**SPECIAL MEETING**
**OF THE**
**CACHUMA OPERATION AND MAINTENANCE BOARD**
at Cachuma Operation and Maintenance Board Office

**3301 Laurel Canyon Road**
**Santa Barbara, CA 93105**

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**Friday, June 18, 2010**

*Start Time*
**12:00 Noon**

**AGENDA**

1. **COMB CALL TO ORDER, ROLL CALL** (COMB Board of Directors.)

2. **PUBLIC COMMENT** (Public may address the Board on any subject matter not on the agenda and within the Board's jurisdiction. See "Notice to the Public" below.)

3. **PROJECTED REVISED SCHEDULE FOR 2ND PIPELINE PROJECT**

4. **PROPOSED FY 2009-10 BUDGET REALLOCATION FOR ADDITIONAL CONSULTANT WORK REQUIRED FOR CULTURAL RESOURCES PERMIT FOR 2ND PIPELINE PROJECT**

5. **COMB ADJOURNMENT**

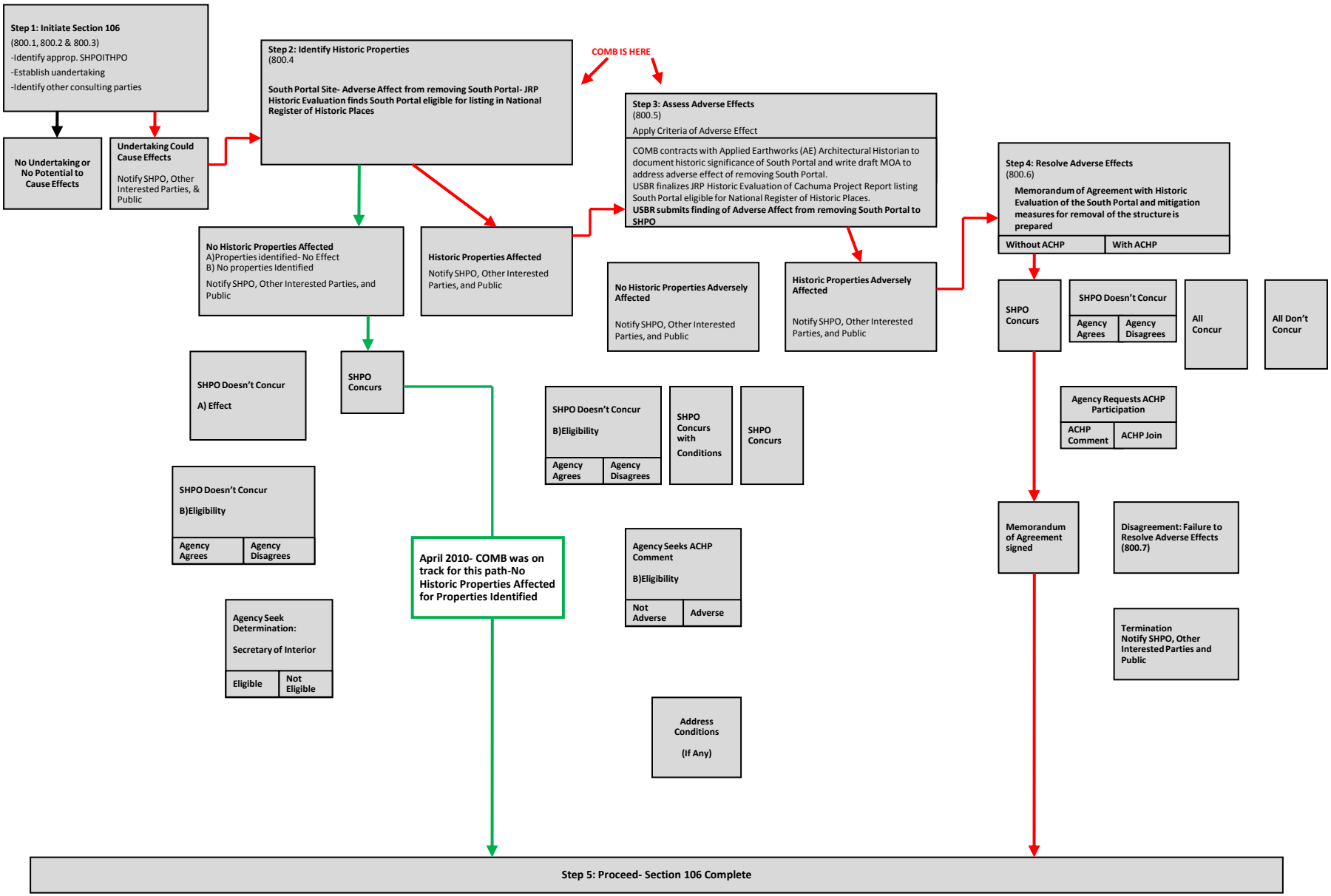
NOTICE TO PUBLIC

**Public Comment:** Any member of the public may address the Board on any subject within the jurisdiction of the Board that is not scheduled for a public hearing before the Board. The total time for this item will be limited by the President of the Board. If you wish to address the Board under this item, please complete and deliver to the Secretary of the Board before the meeting is convened, a "Request to Speak" forms including a description of the subject you wish to address.

**Americans with Disabilities Act:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Cachuma Operation and Maintenance Board office at (805) 687-4011 at least 48 hours prior to the meeting to enable the Board to make reasonable arrangements.

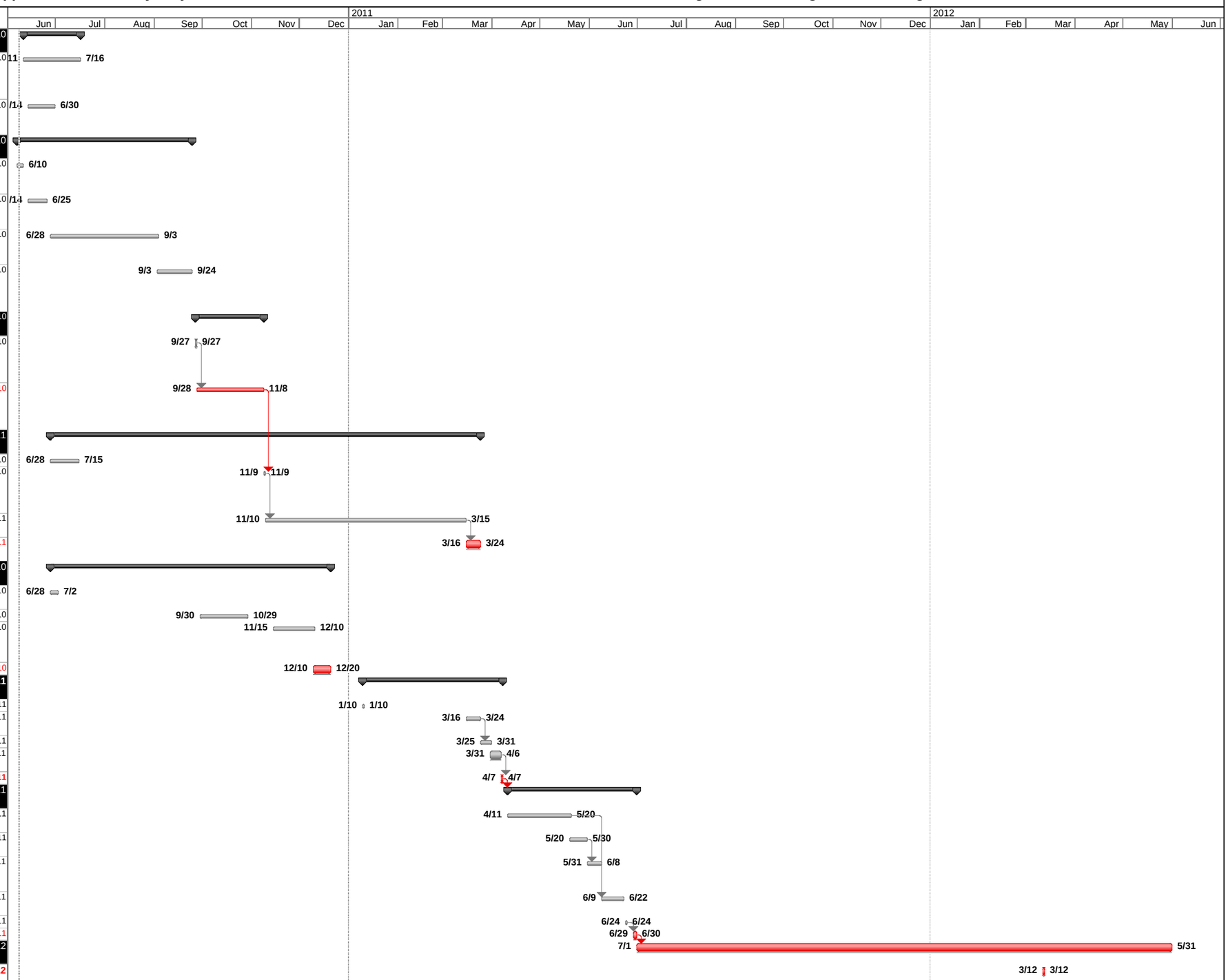
[This Agenda was Posted at 3301 Laurel Canyon Road, Santa Barbara, CA
at Santa Barbara City Hall, Santa Barbara, CA and at Member District Offices and Noticed and Delivered in Accordance with Section 54954.1 and .2 of the Government Code.]

# South Coast Conduit Upper Reach Reliability Project-
# Section 106 Permit Schedule for the South Portal Removal Mitigation



# South Coast Conduit Upper Reach Reliability Project- Section 106 Permit Schedule with Additional Buried Resources Investigation and No Significant Findings

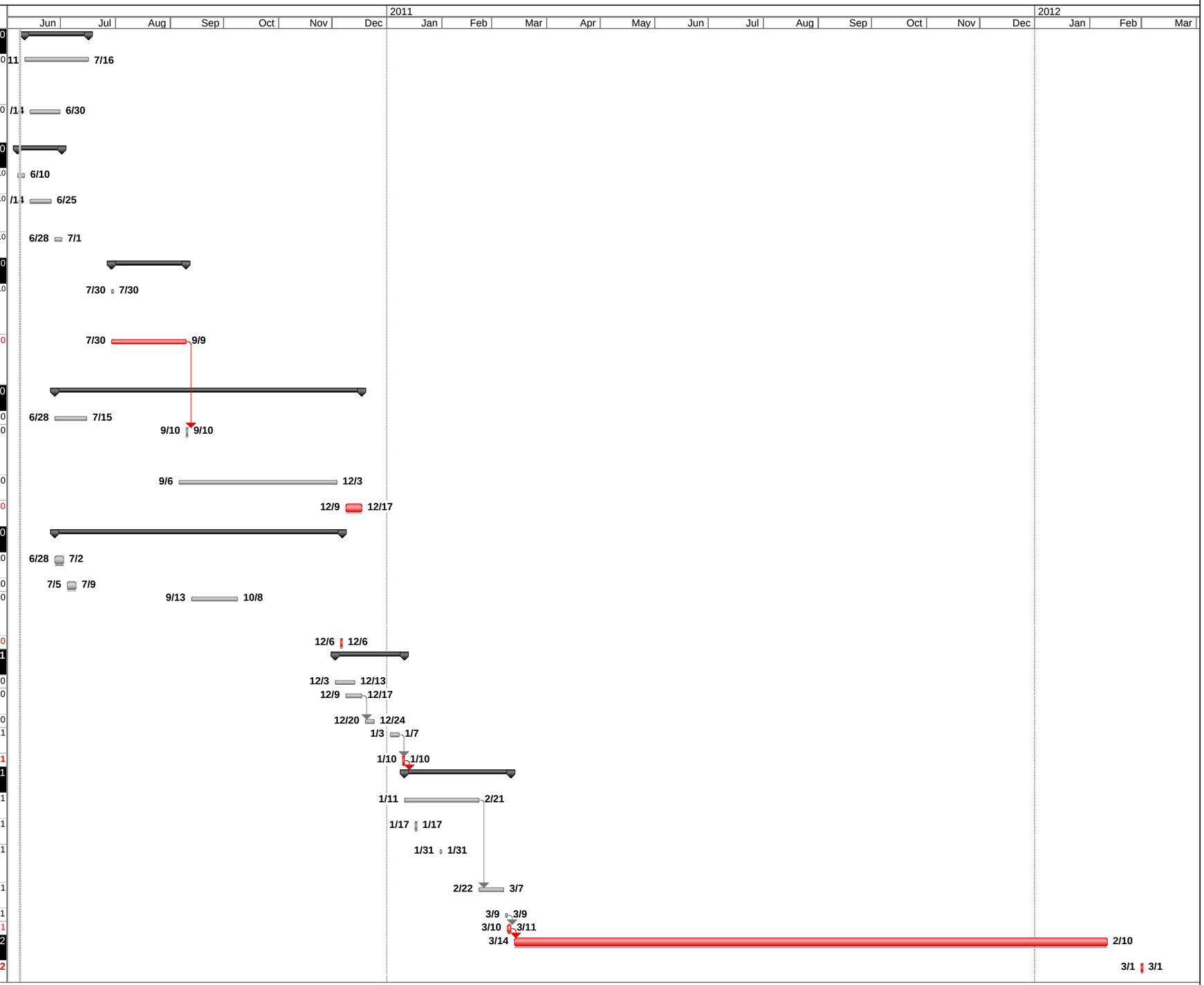
| ID | Task Name | Duration | Start | Finish |
|---|---|---|---|---|
| 1 | **South Portal Removal Mitigation** | 26 days | Fri 6/11/10 | Fri 7/16/10 |
| 2 | COMB contracts with Applied Earthworks (AE) Architectural Historian to document historic significance of South Portal and write draft MOA to address adverse effect of removing South Portal. Please see Section 106 Flowchart for the South Portal. | 26 days | Fri 6/11/10 | Fri 7/16/10 |
| 3 | USBR finalizes JRP Historic Evaluation of Cachuma Project Report listing South Portal eligible for National Register of Historic Places. | 13 days | Mon 6/14/10 | Wed 6/30/10 |
| 4 | **Buried Resources Probability** | 80 days | Mon 6/7/10 | Fri 9/24/10 |
| 5 | COMB contracts with Applied Earthworks to write Technical Memo describing Potential for Additional Buried Resources | 4 days | Mon 6/7/10 | Thu 6/10/10 |
| 6 | AE Technical Memo indicates need for further sub-surface analysis- this triggers Buried Resources Report with findings from further sub-surface analysis | 10 days | Mon 6/14/10 | Fri 6/25/10 |
| 7 | AE completes Buried Resources Report and COMB submits to USBR for review | 50 days | Mon 6/28/10 | Fri 9/3/10 |
| 8 | USBR reviews Buried Resources Report and requests further edits from AE, AE completes requested changes and submits Buried Resources Analysis Report to USBR. USBR approves final report. | 16 days | Fri 9/3/10 | Fri 9/24/10 |
| 9 | **Findings, Submittal and SHPO Concurrence** | 31 days | Mon 9/27/10 | Mon 11/8/10 |
| 10 | USBR submits to SHPO- Sect 106 package "Finding of Adverse Effect for SCCURRP" containing 1.AE Tech Memo for Buried Resources Prob and Final Buried Resources Report with original testing report 2.JRP Historic Evaluation 3.USBR finding of affect. | 1 day | Mon 9/27/10 | Mon 9/27/10 |
| 11 | **SHPO concurs with USBR's findings of adverse affect- one finding of effect for whole project- (due to adverse affect of removing South Portal and its eligibility for National Register- makes whole project fall under finding of adverse affect).** | 30 days | Tue 9/28/10 | Mon 11/8/10 |
| 12 | **Memoradum of Agreement** | 194 days | Mon 6/28/10 | Thu 3/24/11 |
| 13 | COMB submits draft MOA for South Portal to USBR | 14 days | Mon 6/28/10 | Thu 7/15/10 |
| 14 | USBR submits MOA to SHPO- no timeframe mandated for SHPO to review MOA- MOA cannot be submitted until SHPO concurs with finding of adverse affect from USBR Section 106 package submittal. | 1 day | Tue 11/9/10 | Tue 11/9/10 |
| 15 | SHPO reviews and suggests possible revisions to MOA ; Historian completes revisions and resubmits to SHPO. | 90 days | Wed 11/10/10 | Tue 3/15/11 |
| 16 | **SHPO concurs with final MOA - required parties sign MOA.** | 7 days | Wed 3/16/11 | Thu 3/24/11 |
| 17 | **NEPA Completion** | 126 days | Mon 6/28/10 | Mon 12/20/10 |
| 18 | COMB prepares amendment to Final EIR/EIS identifying impacts and mitigation for destruction of South Portal. | 5 days | Mon 6/28/10 | Fri 7/2/10 |
| 19 | USBR prepares Notice of Availability for Final EIS. | 22 days | Thu 9/30/10 | Fri 10/29/10 |
| 20 | USBR posts NOA in Federal Register and on EPA website for 30 days- pending SHPO concurrence with finding of adverse affect on 11/8/10. Posting of NOA calendars ROD for signature. | 4 wks | Mon 11/15/10 | Fri 12/10/10 |
| 21 | **USBR signs ROD for EIS.** | 7 days | Fri 12/10/10 | Mon 12/20/10 |
| 22 | **Permit Completion** | **64 days** | **Mon 1/10/11** | **Thu 4/7/11** |
| 23 | USBR issues Construction Permit. | 1 day | Mon 1/10/11 | Mon 1/10/11 |
| 24 | SHPO concurs with final MOA - required parties sign MOA. | 7 days | Wed 3/16/11 | Thu 3/24/11 |
| 25 | USBR issues Sectn 106 Permit. | 5 days | Fri 3/25/11 | Thu 3/31/11 |
| 26 | ACOE issues 404 Permit after receipt of Section 106 Permit. | 5 days | Thu 3/31/11 | Wed 4/6/11 |
| 27 | **All permits in hand** | **1 day** | **Thu 4/7/11** | **Thu 4/7/11** |
| 28 | **Re-Bid the Project** | 59 days | Mon 4/11/11 | Thu 6/30/11 |
| 29 | Re-Bid the Project, finalize and approve Legal Funding Agmt. | 30 days | Mon 4/11/11 | Fri 5/20/11 |
| 30 | COMB approves Project expenditure, Project Indem Agrmt, GWD & SB JPAs,SB & MWD Contribution Agmts. | 7 days | Fri 5/20/11 | Mon 5/30/11 |
| 31 | All MUs approve Project expenditure; ID1 approves Project Indem Agrmt, GWD & SB approve JPAs, SB & MWD apporve Contribution Agrmts. | 7 days | Tue 5/31/11 | Wed 6/8/11 |
| 32 | Bond pricing, sign purchase contract, final Official Statement.pre-close | 2 wks | Thu 6/9/11 | Wed 6/22/11 |
| 33 | Bond Closing and Delivery of Funds | 1 day | Fri 6/24/11 | Fri 6/24/11 |
| 34 | **Award Construction Contract/Notice to Proceed** | 2 days | Wed 6/29/11 | Thu 6/30/11 |
| 35 | **Construct 2nd Pipeline Project** | 12 mons | Fri 7/1/11 | Thu 5/31/12 |
| 36 | **Prop 50 Invoicing/Reimbursement Deadline** | **1 day** | **Mon 3/12/12** | **Mon 3/12/12** |




***Please note: All timeline dates are estimated times of completion only, and could be subject to change.**

# South Coast Conduit Upper Reach Reliability Project- Section 106 Permit Schedule with No Additional Buried Resources Investigation and No Significant Findings

| ID | Task Name | Duration | Start | Finish |
|---|---|---|---|---|
| 1 | **South Portal Removal Mitigation** | 26 days | Fri 6/11/10 | Fri 7/16/10 |
| 2 | COMB contracts with Applied Earthworks (AE) Architectural Historian to document historic significance of South Portal and write draft MOA to address adverse effect of removing South Portal. Please see Section 106 Flowchart for the South Portal. | 26 days | Fri 6/11/10 | Fri 7/16/10 |
| 3 | USBR finalizes JRP Historic Evaluation of Cachuma Project Report listing South Portal eligible for National Register of Historic Places. | 13 days | Mon 6/14/10 | Wed 6/30/10 |
| 4 | **Buried Resources Probability** | 19 days | Mon 6/7/10 | Thu 7/1/10 |
| 5 | COMB contracts with AE to write Technical Memo describing Potential for Additional Buried Resources. | 4 days | Mon 6/7/10 | Thu 6/10/10 |
| 6 | COMB submits AE Technical Memo with conclusion of low probability of effect on buried resources to USBR- no further sub-surface analysis required. | 10 days | Mon 6/14/10 | Fri 6/25/10 |
| 7 | USBR concurs with AE Technical Memo findings of no effect to buried resources. | 4 days | Mon 6/28/10 | Thu 7/1/10 |
| 8 | **Findings, Submittal and SHPO Concurrence** | 30 days | Fri 7/30/10 | Thu 9/9/10 |
| 9 | USBR submits to SHPO USBR Section 106 package containing 1.Applied Earthworks Tech Memo for Buried Resources Probability and original testing report 2. JRP Historic Evaluation 3. USBR finding of affect. SHPO has 30 days to concur. | 1 day | Fri 7/30/10 | Fri 7/30/10 |
| 10 | **SHPO concurs with USBR's findings of adverse affect- one finding of effect for whole project- (due to adverse affect of removing South Portal and its eligibility for National Register- makes whole project fall under finding of adverse affect).** | 30 days | Fri 7/30/10 | Thu 9/9/10 |
| 11 | **Memoradum of Agreement** | 125 days | Mon 6/28/10 | Fri 12/17/10 |
| 12 | COMB submits draft MOA for South Portal to USBR; | 14 days | Mon 6/28/10 | Thu 7/15/10 |
| 13 | USBR submits MOA to SHPO- no timeframe mandated for SHPO to review MOA- MOA cannot be submitted until SHPO concurs with finding of adverse affect from USBR Section 106 package submittal. | 1 day | Fri 9/10/10 | Fri 9/10/10 |
| 14 | SHPO reviews and suggests possible revisions to MOA ; Historian completes revisions and resubmits to SHPO. | 65 days | Mon 9/6/10 | Fri 12/3/10 |
| 15 | **SHPO concurs with final MOA - required parties sign MOA.** | 7 days | Thu 12/9/10 | Fri 12/17/10 |
| 16 | **NEPA Completion** | 116 days | Mon 6/28/10 | Mon 12/6/10 |
| 17 | COMB prepares amendment to Final EIR/EIS identifying impacts and mitigation for destruction of South Portal. | 5 days | Mon 6/28/10 | Fri 7/2/10 |
| 18 | USBR prepares Notice of Availability for Final EIS. | 5 days | Mon 7/5/10 | Fri 7/9/10 |
| 19 | USBR posts NOA in Federal Register and on EPA website for 30 days- pending SHPO concurrence with finding of adverse affect on 9/9/10. Posting of NOA calendars ROD for signature. | 4 wks | Mon 9/13/10 | Fri 10/8/10 |
| 20 | **USBR signs ROD for EIS.** | 1 day | Mon 12/6/10 | Mon 12/6/10 |
| 21 | **Permit Completion** | **27 days** | **Fri 12/3/10** | **Mon 1/10/11** |
| 22 | USBR issues Construction Permit. | 7 days | Fri 12/3/10 | Mon 12/13/10 |
| 23 | SHPO concurs with final MOA - required parties sign MOA. | 7 days | Thu 12/9/10 | Fri 12/17/10 |
| 24 | USBR issues Sectn 106 Permit. | 5 days | Mon 12/20/10 | Fri 12/24/10 |
| 25 | ACOE issues 404 Permit after receipt of Section 106 Permit. | 5 days | Mon 1/3/11 | Fri 1/7/11 |
| 26 | **All permits in hand** | **1 day** | **Mon 1/10/11** | **Mon 1/10/11** |
| 27 | **Re-Bid the Project** | 44 days | Tue 1/11/11 | Fri 3/11/11 |
| 28 | Re-Bid the Project, finalize and approve Legal Funding Agmt. | 30 days | Tue 1/11/11 | Mon 2/21/11 |
| 29 | COMB approves Project expenditure, Project Indem Agrmt, GWD & SB JPAs,SB & MWD Contribution Agmts. | 1 day | Mon 1/17/11 | Mon 1/17/11 |
| 30 | All MUs approve Project expenditure; ID1 approves Project Indem Agrmt, GWD & SB approve JPAs, SB & MWD apporve Contribution Agrmts. | 1 day | Mon 1/31/11 | Mon 1/31/11 |
| 31 | Bond pricing, sign purchase contract, final Official Statement.pre-close | 2 wks | Tue 2/22/11 | Mon 3/7/11 |
| 32 | Bond Closing and Delivery of Funds | 1 day | Wed 3/9/11 | Wed 3/9/11 |
| 33 | **Award Construction Contract/Notice to Proceed** | 2 days | Thu 3/10/11 | Fri 3/11/11 |
| 34 | **Construct 2nd Pipeline Project** | 12 mons | Mon 3/14/11 | Fri 2/10/12 |
| 35 | **Prop 50 Invoicing/Reimbursement Deadline** | **1 day** | **Thu 3/1/12** | **Thu 3/1/12** |




***Please note: All timeline dates are estimated times of completion only, and could be subject to change.**

# CACHUMA OPERATION AND MAINTENANCE BOARD

## MEMORANDUM

DATE: June 18, 2010

TO: BOARD OF DIRECTORS

FROM: Kate Rees, General Manager

RE: **Proposed FY 2009- 10 COMB Budget Reallocation for 2nd Pipeline Project Additional Permitting Work for NHPA Section 106 Permit for Cultural Resources**

**RECOMMENDATION:**

1. Consider reallocation of $95,000 in FY 2009-10 budgeted funds from Account 6096 – Structure Rehabilitation to Account 6092 – SCC Improvement and Design, to pay for additional consulting work needed for the regulatory permitting requirements for the SCC Upper Reach Reliability Project (2nd Pipeline Project).

2. Authorize General Manager to approve Purchase Order for Applied Earthworks for an archaeological geomorphology study and additional buried resources analyses, if warranted, for the 2nd Pipeline Project, to be approved by the General Manager in phases, as needed, not to exceed $28,676.

3. Authorize General Manager to approve Purchase Order for Applied Earthworks for architectural historical resources recordation, evaluation, and documentation for the 2nd Pipeline Project, not to exceed $18,198.

4. Authorize General Manager to approve Purchase Order for Entrix to assist and provide oversight of Applied Earthworks' archaeological geomorphology study and south portal historical architectural recording activities (Tasks 4 and 5 of the attached scope of work), and continuation of coordination of Section 106 permitting process and completion of NEPA EIS process ($5,000 of Task 1e), not to exceed $20,677.

5. Reserve $18,000 for any future pre-construction project management or bid activities, and authorize General Manager to approve up to $18,000 for AECOM to complete these activities, should they be needed.

6. Authorize General Manager to approve up to a 10% contingency amount of $8,555 for the above work.

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**DISCUSSION:**

Background

I have included my emails to the COMB Directors and Member Unit General Managers in the Board package for reference with regard to the additional work needed to complete the National Historic Preservation Act (NHPA) Section 106 permit requirements for the 2nd Pipeline Project. I've also included the projected time lines and process flow chart. It is unknown at this time how long the Section 106 process will take, as it is dependent in large part on the conclusions of the additional required analyses. Therefore, it is imperative that COMB's consultants start this work right away to hopefully protect the good bid we have for construction of the project.

Applied Earthworks

The first step is for COMB's archaeological consultant, Applied Earthworks, to carry out a geomorphological evaluation of the area, and potentially additional archaeological field studies, to determine the presence or absence of buried historic cultural resources at the additional sites identified by the Chumash tribal representatives in their letters received by Reclamation in mid-May. The estimated cost is $28,676.

It is equally important to have an architectural historian carry out recordation, evaluation, and documentation of the historic significance of the South Portal of the Tecolote Tunnel, and identify the adverse impacts of the 2nd Pipeline Project on the South Portal structure and the archaeological tailing piles, as it is being recommended by Reclamation to be eligible for the National Registry as a historic structure. A Memorandum of Agreement (MOA) proposing the treatment measures to mitigate the adverse impacts to the South Portal (it will be destroyed during construction) and the tailing piles (the new pipeline will go through it and the new south portal structure will be built on it) must also be written, so that it can be agreed upon by SHPO and Reclamation. The MOA must be completed before Reclamation can issue the Section 106 permit. The estimated cost is $18,198.

Scopes of work (SOW) and cost estimates for these two processes are provided from Applied Earthworks. The buried resources SOW is divided into phases. The first two phases are geomorphological studies to determine the probability of buried resources being found. If the study finds there is no probability of finding anything of historic significance, this can be documented and used to satisfy the tribes' request. However, if the conclusion determines there is a probability of finding historic buried artifacts, additional field testing will be needed. Therefore, all potential work is included in the SOW. Each phase will be authorized, as needed. But staff is requesting that the Board approve the total estimated cost in the event that all phases need to be carried out. All of Applied Earthworks work will be done on a time and materials basis. It is essential that the consultants begin these analyses immediately so that this work can be completed as quickly as possible.

Entrix

COMB's environmental consultant is Rosie Thompson of Entrix (she was formerly with SAIC). She has been the primary coordinator of all permitting activities and she authored the EIR/EIS and the various mitigation plans for the project. She worked closely with Applied Earthworks on the completed buried resources study at a known historic site on Glen Anne Creek, and with the permitting agencies and Reclamation throughout the entire process. Her services are needed to continue coordination of the Section 106 permit process, assist Applied Earthworks and oversee their work for COMB, and complete NEPA compliance with Reclamation on the EIS. Her scope of work for these activities is described in the attached SOW in Tasks 4 and 5, and part of Task 1. The estimated cost is $20,677.

AECOM

Glen Hille of AECOM is the Project Manager for the 2nd Pipeline Project. He completed his contracted SOW with the bid tabulation of the contractors who submitted bids for construction of the project. However, due to the potentially long delay in awarding the construction contract, it is anticipated that future project management work will be needed, and potentially the need to rebid the project again. Therefore, staff requests that the Board approve allocating $18,000 for AECOM's future work.

The proposed budget reallocation is listed below:

| *ACCT NO* | *ACCT NAME* | *FY 09-10 Amount budgeted* | *FY 09-10 Amount remaining* | *Amount to transfer* | *Revised remaining budget amt* |
|---|---|---|---|---|---|
| **Adjustments From:** | | | | | |
| 6096 | SCC Structure Rehab | 100,000 | 98,406 | 95,000 | 3,406 |
| **Total Adjustment** | | | | **95,000** | |

| *ACCT NO* | *ACCT NAME* | *FY 09-10 Amount Budgeted* | | *Additional amount needed* | *Revised remaining budget amt* |
|---|---|---|---|---|---|
| **Adjustments To:** | | | | | |
| 6092 | SCC Improvements and Design | 360,800 | 0 | 95,000 | 95,000 |
| **Total Adjustment** | | | | **95,000** | |

Also attached is a spreadsheet showing how much has been spent from 2005 to date on the 2nd Pipeline Project, as requested.

Because this additional work needs to be completed as quickly as possible, funding is needed right away. However, the funds could be reimbursed from the bond/contribution proceeds, once they have been received by COMB, if the three funding agencies wish to do so.

Therefore, I request that the Board approve the reallocation of budgeted funds as recommended to cover the unanticipated costs associated with the Section 106 permit for the 2nd Pipeline Project, plus 10% contingency for each activity.

Respectfully submitted,

Kate Rees
General Manager

Cachuma Operation & Maintenance Board

**2nd Pipeline Project costs to date**
**(from 2005 to present)**

| | | |
|---|---|---|
| **AECOM** | $ 689,300.00 | |
| **SAIC** | $ 298,875.00 | |
| **Kitson Landscape** | $ 19,330.57 | |
| **Flowers** | $ 16,940.40 | |
| **S & S Seeds** | $ 13,515.64 | |
| **Gessert/Brown Properties** | $ 15,800.00 | |
| **University Exchange** | $ 10,000.00 | |
| **Applied Earthworks** | $ 50,000.00 | |
| **Misc.** | $ 10,000.00 | |
| **Entrix** | $ 20,000.00 | |
| | | $ 1,143,761.61 |
| **Future** | | |
| **Possible Re-bid costs (AECOM)** | $ 20,000.00 | |
| | | $ 1,163,761.61 |

ITEM # 4

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June 14, 2010

Ms. Kate Rees
General Manager
Cachuma Operation & Maintenance Board
3301 Laurel Canyon Road
Santa Barbara, CA 93105-2017

**RE: South Coast Conduit Upper Reach Reliability Project Construction and Revegetation Environmental Services**

Dear Kate:

ENTRIX, Inc. (ENTRIX) is pleased to present this proposal to provide environmental services prior to and during construction as well as subsequent revegetation of the pipeline corridor, including off-site oak tree mitigation planting. This cost estimate is based on our current understanding of the project design and project schedule/timeline. If there are changes to the project or schedule, this scope and cost estimate may need to be modified. The following describes the scope of work and cost estimate for these services.

### Scope of Work

Tasks to be provided are pre-construction activities (finalizing permits and other tasks before ground disturbance in any particular area), construction monitoring, and revegetation monitoring. In addition, ENTRIX will provide coordination with Applied EarthWorks (AE) and Reclamation for completion of the Section 106 Consultation.

#### *Task 1. Pre-Construction Activities*

ENTRIX will continue to assist with completion of permits and the EIS process. This includes coordination (by phone and e-mail) with the permitting agencies, Reclamation, and AE. Most of the coordination with AE and Reclamation is included in Tasks 4 and 5 below.

Several tasks need to be completed in compliance with the mitigation measures in the EIS/EIR. These include field marking and recording the amount of Santa Barbara honeysuckle plants within the construction right-of-way (ROW); recording the locations of coast live oak trees in the ROW and marking those that are to be avoided by the Construction contractor; nesting bird surveys prior to vegetation clearing in April through August; and assistance with invasive weed control. Other tasks include coordination of environmental tasks to ensure that all required tasks are completed in compliance with the mitigation measures and permit conditions, and assistance with review of the Stormwater Pollution Prevention Plan (SWPPP) prepared by the Construction contractor.

Marking of the honeysuckle and oak trees within the ROW will be completed after the work area is staked to ensure that only those plants within the work area are marked. The nesting bird surveys will be coordinated with the Construction contractor/on-site Construction Manager so that areas where vegetation is to be removed will be checked in advance of the work. ENTRIX staff will assist COMB staff in identification of invasive weeds to be removed before construction so that equipment does not spread these species. The coordination task involves close communication with COMB staff and the construction management team to prevent delays in construction related to environmental requirements.

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### *Task 2. Construction Monitoring*

EXTRIX will provide environmental training for construction workers in compliance with permit conditions to help prevent damage to sensitive environmental resources and to define the protocol for working in sensitive areas (up to 28 hours). Such training will need to occur as new crews arrive on the site, and ENTRIX can provide the training materials to the daily monitors for new workers. In addition ENTRIX will provide coordination of the monitoring to ensure that the appropriate monitors are present when required. This includes providing an archaeological monitor during excavation through CA-SBA-1775, adjacent to CA-SBA-3923, and on the benches adjacent to both creek crossings (up to 48 hours). The archaeologist will train the daily monitor(s) in identification of archaeological materials so that the archaeologist does not need to be present for all excavation work but can perform spot checks for sensitive areas and more intensive monitoring at CA-SBA-1775. The archaeologist will be on call if any potential archaeological materials are found by the daily monitors. ENTRIX will also coordinate permit compliance through regular (weekly) checks with the monitors to make sure that all permit conditions are being implemented. A record of permit compliance, including any non-compliance issues and how they were resolved, will be kept for the end of the project monitoring report. This coordination also includes any necessary permit agency consultations/notifications.

ENTRIX qualified biologists will make daily spot checks for California red-legged frogs at the two creek crossings while work is ongoing at those locations (up to 36 hours). An ENTRIX botanist will assist with salvage of the mariposa lilies on the slope just west of the Corona Del Mar Water Treatment Plant. Monitoring will also occur during creek bed restoration (up to 32 hours) to ensure that excess material is not placed in the creeks and that contours are appropriate for the streams. Photographs will be taken prior to construction through the creeks to use as a reference during restoration. An ENTRIX wildlife biologist will conduct surveys for breeding wildlife, particularly birds, immediately prior to and during vegetation clearing.

An ENTRIX botanist will provide guidance for weed control during construction. This will include site visits as well as e-mail and other communication and coordination. Since construction will take approximately one year to complete, weeds will grow in areas that are cleared and not actively under construction. Control of those weeds will greatly enhance revegetation efforts.

General daily construction monitoring will be provided by COMB as described below under Key Assumptions. However, ENTRIX will provide up to 200 hours of general monitoring to fill in when additional monitors are needed or the COMB monitors cannot be present.

### *Task 3. Revegetation Monitoring*

An ENTRIX botanist will coordinate with the Construction contractor's revegetation subcontractor to ensure that revegetation of the pipeline corridor is consistent with the project revegetation plan. COMB personnel and an ENTRIX botanist will conduct an inspection of the soil surface following construction to ensure that it is suitable for seed application. This will be conducted prior to removal of construction equipment so repairs can be made in a timely and cost-sensitive manner. An ENTRIX botanist will inspect the seed mixes and container plantings to ensure they meet the requirements in the project revegetation plan. COMB and ENTRIX will monitor seed application to ensure that it is completed evenly and correctly. COMB and ENTRIX will monitor installation of container planting to ensure that they are appropriately located and installed properly. Seed application and container plantings will be documented with notes on the drawings including dates and with photographs for later reference.

An ENTRIX botanist with the support of COMB personnel will conduct spring and fall revegetation monitoring. Spring visits will be qualitative in nature and fall visits will also include more detailed data collection (e.g., size of oak tree plantings). In addition, periodic spot checks of the corridor will be conducted in the winter to detect erosion and in the spring and summer to detect weed invasions. ENTRIX will conduct an analysis of the data collected during the monitoring site visits and prepare an annual report that will document the progress of the revegetation.

This task can be updated during construction and funded at that time.

### *Task 4. Archaeological Geomorphology Study*

ENTRIX will provide AE with construction plans, maps, the geotechnical report for the project, and any other information that we have for use in the study. Our staff will also assist with coordination between Reclamation and COMB for the Section 106 process.

### *Task 5. South Portal Historical Architectural Recording*

ENTRIX will coordinate with AE to make sure their architectural historian has all the information and background needed for the South Portal Study. Our staff will also assist with coordination between Reclamation and COMB for the Section 106 process.

### Key Assumptions

1. Pre-Construction. It is assumed that COMB staff will assist with the honeysuckle and oak tree marking (64 hours) and will provide most of the weed control guidance and oversight (160 hours). It is also assumed that COMB staff will provide the pre-construction California red-legged frog surveys in West Fork and main stem Glen Annie Creek (2 night surveys - 12 hours total) and a visual survey for steelhead in Glen Annie Creek (6 hours or less).

   Any GPS data needed will be taken by COMB.

2. Construction. COMB will provide daily construction monitors to check on work activities and record compliance/non-compliance with permit conditions. Any non-compliance issues will be brought up to the on-site Construction Manager for quick resolution. Monitoring activities include checking vehicles and boots when workers leave invasive plant areas, visual inspection of equipment for leaks of fuel or lubricants, verification that topsoil is salvaged and replaced, regular checks of erosion control measures (including daily during and just after rains), verification that oak trees to be protected are not removed, and checks that the work area is clearly marked and that all activities remain within that area. ENTIRX will coordinate with the monitors to make sure they know where the sensitive areas are and what the permit conditions require. Assuming 312 days of construction activities that need monitoring at 8 hours/day, a total of 2,496 hours of monitoring time is needed.

3. Construction. COMB will notify residents at least 48 hours before construction is to occur within 800 feet of occupied structures.

4. Construction. COMB will provide laborers for weed control (estimated at 320 or more hours).

5. Revegetation. It is assumed that the Construction contractor will prepare the soil, apply seed, and conduct necessary weed control for one year following construction. In addition, the construction contract will be responsible for planting container plantings at the end of the first year following completion of construction, including off-site oak tree plantings. Thereafter,

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maintenance and any replanting will be the responsibility of COMB. All GPS data on locations of oak trees and honeysuckle, if needed, will be provided by COMB.

6. Revegetation. Monitoring included in this proposal covers a period of six years following completion of construction (including the one year Contractor-maintenance period and 5 years after that). The monitors will tag the oak trees one year after they are planted to be able to track survival. It is anticipated that oak trees will not all meet performance criteria at the end of five years. The need to continue monitoring will be determined based on conditions at the time of completion of this contract.
7. Revegetation. It is assumed that COMB will provide revegetation monitoring assistance that includes oversight of seeding and planting (120 hours), spring surveys (100 hours), checks for weeds and maintenance needs (60 hours), and detailed fall monitoring (170 hours).

### Schedule

Tasks 4 and 5 are assumed to begin upon receipt of a Notice to Proceed from COMB. Task 1 will begin once the construction contract is awarded and is estimated to take 1 to 3 months for completion, depending on the Construction contractor's schedule of work. Task 2 will cover the entire construction period, which is assumed to be one year. Task 3 will begin at the end of construction and continue for 6 years. Annual revegetation reports will be prepared at the end of each calendar year.

### Resource Allocation and Cost Estimate

A breakdown of estimated costs for the tasks described above is attached. The total cost estimate for this scope of work is $169,483 for Tasks 1, 2, 4, and 5. This cost estimate and associated fee schedule are based on the ENTRIX 2010 schedule of fees for professional consulting services (attached rate sheet). The total cost estimate for Task 3 is $211,131 and uses estimated rates for 2012 through 2017. ENTRIX will immediately notify COMB should this proposed scope of work require modification or expand in any way.

Please provide written approval of the proposed work scope and cost estimate, and your acceptance of the attached Schedule of Fees to Debra Alioto at dalioto@entrix.com. This proposal will remain valid for thirty (30) days.

We appreciate the opportunity to continue providing COMB with high quality professional consulting services for your projects. Feel free to contact Rosie Thompson 805-979-9413 to discuss any questions you may have concerning our scope of work and cost estimate. Again, thank you for considering ENTRIX for this very important assignment.

Sincerely,
**ENTRIX, Inc.**

Rosemary Thompson

Rosemary Thompson, Ph.D.
Senior Consultant

cc: Debra Alioto

File: SCC URRP constr-reveg SOW.doc

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ENTRIX

Power to Perform. Power to Succeed.

**COMB South Coast Conduit Upper Reach Reliability Project Construction and Revegetation**

| | ENTRIX, Inc. | | | | | | | | Other Reimbursable Expenses (at cost) | | | Unit Costs | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Thompson Rosemary, Senior Consultant | Klug Tamara, Project Scientist | Mulder Joel, Senior Staff Scientist | Bumby Sarah, Staff Scientist | McIntyre Mary, Project Coordinator | Nadolski John, Archaeology QA | Assistant Staff Scientist | TOTAL ENTRIX LABOR | Travel & Lodging | Miscellaneous field equipment | TOTAL OTHER REIMBURSABLE EXPENSES (w/markup) | Mileage | TOTAL UNIT COSTS | Communication Fee | TOTALS |
| *Hourly Billing Rate, Subconsultant Markup, or Unit Cost:* | *$ 185* | *$ 130* | *$ 120* | *$ 100* | *$ 105* | *$ 185* | *$ 85* | | *10%* | *10%* | | *$ 0.50* | | *3.00%* | |
| **TASK 1 - Pre-Construction Activities** | | | | | | | | | | | | | | | |
| a. Field marking oak trees and SB honeysuckle | | 64 | | | 1 | | | $ 8,425 | | $ 50 | $ 55 | | $ - | $ 253 | $ 8,733 |
| b. Nesting bird surveys | | | 32 | | 1 | | | $ 3,945 | | | $ - | 160 | $ 80 | $ 118 | $ 4,143 |
| c. Weed control | | 20 | | | | | | $ 2,600 | | | $ - | | $ - | $ 78 | $ 2,678 |
| d. SWPPP review | 16 | | | | | | | $ 2,960 | | | $ - | | $ - | $ 89 | $ 3,049 |
| e. Environmental permits and task coordination | 84 | | | | 2 | | | $ 15,750 | | | $ - | | $ - | $ 473 | $ 16,223 |
| ***Subtotal - Task 1*** | 100 | 84 | 32 | 0 | 4 | 0 | 0 | $ 33,680 | $ - | $ 50 | $ 55 | 160 | $ 80 | $ 1,010 | $ 34,825 |
| **TOTAL - TASK 1** | 100 | 84 | 32 | 0 | 4 | 0 | 0 | $ 33,680 | $ - | $ 50 | $ 55 | 160 | $ 80 | $ 1,010 | $ 34,825 |
| **TASK 2 - Construction Monitoring** | | | | | | | | | | | | | | | |
| a. Specialist field checks for listed species | 36 | 8 | | | 1 | | | $ 7,805 | | | $ - | | $ - | $ 234 | $ 8,039 |
| b. Wildlife breeding surveys during vegetation clearing | | | 40 | | 1 | | | $ 4,905 | | | $ - | 160 | $ 80 | $ 147 | $ 5,132 |
| c. Weed control | | 48 | | | 1 | | | $ 6,345 | | | $ - | | $ - | $ 190 | $ 6,535 |
| d. Creek bed restoration monitoring | 32 | | | | 1 | | | $ 6,025 | | | $ - | | $ - | $ 181 | $ 6,206 |
| e. Permit compliance coordination | 104 | | | | 4 | | | $ 19,660 | | | $ - | | $ - | $ 590 | $ 20,250 |
| f. Coordination of daily monitors/environmental training | 148 | | | | 4 | | | $ 27,800 | | | $ - | | $ - | $ 834 | $ 28,634 |
| g. Archaeological monitoring | | | | | 1 | 8 | 48 | $ 5,665 | $ 700 | | $ 770 | 140 | $ 70 | $ 170 | $ 6,675 |
| h. Monitoring documentation/reports | 36 | | 8 | | 1 | 2 | 8 | $ 8,775 | | | $ - | | $ - | $ 263 | $ 9,038 |
| i. General monitor | 40 | | | 200 | | | | $ 27,400 | | | $ - | 500 | $ 250 | $ 822 | $ 28,472 |
| ***Subtotal - Task 2*** | 396 | 56 | 48 | 200 | 14 | 10 | 56 | $ 114,380 | $ 700 | $ - | $ 770 | 800 | $ 400 | $ 3,431 | $ 118,981 |
| **TOTAL - TASK 2** | 396 | 56 | 48 | 200 | 14 | 10 | 56 | $ 114,380 | $ 700 | $ - | $ 770 | 800 | $ 400 | $ 3,431 | $ 118,981 |
| **TASK 3 - Revegetation Monitoring** | | | | | | | | | | | | | | | |
| **Costed separately** | | | | | | | | | | | | | | | |
| **TASK 4 - Geomorphology Study** | | | | | | | | | | | | | | | |
| Coordination with Applied EarthWorks and Reclamation | 24 | | | | 2 | 24 | | $ 9,090 | | | $ - | | $ - | $ 273 | $ 9,363 |
| ***Subtotal - Task 4*** | 24 | 0 | 0 | 0 | 2 | 24 | 0 | $ 9,090 | $ - | $ - | $ - | 0 | $ - | $ 273 | $ 9,363 |
| **TOTAL - TASK 4** | 24 | 0 | 0 | 0 | 2 | 24 | 0 | $ 9,090 | $ - | $ - | $ - | 0 | $ - | $ 273 | $ 9,363 |
| **TASK 5 - South Portal Documentation** | | | | | | | | | | | | | | | |
| Coordination with Applied EarthWorks and Reclamation | 24 | | | | 2 | 8 | | $ 6,130 | | | $ - | | $ - | $ 184 | $ 6,314 |
| ***Subtotal - Task 5*** | 24 | 0 | 0 | 0 | 2 | 8 | 0 | $ 6,130 | $ - | $ - | $ - | 0 | $ - | $ 184 | $ 6,314 |
| **TOTAL - TASK 5** | 24 | 0 | 0 | 0 | 2 | 8 | 0 | $ 6,130 | $ - | $ - | $ - | 0 | $ - | $ 184 | $ 6,314 |
| **Total Hours or Amounts** | 544 | 140 | 80 | 200 | 22 | 42 | 56 | 1,084 | $ 700 | $ 50 | $ 825 | 960 | $ 480 | $ 4,898 | |
| **TOTAL PROJECT COST** | | | | | | | | $ 163,280 | | | $ 825 | | $ 480 | $ 4,898 | $ 169,483 |

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ENTRIX

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| COMB South Coast Conduit Upper Reach Reliability Project Construction and Revegetation Task 3 (2012-2017) | ENTRIX, Inc. | | | | | | TOTAL, ENTRIX LABOR | Other Reimbursable Expenses | | TOTAL, OTHER REIMBURSABLE EXPENSES (w/markup) | Communication Fee | TOTALS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Thompson Rosemary, Senior Consultant | Klug Tamara, Project Scientist | Bumby Sarah, Staff Scientist | Clare Anna, CADD/Drafting/GIS | LaRosa Sandy, Production Specialist | McIntyre Mary, Project Coordinator | | Travel & Lodging | Miscellaneous field equipment (e.g., oak tree tags) | | | |
| *Hourly Billing Rate, Subconsultant Markup, or Unit Cost:* | *$ 238* | *$ 167* | *$ 129* | *$ 135* | *$ 122* | *$ 135* | | *10%* | *10%* | | *3.00%* | |
| **TASK 3 - Revegetation Monitoring** | | | | | | | | | | | | |
| a. Seeding/planting oversight | 16 | 78 | | | | 6 | $ 17,644 | | | $ - | $ 529 | $ 18,173 |
| b. Spring surveys | 16 | 100 | | | | 6 | $ 21,318 | | | $ - | $ 640 | $ 21,958 |
| c. Weed/maintenance checks | 8 | 60 | | | | 6 | $ 12,734 | | | $ - | $ 382 | $ 13,116 |
| d. Fall detailed surveys | 32 | 170 | | | | 6 | $ 36,816 | | $ 1,000 | $ 1,100 | $ 1,104 | $ 39,020 |
| e. Survey documentation | 8 | 50 | | | 12 | | $ 11,718 | | | $ - | $ 352 | $ 12,070 |
| f. Data analysis | 32 | 70 | 150 | 32 | | 6 | $ 43,786 | | | $ - | $ 1,314 | $ 45,100 |
| g. Annual reports | 80 | 140 | 50 | 48 | 24 | 12 | $ 59,898 | | | $ - | $ 1,797 | $ 61,695 |
| ***Subtotal - Task 3*** | 192 | 668 | 200 | 80 | 36 | 42 | $ 203,914 | $ - | $ 1,000 | $ 1,100 | $ 6,117 | $ 211,131 |
| **TOTAL - TASK 3** | 192 | 668 | 200 | 80 | 36 | 42 | $ 203,914 | $ - | $ 1,000 | $ 1,100 | $ 6,117 | $ 211,131 |
| **Total Hours or Amounts** | **192** | **668** | **200** | **80** | **36** | **42** | **1,218** | **$ -** | **$ 1,000** | **$ 1,100** | **$ 6,117** | |
| **TOTAL PROJECT COST** | | | | | | | **$ 203,914** | | | **$ 1,100** | **$ 6,117** | **$ 211,131** |

*Note: escalation of 2% per year from 2010-2011 rates*

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Applied EarthWorks Inc.

VIA EMAIL

3292 E. Florida Avenue
Suite A
Hemet, CA 92544-4941
(951) 766-2000
FAX (951) 766-0020

June 16, 2010

Kate Rees
General Manager
Cachuma Operation & Maintenance Board
3301 Laurel Canyon Road
Santa Barbara, CA 93205-2017

**RE: South Coast Conduit— Upper Reach Reliability Project**
**Historical resources recordation, evaluation, and documentation.**

Dear Kate,

I have had an opportunity to discuss project needs with Stephen Overly of the Bureau of Reclamation and Rosie Thompson of Entrix. I understand that the tasks you require of Applied EarthWorks, Inc. (Æ) Historical Division include recordation and evaluation of the tailings pile site as a historic property and recordation of the Tecolote Tunnel South Portal (South Portal) because it is a contributing feature to the historic water conveyance system reported upon previously by the Bureau of Reclamation's (Reclamation) consultant, JRP.

To meet compliance needs for Reclamation under Section 106 and 110 of the National Historic Preservation Act (NHPA), we recommend that the following tasks be undertaken:

- Recordation and evaluation of the tailings pile at the site of the Tecolote Tunnel outfall as an archaeological resource potentially eligible for the National Register.
- Compilation of Historic American Building Survey (HABS)/Historic American Engineering Record (HAER) documentation as a treatment option in order to resolve adverse effect to the South Portal prior to its demolition.
- Provide guidance to Reclamation on behalf of the Cachuma Operation & Maintenance Board (COMB) in the preparation of a Memorandum of Agreement (MOA) with the State Historic Preservation Office (SHPO) for the resolution of adverse effect to the South Portal and tailings pile site as a result of the Upper Reach Reliability Project.

Æ Historical Division has the personnel and experience to perform all of the itemized tasks above. I have attached a labor allocation table and cost estimate to complete the tasks as stated. Once documentation is finalized a finding of effect for the project will be possible.

Among the activities required to complete the above outlined tasks is a field visit to view the tailings pile site, recordation of any visible structural features associated with the site, and preparation of a brief letter report evaluating the site's significance and eligibility for the National Register. A Department of Parks and Recreation (DPR 523) record will be prepared. Some background research may be necessary to determine what, if any, structures might have been on the site during construction of the Cachuma Project. Æ will first

review the cultural resources survey report prepared by JRP. If this document contains the information needed to determine eligibility, no further research will be performed.

It is Æ's recommendation that HAER-like documentation be prepared for the South Portal. Please note, that HAER like documentation is prepared to the National Park Services (NPS) standards, but it will not be filed with NPS. Æ recommends the final documentation package be filed with Reclamation, SHPO, COMB and the Regional Information Center. Æ staff is familiar NPS HABS/HAER standards having just completed a Level 1 documentation of the Port of Long Beach Administration Building. For the South Portal a brief historical narrative, scaled drawings, and photo-documentation are recommended. The level of photographic documentation has yet to be determined, although it will likely require 35 mm photographs augmented with large format photographs, as deemed necessary through a site visit. Æ understands that COMB will provide as-built drawings of the South Portal. The HAER-like documentation package will be submitted to COMB and Reclamation for review.

Æ staff will provide guidance to COMB and Reclamation in the preparation of the draft MOA for submission to the SHPO. Prior to submission of the MOA, the HAER documentation will be attached and recommendations provided for treatment as necessary at the tailings pile. It is Æ's understanding that Reclamation will submit and negotiate a final treatment plan to resolve the adverse impacts to the South Portal and tailings pile.

We appreciate your consideration of this proposal. Please let me know if you have questions or concerns regarding the strategy outlined above. I can be reached by telephone at 951-766-2000 or by email at mchamilton@appliedearthworks.com.

Respectfully,

*M. Colleen Hamilton, M.A., RPA*
Historical Division Manager

**Proposed Labor Allocation**
**South Coast Conduit/Upper Reach Reliability Project**
**Field Recordation & HABS/HAER Documentation**
**Cachuma Operation and Maintenance Board**

APPLIED EARTHWORKS, INC.
**June 16, 2010**

| TASK IDENTIFIER | A | B | C | D | F | |
|---|---|---|---|---|---|---|
| **Staff Position** | **Archival Research** | **Tailing Recordation** | **HAER Documentation** | **Draft MOA** | **Project Coordination** | **Total (hrs)** |
| Principal Investigator III | 0.0 | 0.0 | 10.0 | 24.0 | 20.0 | 54.0 |
| Supervisor Archaeologist VI | 8.0 | 32.0 | 48.0 | 0.0 | 0.0 | 88.0 |
| Asst. Archaeologist III | 0.0 | 12.0 | 0.0 | 0.0 | 0.0 | 12.0 |
| Graphics Technician VI | 0.0 | 0.0 | 16.0 | 0.0 | 0.0 | 16.0 |
| Administrator VII | 0.0 | 0.0 | 2.0 | 0.0 | 2.0 | 4.0 |
| **Total** | 8.0 | 44.0 | 76.0 | 24.0 | 22.0 | 174.0 |

***Assumes that HAER-like Documentation only for the South Portal**

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**COST PROPOSAL**
**South Coast Conduit/Upper Reach Reliability Project**
**Field Recordation & HABS/HAER Documentation**
**Cachuma Operation and Maintenance Board**

**APPLIED EARTHWORKS, INC.**
**June 16, 2010**

| **Labor Category** | Hrs. | | Rate | Cost |
|---|---|---|---|---|
| Principal Investigator (MCH) | 54.0 | | $108.90 | $5,880.60 |
| Supervisory Archaeologist | 88.0 | | $67.20 | $5,913.60 |
| Asst. Archaeologist | 12.0 | | $60.50 | $726.00 |
| Graphics Technician (CI/MM) | 16.0 | | $67.20 | $1,075.20 |
| Administrator (SB) | 4.0 | | $75.40 | $301.60 |
| **Total Hours/$** | **174.0** | | | **$13,897.00** |

| **Other Direct Costs** | Units | | @ | |
|---|---|---|---|---|
| Misc Field Expenses | | | | $50.00 |
| Archival reproduction | 0 | | $125.00 | $0.00 |
| GPS | 1 | | $90.00 | $90.00 |
| Large Format Photography* | | | | $3,000.00 |
| Postage/Communications | | | | $50.00 |
| Office supplies/duplication | | | | $50.00 |

| **Travel/Transportation** | Units | | @ | |
|---|---|---|---|---|
| Mileage (personal vehicles) | 800 | | $0.50 | $400.00 |
| Per Diem (person days) * | 2 | | $135.00 | $270.00 |

| | | | | |
|---|---|---|---|---|
| **TOTAL LABOR and BENEFITS** | | | | $13,897.00 |
| **TOTAL ODCs** | | | | $3,240.00 |
| **TOTAL TRAVEL/TRANSPORTION** | | | | $670.00 |
| **ADMINISTRATIVE FEE @ 10% (non-labor)** | | | | $391.00 |

**TOTAL** $18,198.00

*** Large Format Photography if needed.**

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Applied EarthWorks Inc.

515 E. Ocean Ave., Suite G
Lompoc, CA 93436-6926
(805) 737-4119
FAX (805) 737-4121

15 June 2010

Cachuma Operations & Maintenance Board
Attn: Ms. Kate Rees
General Manager
3301 Laurel Canyon Road
Santa Barbara, CA 93105-2017

RE: Proposal for Additional Cultural Resources Analysis for the South Coast Conduit Project, Cachuma Operation and Maintenance Board, Santa Barbara County, California

Dear Ms. Rees:

Applied EarthWorks, Inc. (Æ) is please to submit this scope of work and cost estimate to provide additional archaeological services in conjunction with the South Coast Conduit Upper Reach Second Barrel Plan (Project). In consultation with the Bureau of Reclamation (Bureau) and the Cachuma Operations and Maintenance Board (COMB) it was determined that additional archaeological analysis of the Project's Area of Potential Effect (APE) is required. As described below, Æ will complete the cultural resources studies for the Project pursuant to the California Environmental Quality Act (CEQA), Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, it's implementing regulations found in 36 CFR 800, and the National Environmental Protection Act (NEPA).

## SCOPE OF WORK

Based on our previous telephone conversation and your email of 7 June 2010, we understand the Scope of Work to entail five distinct tasks: a **technical memo** describing our preliminary assessment of the Native American correspondence and the project area; a **geomorphological study** of the project APE that gauges the potential for buried archaeological sites; a subsurface **field study** at two locations along Glen Annie creek; development of a **work plan** to be submitted for approval prior to the fieldwork; and a **technical report** incorporating the study and documenting the results fieldwork. Each of these tasks in explained in greater detail below.

### Technical Memo

As requested by COMB and the Bureau, Æ will prepare a technical memo addressing the specific concerns raised by the Santa Ynez Band of Chumash Indians and the Barbareño Chumash Council. We will also provide a preliminary review and assessment of the Project APE for its buried site potential.

### Geomorphological Study

We propose to conduct a geomorphological study to identify the most likely places within the APE where prehistoric archaeological sites once existed (if any). These studies are considered part of the

identification phase (Phase 1) of the cultural resources investigations for the Project. The approach to geomorphological studies is to examine general ethnographic, archaeological, historical, and geological sources to better understand human land use and habitation within the Project area and to determine whether opportune locations once existed and if so what might have happened to them. The Senior Archaeologist will visit the project area to examine the current landscape as well as consult resources (e.g., historical and modern maps, aerial photographs, engineering drawings, etc.) that inform on the historical development of infrastructure in the Project area.

The findings of the study will be included in the technical report that explicates the methods, data analysis, interpretations, and the sources consulted. The data gleaned from this study will be used to identify areas within the Project area that may sensitive for buried archaeological deposits. If sensitive areas are discovered (beyond the two areas along Glen Annie Creek already identified), this data will be used to develop a buried site testing plan which will specify areas within the Project that warrant further subsurface investigation, the methods proposed (e.g., backhoe, hand excavation, etc.), and the protocols that will be followed upon discovery of cultural materials.

**Preparation of a Work Plan**

Prior to fieldwork, Æ will submit a detailed work plan to COMB and the Bureau for approval. The plan will outline the goals of the study and will detail the fieldwork methods, proposed unit locations, and other basic information regarding the field study.

**Field Study**

Æ proposes to conduct additional subsurface field investigations at two areas along Glenn Annie Creek. We propose to excavate up to twenty 50-centimeter diameter Shovel Test Probes (STPs). STPs are a quick and efficient means of gauging the potential for cultural remains at depth where surface visibility has been obscured or altered. STPs are 50 centimeters in diameter and excavated in single 20-centimeter levels to a depth of 100 centimeters. For units deeper than 100 cm, a 10-centimeter diameter Auger (AUG) will be used to continue the excavation to maximum depth or bedrock. Soil removed from the STPs and AUGs will be screened through 1/8-inch hardware mesh. A standardized STP/AUG record will be completed for each unit. We do not propose to collect any artifacts for analysis. In the case where intact cultural remains are recovered from an intact stratum, the artifact's provenience will be noted and then reburied within the unit.

Exact unit placement will be determined in the field by the Field Supervisor to ensure the best areal coverage, taking into account the location of previously excavated units, ground disturbances, APE boundaries, and other factors.

Upon completion of excavation, all sampling units will be backfilled and the area restored to its original contour. All sediment removed from units will be placed on plastic tarps to facilitate this process. At the end of each workday, open or incomplete units will be covered or cordoned off. The placement of units will be plotted on the site map.

**Preparation of Technical Document**

To ensure compliance with Bureau and COMB requirements, Æ will prepare a technical report presenting the methods and findings of the study according to the guidelines outlined in *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format* published by the California Office of Historic Preservation (1990). The report will describe the project and provide an overview of the project's natural and cultural setting. The archaeological, ethnographic, and historical background of the area will be presented, and field and laboratory methods described. We then will present the findings of the geomorphological and field studies. We also will offer recommendations for further investigation, if necessary and appropriate. Importantly, we have **not** budgeted time and/or funds to evaluate any cultural discoveries for inclusion on the National Register of Historic Places. Should cultural remains be encountered during the field study, additional work may be necessary. Associated maps will be included in the report appendices. Our scope includes preparation of the draft report and no more than one round of revisions in response to comments from the various agencies involved in this project.

## COST ASSUMPTIONS

In developing the attached cost estimate, we have made the following assumptions regarding the scope of work and level of effort required to accomplish the tasks outlined above. Any required activities beyond those described will be considered outside the current scope of work. Any substantial changes in work conditions or requirements beyond Æ's control may necessitate revision (increase or decrease) of the work scope, level of effort, schedule, and/or budget proposed here.

A total of 15 hours have been budgeted for the Principal Archaeologist, Senior Archaeologist, and GIS Specialist to review the Native American correspondence and provide our baseline assessment of the project corridor in the technical memo. We estimate that the memo can be submitted within five working days of the Notice to Proceed and the cost will be about $1305.10

We have allotted 27 hours prior to fieldwork for the Senior Archaeologist and Principal Archaeologist to prepare the work plan with support from our documents production staff and GIS specialist. As shown in the attached spread sheet, the total work plan cost is $2253.30. We estimate that the work plan can be submitted for approval within five working days of the Notice to Proceed.

We estimate that about 10 person-days will be necessary to excavate up to 20 STPs and AUGs. An additional one person-day for site mapping and backfilling has also been budgeted. Including travel to and from the site, we estimate that the fieldwork can be completed in four days by a crew of two Field Technicians under the direction of a Field Supervisor. Additional costs associated with the field effort include lodging and subsistence, vehicle rental, fuel, and expendable equipment and supplies. We have also included funds for the Senior Archaeologist to make one visit to the project area. Based on our prior work in the area, we anticipate that the Santa Ynez Tribal Elders Council (SYTEC) will supply a Native American monitor for the project. Their normal billing rate is $410.00 per day, and we have included the expense for four days of Native American monitoring in our proposal. We assume that Æ will be responsible only for coordination with the monitor about the field schedule and have not included time for formal consultation. Total cost for the field study is estimated at $11860.15. We estimate the field study can be conducted within five working days of

receiving notice of an approved work plan.

We assume no intact burials or isolated human remains (disarticulated bones, teeth, etc.) will be discovered. In the event that such remains are found, however, procedures for their treatment shall follow the provisions of the Native American Graves Protection and Repatriation Act (NAGPRA) as well as California Health and Safety Code Section 7050.5 and the California Public Resources Code Sections 5097.94 and 5097.98. Likewise, we assume that no subsurface features will be present at the site that would require additional time for appropriate exposure, documentation, and removal. Additional costs may be incurred if human remains or subsurface features are discovered.

We have allocated a total of 84 hours to the Senior Archaeologist and GIS Analyst to conduct the geomorphological analysis of the project area. We assume that this can be accomplished primarily using existing topographic data, soils maps, engineering drawings, and GIS analysis. Should additional areas of sensitivity be identified (beyond the two locations subject to the field study noted above), additional work may be necessary. Total cost for the analysis is estimated at $7047.10. Because the analysis is largely independent of the work plan and field study, work can begin immediately following Notice to Proceed.

We have allocated a total of 74 hours following the completion of the analysis and the fieldwork to write and edit the technical report, prepare graphics, submit the draft report, respond to one round of comments, and submit the final technical report. The Senior Archaeologist will be the principal report author, with support from the Principal Archaeologist, technical analysts, and documents production staff. The cost for the technical report is estimated at $6210.30. We estimate that a draft technical report which incorporates the results of the field study and geomorphological analysis can be submitted for approval approximately 8 weeks following Notice to Proceed, contingent on how quickly the work plan can be approved and the field study conducted.

Based on the assumptions listed above, we estimate the total cost to complete the archaeological services described will be approximately $28,675.95 including all direct labor, employee benefits and overhead, other direct costs, and fees. If conditions beyond Æ's control make it necessary to devote additional effort to tasks discussed above, then additional time and funding may become necessary.

We are prepared to begin work on this project immediately upon receipt of your notice to proceed. Please call me if you have any questions on the attached materials.

Sincerely,

Jay B. Lloyd, M.A., R.P.A.
Senior Archaeologist
Applied EarthWorks, Inc.

**COST PROPOSAL**
***Cachuma Operations & Maintenance Board***
***Technical Memo for the South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
***15 June 2010***

| **Labor Category** | Hrs. | Rate | Cost |
|---|---|---|---|
| Principal Archaeologist (CGL) | 1.0 | 144.10 | 144.10 |
| Senior Archaeologist (JL) | 12.0 | 85.10 | 1,021.20 |
| Field Supervisor I (BL) | 0.0 | 62.90 | 0.00 |
| GIS Technician (SE) | 2.0 | 69.90 | 139.80 |
| Crew Chief (ML) | 0.0 | 55.40 | 0.00 |
| Field Technicians | 0.0 | 50.10 | 0.00 |
| Publications Manager (SR) | 0.0 | 75.40 | 0.00 |
| Draftsperson (LM) | 0.0 | 55.70 | 0.00 |
| Total Hours/$ | 15.0 | | 1,305.10 |

| **Other Direct Costs** | |
|---|---|
| Equipment/Supplies | $0.00 |
| Information Center Fees | 0.00 |
| Per diem | 0.00 |
| Mileage | 0.00 |
| Vehicles, Travel, Transportation | 0.00 |
| Photographs/photocopies | 0.00 |
| Communication/Duplication/Supplies | 0.00 |
| Total ODCs | 0.00 |

| | |
|---|---|
| **ADMINISTRATIVE FEE @ 10% (non-labor)** | 0.00 |
| **TOTAL COST** | $1,305.10 |

**Proposed Labor Allocation**
***Cachuma Operations & Maintenance Board***
***Technical Memo for the South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
***15 June 2010***

| **TASK IDENTIFIER** | **A** | |
|---|---|---|
| Employee | TASK 1 Work Plan | **Total (hrs)** |
| Principal Archaeologist (PARC-003) | 1.0 | 1.0 |
| Senior Archaeologist (PMPM-015) | 12.0 | 12.0 |
| Field Supervisor (FSUP-029) | | 0.0 |
| Crew Chief (SARC--030) | | 0.0 |
| GIS Specialist (GISP-025) | 2.0 | 2.0 |
| Field Technicians (FTEC-036) | | 0.0 |
| Publication Manager (PMAN-061) | | 0.0 |
| Draftsperson (DRAF-064) | | 0.0 |
| Total | 15.0 | 15.0 |

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**COST PROPOSAL**
***Cachuma Operations & Maintenance Board***
***Work Plan for the South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
***15 June 2010***

| **Labor Category** | Hrs. | Rate | Cost |
|---|---|---|---|
| Principal Archaeologist (CGL) | 1.0 | 144.10 | 144.10 |
| Senior Archaeologist (JL) | 16.0 | 85.10 | 1,361.60 |
| Field Supervisor I (BL) | 0.0 | 62.90 | 0.00 |
| GIS Technician (SE) | 4.0 | 69.90 | 279.60 |
| Crew Chief (ML) | 0.0 | 55.40 | 0.00 |
| Field Technicians | 0.0 | 50.10 | 0.00 |
| Publications Manager (SR) | 4.0 | 75.40 | 301.60 |
| Draftsperson (LM) | 2.0 | 55.70 | 111.40 |
| Total Hours/$ | 27.0 | | 2,198.30 |

| **Other Direct Costs** | |
|---|---|
| Equipment/Supplies | $25.00 |
| Information Center Fees | 0.00 |
| Per diem | 0.00 |
| Mileage | 0.00 |
| Vehicles, Travel, Transportation | 0.00 |
| Photographs/photocopies | 0.00 |
| Communication/Duplication/Supplies | 25.00 |
| Total ODCs | 50.00 |

| | |
|---|---|
| **ADMINISTRATIVE FEE @ 10% (non-labor)** | 5.00 |
| **TOTAL COST** | $2,253.30 |

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**Proposed Labor Allocation**
***Cachuma Operations & Maintenance Board***
***Work Plan for the South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
***15 June 2010***

| **TASK IDENTIFIER** | **A** | |
|---|---|---|
| Employee | TASK 1 Work Plan | **Total (hrs)** |
| Principal Archaeologist (PARC-003) | 1.0 | 1.0 |
| Senior Archaeologist (PMPM-015) | 16.0 | 16.0 |
| Field Supervisor (FSUP-029) | | 0.0 |
| Crew Chief (SARC--030) | | 0.0 |
| GIS Specialist (GISP-025) | 4.0 | 4.0 |
| Field Technicians (FTEC-036) | | 0.0 |
| Publication Manager (PMAN-061) | 4.0 | 4.0 |
| Draftsperson (DRAF-064) | 2.0 | 2.0 |
| Total | 27.0 | 27.0 |

**COST PROPOSAL**
***Cachuma Operations & Maintenance Board***
***Field Study for South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
***15 June 2010***

| **Labor Category** | Hrs. | Rate | Cost |
|---|---|---|---|
| Principal Archaeologist (CGL) | 4.0 | 144.10 | 576.40 |
| Senior Archaeologist(JL) | 16.0 | 85.10 | 1,361.60 |
| Field Supervisor I (BL) | 36.0 | 62.90 | 2,264.40 |
| GIS Technician (SE) | 4.0 | 69.90 | 279.60 |
| Crew Chief (ML) | 0.0 | 55.40 | 0.00 |
| Field Technicians | 64.0 | 50.10 | 3,206.40 |
| Publications Manager (SR) | 0.0 | 75.40 | 0.00 |
| Draftsperson (LM) | 0.0 | 55.70 | 0.00 |
| Total Hours/$ | 124.0 | | 7,688.40 |
| | | | |
| **Other Direct Costs** | | | |
| Equipment/Supplies | | | $25.00 |
| Native American Monitor | 4 | 410 | 1,640.00 |
| Per diem (days) | 10 | 125 | 1,250.00 |
| Mileage | 500 | 0.505 | 252.50 |
| Vehicles, Travel, Transportation | | | 600.00 |
| Photographs/photocopies | | | 0.00 |
| Communication/Duplication/Supplies | | | 25.00 |
| Total ODCs | | | 3,792.50 |
| | | | |
| **ADMINISTRATIVE FEE @ 10% (non-labor)** | | | 379.25 |
| | | | |
| **TOTAL COST** | | | $11,860.15 |

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**Proposed Labor Allocation**
***Cachuma Operations & Maintenance Board***
***Field Study for South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
**15 *June 2010***

| **TASK IDENTIFIER** | **A** | **B** | |
|---|---|---|---|
| Employee | TASK 1 Prefield Preparation | TASK 2 Field Study | **Total (hrs)** |
| Principal Archaeologist (PARC-003) | | 4.0 | 4.0 |
| Senior Archaeologist (PMPM-015) | 4.0 | 12.0 | 16.0 |
| Field Supervisor (FSUP-029) | 4.0 | 32.0 | 36.0 |
| Crew Chief (SARC--030) | | | 0.0 |
| GIS Specialist (GISP-025) | | 4.0 | 4.0 |
| Field Technicians (FTEC-036) | | 64.0 | 64.0 |
| Publication Manager (PMAN-061) | | | 0.0 |
| Draftsperson (DRAF-064) | | | 0.0 |
| Total | 8.0 | 116.0 | 124.0 |

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**COST PROPOSAL**
***Cachuma Operations & Maintenance Board***
***Geomorphological Analysis for South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
***15 June 2010***

| **Labor Category** | Hrs. | Rate | Cost |
|---|---|---|---|
| Principal Archaeologist (CGL) | 4.0 | 144.10 | 576.40 |
| Senior Archaeologist (JL) | 56.0 | 85.10 | 4,765.60 |
| Field Supervisor I (BL) | 0.0 | 62.90 | 0.00 |
| GIS Technician (SE) | 24.0 | 69.90 | 1,677.60 |
| Crew Chief (ML) | 0.0 | 55.40 | 0.00 |
| Field Technicians | 0.0 | 50.10 | 0.00 |
| Publications Manager (SR) | 0.0 | 75.40 | 0.00 |
| Draftsperson (LM) | 0.0 | 55.70 | 0.00 |
| Total Hours/$ | 84.0 | | 7,019.60 |

| **Other Direct Costs** | |
|---|---|
| Equipment/Supplies | $0.00 |
| Information Center Fees | 0.00 |
| Per diem | 0.00 |
| Mileage | 0.00 |
| Vehicles, Travel, Transportation | 0.00 |
| Photographs/photocopies | 0.00 |
| Communication/Duplication/Supplies | 25.00 |
| Total ODCs | 25.00 |

| | |
|---|---|
| **ADMINISTRATIVE FEE @ 10% (non-labor)** | 2.50 |
| **TOTAL COST** | $7,047.10 |

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**Proposed Labor Allocation**
***Cachuma Operations & Maintenance Board***
***Geomorphological Analysis for South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
**15 *June 2010***

| **TASK IDENTIFIER** | **A** | |
|---|---|---|
| Employee | TASK 1 Geomorphological Analysis | **Total (hrs)** |
| Principal Archaeologist (PARC-003) | 4.0 | 4.0 |
| Senior Archaeologist (PMPM-015) | 56.0 | 56.0 |
| Field Supervisor (FSUP-029) | | 0.0 |
| Crew Chief (SARC--030) | | 0.0 |
| GIS Specialist (GISP-025) | 24.0 | 24.0 |
| Field Technicians (FTEC-036) | | 0.0 |
| Publication Manager (PMAN-061) | | 0.0 |
| Draftsperson (DRAF-064) | | 0.0 |
| Total | 84.0 | 84.0 |

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**COST PROPOSAL**
***Cachuma Operations & Maintenance Board***
***Technical Report for the South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
***15 June 2010***

| **Labor Category** | Hrs. | Rate | Cost |
|---|---|---|---|
| Principal Archaeologist (CGL) | 5.0 | 144.10 | 720.50 |
| Senior Archaeolgist (JL) | 40.0 | 85.10 | 3,404.00 |
| Field Supervisor I (BL) | 0.0 | 62.90 | 0.00 |
| GIS Technician (SE) | 9.0 | 69.90 | 629.10 |
| Crew Chief (ML) | 0.0 | 55.40 | 0.00 |
| Field Technicians | 0.0 | 50.10 | 0.00 |
| Publications Manager (SR) | 16.0 | 75.40 | 1,206.40 |
| Draftsperson (LM) | 4.0 | 55.70 | 222.80 |
| Total Hours/$ | 74.0 | | 6,182.80 |

| **Other Direct Costs** | |
|---|---|
| Equipment/Supplies | $0.00 |
| Information Center Fees | 0.00 |
| Per diem | 0.00 |
| Mileage | 0.00 |
| Vehicles, Travel, Transportation | 0.00 |
| Photographs/photocopies | 0.00 |
| Communication/Duplication/Supplies | 25.00 |
| Total ODCs | 25.00 |

| | |
|---|---|
| **ADMINISTRATIVE FEE @ 10% (non-labor)** | 2.50 |
| **TOTAL COST** | $6,210.30 |

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**Proposed Labor Allocation**
***Cachuma Operations & Maintenance Board***
***Technical Report for the South Coast Conduit Project***

**APPLIED EARTHWORKS, INC.**
***15 June 2010***

| **TASK IDENTIFIER** | **A** | **B** | |
|---|---|---|---|
| Employee | TASK 1 Technical Report | TASK 2 Revisions | **Total (hrs)** |
| Principal Archaeologist (PARC-003) | 4.0 | 1.0 | 5.0 |
| Senior Archaeologist (PMPM-015) | 32.0 | 8.0 | 40.0 |
| Field Supervisor (FSUP-029) | | | 0.0 |
| Crew Chief (SARC--030) | | | 0.0 |
| GIS Specialist (GISP-025) | 8.0 | 1.0 | 9.0 |
| Field Technicians (FTEC-036) | | | 0.0 |
| Publication Manager (PMAN-061) | 12.0 | 4.0 | 16.0 |
| Draftsperson (DRAF-064) | 4.0 | | 4.0 |
| Total | 60.0 | 14.0 | 74.0 |

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## Kate Rees

**From:** Kate Rees
**Sent:** Friday, June 04, 2010 7:14 PM
**To:** Lauren Hanson; Das Williams; Doug Morgan; Bob Lieberknecht; Lee Bettencourt
**Cc:** John McInnes ; Rebecca Bjork; Tom Mosby; Charles Hamilton; Chris Dahlstrom
**Subject:** 2nd Barrel 106 permit

**Importance:** High

Dear Directors -

I wanted to let you know the reason for cancelling the June 9, 2010 Special Board meeting. I regret to inform you that we have encountered another, potentially major, time delay on the 2nd Barrel Project having to do with Reclamation issuing a National Historic Preservation Act (NHPA) Section 106 Permit for Cultural Resources. I have already discussed this situation with the Cachuma managers. I will prepare a more comprehensive memo over the weekend with the steps we are taking to address the additional requirements. But below is a brief summary of what occurred.

Prior to the construction bid requests going out, we had been told by Reclamation that we should have the 106 permit by the end of May. COMB completed two cultural resources evaluations for buried resources– one in 2005 by Carbone, followed by a supplemental archaeological report, and one by Applied Earthworks that began in 2007, final draft completed in 2009, to determine if any archaeological artifacts might be present. We had done all the testing at a know historic site for buried resources, which yielded nothing of significant historic importance. Tony Overly, Reclamation's archaeologist handling the permitting process, agreed with these conclusions, but was waiting for comments from the tribes prior to sending his recommendation of no adverse effect to SHPO for concurrence. Neither our consultants nor Tony anticipated that any further work would need to be done. However, two new issues have surfaced that now have to be addressed:

1) letters received from the Santa Ynez and Barbareno tribes on May 13, 2010 requesting more testing. Last winter Reclamation asked the Chumash bands if they wanted to visit the site, which they said they did. However, it took them 4-5 months to agree on a date, so the site visit did not occur until April 6, 2010. The tribal representatives said they would provide any comments within two weeks. None were received, and the construction bids were sent out on April 23. Reclamation then received two letters by email on May 13 – one from the Santa Ynez Band and one from the Barbareno Band requesting additional site testing and reporting. Reclamation takes this very seriously and follows a very conservative approach with regard to following each step in the NHPA 106 permit process. The meeting on May 27th was very difficult. We had another conf call on Wednesday of this week, and it was much more constructive. Tony has volunteered to make this a priority and will cooperate with us and our consultants in getting everything we need to do done as quickly as possible. However, if it is determined that additional testing and analysis is necessary, there is no way to complete the testing, reporting, reviewing and permitting process within the bid window of 90 days by Aug 16th.

2) Reclamation's evaluation and recommendation that the Cachuma Project be considered eligible for the inclusion in the national register as an historic landmark because it is over 50 years old and has historic significance. That means that the south portal structure would now be considered an historical resource. I was informed of this for the first time at a meeting on May 27. Because the 2nd Barrel project calls for the destruction of the existing south portal structure, and because that structure it is considered to be part of the Tecolote Tunnel which has historic significance, Reclamation will need to enter into an Memorandum Of Agreement (MOA) to mitigate for the adverse effect by documenting its historic significance. Glen Hill suggested just leaving it in place and tie in the new structure to the SCC to avoid this impact, but Tony thinks it would take more time to evaluate the impacts of the project on existing south portal structure, than it would to just declare it an adverse impact and mitigate for it. This is still under discussion.

The 106 permit is also required to complete Reclamation's NEPA process. The joint EIR/EIS has been completed and COMB certified the EIR over a year ago. However, Reclamation still has to complete its NEPA process on the EIS, but that too has been held up by the 106 permit. In order for Sheryl Carter to issue a Construction Permit to COMB, a Notice of Availability (NOA) on the EIS has to be published in the federal register for 30 days, and a Record of Decision (ROD) has to be signed The NOA cannot be issued until the 106 permit is issued. A Section 7 letter of concurrence of no effect for steelhead from NMFS is also pending, but should be issued by NMFS in about 1 week. So that will not hold anything up.

The first step is for COMB to hire a consultant to carry out an archaeological geomorphic evaluation of buried resources to determine the probability of finding anything significant at the sites identified by the tribes. If the probability is low and well supported in the report, there is every likelihood, although no guarantee, that Reclamation will accept those findings in lieu of doing any more testing, and ask SHPO to concur that there is no effect on buried resources. The NEPA process can also go forward before the 106 permit is finalized, once SHPO concurs that buried resources are not eligible. But there are still many unknowns. If we are lucky enough to have the best case scenario, it may be possible to get all permits in hand prior to August 16th, I don't think that is likely or realistic. Therefore, we will most likely lose the good bid we have unless the contractor agrees to hold his bid open longer, which he may do.

I have checked with Matt Naftaly regarding this potential delay on the Prop 50 grant. He does not seem to think this is necessarily catastrophic. The County Water Agency has requested a year extension of the deadline for all the projects, as there are several Prop 50 projects bumping against the March 2012 deadline. He thought this permit issue would be further justification for that request. But he and I will be talking to the State Board staff next week about this. I am very sorry that this unexpected delay has occurred. I did not see it coming.

I believe that the COMB staff and our consultants did everything we could do to meet the 106 permit requirements – and did. Our consultants and I truly believed that all the permits would be completed within the next two months. Therefore, I authorized the project to be rebid. In hindsight, it was premature. The project will not be bid again unless all permits are fully completed and in hand. We will continue to move forward and are diligently working to make sure every possible thing that has to be done is fully understood. Applied Earthworks will work with Reclamation to lay out the SOW for the geomorphic evaluation, and will immediately start that work. I am also in the process of finding an architectural historian, with Rebecca's help, to document the south portal's historic significance and draft the MOA for SHPO. We have full cooperation from Reclamation in Fresno and Sacramento and all have made this a priority. I will send a flow chart and gantt chart of the various scenarios on Monday, although there is no way to estimate how long some of the steps will take.

Kate

**********

Kate Rees
General Manager
Cachuma Operation & Maintenance Board
Cachuma Conservation Release Board
office: 805.569.1391 x 203
cell: 805.698.8840
krees@cachuma-board.org



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## Kate Rees

**From:** Kate Rees
**Sent:** Thursday, June 17, 2010 11:44 AM
**To:** Kate Rees
**Subject:** FW: 106 permit

**From:** Kate Rees
**Sent:** Tuesday, June 08, 2010 8:19 PM
**To:** Lauren Hanson; Das Williams; Doug Morgan; Bob Lieberknecht; Lee Bettencourt
**Cc:** John McInnes ; Rebecca Bjork; Tom Mosby; Charles Hamilton; Chris Dahlstrom ; Bill Hair; Glen Hille ; Rosie Thompson; Janet Gingras; Susannah Pitman; Robert Dunlap; Kate Rees; Matt Naftaly; Tom Fayram
**Subject:** 106 permit

Dear Directors:

**This email and attachments are for information only to update you on the status of the NHPA Sect 106 permit process for the 2nd Pipeline Project.**

We have worked for the last few days putting together the information shown on following attached documents: The two timelines need to printed on 11x17 paper. The flowchart can be printed on 8.5 x 11 paper.

1) critical path flowchart of the actions that now have to take place before USBR can issue a Sect 106 Permit;
2) projected tasks and timeline assuming no additional buried resource investigation for Native American artifacts is warranted, if the archaeological geomorphic study concludes there is a low probability of effect
3) projected tasks and timeline assuming we will have to do an additional buried resources investigation, if the archaeological geomorphic study concludes that there may be an effect

The dates are estimated and subject to change, as there is no way to determine an accurate schedule at this point given all the agencies and variables involved. This is a working document that will be updated as we get additional information. As you can see, even under the best case scenario, to have all permits in hand prior to award of the construction contract, we will not be able to begin construction before January 2011.

Both timelines assume no significant buried Native American artifacts are found. This assumption was based on the conclusions of the buried resources investigation already completed on the east side of Glen Anne Creek, a previously identified historic site, which found nothing of significance. USBR agreed with these findings. The tribes have requested that the west side of Glen Anne Creek in the same general area be evaluated as well. For now, we are proceeding with an initial evaluation of the probability of finding anything of significance. Reclamation has indicated that if the conclusion of the evaluation shows there is a low probability, and the study is well documented, USBR will likely accept the conclusions to support no need for further subsurface investigations. SHPO would also have to concur.

The first step, then, is to carry out a geormorphic probability study at the new site. USBR stressed the importance of having a very qualified consultant do this study and any additional testing if needed. Applied Earthworks prepared the first buried resources report for COMB, and USBR and the tribes were very satisfied with their work. AE also knows the Glen Anne watershed very well from their previous study. Therefore, I have asked AE to carry out the geomorphic probability study for the new site and prepare of a technical memo with their findings. They have already met with USBR staff to put together the components of the scope of work which we should have by tomorrow. AE estimates it will take about 2 weeks to do the probability study. The conclusions will determine if additional testing is warranted or not.

The other cultural resource that has just been identified is the south portal structure and the archaeological spoil area around the south portal area. This came to light through a separate evaluation by USBR, coincident with the Sect 106 permit process, to determine the eligibility of the Cachuma Project for the National Registry. USBR has concluded that because the Project is more than 50 years old and has historic significance, it is eligible. Therefore, mitigation for destruction of this cultural resource must also be included in the Sect 106 permit. I asked Tony Overly at USBR if we left

the south portal in place, could that impact assessment be eliminated. The answer was no – the potential impact on the existing south portal due to construction of the new south portal structure (about 40 feet away) and the new section of pipeline would still have to be evaluated, and potentially mitigated. This would take time and negotiation. He thought it would be more straightforward, and therefore faster, to declare the destruction of the south portal an adverse impact, because there is no question that it is. Then prepare a mitigation plan that documents its historic significance as part of the Tecolote Tunnel. The mitigation measures will go into a Memorandum of Agreement (MOA) that must ultimately be approved by USBR and the State Historic Preservation Office (SHPO).

Applied Earthworks also has an architectural historian on staff, and the firm is on the City of Santa Barbara's approved list of historians. Therefore, I have asked AE to carry out the historic documentation of the south portal structure and surrounding spoil area as well. This way, only one firm is interacting with Mr. Overly who will also assist AE in putting together the SOW for the historian. I don't have a time estimate or cost estimate for this work yet, but should have that within the next few days.
We have sufficient funds in the FY 09-10 budget to pay for both the geomorph probability study and the historian's work.

Regards,
Kate

**********

Kate Rees
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