

8 August 2014

Mr. Maurice Etchechury
Engineer-Manager
Buena Vista Water Storage District
525 N. Main Street, P.O. Box 756
Buttonwillow, CA 93206

RE: Buena Vista Water Storage District, Northern Pipeline Project- Kern County, California

Dear Mr. Etchechury,

First, please allow me to formally introduce myself. My name is Colin Rambo, and I was recently hired by the Tejon Indian Tribe (the Tribe) for the purpose of establishing their Tribal Historic Preservation Office. Further, the Tribe's Chairperson, Kathryn Montes Morgan, has delegated to me the authority to review and comment on all Tribal Consultation matters related to environmental resources on behalf of the Tribe.

Secondly, thank you for your letter, dated 23 June 2014, informing the Tribe that the Buena Vista Water Storage District is preparing an Initial Study for the Northern Pipeline Project (Project). Presently, the Tribe is not aware of any undocumented Native American Cultural Resources (NACRs), of any kind, in the Project area. Nevertheless, the Tribe would like to be included in all future tribal consultations, and would like to review the Initial Study when it becomes available because the Project area is considered to be sensitive for NACRs according to Tribal records. Consequently, the Tribe may request to monitor the Project's construction activities and/or provide Cultural Resource Sensitivity Training after reviewing the Initial Study.

Thank you for including the Tribe in the consultation process, and I look forward to working with your office in the future.

PLEASE NOTE THE CHANGE OF ADDRESS FLYER INCLUDED WITH THIS LETTER.

Respectfully,

Colin Rambo
Tribal Historic Preservation Technician
Tejon Indian Tribe
colin.rambo@tejontribe.net

[illegible]

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 488-4325

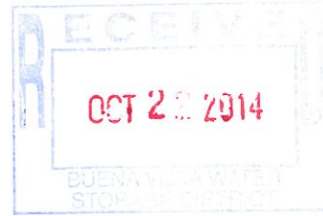
FAX (559) 445-4088

TTY 711

www.dot.ca.gov



*Serious drought.
Help save water!*



October 20, 2014

2135-IGR/CEQA

06-KER-5-72.98

IS/MND

Buena Vista Water Storage District Northern Area Project

SCH #2014091060

Mr. Maurice Etchechury
Buena Vista Water Storage District
P.O. Box 756
Buttonwillow, CA 93206

Dear Mr. Etchechury:

Thank you for the opportunity to review the Initial Study and Mitigated Negative Declaration for the Buena Vista Water Storage District Northern Area Project. The project proposes the installation of underground pipeline along the Main Drain Canal to provide water to the surrounding areas. The project site is located along the Main Drain Canal, between approximately Carmel Road and Perral Road in unincorporated Kern County.

Based on the information provided, Caltrans has the following comments:

- An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.
- The project site is adjacent to access control right-of-way. Access from the State right-of-way is prohibited. The right-of-way fence shall remain unmodified and undisturbed. An encroachment permit is required to repair the fence if damaged or modified.
- The requirements of Caltrans Encroachment Permit Manual, Chapter 600, Section 623 must

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Mr. Maurice Etchechury
October 20, 2014
Page 2

be met for all tunneling and/or jacking operations. This manual may be found at our website:
http://www.dot.ca.gov/hq/traffops/developserv/permits/encroachment_permits_manual/

- The bore and receiving pits shall be located outside State right-of-way.
- Encasement is required for all utility encroachments. The casing shall extend from right-of-way line to right-of-way line.
- The highway drainage shall not be modified. Site runoff is not allowed into the State right-of-way without approval from the Department.
- Any work within the existing or proposed State right-of-way shall comply with State Standard Plans, Specifications, and Special Provisions.
- Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department of Transportation, to govern the discharge of storm water and non-storm water from its properties. Compliance with the Department's NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the issuance of an encroachment permit.
- If right-of-way is dedicated to the State because of the project or the work proposed in the State right-of-way, it will need to be dedicated and conveyed to the State (in a form approved by the State) before an encroachment permit is issued for any work in the State right-of-way.

If you have any questions regarding the above comments, please contact me at (559) 488-4325.

Sincerely,



ALEC KIMMEL, Transportation Planner
Planning South Branch

c: State Clearinghouse

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net



7/21/14

July 14, 2014

Mr. Maurice Etchechury, Engineer-Manager
Buena Vista Water Storage District
P.O. Box 756; 525 North Main Street
Buttonwillow, CA 93206

Sent by FAX to: 661-764-5053
No. of Pages: 3

RE: Sacred Lands File Search and Native American Contacts list for the **"Buena Vista Water Storage District, Northern Pipeline Project;"** located in southwestern Kern County, California

Dear Mr. Etchechury:

A record search of the NAHC Sacred Lands Inventory failed to indicate the presence of Native American traditional sites/places of the Project site(s) or 'areas of Potential effect' (APEs), submitted to this office.. Note also that the absence of archaeological features, Native American cultural resources does not preclude their existence at the subsurface level.

In the 1985 Appellate Court decision (170 Cal App 3rd 604), the Court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

When the project becomes public, please inform the Native American contacts as to the nature of the project (e.g. residential, renewable energy, infrastructure or other appropriate type). Attached is a list of Native American tribes, Native American individuals or organizations that may have knowledge of cultural resources in or near the proposed project area (APE). As part of the consultation process, the NAHC recommends that local government and project developers contact the tribal governments and Native American individuals on the list in order to determine if the proposed action might impact any cultural places or sacred sites. If a response from those listed on the attachment is not received in two weeks of notification, the NAHC recommends that a follow-up telephone call be made to ensure the project information has been received.

California Government Code Sections 65040.12(e) defines 'environmental justice' to provide "fair treatment of people...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies." Also,

**Native American Contacts
Kern County
July 14, 2014**

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589 Yokuts
Porterville , CA 93258
chairman@tulerivertribe-nsn.gov
(559) 781-4271
(559) 781-4610 Fax

Santa Rosa Tachi Rancheria
Lalo Franco, Cultural Coordinator
P.O. Box 8 Tachi
Lemoore , CA 93245 Tache
 Yokut
(559) 924-1278 Ext. 5
(559) 924-3583 Fax

Kitanemuk & Yowlumne Tejon Indians
Delia Dominguez, Chairperson
115 Radio Street Yowlumne
Bakersfield , CA 93305 Kitanemuk
deedominguez@juno.com
(626) 339-6785

Tule River Indian Tribe
Kerri Vera, Environmental Department
P.O. Box 589 Yokuts
Porterville , CA 93258
(559) 783-8892

Tejon Indian Tribe
Katherine Montes Morgan, Chairperson
1731 Hasti-acres Drive, Yowlumne
Bakersfield , CA 93309 Kitanemuk
kmorgan@bak.rr.com Kawaiisu
(661) 758-2303
(661) 215-6530 Fax

Tule River Indian Tribe
Joey Garfield, Tribal Archeological
P.O. Box 589 Yokuts
Porterville , CA 93258
(559) 783-8892

Kawaiisu Tribe of Tejon Reservation
David Laughinghorse Robinson
PO Box 1547 Kawaiisu
Kernville , CA 93238
horse.robinson@gmail.com

This list is current only as of the date of this document.

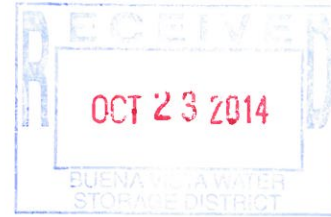
Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed Buena Vista Water Storage District, Northern Pipeline Project, Kern County, California for which a Sacred Lands File search and Native American Contacts list were requested.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, CA 93710
(559) 243-4005
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



October 21, 2014

Maurice Etchechury
Buena Vista Water Storage District
Post Office Box 756
Buttonwillow, California 93206

**Subject: Mitigated Negative Declaration, SCH# 2014091060
Buena Vista Water Storage District Northern Area Project**

Dear Mr. Etchechury:

The California Department of Fish and Wildlife (Department) has reviewed the Mitigated Negative Declaration (MND) for the Buena Vista Water Storage District Northern Area Project (Project) submitted by the Buena Vista Water Storage District (BVWSD). The Project area is located approximately 16 miles northwest of the City of Bakersfield and approximately 2 miles south of Lost Hills within the Buttonwillow Service Area of the BVWSD. Approval of the Project would allow for the new installation of pipeline in 3 sections that would operate as 3 discreet units providing water to specific locations within the BVWSD, and would be built as financing becomes available. The pipeline would be installed largely within the existing right-of-way (ROW) of the Main Drain and other district facilities, and vary in size from 21 to 63 inches in diameter. Laterals that deviate from district facilities would be located adjacent to field roads or other geographical features that minimize impacts to native and farm lands. Project construction would include activities consistent with digging, trenching, and excavation of soil to install the new pipeline. Section 1 would be connected to the Semitropic 120-inch line (which runs easterly from the California Aqueduct) and will run south along the Main Drain Canal ROW for approximately 7 miles and terminate at Lerdo Highway. Section 2 would consist of two lines, the first line would begin at a new pumping station on the West Side Canal at Canal 29, the very southern end of the Project area and run approximately 8 miles northward to Lerdo Highway and terminate at the southern end of Section 1; the second line would be constructed along the East Side Canal for another approximately 4 miles and connect to an existing BVWSD pipeline that runs parallel to the Semitropic Canal. Section 3 would consist of approximately 3 miles of new pipeline that would connect to existing district and private facilities, and include a short lateral in the northern portion of the Project area of approximately 0.5 mile north of the existing Semitropic 120-inch line.

On October 3, 2012, the Department commented on a Notice of Preparation for the Project, with its original project description, which included 25 miles of new pipeline and 18 linear miles of canal conversion to pipeline. This comment letter offered

Conserving California's Wildlife Since 1870

recommendations to avoid, minimize, and mitigate potential impacts to biological resources as related to the original proposed project. The Department recognizes that the Lead Agency has incorporated the many of the recommendations in this MND for the revised and reduced Project description, although the Department has the following comments and recommendations for the final MND listed below.

Comments:

Lake or Streambed Alteration Notification: If a Project could substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake; or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, notification of Lake or Streambed Alteration to the Department is required. The Project is within a historical area of connection between the Buena Vista Lake and Tulare Lake and includes multiple modified channels that may be within the Department's jurisdiction. We recommend that Project proponents consult with the Department before ground-breaking activities and submit a Lake or Stream Alteration Notification to determine if the features are within the Department's jurisdiction to comply with Fish and Game Code sections 1600 *et. seq.* The Department recommends that final MND include this responsibility. It is important to note that the Department is required to comply with California Environmental Quality Act in the issuance or the renewal of a Lake or Streambed Alteration Agreement (LSAA). Therefore, for efficiency in environmental compliance, we recommend that the stream disturbance be described, and mitigation for the disturbance be developed as part of the environmental review process. This will reduce the need for the Department to require extensive additional environmental review to issue an LSAA. For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at (559) 243-4593.

Section E, Page 28, BIO 4: This mitigation measure requires that all small mammal burrows that may serve as potential refugia for special status species be avoided by all project activities. The Department recommends that avoidance of small mammal burrows be clearly defined (avoided by 50 feet) in the MND to minimize the risk that take of State listed small mammal species and/or State fully protected blunt-nosed leopard lizard (BNLL) (*Gambelia sila*) will occur.

Section E, Page 30, BIO 13 (g): This mitigation measure states, "Measures to protect blunt-nosed leopard lizards during their active season may be discontinued upon determination by the biological monitor that temperature patterns at the project site no longer support blunt-nosed leopard lizard activity for the season, or once pipeline installation is complete." The Department recommends that measure BIO 13 clearly define what measures are related to the active season for BNLL. The Department also recommends that burrow avoidance measures are observed year-round, because

burrows that are partially or entirely collapsed may result in take of special status small mammals and/or BNLL that occupy the burrows even when not active.

Section E, Page 30, BIO 15 (a): If a natal/pupping San Joaquin kit fox (SJKF) (*Vulpes macrotis mutica*) den is discovered in the Project area, contact the Department as well as the United States Fish and Wildlife Service (USFWS).

Section E, Page 31, BIO 17: Destruction of any known or natal/pupping kit fox den may require take authorization/permit from the Department to comply with the California Endangered Species Act (CESA). The Department strongly recommends that BVWSD consult with the Department prior to activity that may result in the loss of a known or natal/pupping den to determine if an Incidental Take Permit is warranted to comply with CESA.

Section E, Page 31, BIO 19: This mitigation measure states, "If any kit fox den is considered to be a potential den, but is later determined during monitoring or destruction to be currently, or previously used by kit fox (e.g., if kit fox sign is found inside), then all construction activities will cease and the USFWS will be notified immediately. The Department strongly recommends that BVWSD also notify the Department as well as the USFWS if this scenario should occur, because SJKF is listed pursuant to CESA as well as the federal Endangered Species Act.

If you have any questions on these issues, please contact Reagen O'Leary, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 243-4014, extension 244, or by electronic mail at Reagen.OLeary@wildlife.ca.gov.

Sincerely,



Jeffrey R. Single, Ph.D.
Regional Manager

cc: Thomas Leeman
United States Fish and
Wildlife Service
2800 Cottage Way, Suite W-2605
Sacramento, California 95825

ec: Linda Connolly
California Department of Fish and Wildlife

Oct 19 2014

Dear Maurice

My name is Wanda Allen and I along with a large group of concerned citizens are trying to reach the residents of California that have been impacted by the severe drought in the state and are further harmed by the fracking waste that has been pumped into the Central Valley Aquifer that supplies drinking water to thousands of innocent people.

Many do not know about the ongoing Geoengineering programs, these are programs that have been put in place, and are being applied by the Military Industrial Complex. These programs are not the cloud seeding programs from the past. They are an application of toxic metals, polymer fibers, and at times other bio-hazardous components to enhance the electrical conductivity of the atmosphere, enhance satellite monitoring and with the utilization of HAARP or HAARP related facilities they have managed to effectively prevent the Jetstream from reaching the West coast thus maintained the worst drought conditions ever recorded in California.

There are patents in place, education programs available, and Geoengineers openly discussing these programs. All over the world we are seeing the devastating results, severe drought, flooding, destruction of the Ozone layer (independent readings showing far worse than being reported) food supply disruption for millions and complete control over the air we breathe and our water supply.

Recently there was a meeting held by the Shasta County Board of Supervisors where nearly 400 citizens attended. These citizens spoke about the harmful effects of these programs. There were pilots, doctors, attorneys, meteorologists, forest service, and Military personnel in attendance asking the board of supervisors to look into these programs and to provide complete disclosure and transparency.

The mountain of data currently available to the public and our elected officials, including snow, rain, and soil samples, satellite images, and videos are all beyond dispute. A quote from one of the Geoengineers in an email, "The truth on Climate Change moderation issues are not shared with the public. As the public would demand most of them that caused these serious problems be hung or shot by a firing squad." In other words, their experiments and desire for power and control have backfired and now they are trying to cover it up with more gasoline on the fire.

In closing I would like to say no one has the right to play god. For whatever reason they have decided that California is the sacrificial state. Mass awareness is the only way to get these programs stopped. Earth must have a chance to go back to doing what it did before these programs started. Please feel free to contact me at wandaallen2000@gmail.com or Dane Wigington at geoengineeringwatch.org

You have nothing to lose and everything to gain.

Sincerely, Wanda Allen

US/Allen
P.O. Box 410
Bartlett NH
03812

MANCHESTER NH 030
20 OCT 2014 PM 21



Buena Vista Water Storage District
P.O. Box 756
Butterwills, CA 93206

Attn: Maurice Etchberry 93206

