



# United States Department of the Interior

Pacific Regional Office  
2800 Cottage Way, Room W-2820  
Sacramento, CA 95825

IN REPLY REFER TO:  
Real Estate Services  
TR-4609-P5

Case Number: 22929

## NOTICE OF GAMING LAND ACQUISITION APPLICATION

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, 151.11 Off-Reservation, notice is given of the application filed by the Tejon Indian Tribe to have real property accepted "in trust" for said applicant by the United States of America. The determination whether to acquire this property "in trust" will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- (1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- (2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- (3) Any governmental services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, with the zoning.

We provide the following information regarding this application:

### Applicant:

Tejon Indian Tribe

### Legal Land Description/Site Location:

See "Exhibit A" for legal descriptions.

### Project Description/Proposed Land Use:

The proposed land use is to develop and operate a gaming and entertainment venue encompassing class III gaming machines and table games, a variety of food and beverage venues, an auditorium for concerts, parking, a hotel and spa, conference meeting space and an outdoor pool. The casino floor will encompass an area of approximately 166,500 square feet, 73,300 square feet of restaurant space,

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226,000 square feet of hotel space, 173,000 square feet of entertainment/retail/mixed-use space and 77,000 square feet of back of house space.

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.

This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act (NEPA) of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs office listed at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted a ten to thirty day extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. Additionally, copies of all comments will be provided to the applicant for a response. You will be notified of the decision to approve or deny the application.

If any party receiving the enclosed notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy to said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act (FOIA), is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to the Pacific Regional Office attention: Arvada Wolfen, Supervisory Realty Specialist, (916) 978-6069.

Sincerely,

AMY  
DUTSCHKE

Digitally signed by AMY  
DUTSCHKE  
Date: 2020.09.28 13:19:56  
-07'00'

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REGIONAL DIRECTOR

Enclosure(s)

NOLA001



Office Codes: J-J-51-51C AD Number: 4200224295 Case: 22929

CC:

BY CERTIFIED MAIL:

CALIFORNIA STATE CLEARINGHOUSE OFFICE OF PLANNING AND RESEARCH  
P.O. BOX 3044  
SACRAMENTO, CA 95814  
Certified Mail ID: 7019 0140 0000 7334 6757

SENIOR ADVISOR FOR TRIBAL NEGOTIATIONS OFFICE OF THE GOVERNOR STATE  
CAPITOL BUILDING, SUITE 1173  
SACRAMENTO, CA 95814  
Certified Mail ID: 7019 0140 0000 7334 6764

UNITED STATES SENATOR DIANNE FEINSTEIN  
331 HART SENATE BUILDING  
WASHINGTON, DC 20510  
Certified Mail ID: 7019 0140 0000 7334 6771

SARA DRAKE, DEPUTY ATTORNEY GENERAL STATE OF CALIFORNIA  
DEPARTMENT OF JUSTICE  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2250  
Certified Mail ID: 7019 0140 0000 7334 6788

CHERYL SCHMIT - DIRECTOR STAND UP FOR CALIFORNIA  
PO BOX 355  
PENRYN, CA 95663  
Certified Mail ID: 7019 0140 0000 7334 6795

KERN COUNTY BOARD OF SUPERVISORS  
1115 TRUXTUN AVE. #504  
BAKERSFIELD, CA 93301  
Certified Mail ID: 7019 0140 0000 7334 6818

KERN COUNTY ASSESSOR  
1115 TRUXTUN AVE.  
BAKERSFIELD, CA 93301  
Certified Mail ID: 7019 0140 0000 7334 6825

KERN COUNTY PLANNING DEPARTMENT  
2700 M. STREET #100  
BAKERSFIELD, CA 93301  
Certified Mail ID: 7019 0140 0000 7334 6832

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KERN COUNTY TREASURER & TAX COLLECTOR 1115  
TRUXTUN AVE.  
BAKERSFIELD, CA 93301  
Certified Mail ID: 7019 0140 0000 7334 6887

KERN COUNTY SHERIFF'S DEPARTMENT  
1350 NORRIS RD.  
BAKERSFIELD, CA 93308  
Certified Mail ID: 7019 0140 0000 7334 6849

CITY OF BAKERSFIELD  
1600 TRUXTUN AVE.  
BAKERSFIELD, CA 93301  
Certified Mail ID: 7019 0140 0000 7334 6856

KERN FAMILIES AGAINST CASINO EXPANSION 1400  
MANNING STREET  
BAKERSFIELD, CA 93309  
Certified Mail ID: 7019 0140 0000 7334 6863

THE I-5/99 VISTA CORRIDOR PRESERVATION GROUP  
5311 EASTCOVE CT.  
BAKERSFIELD, CA 93306  
Certified Mail ID: 7019 0140 0000 7334 6870

BY FIRST CLASS MAIL:  
TEJON INDIAN TRIBE  
1731 HASTI ACRES DRIVE, SUITE 108  
BAKERSFIELD, CA 93309  
Certified Mail ID: 7019 0140 0000 7334 6801

U.S. SENATOR KAMALA HARRIS  
112 HART SENATE OFFICE BUILDING  
WASHINGTON, DC 20510  
Certified Mail ID: 7019 0140 0000 7334 6894

KEVIN MCCARTHY, CONGRESSMAN 23RD DISTRICT  
2468 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
Certified Mail ID: 7019 0140 0000 7334 6900

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EXHIBIT "A"

REAL PROPERTY IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 11 NORTH, RANGE 20 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

ALSO KNOWN AS: LOT NO. 1 AND LOT NO. 2, SECTION 2 AS SHOWN ON THE APPROVED FEBRUARY 3, 1863 GENERAL LAND OFFICE OFFICIAL PLAT OF TOWNSHIP 11 NORTH, RANGE 20 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

PARCEL 2:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 11 NORTH, RANGE 20 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

PARCEL 3:

THE WEST HALF OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 11 NORTH, RANGE 20 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES WITHIN OR UNDERLYING SAID LAND, OR THAT MAY BE PRODUCED AND SAVED THEREFROM, PROVIDING HOWEVER, GRANTOR, HIS SUCCESSORS AND ASSIGNS SHALL NOT CONDUCT DRILLING OR OTHER OPERATIONS UPON THE SURFACE OF SAID LAND, BUT NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT THE GRANTOR, HIS SUCCESSORS AND ASSIGNS, FROM EXTRACTING OR CAPTURING SAID MINERALS BY DRILLING ON ADJACENT OR NEIGHBORING LANDS AND/OR FROM CONDUCTING SUBSURFACE DRILLING OPERATIONS UNDER SAID LAND AT A DEPTH OF 100 FEET BELOW THE SURFACE OF SAID LAND, SO AS NOT TO DISTURB THE SURFACE OF SAID LAND OR ANY IMPROVEMENTS THEREON, AS RESERVED BY CHANSLOR-WESTERN OIL AND DEVELOPMENT COMPANY, A DELAWARE CORPORATION, SUCCESSOR IN INTEREST TO CHANSLOR-CANFIELD MIDWAY OIL COMPANY, A CALIFORNIA CORPORATION, IN DEED RECORDED NOVEMBER 8, 1954, IN BOOK 2317, PAGE 102, OF OFFICIAL RECORDS.

PARCEL 4:

ALL THAT PORTION OF SECTION 11, TOWNSHIP 11 NORTH, RANGE 20 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF KERN, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 11, THENCE SOUTH 78° 07' 14" WEST 184.02 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89° 48' 55" WEST 40.00 FEET; THENCE NORTH 0° 11' 05" WEST 40.00 FEET; THENCE NORTH 89° 48' 55" EAST 40.00 FEET; THENCE SOUTH 0° 11' 05" EAST 40.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES WITHIN OR UNDERLYING SAID LAND AS RESERVED BY KERN COUNTY LAND COMPANY, IN DEED DATED OCTOBER 3, 1945, RECORDED IN BOOK 1283, PAGE 212, OF OFFICIAL RECORDS.





First American Title

# Schedule BI & BII (Cont.)

## ALTA Commitment for Title Insurance

ISSUED BY

**First American Title Insurance Company**

File No: 1503-5992479

### SCHEDULE B, PART II

#### Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

Any Policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the coverage of the Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issues this Commitment

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.
2. General and special taxes and assessments for the fiscal year 2019-2020, a lien not yet due or payable.
3. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
4. The effect of a map purporting to show the land and other property, filed in [Book 5, Page 137](#) of Record of Surveys.
5. An easement for public highway and incidental purposes, recorded October 9, 1948 in [Book 1523, Page 218](#) of Official Records.  
 In Favor of: County of Kern  
 Affects: The North 30 feet of said Section 2
6. The terms and provisions contained in the document entitled [Contract for Water Service](#), executed by and between Arvin-Edison Water Storage District and Agricultural Water Service, recorded April 5, 1966 in [Book 3935, Page 186](#) of Official Records.

(Affects Parcel 1)

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions.*

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An Assumption Agreement and Consent to Transfer of Interest of Water User, recorded July 13, 1993, in [Book 6876, Page 469](#), of Official Records.

7. The terms and provisions contained in the document entitled Contract for Water Service, executed by and between Arvin-Edison Water Storage District and John Swett, recorded May 4, 1966 in [Book 3944, Page 692](#) of Official Records.

(Affects Parcels 2 and 3)

An Assumption Agreement and Consent to Transfer of Interest of Water User, recorded July 13, 1993, in [Book 6876, Page 475](#), of Official Records.

8. The effect of a map purporting to show the land and other property, filed in [Book 9, Page 99](#) of Record of Surveys.

9. An easement for operation of a public improvement for water storage district purposes and incidental purposes, recorded October 16, 1967 in [Book 4097, Page 554](#) of Official Records.

In Favor of: Arvin-Edison Water Storage District, a California water storage district

Affects: The East 20 feet and the South 30 feet of the West 10 feet of the East 30 feet of the Northeast quarter of said Section 2 in Parcel 1

10. An easement for one or more pipelines and incidental purposes, recorded November 20, 1967 in [Book 4106, Page 495](#) of Official Records.

In Favor of: Arvin-Edison Water Storage District, a California water storage district

Affects: As described therein

11. An easement for a line of towers and incidental purposes, recorded May 18, 1970 in [Book 4398, Page 683](#) of Official Records.

In Favor of: Pacific Gas and Electric Company, a California corporation

Affects: Parcel No. 1

12. An easement for a line of towers and incidental purposes, recorded May 18, 1970 in [Book 4398, Page 686](#) of Official Records.

In Favor of: Pacific Gas and Electric Company, a California corporation

Affects: The West half of the Southeast quarter of Section 2, Township 11 North, Range 20 West, San Bernardino Meridian, in Parcel 3

13. A contract between Arvin-Edison Water Storage District and Landowners providing for payments for agricultural water service, reference being made to the record for full particulars thereof

Recorded: May 9, 1973, in [Book 4784, Pages 1090 and 1097](#), of Official Records.

(Affects Parcels 1, 2 and 3)

14. The effect of a map purporting to show the land and other property, filed in [Book 11, Page 59](#) of Record of Surveys.

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15. The terms and provisions contained in the document entitled Interim Contract, executed by and between Arvin-Edison Water Storage District and Frank C. Garone, Jr., recorded February 3, 1995, as Instrument No. [0195013675](#) of Official Records.
16. An easement for water conduit and incidental purposes, recorded December 10, 1998 as Instrument No. [0198174759](#) of Official Records.  
 In Favor of: Arvin-Edison Water Storage District, a California water storage district  
 Affects: Parcel Nos. 1, 2 and 3

Document(s) declaring modifications thereof recorded August 13, 2003 as Instrument No. [0203168117](#) of Official Records.

17. The terms and provisions contained in the document entitled Contract, executed by and between Arvin-Edison Water Storage District and Frank C. Garone, Jr., recorded April 17, 2001, as Instrument No. [0201051529](#) of Official Records.  
  
 (Affects Parcel Nos. 1, 2 and 3)
18. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§499a, et seq.) or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.
19. Rights of the public in and to that portion of the Land lying within any Road, Street, Alley or Highway.
20. Water rights, claims or title to water, whether or not shown by the public records.
21. Rights of parties in possession.

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