



## AGENDA STAFF REPORT

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**ADMINISTRATION BUILDING**  
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**CVWD's COACHELLA CAMPUS**  
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**Agenda Number: F**  
**File ID: 0221.1**

**Section Name: Engineering**  
**Project ID: OL2407**

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**MEETING DATE:** November 14, 2023

**SUBJECT:** Authorize Renewal of a Drainage Easement with Indian Allotment Nos. 595 70 and 595 72 for the Avenue 71 Agricultural Drain in the amount of \$119,680, and approve Budget Amendment Resolution No. 23-24-006

**TO:** BOARD OF DIRECTORS

**FROM:** ENGINEERING/ENGINEERING SERVICES, CARRIE OLIPHANT

### **GENERAL MANAGER RECOMMENDATION:**

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#### **RECOMMENDATION:**

It is recommended that the Board of Directors authorize the following:

1. Authorize the General Manager to execute the Bureau of Indian Affairs (BIA) application for renewal of a drainage easement with Indian Allotment Nos. 595 070 and 595 72 for the existing Avenue 71 Agricultural Drain located within portions of Assessor Parcel Nos. (APN) 749-200-002 and 749-210-010.

2. Authorize a budget amendment increasing the operating budget for Right-of-Way by \$54,680.

3. Authorize the following expenditures for the easement with BIA:

- Allotment No. 595 70 compensation: \$18,100
- Allotment No. 595 72 compensation: \$40,700
- Bond and insurance: \$50,000
- 10% Contingency: \$10,880

Total cost of this request: \$119,680

4. Authorize the General Manager to execute any additional documents related to the acquisition of this easement.

#### **BUDGET IMPACT:**

The total cost of this request to renew the easement for the Avenue 71 Agricultural Drain is \$119,680. This expense is included in the current Fiscal Year 2023-24 Engineering Right-of-Way Operating Budget, in the amount of \$65,000. A budget amendment in the amount of \$54,680 from reserves is being requested to cover the remaining

costs via Pay-go, see Attachment 3.

**PROCUREMENT METHOD:**

☒ N/A

If other, please explain: .

**BACKGROUND**

In 1970, Coachella Valley Water District (CVWD) acquired an easement for the Avenue 71 Agricultural Drain lying within Torres Martinez Indian Allotments 595 70 and 595 72 for a term of 50-years. This easement is located south of Avenue 71, west of Pierce Street in Thermal, within portions of APNs 749-200-002 and 749-210-010. See Attachment 1 for a location map.

In 2020, CVWD staff began working with the BIA on the renewal. Appraisals were obtained and the owners accepted the appraised compensation. A bond is required in the amount of \$35,000 for the renewed 50-year term of the easement. Staff will either acquire a surety bond in this amount or may choose to fully fund this amount in a cash security.

Staff has compiled the required documentation for submittal of this application (Attachment 2) to the BIA. Once BIA approves this application, payment of the compensation will be made to the BIA on behalf of the landowners.

**PRIOR BOARD ACTION:**

N/A

**DISTRICT STRATEGIC PLAN GOAL(S)/OBJECTIVES(S):**

N/A

**ENVIRONMENTAL IMPACT:**

☒ Yes, attachments included:

☒ Notice of Exemption

This item is exempt from CEQA in accordance with State CEQA Guidelines 1506(b)(3) and 15301. See Notice of Exemption as Attachment 4.

**PUBLIC NOTICE REQUIRED**

N/A

**LEGAL REVIEW**

N/A

**ATTACHMENTS**

Att 1 - Location Map

Att 2 - Bureau of Indian Affairs Application

Att 3 - Budget Amendment

Att 4 - Notice of Exemption