

COACHELLA VALLEY WATER DISTRICT

Established in 1918 as a public agency

GENERAL MANAGER
Jim Barrett

ASSISTANT GENERAL MANAGER
Robert Cheng

April 12, 2018

«First_Name» «Last_Name»
«Title»
«Address»
«City_State_Zip»

Dear «Salutation» «Last_Name»:

Subject: East Side Dike Improvement Project, Phase I, 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 *East Side Dike Improvement Project, Phase I* (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 (figures enclosed), and lead agency contact person pursuant to PRC §21080.3.1(d).

Brief Description of the Proposed Project and Location:

CVWD intends to certify the East Side Dike, from Dune Palms Road to Interstate 10 (I-10), with the Federal Emergency Management Agency (FEMA) as a flood protection structure. In order to accredit a levee, FEMA requires that no appreciable erosion would occur during the 100-year flood (44 CFR 65.10). The East Side Dike was designed and built by the U.S. Bureau of Reclamation (USBR) to

protect the concrete lined section of the Coachella branch of the All-American Canal. The East Side Dike collects, retains and releases floodwaters originating from watersheds in the Little San Bernardino Mountains and Indio Hills. As a result, the East Side Dike also protects communities to the south and southwest from flood hazards associated with these watersheds.

To address the erosion potential and protect the dike from scour, CVWD proposes construction of approximately 3,420 lineal feet of concrete slope lining along the northern slope (water side slope) of the dike beginning at the dike's intersection with Dune Palms Road and continuing in a southeasterly direction ending adjacent to the Talavera development in Indio, Riverside County. Construction access to the site would be from Dune Palms Road and from the intersection of Avenue 38 and Madison Street. The Proposed Project would take place on parcels: APN 750-290-003; APN 750-300-015; APN 750-310-016; and APN 750-330-007. Refer to Figure 1 Project Vicinity and Figure 2 Project Location, enclosed.

The slope lining width varies from 27 feet to 34.5 feet and would extend from near the top of the existing dike down below the toe of the slope where a 20-foot excavated trench would be required for construction of the footing. Temporarily excavated material would be stored north of trench and would be backfilled to cover the completed work to match the existing topography. The slope lining would require approximately 2,850 cubic yards (CY) of concrete and 23 CY of rebar to be placed. Aggregate base would be applied to a portion of the 20-foot access road on top of the dike to ensure a stable driving surface. These road repairs would begin from the dike's northwestern terminus for approximately 1,150 feet to the southeast. The aggregate base would vary in thickness from approximately 3 to 30 inches. Repairs to the surface of the dike would be performed as part of the Proposed Project to address locations with minor surficial erosion. All surface repairs would be within the dike's existing footprint and the work would be within the area proposed for concrete slope protection, plus an additional 1,200 lineal feet to the southeast.

Contact:

If you have any questions regarding the project or content of this letter, please contact William Patterson, Environmental Supervisor, at (760) 398-2651 extension 2545; or email WPatterson@cvwd.org.

Sincerely,



Steve Bigley
Director of Environmental Services

Enclosures/2/as

File Nos. 0001.3
0110.04
0125.



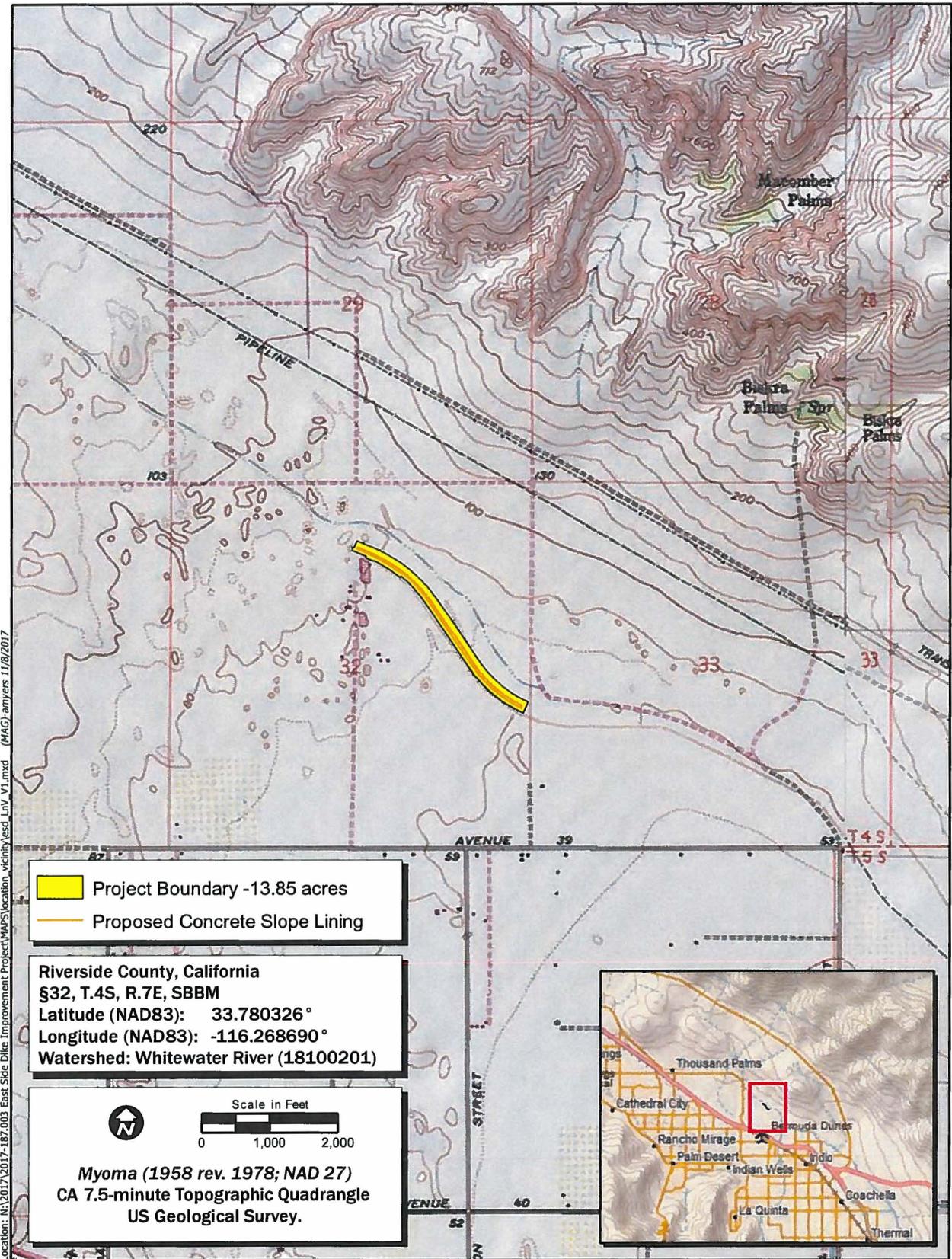
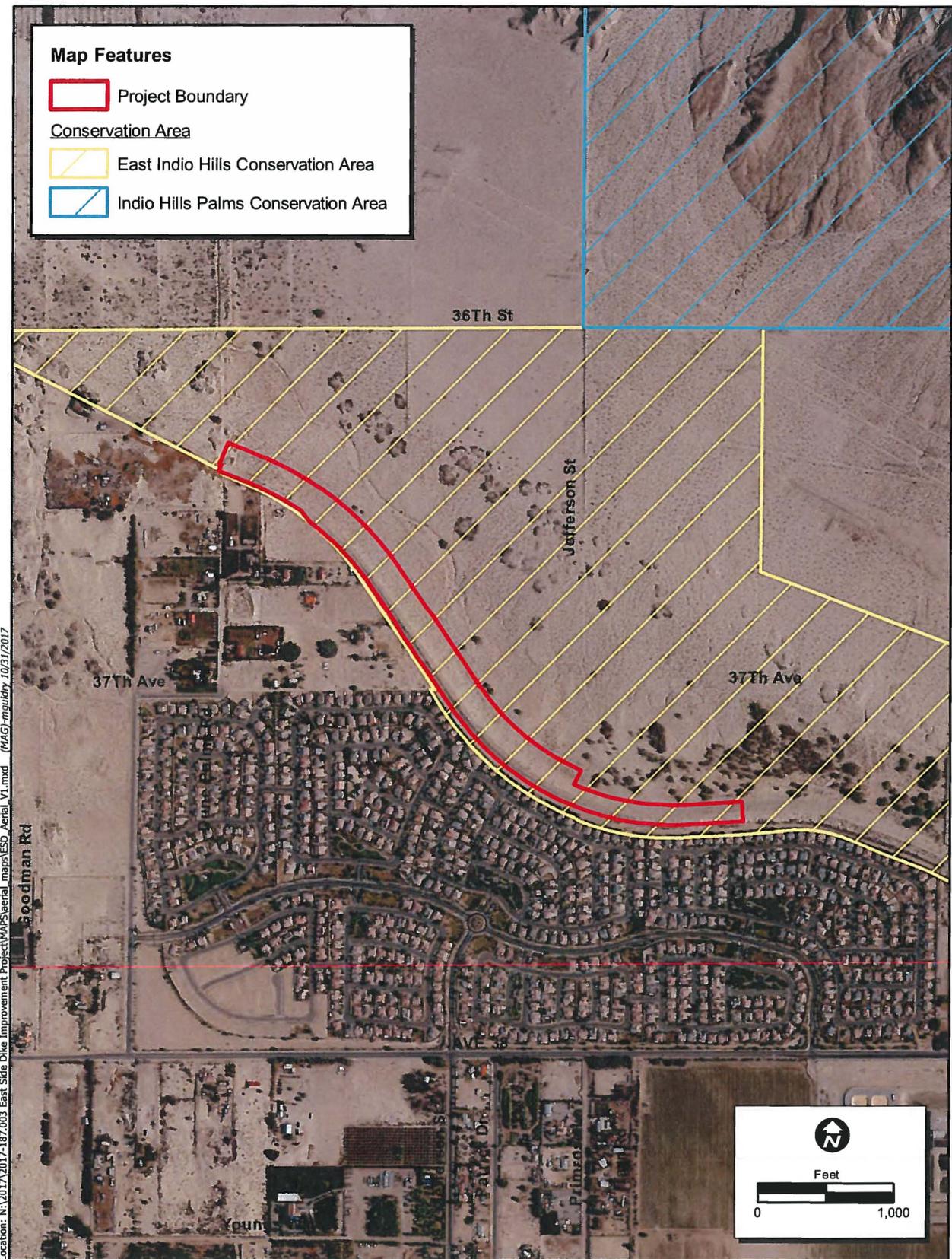


Figure 1. Project Vicinity

2017-187.003 East Side Dike Improvement Project



Location: N:\2017\2017-187.003 East Side Dike Improvement Project\MAPS\Aerial_maps\ESD_Aerial_V1.mxd (MAG -imgui.dwg 10/31/2017)

Figure 2. Project Location

2017-187.003 East Side Dike Improvement Project

List of recipients of Mail Merge letter regarding AB 52 East Side Dike Improvement Project from Steve Bigley, dated April 12, 2018.

Patricia Garcia-Plotkin
Tribal Historic Preservation Director
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03-011-2018-005

May 07, 2018

[VIA EMAIL TO:sbigley@cvwd.org]
Coachella Valley Water District
Mr. Steve Bigley
Post Office Box 1058
Coachella, CA 92236

Re: AB-52- East Side Dike Improvement

Dear Mr. Steve Bigley,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the East Side Dike Improvement project. We have reviewed the documents and have the following comments:

*Should human remains be discovered during construction of the proposed project, the project contractor would be subject to either the State law regarding the discovery and disturbance of human remains or the Tribal burial protocol. In either circumstance all destructive activity in the immediate vicinity shall halt and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5. If the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) shall be contacted. The NAHC will make a determination of the Most Likely Descendent (MLD). The City and Developer will work with the designated MLD to determine the final disposition of the remains.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6829. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Katie Croft
Cultural Resources Manager
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS



AUGUSTINE BAND OF CAHULLA INDIANS

PO Box 846 84-481 Avenue 54 Coachella CA 92236

Telephone: (760) 398-4722

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Tribal Chairperson: Amanda Vance

Tribal Vice-Chairperson: William Vance

Tribal Secretary: Victoria Martin

EJMV
IC-ENVIRONMENTAL SERVICES

File: 0125.
0022.323

May 2, 2018

Steve Bigley
Coachella Valley Water District
P.O. Box 1058 Coachella, CA 92236

RE: East Side Dike Improvement Project, Phase I, Formal Notification of AB 52 Consultation Regarding Tribal Resources under the CEQA Public Resources Code 21080.3.1: AB 52 (Gatto, 2014)

Dear Mr. Bigley-

Thank you for the opportunity to offer input concerning the development of the above-identified project. We appreciate your sensitivity to the cultural resources that may be impacted by your project, and the importance of these cultural resources to the Native American peoples that have occupied the land surrounding the area of your project for thousands of years. Unfortunately, increased development and lack of sensitivity to cultural resources has resulted in many significant cultural resources being destroyed or substantially altered and impacted. Your invitation to consult on this project is greatly appreciated.

At this time we are unaware of specific cultural resources that may be affected by the proposed project. We encourage you to contact other Native American Tribes and individuals within the immediate vicinity of the project site that may have specific information concerning cultural resources that may be located in the area. We also encourage you to contract with a monitor who is qualified in Native American cultural resources identification and who is able to be present on-site full-time during the pre-construction and construction phase of the project. Please notify us immediately should you discover any cultural resources during the development of this project.

Very truly yours,

Victoria Martin
Tribal Secretary