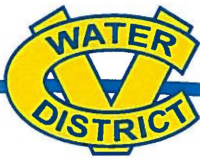


Appendix E

AB52 Tribal Cultural Resources Consultation



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

June 26, 2020

«Native_American_Tribe»
«Contact_»
«Title»
«Address»
«City_State_Zip»

Dear «Contact_»:

Subject: Fiscal Year 2020-2021 Non-Potable Water Connections 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 *Fiscal Year 2020-2021 Non-Potable Water Connections Project* (proposed project). Please consider this letter and preliminary project information as the initiation for AB 52 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 AB 52 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 AB 52 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).

Brief Description of the Proposed Project and Location: The *Fiscal Year 2020-2021 Non-Potable Water Connections Project* involves the construction and operation of approximately 11 miles of new non-potable water (NPW) pipeline segments and connections within CVWD's existing NPW distribution system, to convey tertiary treated recycled water from CVWD's existing Water Reclamation Plant No. 10 (WRP10), as well as Colorado River water from the Mid-Valley Pipeline (MVP). The project may include an optional 0.35-mile NPW pipeline connection ("MVP Option") to the existing MVP within the Whitewater River Stormwater Channel (WWRSC) near the Indian Wells Tennis Garden in the city of Indian Wells; the proposed project does not include construction activities within the WWRSC.

The proposed project would deliver NPW for irrigation to existing water users including seven golf courses, one community church, and Indian Wells Tennis Garden. The proposed project end users currently rely on groundwater or CVWD-supplied potable water for irrigation. Under the proposed project, those water sources would shift to a blend of NPW from CVWD's existing WRP10, and Colorado River water from the MVP terminus at WRP10, or only Colorado River water directly from the MVP.

The project corridor (pipeline alignment) is located in the cities of Palm Desert, Rancho Mirage, Indian Wells, and La Quinta, as well as the community of Thousand Palms in unincorporated Riverside County. Construction of each segment of NPW pipeline would include removal of existing ground cover (landscaping, asphalt or concrete), trenching along the pipeline alignment, placement of bedding within the trench, placement of NPW pipeline, backfilling of trenches and soil compaction, and installation of meters and motor-actuated valves. The proposed project also includes one new storage reservoir with a capacity of approximately one million gallons to be constructed in the vicinity of Indian Wells Tennis Garden, and two new 100-horsepower pumps at the existing WRP10 facility in Palm Desert. See enclosed project map.

Contact:

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

Sincerely,

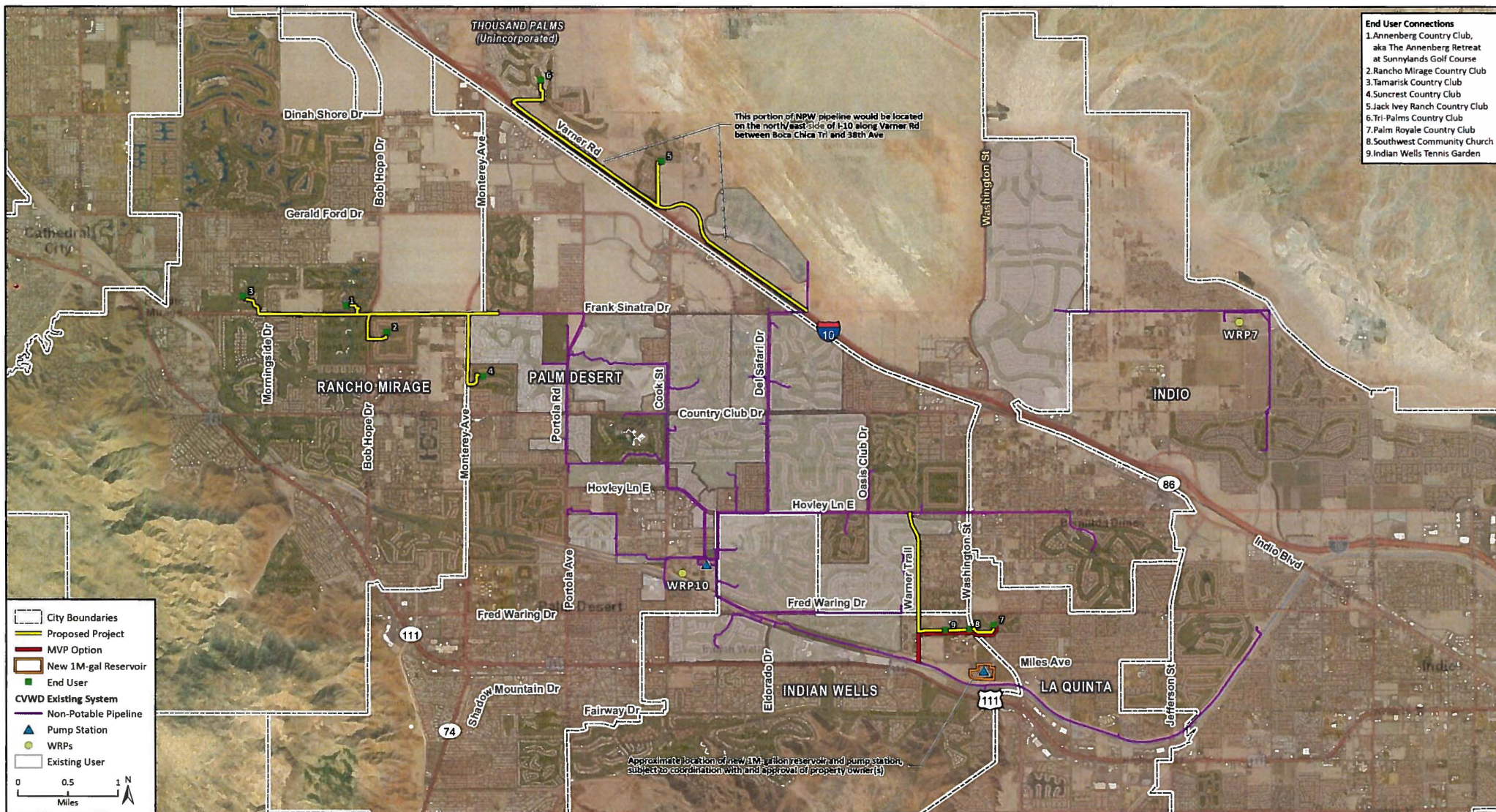


William Patterson
Environmental Supervisor

Enclosures/1/as

EM:s\Env\Environmental\2020\June\AB52 Consult Ltr
File No. 0643.5219; 0932.55





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Additional data provided by Coachella Valley Water District, 2020.

Fiscal Year 2020-2021 Non-Potable Water Connections 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)
Letter Dated June 23, 2020

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

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

Cabazon Band of Mission Indians
Doug Welmas
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Indio, CA 92203-3499

Morongo Band of Mission Indians
Travis Armstrong
12700 Pumarra Road
Banning, CA 92220

Soboba Band of Luiseno Indians
Joseph Ontiveros
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San Jacinto, CA 92581

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

Twenty-Nine Palms Band of Mission Indians
Darrell Mike
46-200 Harrison Place
Coachella, CA 92236



03-011-2020-004

September 29, 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: Section 106 Consultation for 2020-2021 Non-Potable Water Connections

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 2020-2021 Non-Potable Water Connections project. We have reviewed the documents and have the following comments:

*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.

* THPO requests the presence of a monitor for portion of the project in the Thousand Palms Area.

* THPO requests the presence of a monitor for portion of the project in the Frank Sinatra Drive area.

* THPO requests the presence of a monitor for the portion of the project bound by Fred Waring, Warren Trail, Washington Avenue, and Highway 111.

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 Green-Peterson

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-011-2020-004

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