

2.2.3 State

**TABLE 2-3
STATE AGENCIES SUBMITTING COMMENTS**

Commenter	Date of Comment	Signatory and Title
California Department of Fish and Game <i>Inland Deserts Region</i>	02/28/2012	Michael D. Flores Sr. Environmental Scientist
California Department of Transportation <i>Division of Transportation Planning, MS-32</i> <i>Office of Community Planning</i> <i>Local Development – Intergovernmental Review Branch</i>	12/08/2011	Terri Pencovic Chief
Department of Toxic Substances Control <i>Brownfields and Environmental Restoration Program</i>	01/03/2012 and 03/21/2012	Greg Holmes Unit Chief
Native American Heritage Commission	12/07/2011	Dave Singleton Program Analyst
State Water Resources Control Board <i>Inland Streams Unit</i>	12/14/2011	Katherine Mrowka Chief



State of California - The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
Inland Deserts Region
78078 Country Club Drive, Suite 109
Bermuda Dunes, CA 92203
<http://www.dfg.ca.gov>

EDMUND G. BROWN JR., Governor
Charlton H. Bonham, Director



February 28, 2012

John Schatz, General Manager
Santa Margarita Water District
PO Box 7005
Mission Viejo, CA 92690-7005

Attn: Tom Barnes, Project Manager, ESA

Re: **Environmental Impact Report, Cadiz Valley Water Conservation, Recovery and Storage Project; SCH# 2011031002**

Dear Mr. Schatz:

The Department of Fish and Game (the Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Cadiz Valley Water Conservation, Recovery and Storage Project concerning impacts to biological resources. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2081 and 2080.1).

The proposed project is located at the confluence of the Fenner, Orange Blossom Wash, Bristol and Cadiz watersheds, which span over 2,700 square miles in San Bernardino County. The project is designed to allow both the extraction of water from a regional groundwater basin (the Groundwater Conservation and Recovery Component), and the storage of imported surface water in the same groundwater basin (the Imported Water Storage Component). The project's construction footprint is on land owned by Cadiz, Inc., a private corporation, and on the Right of Way (ROW) for the Arizona and California Railroad (ARZC).

As part of the Groundwater Conservation and Recovery Component, an annual average of 50,000 acre feet of groundwater, (limited to an annual maximum of 75,000 acre feet) would be pumped from the basin over a 50-year period for delivery to Project participants. A well field and manifold system would be constructed on Cadiz Property to carry pumped groundwater in a 43 mile-long, underground, conveyance pipeline, which would be constructed along the ARZC ROW and tie into the Colorado River Aqueduct (CRA), which would then distribute water to Project participants.

Issues of Concern for the Groundwater Conservation and Recovery Component:

Desert Bighorn Sheep: According to the Bureau of Land Management's (BLM) Northern and Eastern Colorado Desert Coordinated Management Plan, co-authored by the Department and supported by the Department in its implementation, seven demes

Conserving California's Wildlife Since 1870

EIR, Cadiz Valley Water Conservation, Recovery and Storage Project; SCH# 2011031002
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(subpopulations) of the Southern Mojave metapopulation of the desert bighorn sheep (DBS) have been identified within the watershed affected by the Project. They occur in the Piute, Clipper, Marble, Ship, Old woman, Calumet and Iron Mountains. Natural water sources occur in the Piute, Clipper, Marble, and Old Woman Mountains and DBS are dependent upon those water sources for survival. Several aspects of the DEIR analysis of impacts to DBS do not meet the standard for analysis according to CEQA. To date, the analysis of the effects of groundwater drawdown on nearby springs is incomplete.

The Groundwater Management, Monitoring, and Mitigation Plan (GMMMP) provides for quarterly monitoring of the Bonanza Spring as an "indicator spring" because it is the spring that is in the closest proximity to the Project well field. Monitoring of the Whiskey and Vontrigger Springs, which are located beyond the Project's projected effects on groundwater levels in the Fenner Watershed, is an effective way to control for the effects to spring flows from regional climactic conditions.

However, the expectation that all springs within the several watersheds affected by the Project will respond in a manner similar to the Bonanza Spring assumes homogeneity of hydrologic origins for all potentially impacted springs. The variability of the region's hydrogeology argues against this. The Department recommends that multiple springs within the Project's impacted Watersheds, and among several mountain ranges, be monitored to detect impacts during the Project's period of operation.

The GMMMP "... mandates specific action criteria (trigger levels) for impacts to critical resources, and specified responses if an action criterion is reached". The monitoring of Bonanza Spring is offered as a strategy to detect changes to the spring's flow and, by extrapolation, the other springs in the watersheds. However, the GMMMP omits any action criteria, a decision making process, or corrective measures in response to changes detected by the monitoring process. Thus the GMMMP, while recognizing the importance of the nearby springs as critical resources, offers nothing in the way of mitigation should this resource be impacted.

As described in the report "Assessment of Effects of the Cadiz Groundwater Conservation Recovery and Storage Project Operations on Springs" (Appendix H3, pages 18-19), mitigation for impacts to spring flows would not be difficult: "... should the flow to the spring be affected, a mitigation measure could be to replace the flow to the spring by drilling a free-flowing well in the bedrock, which appears to be the origin of some springs in the area as described by the USGS' earlier studies in the area. Based on the estimated bedrock water table gradient of about 0.07 (ft/ft), a horizontal well would only need to be drilled laterally into the bedrock a distance of about 150 feet to reach a point where the water table is 10 feet higher than it is at the spring. A well of about this "depth" should yield flow to the spring that would be similar to current pre-project flows. It would not be difficult to initiate such a measure ...".

The Department recommends developing action criteria and mitigation measures for impacts to springs in the projects watersheds, to complete the GMMMP. Without this addition, the Department does not agree that the potential impacts to DBS have been fully addressed or adequately mitigated by the analysis in the DEIR.

Phreatophytic Vegetation: Although phreatophyte vegetation within the project's construction footprint does not depend on the water table, the EIR fails to analyze the potential impacts to phreatophyte plant communities which are outside of the footprint of construction, but potentially within the influence of the project during operation. There is

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desert dry wash woodland habitat in the Fenner and upper Cadiz Watersheds that was not evaluated as part of the biological resources potentially impacted by the project. The potential exists for the drawdown of the underground basin to leave acres of currently vital desert microphyll woodland without access to subterranean water.

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Pipeline Placement: The Department recommends strongly that construction of the pipeline in the ARZC ROW take place on the west side of the tracks, to minimize the disturbance to and/or loss of the more productive plant communities on the east side. The Department further recommends that an evaluation by the Bureau of Land Management is sought concerning the pipeline for railroad purposes, pursuant to the Solicitor's Opinion M-37025, dated November 4, 2011.

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Issues of Concern for the Imported Water Storage Component:

The Imported Water Storage Component is analyzed at a programmatic level in the EIR. The Department recommends that an analysis at the project level undertake a thorough review of the potential impacts to wildlife from the creation of the proposed spreading basins. Consideration must be given during basin design to avoid creating opportunities for entrapment and possible drowning of wildlife.

5

Thank you for this opportunity to comment. Please contact me at (760) 200-9186 or via email at MDFlores@dfg.ca.gov if you have any questions regarding this letter.

Sincerely,



Michael D. Flores
Senior Environmental Scientist

A_Caltrans

From: Raheleh Gorginfar [raheleh_gorginfar@dot.ca.gov]
Sent: Thursday, December 08, 2011 9:58 AM
To: Cadiz Project
Cc: Terri Pencovic
Subject: Updated Mailing Address - CA Department of Transportation

Good Morning,

The Notice of Availability of the Draft environmental Impact Report for the Cadiz Valley Conservation, Recovery, and Storage Project was addressed to the wrong branch within the California Department of Transportation Division of Transportation Planning. The notice has been forwarded to the correct branch; however, for future reference please address all correspondence to:

Terri Pencovic , Branch Chief

Department of Transportation
Division of Transportation Planning, MS-32
Office of Community Planning
Local Development - Intergovernmental Review Branch
P.O. Box 942874
Sacramento, CA 94274-0001

California

1

Thank You

Rahe Gorginfar
Statewide LD-IGR Coordinator
Transportation Planner
California Department of Transportation
Office of Community Planning
1120 N Street, MS-32
Sacramento, CA 95814

Phone: (916) 651-8201
Email: raheleh_gorginfar@dot.ca.gov



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630

A_DTSC



Edmund G. Brown Jr.
Governor

January 3, 2012

Mr. Tom Barnes, ESA
626 Wilshire Boulevard, Suite 1100
Los Angeles, California 90017
cadizproject@esassoc.com

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CADIZ VALLEY WATER CONSERVATION, RECOVERY, AND STOARGE PROJECT, (SCH#2011031002), SAN BERNARDINO COUNTY

Dear Mr. Barnes:

The Department of Toxic Substances Control (DTSC) has received your submitted draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The proposed Project is designed to actively manage the groundwater basin underlying a portion of the Cadiz and Fenner Valleys located in the eastern Mojave Desert portion of San Bernardino County, California. the Project has two components that would be implemented by the Fenner Valley Mutual Water Company (FVMWC). The first component – is the groundwater Conservation and Recovery Component. The second component – is the Imported Water Storage Component. To implement the Project, extraction wells (wellfield) would be built on the Cadiz Property and a 43-mile underground water conveyance pipeline would be constructed within an active railroad right-of-way (ROW). The Project site is transverse by numerous transportation, water, and utility corridors. The BNSF rail crosses the northern portion of the Project area, south of the Ship Mountains. The ARZC railroad line branches from BNSF rail line within the Project site and then travels southeastward. The Project area is located entirely within the Cadiz and Fenner Valleys of eastern San Bernardino County. The land surrounding the Project site is owned and managed by Bureau of Land Management (BLM), the State of California, Metropolitan, additional public land owners, and numerous private landowners. Current and historical uses in the Project area include agriculture, aviation, former military use, historical mining activities, and existing natural gas pipelines".

Based on the review of the submitted document DTSC has the following comments:

- 1) DTSC provided comments on the project Notice of Preparation (NOP) on March 21, 2011; some of those comments have been addressed in the submitted draft

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Mr. Tom Barnes
January 3, 2013
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EIR. Please ensure that all those comments will be addressed in the final Environmental Impact Report.

- 2) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov, or by phone at (714) 484-5491.

Sincerely,

Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
nritter@dtsc.ca.gov

CEQA # 3430



Linda S. Adams
Acting Secretary for
Environmental Protection



Department of Toxic Substances Control

Leonard E. Robinson
Acting Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

March 21, 2011

Mr. Tom Barnes
Santa Margarita Water District
626 Wilshire Boulevard, Suite 1100
Los Angeles, California 90017

NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CADIZ WATER CONSERVATION, RECOVERY, AND STORAGE PROJECT (SCH# 2011031002), SAN BERNARDINO COUNTY

Dear Mr. Barnes:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation for a draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The Project proposes active management of the groundwater basin underlying Cadiz Inc. property in the Cadiz and Fenner Valleys located in the eastern Mojave Desert, San Bernardino County, California. As part of the Conservation and Recovery Component, native groundwater currently being lost annually to evaporation at the Bristol and Cadiz Lakes from the aquifer system underlying the Project area would be captured and conserved through the active management of the groundwater basin. The project would construct extraction wells (wellfield) on the Cadiz property and a 42-mile underground water conveyance pipeline within an active railroad right-of-way that intersects the Colorado River Aqueduct (CRA). The proposed Project would be executed in two phases: the first phase of the Project is the Conservation and Recovery Component, and the second phase is the Imported Water Storage Component".

Based on the review of the submitted document DTSC has the following comments:

1. The EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

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- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
 - The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.
 - 3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be

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- clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIR.
- 4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.
- 6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 7) If the site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.
- 8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

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March 21, 2011
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- 9) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov, or by phone at (714) 484-5491.

Sincerely,



Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
ADelacr1@dtsc.ca.gov

CEQA # 3165

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net



December 7, 2011

Mr. Tom Barnes

Santa Margarita Water District

626 Wilshire Boulevard, Suite 1100
Los Angeles, CA 90017

Re: SCH#2011031002: CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "CADIZ VALLEY WATER CONSERVATION, RECOVERY, AND STORAGE Project;" located at the source, in eastern San Bernardino County, and at the points of Distribution in Riverside, Orange, Los Angeles and Ventura counties, California

Dear Mr. Barnes:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within some of the project areas identified (e.g. 'areas of potential effect' or APEs [e.g. southern Orange County, San Gabriel Valley-Los Angeles County and southeastern Ventura County]). Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to. California Government Code §6254 (r). The purpose of this

code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts (representing both source and distribution areas of the proposed project) on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*, 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally

A_NAHC

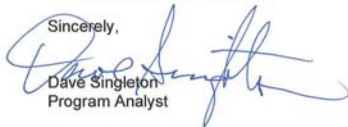
A_NAHC

discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

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California Native American Contacts
San Bernardino, Riverside, Orange, Los Angeles and Ventura Counties
December 7, 2011

Fernandeno Tataviam Band of Mission Indians
Ronnie Salas, Cultural Preservation Department
601 South Brand Boulevard, Suite 102
San Fernando CA 91340
rsalas@tataviam-nsn.gov
(818) 837-0794 Office

Fernandeno
Tataviam

Ti'At Society/Inter-Tribal Council of Pimu
Cindi M. Alvitre, Chairwoman-Manisar
3098 Mace Avenue, Apt. D
Costa Mesa, CA 92626
calvitre@yahoo.com
(714) 504-2468 Cell

(818) 837-0796 Fax

Barbareno/Ventureno Band of Mission Indians
Julie Lynn Tumamait, Chairwoman
365 North Poli Ave
Ojai, CA 93023
jtumamait@sbcglobal.net
(805) 646-6214

Chumash

Coastal Band of the Chumash Nation
Vennise Miller, Chairperson
P.O. Box 4464
Santa Barbara CA 93140
805-305-5517

Chumash

Patrick Tumamait
992 El Camino Corto
Ojai, CA 93023
(805) 640-0481
(805) 216-1253 Cell

Chumash

Carol A. Pulido
165 Mountainview Street
Oak View, CA 93022
805-649-2743 (Home)

Chumash

Owl Clan
Qun-tan Shup
48825 Sapaque Road
Bradley, CA 93426
mupaka@gmail.com
(805) 472-9536 phone/fax
(805) 835-2382 - CELL

Chumash

Melissa M. Parra-Hernandez
119 North Balsam Street
Oxnard, CA 93030
envyy36@yahoo.com
805-983-7964

Chumash

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 applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011031002; cEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Cadiz Valley Water conservation, Recovery and Storage Project; local at the source in eastern San Bernardino County, and at the points of Distribution in Riverside, Orange, Los Angeles

A_NAHC

California Native American Contacts San Bernardino, Riverside, Orange, Los Angeles and Ventura Counties December 7, 2011

Frank Arredondo PO Box 161 Santa Barbara Ca 93102 ksen_sku_mu@yahoo.com 805-617-6884 ksen_sku_mu@yahoo.com	Chumash	Gabrielino Band of Mission Indians Andrew Salas, Chairperson P.O. Box 393 Covina , CA 91723 (626) 926-4131 gabrielenoindians@yahoo.com	Gabirelino
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Gabrielino-Tongva Tribe
Bernie Acuna
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
(619) 294-6660-work
(310) 428-5690 - cell
(310) 587-0170 - FAX
bacuna1@gabrieinotribe.org

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
1875 Century Park East, Suite 1500
Los Angeles , CA 90067 Gabrielino
lcandelaria1@gabrielinoTribe.org
626-676-1184- cell
(310) 587-0170 - FAX
760-904-6533-home

Santa Ynez Tribal Elders Council
Freddie Romero, Cultural Preservation ConsInt
P.O. Box 365 Chumash
Santa Ynez , CA 93460
805-688-7997, Ext 37
freddyromero1959@yahoo.com

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.

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A_NAHC

California Native American Contacts San Bernardino, Riverside, Orange, Los Angeles and Ventura Counties December 7, 2011

Cabazon Band of Mission Indians David Roosevelt, Chairperson 84-245 Indio Springs Indio , CA 92203-3499 (760) 342-2593 (760) 347-7880 Fax	Cahuilla	Torres-Martinez Desert Cahuilla Indians Ernest Morreo PO Box 1160 Thermal , CA 92274 maxtm@aol.com (760) 397-0300 (760) 397-8146 Fax	Cahuilla
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Pala Band of Mission Indians
Tribal Historic Preservation Office/Shasta Gaugher
35008 PalaTemecula Road, PMB Luiseno
445 , Cupeno
Pala, CA 92059
(760) 891-3515
sgaughen@palatribe.com
(760) 742-3189 Fax

Rincon Band of Mission Indians
Tiffany Wolfe, Cultural & Environmental
P.O. Box 68 Luiseno
Valley Center, CA 92082
twolfe@rincontribe.org
(760) 297-2632
(760) 297-2639 Fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Private Address
Gabrielino Tongva
tattnlaw@gmail.com
310-570-6567

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 391820
Anza , CA 92539
sestrada@
(951) 659-2700
(951) 659-2228 Fax

Augustine Band of Cahuilla Mission Indians
Mary Ann Green, Chairperson
P.O. Box 846
Coachella , CA 92236
hhaines@augustinetribe.
(760) 398-6180
760-369-7161 - FAX

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

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Torres-Martinez Desert Cahuilla Indians
Diana L. Chihuahua, Vice Chairperson, Cultural
P.O. Box 1160 Cahuilla
Thermal, CA 92274
dianac@torresmartinez.
(760) 397-0300, Ext. 1209
(760) 272-9039 - cell (Lisa)
(760) 397-8146 Fax

Pauma Valley Band of Luiseno Indians
Bennae Calac, Tribal Council Member
P.O. Box 369 Luiseno
Pauma Valley CA 92061
bennaecalac@aol.com
(760) 617-2872
(760) 742-3422 - FAX

Rincon Band of Mission Indians
Bo Mazzetti, Chairperson
P.O. Box 68 Luiseno
Valley Center, CA 92082
bomazzetti@aol.com
(760) 749-1051
(760) 749-8901 Fax

Juaneno Band of Mission Indians
Alfred Cruz, Cultural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana, CA 92799
alfredgacruz@sbcglobal.net
714-998-0721
714-998-0721 - FAX
714-321-1944 - cell

San Luis Rey Band of Mission Indians
Cultural Department
1889 Sunset Drive Luiseno
Vista, CA 92081 Cupeno
760-724-8505
760-724-2172 - fax

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula, CA 92593
tbrown@pechanga-nsn.gov
(951) 770-6100
(951) 695-1778 Fax

Agua Caliente Band of Cahuilla Indians THPO
Patricia Tuck, Tribal Historic Preservation Officer
5401 Dinah Shore Drive Cahuilla
Palm Springs, CA 92264
ptuck@augacaliente-nsn.gov
(760) 699-6907
(760) 699-6924- Fax

Pechanga Cultural Resources Department
Anna Hoover, Cultural Analyst
P.O. Box 2183 Luiseno
Temecula, CA 92593
ahoover@pechanga-nsn.gov
951-770-8100
(951) 694-0446 - FAX

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California Native American Contacts San Bernardino, Riverside, Orange, Los Angeles and Ventura Counties December 7, 2011

Lone Pine Paiute-Shoshone Reservation
Melvin R. Joseph, Chairperson
P.O. Box 747 Paiute
Lone Pine, CA 93545 Shoshone
admin@lppsr.org
(760) 876-1034
(760) 876-8302 Fax

Pechanga Band of Mission Indians
Paul Macarro, Cultural Resources Manager
P.O. Box 1477 Luiseno
Temecula, CA 92593
(951) 770-8100
pmacarro@pechanga-nsn.gov
(951) 506-9491 Fax

Ramona Band of Cahuilla Mission Indians
Joseph Hamilton, Chairman
P.O. Box 391670 Cahuilla
Anza, CA 92539
admin@ramonatribes.com
(951) 763-4105
(951) 763-4325 Fax

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive Serrano
Highland, CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Twenty-Nine Palms Band of Mission Indians
Darrell Mike, Chairperson
46-200 Harrison Place Chemehuevi
Coachella, CA 92236
tribal-epa@worldnet.att.net
(760) 775-5566
(760) 808-0409 - cell - EPA
(760) 775-4639 Fax

Joseph R. Benitez (Mike)
P.O. Box 1829 Chemehuevi
Indio, CA 92201
(760) 347-0488
(760) 408-4089 - cell

Chemehuevi Reservation
Charles Wood, Chairperson
P.O. Box 1976 Chemehuevi Valley CA 92363
chair1cit@yahoo.com
(760) 858-4301
(760) 858-5400 Fax

Fort Mojave Indian Tribe
Tim Williams, Chairperson
500 Merriman Ave Mojave
Needles, CA 92363
(760) 629-4591
(760) 629-5767 Fax

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Tehachapi Indian Tribe Attn: Charlie Cooke 32835 Santiago Road Acton , CA 93510 suscol@intox.net (661) 733-1812	Kawaiisu	AhaMaKav Cultural Society, Fort Mojave Indian Linda Otero, Director P.O. Box 5990 Mojave Valley AZ 86440 (928) 768-4475 LindaOtero@fortmojave.com (928) 768-7996 Fax	Mojave
Colorado River Indian Tribe Ginger Scott, Museum Curator; George Ray, Coor 26600 Mojave Road Parker , AZ 85344 crit.museum@yahoo.com (928) 669-9211-Tribal Office (928) 669-8970 ext 21 (928) 669-1925 Fax	Mojave Chemehuevi	Gabrielino Tongva Nation Sam Dunlap, Chairperson P.O. Box 86908 Los Angeles , CA 90086 samdunlap@earthlink.net (909) 262-9351 - cell	Gabrielino Tongva
San Fernando Band of Mission Indians John Valenzuela, Chairperson P.O. Box 221838 Newhall , CA 91322 tsen2u@hotmail.com (661) 753-9833 Office (760) 885-0955 Cell (760) 949-1604 Fax	Fernandeño Tataviam Serrano Vanyume Kitanemuk	Morongo Band of Mission Indians Michael Contreras, Cultural Heritage Prog. 12700 Pumarra Road Banning , CA 92220 (951) 201-1866 - cell mcontreras@morongo-nsn.gov (951) 922-0105 Fax	Cahuilla Serrano
Gabrieleno/Tongva San Gabriel Band of Mission Anthony Morales, Chairperson PO Box 693 San Gabriel , CA 91778 GTTribalcouncil@aol.com (626) 286-1632 (626) 286-1758 - Home (626) 286-1262 -FAX	Gabrielino Tongva	Lone Pine Paiute-Shoshone Reservation Kathy Bancroft, Cultural Representative P.O. Box 747 Lone Pine , CA 93545 kathybncrft@yahoo.com (406) 570-5289 (760) 876-8302 fax	Paiute Shoshone

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San Manuel Band of Mission Indians Ann Brierty, Policy/Cultural Resources Department 26569 Community Center, Drive Highland , CA 92346 (909) 864-8933, Ext 3250 abrierty@sanmanuel-nsn.gov (909) 862-5152 Fax	Serrano	Pechanga Band of Mission Indians Mark Macarro, Chairperson P.O. Box 1477 Temecula , CA 92593 tbrown@pechanga-nsn.gov (951) 770-6100 (951) 695-1778 Fax	Luiseno
Fort Mojave Indian Tribe Nora McDowell, Cultural Resources Coordinator 500 Merriman Ave Needles , CA 92363 g.goforth@fortmojave.com (760) 629-4591 (760) 629-5767 Fax	Mojave	Serrano Nation of Indians Goldie Walker P.O. Box 343 Patton , CA 92369 (909) 862-9883	Serrano
Big Pine Band of Owens Valley THPO Bill Helmer, Tribal Historic Preservation Officer P.O. Box 700 Big Pine , CA 93513 amargosa@aol.com (760) 938-2003 (760) 937-3331 - cell (760) 938-2942 fax	Paiute	Kern Valley Indian Council Robert Robinson, Co-Chairperson P.O. Box 401 Weldon , CA 93283 brobinson@iwvisp.com (760) 378-4575 (Home) (760) 549-2131 (Work)	Tubatulabal Kawaiisu Koso Yokuts
Morongo Band of Mission Indians Robert Martin, Chairperson 12700 Pumarra Road Banning , CA 92220 (951) 849-8807 (951) 755-5200 (951) 922-8146 Fax	Cahuilla Serrano	Ah-Mut-Pipa Foundation Preston J. Arrow-weed P.O. Box 160 Bard , CA 92222 ahmut@earthlink.net (928) 388-9456	Quechan Kumeyaay

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

MOAPA Paiute Band of the Moapa Reservation
Attn: Cultural Resources Department
P.O. Box 56 Paiute
Moapa , NV 89025
lbradley@mvdsl.com
(702) 865-2787
(702) 865-2875 - FAX

Las Vegas Paiute Tribe
Attn: Cultural Resources Department
1 Paiute Drive Paiute
Las Vegas , NV 89106
contact@lvpaiute.com

(702) 386-3926
(702) 383-4019 - FAX

SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

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Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
32161 Avenida Los Amigos Juaneno
San Juan Capistrano CA 92675
chiefdavidbelardes@yahoo.
(949) 493-4933 - home
(949) 293-8522

United Coalition to Protect Panhe (UCPP)
Rebecca Robles
119 Avenida San Fernando Juaneno
San Clemente CA 92672
rebrobles1@gmail.com
(949) 573-3138

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry; Representing Tribal Chairperson
4955 Paseo Segovia Juaneno
Irvine , CA 92612
949-293-8522

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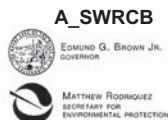
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SOBOBA BAND OF LUISENO INDIANS
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 Luiseno
San Jacinto , CA 92581
jontiveros@soboba-nsn.gov
(951) 663-5279
(951) 654-5544, ext 4137

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State Water Resources Control Board

DEC 14 2011

Santa Margarita Water District
Tom Barnes
626 Wilshire Boulevard, Suite 1100
Los Angeles, CA 90017

Dear Mr. Barnes:

DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR CADIZ VALLEY WATER
CONSERVATION, RECOVERY AND STORAGE PROJECT, SCH #2011031002

State Water Resources Control Board (State Water Board), Division of Water Rights (Division) staff has reviewed the DEIR for the subject project. The proposed project has two components: (1) withdrawal of an annual average of 50,000 acre-feet per annum (afa) from the Cadiz watershed groundwater basin (the Fenner Valley groundwater basin). This project element is designed to extract and conserve groundwater that would otherwise migrate to the brine zone below the Dry Lakes where its beneficial use is lost before it evaporates, and (2) the Imported Water Storage Component is under development and is evaluated programmatically in the DEIR. Under this project element, groundwater space in the basin would be used as part of a conjunctive use project. The project participants have not yet been identified. However, one or more of the unused natural gas pipelines that exist in the Project area may be converted for use as a water conveyance facility. The purpose of this would be (a) to intertie the Project system to the State Water Project or other potential sources of surface water supply for import and storage at the Project site and/or (b) to connect to other potential Project participants interested in storing water at the Project site. Initial study indicates that existing natural gas pipelines could be converted for use as water conveyance pipelines with a maximum capacity of 30,000 afa.

The DEIR indicates that project level analysis will be conducted for element (2) in the future. Please circulate any California Environmental Quality Act (CEQA) document related to element (2) to the Division for comment. If a water right approval is needed, the State Water Board will act as a Responsible Agency for this project. Prior to storing surface water in the Fenner Valley groundwater basin, this place of storage may need to be added to Project participants existing water rights. The State Water Board may need to rely on the Lead Agency's California Environmental Quality Act (CEQA) document to support the Division's evaluation of the requested approval. The Lead Agency should therefore ensure that any CEQA document for element (2) considers all potential direct and indirect environmental impacts associated with the diversion and use of water. If there will be a change to Delta flows, the change should be evaluated.

Tom Barnes

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If you have any questions, please contact me at (916) 341-5363 or by email at kmrowka@waterboards.ca.gov. Written correspondences or inquiries should be addressed as follows: Division of Water Rights, Attn: Katherine Mrowka, PO Box 2000, Sacramento, CA, 95812-2000.

Sincerely,

Katherine Mrowka, Chief
Inland Streams Unit