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TRIBAL HISTORIC PRESERVATION



Pattie Garcia-Plotkin  
Director  
Tribal Historic Preservation Office  
AGUA CALIENTE BAND  
OF CAHUILLA INDIANS

# AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



01-003-2019-001

October 26, 2020

[VIA EMAIL TO:WPatterson@cvwd.org]

Coachella Valley Water District

Mr. William Patterson

75-515 E. Hovley Lane East

Palm Desert, CA 92211

## **Re: Whitewater River Groundwater Replenishment Facility**

Dear Mr. William Patterson,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Whitewater River Groundwater Replenishment Facility project. We have reviewed the documents and have the following comments:

\*At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resources. This letter shall conclude our AB52 consultation efforts.

\* This project is only a lease renewal and the THPO has no concerns.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6907. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Pattie Garcia-Plotkin

Director

Tribal Historic Preservation Office

AGUA CALIENTE BAND

OF CAHUILLA INDIANS

5401 DINAH SHORE DRIVE, PALM SPRINGS, CA 92264

T 760/699/6800 F 760/699/6924 WWW.AGUACALIENTE-NSN.GOV