

APPENDIX L – AB 52 TRIBAL CONSULTATION





Imperial County Planning & Development Services Planning / Building

November 6, 2020

CERTIFIED MAIL #7016-2140-0000-2124-3036

Jim Minnick
DIRECTOR

FORT YUMA - QUECHAN INDIAN TRIBE

Jordan D. Joaquin., President
350 W. Picacho Road
Winterhaven, CA 92283

RE: Notice of Opportunity to consult on the Energy Source Minerals LLC Project.

Dear Mr. Joaquin,

The Imperial County Planning & Development Services Department has received applications for the preparation of a comprehensive Environmental Impact Report (EIR) for the following projects: Energy Source Minerals LLC Parcel Map 2485 & Conditional Use Permit (CUP 20-0008).

The Imperial County Planning & Development Services Department will act as the "Lead Agency" for the preparation of the EIR pursuant to the California Environmental Quality Act (CEQA).

Energy-Source Minerals LLC (ES Minerals) is proposing to construct and operate a commercial lithium hydroxide production plant within the Salton Sea geothermal field in Imperial County (County), California (Project). This facility (ALTiS Plant) will process geothermal brine from the neighboring Hudson Ranch Power I Geothermal Plant (HR1) to produce lithium hydroxide, as well as zinc and manganese products, which would be sold commercially.

The Project's plant and facilities will be located at 477 West McDonald Road, Calipatria, California which is approximately 3.8 miles southwest of the community of Niland on three parcels privately owned by Hudson Ranch Power I (HR1) LLC in the County: APNs 020-100-025, 020-100-044, 020-100-046 (Project site; Figure 1). Currently, the HR1 power plant exists within the northeast corner of the 65.12-acre parcel, APN 020-100-044.

The Project's plant facilities are on approximately 37-acre area that would be subdivided out of the existing 65.12 acres. An additional 15 acres of the Project site located on the northwestern parcel APN 020-100-025 and approximately 40 acres of the Project site located on the southeast parcel APN 020-100-046 will be merged with the 37-acre subdivided parcel to form the new parcel for the Project. The project facilities will be located in the north half of Section 24 in Township 11 South, Range 13 East, San Bernardino Base and Meridian (SBB&M) as shown on the USGS Niland Quadrangle topographic map (see Figure 1.)

A Sacred Lands File search by the NAHC indicates that sacred sites have been identified within a one-mile radius of the proposed Project. The California Historical Resources Information System records search is currently pending results for previously recorded cultural resources

located within 0.5-mile of the Project site. We are working with our client to provide recommendations on project design and cultural resources scope of work for site evaluations.

Surrounding land uses and setting:

Medium Industrial zones on the north, south and east side of project surround the parcels.

In accordance with Assembly Bill 52 (AB 52) and Section 21080.3.1(d) of the California Public Resources Code (PRC), we are responding to your request to be notified of projects in our jurisdiction that will be reviewed under CEQA. Your name was provided to us as the point of contact for your tribe. We are hereby notifying you of an opportunity to consult with the County regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB 52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the project. If Tribal Cultural Resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts.

In accordance with Section 21080.3.1(d) of the PRC, you have 30 days from the receipt of this letter to either request or decline consultation in writing for this project. Please send your written response before December 9, 2020 to Imperial County Planning & Development Services Department, 801 Main Street, El Centro, CA. 92243, att. David Black, Project Planner or by email to ICPDSComentLetters@co.imperial.ca.us . If the County does not receive a response within 30 days, the County will proceed with the project. Thank you and we look forward to your response.

Sincerely,

JIM MINNICK, DIRECTOR
Imperial County Planning & Development Services

BY: 
David Black
Project Planner

Attachment: Location Map

cc:
Jim Minnick, Director, ICPDS
Michael Abraham, AICP, Asst. Director of ICPDS
David Black, Planner IV, ICPDS
Katy Sanchez, Associate Environmental Planner
File 10.101, 10.102, and 10.104



Project Site



Figure 1
Energy Source Mineral
Project Site



Imperial County Planning & Development Services Planning / Building

November 6, 2020

CERTIFIED MAIL #7016-2140-0000-2124-3296

Jim Minnick
DIRECTOR

TORRES-MARTINEZ INDIAN TRIBE

Joseph Mirelez, Vice Chairperson
66725 Martinez Rd,
Thermal CA 92274

RE: Notice of Opportunity to consult on the Energy Source Minerals LLC Project.

Dear Mr. Mirelez,

The Imperial County Planning & Development Services Department has received applications for the preparation of a comprehensive Environmental Impact Report (EIR) for the following projects: Energy Source Minerals LLC Parcel Map 2485 & Conditional Use Permit (CUP 20-0008).

The Imperial County Planning & Development Services Department will act as the "Lead Agency" for the preparation of the EIR pursuant to the California Environmental Quality Act (CEQA).

Energy-Source Minerals LLC (ES Minerals) is proposing to construct and operate a commercial lithium hydroxide production plant within the Salton Sea geothermal field in Imperial County (County), California (Project). This facility (ALTiS Plant) will process geothermal brine from the neighboring Hudson Ranch Power I Geothermal Plant (HR1) to produce lithium hydroxide, as well as zinc and manganese products, which would be sold commercially.

The Project's plant and facilities will be located at 477 West McDonald Road, Calipatria, California which is approximately 3.8 miles southwest of the community of Niland on three parcels privately owned by Hudson Ranch Power I (HR1) LLC in the County: APNs 020-100-025, 020-100-044, 020-100-046 (Project site; Figure 1). Currently, the HR1 power plant exists within the northeast corner of the 65.12-acre parcel, APN 020-100-044.

The Project's plant facilities are on approximately 37-acre area that would be subdivided out of the existing 65.12 acres. An additional 15 acres of the Project site located on the northwestern parcel APN 020-100-025 and approximately 40 acres of the Project site located on the southeast parcel APN 020-100-046 will be merged with the 37-acre subdivided parcel to form the new parcel for the Project. The project facilities will be located in the north half of Section 24 in Township 11 South, Range 13 East, San Bernardino Base and Meridian (SBB&M) as shown on the USGS Niland Quadrangle topographic map (see Figure 1.)

A Sacred Lands File search by the NAHC indicates that sacred sites have been identified within a one-mile radius of the proposed Project. The California Historical Resources Information System records search is currently pending results for previously recorded cultural resources

located within 0.5-mile of the Project site. We are working with our client to provide recommendations on project design and cultural resources scope of work for site evaluations.

Surrounding land uses and setting:

Medium Industrial zones on the north, south and east side of project surround the parcels.

In accordance with Assembly Bill 52 (AB 52) and Section 21080.3.1(d) of the California Public Resources Code (PRC), we are responding to your request to be notified of projects in our jurisdiction that will be reviewed under CEQA. Your name was provided to us as the point of contact for your tribe. We are hereby notifying you of an opportunity to consult with the County regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB 52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the project. If Tribal Cultural Resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts.

In accordance with Section 21080.3.1(d) of the PRC, you have 30 days from the receipt of this letter to either request or decline consultation in writing for this project. Please send your written response before December 9, 2020 to Imperial County Planning & Development Services Department, 801 Main Street, El Centro, CA. 92243, att. David Black, Project Planner or by email to ICPDSComentLetters@co.imperial.ca.us . If the County does not receive a response within 30 days, the County will proceed with the project. Thank you and we look forward to your response.

Sincerely,

JIM MINNICK, DIRECTOR
Imperial County Planning & Development Services

BY: 
David Black
Project Planner

Attachment: Location Map

cc:
Jim Minnick, Director, ICPDS
Michael Abraham, AICP, Asst. Director of ICPDS
David Black, Planner IV, ICPDS
Katy Sanchez, Associate Environmental Planner
File 10.101, 10.102, and 10.104



Project Site



Figure 1
Energy Source Mineral
Project Site