

Appendix B-1

SB 18 Outreach Letters and Responses

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., ROOM 100
West SACRAMENTO, CA 95691
(916) 373-3710
Fax (916) 373-5471



April 30, 2015

Daniel Arvizo
City of Indio
100 Civic Center Mall
Indio, CA 92201

Sent by Fax: (760) 391-4008
Number of Pages: 2

Re: Downtown Indio Specific Plan/General Plan Amendment, Riverside County.

Dear Mr. Arvizo,

A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. 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 or group. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 373-3712.

Sincerely,

A handwritten signature in black ink that reads "Katy Sanchez".

Katy Sanchez
Associate Government Program Analyst

**Native American Contact List
Riverside County
April 29, 2015**

Cabazon Band of Mission Indians
Doug Welmas, Chairperson
84-245 Indio Springs Cahuilla
Indio , CA 92203
(760) 342-2593

(760) 347-7880 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820 Cahuilla
Anza , CA 92539
(951) 659-2700

(951) 659-2228 Fax

Cabazon Band of Mission Indians
Judy Stapp, Director of Cultural Affairs
84-245 Indio Springs Cahuilla
Indio , CA 92203
jstapp@cabazonindians-nsn.gov
(760) 342-2593

(760) 347-7880 Fax

Santa Rosa Band of Mission Indians
Terry Hughes, Tribal Administrator
P.O. Box 609 Cahuilla
Hemet , CA 92546
tkentucky@aol.com
(951) 658-5311

(951) 658-6733 Fax

Agua Caliente Band of Cahuilla Indians
Jeff Grubbe, Chairperson
5401 Dinah Shore Drive Cahuilla
Palm Springs, CA 92262
lfreogoz@aguacallente-nsn.gov
(760) 325-3400

(760) 325-0593 Fax

Agua Caliente Band of Cahuilla Indians THPO
Patricia Garcia, Tribal Historic Preservation Officer
5401 Dinah Shore Drive Cahuilla
Palm Springs, CA 92264
ptuck@augacaliente-nsn.gov
(760) 699-6907

(760) 699-6924 Fax

Ernest H. Siva
Morongo Band of Mission Indians Tribal Elder
9570 Mias Canyon Road Serrano
Banning , CA 92220 Cahuilla
siva@dishmail.net
(951) 849-4676

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed Downtown Indio Specific Plan Project, City of Indio, Riverside County.



May 5, 2015

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

SUBJECT: Environmental Impact Report (EA 15-13-520) and Downtown Indio Specific Plan (SP 15-3-28)

Dear Patricia:

In compliance with California Government Code Section 65352.3, the City of Indio would like to initiate the SB18 consultation process for the above stated proposed project. Your organization has been identified by the Native American Heritage Commission (NAHC) as having traditional lands or cultural places located within our City boundaries. Enclosed with this letter you will find a description of the proposed project.

California Government Code Section 65352.3 provides that tribal organizations must specifically request consultation within 90 days of receiving notice of a project. If you feel there are concerns that need to be further addressed, you will need to provide a letter in writing specifically requesting consultation with the City, within the 90-day time frame. Conversely, we would request that you provide confirmation if you feel that this proposal does not warrant consultation. In either case, in the interest of time, we ask that you respond in writing to this correspondence at your earliest convenience.

Should you have questions please contact me at 760-391-4028 or via email at darvizo@indio.org.

Sincerely,

Daniel Arvizo
Senior Planner

Attachment: Project Description

CC: ptuck@aguacaliente-nsn.gov
File



May 5, 2015

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

SUBJECT: Environmental Impact Report (EA 15-13-520) and Downtown Indio Specific Plan (SP 15-3-28)

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Sincerely,

Daniel Arvizo
Senior Planner

Attachment: Project Description

CC: ptuck@aguacaliente-nsn.gov
File

May 5, 2015



Morong Band of Mission Indians
Attn: Ernest H. Siva, Tibal Elder
9570 Mias Canyon Road
Banning, CA 92220

SUBJECT: Environmental Impact Report (EA 15-13-520) and Downtown Indio Specific Plan (SP 15-3-28)

Dear Ernest:

In compliance with California Government Code Section 65352.3, the City of Indio would like to initiate the SB18 consultation process for the above stated proposed project. Your organization has been identified by the Native American Heritage Commission (NAHC) as having traditional lands or cultural places located within our City boundaries. Enclosed with this letter you will find a description of the proposed project.

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Should you have questions please contact me at 760-391-4028 or via email at darvizo@indio.org.

Sincerely,

A handwritten signature in black ink, appearing to read "DARVIZO", is positioned below the word "Sincerely,".

Daniel Arvizo
Senior Planner

Attachment: Project Description

CC: [Email: siva@dishmail.net](mailto:siva@dishmail.net)
File



May 5, 2015

Agua Caliente Band of Cahuilla Indians
Attn: Jeff Grubbe, Chairperson
5401 Dina Shore Drive
Palm Springs, CA 92262

SUBJECT: Environmental Impact Report (EA 15-13-520) and Downtown Indio Specific Plan (SP 15-3-28)

Dear Jeff:

In compliance with California Government Code Section 65352.3, the City of Indio would like to initiate the SB18 consultation process for the above stated proposed project. Your organization has been identified by the Native American Heritage Commission (NAHC) as having traditional lands or cultural places located within our City boundaries. Enclosed with this letter you will find a description of the proposed project.

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Should you have questions please contact me at 760-391-4028 or via email at darvizo@indio.org.

Sincerely,

Daniel Arvizo
Senior Planner

Attachment: Project Description

CC: [Email: lfreogoz@aguacaliente-nsn.gov](mailto:lfreogoz@aguacaliente-nsn.gov)
File

May 5, 2015



Santa Rosa Band of Mission Indians
Attn: Terry Hughes, Tribal Administrator
P.O. Box 609
Hemet, CA 92546

SUBJECT: Environmental Impact Report (EA 15-13-520) and Downtown Indio Specific Plan (SP 15-3-28)

Dear Terry:

In compliance with California Government Code Section 65352.3, the City of Indio would like to initiate the SB18 consultation process for the above stated proposed project. Your organization has been identified by the Native American Heritage Commission (NAHC) as having traditional lands or cultural places located within our City boundaries. Enclosed with this letter you will find a description of the proposed project.

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Should you have questions please contact me at 760-391-4028 or via email at darvizo@indio.org.

Sincerely,

A handwritten signature in black ink, appearing to read "DARVIZO", is written over a white rectangular area.

Daniel Arvizo
Senior Planner

Attachment: Project Description

CC: [Email: tkentucky@aol.com](mailto:tkentucky@aol.com)
File

May 5, 2015



Cabazon Band of Mission Indians
Attn: Judy Stapp, Director of Cultural Affairs
84-245 Indio Springs
Indio, CA 92203

SUBJECT: Environmental Impact Report (EA 15-13-520) and Downtown Indio Specific Plan (SP 15-3-28)

Dear Judy:

In compliance with California Government Code Section 65352.3, the City of Indio would like to initiate the SB18 consultation process for the above stated proposed project. Your organization has been identified by the Native American Heritage Commission (NAHC) as having traditional lands or cultural places located within our City boundaries. Enclosed with this letter you will find a description of the proposed project.

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Should you have questions please contact me at 760-391-4028 or via email at darvizo@indio.org.

Sincerely,

A handwritten signature in black ink, appearing to read "DARVIZO", is written over a white background.

Daniel Arvizo
Senior Planner

Attachment: Project Description

CC: [Email: jstapp@cabazonindians-nsn.gov](mailto:jstapp@cabazonindians-nsn.gov)
File



May 5, 2015

Santa Rosa Band of Mission Indians
Attn: John Marcus, Chairperson
P.O. Box 391820
Anza, CA 92539

SUBJECT: Environmental Impact Report (EA 15-13-520) and Downtown Indio Specific Plan (SP 15-3-28)

Dear John:

In compliance with California Government Code Section 65352.3, the City of Indio would like to initiate the SB18 consultation process for the above stated proposed project. Your organization has been identified by the Native American Heritage Commission (NAHC) as having traditional lands or cultural places located within our City boundaries. Enclosed with this letter you will find a description of the proposed project.

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Should you have questions please contact me at 760-391-4028 or via email at darvizo@indio.org.

Sincerely,

Daniel Arvizo
Senior Planner

Attachment: Project Description

CC: [Fax: 951-659-2228](tel:951-659-2228)
File



May 5, 2015

Cabazon Band of Mission Indians
Attn: Doug Welmas, Chairperson
840245 Indio Springs
Indio, CA 92203

SUBJECT: Environmental Impact Report (EA 15-13-520) and Downtown Indio Specific Plan (SP 15-3-28)

Dear Doug:

In compliance with California Government Code Section 65352.3, the City of Indio would like to initiate the SB18 consultation process for the above stated proposed project. Your organization has been identified by the Native American Heritage Commission (NAHC) as having traditional lands or cultural places located within our City boundaries. Enclosed with this letter you will find a description of the proposed project.

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Should you have questions please contact me at 760-391-4028 or via email at darvizo@indio.org.

Sincerely,

Daniel Arvizo
Senior Planner

Attachment: Project Description

CC: [Fax: 760-347-7880](tel:760-347-7880)
File



Downtown Indio Specific Plan

Project Description: The proposed Downtown Indio Specific Plan will describe the goals and policies, development standards, design guidelines, infrastructure improvements, and implementation strategies for the project area. The City's adopted General Plan describes the City's vision to reestablish the project area as a special place within the City and the Coachella Valley, with enhanced commercial opportunities, public spaces, a pedestrian environment, and a multimodal transportation interchange.

The proposed Downtown Indio Specific Plan would replace the 1997 Old Town Indio Specific Plan with a flexible plan that emphasizes a walkable and mixed-use environment that complements the City's old town characteristics while embracing newer development. The goal of the Downtown Indio Specific Plan is to encourage and promote economic development and revitalization to enhance the City's attractiveness to the local and regional marketplace. The Downtown Indio Specific Plan is anticipated to remove regulatory obstacles to the reuse of existing structure and promote infill development of currently vacant or underutilized properties. The plan would also facilitate and encourage residential mixed-use development, commercial/retail areas, and transit-oriented development in proximity to the Indio Transportation Center.

The Specific Plan boundary covers approximately 117 acres. The area is generally bounded by the Indio Transportation Center to the northeast, Marshall Street to the southeast, State Route 111 to the south, Deglet Noor Street to the northwest, alleyway north of Highway 111 to Miles Avenue between Oasis Street and King Street to the west, and Indio Boulevard to the north. A vicinity map is attached (Exhibit 1).



Indio Downtown/Old Town Specific Plan

Specific Plan Boundary

Exhibit 1



03-002-2015-001

May 29, 2015

[VIA EMAIL TO: darvizo@indio.org]
City of Indio
Mr. Daniel Arvizo
100 Civic Center Mall
Indio, CA 92201

Re: EIR and Downtonw Indio Specific Plan

Dear Mr. Daniel Arvizo,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Downtown Indio Specific Plan (SP-15-3-28) project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area (TUA). A records check of the ACBCI registry identified previous surveys in the area that were positive for the presence of cultural resources. For this reason, the ACBCI THPO requests the following:

*Formal government to government consultation under California Senate Bill 18

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 acbc-thpo@aguacaliente.net.

Cordially,

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

Appendix B-2

EIR Comment Letters



June 07, 2017

[VIA EMAIL TO:jrodriguez@indio.org]
City of Indio
Mr. Juan Rodriguez
100 Civic Center Mall
Indio, CA 92201

Re: Comments on the Draft EIR for the Downtown Indio Specific Plan (SP-15-3-28)

Dear Mr. Juan Rodriguez,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Downtown Indio Specific Plan (SP-15-3-28) project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area (TUA). A records check of the ACBCI registry identified previous surveys in the area that were positive for the presence of cultural resources. In consultation, the ACBCI THPO requests the following:

- * Page 1-5 Cultural Resources Section needs to be expanded to include CEQA, SB18 and AB52. AB52 will be applicable to all of the future projects resulting from this Specific Plan.
 - * Page 1-18 Section 4.4: Cultural Resources MM 4.4-1 is acceptable as written.
 - * Page 1-19 Section 4.4: Cultural Resources MM 4.4-2 is acceptable as written.
 - * Page 1-19 Section 4.4: Cultural Resources MM 4.4-3 is acceptable as written.
 - * Page 1-19 Section 4.4: Cultural Resources MM 4.4-4 is unacceptable as written.
- The THPO suggests the following:



* MM 4.4-4: Should implementation of MM 4.4-1 result in the implementation of MM 4.4-2, the following actions must be taken:

A) Upon discovery of cultural resources during construction activities, a qualified archaeologist shall be retained to assess the nature and significance of the find, diverting construction if necessary.

B) The qualified archaeologist shall have the authority to redirect ground-disturbing activities in the vicinity of the find until the nature and extent of the find can be evaluated.

C) Any such resource uncovered shall be subject to the following:

a) Resources shall be recorded on appropriate Department of Parks and Recreation (DPR) 523-series forms. Note that Tribal Cultural Resources will be addressed in coordination with the City and consulting Tribes in accordance with AB52.

b) A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation.

D) For projects where inadvertent cultural resources are identified during ground-disturbing construction of the proposed project, the applicant shall provide evidence that every effort has been made to avoid and preserve those resources.

E) For projects with a possibility of impacts to tribal cultural resources, the applicant shall be required to provide evidence of a tribal monitoring agreement with the consulting tribes or bands.

F) For projects with Tribal Cultural Resources Present: Prior to the issuance of grading permits, the applicant shall submit to the City for review and approval evidence that planned on-site excavation activities conform to the applicable provisions of the Tribal Cultural Resources Monitoring Agreement.

* Page 1-21 Section 4.4: Cultural resources MM 4.4-7 is acceptable as written.

* Page 1-22 Section 4.4: Cultural resources MM4.4-1 through MM 4.4-7 with THPO edits are acceptable as mitigation measures.

* Page 4.4-1: This section should clarify that early ethnographers and linguists divided the Cahuilla onto groups and not the Cahuilla themselves.

* Page 4.4-2: This section does not mention Ancient Lake Cahuilla had several high stands and several drying periods.

* Page 4.4-2: The Cahuilla Village name should be identified in this section.

* Page 4.4-2: Historical Context section that discusses the trails- This was a Native American Trail, used into historic times. Using the word ancient is misleading.

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



* Page 4.4-2 paragraphs 5, 6, 7, 8: These paragraphs are written out of chronological order and need to be rewritten to clarify the timeline.

* Page 4.4-3: Archaeological Resources section- remove the word "basic" and include a reference to the many artesian wells and walk-in wells which were utilized by the Cahuilla.

* Page 4.4-3: Archaeological Resources section- there is no mention of prehistoric resources please include a discussion on prehistoric resources and associated artifacts types.

* Page 4.4-4: Historical Resources section- This section dismisses prehistoric resources. Please include a more in-depth discussion on prehistoric resources.

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 acbc-thpo@aguacaliente.net.

Cordially,

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



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Since 1911

June 5, 2017

Mr. Juan Rodriguez
Development Analyst
Development Services Department
City of Indio
100 Civic Center Mall
Indio, CA 92201

SUBJECT: Draft EIR for the City of Indio Downtown Specific Plan

Dear Mr. Rodriguez:

Pursuant to the City of Indio Development Services Department's Request for Agency Comments on the Draft Environmental Impact Report for the City's Downtown Specific Plan, where the City seeks to facilitate the adaptive reuse of existing structures, promote infill development on vacant and underutilized properties, and encourage residential mixed-use, commercial/retail, and transit-supportive development in Indio's historic downtown area and Civic Center; the Imperial Irrigation District has reviewed the DEIR and has the following comments:

1. In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects (see Appendix F of the CEQA Guidelines, Public Resources Code section 21100(b)(3)). The DEIR lacks such a discussion. An analysis of energy infrastructure modifications is recommended.
2. Although the SP is a planning document and therefore does not directly propose improvements, it can however, affect changes to the City's street circulation element that in the long term may require future development to widen roads. At such time, the IID will certainly provide comments based on specific locations. Any future proposed street improvements including modification to alignments, widening for intersections, turn lanes or additional lanes that impact IID facilities and require mitigation such as abandonment of facilities, relocation of power poles, line undergrounding or require modifications to IID facilities, shall be at the expense of the developer and/or agency proposing the street improvements that impact IID facilities. This includes the cost of acquisition of rights of ways and easements deemed necessary to accommodate the street improvements.
3. The IID will not begin any engineering or estimate costs to provide power for a project until the owner applies for electrical service (the application can be found

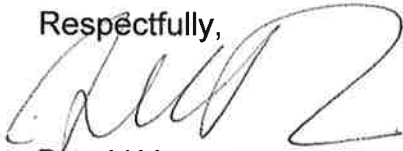
at: <http://www.iid.com/home/showdocument?id=12923>) and the project's detailed loading information, panel size information, project schedule and estimated in-service date (the estimated date when the applicant envisions that the project will be in operation) are provided.

4. Once an applicant provides the district with the required information, IID can carry out a more thorough assessment to determine the specific requirements to supply permanent power to the project that can include but are not limited to the interception and reconfiguration of an existing underground backbone system and new line extensions. Likewise, IID will determine the availability of temporary construction power based on load information and construction schedules and or phasing.
5. For information regarding electrical service for the SP area be advised to contact IID Energy - La Quinta Division Customer Operations, 81-600 Avenue 58 La Quinta, CA 92253, at (760) 398-5841. Assistance can also be provided by Ms. Rosalinda Escobedo (rescobedo@iid.com), IID project manager, at (760) 398-5821.
6. It is important to note that IID's policy is to extend its electrical facilities only to those developments that have obtained the approval of a city or county planning commission or such other governmental authority or decision-making body having jurisdiction over said developments.
7. Developers within the SP will be required to provide rights-of-way and easements for any power line extensions needed to serve the project.
8. Line extensions to serve the project will be made in accordance with IID Regulations:
 - No. 2 (<http://www.iid.com/home/showdocument?id=2540>),
 - No. 13 (<http://www.iid.com/home/showdocument?id=2553>),
 - No. 15 (<http://www.iid.com/home/showdocument?id=2555>) and
 - No. 20 (<http://www.iid.com/home/showdocument?id=2560>).
9. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion can be found at the following IID website: <http://www.iid.com/home/showdocument?id=3306>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.

10. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**

Should you have any questions, please do not hesitate to contact me at (760) 482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Kevin Kelley – General Manager
Mike Pacheco – Manager, Water Dept.
Vicken Kasarjian – Manager, Energy Dept.
Vance Taylor – Asst. General Counsel
Robert Laurie – Asst. General Counsel
Jesse Montañó – Transmission, Planning and Engineering Oversight
Carlos Vasquez - Planning and Engineering Manager, Energy Dept.
Samuel E. Singh – Supt. Customer Project Development, Energy Dept.
Michael P. Kemp – Superintendent, Real Estate & Environmental Compliance
Harold Walk Jr. – Supervisor, Real Estate
Randy Gray – ROW Agent, Real Estate