# Appendix A

Public Scoping

# Appendix A.1

Notice of Preparation

# Notice of Intent To Prepare a Draft Environment Impact Statement and Conduct a Public Scoping Meeting for the Proposed Thousand Palms Flood Control Project Within the Thousand Palms Area of Coachella Valley, Riverside County, California (Corps File No. SPL-2014-00238-RJV)

A Notice by the Engineers Corps on 11/09/2016

This document has a comment period that ends in 34 days. (12/19/2016)

**DOCUMENT DETAILS**

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PDF (https://www.gpo.gov/fdsys/pkg/FR-2016-11-09/pdf/2016-27063.pdf)

**Publication Date:**
11/09/2016 (/documents/2016/11/09)

**Agencies:**
Department of the Army, Corps of Engineers (https://www.federalregister.gov/agencies/engineers-corps)

**Dates:**
Submit comments concerning this notice on or before December 19, 2016. A public scoping meeting will be held on December 6, 2016 at 6:00 p.m. (PST).

**Comments Close:**
12/19/2016

**Document Type:**
Notice

**Document Citation:**
81 FR 78794

**Page:**
78794-78795 (2 pages)

**Document Number:**
2016-27063

**DOCUMENT DETAILS**

**ENHANCED CONTENT**

regulations.gov

**Docket Number:**
COE-2016-0015 (https://www.regulations.gov/docket?D=COE-2016-0015)

**Public Comments:**
0 comments (https://www.regulations.gov/docketBrowser?rpp=50&so=DESC&sb=postedDate&po=0&dct=PS&D=COE-2016-0015)

**ENHANCED CONTENT**

**PUBLISHED DOCUMENT**

## AGENCY:

Department of the Army, U.S. Army Corps of Engineers, DoD.

## ACTION:

Notice of intent.

## SUMMARY:

The purpose of this notice is to initiate a 45-day scoping process for preparation of a Draft Environmental Impact Statement (DEIS) for the Coachella Valley Water District's (CVWD) proposed Thousand Palms Flood Control Project.

## DATES:

Submit comments concerning this notice on or before December 19, 2016. A public scoping meeting will be held on December 6, 2016 at 6:00 p.m. (PST).

## ADDRESSES:

The scoping meeting location is: Thousand Palms Community Center, 31-189 Roberts Road, Thousand Palms, CA 92276.

Mail written comments concerning this notice to: U.S. Army Corps of Engineers, Los Angeles District, Regulatory Division, Carlsbad Field Office, ATIN: SPL-2014-00238-RJV, 5900 La Place Court, Suite 100, Carlsbad, CA 92008. Comment letters should include the commenter's physical mailing address, the project title and the Corps file number in the subject line.

## FOR FURTHER INFORMATION CONTACT:

Michelle Lynch, U.S. Army Corps of Engineers, Los Angeles District, Regulatory Division, Carlsbad Field Office, ATTN: SPL-2014-00238-RJV, 5900 La Place Court, Suite 100, Carlsbad, CA 92008, (760) 602-4850, *michelle.r.lynch@usace.army.mil (mailto:michelle.r.lynch@usace.army.mil).*

## SUPPLEMENTARY INFORMATION:

In accordance with the National Environmental Policy Act (NEPA), the Corps is preparing an Environmental Impact Statement (EIS) prior to any permit action. The Corps may ultimately make a determination to permit or deny the proposed project or a modified version of the proposed project. The primary Federal concerns are the discharge of fill material into waters of the United States.

*Authority:* 33 U.S.C. 1344 (https://api.fdsys.gov/link?collection=uscode&title=33&year=mostrecent&section=1344&type=usc&link-type=html).

1. Project Description. CVWD is proposing to construct a flood control project that is linear in nature, consists of four reaches, and is generally located on the northern and eastern margins of the community of Thousand Palms. Components of the project include levees, channels, culverts, and a sediment basin. The levees and channels would be comprised of compacted native soil with a layer of soil cement to protect the structures from erosion. Reach 1 is comprised of a 2.4 mile long levee with varying height from 5 to 14 feet, a minimum 12-foot access (patrol) road on the top of the levee, as well as an unpaved embankment access road on the downstream (west side) of the levee for operations and maintenance (O&M) purposes. Reach 2 is comprised of a 0.33 mile long levee with a height of approximately 5 feet, a minimum 12-foot access (patrol) road on the top of the levee, as well as an unpaved embankment access road on the downstream (west side) of the levee for O&M purposes and would be positioned in the mid-alluvial fan area just northeast of an existing electrical substation, to protect the substation and adjacent development. Reach 3 is comprised of a 1.23 mile long levee, an access road, and a 1.01 mile channel. The levee height would vary from 5 to 14 feet and would initiate approximately 2,000 feet southwest of the downstream end of Reach 2, roughly 1,000 feet south of Ramon Road. The channel would divert flows from Levee 3 towards the existing stormwater conveyance system at the Classic Club Golf Course. Reach 4 is comprised of an approximately two-mile long channel that would divert stormwater flows from the southeast end of the Classic Club Golf Course and continue south then east, adjacent to the re-aligned Avenue 38, and would terminate at Washington Street with construction of a conveyance system to direct stormwater flows into existing stormwater conveyance facilities in the Del Webb/Sun City development.

2. Issues. Potentially significant impacts associated with the proposed project may include: Aesthetics/visual impacts, air quality emissions, biological resource impacts, noise, traffic and transportation, and cumulative impacts from past, present and reasonably foreseeable future projects.

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3. Alternatives. The Draft EIS will include a co-equal analysis of several alternatives. Project alternatives will be further developed during this scoping process. Additional alternatives that may be developed during scoping will also be considered in the Draft EIS.

4. Scoping. The Corps and CVWD will jointly conduct a public scoping meeting to receive public comment regarding the appropriate scope and preparation of the Draft EIS. Participation by Federal, state, and local agencies and other interested organizations and persons is encouraged.

5. The Draft EIS is expected to be available for public review and comment 6 to 12 months after the scoping meeting, and a public meeting may be held after its publication.

Dated: October 25, 2016.

David Castanon,

Chief, Regulatory Division.

[FR Doc. 2016-27063 (/a/2016-27063) Filed 11-8-16; 8:45 am]

BILLING CODE 3720-58-P

**PUBLISHED DOCUMENT**

# Appendix A.2

Notice of Public Scoping Meeting and Notice of Intent

# NOTICE OF PREPARATION & NOTICE OF INTENT
# NOTICE OF PUBLIC SCOPING MEETING

## Thousand Palms Flood Control Project
### Environmental Impact Report / Environmental Impact Statement

## Introduction

The Coachella Valley Water District (CVWD) and the U.S. Army Corps of Engineers (USACE) intend to prepare a joint Environmental Impact Report and Environmental Impact Statement (EIR/EIS) for the **Thousand Palms Flood Control Project (TPFCP, Project, or Proposed Action)** proposed by CVWD in order to comply with both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). CVWD is the CEQA lead agency and USACE is the NEPA lead agency for the Project. The CVWD and USACE invite your written comments as to the scope of the environmental analysis topics and identification of potential environmental issues related to the Project. The 30-day public scoping period runs from November 18, 2016 to December 19, 2016. **A public scoping meeting will be held at 6:00 p.m. on December 6, 2016 at the Thousand Palms Community Center located at: 31189 Robert Road, Thousand Palms, CA 92276.**

## Project Location

The Project site is located in the Thousand Palms area of the Coachella Valley, within north-central Riverside County between the Indio Hills and Interstate 10 (I-10). The unincorporated community of Thousand Palms, located south and east of the Project, is roughly 10 miles east of the City of Palm Springs and immediately north of the City of Palm Desert. The Project is located along the southern boundary of the Thousand Palms conservation area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and the Coachella Valley Preserve (see attached Project Map).

## Summary Description of the Proposed Project (Alternative 1)

The proposed Project consists of a series of flood control improvements designed to meet the Federal Emergency Management Agency (FEMA) 0.01 chance, or 100-year, flood event thereby providing flood protection for developed and planned development areas in Thousand Palms and the vicinity. The need for flood control has increased substantially in recent years due to continued growth and development in the Coachella Valley. The proposed Project is also designed to support continued aeolian (wind-driven) transport of sand to the Coachella Valley Preserve, where it forms habitat for the sensitive Coachella Valley fringe-toed lizard (State-listed as endangered and federally-listed as threatened). The proposed Project is linear in nature, consisting of four reaches, and is generally located on the northern and eastern margins of the community of Thousand Palms.

Components of the proposed Project include levees, channels, culverts, and a sediment basin. The levees and channels would be comprised of compacted native soil with a layer of soil cement to protect the structures from erosion.

## Project Details

**Reach 1** is comprised of an approximately 12,700-foot-long (2.4-mile) levee (Levee 1). The Levee 1 height would vary from about 5 to 14 feet depending on topography and ground slope. A minimum 12-foot access (patrol) road would be provided on the top of the levee, as well as an unpaved embankment access road on the downstream (west side) of the levee for operations and maintenance (O&M) purposes. Levee 1 would initiate roughly 0.1 mile east of the intersection of Vista Chino (Avenue 28) and Rio del Sol, on the south side of Vista Chino, and extend in an east-southeasterly direction. The levee would generally run parallel to the north of Southern California Edison's utility corridor. Levee 1 would cross over Sierra del Sol, Desert Moon Drive, and Via Las Palmas. Culverts and road crossings of the levee would be constructed at Desert Moon Drive and Via Las Palmas. Water and sediment which flows from the Indio Hills would flow naturally toward Reach 1 and be diverted to the 550-acre floodway located along the levees and in the active wind corridor between Reach 1 and Reach 3 (described below). A sediment basin would be installed at the downstream end of Reach 1 in order to trap sediment, slow the velocity of stormwater flow across the Preserve, and avoid adverse effects associated with erosion or channel migration.

**Reach 2** is comprised of an approximately 1,700-foot-long (0.32-mile) levee (Levee 2) with a height of approximately 5 feet. As with the Reach 1 levee, a minimum 12-foot access (patrol) road would be provided on the top of the levee, as well as an unpaved embankment access road on the downstream (west side) of the levee for O&M purposes. Levee 2 is aligned in the direction of the prevailing wind to avoid interference with aeolian transport in this area. It is positioned in the mid-alluvial fan area just northeast of an existing electrical substation, to further protect the substation, protect adjacent development, and facilitate the diversion of water in a southeasterly direction. Reach 2 would capture large storm events from Reach 1 and direct flow towards Reach 3.

**Reach 3** is comprised of an approximately 6,500-foot-long (1.2-mile) levee (Levee 3), a minimum 12-foot-wide access road on top of the levee, an unpaved embankment access road on the downstream (west side) of the levee, and an approximately 5,300-foot-long (1.0-mile) incised (cut) channel (Reach 3 Channel). Levee 3 would vary in height from about 5 feet to 14 feet, depending upon topography and ground slope. Levee 3 would initiate approximately 2,000 feet southwest of the downstream end of Levee 2, roughly 1,000 feet south of E. Ramon Road.

The transition of Reach 3 to a channel configuration is intended to minimize land use conflicts with athletic fields at Xavier College Preparatory High School and to minimize the disruption to aeolian sand transport patterns. This channel configuration curves around the athletic fields, whereas a levee would need to maintain a straighter alignment through the high school property. The channel configuration also minimizes disruptions to sand migration onto the Coachella Valley Preserve because, in comparison to a levee design, the channel would not create a vertical obstruction to sand migration (with the exception of a short length of Reach 3 channel where the embankment would be approximately 3-feet high).

Sand that blows into the channel or is deposited during storm events would be removed from the channel and placed on the active wind corridor for natural migration onto the Coachella Valley Preserve. The Reach 3 Channel would be lined with soil cement. The Reach 3 Channel would divert flows from Levee 3 towards the Classic Club Golf Course. The Classic Club Golf Course is equipped with an existing stormwater conveyance system that is sufficient to transport storm flows diverted by the proposed Project through the golf course.

**Reach 4** is comprised of an approximately 10,300-foot-long (2.0-mile) incised trapezoidal channel (Reach 4 Channel). The Reach 4 Channel would convey stormwater flows from the southeast end of the Classic Club Golf Course and continue south then east, adjacent to the south of the existing alignment of Avenue 38. Riverside County Board of Supervisors approved the realignment of Avenue 38 previously as a County project (now part of the proposed Project), which would move Avenue 38 adjacent and south of the Reach 4 Channel. The Reach 4 Channel would terminate at Washington Street, with construction of a conveyance system to direct stormwater flows under Washington Street and into existing stormwater conveyance facilities in the Del Webb / Sun City development.

**Soil Disposal Areas.** Material excavated from the Project area that is not used for construction of the levees would be placed within two areas. Suitable blowsand material would be salvaged and placed at a blowsand augmentation area on the Coachella Valley Preserve, creating an approximately 8-foot high sand dune (assumes 100,000 cubic yards [CY]). Material from this location would be transported by wind within the Coachella Valley Preserve to replace sand lost through wind driven erosion. Approximately 726,000 CY of material from the Reach 4 Channel construction would be placed south of Avenue 38 within the existing windrows, resulting in an approximately 2-foot increase in the ground level across the approximately 250-acre site.

**Construction.** The proposed Project includes trenching and excavation to install the levees and channel facilities. Construction is anticipated to take approximately 27 months.

**Operations and Maintenance.** To ensure that sand migration through the existing wind corridor is not disrupted and that sand dune habitat continues to be replenished, O&M activities would include the removal of sand which collects along the Project levees and within the Project channels.

## Previous Environmental Review

In 2000 an EIR/EIS was published for this Project, under the title Whitewater River Basin Flood Control Project, with the Planning Division of the USACE functioning as the NEPA Lead Agency and the CVWD functioning as the CEQA Lead Agency. A Preferred Alternative was selected and approved, though the action was never implemented due to funding restrictions. A subsequent analysis was initiated in 2011 to account for development which had occurred in the Project area after the 2000 EIR/EIS and Preferred Alternative approval, as well as other modifications and land use changes. Due to federal funding restrictions, the 2011 environmental document was never finalized.

## Project Alternatives

Several alternatives to the Proposed Project (Alternative 1) will be considered by examining factors such as reliability, constructability, operation and maintenance, geotechnical feasibility, environmental considerations, and cost. Three (3) alternatives have been identified, including Removal of Reach 2 (Alternative 2), Modified Reach 3 (Alternative 3), and the No Action/Project (Alternative 4). The Draft EIR/EIS will include equivalent analysis of the alternatives considered. These alternatives will be further formulated and developed after the scoping process. Additional alternatives identified during scoping will also be considered for inclusion in the Draft EIR/EIS.

## Potential Environmental Effects

The EIR/EIS will identify and discuss the probable environmental effects of the Project and identify mitigation measures to avoid or reduce significant adverse effects. This analysis will be completed for all proposed alternatives in addition to the proposed Project. The following environmental issue areas may be addressed in EIR/EIS:

- Aesthetics
- Air Quality
- Biological Resources
- Sand Migration
- Cultural Resources
- Land Use and Recreation
- Noise
- Paleontological Resources
- Public Safety
- Socioeconomics and Environmental Justice
- Topography, Geology, and Soils
- Transportation
- Water Resources
- Cumulative Effects

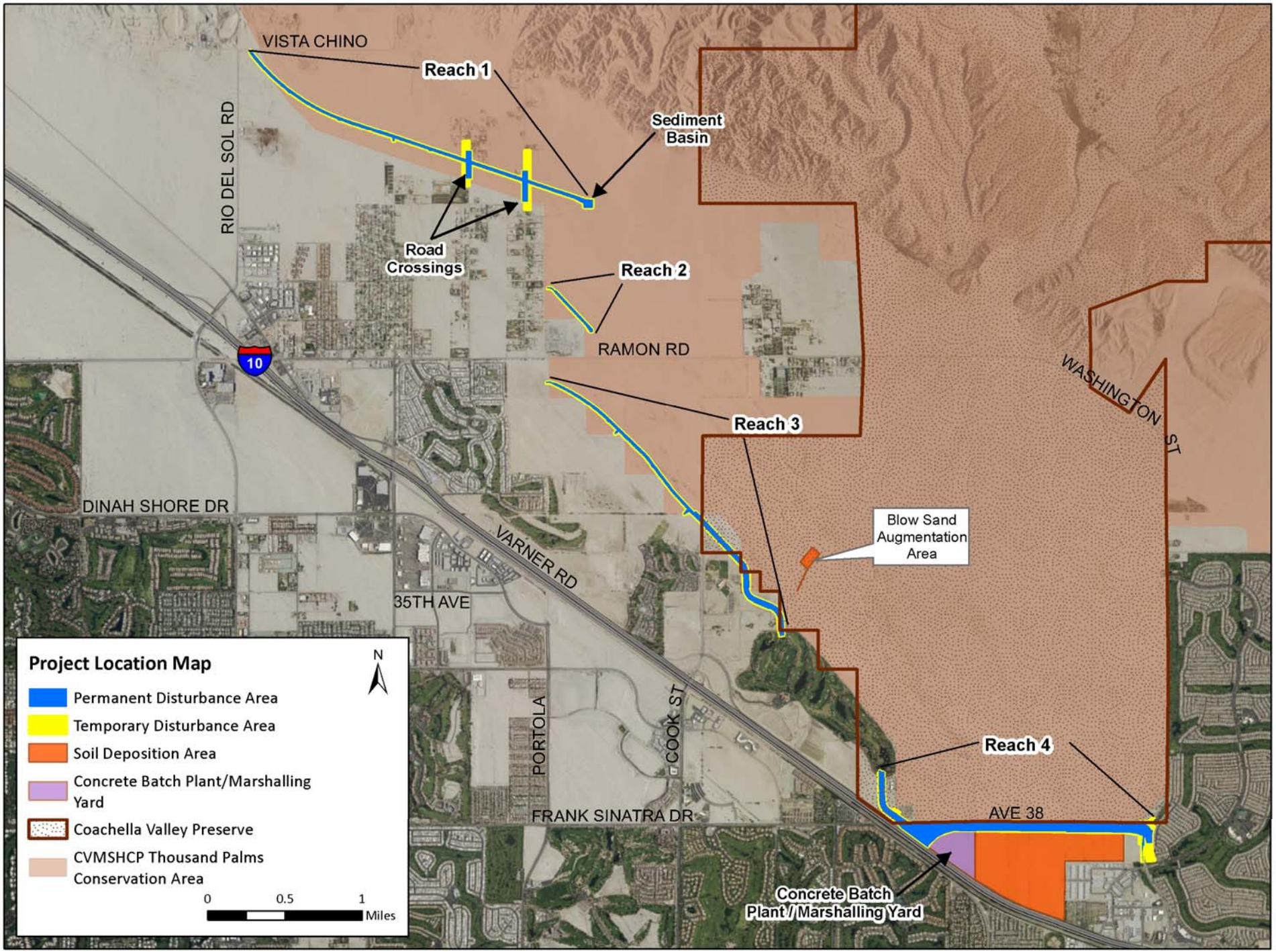
## Public Scoping Meeting

The CVWD and USACE will conduct a public scoping meeting in order to solicit comments from the public and public agencies regarding potential environmental issues and topics to be addressed in the EIR/EIS, including suggestions for potential alternatives and mitigation measures. The public scoping meeting will be held on December 6, 2016, beginning at 6:00 p.m. at the **Thousand Palms Community Center** located at 31189 Robert Road, Thousand Palms, CA 92276.

## Contact Person

Due to the time limits mandated by State and federal laws, your comments must be submitted at the earliest possible date and no later than **December 19, 2016**. Please send comments to:

Luke Stowe, Environmental Supervisor
Coachella Valley Water District
P.O. Box 1058, Coachella, CA 92236
Email: LStowe@cvwd.org / Phone: (760) 398-2651


VISTA CHINO
Reach 1
Sediment Basin
RIO DEL SOL RD
Road Crossings
Reach 2
RAMON RD
10
WASHINGTON ST
Reach 3
DINAH SHORE DR
Blow Sand Augmentation Area
VARNER RD
35TH AVE
PORTOLA
COOK ST
Reach 4
FRANK SINATRA DR
AVE 38
Concrete Batch Plant / Marshalling Yard
Project Location Map
N
Permanent Disturbance Area
Temporary Disturbance Area
Soil Deposition Area
Concrete Batch Plant/Marshalling Yard
Coachella Valley Preserve
CVMSHCP Thousand Palms Conservation Area
0
0.5
1
Miles

# Appendix A.3

Newspaper Ad and Proof of Publication

16069

**The Desert Sun**
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

# Certificate of Publication

**State Of California ss:**
**County of Riverside**

**Advertiser:** CVWD/LEGALS
PO BOX 1058
COACHELLA , CA 92236

Order # 0001739773

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: **The Desert Sun**

11/18/2016

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a Newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this **18th day of NOVEMBER, 2016** in Palm Springs, California.

**Declarant**

**NOTICE OF PREPARATION & NOTICE OF INTENT**
**& NOTICE OF PUBLIC SCOPING MEETING**
**Thousand Palms Flood Control Project**
**Environmental Impact Report / Environmental Impact Statement**

**STATE LEAD AGENCY:** Coachella Valley Water District
P.O. Box 1058
Coachella, California 92236

**FEDERAL LEAD AGENCY:** United States Army Corps of Engineers

**CONTACT PERSON:** Luke Stowe, LStowe@cvwd.org / Phone: 760-398-2651

**PROJECT TITLE:** Thousand Palms Flood Control Project

**PROJECT LOCATION:** The Project is located in the unincorporated community of Thousand Palms, Riverside County, California. Flood control improvements would be located north of Interstate 10 (I-10), below the Indo Hills, extending in a southeast direction beginning near the intersection of Rio Del Sol Rd. / 28th Ave. (west end) and ending at Washington Street (east end).

**PROJECT DESCRIPTION:** The Coachella Valley Water District (CVWD) proposes to construct and operate a series of flood control improvement structures (levees) designed to meet the Federal Emergency Management Agency (FEMA) 0.01 chance, or 100-year, flood event thereby providing flood protection for developed and planned development areas in Thousand Palms and the vicinity. The proposed Project consists of four segments (reaches) composed of levees, channels, culverts, and a sediment basin. The proposed Project would support aeolian (wind-driven) and fluvial (water-driven) transport of sand to the Coachella Valley Preserve and Coachella Valley National Wildlife Refuge. Fine sands located in this area provide habitat for the state-listed as endangered and federally-listed as threatened Coachella Valley Fringe Toed Lizard and other sensitive sand dwelling species.

**FINDINGS/DETERMINATION:** CVWD has reviewed and considered the proposed Project and has determined that potentially significant impacts could result from the construction and operation of the proposed improvements. CVWD has prepared this Notice of Preparation (NOP) for the Project as required by the California Environmental Quality Act (Section 15082). The United States Army Corps of Engineers will serve as the Federal lead agency for the preparation of a joint CEQA/NEPA document, and has issued a Notice of Intent (NOI).

**PUBLIC REVIEW PERIOD:** A 30-day public review period for the NOP will commence on November 18, 2016 and end on December 19, 2016. Written comments on the NOP must be received by CVWD within the public review period. Comments can be emailed to: Lstowe@cvwd.org, or mailed to the address above. A copy of the NOP/NOI is available for review online at: www.cvwd.org, or at CVWD offices: 75515 Hovley Lane East, Palm Desert, CA 92260, as well as, local libraries.

**PUBLIC SCOPING MEETING:** The public scoping meeting for this Project will be held on December 6, 2016 at 6:00 p.m. at the Thousand Palms Community Center located at 31189 Robert Road, Thousand Palms, CA 92276.

# Appendix A.4

Mailing List for NOP/NOI (2016)

| AGENCY / ORGANIZATION | NAME | FIRST NAME | LAST NAME | TITLE | ADDRESS | CITY | STATE | ZIP |
|---|---|---|---|---|---|---|---|---|
| Tribe | Agua Caliente Band of Cahuilla Indians | Patricia | Garcia-Plotkin | Tribal Historic Preservation Director | 5401 Dinah Shore Drive | Palm Springs | CA | 92264 |
| Tribe | Augustine Band of Cahuilla Indians | Amanda | Vance | Tribal Chairperson | 84-481 Avenue 54 | Coachella | CA | 92236 |
| Library | Brawley Public Library | | | Branch Manager | 400 Main Street | Brawley | CA | 92227 |
| Tribe | Bureau of Indian Affairs - Pacific Region | Dale | Morris | Regional Director | 2800 Cottage Way | Sacramento | CA | 95825 |
| Tribe | Bureau of Indian Affairs - Palm Springs Agency | | | Planning Director | 3700-A Tachevah Dr., Suite 201 | Palm Springs | CA | 92262 |
| Tribe | Bureau of Indian Affairs - Southern California Agency | Robert | Eben | Superintendent | 1451 Research Park Drive, Suite 100 | Riverside | CA | 92507 |
| Federal | Bureau of Land Management | Jill | Williams | Assistant Field Manager | 1201 Bird Center Drive | Palm Springs | CA | 92262 |
| Federal | Bureau of Reclamation | Julian | DeSantiago | Environmental Protection Specialist | 7301 Calle Agua Salada | Yuma | AZ | 85364 |
| Tribe | Cabazon Band of Mission Indians | Doug | Welmas | Tribal Chairperson | 84-245 Indio Springs Drive | Indio | CA | 92203 |
| Tribe | Cahuilla Band of Indians | Andreas | Heredia | Cultural Director | 52701 Hwy 371 | Anza | CA | 92539 |
| Education | Cal State University San Bernardino | | | Facilities Planner | 37500 Cook Street | Palm Desert | CA | 92211 |
| State | California State Clearinghouse | | | CEQA Submital | 1400 Tenth Street | Sacramento | CA | 95814 |
| City | City of Cathedral City | | | Planning Department | 68700 Avenida Lalo Guerrero | Cathedral City | CA | 92234 |
| City | City of Coachella | | | Planning Department | 1515 Sixth Street | Coachella | CA | 92236 |
| City | City of Desert Hot Springs | | | Planning Department | 65-950 Pierson Blvd. | Desert Hot Springs | CA | 92240 |
| City | City of Indio | | | Planning Department | 100 Civic Center Mall | Indio | CA | 92201 |
| City | City of La Quinta | Gabriel | Perez | Planning Manager | 78-495 Calle Tampico | La Quinta | CA | 92253 |
| City | City of Palm Desert | | | Planning Department | 73-510 Fred Waring Drive | Palm Desert | CA | 92260 |
| City | City of Palm Springs | | | Planning Department | 3200 Tahquitz Canyon Way | Palm Springs | CA | 92262 |
| City | City of Rancho Mirage | | | Planning Department | 69-825 Highway 111 | Rancho Mirage | CA | 92270 |
| Regional | Coachella Valley Association of Governments | Tom | Kirk | Executive Director | 73-710 Fred Waring Drive, Suite 200 | Palm Desert | CA | 92260 |
| Regional | Coachella Valley Association of Governments | Katie | Barrows | Coachella Valley Conservation Commission | 73-710 Fred Waring Drive, Suite 200 | Palm Desert | CA | 92260 |

| AGENCY / ORGANIZATION | NAME | FIRST NAME | LAST NAME | TITLE | ADDRESS | CITY | STATE | ZIP |
|---|---|---|---|---|---|---|---|---|
| Education | Coachella Valley Unified School District | | | Facilities Planner | 83-733 Avenue 55 | Thermal | CA | 92274 |
| City | Cochella Valley Community Councils | John | Benoit | Supervisor | 73-710 Fred Waring Drive, Suite 222 | Palm Desert | CA | 92260 |
| Library | Desert Hot Springs Public Library | | | Branch Manager | 11691 West Drive | Desert Hot Springs | CA | 92240 |
| Education | Desert Sands Unified School District | | | Facilities Planner | 47-950 Dune Palms Road | La Quinta | CA | 92253 |
| Federal | Environmental Protection Agency | Rosalyn | Johnson | Region 9 | 75 Hawthorne St. | San Francisco | CA | 94105 |
| Newspaper | La Prensa Hispana | | | Classififeds | 45102 Smurr Street | Indio | CA | 92201 |
| Library | La Quinta Public Library | | | Branch Manager | 78-275 Calle Tampico | La Quinta | CA | 92253 |
| Tribe | Los Coyotes Band of Cahuilla and Cupeno Indians | Ray | Chapparosa | Tribal Chairperson | 2300 Camino San Ignacio Road | Warner Springs | CA | 92086 |
| Tribe | Morongo Band of Mission Indians | Raymond | Huaute | Cultural Resource Specialist | 12700 Pumarra Road | Banning | CA | 92220 |
| Library | Palm Desert Public Library | | | Branch Manager | 73-300 Fred Waring Drive | Palm Desert | CA | 92260 |
| Library | Palm Springs Public Library | | | Branch Manager | 300 South Sunrise Way | Palm Springs | CA | 92262 |
| Education | Palm Springs Unified School District | | | Facilities Planner | 980 E. Tahquitz Canyon Way #204 | Palm Springs | CA | 92262-6708 |
| Tribe | Ramona Band of Cahuilla Indians | John | Gomez, Jr. | Cultural Resource Coordinator | 56310 Highway 371, Suite B | Anza | CA | 92539 |
| Library | Rancho Mirage Public Library | | | Branch Manager | 71100 Highway 111 | Rancho Mirage | CA | 92270 |
| Regional | Riverside County Clerk | Maryann | Meyer | County Clerk | 2720 Gateway Drive | Riverside | CA | 92507 |
| Regional | Riverside County Flood Control and Water Conservation District | | | Planning Division | 1995 Market Street | Riverside | CA | 92501 |
| Library | Riverside County Library - Cathedral City | | | Branch Manager | 33-520 Date Palm Drive | Cathedral City | CA | 92234 |
| Library | Riverside County Library – Coachella | | | Branch Manager | 1538 7th Street | Coachella | CA | 92236 |
| Library | Riverside County Library - Indio | | | Branch Manager | 200 Civic Center Mall | Indio | CA | 92201 |
| Library | Riverside County Library - Thousand Palms | | | Branch Manager | 31189 Robert Road | Thousand Palms | CA | 92276 |
| Regional | Riverside County Planning Department | | | Planning Director | 77-588 El Duna Court, Suite H | Palm Desert | CA | 92211 |
| Regional | Riverside County Planning Department | Steve | Weiss, AICP | Planning Director | 4080 Lemon Street, 12th Floor | Riverside | CA | 92502 |
| Regional | Riverside County Transportation Department | Juan | Perez | Director | 4080 Lemon Street | Riverside | CA | 92502-1629 |
| Organization | Sierra Club | Joan | Taylor | Conservation Chair | 4079 Mission Inn Ave. | Riverside | CA | 92501 |

| AGENCY / ORGANIZATION | NAME | FIRST NAME | LAST NAME | TITLE | ADDRESS | CITY | STATE | ZIP |
|---|---|---|---|---|---|---|---|---|
| Tribe | Soboba Band of Luiseno Indians | Joseph | Ontiveros | Cultural Resource Director | 23906 Soboba Road | Hemet | CA | 92544 |
| Regional | South Coast Air Quality Management District | Steve | Smith | Program Supervisor | 21865 East Copley Drive | Diamond Bar | CA | 91765-4182 |
| Newspaper | The Desert Sun | | | Classifieds | Post Office Box 2734 | Palm Springs | CA | 92263 |
| Tribe | Torres Martinez Desert Cahuilla Indians | Michael | Mirelez | Cultural Resource Coordinator | 66725 Martinez Road | Thermal | CA | 92274 |
| Tribe | Twenty-nine Palms Band of Mission Indians | Anthony | Madrigal, Jr. | Tribal Historic Preservation Officer | 46-200 Harrison Place | Coachella | CA | 92236 |
| Federal | U.S. Army Corps of Engineers | Shelly | Lynch | South Coast Branch Chief | 5900 La Place Court, Suite 100 | Carlsbad | CA | 92208 |
| Federal | U.S. Fish & Wildlife Service | Jenness | McBride | Palm Springs Office | 777 E. Tahquitz Canyon Way, Suite 208 | Palm Springs | CA | 92262 |
| Education | University of California - Riverside | | | Facilities Planner | 75080 Frank Sinatra Drive | Palm Desert | CA | 92211 |
| Regional | Riverside County Flood Control and Water Conservation District | Edwin | Quinonez | | 1995 Market Street | Riverside | CA | 92501 |

| AGENCY / ORGANIZATION | NAME | FIRST NAME | LAST NAME | TITLE | ADDRESS | CITY | STATE | ZIP |
|---|---|---|---|---|---|---|---|---|
| Private | Berger Foundation | Max | Vahid | C/O VA Cons | 46 Discovery, Suite 250 | Irvine | CA | 92618 |
| Private | Pacific Legal Foundation | Anthony | Francois | Staff Attorne | 930 G Street | Sacramento | CA | 95814 |
| Private | PGS West Residential Association | Mike | Walker | | 54-320 Southern Hills | La Quinta | CA | 92253 |
| Private | U.S. Boyd Deep Canyon Research Center | Alan | Muth | | 54900 Desert Research Trail | Indian wells | CA | 92210 |

| Name | Email |
|---|---|
| Leota Green | lgreen5944@aol.com |
| Lori Sarner | robinkay919@gmail.com |
| Robin Montgomery | robinkay919@gmail.com |
| Mark Salmon | mark_salmon@rocketmail.com |
| Mike Rover | mrover@roverarmstrong.com |
| Brandon Abbot | babbot@roverarmstrong.com |
| John Towery | jtowery@wilsonjohnson.net |
| Fadi Germanos | fgermanos@xavierprep.org |
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| Bill Wright | wewbill@verizon.net |
| Rick Thompson | Rickt@dc.rr.com |
| Virginia Davis | onlyifyouhave2@gmail.com |
| Carolyn Huth | huthcar@verizon.net |
| Luis Sanchez | 1Sanchez911@yahoo.com |
| Edwin Quinonez | eequinonez@rcflood.org |
| Alice Tibbetts | atibbetts@dc.rr.com |

# Appendix A.5

## Scoping Meeting Materials (2016)

Sign-In Sheet

Scoping Meeting Presentation

Scoping Meeting Transcript

Tuesday, December 6, 2016
6:00 p.m.

Thousand Palms Community Center
31189 Roberts Road, Thousand Palms, CA 92276

# Sign-In

## Public Scoping Meeting

## Thousand Palms Flood Control Project

| Name | Affiliation | Email | Address | City / State / Zip |
|---|---|---|---|---|
| Mark Salmon | PB | mark_salmon@rocketmail.com | | |
| DAN CHARLTON | CVWD | DCHARLTON@CVWD.ORG | | |
| DAVID WILSON | " | DWILSON@CVWD.NET | | |
| Tesfaye Demissie | CVWD | tdemissie@cvwd.org | | Palm Desert, CA |
| Mike Rover | Berger Frdn. | mrover@roverarmstrong.com | | Palm Desert CA |
| BRANDON ABBOTT | Berger | babbott@roverarmstrong.com | | Palm Desert, CA |
| Jim TOWERY | WILSON Johnson | JTOWERY@WILSONJOHNSON.NET | | |
| Fadi Germanos | Xavier H.S | Fgermanos@Xavierprep.org | | Palm Desert, CA |
| CURTIS PERRY | PEGASUS ACADEMY | CURTISDUNES@AOL.com | | PALM DESERT, CA |
| Richard Davis | | | 73240 Broadmoor Dr | T.P. |
| Edwin Quinonez | RCFC & WCD | equinonez@rcflood.org | | Riverside, CA |
| Jennifer McBride | USFWS | jennifer_mcbride@fws.gov | 777 E Tahquitz Canyon Dr | Palm Springs |
| Eileen Dryden | | palmboss911@aol | 31435 Vias Palmas | Thousand Palms |
| NERIZA AGUILAR | | Neriza Aguilar @ aol.com | | Palm Desert, CA 92260 |

| Name | Affiliation | Email | Address | City / State / Zip |
|---|---|---|---|---|
| Elizabeth Meyerhoff | CVWD | emeyerhoff@cvwd.org | 75-515 Hovley E. | PD / CA / 92211 |
| Virginia Davis Clint Wyatt | Pegasus | JamesClintWyatt@aol.com | 35450 Pegasus Ct | PD CA 92211 |
| JOHN STEVENS | MAYOR 1000 PALMS | Cell 760-408-6583 | 73673 BROADMOOR DR | CA 92276 |
| DAN VILLINES | STANTEC | dan.villines@stantec.com | 40 Discovery #250 | Irvine CA 92618 |
| Carol Mowbray | resident | mowbray4@verizon.net | 31285 Shadow Mtn Ln | Thousand Palms |
| Cliff Mowbray | " | " | " | " |
| SUZIE KOO | REALTOR | SUZIEQKOO88@GMAIL.COM | | |
| DAVID HSU | REALTOR | DAVIDHSU@UPMWEB.COM | 8808 MISSION DR., #203 ROSEMEAD, CA 91770 | |
| SHELLY LYNCH | USACE | MICHELLE.R.LYNCH@USACE.ARMY.MIL | | CARLSBAD, CA |
| Trudy Boardman | Resident | tboardman@dc.rr.com | Robert Rd | TP |
| Joe Castaneda | Engineer | joe@jkengineering.com | | |
| BILL WRIGHT | RESIDENT | WEWBILL@VERIZON.NET | 28-200 VIA LAS PALMAS, 1000PALMS | TP. |
| Rick Thompson | resident | RICKT@DC.RR.COM | | Thousand Palms |
| Virginia L. Davis | Pegasus Riding | onlyifyouhave2@gmail.com | Pegasus Ct | Palm Desert |
| CAROLYN HUTH | Resident | HUTHCAC@VERIZON.NET | 28455 VIA LAS PALMAS | T.P. |
| Lou Sanchez | Resident | | 67401 Mission Dr Cathedral City | CA 92234 |
| | | | | |

Tuesday, December 6, 2016
6:00 p.m.

Thousand Palms Community Center
31189 Roberts Road, Thousand Palms, CA 92276

| Name | Affiliation | Email | Address | City / State / Zip |
|---|---|---|---|---|
| Luis Sanchez | Resident | lSanchez911@yahoo.com | 73665 Burr Oak Rd | Thousand Palms CA 92276 |
| Luke Stowe | CVWD | lstowe@cvwd.org | 75-515 Hovley | P D 922[illegible] |
| Alice Tibbetts | community | atibbetts@dc.rr.com | 33000 Bandana | TP 92276 |
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# Project Scoping Meeting
## Thousand Palms
## Flood Control Project EIR/EIS

Thousand Palms Community Center
December 6, 2016 6:00 p.m.

Coachella Valley Water District

## Meeting Agenda

- Introductions
- CEQA Lead Agency: *Coachella Valley Water District*
- NEPA Lead Agency: *United States Army Corps of Engineers*
- Overview of the Proposed Project
- Project History
- Existing Flood Hazards
- Environmental Review Process
- Public Comment Period

## Purpose of a Scoping Meeting

- Provide information on the Project
- Describe environmental review process
- Identify any potential issues
- Solicit input on environmental topics, project alternatives, and mitigation
- Ensure all relevant issues are addressed

## Public Comments

- *Comments will be taken after the presentation*
- Please complete speaker card; each speaker will be announced
- Please limit comments to 3 minutes
- You may provide written comment up to 12/19/16
- Future  comment opportunities as well…

# Acronyms

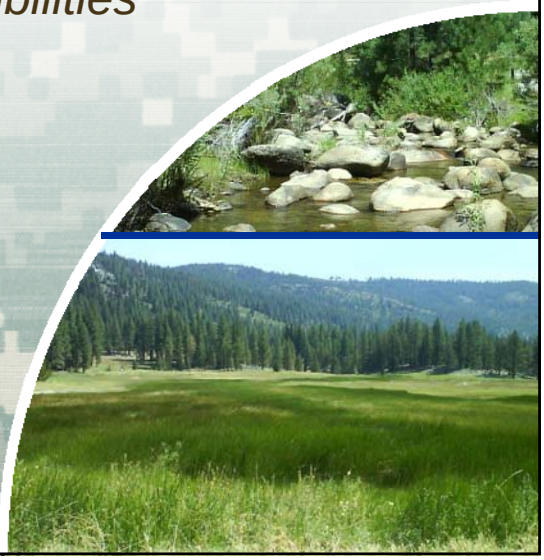
- CVWD: Coachella Valley Water District
- USACE: United States Army Corps of Engineers
- CEQA: California Environmental Quality Act
- NEPA: National Environmental Policy Act
- EIR: Environmental Impact Report
- EIS: Environmental Impact Statement
- FEMA: Federal Emergency Management Agency
- MSHCP: Multiple Species Habitat Conservation Plan

# CVWD's Purpose & Need of the Project

- Provide Flood Protection
  - Protect approximately 2,800 acres from flooding
- Sand Dune Habitat Preservation
  - Coachella Valley Preserve and Wildlife Refuge
- CVMSHCP Boundary Modification
  - Define the southern boundary of the Coachella Valley Preserve

# Army Corps of Engineers
## *Role and Responsibilities*

**Thousand Palms**
**Flood Control Project**



US Army Corps of Engineers
BUILDING STRONG®

# USACE's General Overview

- Corps of Engineers is divided into many programs
  - Civil Works - most familiar; construct levees, dams, military installations, etc.
  - Regulatory - issue permits to private and public entities for impacts to waters and wetlands.
- Jurisdiction under Section 404 of the Clean Water Act
  - Protect the biological, physical and chemical integrity of nation's waters
- Review project design and assess project impacts to biological resources, endangered species, historic and cultural properties, Tribal concerns (plus public interest factors)
- Corps Regulatory is one of several agencies involved
  - Regional Water Quality Control Board, California Dept. of Fish and Wildlife, U.S. Fish and Wildlife Service, local agencies, etc.

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*And Taking Care Of People!*

# USACE's Role and Responsibilities

- Federal permit = comply with National Environmental Policy Act (NEPA)
  - Public involvement and disclosure
  - Look at alternatives to project
  - Conduct public interest review
    - ➢ Economics, general environmental concerns, fish and wildlife values, flood hazards, water quality, safety, etc.
- Corps has determined the project may have a significant effect

Environmental Impact Statement (EIS)

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*And Taking Care Of People!*

# USACE's EIS procedures

- Corps receives a permit application
- Scoping process begins: Public Notice with ~30-60 day comment period
  - Comment period closes December 19, 2016
- Conduct a public scoping meeting (today)
- Publish draft EIS (~earliest would be end of 2017)
- Public Notice with 45 day comment period
- Public hearing or meeting (optional)
- Publish final EIS
- Public Notice with 30 day comment period
- Permit issued, issued with modifications, or denied

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## This Project has some history!

- 1994-2000: Feasibility study completed by USACE
- 2000: Congress authorized the project
- 2000-2007: Project Design 40% completed
  Environmental Analysis Conducted
- 2012: CVWD and USACE assume lead role in design / environmental / construction
- 2014: Federal Scoping Meeting Conducted
- Present Time: Refine Project and Scoping Period

## Existing Physical Setting

- Project area is prone to flooding during intense winter storms
- Steep terrain and large watersheds funnel water to the project area
- Storms can form quickly with little warning for evacuation
- Moderate to large floods have occurred in 1909, 1927, 1938, 1940, 1943, 1965, 1969, 1978, 1980, 1983, and 1993.
- Storms within the last 5 years have also resulted in localized flooding below the proposed reaches.

## Watersheds

## Flood Video

## North of Xavier HS

## North of Xavier HS

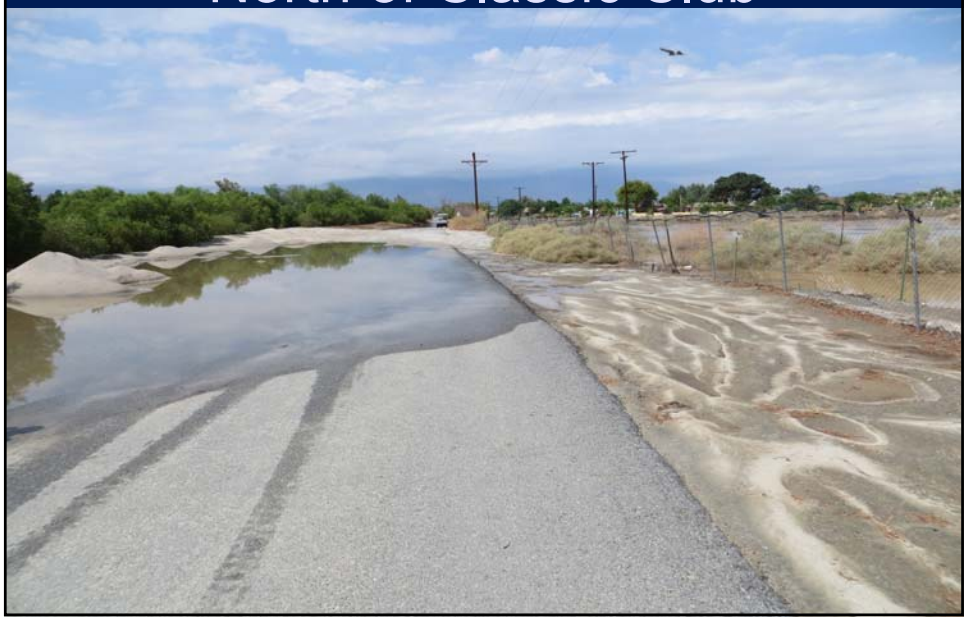
## East of Xavier HS

## North of Classic Club

## North of Classic Club

## North of Classic Club

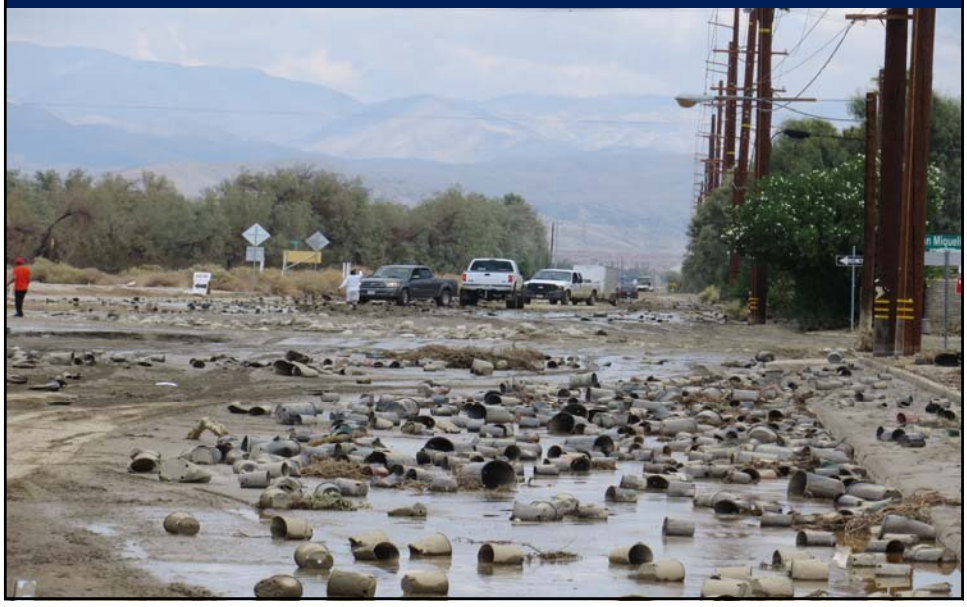
## North of Classic Club



## Avenue 38

## Avenue 38

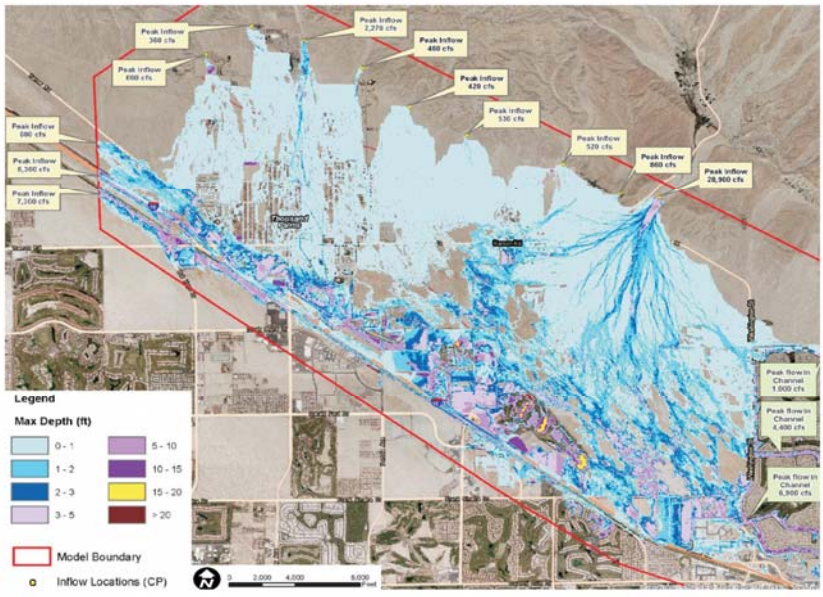
## Ramon Road East of Monterey



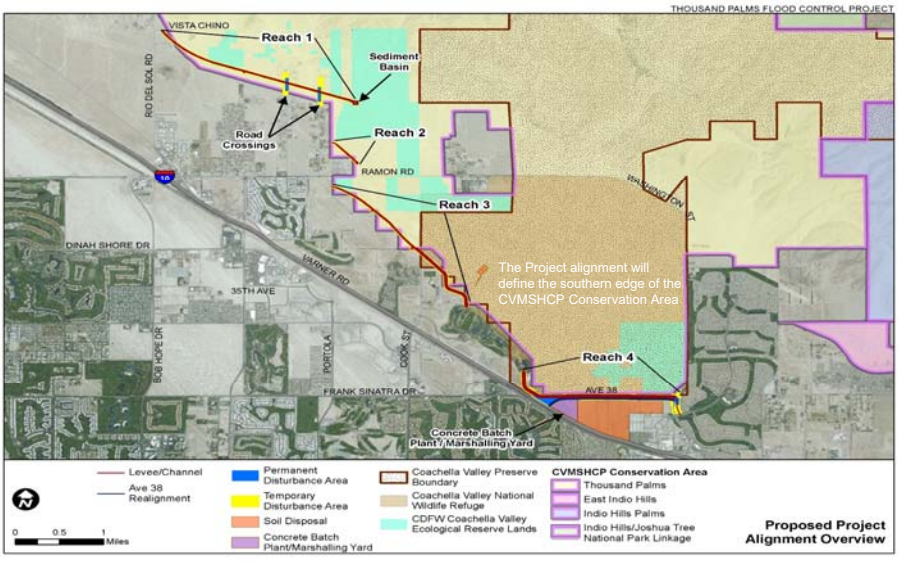
## Ramon Road & Varner


## Ramon Road & Varner

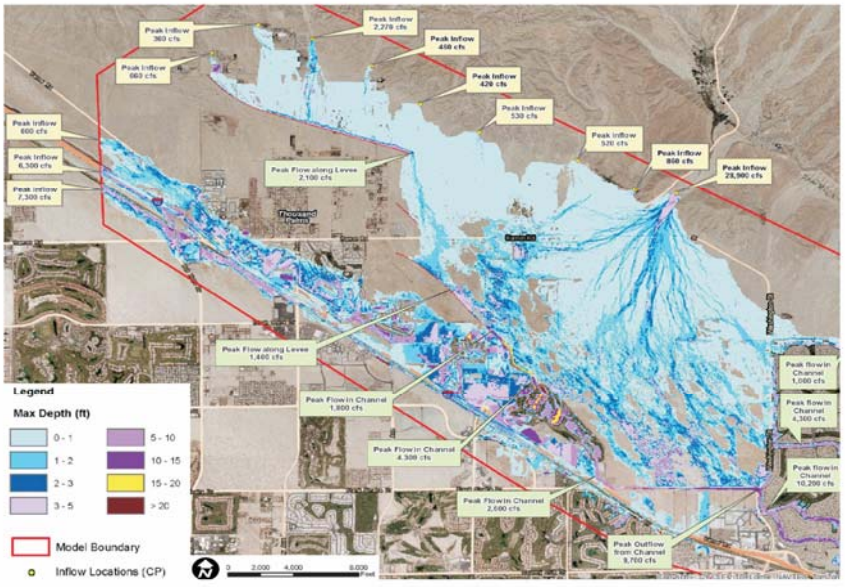
# Flood Map Existing Conditions




# Proposed Project (Alternative 1)



# Flood Map with Project Implementation



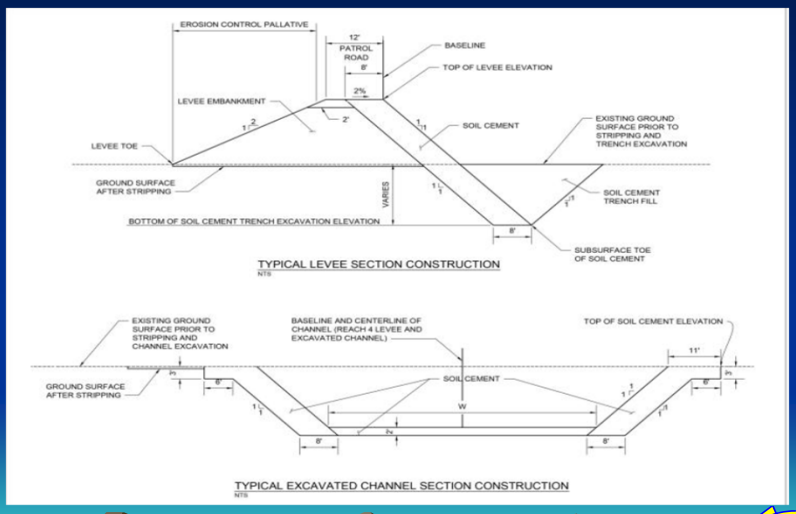

# Key Project Components

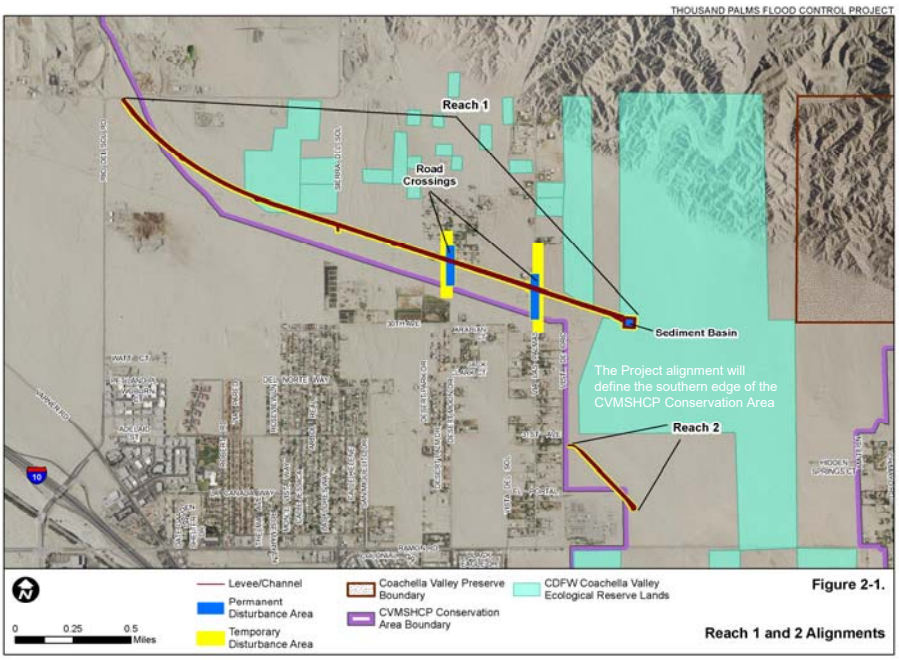
- Reach 1: 2.4-mile levee; 5-14 feet high
- Reach 2: 0.32-mile levee; 5 feet high
- Reach 3: 1.2-mile levee; 5-14 feet high; 1.0-mile channel
- Reach 4: 2.0-mile incised trapezoidal channel
- Realignment of Avenue 38 and minor modification to Washington Street

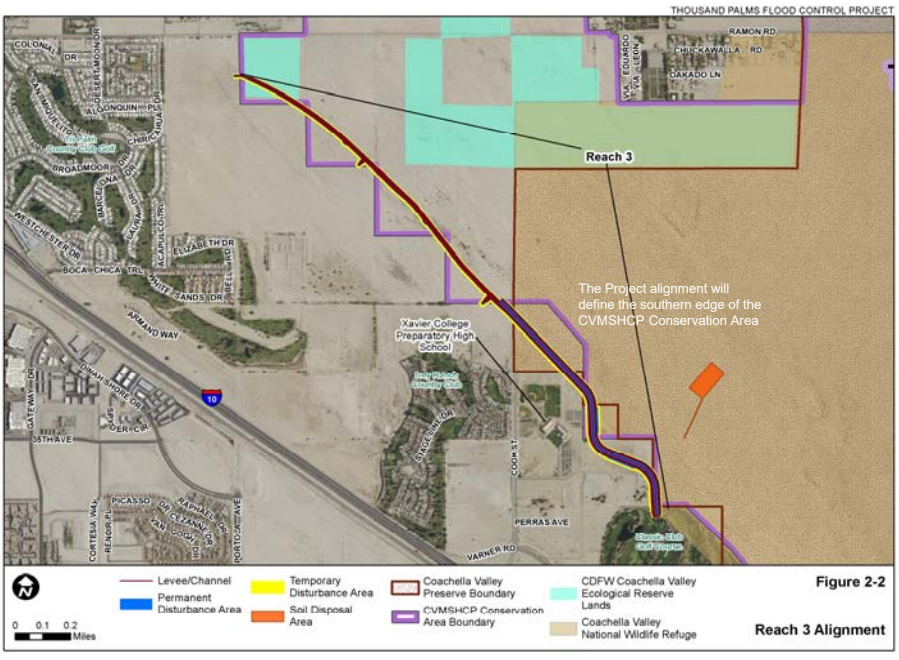
# Key Design Features

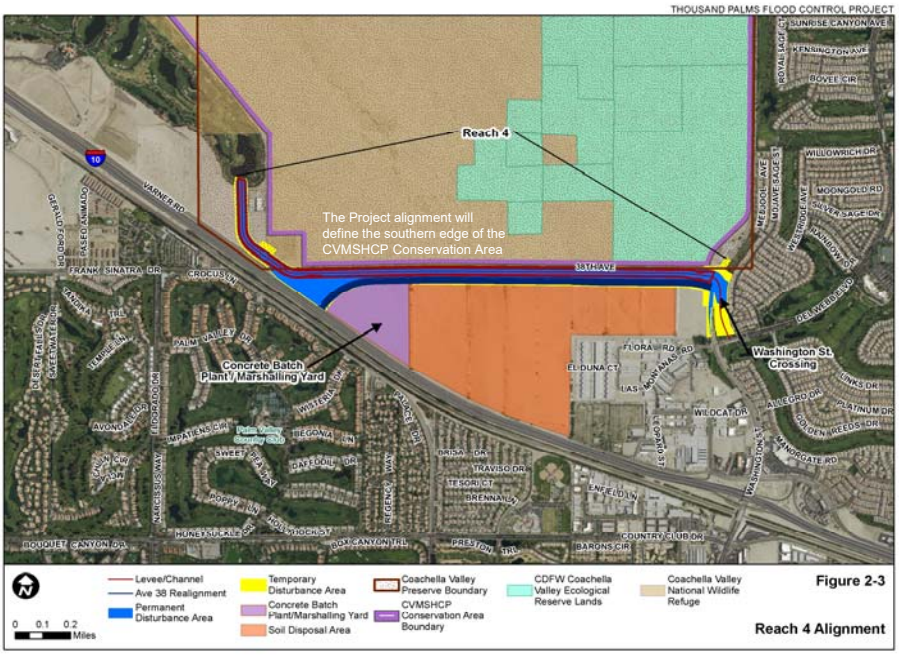
- Levee Height
  - Designed for 100-year flood + 4 feet min.
- Constructed from soil cement
  - Mixture of native soil and concrete
  - Has a natural look
- Construct Road Crossings
  - Desert Moon Dr. and Via Las Palmas
- Connect to existing drainage features
  - Classic Club Golf Course, Del Webb/Sun City

# Typical Levee and Channel Sections




THOUSAND PALMS FLOOD CONTROL PROJECT
Reach 1
Road Crossings
Sediment Basin
The Project alignment will define the southern edge of the CVMSHCP Conservation Area
Reach 2
Levee/Channel
Permanent Disturbance Area
Temporary Disturbance Area
Coachella Valley Preserve Boundary
CVMSHCP Conservation Area Boundary
CDFW Coachella Valley Ecological Reserve Lands
0 0.25 0.5 Miles
Figure 2-1.
Reach 1 and 2 Alignments

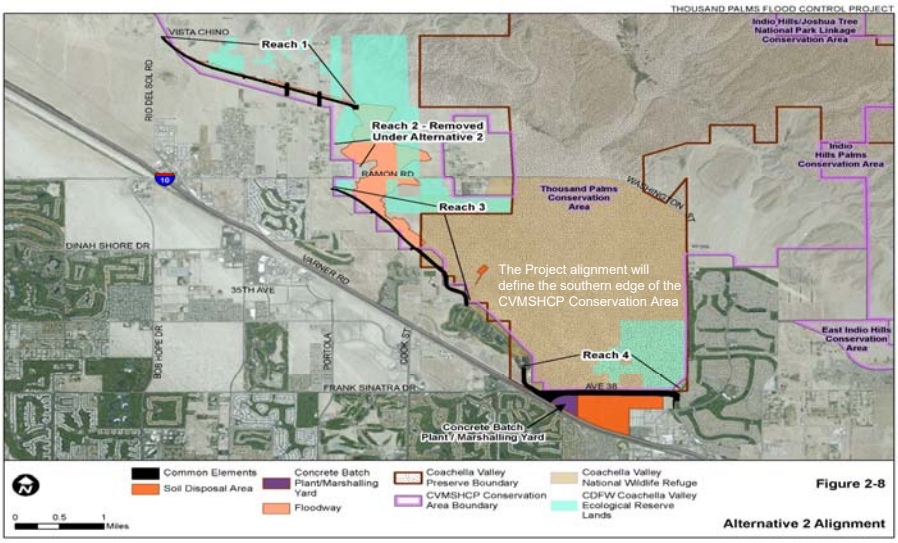

THOUSAND PALMS FLOOD CONTROL PROJECT
Reach 3
The Project alignment will define the southern edge of the CVMSHCP Conservation Area
Xavier College Preparatory High School
Levee/Channel
Permanent Disturbance Area
Temporary Disturbance Area
Soil Disposal Area
Coachella Valley Preserve Boundary
CVMSHCP Conservation Area Boundary
CDFW Coachella Valley Ecological Reserve Lands
Coachella Valley National Wildlife Refuge
0 0.1 0.2 Miles
Figure 2-2
Reach 3 Alignment



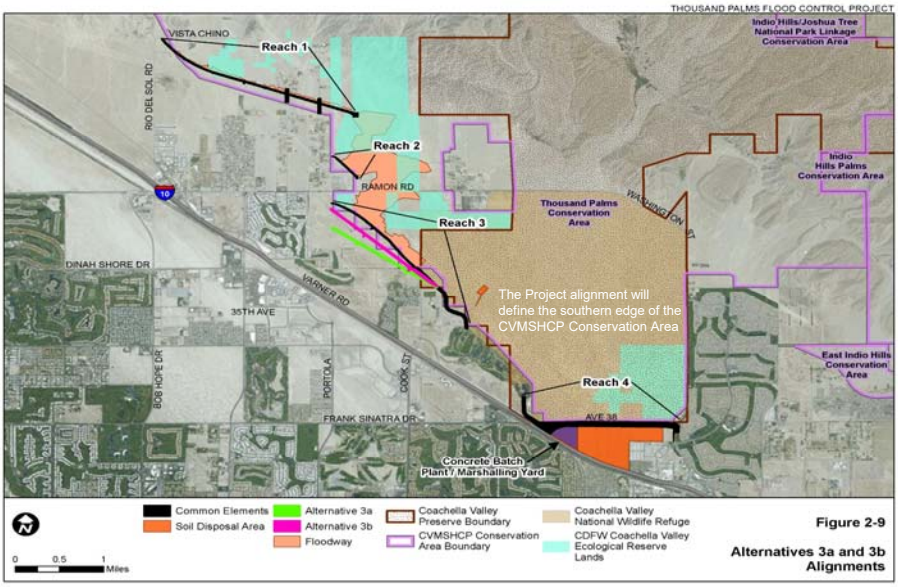

# Potential Alternatives

- ***Alternative 2: Removal of Reach 2***
  - All other project components would be the same as the proposed project
- ***Alternative 3: Modified Reach 3***
  - Reach 3 tilted west/southwest from 6 to 10 degrees
  - Reach 3 tilted west/southwest 17 degrees
  - All other project components would be the same as the proposed project
- ***Alternative 4: No Action Alternative***
  - Project not constructed

# Alternative 2



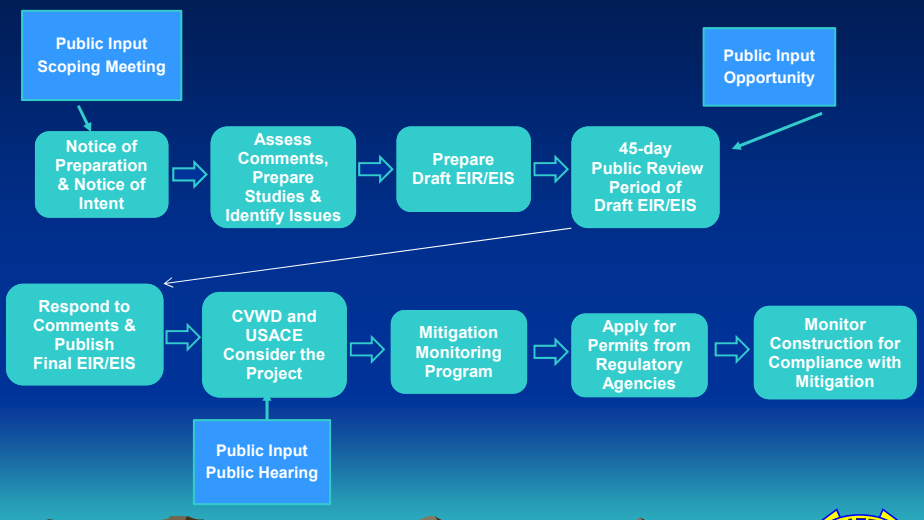

# Alternative 3



# Objective of Environmental Review

- Identify significant issues
- Assess potential impacts
- Identify ways to avoid or reduce impacts
- Disclose information about environmental impacts
- Include public participation at various stages
- Provide environmental information to decision makers at the CVWD and USACE
  - Decision makers will consider a range of factors in rendering their decisions, not just environmental factors
  - The EIR/EIS does not make any recommendations for approving or denying the proposed project

# What are the next steps?



# Environmental Resource Topics

- Air Resources/GHG
- Biological Resources
- Sand Migration
- Cultural Resources
- Socioeconomics (Housing and Population)
- Geology / Soil Resources
- Hazards & Hazardous Materials
- Mineral Resources
- Noise
- Paleontological Resources
- Recreation
- Transportation
- Utilities / Public Services
- Visual Resources
- Water Resources

# Biological Resources

- Coachella Valley fringe-toed lizard
- Flat tailed horned lizard
- Burrowing owl
- Palm Springs round tailed ground squirrel
- Coachella Valley milk-vetch / Critical Habitat
- State and federal waters

## Oral Comments

- Please fill out a speaker card
- Please focus your comments on environmental concerns
  - *All comments become public record*
  - *Court reporter to record meeting*

Thank you for participating in the NEPA/CEQA process

## How to Submit Written Comments

- Focus comments on environmental concerns
- Submit comments in any of the following ways:
  - Submit tonight
  - Mail: 75-515 Hovley Lane East, Palm Desert, CA 92260
  - Email: Lstowe@cvwd.org
- Comments must be received by December 19, 2016

*~ All comments will become public information ~*

*Thank you for coming out tonight!*

PROJECT SCOPING MEETING

THOUSAND PALMS FLOOD CONTROL PROJECT EIR/EIS

COACHELLA VALLEY WATER DISTRICT

THOUSAND PALMS COMMUNITY CENTER

TUESDAY, DECEMBER 6, 2016

6:00 P.M. to 7:25 P.M.

31189 Robert Road

Thousand Palms, California

REPORTED BY:

Karen Ann Mariani

CSR No 9544

INDEX





MR. DAN CHARLTON: Glad to be here again in front of you all. This is the first formal environmental scoping meeting that we've had since 2014 or so, and we're commencing the process again of environmental scoping for the Project, the Thousand Palms Flood Control Project. I think you're all aware of that.

My name is Dan Charlton. I'm the assistant director of engineering for the Coachella Valley Water District. I also have some other folks I'd like to introduce to you, if you could just raise your hand when I say your name.

David Wilson. He's the senior irrigation engineer for the Coachella Valley Water District.

Elizabeth Meyerhoff is our environmental specialist for the Water District.

Steve Bigley is sitting here. He's our director of environmental services.

Tessay Domici in the back is our stormwater engineer.

Consultant wise, we have -- where is Luke Stowe? Hold it. Luke Stowe. Luke Stowe is our environmental services supervisor.

And then as far as consultants, leading the environmental charge is Chris Huntley from Aspen



Environmental. We have from the Army Corps of Engineers Shelly Lynch. And we have Mark Salmon, who is our design lead and engineer of record for the Project.

And we have Bob Keeran in the back unfortunately taking photos of whatever.

So as far as -- whenever there's a federal nexus on a project, there's the need for a NEPA lead. So the CVWD is going to be responsible for compliance with environmental regulations from a state perspective, and that's called CEQA.

And from a NEPA perspective, it's going to be the Army Corps of Engineers. And it will be a combined document that we're doing. We're going to do a combined Environmental Impact Statement and Environmental Impact Report that we will populate, draft populate, circulate to the public for review, and then allow you an opportunity to provide comments.

So as far as the agenda today, we're going to talk about the proposed Project, some of the history. As most of you are aware, some of this goes back to 1994, believe it or not.

We'll talk about the existing flood hazards in the area. If anybody was around in September of 2014, they saw substantial rains in this area. We got 1.93 inches in a very short duration, just over an hour or so



which, depending on the time frame, it makes a big difference between 55 minutes and an hour and five minutes, but it's around a 200-year storm event that we got.

I think we're very fortunate actually because South La Quinta got a much larger -- got a much larger storm. They got over three inches of rain in the same approximate time frame.

So once we start the environmental review process, we'll go through what that entails and then the public comment period. We're going to provide you with an opportunity to speak at the end. If you do want to speak, we request that you fill out a public comment card in the back.

So the purpose of the meeting is obviously to go over the Project, describe the process, identify any potential issues that we have or critical factors in the construction of the Project and any sensitive environmental areas and then, as I said, solicit input from you. We want your feedback on what your concerns are so that we can address those concerns in our document and, you know, mitigate accordingly.

As I said, comments will be taken. Please when you're speaking, be cognizant that there's other people in the room, and try to limit your comments to three

minutes. It would be greatly appreciated.

You're being recorded here from a court reporter up front, and Bob Keeran is doing the video in the back.

And then as I said, when the document is circulated, you'll be able to provide your comments as well.

As a result of this meeting, you'll be able to provide written comments care of Luke Stowe. He didn't know that, but he's -- you can provide written comments after this meeting up to December 19th as well.

So everybody loves acronyms. Just take a quick look, but you'll hear some of these acronyms throughout the presentation. Obviously, you know CVWD and the Army Corps, but CEQA and NEPA is the process of the state and federal regulations for environmental compliance.

EIR/EIS are the same exact thing. It's going to be a combined document as I said. And it's an impact report and statement that will be in an amalgamated document and circulated and that will satisfy the NEPA and CEQA compliance.

And FEMA is the Federal Emergency Management Agency. I think you're aware that's the national agency in charge of emergency response.

And then in the County we have a Multispecies



Conservation Habitat Plan, or MSHCP, so just a few of the acronyms that you'll probably hear throughout the presentation.

So why do we need a Project? I think as I said, anybody that was here in September of '14, we have -- Thousand Palms is on a slope. It all bleeds from the north to the south topography wise for the most part, and we have mountains on the north side. So everybody thinks all rain is just what hits -- what can come into the Valley is just what hits the Valley floor, but you have to realize those mountains go back for miles and miles and miles.

Some of the watersheds in this area are more than a hundred square miles. So think of that 1.93 inches of rain over a hundred square miles, and from the tip of that mountain a lot of it's coming this way toward us. It's not just what's in the Valley or five miles in each direction. It's the entire watershed that can come toward the center of the Valley, and that's why we have the large conveyance channel down the center of the Valley for the most part to convey this flow to the Salton Sea.

Just to the north, I guess it's the northeast of the Project, I think we all know there's a fringe-toed lizard preserve. A lot of comments in the



past have been, "Why can't you build it on the preserve?" Well, because it's a preserve. We don't have the right to do so.

The -- we're trying to set the boundary in a location that captures the flow as it comes off the mountain as close to the preserve as deemed practical to be able to operate and maintain the new facilities, but staying off the actual footprint of the preserve itself.

With that -- you'll see me again in a few minutes, but I'm going to turn it over to Shelly Lynch who is from the Army Corps, and she's going to talk about the NEPA process for the national projects that's required from a federal perspective.

MS. SHELLY LYNCH: First of all, I want to thank you all for coming. We really value your input and your comments and, as Dan mentioned, will incorporate those as we go along with the process. And I'll cover that in a little bit in my slides.

I'm the chief of the south coast branch. I'm located out of Carlsbad, so my office will be the one engaging in this Project.

I'm going to talk a little bit about the Army Corps of Engineers' roles and responsibilities, the EIS process, how it works in our agency. A lot of it may be



duplicate with like Dan mentioned. They're going to one document, so some of those processes will be very similar, if not the same.

First I'd like to talk about the Corps's general overview. Most people when they think of the Corps of Engineers, they think of our civil works side of the house, which is the folks that design and construct the levees and the dams and reservoirs. That's typically what comes to mind when people think about Army Corps of Engineers.

We also have an environmental section. We have a planning section that supports the civil works projects, so they do NEPA and technical studies for our civil works side. And then we have our regulatory program. And that's where our office, the office that I'm involved with, is.

The regulatory program is a little bit different. We issue permits to folks who work in waters of the U.S., so that would be the oceans, streams, wetlands. Any kind of work in those areas require a permit from the Army Corps of Engineers.

And the authorities that we work under for those is Section 404 of the Clean Water Act, the primary one, and the one that's applicable for this Project. And it primarily is concerned with discharge of fill or

dredge material in waters of the U.S. And the main intent of Section 404 of the Clean Water Act is to protect the integrity of the nation's aquatic resources from a chemical, biological, and physical respective.

Section 10 of the Rivers and Parks Act is focused on navigation, which doesn't apply in this area.

So as part of the permit process, we review the Project design, we assess the Project impacts, and that's part of what this EIS will capture. And we look at everything from biological resources, threatened endangered species.

Because we're a federal agency, we're also required to abide by other federal laws, Endangered Species Act, which requires us to coordinate with the U.S. Fish and Wildlife Service.

There's Section 106 of the National Historic Preservation Act, which we coordinate with the State Historic Preservation Office. And then we also have the government-to-government relations requirements to consult with the federally recognized tribes.

So we have -- and that's just a few. So we have quite a few both state and federal partners that we coordinate with through this whole process, so we're not the only federal agency involved. There's other



agencies that have an opportunity to provide input as well.

So down to our roles and responsibilities as a a Corps. Like Dan mentioned, we're the federal lead agency. And because we're issuing a permit, that kicks in the requirement for NEPA.

So under NEPA, we're required to engage the public, collect comments. We're required to look at alternatives and present a range of alternatives in the EIS. And then we're also required to conduct a public interest review of a variety of public interest factors. And that can be everything from general environmental conditions, water quality, traffic, air quality, threatened endangered species. There's a whole suite of public interest review factors that we look at, and you'll see those in the draft EIS when they come out. We'll address all of those public interest review factors.

So for this particular Project, the Corps has determined that this Project may have a significant impact, and that's why we're doing an EIS.

So our EIS procedures. We receive a permit application. We review the application. And then we produce a Scoping Notice, and that was the Notice of Intent that went out in the Federal Register. That



starts the process.

There's a 30- to 60-day comment period. And it was mentioned this comment period for this Project ends December 19th.

We conduct a public scoping meeting, which is what we're doing today. And then we collect those comments that we've received, both written, on-line email, and at this meeting. And we process those and input, collect that input. And we use that to develop a draft EIS, so that's where your comments are so important because we actually use the information and those comments to develop the draft EIS.

Once the draft EIS is done -- and the time line for that would probably be all next year, so we'd be working on both developing and preparing that EIS, draft EIS, all next year.

And then once the draft is out, like Dan mentioned, you have another opportunity to provide comment. There's a 45-day comment period once the draft comes out. And then again, sometimes we'll have a public hearing or another public meeting to collect comments on the draft. And then we collect those comments and that input and then develop a final EIS.

Again, there's a public notice with that. There's a 30-day comment period before we issue a Record



of Decision, or ROD. And then once we determine our decision, make our decision, then we either issue a permit, we issue a permit with modifications, or we deny the permit. So those are the three decision options that the Corps has.

So as you can see, there's plenty of opportunities for public comments and input here. There's the scoping meeting tonight and written comments up until December 19th. There's a comment period when the draft EIS comes out, and then there's also the comment period when the final EIS comes out. And that's the Corps.

MR. DAN CHARLTON: I need your speaker --

MS. SHELLY LYNCH: Oh, you do.

MR. DAN CHARLTON: Thank you so much, Shelly.

So a lot of you know, as I said, that this Project goes back to 1994. And I think Shelly did a great job explaining the difference between regulatory and planning.

So the original design was -- the lead was taken by the Army Corps planning for several years. But, you know, they were getting federal funding but it was sporadic. So, you know, it was ebbs and flows. We get some money and we do some design, and then we wouldn't get the money the next year. And then the next

year would be almost starting all over again because you need to do new biological studies because things get old, the cultural and things.

So in 2012 we decided to take over the Project as a lead from Army Corps planning. And when we did that, the Board of Directors of CVWD committed 1.5 million dollars to complete the design and the environmental process. And that's what we're trying to do right now.

We don't have any funding for construction. We haven't even talked about that with our Board yet. But we are diligently moving forward to make the Project shovel ready. And that is to complete, as she said, the completion of the environmental process and get a Record of Decision, which is the NEPA, and Notice of Determination, which is the CEQA, on our environmental document and to have the hundred percent designed to have it shovel ready.

And at that point we can prioritize with the Board whether this is the most important priority in the whole Valley or where it stands in the pool and how to provide the funding mechanism for the Project.

The only other thing I would say is that when the original Project was out there, the Army Corps was relying on private development. It was hot in the early



2000's where everything along Avenue 38 was actually going to be funded and constructed by developers.

With the economy, you know, obviously having the issues that we had in the 2005/2006 time frame, we took over the design of that as well from a zero perspective. So we didn't have any drawings or anything. So we had a 90 percent level on Reach 1 through 3, and then we included Reach 4 and the Washington Street crossing. We got to get the water from Avenue 38, a new channel Avenue 38, across underneath Washington Street to Sun City/Palm Desert.

And I think everybody knows that Sun City/Palm Desert is -- the golf course is actually a flood control channel. So they are already prepared to be able to take the flow from this Project, convey it through their development, and then redistribute it downstream.

As a separate note, we're also working on the North Indio Project whereby we would channelize the water from Sun City/Palm Desert and get it to Sun City/ Shadow Hills, another development, located at Avenue 40 and Jefferson Street, which also has a golf course that acts as a flood control channel as a primary purpose.

That being said, we started our meeting in 2014. We had to refresh it. And that's why we're here again tonight is to -- we decided -- we've got



regulatory involved now. We've engaged them.

We are at a 95 percent design level from our construction standpoint on the entire Project including Washington Street crossing, which is -- it's actually a massive -- I think it's a ten-block structure underneath Washington Street, concrete boxes. So it's a big effort to get that. And that's actually in to the County for review, and Mr. Salmon will talk about that later on.

So physical setting. Okay. Obviously, you know that we're prone to flooding in the winter from the winter storms from the mountains, but also monsoonal storms. I think August and September time frame. Our most recent storms have been in August of '13 and September of '14.

And then the two biggest storms in recent history, so to speak. In 1976 we had monsoonal moisture from Hurricane Kathleen and Hurricane Noreen in '76 and '77, so a lot of our bigger storms in the last 50 years have come during the monsoonal seasons of the summer.

Steep terrain. As I mentioned, everything is sloped from north to south. Yeah. The storms come quickly off the Baja. They usually come off the Baja. They either make a turn towards Phoenix that's been getting hit a lot or they come straight up and we can get hit with the storm.



Our biggest storm on record is the Indio storm of 1939, and the Valley got 6.5 inches of rain in six hours. So for some states that might not be too much, but for a desert environment with mountains all the way around us and all the water coming at us, it was a lot of rain. And that is our standard, design standard, at this point in time.

Watershed. Okay. So I don't have -- is there a laser pointer? No. All right. I don't have a laser pointer, but that's okay.

You can see the black envelope. This is where we are right here. This is all of Thousand Palms right here. Okay? So this is more than 3,000 acres, and that is the watershed. Look how far -- that's miles back to the high point of that mountain peak that actually comes toward us. And all that water, we need to be able to collect it, convey it, and protect the homes to the south of it.

I'm not quite -- Tess, do you know the exact size of the watershed?

(Inaudible comment.)

89 square miles in this watershed that will be coming toward us.

This is a video of -- anybody that's been -- I know you've seen this before and I know John has seen

this before, but I'll give this a try. This is actually not a very big storm, but I just want you guys to visualize the impact of what can happen and the velocities that are involved.

I think this was 2005 in the Via Las Palmas area, but hopefully this video works. But I mean, you can see the water coming down. And like I said, very small event. The event could be ten times, 20 times larger than this, but the velocities are usually in the range on this type of slope in the range of 15 to 20 feet per second the water is coming at you. And this is coming straight down toward Ramon Road at Via Las Palmas.

But it's not -- because of the slopes too and the velocities, it's not just clean water as you can see. It brings a lot of sediment down. And part of our Project is we need to make sure that we can control that sediment. And Mark will talk about a little bit about that later on.

But I just wanted to give a visual -- look. You just saw the window go by. That's from somebody's house. And these velocities are coming directly adjacent to their house on Via Las Palmas. So I think that's about it.

But they're obviously -- yeah, there. That's



Ramon Road as you can see down at the bottom. But it doesn't -- it happens really quickly. It's high velocity. There's no way to get out of the way. There's no way to outrun it. You really need to just try to prepare for it in advance.

And so -- that was the storm in 2005. So the storm in September on September 8th, 2014, as I said, we got 1.93 inches of rain in Thousand Palms. There were areas that I know had, you know, five feet of water in certain areas that were ponded.

And I just want to -- I have some photos here that I just want to go through just to give you an idea of how much rainfall and/or storage that we had in certain areas.

This is a photo north of Xavier High School. It doesn't look too bad. This is north of Xavier High School, but that's ponding as a result of the storm. You can see the school in the background.

And our goal is to be able to protect this facility and build a facility on the upstream side to capture the flows before they get into the school area.

Another -- I mean, look at the water in their facilities. You can see the stadium in the background. But it's a lot of water, and the last thing we want to do is have children at risk during a large event.



This is north of the Classic Club. That's probably three feet of water standing there at this location. Same thing, extensive amount of water.

This is a long time after the flood too. There's no velocity. It's just stormwater. And you can see the lady in the background. That's probably two and a half feet deep there, and this is north of the Classic Club too.

So like I said, our goal is not -- we're not building this for fun. Our goal is to protect life and property. That's what we're here for. We realize that there are, you know, some people that it impacts, and that's what -- we're trying to mitigate the impacts from the facility that has to be constructed. But our goal is to protect more than 2,800 acres of Thousand Palms for future communities and population.

Another north of Classic. Avenue 38. So as I said, the Project now includes a flood control channel. So if everybody knows Avenue 38, where the roadway is now, that's going to be a big channel. And we're going to be able to capture the flows and convey them towards Sun City/Palm Desert down that channel.

We're going to build a new roadway to the south of the existing roadway, a brand-new paved roadway all the way from Varner to Washington Street including the



crossing itself.

But as you can see, there's a lot of water. I mean, there's a perfect example of--and this is the next day--of how much water in the Avenue 38 range. And also you can see how large the dunes are coming off the preserve there as well.

When you get that much wind, you have a lot of sediment coming onto Avenue 38. And this Project in the future would actually be responsible for transporting the earth that's coming onto Avenue 38 and putting it back onto the preserve. Right now the County has that responsibility. We would be taking over that responsibility for the County to basically provide a new habitat on the upstream side of the preserve.

Everybody remembers this photo. This is -- I think this is Ramon Road east of Monterey. There was a landscaping business that had a lot of small plants. And they were in the flood zone, and now they're on the street.

So it was a very large cleanup, and I'm sure it was probably devastating to that company to be able to lose all those plants.

This is Ramon and Varner. This is the day after as well. And you can see that it was still a struggle to get facilities through there, vehicles

through there.

And just -- to get vehicles through standing water is one thing. Please, please, please don't ever go through a low flow crossing where water is actually moving. Six inches to a foot of water can flip a car, can take a car. And it's 2000 pounds. I get it. But water that's going 15 feet per second can actually take a car downstream, so please don't ever do that in any of the low flow crossings.

Another photo of -- there's McDonald's in the background. You can see -- as I said, the water isn't clean. It's bringing down -- because of the velocities, it's bringing down a lot of sediment. There's a lot of mud that comes down with the water, and we need to be able to control that sediment at some point and mitigate for as well.

And with that, I'm going to turn it over to Mark Salmon. He's with Parsons Brinckerhoff, and he's the designer and engineer of record for the Project. We engaged Mark in 2012 to complete the design.

MR. MARK SALMON: And some day I'll complete it.

MR. DAN CHARLTON: And some day he'll complete it, hopefully in the next three months.

MR. MARK SALMON: So the first slide here shows



how our computer modeling depicts the flow from a hundred-year flood across the floodplain of Thousand Palms Canyon. Kind of an extension of Washington Street up into the canyon is over on the far side of the slide. That's where most of the watershed is and where most of the water would come from.

But all along the Indio Hills to the north of where we are now, water comes off those hills and basically goes straight downhill until it gets to Interstate 10. And that's what the Project is meant to divert.

Next slide. Oh, is this my job? Oh, okay.

MR. CHRIS HUNTLEY: I'll take that.

MR. MARK SALMON: Okay. I do that now. There's one before that. Where is that -- oh, I guess we go further. Okay. I was expecting a different slide. Let's do it in this order.

This is the floodplain with the Project in place. And you can see the area that doesn't have water on it compared to the last slide. That's the area that this Project will protect.

So water comes off the hills. It reaches the levees. You see the red lines. I'll get my hand in here and use my shadow to show where they were. The red lines here. And it diverts the water southeast down to



Sun City/Palm Desert down in the corner of the map.

These are the kind of schematic of the facilities themselves.

Reach 1 up here is a levee, an embankment, between five feet and 14 feet high, depending on where along the alignment is. It will have a 12-foot-wide road on top to drive on for maintenance and patrolling. And the bottom width of it will vary from about 30 feet or so to 60 feet, depending on how tall the levee is.

It will all be armored with soil cement, which is a mixture of native soil, cement, and water. It protects against erosion, looks a lot like native soil, the same color, but it's very resistant to erosion. And I'll show you a little bit how that is going to look in a minute.

So Reach 1 is the longest reach. Starts up by the corner of Rio Del Sol and Vista Chino, comes down to a little bit just beyond Via Las Palmas on the east. The water flows turns the corner and continue south downhill to Reach 2. And Reach 2 is mainly to protect the big substation that's up there.

And then the water continues to the south and the east to Reach 3. And right about in here the Project changes from a levee, which is all aboveground and embankment aboveground, to a channel. And the main



reason for having a channel is to reduce the size of the floodplain as it crosses across the preserve. The water ponds up against the levee and flows to the southeast, and then the water in the channel will all be contained within it so it reduces the flow across the preserve itself.

Then the water flows into Classic Club Golf Course, flows through the golf course, comes out the other side to Reach 4, and flows down Reach 4 along Avenue 38 to Washington Street, where Dan mentioned we'll build a big structure, a big series of box culverts, so the water can go under Washington Street and into the existing floodways and golf course combination that goes through Sun City.

You can see those here. If I get out of the way, you can see those green belts here. That's where the water is going to flow through here and here and out the other side.

There will be crossings of the Project at Desert Moon Drive, at Via Las Palmas, at Washington Street. And we'll actually have a small -- or a box at where the entrance to the Classic Club maintenance facility is too, but that's not a public road. So those are the places where we will be able to cross it.

Let's see. So some dimensions. Reach 1 is two

and a half miles. Reach 2 above the substation is a short period of a mile. They vary in height from five to 14 feet. There's a mile of channel in Reach 3 upstream of the golf course and then two miles of Reach 4 downstream to the golf course along Avenue 38.

We're going to widen Washington Street when we move the intersection of Avenue 38 that's right by the fire station. When we move that road to the south of the flood control channel, we're going to widen Washington Street on down to Dellwood Boulevard so that intersection fits better with the road that's out there.

So the height of the levee was designed -- you saw the map that showed where the water was going to flow. We calculated how deep the water would be during a hundred-year flood, and we calculated how deep the water would be as it flowed along the levee, and made a levee high enough to be the depth of that water plus four feet more for safety.

I mentioned the soil cement before. It's a mixture of the native soil and cement. It looks a lot like the soil out there now, about the same color. Crossings at Desert Moon Drive and Via Las Palmas, Washington Street as well. We will connect to Classic Club and Del Webb/Sun City.



This -- little bit harder to see. But when I talk about the levee above ground, that's this trapezoidal portion here. And then the soil cement will be a layer eight feet thick of soil cement to armor the levee against water coming down and eroding it.

The soil cement is going to extend 15 feet below ground in case there's -- to make sure erosion doesn't get underneath the levee as the water is flowing along the levee.

The channel would be below ground with eight-foot-wide armoring on both sides and then a two-foot-thick layer of soil cement on the bottom. The channel is about 80 feet wide on the bottom upstream of Classic Club and 110 feet wide on the bottom downstream of Classic Club. It's a pretty good size ditch.

Is this where you were going to start, Chris?

MR. CHRIS HUNTLEY: I think so.

MR. MARK SALMON: Okay.

MR. CHRIS HUNTLEY: Thank you. Thank you, sir.

Thank you, everybody. My name is Chris Huntley. I'm with Aspen Environmental Group, and we've been contracted to support the Corps of Engineers and the Coachella Valley Water District in preparing the CEQA and NEPA documents, conducting various



environmental studies, and supporting them through the regulatory permitting process.

This slide here is something you've already seen. It's just a bit more of an up close rendering of Reach 1. And you can see where Reach 1 starts up at Rio Del Sol and then crosses down past Vista Del Oro. At the very end as you can see right here--forgive me for not bringing a laser pointer--there's a sediment basin. So during large storm events, that would help trap some of the material that would otherwise be sent down toward Reach 2.

Again, Reach 2 is right here by the substation and helps protect that and the homes behind it. And that's right above Ramon Road.

Reach 3 as you saw from the previous figures is just below the SCE substation at Ramon Road. And it starts as a channel -- pardon me. It starts as a levee and then transitions to a channel.

I just wanted to again show it up a little bit closer. You can see here the Xavier School. Down over here is the Pegasus facility. This section right here is one of the locations where sand will be transported. As it's cleaned out as it accumulates on the front of the levees, it will be transported to that location so it can be redistributed back onto the Coachella Valley



Preserve. And that's primarily blowsand.

Reach 4. Again, I know how we've talked about all the Reaches before.

You can see where south of the area is Martialling Yard. We will have a Concrete Batch Plant and the storing of a lot of material. And then the levee ties in -- or the channel ties in and goes under that area.

But again, all of the blowsand that is right now coming onto the road will go into the levee or go to the channel. That channel will be maintained, the sand will be collected, and then redistributed up into the wind corridor. That's a key component of this Project, the capturing of material that would otherwise be lost and replacing it where it can blow back onto the preserve.

We've looked at a number of alternatives. We've been working on this Project with the Corps of Engineers for almost 15 years. There's been a variety of alternatives that have been considered.

Right now these are the alternatives we're considering moving forward with the NEPA and CEQA documents, although we would encourage anybody to comment today and provide written comments if you have them.

Alternative two is to remove Reach 2. Otherwise, the Project would all be the same. And part of that was to see if we could minimize impacts to waters of the U.S.

Alternative three has two alternatives within it, and it's really tilting down the Reaches. It's like pulling the Reaches farther back and farther back. It opens up the wind corridor a little bit more, but then it impacts some additional land.

AUDIENCE MEMBER: Can you clarify that because -- (inaudible).

MR. CHRIS HUNTLEY: I'm going to show a figure in a little bit. It would be tilted west/southwest from six to ten degrees from its original alignment, and Ill show you a figure shortly where we can illustrate that.

But again with alternative three, modified Reach 3, all of the other sections will be the same. Reach 1 would exist, Reach 2 would exist, Reach 4 would exist.

The alternative right now, alternative four, is a no-action alternative. And under that alternative the Project would not be constructed. It would not remedy the flood risk in the Project area, but we have to do that as part of our analysis.

This just shows you where Reach 2 would be



removed under alternative two. All the other features are the same. It's just a figure representing that.

This is one that you would like to see. The green and then the kind of lavender color are the alternative Reach locations for Reach 3. So they're just pulled back a little bit.

AUDIENCE MEMBER: They're going south to take more private land into the -- (inaudible).

MR. CHRIS HUNTLEY: Yes, sir. Yes, they're going farther south. This would be the original alignment in black, so these other alternatives would collect a little farther south which would impact additional private land there.

So Dan's already spoken about the CEQA/NEPA process. I'll just take a moment of your time to talk about it a little bit more.

What we're doing in the environmental process is assessing and disclosing impacts to the environment. And we're going to identify any issues from air quality to visual resources, present mitigation or disclose the impacts in the environmental document, and present mitigation to reduce, minimize, or avoid those impacts.

All of us are looking for ways to avoid or reduce impacts to any feature wherever we can. Sometimes it's not possible, and then we produce



mitigation for that.

Again, I think this is really important is this is a disclosure document for the public. We encourage the public to read the document and comment on the document and provide written comments when the draft document comes out.

We've already talked about public participation in various stages. I'll kind of talk about the process once again and make sure everybody's aware of it. But again, as a public disclosure document, your comments are valued.

At the end of this process what this CEQA/NEPA document, the EIR/EIS, does is it gives the information to the decision maker. We don't say in the document which Project we think we should do. We are here to disclose what impacts are going to be the greatest or least with any of the environmental alternatives to press forward. It's up to the decision makers to decide which alternative they will select.

So what are our next steps? Tonight we're here at the public scoping meeting. The Notice of Prep and Notice of Intent have gone out. So what we'll be doing over the next few months is preparing the draft EIR/EIS. And again, we will be responding to any comments received today, and that will be incorporated into the



draft CEQA/NEPA document.

So there will be a Scoping Report prepared. There will probably be a table. And in the general sense the public might say, "I have a question about this," and then we will have answers for you in the document so you will see that your comment is being addressed.

Once the draft goes out, again, there will be a 45-day public review period. When the draft document goes out, it will be noticed. Letters will be sent out, it will be printed in newspapers and other opportunities for people to comment on.

That's a very good time to take a moment to look at the document. They will be in libraries, there will be electronic versions sent out, and potentially CD's as well.

Once we get those comments, we do the same thing as in the beginning. We will respond to each and every comment that has something to do with the impact analysis on the Project. I encourage you if you comment on the Project not to say, "I like the Project," or, "I don't like the Project." We can't respond to that.

We would like you to focus on, "We don't like the Project because of 'X,' because of 'Y,'" or, "Have you considered 'this' or have you considered 'that,'"

rather than just making a comment for or against.

Once we publish those comments, we'll finish the EIR/EIS, and then it will be considered for approval from the lead agencies.

We always say we have to apply for permits back there, but during this process the District will also be submitting documents to the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service. There will be a biological assessment and ultimately a biological opinion approved for the Project and then regulatory permits from the agencies.

If the Project is going to be constructed, there will be a mitigation monitoring program, submission of various reports, and then the Project will be monitored by cultural resource monitors, biologists as appropriate on the Project.

AUDIENCE MEMBER: Estimated time of completion?

MR. CHRIS HUNTLEY: About 27 months is the estimate time of construction, but that could change depending on weather issues and things like that. But that's what we're looking at right now.

AUDIENCE MEMBER: So a couple of years from this point or from --

MR. CHRIS HUNTLEY: The Project still has probably a year of environmental review to go through to



finish the CEQA and NEPA process. So a year from now, permits will potentially be issued. The Project could be approved, modified, or denied as the Corps of Engineers said a little while ago.

AUDIENCE MEMBER: So the soonest would be three years before the Project can be completed?

MR. CHRIS HUNTLEY: That's probably true.

MR. DAN CHARLTON: Just to elaborate on that, after we have the environmental document and design plans done, we would have to start a land acquisition process whereby we would, you know, do appraisals on all of the property we needed for the Project and try to negotiate fair market value to the impacted property owners.

So that process could take, you know, 18 months. And then after that, the potential funding based on priority of the Board of Directors, it could be constructed which could be the -- so honestly, everything going perfectly, we're probably five years out.

AUDIENCE MEMBER: Thank you. Do you have an estimate of how much -- how many feet you have from the levee you guys are going to need as far as property acquisition?

MR. CHRIS HUNTLEY: That will be disclosed in



the Environmental Impact Report when we look at the hydrology data and what area would be subject to flood risk. So we are figuring that right now, and that information will be provided in the environmental document.

AUDIENCE MEMBER: Do you have a design of the bridges or the crossings where the --

MR. DAN CHARLTON: If you want to comment, please fill out the card in the back so that we can document who's speaking and we can provide, you know, address the comments.

AUDIENCE MEMBER: Well, unfortunately, things are coming up that we don't even know what to comment about until we hear about it.

MR. DAN CHARLTON: No, I understand that. But if you want -- if you have a specific question, if you can just -- we want to make sure -- here's the deal is we want to make sure that your comments are addressed. And so we want to make sure we have a formal record of the question so that we can make sure that we respond to the question within the environmental document and try to address the concern. That's -- just as a courtesy, that would be great.

AUDIENCE MEMBER: (Inaudible) -- if you can comment on it tonight or do I give it to you now?



MR. DAN CHARLTON: You can give it to Elizabeth in the back, absolutely. If you want to say it formally, you have three minutes at the end of the presentation where you can read your comment if you'd like.

AUDIENCE MEMBER: Okay. I'll do that.

MR. CHRIS HUNTLEY: We'll go over that in a couple of minutes. There will be opportunities for each and everyone to speak.

And Dan's correct. The point of this is to get all of this information on the record and make sure it's answered as thoroughly as possible rather than me speculating or providing you with an answer that's not complete.

So the environmental resource topics that are covered in the EIR/EIS range again from air quality all the way down to water resources. Each one of these issues will be fully addressed in the document, and there will be an opportunity to comment.

We will disclose impacts to habitat. We'll identify homes that may be subject to damage from flooding or from construction. So all of this information will be provided in the environmental document so you will have a clear sense of what's going on.

We put some biological resources up here because one of the purposes and needs of the Project is to preserve sand sources and the wind corridor to the refuge.

And a couple of the animals that are out there that you're probably well aware of is the fringe-toed lizard, the flat-tailed horned lizard, the burrowing owl, the Palm Springs ground squirrel, among other species.

There's critical habitat for the Coachella Valley fringe-toed lizard and the Milk-Vetch in the Project area. And construction of the levees based on these preliminary information suggests that it will transport material and trap material that would otherwise be lost from the system and direct it onto the preserve.

So this is a little bit of information about oral comments, and it's some of the things we're talking about today. It's important to fill out a speaker card. If you haven't already done so, please take a moment to do so as we move through the process.

It's important to focus on the environmental concerns. All of the comments you make are public record. They'll be included in the document and addressed, so please bear that in mind. We also have



the court reporter who we spoke about earlier.

It's important for you to participate in this process, and we will really appreciate it. There's also methods to do written comments. You can provide written comments tonight. You can send them to Luke. They can be mailed in directly to Coachella Valley Water District.

Remember December 19th is the cutoff date. We would really appreciate if you could get the comments to us by then. You may go home and think about something you didn't mention tonight or you didn't think about this evening. That's why there's a comment period. We really encourage you to take any of the information in the back of the room. It has a little bit of data about the Project description. Digest that, and then take an opportunity to provide written comments.

Thank you again. This is really the last slide, but I appreciate your time.

MS. SHELLY LYNCH: I just want to say one thing. I can also receive comments at the Corps, and the Notice of Intent has my email address. And I think it's back here on the back table. My email address is back there, so you can send comments to the Corps.

We also have an opportunity -- if you go to the Corps website, there's an opportunity to put yourself on



our public notice mailing list. If you go to the Los Angeles District Corps of Engineers, there's a spot there that says Add to Mailing List. So you can click on that.

If you have any questions or can't find that spot and want to add yourself, give me a call or email me and I can walk you through that process. But that's another way for the Corps side to stay involved and get notice of those public notices that I mentioned, the scoping, the draft EIS, and then the final EIS stage.

So you can provide comments to the Corps, to Coachella Valley, or both, so there's plenty of opportunities to get your comments in.

MR. CHRIS HUNTLEY: I think this one we'll have to use.

MR. DAN CHARLTON: Okay. Well, I received five comments thus far, and I guess the first speaker is James Towery.

MR. JAMES TOWERY: Yeah.

MR. DAN CHARLTON: If you could -- you have three minutes if you can stand up and address the audience.

MR. CHRIS HUNTLEY: I'll give you the --

MR. JAMES TOWERY: Sure, sure.

THE REPORTER: No, he needs it.



MR. JAMES TOWERY: So I'm Jim Towery --

MR. DAN CHARLTON: Hold on, hold on, hold on. He needs to have this on so the court reporter can memorialize what is said here.

THE REPORTER: Yes.

MR. DAN CHARLTON: Sorry.

MR. CHRIS HUNTLEY: That's all right.

MR. JAMES TOWERY: Thank you, sir. I applaud your patience. You want to hook me up and I'll have a go at it.

Thanks, Chris.

MR. CHRIS HUNTLEY: You're welcome. You might have to hold that.

MR. JAMES TOWERY: Sure. I'm Jim Towery with Wilson Johnson Commercial Real Estate. Our firm has the listing on the Mirasera Specific Plan, Valante Specific Plan.

And our question is simply this: If you get the approvals from all of the environmental studies and if you're ready to be shovel ready, can you determine which portion gets done first? Do they all have to get done at the same time? Or if you had funding, could you implement number 4 first before you do 1, 2, and 3?

MR. CHRIS HUNTLEY: Thank you.

MR. DAN CHARLTON: Thank you, sir.

MR. JAMES TOWERY: I'll let you do it. Sorry.
MR. DAN CHARLTON: It's tricky.
MR. CHRIS HUNTLEY: Yes, it is.
MR. DAN CHARLTON: Thank you. So the -- you know, I'm not going to formally address the comments. But to give you a little bit of information, the Board of Directors is going to decide that. Until it's shovel ready, we haven't taken it to the Board to even -- for study sessions that talk about funding mechanisms or potential phasing.
Obviously, if you did phase the Project, Reach 4 would be constructed first. You don't ever build the upstream end and not have a downstream end for it to go to, so it would be from 4 to 1 if the Board of Directors did decide to phase the Project.
And the only other thing I'd say is the largest watershed is the Thousand Palms Canyon. And it is mostly impact -- it has the -- more of an impact on the preserve and Reach 4. So if it was a phased approach, you would have to start it downstream.
MR. JAMES TOWERY: You would start at 4?
MR. DAN CHARLTON: You would have to.
MR. JAMES TOWERY: 4 would get --
MR. DAN CHARLTON: Yes.
MR. JAMES TOWERY: And the last question, Dan.



Timewise you said about 27 months for completion, but that's completion of the entire Project. What would it be if you were to start just 4? Do you have a rough idea how long it would take to complete 4 without finishing the other three?
MR. DAN CHARLTON: I knew you had a good reason, Bob. Thank you.
First of all, there would be simultaneous construction. The two largest or the two most complex Reaches are Reach 4 because of the soil cement on all three sides of the incise channel and the length of it. And then really the critical path in the whole Project of the 27 months is the Washington Street crossing. It's a cast in place, multi-barrel box cover, so that is a critical path.
I mean, you might be able to get it done in 24 months, but you're not going to save a lot of time because Reaches 1 through 3 are much easier to construct than Reach 4 and the Washington Street crossing.
MR. JAMES TOWERY: So your whole time is based on 4?
MR. DAN CHARLTON: Sure, yes.
MR. JAMES TOWERY: Thank you.
MR. DAN CHARLTON: Next comments, Dan Villines representing the Berger Foundation. Thank you, sir.



MR. DAN VILLINES: Good evening. My name is Dan Villines. I'm with Stantec Consulting. I'm here on behalf of the Berger Foundation which runs the Classic Club Golf Course located between Reaches 3 and 4, and we'd like to have two comments incorporated into the Project definition as it's developed.
The first comment is in the layouts that we see, there's really no provision for sediment control prior to discharge into the Classic Course. As we saw in the 2005 video there and as Dan indicated, there's a lot of sediment debris in this flow. And that debris if deposited in the golf course could be significant damage producing as well as loss of use to the course itself.
And then the second thing. As the Project is developed, we'd like to see an agreement for rapid repair should damage occur to the golf course, again to prevent loss of use for that facility.
MR. DAN CHARLTON: Thank you, Dan.
Firstly, just quickly, there is a sediment basin at the end of Reach 1 that will capture a lot of the flows or sediment from that Reach. And it would be a large basin where the water would come in and weir out of the basin and leave the sediment.
Secondly, the golf course was an intern Project. And the only way the golf course is allowed to



be there now is that it accepts the flows, conveys the flows, and redistributes the flows.
And we understand your concern, and it will be addressed in the document. Thank you.
Third, Roy Nokes. I know you're very familiar with the Project. Are you still on the Community Council?
MR. ROY NOKES: Yes.
MR. DAN CHARLTON: So one of your Community Council members.
MR. ROY NOKES: My name is Roy Nokes. I'm with your Community Council in Thousand Palms. Good evening.
If you would, would you put this map up showing the Project?
MR. DAN CHARLTON: Sure. That will work.
MR. ROY NOKES: Can I see my comment sheet? Okay. I've commented about this before.
Can you hear me?
MR. DAN CHARLTON: Bob says you're okay.
MR. ROY NOKES: My comments are that the dike needs to be at the base of the foothills where it is right now. But instead of this opening here that was made for the environmental concern, if that dike does go across the top of this community that I'm pointing at

above Reach 3, that community, if we get a hundred-year flood like we got in '78 which was a massive amount of water, the water's going to come down and hit that dike, and it's going to raise in height and velocity.

When it comes out the end of this, it's going to come out right on this development. If it was brought on over to Thousand Palms Canyon Flood Control District, the flood area, then it could come down into Avenue 38.

But the way it is now, it would damage that community and the multispecies habitat protection area, which is all of this area here.

I don't know how much damage to the fringe-toed lizard, but there would be some because it would erode the sand at the base of the sand dunes.

And you were talking about recovering the sand and replacing it back? Well, the problem with the fringe-toed lizard is it can only survive if it has clean marbleized (inaudible). It can't live in silt clay. It has to have pure clean sand. Otherwise, it dies. It has no protection.

MR. DAN CHARLTON: Thank you, Mr. Nokes.

MR. ROY NOKES: Thank you.

MR. DAN CHARLTON: I appreciate your comments.

MR. CHRIS HUNTLEY: Watch your foot, sir.



MR. DAN CHARLTON: One thing -- one thing that I would say is that we cannot build any facilities within the conservation areas, specifically, the fringe-toed lizard preserve. We're trying to push the levees as high up on against the conservation areas as we can and have a minimum impact to private property and maximize the flood protection.

And we'll address your comments in the document. Thank you very much.

Mr. Noble. I saw you. Hi, Tom.

MR. TOM NOBLE: Hi. Thank you. My name is Tom Noble.

The potential alternative three, modified Reach 3, is something brand-new. I think I've attended all of the meetings having to do with this. It actually goes back before '94. I think I attended my first meeting with Tom Leavey and the CVWD about 35 years ago, so I follow this closely.

We have property in Thousand Palms. This modified Reach 3. I don't really understand the degrees of variance, but I do know there's no rendering of it. There's nothing that shows us how that would be moved, and I don't think one can comment adequately on this without seeing that.

MR. CHRIS HUNTLEY: A slide. There's a slide.



MR. TOM NOBLE: A slide doesn't do me any good. I've got all these things over here that I can see, but I need something on paper or something emailed to me that I can see what that would be consisting of.

The last meeting we had a year or so ago, the comments of the District were that these locations were cast in concrete. They can't be moved an inch because we talked about moving one just a little bit.

Now apparently, they can be moved. And I really have to know what those possibilities are, what steps would be taken before those changes were proposed or certainly before they're made. And I just don't think there's adequate material here to comment on the problem, so thank you.

MR. DAN CHARLTON: Okay. Yeah, the -- we are at the 90 percent design level of the Project. But in order -- we need to evaluate various alternatives within the document. Your comments would be appreciated.

The goal is to look at all of the potential alternatives that were strategized between us and the Army Corps and to take your comments into consideration and come up with the best alternative.

And obviously, minimization of private land impacts would be a strong concern or consideration to discount that potential alternative, so we'd appreciate



your comments.

Mr. Bill Wright.

MR. BILL WRIGHT: Thank you, Gentlemen, Public, for the great undertaking to try to figure out how to help control this flood problem that we have here.

I live at the very end of Via Las Palmas. It looks like one of only two road crossings outside of Washington that exists there.

I actually shot that video that we looked at when the 2005 flood existed like Tom Noble said. And during that event there was a -- somebody had built a block wall that went across over my street.

And if you can remember that flood video that you saw, the water hit that block wall that was newly built and traversed it east and west, just like this is doing.

And it caused the water to divert from its natural course over to Tri Palms. And it -- they ended up with $300,000 worth of damage, all those pots that you showed on the road and the landscape garden. All that water, all that debris went in and cost them a lot of money to clean all that up.

Now you're talking this design which I think is interesting. And you're taking all this water that used to traverse south and shifting it across my road, Desert

Moon, over Tom's property. That's a huge undertaking.
And you can imagine that that water in the video that you saw, I mean literally it was keeping me up at nights flowing. It was a tremendous force. It can do a lot of damage. It can undermine our well, undermine the block wall that -- we're on own. We're on our own road up there because we're above these improvements, but I won't be able to get home if that road is taken out for the road crossing.
So my concern is -- I want to give a comment on this plan. It's a huge undertaking, but that wash is about 60 to 80 feet wide. And water came down there about flows like this and then waves that came down in probably six feet that kind of went over the top of the existing channel that was there.
So those crossings, since you're taking all that water from the west and now diverting it east and not south anymore, you need to probably be really studied so that it might need to be three times the 60 feet that you're proposing 120 with some tunnel there, I mean, so I can get home.
Otherwise, all of the people that live up there, have businesses up there will not be able to get home, and that road will just be washed away.
And when the person that built that block



wall -- that water hit that. It raised the earth about three or four feet, so then the water was diverted down toward Desert Moon and went through that Tri Palms Estate Community like it never had before.
MR. DAN CHARLTON: Sure.
MR. BILL WRIGHT: And then that block wall was compromised and broke. And I just hope that you have done your studies and that those road crossings will allow us to get home during the flood waters.
And the design that we have up there now is just maintaining the existing natural washes, and we're able to get home even during the flood. And we take our equipment and clean that one mile of road from the end of Via Las Palmas to the middle of Via Las Palmas right above where the major electrical transmission lines are.
So that's my comment for the record. Thank you.
MR. DAN CHARLTON: Thank you very much.
We have studied it in extensive detail. And the roadway crossings up over the dike, specifically to Desert Moon and Via Las Palmas, are going to have box undercrossings to be able to take the flows from west to east underneath the roadway. So the roadway will be a compacted embankment up over the levee compacted



embankment and have box culverts to be able to convey the hundred-year flows underneath.
I don't -- I don't think we should have an issue from that perspective.
Mark, do you --
MR. MARK SALMON: The design intent is for the water to pass underneath the road. We looked to build the road up over the levee, and it's meant to be passable during the flood.
MR. BILL WRIGHT: Is it a paved road?
MR. MARK SALMON: It's paved to Via Las Palmas. It's not paved at Desert Moon.
MR. DAN CHARLTON: So thank you for your comments, and we'll make sure they're addressed in the environmental document.
MR. BILL WRIGHT: If they do get compromised because this last storm that happened in '14 was a 700-year flood according to the CVWD, when it gets compromised and destroyed, is there provisions in there, like what the Berger Foundation gentleman said, to repair?
MR. DAN CHARLTON: In Thousand Palms we never had a 700-year event. I don't think we did anywhere.
As I said, it's very complicated to determine the exact size of the event because it's an exponential



curve, for one, and two, five minutes in each direction, meaning 55 minutes to 105 or 65 minutes can mean literally the difference between a 200-year and a 400-year event.
In Thousand Palms we estimate 1.93 inches happened in September of 2014, which was approximately -- because you don't know the exact minute of duration, was approximately a 200-year event.
But we will address those. And we appreciate your comments, especially from a technical perspective.
MR. BILL WRIGHT: Thank you.
MR. DAN CHARLTON: Mr. Stevens.
MR. JOHN STEVENS: Hello, Dan.
MR. DAN CHARLTON: I've heard from you several times. Come on up.
He knows the Project probably better than anybody in the room.
MR. JOHN STEVENS: My name is John Stevens, and I'm from Tri Palm Estates. There was a mention about the Classic Club about the debris coming down and filling up of the dirt on the golf course.
We've gone to Coachella Valley Water District, and they said that is our problem, that we've got the washes.
Now, at the moment I have Coachella Valley

Water District out to look at some of the grades in our washes and also the washes that are filled with trees and dirt. So it gets to the point that the wash is so full that this water's got to get up to ten feet before it goes down the wash. It should have been cleaned out.

Now, I'm understanding that the HOA is supposed to be responsible for this or Tri Palm Estates. If I was to go to them, they'd kick me out of the place.

I'm just wondering is it possible that your Coachella Valley Water District could send them a letter for the HOA or Tri Palm Estates and tell them what our concerns are?

MR. DAN CHARLTON: Okay. It's not really relevant to the Project, but at the same time the Coachella Valley Water District is only responsible for regional facilities.

MR. JOHN STEVENS: Yeah.

MR. DAN CHARLTON: Those small channels you have at the Tri Palms Estates are not designed for regional facilities. They are owned by the HOA and they are considered local drainage, so they need to be maintained by the HOA.

If you are having issues with them maintaining them, I would recommend that you write a letter. And I



would also copy the County and write a letter. Perhaps the County could write a letter to them because it's local drainage, not -- it's just not a regional perspective, so we don't have any input into any local drainage within the City or the County.

MR. JOHN STEVENS: Well, the problem -- and I don't consider it local. We're not talking about water from sprinklers and stuff in the Tri Palm Estates. We're talking about the water that you showed from coming across Ramon. And we had a contest there and I won it. We put rubber ducks in and I won it.

MR. DAN CHARLTON: I hope you won a lot of money.

MR. JOHN STEVENS: Here's the thing here. Mr. Trump is talking about stop -- trying to stop all this red tape and things that are doing.

Is there a possibility that if you got contacts and brought this, because we want to generate work, there could be possible money and cut a lot of the red tape involved with the fringe-toed lizard?

I think Tom is the only one I know who was around when the dinosaurs disappeared. You know, what happens when the fringe-toed lizard disappears?

Thank you, sir.

MR. DAN CHARLTON: Yes. I don't have any



comments on that. I guess, you know, the fringe-toed lizard is a protected species. We need to maintain windblown sand to the preserve to protect the habitat for the fringe-toed lizard. That's a part of our -- one of our key criteria from the Project. So --

MR. MICHAEL ROVER: Good evening. My name is Mike Rover. I'm with the board of the Berger Foundation. I'm one of the founding board members of Xavier College Prep as well. Both properties are obviously very impacted by this proposed Flood Control Project.

I just wanted to make a couple points in addition to what Dan, our engineer, said regarding -- this really affects the Berger Foundation more, but this sand dump spot right here, that was approved and added I believe 2015.

And as part of the environmental review for that process, it was determined that that was not suitable habitat for the fringe-toed lizard.

So I think that changes the whole dynamic of this Flood Control Project because I believe that this Flood Control Project could be designed and constructed such that the water could be retained on the Coachella Valley Natural -- what is it? Nature Wildlife Preserve.



At any rate -- and I've heard you say, Dan, that we can't do that and -- but I've not heard any legal basis for why it can't be done other than the environmentalists don't want it done. But certainly, the private property owners don't want their property taken either.

With regard to Xavier, this little bump right here is the Project boundary for Xavier High School. And it looks like that's about the biggest taking for this particular Project. And it's probably 25 to 30 percent of the total acreage of Xavier.

And when the Project was approved and we went through the whole CVWD process, the design of the levee system, the levee channel is different.

This came out and followed -- albeit inside the property boundary, it followed the contour of that, and that's where our private fence is. It's about 300 feet inside of the Xavier property line. And there's a ten-foot fence there, eight feet above ground, two feet below ground, signs that say Nature Preserve, Nature Preserve, Nature Preserve, Don't Cross. We'll kill you.

So that was always the Project boundary, and at some point it got changed. So I'm kind of with Tom. I don't know how the boundary keeps getting changed, and

I'm very concerned about hearing about this modified Reach 3 that I've never heard about before tonight. And like Tom, I've been coming to these things for years.

So that causes me great concern and -- let me see. Yeah, I think that's about all. Thank you.

MR. DAN CHARLTON: Thank you, Michael.

A couple of things. CVWD does not decide where we put the sand. The agencies do. I have no preference on where they put the sand, just that it serves the benefit of providing sand back onto the preserve.

We have tried not to change the alignment very much. There is -- obviously in the last 20 years, there's updated topo, there's updated hydraulic models. There's a lot of things that changed from a hydraulic perspective.

But we appreciate your comments. Our goal is to have -- honestly, to have as little impact as we can on the private properties.

But as you can see in some of the photos, our other goal ultimately is to protect those facilities, including the school, from flooding in the future. So we appreciate your comments.

Anybody else have any comments?

MR. ROY NOKES: I'd like to make one more comment.



MR. DAN CHARLTON: Okay, John. John Stevens.

MR. ROY NOKES: No, Roy.

MR. DAN CHARLTON: Oh, Roy. Sorry. Sorry.

MR. ROY NOKES: I wish I had a pointer.

MR. DAN CHARLTON: Sorry, Roy.

MR. ROY NOKES: If that went across the base of the mud hills and came down into Thousand Palms Canyon, the environmentalists would have had everything they wanted because this whole area, you wouldn't have to worry about Reach 2 or Reach 3. That would all be open for the multispecies habitat program.

There would be no danger to the water shooting off the end of Reach 1 coming down onto the Desert Moon Ranch area and then coming down onto the multispecies area.

But seeing as it's not going along the base, most of that land along the base was bought up by the state. They were rapidly buying up that land. They set up a special fund from what I understand to buy the land for the multispecies habitat area.

Well, they wouldn't have to worry about it if they went around the base of the mud hills and came down into Thousand Palms Canyon. This way it leaves all of that area open to damage.

And I mean bad damage, because my house in 1978



was the worst hit, and I've been here 48 years. It flooded my house and put four feet of mud in it. It came over a six-foot concrete block wall, right over my wall surrounding my house.

So the water coming off this, once it comes down and hits that elbow, it's going to pick up height and velocity. If it gets down to this point right here, it's going to shoot off like off in the Desert Moon Ranch area like a monitor, a (inaudible) monitor. There's no protection from that in this plan in this whole area.

MR. DAN CHARLTON: No, I agree that that area -- first of all, I appreciate your comments again. There's nothing more than I -- I wish we could build the levees up against the mountains and protect the whole area. That is not the situation nor the environment that we're in.

We are not allowed to go onto the preserve. We can't build in the Thousand Palms Canyon because that's regulatory water. That's why Army Corps is the nexus. It's federal waters where you can't build the facility of something like that.

So we're trying to get -- we're trying to work as best we can to get it up as close as we can to the conservation of the fringe-toed lizard preserve, protect



as much private property as we can. And life. And that's the environment that we're in.

Thank you.

MR. ROY NOKES: No, thank you.

MR. DAN CHARLTON: I appreciate it, Roy.

MR. ROY NOKES: Thank you.

MR. DAN CHARLTON: Any other comments? Well, we appreciate everybody for coming tonight. I know it's been a long time since we've been working on this, but I think we've made a lot of strides forward since 2012 and in the commitment from the Water District to put in a million and a half dollars into the design and environmental.

I think the Army Corps and our consultants have done a great job with their studies and the design to bring it forward. The County is reviewing the drawings right now at Washington Street and Avenue 38, and they've been working collaboratively with us.

And as I said, our goal isn't to create something that's negative to the environment and/or the public. Our goal is create something that protects as much property and life as we can.

Thank you very much for coming tonight. If you want to have written comments, give them to Luke Stowe of the Water District by December 19th.

Have a great night. Have a great holiday.
(The public meeting concluded at 7:25 P.M.)



REPORTER'S CERTIFICATE

I, KAREN ANN MARIANI, CSR No. 9544, Certified Shorthand Reporter, certify:

That the foregoing proceedings were taken before me at the time and place therein set forth.

That the statements made at the time of the proceedings were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative nor employee of any of the parties nor financially interested in the proceedings.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Dated this 18th day of December 2016.

KAREN ANN MARIANI, CSR No. 9544

# Appendix A.6

Scoping Comment Summary (2016)

The EIR/EIS on the proposed Thousand Palms Flood Control Project (Project) will focus on the significant environmental effects of the Project. The process of determining the focus and content of the EIR/EIS is known as scoping. Scoping helps to identify the range of actions, alternatives, environmental effects, and mitigation measures to be analyzed in the EIR/EIS, and eliminates from detailed study those issues that are not pertinent to the final decision on the Project. Scoping is also an effective way to bring together and address the concerns of the public, affected agencies, and other interested parties. Significant issues may be identified through both public and agency comments.

Scoping is not conducted to resolve differences concerning the merits of the Project or to anticipate the ultimate decision on the proposal. Rather, the purpose of scoping is to help ensure that a comprehensive EIR/EIS will be prepared that provides a firm basis for the decision-making process. Members of the public, affected federal, State, and local agencies, interest groups, and other interested parties may participate in the scoping process by providing written and verbal comments or recommendations concerning the issues to be analyzed in the EIR/EIS.

The intent of the EIR/EIS scoping process is to:

1. Inform the agencies and interested members of the public about the proposed Project, including compliance with CEQA and NEPA requirements.
2. Identify the range of concerns and Project-related issues that form the basis for identification of significant environmental issues to be addressed in the EIR/EIS.
3. Identify a range of alternatives to the proposed Project which may be considered in the EIR/EIS.
4. Identify suggested mitigation measures or ideas and approaches to mitigation that may be useful and explored further in the EIR/EIS.
5. Develop a mailing list of agencies and individuals interested in the future actions relative to the Project.

When a Lead Agency under the California Environmental Quality Act (CEQA) determines that an EIR is required for a project, a Notice of Preparation (NOP) must be prepared. In compliance with State CEQA Guidelines §15082, a NOP was prepared by the Coachella Valley Water District (CVWD) as the CEQA Lead Agency and submitted to the Governor's Office of Planning and Research, State Clearinghouse. The purpose of a NOP is to provide the responsible and trustee agencies, and the public, with sufficient information describing the proposed Project and the potential environmental effects to enable interested parties to make a meaningful response. All referenced scoping materials are included in **Appendix A** of this EIR/EIS.

The NOP was received at the State Clearinghouse on November 18, 2016. The CEQA-mandated 30-day public review period began on November 18, 2016 and closed on December 19, 2016.

The State Clearinghouse is responsible for circulation of the NOP to the appropriate State agencies. The State Clearinghouse distributed the NOP to the following entities: Colorado River Board; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 6; Native American Heritage Commission; Office of Emergency Services, California; Public Utilities Commission; State Lands Commission; California Department of Transportation (Caltrans), Division of Aeronautics; California Highway Patrol; Caltrans, District 8; and Regional Water Quality Control Board, Region 7.

In addition to the State Clearinghouse, CVWD circulated the NOP to various federal, State, and local agencies, as well as organizations, land owners, and interested parties on or around November 18, 2016. The Project mailing list is included in Appendix A of this EIR/EIS.

The NOP was also published in *The Desert Sun* newspaper on November 18, 2016, and was made available on CVWD's website: www.cvwd.org.

In accordance with the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (USACE) as the NEPA Lead Agency published a Notice of Intent/Notice of Public Scoping meeting in the *Federal Register* on November 9, 2016. The USACE provided a 41-day scoping period from November 9 to December 19, 2016. A copy of the publication is provided in **Appendix A** of this EIR/EIS.

Pursuant to State CEQA Public Resource Code §21083.9(a)(2), a public scoping meeting was held on December 6, 2016 at the Thousand Palms Community Center (31189 Robert Road, Thousand Palms, CA 92276). The public scoping meeting notice was included in the Notice of Preparation/Notice of Intent/Notice of Public Scoping Meeting. Presenters at the meeting included CVWD staff, USACE staff, and environmental consulting staff. The meeting sign-in sheet indicates that 33 people attended the meeting. A total of 7 people provided verbal comment at the meeting. The meeting was video-recorded and transcribed by a court reporter. The scoping meeting materials are included in **Appendix A** of this EIR/EIS, including a transcript of the meeting.

A total of 26 separate comments were received during the public scoping period; one letter was received from the County of Riverside Transportation and Land Management Agency following the close of the scoping period. Comments include those submitted to CVWD and/or USACE either in writing, at the scoping meeting, or via phone call.

Table 1 provides a list of commenters by name and a summary of comment/topic provided to the lead agencies. For comments pertaining to environmental issues, the section(s) in which the comment is addressed are provided. For all other comments, responses are provided.

| **Table 1. Scoping Comments** | | |
|---|---|---|
| Commenter Name/Agency/Organization | Topic/Comment Summary | Response or Where Addressed in the EIR/EIS |
| Federal | | |
| U.S. Environmental Protection Agency; Jean Prijatel, Environmental Review Section | Need for Clean Water Act permit, reference to comments submitted in 2000 regarding air quality, tribal resources, and Clean Water Act permit; requests current EIS discuss purpose/need, range of alternatives, biological resources, air quality and climate change, Clean Water Act, cumulative impacts, tribal government consultation, and residual flood risks. Also requests information about the Project, particularly the impacts to waters of the U.S. Requests being added to the mailing list. | Comments provided were incorporated into the document and are addressed in the following EIR/EIS Sections: Section 1.3 (Project Objectives & Purpose and Need), Chapter 2 (Proposed Project and Alternatives), Sections 3.3/4.3 (Air Quality and Greenhouse Gases), 3.6/4.6 (Biological Resources), 3.7/4.7 (Cultural Resources), 3.14/4.14 (Water Resources), Chapter 5 (Cumulative Effects), and Chapter 6 (Other Federal Requirements and CEQA Considerations). Commenter was added to the Project mailing list.<br>With respect to residual flood risk, as part of the Federal Emergency Management Agency (FEMA) flood map revision process, all land owners and public jurisdictions potentially affected by the Project are required to be notified of the change in flood risk. Ongoing notification of flood risk include flood advisories on the CVWD website, as well as standard flood disclosures on property deeds. The CVWD participates in the National Flood Insurance Program. |
| U.S. Fish and Wildlife Service; Jenness McBride, Chief, Coachella and Imperial Valleys Division | Re-submits 6/20/2014 comment letter which states: the primary concern and mandate of the Service is the conservation, protection, and enhancement of fish and wildlife resources and their habitats for the continuing benefit of the American people. Recommendations are made regarding alternative alignments and consistency with conservation plans. Specifically, assessing the Project's potential to alter fluvial, aeolian, and hydrological processes and potential loss of blow sand. | Comments provided were incorporated into the document and are addressed in EIR/EIS Chapter 2 (Proposed Project and Alternatives), and Sections 3.5/4.5 (Sand Migration) and 3.6/4.6 (Biological Resources). |
| U.S. Fish and Wildlife Service; Kennon A. Corey, Assistant Field Supervisor | Reference to 6/20/2014 comment letter and states same position for current project. Intends to review Draft EIR/EIS, in particular regarding updated analyses of impacts to the fringe-toed lizard, milk-vetch, and sand transport. | Comments provided were incorporated into the document and are addressed in EIR/EIS Sections 3.5/4.5 (Sand Migration) and 3.6/4.6 (Biological Resources). |
| State | | |
| Governor's Office of Planning and Research, State Clearinghouse; Scott Morgan, Director | Receipt of NOP. List of State agencies where the NOP was distributed. | No response required. |
| Native American Heritage Commission; Gayle Totton, Associate Governmental Program Analyst | Provides agency guidelines that are required (i.e., AB 52) to be incorporated into the draft CEQA document; requests lead agency coordination with local Native American tribes. | AB 52 compliance details contained within Section 6.5.14 (Assembly Bill 52: Tribal Consultation). |

| **Table 1. Scoping Comments** | | |
|---|---|---|
| Commenter Name/Agency/Organization | Topic/Comment Summary | Response or Where Addressed in the EIR/EIS |
| Local | | |
| South Coast Air Quality Management District (SCAQMD); Jillian Wong, Planning & Rules Manager | Requests Draft EIR and all appendices & technical documents related to air quality and GHG analysis and electronic versions of air quality modeling and health risk assessment files be forwarded to the SCAQMD; requests potential adverse air quality impacts from direct and indirect sources of the Project to be identified and quantified; requests criteria pollutant emissions to be quantified and compared to regional and local significance thresholds; requests mobile source health risk assessment for vehicular trips generated by the Project. Provides agency guidelines that should be incorporated into the draft CEQA document. | Comments provided were incorporated into the document and are addressed in EIR/EIS Sections 3.3/4.3 (Air Quality and Greenhouse Gases), Tables 4.3-1 through 4.3-7, and Appendix B (Air Quality Calculations). |
| Metropolitan Water District (MWD); Michael A. Melanson, Principal Environmental Specialist | Receipt of federal notice; and requests site map to understand proximity of Project alignment with agency's existing facilities in the general vicinity of Thousand Palms, specifically the Colorado River Aqueduct and ancillary access and patrol roads. | Map provided to MWD 12/22/16. |
| Riverside County Flood Control & Water Conservation District; Kevin Cunningham, Associate Flood Control Planner, Environmental Regulatory Services 2 | States the Project appears to be located outside the District's boundaries, but requests to receive a copy of the draft environmental document when it becomes available for public review. | EIR/EIS Figures 1-2 and 2-1 through 2-3 present the location of the proposed Project. The Riverside County Flood Control & Water Conservation District has been added to the Project mailing list. |
| County of Riverside Transportation and Land Management Agency, Transportation Department, Russell Williams, Development Review Manager | The County supports the proposed Project. Reminds CVWD that if the Project encroaches upon or utilizes County road rights-of-way an encroachment permit will be required. Also, a traffic control plan may be required for construction traffic. | Impacts related to transportation are addressed in Sections 3.13/4.13 (Transportation). All required permits would be obtained for the Project (see Table 2-10). See Mitigation Measure TR-2 (Traffic Control Plan for Lane Closures and Detours). |
| Imperial Irrigation District (IID); Donald Vargas, Environmental Regulatory Compliance Administrator | Existing transmission line in proximity to Project alignment; request of encroachment permit for construction or operation on IID property; reminder to include any changes to IID facilities in Project's CEQA/NEPA documentation. | EIR/EIS Figures 1-2 and 2-1 through 2-3 present the location of the proposed Project. The proposed Project does not overlap or encroach on IID property. Map provided to IID. |
| H. N. and Frances Berger Foundation; provided by Stantec Consulting Services, Dan Villines, PE, Senior Associate | Provided potential alternatives to the proposed Project. Requested Project analyze increase in riverine flows, and apply mitigation where appropriate. Requests coordination with Classic Club golf course regarding flows and debris. | Comments provided were incorporated into the document and are addressed in EIR/EIS Sections 2.4 (Alternatives Considered but Eliminated) and 4.14 (Water Resources).<br><br>The Project has been designed based on current hydraulic modeling, incorporating topography (alluvial fans, as-built Classic Club design), and has been calibrated based on observed and historical flooding |

| **Table 1. Scoping Comments** | | |
|---|---|---|
| Commenter Name/Agency/Organization | Topic/Comment Summary | Response or Where Addressed in the EIR/EIS |
| | | patterns in Thousand Palms area. This analysis has been accepted by FEMA as a good representation of 100-year flood conditions, based on current FEMA requirements. The Project cannot be built on the Coachella Valley Preserve due to legal protection of the resources within the preserve. The CVWD has a flood easement agreement with the Classic Club Golf Course. The golf course was designed and built to accept and convey the Project design flows, including sediment and debris, and redistribute the flows downstream without a negative impact on the downstream property owner. The Classic Club Golf Course is responsible for maintenance of this private facility.<br><br>Riverine Flow is an existing condition; it is not a purpose of the Project to protect against riverine flows. Per the 2006 "Final Hydrology, Hydraulics, and Flood Control Improvement Concept Study for Management of Off-site Flows for Northstar Development, Palm Desert, California" (where Northstar Development includes the Classic Club Golf Course) included the Riverine flows in the Channel design flows used for all hydraulic modeling scenarios (see Section 1.2.2). The fact that riverine flow depths are currently estimated to be greater than FEMA's estimates extant at the date of development of Xavier College Preparatory High School is not due to implementation of the Thousand Palms Flood Control Project, but is rather the result of more detailed floodplain analysis.<br><br>In 2013, as part of "North Cathedral City and Thousand Palms Stormwater Management Plan: Thousand Palms Flood Control Project Hydrology and Hydraulics," Northwest Hydraulic Consultants (NHC) prepared revised hydrologic and hydraulic modeling of the Thousand Palms Watershed, including the proposed Project (tying into Classic Club Golf Course). This analysis incorporated NOAA Atlas 14 rainfall depths, current standards and guidelines for hydrologic analysis adopted by CVWD, existing topography, riverine flows, considered morphological changes on the upper Thousand Palms Canyon fan and flow path uncertainty, and re-evaluated 100-year peak flows to ensure adequate capacity to convey flood flows. |
| Pegasus Therapeutic Riding; Curtiss Perry, Secretary/ Treasurer | Project location and construction information in relation to equestrian riding facility requested. | Requested information was provided by CVWD on 11/30/16. EIR/EIS Figures 1-2 and 2-1 through 2-3 present the location of the proposed Project. |

| **Table 1. Scoping Comments** | | |
|---|---|---|
| Commenter Name/Agency/Organization | Topic/Comment Summary | Response or Where Addressed in the EIR/EIS |
| Noble & Company LLC; Thomas S. Noble | Concern regarding graphic representation of Modified Reach 3 under Alternative 3; concern of possible impacts to SCE transmission lines from Reach 3 and to future land development by Noble & Company in the vicinity, specifically Riverside County Specific Plan No 386. | Modified Reach 3 is discussed in detail in the Project Description, Section 2.3.2 and shown on Figure 2-9. Sections 3.8/4.8 (Land Use and Recreation) contain a discussion of the land uses which may be affected by the Project. The proposed Project and alternatives would neither enter Specific Plan No. 386 nor cross the SCE transmission line right-of-way. |
| Gary Reynolds; resident | Requested information on the project location and take of land as his property is located along Reach 1. | EIR/EIS Figures 1-2 and 2-1 through 2-3 present the location of the proposed Project. Land required to implement the Project, if approved, would be appraised and paid fair market value. |
| Art Basham; resident | Concern regarding flood protection that Tri Palms Estate and Country Club would receive. | As shown on Figure 1-2, Tri Palms Estate and Country Club is located southwest of the proposed Project, and would receive flood protection. |
| Vincent [last name not provided]; resident | Questioned why CVWD would construct the proposed Project. | Purpose and Need for the proposed Project is detailed in EIR/EIS Section 1.3 (Project Objectives & Purpose and Need). |
| John Stevens; resident | Suggests Project be built to the north in the Coachella Valley Preserve. Requests contact information for State and federal conservation land owners. (Note: The PDF copy of this comment letter has not been included in Appendix A.7, but the contents are summarized above and have been addressed) | Section 1 (Introduction) and 2 (Project Description) contain a discussion of the Project objectives and proposed location. The Project cannot be built on the Coachella Valley Preserve due to legal protection of the resources within the preserve. |
| Bill Wright; resident | Requests dike crossing at Desert Moon Drive and Via Las Palmas. Requests that new dike has safe crossings/bridges for residents to access existing roadways. | Section 2.2.2 (Construction) details the proposed Project design, and includes a description of the planned road improvements at Desert Moon and Las Palmas streets. Road crossings would be installed over the proposed Reach 1 levee. |
| Roy Nokes; resident | Requests proposed Project be built to the north along Thousand Palms foothills; states present design would damage the Desert Moon Ranch and multispecies habitat area. | Section 1 (Introduction) and 2 (Project Description) contain a discussion of the proposed Project location. Section 3.8/4.8 (Land Use and Recreation) contain a detailed discussion of the potential land use impacts. Section 3.6/4.6 (Biological Resources) contain a detailed discussion of the proposed Project's compliance with the Multiple Species Habitat Conservation Plan. |
| Carol Mowbray; resident | Concerned about lack of mitigation to prevent flooding south of Reaches 1 and 2 from damaging Ramon Road; requests information of potential for increased flood flow towards Amite, Chimayo and Shadow Mountain. | Amite Lane, Chimayo Road, and Shadow Mountain Lane are located north of the proposed Reach 3 and would not receive flood protection. Flooding and damage to Ramon Road is an existing condition, which would persist following implementation of the proposed Project. |

| **Table 1. Scoping Comments** | | |
|---|---|---|
| Commenter Name/Agency/Organization | Topic/Comment Summary | Response or Where Addressed in the EIR/EIS |
| Scoping Meeting Verbal Comments – December 6, 2016 | | |
| James Towery; Wilson Johnson Commercial Real Estate | Concerns of construction priority for different parts of the Project, and the time duration for construction of Reach 4. | Section 2.2.2 (Construction) contains a detailed discussion of the proposed construction schedule. Table 2-2 contains the proposed construction schedule. |
| Dan Villines; Berger Foundation | Concerned about lack of sediment control mechanism; requests repair agreement with Classic Club Golf Course. | Section 2.2 (Proposed Project (Alternative 1)) contains a detailed discussion of the proposed Project design. As noted, the sediment basin at the end of Reach 1 is anticipated to capture the flows and sediment from Reach 1. Also, the Classic Club Golf Course was built as an interim project, which is obligated to accept flood flows, covey these flows, and redistribute the flows. See discussion in Section 1.2.2 (Previous Studies). |
| Roy Nokes; resident | Requests proposed Project be built to the north along Thousand Palms foothills; states present design would damage the Desert Moon Ranch and multispecies habitat area. | No facilities can be constructed within the conservation areas including the preserve. Section 2.1 (Project Location) contains a detailed discussion of the proposed Project location. |
| Tom Noble; developer | Concerns regarding Reach 3; requests more information on location. | See Figure 2-9 of the Modified Reach 3 Alternative. Section 2.3 (Project Alternatives) contains a detailed discussion of the alternatives developed for the proposed Project. Section 2.4 (Alternatives Considered but Eliminated from Analysis) contains a discussion of alternatives considered and rationale for elimination. |
| Bill Wright; resident | Provided background information on historic flooding. Expressed concerns as to the effectiveness of crossings during flooding periods. Provided background information on current clean-up methods. | As discussed in Section 2 (Proposed Project and Alternatives), culverts and road crossings of the levee would be constructed at Desert Moon Drive and Via Las Palmas under the proposed Project. |
| John Stevens; resident | Expressed concerns about the debris coming down and filling up the Classic Club Golf Course drainages. Tri Palm Estates also has washes, but they are currently filled with trees and dirt; these need to be cleaned out. HOA is supposed to be responsible for this or the Tri Palm Estates. Requests CVWD to send a letter to the HOA or Tri Palm Estates. | CVWD is only responsible for regional facilities; Tri Palm Estates is responsible for maintaining their facilities. |
| Michael Rover; Berger Foundation, Xavier College Preparatory School | Expressed that as the preserve is not suitable habitat for the lizard, and that the Project should be on the wildlife habitat preservation area; concerns of lack of reasoning for why this is not an option. | The Project cannot be built on the Coachella Valley Preserve due to legal protection of the resources within the preserve. Section 3.6/4.6 (Biological Resources) contain a detailed discussion of the fringe-toed lizard habitat. |

# Appendix A.7

## Scoping Meeting Comment Letters (2016)

**Federal**

Jean Prijatel; U.S. Environmental Protection Agency
Jenness McBride, Kennon A. Corey; U.S. Fish and Wildlife Service

**State**

Scott Morgan; State Clearinghouse
Gayle Totton; Native American Heritage Commission

**Local**

Jillian Wong; South Coast Air Quality District (SCAQMD)
Michael A. Melanson; Metropolitan Water District (MWD)
Kevin Cunningham; Riverside County Flood Control & Water Conservation District
Russell Williams; County of Riverside Land Management Agency
Donald Vargas; Imperial Irrigation District (IID)
Dan Villines; H. N. and Frances Berger Foundation
Curtiss Perry; Pegasus Therapeutic Riding
Thomas S. Noble; Noble & Company LLC
Gary Reynolds; resident
Art Basham; resident
Vincent [last name not provided]; resident
Bill Wright; resident
Roy Nokes; resident
Carol Mowbray; resident

**Public comments from the 2016 Public Scoping Meeting (See Appendix A.5)**

James Towery; Wilson Johnson Commercial Real Estate
Dan Villines; Berger Foundation
Roy Nokes; resident
Tom Noble; developer
Bill Wright; resident
Michael Rover; Berger Foundation, Xavier College Preparatory School

**From:** Prijatel, Jean
**To:** Lynch, Michelle R CIV USARMY CESPL (US)
**Subject:** [EXTERNAL] Question regarding Thousand Palms Flood Protection project
**Date:** Tuesday, November 22, 2016 4:45:05 PM

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Hi Michelle,

I will be preparing scoping comments in response to the NOI to prepare a DEIS for the Thousand Palms Flood Protection project. The Federal Register notice does not contain very much information about the project, particularly the impacts to waters of the U.S.. I looked up the old PN from 2014 to find additional information, but am wondering if this is outdated. Will there be a new PN? Is the old information still valid?

Thank you for your help and have a great Thanksgiving.

Regards,

Jean Prijatel

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Jean Prijatel

Environmental Review Section

US Environmental Protection Agency Region 9

75 Hawthorne St. (ENF 4-2)

San Francisco, CA 94105-3941

415-947-4167

From: Prijatel, Jean [mailto:PRIJATEL.JEAN@EPA.GOV]
Sent: Monday, December 19, 2016 4:26 PM
To: Lynch, Michelle R CIV USARMY CESPL (US) <Michelle.R.Lynch@usace.army.mil>
Subject: [EXTERNAL] EPA Scoping Comments for Thousand Palms Flood Control Project

Hi Shelly,

Please find attached an electronic copy of EPA's scoping comments on the Thousand Palms Flood Control Project. We have sent the original hard copy via USPS.

Let me know if you have any questions or problems with the attachment.

Regards,

Jean

_____

Jean Prijatel

Environmental Review Section

US Environmental Protection Agency Region 9

75 Hawthorne St. (ENF 4-2)

San Francisco, CA 94105-3941

415-947-4167

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

December 19, 2016

Mr. David Castanon
U.S. Army Corps of Engineers, Los Angeles District
Regulatory Division, Carlsbad Field Office
ATTN: SPL–2014–00238–RJV
5900 La Place Court, Suite 100
Carlsbad, California 92008

Subject: Notice of Intent to Prepare a Draft Environment Impact Statement for the Thousand Palms Flood Control Project, Riverside County, California

Dear Mr. Castanon:

The U.S. Environmental Protection Agency (EPA) has reviewed the Notice of Intent to Prepare a Draft Environmental Impact Statement (EIS) for the Thousand Palms Flood Control Project. Our review and comments are pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The Draft EIS will evaluate a Clean Water Act Section 404 permit request from the Coachella Valley Water District to discharge fill material into waters of the United States. The project would involve constructing a flood control project with levees, channels, culverts, and a sediment basin in the Thousand Palms area of Coachella Valley.

EPA provided comments on a previous flood control project proposal for this area in April of 2000; the project was then known as the Whitewater River Basin / Thousand Palms Flood Control Project. Our concerns at that time were primarily regarding air quality, the need for a Clean Water Act Section 401 water quality certification, and tribal impacts. We note that the project has changed over time and that additional project details will likely be available when a new Public Notice for the CWA 404 permit is released. We may have additional comments at that time.

We recommend that the Corps consider a number of issues when preparing the Draft EIS, including: the range of alternatives to be evaluated; biological resources; air quality; and climate change. These issues and others are discussed further in the attached Detailed Comments.

We appreciate the opportunity to review this scoping notice and are available to discuss our comments. When the Draft EIS is released for public review, please send one hard copy and one CD to the address above (mail code: ENF-4-2). Should you have any questions, please contact me at (415) 947-4167 or prijatel.jean@epa.gov.

Sincerely,

Jean Prijatel
Environmental Review Section

Enclosures: EPA's Detailed Comments

**U.S. EPA DETAILED COMMENTS ON THE NOTICE OF INTENT TO PREPARE A DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE THOUSAND PALMS FLOOD CONTROL PROJECT, RIVERSIDE COUNTY, CALIFORNIA – DECEMBER 19, 2016**

## Purpose and Need

The Draft EIS for the proposed project should clearly identify the underlying purpose and need that is the basis for proposing the range of alternatives (40 CFR 1502.13). The *purpose* of the proposed action is typically the specific objectives of the activity, while the *need* for the proposed action may be to eliminate a broader underlying problem or take advantage of an opportunity.

The purpose and need should be a clear, objective statement of the rationale for the proposed project, as it provides the framework for identifying project alternatives. The Draft EIS should concisely identify why the project is being proposed, why it is being proposed now, and should focus on the specific desired outcomes of the project (e.g. improved flood protection) rather than prescribing a predetermined resolution.

## Range of Alternatives and Clean Water Act 404

All reasonable alternatives that fulfill the project's purpose and need should be evaluated in detail, including alternatives outside the legal jurisdiction of the Corps (40 CFR Section 1502.14(c)). The Draft EIS should provide a clear discussion of the reasons for the elimination of alternatives which are not evaluated in detail.

A robust range of alternatives will include options for avoiding significant environmental impacts. The Draft EIS should clearly describe the rationale used to determine whether impacts of an alternative are significant or not. Thresholds of significance should be determined by considering the context and intensity of an action and its effects (40 CFR 1508.27).

The environmental impacts – beneficial and adverse – of the proposal and alternatives should be presented in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision maker and the public (40 CFR 1502.14). The potential environmental impacts of each alternative should be quantified to the greatest extent possible (e.g. acres of wetlands impacted; change to water quality).

EPA encourages the Corps to integrate Clean Water Act (CWA) Section 404 regulatory requirements into the NEPA process – for both regulatory and planning programs – to streamline environmental review by using NEPA documents for multiple permitting processes. Pursuant to the Federal Guidelines promulgated at 40 CFR 230 under Section 404(b)(1) of the CWA, the Corps is required to clearly and independently demonstrate that the preferred alternative for a proposed action is the Least Environmentally Damaging Practicable Alternative (LEDPA) that achieves the overall project purpose. An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. The LEDPA is the alternative with the fewest direct, secondary, and cumulative impacts to aquatic resources, so long as it does not have other significant adverse environmental consequences.

## Air Quality

For each alternative, the Draft EIS should provide a detailed discussion of existing ambient air conditions, National Ambient Air Quality Standards (NAAQS) and nonattainment areas, and potential air quality impacts of the project, including cumulative and indirect impacts. Emissions should be estimated for any construction phases and for maintenance activities. Construction-related mitigation

measures should be discussed. EPA's General Conformity Rule, established under Section 176(c)(4) of the Clean Air Act, provides a specific process for ensuring federal actions will conform with State Implementation Plans to achieve National Ambient Air Quality Standards. The Draft EIS should include a discussion of the applicability of the General Conformity Rule to the project.

***Construction***

The Draft EIS should include a Construction Emissions Mitigation Plan for fugitive dust and diesel particulate matter (DPM) and this plan should be adopted in the Record of Decision (ROD). EPA recommends that the best available control measures (BACM) for all pollutants be implemented, including those listed below.

*Fugitive Dust Source Controls:*

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both inactive and active sites, during workdays, weekends, and holidays.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks or consider other options for stabilization of soil and disturbed surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

*Mobile and Stationary Source Controls:*

- Reduce use, trips, and unnecessary idling from heavy equipment.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which could be employed.[1]
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- If practicable, lease new equipment meeting the most stringent of applicable federal[2] or state standards.[3] In general, commit to the best available emissions control technology. Tier 4 engines should be used for project construction equipment to the maximum extent feasible. Lacking availability of non-road construction equipment that meets Tier 4 engine standards, commit to using the best available emissions control technologies on all equipment. Identify opportunities for electrification. Meet EPA diesel fuel requirements for off-road and on-highway, and, where appropriate, use alternative fuels such as natural gas and electric.
- Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of DPM and other pollutants at the construction site.

*Administrative Controls:*

- Coordinate with the South Coast Air Quality Management District to identify a construction schedule to minimize cumulative impacts from other development and construction projects in the region, if feasible, to minimize cumulative impacts.

[1] http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm
[2] https://www.epa.gov/vehicles-and-engines
[3] http://www.arb.ca.gov/msprog/offroad/offroad.htm

- Identify all commitments to reduce construction emissions and update the air quality analysis to reflect additional air quality improvements that would result from adopting specific air quality measures.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.)
- Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
- Identify sensitive receptors in the project area, such as daycare centers, schools, nursing homes, hospitals, and other health-care facilities, and specify the means by which you will minimize impacts to these populations. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

**Biological Resources, Habitat, and Wildlife**

In the Draft EIS, identify all petitioned and listed threatened and endangered species and critical habitat that might occur within the project area. The document should identify and quantify which species or critical habitat might be directly, indirectly, or cumulatively affected by each alternative and mitigate impacts to these species; emphasis should be placed on the protection and recovery of species due to their status or potential status under the federal or state Endangered Species Act.

**Climate Change**

In order to ensure the resilience of communities to potential flooding, we recommend that the analysis in the Draft EIS include sediment and environmental change dependent issues to help the Corps, the Coachella Valley Water District, and other interested stakeholders compare the likely long-term effectiveness and risk reduction of the alternatives. In particular, we recommend that the "Affected Environment" section of the Draft EIS describe potential changes to the project area that may occur over the project lifetime. For example, because water is an important limiting factor in most dryland environments, aeolian processes are strongly affected by regional climate conditions that affect the amount, type, and temporal and spatial distribution of precipitation. This affects the supply, availability, and mobility of sediment. Including future climate scenarios, such as those provided by the U.S. Global Change Research Program's National Climate Assessment[4], as appropriate in the Draft EIS would provide context for the proposal and its impacts -- and whether those could be affected by environmental change.

The EPA recommends that the proposal's design incorporate measures to improve resiliency to environmental change, where appropriate. These changes could be informed by future scenarios addressed in the "Affected Environment" section. The Draft EIS's alternatives analysis should also, as appropriate, consider practicable changes to the proposal to make it more resilient to anticipated change. We recommend the Draft EIS also consider alternatives that seek to maximize the project area's ability to naturally change and adapt to anticipated hydrological and sedimentation regimes in order to fully inform approaches to minimizing flood risk to the public and economic interests in a sustainable manner.

[4] http://nca2014.globalchange.gov/

**Cumulative Impacts**

Cumulative impact analyses describe the threat to resources as a whole, presented from the perspective of the resource instead of from the individual project. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR §1508.7). Discussions of cumulative impacts are usually more effective when included in the larger discussions of environmental impacts from the action (the environmental consequences chapter), as opposed to discussing cumulative impact analyses in a separate chapter.

The Draft EIS should describe the methodology used to assess cumulative impacts. We recommend the Corps consider the methodology developed jointly by EPA, the Federal Highway Administration, and the California Department of Transportation.[5] While this methodology was developed for transportation projects, the principles and steps in this guidance offer a systematic way to analyze cumulative impacts for any project.

Flood protection and levee projects often induce growth such as housing development. The Draft EIS should describe the reasonably foreseeable future land use changes and the associated impacts that will result from the additional flood protection. The document should provide an estimate of the amount of growth and the likely location.

**Floodplain Executive Orders**

On January 30, 2015 President Obama issued Executive Order 13690 – Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input, which amends Executive Order 11988 – Floodplain Management. EPA recommends that the Draft EIS explain how each alternative would be consistent with the directives in Executive Orders 11988 and 13690. For more information, go to: https://www.fema.gov/federal-flood-risk-management-standard-ffrms.

**Residual Flood Risk**

Even with the project's proposed flood protection measures, residual flood risk would remain for the properties protected by the system. Flood protection systems are designed to provide a specific level of risk reduction, but larger events may cause the system to fail. In the Draft EIS, discuss how the residual flood risk would be communicated on a regular basis. The communication should be an explicit component of all aspects of proposed and current flood risk reduction activities. It should include notification to all property owners of the risk (e.g. notice in annual water bill, tax bill, or notice in the property deed) along with other measures such as posting signs in all land areas at risk behind the levees. All communication should clearly describe the level of protection provided by levees, that the levees may fail or be overtopped, and that the area is a floodplain, with indications of the depth of flooding when the levee fails or is overtopped.

**Environmental Justice**

The Draft EIS should identify how the proposed alternatives may affect low-income or minority populations in the surrounding areas and provide appropriate mitigation measures for any anticipated adverse impacts. Executive Order 12898 addresses Environmental Justice in minority and low-income populations, and the Council on Environmental Quality has developed guidance concerning how to address Environmental Justice in the environmental review process.[6] We note that the implementation

[5] www.dot.ca.gov/ser/cumulative_guidance/approach.htm

[6] https://www.epa.gov/environmentaljustice/environmental-justice-and-national-environmental-policy-act

guidelines for the Floodplain EO 13690[7] discussed above also recognize the importance of considering the impacts to and engagement of vulnerable populations who may be at increased risk to the impacts of flooding due to their location or access to services. The environmental justice analyses for this project should include a description of the area of potential impact used for the analysis and provide the source of the demographic information. The Draft EIS should identify whether the proposed alternatives may disproportionately and adversely affect low-income or minority populations in the surrounding area and should provide appropriate mitigation measures for any adverse impacts. Community involvement activities for the project should include outreach to low-income or minority populations in the surrounding areas.

**Coordination with Tribal Governments**

Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments" (November 6, 2000), was issued in order to establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications, and to strengthen the United States government-to-government relationships with Indian tribes. In the Draft EIS, describe the process and outcome of government-to-government consultation between the Corps and each of the tribal governments within the project area, issues that were raised (if any), and how those issues were addressed in the selection of the proposed alternative.

[7] https://www.fema.gov/media-library/assets/documents/110377

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262

In Reply Refer To:
FWS-ERIV-09B0379-17CPA0036

December 8, 2016
*Sent by Email*

Mr. Luke Stowe
Environmental Supervisor
Coachella Valley Water District
P.O. Box 1058
Coachella, California 92236

Subject: Notice of Preparation and Notice of Intent, Thousand Palms Flood Control Project, Riverside County, California

Dear Mr. Stowe:

The U.S. Fish and Wildlife Service (Service) has reviewed your notice regarding the subject project. The Coachella Valley Water District (CVWD) and the U.S. Army Corps of Engineers (Corps) intend to prepare a joint Environmental Impact Report and Environmental Impact Statement (EIR/EIS) for CVWD's proposed project and Corps permit application. The proposed project consists of a series of flood control improvements; including levees, channels, culverts, and a sediment basin. The proposed project is also designed to support continued wind-driven transport of sand to the Coachella Valley Preserve, where it forms habitat for the federally endangered Coachella Valley fringe-toed lizard (*Uma inornata*; fringe-toed lizard) and Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*; milk vetch).

We provided scoping comments for a previous similar project to the Corps on June 20, 2014 (Public Notice of Application [SPL-2014-00238-RJV]). The currently proposed subject project has been refined and differs somewhat from that proposed in 2014. Among other changes, a blow-sand augmentation area is now proposed. Our June 20, 2014, letter still accurately communicates our concerns, and we enclose it as the basis of our comments on the subject project. We look forward to reviewing the draft EIR/EIS, in particular regarding updated analyses of impacts to the fringe-toed lizard, milk-vetch, and sand transport.

For further information, please contact Jenness McBride of my staff at 760-322-2070.

Sincerely,

for Kennon A. Corey
Assistant Field Supervisor

Enclosure

cc:
Michelle Lynch, U.S. Army Corps of Engineers

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262

In Reply Refer To:
FWS-ERIV-09B00379-14CPA0168

JUN 20 2014

Mr. Richard J. Van Sant
U.S. Army Corps of Engineers, Los Angeles District
Regulatory Division, Carlsbad Field Office
Attn: SPL-2014-00238-RJV
5900 La Place Court, Suite 100
Carlsbad, California 92008

Subject: Public Notice of Application (SPL-2014-00238-RJV) for a Permit for the Thousand Palms Flood Control Project, Riverside County, California

Dear Mr. Van Sant:

The U.S. Fish and Wildlife Service (Service) has reviewed the Public Notice of Application for Permit (Public Notice) for the Thousand Palms Flood Control Project (Project) dated May 2, 2014. The proposed Project is located in the Thousand Palms area of the Coachella Valley, within the southeastern portion of Riverside County between the Indio Hills and Interstate 10.

The Project consists of a series of flood control improvements to minimize flooding hazards for developed areas in Thousand Palms and the vicinity. The Project is also designed to support continued aeolian (wind-driven) transport of sand to the Coachella Valley Preserve, where it forms sand dune habitat for the federally threatened Coachella Valley fringe-toed lizard (*Uma inornata*) and the federally endangered Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*). The flood control improvements are linear in nature and consist of four reaches, generally located on the northern and eastern margins of the community of Thousand Palms. Components of the Project include levees, channels, and energy dissipating structures. The levees and channels would be comprised of soil cement, and the upslope sides of each levee would be armored with soil cement.

In 2000, the Planning Division of the Army Corps of Engineers (Corps) published a final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for this project under the title *Whitewater River Basin Flood Control Project*. A Preferred Alternative was selected and approved, though the action was never implemented. A subsequent 2011 Supplemental Environmental Assessment/Mitigation Negative Declaration analysis was initiated to account for development which had occurred in the Project area after the 2000 EIS/EIR and Preferred Alternative approval. Due to Federal funding restrictions, the 2011 document was never finalized and remained in the Preliminary Draft phase, considered an internal document.

Therefore, the draft EIS/EIR currently being prepared by the Regulatory Division of the Corps is a stand-alone document and will include a new analysis.

The Project area includes occupied and designated critical habitat for the federally threatened Coachella Valley fringe-toed lizard (fringe-toed lizard); occupied and designated critical habitat for the federally endangered Coachella Valley milk-vetch (milk-vetch); and the Thousand Palms conservation area designated under the Coachella Valley Multiple Species Habitat Conservation Plan, which includes the Coachella Valley Preserve (Preserve) and the Coachella Valley National Wildlife Refuge (Refuge).

We offer the following comments on the Public Notice as they relate to potential impacts on public trust resources. The primary concern and mandate of the Service is the conservation, protection, and enhancement of fish and wildlife resources and their habitats for the continuing benefit of the American people. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened or endangered animals and plants listed under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). The comments provided herein are based on the information provided in the Public Notice, our participation in regional habitat conservation planning efforts, and our participation in the previous planning and design effort for the flood control project analyzed in the 2000 EIS/EIR.

Project History

In 1993, the Planning Division of the Corps initiated a feasibility study to examine methods for reducing flood-related damages associated with high intensity summer thunderstorms and large-scale winter storms in the vicinity of the community of Thousand Palms. The primary objective for the potential flood control project was flood protection of the Federal Emergency Management Agency flood hazard zone and flood plain while ensuring no adverse effects on the wildlife habitats contained within the Preserve (Corps 1997). Based on the feasibility study, the Corps identified seven preliminary project alternatives.

At the same time, the Service began informally consulting with the Planning Division of the Corps under the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) to ensure that fish and wildlife resources received equal consideration to other aspects of the flood control project. We provided the Corps with Planning Aid Reports in June 1997 and February 1998 describing the biological resources in the study area and outlining our concerns regarding the potential impacts associated with the seven project alternatives and a no project alternative. The Corps subsequently introduced four more alternatives and selected a National Economic Development (NED) alternative and a Corps Preliminary Preferred (CPP) alternative. We provided an evaluation of the potential impacts of implementing the NED and CPP in a draft Coordination Act Report (CAR) dated August 1999, which conveyed our concerns that the CPP would result in significant and possibly unmitigable, direct and indirect adverse impacts to biological resources, which included the fringe-toed lizard.

Our agency worked closely with Planning Division Corps staff to develop a new project alternative that addressed the environmental concerns we identified in the draft CAR to provide an alternative that met the needs of the flood control project while ensuring that wildlife conservation received equal consideration and to ensure the area continued to support aeolian transport of sand to the Refuge and Preserve. This new alternative was the alternative carried forward as the Corps Preferred Alternative (Alternative 6) that was analyzed in our final CAR (dated September 2000) and biological opinion issued to the Corps on September 12, 2000 (1-6-00-F-46).

The project we analyzed in our final CAR and biological opinion consisted of four levees, one Transmission Corridor levee, two Wind Corridor levees, and one Cook Street levee (Figure 1). The Transmission Corridor levee was designed to be located south of the Southern California Edison (SCE) transmission line corridor and run in an east-southeasterly direction, starting just south of the mouth of Westwide Canyon (near the junction of Rio Del Sol Road and Vista Chino) and run for approximately 2.6 miles. The two Wind Corridor levees would run parallel to the Transmission Corridor levee, in the direction of the prevailing wind, to avoid interfering with the potential aeolian sand transport in the area. The Cook Street levee would run along the north side of Interstate 10 and parallel the southern boundary of the Refuge. Energy dissipaters would be provided at the end of each levee to reduce the water flow velocities and depths, spread the flow out onto the alluvial fan, and induce deposition of the fluvially-transported sediment into the floodway and wind corridor (see Figure 1). Channels or other retention basin structures were not a part of the project analyzed in the final CAR or biological opinion.

The non-jeopardy determination made in our 2000 biological opinion assumed the four-levee project would adversely affect approximately 630 acres of fringe-toed lizard designated critical habitat. This loss would be offset by the acquisition and conservation of 583 acres of wind corridor lands essential to the conservation of the fluvial/aeolian processes. These acquisition lands also included conservation of fringe-toed lizard designated critical habitat.

Since 2000, development in the area has precluded the ability of the Corps to implement the project evaluated in 2000, specifically, the Xavier College Preparatory High School and the Classic Club Golf Course were built within the levee alignment analyzed in our 2000 biological opinion. We contacted the Corps in April 2004 to express our concerns, and we received information that showed extensive redesign of the flood control project to account for the development. We sent a letter to the Corps in October 2004 (FWS-ERIV-807.2), outlining our concerns regarding the proposed redesign. Our letter indicated that the changes being considered by the Corps would directly eliminate an additional 440 acres and indirectly degrade at least 150 acres of fringe-toed lizard and milk-vetch habitat, and alter the ecological processes (fluvial/aeolian sand source and transport) contributing to blow sand habitat on the Refuge and Preserve beyond what was contemplated in our 2000 biological opinion.

On October 1, 2008, we issued a section 10(a)(1)(B) permit for the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), which establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. Permittees ensure covered activities are consistent with the CVMSHCP, its associated Implementing Agreement, and permit. The CVMSHCP lists the 2000 flood control project as a covered activity under the 2008 permit assuming the project is consistent with the terms and conditions of the section 7 consultation for the flood control project, which were provided in the biological opinion we issued to the Corps in September 2000.

In our 2008 biological opinion for the CVMSHCP, we developed evaluation assumptions to clarify any unclear intent, statements, or interpretations in evaluating the CVMSHCP's impacts to covered species. One of those assumptions stated that any flood control facilities constructed that related to the planned Thousand Palms Flood Control Project in the Thousand Palms area would be developed consistent with the designs, potential impacts, and conservation analyzed in our Biological Opinion on the Whitewater River/Thousand Palms Flood Control Project (1-06-00-F-46). Any related project contracts, approvals, or funding would be consistent with that biological opinion. Additionally, the effects analysis in the 2008 biological opinion for the fringe-toed lizard stated that any inconsistencies with planned activities for the flood control project and the 2000 biological opinion would be addressed through the section 7 consultation process, including reinitiation of consultation by the Corps where appropriate (Service 2008).

Changes to the flood control project analyzed in our 2000 biological opinion that are now being considered by the Corps would likely exceed the amount and extent of incidental take authorized, and the proposed modifications would cause an effect to listed species and critical habitat in a manner not considered in the biological opinion. Therefore, the Corps will need to reinitiate the 2000 biological opinion to update the project description consistent with the new design and alignment location, and describe the additional impact to fluvial/aeolian sand source and sand transport resources that support the fringe-toed lizard and milk-vetch in the Refuge and Thousand Palms conservation area.

Recommendations

The sand source/transport system for the Refuge and Preserve is highly constrained by existing levels of development, and the biological integrity of those areas is vulnerable to additional development that encroaches on the sand source/transport corridor. Unlike some ecological community types, impacts to the sand source/transport system cannot be offset through creation of new habitats. Additionally, previous studies have concluded that the washes draining the southern flank of the Indio Hills contribute to most of the aeolian sand deposited on the Refuge and Preserve (Lancaster et al. 1993, Meek and Waskiewicz 1993, and Simons et al. 1997). These studies also suggest that since about 1953, sand blown materials within the Refuge and Preserve have been decreasing, likely due to changes in the frequency, magnitude, and duration of precipitation events. We conclude from this analysis that the net loss of active aeolian environments, experienced over the past few decades, is

likely to continue unless there is a significant change in the hydrology of the watersheds in the Indio Hills region.

Our early involvement and project design recommendations were developed with these constraints and existing conditions in mind, and resulted in the flood control project we analyzed in our 2000 biological opinion. Any plans to revise the alignment or design of the flood control project will also need to incorporate these constraints and conditions and new flood control designs will need to ensure the alignment does not alter the current fluvial/aeolian processes that supply blow sand to the dunes that support the fringe-toed lizard and milk-vetch. Therefore, the draft EIS/EIR should assess the Project's potential to alter existing fluvial and aeolian processes that supply sand to the Indio Hills alluvial fan; evaluate changes to the hydrology to ensure alignments do not increase the rate of erosion and/or lead to loss of fine sand deposition on the Indio Hills alluvial fan and loss of blow sand to the Refuge and Preserve; and evaluate the potential loss of blow sand into the proposed flood control channels and how that loss would effect sand accumulation on the Refuge.

Because the studies used to evaluate the fluvial and aeolian processes in the area were conducted more than 15 year ago, we recommend the previous studies be refined and updated to incorporate current methods and refined models to better estimate the fluvial sediment deposition rates on the Indio Hills upper alluvial fan and blow sand depositional rates in the Refuge and Preserve.

Because of the aforementioned constraints and conditions, we recommend Project alternatives consider conserving as much of the Indio Hills alluvial fan areas that currently provide blow sand to the Refuge and Preserve to ensure existing blow sand habitat areas are maintained to support fringe-toed lizard and milk-vetch. Ideally, the Project would maintain or increase the amount of fine sands deposited onto the Indio Hills alluvial fan and maintain the current sand transport corridor. Also, solutions that maintain naturally functioning systems would be preferred over those that would require annual funding, management, and human intervention in perpetuity.

Coachella Valley Multiple Species Habitat Conservation Plan Consistency

The current flood control redesign has shifted the alignment north of the SCE transmission line corridor and closer to the Preserve/Refuge boundary. The CVMSHCP discusses the flood control project in section 4.3.11, which stated the final project design had not been completed, so the precise alignment for the project had not been determined and that the final project alignment could cause a minor adjustment of the conservation area boundary such that the levees would not be in the conservation area, but would define the edge of the area. However, the adjustment in the Thousand Palms conservation area boundary as a result of the flood control project realignment does not appear to constitute a minor adjustment based on an increase in the loss of fringe-toed lizard and milk-vetch habitat and potential alterations to the fluvial/aeolian processes that support that habitat. Our concerns about whether the realignment constituted a minor adjustment were conveyed in a July 2009 letter we sent to the Coachella Valley Water District

(FWS-ERIV-09B0379-09TA1033). The draft EIS/EIR should include an analysis calculating the loss to covered species and natural communities in the Thousand Palms conservation area based on the realignment and whether the loss would exceed allocated take acreages and impede conservation objectives for covered species and natural communities occurring in the conservation area. Specifically, parcels within the conservation area have been acquired for conservation, and several of these parcels appear to be south of the new project alignment; therefore, they would no longer support fluvial/aeolian processes and would no longer be appropriate for inclusion in the Thousand Palms conservation area. Additionally, there are conservation objectives for active desert sand fields, mesquite hummocks, and areas within land sections 7 and 8 (Public Land Survey System) that may not be achievable due to the new project alignment.

National Wildlife Refuge Impacts

The Refuge was established to protect the fringe-toed lizard and the ecosystem it depends upon and includes the majority of fringe-toed lizard designated critical habitat. The Refuge and the Thousand Palms conservation area protect the largest remaining undeveloped sand dune ecosystem within the Coachella Valley.

The 2000 flood control project design incorporated 500-foot setbacks from the existing Refuge boundary along the Wind Corridor and Cook Street levees to assure the 100-year flows would not be increased and that scour would not be induced on the Refuge as a result of the project. The redesign has moved the channels and levees closer to the Refuge boundary, which will directly impact portions of the Refuge. These direct effects were not anticipated in our 2000 biological opinion. This potential encroachment will lead to legal and landownership conflicts. These effects to the Refuge will need to be analyzed and offset to ensure the ecological processes and habitats for the fringe-toed lizard remain intact on the wildlife Refuge.

We appreciate the opportunity to provide comments on the Public Notice and we are available to provide assistance with designing project alternatives to ensure ecological processes are maintained and the Refuge and Preserve continue to support fringe-toed lizards and milk-vetch. If you have questions or comments regarding this letter, please contact Felicia Sirchia at 760-322-2070, or Chris Schoneman at 760 348-5278.

Sincerely,

for

Kennon A. Corey
Assistant Field Supervisor

**Literature Cited**

U.S. Army Corps of Engineers (Corps). 1997. Draft Baseline Conditions Environmental Impact Statement/ Environmental Impact Report, Whitewater River Basin (Thousand Palms) Flood Control Project. Unpublished draft report prepared for the Corps by Aspen Environmental Group, Agoura Hills, California. July 1997.

Lancaster, N., J.R. Miller, and L. Zonge. 1993. Geomorphic evolution and sediment transport dynamics of eolian terrains in the Coachella Valley Preserve system, south-central California. Unpublished report prepared by the Quaternary Sciences Center, Desert Research Institute, Reno, Nevada. December 1993.

Meek, N., and T. Waskiewicz. 1993. Final report on the sand sources of the Coachella Valley fringe-toed lizard habitat. Unpublished Report.

Simons, Li & Associates, Inc. 1997. Sand Migration Impact Evaluation for the Thousand Palms Flood Control Project: Volumes I and II. Prepared for the U. S. Army Corps of Engineers, Los Angeles District, California. February 1997.

U.S. Fish and Wildlife Service (Service). 2008. Intra-Service formal section 7 consultation for issuance of a section 10(a)(1)(B) (TE-104604-0) incidental take permit under the Endangered Species Act for the Coachella Valley Multiple Species Habitat Conservation Plan, Riverside County, California. Carlsbad, California.

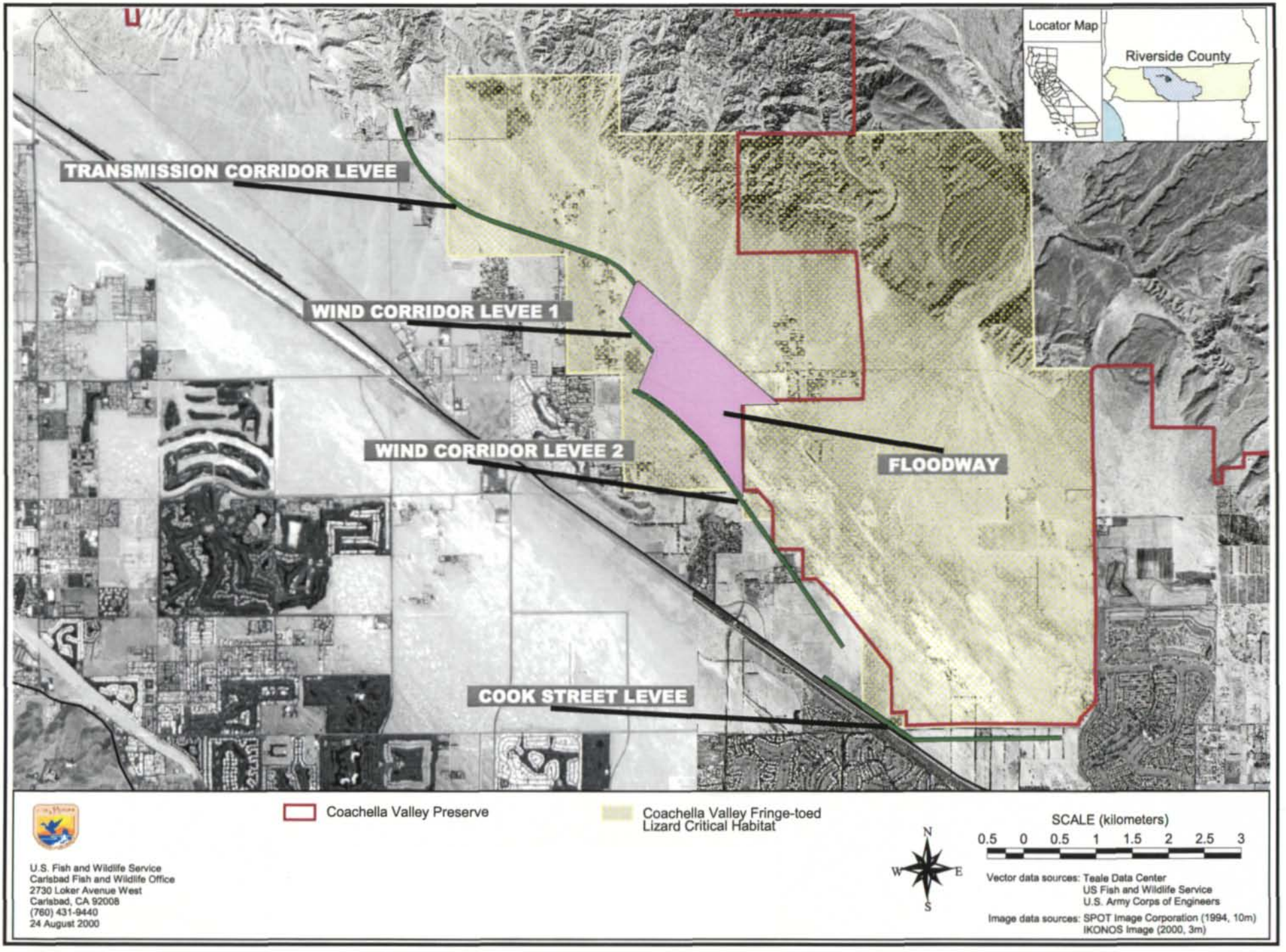


Figure 1 - 2000 Proposed Project

Orig +c. L. STOWE
IC-ENVIRONMENTAL SERVICES
IC-ENGINEERING

REC'D
NOV 29 2016
CVWD

STATE OF CALIFORNIA

# GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

**Notice of Preparation**

November 18, 2016

**File: 0110.06**
**0141.**
**0163.1**

To: Reviewing Agencies

Re: Thousand Palms Flood Control Project
SCH# 2016111053

Attached for your review and comment is the Notice of Preparation (NOP) for the Thousand Palms Flood Control Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Luke Stowe**
**Coachella Valley Water District**
**75515 Hovley Lane East**
**Palm Desert, CA 92211**

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

4
SCANNED

# Document Details Report
# State Clearinghouse Data Base

**SCH#** 2016111053
**Project Title** Thousand Palms Flood Control Project
**Lead Agency** Coachella Valley Water District

**Type** NOP Notice of Preparation

**Description** The Project includes a series of flood control improvement structures (levees) designed to meet the Federal Emergency Management Agency (FEMA) 0.01 chance, or 100-year, flood event thereby providing flood protection for developed and planned development areas in Thousand Palms and the vicinity. The Project consists of four segments (reaches) composed of levees, channels, culverts, and a sediment basin. The project would support aeolian (wind-driven) and fluvial (water-driven) transport of sand to the Coachella Valley Preserve and Coachella Valley National Wildlife Refuge. Fine sands located in this area provide habitat for the state endangered and federally threatened Coachella Valley Fringe-Toed Lizard and other sensitive sand dwelling species.

## Lead Agency Contact

**Name** Luke Stowe
**Agency** Coachella Valley Water District
**Phone** 760-398-2651 **Fax**
**email**
**Address** 75515 Hovley Lane East
**City** Palm Desert **State** CA **Zip** 92211

## Project Location

**County** Riverside
**City**
**Region**
**Cross Streets**
**Lat / Long** 33° 48' 8" N / 116° 21' 17" W
**Parcel No.** multiple
**Township** **Range** **Section** **Base**

## Proximity to:

**Highways** I-10
**Airports** Bermuda Dunes
**Railways** UPRR
**Waterways** Whitewater River/Coachella Valley Storm Channel
**Schools** 5
**Land Use** Open Space, Residential, Recreational, Light Industrial, Conservation Habitat

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Growth Inducing; Cumulative Effects; Other Issues

**Reviewing** Colorado River Board; Office of Historic Preservation; Department of Parks and Recreation;

Print Form

Appendix C

2016111053

# Notice of Completion & Environmental Document Transmittal

*Mail to:* State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
*For Hand Delivery/Street Address:* 1400 Tenth Street, Sacramento, CA 95814

**SCH #**

**Project Title:** Thousand Palms Flood Control Project

Lead Agency: Coachella Valley Water District | Contact Person: Luke Stowe

Mailing Address: 75515 Hovley Lane East | Phone: 760-398-2651

City: Palm Desert | Zip: 92211 | County: Riverside

**Project Location:** County: Riverside | City/Nearest Community: Thousand Palms

Cross Streets: | Zip Code:

Longitude/Latitude (degrees, minutes and seconds): 33 ° 48 ′ 8 ″ N / 116 ° 21 ′ 17 ″ W Total Acres:

Assessor's Parcel No.: multiple | Section: | Twp.: | Range: | Base:

Within 2 Miles: State Hwy #: Interstate-10 | Waterways: Whitewater River/Coachella Valley Storm Channel

Airports: Bermuda Dunes | Railways: Union Pacific | Schools: 5

**Document Type:**

CEQA: ☒ NOP ☐ Draft EIR | NEPA: ☒ NOI | Other: ☒ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR | ☐ EA | ☐ Final Document
☐ Neg Dec (Prior SCH No.) | ☐ Draft EIS | ☐ Other:
☐ Mit Neg Dec Other: | ☐ FONSI

Governor's Office of Planning & Research
NOV 18 2016
STATE CLEARINGHOUSE

**Local Action Type:**

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☒ Other: Flood Control

**Development Type:**

☐ Residential: Units Acres
☐ Office: Sq.ft. Acres Employees ☐ Transportation: Type
☐ Commercial: Sq.ft. Acres Employees ☐ Mining: Mineral
☐ Industrial: Sq.ft. Acres Employees ☐ Power: Type MW
☐ Educational: ☐ Waste Treatment: Type MGD
☐ Recreational: ☐ Hazardous Waste: Type
☒ Water Facilities: Type Levee MGD ☐ Other:

**Project Issues Discussed in Document:**

☒ Aesthetic/Visual ☐ Fiscal ☒ Recreation/Parks ☒ Vegetation
☒ Agricultural Land ☒ Flood Plain/Flooding ☒ Schools/Universities ☒ Water Quality
☒ Air Quality ☒ Forest Land/Fire Hazard ☐ Septic Systems ☒ Water Supply/Groundwater
☒ Archeological/Historical ☒ Geologic/Seismic ☐ Sewer Capacity ☒ Wetland/Riparian
☒ Biological Resources ☒ Minerals ☒ Soil Erosion/Compaction/Grading ☒ Growth Inducement
☐ Coastal Zone ☒ Noise ☐ Solid Waste ☒ Land Use
☒ Drainage/Absorption ☒ Population/Housing Balance ☒ Toxic/Hazardous ☒ Cumulative Effects
☐ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☒ Other: Sand Migration

**Present Land Use/Zoning/General Plan Designation:**

Open Space, Residential, Recreational, Light Industrial, Conservation Habitat.

**Project Description:** *(please use a separate page if necessary)*

The Project includes a series of flood control improvement structures (levees) designed to meet the Federal Emergency Management Agency (FEMA) 0.01 chance, or 100-year, flood event thereby providing flood protection for developed and planned development areas in Thousand Palms and the vicinity. The Project consists of four segments (reaches) composed of levees, channels, culverts, and a sediment basin. The Project would support aeolian (wind-driven) and fluvial (water-driven) transport of sand to the Coachella Valley Preserve and Coachella Valley National Wildlife Refuge. Fine sands located in this area provide habitat for the state endangered and federally threatened Coachella Valley Fringe-Toed Lizard and other sensitive sand dwelling species.

*Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.*

## NOP Distribution List

**County:** RIVERSIDE (9R)

**SCH#** 2016111053

### Resources Agency

- [x] **Resources Agency**
  Nadell Gayou
- [ ] **Dept. of Boating & Waterways**
  Denise Peterson
- [ ] **California Coastal Commission**
  Elizabeth A. Fuchs
- [x] **Colorado River Board**
  Lisa Johansen
- [x] **Dept. of Conservation**
  Elizabeth Carpenter
- [ ] **California Energy Commission**
  Eric Knight
- [ ] **Cal Fire**
  Dan Foster
- [ ] **Central Valley Flood Protection Board**
  James Herota
- [x] **Office of Historic Preservation**
  Ron Parsons
- [x] **Dept of Parks & Recreation**
  Environmental Stewardship Section
- [ ] **California Department of Resources, Recycling & Recovery**
  Sue O'Leary
- [ ] **S.F. Bay Conservation & Dev't. Comm.**
  Steve Goldbeck
- [x] **Dept. of Water Resources**
  Resources Agency
  Nadell Gayou

### Fish and Game

- [ ] **Depart. of Fish & Wildlife**
  Scott Flint
  Environmental Services Division
- [ ] **Fish & Wildlife Region 1**
  Curt Babcock
- [ ] **Fish & Wildlife Region 1E**
  Laurie Harnsberger
- [ ] **Fish & Wildlife Region 2**
  Jeff Drongesen
- [ ] **Fish & Wildlife Region 3**
  Craig Weightman
- [ ] **Fish & Wildlife Region 4**
  Julie Vance
- [ ] **Fish & Wildlife Region 5**
  Leslie Newton-Reed
  Habitat Conservation Program
- [x] **Fish & Wildlife Region 6**
  Tiffany Ellis
  Habitat Conservation Program
- [ ] **Fish & Wildlife Region 6 I/M**
  Heidi Calvert
  Inyo/Mono, Habitat Conservation Program
- [ ] **Dept. of Fish & Wildlife M**
  William Paznokas
  Marine Region

### Other Departments

- [ ] **Food & Agriculture**
  Sandra Schubert
  Dept. of Food and Agriculture
- [ ] **Depart. of General Services**
  Public School Construction
- [ ] **Dept. of General Services**
  Cathy Buck/George Carollo
  Environmental Services Section
- [ ] **Delta Stewardship Council**
  Kevan Samsam
- [ ] **Housing & Comm. Dev.**
  CEQA Coordinator
  Housing Policy Division

### Independent Commissions,Boards

- [ ] **Delta Protection Commission**
  Erik Vink
- [x] **OES (Office of Emergency Services)**
  Monique Wilber
- [x] **Native American Heritage Comm.**
  Debbie Treadway
- [x] **Public Utilities Commission**
  Supervisor
- [ ] **Santa Monica Bay Restoration**
  Guangyu Wang
- [x] **State Lands Commission**
  Jennifer Deleong
- [ ] **Tahoe Regional Planning Agency (TRPA)**
  Cherry Jacques

### Cal State Transportation Agency CalSTA

- [x] **Caltrans - Division of Aeronautics**
  Philip Crimmins
- [ ] **Caltrans – Planning HQ LD-IGR**
  Terri Pencovic
- [x] **California Highway Patrol**
  Suzann Ikeuchi
  Office of Special Projects

### Dept. of Transportation

- [ ] **Caltrans, District 1**
  Rex Jackman
- [ ] **Caltrans, District 2**
  Marcelino Gonzalez
- [ ] **Caltrans, District 3**
  Eric Federicks – South
  Susan Zanchi - North
- [ ] **Caltrans, District 4**
  Patricia Maurice
- [ ] **Caltrans, District 5**
  Larry Newland
- [ ] **Caltrans, District 6**
  Michael Navarro
- [ ] **Caltrans, District 7**
  Dianna Watson
- [x] **Caltrans, District 8**
  Mark Roberts
- [ ] **Caltrans, District 9**
  Gayle Rosander
- [ ] **Caltrans, District 10**
  Tom Dumas
- [ ] **Caltrans, District 11**
  Jacob Armstrong
- [ ] **Caltrans, District 12**
  Maureen El Harake

### Cal EPA

**Air Resources Board**

- [ ] Airport & Freight
  Cathi Slaminski
  - [ ] Transportation Projects
    Nesamani Kalandiyur
  - [ ] Industrial/Energy Projects
    Mike Tollstrup
- [ ] **State Water Resources Control Board**
  Regional Programs Unit
  Division of Financial Assistance
- [ ] **State Water Resources Control Board**
  Cindy Forbes – Asst Deputy
  Division of Drinking Water
- [ ] **State Water Resources Control Board**
  **Div. Drinking Water #**_____
- [ ] **State Water Resources Control Board**
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] **State Water Resouces Control Board**
  Phil Crader
  Division of Water Rights
- [ ] **Dept. of Toxic Substances Control**
  CEQA Tracking Center
- [ ] **Department of Pesticide Regulation**
  CEQA Coordinator

### Regional Water Quality Control Board (RWQCB)

- [ ] **RWQCB 1**
  Cathleen Hudson
  North Coast Region (1)
- [ ] **RWQCB 2**
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] **RWQCB 3**
  Central Coast Region (3)
- [ ] **RWQCB 4**
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] **RWQCB 5S**
  Central Valley Region (5)
  - [ ] **RWQCB 5F**
    Central Valley Region (5)
    Fresno Branch Office
  - [ ] **RWQCB 5R**
    Central Valley Region (5)
    Redding Branch Office
- [ ] **RWQCB 6**
  Lahontan Region (6)
  - [ ] **RWQCB 6V**
    Lahontan Region (6)
    Victorville Branch Office
- [x] **RWQCB 7**
  Colorado River Basin Region (7)
- [ ] **RWQCB 8**
  Santa Ana Region (8)
- [ ] **RWQCB 9**
  San Diego Region (9)

- [ ] **Other** _____
  _____
  _____
- [ ] _____
  Conservancy

Last Updated 7/19/2016

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-5471
Email: nahc@nahc.ca.gov
Website: http://www.nahc.ca.gov
Twitter: @CA_NAHC

Edmund G. Brown Jr., Governor

November 28, 2016

Luke Stowe
Coachella Valley Water District
75515 Hovley Lane East
Palm Desert, CA 92211

sent via e-mail:
lstowe@cvwd.org

RE: SCH# 2016111053; Thousand Palms Flood Control Project, Notice of Preparation for Draft Environmental Impact Report, Riverside County, California

Dear Mr. Stowe:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

**CEQA was amended significantly in 2014**. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate category of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws**.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
    - **a.** A brief description of the project.
    - **b.** The lead agency contact information.
    - **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).

d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
   a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
   a. Alternatives to the project.
   b. Recommended mitigation measures.
   c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
   a. Type of environmental review necessary.
   b. Significance of the tribal cultural resources.
   c. Significance of the project's impacts on tribal cultural resources.
   d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
   a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
   b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
   a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
   b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:
    i. Planning and construction to avoid the resources and protect the cultural and natural context.
    ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    i. Protecting the cultural character and integrity of the resource.
    ii. Protecting the traditional use of the resource.
    iii. Protecting the confidentiality of the resource.
c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
    a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
    b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
    c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

    *This process should be documented in the Cultural Resources section of your environmental document.*

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason,

we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have been already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
    b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
    a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
    b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
    a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
    b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
    c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

cc: State Clearinghouse

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

December 7, 2016

lstowe@cvwd.org
Luke Stowe, Environmental Supervisor
Coachella Valley Water District
P.O. Box 1058
Coachella, CA 92236

**Notice of Preparation of a CEQA Document for the**
**Thousand Palms Flood Control Project**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft EIR. Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the Draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

**Air Quality Analysis**

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. More recent guidance developed since this Handbook was published is also available on SCAQMD's website here: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD staff requests that the lead agency quantify criteria pollutant emissions and compare the results to the recommended regional significance thresholds found here: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf. In addition to analyzing regional air quality impacts, the SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a Draft EIR document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Perspective*, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Finally, should the proposed project include equipment that generates or controls air contaminants, a permit may be required and the SCAQMD should be listed as a responsible agency and consulted. The assumptions in the submitted Draft EIR would also be the basis for permit conditions and limits. Permit questions can be directed to the SCAQMD Permit Services staff at (909) 396-3385, who can provide further assistance.

**Mitigation Measures**

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Mitigation Measure resources are available on the SCAQMD CEQA Air Quality Handbook website: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook

**Data Sources**

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's webpage (http://www.aqmd.gov).

The SCAQMD staff is available to work with the lead agency to ensure that project emissions are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact Jack Cheng, Air Quality Specialist by e-mail at jcheng@aqmd.gov or by phone at (909) 396-2448.

Sincerely,

*Jillian Wong*

Jillian Wong, Ph.D.
Planning and Rules Manager
Planning, Rule Development & Area Sources

JC:JW
RVC161122-06
Control Number

| | |
|---|---|
| **From:** | Melanson,Michael A |
| **To:** | Lynch, Michelle R CIV USARMY CESPL (US) |
| **Subject:** | [EXTERNAL] Notice of Intent to Prepare a Draft Environmental Statement for the proposed Thousand Palms Flood Control Project (Corps File No. SPL-2014-00238-RJV) |
| **Date:** | Wednesday, November 09, 2016 1:40:23 PM |

Ms. Lynch:

I received the notice referenced above in the Federal Register today and am trying to determine whether this project has the potential to impact Metropolitan facilities in the general vicinity of Thousand Palms, specifically the Colorado River Aqueduct and ancillary access and patrol roads. If there is a map available of the proposed project area and facilities that I could review to make such determination that would be very helpful.

Thanks you for your time and attention.

Mike

Michael A. Melanson
Principal Environmental Specialist
Metropolitan Water District of Southern California
1121 L Street, Suite 900
Sacramento CA 95814-3974
Office (916) 650-2648
Cell (916) 217-6319

## Lisa Blewitt

**From:** Luke Stowe <LStowe@cvwd.org>
**Sent:** Wednesday, December 14, 2016 8:10 AM
**To:** Elizabeth Meyerhoff; Lisa Blewitt; Chris Huntley; Tesfaye Demissie; David Wilson; Dan Charlton; Steve Bigley; Shelly Lynch (Michelle.R.Lynch@usace.army.mil)
**Subject:** FW: Thousand Palms Flood Control Project

FYI

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**From:** Cunningham, Kevin [mailto:kcunningham@rcflood.org]
**Sent:** Wednesday, December 14, 2016 8:07 AM
**To:** Luke Stowe
**Cc:** Flanigan, Kris
**Subject:** Thousand Palms Flood Control Project

Dear Mr. Stowe,
This email is written in response to the Notice of Preparation (NOP)/ Notice of Intent (NOI)/ Notice of Public Scoping Meeting for the Thousand Palms Flood Control Project. The Coachella Valley Water District (CVWD) and the U.S. Army Corps of Engineers (USACE) are proposing to construct a series of flood control improvements to address the increased need for flood control that has occurred over recent years as the Coachella Valley continues to develop. Components of the project would include levees, channels, culverts and a sediment basin. The proposed treatment facilities would be located in the Thousand Palms area of the Coachella Valley between Indio Hills and Interstate 10. The Riverside County Flood Control and Water Conservation District's (District) has reviewed the NOP/NOI and has the following comment:

> The project appears to be located outside the District's boundaries however we would like to receive a copy of the draft environmental document when it becomes available for public review. Please submit a copy to the District to my attention at 1995 Market Street, Riverside CA, 92501.

Thank you for the opportunity to review the NOP/NOI. For our record keeping purposes, we request that you acknowledge receipt of this email. If you have any questions concerning this email, I may be contacted at 951.955.1526. You may also contact Kris Flanigan at 951.955.8581.

Kevin Cunningham
Associate Flood Control Planner
***Environmental Regulatory Services 2***
Riverside County Flood Control
& Water Conservation District

Office: 951.955.1526
Fax: 951.788.9965

(Click on the logo above to directly connect to the website.)

# COUNTY OF RIVERSIDE
## *TRANSPORTATION AND LAND MANAGEMENT AGENCY*

*Juan C. Perez, P.E., T.E.*
*Transportation and Land Management Agency Director*

*Patricia Romo, P.E.*
*Director of Transportation*

## Transportation Department


February 8, 2017

Luke Stowe, Environmental Supervisor
Coachella Valley Water District
P.O. Box 1058
Coachella, CA 92236

RE: **Environmental Impact Report and Environmental Impact Statement for Thousand Palms Flood Control Project**

Dear Mr. Stowe:

Thank you for notifying the Riverside County Transportation Department (County) for the preparation of a joint Environmental Impact Report and Environmental Impact Statement (EIR/EIS) by Coachella Valley Water District and U.S. Army Corps of Engineers for the Thousand Palms Flood Control Project. The project is generally situated in the Thousand Palms area of Coachella Valley, within north-central Riverside County between the Indio Hills and Interstate 10 (I-10).

County supports the proposed project which consists of a series of flood control improvements to meet the Federal Emergency Management Agency (FEMA) 100-year flood event thereby providing flood protection for developed and planned development areas in Thousand Palms and the vicinity.

Please remember if the project encroaches upon or utilizes County road rights-of-way, the County would require the project proponent to obtain an encroachment permit. In addition to the encroachment permit the project proponent may be required to prepare a traffic control plan for construction traffic.


4080 Lemon Street, 8th Floor · Riverside, CA 92501 · (951) 955-6740
P.O. Box 1090 · Riverside, CA 92502-1090 · FAX (951) 955-3198

Thank you again for the opportunity to review the EIR/EIS. Please contact me at (951) 955-2016 with questions or comments.

Sincerely,

Russell Williams

Russell Williams
Development Review Manager

RW:TT:rg

cc: Juan C. Perez, Director of Transportation and Land Management
Patricia Romo, Director of Transportation
Mojahed Salama, Deputy Director of Transportation

December 19, 2016

Mr. Luke Stowe
Environmental Supervisor
Coachella Valley Water District
P.O. Box 1058
Coachella, CA 92236

SUBJECT: NOP of an EIR/EIS for the Thousand Palms Flood Control Project

Dear Mr. Stowe:

Pursuant to the Coachella Valley Water District and the U.S. Army Corps of Engineers' Notice of Preparation of a joint Environmental Impact Report and Environmental Impact Statement for the Thousand Palms Flood Control Project, where the project, consisting of four reaches, is comprised of a series of flood control improvements designed to meet the Federal Emergency Management Agency's 100-year flood event and provide protection for developed and planned development areas in Thousand Palms, CA and its surrounding areas within north-central Riverside County, and also support continued aeolian transport of sand to the Coachella Valley Preserve and enhance habitat for the Coachella Valley fringe-toed lizard; the Imperial Irrigation District has reviewed the notice and has the following comments:

1. An initial review of the project location map suggests possible conflicts between the IID's 230 kV KN&KS transmission line and the proposed sediment basin located at the downstream end of Reach 1 and the levee at the north end of Reach 2. To better determine if indeed conflicts will result, please provide more detailed geographic information on the project components.

2. 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.

3. 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 and all 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
Environmental Regulatory
Compliance Administrator

Kevin Kelley – General Manager
Mike Pacheco – Manager, Water Dept.
Vicken Kasarjian – Manager, Energy Dept.
Jamie Asbury – Deputy Energy Manager, Critical Business & Regulatory Affairs
Vance Taylor – Asst. General Counsel
Robert Laurie – Asst. General Counsel
Jesse Montaño – Transmission, Planning and Engineering Oversight
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

**Stantec Consulting Services Inc.**
46 Discovery Suite 250, Irvine CA 92618-3133

December 15, 2016
File: 2042525900

**Attention: Mr. Luke Stowe**
Coachella Valley Water District
P.O. Box 1058
Coachella, CA 92236

Dear Mr. Stowe,

**Reference: Thousand Palms Flood Control Project**

On behalf of our client, the H. N. and Frances C. Berger Foundation (Berger Foundation), Stantec has reviewed the proposed levee and channel alignment for the Thousand Palms Flood Control Project (Project) as presented at the Public Scoping Meeting held at the Thousand Palms Community Center on December 6, 2016.

As a part of this review, Stantec considered the announcement of the Public Scoping Meeting, the accompanying Project Location Map and other technical reports previously provided by the Coachella Valley Water District (CVWD). The handout depicted the approximate Project alignment as well as identified the location of portions of the Thousand Palms Conservation Area and the Coachella Valley Preserve. Stantec understands that the Project will intercept flood water and debris flows from the local canyons and alluvial fans that are tributary to the Thousand Palms area of unincorporated Riverside County.

In general, the Berger Foundation believes that the Project, as presented, would have significant adverse impacts to the Berger Foundation properties, and alternatives should be considered that maximize the benefits of the Project while minimizing the Project cost and impacts. Therefore, Stantec has developed a list of comments that include viable Project alternatives intended to advance the Project towards these goals. Our comments are provided below.

**Comment No. 1:**

The Project alignment requires multiple property acquisitions north of the Classic Club Golf Course (Golf Course). The benefits to the Project associated with these land acquisitions should be defined with respect to cost and public impact. Several of these properties provide public use and education benefits to the community.

An alternative alignment is depicted on Figure 1, attached to this letter. The alternative alignment would utilize a localized area along the boundary of the Conservation Area and Preserve that may not have any significant benefit to wildlife given its proximity to urban populations. The alternative Project alignment would be passive in nature and serve to restrict public access to wildlife areas without the added cost of acquiring right-of-way.

**Reference: Thousand Palms Flood Control Project**

**Comment No. 2:**

The Project does not propose to control the conveyance of sediment and debris into the Golf Course. Therefore, there will be significant cost and loss of revenue associated with debris removals from the bottom of lakes and fairways after a significant storm event.

A Project alternative should be considered that includes the placement of a debris basin upstream of the Golf Course. The cost and impacts of the basin should be compared to the long term operational costs associated with maintaining the Golf Course conveyance capacity and operability. Construction of a debris basin would also benefit the Project by providing a source of soil for the construction of the levee portions of the Project. A suggested location for the debris basin is depicted on Figure 1.

**Comment No. 3:**

The Project proposes to pass the 100-year design storm event through the Golf Course. As such, the safe conveyance of the 100-year peak discharge is dependent upon the perpetual maintenance of the Golf Course in its pre-Project condition. In the event that flow is conveyed through the Golf Course and significant damage results, or should the Golf Course not continue to be maintained in its pre-Project condition, a significant breach of Project flood protection would probably occur.

Therefore, a Project alternative should consider a bypass of the Golf Course along its northerly boundary. This alternative would preserve the integrity of the Project in the event that the Golf Course were to fall into a state of disrepair resulting in the loss of the protective turf lining. The cost of constructing this alternative, as compared to the future cost associated with repair and restoration of the Golf Course, would make the proposed northerly boundary alignment a better and lesser cost alternative.

This alternative alignment would utilize a localized area along the boundary of Wildlife Refuge that presently serves as an interface between public and wildlife areas. The Project would be passive in nature and serve to restrict public access to wildlife areas without the added cost of acquiring right-of-way for the alternative.

This alternative alignment is shown on Figure 2.

**Comment No. 4:**

Prior development projects, including the Xavier College Preparatory High School, were constructed under CVWD requirements to conform with current FEMA flood depths, which indicate flood depths of approximately 2 feet in the areas upstream of the Golf Course. Analyses performed in support of the Project indicate a significant increase in the

magnitude of Riverine Flow. As a result, flood depths have increased to approximately 4 feet. The environmental document should address the Project's plans to mitigate this increased flow as well as impacts to existing developments, and identify future projects intended to address this issue.

**Comment No. 5:**

Increases in Riverine Flow rates in combination with the Project alluvial fan flow rates may exceed the design capacity of the Golf Course and/or cause damage to the Golf Course that jeopardizes its ability to safely convey flood water. Detailed hydraulic analyses, consistent with those used to design the Golf Course conveyance should be performed to assess velocity, depth, and base-shear values throughout the Golf Course reach under combined flow conditions. In the event that such analyses indicate adverse effects to the Golf Course, appropriate mitigation measures should be developed.

**Comment No. 6:**

The hydraulic analyses performed to date for the Project have considered existing condition topography that has been translated into a digital terrain model. The environmental document should address alluvial fan characteristics including the randomized nature of alluvial fan flows caused by lateral erosion and avulsions on the fan surface. In the event that lateral erosion causes changes in the existing topography, flow rates and debris volumes tributary to the Golf Course may be significantly increased over those identified in current hydraulic analyses. As such, the alternative proposed in Comment No. 3 above would mitigate this potential impact.

**Comment No. 7:**

A recent determination was made for the Blow Sand Augmentation Area that is located within the Coachella Valley Preserve. This determination indicated that the area was not suitable habitat for the wildlife being protected by the preserve.

The portions of the proposed alternative alignments shown on Figures 1 and 2 that are located within the preserve are situated less central to the preserve area than the Blow Sand Area. Elements of these alternative alignments are situated along the interface area with the preserve that routinely experience human and vehicular traffic associated with operating and maintenance activities. As such, a similar determination should be made for these alternative alignments or support for a non-determination should be provided.

**Reference: Thousand Palms Flood Control Project**

**Comment No. 8:**

The Project proposes to deliver flow and debris to the Golf Course, which may result in significant damage without provision for maintenance or repair in the event that such damage were to occur. As such, the Project description should include provisions for entering into an agreement with the Berger Foundation that provides for the immediate repair of the Golf Course should damage be caused by the Project. Damages could include debris depositions, turf removals, scour and erosion. Such damage would result in loss of use of the facility and loss of revenue.

At this time, the Berger Foundation is requesting that these comments and alternatives be evaluated in the subsequent Environmental Impact Report and Environmental Impact Statement phases of the Project. Furthermore, the Berger Foundation requests that specific responses to these comments be provided in writing and reserves the right to provide additional comments upon their review of the forthcoming environmental documents.

Should you have any questions regarding these comments, please feel free to contact me at (949) 474-1401, ext. 224.

Regards,

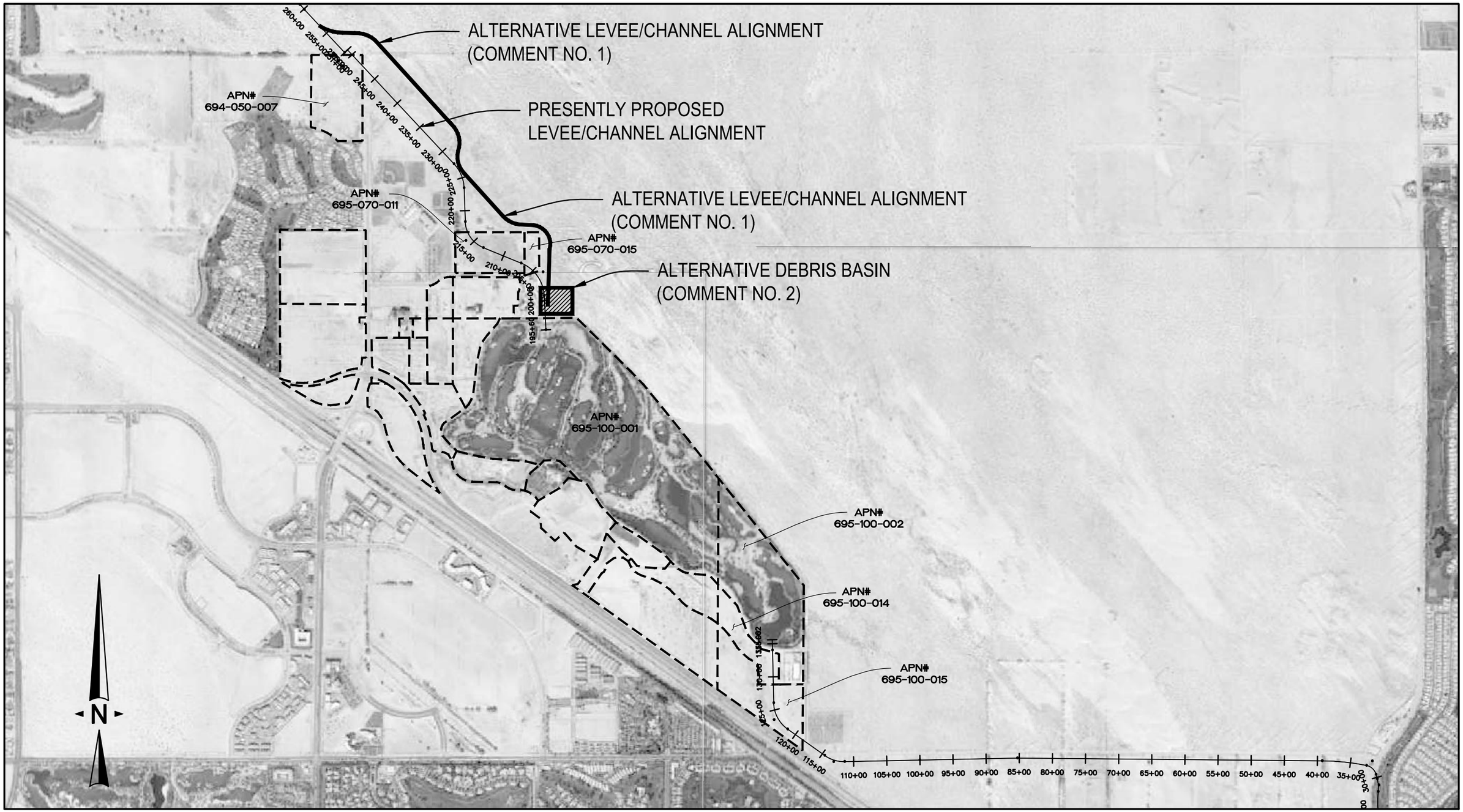
**STANTEC CONSULTING SERVICES INC.**

Dan Villines, PE
Senior Associate
Phone: (949) 474-1401 ext 224
dan.villines@stantec.com

Attachment: Figures 1 and 2

c. Berger Foundation

vd document1




GRAPHIC SCALE

0 1400 2800

SCALE: 1" = 1400'

Stantec
46 DISCOVERY, SUITE 250
IRVINE, CA 92618
(949) 474-1400 TEL
(949) 261-8482 FAX

COMMUNITY OF THOUSAND PALMS
RIVERSIDE COUNTY, CA

# ALTERNATIVE ALIGNMENTS COMMENTS NOS. 1 + 2

DATE
12/16

FIGURE
1

DWG: Z:\Project\Thousand Palms\Exhibits\EXH01-AREA BOUNDARY\882_0200-EXH01-Area Boundary.dwg BY: schoi Dec 15, 2016 - 3:03:20pm

ALTERNATIVE LEVEE/CHANNEL ALIGNMENT
(COMMENT NO. 1)

PRESENTLY PROPOSED
LEVEE/CHANNEL ALIGNMENT

ALTERNATIVE LEVEE/CHANNEL ALIGNMENT
(COMMENT NO. 1)

ALTERNATIVE LEVEE/CHANNEL ALIGNMENT
(COMMENT NO. 3)

APN#
694-050-007

APN#
695-070-011

APN#
695-070-015

APN#
695-100-001

APN#
695-100-002

APN#
695-100-014

APN#
695-100-015

260+00 255+00 250+00 245+00 240+00 235+00 230+00 225+00 220+00 215+00 210+00 205+00 200+00 195+00 190+00 185+00 180+00 175+00 170+00 165+00 160+00 155+00 150+00 145+00 140+00 135+00 130+00 125+00 120+00 115+00 110+00 105+00 100+00 95+00 90+00 85+00 80+00 75+00 70+00 65+00 60+00 55+00 50+00 45+00 40+00 35+00 30+00

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GRAPHIC SCALE

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SCALE: 1" = 1400'

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RIVERSIDE COUNTY, CA

# ALTERNATIVE ALIGNMENTS
# COMMENTS NOS. 1 + 3

DATE
12/16

FIGURE
2

DWG: Z:\Project\Thousand Palms\Exhibits\EXH01-AREA BOUNDARY\882_0200-EXH01-Area Boundary.dwg BY: schoi Dec 15, 2016 - 3:00:17pm

**From:** Dan Charlton
**Sent:** Wednesday, November 30, 2016 8:49 AM
**To:** 'curtbdunes@aol.com'
**Cc:** David Wilson; 'Salmon, Mark E. (Sacramento)'; Luke Stowe; Elizabeth Meyerhoff; Carrie Oliphant
**Subject:** Thousand Palms Flood Control Project

Curtis:

As we discussed yesterday, please find attached two exhibits (construction drawing and aerial) depicting the impact of the proposed project on the Pegasus property. As I stated, CVWD and the Army Corps are commencing the environmental scoping process. A full Environmental Impact Statement/Environmental Impact Report (EIS/EIR) will be prepared and circulated for public review. A final document will need to be completed, including a Record of Decision and Notice of Determination (ROD/NOD), along with the completion of the construction drawings.

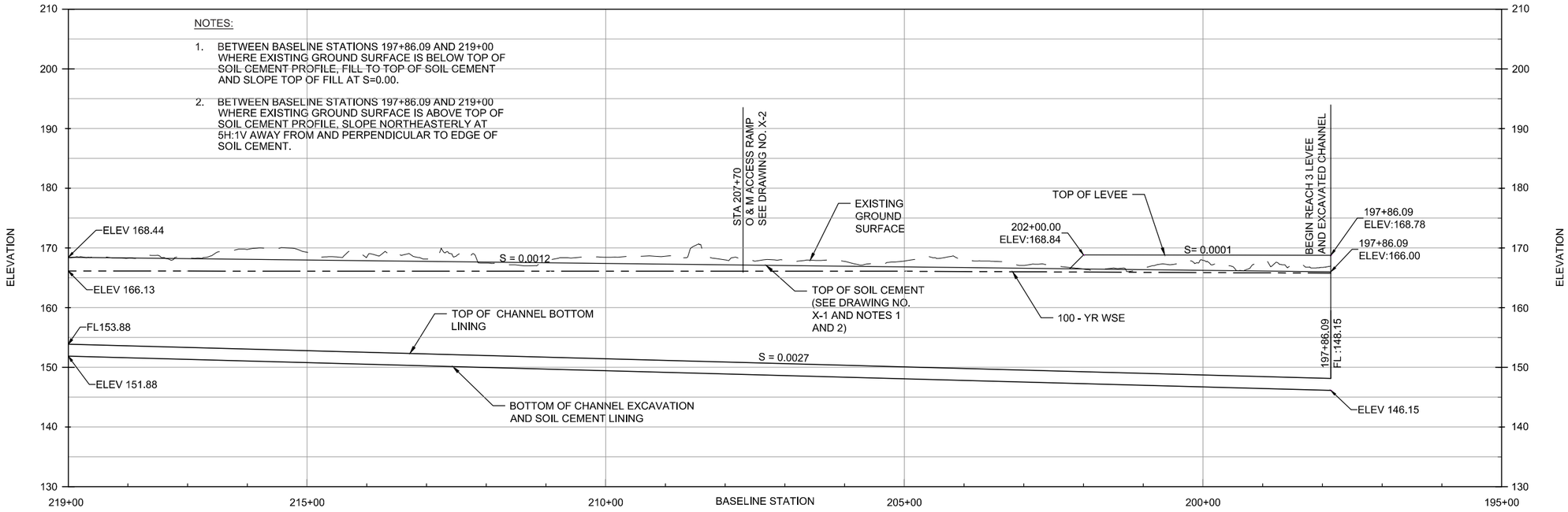
Our current direction is to get the project "Shovel Ready" through the completion of these tasks noted above. CVWD is in the design/environmental process on several projects and any further actions such as land acquisition and construction would need to go to our Board of Directors for consideration to determine priority between the various projects.

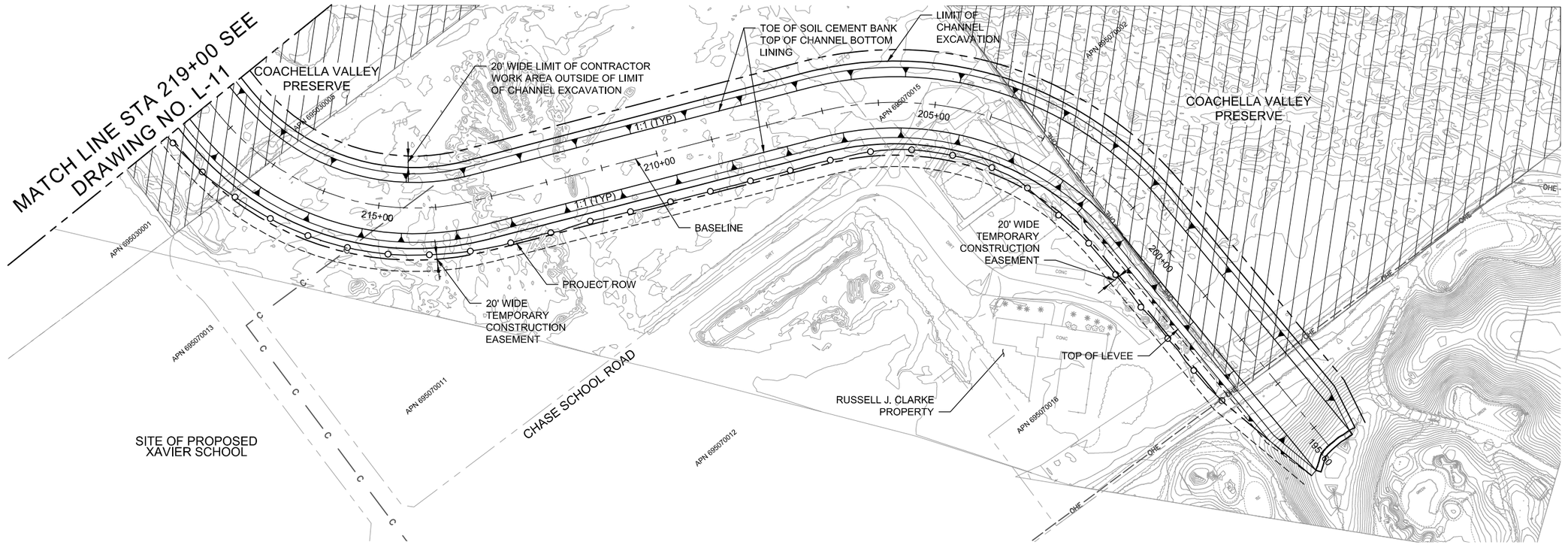
Please let me know if you have any additional questions or concerns. I hope to see you at the public scoping meeting of December 6.

Thanks,
Dan

NOTES:

1. BETWEEN BASELINE STATIONS 197+86.09 AND 219+00 WHERE EXISTING GROUND SURFACE IS BELOW TOP OF SOIL CEMENT PROFILE, FILL TO TOP OF SOIL CEMENT AND SLOPE TOP OF FILL AT S=0.00.
2. BETWEEN BASELINE STATIONS 197+86.09 AND 219+00 WHERE EXISTING GROUND SURFACE IS ABOVE TOP OF SOIL CEMENT PROFILE, SLOPE NORTHEASTERLY AT 5H:1V AWAY FROM AND PERPENDICULAR TO EDGE OF SOIL CEMENT.




| BENCH MARK | BASIS OF BEARINGS | UNDERGROUND SERVICE ALERT |
|---|---|---|
| SEE SHEET G-6 | SEE SHEET G-4 | 811 CALL USA/SC FOR UNDERGROUND LOCATING 2 WORKING DAYS BEFORE YOU DIG |

| REVISIONS: | Date | BY | Appr. |
|---|---|---|---|
| | | | |

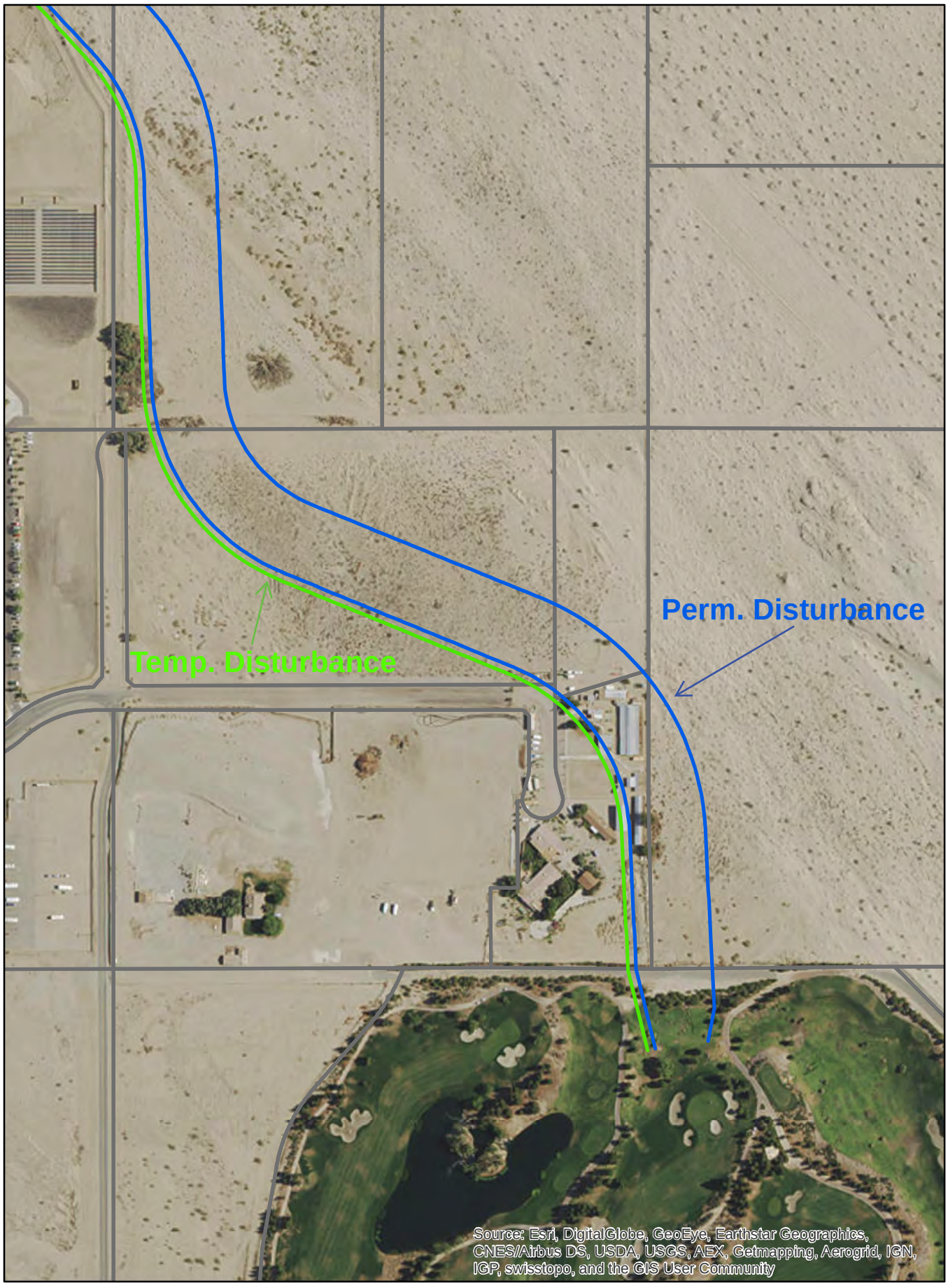
Approved: _____ Date
DIRECTOR OF ENGINEERING R.C.E. No. 70160

Designed: M. SALMON
Drawn: A. BENNETT
Checked: M. SALMON
Project Engineer: M. SALMON
Operations\Trades\Services

In the city of Indian Wells, County of Riverside, State of California
COACHELLA VALLEY WATER DISTRICT
THOUSAND PALMS FLOOD CONTROL PROJECT
RIVERSIDE COUNTY, CALIFORNIA
REACH 3 LEVEE AND EXCAVATED CHANNEL – PLAN AND PROFILE
STA 197+53.97 TO STA 219+00

| Project ID: 12736 | File: 12736 - L-12.DWG | Drawing: L-12 |
|---|---|---|
| Date: 10/24/2013 | Scale: AS SHOWN | CVWD Dwg. No. |

T:\12736\Whitewater\SHEETS\Cvt\12736 - L-12.dwg, Plotted: Nov 29, 2016 - 4:49pm

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Feet

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W E
S

December 13, 2016

Mr. Luke Stowe
Environmental Supervisor
Coachella Valley Water District
PO Box 1058
Coachella, CA 92236
Via e-mail: LStowe@cvwd.org
Original By U.S. Mail

Re: Thousand Palms Flood Control Project
Public Scoping Meeting, 6pm, December 6, 2016
Thousand Palms Community Center

Dear Mr. Stowe:

I attended the referenced meeting and spoke, for the record, about my concern over "Modified Reach 3 (Alternative 3)". Among the problems with this proposed alternative are the following:

1. Except for a brief slide projection there was no graphic presentation of the actual location of Modified Reach 3 should Alternative 3 be adopted. Reach 3 is fairly well described in the Notice of Public Scoping Meeting but there is no description at all of Modified Reach 3. Furthermore, there were renderings of proposed Reach 1 through Reach 4 on display in the meeting room but nothing showing the actual location of proposed Modified Reach 3;

2. Any movement of the northerly end of Reach 3 to the west would severely impair high voltage transmission lines which are located in a +/- 140 foot wide strip of land which is owned by Southern California Edison Company as well as possibly negatively affecting Riverside County Specific Plan No. 386 which is being developed by Noble & Company, LLC;

3. At a previous informational meeting regarding this proposed project I asked a representative of the Coachella Valley Water District if it would be possible to discuss a slight re-alignment of Reach 3. I was told that no change in the location of any part of the proposed project was possible.

Please confirm with me, in writing, that this letter, in its entirety, will be included in the public comments for both CEQA and NEPA purposes.

Sincerely,

Thomas S. Noble

Cc: Ms. Shelly Lynch, U.S. Army Corps of Engineers

**From:** Dan Charlton
**Sent:** Tuesday, November 22, 2016 5:00 PM
**To:** Luke Stowe
**Cc:** Elizabeth Meyerhoff; Tesfaye Demissie; Steve Bigley; David Wilson; Scott Strosnider
**Subject:** RE: Voice Mail from 9708799268 (51 seconds)

Luke:

I spoke to Gary Reynolds who lives in Colorado. He received the NOP for the TPFCP as he has property along Reach 1. He inquired about CVWD potentially "taking" his land. I told him that we are in the beginning stages of the environmental scoping and that a full EIR/EIS process will need to be completed, along with a ROD/NOD before any land acquisition would commence. I explained the requirement for land appraisals and Phase I studies and that we would compensate with fair market value for the land acquisition.

He was positive and lived here during the hurricanes in 1976 & 1977 so he understands the importance of the project.

Dan

**From:** Art and Gloria Basham [mailto:agbasham@shaw.ca]
**Sent:** Friday, December 09, 2016 7:18 AM
**To:** Luke Stowe
**Subject:** Thousand Palms.

Will the planned levees also protect Tri Palms Estate and Country Club from floods? We have a "wash" through our golf course and has flooded from north of Ramon into our entrance and affected some homes. Art Basham. (Resident)

## Lisa Blewitt

**From:** Luke Stowe <LStowe@cvwd.org>
**Sent:** Friday, December 9, 2016 1:59 PM
**To:** Elizabeth Meyerhoff; Lisa Blewitt; Chris Huntley; Tesfaye Demissie; David Wilson; Dan Charlton; Steve Bigley; Shelly Lynch (Michelle.R.Lynch@usace.army.mil)
**Subject:** FW: Levees Rev.1

FYI- Revised comment

---

**From:** VPM3897@aol.com [mailto:VPM3897@aol.com]
**Sent:** Friday, December 09, 2016 1:30 PM
**To:** Luke Stowe
**Subject:** Re: Levees Rev.1

In a message dated 12/9/2016 10:08:21 A.M. Pacific Standard Time, VPM3897@aol.com writes:

> Hello,
>
> I read the article in the desert sun this morning regarding the CVWD paying 90 million dollars to install levees in the Coachella City area.
>
> Please enlighten us on exactly why our water district is responsible for such a costly project.
>
> Just like everywhere else in this Country, if you build or purchase in a flood zone it is your mistake and you then purchase flood insurance through FEMA to cover your property. Why are the tax payers and the residents responsible for such things in an area where structures should not be built in the first place? Shouldn't the builders/developers pay for such things.
>
> Our home is in an area you would not think would have flash flood potential but it does and we pay a very huge amount of money each year to FEMA just in case it does happen. No one is building a levee so we do have to endure this expense out of our own pockets annually.
>
> With the increases in our cost for drinking water rising daily and the lack of funds to properly protect us from the harmful contaminated drinking water, the deterioration water lines we have in the entire Coachella Valley & all the other water issues we just do not understand this plan.
>
> Thank you in advance for your understanding and response.
>
> Sincerely,
> Vincent

Thousand Palms Flood Control Project

# Scoping Comments

Date: 12-5-16

Name: Bill WRIGHT

Affiliation (if applicable): 28-200 VIA LAS PALMAS, 1000 PALMS RESIDENT

Address: 28-200 VIA LAS PALMAS,

City, State, Zip Code: THOUSAND PALMS, CA. 92276

Telephone Number: 760 275-3154

Email: WEW BIN@VERIZON.NET

**Comment*:** NEED TO HAVE ALL WHEATHER "DICE" OR "NEW FLOOD CONTROL MEASURE" PROVIDED W/ ALL WHEATHER CROSSINGS @ DESERT MOON AND VIA LAS PALMAS.

NEW DICE NEEDS TO HAVE DIVERTED FLOOD WATERS PROTECTED CROSSINGS WITH A SAFE "BRIDGE" OVER EXISTING ROADS

*Please print. Your name, address, and comments become public information and may be released to interested parties if requested.*

**Please submit written comments at the public scoping meeting, or mail with postage marked by Monday, December 19, 2016. Thank you for your input!**

Thousand Palms Flood Control Project

# Scoping Comments

Date: 12-6-2016

Name: ROY NOKES

Affiliation (if applicable): 1000 PALMS COMMUNITY COUNCIL

Address: 30-600 CALLE HELENE

City, State, Zip Code: 1000 PALMS, CA. 92276

Telephone Number: 760-343-4188

Email: ROY NOKES @ GMAIL.COM

**Comment*:**

DIKE NEEDS TO BE AT THE BASE OF THE MTN HILLS NORTH OF 1000 PALMS. SHOULD DUMP INTO THE 1000 PALMS CANYON WATER WAY THE SOUTHEAST TO AVENUE 38 - PRESENT DESIGN WOULD BADLY DAMAGE THE DESERT MOON RANCH AREA, VIA LAS PALMAS RIDER, AND THE MULTI SPECIES HABITAT AREA.

*Please print. Your name, address, and comments become public information and may be released to interested parties if requested.*

**Please submit written comments at the public scoping meeting, or mail with postage marked by Monday, December 19, 2016. Thank you for your input!**

Thousand Palms Flood Control Project

# Scoping Comments

Date: 12/6/14

Name: Carol Mowbray

Affiliation (if applicable): resident

Address: 31285 Shadow Mtn Lane (P.O. Box 432)

City, State, Zip Code: Thousand Palms, CA 92276

Telephone Number: 760-285-6607

Email: mowbray4@verizon.net

**Comment*:** There seems to be no provisions in this project to mitigate flood water crossing, and/or washing out Ramon Road south of Reech 1 and Reech 2. That road is the only access to Amite, Chimayo, Shadow Mtn Road and others. What is your plan?

Also of concern is the increased flood flow toward the homes on Amite, Chimayo and Shadow Mtn. Have you calculated the possible distance east the water will flow in a major flood?

Note: In Sept 2014, we recieved 3.25" of rain in approximately 45 minutes at our address. I have photos of the entire desert flooding.

*Please print. Your name, address, and comments become public information and may be released to interested parties if requested.

**Please submit written comments at the public scoping meeting, or mail with postage marked by Monday, December 19, 2016. Thank you for your input!**