

# AGUA CALIENTE BAND OF CAHUILLA INDIANS



PLANNING & DEVELOPMENT DEPARTMENT

CONSTRUCTION DIVISION • ECONOMIC DEVELOPMENT DIVISION

PLANNING & NATURAL RESOURCES DIVISION • TRIBAL HISTORIC PRESERVATION OFFICE

**Certified Mail  
Return Receipt**

**December 2, 2015**

**David Ready, City Manager  
City of Palm Springs  
3200 E Tahquitz Canyon Way  
Palm Springs, CA 92262**

**Dear Mr. Ready:**

The mission of the Agua Caliente Band of Cahuilla Indians (ACBCI) Tribal Historic Preservation Office (THPO) is to foster, improve and protect the cultural heritage of the Tribe, on and off the Reservation, for future generations of the Agua Caliente People. The Historic Preservation Office works with Tribal Members, Tribal Council, and other departments, programs, and agencies to meet its mission.

The Agua Caliente Band of Cahuilla Indians previously submitted to the City of Palm Springs its newly codified Historic Preservation Policy Statement (see correspondence to Flinn Fagg, 6/29/15). The implementation of the policy statement seeks to promote an approach to resource management and achieve a balance between development and preservation values within the Agua Caliente Indian Reservation. The Tribe hereby submits for The City's consideration and approval the attached supplement to the Tribal/City Land Use Agreement. In summary, the Supplement states:

- A. The Tribe and the City previously entered into a Land Use Agreement with an Effective Date of July 26, 1977 (the "Agreement").
- B. The Agreement at Section II.1 does not delegate the Tribe's authority to make determinations concerning historic and/or cultural significance to the City or any City Board or Commission.
- C. Pursuant to the National Historic Preservation Act, 54 U.S.C. § 302701, et seq., and 36 C.F.R. Part 61 the National Park Service on September 16, 2005 approved assumption by the Agua Caliente Tribal Historic Preservation Office (THPO) of State Historic Preservation Office responsibilities on "tribal lands" which are all lands within the exterior boundaries of the Agua Caliente Indian Reservation and all lands subsequently acquired by the United States for the benefit of the Tribe.

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- D. The Tribe adopted the POLICY STATEMENT REGARDING HISTORIC PRESERVATION on May 8, 2015 summarizing and clarifying the THPO authority on the Agua Caliente Indian Reservation which is attached as Exhibit A to Supplement No. 6. The Tribe and the City agree to use the Policy Statement to interpret the intent of this Supplement, if necessary.
- E. The Tribe and the City desire to clarify the roles and responsibilities of each party concerning decision making regarding historic or culturally significant properties within the exterior boundaries of the Agua Caliente Indian Reservation.

If you have any questions, please feel free to contact Tom Davis, Chief Planning and Development Officer at (760) 699-6960 or by email at [tdavis@aguacaliente-nsn.gov](mailto:tdavis@aguacaliente-nsn.gov) or Patricia Garcia-Plotkin, THPO at (760) 699-6907 or by email at [pagarcia@aguacaliente-nsn.gov](mailto:pagarcia@aguacaliente-nsn.gov)

Sincerely,

Thomas J. Davis, AICP  
Chief Planning & Development Officer  
**Agua Caliente Band  
of Cahuilla Indians**

Patricia Garcia-Plotkin  
Tribal Historic Preservation Office  
**Agua Caliente Band  
of Cahuilla Indians**