

From: Richard Abend <richardabend13@gmail.com>
Sent: Thursday, November 2, 2023 11:29 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments , Koi Nation Shiloh Resort and Casino

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This is a supplementary comment and rebuttal to the E A report on the Koi Shiloh Casino Project. The location of this proposed project is right in the middle of agriculture, residential, school, church, parks and wildlife areas . This project will also present big threats and hazards to wildfire evacuations, impact area traffic flow, dangerous DUI and distracted drivers around children/pedestrian/bikers on roads, increased crime in area, ground water depletion, flooding of roads /property and contaminated water ways and wildlife habitats. This project is in total disregard to what this area has been and is at present .

Appendix C water and wastewater study : Having any wastewater discharged into a creek does not sound sustainable for the environment, wildlife and area existing wells . During higher water winters this area has a lot of run off in creeks and roadside ditches that flood roads and residential properties. Given the amount of new asphalt and concrete this project will cover there will be more run off and not enough absorption causing more flooding to creeks and area properties. Any new wells and water for a project of this size will gravely impact area residential wells . This study looks unrealistic and bias to fill the requirements! The county of Sonoma has recently put a stop to all new well drills due the drought years before 2023 . There is also a restriction of ground water usage in process. As a public area, people in resorts/casinos don't care about water conservation. Climate change can negatively impact more of our water sources as well .

Sent from my iPad

From: Kether Braunstein <kbraunstein81@gmail.com>
Sent: Friday, November 3, 2023 12:50 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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Please see attached letter in opposition to building of this casino.

Thank you,

Kether Braunstein

4585 Old Redwood Hwy

Santa Rosa, CA 95403

(707) 217-0351

One attachment • Scanned by Gmail

Mr. Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region
chad.broussard@bia.gov

November 3, 2023

I am writing to voice my STRONG opposition to the building of this proposed casino – specifically the proposed location.

I grew up in Windsor and watched the small community turn from a town with one traffic light, to a city with numerous traffic lights. I watched one of the very few vineyards within Windsor, get torn down, to build Windsor High School and Vintana homes. I now live on the outskirts of Windsor, but still remain very much involved in the community. I am a 42-year-old with prospects of owning my first (and forever?) home in the community that I love and hold dear. I have many wonderful memories growing up in “my hometown” and looked forward to raising my own family there.

I was an avid athlete participating in numerous sports for the town of Windsor. Many soccer and softball games were held at Esposti park – the park which will lie directly across the street from this proposed casino. Putting aside the impact this construction would mean environmentally for a short moment... focus on the impact it will make on this park and the athletes and families that go there frequently. The homes that surround it. So many leagues use this park as their turf for providing a safe, fun, means of activity for youth sports. A place where a child or family can throw a ball, play fetch with their dog, without having to deal with homeless, drunks or drugs associated with gambling and casinos. Prostitution, drugs, alcohol, needles, violence and drunk drivers. Imagine the children playing ball, and while diving for a catch are stuck by a discarded drug user's hypodermic needle!? Or finding a dropped pack of cigarettes, and trying smoking, but the cigarettes are laced with fentanyl!? Or maybe crossing the street, walking to a bus stop, only to be hit by the drunk driver leaving the casino that morning after pulling an all-nighter at the casino!

I have watched Windsor continually grow over these years. For the good and not-so-good. There is traffic and congestion everywhere, limited parking... I get it!... Things expand, towns

grow, etc. A casino in this small city is NOT what it needs!!! A casino proposed by the KOI nation, not even native to Windsor, is NOT what this proposed area needs! Prostitution, drugs, alcohol, needles, uptick in violence, accidents, deaths... NOT what Windsor needs! This is ultimately only going to profit the KOI nation, those that build it, and the vendors that supply it. This cannot, and will not profit anyone else. I am not going to apologize for being so blunt with my descriptions, but I can only see harm, violence, addictions, and deaths rising from the building of this casino. Lastly, as much as I am opposed to the overall building of this particular casino, I oppose the proposed **location** because

- The KOI nation is NOT native to Windsor, nor Sonoma County, therefore, should not have any rights to these lands.
- Both River Rock and Graton Casinos are off the beaten path. They are mile(s) off main roads/intersections. They are not smack dab in the middle of a major intersection that is surrounded by residents, schools, youth parks, and businesses. (WAY TOO CLOSE TO RESIDENT LIVING).
- Parking, increase in traffic and congestion
- Car break-ins, burglary, theft, car alarms
- Noise pollution
- Prostitution, drugs, alcohol, needles, violence, addictions, deaths
- Safety concerns for mandatory evacuations
- Destroying more land, taking away the vineyard, the view of the mountains and the sense of well-being derived from a beautiful landscape.
- Energy needed to supply the size of this casino (the biggest casino in Northern California!? Smack dab in one of the smallest cities of California??? Explain that...)
- “*Good faith agreement with the Sheriff Department*”? Check-in with the Sheriff Department and see how well their *agreement* actually did at Graton casino. The Sheriff Department no longer has an agreement with them due to the Tribal Chief and council, utilizing the tribe’s own security and authority over Sheriff or Police departments.

I am a registered nurse, working at a local hospital and witness daily, the effects that drugs, alcohol can cause. I also take witness to it trickling down to people of younger ages. If this casino is built (where proposed), I fear our hospitals will be seeing many more adolescents and pediatric patients for admission. This will affect their care and their chances at survival because we have to air-vac and transfer these young patients to out-of-area pediatric specialized hospitals. I currently reside in Larkfield, directly between Sutter Santa Rosa Regional Hospital

(SSRRH) and Old Redwood Highway – the route I prefer to travel between Santa Rosa and Windsor, as well as when I drive downtown Santa Rosa. As part of the construction of the hospital, Mark West Springs Rd had major changes; adding lanes, intersections, and traffic lights. It now takes longer to drive from the Mark West Springs/Old Redwood Hwy intersection to the highway 101 overpass during commuting hours than it ever did before. That road was not planned to keep the flow of traffic. It has caused more people getting cut off, accidents and road rage since the hospital was built. The builders and planning commission underestimated the impact on the community when they approved the building of SSRRH. I have no doubt that these projections for the proposed casino will be no more accurate, and will only benefit the financial stakeholders in this monumental folly.

Please oppose! Please say “NO!” Please do NOT pass this proposal.

Respectfully,

Kether Braunstein RN, BSN

4585 Old Redwood Hwy

Santa Rosa, CA 95403

(707) 217 - 0351

From: Elizabeth Acosta <acostalcsw@gmail.com>

Sent: Sunday, November 5, 2023 12:54 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Public Comment: Environmental Assessment - Koi Nation Shiloh Resort and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

Please accept our attached letter (and 4 supporting documents) as comments on the Environmental Assessment for the Koi Nation Shiloh Resort and Casino Project. **If possible, please confirm our letter was received prior to the comment period deadline.**

Note: please redact our email address, anywhere it appears, prior to publishing this letter on the internet, if publication is required.

Thank you,

Elizabeth Acosta & Stephen Rios
Windsor Residents (Sonoma County)
acostalcsw@gmail.com

5 Attachments • Scanned by Gmail

Sent via email: Chad.Broussard@bia.gov

November 5, 2023

Dear Mr. Broussard,

We join the Town of Windsor, County of Sonoma, all five federally recognized Sonoma County tribes, Sen. Feinstein, U.S. Representatives Huffman and Thompson, and residents of Windsor to oppose this Project given the **unmitigable and irreversible impacts of the Shiloh resort/casino project put forth by the Koi Nation**. We urge the BIA to select Environmental Assessment (EA) Alternative D due to the significant impacts Alternatives A, B, C would have on the environment and existing, adjacent communities.

It is mind-boggling that an EA for a project such as this could find that there is less than significant impact to the existing, surrounding community and natural environment. What is not surprising is that consultants used, such as Global Market Advisors, are providers of specialized consulting services to the gaming, entertainment, sports, and hospitality industries. Consultants who specialize in tribal services and fee-to-trust consultation have a financial interest in ensuring reports have findings favorable to a contractor tribe. The conclusions of the EA should not be accepted as factual without (at minimum) an objective peer review or (at best) an EA prepared by an independent consultant.

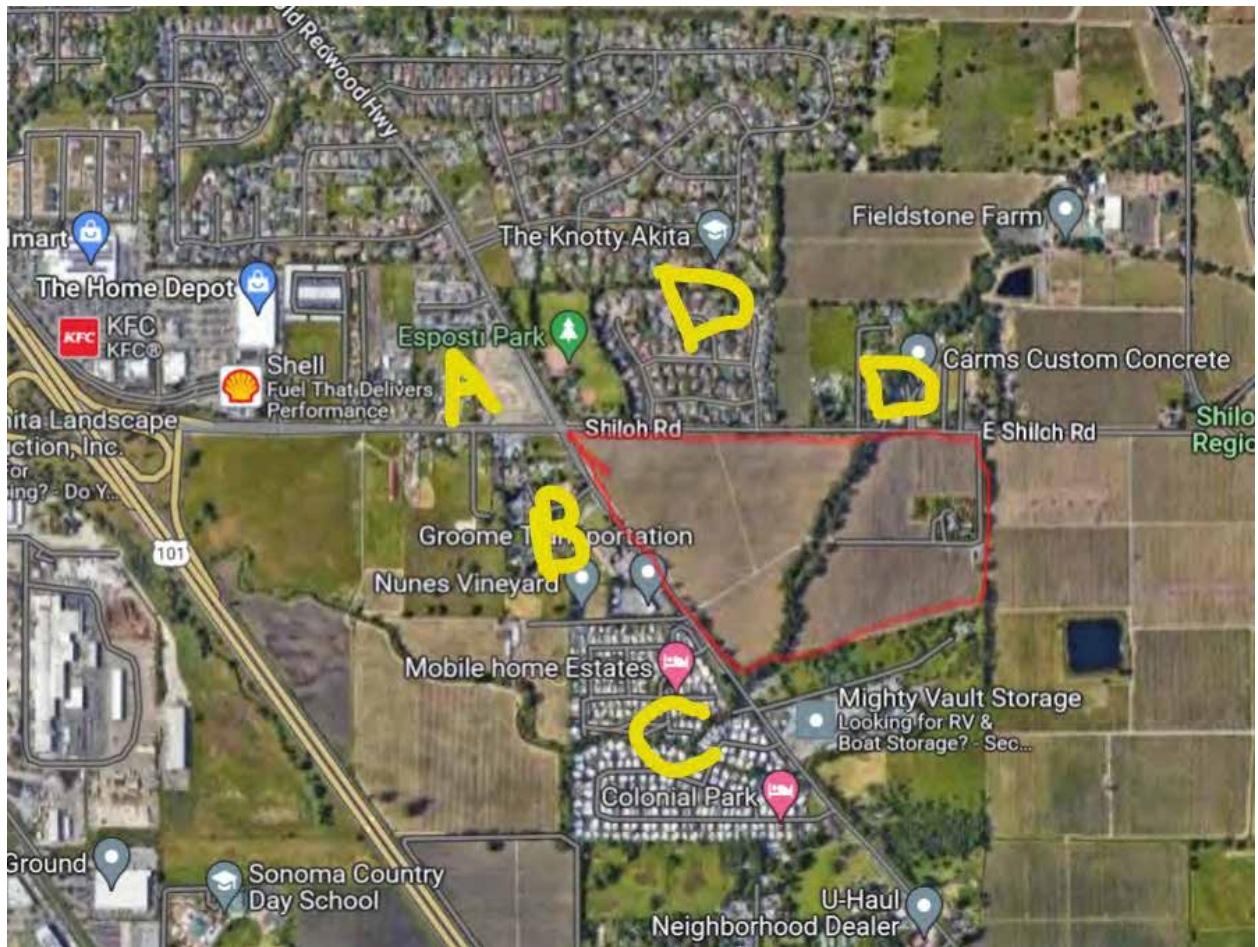
The Town of Windsor created a vision with its residents and developed plans based on the desire to be a family-centric community. **A project of this size, scale, and type would irreversibly change the Town of Windsor**, which borders the project site, given the volume and type of visitors targeted, type of commerce it creates, resources used by visitors, and quality of life of the existing surrounding neighborhoods.

As Windsor residents, we wish to comment on the EA; comments, by EA Section, are below. Studies and articles cited are attached.

i. PROPOSED PROJECT AND ALTERNATIVES

COMMENT ia: EA provides an incomplete picture of the surrounding community; aerial views are cropped to exclude surrounding residential neighborhoods. As seen in the map below, the project site is surrounded by a high density apartment building now under construction (“A”), a church (“B”), a mobile home park (“C”), and residential neighborhoods (“D”). This broader view shows the project site is immediately surrounded by neighborhoods that will be negatively impacted by a large-scale project—operating 24/7—such as this, discussed below. Also present is Esposti Community Park which regularly hosts organized sports and other family activity. It is adjacent and north of the project site (between map “A” and “D”).

COMMENT ib: as mentioned in Town of Windsor comments (to be submitted), the project relies on “best management practices” (BMPs) which are inappropriate given they are not measurable and therefore unable to be monitored. Reliance on voluntary, preferred guidance provides no confidence in the project’s ability to protect natural resources. Without specific environmental protections and binding oversight, there is no incentive or regulation that can ensure natural habitat and resources will not be forever changed or lost.



A. LAND RESOURCES

COMMENT A-1: as noted above, the EA provides an incomplete picture of the surrounding community; aerial views are cropped to exclude surrounding residential neighborhoods. Noted in the map above, the project site is surrounded by a high-density apartment building now under construction (“A”), a church (“B”), a mobile home park (“C”), and residential neighborhoods (“D”). This broader view shows the project site is immediately surrounded by neighborhoods that will be negatively impacted by a large scale project such as this, discussed below.

B. WATER RESOURCES

COMMENT B-1: without repeating, I wish to reiterate the comments made by the Town of Windsor in their letter regarding the EA section on water resources. Most concerning is that, should this project be approved, the Town of Windsor would be bordered by another unregulated wastewater plant. Despite conclusions in the EA, the town has determined there has been, at minimum, insufficient study and analysis to make their conclusions and that **there will be significant impacts.**

COMMENT B-2: The reported peak-day pumping for the project is 402,000 gpd, which equals approximately 275 gpm (Table 2-2). If that pumping were to occur close to the Esposti Well, **drawdown at the Town’s Esposti drinking water well could be significant, which could significantly decrease the Esposti well output rate and possibly water quality.** Prior testing of the Esposti drinking water well was over short durations and should not be used to

extrapolate the level of impact from the proposed project wells without further testing. The potential impacts to the groundwater aquifer and groundwater wells have not been sufficiently evaluated. **Adverse impacts to groundwater aquifers represent a significant threat and impact.**

COMMENT B-3: The State Division of Drinking Water (DDW) does not, and has not approved all of the proposed recycled water uses in this configuration (recycled water is not allowed inside any food service buildings). **Mitigations offered are speculative, making them worthless when drawing conclusions of no significant impact.**

COMMENT B-4: page 3-20 references Mark West Creek for flow monitoring during discharge, which is significantly downstream of the point of discharge on Pruitt Creek. Pruitt Creek is also ephemeral, meaning it does not flow year-round, discharging wastewater into a creek that does not flow year-round **will significantly affect surfaces in the area.**

COMMENT B-5: The project proposes to repurpose or install up to 4 groundwater wells and estimates 100-300 gpm groundwater flow for daily use. The report does not indicate how much the existing wells on-site are currently being used. The proposed mitigation measure for groundwater is insufficient to address the risk to drinking water supplies. The proposed mitigation measure to reimburse the owners of nearby wells that become unusable within five years of the onset of project pumping is not sufficient to mitigate the level of impact. **These “insufficiencies” represent a significant risk and impact to surrounding residents who rely on wells and groundwater.**

COMMENT B-6: The EA cites the 2017 aquifer test at the Esposti well as evidence that pumping from aquifers deeper than 300 feet would not affect water levels in shallow wells (less than 200 ft deep). No drawdown was observed in shallow wells during the Esposti test. However, that test lasted only 28 hours. The EA does not consider the potential for sustained pumping at the Esposti well and the Project supply wells that may lower water levels in the shallow aquifers and could potentially jeopardize output of nearby domestic and municipal drinking water wells. **This depletion would be a significant impact.**

COMMENT B-7: The proposed design takes away from floodplain storage, an adequate amount of stormwater detention is not demonstrated by calculation to address the detraction of floodplain. Sub areas A,C, and E have footprints directly in the floodplain. **Flood risk to the area would have a significant impact to surrounding roads and residences.**

COMMENT B-8: The Town of Windsor completed a Storm Drainage Master Plan where the 100-year flood zones were mapped. The Project location shows potential flooding during the 100-year floods.

COMMENT B-9: wells are shallow; onsite wastewater storage could affect wells. **Contamination to wells/drinking water would be devastating; this poses a significant impact.**

COMMENT B-10: prior to the Winter of 2022, the Town of Windsor, the County of Sonoma, and the State of California were under water rationing rules. The availability of potable water is not endless; the analysis and anticipated use of the water does not consider drought and rationing on long-term availability of potable water. During drought, sustained pumping on the project site that is exempt from local and state regulation or restrictions would hasten depletion of water resources to surrounding residents.

COMMENT B-11: The proximity of Pruitt Creek to a large parking structure and paved parking will exacerbate flood risk. The project site is bordered by a mobile home park; during heavy rains (the area received 40” in 2022-23), flooding would disproportionately affect low income,

senior, and disabled residents who could be displaced. Flood risk a significant impact especially to the most vulnerable low-income residents who would be unable to replace their currently affordable housing.

C. AIR QUALITY

COMMENT C-1: The air quality modeling as detailed in Appendix F-1 makes a number of inaccurate assumptions including that Windsor is located in Climate Zone 4, that the project is in a rural setting, and that the average trip length for non-work trips should be based on the distance from Santa Rosa. It is **unlikely that there are no potential significant impacts** for any air quality or greenhouse gas emissions other than for CO.

COMMENT C-2: the project has an inadequate understanding of environmental impact on air quality as evidenced by its recommended equipment: “to reduce potential air quality impacts, Tier IV construction equipment for equipment greater than 50 horsepower should be required, instead of Tier III as proposed.” This lack of understanding will contribute to an increased impact on air quality.

COMMENT C-3: “Clean fuel fleet vehicles” is not defined and there is no standard to determine when use of clean vehicles is impracticable; there is no alternative to address the potential air quality impacts. EA reasoning is speculative.

COMMENT C-4: the EA makes a lot of assumptions re: use of certain equipment (“...assume the implementation of construction BMPs...;” “...assumes the use of electric boilers and appliances to the greatest extent practicable.” EA reasoning is highly speculative.

COMMENT C-5: the EA boasts significant employment opportunity. The EA fails to comment on the impact on air quality due to increased emissions for commuting workers (See also Comment N-2).

D. BIOLOGICAL RESOURCES

COMMENT D-1: the EA finds there could be significant impacts on wildlife that inhabits or migrates through the project site. Despite acknowledging the impact, there is no guarantee or mechanism to ensure implementation or enforcement of any mitigation measures. For example, the EA states “Increased lighting could increase bird collisions with structures and could also cause disorientation effects for avian species. Thus, nighttime lighting.....could have a potentially significant effect on both migrating and local bird populations.” The EA mitigation involves incorporation of “...lighting so as not to cast significant light or glare into natural areas....” This appears impossible on its face in that the primary purpose of the lighting will be to ensure safety and security of those using the facilities. It’s highly unlikely the project would install “low” enough lighting to not impact birds (perceived as “poor” lighting for human use at night). Regardless, any illumination of the area disrupts the current natural environment enjoyed by all habitants/animals especially species with nocturnal feeding behaviors. **Introducing any lighting into an unlighted space is inherently disruptive and a significant impact.**

E. CULTURAL/PALEONTOLOGICAL RESOURCES

COMMENT E-1: the EA determined that there is a potential for significant subsurface cultural resources on the Project Site, however inadequate monitoring is prescribed only within 150 feet of Pruitt Creek. The determination is sufficient to conclude there would be a significant environmental impact. I will also note that because the Koi Nation is not indigenous to not only the project site but also Sonoma County, any disturbance or excavation within the project site would disturb cultural and potentially sacred sites of other tribes/nations.

COMMENT E-2: other tribes that are indigenous to the area lose any opportunity to preserve tribal lands, potential burial grounds, or other sacred spaces. This is a fundamental encroachment on another tribe's sovereignty and is disrespectful of Sonoma County indigenous tribes' efforts to reclaim and preserve their lands. No local, state, or federal agency or entity should facilitate false entitlement nor encourage overstepping another tribe's jurisdiction. See Attachments 1 and 2.

F. SOCIOECONOMIC CONDITIONS/ENVIRONMENTAL JUSTICE

COMMENT F-1: The growth-inducing effects section indicates that the project would result in pressure for new commercial development in the area, such as additional (new) gas stations (which is banned by the Town of Windsor County of Sonoma). The EA somehow concludes that indirect and induced demand for commercial growth would be diffused across the State, thus no significant regional commercial growth inducing impacts. There is NO justification for this claim. At best, these conclusions are more speculative "wishful thinking" to fit the desired outcome.

COMMENT F-2: the housing section assumes there would be no significant impact but provides no data to support this assertion. It assumes most employees will come from the existing pool of casino and hospitality workers; however, due to housing costs, many of these workers commute from outside Sonoma County. Given the number of projected employees for this project, **the traffic would be a significant addition to existing traffic due to the number of employees that will need to travel from outside the area.**

COMMENT F-3: The Socioeconomic Study was prepared by Global Market Advisors for the Koi Nation of Northern California which is an international provider of consulting services to the gaming, entertainment, sports, and hospitality industries. Any EA conclusions of beneficial no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT F-4: the EA uses erroneous data; states that the Sonoma County Average Annual Household Income (AAHI) was \$121,522 in 2021, which is overstated. Information provided by the California Department of Housing and Community Development indicated that the Sonoma County Area Median Income (AMI) was \$103,300 for a family of four in 2021. Most analyses of housing affordability refer to median income, because the average income is likely skewed by a small number of high-income households. Any EA conclusions of beneficial no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT F-5: Page 6 of the study indicates that only 170 new homes were added to Sonoma County from 2010 to 2020. This is misleading; nearly 5,600 homes were destroyed in Sonoma County by the 2017 Tubbs Fire and construction to replace those homes continues.

- 2019 - Kincade Fire - largest fire in Sonoma County history, burnt approximately 77,758 acres in Sonoma County, destroyed 374 structures
- 2017 - Tubbs Fire - burned approximately 36,807 acres in Sonoma and Napa counties, destroyed 5,636 structures and killed 22 people
- 2017 - Nuns Fire - burned approximately 54,000 acres (34,398 in Sonoma County and 20,025 in Napa County), destroyed 1,355 structures and killed 3 people
- 2017 - Pocket Fire - burned approximately 14,225 acres in Sonoma County, destroyed 6 structures

(Source Press Democrat, November 14, 2019)

Any EA conclusions of beneficial or no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT F-6: Page 40 of the study (Employment) indicates that construction and operation phases will have a positive effect on the local economy (reducing unemployment). The EA fails to describe the local labor shortage in the area, which this project could exacerbate.

This will have no positive impact on local employment and more likely to negatively impact surrounding neighborhoods with increased traffic, air pollution, and other cumulative effects discussed below.

COMMENT F-7: The section beginning on Page 40 of the study (Housing and Schools) does not recognize the local housing shortage and continuing recovery from wildfires. Also, as stated above, the assertion that Sonoma County has a sufficient labor force focused on the hospitality industry is unsubstantiated, thus likely false.

G. TRANSPORTATION AND CIRCULATION

COMMENT G-1: **conclusions were based on insufficient data.** Based on reviews conducted for a casino in Rohnert Park, daily trips may be 15 to 25 percent higher than those indicated on this project analysis. Review of the Rohnert Park facility revealed the highest daily and afternoon peak trip generation occurs on Sundays, not Saturdays. This section conclusions are faulty. The mitigation actions for the casino project proposed on Shiloh Road and the interchange are inadequate to avoid significant negative impacts to the transportation network on opening day of the proposed casino. **The EA does not offer appropriate mitigation.** Any EA conclusions of beneficial or no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT G-2: The Town of Windsor evaluated this portion of the EA and found many examples where the EA proposes inadequate or problematic mitigation, misrepresents the facts, or cites faulty assumptions to support conclusions of little or no impact. For example: re: Shiloh Road/US 101 North Off-Ramp, the proposed mitigation is to restripe the ramp to include triple right-turn lanes. This modification is likely to perform poorly since it would “trap” two of the three right-turn lanes in the left-turn pockets at the adjacent Shiloh Road/Hembree Lane intersection. **It would not function acceptably.** In another example, the project would be responsible for 39.4% of the traffic growth which seems to imply that the project would not need to contribute funds since it addresses its impact under 2028+Project. Further, a contribution of 39.4% if made would still be illogical since the intersection would undergo far more widening (with associated cost) than the Town would never have needed without the proposed project. **The project will cause the Town to incur costs it would have never needed.** Please note that the Town of Windsor is currently projecting a structural budget deficit. Any EA conclusions of beneficial or no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT G-3: the 2040 segment analysis capacities are shown to be 49,800 daily vehicles, which is highly unrealistic for an urban four-lane street. However, if we accept this figure, **the number of additional daily vehicles would be like having nearly twice the entire population of Windsor driving this stretch of roadway every day; that is a significant impact.**

Without repeating all comments here, we wish to reiterate and support all Transportation/Circulation comments by the Town of Windsor in its letter to the BIA re: the EA. **The Town wrote: The mitigation actions for the casino project proposed on Shiloh Road and the interchange are inadequate to avoid significant negative impacts to the transportation network.**

H. LAND USE

COMMENT H-1: as noted above, the EA provides an incomplete picture of the surrounding community; aerial views are cropped to exclude existing, surrounding residential neighborhoods. Noted in the map above (See pg. 1 “Proposed Project and Alternatives” comments), the project site is bordered by a high-density apartment building now under construction (“A”), a church (“B”), a mobile home park (“C”), and residential neighborhoods (“D”). This macro view shows the immediate proximity of the surrounding neighborhoods that will be negatively impacted by a large scale project such as this.

COMMENT H-2: **none of the current land trusts are adjacent to residential-zoned areas.** Allowing this project would go against precedent of disallowing this type of project adjacent to residential zoning. Further, it would violate precedent of taking land into trust for this type of project on land greater than 15 miles from a tribe’s aboriginal site.

COMMENT H-3: the location is currently zoned for agricultural purposes, which not only respects a voter-mandated urban growth boundary but is also now considered a necessary fire mitigation given the recent history of multiple massive wildfires in this area since 2017. **The fire risk cannot be mitigated.** Replacing agricultural land with structures increases the flammables and further increases fuels that may subsequently travel into surrounding structures (as happened in recent wildfires). No amount of firefighting personnel or equipment can provide protection during a firestorm. In prior fires, the speed and scale of the fires prohibited firefighting as personnel had to make life saving evacuation a priority. Lives and structures were lost. Any death cannot be mitigated. **Removing an agricultural barrier significantly impacts the ability to use all available resources to combat wildfires.**

COMMENT H-4: the project EA assumes the location is eligible for the owners’ proposed use. The location should not be eligible for this development because the land is not the homeland of the Koi Nation. In fact, on October 20, 2023, they received support from California Attorney General Bonta (in the form of an amicus brief) supporting the Koi Nation’s current lawsuit contending saying the City of Clearlake, in Lake County (over 50 miles from the project site) failed to adequately consult with the tribe to ensure preservation of ancestral cultural sites during development of a new four-story hotel. The lawsuit is evidence of what five federally recognized, indigenous Sonoma County tribes have stated: the Koi are southern Pomo which are not native to Sonoma County. Therefore, (as in the two prior attempts by the Koi nation to acquire land) **Sonoma County is not Koi Nation homeland and should be ineligible as a site for any process that considers a Koi Nation project.** See *Attachments 1 and 2.*

I. PUBLIC SERVICES AND UTILITIES

COMMENT I-1: waste disposal plans are inconsistent with current County of Sonoma’s Zero Waste Resolution goals of zero waste by 2030.

COMMENT I-2: The EA notes that increases in crime and calls for service to public safety are associated with any population increase, not necessarily gaming specifically. Regardless of the cause, the project location currently generates virtually zero calls for service. The Windsor Police Department anticipates an increase in calls related to: traffic, noise, accidents, DUI’s, loud exhaust and speeding, disturbing the peace/public Intoxication, trespassing, property

crimes, prostitution, assaults, drug activity. Because of how mutual aid works in law enforcement any need for assistance by the Sheriff's Office (the responding agency), will directly impact the Town of Windsor Police Department by redirecting officers away from the Town, thus reducing law enforcement availability within the Town of Windsor (and residents who will suffer a decrease in services despite paying for it). **Any increase in crime or need for mutual aid will, therefore, have a significant impact.**

COMMENT I-3: In their published article "Casinos, Crime, and Community Costs" (*The Review of Economics and Statistics, February 2006, 88(1): 28–45*), Grinols and Mustard state "Our analysis of the relationship between casinos and crime is the most exhaustive ever undertaken in terms of the number of regions examined, the years covered, and the control variables used." They conclude "that casinos increased all crimes except murder, the crime with the least obvious connection to casinos. Most offenses showed that the impact of casinos on crime increased over time, a pattern very consistent with the theories of how casinos affect crime." They also conclude that any crime-ameliorating effects of casinos due to increased employment opportunities are short-term and only after opening. In addition, law enforcement agencies often use casino openings to leverage for staffing increases, but are unable to sustain this growth. The Sonoma County Sheriff's Office and the Town of Windsor are not unique in the Bay Area in that they are currently operating with vacancies, and are competing with many surrounding counties to recruit and fill those positions. The EA erroneously assumes full staffing for these agencies when concluding there is sufficient law enforcement. **The increased need for law enforcement and the associated long-term costs to the Town of Windsor (salary, pension, overtime, recruitment and retention costs, etc.) will have a significant impact. See Attachment 3.**

COMMENT I-4: survivors of human trafficking have reported their traffickers using casinos as a meeting place for buyers who were arranged online or as a venue to solicit prospective buyers, particularly when the casino is combined with a hotel. In their publication "Casinos Combatting Human Trafficking," the non-profit Busing on the Lookout provides tips and recommendations for casinos and bus companies to help stop human trafficking. It is reasonable to expect that this project site would not be immune to this trend. **Any increase in human trafficking crimes within this project site would be a significant impact. See Attachment 4.**

COMMENT I-5: the EA lists Sonoma County Fire District (SCFD) and Cal Fire resources that have jurisdiction of fire services for Sonoma County. The inventory listed (See EA: "Fire Protection and Emergency Medical Services," page 3-84) may appear impressive but was inadequate in real-world practice. During the 2017, 2019 wildfires, the resources were unable to respond to all fire areas, and mutual aid was not available due to the scale and number of events occurring simultaneously statewide. In some areas, the destruction and path of the wildfire were at the mercy of the weather and fire behavior because resources were stretched so thin. **The plan to enter into an agreement with SCFD for fire services is no guarantee those services will be provided or prioritized during an actual wild fire event. This is a significant risk and impact that portends very poor outcomes for unfamiliar customers and local residents.**

J. HAZARDOUS MATERIALS/HAZARDS

COMMENT J-1: The project site is currently a vineyard. In recent wildfires, vineyards have served as buffers to developed urban areas and have been used as staging areas for firefighting activities. The Proposed Project would replace a wildfire mitigating resource with a development of combustible materials (vehicles, structures, landscaping) which could further increase fire risk to surrounding developed areas and residents given the ability of embers to fly more than a mile and start new fires. The EA states that construction materials will mitigate the

fire risk posed by the project. However, recent wildfires and the circumstances of those events easily and quickly overwhelmed all structures. And, regardless of the mitigating construction materials the risk of burning and flying embers from nearby Shiloh Park continue to pose a risk to all structures. **The loss of a fire break and associated fire risk cannot be mitigated and represents a significant impact to potential loss of property and loss of life.** Recent wildfire events and their impacts are below:

- 2019 - Kincade Fire - largest fire in Sonoma County history, burnt approximately 77,758 acres in Sonoma County, destroyed 374 structures
- 2017 - Tubbs Fire - burned approximately 36,807 acres in Sonoma and Napa counties, destroyed 5,636 structures and killed 22 people
- 2017 - Nuns Fire - burned approximately 54,000 acres (34,398 in Sonoma County and 20,025 in Napa County), destroyed 1,355 structures and killed 3 people
- 2017 - Pocket Fire - burned approximately 14,225 acres in Sonoma County, destroyed 6 structures
(Source Press Democrat, November 14, 2019)

COMMENT J-2: the EA estimates that the project would add approximately 2 hours to evacuate of the Town of Windsor during a wildfire. The plan to utilize casino or resort staff as traffic control attendants is naïve at best. During the 2017 Tubbs wildfire, as wind and flames were bearing down on Santa Rosa homes and assisted living care homes, facility staff—likely fearing for their own safety—abandoned approximately 100 elderly residents (the Oakmont and Varena facilities were later sued by the county district attorney). There is no way to mitigate for human behavior in these circumstances. **Any project that delays an evacuation (which historically took hours) will increase the likelihood of human injury or death, thus causing a significant impact to the surrounding community.**

K. VISUAL RESOURCES

COMMENT K-1: The EA mitigation involves incorporation of “...lighting so as not to cast significant light or glare into natural areas....” This appears impossible on its face in that the primary purpose of the lighting will be to ensure safety and security of those using the facilities. It’s highly unlikely the project would install “low” enough lighting to not impact birds (perceived as “poor” lighting for human use at night) or surrounding neighborhoods directly adjacent the project site. **Regardless, any illumination in the area which currently has no artificial light disrupts the current natural environment enjoyed by all habitants/animals especially species with nocturnal feeding behaviors; any lighting will have a significant impact.**

L. CUMULATIVE EFFECTS

COMMENT L-1: it is important to recognize that each of the sections (factors) in the EA are not mutually exclusive in their impacts and can have cumulative effects. For example, drought and excessive water usage have a direct relationship not only to humans that rely on nearby wells, but also to fire risk and demand for limited fire-fighting services. Further, as seen recently, wildfire destruction to humans and structures has a direct relationship to the density of traffic and humans attempt to flee the area. The unpredictable drought cycles which are increasing due to climate change cannot be mitigated, thus **any planned development of this size and scale that provides only entertainment value should not be placed in a high fire risk location that exacerbates individual and cumulative risk.**

COMMENT L-2: **The EA acknowledges “wildfire risk exists and would be exacerbated by climate change.”** The EA then postulates that proposed mitigation measures reduce susceptibility to these risks with no data or evidence to make that assertion. Further, the

mitigation measures are inadequate as discussed above, and do not necessarily account for the rate of future global warming which depends on many factors such as future emissions, processes that dampen or reinforce disturbances to the climate system, and unpredictable natural influences on climate. While scientists use modeling to predict future climate impacts, it is inherently difficult to predict due to many unpredictable variables. Simply put, the mitigation measures in the EA are inadequate and incapable of ensuring a decreased risk. Any EA conclusions of beneficial no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT L-3: the EA states “Although the project alternatives are not consistent with existing zoning, potential impacts from land use conflicts would be reduced to less than significant levels through the implementation of mitigation measures.” It defies logic to conclude that a project of this size will have little or no significant impacts on the surrounding environment and community when it replaces agricultural lands that act as a barrier to wildfire in a high-risk fire area, consists of a 24/7 resort casino that uses 170,000 gallons of potable water per day, sits on a 65 acre parcel adjacent to single-family and apartment homes, is surrounded by two-lane roads, provides 5,000 parking spaces for the 11,000-15,000 trips generated each day, among other environmental disruption.

M. INDIRECT AND GROWTH-INDUCING EFFECTS

COMMENT M-1: The EA indicates that the project would result in pressure for new commercial development in the area, such as additional (new) gas stations (which is banned by the Town of Windsor County of Sonoma). The EA somehow concludes that indirect and induced demand for commercial growth would be diffused across the State, thus no significant regional commercial growth inducing impacts. There is NO justification for this claim. At best, these conclusions are more “wishful thinking” to fit the desired outcome. Any EA conclusions of beneficial no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

N. MITIGATION

COMMENT N-1: the sheer number of mitigations detailed in the EA demonstrates that there will be significant environmental impact.

COMMENT N-2: NEPA requires that, if a project would have significant adverse effects on the environment, mitigation for those impacts must be identified. Identification is no guarantee of implementation. Who will ensure enforcement of mitigation? **Once lands are taken into trust, local, state, and federal agencies will lose regulatory oversight of the land use and any ability to enforce compliance with mitigations described in the EA.** Further, there is no guarantee the development would cease with the proposed project. There may be no recourse to inhibit future development or expansion of the project site. Unfortunately, the current incentive is to provide a favorable EA to gain BIA support/approval to have land taken into trust for this project; if successful, there will be no further incentive for the Koi Nation to consider concerns or local residents and actual Sonoma County tribes. Locally impacted residents will lose any right to influence the environment in which they reside. **Homeowners and others who reside adjacent to the project site may have no other way to mitigate impacts but to move. That, by definition, is a significant impact.**

We appreciate the opportunity to comment. Thank you for careful consideration of our comments.

Regards,

Elizabeth Acosta & Stephen Rios
Windsor Residents (Sonoma County)
acostalcs@gmail.com

Attachments:


Attachment 1: Press Democrat: "State Attorney General Files Legal Brief Supporting Koi Nation in Suit Against Clearlake" (October 20, 2023).

Attachment 2: Lake County News: "Clearlake sets aside half a million dollars to defend against tribal lawsuits over city projects," (October 20, 2023).

Attachment 3: "Casinos, Crime, and Community Costs" by Grinols and Mustard

Attachment 4: Casinos Combatting Human Trafficking Toolkit

State attorney general files legal brief supporting Koi Nation in suit against Clearlake

Department of Justice says city officials violated environmental laws through alleged failure to satisfy tribal consultation requirements to ensure preservation of cultural sites. | 



California Attorney General Rob Bonta, shown in July, announced an investigation Wednesday, Oct. 12, 2022, into Los Angeles' 2021 redistricting process. (Genaro Molina/Los Angeles Times/TNS)

MARY CALLAHAN

THE PRESS DEMOCRAT

October 20, 2023, 5:22PM | [Updated 16 hours ago](#)

The California Attorney General's Office has weighed in on the side of the Koi Nation of Northern California in a lawsuit against the city of Clearlake, saying officials failed to adequately consult with the tribe to ensure preservation of ancestral cultural sites during development of a new four-story hotel.

The project in the south part of the Lake County town is to include a 0.2-mile extension of

18th Avenue west of Highway 53 to serve the hotel and an accompanying one-story meeting hall, along with utilities, sidewalks and 109 parking spaces on land the tribe says contains cultural sites.

The city council approved a declaration last year stating that anticipated environmental impacts were not substantial enough to require full environmental analysis.

It states, in part, that review of historical records and archaeological surveys on the vacant, city-owned land — some of it already extensively disturbed by heavy equipment and other activity — did not turn up protected cultural sites.

In acknowledging “the remote possibility” for artifacts, including human remains, to surface during construction, it said developers could stop activity within 100 feet, further investigate, consult appropriate agencies and determine what mitigation measures are needed.

[MNDAirportHotel.pdf](#)

But the Koi Nation says that’s not enough, given amended provisions of the California Environmental Quality Act under Assembly Bill 52 in 2014 that require “meaningful consultation” with tribes to ascertain what cultural resources might be at risk.

Attorney General Rob Bonta agreed.

In an 18-page amicus brief filed Tuesday in Lake County Superior Court, the state argues the city’s inattention to tribal concerns and guidance violates the California Environmental Quality Act, failing to satisfy the requirement to analyze tribal cultural resources “as a distinct, separate category ... subject to the same rigors and burdens of proof as analyses of other resource categories.”

[AG Amicus Order - combined.pdf](#)

The intent of the change, the brief says, was to factor in “the spiritual, cultural, and intrinsic value of tribal cultural resources to the tribes who maintain connections with those resources” — values that “are not captured through western archaeological and historical surveys,” and thus require consultation.

State code defines tribal cultural resources as sites, features, places, cultural landscapes,

sacred places and objects.

The city did hold an initial March 2022 meeting at which Koi leaders offered evidence of important sites at risk of disturbance, as well as confidential maps of cultural resources and proposed mitigation measures, according to legal documents. (Tribes generally keep information about important ancestral sites confidential to avoid vandalism and theft.)

But then, communications stopped, and the tribe never heard back, despite repeated efforts to contact the city and continue discussions, the brief states.

"The record reflects that the City did only cursory consultation, did not meaningfully consider the Tribe's input, and did not invest 'reasonable effort' to seek mutual resolution," the state's brief says.

"The Clearlake area is home to Native American tribes who have lived there since time immemorial," Bonta said in a news release Friday. "The preservation of tribal cultural resources is of great importance."

"We stand with the Koi Nation in seeking justice and accountability. The California Legislature passed AB 52 to ensure that government agencies' consultation with tribes regarding their tribal cultural resources would be meaningful — that simply didn't happen here."

Clearlake City Hall is closed on Fridays, and city officials could not be reached for comment.

Koi Nation Vice Chairman Dino Beltran said in the news release the tribe is "grateful for the action and leadership of Attorney General Rob Bonta and his hardworking team."

"We hope this will be helpful for all California Native American Tribes in their protection of Tribal Cultural Resources moving forward," he continued. "It is important to recognize traditional cultural knowledge as evidence."

The tribe's March 2023 suit over what's called the Airport Hotel and 18th Avenue Extension Project is similar to [one filed by the Koi Nation](#) in July over proposed development of a 26-acre recreational and public works complex the city said is much needed for its citizens.

Rep. Mike Thompson, D-St. Helena, last year secured \$2 million for the Burns Valley project.

The Koi Nation is a federally recognized tribe of the Southeastern Pomo people that claims

historic roots around Sonoma and Lake counties going back 17,000 years.

It is currently involved in a dispute with public officials and residents over its proposed development of a large casino and resort project on more than 68 acres on Shiloh Road in unincorporated Windsor.

You can reach Staff Writer Mary Callahan (she/her) at 707-521-5249 or mary.callahan@pressdemocrat.com. On Twitter @MaryCallahanB.

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Clearlake sets aside half a million dollars to defend against tribal lawsuits over city projects

ELIZABETH LARSON POSTED ON FRIDAY, 20 OCTOBER 2023 01:34 [f](#) [t](#) [G+](#) [in](#) [p](#) 20 OCTOBER 2023



LAKE COUNTY, Calif. — The Clearlake City Council has approved increasing the funding the city will devote to defending itself against legal challenges involving major park and road projects filed by the Koi Nation tribe, with one of those cases set to go to trial on Friday.

At its Oct. 5 meeting, the council was unanimous in approving the request from City Manager Alan Flora to double the city's expenditures with the Downey Brand law firm from \$250,000 to \$500,000.

In his written report for that council meeting, Flora said the legal contract was primarily for the purpose of defending the city against "the recent onslaught by the Koi Nation to challenge all economic development projects in the City of Clearlake."

The tribe, whose traditional territory includes the city of Clearlake and Lower Lake, sued in March to halt the city's projects for the 18th Avenue extension, which is related to a new hotel development.

It filed another suit in July regarding the Burns Valley sports complex and recreation center project, alleging the city has not conducted state-required consultation with its tribal government.

Koi Vice Chair Dino Beltrans did not respond to a message requesting comment for this story.

In December, Congressman Mike Thompson secured \$2 million for the Burns Valley project, which will include construction of a large sports and recreation center complete with baseball fields, soccer fields, a 20,000 square foot rec center, a small amount of retail space and a public works corporation yard.

The 18th Avenue project suit is set to go to trial in Lake County Superior Court on Friday, Oct. 20. No date has been set for the Burns Valley lawsuit.

Council members on Oct. 5 were united in calling the tribal lawsuits "frivolous" and damaging to the city's efforts to complete beneficial projects, including those focused on the community's children.

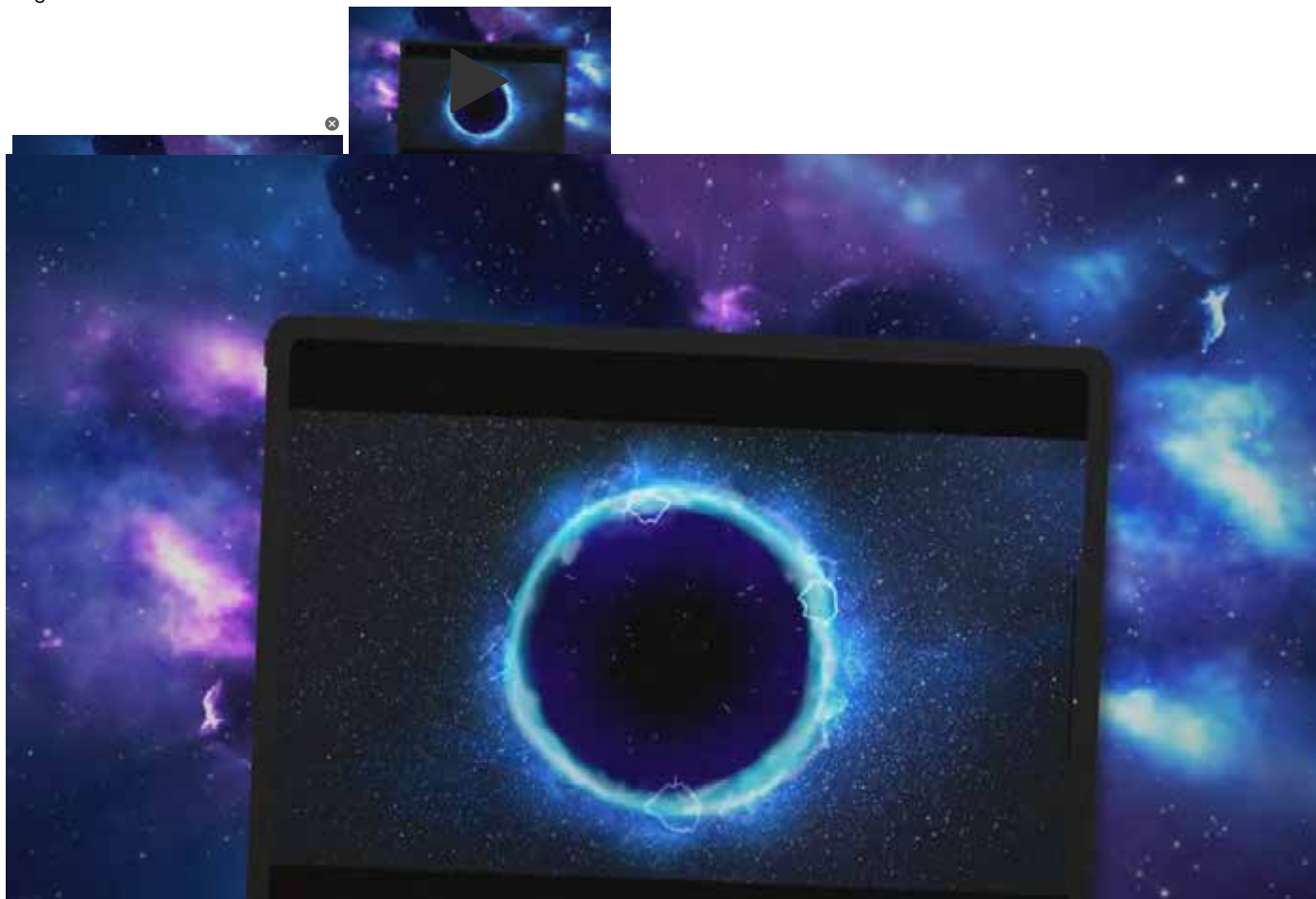
The council had initially approved the \$250,000 figure for legal defense in March after the tribe sued to stop the city's extension of 18th Avenue as part of a new hotel development at the former Peace Field airport site.

The tribe has alleged that the city violated the California Environmental Quality Act, or CEQA, and abused its discretion in adopting a mitigated negative declaration rather than completing an environmental impact report for the project.

Specifically, the tribe has pointed to AB 52, the Tribal Cultural Resources Bill of 2014, which requires that, as part of CEQA, public agencies must consult with a local Native American tribe when a project will have significant impact on tribal sites.

"The City ignored substantial evidence of direct and cumulative impacts to tribal cultural resources within the aboriginal territories of Petitioner Koi Nation, and the City failed to engage in meaningful and legally adequate government-

to-government consultation with Petitioner Koi



Nation as required by CEQA through AB 52," according to case documents.

In its defense, the city has said it conducted that consultation and followed CEQA's requirements fully, and that the tribe is reading things into the law that aren't there.

The city had been set to start road and utility work on the 18th Avenue Project in July, the week after a temporary restraining order hearing that took place on July 13 before Judge Michael Lunas.

At that time, it had been anticipated that Lunas would issue a ruling within a month, but that decision finally came down within recent weeks.

Lunas denied the tribe's request for a preliminary injunction but issued a stay on ground disturbing work until the outcome of the Oct. 20 trial.

With Lunas expected to issue a ruling within 30 days of the trial's conclusion, and no date yet set on the sports complex, Flora said there is "little likelihood" the city will be able to do any work on the projects this year. However, he said he remains "ever hopeful" some work could be done on the 18th Avenue project, depending on weather.

The Koi tribal leadership has appeared to heighten its willingness to fight the city at the same time as they are working to establish a new casino in Windsor in neighboring Sonoma County.

The tribe had been known as the Lower Lake Rancheria Koi Nation until 2011, when it changed its name to the Koi Nation of Northern California.

In the fall of 2021, the tribe went public with its plans for the Windsor casino. By that year's end, the tribe's koination.com website was gone and now redirects to Koinationsonoma.com.

On that website's "Mission" page, it does not mention Lake County. Rather, it says the tribe is "committed to protecting and exercising our inherent sovereign rights as a federally recognized tribe to their fullest extent, including obtaining land to re-establish a permanent land base for our people who have lived in this region for thousands of years, and creating self-sustaining economic activity to support the tribal government and its people, and the entire community of Sonoma County."

So far, the Koi — who will partner with the Chickasaw Nation of Oklahoma to operate the casino — have not gotten a welcome reception either from tribes or government agencies in Sonoma County, which have joined to push back on the plan.

The Sonoma County Board of Supervisors passed a resolution against the casino, the Graton Rancheria accused the Koi of “reservation shopping” and in a federal hearing last month, the tribe’s plans even received opposition from elected leaders at the federal and state levels.

The tribe has, however, gotten support from a group of union workers with whom it has signed an agreement to ensure union labor is employed in building the casino, as well as retired Lake County Sheriff Brian Martin, featured in a support video released in July, and actor Peter Coyote, who has narrated a documentary involving the tribe.

Heightened disagreements

The Koi’s working relationship with the city has most noticeably deteriorated over the last three years, as the tribal leadership and its attorneys have aimed increasingly sharpened criticism at city leadership over the handling of projects.

Much of the tribe’s tension with the city has appeared to involve tribal monitoring. Specifically, the tribe wants trained tribal members to be paid by the city to monitor all operations when there is ground disturbance in order to look for artifacts and human remains, which trigger work stoppage.

The tribe has maintained this is important because of past instances in which lack of monitoring resulted in removal of human remains and historical soils, and destruction of artifacts.

Flora said during a Clearlake Planning Commission meeting in June that the city doesn’t believe that every project it does that involves ground disturbance requires tribal monitoring.

The Koi haven’t just taken aim at city projects.

In the fall of 2020, the Lake County Tribal Health Consortium began work on its new Southshore Clinic at 14440 Olympic Drive. The consortium consists of six Lake County tribes, but the Koi does not participate.

Flora said the Koi tribe was aware of the project, but when construction started, “They came out and kinda caused a ruckus and asked for Dr. Parker to come out.”

Flora said Dr. John Parker, the Koi’s preferred archaeologist, went to the project and concluded there were no issues. In all, Flora estimated that construction on the project was stopped for as much as a day and a half while those matters were resolved.

When it held its official grand opening in May, Tribal Health presented the city with a \$150,000 check in support of the Burns Valley sports complex project, pointing to the health benefits to the community.

Flora said that in 2022, the Koi had threatened to sue to stop completion of the city’s new splash pad at Austin Park. Because the council had wanted to move forward with the contract and completing the project, he said they agreed to the monitoring the Koi wanted.

However, while the splash pad was completed, Flora said there was other work planned at Austin Park that won’t be completed because underground work would have been required and it was expected to result in further issues with the tribe.

That included shade structures in front of the bandstand that were to be paid for with grant funds. Flora said the city is now reallocating those funds elsewhere.

“We know with their pattern of working with us that it’s just not worth the fight at this point,” he said.

In January, during an initial discussion with the Board of Supervisors about designing a regional skate park at Austin Park — and upgrading the existing park with an above-ground concrete structure — Koi representatives again raised issues.

Robert Geary, the tribal historic preservation officer for Habematolel Pomo of Upper Lake who has been working with the Koi in response to city projects, said the site of the existing park is a village site and that they wanted protocols in place before any action was taken.

“This is only for the design,” said Supervisor Bruno Sabatier, whose district includes Clearlake.

“We have discussed the sensitivity of the area as well,” said Sabatier, which is why they are looking to build up, not to dig into the earth in order to

do the least disturbance possible.

Holly Roberson, the tribal cultural resources counsel for the Koi Nation, told the board the tribe isn't against development in Lake County.

She followed up by saying, "It's great that you're interested in development above ground. That doesn't necessarily mean there won't be tribal cultural resources impacts."

Roberson said they would have "significant legal risk" if the tribal resources aren't fully addressed.

Sabatier said he planned to work to make sure the project happened correctly, but didn't support adding any requirements to the memorandum of understanding for the project's design cost.

During a June discussion the Clearlake City Council had on that project, Roberson and Geary appeared and reiterated comments they had made at the supervisorial meeting about the skate park project's potential impact on tribal resources. The council went forward with approving the MOU at that time.

There are other projects the city also is holding off on because they're concerned about more threats of litigation by the tribe, including installing electrical vehicle charging stations at City Hall. He said the city isn't planning any such installations there because they believe the tribe would try to stop it.

In addition, a water line replacement down Dam Road needed to serve the Cache fire area, including one of the mobile home parks where there are 50 mobile homes needing water supply and another park where rebuilding needs to take place, has been held up for the Konocti County Water District, according to Flora.

Flora said the tribe is insisting that any sensitive materials that have been dug up due to the water line work be reburied in the same location. In some instances, that's not possible. The city is offering another reburial location and the tribe is refusing. The result is the district is going to have to come up with more money to pay the tribe for monitoring and reburial.

Situation comes to a head

For the Burns Valley project, the situation comes down to monitoring.

The city purchased the 31-acre parcel at the end of 2020. In May of 2022, the city completed the sale of a five-acre parcel at 14795 Burns Valley Road to Arcata-based Danco Communities, which is building an 84-unit apartment complex with mixed-income family units there. That project had no opposition from the tribe.

"They did not raise issues with Danco because Danco agreed to full tribal monitoring, even though there was no requirement to do so," said Flora.

"Danco was more concerned about the timing of the project being held up and how that would impact their financing stack."

The tribe wants the entirety of the 26 acres where the sports complex and city corporation yard will be located to be monitored, rather than just the location of two habitation sites, which they have argued is actually one large village.

"They say it's always about the monitoring but they feel like they should make all decisions when it comes to tribal resources," said Flora.

There are no state or federal laws requiring tribal monitors, although projects have increasingly included them out of respect for tribes.

Flora said if an item is found, the tribe believes it gets to tell the city what to do about it. "They get to decide and we get to pay for it," he said, adding that's not the state law.

The Clearlake Planning Commission's approval of the Burns Valley project's environmental analysis over the Koi's objections on April 25 brought the disagreements between the city and the tribe to a head over the summer.

The Koi appealed the commission's action. Over the course of several meetings — regularly scheduled meetings on June 1 and 15, and a special meeting in June 6 — the Clearlake City Council discussed the Koi's appeal.

At the June 6 meeting, Tribal Chair Darin Beltran — brother of Vice Chair Dino Beltran — spoke to the council about the project.

Beltran's comments led city officials to understand that he was offering to have the tribe — not the city — pay for the monitoring it wants of the site.

The city created a separate video clip of that discussion from the meeting and posted it on its Youtube page in order to explain the matter.

However, the following week, when Mayor Russ Perdock and Councilman David Claffey met with the Koi tribal council, Perdock said that offer was rescinded.

At the June 15 council meeting, Darin Beltran did not speak to the matter. Instead, Roberson told the council that it was a "misunderstanding," and that the tribe was not extending Darin Beltran's offer, which would have required a vote of the tribal council.

She said it was "confusing," although council members were firm in saying Beltran's offer had been clear.

While his brother didn't speak, Dino Beltran did. "We have not told you no. We want this to happen," he said of the project.

He said it was a social justice, cultural and religious issue, not one of CEQA.

Beltran said they were going to start reaching out to the community. "We are not getting through here," he said about interactions with the council. He said they would not pay for tribal monitoring.

"This isn't a legal issue so much as it is a moral issue," he said.

During the discussion, another tribal member requested that the sports complex be named for the tribe, which Flora later said wasn't something that had ever been discussed before then.

Roberson, who returned to the microphone, said there are numerous cultural sites around the city, and not all cultural resources have been identified or mitigated.

She said sites have historically been desecrated. "Are you going to keep going? Are you going to double down on what happened in the past?"

Tom Nixon, a retired park ranger for Anderson Marsh, said during public comment that he respected both the city and the Koi, which he said wanted to be part of the process.

Part of that is legitimizing compensation, Nixon said. "I think you should pony up."

Flora later noted that, from listening to comments from the public, there was not a clear understanding of the mitigations, which includes tribal monitoring of specific sites and cap and fill.

He said the city purchased the property two and a half years before and immediately started consultation with the tribe. Dino Beltran raised issues

of burials, and that information was passed on to archaeologist Dr. Greg White, who found no evidence of burials on the property.

Councilman Dirk Slooten said it was interesting that, only that day, the tribe raised environmental and social justice issues about the project.

Councilman Russ Cremer said he had been specific in asking the tribe about paying for monitoring during the special meeting in which Darin Beltran had made the offer.

Cremer said that cultivation has happened on the property — which had been part of a working farm and orchard — for over the past 100 years.

Recently, the city had the property disked to knock down vegetation for fire safety, and the tribe criticized the city for taking that measure, which Cremer said was ridiculous.

He said they've tried to get to a happy medium and that the tribe hasn't heard them.

"Quite honestly, I'm somewhat, I shouldn't say I'm shocked," he said. "There was no misunderstanding on what I asked and what Mr. Beltran agreed to."

Cremer said something happened over the weekend or the ensuing three or four days after the meeting in which Darin Beltran had offered to pay for monitoring.

He said he didn't see a requirement for city to pay for monitoring outside of areas we agreed to pay for. "We're stretching to make this thing work."

Cremer added, "You say you want this to happen, but your actions are not showing me that."

Councilwoman Joyce Overton was less diplomatic. "I'm not quite sure why we're even here on the issue."

She faulted Parker for having gone onto city property without permission to conduct surveys — which Flora also had stated during council meetings on the matter — adding she has personally seen Parker make copies of artifacts.

Overton said there is always going to be monitoring, and that she felt the city had gone above and beyond in its responsibilities. "I don't think there's any give anymore."

Flora said during the discussion that the city if human remains are found, work within 100 feet needs to stop.

"This is a unique opportunity for the city of Clearlake," said Slooten, with a amazing sports complex with amazing health benefits to the community.

He pointed out that Lake County has some of the worst health outcomes in the state because it doesn't have these types of facilities.

Perdock added that the city has changed the site designs and made other adaptations. At the tribal meeting, he said he had told them they hoped to extend an olive branch.

However, he said the city's budget is stretched pretty thin to get the project done and across the finish line.

The council voted unanimously to continue forward and deny the Koi's appeal.

Arguing in the court of public opinion

On July 14, the tribe sued, and the tribe and city began exchanging news releases.

The Koi, who said their ancestors have lived in the region for more than 17,000 years, accused the city of "blatant disregard of state laws that mandate the protection of tribal cultural resources," and said it is insisting the Burns Valley project meet state laws on oversight.

The tribe maintained that city officials "have approved a wholly inadequate and rushed approval of the project that excludes the required protection of tribal cultural resources and meaningful tribal consultation."

The Koi's news release did not quote Tribal Chair Darin Beltran, but instead much of it was attributed to his brother, Dino Beltran.

"The City of Clearlake and the City's leaders must respect the law, our cultural heritage and our tribal sovereignty before and during the

development of the Burns Valley Sports Complex,” said Beltran. “Protecting burial sites and artifacts of our people is a legal and moral obligation, and we hope that this action will persuade Clearlake officials to recognize their obligations and meaningfully consult with us.”

The statement by Beltran continued, “The Koi Nation provided lots of evidence of impacts to tribal cultural resources on the project site and many ideas to reduce harm or avoid impacts, but the City just wouldn’t listen. We asked them to keep consulting, and to work it out with us so the project could move forward, but they walked away from the table.”

Beltran accused the city of claiming the tribe opposes the development, which he said is “categorically untrue.”

“The Koi Nation does not object to development in the region, so long as it is done respectfully and legally. The Koi Nation supports the creation of this facility for our friends and neighbors who live in the City, which has a shortage of outdoor recreation options, and is taking this action to ensure that the Burns Valley project moves forward in a way that conforms to the law and does not cause more harm to tribal sites,” Beltran said in the statement.

The statement continued, “The City wants to pit us against our neighbors by these false statements, when we have said publicly that we support the development. It is disappointing and upsetting that the City’s leaders would make such statements in an attempt to create animosity toward us. We are not seeking to stop the project, but rather to ensure that Clearlake officials follow the law.”

Beltran added, “We can and must find a way to co-exist. This place is the land of the original inhabitants of the Clearlake basin, the Koi people. When the City builds projects, it needs to be respectful and take into account all of the tribal cultural resources it could impact and find a way to avoid harming them. The City must do everything it can to build projects in a responsible way, which could save the City money and actually help projects get done faster with less opposition.”

In its response, the city said its on a path to revitalization and that it has “pressing community needs, such as infrastructure, education, medical care and public services. The sports complex is intended to serve as a gathering place for families, friends, and neighbors, strengthening community bonds and fostering a sense of belonging and camaraderie among residents.”

The city added, “Not only is the sports complex needed for the youth in the community, but it will also help convey the necessity of a healthy lifestyle for the whole family. Lake County has some of highest negative health statistics in the State so the City is doing everything it can to help improve the quality of life for their residents.”

The city’s statement also noted that while it continues to hear Koi Nation is “not opposed,” “yet the approach they take and the litigation they filed seems to suggest otherwise. The Sports Complex litigation follows on the heels of the recent Koi lawsuit which has temporarily halted the hotel development and new road project on 18th Avenue in Clearlake.”

“Litigation seems to be routine with the Koi on our projects which is incredibly frustrating and disappointing. During the CEQA process, we worked with the Koi for over two years, and we thought we had made good progress,” Flora said in the statement.

The city said it redesigned the sports complex project to avoid any impacts to tribal cultural resources — primarily by utilizing a cap and fill method of building above any sensitive areas without excavation — and that it made many concessions beyond what was legally required in order to respond to the Koi’s concerns.

Among its offerings to the tribe were a discussion about naming the sports complex, tribal interpretive panels and displays, native plantings and agreeing to allow the tribe free use of the complex up to four times a year for their own events.

In the statement, Perdock said that after their meetings with the Koi, the city believed a feasible agreement was possible, referring to Darin Beltran’s offer to cover tribal monitoring costs. “We were thrilled to feel like we could move forward in unison. However, a week later at the June 15 City Council meeting, the tribe rescinded their offer. I can’t tell you how disheartened our community is at the thought of the Koi holding up yet another project.”

City officials said the tribe’s “continued frivolous lawsuits” are wasting scarce city resources in terms of time and money, and it could destroy the city’s future plans.

Perdock encouraged anyone interested to review the documents about the project themselves. “We hope the Koi Nation won’t take this community asset away from us.”

Council discusses legal expenses

Flora's written report for the Oct. 5 council meeting explained. "While the City continues to believe these lawsuits and the tribe's actions to be an overreach and frivolous, significant taxpayer funds will nonetheless be required to defend these projects."

"I know, it's frustrating," Flora told the council during the meeting, "These are project funds that were identified to be used for sidewalks, playground equipment, batting cages, etc."

He said a number of those items will have to be pulled out of the projects when the city is authorized to move forward or else additional funding is identified.

"I think it's essential that we defend ourselves against these frivolous efforts and the future of Clearlake depends on it," Flora said.

He said the city has spent about \$3.5 million on the sports complex so far, with another \$9 million in the budget for work on the project this fiscal year.

Some of that money comes from grant funds and is not being used for legal expenses, Flora said.

Claffey said that some of the biggest problems the city has faced have involved roads and parks, and set out to address those very issues. "We as a small city cobbled together enough money to start making some significant improvements."

He added, "This is a lot of money going to a purpose that really isn't needed."

That's just on the city's side. Claffey said money is being spent on the other end — a reference to the tribe — that could be invested in this community that is not right now. All of it is being done on the backs of taxpayers, he added.

"We have to defend it now or it's going to continue to haunt us into the years to come as we try to continue to do projects within the city to improve it for our citizens and our community. So we have no choice but to continue," said Cremer.

Slooten concurred with Claffey and Cremer. "We need to do this."

He added, "Otherwise they'll continue with these frivolous lawsuits."

Overton agreed. She said she didn't see any choice. "I'm just saddened that we're going to be taking away from our children."

"I echo the comments of my peers," said Perdock.

He said he was very disappointed in the city's public hearings on the projects, hearings that had been dominated by the disagreements between the tribe and the city.

Agreeing that the legal action by the tribe is frivolous, Perdock maintained Clearlake has complied with all of the CEQA laws and requirements and had tribal monitors in place as required by law.

It was when the tribe wanted extras — an apparent reference to the larger scope of tribal monitoring the Koi wanted — that the city said no and that work needed to get started. Perdock said the city didn't want to pay for unnecessary services "as I see them."

"The tribal chairman agreed for a solution and then they backtracked. Remember that," said Slooten.

Because the city is in litigation on the matter, Perdock said they were limited in what more they could say.

Claffey moved to increase the legal contract amount from \$250,000 to \$500,000, with Slooten seconding and the council voting 5-0.

Email Elizabeth Larson at elarson@lakeconews.com (<mailto:elarson@lakeconews.com>). Follow her on Twitter, @ERLarson, or Lake County News, @LakeCoNews.



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UPCOMING CALENDAR

- Oct 21** 10.21.2023 1:00 pm - 4:00 pm
21 Meyo Marrufo to Discuss Pomo Basket Patterns in Water Basket Workshop (</newcal/7185>)
- Oct 21** 10.21.2023 1:00 pm - 4:00 pm
21 Pomo basket patterns workshop with Meyo Marrufo (</newcal/7197>)
- Oct 22** 10.22.2023 5:00 pm - 8:00 pm
22 Garden Harvest Gala (</newcal/7172>)
- Oct 28** 10.28.2023 10:00 am - 1:00 pm
28 Farmers' Market at the Mercantile (</newcal/6898>)
- Oct 28** 10.28.2023 5:00 pm - 9:00 pm
28 Lake County Land Trust 30th anniversary dinner (</newcal/7152>)
- Oct 31** 10.31.2023
31 Halloween (/newcal/g-4-20231031_36klpu9coljcnm9nfgjth27al4_20231031)
- Nov 1** 11.01.2023
1 First Day of American Indian Heritage Month (/newcal/g-4-20231101_tv17hiji8jipl7hrutr4h62v5o_20231101)
- Nov 2** 11.02.2023 5:00 pm - 9:00 pm
2 Every Beat Counts benefit (</newcal/7163>)
- Nov 4** 11.04.2023 10:00 am - 1:00 pm
4 Farmers' Market at the Mercantile (</newcal/6899>)
- Nov 4** 11.04.2023 2:00 pm - 3:00 pm
4 Lakeport Library hosts Hank Smith (</newcal/7199>)

MINI CALENDAR

<	>	October 2023					
Sun	Mon	Tue	Wed	Thu	Fri	Sat	

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 (/newcal/7165)		2 (/newcal/7167) +2 more	3	4 (/newcal/7173)	5 (/newcal/7174) (/newcal/7151)	6 (/newcal/7132) +3 more
7 (/newcal/7170) +2 more	8 (/newcal/g-4-20231006_e8vnu38c3lc97s28mtfdkp4_20231008) +2 more	9 (/newcal/g-4-20231009_t9simg8eqp8vjg2g2808tq8bc_20231009)	10 (/newcal/7180) +2 more	11	12	13 (/newcal/7179) +4 more
14	15	16 (/newcal/7180) (/newcal/7181)	17	18 (/newcal/7186) (/newcal/7183)	19 (/newcal/7184)	20 (/newcal/7185) +4 more
21	22 (/newcal/7172)	23	24	25	26	27 (/newcal/8898) (/newcal/7152)
28	29	30 (/newcal/g-4-20231031_86kpu80p4r058j6_20231031)	31 (/newcal/g-4-20231031_86kpu80p4r058j6_20231031)	1 (/newcal/7183)	2	3 (/newcal/8898) (/newcal/7189)
4 (/newcal/g-4-2023105_drlm9rqmrosv6c07ug768o_2023105)	5 (/newcal/g-4-20231107_fc8f530e4lqftnc8c75jcook_20231107)	6 (/newcal/7182)	7	8	9 (/newcal/g-4-2023110_rhvc0a9k0g_2023110)	10 (/newcal/g-4-2023110_rhvc0a9k0g_2023110) (/newcal/8900)



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CASINOS, CRIME, AND COMMUNITY COSTS

Earl L. Grinols and David B. Mustard*

Abstract—We examine the relationship between casinos and crime using county-level data for the United States between 1977 and 1996. Casinos were nonexistent outside Nevada before 1978, and expanded to many other states during our sample period. Most factors that reduce crime occur before or shortly after a casino opens, whereas those that increase crime, including problem and pathological gambling, occur over time. The results suggest that the effect on crime is low shortly after a casino opens, and grows over time. Roughly 8% of crime in casino counties in 1996 was attributable to casinos, costing the average adult \$75 per year.

I. Introduction

PRIOR to 1978, there were no casinos in the United States outside Nevada. Since 1990, casinos have expanded to the point where the vast majority of Americans now have relatively easy access to one. This paper utilizes the natural experiment created by casino openings to examine how casinos affect crime. There are many reasons why understanding this link is particularly valuable. First, the casino industry has grown rapidly in the last decade and has become one of the most controversial and influential industries. Commercial casino revenues increased 203% from \$8.7 billion to \$26.3 billion between 1990 and 2000. Including Class III American Indian casinos, revenues were \$38.8 billion, or \$200 per adult, in 2001. Casino industry revenues are comparable to those of the cigarette market, and all forms of gambling total more than seven times the amount spent on theater tickets.¹ From 1982 to 2000, GDP increased 201% while casino revenues increased more than 660%. This rapid expansion generated extensive debate about the impact of casinos on many social, economic, and political issues.²

Second, the casino industry has become a major lobbying presence. Between 1992 and 1997, \$100 million was paid in lobbying fees and donations to state legislators (Harvard Medical School, 1997). Concerns were sufficiently pronounced that the U.S. Congress established the National Gambling Impact Study Commission (NGISC) in 1996 to study casinos exhaustively. Its final report called for additional research about the effects of casinos and a moratorium on further expansion.

Third, research suggests that on a national basis casino gambling generates externality costs in the range of \$40

billion annually,³ and crime is one of the biggest components of these social costs.

Last and most important, in spite of the substantial attention devoted to the casino-crime link, there is a paucity of convincing research about it. Economists have been virtually silent, and studies from other disciplines typically exhibit many fundamental weaknesses. First, no study has examined the intertemporal effect of casinos, which we contend is essential to understanding the relationship. Second, nearly every study used small samples, most frequently Las Vegas, Atlantic City, Reno, and Deadwood (Albanese, 1985; Lee & Chelius, 1989; Friedman, Hakim, & Weinblatt, 1989; Buck, Hakim, & Spiegel, 1991; Chiricos, 1994; Margolis, 1997) or Wisconsin (Thompson, Gazel, & Rickman, 1996a; Gazel, Rickman, & Thompson, 2001), or a selection of a handful of casino markets (Albanese, 1999). Four of these studies conclude that casinos increase crime, two argue that there is no effect, and one maintains that Florida regions with casinos have lower crime rates than selected Florida tourist cities if visitors are included in the population base denominator.

Another problem with the existing research is that some studies (Albanese, 1999; Hsing, 1996) reached conclusions about crime rates without actually examining crime rates. Instead of analyzing offenses, they used arrests, but did not discuss the problems inherent in using arrest rates to infer anything definitive about crime rates.

A fourth criticism is that most studies are subject to substantial omitted variable bias because they rarely controlled for variables that affect crime. Margolis (1997), Florida Department of Law Enforcement (1994), and Florida Sheriffs Association (1994) included no control variables. Nearly all of the other studies control for very few factors.

Fifth, the literature has generally neglected discussing the theoretical links between casinos and crime, as Miller and Schwartz (1998) document in detail.

Last, many studies were agenda-driven, conducted or funded by either progambling or law enforcement organizations. Nelson, Erickson, and Langan (1996), Margolis (1997) and Albanese (1999) were funded by explicitly progambling groups. As expected, they concluded that gambling had no impact on crime. The Florida Department of Law Enforcement (1994) and Florida Sheriffs Association (1994), which both opposed casinos, concluded that crime and drunk driving increased in Atlantic City and Gulfport, MS, as a result of casinos.

The General Accounting Office (GAO) and NGISC concluded that definitive conclusions cannot yet be reached

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* Baylor University, and Terry College of Business, University of Georgia and the Institute for the Study of Labor, respectively.

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¹ 1997 cigarette sales were \$45 billion. 2002 theater ticket and gambling revenues were \$9.3 and \$68.7 billion.

² Kindt (1994), Grinols (1996), Henriksson (1996), and Grinols and Omorov (1996) discussed a number of these.

³ See, for example, Grinols and Mustard (2001, p. 155) and Grinols (2004, p. 170).

about the casino-crime link. According to the GAO (2000, p. 35), "In general, existing data were not sufficient to quantify or define the relationship between gambling and crime. . . . Although numerous studies have explored the relationship between gambling and crime, the reliability of many of these studies is questionable." This paper contributes to the literature on this important issue by addressing each of the above limitations.

The paper is organized as follows. Section II explains the data we use. Section III analyzes the theoretical links between casinos and crime, and section IV outlines our estimation strategy. Section V discusses our basic empirical results, and section VI extends the results to border counties. Section VII concludes. We find that crime increases over time in casino counties, and that casinos do not just shift crime from neighboring regions, but create crime. We estimate the crime-related social costs in casino counties at approximately \$75 dollars per adult per year.

II. Data

Our sample covers all 3,165 U.S. counties from 1977 to 1996. The Federal Bureau of Investigation's (FBI) Uniform Crime Report⁴ provided the number of arrests and offenses for the seven FBI Index I offenses: aggravated assault, rape, robbery, murder, larceny, burglary, and auto theft.⁵ With the exception of Alaska, the county jurisdictions remained unchanged over our sample period.

We used U.S. Census Bureau data for demographic control variables, including population density per square mile, total county population, and population distributions by race, age, and sex.⁶ The Regional Economic Information System, of the Bureau of Commerce, provided data on income, unemployment, income maintenance transfers, and retirement.⁷

⁴ U.S. Department of Justice, FBI, *Uniform Crime Reports: County-Level Detailed Arrest and Offenses Data, 1977–1996*, Washington, DC: U.S. Department of Justice, FBI; Ann Arbor, MI: Inter-university Consortium for Political and Social Research (ICPSR, distributor).

⁵ The definitions are listed in *Crime in the United States: 1993* (U.S. Department of Justice, Federal Bureau of Investigation), Appendix H, pp. 380–381.

⁶ ICPSR (8384): "Intercensal Estimates of the Population of Counties by Age, Sex and Race (U.S.): 1970–80," U.S. Department of Commerce, Bureau of the Census, Winter 1985, ICPSR, Ann Arbor, MI 48106. "Intercensal Estimates of the Population of Counties by Age, Sex and Race: 1970–1980 Tape Technical Documentation," U.S. Bureau of the Census, Current Pop. Reports, Series P-23, 103, "Methodology for Experimental Estimates of the Population of Counties by Age and Sex: July 1, 1975." U.S. Bureau of the Census, Census of Population, 1980: "County Population by Age, Sex, Race and Spanish Origin" (preliminary OMB-consistent modified race).

⁷ Income maintenance includes Supplemental Security Insurance (SSI), Aid to Families with Dependent Children (AFDC), food stamps, and other income maintenance (which includes general assistance, emergency assistance, refugee assistance, foster home care payments, earned income tax credits, and energy assistance). Unemployment insurance benefits include state unemployment insurance compensation, Unemployment Compensation for Federal Civilian Employees (UCFE), Unemployment for Railroad Employees, Unemployment for Veterans (UCX), and other unemployment compensation (which consists of trade readjustment al-

The natural operating measure for casinos is gross revenue or profits. Unfortunately, such panel data do not exist—American Indian casinos are not required to report revenues. We therefore used the year a county first had an operating Class III⁸ gambling establishment, including riverboat casinos, American Indian casinos, land-based casinos, and, in the case of Florida and Georgia, "boats to nowhere"—cruises that travel outside U.S. boundary waters so passengers can gamble. Not all forms of gambling qualify as casinos. For example, Montana has hundreds of small gambling outlets that offer keno or video poker, many in gas stations along the highway. Also, California has many card houses, some of which were illegal. These establishments are distinct from casinos in size and type of play.

To obtain casino opening dates we first contacted state gaming authorities. In cases like Washington, this was an expeditious way to ascertain the first year a casino opened. However, even the central gaming authorities and Indian affairs committees often lacked information on Indian casinos. Therefore, in most states we called each casino to obtain its opening date or first date of Class III gambling if it had previously operated other forms of gambling.⁹ We also used lists from the Casino City Web site, www.casinocity.com, which lists casinos in every state, and verified it against the annually produced *Casinos: The International Casino Guide* (B.D.I.T., 1997).

Table 1 presents summary statistics for casino and noncasino counties. Noncasino counties had no casino in any year of the sample. Casino counties had a casino in operation during one or more years of the period. Casino counties had higher population, land area, income, and crime rates. The regressions later in the paper show no statistically significant differences between casino and noncasino pre-opening crime rates when control variables are included.

lowance payments, Redwood Park benefit payments, public service employment benefit payments, and transitional benefit payments). Retirement payments included old age survivor and disability payments, railroad retirement and disability payments, federal civilian employee retirement payments, military retirement payments, state and local government employee retirement payments, federal and state workers' compensation payments, and other forms of government disability insurance and retirement pay.

⁸ According to the Indian Gaming Regulatory Act of 1988, Class I gambling consists of "social games solely for prizes of minimal value." Included in Class I gambling are traditional Indian games identified with tribal ceremonies and celebrations. Class II gambling includes bingo and "games similar to bingo." Class III gambling includes "all forms of gaming that are not Class I gaming or Class II gaming," such as blackjack, slot machines, roulette, and other casino-style games.

⁹ We distinguish the operation date of Class III casinos from other dates such as the legislation date to authorize casinos and the operation date of Class I or II establishments. Within a state, different counties acquired casinos at different times. Also, bingo halls operated by American Indians converted to Class III gambling during our sample. Nevada legalized commercial casino gambling (in 1931) prior to the start of our sample. Excluding Nevada from our sample slightly increased the magnitude of the estimated casino-crime effect. For example, when Nevada was excluded from the table 4 regressions, 39 of the 42 post-opening coefficient estimates became more positive or less negative. Excluding New Jersey, whose Atlantic City casinos opened in 1978, produced similar results.

TABLE 1.—DEMOGRAPHIC AND CRIME DATA: CASINO VERSUS NONCASINO COUNTIES

Variable	Casino Counties			Noncasino Counties		
	Mean	Std. Dev.	Sample Size	Mean	Std. Dev.	Sample Size
Population	145,330	288,149	3,533	73,209	252,381	59,053
Population density (pop./sq. mi.)	204	491	3,533	217	1,462	59,045
Area (square miles)	2,021	3,056	3,533	1,008	2,883	59,060
Per capita personal income	\$11,306	\$2,689	3,533	\$10,808	\$2,618	59,040
Per capita unemployment ins.	\$78	\$54	3,533	\$65	\$51	59,024
Per capita retirement comp.	\$10,771	\$6,544	3,538	\$9,831	\$6,243	59,028
Aggravated assault rate	259	276	3,245	188	245	54,551
Rape rate	29	28	3,182	20	32	53,882
Robbery rate	82	136	3,254	44	143	54,623
Murder rate	5.9	9.3	3,254	5.5	10.5	54,628
Larceny rate	2,548	1,423	3,254	1,738	1,940	54,622
Burglary rate	1,056	666	3,254	770	1,110	54,619
Auto theft rate	267	264	3,254	167	276	54,627

Notes: Crime rates are annual incidents per 100,000 population. Monetary amounts are in 1982–1984 dollars.

The differences in the crime rates are due to the postopening differences between casino and noncasino counties.

Between 1977 and 1996 the number of states with some form of casino gambling rose from 1 to 29. Counties with casinos grew from 14 (all in Nevada) to nearly 180. The Indian Gaming Regulatory Act of 1988 increased the number of Indian casinos by mandating that states allow American Indian gambling on trust lands if the state sanctioned the same gambling elsewhere. The semisovereign status of Indian tribes and their management by the Federal Bureau of Indian Affairs gave them greater leverage with the states. By 1996, 21 states permitted casinos on Indian reservations.

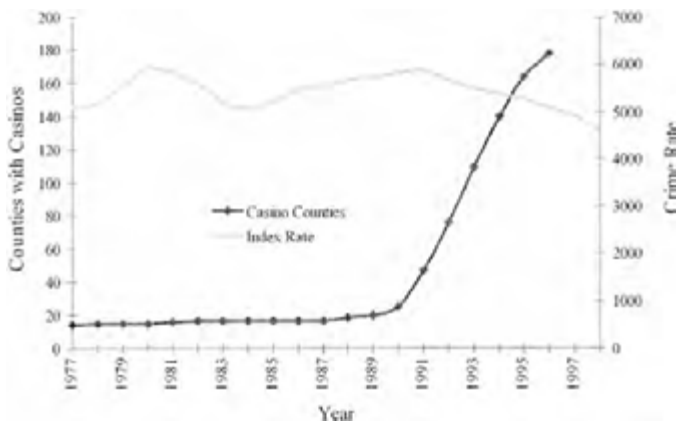
Figure 1 shows the relationship between the number of counties with casinos (left scale) and the crime rate (right scale). The crime rate fluctuated between 1977 and 1990 when the number of casinos was relatively constant. However, between 1990 and 1996, when the number of counties with casinos increased rapidly, the crime rate dropped substantially. This contemporaneous casino growth and crime reduction is important. Some have used these data to suggest that casinos reduced crime. For example, Margolis (1997) stated, “Crime rates in Baton Rouge, LA have decreased every year since casino gaming was introduced.” However, most regions experienced falling crime rates after

1991. Therefore, it is more appropriate to compare the magnitude of the decreases between casino and noncasino counties. We provide two comparisons of this type. Each suggests that crime rates in counties that opened casinos during our sample increased relative to crime rates in noncasino counties.

The first example, shown in figure 2, contrasts the crime rate for casino and noncasino counties between 1991 and 1996. FBI Index I offenses were summed by year for casino counties. Average crime rates for 1991–1996 were calculated by dividing these totals by the populations of the counties in the corresponding years. The series was then scaled to take the value 100 in the year 1991. The same procedure was applied to noncasino counties.¹⁰ Though crime dropped in both sets of counties, crime dropped 12.0 percentage points more in counties without casinos than in casino counties. The absolute reduction in crime in noncasino counties (90.3 offenses per 100,000) was approximately 3 times as large as the reduction (30.6 offenses per 100,000) in counties that opened a casino.

The second example, shown in figure 3, presents casino-county crime data centered on the year of opening, where the average crime rate for the two years prior to casino opening and the year of opening is set to 100. Crime rates were stable prior to opening, were slightly lower in the year of casino introduction, returned to approximately average levels for the next two or three years, and increased thereafter. By the fifth year after introduction, robbery, aggravated assaults, auto theft, burglary, larceny, rape, and murder were 136%, 91%, 78%, 50%, 38%, 21%, and 12% higher, respectively. These effects by year after introduction

FIGURE 1.—INDEX CRIME RATE AND NUMBER OF COUNTIES WITH CASINOS: UNITED STATES, 1977–1998



¹⁰ Data on Florida are excluded from figure 2 because it changed its crime reporting from summary-based to incident-based on January 1, 1988, and switched back to summary-based in 1995. Crime data are missing in the transition years. However, a Florida-only analysis is consistent with figure 2. Between 1977 and 1995 Florida counties that opened casinos experienced greater growth than noncasino counties in murder, rape, robbery, aggravated assault, burglary, larceny, and auto theft (19.9, 29.3, 27.3, 33.6, 7.7, 16.9, and 81 percentage points higher, respectively).

suggest the need to estimate lead and lag structures to identify the relevant time dependencies.

III. Theory

Previous studies focused on the empirical relationship between casinos and crime, but neglected theoretical explanations of how casinos affect crime. We present two reasons why crime could decrease and five reasons why crime could increase. We then discuss their different effects over time, an essential, but previously ignored issue. These factors are not mutually exclusive, and our empirical results estimate the total effect of these factors.

A. Theoretical Connections between Casinos and Crime

Casinos might reduce crime directly by improving legal earning opportunities, or indirectly through development effects.

Wage Effects: Grogger (1997) argued that increases in wages reduce crime, and Gould, Weinberg, and Mustard (2002) showed that increased employment and wages of low-skilled individuals reduce crime. Therefore, if casinos provide greater labor market opportunities to low-skilled workers, they should lower crime. Evans and Topoleski (2002) contend that when casinos are opened by American Indians, the fraction of adults who are poor, who are more likely to commit crime, declines by 14% and that employment increases significantly.

Development: Casinos may reduce crime indirectly through development effects. In the Midwest, for example, legislation decriminalizing casino gambling cited economic development as its rationale. Decaying waterfronts and derelict sections of town that once harbored crime may be less amenable to it when renovation occurs, streetlights appear, and resident presence increases. The streets near Las Vegas casinos, even at night, are often cited as some of the safest.

FIGURE 2.—CASINO-COUNTY VERSUS NONCASINO-COUNTY CRIME RATES

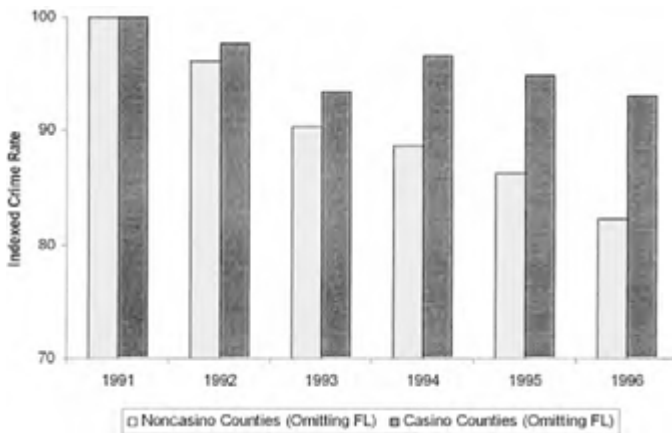
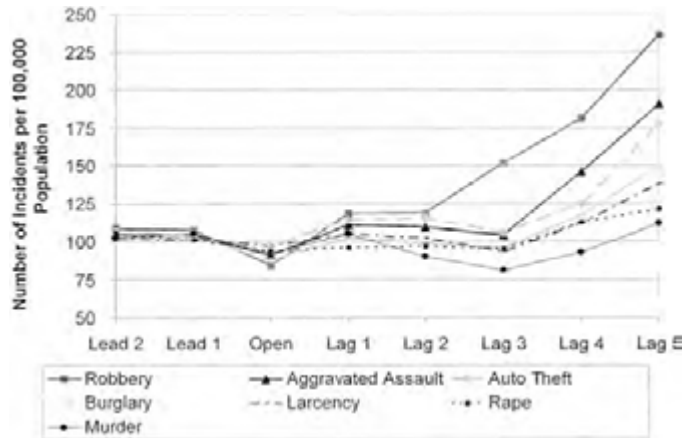


FIGURE 3.—CRIME BEFORE AND AFTER CASINO OPENING: CASINO COUNTIES, OMITTING FLORIDA IN 1988, 1996



Likewise, casinos may increase crime through direct and indirect channels.

Development: Casinos may raise crime by harming economic development, the opposite of the indirect effect discussed above. While some commend casinos for bringing growth, others criticize them for draining the local economy, for attracting unsavory clients, and for leading to prostitution and illegal gambling-related activities.

Increased Payoff to Crime: Casinos may increase crime by lowering the information costs and increasing the potential benefits of illegal activity. Travelers are often more vulnerable to crime victimization, and because casinos attract gamblers and money, there is an increased payoff to crime from a higher concentration of cash and potential victims. A 1996 Kansas City case is illustrative: a local restaurant owner was followed home, robbed, and murdered in his garage after winning \$3,000 at a casino (Reno, 1997). Similar stories exist in other locations with casinos.

Problem and Pathological Gambling: Crime may increase through problem and pathological gamblers. Pathological gambling is a recognized impulse control disorder of the Diagnostic and Statistical Manual (DSM-IV) of the American Psychiatric Association. Pathological gamblers (often referred to as “addicted” or “compulsive” gamblers) are identified by repeatedly failing to resist the urge to gamble, relying on others to relieve the desperate financial situations caused by gambling, committing illegal acts to finance gambling, and losing control over their personal lives and employment. Problem gamblers have similar problems, but to a lesser degree. Compared to those arrested for crime, problem and pathological gamblers are more likely to be female, are older, and have higher incomes.¹¹

¹¹ See NGISC (1999, Tables 4-2, 4-5) and Bureau of Justice Statistics (2002, Tables 4.7-4.10, 6.13, 6.16, 6.17).

The geographical spread of casinos lowers the cost of buying the addictive good, which increases the quantity consumed by problem gamblers, as evidenced by the rapid increase in Gamblers Anonymous programs after casinos open. For example, the number of Wisconsin communities holding Gamblers Anonymous meetings grew from 6 to 29 in the seven years after Indian tribes initiated agreements with the state to open casinos in 1992. Eleven people who contacted the Wisconsin group in 1997 committed suicide because of gambling (*Chicago Tribune*, August 2, 1999). The NGISC also reported a large increase in Gamblers Anonymous from 650 chapters in 1990 to 1,328 in 1998, "a period of rapid legalized gambling expansion" (NGISC, 1999, p. 4–17).

Conversely, when gambling is restricted, the cost of consuming the addictive good increases. Beginning July 1, 2000, South Carolina banned slot machines by court order. Six months later, the number of Gamblers Anonymous groups had dropped from 32 to 11, and the attendance fell from a typical size of approximately 40 to as few as 1 or 2 (Bridwell & Quinn, 2002, p. 718). During the same time, the number of help-line calls in Horry County (Myrtle Beach) dropped from 200 per month to 0 (*ibid.*)

An often-cited Maryland study found that 62% of the Gamblers Anonymous group studied committed illegal acts because of their gambling (Maryland Department of Health and Mental Hygiene, 1990); 80% had committed civil offenses, and 23% were charged with criminal offenses. A similar survey of nearly 184 members of Gamblers Anonymous showed that 56% admitted stealing to finance their gambling. The average amount stolen was \$60,700 (median \$500), for a total of \$11.2 million (Lesieur, 1998).

Visitor Criminality: Crime may also rise because casinos attract visitors who are more prone to commit and be victims of crime. Chesney-Lind and Lind (1986) suggested that one reason tourist areas often have more crime is that tourists are crime targets. However, in the following section we show that visitors to national parks do not increase crime. Therefore, if casino visitors induce crime, it is because they are systematically different from national park visitors or visitors to other attractions. The three largest single tourist attractions in the United States in 1994 were the Mall of America (Bloomington, MN), Disney World (Orlando, FL), and Branson, MO (country and western music) receiving 38, 34, and 5.6 million visitors, respectively. For comparison, Hawaii received approximately 6 million and Las Vegas received 30.3 million visitors in 1994. Visitors per resident were 1,345 for Branson, 436 for Bloomington, 188 for Orlando, and 40 for Las Vegas. If visitors of any type are the predominant mechanism for crime, Branson and Bloomington should be among the most crime-ridden places in North America. Even adding visitors to residents in the denominator to calculate diluted crime rates, the crime rate per 100,000 visitors-plus-residents was

187.3 for Las Vegas, 64 for Orlando, 16.4 for Branson, and 11.9 for Bloomington. Bloomington received 7.7 million more visitors than Las Vegas, but had a diluted crime rate less than $\frac{1}{15}$ of Las Vegas's. One indication of the different clientele casinos attract is the large increases in pawnshops that occur when casinos open. Other tourist areas do not experience similar increases.

A few of the numerous press examples that explicitly link casino gambling to crime are as follows:

Authorities linked a woman arrested in Bradenton, FL to one of the largest and most profitable burglary rings in the country. Baton Rouge, La., police Detective Jonny Dunham said that Barbara Dolinska and her cohorts like to gamble, and they committed many crimes in areas that either had riverboat gambling operations or other kinds of gaming. (*Sarasota [FL] Herald-Tribune*, December 23, 1999)

A man arrested in the armed robbery of a [New Orleans] bar told deputies of his motive for the hold up: he wanted to recover the several hundred dollars he lost playing the lounge's video poker machines. (*Las Vegas Sun*, June 14, 1999)

Former San Jose police officer, Johnny Venzon Jr., was imprisoned for stealing from people on his own beat while in uniform. Venzon, who blamed his actions on a gambling addiction, often burglarized homes and then investigated the crimes. (*San Francisco Chronicle*, February 25, 1999)

Daniel Blank confessed to stealing over \$100,000 and killing six Louisiana residents from October 1996 to July 1997. Blank's motivation for his brutality was to obtain cash to support almost daily trips to video poker halls and casinos. Sometimes Blank headed for casinos right after committing the crimes. ([New Orleans] *Times-Picayune*, January 28, 1999)

Casino-Induced Changes in Population Composition: Gambling, along with gambling-related industries such as hotels and restaurants, is one of the few growth sectors with a high demand for unskilled labor. An increase in demand for unskilled and lower-income employees may alter the composition of the underlying labor force and residents toward those who are more apt to engage in criminal activity.

B. *Effects across Types of Crime*

Different crime mechanisms need not have the same effects across crimes. For example, improvements in the legal sector reduce property crime more than violent crime (Gould et al. 2002). Although murder has been tied to casino activities as described above, the statistical connection is harder to detect, because murder is rare in comparison with other crimes and because other causes predominate. For this reason we expect casinos to contribute less to the overall explanation of murder rates.

Pathological gamblers generally commit crimes to generate money either to deal with their debts or to gamble. Peoria and Tazewell counties, surrounding one of Illinois's oldest riverboats, have documented a significant increase in casino-related embezzlement, theft, and burglary, much of it committed by professionals like teachers and lawyers (Copley News Service, June 28, 1999). Burglary, larceny, and auto theft, and the violent crime of robbery, have pecuniary payoffs. Casinos may affect aggravated assault because assault often occurs in the context of a crime with an economic payoff. Because the FBI classifies each incident involving multiple offenses under the most serious offense, property crimes and robberies that become assaults are categorized as assaults.

Identifying the link between casinos and rape is less obvious. Casinos may attract visitors more likely to commit rape or to be its victims, and have an indirect effect through the population composition effect and social climate. Changed population might be related to casino-generated growth in adult entertainment, escort services, and related industries, which show significant increases as measured by advertising or the number of listings in the yellow pages. Many law enforcement officials have testified that prostitution increased dramatically after casinos opened (FBI Conference on Casino Gaming, 1999). Pinnacle Entertainment was fined \$2.26 million by the Indiana Gaming Commission for supplying prostitutes and gambling money to attendees at a golf outing sponsored by its Belterra Casino Resort (Piskora, 2002).

C. *Intertemporal Effects on Crime*

The theory importantly predicts that the effects of casinos will vary over time. Reduction of crime through improvements in labor market opportunities is observed prior to and shortly after the casino opening as low-skilled people may be hired by the casino or casino-related industries. The economic development theories (whether positive or negative) imply that a casino's effect after opening will grow until the casino market reaches equilibrium. Likewise, the visitor effect and the effect of changing composition of the population appear with the casino's opening and grow as people are attracted to the area.

Effects operating through problem and pathological (P&P) gamblers will not be felt until a gambling problem has developed. Breen and Zimmerman (2002) studied the time to pathology. "We found that the men and women who 'got hooked' on video gambling became compulsive gamblers in about one year. Those who got hooked on other kinds of gambling (such as horses, sports betting, blackjack, etc.) became compulsive gamblers after about three and a half years" (RI Gambling Treatment Program, 2002). According to gambling treatment specialists, "Many addicted gamblers follow essentially the same course. . . . [T]hey enter a desperation stage, [the treatment specialist] said, and when they've used up their own money and lines of credit

they often turn to stealing" (Schneider, 2003). In the same article, police and prosecutors "told the newspaper that in recent years, with the arrival of casino gambling in the area, they have seen an increase in exactly the kinds of crimes [the convicted subject of the story] has acknowledged committing" (ibid.). The successful Evansville attorney Allan Lossemore's case (Rohrig, 2002) is symptomatic of the role of time lags. He began going to the Casino Aztar in July 1997 and for the first three or four months won enough money to subsidize his fledgling law practice. But by early 1998 he began to lose. "I started to draw from charge cards and from a line of credit in an attempt to get even," he reported. He tried to get back on track by barring himself from the casino and staying away from gambling, but late in 1999 he gambled again and lost. After a series of personal and professional financial circumstances, in mid-2000 he misappropriated clients' funds. "From there, I was just robbing Peter to pay Paul. I was gambling at that point pretty heavily—I was really trying to make up the difference." He was arrested in November 2000 and later jailed.

Research conducted for the NGISC reported that the population percentage of problem gamblers rose from 0.3% to 1.1% when the distance to the nearest casino fell from more than 250 miles to less than 50 miles, and rose from 0.4% to 1.3% for pathological gamblers (National Opinion Research Center, 1999, pp. 28–29). Distances less than 50 miles were not studied; thus a difference of 1.7% in P&P gambling probably understates the actual fraction. Research on the degree of P&P gambling in Las Vegas found the rate was 6.6% (Strow, 1999), suggesting that a difference of 5.9% is closer to an upper bound. If problem and pathological gamblers are an important explanation of crime, we expect to observe crime increase over time as more people start to gamble, develop gambling problems, and eventually commit crimes to fund their losses. Because different causes are at work, and may operate differently for different crimes, there is no presumption that intertemporal effects must be identical.

IV. Estimation Strategy

Our empirical strategy addresses many limitations of the current research. First, by conducting the most exhaustive investigation and utilizing a comprehensive county-level data set that includes every U.S. county, we eliminate sample selection concerns. Second, by analyzing crime effects over time we exploit the time series nature of our data. Third, we are the first to articulate a comprehensive theory about how casinos could increase or decrease crime. Last, we use the most exhaustive set of control variables, most of which are commonly excluded from other studies.

A. *Direct and Indirect Effects*

As noted, casinos may affect crime rates directly through their effects on the resident local population and indirectly

by increasing the number of casino visitors. The total includes both direct and indirect effects, as expressed in the following equations, where crime (C_{it}) in county i in year t is a function of the presence of a casino, the number of casino visitors (V_{it}) to the county, and other variables that affect crime (summarized in the term *Other*), and where a , b , c , and d are unknown coefficients:

$$C_{it} = a \text{ Casino}_{it} + bV_{it} + \text{Other}_{it}, \quad (1)$$

$$V_{it} = c \text{ Attractions}_i + d \text{ Casino}_{it}. \quad (2)$$

Casino visitors in (2) depend on both the visitor attractiveness of the county (Attractions_i) and the presence of the casino. The coefficient a measures the direct effect of the casino on crime. The coefficients b and d measure the indirect effect via casino visitors. Substituting from (2) into (1) gives

$$C_{it} = \beta_i + \delta \text{ Casino}_{it} + \text{Other}_{it} \quad (3)$$

where $\delta = a + bd$, and $\beta_i = bc \text{ Attractions}_i$. The total effect of the casino on crime, δ , in (3) includes the effects on both the local population and casino visitors. Estimating a in (1) would give only a partial effect, because it would not take into account the visitor effect.¹² The key to our being able to estimate the full effect is having panel data. Because many studies of the casino-crime relationship used cross-sectional data, they were limited to estimating only a partial effect.

B. Visitors

Although distinguishing direct and indirect effects is important, it is also important to avoid the assumption that anything that attracts the same number of visitors will have the same crime effects. Different types of visitors may have systematically different effects on crime even if the effect for all types of visitors is positive. The presence of a casino in (3) proxies for direct effects on crime and for an increased number of casino visitors. It does not necessarily follow that the same number of visitors for another purpose would generate the same crime outcomes. Visitors for other purposes appear in the variable Other_{it} , which we now address.

Time series visitor data do not exist at the county level and certainly do not distinguish visitors for different purposes. Running the regression (3) without such information, therefore, risks omitted variable bias. In partial defense, no other crime studies have been run with these data either. However, more importantly, in the case of casinos the omitted variables are likely uncorrelated with a new casino. Fortunately, for at least one type of tourist, data *are* available that we can use to test the hypotheses of being uncor-

related with openings and having an effect on crime different from the effect of casinos. We obtained National Park Service time series data from 1978 to 1998 on all visitors to national parks, monuments, historic sites, recreation areas, and so on. These parks and attractions, scattered across the country, receive millions of visitors annually—some as many as 14 million. Some, such as Yellowstone National Park, are in counties with sparse population; others are in highly populated areas. In most cases the correlation between park visitors and the casino variables used in the study was well below 1%, and in no case was a correlation above 1.7%. This is consistent with the view that this type of omitted variable bias is likely to be small or zero. Although it is always preferable to include such variables when possible, we are confident that in the case of casinos the procedure employed in (3) of treating data on other visitors as part of the constant term and the error term is not a problem for the coefficients of interest.¹³

A second analytical issue is whether to use *diluted* or *undiluted* crime rates. Should the number of crimes be divided by population—the conventional way to generate the crime rate (undiluted)—or by population *plus* visitors (diluted)? Four possibilities exist, depending on whether one considers total or partial effects, and studies diluted or undiluted crime rates. Some have argued for one combination or another without realizing that the choice is not methodological, but depends on what questions the researcher wants to answer. A common but invalid claim is that the diluted crime rate should be used to determine the change in probability that a resident would be the victim of a crime. However, knowing what happens to the diluted crime rate does not give the needed information and could even move the answer in the wrong direction. To illustrate, let s_1 be the share of the resident population P victimized by residents, and let s_2 be the share of the resident population victimized by V visitors. Similarly, let σ_1 be the share of visitors victimized by residents, and σ_2 the share of visitors victimized by visitors. Then the crime rate is $s_1 + s_2 + (\sigma_1 + \sigma_2)\frac{V}{P}$; the diluted crime rate is $(s_1 + s_2)w_P + (\sigma_1 + \sigma_2)w_V$ where w_P and w_V are the shares of visitors plus residents made up by residents and visitors, respectively; and the probability of a resident's being a crime victim is $s_1 + s_2$. If residents do not victimize visitors ($\sigma_1 = 0$), then $P = V$, and $s_2 + \sigma_2$ is smaller than s_1 . The

¹³ When visitors to National Park Service sites were included, the regressions (3) showed that an additional one million park visitors annually were associated with statistically significantly *fewer* crime incidents for rape, murder, robbery, and burglary, and had a statistically insignificant effect on auto thefts. The effects of park visitors on larceny and assaults were statistically significant but socially insignificant compared to the crime effects found for casinos (coefficient δ) and reported in section V. For example, we estimated the long-run effect of a casino on larcenies to be 615, which was roughly 60 times larger than the effect of one million national park visitors. This means that if the crime consequences of casino visitors and national park visitors were identical, a casino would have to attract over 59 million visitors annually to account for 615 additional larcenies. Las Vegas, the single largest casino gambling destination in the United States, attracted 30.3 million visitors in 1994.

¹² Ideally we would like to know both a and b . Because of data constraints, we must estimate only the total effect δ . Casino visitor data do not exist at the county level. Both a and b might be estimated using other variables to proxy for the number of casino visitors, but no annual time-series data exist at the county level.

probability of a resident being victimized is s_1 without visitors, and it rises to $s_1 + s_2$ with visitors. The diluted crime rate is s_1 without visitors and falls to $(s_1 + s_2 + \sigma_2)/2$ with visitors. Thus in this case the diluted crime rate falls while the probability of a resident being victimized rises.

In this study we are interested in the costs to the host county associated with a change in crime from whatever source. We are therefore interested in the total effect of casinos on crime, and thus use the undiluted crime rate based on equation (3).

C. Timing: Separating Casino Effects from Other Effects

The version of equation (3) that we estimated is

$$C_{it} = \alpha + \beta_i X_i + \gamma_t T_t + \delta L_{it} + \theta A_{it} + \varepsilon_{it}, \quad (4)$$

where C_{it} is the crime rate (offenses per 100,000 people) of county i in year t , α is a constant, and β_i is the vector of estimated coefficients on the county-level fixed effects that control for unobserved characteristics across counties. The time fixed effect, T_t , controls for national crime rate trends. Our base specification of L_{it} is a vector of the casino-opening dummy variables that includes two leads and five lags of the opening variable and captures the important intertemporal effects outlined earlier. The opening dummy variable takes the value 1 in the year the casino began operation and 0 in other years. In the reported regressions we used two years of leads, because it is unlikely that a casino would affect the crime rate more than two years prior to its opening. We stopped at five years of lags because the numbers of counties with casinos open three to five years, not counting Nevada counties, were 91, 59, and 35, respectively. Twelve counties (26 including Nevada counties) had casinos open for 6 or more years, and seven (21 including Nevada counties) had casinos open 7 or more years. For each group, however, observations are scattered widely across the decades and geography of our sample.

A_{it} is a vector of 22 control variables. It includes population density, the percentage of the population that was male, the percentage that was black, the percentage that was white, and the percentages in the age ranges 10–19, 20–29, 30–39, 40–49, 50–64, and over 65.¹⁴ Economic variables in A_{it} are real per capita personal income, real per capita unemployment insurance payments, real per capita retirement compensation per old person, and real per capita income maintenance payments. All income figures were adjusted to a 1982–1984-dollar basis. A_{it} also includes a dummy variable indicating whether the county honored a shall-issue right allowing citizens to carry a concealed firearm upon request, and two years of leads and five years of lags on the shall-issue dummy. ε_{it} is the regression error. Including leads and lags, the regression had 50 explanatory

variables plus one constant for each county (3,165) for a total of 3,215 explanatory variables. This set was expanded to 58 variables plus county constants when we analyzed the effects of casinos on adjacent counties. Excluding observations with missing data reduced the sample size in most regressions to approximately 58,000, leaving more than adequate degrees of freedom for estimation.

We independently estimated each lead and lag of the casino opening year (describing the timing of crime effects) without cross restrictions. We weighted regression observations by county population.

V. Results

Before reporting the more sophisticated lag structure discussed above, we begin with a simple dummy variable for whether a county has a casino. Table 2 reports two such regressions for each crime. The left column for each crime reports the estimated coefficient for the casino dummy variable. The variable *Casino* takes the value of 1 if a casino is operating in the county for the year in question and 0 otherwise. No other explanatory variables are present in the leftmost regression. The regressions all show large, statistically significant elevated crime rates for counties with operating casinos. For example, according to table 2 such counties experience 157 more aggravated assaults annually per 100,000 population. This compares to average aggravated assault crime rates of 188 per 100,000 population for counties without casinos in any year of the sample reported in table 1. The right column for each crime reports the estimate of the casino dummy when year and county fixed effects are the only other explanatory variables included in the regression. In each case the effect attributed to an operating casino declines. Aggravated assault, for example, falls from 157 to less than 18. The coefficient estimates are positive and statistically significant for five crimes. The estimated effect is positive for murder and negative for burglary; neither is statistically significant. To summarize the two regressions, when a simple dummy variable specification is used for a casino being open, the estimated casino effect is positive and statistically significant in twelve of the fourteen regressions. The other two results are not statistically different from 0. These before-after results obscure the intertemporal effects, so we now turn our attention to the model that includes leads and lags.

Tables 3 and 4 report coefficient estimates and t -statistics for specifications of (4) that allow for the timing of the effects of casino opening. Table 3 includes year fixed effects and county fixed effects but excludes the control variables A_{it} , whereas table 4 includes these regressors.¹⁵ For example, the estimated coefficient of lag 4 in the table 3 column labeled “Aggravated Assault” indicates that the aggravated

¹⁴ The remaining groups were Hispanics and those between 0 and 9 years.

¹⁵ We report casino variables. Results for the 588 other coefficient estimates for the seven crime regressions are omitted for lack of space, because they are used as controls, and because we are primarily interested in the casino variables.

TABLE 2.—CASINO CRIME RATE REGRESSIONS EMPLOYING CASINO DUMMY VARIABLE ONLY

	Violent Crime							
	Aggravated Assault		Rape		Robbery		Murder	
<i>Casino</i>	157.254 (23.04)	17.825 (4.29)	11.521 (17.91)	0.973 (2.04)	86.905 (12.09)	34.175 (10.07)	1.522 (6.88)	0.117 (0.75)
Year fixed effects	No	Yes	No	Yes	No	Yes	No	Yes
County fixed effects	No	Yes	No	Yes	No	Yes	No	Yes
<i>N</i>	57,796	57,796	57,064	57,064	57,877	57,877	57,882	57,882
<i>F</i>	530.68	754.52	320.88	126.60	146.06	212.39	47.30	81.94
Prob. <i>F</i>	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<i>R</i> -squared	0.0091	0.8147	0.0056	0.7234	0.0025	0.8861	0.0008	0.7506

	Property Crime					
	Larceny		Burglary		Auto Theft	
<i>Casino</i>	1128.547 (31.88)	218.850 (9.44)	144.373 (7.58)	23.927 (1.58)	266.582 (21.72)	217.416 (30.87)
Constant	Yes	No	Yes	No	Yes	No
Year fixed effects	No	Yes	No	Yes	No	Yes
County fixed effects	No	Yes	No	Yes	No	Yes
<i>N</i>	57,876	57,876	57,873	57,873	57,881	57,881
<i>F</i>	1016.63	138.15	57.45	635.32	471.71	472.89
Prob. <i>F</i>	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<i>R</i> -squared	0.0173	0.7839	0.0010	0.6699	0.0081	0.8328

Notes: Coefficient estimates are additional annual crime incidents per 100,000 population. *t*-statistics are in parentheses.

assault rate was higher by 62.153 offenses per 100,000 population four years after a casino opened in the county. The number of observations for each regression varied from 57,023 to 57,841. The *R*² was between 0.67 and 0.89.

The patterns in both tables show that casino effects tend to increase over time after a lag of 2–3 years. In table 3, which does not include control variables, the estimates on the casino leads are often positive and statistically signifi-

cant, consistent with the common belief that casinos are more likely to be placed in high-crime areas. However, when control variables are included, all of the leads are statistically indistinguishable from 0 except for those on auto theft.

Another key difference is that table 3 shows much larger increases in crime in the lagged years. When the control variables are included in table 4, these larger positive

TABLE 3.—CASINO CRIME RATE REGRESSIONS EXCLUDING CONTROL VARIABLES.

	Aggravated Assault	Rape	Robbery	Murder	Larceny	Burglary	Auto Theft
Lead 2	4.325 (0.61)	1.189 (1.42)	13.178 (2.26)	.725 (2.73)	113.498 (1.64)	33.865 (0.79)	114.440 (9.46)
Lead 1	4.455 (0.64)	0.708 (0.86)	19.067 (3.32)	1.270 (4.85)	160.828 (1.82)	28.071 (0.57)	142.864 (11.98)
Open	8.799 (1.19)	.250 (0.29)	19.142 (3.15)	1.251 (4.53)	229.687 (2.61)	19.609 (0.55)	182.095 (14.47)
Lag 1	16.656 (2.24)	1.765 (2.06)	47.031 (7.72)	1.360 (4.91)	315.990 (2.99)	54.171 (0.76)	236.103 (18.69)
Lag 2	3.647 (0.46)	0.684 (0.76)	56.089 (8.63)	1.305 (4.41)	193.729 (0.89)	3.025 (0.03)	225.876 (16.75)
Lag 3	29.953 (3.22)	3.436 (3.23)	81.467 (10.67)	0.801 (2.30)	201.816 (1.51)	13.797 (0.25)	253.046 (15.98)
Lag 4	62.153 (4.76)	7.021 (4.72)	75.755 (7.08)	0.429 (0.88)	460.681 (2.74)	153.209 (2.74)	246.417 (11.11)
Lag 5	124.683 (7.80)	7.076 (3.87)	76.725 (5.84)	1.496 (2.50)	715.031 (2.65)	236.992 (2.97)	376.278 (13.80)
Control variables <i>A_i</i>	No	No	No	No	No	No	No
Year fixed effects	Yes	Yes	Yes	Yes	Yes	Yes	Yes
County fixed effects	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<i>N</i>	57,755	57,023	57,836	57,841	57,835	57,832	57,840
<i>F</i>	562.01	95.50	163.79	63.83	19.25	79.81	358.19
Prob. <i>F</i>	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<i>R</i> -squared	0.8149	0.7236	0.8865	0.7511	0.7843	0.6730	0.8334

Notes: Coefficient estimates are additional annual crime incidents per 100,000 population. *t*-statistics are in parentheses. We used robust standard errors for larceny and burglary, which the Breusch-Pagan test indicated had heteroskedasticity.

TABLE 4.—CASINO CRIME RATE REGRESSIONS INCLUDING CONTROL VARIABLES

	Aggravated Assault	Rape	Robbery	Murder	Larceny	Burglary	Auto Theft
Lead 2	3.843 (0.55)	0.157 (0.19)	6.924 (1.21)	0.438 (1.00)	37.710 (0.63)	16.481 (0.43)	97.006 (8.43)
Lead 1	8.498 (1.24)	0.815 (1.01)	8.164 (1.44)	0.969 (1.34)	47.645 (0.61)	6.164 (0.14)	113.656 (10.00)
Open	0.376 (0.05)	0.644 (0.77)	11.218 (1.88)	1.103 (1.37)	148.279 (1.74)	23.625 (0.72)	152.659 (12.72)
Lag 1	2.613 (0.36)	0.955 (1.14)	32.588 (5.43)	1.188 (1.68)	173.836 (1.83)	30.661 (0.55)	183.735 (15.24)
Lag 2	9.739 (1.25)	0.267 (0.30)	39.137 (6.08)	1.181 (1.46)	0.447 (0.00)	51.987 (0.68)	161.791 (12.53)
Lag 3	20.306 (2.22)	3.339 (3.20)	70.427 (9.30)	1.099 (1.32)	4.132 (0.03)	48.495 (0.89)	206.769 (13.60)
Lag 4	42.844 (3.34)	6.503 (4.47)	52.188 (4.93)	0.572 (0.54)	184.855 (1.41)	64.367 (0.92)	161.641 (7.60)
Lag 5	99.982 (6.38)	9.979 (5.59)	65.240 (5.02)	0.458 (0.55)	614.695 (1.98)	325.147 (2.30)	271.848 (10.43)
Control variables A_i	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Year fixed effects	Yes	Yes	Yes	Yes	Yes	Yes	Yes
County fixed effects	Yes	Yes	Yes	Yes	Yes	Yes	Yes
N	57,724	56,992	57,805	57,810	57,804	57,801	57,809
F	393.15	129.78	143.37	13.34	42.97	121.18	346.19
Prob. F	0.0000	0.00000	0.0000	0.0000	0.00000	0.00000	0.0000
R -squared	0.8252	0.7410	0.8913	0.7623	0.7992	0.6997	0.8504

Notes: Coefficient estimates are additional annual crime incidents per 100,000 population. t -statistics are in parentheses. We used robust standard errors for larceny and burglary, which the Breusch-Pagan test indicated had heteroskedasticity.

estimates are reduced. Because the table 4 estimates have better fit in the lead variables and the added control variables reduce omitted variable bias, we emphasize these results, that show smaller casino effects on crime.

A. Violent Crime

Figure 4 displays the information on violent crime from table 4. The horizontal axis plots the casino opening leads and lags, and the vertical axis plots the coefficient estimates. The vertical lines show the 95% confidence intervals, the range within which the regression indicates the true coefficient should lie with 95% probability.

For aggravated assault, only estimates for the third and subsequent year after opening are significantly above 0, and the trend rises. The estimated high occurs in the fifth year after opening, when the aggravated assault rate is 100 assaults higher per year. This pattern of crime increase is unlike the typical pattern of visitor increases after casino opening. Grinols and Omorov (1996) showed that the number of visitors to Illinois casinos typically rose immediately after opening and reached equilibrium after 6 months or less.¹⁶

Figure 4 for rape shows coefficient estimates that are not significantly different from 0 prior to the opening. However,

they are positive and significant in the third and subsequent years after the casino opened, rising from the third year on. A county that introduces a casino might expect a negligible effect in the first two years after opening, but a higher rape rate by 6.5 to 10 incidents per 100,000 population in the fourth and fifth years after opening.

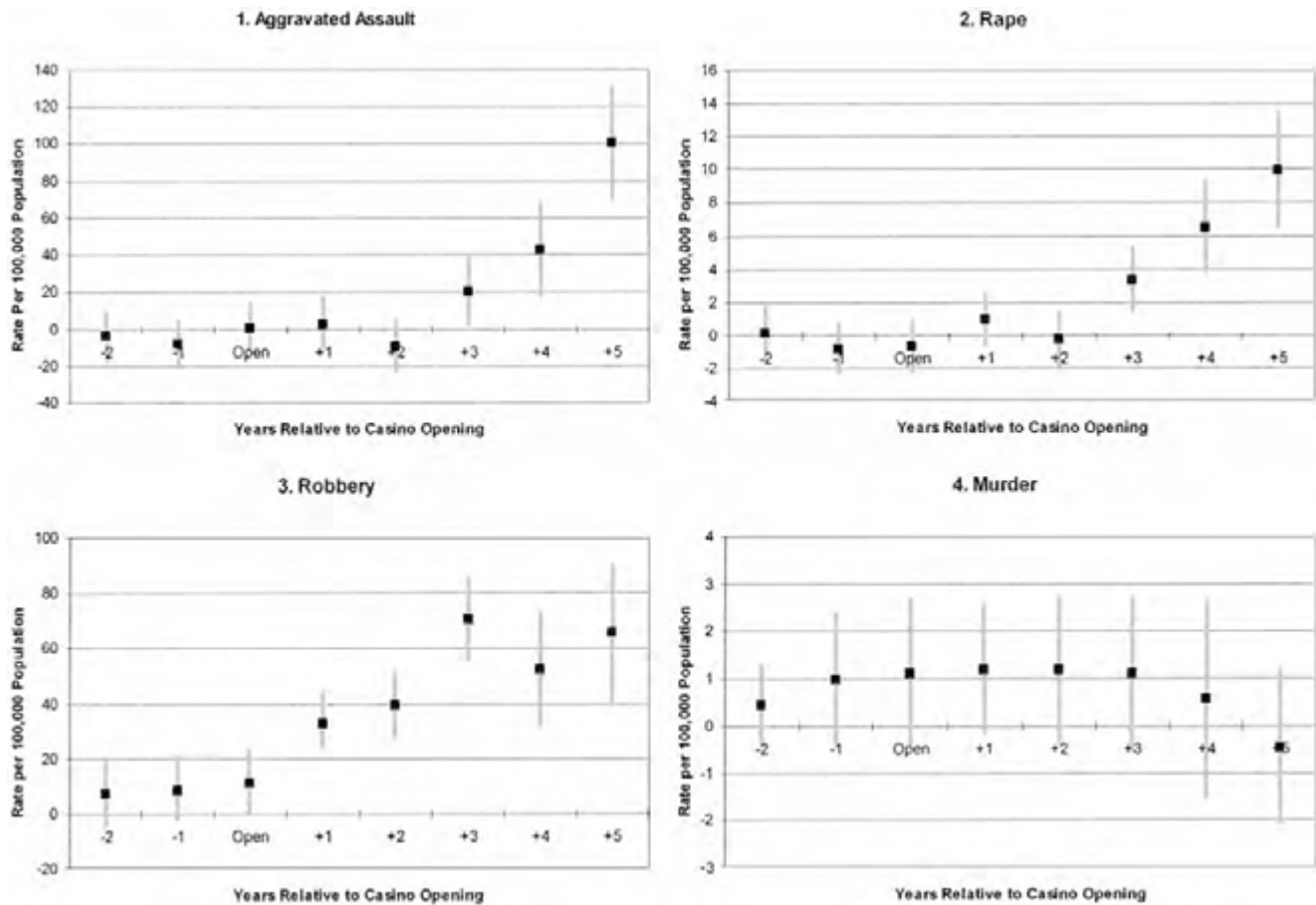
The pattern for robbery in figure 4 is similar to the patterns for aggravated assault and rape, with one important exception—the increase in robbery begins immediately. In the first year there were approximately 35 more robberies per 100,000 people, which increases to over 60 three years after opening.

As expected, the impact of casinos on murder is the smallest among all offenses. Figure 4 shows that casino counties have slightly higher murder rates than noncasino counties both before and after opening. However, murder shows no statistically significant coefficient estimates for any of the casino leads or lags, and the change from before to after is not statistically significant. Gambling-related murders include incidents such as the disgruntled gambler who killed a casino teller when he tried to retrieve his gambling losses, a spouse who fought over the other's gambling losses and was murdered, a parent's gambling leading to the death of her child, murder for insurance, and similar tales.¹⁷ However, because murder is the least fre-

¹⁶ In addition to the regressions reported, we ran regressions that included as many as 4 leads and 7 years of lags of the casino opening variable. With few exceptions, leads continued the pattern of being statistically indistinguishable from 0, and later lags showed comparable or greater estimated effects to the fifth year lag. In the case of murder, the sixth and seventh lags continued the pattern of being statistically indistinguishable from 0.

¹⁷ See Jeffry Bloomberg, Prepared Statement, Hearing Before the Committee on Small Business, House of Representatives, 103rd Congress, Second Session, 21 September 1994, Serial No. 103-104, Washington, DC: USGPO, p. 47. Accounts of the more spectacular gambling-related murders and deaths (most often suicides) frequently appear in the press. *USA Weekend*, February 10-12, 1995, p. 20, for example, describes a man

FIGURE 4.—CASINO EFFECTS—VIOLENT CRIME



quently committed crime and most counties have zero murders, murder rates typically have high variance, which makes it difficult to identify effects.

B. Property Crime

Figure 5 displays the coefficient estimates in table 4 for property crimes. The larceny estimates increase from 0 in the second year after opening, to 4.1 in the third, 185 in the fourth, and over 615 in the fifth year after opening. Burglary increases from negative estimates in the second and third years after opening, to 64 in the fourth, to 325 in the fifth. Only the fifth-year estimates are individually statistically significant, so we investigated further the significance of the rising third-, fourth-, and fifth-year coefficient estimates. We checked whether the rising patterns of coefficient estimates in the last three years with the lag 5 estimated coefficients positive and significant persisted or disappeared after the fifth year. Estimates of the sixth- and seventh-year lags were

745 and 1,069 for larceny and 201 and 229 for burglary, respectively. Moreover, lags 5 through 7 pass a 5% *F*-test for significance for both offenses.

Figure 5 for auto theft presents a different picture. It is the only crime that showed statistically significant leads, which were positive. After opening, the rates increase slightly for a few years and increase substantially after five years. The data indicate that casino counties did not experience the same decreases in auto thefts that noncasino counties did after 1991, when the number of casinos increased rapidly.¹⁸

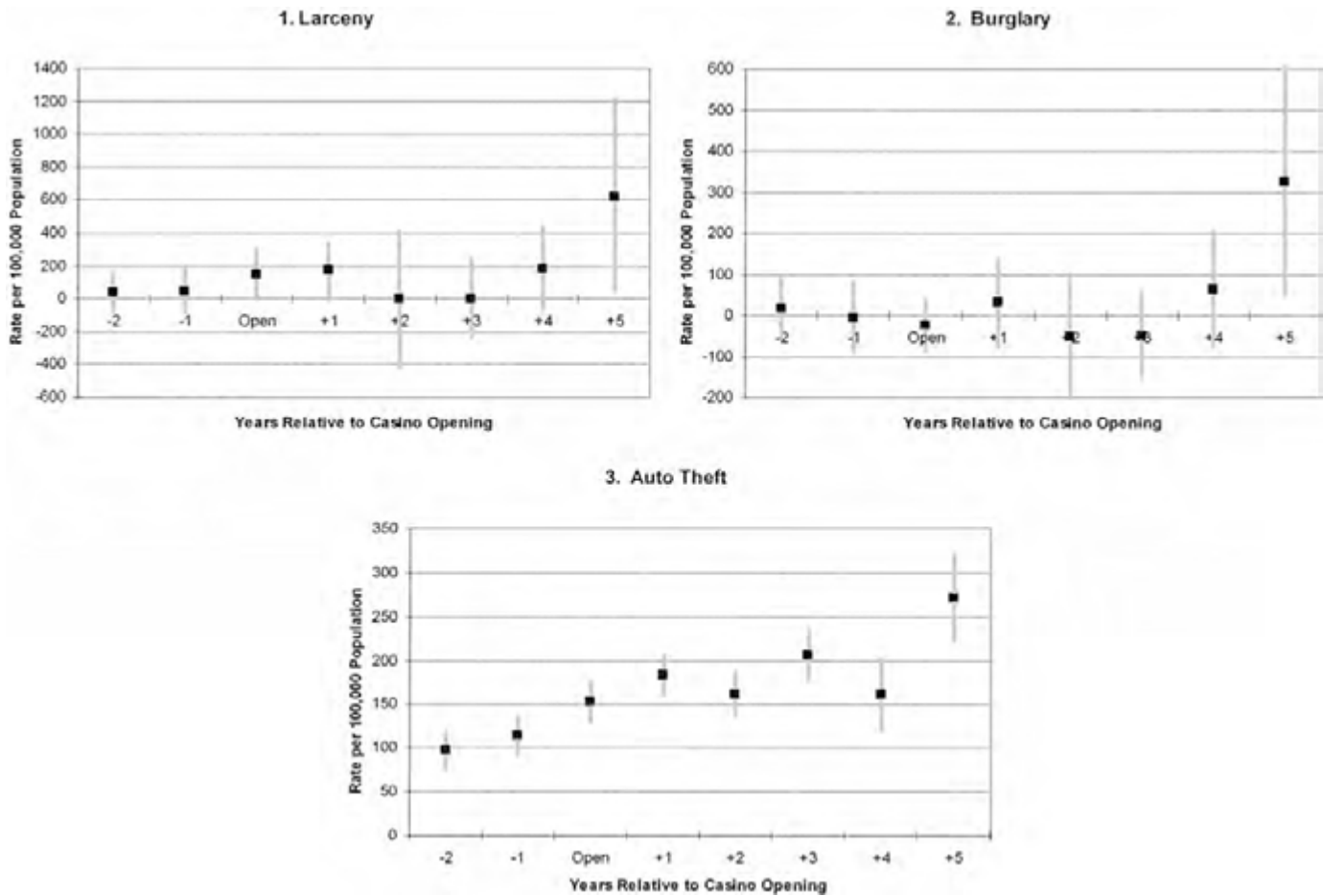
A second factor may be that we were unable to control for Lojack, an electronic tracking system that allows police to quickly locate and recover stolen autos. Ayres and Levitt (1998) found that Lojack accounted for a significant reduction in auto thefts in the 1990s. Because cities that implemented Lojack generally do not have casinos, we may overstate the effect of casinos on auto theft.¹⁹ It is also

killing his wife and beating up his daughter in a fight over his gambling away thousands of dollars. The Associated Press, September 3, 1997, reported on a 10-day-old infant in South Carolina who died of dehydration after being left in a warm car for approximately 7 hours while her mother played video poker. A mother in Illinois was convicted of killing her infant children for insurance money because of her gambling.

¹⁸ A similar divergence in Florida started in 1984 and grew after that, consistent with Florida casino openings. The first Florida casinos opened in two counties in 1982, two more opened in 1988, and the rest opened between 1990 and 1995.

¹⁹ Ayres and Levitt (1998) showed that Lojack had little effect on other offenses, so our results for the other crimes will not be affected.

FIGURE 5.—CASINO EFFECTS—PROPERTY CRIME



possible that Lojack's use is not yet sufficiently widespread to greatly affect our estimates.

C. Additional Robustness Checks

The precisely correct model of crime is not known. Thus, in addition to the comparison of tables 3 and 4, we considered several additional formulations to test the robustness of the results.

Law Enforcement Variables: All the regressions reported to this point omit law enforcement variables. Although including them reduces omitted variable bias, it also introduces sample bias by significantly limiting the number of counties with available data.²⁰ To examine this tradeoff we included two additional sets of law enforcement control variables. When we included the arrest rate as an explanatory variable, the estimated casino effects for almost every

year after opening and for almost all crimes were higher than those reported in table 4. Therefore, the table 4 results that we emphasize are biased against the finding that casinos increase crime.

Although arrest rates are often undefined, the problem is even bigger for other law enforcement variables. County-level conviction rates and sentence lengths are available for only four states (Mustard, 2003), and annual police employment is unavailable at the county level.

We also included explanatory variables that estimated the probability of capital punishment, which we estimated in four different ways.²¹ When these variables are included, the results are qualitatively the same as for the base regression. There are slight differences of the estimated effects for

²⁰ For example, the arrest rate is undefined when there are 0 offenses for a given crime type. Many small counties record no offenses even for property crimes for a given year, and even large counties frequently record no offenses for murder and rape, which consequently produce a large number of missing observations for the arrest rate. For some offenses including the arrest rate eliminated over 30,000 observations. See Lott and Mustard (1997) and Levitt (1998) for more detailed discussions.

²¹ The first was a prorated number of executions in the previous and current year divided by the number of people sentenced to death six years ago. The second was the number of executions in the first three quarters of the current year and last quarter of the previous year divided by the number of people sentenced to death six years ago. The third is a prorated count of executions in the previous and current year divided by the number of persons on death row at that time. The last was the number of executions in the first three quarters of the current year and the last quarter of the previous year, divided by the number of persons on death row at that time. Gittings and Mocan (2003) provided the first two variables, and Gittings and Mocan (2001) explain the last two in more detail.

different crimes in different postopening years, but the general qualitative trends are similar.

That the inclusion of law enforcement variables generally increases the estimated casino effects is consistent with reports from law enforcement officials that enforcement expenditures increased substantially when casinos opened. Stephen Silvern (FBI in Atlantic City) documented that expenditures for the Atlantic City Police Department and Prosecutor's Office grew much more rapidly in the late 1970s and early 1980s than similar expenditures in the rest of the state and nation (Federal Bureau of Investigation Conference on Casino Gaming, 1999). The director of the Indiana Gambling Commission reported that Indiana hired an additional 120 state troopers when the casinos opened in 1995.²² Allocations for police services also rose substantially in New Orleans upon introduction of casinos.²³ Law enforcement officials emphasize that to maintain public safety, spending on enforcement resources must increase when casinos open. Because we cannot measure all these additional resources that reduce crime, our estimates without enforcement variables tend to understate the effect of casinos on crime.

Casino–Population–Density Interactions: A natural question is whether the effect of casinos on crime varies with the type of county, such as a rural-urban difference related to population density. To test for a population-density interaction, we multiplied each of the eight casino-opening lead and lag variables by the county population density and reran the original regressions including these eight new variables. The density interaction coefficient estimates were statistically significant as a group at the 1% or better level for all regressions except aggravated assault and larceny, which were significant at the 11% and 46% levels, respectively. With the exception of murder and auto theft, the same rising pattern of crime after casino introduction was observed as found in the original regressions. Crime is not statistically different from zero in the years before casino introduction and immediately thereafter, but begins to rise three or four years after introduction. By the fifth year after casino introduction, a statistically significantly elevated crime rate for both low- and high-density counties appears. Introducing a density effect does not change the prediction of the model. These results give us confidence that the effect of casinos on crime is similar in large and small counties. For auto theft the casino effect is largest for less densely populated counties.

²² John Thar, director of the Indiana Gambling Commission, report at Federal Bureau of Investigation Conference on Casino Gaming (1999).

²³ Lt. Joseph P. Lopinto, Jr., commander of the Gambling Section of the New Orleans Police Department, reported that his department has been significantly resource-constrained since the opening of New Orleans's casinos and the resulting increase in demand for police services (Federal Bureau of Investigation Conference on Casino Gaming, 1999).

D. Summary

We summarize the results in table 4 and figures 4 and 5. First, the casino-opening lead variables suggest that after controlling for other variables casinos were not more likely to be placed in areas that had systematically different crime environments than other regions.

Second, after casinos opened, casino-county crime rates increased relative to the noncasino-county rates. Of the 42 estimated casino effects (one opening and five lags for each of seven offenses), 34 are positive, of which 19 are statistically significant at the 0.05 level, and others are significant at the 0.10 level. In contrast, none of the 8 negative estimates are statistically significant. As expected, murder exhibits no relation to casino gambling.

Third, the time pattern of estimated coefficients implies that the casino effects may change over time. With the exception of murder, all crimes show higher estimates for the last two coefficients (lags 4 and 5) than for the first two (leads 2 and 1). For most offenses, the statistically significant differences tend to appear two or three years after casino opening. Only one estimated coefficient for the year of opening is statistically significant. Estimates of the sixth and seventh lags (run but not reported) are typically positive and statistically significant.

Fourth, the increase over time in casino effect is consistent with the effects outlined in the theory. For example, the crime-mitigating influences through increased wages and employment should occur before and shortly after opening. In contrast, the crime-increasing factors are more long-term. Casino-induced changes in population and the effects of negative development grow over time. Also, clinical research shows that problem and pathological gamblers typically take approximately 2 to 4 years to start gambling, become addicted, exhaust alternative resources, and eventually commit crimes. Studies that did not have large data sets or a sufficient number of years of observations after casino opening, and that did not allow for the effects of casinos to change over time, missed these effects. An additional potential explanation of the time pattern is that casinos have an immediate impact on crime, but that impact is ameliorated by a large increase in police resources, which are typically significantly increased when casinos open, but do not maintain the same rate of growth over time. The slightly more immediate impact of casinos on violent crime may be explained in terms of *imported* criminals. It may take less time to habituate to a new casino's location than for people to exhaust their resources.

E. Evaluation

The regressions in table 4, of course, cannot decompose the net number of offenses to assign them to each alternative explanation. Nevertheless, it is instructive to ask how many crimes table 4 would imply per additional P&P gambler if all estimated additional crime incidents were arbitrarily

assigned to this one source. The coefficient estimates report additional crime incidents per 100,000 population. If x is the coefficient, and y is the change in P&P share of the population, then

$$\frac{x}{10^5} \frac{\text{Offenses}}{\text{Capita}} \times \frac{10^{-5}}{10^{-5}} \times \frac{1}{y} \frac{\text{Capita}}{\text{Problem and Pathological}} = \frac{x}{y} \times 10^{-5} \frac{\text{Offenses}}{\text{Problem and Pathological}} \quad (5)$$

The total number of crime incidents estimated in table 4 in the fifth year after casino opening is $x = 1,386.4$. If $y = 0.059$ (as in the numbers reported for Las Vegas, for example), then the average additional P&P gambler would have to commit 0.23 crime incidents per year to account for all additional crime, so that roughly one in four P&P gamblers would have to commit a crime annually. This figure rises to 0.82 if $y = 0.017$ at the other extreme. Thus 20%–80% are reasonable proportions relative to the information reported above that 80% of problem gamblers studied committed civil offenses, 56% had stolen, and 23% were charged with criminal offenses. In contrast, if the calculation suggested that each P&P gambler would be required to commit a dozen crime incidents per year, the numbers would be of a different magnitude.

The estimated coefficients in table 4 also allow us to gauge the fraction of observed crime due to casinos. Summing the estimated number of crimes attributable to casinos for each county, taking into account how many years the casino was in operation, and dividing by the casino counties' total population measures the contribution of casinos to observed crime. Estimates of the share of crime attributable to casinos in 1996 for individual crimes ranged between 5.5% and 30%. Auto theft was the highest, followed by robbery at 23%. The values for the rest of the offenses were between 5.5% and 10%.

We provide three estimates of the implied cost of additional crime. First, we use the cost per victimization figures adjusted to 2003 dollars using the CPI-U to calculate the total social cost of crimes committed in casino counties that are attributable to the casino presence according to the estimated coefficients in table 4 (Miller, Cohen, & Wiersema, 1996, column 4 of Table 9, p. 24). We also report the total social cost for casino counties on a per adult basis. Finally, although the social cost of property crime is not synonymous with the value of the lost property, the latter is nevertheless useful in describing the effect of casinos. The *Sourcebook of Criminal Justice Statistics* (Bureau of Justice Statistics, 2002, table 3.112, p. 298) contains data about the average property loss for four of the offenses in this paper—robbery, larceny, burglary, and auto theft. For those offenses we took the fifth-year lag coefficient estimates for each crime and multiplied them by the average loss per crime adjusted to 2003 dollars using the CPI-U. This produced

property loss numbers per 100,000 population, which can be aggregated to the entire adult population.

In 1996 the total costs for the 178 casino counties exceeded \$1.24 billion per year. If the estimated coefficients from table 4 are applied to a representative county of 100,000 population, 71.3% of which are adults (as is representative of the United States as a whole), then the social costs per adult are \$75 in 2003 dollars. These costs reflect the profile of the lagged effect on crimes experienced by the particular sample of casino counties making up our data set. The value of lost property from the four property crimes is \$2.905 million for a population of 100,000 (\$29.05 per adult), which becomes \$5.91 billion when aggregated to the national level for 2003.

We can compare these costs with other estimates that relied on a different methodology. Social costs of casinos have commonly been estimated in terms of the average cost imposed on society by a P&P gambler²⁴ multiplied by their number. In the most recent comprehensive study of this type of which we are aware, Thompson, Gazel, and Rickman (1996b) found that total social costs were \$135 per adult in 1996 dollars, of which \$57 (40%) were due to police and judicial-related costs and to thefts.²⁵ Thompson et al. reported that they intentionally “projected numbers believed to be very conservative,” and that the crime costs in their sample (Wisconsin) were probably lower than similar costs in other locations. Adjusting crime costs to 2003 dollars, their estimate is \$67. Taking into account the different samples and methodologies, their estimate is remarkably close to the direct costs estimated here for 1996 (\$75).

Corrective taxes reflect the costs that an industry imposes on society. Assuming crime costs no lower than \$75 (there are crimes other than FBI Index I, such as embezzlement, not considered here), crime costs equal to 40% of total social costs, and revenues for a representative casino of \$400 per adult²⁶ each year implies tax rates above 47% of revenues. In a few cases tax schedules for high-end casinos include portions where average tax rates reach these levels.²⁷ Having applied proper taxes, continued operation would be efficient in a Kaldor-Hicks sense.²⁸ If it is feasible to offer gambling in an altered manner that causes fewer P&P

²⁴ Some studies group problem gamblers with pathological gamblers; some treat the two groups separately. Costs are computed by learning the behavior of P&Ps through direct questionnaires and surveys.

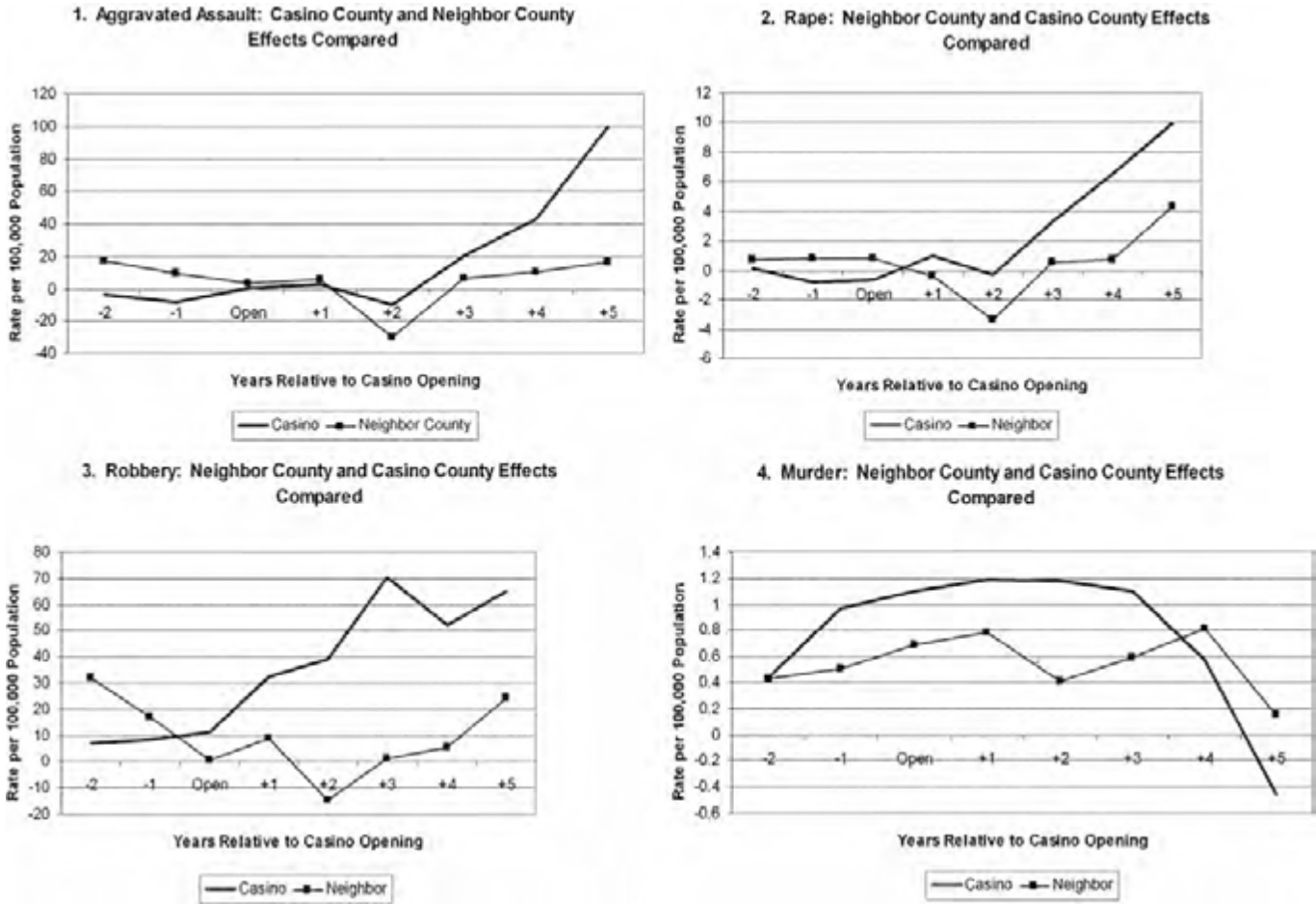
²⁵ The social-cost effect of casino-related serious problem gamblers was \$138,453,113. Dividing this by the number of adults over 20 in the counties with casinos gives the per adult figure in the text. The proportion of costs due to police, theft, and judicial-related costs is determined from their tables A-2 and A-5.

²⁶ Research for the NGISC estimated that average losses by adults living near a casino might be in the \$400–\$600 range per year. Other estimates, including some by the gambling industry for losses by residents in Las Vegas and Atlantic City to casinos, are lower than \$400, even after adjusting upward for price level changes.

²⁷ In Illinois the average tax rate rises from 43% to 50% as casino annual gross revenues rise from \$250 to \$340 million. Revenues this large imply a very successful casino.

²⁸ This observation is due to the anonymous referee. Whether casinos expand, shrink, or disappear will be immaterial, because whatever out-

FIGURE 6.—HOME AND NEIGHBOR CASINO-CRIME EFFECTS: VIOLENT CRIME RATES



gamblers and less crime, then this may be better for society than a response based on taxes.

VI. Do Casinos Simply Attract Crime from Elsewhere?

The estimates suggest that after five years, 8.6% of the observed property crime and 12.6% of the violent crime in casino counties are due to casinos.²⁹ However, do casinos create crime, or merely move it from elsewhere? If the casino-induced increases in crime come only from neighboring regions, casinos produce no new crime. This untested hypothesis is first tested here. To address this question we examine the crime rates of counties that border casino counties. When casinos open, neighboring county crime rates could either decrease, remain the same, or increase. The first possibility supports the idea that casinos move crime from adjacent counties but do not create crime. In the second and third cases, adjacent counties experience no change or an increase in crime, both of which indicate that total crime rises and that casinos create crime.

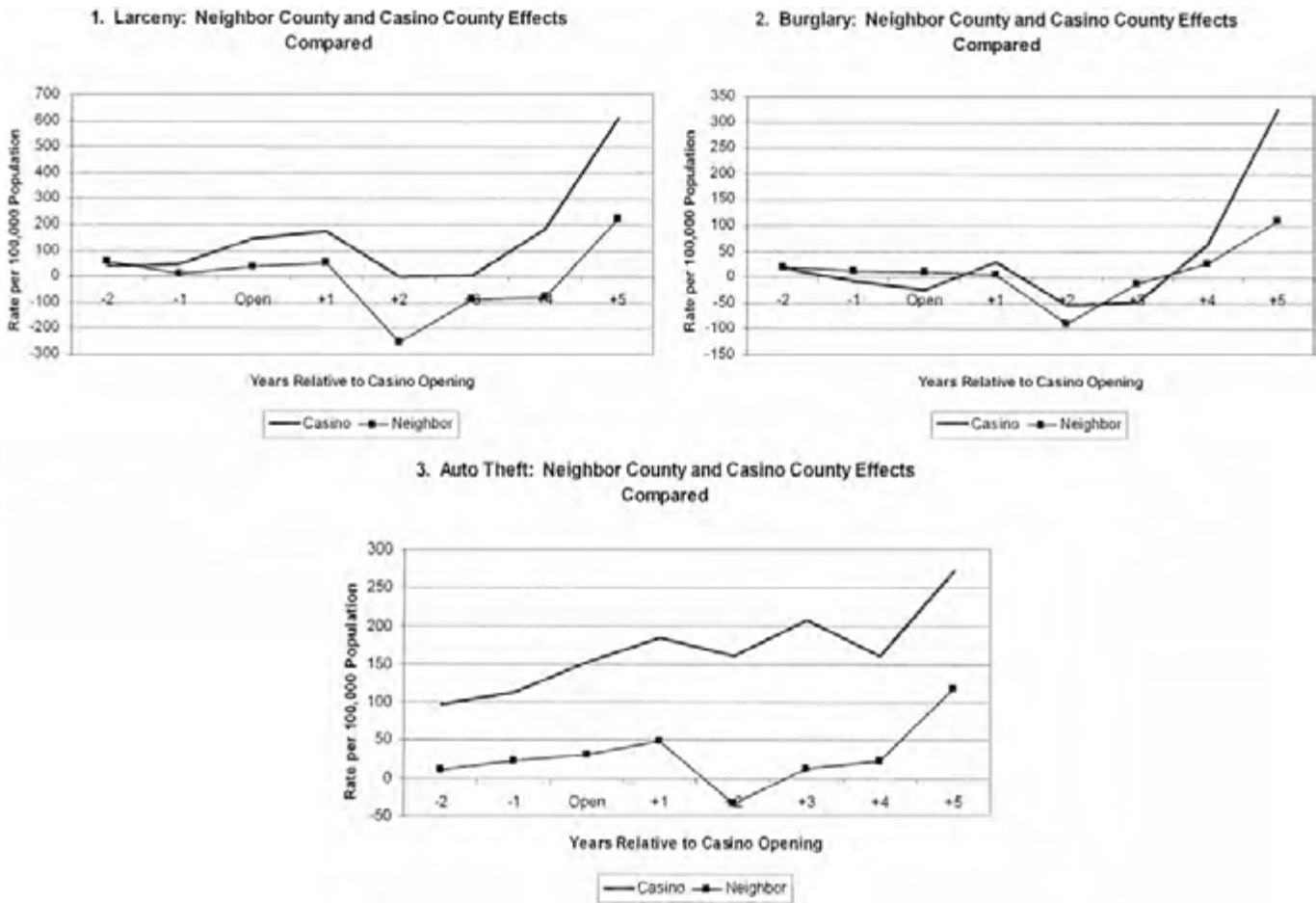
To implement a test strategy we reestimate the table 4 regressions with neighbor leads and lags as additional control variables. We define neighbor lead, opening, and lag variables, similar to those in tables 3 and 4 for the host county. The neighbor opening variable took a value of 1 if a casino opened in an adjacent county in the given year. Adjacent counties are the relevant unit of measurement, because the vast majority of casino patrons come from the local region surrounding the casino. For example, in Illinois over 92% of casino customers come from within 75 miles (Gazel & Thompson, 1996). A few casinos, mainly in Nevada, draw their customers from outside their immediate area. However, our estimates do not rely on these casinos to identify the effects, because these casinos opened prior to the beginning of our sample.

Figures 6 and 7 summarize the estimated casino effect for neighboring and home counties for violent and property crimes, respectively. When the neighbor variables were included, the host-county crime coefficient estimates were virtually unchanged, in terms of both point estimates and statistical significance. For the years before casinos open, there is virtually no effect of the casino on crime rates in neighboring counties. Of the 42 opening and postopening

come occurs will be the result of socially optimal decisions by the firms themselves.

²⁹ Section V C explains the computation of these numbers.

FIGURE 7.—HOME AND NEIGHBOR CASINO-CRIME EFFECTS: PROPERTY CRIME RATES



coefficient estimates on the neighbor variables, 32 are positive, of which 15 are statistically significant at the 0.05 level. Of 21 estimated coefficients for lags 3–5, 18 are positive, of which 8 are individually statistically significant. None of the three negative coefficients for lags 3–5 are statistically significant. All crimes but murder display elevated and rising lags 3, 4, and 5.

For all offense types the data reject the contention that the increase in crime in the casino counties can be attributed to decreases in neighboring counties, and thus support the contention that casinos create crime. *F*-tests reject at the 5% level for all crimes the hypothesis that host-county opening- and lag-coefficient estimates are matched with negative estimates of equal size in neighboring counties. On the contrary, a simple correlation of host- and neighbor-county coefficient estimates for opening and lags ranges from 0.61 to 0.82, with the exception of robbery (0.14). However, there is ambiguity about the extent to which casinos increase crime in neighbor counties. Murder clearly exhibits no spillover effects. For the other offense types the neighbor time pattern is similar to the home-county time pattern. Crime typically increases in later lags, but at half or less the magnitude of the home-county effect, and many of these

neighbor-county effects are not statistically significant until the very last lags. *F*-tests of the proposition that neighbor county coefficient estimates equal their host-county counterparts are rejected at the 5% level for aggravated assault, rape, robbery, and auto theft, but not for the other three crimes.

In our discussion of host-county auto theft rates we speculated as to why the host-county estimated coefficients displayed a different pattern of continually growing crime. This pattern of host-county coefficient estimates did not appear closely related to the introduction of casinos. However, auto theft for neighbor counties displays the pattern of crime increases observed for other crimes. There is a statistically significant, discernibly different crime rate three or more years after the opening of the neighboring casino, but not in the years before. The neighbor-county effect suggests possible spillover of auto theft crimes due to the casino.

VII. Conclusions

Our analysis of the relationship between casinos and crime is the most exhaustive ever undertaken in terms of the number of regions examined, the years covered, and the

control variables used. Using data from every U.S. county from 1977 to 1996 and controlling for over 50 variables to examine the impact of casinos on the seven FBI Index I crimes (murder, rape, robbery, aggravated assault, burglary, larceny, and auto theft), we concluded that casinos increased all crimes except murder, the crime with the least obvious connection to casinos. Most offenses showed that the impact of casinos on crime increased over time, a pattern very consistent with the theories of how casinos affect crime. The crime-ameliorating effects of casinos through increased employment opportunities and wages for low-skilled people will be concentrated shortly after opening. Also, law enforcement agencies can frequently use casino openings to leverage greater immediate staffing increases, but are unable to sustain this growth. This effect further reduces the immediate impact of casinos on crime. However, over time these effects are dominated by casino-related factors that increase crime. Specifically, problem and pathological gamblers commit crimes as they deplete their resources, non-residents who visit casinos may both commit and be victims of crime, and casino-induced changes in the population start small but grow. The data show that these crime-inducing and crime-mitigating effects offset each other shortly after opening, but over time the crime-raising effects dominate, and crime increases in subsequent years. Furthermore, we believe these estimates to be lower bounds on the true effect because they omit measures of law enforcement, which is typically increased substantially when casinos open. When we include law enforcement measures, the estimated effects are larger.

According to the estimates, between 5.5% and 30% of the different crimes in casino counties can be attributed to casinos. This translates into a social crime cost associated with casinos of \$75 per adult in 1996. This figure does not include other social costs related to casinos, such as crime in neighboring counties, direct regulatory costs, costs related to employment and lost productivity, and social service and welfare costs. Overall, 8.6% of property crime and 12.6% of violent crime in counties with casinos was due to the presence of the casino. Although robbery, the offense that exhibited the largest increase, is classified as a violent crime, it is similar to property crime in that its motivation is financial.

We also investigated whether the crime in casino counties is attracted (moved) from other regions or is created. Counties that neighbor casino counties did not experience compensating crime reductions, indicating that crime was created in casino counties, rather than simply being shifted from one area to another. There is mixed evidence about whether casino openings increase neighbor-county crime rates. Murder rates in neighbor counties are unaffected. The other offenses exhibit increasing neighbor rates, but are generally not statistically significant until the fourth and fifth year after opening.

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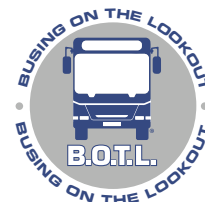
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CASINOS COMBATING HUMAN TRAFFICKING

**A TOOLKIT FOR
CASINOS AND BUS
COMPANIES**



When I was being trafficked, people assumed I was a prostitute. My trafficking was hidden in plain sight, in the middle of casinos on the Las Vegas strip around thousands of people a day. I remember thinking that there were three groups of people: the men who looked at me as if I were a product to buy, the people who looked at me like I was the trash of the earth, and the people who tried to pretend I was invisible. I had to go find the men who would want to buy me in the casinos. My life was in danger if I didn't make money for my trafficker. Everyone thought they knew what I was, so no one asked; but if someone stopped to talk to me maybe they would have found out what was happening to me. During my trafficking I internalized what everyone around me told me ... that I did this by choice, and that I was less than everyone else. The more I internalized, the more I didn't reach out for help.

-Annika Huff

**TOOLKIT CREATED BY SURVIVOR-LEADER ANNIKA HUFF
AND BUSING ON THE LOOKOUT (BOTL).**

BOTL IS A PROGRAM OF TRUCKERS AGAINST TRAFFICKING, A NON-PROFIT ORGANIZATION THAT EXISTS TO EDUCATE, EQUIP, EMPOWER AND MOBILIZE MEMBERS OF THE TRUCKING, BUS AND ENERGY INDUSTRIES TO COMBAT HUMAN TRAFFICKING.


WWW.BUSINGONTHELOOKOUT.ORG

INTRODUCTION


WHAT IS HUMAN TRAFFICKING?

Human trafficking is the exploitation of human beings through force, fraud, or coercion for the purposes of forced labor or commercial sex, wherein a third party is making a profit. Victims find themselves in situations they literally cannot get out of, while traffickers use whatever means necessary to keep making money at their expense. Human trafficking is modern-day slavery.

There are an estimated 40 million victims of human trafficking globally, including thousands of children and adults in the United States and Canada. Human trafficking has been reported in all 50 states and 10 Canadian provinces, including in and connected to casinos. Victims of trafficking may be found in various legitimate businesses, as traffickers exploit those businesses for their personal gain.



This toolkit, created by survivor leader, Annika Huff, is designed to educate and equip casino and bus industry employees, so that working together they are able to recognize and report human trafficking situations happening within their community. Moreover, as legal action can be taken against businesses if trafficking is occurring on their premises, instituting this training makes sense from a risk management perspective.



SEX TRAFFICKING IN CASINOS: BACKGROUND

Survivors have reported their traffickers using casinos as a meeting place for buyers who were arranged online or as a venue to solicit prospective buyers, particularly when the casino is combined with a hotel. Casinos can also be a refuge for victims, offering a secure place where they can seek help or attempt to exit their situation. Similarly for the charter buses and scheduled service bus lines that carry patrons to and from casinos, they may come into contact with trafficking victims who are being transported on those buses or see the bus as a lifeline for escape.

When operating at a casino or hotel-casino, the traffickers may be with their victims – or on the premises – or may send their victims to the casinos to find buyers on their own. If on the premises, while their victims are working, traffickers may go to a hang-out area, where multiple traffickers entertain themselves with drinks and play games. When victims are on the premises without their trafficker, there may be a strong trauma-bond (powerful emotional attachments that occur as a result of cycles of abuse), which makes it more likely that victims will stick to a scripted story, refuse to cooperate or claim they are there by “choice.”

IT IS CRITICAL THAT CASINO AND BUS EMPLOYEES DO NOT TURN A BLIND EYE OR WRITE OFF A PERSON BEING SOLD AS “JUST A PROSTITUTE.”

Traffickers are cheap, always looking to cut costs, so hotel-casinos can be appealing to them, because the buyers already have a room, and they don’t have to assume that expense. On the other hand, traffickers want to evade getting caught and will avoid bringing their illicit activities to businesses that have the reputation of having staff trained on how to recognize human trafficking and who are willing to report it to law enforcement.

BACKGROUND

Sex trafficking in casinos tends to have its own set of rules that the traffickers and victims will follow based, in part, on the operations and culture of the casino itself. Given that, there tend to be two categories of victims.

- Victims who are new to being trafficked in casinos and generally don't know the particular rules and culture of the venue. They may have a harder time approaching buyers and may be easier to spot, because they will act more fearfully, have anxiety and be more on edge.
- Victims who have experience in casinos are more likely to know the casino floor plan, hours of staff members and what is typical for the particular casinos where they are trafficked. They will likely not be the "sympathetic victim," but instead act more aggressive, often dressing and talking like they are there by "choice." Victims in this category are more likely to run away if they believe an employee or others are suspicious of them.

Likewise, buyers of commercial sex tend to fall into two different categories. There are the repeat buyers who have been to casinos to purchase prostituted people before and have returned with the intention of purchasing sex again, whether with a specific girl or someone else. The other category is the new or "opportunistic" buyers. These are buyers who have either not purchased sex before or who did not come to the casino with a plan or the intention of purchasing sex. Warning signs can be an effective deterrent for opportunistic buyers.

OPPORTUNISTIC BUYERS ARE LESS LIKELY TO BUY SEX WHEN THERE ARE WARNING SIGNS INDICATING IT IS NOT LEGAL IN THE COUNTY OR NOT TOLERATED ON THE PROPERTY.

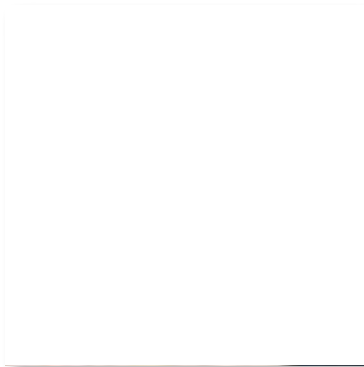


Hotel-casino owners and managers must be vigilant in their employment policies to make sure they do not have bad apples on staff who are complicit in facilitating the crime of trafficking. In some cases, hotel-casino employees (valet, front desk, bell hops, dealers, cocktail waitress and waiters, hotel maids, etc.) have been reported to act as middle men in setting up prostituted people with buyers. In these scenarios, the trafficker may pay the casino employee a cut. This may be done while at work or when off the clock.

Seasonal differences in particular locations may impact the patterns of traffickers and their victims. Busier seasons, for example, can both increase patronage to the casinos as well as increase demand for purchasing sex. During slower seasons, however, victims have more difficulty making the money that their traffickers demand. They will have to take lower amounts from buyers and be at the casino longer or during daytime hours, which increases their risk of arrest. As a result, during these times, victims are more likely to come into the casinos bruised or beaten up.



BACKGROUND



Studies have found a correlation between major events and increases in sex trafficking, because of increases in demand for commercial sex during those events, especially for events in which there are large numbers of men visiting from out of town. These spikes occur during sports events, concerts or music festivals, trade shows and conferences. During certain sporting events, such as March Madness, there may be a spike in both casino patronage and a demand for purchasing sex, regardless of whether the sporting event is in that location or not, because more men are on site to watch and place bets on the games.

There is not a standard outfit or fashion choice for prostituted people in casinos. They will be dressed based on what they think will appeal to buyers in that location and will try not to dress in a way that stands out as inappropriate for the season or their age. Buyers' preferences may vary depending on their age, socio-economic status and reason for visiting. For example, men who are coming for a bachelor party may like to see girls in more provocative clothing looking like they're going to the club. Whereas men who are on business trips may prefer more high-end wear, because it's more discreet, and they will not be embarrassed if a coworker sees them walking to the hotel room.



“DURING THE DAY WHEN I WAS BEING TRAFFICKED, IT WOULD BE ODD OR INAPPROPRIATE IF I WAS TO WEAR AN OUTFIT THAT I WOULD WEAR TO A CLUB, SO I WORE A SWIMSUIT AND SAID I WAS GOING TO THE POOL PARTIES. KIDS WON'T WALK AROUND THE CASINO FLOOR IN LINGERIE, BECAUSE THEY WANT THEM TO BLEND IN.”

-ANNIKA HUFF



If selling a child or adolescent who is unlikely to pass as age 21 or over, traffickers may opt to sell that victim at a “family-friendly casino,” where they are more likely to blend in. It is important to always remember that according to the U.S. definition of sex trafficking, any minor involved in commercial sex is a victim of trafficking automatically. For victims under 18, the elements of force, fraud, or coercion do not need to be established.

EVALUATING RISK AND LOOKING FOR BUYERS IN CASINOS

Victims of sex trafficking are under enormous pressure to earn money for their traffickers and not be arrested. Traffickers will learn the hours and operations of the casinos, as well as the schedules of the head of security and pit bosses. When arriving at a casino, prostituted people working the casino floor will often walk the perimeter to evaluate risk and the likelihood of finding a buyer.

- Victims will learn the casino floor map — they will learn the locations of the hotel room elevators, the security cameras and the exits.
- Victims will continuously watch for the level of security and which employees are working.
- Victims will continuously watch the men. They will notice which men are big winners that night, which men are drunk and how many men are in the casino.
- Victims have a heightened awareness of other victims — they will continuously watch for other prostituted people on the floor. If there are too many, there is more likelihood of a raid, in which case, all of them risk getting arrested. On the other hand, having too few prostituted people in the casino makes it look like security has been tight, and it will scare off traffickers.
- Victims will continuously watch the number of families. They will be particularly aware of mothers or other women who don't like prostitution happening in the casino, out of concern that they will complain and the victim will be run out of the building or arrested.
- Victims are very aware of traffickers. They will continuously watch how many traffickers are in the casino, in part because the presence of too many traffickers may make it harder to find a buyer.

RED-FLAG INDICATORS IN A CASINO

Identifying a person who is being exploited is not a simple matter. Use your instincts, power of observation, and (when possible) a few well-placed questions to help determine if you're looking at a potential human trafficking situation. Keep in mind that *multiple* indicators will most likely present themselves when this crime is occurring.

- Visible bruising
- Under 21 (A child or children who can't pass as 21 will be sold in "family-friendly" casinos where they're more likely to blend in.)
- Prostituted people will be dressed for the types of buyers they are hoping to attract (age, social class, reason for visit to the casino, etc.).
- Individuals who walk around the perimeter of the casino when they first arrive may be scoping out security or looking for buyers. They will commonly stop in the bar area, near the hotel elevators, or on corners where there is a lot of foot traffic.
- Women or girls (could be a boy or man) may be looking for men who are winning big at the gaming tables, drunk, groups that look like they're partying or alone. They may have been seen approaching men at the bar or on the casino floor who they do not seem to know. Common lines for them to use may be "Lucky night?" "Do you have a cigarette?" or "Looking to party?"
- Prostituted people in casinos may openly talk about lap dances or strip teases but are unlikely to talk about money or any form of sexual exchange.
- People making recurring and frequent (less than an hour) trips between the casino floor and a hotel room
- Women carrying expensive items, including jewelry, male watches, electronics, etc.
- Trafficking victims in casinos will usually have their phone in hand — they will answer every call but will be discreet when talking to their trafficker around men (prospective buyers).
- The season may impact patterns. During busier seasons, prostituted people may come in more often, while during slow seasons, victims are more likely to come in bruised, for longer hours and/or during the day.
- Room booked for large number of people, usually a group of girls ... the booking will be under pimp's name or "the bottom" (prostituted person who is given authority over other victims).
- Individuals who come into town without booking a room or who come in often and seem to be on "a route"

RED-FLAG INDICATORS FOR BUSES GOING TO CASINOS

Bus drivers can gain basic knowledge of human trafficking and its intersection with buses through watching BOTL's free 30 minute training video. Bus drivers on casino routes may notice red flags among the passengers they are transporting or may observe things going on around them that may not involve their passengers, such as while they are parked at the casino or waiting somewhere else on the premises.

- People who ride the bus regularly to the casino or gaming town but don't seem to gamble or have a job in town
- Women or girls (could be a boy or man) who have visible signs of physical abuse (bruising, malnutrition, branding, etc.)
- People who are dressed oddly or out of context for their age or the weather
- Children traveling with an adult that they seem uneasy to be around
- Victims and traffickers may or may not sit together on the bus. If they sit together and don't think anyone is listening, they may talk about plans openly. If they are not sitting together but the trafficker is on the bus, he may give physical cues to the victim.
- Traffickers will travel home with victims if they traveled with them to the casino. As traffickers have been known to recruit out of casinos, they may come back with a new or prospective victim they seem to be getting to know.
- Victims will not make eye contact or might not be allowed to look out the windows.
- Prostituted people may set up dates on the bus but will only talk about lap dances or strip teases and will not likely set a dollar amount at that time.
- Victims will travel at night (6 pm–2 am) or early morning (5–9 am), but may not have booked a room in town.
- Individuals who come up more frequently when busy season starts
- Young people who are under 21 but aren't traveling to the town for any age-appropriate activities
- Women or girls (could be a boy or man) who are coming back from town with items they didn't have before, including large amounts of cash, chips, jewelry, male watches, electronics, or other items of value
- Victims and their trafficker may get off the bus in different spots, but texts or physical cues will indicate they are together.

WHAT TO DO

WHAT TO DO

IF A POTENTIAL SITUATION OF HUMAN TRAFFICKING IS UNCOVERED, CONSIDER THE FOLLOWING ACTION STEPS:

1. IN CASE OF IMMEDIATE DANGER, CALL 911.

If you believe someone in your establishment or on your bus is in danger (especially a child under 18), please call 911 for immediate response from local law enforcement.

2. IF YOU IDENTIFY A MISSING CHILD IN THE UNITED STATES, CALL THE NCMEC HOTLINE.

If you believe you have identified a missing child in the United States, call the National Center for Missing and Exploited Children toll-free Hotline at **1-800-843-5678**.

3. IF YOU SUSPECT HUMAN TRAFFICKING, CALL THE NATIONAL HUMAN TRAFFICKING HOTLINE.

If you suspect human trafficking or exploitation may be happening in your establishment but do not think anyone is in immediate danger, call the human trafficking hotline. Both the United States and Canada have human trafficking hotlines that are multilingual, accessible nationwide and are staffed to answer calls 24 hours a day, 7 days a week, every day of the year.

- **National Human Trafficking Hotline in the United States: 1-888-373-7888**
- **Canadian Human Trafficking Hotline: 1-833-900-1010**

Calls received by either hotline are always anonymous unless the caller chooses to provide the operator with his or her name and contact information and authorizes its use. This information is not given to law enforcement, other individuals or other agencies without prior consent. Once a call is received, next steps may include:

- An additional call to the caller to confirm the accuracy of information (with the caller's consent);
- Provision of materials and/or referrals to organizations in the caller's area serving trafficking victims;
- A report to a local anti-trafficking organization, service provider, or law enforcement.

In all cases, casinos should have internal reporting protocols in place for when trafficking is suspected and always make sure their employees keep safety in mind as they act.

VICTIM-CENTERED APPROACH


VICTIM-CENTERED APPROACH



When interacting with potential victims, be sure to employ a victim-centered approach, as it is imperative that they feel safe and that you are on their side ... not trying to get them arrested.

- Ask if the victim would like to speak to a female guard if possible.
- Separate victims if in a group.
- See if they need food or water before starting the conversation in private with them.
- Create a non-judgmental space.
- Start the conversation with “We educate EVERYONE who we bring into our booking area about human trafficking.”
- Provide an anti-trafficking brochure or flyer to the individual as it gets attention off the guard and is a safer way to introduce the concept of human trafficking (some victims won’t have ever heard of the term).
- Say “We are available to help you, and we can contact these resources with you or for you if you’d like to get out of a situation you’re in ... we want to make sure you are safe.”
- As much as possible, make sure you tell him/her every step of the way what is happening and what they can expect next.
- Have a list of local resources available in the security area that are updated regularly, and be ready to contact them to provide victim services.

QUESTIONS TO ASK A POTENTIAL VICTIM



If you do find yourself interacting with a potential victim, a few well-placed questions can help you determine the appropriate next steps. These are questions such as:

- Are you safe?
- Does anyone control you or tell you what to do?
- Are your calls, texts, emails, or other conversations ever restricted or monitored?
- Do you have access to your ID or other personal documents?
- Do you get to keep the money you earn or does someone else take all or part of it?
- What would happen if you left this situation or person?
- If we could provide you with a safe place to escape to, would you like that today?

WHAT TO DO

ADDITIONAL ACTION STEPS

- Show all casino employees and bus drivers on casino routes the 25 minute multimedia online training, “Casinos Combating Human Trafficking,” available for free at www.truckersagainstrafficking.org.
- Post information about the human trafficking hotline in bathrooms (especially in private stalls), on casino floors and on buses.
- Post informational and resource posters or a video for victims in security booking area.
- Post informational and warning posters near hotel registration for buyers.
- Adopt an anti-human trafficking policy with a demand-reduction focus and share the Truckers Against Trafficking “Addressing Demand: Man to Man” training video.
- Contact Truckers Against Trafficking/Busing on the Lookout at tat.truckers@gmail.com for more information or to obtain printed materials.

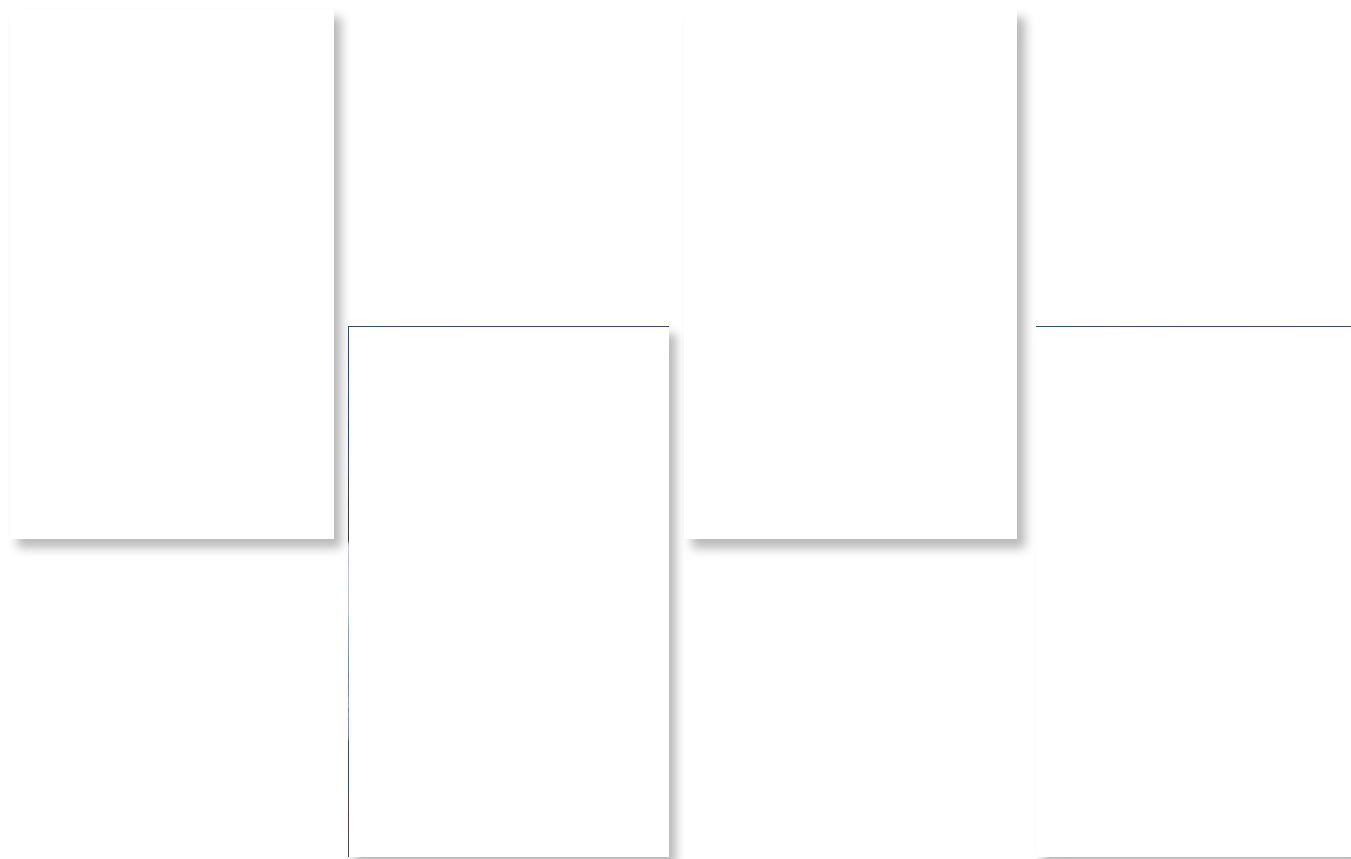
WARNING

- Please do not approach traffickers. Call the hotline and/or the local police (911). Allow law enforcement to deal with traffickers and recover victims. Approaching traffickers is not only dangerous for you and their victims but could lead to problems in the eventual prosecution of traffickers.

APPENDIX A:

VICTIM-CENTERED POSTERS

According to data from the National Human Trafficking Hotline, the top type of callers are “community members”... but after that it is victims themselves who are seeking assistance. Busing on the Lookout (BOTL) worked with survivors of sex trafficking to create a series of posters that use language and visuals intended to be eye catching for victims to see and know they are not alone – and there are resources out there. These posters also contribute to general public awareness about how vulnerable girls, boys, women and men can get lured into trafficking situations. BOTL will share these designs with bus companies and casinos free of charge.



APPENDIX B:

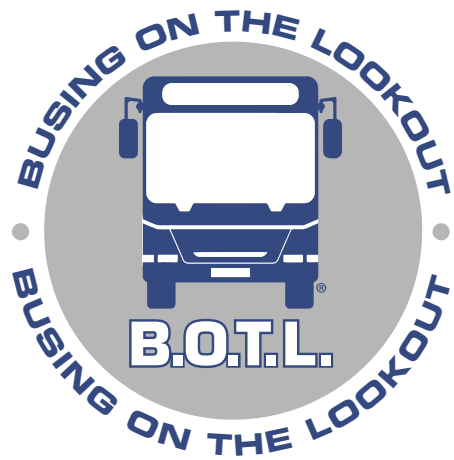
DEMAND-REDUCTION BUSINESS INITIATIVE

At the end of the day if no one purchased commercial sex, the crime of sex trafficking wouldn't exist. Therefore, it is imperative that we address the issue of demand in order to create a culture where the buying and selling of human beings for another's sexual gratification is not looked upon as normal behavior.

To that end, TAT created the video, "Addressing Demand: Man to Man," in order to get the conversation started. In addition to sharing the Addressing Demand video with all employees, casinos and bus companies should adopt and communicate policies to all employees that explicitly stand against sex trafficking, including sex buying.



For more information on demand-reduction steps businesses can take, visit:
<https://truckersagainsttrafficking.org/man-to-man-campaign/>



WWW.BUSINGONTHELOOKOUT.ORG

From: Mark Catelani <mpcat@pacbell.net>
Sent: Sunday, November 5, 2023 7:09 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Mr. Chad Broussard
Environmental Protection Specialist Bureau of Indian Affairs, Pacific
Region chad.broussard@bia.gov

November 5, 2023

Dear Mr. Chad Broussard,

I have lived in Sonoma County all my life, and for the past 35 years, my family has lived in the Oak Park subdivision that resides directly across the street from the Koi Tribe's proposed casino/hotel/events center. My wife and I have raised our children in this peaceful residential community made up of hundreds of family homes, a small neighborhood park (Esposti Park) used for little league baseball and soccer games, two community churches, elementary schools, and the 850 acre Shiloh Regional Ranch Park enjoyed for its beautiful and safe hiking, biking, horseback riding and running trails.

The existence of a large casino/hotel/events center in this neighborhood would irrevocably harm this peaceful, family oriented community, introducing a significant increase in traffic, public safety issues and noise pollution. After reading the Environmental Assessment (EA) published in September 2023, I am extremely concerned about the lack of consideration that was given to protecting our peaceful community from the environmental impacts a proposed project of this magnitude would cause. Below is a list of our concerns:

TRAFFIC - evacuation due to wild fire

Having lived through the 2017 and 2019 wildfire events, what is foremost in my mind is that the EA neglects to propose a safe and effective traffic mitigation strategy to accommodate the significant increase in the number of non-resident vehicles on the roads in the event of an evacuation order.

If the casino/hotel/events center is built, it will undeniably result in a significant increase in traffic congestion which will be compounded exponentially during an evacuation event. The EA (page 3-119) states that, to mitigate a traffic issue during an evacuation, the casino/hotel/events center would be issued a mandatory evacuation status as soon as an evacuation warning is issued for the area. Giving the casino/hotel/events center a head

start on evacuating is not a realistic solution. If the casino/hotel/events center evacuees follow this evacuation process, there would be thousands of visitors on the roads while thousands of local residents are trying to get to their homes or find/reunite with loved ones in preparation for evacuating. The roadways to our neighborhoods would be gridlocked, creating a very dangerous situation for thousands of anxious, fearful and desperate people.

It is also important to acknowledge that human behavior during a major event is unpredictable. Simply telling large groups of people to “leave now” in an orderly fashion following emergency protocols does not mean they will. We all respond to crises differently depending on our personal situations and studies have shown that large groups of people are slower to respond during a crisis, oftentimes experiencing denial or disbelief that the situation is real.

ACTION REQUESTED: Before a project of this magnitude is approved, require that an in-depth study of the 2017 and 2019 fires and evacuation protocols along with an updated Traffic Study (one that includes the new traffic patterns resulting from the Shiloh Terrace (completion expected 1/2024) and the Shiloh Business Park (completion date unknown) building projects that are currently under construction) are performed. The findings should then be incorporated into all road improvements in order to ensure safe evacuation procedures can be followed.

TRAFFIC - on a daily basis

The lack of a well thought out comprehensive evacuation plan is not the only issue with the traffic mitigations proposed by the EA. The road improvements proposed are insufficient for meeting the increase in daily traffic.

As a family who drives through the Shiloh Road - Old Redwood Highway intersection every day, it is obvious that the traffic mitigation strategies will require more than the signalization/optimization, re-stripping of the roadway and the widening of the Shiloh Road as indicated in the EA (page 4-9). The EA authors seem to have overlooked that the project plans also show one of the main entrances to be directly off of Old Redwood Highway. Old Redwood Highway is a heavily traveled 2-lane road that is used as a direct route into and out of the Santa Rosa and Windsor areas. During peak traffic hours, Old Redwood Highway is a popular alternative route to traveling Highway 101 and is a shorter and more direct route when traveling to Sutter or Kaiser hospitals in Santa Rosa. It is shortsighted not to consider the need to also widen Old Redwood Highway in order to accommodate the additional increase in traffic.

Additionally, the EA failed to acknowledge the traffic impact on Faught Road which begins at Old Redwood Highway south of Airport Blvd and connects to Pleasant Avenue just a mile north of the proposed Casino. Faught Road borders the east of the proposed resort property and can access East Shiloh Road at the northeast corner of the proposed project. Faught Road goes through a residential area at the southern end and directly past San Miguel Elementary School with more than 400 students. Just past the school area

Faught Road becomes an undivided paved road handling two-way traffic following the base of the Mayacamas mountain range to Pleasant Avenue where the road becomes divided again and goes past another elementary school, Mattie Washburn Elementary School. It is natural to assume that this roadway would see a significant increase in traffic from both local residents and patrons of the casino/hotel/event center trying to avoid the congestion on Old Redwood Highway.

ACTION REQUESTED: Before a project of this magnitude is approved, require that an updated Traffic Study is performed once the current construction projects along Shiloh Road (Shiloh Terrace Apartments and the Shiloh Business Park) are complete in order to obtain a clear understanding of the effect that the casino/hotel/event center could have on the traffic patterns along Old Redwood Highway, Faught Road, and Pleasant Avenue so a realistic traffic mitigation strategy can be created.

TRAFFIC -during road construction

Whenever road work is performed, local residents are affected. The EA minimizes the burden placed on local residents during the proposed expansion of Shiloh Road (a heavily used roadway), thus raising concerns about the traffic issues resulting from such extensive road work.

It is unclear how the EA authors determined the road construction project would be “short term” and cause only “minor delays in traffic flow”. Shiloh Road is currently a heavily used 2-lane road. It is not uncommon for road construction on heavily used roads, especially those with only 2-lanes like Shiloh Road, to take several months or longer to complete or the timeline to be further pushed out due to shortages in labor and other resources. Diverting existing traffic congestion while Shiloh Road is under construction will, not only inconvenience daily commuters, but also the local residents who shop at Home Depot, Walmart, Grocery Outlet, and the other businesses immediately off of Shiloh Road (on Hembree Lane) and the employees that work at those businesses.

ACTION REQUESTED: Before a project of this magnitude is approved, require that the Koi Nation’s developers meet with the public transportation department and local road construction companies to determine the true timeline to complete such an extensive project by comparing recent projects and availability of resources. Require that they develop a plan that will minimize the negative impact on traffic patterns on the community during the expansion process.

PUBLIC SAFETY

The increase in visitors traveling to and from the proposed casino/hotel/events center will affect all aspects of public safety, from traffic accidents and drunk driving violations to theft and vandalism. The current state of Sonoma County Sheriff resources for public

safety cannot accommodate the proposed casino/hotel/events center needs. With the introduction of a casino/hotel/events center in a residential community, public safety should be a priority. Not only do more cars on the road equate to more accidents, the crime rate will increase (including drunk driving violations) from what currently is almost non-existent in the area.

According to the EA (page 4-8), “the Tribe shall make good faith efforts to enter into a service agreement with the Sonoma County Sheriff’s Office” for police services in order to keep the local community safe. However, the EA authors do not explain what “good faith efforts” actually means and there is no mention of an alternative plan in the event that the “good faith efforts” do not result in resources for public safety.

An alternative plan is essential because what the EA authors did not consider is the fact that the Sonoma County Sheriff’s Office is currently struggling with understaffing and overworked employees pulling 12 hour shifts due to the inability to fill vacancies (see Town of Windsor Agenda Report dated May 17, 2023). While the Koi Nations financial contributions to the Sheriff’s budget would be helpful, the ability to find a qualified and well trained police workforce is a very real concern.

ACTION REQUESTED: Before approving one of the proposed projects, require that an in-depth review of the Sonoma County Sheriff’s office’s capacity of their current workload and the proposed increase be performed in order to determine if a sustainable plan for staffing and support is feasible. If the Sonoma County Sheriff’s Office is not able to provide public safety services, an alternative realistic solution needs to be provided.

NOISE POLLUTION

In addition to our public safety concerns, it is critical that we are able to preserve the quiet and peaceful environment of our neighborhoods. With thousands of daily visitors to the proposed casino/hotel/events center, there will be a significant increase in “noise pollution” to the neighboring homes.

As listed on the EA (page 4-8), the mitigation for the resulting noise created by the casino/hotel/events center was to have the Koi Nation “pay a fair share” towards repaving the road with “noise reducing pavement” and, “if repaving is not necessitated by traffic improvements prior to 2040, the Tribe will compensate homeowners adjacent to identified roadway segments for dual pane exterior windows”. The authors of the EA do not seem to understand that the noise pollution is not just caused by the sound of tires on the street, but also car horns, motors, engine backfires, accidents, bass from music blaring, and other loud noises. In addition, most houses already have dual paned windows which, from personal experience, do not block loud noises. The EA authors also did not consider that, because of the mild temperatures of Sonoma County and the health concerns of Covid, many residents prefer leaving their windows open to allow fresh air to circulate throughout their homes. Relying on specialized paving and dual paned windows

will not provide adequate protection from the increase in noise resulting from a business that runs 24/7 with the majority of visitors arriving and departing during the evening, night and weekend and holiday hours.

ACTION REQUESTED: Before a project of this magnitude is approved, require that a comprehensive Environmental Impact Statement be completed and a realistic sound mitigation plan be created that will prevent and/or significantly minimize outside noise pollution from disturbing the neighboring homes.

COSTS TO LOCAL RESIDENTS

The history of the Koi Tribe is one of significant devastation that included the loss of their homeland. One aspect of the traffic mitigation that the EA did not address was that, in order to widen Shiloh Road from two lanes to four lanes, the government would need to enact eminent domain in order to gain the private property rights of local residents' homes along Shiloh Road. Although these families would be compensated, no amount of money can replace their loss of home and community when forced to relocate. Is this an act the BIA and Koi Nation wants to be connected to?

ACTION REQUESTED: Before making a final decision on the proposed projects, please take into consideration the direct and indirect costs to local residents.

On the Koi Nation's website, they state, "our inherent sovereignty is the foundation for our efforts to obtain land upon which we can re-establish the living relationship between our people and the land". However, their proposed plans do not support the goal of reconnecting with their heritage. In contrast, the casino/hotel/events center, which is not located on their ancestral land, will irrevocably change the surrounding peaceful environment, negatively impacting the local neighborhoods with increased traffic, public safety issues and noise pollution caused by the 24/7 nightlife and weekend activity of a large casino, hotel and events center.

While I support the Koi Nation's ability to better itself economically and promote the welfare of their people, this location is absolutely not right for this project. The proposed site is not in a commercial area. It is agricultural and residential. We are a community of families who want to protect our peaceful homes and neighborhoods. I am hopeful that the BIA will carefully consider my comments and those of my neighbors. I wholeheartedly request that you implement alternative D, no action.

Respectfully,

Mark Catelani

From: Maisie McCarty <maisiemccarty@hotmail.com>
Sent: Monday, November 6, 2023 11:25 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

We reside in the Oak Creek neighborhood, a very few blocks from the proposed casino at Shiloh Road and Old Redwood Highway. We are adamantly opposed to this proposed casino and hotel complex for many reasons, some of which are outlined here:

- 1) Koi Nation's ancestral lands are in Lake County. In fact, they have sued the city of Clearlake over development which would cover over historic tribal artifacts. Any casino built by them should be closer to or on their ancestral lands, not 48 miles away in Sonoma County. They have venue shopped in Oakland and other Bay Area places without success. The property they purchased on Shiloh Rd did not state the name of the buyer, a "Do Not Disclose" sale. Their motives are not pure.
- 2) The EA prepared by Acorn Environmental is weak and flawed. Its traffic studies were suspect. For example it did not note that a 175 unit apartment complex is near completion at the intersection of Old Redwood Highway and Shiloh Rd which will bring between 350-400 more cars into the intersection on a daily basis. Add that to the 15,000 cars they expect from a casino and traffic bedlam occurs- locking in any possible evacuation routes during a wildfire, such as those which occurred in 2017, 2019 and 2020, for which all of the homes in our area were under evacuation orders.
- 3) It would weaken and potentially drain the already fragile water table in the area, with its immense wells in an area set for residential and agricultural use only.
- 4) There is NO mitigation mentioned for intense lights and noise emanating from a 24 hour casino and resort complex.
- 5) Koi nation promises hundreds of jobs with their casino. Local businesses here cannot find enough employees to run their businesses and many may face closure as it now stands. So Koi nation would have to bring more employees from out of the area, increasing traffic congestion.

Add in drunk driving and crime which would impact local police greatly as well as our peaceful neighborhood and the fact that towns and the county will lose necessary taxes, you have more than enough reasons to not allow Koi Nation to put this land into trust. Reviewing their weak and unsubstantiated Environmental Assessment, the only sound and reasonable action you should take is Option D, no project.

Thank you for reviewing our concerns.

Very truly yours,
Mary McCarty
L.W.Harrison
6251 Lockwood Dr.,
Windsor, Ca 96492

From: Amberlee Lewis <amberleelewis@gmail.com>
Sent: Monday, November 6, 2023 6:08 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments: Koi Nation Shiloh Resort and Casino

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I'm writing to advise you of my option in this matter:

"Alternative D" which is no action (ie: no development, no casino, parcel left zoned as is).

I DO NOT SUPPORT THIS PROJECT!

Amberlee Bernheim Lewis
Sent from my iPhone

From: Mary Repose <palomino7@comcast.net>
Sent: Monday, November 6, 2023 6:09 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] "EA Comments, Koi Nation Shiloh Resort And Casino"

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

"Alternative D" (ie: No development, No Casino, Parcel left Zoned as is).

Sent from my iPhone

From: dianaborges101@att.net <dianaborges101@att.net>
Sent: Tuesday, November 7, 2023 9:28 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

Attached is my letter regarding the proposed Koi Nation Shiloh Resort and Casino. Please contact me if you have any questions or would like to discuss my comments.

I would appreciate a return email indicating receipt of this email.

Thank You,
Diana Borges
One attachment • Scanned by Gmail

November 7, 2023

Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region
chad.broussard@bia.gov
Sent Via Email

EA Comments, Koi Nation Shiloh Resort and Casino

Dear Mr. Broussard,

I am writing to the Bureau of Indian Affairs (BIA) to express my concerns over the analyses and conclusions in the Environmental Assessment (EA) that was prepared for the Koi Nation Shiloh Resort and Casino. I have been a Windsor, CA resident essentially since 1987. I am also a Registered Geologist (PG) with the State of California. I have prepared and reviewed hundreds of environmental documents, including NEPA documents, CEQA documents, SWPPP monitoring reports, domestic well surveys and being the Public Outreach Consultant for a contaminated site at 930 Shiloh Road in Windsor. Since my transition out of that field, I have been involved with emergency preparedness, including being the Windsor COPE (Communities Organized to Prepare for Emergencies) Community Leader and CERT (Community Emergency Response Team) certified. I include my background to show I have expertise in providing comments relating to aspects of the EA.

I will first provide the following general comments about the document/project.

- In situations similar to this, no document is submitted to the regulatory agency (BIA in this case) without approval of the client, i.e. Koi Nation. As a consultant, I experienced this numerous times, even spending about two hours negotiating language that was acceptable to me and a client's attorney, down to specific words. Please be aware the language in the EA may not have been the consultant's first draft.
- I echo many of the concerns included in the Town of Windsor's comment letter on the EA and the comments provided by the public during the public hearing on September 27th, minus the scripted comments provided by the Carpenter's Union members. Because during the public hearing you stated repeating concerns already expressed is not necessary, I will not delve into some of those issues.
- The EA concludes the project will have No Potential Significant Impact on any of the items evaluated. I strongly disagree. Some of the mitigation measures proposed in the EA are inadequate, would not be effective, and with respect to water supply, not even mitigative measures. Based on my experience, including having to evacuate Windsor in 2019, I argue the project could cause a potential life-threatening situation.
- Some of the conclusions in the EA are based on an individual's experience, not data, a model, or references. For those, I suggest a study be done to provide accurate information, and if not possible, then an independent, second "judgment" assessment be

provided. Even when an assessment is based on someone's experience, it is still that individual's perspective.

- If the BIA approves the project, this will be the fourth casino approved in Sonoma County, with a maximum distance between any two less than 40 miles. Although the Cloverdale Rancheria Casino has not yet been constructed, the impacts of this fourth casino operating in Sonoma County should be part of the evaluation, for long-term impacts.
- According to https://www.500nations.com/Indian_Casinos.asp, Graton Casino in Rohnert Park is the second largest casino in Northern California and the fifth largest in California. The distance between the project site to Graton Casino is about 14 miles, typically about an 18-minute drive. Since the project will be at least as large as Graton Casino, Sonoma County will have the fourth and fifth largest casinos in California, located within 14 miles of each other, if approved. Evidence that this scale of facilities in such a short distance will be sustainable and not hurt the local economy should be provided.
- I request that the BIA take into consideration the precedence being set for the United States, if this project is approved. That includes how close to residential areas, churches, parks and schools, location in a high wildfire area with evacuation limitations, the distance between casinos, the impact to other Tribes (less visitors and employees at existing casinos), and more.
- My comments will focus on their preferred design, Alternative A, however many of the comments also apply to Alternatives B and C.
- I support Alternative D, no action.

Water Supply

- The EA states, "Site specific monitoring is needed to confirm the hydraulic separation between the upper and lower aquifers underlying the site and to ensure that there would be no significant impacts to surrounding wells,". In other words, it is unknown at this time whether pumping from the deeper aquifer will impact nearby wells screened in the shallow aquifer. How can this project be properly evaluated (especially approved) if it is unknown whether onsite groundwater extraction will negatively impact nearby domestic/irrigation wells?
- The EA uses pumping data for the Town of Windsor's Esposti well to evaluate potential impacts from the project wells. This is not acceptable and like stated in the bullet above by the EA, site specific testing needs to be performed. There are several reasons the Esposti well data may not be applicable to property well production. The Esposti well is screened in a heterogenous unit and is located about 0.5 mile away. It is not practical to assume the subsurface conditions at the Esposti well are the same as those at the project wells, given the distance and non-homogenous characteristics of the unit. The Esposti well test was performed in 2017 and for only 28 hours. Use of the Esposti well data assumes that current groundwater conditions are similar to those in 2017, however there has been several years of recent drought, which likely impacted groundwater conditions. A long-term pumping test that simulates onsite pumping and area pumping should be performed to evaluate whether vertical water-bearing units (aquifers) in the area are hydraulically connected, potential impact to nearby wells screened in the shallow and

deeper aquifers, sustained pumping rates, possible hydraulic barriers, and more. The test should include sufficient observation wells located onsite and offsite to evaluate potential impacts to a one-mile radius of the site. The aquifer test should be designed and overseen by a California registered geologist or engineer, with expertise in hydrogeology.

- The proposed well(s) will be screened between 350 to 650 feet below ground surface (per Appendix C but per EA 400 to 600 feet below ground surface), with a 100-foot surface seal. This implies a gravel pack will extend from 100 feet below ground surface to the length of the borehole/bottom of the well. Having only a 100-foot upper seal will not sufficiently seal off the upper aquifer, which was mentioned extending down to 200 feet in the EA. With a gravel pack extending up into the upper aquifer, groundwater extraction from the deeper aquifer could draw water down through the gravel pack, thus lowering nearby water-levels in the shallower aquifer.
- The proposed mitigations for onsite groundwater extraction are not mitigative measures but a compensation plan for when nearby water-supply/irrigation wells are no longer operational. Furthermore, the program to compensate the neighboring well owners is inadequate and is in favor of the Koi Nation.
- Per the EA, “The known owners of identified wells within one mile of project wells shall be notified of the well impact compensation program outline above before project pumping begins.” What determines known well owners and known to whom? There are likely many wells in the vicinity that are not known to regulatory agencies. A door-to-door survey or a mailing would need to be performed to identify all well owners within a one-mile radius from onsite wells.
- The EA states, “In order to be eligible, the well owner must provide the Tribe with documentation of the well location and construction (diameter, depth, screened interval, pump type, etc.), and proof that the well was usable before project pumping was initiated.” Many well owners do not know construction details for their wells and the data is not available because Well Completion Reports were not submitted to the State when the wells were installed. Hence, these people would be disqualified from the program, including the Koi Nation because, as stated in Appendix C, “No information was available regarding the construction of the existing on-site irrigation wells. It is recommended that the well is tested and investigated further to understand its construction, capacity, and water quality.”
- The baseline groundwater monitoring program is inadequate for a one-mile radius area evaluation. Baseline groundwater levels should be collected for a sufficient amount of time to evaluate not only seasonal variations but also drought conditions and throughout the area the compensation plan applies, i.e. a one-mile radius from onsite wells. Collection of baseline groundwater monitoring data should be incorporated into the long-term aquifer test to evaluate potential impacts.
- Per the EA, “The Tribe shall implement a program to compensate neighboring well owners for impacts to well operation based on interference drawdown caused by project pumping. The actual amount of interference drawdown associated with the project shall be estimated from the groundwater level monitoring program (see above).” How will the percentage of onsite pumping impact be accurately determined? The groundwater monitoring program referenced in the quote is for collection of baseline groundwater levels. Although the data would be used, it does not explain how interference drawdown would be calculated.

- The compensation program should include secondary costs associated with replacement of a neighboring well due to project groundwater extraction, such as new piping. These costs would not have been incurred if the project was not operational.
- Per the EA, “For any of the above impacts, the Tribe may choose at its discretion to provide the well owner with a connection to a local public or private water supply system in lieu of the above mitigation measures, at a reduced cost in proportion to the extent the impact was caused by project pumping.” If a well owner is required to connect to a water system, will they be compensated for the monthly fees to pay for public water? Once again, these are expenses they would not have incurred if their well was not impacted by the project wells.
- If an impacted well is replaced, will the owner also be compensated for abandonment of the old well or any other requirements by Sonoma County for installation of the new well?
- What written guarantee will the neighboring well owners receive regarding potential compensation and what recourse will they have if they disagree with the compensation proposed by the Koi Nation?

Social Effects

- From the EA, “Alternative A would result in an increased number of patrons and employees traveling/commuting into the area on a daily basis. As a result, under Alternative A, criminal incidents would increase in the vicinity of the Project Site. This may result in an increase in the calls for law enforcement services. See Section 3.7 for an analysis of effects to law enforcement services. Mitigation measures are provided in Section 4 to avoid potential fiscal impacts to the County that would offset the increased cost of law enforcement services to the Proposed Project. Therefore, with mitigation, the Proposed Project would not result in significant adverse effects associated with crime.” In this paragraph, the EA states that criminal incidents would increase with the project.
- Town of Windsor’s letter states there will be increased crime due to the project and that a mechanism to mitigate the impact on Windsor Police Department resources should be developed.
- An example of increased crime at casinos just occurred on November 2nd at Graton Casino. The Sonoma County Sherriff’s Office arrested a male sleeping in his car, who had a loaded firearm in his waistband, narcotics, drug paraphernalia, and a 30-round magazine. This type of situation at the project site is not acceptable, especially being only about 50 feet from a residential area.
- The three bullets above confirm an increase in crime will occur in the area due to the project. However, no migration measures are provided to reduce potential impacts to offsite residents/visitors; the residential developments, Esposti Park, neighboring churches, schools, etc.
- A senior mobile home park is located west of the site, on the other side of Old Redwood Hwy. Please take into account the possibility of seniors living in the mobile home park frequently visiting the casino (i.e. gambling) because it would be within walking distance. In addition, there are no sidewalks in the vicinity for these residents or others to use.

Earthquakes

- From the EA, “The Project Site is approximately 0.5 miles west of the Rodgers Creek Fault and approximately six miles southwest of the Maacama Fault (Figure 3.2-1).” ”- The liquefaction susceptibility on the Project Site is very high along Pruitt Creek, low on the southern half of Project Site outside of the creek, and moderate on the northern half of Project Site outside of the creek.” Both of these are signs of geologic hazards that could have significant effects on the property and structures.
- The California Geological Survey is updating the Alquist-Priolo Earthquake Fault Zone, based on new data. This could impact the project site.
- According to the California Office of Emergency Services, there is a 33% chance that a 6.7M or larger earthquake will occur on the Rodgers Creek fault from 2014 to 2043.
- The Rodgers Creek fault is now thought to be connected to the Hayward fault in the Bay area and that a large earthquake on the Hayward fault has the potential to cause extensive damage in Sonoma County. An evaluation of a large earthquake on the Hayward fault should be conducted.
- It is not a question of if but when a large earthquake will impact Sonoma County, causing significant damage. If a large earthquake hits when the project is operational, there is a scenario where our emergency responders will respond to the site, before Windsor residential and business areas because of the large number of people located in the hotel and casino. I ask that you take into consideration all emergency-related situations and the potential impact on those who are located off the property.

Transportation and Circulation

- The mitigation measures proposed for increased traffic from the project is inadequate. The proposed restriping etc. without widening the 2-lane roadways will not be effective. The Town of Windsor and Sonoma County should not be burdened with mitigating impacts caused by the project.
- Windsor currently has numerous developments that have been approved/planned but have not yet been constructed, including some not mentioned in the EA. Many of these include apartments, which means a large number of residents/vehicles in a relatively small area. For example, townhomes are planned near Old Redwood Hwy and Merner Drive, about 0.25 mile north of the project site.
- Traffic studies should take into consideration cumulative effects from proposed developments not just on Shiloh Road but also those north of the project. Many of these vehicles will travel south along Old Redwood Hwy then use Shiloh Road to merge onto Highway 101. Traffic studies should also include peak hours, including times when school is in session.
- The Shiloh Road/Highway 101 overpass currently becomes gridlocked during peak hours, causing traffic to back up to the Shiloh Road and Hembre Lane intersection and beyond on both roads. What mitigation measures will be done to the overpass and the on/off ramps to make sure the in-flux of thousands of vehicles, buses, and trucks traveling to the site daily will not exacerbate the current situations? What mitigation measures will be done to the overpass and the on/off ramps to facilitate quicker evacuations?

- Most of the visitors to the casino will likely come from the south, via Highway 101. Some of these will use the Airport Blvd offramp in Larkfield (possibly also River Road) then take Old Redwood Hwy north, especially when Shiloh Road gets congested or the Highway 101/Shiloh Road northbound offramp is flooded due to heavy rains. The EA does not assess the potential increase of traffic south of the project site.

Wildfire Hazards

- From the EA, “the Project Site is primarily designated as 3 (high) wildfire risk.”
- Potential evacuation routes near the project are limited and on 2-lane roads. Please see the map at the end of this document.
- Be aware that everyone who has lived in Sonoma County since 2017 has been impacted by wildfires on some level. Evacuations are extremely stressful and for many in the area they also trigger anxiety, a feeling of being scared, and PTSD, compounding the situation. These sometimes begin just from receiving an alert.
- The EA itself points out a potential life-threatening situation. “An increase in vehicles on emergency evacuation routes during a wildfire could worsen traffic congestion and adversely affect evacuation timelines or access for emergency responders, which would increase the risk of loss, injury, or death involving wildland fires.”
- No matter the efforts put forth, many of the guests at the casino/hotel will not familiarize themselves with emergency procedures, alerts, etc. How many people currently review the fire escape maps in hotel rooms? I refer you to the book, *The Ostrich Paradox-Why We Underprepare for Disasters* for clarification.
- The EA states vegetation management will be performed annually by a qualified arborist and/or biologist. However, fire season in our area extends most of the year and plants continue to grow. Vegetation pruning and routine maintenance for reduced fire risks should be performed throughout fire season.
- A 5-foot non-combustible zone is recommended for residential buildings. Is there any study that shows a 5-foot zone surrounding a 3, 4 and 5-story building is sufficient to reduce wildfire risk?
- All proposed evacuation mitigation measures address onsite activities and do not address the impact of thousands of vehicles leaving the project site and merging onto public roadways. What mitigation measures are even possible for 5,110 vehicles (assumed number in Appendix N) to merge onto Shiloh Road and Old Redwood Hwy when they are already gridlocked during an evacuation? What additional measures can be implemented to increase the flow of traffic on Old Redwood Hwy and Shiloh Road?
- As proof that Old Redwood Hwy and Shiloh Road become gridlocked during an evacuation, I provide the circumstance my friend encountered during the 2017 Tubbs Fire. She and her husband lost their home at Old Redwood Hwy and River Road and barely escaped the wildfire. When she left her home, she traveled north along Old Redwood Hwy, even going north in the southbound lane to escape. When she finally reached Shiloh Road, she was not allowed to turn west because of traffic. Instead, she was forced to evacuate further north along Old Redwood Hwy to the main Windsor highway onramp. Please note that this gridlock along both roads was caused from just the Mark West (Larkfield) area evacuating, not the Town of Windsor, plus 5,110 project vehicles.

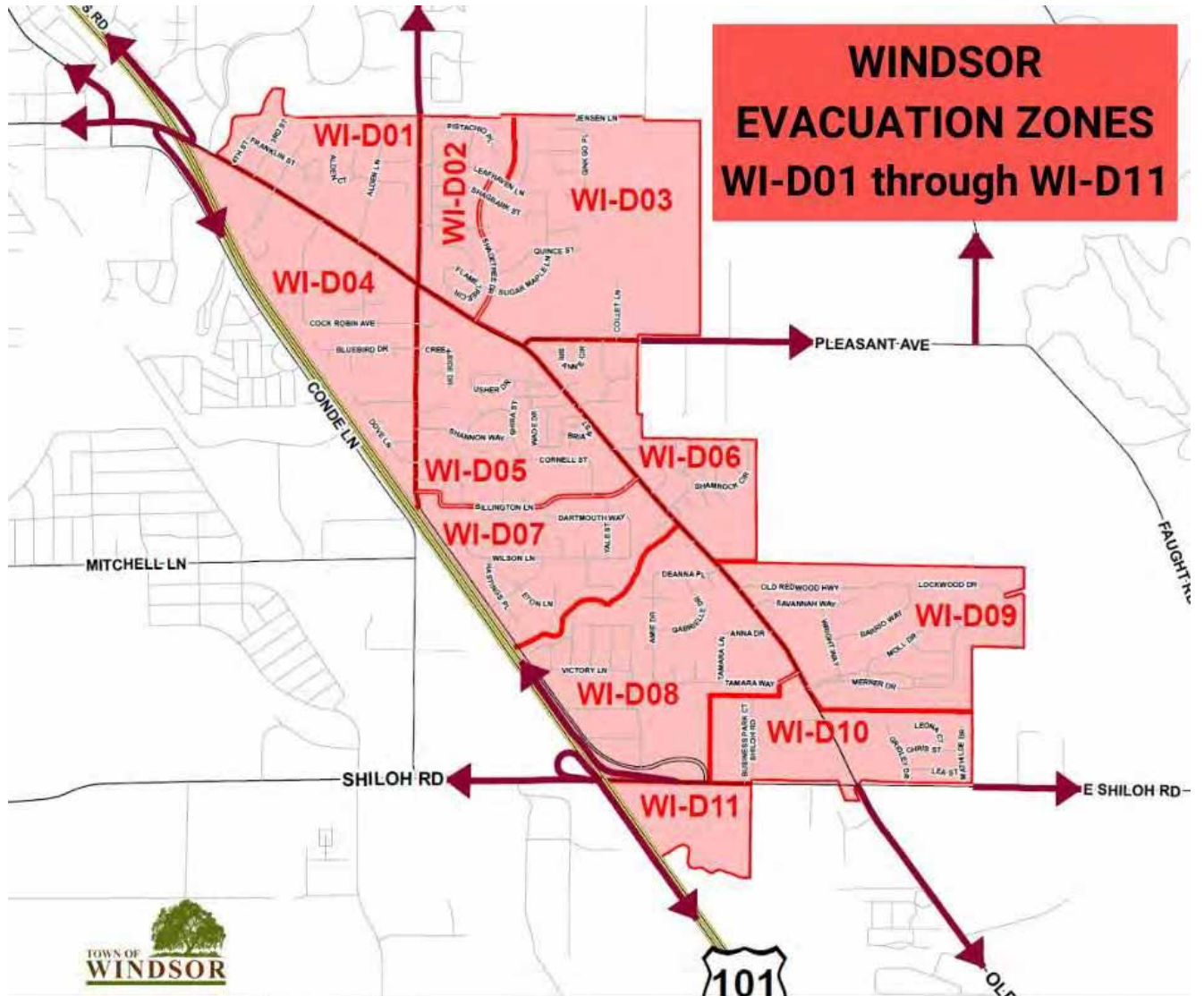
- When Windsor evacuated during the Kincade Fire, Highway 101 and other roads including Shiloh Road and Old Redwood Highway became gridlocked. This occurred when Windsor evacuated, with a 6-hour evacuation warning notice, not an immediate evacuation alert, with the addition of thousands of project vehicles.
- For disaster preparation, you do not prepare for best-case scenarios. Per the EA, “For the purposes of evaluating the potential effect of Alternative A on evacuation timing, an analysis was conducted based on circumstances similar to what occurred during the Kincade Fire in 2019 and is included in Appendix N-2. Specifically, it was assumed that evacuation would be conducted under a “No-Notice Event” wherein an evacuation order is issued to the entire Town of Windsor. This methodology is conservative because, as described in Section 3.12.2, the County and Town of Windsor have since augmented systems and Koi Nation Shiloh Resort and Casino ENVIRONMENTAL ASSESSMENT 3-117 Affected Environment and Environmental Consequences methodologies for alerting and evacuating by developing and publicizing more refined evacuation zones and increasing the means for delivery of evacuation notification.” For the Kincade Fire, Windsor was notified at about 10 am that we needed to be evacuated by 4 pm, a 6-hour warning. This was not an immediate evacuation situation. The EA assumes that since Sonoma County has augmented systems and methodologies for alerting and evacuating, that there will be plenty of time to evacuate. This may be the case for early warning evacuations. However, wildfires in Maui, Paradise, Southern California, and elsewhere remind us that immediate evacuations occur and that minutes can mean life or death. See bullet below.
- According to the U.S. Department of Transportation, a No-Notice Event is “A little- or no-notice incident is one that occurs unexpectedly or with minimal warning. The lack of warning and the quick response time required introduce distinct challenges for evacuating at-risk populations. **No-notice incidents do not provide emergency responders sufficient time to prepare for a specific incident. This greatly affects agencies’ abilities to pre-activate emergency protocols, pre-position needed assets, and warn and direct the public.** No-notice evacuations require a significantly different approach to planning than advance notice evacuations because they will be based on a set of capabilities and strategies that will likely be more limited in the time and resources available for implementation.” I point out the highlighted language above that is counter to the EA’s evacuation strategy. I refer you to the U.S. Department of Transportation document, https://ops.fhwa.dot.gov/publications/evac_primer_nn/primer.pdf, for information on no-notice evacuations and planning. Even though this document was prepared for highways, it provides an excellent understanding of considerations and tactics that would also apply to the project area.
- To be effective and to save the most lives possible, you need to prepare for likely worse-case scenarios. This would include immediate evacuations of Windsor, the project, and the Mark West area.
- Even under the evacuation scenarios evaluated, the EA concluded “it would take an estimated 4 to 6 hours to evacuate the Town of Windsor during a “No-Notice Event”,” and “If evacuation of the Project Site occurs at the same time as the rest of the Town, the combined evacuation period could be up to 6 to 8 hours.” An additional 2 to 4 hours to evacuate because of the project is unacceptable. If this was under an immediate evacuation order, with a wildfire nearby, it is highly possible deaths would occur.

- The estimated evacuation times are based on several assumptions made by TJKM, not on a model/network. How many other evacuation plans, including calculated evacuation times has TJKM prepared and do any of the individuals involved in preparation of the plan have evacuation experience? The estimated evacuation times should be reviewed by the Sonoma County Sherriff’s Office and the Windsor Police Department who not only have expertise in recent evacuations but are familiar with the local roadways.
- One of the mitigations proposed for evacuations is that onsite traffic attendants will direct traffic. However, these project people would only be allowed to direct vehicles on the property and would not be allowed to interact with vehicles on public roadways. How can this be effective in merging onsite vehicles onto public roadways and assist with flow of traffic?
- If an immediate evacuation alert is issued because of a nearby fire, project staff (including traffic attendants) will likely not stay to perform their assigned duties. Human instinct for survival of self and family, in addition to panic/stress will overrule. Plus, the first priority of CERT volunteers is the safety of self and family. According to the EA, these people will be CERT certified.
- The EA states, “Alternative A would not significantly impede evacuation traffic as patrons and staff would be evacuated early and before community wide evacuation.” This statement assumes an early warning evacuation scenario and would not be possible under an immediate evacuation order (No-Notice Event).

Thank you for considering my comments and for extending the EA comment period. Based on my comments above and those provided in the Town of Windsor’s letter and during the public comment period, I support Alternative D, no action. It is my opinion that the project location is not appropriate for the proposed development.

Diana M Borges
Diana Borges, PG
179 Dartmouth Way
Windsor, CA 95492

Recommended Evacuation Routes from the Town of Windsor Evacuation Zone D



From: judy nassimbene <jjbene247@gmail.com>
Sent: Tuesday, November 7, 2023 4:41 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Casino

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I am writing to voice a loud NO to a casino in Windsor. A bad choice for a good community

Sent from my iPhone

From: Lynda Williams <misslyndalouu@gmail.com>
Sent: Tuesday, November 7, 2023 6:14 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Shiloh Resort Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

Attached is my letter regarding the proposed Koi Nation Shiloh Resort and Casino. Please contact me if you have any questions or would like to discuss my comments.

I would appreciate a return email indicating receipt of this email.

Thank you,
Lynda Williams

One attachment • Scanned by Gmail

Amy Dutschke, Region Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

November 3, 2023

Via Email: chad.broussard@bia.gov

RE: EA Comments, Koi Nation Shiloh Resort and Casino

Dear Ms. Dutschke,

Reading the Environmental Assessment by Acorn Environmental was disappointing and infuriating as it lacked any current research and made generalized assumptions without any basis of current data support. It reminded me of my child's attempt at Google research in eighth grade and the ensuing report. I will attempt to cover the most important items. This cheap knock-off of an environmental assessment is an insult to the community that resides here, including the animals, trees and water as well as the families who live here and raise their children here. It is a sad situation that an agency paid for by our tax dollars would entertain such a weak and unsubstantiated document on a project that would upend the environment in such an impactful way. It is my hope that our comments will be read and will have some impact on this decision, and that this process and ultimate decision has not already been bought by the powerful and rich gambling cartel that we met during the public hearing.

Traffic – page 3-69 : 3-74

Traffic conditions were not studied during peak commute hours on weekdays but instead "at midday on a Saturday" in January and February. The weekends have less traffic, especially in January and February, and are not indicative of normal traffic for any conclusion to be drawn regarding the impact of 15,779 or more additional vehicles. To conclude less-than-significant impact when adding 15,000 additional vehicles into a residential neighborhood at any time is fiction. This is currently a large residential community with morning and evening commutes as well as students going to and from school and on weekends during little league season, multiple games are played at Esposti Park on the corner of Redwood Highway and East Shiloh with the parking lot overflowing and cars parked up East Shiloh. Additionally, more than 300 units of additional apartments are currently constructed or under construction in this area. The traffic studies did not include those additional vehicles. All residents use personal vehicles in this area as Sonoma County has an inferior public transit system which does not allow most people to commute to their work or school location in a timely manner.

Adding a signal at Gridley and East Shiloh will only exacerbate this problem as the traffic will then back up into the residential neighborhood creating even more idle time for engines and making conditions unsafe year-round for residents who may need to get medical attention or have the need to evacuate wildfire (see next comment section on evacuation) and other emergencies.

Land Use Conflicts: P 3-79 : 3-82

Section 3.9.3.2 states that this project is not "consistent with the County's underlying land use and zoning designation" for this site. The only reason this proposed project could be built is because it is being "transferred to federal trust status, removing it from county jurisdiction". The Koi Tribe does not care about this community as demonstrated by the fact that they have not once reached out to the residential community surrounding this site because they know that this is the wrong location for a project of this type and scope. County zoning creates areas for the residents, the community that is there supported by the tax dollars residents and businesses pay. What is being proposed here is the Koi Tribe usurping this process for their own benefit at the detriment of the local community, which includes the property tax base that supports all the services, schools, roads, infrastructure, and fire support of which the tribe will still benefit despite being exempt from the rules nor contributing to the tax base. Even if they contribute money to someone, it is their choice, not the choice of the community as in the expenditure of tax dollars. This tribe is not from this area and is also usurping the rights of our local Pomo tribes who are entitled to revenue from this area because it is their community.

This section goes on to state that "Alternative A would not physically disrupt neighboring land uses or prohibit access to neighboring parcels". Alternative A would absolutely physically disrupt neighboring land uses and access by creating un-mitigatable traffic gridlock which will not only impede daily activities such as work and school commute but access for emergency vehicles and the inability to evacuate during emergencies. (See above comments on the flawed traffic studies). Residential land use includes sleeping, which will be impossible with 24/7 traffic, noise and light levels. Residential land use includes safety. Safety will be impacted by the increased traffic, air pollution, drunk drivers and crime.

As in all this report, I must take issue with the conclusion on **page 3-81** that the impacts in the intensity of development within the site creating "conflicts" including air quality, noise, construction activities, increase in traffic, visual effects and increase in lighting, and the mitigation measures identified in Table 2.1-3 would reduce potential adverse impact to "less-than-significant levels". There is no substantiated definition of "less-than-significant levels or impact anywhere in this document. This is an opinion of the writer of this document. The only party for whom this would be "less-than-significant" is the Koi Tribe. The same goes for Alternative B, and Alternative C. There is no mitigation for the impact of this project on current land use and the impact on current land use described in this document is more than significant.

Wildfire – Page 3-109: 3-119

As a Chief Business Officer, I have hired many professionals over the years to write reports that have conclusions that I need to support my decisions. If you have enough money, you can have any report written to support your conclusions. This is all I could think about when reading the “supporting documents” to the Wildfire section in this Environmental Assessment.

Vern Losh retired as Fire Chief in 2009, nine years before the first “curb and gutter fire” consumed neighborhoods and killed people in their homes and cars here in Sonoma County. As Fire Chief Cindy Foreman told me in 2022, she would not have believed this could happen prior to the Tubbs fire in 2018 either. She changed her opinion while serving on the front lines of the Tubbs Fire, and the Kincaid Fire. Now she knows everything that she thought she knew was wrong and all strategies must be changed. She could not believe that a project such as the Shiloh Casino Resort could be proposed in this area due to the extreme risk of curb and gutter fires in these neighborhoods. The studies cited in this document pre-date the Tubbs Fire.

Having lived through these fires myself, dozens of friends and family losing their homes, some losing their lives or losing loved ones, this is no joke. The roads in this area do not support the current levels of population for evacuation. Currently over 500 new apartments including a senior housing and residential care center are being built that will evacuate onto these same roads. All these roads lead to highway 101 which is only three lanes, gridlocked in the daily local commute.

The Tubbs fire jumped Highway 101 south of this location and burned through “curb and gutter” neighborhoods in West Santa Rosa after burning through “curb and gutter” neighborhoods in East Santa Rosa (see page 6 in Appendix N Wildfire – Evacuation). Everyone in my neighborhood had to evacuate in the middle of the night. After finally reaching Highway 101 and traveling south the traffic stopped. Suddenly cars were turning around and heading back north in the southbound lanes. The freeway was on fire and everything to the east and west was also on fire. This stopped all cars from evacuating off of East Shiloh Road. The Tubbs Fire was in 2018. The population and the density of housing has only increased since then.

In 2019 the Kincaid fire tried to jump 101 north of this location (see page 6 in Appendix N Wildfire -Evacuation). The freeway was closed causing all cars to have to take southbound 101. Additionally, everyone in West Sonoma County was also being evacuated onto highway 101. No one could move for 10 hours. The only reason no one died was because the Sonoma County Fire Departments pre-evacuated everyone due to their experience two years earlier. They knew they could not get everyone out without pre-evacuation. But even then, it took almost 12 hours to get from Windsor to Petaluma. But pre-evacuation is not always an option in urban wildfire situations.

Hiring CAS Safety consulting to say the plan to direct traffic off the casino grounds during an evacuation onto these already gridlocked roads and highways, does not make it true or safe.

Will they be held responsible when people die? TJKM writing a mitigation plan for something that cannot be mitigated is pure fantasy and does not make it true. Just another paid consultant who will not have their lives or their families lives on the line during the next fire. And their will be a next fire.

These mitigation plans would be laughable due to their ignorance if they were not so deadly. This is the wrong location for this project because of the incredible fire danger here. Families will not only die, but so will their customers at the casino who will not want to leave if they are winning. I know I am not the only one providing the BIA with this warning. If you allow any option except Alternative D, no project, no granting to the Koi of this land, people will die, and all this documentation will exist that showed the danger but was ignored.



Since 2018 (over the past five years) there have been eight (8) severe wildfires in this area that burned for weeks and necessitated the evacuation of tens of thousands of people. (See map above).

As someone who lives less than 40 feet from this property, who could not evacuate during the Kincaid fire until 4 am the next day due to gridlock, I witnessed the 80 mph wind gusts blowing the wildfire toward the neighborhoods, my homes' attic was filled with charcoal when I returned, and I know there will be a next time. We are all told to prepare for the next time, to have our to-go bags ready. But what if we cannot go? Please, do not put this property into trust for Koi Tribe. They are not one of our local tribes. Our local tribes would never entertain putting a Vegas

Style Casino Resort in this location because they know how dangerous it would be. Please select Alternative D, No Action Alternative.

Lynda Williams
5801 Mathilde Drive
Windsor, CA 95492

From: betsy mallace <betsymallace@yahoo.com>
Sent: Tuesday, November 7, 2023 7:10 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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To: Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region
chad.broussard@bia.gov

From: Betsy Mallace
Windsor, CA 95492

Please find attached my comments on the EA for the Koi Nation Shiloh Resort and Casino Project.

Firstly, this parcel is the wrong location for this project. This parcel is the wrong location for any large commercial development. Approving this project will create many significant unmitigable impacts. Significant, negative impacts not only to the land itself, but to the adjacent and surrounding areas, neighborhoods, residents, public and private parks, churches, schools, local traffic and most tragically emergency evacuation.

The only project that will not create significant unmitigable impacts is alternative D. I urge you to approve only Alternative D.

If you should go forward with alternative A, B or C, there will be significant negative impacts. Much of the significant impact will not be able to be mitigated. Therefore, these alternatives should not be approved.

The current vineyard on the parcel has in the distant and recent past acted as a natural firebreak in the event of a wildfire. If you remove this natural firebreak; it will create fire hazard and it will create unmitigable negative impacts. The EA has no factual documentation to disprove this. Recent past history and the fire science experts have agreed that removing this firebreak will create hazards.

Currently this parcel is in an approved protected community buffer zone. Project A, B or C would remove this community buffer and create a significant unmitigable impact. Along with violating the will of the voting residents.

The EA has no complete traffic studies for all the different driving patterns which will be in effect when/if this project is approved. Only a couple of time slots were evaluated,

since this project would be 24/7, studies must be done for all time/day slots, not just a couple of cherry-picked times/days.

Additionally, there are hundreds of adjacent partially constructed residential buildings and units (in works-known projects) that have not been included in any of the EA. All of these units must be included in any complete study. The traffic studies in the EA are incomplete and inconclusive. Finding of no significant impact has not been proven, nor does it actually exist.

The project parcel is sided on at least two sides (Old Redwood Highway and Shiloh Road, not to mention Faught Road) with current municipal evacuation routes. The EA does not include all of the recommended/mandated "safe route" out of Windsor, Sonoma County (unincorporated) and/or Larkfield/Wikiup. The EA is not complete nor conclusive to show no significant impacts. It does in fact show a possible delay in evacuation time. A very significant impact will be created if there are any delays created during an emergency evacuation. Alternatives A, B, or C will create additional traffic in an already congested area, thus you are predetermining potentially deadly impacts to the location.

Again, I urge you to approve only alternative D. All other alternatives will create significant unmitigable negative impacts.

Thank you for allowing my comments.

From: Jim Wright <jwright621@icloud.com>
Sent: Tuesday, November 7, 2023 10:31 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA comments, Koi Nation Shiloh Resort and Casino

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Hello Chad, my recommendation is to do additional environmental analysis through the preparation of an Environmental Impact Statement. To support this recommendation, my comments on the subject EA specifically regarding Alternative A are as follows:

Disingenuous Stated Purpose

The "stated purpose" of proposed action is to facilitate tribal self sufficiency, self determination, and economic development. Considering the size of the tribe is 89 members, 52% who live in Sonoma County, a \$600M casino with estimated \$575 annual revenue is way overkill for the stated purpose. This obviously leads one to believe the stated purpose is disingenuous, and the proposed action is really to create a money-making machine for the few casino senior executives and investments partners, with I suspect a small percentage trickling to the tribal members, although probably enough to make them all very wealthy. By comparison, the Graton Resort & Casino, of comparable size to the proposed, has 1,400 members of the Federated Indians of Graton Rancheria. The project should be more appropriately sized for the number of tribal members.

Employee Challenges

The proposed resort and casino is estimated to employ 1,571 full time employees. The average annual salary according to Salary.com of the Graton Resort & Casino is \$39,520 - \$52,000. It's reasonable to assume the proposed resort and casino would pay similar wages. According to the California Department of Housing and Community Development, the median income for a single person living in Sonoma County is \$89,650. <\$70,000 is low income. <\$44,050 is very low income. It's expensive to live in Sonoma County. A recent article in the Press Democrat, the local newspaper, stated according to GOBanking website, a family needs \$144,090 to live comfortably if paying a mortgage, and \$84,823 if paying rent in Sonoma County. The predominantly low and very low incomes to be paid by the proposed resort and casino would not provide comfortable living for their employees, and that's a lot of unhappy folks.

The Sonoma County Economic Development Board indicated a 3.8% unemployment rate as of June 2023. This is expected to increase slightly in the next 5 years when the proposed resort and casino would be hiring employees. A Workforce Development Survey this year indicated 63% of respondents experienced hiring difficulties, with insufficient number of applications, lack of skills, and reluctance to accept offered wage as primary reasons. The need and lack of employees is evidenced by "Now Hiring" signs posted in many businesses in the local area. Employees will be hard to find for the proposed resort and casino, and 1,571 is a lot of employees.

Groundwater Depletion

The propose resort and casino is estimated to use 170,000 gallons of fresh water per day, or 62,050,000 per year, or 191 acre feet per year, or enough to support 573 single family households. The testing performed so far has not determined conclusively this huge amount of water usage wouldn't significantly impact the groundwater and wells in the area. The EA proposes to begin a groundwater monitoring program at least 1 year prior to opening, meaning the project would already have been under construction for 1 year considering a 2 year construction timeline. Additional time would be needed to evaluate results from the monitoring. This is too late to make changes should the groundwater be negatively impacted and should be determined prior to project approval.

Declining Property Values

The EA also states the proposed resort and casino would not significantly impact nearby home property values based on a study of other completed casinos and the property values in a 5 mile radius. It is ludicrous to think homes directly adjacent to a \$600M resort and casino operating 24/7 would not be impacted with significantly reduced property values. Who would want to live next to or near such an operation? Housing several miles away would not be as impacted, but that would not be the case for those adjacent to the property who currently enjoy vineyard views.

Sincerely, Jim Wright
Sent from my iPad

From: Josh Ratiani (Shiloh Neighborhood) <josh.ratiani@shilohnc.com>
Sent: Tuesday, November 7, 2023 4:34 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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Attached are my written comments on the EA for the Shiloh Resort and Casino. The studies conducted to produce the EA are not comprehensive, and are missing key details known to those of us who have lived in this land for years and cared for the socioeconomically disadvantaged people in the area.

My comments are long, but I plead with you to read them carefully and deliberately as they contain years of observation and eyewitness accounts that greatly surpass the amount of time spent by those conducting the studies used to create the EA.

Josh Ratiani
Pastor, Shiloh Neighborhood Church
www.shilohnc.com
One attachment • Scanned by Gmail

EA Comments for the Koi Nation Shiloh Resort and Casino

November 7, 2023

Submitted by:

Rev. Joshua Ratiani
Pastor, Shiloh Neighborhood Church
5901 Old Redwood Hwy
Santa Rosa, CA 95403

To: Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way
Sacramento, CA 95825

Dear Mr. Broussard,

I am writing in regards to the Environmental Assessment for the Shiloh Resort and Casino. I have a number of concerns with the proposal, and with the inaccuracies and incomplete information in the Environmental Assessment. I write both as the pastor of the church directly adjacent to the proposed casino, and as a longtime resident whose personal home is adjacent to the property. Our church pays its pastor partially by providing housing on the church property, so my business and residential address are both immediately adjacent to the proposed project site.

The casino's proposed main entrance would be at our church driveway. Because we located on a rural postal route, our mailbox is on the east side of Old Redwood Highway. I have stood at the would-be entrance to the casino almost every day for the past 12 years. I have a deep knowledge of the land where the casino would be.

The norm for gaming development requires that the tribe be on the land prior to 1988. I sympathize with the Koi Nation's mistreatment by the federal government preventing them from having any land for this much time. Nevertheless, taking on such a large development typically involves decades of observation of how such development would impact the land and the community. Such observation simply cannot be made in just a few years, much less in the weeks or days spent by those conducting the studies used to create the EA.

Because I have lived here for decades, I have intimate knowledge of the land, and have concerns with the inaccuracies of the data used in the EA. The data used to describe the location of flooding concerns, the location of wildlife corridors, types of wildlife present, and the issues with fire evacuation are incomplete. There are significant problems with the noise modeling, based on obvious changes that would occur from constructing new intersections.

Because our church has been involved in numerous community programs, our congregants have decades of observed data about these issues and the socioeconomic conditions. Our years of observation are far more nuanced than much of the data produced in the studies used to create the EA. The EA's claims of no significant impacts are false and based on faulty data and study methods. The casino project would have significant impacts on the surrounding community based on numerous issues.

I. Fire Issues

On October 8-9, 2017, the Tubbs Fire tore through the area. Our church was in the evacuation zone, which extended south of Shiloh Road, into the community of Larkfield-Wikiup. However, the Sherriff's deputies allowed our church to function as an impromptu evacuation center. This meant that I personally witnessed the evacuation, north on Old Redwood Highway. Traffic was bottlenecked going into Windsor, and people to our south, where the fire raged, had trouble evacuating. 22 people died that night, and I can only wonder how many more would have perished if the traffic bottleneck was worse.

These photos (below) were taken from our church's driveway, directly where the casino's intersection would be. The photos were taken at 2:42 am, over two hours after evacuation began. They show the traffic still moving slowly past the location. I was the only person who observed this evacuation from the location in question. My eyewitness report must carry serious weight in any assessment of the fire dangers caused by development of an intersection at this very location. These images were shared on the Bay Area news broadcasts that morning because they provided unique evidence of what took place. Northbound traffic escaping the raging inferno was crawling forward at a slow pace for hours. Putting another intersection in this location would slow the evacuation further. Adding thousands of people onto the road would block the evacuation of residents.





In the Tubbs Fire, people had mere seconds to escape the fire, as it raged to the area south of the proposed casino. The area south of the casino is conveniently ignored in Appendix N.

In Appendix N, a wildfire scenario is envisioned in which Windsor and the casino must be evacuated. However, **this report fails to consider what things would be like if an evacuation needs to take place to the south, as has actually happened in the Tubbs fire.** Many of the studies and reports used to create the EA fail to consider the community in the unincorporated county area, to the south of the proposed casino.

In 2019, the Kincade Fire affected the area just north of the proposed casino, including the town of Windsor. That fire started farther away, allowing for a staged evacuation. The burn areas of the Tubbs and Kincade Fires are nearly contiguous, except for a small strip in Shiloh Regional Park, immediately to the east of the proposed casino. Someday, a wildfire will affect both Windsor and Wikiup simultaneously. It is not a matter of if, but when.

In a worst case scenario, if both Windsor and Larkfield-Wikiup needed to simultaneously evacuate, countless lives would be lost. One can imagine the scenes of destruction in places like Lahaina or Paradise, but the reality is these very same situations have already taken place here in Sonoma County, and will again someday.

The fire mitigation proposals are unserious, and do not take into account the likelihood of such a future fire. Adding thousands of additional people to the already bottlenecked roads, and adding additional intersections will make future fires much worse. Those who construct this casino, and those who approve the casino development would be personally responsible for the loss of lives.

II. Flooding Issues

Appendix C contains the Water and Wastewater study, and Appendix D contains the Grading and Hydrology study. While these reports were compiled by professionals, and I am merely an amateur neighbor, I have observed the way the water actually drains in this area for decades. I have lived in the

house at Shiloh Neighborhood Church since 2011. Every day, I walk across the street to get my mail. Our mailbox is where the casino's driveway would be built. Therefore, I have seen how the vineyard actually floods for over a decade. Additionally, I lived in the same house for two years in the 1990s, as a child who played in the flooded ditches during the exceptional El Niño rain year of 1995.

The two studies in Appendices C and D are based on observations conducted during the winter of 2021-2022 and the following spring and summer. These observations were made during a period of drought. The winter of 2022-2023 was a particularly rainy year, and I observed standing water along Old Redwood Highway, from our mailbox. I personally cleared the ditches of branches and debris to help the vineyard drain, but it still took days for the water to clear.



The photo above shows relatively moderate flooding on January 9, 2023. The photo is taken from our mailbox, exactly where the driveway for the casino would be (west side of Old Redwood Highway). At times during the atmospheric river events of early 2023, the flooding extended much farther into the vineyard.

The professionals who conducted the study estimate what 100 and 500 year floods will look like, but I can report on what actually happens during a normal flood (such as 2023) and during an exceptional flood (such as 1995). The elevation of Old Redwood Highway acts like a berm, which traps water running off the vineyard. Water pools along the highway, exactly where the entrance is proposed. This water can extend all the way to Shiloh Road to the north, and up to 100 feet into the vineyard, to the east. Sometimes the water stands for days. I have often commented that it would be easy to kayak in the vineyard. This is all in an undeveloped property that can absorb water into the soil fairly well until the ground is saturated. As a permaculture enthusiast, I am well acquainted with the amount of runoff

created by just a few square feet of roof or hardscape. While the professional hydrologists have access to the terrain data and soil levels, it is insufficient to only study this land during the drought or the dry season. A study must take place during the rainy season of a wet year.

Pruitt Creek has a limited capacity, and during large storms, the ditch on the west side of Old Redwood Highway (the church side) fills up and is unable to drain. This sometimes creates flooding in our church parking lot, trapping us from being able to leave the church property, or my personal home. In the exceptional flood of 1995, the ditch did not drain for weeks on end. I remember catching tadpoles and froglets that lived in the ditch because the water was standing long enough for a frog lifecycle to take place. In early 2023, the ditch would stay full for days on end, as the vineyard on the east side of Old Redwood also stayed full. Estimating a 500 year flood is a good idea, but hearing the eyewitness account of those who have experienced such events is even better.

Pruitt Creek seems to be bottlenecked by the culvert/bridge at Old Redwood Highway. Developing the property that is currently a vineyard will increase surface water runoff, and the only way to accommodate that runoff would be to change the downstream capacity of the creek. While the professional study accounts for the larger watershed-level data by looking at the stream gauge at Mark West Creek, it does not deal with the immediate watershed impacts of how the drainage will affect the surrounding mobile home park, homes, businesses, and our church.

III. Biological and Wildlife Information

Appendix G contains the biological report, based on observations made on February 23 and 24, 2022 (see page 14, Appendix G). I am not a professional biologist, but I have worked in environmental education in Sonoma County as a naturalist teaching Outdoor Education science camps, and later as a consultant creating environmental curriculum for our county's largest eco-tourism company, Sonoma Zipline Adventures. I have long been interested in observing the wildlife present in the vineyard, and have used trail cameras on our church property to document wildlife present.

The biological study noted very few types of animals present, and claimed that certain endangered and threatened species cannot be present. These claims are insufficient and based on supposition. The study claims there cannot be Golden Eagles in the area. I have personally seen two Golden Eagles in the area over the past decade—one in an Oak Tree at our church, and one perched on the telephone pole closest to the casino's proposed main entrance. That particular telephone pole is a favorite perch for many different species of raptors. The study claims there cannot be monarch butterflies present, but I have seen them flying through my own backyard, just a few dozen feet from the vineyard. I know of a location on the Sonoma Coast where monarchs migrate in the winter. These endangered species are in the area as they pass through on their migration route.

On page 34 of Appendix G, the biologists list only six species of animals observed. This data proves that the biologists have completed insufficient work that does not accurately reflect the state of the property. Two days of observation in one season of the year is hardly enough to get an accurate assessment of what wildlife is present. In the 12 years I have lived at the church and the 30 years I have

attended the church, I have observed many more species on the church's property, and it follows that all of these are also present across the street. In fact, I have seen many of these same species in the vineyard.

Some of the other species we have observed over the years include:

California Slender Salamanders, Arboreal Salamanders, Coyotes, Gray Foxes, Jackrabbits, Great Horned Owls, Red Tailed Hawks, Turkeys, California Quail, American Bullfrogs, White-tailed Kites, Sharp-shinned Hawks, Cooper's Hawks, Great Blue Herons, American Robins, Cedar Waxwings, Lesser Goldfinches, California Towhee, Northern Mockingbirds, Northern Flickers, Acorn Woodpeckers, House Sparrows, Canada Geese, Rock Doves, Brewer's Blackbirds, Redwing Blackbirds, Chestnut-backed Chickadees, Western Bluebirds, White-Crowned Sparrows, Raccoons, Possums, Skunks, Meadow Voles, Gophers, Ground Squirrels, Gray Squirrels, Gopher snakes, bats, Screech owls, and many others.



Above: Trail camera image of Gray foxes at Shiloh Neighborhood Church, 2021 (L). A hawk perched on the telephone pole closest to the proposed casino's entrance, February 2023 (R).

The biological report notes that the creek to be a riparian wildlife corridor, but again, the long-term observation of the area shows that this information is incomplete. Undoubtedly, the riparian habitat is a wildlife corridor, but there must also be other wildlife corridors to make sense of the observations we make at the church. Many animals walk through our church property, evidenced by tracks, scat, sightings, and our trail cameras that I place along trails that animals establish from consistent use. In order to connect between Pruitt Creek and the church property, the animals must be walking through the vineyard rows, precisely where the casino would be built. I have seen many of the aforementioned species cross the highway into the area that would be developed.



Above: location of wildlife corridors at Shiloh Neighborhood Church, relative to Pruitt Creek

While most of the species observed are not endangered species, the reality of the long-term observations demonstrates that the casino would have a serious, detrimental impact on the land and creatures of the Shiloh area. From my observations, it seems that animals fly and walk from Shiloh Regional Park, through the vineyard rows, across Old Redwood Highway, across our church's four acres, and into the vineyards that go all the way to Highway 101. Most likely Pruitt Creek is one of the wildlife corridors, but there are many others. Our church has a park-like atmosphere for worship because of these wildlife corridors that would disappear if the casino is built.

IV. Urbanization and the Green Belt

Sonoma County's cities and towns have some of the strongest anti-urban-sprawl regulations in the nation, forbidding development of land around the town limits of Windsor. Local residents often refer to the greenbelt that has been established, made up of wild land such as Shiloh Ranch Regional Park, and the surrounding vineyards.

When Shiloh Neighborhood Church bought its property in the late 1970s, the leaders did so anticipating that one day the property to the east would be a subdivision. The church hoped to provide spiritual and community benefits for the future neighborhood. Although the green belt ordinances prevented the development that our past church leaders anticipated, we as a church find the green belt designation to be beneficial, because of the wildfire, flooding, and wildlife impacts detailed above.

In 2020, when the lockdown started, the amount of wildlife present skyrocketed. The decreased traffic and noise invited new species to the area. I imagined a time when a Native American tribe might buy the vineyard and restore it to its pre-agricultural status, as wild, natural land. Perhaps this hope was rooted in the fact that some of the Native American members of our church are passionate about restoration projects, like I am. We regularly discuss being people of the Creator who care about the creation.

Thus, I find it particularly disheartening that a Native American tribe which also talks about caring for the Creator and creatures would propose such a detrimental project. I have seen that the Koi Nation has been involved with a PBS documentary opposing urbanization. On page 3-79 of the EA, it is stated that the project will be able to ignore the urban and county planning regulations that have prevented development of this property.

In our sermons, I have told the story of the Caucasian Christians who were strong allies of the Native Americans in the Supreme Court case *Worcester v. Georgia* in 1832. This landmark court case established the precedent that tribes have federal treaties, and are not subject to the jurisdiction of certain local laws. I understand the reasoning behind land being taken into trust and in general, I support the concept. However, this is not the right piece of land. It makes no sense that the Koi Nation— who have a core commitment to fight urbanization— would turn and ignore the wisdom of those who have implemented anti-urbanization measures. This change of heart makes it hard to trust that they would act as good neighbors in good faith when they are willing to violate their own spiritual and ethical principles for financial gain.

V. Socioeconomic Concerns: Surrounding Poverty

The data in Appendix B addresses socioeconomic concern from census-level data. As the pastor of a church that has been involved in many community outreach ministries over the years, I can give a report on what things are actually like, on the ground. Many of the mostly white, middle class residents of the nearby subdivision have voiced their opposition to this casino, but there are many others who live in the area, who would be detrimentally affected by the casino.

There are nearby neighborhoods of fairly affluent, middle-class people. However, there are also many socioeconomically disadvantaged people who live within a one mile radius of the proposed casino. These people would be especially susceptible to problem gambling.

There are multiple affordable housing apartments on the northwest corner of Shiloh Road and Old Redwood Highway, including a new large development currently under construction. For years, we provided English as a Second Language classes in one of the apartment community centers. Many of the residents have not participated in the public comment process because of their English skills. These immediate neighbors would be disproportionately negatively affected by the casino's development.

Along Old Redwood Highway, to the south of the property are numerous people of limited means. There are two nearby mobile home parks for seniors. Many of these elderly people have significant health issues, and trouble driving.

Nearby, there are also single family homes in poor condition, with people living in significant poverty. Down the road a little farther (near Fulton Road) is a group home for men with brain injuries and men coming out of homelessness and mental health issues.

As the only employee of the church, I regularly clean up vandalism, drug paraphernalia, and litter from those who are homeless. These are all evidence of the already difficult conditions in the area around

the would-be casino. We seek to offer compassion to those struggling with finding housing, or struggling with addiction, but increasing the number of people in the area will not make these issues easier.

Our church has been involved in outreach and support to all these groups. The reality is that Old Redwood Highway, south of Shiloh Road to Fulton Road is an economically depressed area. All of these socioeconomically disadvantaged people will be adversely affected by the presence of the casino.

One of the main ways our church serves these groups is for our weekly food distribution, partnering with the Redwood Empire Food Bank. Our little church is able to partner with this organization to provide food for over 500 people each week.

The Koi Nation is said to have 89 members, seeking to build a casino with a maximum occupancy of around 20,000 people. Shiloh Neighborhood Church is likewise a small group, with even fewer members than the Koi Nation. Despite our smallness, we are providing an impact for thousands of people through the food distribution. Because we are a small church, we cannot afford the additional maintenance that would be required to exist across the street from a busy casino. We would either be forced to close or move. That would remove the key resource of the food distribution from a fairly economically disadvantaged area. Many of the attendees of the food distribution are seniors from the mobile home parks, who have trouble driving just the short half mile to the church. The addition of thousands of cars on the road near these elderly drivers will create problems for them.

Additionally, our church is one of a handful of churches that plays a key role in caring for Sonoma County's foster children. A number of non-profit foster agencies use our facility for meetings, and we have been a regular host for a mentoring program for foster youth. The addition of the busyness of the casino would make it impossible for us to continue these key programs that support the foster care community of Sonoma County.

Through a partnership with Sonoma County Family Youth & Children's Services called Care Portal, our church has provided over \$100,000 of material resources to foster children and at-risk families since November 2019. Our annual budget is under \$120,000. Having to divert funding to maintenance instead of community engagement would have a cascading effect on marginalized people.

VI. Problem Gambling and Crime

Our church also hosts numerous Alcoholics Anonymous gatherings, and has served as the host site for Gambler's Anonymous. The Koi Nation says there are resources for problem gambling, but the reality is that such resources are limited. If one Googles the phrase "problem gambling Sonoma County," the only resource that the county's 211 website offers is Gamblers' Anonymous. The only Gamblers' Anonymous meetings in Sonoma County are in Rohnert Park, and the one that usually meets at our church.

Building a casino across the street from one of Sonoma County's only resources for problem gambling is utter nonsense.

Appendix B says that evidence of crime must be disregarded because all studies are biased either towards or against casinos. This argument is lazy and willfully ignorant. The reports of those who are engaged in community resources on the ground in Sonoma County must carry more weight than those who are creating studies in the abstract.

I am a foster parent, and one of the requirements for foster parents in California is to be trained regarding the Commercial Sexual Exploitation of Children, more commonly known as Child Sex Trafficking. At a training on this topic, we went over the data regarding sex trafficking in Sonoma County, as presented by the Sonoma County Sheriff's Department and Verity, a local agency which helps victims of such crime.

Two key facts emerged from the data about human trafficking in Sonoma County. First, nearly 100% of sex trafficking victims in Sonoma County have been in the foster care system. Second, the casinos of Sonoma County are particular problem hubs for sex trafficking.

Because our church plays a key role in foster care programs, placing a casino nearby means putting a problem known to local law enforcement adjacent to a particularly at-risk population. Since I also am a foster parent, this means my personal residence, which is a foster home, would be directly adjacent to the casino and hotel.

Most of the children who attend our church are either foster children or have been adopted out of foster care. There are few churches with such an at-risk population of children. These children would be adversely affected by the proximity of the casino.

VII. Effects on Minority Communities

Shiloh Neighborhood Church is disproportionately affected by the proposed casino, as the casino's main entrance would point directly at our church building, meaning the headlights of thousands of cars would shine onto the stage of our worship center and sanctuary. Three religious groups meet in our building: our own congregation and two others. Each of these congregations are comprised of minority groups who would be unfairly disadvantaged.

Shiloh Neighborhood Church is ethnically diverse, with no majority ethnic group. Our members are Filipino, Puerto Rican, Mexican, Japanese, Chinese, Eritrean, Caucasian, and perhaps most relevant to this discussion, Native American. Over 10% of our church members are registered members of California Native American tribes. Some of our indigenous church members play key leadership roles in state-wide non-profits and cultural associations. Their network of spiritual support would be disrupted by the development of the casino, creating cascading disadvantages for Native American people throughout California.

Another church that meets in our building is an Eritrean and Ethiopian church—those who speak the Tigrinya language. Santa Rosa has a fairly large population of Eritrean people, since the refugee crisis of the 1980s and 1990s. Many of these people are of the Orthodox Christian faith, and some are of a Pentecostal Protestant faith. There are only two churches in Sonoma County for this language group.

The Pentecostal Eritrean church has met in our building for years. This key spiritual and cultural resource for this refugee and immigrant group would be disproportionately affected by the development of the casino.

The final religious group that meets in our building is a group of Messianic Jews, or people who follow a version of both Judaism and Christianity. This is a religious minority group, and their congregation is also ethnically diverse, with members with many ethnic backgrounds. This group also plays a key role in caring for socioeconomically disadvantaged people, so the casino disrupting their spiritual community would have further cascading negative effects on the community at large.

In sum, all the religious groups that meet at our church building play unique roles in providing spiritual and cultural community for ethnic minorities. These groups would all be negatively impacted by the traffic, noise, loitering, vandalism, and general busyness around the casino.

VIII. Traffic and Noise issues

Appendix I discusses the traffic issues, and Appendix L discusses the noise issues. Any increased traffic would have significant impact on the church and the groups who use our facility mentioned above. The traffic study (like many of the studies) completely ignores what is going on to the south and east of the property.

Every day, I drive out of the church driveway to take my children to school at San Miguel Elementary, just a couple miles away. We drive along the west, north, and east sides of the current vineyard to get to school. Faught Road is not addressed in the traffic study at all, nor is the Wikiup neighborhood or my children's school. All of these would be significantly impacted by the casino's development.

The noise impacts do not take into consideration the noise generated by acceleration from new intersections. Every week volunteers from our church help direct traffic for the food distribution. We personally know that the traffic noise is fairly high from Shiloh Road to the church's north parking lot. Once the cars are up to speed at 45 miles per hour, they are quieter. In other words, they are not as loud as they pass our church's sanctuary. However, building a new lighted intersection directly in front of our church would create a significant noise increase for our quiet place of worship, even without adding any additional car trips per day.

This change seems like an obvious significant impact to a place of worship that the Noise Assessment completely ignores. This also means the noise level at my personal home at the south end of the church property would be significantly higher, and the noise level for the neighborhood north of Shiloh Road would be significantly higher, with an additional intersection in that area. Acceleration creates significantly more noise than cruising does. There would likely be an increase of more than 5 dB for the church, my home, and the neighborhood, because the location of acceleration would change. This would be a significant impact on all the surrounding areas.

The noise impact study uses baseline data measured in May 2022 (Appendix L, Page 25). In October 2023, Old Redwood Highway and Shiloh Road were resurfaced with slurry seal, after previously having

been chip sealed approximately 10-12 years ago. The new road surface is significantly quieter than the old. I recorded video of the before and after noise levels at a seam between the two road surfaces while the project was partially completed, and the difference is both undeniable and significant. As a musician who has extensive background in audio and sound, I know that the smallest noticeable difference in dB level is 3 dB (or half the total volume). That means the new dB level is at significantly less than before, and this change means the previous noise study's baseline data is no longer accurate.

Developing the casino would most likely create a much more significant difference in dB than shown in the original noise study, since the current conditions are different than when the original noise study was conducted. A new noise study is necessary before moving forward with any work on the land.

Conclusion

I firmly believe that a Native American tribe ought to have self-determination over its land, and that the Koi Nation deserves to have land somewhere. However, this land is not the right place for development. The tribe ought to have had land of its own for decades, in which it could accurately assess the cultural, social, spiritual, and natural consequences of development. It is truly an injustice that they do not have such land. However, two wrongs do not make a right.

Lake County, where the Koi Nation originates, is far from this area. Even downtown Santa Rosa is far from Windsor and the Larkfield-Wikiup area. When the Tubbs Fire happened, people who lived in the center of Santa Rosa moved on with their lives in a few weeks. In contrast, those who lost their homes were affected for years, and still live with the trauma six years later.

For example, a Native American family in our church lost their home. After evacuating to our church they lived in hotels for two years, then in a rental for over a year before their home was rebuilt. We stored their few possessions at the church, and they just finished cleaning them out last month, six years later. The members of the Koi Nation live in Lake County and western Santa Rosa to Sebastopol. People who live in western Santa Rosa do not understand what it is like to have lived through this situation, and the legitimate fear and concern people have here.

The reality on the ground is that the communities of Larkfield-Wikiup and Windsor are small communities with a family atmosphere, existing in a rural-suburban setting. These are not the places that a casino belongs.

Those of us who have lived, worked, gone to school, recreated, and worshiped in this area know the land. As evidenced above, the studies commissioned in the EA are biased, rushed, and insufficient. A sufficient consideration of the actual issues in the area reveals that the county and municipal governments were wise to prevent any development on this tract of land. The fire and flooding issues are significant. As climate change creates more variance year-to-year these problems will become worse. Developing a casino here would create extremely significant impacts, likely including loss of life in a future natural disaster.

Additionally, as the pastor of the church that has played a key role in caring for the socioeconomically disadvantaged within a 1-mile radius of the property, I can attest that there are many who would be negatively impacted. Much of what I write is in advocacy for these who are unable to speak out, based on language or technological barriers.

If the casino were to be developed, I know that I would move out of the area. The church would have a hard time finding a new pastor, since the way we pay our clergy is through the provided housing. It would very likely force our church to close, or at least move from the area. The effects on the church would cascade into the community at large, affecting foster children, people with food insecurity, and ethnic minority groups.

My recommendation is that the property be required to remain in its current zoning. If more studies are required, then they need to be conducted over a much longer time scale, and include the input of people who actually live in this community.

Respectfully submitted,

Rev. Joshua Ratiani

Pastor, Shiloh Neighborhood Church

From: Melissa Kennedy <cmkmfk1@comcast.net>
Sent: Tuesday, November 7, 2023 1:27 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Shiloh Resort objection

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Location, location, location. Shiloh Road is the WRONG location for a Casino and resort.

I have live in the Oak Creek subdivision for close to 36 years. This is within a half mile from the Koi Nations proposed casino and resort. This is a peaceful, semi-rural area where people (myself included) raise their families and eventually retire.

This casino and resort would irrevocably harm this peaceful family oriented community. In the event of a natural disaster such as the wild fires in 2017 and 2019 evacuation would be much more difficult than it already is.

Set aside the panic of a wild fire, daily this heavily trafficked two lane road can often back up during peak commute times. It is used as an alternative to 101 by many local residents.

Additional concerns include increased crime, noise pollution, light pollution at night, and a possible draining of wells adjacent to the development.

This casino and resort is not located on the ancestral land of the Koi Nation. Their homeland is Lake County, not Sonoma. Therefore the location is inappropriate.

The Windsor and Larkfield/Wikiup communities sincerely hope that you will take our concerns to heart and not approve this proposal.

Respectfully,

Melissa Fox Kennedy

Sent from my iPad

From: Travis Shenk <travis.shenk@gmail.com>
Sent: Wednesday, November 8, 2023 12:47 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Chad,

I am writing this email to inform you of my opposition to the conclusions drawn and mitigation measures in the Environmental Assessment conducted on the Koi Nation Shiloh Resort and Casino project. Some of the issues I have found with the report have to do with the water, traffic, support services, and economic impacts. They are detailed below. A facility of this size is not right for this location and serious consideration of the feasibility and long-term impacts should be taken into account before approving of this project.

The water study is relying on outdated information to make a determination on if there is sufficient groundwater to supply this project. The Esposti Supply Well Redevelopment, Pumping Test and Treatment Feasibility Study done by the Town of Windsor is over 6 years old and concluded on October 3, 2017. Since then, the County and State have been in a drastic multi-year drought with last year requiring restrictions on usage across the county. The City of Healdsburg and dairies in the Petaluma area had to truck water in to meet demand. This study does not take into consideration the changes that have occurred to the groundwater since 2017. Also, the 2017 water study's conclusion does not support the casino/hotel. It states that the well and groundwater supply can support 400 gallons per minute (gpm). The casino/hotel will require 300 gpm to operate, leaving only 100 gpm for the remaining 26,000 Windsor residents. During the next drought with this casino/hotel there will be less water available for the current businesses and residents in Windsor and the County and it will be redirected to tourists visiting the area. This project is not sustainable.

The traffic study states that there will be impacts to the traffic on the roads surrounding the project when it opens. However, in the mitigation measures the project only proposes to do some of the work before it opens and states it will take another 12 years to finish the improvements. All the work should be done by opening so the community and the patrons of the casino/hotel are not adversely impacted by this project. It does not state that the tribe has contacted the appropriate public works municipality to determine how and when the road work will be done. The tribe should be required to at least meet to scope it out with the municipality. The study and tribe are making uniformed assumptions on the capacity of the municipality to perform this work, which could prove to be untrue.

The tribe proposes to enter into a contract with Sonoma County Sheriff's Office for law enforcement services on the Project Site. However, the tribe has not discussed it with the SCSO according to the study. The SCSO has been experiencing extremely high vacancy rates with their deputies and correctional officers. The tribe should be required to discuss a plan with the SCSO to ensure there will be sufficient sheriffs to patrol to site. There is data that shows crime increases around casinos and if the facility is constructed without sufficient sheriffs, then crime will increase in the area. This could prove to

be bad for the operations of the project and the surrounding area. Additional research is needed on this area.

The last impact this project will have on the region that was not taken into account in the study is the impact on the other tribes and their businesses. The Graton Casino, River Rock Casino, and Luther Burbank Center for the Arts will all be significantly negatively affected by the construction of this casino/hotel. These three facilities all provide the same activities that the Shiloh Casino and Hotel is proposing. If approved, the Bureau of Indian Affairs will be stating that the Koi Tribe's project is more economically important than those businesses of the Federated Indians of Graton Rancheria, Lytton Rancheria Band of Pomo Indians, and Dry Creek Rancheria Band of Pomo Indians. The Koi Tribe will be displacing these tribes that were here previously. Especially the Dry Creek Rancheria Band of Pomo Indians; they were the first to have a casino here and now they will have had 2 casinos built subsequently taking away business from them. If the other tribes are not supportive then how could the BIA approve this project.

The environmental assessment should not be approved. A reevaluation should occur of the impacts on the water supply, economic impacts and the development of better mitigation measures related to traffic and law enforcement. The Tribe should also look at the alternative proposals or alternative sites to one that produces benefits to the community and region in which it will be built.

Please let me know if you have any additional questions about my email and hope to hear more from your agency on this project.

Thanks,

Travis Shenk

From: Jim Quinn <jimg675@gmail.com>
Sent: Wednesday, November 8, 2023 2:40 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA comments, Koi Nation Shiloh Resort and Casino

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Dear Mr Broussard,
PLEASE DO NOT APPROVE THIS PROJECT!!

This is NOT the right area for a 24-hour gaming facility. It's located directly across the street from a well-established residential neighborhood. The casino would cause irreparable harm to the community and foster deep seated resentment toward the Koi that likely will last a long time.

It's also located adjacent to a huge apartment complex under construction. Both properties will add 100s, if not 1000s, of daily vehicles to the immediate vicinity. These roads are designed disaster evacuation routes and are already under great stress during wildfire evacuations.

PLEASE encourage people Koi to seek alternate properties for their casino. This is NOT the right place for a casino.

Thank you for your time.
Jim Quinn

From: Paul Godowski <godowski89@gmail.com>
Sent: Wednesday, November 8, 2023 3:53 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attention: Bureau of Indian Affairs
Regarding: EA Comments, Koi Nation Shiloh Resort and Casino

I am writing this letter to record my strong opposition to the proposed Shiloh Resort and Casino project on Shiloh Road in the residential area of Windsor, CA. I live with my family on a property located in a community located in the hills east of the proposed casino. The entrance to our community is located less than ¼ mile from the site of the proposed project. I am also the President of our homeowners association Board of Directors. Our Board has held several meetings to listen to the comments of our owners regarding the proposed Casino. The message was unanimous: The proposed Casino poses a serious threat not only to our way of life, but to our ACTUAL LIVES.

Having participated in the federal hearing about the casino project held on September 27th, 2023, I strongly agree with the concerns raised about crime, traffic, noise, and many other negative impacts this project would inflict on our residential community. To quote one local resident who lost her home in the Tubbs fire in 2017, “If you aren’t moved by water, traffic, schools, churches, wildlife, the creek, maybe you would be moved by death. People burning to death in their homes, burning to death in their cars”.

While I agree with the list of concerns of that resident, I will not elaborate on all of those points. Instead, I will focus on the potential for catastrophic danger to human lives if the casino is approved. Below I provide specific comments on the Environmental Assessment. The details are important because I believe there is either an incomplete comprehension of, or a deliberate attempt to downplay, the seriousness of wildfire threat in this area.

Background

Our community is located in a “High Fire Hazard Severity Zone” designated by CalFire. Two recent wildfires have resulted in the loss of homes, property and threatened lives in our community. Evacuations occurred during the Tubbs fire in 2017 and the Kincadee fire in 2019. The only evacuation route from our home is via Shiloh Ridge, which intersects Faught Road and Shiloh Road ~ ¼ mile from the site of the proposed resort and casino. In addition to these fires, our family elected to evacuate Shiloh Estates during other nearby fires. This was due to the limited evacuation routes from Shiloh, the incredibly rapid spread of the wildfires and the significant stress, anxiety and trauma we have suffered over the years. Even on a daily basis, driving from our house to highway 101

via Shiloh Road, traffic is snarled due to recent construction between Old Redwood Highway and 101. It's unsafe now. Imagine the consequences of adding a hotel and casino, with the capacity of over 20,000 people and over 5000 cars during an emergency, panicked evacuation during the next wildfire that roars through our area.

To add some granularity:

Faught Road is not a viable evacuation route. It is a narrow, twisting, 2 lane road. The road is lined with highly flammable vegetation (eucalyptus trees, weeds and bushes) as well as deep ditches on both sides of the road. Shiloh Road is only marginally better; it is also a two-lane road with a narrow bridge over Pruitt Creek. The Resort/Casino plans to locate 2 of its 3 exits on Shiloh Road. In addition to the local residents, this would add up to 5,000 cars packed with 20,000 panicked casino attendees snarling the roads in near hurricane level winds whipping smoke and flames through the area – evacuation will be almost impossible. Importantly, the area will be inaccessible to first responders and fire trucks. It's not an exaggeration to say that the consequence of the BIA approving the Resort/Casino in this location will be the painful death of local residents AND casino goers.

Comments on the Environmental Assessment

The statements made on page 3-114 "On-site Wildfire Risk" suggest that property itself might be at a low risk of a wildfire igniting or spreading on the property. However, this ignores the most important considerations for the site.

- 1) The Sonoma County Wildfire risk index ranks the project site in a "high wildfire risk" area (Figure.3.12-2) and less than 500 feet from Very High wildfire risk area.

- 2) Lessons learned from recent wildfires in this region show that wildfires are spread by near hurricane force winds and doesn't spare homes just because they are bordered by vineyards on flat land. Note that the Tubbs fire consumed more than 20,000 acres - crossing many vineyards much larger than those proposed for the Resort/Casino. In ~ 4 hours it burned a path of destruction from Calistoga more than 11 miles across Highway 101 into Coffey Park and also into Shiloh Regional Park, located less than ½ mile from the proposed site.

<https://www.pressdemocrat.com/article/news/how-santa-rosas-tubbs-fire-spread-hour-by-hour/>

This was not an exception. The Camp Fire in 2018 spread at a rate of the equivalent of a football field/second, and consumed 10,000 acres in 90 minutes.

The take home lesson: The threat of the proposed Resort/Casino to the local community, its' employees and visitors is not just the possibility of a wildfire erupting on the site itself, but the consequences resulting from continuing wildfire threat to the entire region.

Wildfire Evacuation – Appendix N and pages 3-11

Again, the EA report fails to truthfully assess the potential disastrous impact of the casino location on local residents, casino employees and visitors. The EA states that "As described in Appendix N-2, it would take an estimated 2.5 hours to evacuate the

Project Site. If evacuation of the Project Site occurs at the same time as the rest of the Town, the combined evacuation period could be up to 6 to 8 hours”

1) The analysis was conducted by TJKM and contained in Appendix N-2. Apparently, it was based on the evacuation that occurred during the Kincadee fire. Importantly, that was a well-organized evacuation that occurred over a 4-day period when residents were not immediately threatened by burning to death. There were no flames from burning trees lining the streets, no embers or smoke limiting visibility, no 50 mph winds and no threat of death when traffic ground to a halt. Here’s a link to a couple of videos that provide a more realistic view of what a panicked evacuation during a rapidly spreading wildfire looks like.

<https://www.youtube.com/watch?v=diT3Tqevkz4>

<https://www.azcentral.com/story/news/nation/2017/10/13/sonoma-county-sheriffs-deputy-body-cam-video-tubbs-fire-evacuation/764091001/>

2) Take home message: The EA report fails to represent a true picture of wildfire threats to residents, employees and visitors to the casino. This is not an accident, only information that supports the “best case scenario” is included while the highly documented true threats are ignored. It’s immoral. They are deliberately lying to you. If you allow the Resort/Casino to be built in this area, you are putting the lives of local residents and employees and visitors to the casino.

I sincerely hope you will take my comments into consideration and veto the plans to build this disaster waiting to happen.

Sincerely

Paul Godowski, PhD
1111 Shiloh Crest
Santa Rosa, CA 95403

...

[Message clipped] [View entire message](#)

Attachments area

Preview YouTube video Bus video captures flames, fear in evacuation from Tubbs Fire



From: Karen Fies <karenalvesfies@gmail.com>
Sent: Thursday, November 9, 2023 6:41 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Karen Fies <karenalvesfies@gmail.com>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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Dear Mr. Broussard,

Thank you for the opportunity to comment on the EA for the Koi Nation Shiloh Resort and Casino.

I live just south of the proposed casino, in the Mark West area of Sonoma County, which includes the unincorporated areas of Larkfield and Wikiup. My EA comments are as follows:

- Community input: The EA seems to focus on the impact to the Town of Windsor, but little to no outreach or focus was given to the impacts of the Mark West area. Even though we are unincorporated, we have a strong community presence and would have liked to have shared our concerns and comments on the proposed casino.
- School district: The footprint of the proposed casino is within the Mark West Unified School District and is dangerously close to one of its elementary schools. Casino traffic, disorderly conduct, and drunkenness are real threats to the school district.
- Fire evacuation: I'm sure that this will be a very common comment, as all of us living in the area have experienced evacuations many times over. I lost my home in the Tubbs Fire. The evacuation in the middle of the night in a firestorm was terrifying. Adding non-residents who are staying, or working, at the proposed casino would be disastrous.
- Traffic: If visitors and/or employees of the proposed casino are fed up with traffic on the freeway, the overflow will negatively impact the surface streets of the Mark West area, particularly Old Redwood Hwy (where people already drive above the speed limit) and Shiloh Road, a small two-lane rural road.
- Crime and social service needs: As the retired director of Sonoma County's Human Services Department, I know first hand of crimes in our existing casinos; crime that spills out onto the parking and surrounding areas. In addition to the typical drunk and disorderly behavior and driving, there has been a history of child abuse and neglect (leaving children in cars while parents gamble), addiction, sexual trafficking and exploitation, and other crimes. Additional services are needed to respond to these issues.
- Green space: Part of the culture of Sonoma County is the community separators or green spaces between cities. The proposed property is currently zoned for agricultural use and is used as a vineyard, creating a beautiful green space between Santa Rosa and Windsor. To "fill

in” the community separator, starting with a casino, would change the character of the Mark West area.

These are a few of my top concerns. Thank you for allowing me to comment on the EA.

Sincerely,
Karen Fies
707-529-0191

From: Joanne Hamilton <jahamil@pacbell.net>
Sent: Thursday, November 9, 2023 9:27 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA comments Koi Resort Casino project

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While I support the Koi Nation's right to establish such a casino, I strongly oppose this location.

This EA has the feel of being written from the distance & focused narrowly on the proposed site with out due consideration for the surrounding area. I do not profess to be an expert, but these are my concerns:

Water: The EA infers that all water will come from the site. The aquifers the on site wells would draw from presently supply many surrounding homes and mobile home parks. Also, a retention well for the Town of Windsor. How then, can this project draw the quantity of water expected and not affect the shared aquifer of so many? I see no evidence of consulting with our local water agencies in this EA.

Location: This location is adjacent to a residential neighborhood, park, church and a new large apartment building is under construction on the NW corner of Shiloh Rd & Old Redwood Highway. The proposed land use is not consistent with County zoning. Casinos are known to bring increased crime and drunk driving problems. This is the wrong location for such a project.

Traffic: The existing Shiloh Rd. exit from Hwy 101 is already stressed & suffers backups. This project would exacerbate this problem, yet the EA pushes the cost for road improvements onto other agencies.

Fire: In my lifetime three very large wildfires have swept over the hills from the east (1964, 2017, 2019). Evacuations are real, slow and scary. These 2 lane roads bog down quickly and the freeway also comes to a stop. How can one bring a resort & casino into this mix and expect a better outcome? Controlling evacuation from the Casino/Resort property, as proposed in the EA, would not be adequate to mitigate an exit onto already stopped roads. Also, as these events occur, there is often little to no warning to get out. This land, in it's current use, provides a buffer & staging area for fire personnel, leave it as is.

Floods: With a creek running through this property which feeds into another creek known to flood, paving over and building on this land can only increase flood events.

Ancestral Lands: Our local Native American people have pointed out that the Koi Nation's ancestral lands are in Lake County. Lake County seems like a better fit for this project, both for the County and the Koi Nation.

Respectfully,

Josephine Hamilton
9447 Victoria Lane,
Windsor, CA 95492

From: James Gillen <jimgillen@sbcglobal.net>

Sent: Thursday, November 9, 2023 10:11 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Subject: EA Comments, Koi Nation Shiloh Resort and Casino

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As residents of Windsor for the last 17 years, we have come to live with extreme fire danger every Fall. If you didn't know that you live in a "moderate to high fire zone" as the environmental reports calls it, you know it's serious when your water company sees the need to enclose a full-color, trifold brochure on emergency preparedness (including an Evacuation Map) in with your monthly bill. Two copies, actually, one for our Spanish-speaking neighbors.

What good is the evacuation map when you try to escape and find the only roads out clogged by the thousands (up to 2,450) cars that are pouring out of the casino several miles to the south. Not to mention the thousands of local residents also in mortal danger. We know that typically the fires begin to the north of us and the Diablo winds push the flames to the south, therefore Old Redwood Highway (2 lanes) and Highway 101 (4 lanes) are the only way out. Having experienced a controlled evacuation during the Kincadee fire, I know that it can take hours to go several miles during the best of circumstances and without all the additional vehicles that the proposed casino would contribute.

For many reasons: water availability, traffic congestion, proximity to a residential area and local schools, etc, etc, the Koi Casino should not be built in the proposed location. But above all, the real impact would be to the lives of who knows how many Sonoma County residents who would be put in jeopardy by this reckless proposal. Just look at how many poor souls died in their cars in the Paradise and Maui fires. Don't let this happen here!

There are no evacuation zones, alarms, warnings, or sirens that could begin to mitigate the real danger of another fire sweeping thru our county with no way out because people failed to recognize what Mother Nature has already demonstrated. Please, stop the Casino.

James J. Gillen
9559 Ashley Drive
Windsor, CA

From: claudia abend <abendclaudia@gmail.com>
Sent: Thursday, November 9, 2023 11:14 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments , Koi Nation Shiloh Resort and Casino

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This is a supplementary comment and rebuttal to the E A report on the Koi Shiloh Casino Project. The location of this proposed project is right in the middle of agriculture, residential, school, church, parks and wildlife areas . This project will also present big threats and hazards to wildfire evacuations, impact area traffic flow, dangerous DUI and distracted drivers around children/pedestrian/bikers on roads, increased crime in area, ground water depletion, flooding of roads /property and contaminated water ways and wildlife habitats. This project is in total disregard to what this area has been and is at present .

My husband and I have lived at 5925 Old Redwood Hwy for 37 plus years . Our property is located behind the Mark West Neighborhood Church along with other residents on our private drive . We all have private wells that provide our water source and conserve and worry during drought years . We were all present and experienced the fires of 2017 and 2019.

Appendix C water and wastewater study : Having any wastewater discharged into a creek does not sound sustainable for the environment, wildlife and area existing wells . During higher water winters this area has a lot of run off in creeks and roadside ditches that flood roads and residential properties. Given the amount of new asphalt and concrete this project will cover there will be more run off and not enough absorption causing more flooding to creeks and area properties. Any new wells and water for a project of this size will gravely impact area residential wells . This study looks unrealistic and bias to fill the requirements! The county of Sonoma has recently put a stop to all new well drills due the drought years before 2023 . There is also a restriction of ground water usage in process. As a public area, people in resorts/casinos don't care about water conservation. Climate change can negatively impact more of our water sources as well .

Appendix I Traffic impact study : This study does not reflect the reality of how busy this area already is and more busy with the now in progress of new housing projects on Shiloh and old redwood Hwy .

Appendix N Wildfire Evacuation : The study on this is unrealistic for this area . Past fires of 2017 and 2019 fires burned across roads , 101 Hwy , structures on large areas of asphalt/concrete and large hotels and assisted living buildings. These fires even came close to burning down 2 hospitals . To even suggest that this project would be a protective addition if not true . It is the most protective by being what it is , agriculture/vineyard. This was true with both of these recent fires .

To suggest that this project could evacuate 800 people in 2 hours from this site is ridicules . Considering all the other surrounding areas took longer than that during the recent past fires plus add the newest housing projects on Shiloh in progress now , is really unfounded data . This whole area is a log jam to Hwy 101 and the Hwy is also slow moving in the face of evacuation.

Appendix L Noise and Vibration : A project like this operating 24 , 7 will directly impact all the surrounding residential livelihood with unwanted noise, lights from the project and the on going

and leaving of cars and buses . This will also include more crime and law enforcement/ ER services calls that is not included in this EA and is not a residential friendly activity to have. There is no mitigation that can fix this except to not have this project built. This appendix doesn't even cover aesthetics change this project would cause . Views of the mountains will be gone with a uprise project like this . This type of project will decrease area property values. A casino/hotel resort conv center does not fit into this community character at all! This is not Las Vegas . This cannot be mitigated.

A project like this is not needed for local economy to thrive . There is plenty of building and development happening in Sonoma county . Local restaurants and service businesses even have a shortage of people willing to work for them .

The EA by Acorn Environmental has a lot of missing realities of this area ...the biggest is it's residential / agricultural...not commercial . This comes across as bias to push through a casino project . The only option that can be supported is option D, no project .

Thank you ,

Claudia and Richard Abend

To:

EA Comments, Koi Nation Shiloh Resort and Casino
Amy Dutschke, Regional Director Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820, Sacramento, CA 95825

From:

Claudia Abend
5925 Old Redwood Hwy
Santa Rosa, CA 95403

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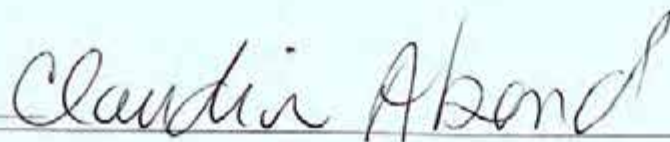
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Thank you,
Claudia Abend



To:

EA Comments, Koi Nation Shiloh Resort and Casino
Amy Dutschke, Regional Director Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820, Sacramento, CA 95825

From:

Richard Abend
5925 Old Redwood Hwy
Santa Rosa, CA 95403

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Thank you ,
Richard Abend



From: Ed Hardeman <edhbayworld@gmail.com>

Sent: Thursday, November 9, 2023 11:14 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Koi Shiloh Casino Project Comment (The expert was not here during the most historic fires)))

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Attention: BIA Chad Broussard,

My wife and I live in the Oak Park subdivision off of Shiloh Road close to the proposed Koi Shiloh Casino Project in Windsor. We vehemently object to locating this or any Casino business in such a sensitive area subject to so many negative issues that a Casino business can bring to a residential neighborhood where families with children, churches and schools are located. The Koi Casino Project should be located in a more suitable location in Lake County where the Koi Tribe originated from.

One of the many alarming issues to my wife and I is the idea of locating a Casino Hotel in a known Historic Fire Disaster area as this Windsor area that we live in.

The expert cited in the report was not here during the most recent fires as the study cited was from 2007 prior to both the Tubbs and Kincaid Fires. These traffic studies were conveniently conducted during off-peak, non-commute times and days, the conclusion is faulty and further studies are needed.

We were here and experienced all of these fire disasters. I woke up at 1:30 am with a phone call and a message to evacuate immediately, I opened my window blinds and could see the glow of the raging wind energised fire that looked like it was heading right for the Casino location. The fire generated mass evacuation jamming up the roads with trucks pulling horse trailers, motorhomes families in cars on the Shiloh and Faught roads. A fire that is reinforced with such a powerful wind force is unstoppable burns down everything in its path quickly as the embers blow in the wind and start new fires. The other fires that followed caused evacuation of Windsor, Healdsburg and surrounding areas. As we evacuated for five days the roads to the 101 highway and the highway itself was jammed with cars trying to get out of the area and comply with the evacuation orders.

THE ONLY OPTION MY WIFE AND I CAN SUPPORT IS OPTION D, (NO PROJECT !)

Thank you for your time,
Best Regards,
Ed and Mary Hardeman
5816 Mathilde Drive
Windsor, Ca 95492

From: Jackie Austin <jackiemaustin@comcast.net>
Sent: Thursday, November 9, 2023 9:47 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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I am against the proposed Koi Nation Shiloh Resort and Casino for many reasons. I have lived in Windsor for 22 years and during that time have seen many changes to our small town. I realize that the proposed site is not in the Town of Windsor, however, the people of Windsor will be the most impacted. We have survived several devastating fires since 2017. In 2019, the ENTIRE town of Windsor was evacuated due to the Kincaid Fire. That was a very difficult time because the entire town had to leave their homes and the National Guard was posted at all entrances to keep people away. Not only that, but the traffic was gridlocked for several hours as people had to find their way out of Windsor. We have experienced deep drought conditions and will continue to have issues with water conservation. The traffic has increased exponentially and with the new apartment buildings located at Shiloh Rd and Old Redwood Highway, it will explode in that area. In addition, there is more development being built approximately a 1/2 mile or so west of the proposed site. I am concerned about the quality of life being degraded by this casino. In my opinion, it is not the best site for a casino. Huge increase of traffic, noise pollution, water issues, potential for increased crime, are just a few concerns. I think that Option D is the appropriate choice for this situation. Please do not allow this casino to be built in that location.

Sincerely,

Jacqueline Austin
7910 Fox Hollow Place
Windsor, CA 95492

From: Gino Rantissi <giorantissi@gmail.com>

Sent: Friday, November 10, 2023 9:46 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino" as the subject of your email or it might not be read and counted by the BIA

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Please see attached letter. Thank you.

Gino Rantissi

One attachment • Scanned by Gmail

Amy Dutschke, Regional Director
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

November 10, 2023

Subject: Koi Nation Shiloh Resort and Casino Project Town of Windsor Comments on Environmental Assessment Published September 2023

Dear Ms. Dutschke,

I am reaching out to the Bureau of Indian Affairs to discuss the proposed casino resort in the area of East Shiloh Road, Santa Rosa. This proposed site is bordered by residential neighborhoods, churches, schools, and public parks. It is also the place where I am raising my family. This area is wholly not suitable for a large scale resort and casino for a multitude of reasons.

First and foremost, this area poses an exponential fire risk. We have already experienced emergency evacuations. As a law enforcement officer, I have participated in these emergency evacuations in our area and witnessed the chaos and fear our community members endured. I specifically remember the long lines of cars attempting to flee the wildfire and can only imagine the devastating effects of adding hundreds of vehicles that the casino will inevitably attract.

Nowhere in California is a casino in such close proximity to a residential community. The increase in noise, traffic, pollution and crime would be apparent and cause irreparable damage to our community. With the impact of climate change, the drought experienced year-after-year and the everpresent fire danger, it is no doubt that this area is not compatible for a casino resort. The environmental impact report does not adequately address these issues.

Lastly, it should be noted that the Koi Tribe, formerly known as the "Lower Lake Rancheria" is not from Sonoma County and has no cultural ties to the area. No tribe in California has established a casino resort in an area farther than 15 miles from their cultural land. The idea of building a casino and resort for a tribe outside the area is disrespectful to our local tribes.

In conclusion, this proposed project is opposed by all local government entities and community groups. I respectfully request this proposed project is stopped. Thank you for reading.

Respectfully submitted,

Gino Rantissi
117 E Shiloh Road
Santa Rosa, CA 95403

From: Debbie Lind <debbielind01@gmail.com>
Sent: Friday, November 10, 2023 2:30 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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Mr. Chad Broussard: chad.broussard@bia.gov
Environmental Protection Specialist Bureau of Indian Affairs, Pacific Region
RE: EA Comments, Koi Nation Shiloh Resort and Casino

November 10, 2023

Mr. Chad Broussard,

I have lived at my home in the Oak Creek Subdivision for 40 years. My husband and I purchased our first house positioned in the small Town of Windsor, Just on the close border of Santa Rosa. We didn't want the bustle of the City of Santa Rosa, we wanted a home with some land, we wanted a place with a small town feel, we wanted to see the stars at night; not shadowed by bright city lights, we wanted beautiful views of the mountains surrounding the area, we wanted to raise a family in this setting. We purchased our home in Windsor, California. We've raised our son here, we've played many baseball games in the park, gone through all the schools and after school activities, and are now enjoying the grandchildren and hope to continue providing all the benefits of the area to the next generation, along with retiring here.

The size and location of this Koi Nation Shiloh Resort and Casino project is alarming. Its location is right in the middle of a residential area that is surrounded by subdivisions and ranches on all sides, along with a park for children to play and picnic and is used for children's Little League Baseball practice and games, as well as many family picnics and walks. (Esposti Park) There are 2 churches in the area, one right across the street, a mobile home park that most of the residents are senior citizens, there are ranch homes, an elementary school, and another park that has beautiful paths that go up the side of the hill with stunning views and sunsets. (Shiloh Regional Foothill Park) There are several vineyards in the area and homes are surrounded by not only their beauty, which we call our local "fall colors" but also by the serenity they bring to our neighborhood and town. The vineyards were instrumental in the fighting of wildfires that we have endured multiple times, preventing the fires from jumping in our subdivisions and providing a fire break for firefighters. The river that goes through the area in question is a sanctuary for a multitude of animals that use the river not only for their water source but for their food that this river offers them. Foxes, turkeys, geese, birds, fish, raccoons, opossums, the occasional deer, skunks, bob cats, and coyotes are seen almost daily in the area. This is clearly a residential and agricultural area and a shares home to wildlife. The environmental impact on the land, air, water, wildlife and humans would be devastatingly disastrous. Water wells would suffer from the excessive pull from the water table in the surrounding area, the roadways cannot handle the influx of more cars and traffic, creating gridlocks, noise, and air pollution. Water runoff from hardscaping that has thousands of parking spaces for cars and buses would be devastating to the river as runoff of oil and gas pollutants from cars and busses is sure to go into the river as rain diverts it from the parking surfaces into the land and river. The wildlife would be affected from the pollution caused from this land pollution, water

pollution, light pollution, and noise pollution, not to mention the residences living in the area as well as the churches, and schools. This is not healthy for anyone.

This project is not small by any means and would affect the streets, water well availability and the quiet, serene nature of this residential area.. The traffic this would bring would create gridlocks to this residential area. There is already a new 4 story apartment building being built and the amount of extra traffic that will add to the area already will be at the maximum limits the area can endure. Traffic of all hours of the day and night while residents are trying to get to work, get their children to school, go to ball games, do everyday activities or shopping, sleeping in a quiet and peaceful atmosphere, would make it impossible to move about and live with the large influx of cars, buses, and people. To evacuate from wildfires, floods, and earthquakes will render it impossible for people to leave without consequences of major loss of life and property. The noise pollution from the influx of this project would be alarming. The major influx of people estimated to be in the area has been assessed in the tens of thousands. The events that they are planning to support will add noise during the day and the night. Many of us sit outside at night or enjoy our backyards, and front porches. We do not want to hear cars, horns, loud music, buses, all hours of the day and night. The light pollution from a 5 story building with a large lit parking lot, and expansive buildings and grounds, would take away the ability to see the multitude of stars that are precious to us as one of the perks of living here. The view that is enjoyed by many on Faught Road and the Shiloh Regional Foothill Park would destroy the view of the landscaping and beautiful sunsets that are captured in that area. This roadway is literally a 1 & 1/2 lane road, with children using it to walk to school, bicyclists, and hikers using this path to get to the park, their homes, and their nature trails. This area cannot handle the influx of vehicles. The vineyards in their current size were crucial in mitigating fires from reaching the surrounding residential areas. Ask any firefighter, bulldozer crews, police officers, how important that barrier was to this area and the whole town of Windsor. Loosing that puts the fear of fires and evacuation to a higher level. Windsor has had us on a conservation of water for years now. There is a local well in the neighboring park that is used to help provide water to the current residents and many private wells have already gone dry. The thought of tapping into further water sources needed for this project will create hardships for many residences.

I am totally concerned about the ability to evacuate during fires which have happened in this area several times in the recent years. This would not allow us to leave safely should another event occur. It was already taking us 1-2 hours to evacuate to the freeways which were also jammed with cars from northern cities and southern cities trying to evacuate. There has not even been a mention of the strong possibility of an earthquake in this area by those wanting to build this project. The Rogers Creek Fault which is an extension of the Hayward Fault is right at the base of the hillside next to the project, and perhaps some portion of the project may be on top of the Fault line. During the Napa Earthquake, we felt it strongly here and had some damage as well. There has been no mention of what the plan would be for massive buildings falling down and catching on fire from an earthquake. We have seen what happens in areas that are two lane roads within the cities and trying to evacuate on those roads all at once. People have burned in their homes, burned in their cars trying to escape, and trying to out run a fire on foot is impossible. You cannot out run a fire that is coming at you at 50-100 miles per hour. The safety and security of our town and the people who live here would be extremely compromised with the building of this project in this area.

This space is not appropriate for this casino nor any similar form or use of this residential/agricultural area and does not belong here. The infrastructure needed is not available to support this project nor is there room to provide any small facsimile thereof. Our freedoms of safety, security, and the ability to move freely will be taken from us. The wildlife will loose their source of water and grazing land. Our water source will be compromised. Light and noise pollution will be unbearable, and will have affects on medical conditions for all residents, young to the elderly! Air pollution from the influx of cars and busses will affect those with already compromised conditions and present new medical conditions for all people living in the area. Vehicles sitting in gridlock will be overwhelming and

create more pollution. The ability to get in and out of the area will be impossible and stressful. I implore you to leave this area in its natural, wildlife, serene, family driven, residential and agricultural state. According to reports in the past with casino's being built in areas, the crime increases. The area already falls short of the necessary police, sheriff, and firefighting coverage. This would be devastating to this area affecting children, senior citizens, residents, properties in proximity and local businesses.

The proper assessments, reports, and standards for this project are severely lacking and seemingly ignore the whole scope of this massive project and effects on this residential community, this land, and the surrounding areas. The research for this project in this area have not been sufficient enough to address all issues that would affect safety, security, air, land, light, water, and noise pollution along with the threat of crime and lack of mitigation, and loss of life of the residents in the surrounding area due to a multitude of reasons from evacuations to stress and medical conditions, as well as the loss to wildlife that live in this area.

I oppose and request those involved to disallow and deny the building of this project or any facsimile thereof.

Thank you,

Debbie Lind
Windsor, CA 95492
Oak Creek Subdivision

From: r b <a_whimsicalcat@yahoo.com>
Sent: Saturday, November 11, 2023 10:41 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: al beltran <a_bel_2@yahoo.com>; romana beltran <a_whimsicalcat@yahoo.com>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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Koi Nation Casino

Casinos are a business, with employees. Businesses are effective in selling a product and producing capital. If the business does not show profit, the business model fails. Casinos have employees, and their product is based on how much money is "lost" by the patrons. Casinos would not be profitable unless more money is "lost", than is gained. In other words the casino is speculating the patrons "will loose" enough money to pay for their costs. The estimated cost of the Koi Nation Casino is \$6,000,000.00. This would suggest the Koi Nation plans on their patrons "loosing" \$6,000,000.00, just to build the Casino. The cost of running the Casino and the profits generated will also be covered by "losses" from their patrons. If the Casino also donates monies to schools, community projects and so forth, these monies will increase the monies generated which will in turn increase the "losses" of their patrons. This project should generate \$10,000,000.00 easily, if successful. Who are these generous patrons who are supporting this \$10,000,000.00 casino? The Koi Nation, which has a total of **only 90 tribe members**, is expecting our community, Windsor, Larkfield, Santa Rosa to supply them with patrons. **What that means is the \$10,000,000.00 is coming directly out of the pockets of the people in Windsor, Larkfield, Santa Rosa Community.** The casino expects the Windsor and Larkfield, Santa Rosa neighbors to put in 10 million dollars to support a business where no product is realized. Any monies made by patrons only escalate the dollar losses of patrons. There is no product. In other words I didn't just spend \$200 and get a new TV, I just spent \$200 and got nothing. I do realize entertainment is a product. If the pleasures of gambling is considered a product, it would be in the same category as the pleasures received from using fentanyl, meth or another addictive product. Gambling can be addictive. Gambling can also cause low self esteem, alcoholism, stress, anxiety, depression, financial, emotional and social issues and can breakdown family relationships. Gambling can be a disabling disease. Do we want to add these possibilities to our community?

The Socioeconomic Analysis examines relevant demographic data and the social impacts that a casino may have on a community.

The Economic Impact Statement examines the local economic impact of the Project in terms of total output, employment, and labor income on Sonoma County.

Impacts were completed for: a. The Construction Phase – illustrates economic impacts stimulated by the construction of the Project and the development of its products, which are considered a non-recurring, one-time impact on the regional economy. b. The Operational Phase – economic impacts stimulated by the operation of the Project's facilities and products, which are considered recurring, continuous stimuli to the local economy

I would like to address the Socioeconomic impact for our community. This Koi Nation Casino Project is within "walking distance" of 4 large low income projects, 3 of which will be completed in 2024. The new low income housing projects Shiloh Terrace and Shiloh Crossing, will house approximately 1500 people. In addition to those 2 projects there is Clearwater Senior Living which will house another 250 ambulatory senior residents. A fourth low income housing project is on Old Redwood north, slated to open early 2024. Within 1 mile walking distance are existing multiple low income residential complexes, including Esposti Park Apartments which are low income Burbank Housing Units with approximately 250 primarily young residents. North and South on Redwood Highway are multiple low income housing complexes all within walking distance to the proposed Koi Casino.

The country is currently struggling with an economic crisis regarding low income families and the divide between low and middle income ranges of the average family and the unemployed. Does it seem reasonable to tempt this fragile population?

State income limits are calculated yearly based on federal guidelines. They determine eligibility for income-driven programs, such as affordable housing. Currently Sonoma County's low income rate for a family is \$70K which is \$33.00 an hour.

In general, frequent gamblers (versus infrequent) and gamblers with any gambling problems (versus those with no problems) were more likely to live closer to video lottery/slot machine venues, racetrack, and places that sell lottery tickets. These findings are consistent with prior studies that show that greater accessibility to gambling venues leads to higher levels of frequent gambling and gambling problems.

My concerns revolve around the current low income, financially struggling households in Windsor and Santa Rosa. **The consequences of casino gambling could jeopardize any gains strived for, or realized from many current Local, State and Federal Programs** in place, for the low income households. **The location proximity to people in need, is unacceptable and too accessible.** The Koi Nation should use the land and business opportunity to have a positive impact on our community and make a positive reflection of their people. Is the Koi Nation also taking advantage of the Local, State and Federally Funded Housing Projects, to house their future casino workers, which would mean are we also funding low income housing for the **new group of low income** employees of this casino? Was that the purpose of these new housing projects? I thought the purpose of these new housing projects was to support the families currently working and in need of low income housing. The Koi Nation Casino will create new jobs but they will be dead end low income jobs that will never allow the

employees to grow financially to support purchasing homes within our community. **The jobs will only increase the low income struggling population in our community which would be detrimental to the health of Windsor, Larkfield, Santa Rosa communities.**

Gambling can lead to disease. It can be addictive. The catalyst can be an economic need. Our community already has a significant population count at and below the \$70K, low income and poverty level. **There is current positive focus from City, State and Federal Government Agencies by supplying low income housing, livable wages and supporting a productive society which is counterintuitive to the opening of a seductive opportunity for income enhancement, in a neighborhood filled with low income housing, young families and our aging vulnerable senior population.**

In summary I question the value of jeopardizing thousands of struggling low income citizens, by building a Gambling Facility, within walking distance of their homes, in order to support a total of only 90 Koi Nation Tribe members.

**Al and Romana Beltran
254 Tamara Way
Windsor, California 95492**

From: Steve Plamann <shplamann@comcast.net>
Sent: Saturday, November 11, 2023 10:14 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

We are commenting on the Koi Shiloh Casino project.

We strongly oppose the location of this resort and casino being built next to a quiet and large family neighborhood that has been there since the 70's. There's a church across the street and an elementary school within a mile of the proposed casino. Casinos are not a safe or healthy part of our society and should not be built near schools and churches. The added traffic will clog access to the Shiloh Ranch Regional Park.

It will be a fire hazard for the town of Windsor. If a huge burnable complex was on that property during either the Tubbs or the Kincade Fires the flames would have spread beyond Shiloh Ranch Regional Park and into the neighborhoods near the casino. The sparks flying off Shiloh Ridge would have spread to the tall structures of the casino complex and then into Windsor. In addition to that, the traffic from the casino would have blocked residents from trying to evacuate during those fires. We know this firsthand because we live in this exact location. It was terrifying!

We also oppose the negative impacts of gambling and the social ills associated with many gamblers. Problems with gambling can lead to bankruptcy, crime, domestic abuse, and even suicide. No one would want any of the above brought into their neighborhood.

Steve and Jill Plamann
112 Anna Drive
Windsor, CA. 95492

From: janicesexton46@gmail.com <janicesexton46@gmail.com>
Sent: Saturday, November 11, 2023 3:15 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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November 11, 2023

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

Subject: EA Comments, Koi National Shiloh Resort and Casino

Dear Director Dutschke,

My home is located in the Oak Park neighborhood of Windsor, directly across from the proposed Project site on E. Shiloh Rd. The EA photographs do not show the residential areas on E. Shiloh Rd., as south-facing pictures were taken from the edge of the 2 entrances of Oak Park. There are 78 homes in this neighborhood, starting approximately 40 feet from the northern edge of the Project boundary.

While there are many deficiencies to be found in the published EA, including the obvious cursory “website” research method used by Acorn Environmental, and the use of outdated water and traffic models, my major concern has to do with wildfires, specifically emergency evacuation of the Project site along with the surrounding area.

Although it’s true that advance warnings and early evacuations would be optimal for safety and preservation of life, “The fast moving, early morning, wind driven Tubbs Fire in 2017 created a ‘no-warning’ event in Sonoma County where many residents had little or no warning to evacuate.” (From Appendix N-1 Fire and Emergency Response Memorandum, page 4.) Twenty-two people, mostly elderly, lost their lives, and residents of Coffey Park, which was totally destroyed, escaped from the fire in their night clothes and shoeless.

Our Oak Park neighborhood of 78 homes, has ONLY 1 evacuation route from Mathilde Dr. and Gridley Dr.: E. Shiloh Rd. At the EA’s estimate of 1.7 vehicles per residence, that means 133 vehicles for residents and their pets. There are approximately 25 more homes, many with livestock, on E. Shiloh between Old Redwood Highway and Faught Rd., totaling 43 more vehicles. The Vern Losh memorandum (Appendix N-1, page 5) states:

California Building and Fire Code Requirements

With the increase in severity and intensity of wildfire activity across California over the past several years, fire researchers and data collection have revealed a great deal of information that was previously unknown. It is now widely known that embers, or fire brands, are the direct or indirect cause of many structure ignitions during a wildfire event.... We also know that historically, a future catastrophic event like the Tubbs Fire is somewhat predictable as to the direction it will travel. These types of "Foehn" wind events, known as Santa Ana Winds in Southern California, or Diablo Winds in Northern California, have always been pushed by high wind events that are moving from North to South, Northeast to Southwest, East to West, or some combination of these directional winds.

Given this wind predictability, wildfire evacuations on E. Shiloh Rd will most probably involve (aside from evacuations from the Town of Windsor as spelled out in Appendix N-2):

- (1) Shiloh Estates and Mayacama Golf and Country Club (NOT in Windsor), residents, customers and workers, adding some 200 vehicles,
- (2) Chalk Hill and Faught Rd. area (NOT in Windsor), residents and their livestock, some 1,360 vehicles,
- (3) Shiloh Terrace apartments residents and staff (under construction at E. Shiloh Rd. and Old Redwood Highway), some 230 vehicles, and
- (4) Shiloh Crossing senior apartments and commercial space (under construction on E. Shiloh east of Hembree Ln.), adding some 300 vehicles for residents, staff, workers and customers.

For all of these areas, E. Shiloh Rd. will be their ONLY evacuation route. Adding the Project's own estimated 5,119 vehicles results in an estimated 6,385 vehicles on 2-lane rural E. Shiloh Rd. between Faught Rd. and Hwy. 101, not including other evacuating people coming from the commercial shopping area, Hembree Lane, and Old Redwood Highway, resulting in certain deaths during a NO-NOTICE wildfire. None of these 4 areas was included in the analysis of Appendix N-2, Traffic Evacuation Memorandum, which nonetheless states on page 4:

COMBINED EVACUATION OF TOWN OF WINDSOR AND CASINO

The two evacuation periods – about four to six hours for the Town and about two and one-half hours for the casino alone -- could be six to eight hours if combined.

Obviously, a NO-NOTICE wildfire would have catastrophic, deadly effects. Even the Appendix N-3 Memorandum states on page 10:

5. Cumulative Impacts

We recommend evaluating the scale of the Shiloh Resort and Casino evacuation impact along with other proposed projects in the area.

Traffic engineers should evaluate traffic conditions based on the cumulative impacts of known or planned projects in the area. Any additional known or proposed project should be considered in determining the evacuation impacts of the Shiloh Resort and Casino and surrounding community.

Based on Appendix N-1 and Appendix N-3 analysis and recommendations, much more work should have been done by Acorn to determine the impact of wildfires before the Project receives approval from BIA. Given that this recommendation was not heeded, my conclusion is that the only supportable option is Option D, NO PROJECT.

Sincerely,

Janice L. Sexton
5804 Mathilde Dr.
Windsor, CA 95492

From: mbrooklaw@gmail.com <mbrooklaw@gmail.com>
Sent: Saturday, November 11, 2023 11:34 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Shiloh Resort and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard:

Please see comment on EA for the Koi Nation Shiloh Resort and Casino Project attached.

Thank you.

Sue and Michael Brook

One attachment • Scanned by Gmail

**Brook Family
6157 Wright Way
Windsor, CA 95492**

November 11, 2023

Attn:
Amy Dutschke
Regional Director Bureau of Indian Affairs,
Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

Chad Broussard,
Environmental Protection Specialist,
Bureau of Indian Affairs, Pacific Region,
chad.broussard@bia.gov

RE: Comment on the Environmental Assessment ("EA")
Koi Nation Shiloh Resort and Casino Project

Dear Ms. Dutschke and Mr. Broussard:

We live on Wright Way, Windsor, within 2,000 feet of the proposed casino site per the vicinity map included at EA, Figure 1.4-2.

We oppose the proposed developments, and suggest that Alternative D, No Action Alternative, EA 2-24, makes the most sense and involves the least harm.

The proposed site is unsuitable for a casino for many reasons. We touch on a few here. It is across the two-lane Shiloh Road from housing and a public park. The park, Esposti Park, is where the initial levels of Little League baseball occur as well as other baseball/softball games. It is also where the neighborhood walks dogs, has birthday parties/quinceaneras, etc. There is insufficient parking as it is. Altogether not the right environment for a casino.

Shiloh Road is also not suitable for the planned 8,000 plus users of the casino: gamblers/guests/workers.

This leads to the wildfire concern. My area of Windsor, the one adjacent to the site, has been evacuated three times since 2017: the 2017 Tubbs Fire (voluntarily), the 2019 Kincade Fire and the 2020 LNU Fires (both mandatory). The Losh and Associates report at EA Exhibit N is, frankly, facile. I.E. "Sonoma County has had its share of wildfire events." These fires have

devastated the communities. Windsor was thought to be a total loss in 2019, according to the Fire Marshal, but for a subsequent shift in the wind and heroic efforts by the firefighters.

The grape fields, including as currently at the site, help protect the Town. (Significantly, the main intrusion of fire into housing in Windsor in 2019 came where there are no grape vines protecting it, in the northeast corner, as the fire came through Foothill Regional Park.) Even so, fire embers flew from Shiloh Ridge over the grapes and impacted houses in my neighborhood, Oak Creek. Our house is nearer Old Redwood Highway and we had a burn mark on our roof. In 2017, in the Tubbs Fire which impacted Mark West and Santa Rosa just to the south, burning projectiles flew across the freeway, Highway 101, burning a department store from the inside out, as the burning projectiles pierced doors and windows, and then spread the fire and devastated the residential neighborhood of Coffey Park. Fire impacted the Shiloh Ridge, immediately to the east of the site, in 2017 and 2019.

The EA concedes that that the site (as is) is in a high wildfire risk area. (EA 3-109.) The average risk to housing in Windsor from wildfires is 73% above the national average, per the USDA National Fire Service website – and higher on the edge of the community where the casino is proposed. We do not need a wildfire refueling station to be built in this location, threatening the Windsor neighborhoods and the housing and mobile home park across Old Redwood Highway.

We also do not need an extra 8,000 people (some presumably may have been consuming alcohol while they enjoy the casino/hotel facility) using Shiloh Road to Highway 101 to evacuate. This is a major evacuation route for this part of Windsor. Windsor's population is about 26,000 or so – the extra stress of a third as many people again on the evacuation routes is easily imagined.

We have reviewed written comments being submitted by the Town of Windsor and join in those. The Town of Windsor Comments set out the existing situation at the site, including its role in the Windsor/Larkfield/Santa Rosa Community Separator/ its land use designation under the Sonoma County General Plan/relationship to the neighboring Town of Windsor General Plan/dependence on Shiloh Road/ water situation/wildfire risk and relationship to Pruitt Creek. The site and these factors relating to it exist and were known to exist when the Koi Nation chose to purchase the site in 2021. The Koi Nation should not be excused from those factors and their impacts.

Respectfully yours,



Sue and Michael Brook

**Brook Family
6157 Wright Way
Windsor, CA 95492**

November 11, 2023

Attn:
Amy Dutschke
Regional Director Bureau of Indian Affairs,
Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

Chad Broussard,
Environmental Protection Specialist,
Bureau of Indian Affairs, Pacific Region,
chad.broussard@bia.gov

RE: Comment on the Environmental Assessment ("EA")
Koi Nation Shiloh Resort and Casino Project

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The EA concedes that that the site (as is) is in a high wildfire risk area. (EA 3-109.) The average risk to housing in Windsor from wildfires is 73% above the national average, per the USDA National Fire Service website – and higher on the edge of the community where the casino is proposed. We do not need a wildfire refueling station to be built in this location, threatening the Windsor neighborhoods and the housing and mobile home park across Old Redwood Highway.

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We have reviewed written comments being submitted by the Town of Windsor and join in those. The Town of Windsor Comments set out the existing situation at the site, including its role in the Windsor/Larkfield/Santa Rosa Community Separator/ its land use designation under the Sonoma County General Plan/relationship to the neighboring Town of Windsor General Plan/dependence on Shiloh Road/ water situation/wildfire risk and relationship to Pruitt Creek. The site and these factors relating to it exist and were known to exist when the Koi Nation chose to purchase the site in 2021. The Koi Nation should not be excused from those factors and their impacts.

Respectfully yours,



Sue and Michael Brook

From: Shannon Schiller <slschiller@gmail.com>
Sent: Friday, November 10, 2023 3:01 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino,

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The is environmental impact report is nothing put a document full of misrepresentations, misleading claims and out and out fallicys. It is an attempt to push through development that wouldn't past muster if the time was taken to do an actual environmental report. To point out every false claim would take pages so I would like to direct you to the Town of Windsors letter for the data, but this environmental impact report makes a number of false assumptions and at times states conclusions that are not supported by the evidence. Some of the study's sites are woefully out of date and are prior to the Tubbs and Kincade fire. The traffic study's were conducted during off peak, non commute times and days in a deliberate attempt to skew the data. Because of this, the only option I can support is option D, no project.

Shannon Schiller
218 Flametree circle
Windsor, Ca

From: Greg Schiller <schigj@outlook.com>

Sent: Friday, November 10, 2023 4:58 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Subject: EA Comments, Koi Nation Shiloh Resort and Casino,

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

It would take too much time to address every false claim in this environmental impact report, so I direct you to the Town of Windsor's letter for the data. This environmental impact report is a document that contains some inaccuracies, misstatements and inconsistencies. It is a way to expedite a development that would not comply with the requirements if a comprehensive environmental report was done. Some of the study sites are outdated and were done before the Tubbs and Kincade fires. The traffic studies were done at suboptimal times and days to influence the data. However, this environmental impact report makes some questionable assumptions and sometimes presents conclusions that are not corroborated by the facts. For these reasons, the only option I can support is option D, no project.

Greg Schiller
218 Flametree circle
Windsor, Ca

From: Brian Martin <sheriffbrianmartin@gmail.com>
Sent: Saturday, November 11, 2023 6:37 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Dino Beltran <dbeltran@koination.com>
Subject: [EXTERNAL] Koi Nation Shiloh Resort and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I'm writing this comment after reading several appendices of the Koi Nation Shiloh Casino-Resort EA, including appendix N (Wildfire Evacuation Memorandum) and Appendix O (Sonoma Fire District Letter of Intent).

Having recently retired as neighboring Lake County's Sheriff-Coroner and Director of Emergency Services, I bring 30 years of law enforcement and disaster response experience, which includes responding with military humanitarian relief efforts to Southern Florida following Hurricane Andrew in 1992, flood responses on the Central Coast of California following El Niño weather events, and multiple wildfire and atmospheric river disasters in Lake County over the last several years.

In addition to reviewing the EA report, I have also personally visited the site location where this project has been proposed to be constructed. My comments come with this perspective as well.

For projects of this scope in this area, the concerns about wildfire safety and response are valid as any Northern California resident can attest. It's important to recognize that no mitigation and prevention effort is flawless or perfect. If there were such a plan, it would certainly be implemented in all projects. Instead, plans generally take lessons learned from previous events and tap into the experiences of those who participated in, and were directly affected by the events.

Disaster events, particularly those which have affected Northern California over the last several years, have given rise to many programs and strategies, and this EA includes those in its proposal. Early warning systems, such as Red Flag Warnings, predesignated evacuation routes, zone maps, and fire cameras all serve to mitigate the impacts of disasters, particularly the wildfire events that pose a recurring danger to this area and can be short-notice or no-notice events. Pre-event preparation and education of staff and community members increases survivability and preparedness for communities. Plans that are implemented during events, allow for more efficient and safe responses.

The plans for this project also include many features which will tend to mitigate the effects of wildfire, including clear areas for water treatment, fire safe construction

methods, ignition resistant landscaping, and the topography of the area being relatively flat, which assists in management of fire by responding resources.

Additionally, the recommendations outlined by Vern Losh in Appendix N, when implemented, will further add to the safety of the project.

When reviewing the evacuation plan, I consider factors that I witnessed first hand that were present during events which resulted in fatalities during several fires during my career. A common factor that I saw during multiple fire events which produced fatalities, was a lack of adequate escape routes. Single ingress/egress routes severely limit the flow of people and vehicles, and don't provide alternate routes in the event that a route is blocked or impassable by fire or other conditions. This project proposes multiple evacuation routes and recommends multiple actions to streamline evacuations. Many of the recommendations have been implemented in California and have proven to be effective. Robert Giordano, with whom I've worked with during our time as Sheriffs of our respective counties, and Clint Shubel outline effective, and proven strategies and recommendations for this project.

In my opinion, the proposals and recommendations outlined in the EA adequately address concerns and serve as a sufficient plan for this project to proceed.

Brian L. Martin
Sheriff-Coroner-Director of Emergency Services (Retired)
County of Lake

From: kst@sonic.net <kst@sonic.net>
Sent: Saturday, November 11, 2023 10:59 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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Dear Mr. Broussard,

I am resending this in a different format in case the other email file could not be opened. This is a 19 page document with attached maps and tables.

Thank you for submitting this to the responses to the EA Comments, Koi Nation Resort and Casino.

Please let me know you have received this and that you can open and read the entire response.

Thank you,
CBelden
Santa Rosa, CA

2 Attachments • Scanned by Gmail

November 7, 2023

RE: **"EA Comments, Koi Nation Shiloh Resort and Casino"**

Amy Dutschke
Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820, Sacramento, CA 95825

chad.broussard@bia.gov

Dear Mr. Broussard and Director Dutschke,

The EA Report for the Koi Nation Shiloh Resort and Casino is not acceptable because the report is based on inadequate data and insufficient analysis to evaluate the environmental impacts from the project, and consequently underestimates the impacts. The only option I support is option D, no project.

This project has been formally rejected by the Town of Winsor, Sonoma County Board of Supervisors, US Senators Diane Feinstein and Padilla, US Representatives Thompson and Huffman, and State Senator McGuire. It is overwhelmingly opposed by the residents of Sonoma County. The only people supporting this project are the building union members who have been promised the jobs while excluding non-union workers; there is no information if the carpenters union members who responded live in Sonoma County.

The location of this proposed project is wrong because the parcel is surrounded by residential neighborhoods, is not zoned for commercial development, has no separation of casino transit routes from residential routes, and has no separation of casino business activities from the surrounding residential neighborhoods.

The lack of separation of the casino from the residential neighborhoods in this case is very different from all the other Northern California casino resorts. THERE IS NO OTHER CASINO RESORT location surrounded by residential communities with shared transit routes. The EA does not consider this condition in its analysis.

This Shiloh Resort and Casino project requires an EIS before the BIA decision to take the parcel in trust. A factual and complete study of the environmental impacts is necessary.

1. Project Size and location; proximity to surrounding residential neighborhoods

The Shiloh casino project is comparable in size to both Graton Rancheria and Sky River Casinos, both which required Environmental Impact Studies. See Tables A and B that list the project components and size; these charts appear in their respective EIS reports, available to the public.

The Shiloh casino parcel is only 68 acres in an area zoned for residential and agricultural use only.
The small size of the Shiloh parcel is also important because all its boundaries are immediately adjacent to residential neighborhoods, parks, and churches. There is no separation of the casino activities from the surrounding neighborhoods.

In contrast, Graton Casino is on a 252-acre parcel and Sky River Casino on a 288-acre parcel. Both Graton and Sky River casinos are built on commercial zoned areas, separated from residential areas: Graton is separated from the residential areas of Rohnert Park by the very wide Hwy 101 – the commercial areas are on the WEST side of 101, the residential neighborhoods and schools and small local businesses are on the East side of 101. Sky River is bordered by Hwy 99 and Promenade Parkway, effectively isolating it from the nearby residential areas. Promenade Parkway has its own transit from Hwy 99 separate from the transit routes for the neighborhoods.

The Koi Shiloh casino EA does not address this problem of proximity, absence of separation from surrounding residential neighborhoods, and shared transit routes with local residents. Consequently, the EA underestimates the adverse impact on the environment.

2. Proximity to Graton Rancheria Casino and River Rock Casino: only 15 miles away.

The EA also does not compare the Shiloh location proximity to 1) Graton Rancheria Casino 15 miles away along Hwy 101, and 2) to River Rock Casino 15 miles to the north along Hwy 101, and 3) to Cloverdale Rancheria casino resort. That will be FOUR casino resorts located along Hwy 101 in Sonoma County.

There are NO OTHER large Casino Resorts in Northern California or Southern California with 3-4 locations so close together along a shared major highway. See the attached maps.

The deficiencies of the analyses presented in the EA are revealed by comparing this report with the EIS reports done for the both Graton Rancheria Casino Resort and Sky River Casino, which can be accessed here: https://www.gratoneis.com/documents/final_eis/Final_EIS.htm, and wiltoneis.com.

The EA economic impact analysis has no data or evidence to support its conclusion. It does not address the specific conditions relating to Graton Rancheria and River Rock Casinos' financial impacts on each other, or a specific analysis of the financial impact Shiloh Casino will have on them. The close distances of each requires serious study of financial impacts on all. The EA is deficient in addressing this concern.

3. Differences between the Shiloh Casino project and Graton + River Rock Casinos: these are significant differences that require additional careful collection of data and evidence, and in-depth analysis of impacts.

a. zoning restrictions and consistency with the Sonoma County General Plan and the Town of Windsor General Plan

The Shiloh parcel is not zoned for commercial development and a casino resort is not allowed. Graton Rancheria Casino was built on a parcel zoned for commercial development and is consistent with the Sonoma County General Plan; Sky River casino is on a parcel consistent with commercial development.

Impact on property values: (source, Sky River, Wilton EIS): "Alternative A is located north of the City of Galt in an area currently of primarily agricultural uses, with some industrial and residential properties, however the site is slated for future commercial development... the impact depends on this mix of land uses..."

The Shiloh Road parcel is NOT slated for future commercial development, and is surrounded by long-established residential neighborhoods. This location would not ever be approved for commercial development. It is premium vineyard land which would be destroyed as agricultural land.

- b. proximity to residential neighborhood communities, schools, parks, churches, small neighborhood businesses.

The absence of physical separation (no degrees of separation) between the casino visitors and the residents living here increases the risk of adverse interactions, personal harm and property damage. The lack of separation also increases the adverse impacts from increased traffic, noise, and crime. The EA did not assess the impact on public use and safety in Esposti Park and in Shiloh Regional Park. There is no data or information about impact on public attendance, events, and park activities.

- c. increased crime risks:

Proximity brings an extremely high risk to public safety (accidents, crime). This will impose significantly greater legal liability on the owners and operators of the casino for any harm or damage caused by casino visitors, for any harm from delay in emergency responses due to traffic congestion, for example. See section below on GMA findings.

- d. shared transit routes:

Casino visitors will travel on shared routes from Windsor to Larkfield/Mark West/ River Road, along Fulton and Airport Blvd, and on Old Redwood Highway (ORH). There will be over 10,000 additional driving interactions daily between casino visitors and the local residents and workers.

The EA does not evaluate the increase in motor vehicle accidents, and pedestrian and cycling accidents that will occur with the increased traffic going to/from the casino. The EA does not consider increased traffic congestion and increased transit times consequent to accidents on ORH or Hwy 101. It does not consider delays in emergency response times when traffic congestion increases due to accidents on Hwy 101, ORH, River Road, Fulton Road, Airport Blvd, and Hembree.

The area assessed by the EA is too narrow; the existing traffic area that will be significantly affected extends on the east side of Hwy 101, from Windsor to Larkfield/Mark West/Fulton/River Road, and a Full Traffic Study consistent with CEQA is mandatory.

EA: Appendix I – Traffic Impact Study

EA Executive Summary: Traffic Impact

“Alternative A of the proposed project is expected to **generate 11,213 total daily weekday trips and 15,779 total daily Saturday trips**, including 473 weekday a.m. peak hour trips (279 in, 194 out), 1,205 weekday p.m. peak hour trips (710 in, 495 out), and 1,340 midday Saturday peak hour trips (657 in, 683 out).”

The attached map with Daily Traffic Volumes shows 12,000 daily visits at the Shiloh/Old Redwood Highway intersection. The proposed project will add over 11,000 to 16,000 additional visits to this existing daily traffic volume, resulting in over 23,000 – 28,000 daily trips. The EA analysis omits data from Sonoma County and the Town of Windsor Traffic studies, is too limited in scope, and grossly underestimates the Traffic Impacts. According to CEQA requirements, this project requires a Full Traffic Study to be part of an EIS.

There are no alternative routes to absorb the increase of 11,000 to 16,000 daily trips to a casino, in addition to the existing daily trips documented in the Town of Windsor Traffic study attached. The EA does not present adequate study, data, or evidence to support its conclusions.

This condition does not exist in any other Northern California county with gaming casino resorts. Google Maps of casino locations in Northern California show clear and significant separation of the casino resorts from residential areas.

The website 500nations.com lists the Indian Gaming Casinos in Northern California. Review of the locations shows this Shiloh location to be the only one to be surrounded by residential neighborhood communities, without a separation of transit routes from the main highway or state route. All the others are located either in a remote location or in a commercial zoned location separated from residential areas by a major highway or having a dedicated exit route to/from the casino to a main transit route. The Sky River Casino in Elk Grove has its own exit ramp from Hwy 99, located in a commercial zoned area, separate from residential areas.

Separation of transit routes and separation from residential areas is a common characteristic of all of the other casino resorts. Shiloh Casino Resort has no separation from the surrounding residential areas. A large apartment complex has just been built directly across the street; Esposti Park is directly across the street; two residential neighborhoods are directly across the street; a church with community services is directly across the street; Shiloh Regional Park is at the end of Shiloh Road at Faught. The 2019 Kincade Fire burned to this location.

Please see the map attached to this email.

Example of differences in proximity to residential neighborhoods -
(Shiloh vs Graton, Sky River, River Rock, Cloverdale):

Shiloh – surrounded by residential neighborhoods, with ORH as main transit between Windsor and Larkfield/ Mark West, Fulton, River Road, all located on the EAST side of Hwy 101.

Graton RC – located on the WEST side of Hwy 101, which separates the casino from the residential neighborhoods and schools located on the east side of Hwy 101 in Rohnert Park. There are no schools, parks, or churches near this location. Visitors exit from Hwy 101 and use a transit route that is not shared by many other drivers or residents of Rohnert Park. The transit route leads mainly to/from the casino.

River Rock – in a remote area of Geyserville.

Cloverdale – in a commercial area, separated from the residential areas by Hwy 101

Sky River – in a commercial area circumscribed and by its own access road and Hwy 99.

Proximity to residential areas is a major problem for the Shiloh casino proposal because on a daily basis all visitors to the Shiloh casino will travel through residential neighborhoods on shared transit routes with the residents, who use these routes for work, school, shopping, business, and recreational activity.

The EA study does not examine this condition and consequently, its conclusions underestimate Impacts.

4. No separation from two popular parks:

The casino would be located between the two popular parks, Esposti Park immediately across the street and Shiloh Regional Park located at the end of East Shiloh Road/ Faught Rd. This length of Shiloh Road is used daily by Sonoma County residents for exercise, relaxation, dog walking, cycling, walking. The risk of adverse interactions between casino visitors and residents on Shiloh Road is very high, with great liability for harm that will be on the casino owners and operators.

Map review of the locations of the other Northern California casinos reveals that there are no other casino resorts located 15 miles apart along a major highway, a 15-minute drive from each other.

6. Wildfire evacuation risks.

In the event of a wildfire evacuation, such as occurred with the 2017 Tubbs Fire that started **with no warning and spread so fast that many people died in their homes**, unable to drive away fast enough to avoid the fire, the legal liability for the owners and operators of the casino will be tremendous if there is any interference with safe evacuation of the residents who live on the east side of Hwy 101. This liability is clear because the wildfire risk has been presented repeatedly since the proposal was made public. This risk was known when the Koi tribe purchased the property. Permit Sonoma GIS maps with the Wildfire overlays show the extent of the 2017 and 2019 wildfires, reaching to Shiloh Regional Park and Foothill Regional Park.

The wildfire risk to residents' and to visitors' safety is real and is not adequately evaluated by the EA.

The Shiloh casino project location is surrounded by residential communities and the transit routes extend from Windsor down to Larkfield/Mark West/Fulton/River Road and northeast Santa Rosa, along Old Redwood Highway (ORH) and Hwy 101. The location is EAST of Hwy 101. The EAST side residential communities are quiet. Beyond the Walmart, Home Depot and other small stores located on Hembree Lane immediately alongside Hwy 101, the area just east from this is residential, with elementary schools, churches, and two large popular parks, Esposti Park and Shiloh Regional Park. A large apartment complex is directly across the street from the Shiloh parcel, as is Esposti Park, a church with very active community assistance activities, and two planned residential neighborhoods Oak Park and Creekside.

All of the residents living and working in the area from Windsor in the north to NE Santa Rosa on the east side of Hwy 101 have experienced three wildfires, 2017 Tubbs Fire, 2019 Kincade Fire, and 2020 Lightening Fire complex. The EA does not adequately evaluate these events or assess the impact of 11,000-15,000 daily visits to Shiloh casino on the safety of the visitors or the residents who will be significantly impacted by gridlocked evacuation routes. The EA does not adequately assess current traffic loads in the area extending from Windsor to Larkfield/Mark West/ River Road, and on Airport Blvd/ Fulton and ORH, the gridlock that resulted from with wildfire evacuations in 2017 and 2019, and the risk to public safety.

Emergency response times were not evaluated for all hours of day/night and all days of the week.

EA Executive Summary: Traffic Impact "Alternative A of the proposed project is expected to generate 11,213 total daily weekday trips and 15,779 total daily Saturday trips, including 473 weekday a.m. peak hour trips (279 in, 194 out), 1,205 weekday p.m. peak hour trips (710 in, 495 out), and 1,340 midday Saturday peak hour trips (657 in, 683 out)." (from EA Appendix I). The daily (24 hour) Occupancy for the proposed casino is not evaluated or considered in Appendix N.

There are no alternative routes to absorb the increase of 11,000 to 16,000 daily trips in addition to the existing over 5000 daily trips. The overlap of transit routes will add to the existing traffic volumes, resulting in 16,000 to 21,000 daily trips; the EA does not include the existing traffic volumes to its estimated assessment. The EA Traffic Impact report is lacking relevant data and information.

There is no evaluation of the impact on increased transit times for commutes from Windsor to Larkfield/Mark West/ River Road in the am (7-10 am) and pm (3-6 pm) rush hours. The impact on Airport Blvd, Fulton Road, and River Road was not evaluated.

Existence of an extensive network of shared transit routes for the residents and for visitors requires a thorough analysis of real data collected throughout the year at many more intersections than was done for the EA.

The EA limited its analysis to a small number of intersections, mostly along Shiloh Road.

The data was collected only two days in January (one weekday and one Saturday) and one day in July on the 28th. This data is insufficient for a reliable analysis of impact.

7. EA: Appendix B

Social Impact – Risk to Public Safety:

page 16: “After careful review of various reports, the Consulting Team ultimately relied on the findings presented in the National Gambling Impact Study Commission (“NGISC”) in its Report to the U.S. Congress and President that was completed in 19992 as well as a report titled “The Impact of Gambling: Economic Effects More Measurable Than Social Effects,” prepared by the General Accounting Office (GAO) and presented to the Honorable Frank Wolf of the U.S. House of Representatives.³”

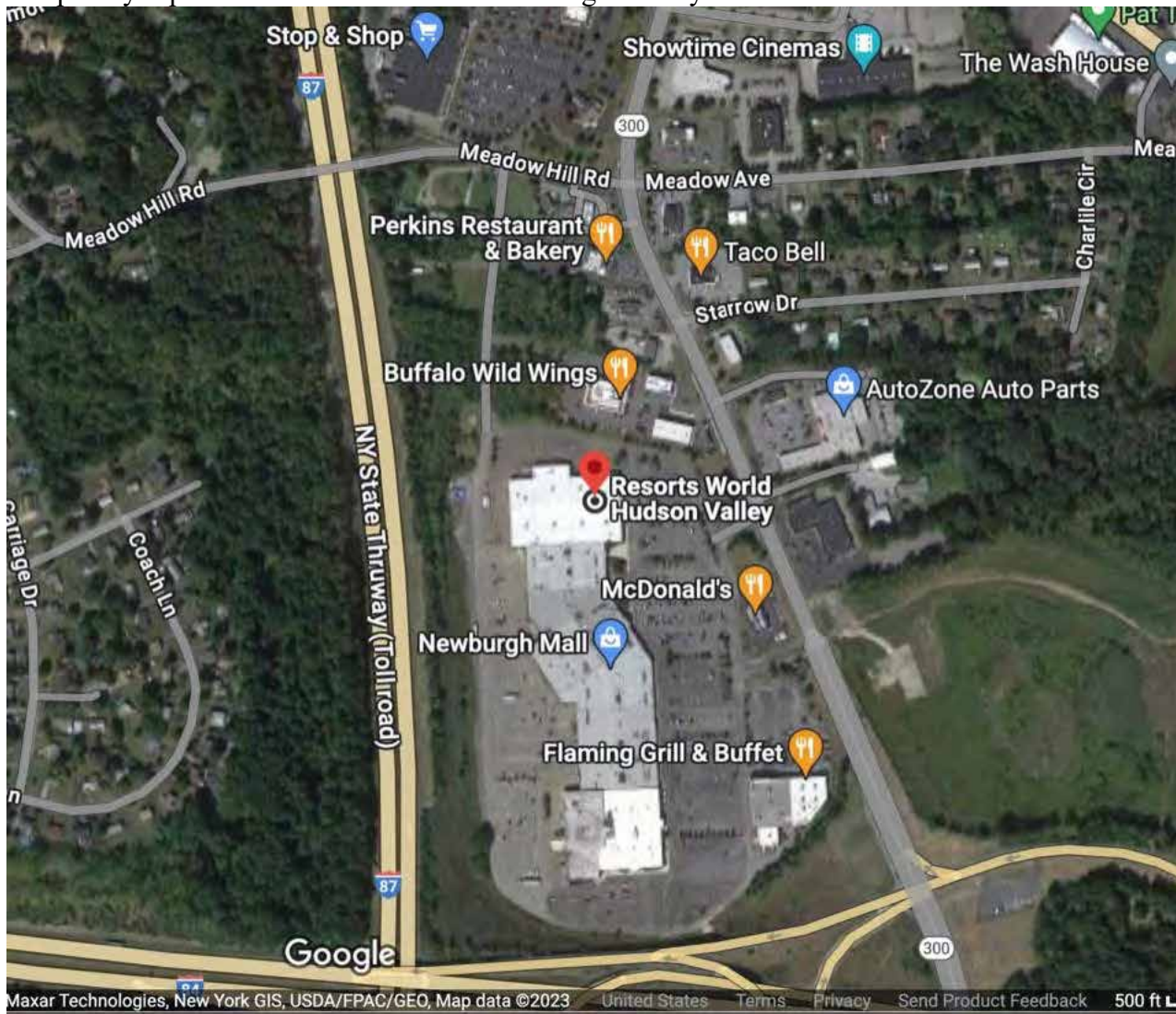
THE NGISC WAS COMPLETED IN 1999, AND THE GAO IN 2000, from 23 years ago. These studies are inadequate for analyses of the socioeconomic impacts on Northeast Santa Rosa, Windsor, and Sonoma County. The GMA report lacks current data and evidence to support its summary conclusions.

GMA further analyzed the impact that the nearby Graton Resort & Casino, located in Rohnert Park, CA, had on the nearby police force. Specifically, GMA evaluated annual incident calls and arrests for the property during its first year of operations (2013). In this assessment, GMA learned that there were a total number of 1,700 annual police calls and 39 arrests at the casino during the first year of the property’s operations. This equated to a police call rate of .41 calls per gaming position and an arrest rate equivalent to 2% of calls (with Graton having 4,134 gaming positions at that time – with 3,000 slot machines and 162 table games at 7 positions per table). Based on these metrics and with an assumed 3,485 gaming positions at the Shiloh Resort & Casino, GMA estimates that the Project would generate 1,433 annual police calls and 33 arrests during its first year of operations.

GMA also observed recent combined Fire and EMS related incidents at Graton Resort & Casino. Through this study, it learned that the property experienced incident rates that ranged from .83 incidents per day in 2020 (with a total of 303 incidents) and .88 incidents per day in 2021 (with a total of 321 incidents). Today, the facility offers 3,840 gaming positions, which means that it garnered approximately .084 Fire and EMS related incidents per gaming position in 2021. With this factor applied to the Project’s number of gaming positions, it is estimated the Project would have approximately 291 Fire and EMS incidents annually.

On a daily basis, a total of $1433 + 33 + 291$ annual estimated events = 4.8 events/ day. This is not acceptable for a residential neighborhood, on a 68-acre parcel not approved for commercial development, whose parcel boundaries are surrounded by residential neighborhoods on 3 sides, and vineyard on the other..

The GMA references a NY Orange County 2014 report as the basis of its analysis on the impact of casino activity on crime. This New York Orange County casino was built in a commercial business area, and entirely surrounded by the New York State Thruway (87), NY State hwy 84 and route 300. These wide highways completely separate the residential areas of Orange County from the commercial areas.



This reference is completely invalid for assessing the impact of a casino resort on the residential neighborhoods surrounding the 68-acre Shiloh Road parcel in Sonoma County California.

GMA also omits evaluation of the immediate daily/nightly risk to public safety from over 10,000 estimated daily visits from visitors who will be drinking alcohol and using cannabis and driving their vehicles to/from the casino. This project will be a 24/7 bar for alcohol and cannabis consumption.

This is a major problem for this project's location on Shiloh Road where all local roads are shared with the residents living in the surrounding neighborhoods. This project site is surrounded completely by residential neighborhoods, elementary schools, churches, and two public parks; East Shiloh road is used for pedestrian and cycling activity. An Environmental Impact Study is required to evaluate the risk of harm and death to the public due to the overlap of transit routes to/from the proposed casino with the local residents and workers sharing these same routes.

THIS IS WHY OTHER CALIFORNIA CASINOS' LOCATIONS ARE SEPARATED FROM RESIDENTIAL AREAS, minimizing interactions of casino visitors with local residents, neighborhoods and local businesses. The other casino Northern California casinos are built in locations consistent with commercial development to minimize interactions with local neighborhoods and residents.

An Environmental Impact Study needs to evaluate the risks to public safety where alcohol and cannabis will be purchased to 99% of visitors to the casino. This omission by the GMA is significant and their conclusion lacks evidence; any study of the impact on public safety must consider that there is no separation from the local surrounding residential neighborhoods at this location. This condition must be seriously considered. The legal liability for personal and property damage involving a local resident caused by an intoxicated casino visitor should be thoroughly evaluated as well.

Criminal activity and increased risk to public safety will also be exacerbated by the immediate proximity of the gambling casino to the surrounding residential neighborhoods and transit routes through residential communities.

The EA report does not address this very significant impact and its summary conclusions are invalid.

8. EA: Appendix B Competitive Impacts:

The modeling used in the GMA report to evaluate the competitive impacts is flawed and not relevant to building a third large casino resort in addition to Graton and River Rock casinos located 15 minutes' drive away. The EA ignores this in their analysis, and does not provide information relating to the impact of Graton on River Rock financials. The adverse impact of Graton Rancheria's operations on River Rock Casino has been documented and publicized.

GMA's assessment is not substantiated, thereby rendering its conclusions meaningless. A thorough evaluation needs to be completed to understand the impact of adding a third large casino resort only 15 minutes away from Graton or River Rock.

The following table details the estimated percentage impact that each regional gaming facility is expected to experience on their local market gaming revenue.

Projected Local Market Substitution Effects	
River Rock	-24.24%
Sherwood Valley	-14.77%
Graton	-11.45%
Konodi Vista	-9.39%
Twin Pine	-9.11%
Robinson Rancheria	-8.93%
Running Creek	-8.34%
Coyote Valley	-7.33%
Gardia River	-7.27%
Colusa	-5.11%
Cache Creek	-4.51%
Hard Rock Sacramento	-4.38%
Harrah's NorCal	-4.30%
Thunder Valley	-4.13%
Red Hawk	-4.07%
Ione Plymouth	-4.04%
Jackson Rancheria	-4.04%
Wilton Rancheria	-4.02%
San Pablo Lytton	-3.87%
TOTAL LOCAL MARKET	8.05%
<i>Source: GMA</i>	

The GMA assessment in the EA shows the most negative effect on the two Sonoma County casinos located only 30 minutes' drive from each other on Hwy 101, Graton and River Rock.

The Shiloh Casino is not assessed; it would be located only 15 minutes's drive from either Graton or River Rock casinos and would result in even greater negative effect on all three Sonoma County casinos.

The Sacramento county casinos, Cache Creek, Hard Rock, Harrahs NorCal, Thunder Valley, Red Hawk, Ione Plymouth, Jackson Rancheria, and Wilton are shown on the map included in this response to the EA. They are not located close to each other and draw from a much larger population than Santa Rosa and Windsor. Their negative effects are similar and significantly less than for Graton and River Rock.

See the attached map showing the locations of these casino resorts.

Table A. (source: Graton Rancheria Casino and Hotel Final EIS, Feb 2009) EIR - 2008 traffic evaluation (Appendix O)

built on 66 acres, with 762,300 sq ft total - all project components;
 casino gaming size: 106,000 sq ft. 300 room hotel, “employs 2400 employees”
 “ generate 18,261 daily trips
 peak AM 1384 peak PM 2287 “

TABLE 2-1
 ALTERNATIVE A – PROPOSED PROJECT COMPONENTS

Area	Seats/Rooms/Parking Spaces	Approximate Square Footage
CASINO & ENTERTAINMENT		
<i>Casino</i>		
Casino Gaming		80,000
Casino Circulation		26,000
High Limit Gaming		5,000
Asian Gaming		3,600
Salons (2 total)		4,000
Entry Vestibules (5 total)		2,500
Restrooms (5 total)		6,000
Rewards Center		750
Cage		6,000
Back of House		70,000
Gift Shop		1,000
<i>Food and Beverage</i>		
Buffet	500 seats	23,500
Bars (3 total)		4,500
Service Bars (4 total)		4,000
Lease Restaurants (3 total)	480 seats	20,000
Coffee Shop	225 seats	8,800
Steakhouse	200 seats	10,000
Food Court (6 tenants)	210 seats	12,600
<i>Entertainment</i>		
Nightclub		6,500
Show Room	1,500 seats	35,400
Lounge		8,000
<i>Banquet</i>		
Banquet Meeting Space		30,000
Pre-Function/Kitchen/Storage/Office/Support		40,000
Total Casino & Related Square Footage		408,150
HOTEL & SPA		
<i>Hotel</i>		
Lodging Area	300 rooms (20% suites)	291,000
Lobby/Bar/Back of House		13,750
Sundries		1,000
<i>Pool & Spa</i>		
Spa		20,000
Pool Restrooms		2,600
Pool Concessions		1,500
Pool Grill		3,000
Total Hotel & Spa Square Footage		332,850
CENTRAL PLANT		
		21,300
Alternative A Total Square Footage		762,300
PARKING		
Surface Parking	4,102 parking spaces	
Parking Structure	2,000 parking spaces	
Alternative A Total Parking Spaces	6,102 parking spaces	

SOURCE: Friedmutter Group, 2006; AES, 2006.

Table B. Shiloh Casino Resort proposal: (Koi Nation Shiloh Casino EA)
 “122,600 sq ft gaming floor; “3380 gaming positions”
 400 room hotel 2800 seat event center “1571 jobs”

Table 2.1-1: Alternative A Project Components

Component	Approximate Square Footage	Units
Casino	538,137	2,750 gaming devices 105 table games
Gaming Floor	114,345	-
High Limits Gaming	8,250	-
Sports Book	9,900	-
Food Hall	14,000	465 seats
Restaurants (5)	37,440	1,240 seats
Coffee Shop	2,750	-
Casino Bar	7,855	-
Service Bars (4)	4,080	-
Retail	2,250	-
Event Center	53,380	2,800 seats
Ballrooms (2)	44,900	-
Meeting Rooms	29,285	-
Circulation and Back of House	209,702	-
Hotel	268,930	400 rooms
Guest Rooms	207,540	-
Spa	13,930	-
Circulation and Back of House	47,460	-
Parking	1,689,380	5,119 spaces
Casino/Drop-off	286,000	800 spaces
Parking Garage	1,214,080	3,692 spaces
Surface Parking	183,100	618 spaces
Bus	6,200	9 spaces

Source: Dale Partners, 2022a

The Square Footage number presented in the EA Summary of “114,345 sq ft” is completely misleading and refers only to the gaming floor and not the other components in the Shiloh Casino Resort EA study. The TOTAL square footage needs to be evaluated in order to determine accurately and honestly the impact on the environment of the total size of this project.

Compare the information in Tables A (Graton Rancheria) and B (Shiloh Casino Resort):

Parking spaces total 5,119 in structures totaling 1,689,380 square feet. Graton Rancheria Casino had 6102 total parking spaces. Based on these numbers, Shiloh Casino Resort plans for at least 84% of the daily visits that Graton Rancheria estimated (18,261 daily trips), with 15,319 daily trips. This is only for parking; the study does not account for the daily bus and Uber/Lyft/taxi transits, especially from the airport. The EA study lacks sufficient data and its conclusions are not supported by adequate evidence.

In addition, Graton Rancheria Casino is located on a parcel zoned for commercial development, adjacent to other large commercial businesses. It is not surrounded by residential neighborhood communities, schools, and parks. The residential areas of Rohnert Park are located east of Hwy 101 and the Graton Casino is in its

own space west of Hwy 101. The transit routes to/from Graton Casino do not overlap with the residential areas on the east side of Hwy 101. The multi-laned major highway is a true barrier and protects the residential areas of Rohnert Park on the east side of 101 from the impacts of the Casino. And, the Graton Casino is not located in a high wildfire risk area where traffic impacts would cause severe risk to the safety of the residents.

The summary conclusions of the EA are therefore invalid, based on erroneous assumptions and insufficient data and evidence.

This project requires serious, careful, and thorough analysis of all the aspects of the project, as did the Graton and Sky River Casinos.

The size and proposed location of this project demand a thorough formal Environment Impact Study because the site is SURROUNDED BY RESIDENTIAL NEIGHBORHOOD COMMUNITIES that will be irreversibly harmed by the significant adverse impacts of this project. The data and evidence must be presented from serious careful analysis and address all the concerns that were raised in the Scoping Comments.

9. Socioeconomic Impact:

GMA Appendix B: Socioeconomic Information

“ OPERATIONS

During the operations phase, the Project is expected to generate \$5.1 million in federal taxes and \$3.1 million in state and local taxes annually. **It is important to note that the Koi Nation is a sovereign nation that receives tax exemptions. As such, the actual tax benefits will likely vary from those presented in the following tables** addressing tax revenues during the operations phase for the Project.”

“Global Market Advisors has made its best effort to secure accurate information, however, much of the information contained in this report was received from third parties, which Global Market Advisors did not validate or verify. **Accordingly, Global Market Advisors makes no warranty, real or implied, regarding the data contained in this report.** This report also contains projections of future events based upon certain assumptions. As it is not possible to predict future outcomes with absolute accuracy, these projections should be treated only as estimates of potential future results. Actual results may differ due to unforeseen events. Consequently, Global Market Advisors **assumes no liability for the accuracy of these projections.** “

This lack of accountability invalidates GMA’s conclusions.

The DISCLAIMER by GMA invalidates its conclusions and therefore a formal Environmental Impact Study is required for the Shiloh Casino Resort proposal before the BIA considers taking this property into trust. There is no accountability by GMA for their erroneous conclusions in the EA.

10. EA: Appendix L Noise Impacts:

Comparison with Graton Rancheria Sky River Casinos’ EISs is very important to reveal the inadequate evaluation done by the EA. Again, the size and significant environmental impact of the Shiloh Casino project demands that a formal Environmental Impact Study be done.

EA has insufficient data and omitted thorough analysis of all sources of noise.

The EA omits noise enhancement and amplification that occurs in multi-storied garages, caused by each vehicle's noise signals from locking/ unlocking or searching for the vehicle. The adverse noise impacts from the parking structure's location in a quiet residential neighborhood is significantly greater than from one in a location in a commercial business area (Graton Rancheria Casino) where such noise is masked, from one in a remote area (River Rock Casino). Noise is also generated when vehicles engines start, by tires when turning in tight spaces, by horns honking, by radios and boom boxes, and loud talking/ shouting in a multi-story parking garage. Actual noise data is available from Graton's multi-story garage and should be included in the Noise Impact evaluation for the Shiloh project.

There are two entry points into the garage structure – one on East Shiloh Road and one on ORH. For visitors accessing from East Shiloh Road, the increased vehicle traffic will travel from ORH along Shiloh Road to Caporale Court; the adverse impact on the residential neighborhoods directly across the street is significant will occur 24/7. These points will have significant vehicle noise associated with idling, starts and stops, noise from brakes, honking horns, radios and base boomers.

Also, the tolerance for noise will be much lower due to the normally quiet ambient noise levels that exist now; location of a casino resort in a quiet residential neighborhood rather than in a commercial area requires analysis of noise impact based on a 24 hour study of current noise levels along Shiloh Road, Old Redwood Highway extending from Windsor, through the neighborhoods, to Larkfield. The EA did not study this.

The EA Noise Impact assessment has inadequate data and insufficient study. It is unacceptable.

Noise from Emergency Response vehicles:

Importantly, the EA does not consider the **noise from police, Sheriff, California Highway Patrol, ambulance, and Fire Department sirens** for each emergency call made. Often at least 3 services respond to one emergency call. That would triple the siren noise for each response.

"GMA estimates that the Project would generate 1,433 annual police calls and 33 arrests during its first year of operations. With this factor applied to the Project's number of gaming positions, it is estimated the Project would have approximately 291 Fire and EMS incidents annually."

THIS TOTALS AT LEAST 1757 incidents in a year, or **4.8 incidents every 24 hours of every day of the year, sirens heard every day and night** in an area from Windsor, down 101, to the Airport, to the emergency room at Sutter at Larkfield/ Mark West, along River Road and Fulton Road, along Old Redwood Highway, Shiloh Road, Hembree Lane, up to Faight Road and down to ORH.

There is NO mitigation for this adverse noise impact. The EA does not assess the noise levels of sirens and consequent disruption of the peace and quiet of residential neighborhoods, causing increased stress and anxiety all the residents living in the neighborhoods from Windsor to Larkfield/Mark West/ Fulton.

Residential neighborhoods are by definition quiet. The significant increase in noise from sirens will raise stress levels in both residents and animals, pets and wildlife, and will disrupt sleep, all which will exacerbate stress and harm mental health of the residents.

These siren noises will be heard all the way from Windsor, along both ORH and Hwy 101, to Mark West/Larkfield and Fulton and River Roads. EVERY DAY AND NIGHT. The travel routes for emergency responders (Sheriff, Police, Fire Department, EMS) must be considered in the noise evaluation. These routes extend from Santa Rosa City to Windsor through quiet residential neighborhoods.

The LOCATION of this project, surrounded by residential neighborhoods, presents very significant problems because all emergency response vehicles will travel through residential neighborhoods to and from the casino. And the normally quiet residential areas, from Windsor to Larkfield/Mark West/ River Road and along Fulton to River Road, will be significantly impacted by every single response

This is why the Location is WRONG for a casino resort.

Graton Rancheria was built in a commercial zoned area, and River Rock is in a remote location, where there is minimal overlap of casino traffic with residential traffic. There is minimal overlap or sharing of transit routes. Transit routes to these casinos do not pass through residential neighborhoods.

Other Northern California gaming casinos are located in areas that are either remote or at the edge of commercial development, with their own designated transit routes that minimally intersect or overlap with residential community transit routes. Please refer to the attached maps that demonstrate the significant separation and isolation of all the other Northern California Casino Resorts from nearby residential neighborhoods. Please refer to the maps showing the specific access routes to these Casinos and their minimal sharing of transit routes with nearby residents and workers in the residential areas. And compare the number of other Northern California Casinos built on parcels zoned for residential/ agricultural use only and NOT Commercial use. The proposed Shiloh Casino Resort is THE ONLY ONE that would be in a location surrounded by many large established residential communities, on a parcel NOT approved for commercial development.

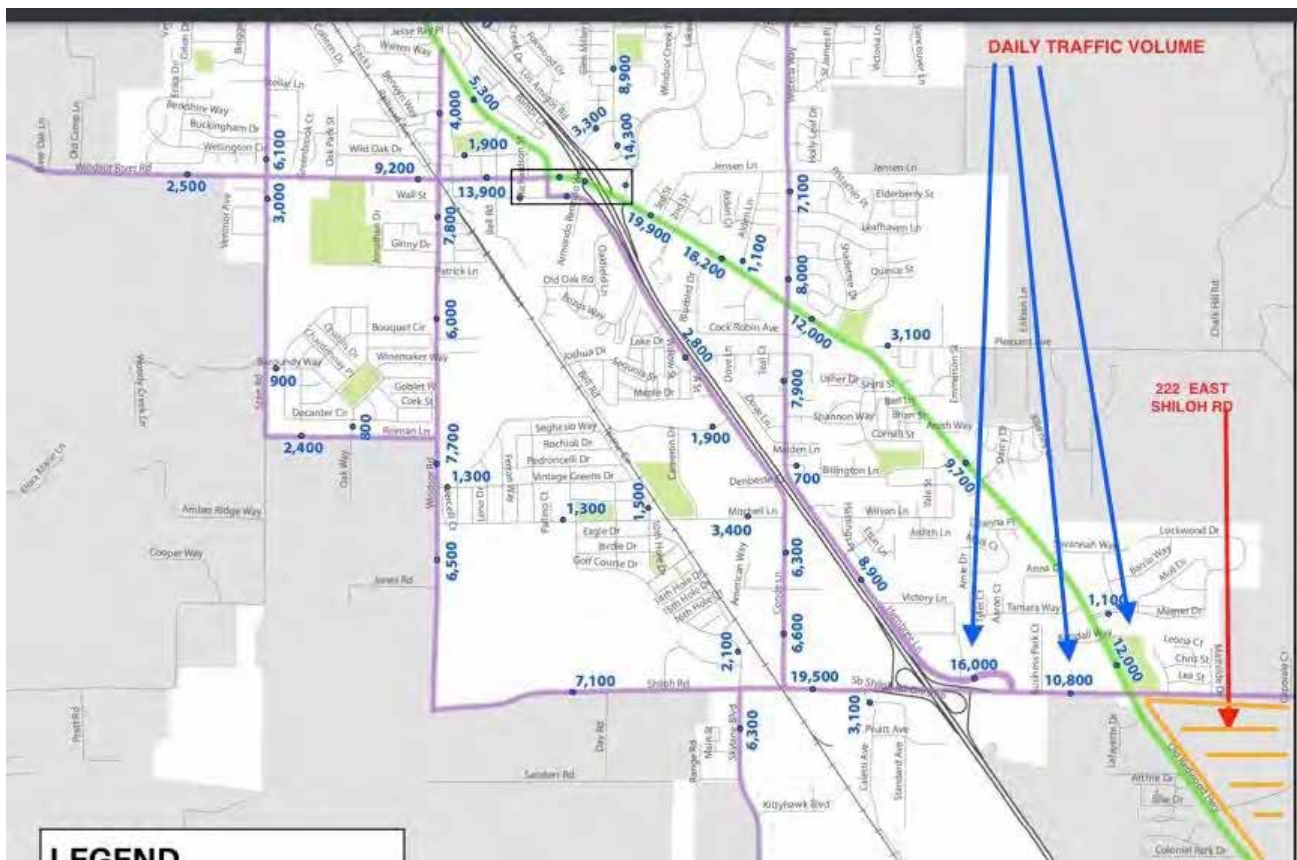
This project would not ever be permitted by the Sonoma County Planning Department because it does not comply with the rules and regulations of the Sonoma County General Plan, regulations with which every other Sonoma County business and residential property owner MUST comply.

An Environmental Impact Study was required for Graton Rancheria Casino Resort, River Rock Casino, and for Sky River Casino; **an Environmental Impact Study must be done for this project before the BIA considers taking this property into trust.**

In conclusion, the EA report omits significant information and data and lacks satisfactory analysis to support its assessments of environmental impacts on the residents living and working in Windsor and NE Santa Rosa and on the environment.

Please see the maps included in this response below.

Respectfully,
CBelden
resident Santa Rosa CA
Nov.7, 2023



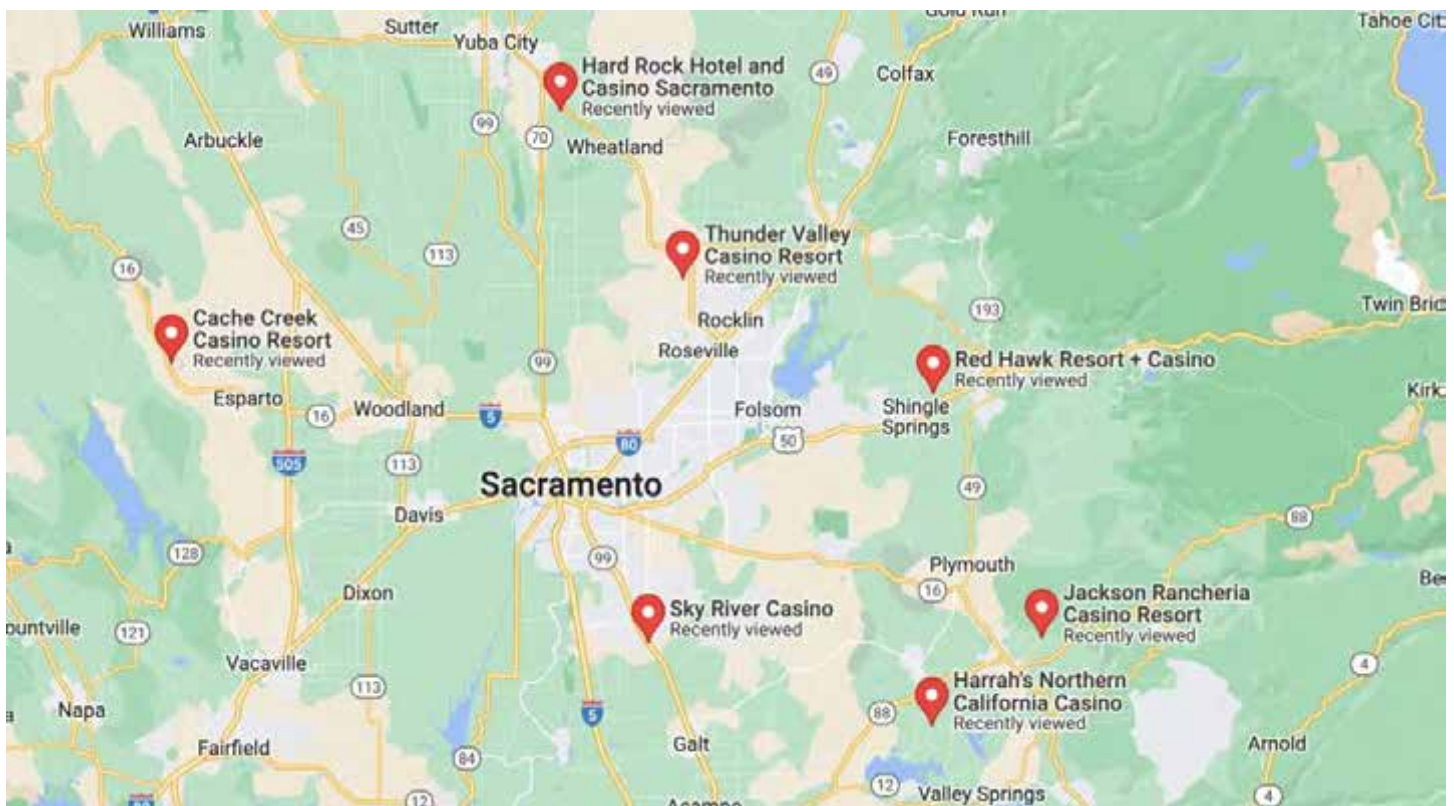
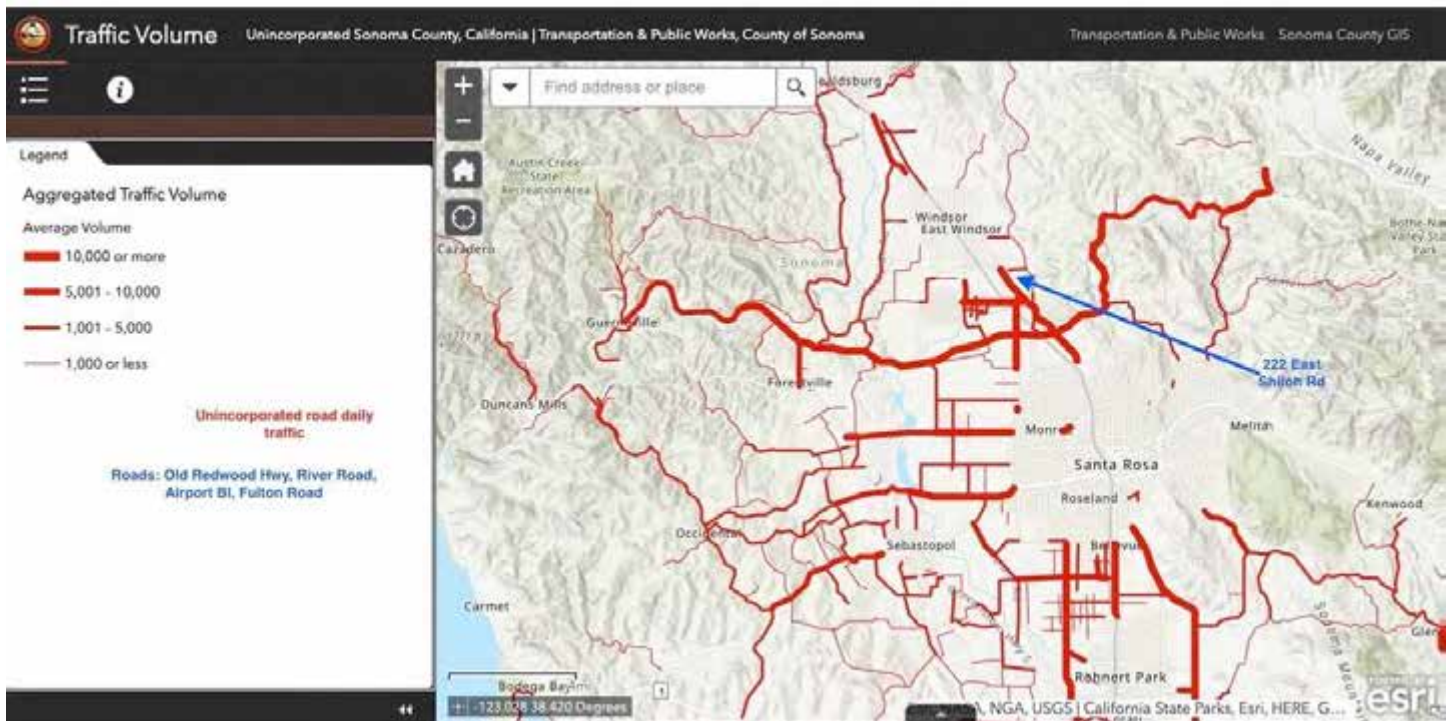
source: Town of Windsor Daily Traffic Volume –

The data on this map do not agree with the data presented by EA. EA underestimated traffic volume. The EA does not add the estimated casino traffic to existing traffic volumes. The EA does not provide sufficient data to render a valid conclusion.

This study shows a daily traffic volume of 12,000 at the intersection of East Shiloh Road and ORH relating to current daily traffic, prior to the completion of the apartment complex at the intersection of ORH and Shiloh Road.

The estimated increase due to casino visits will double this volume; the EA study clearly underestimates the traffic impact.

Why did the EA not include traffic data from the Town of Windsor? This information was provided in the Scoping Comments but was ignored by the EA.



Location of Sacramento County Tribal Gaming Casino Resorts, 500nations.com.

Not one of these casinos is located in a residential area.

All are in commercial zoned or remote areas. They are at least 30 miles apart with longer driving times.

All are separated from nearby residential areas by highways and roadways that have no significant sharing with local residents' transit.

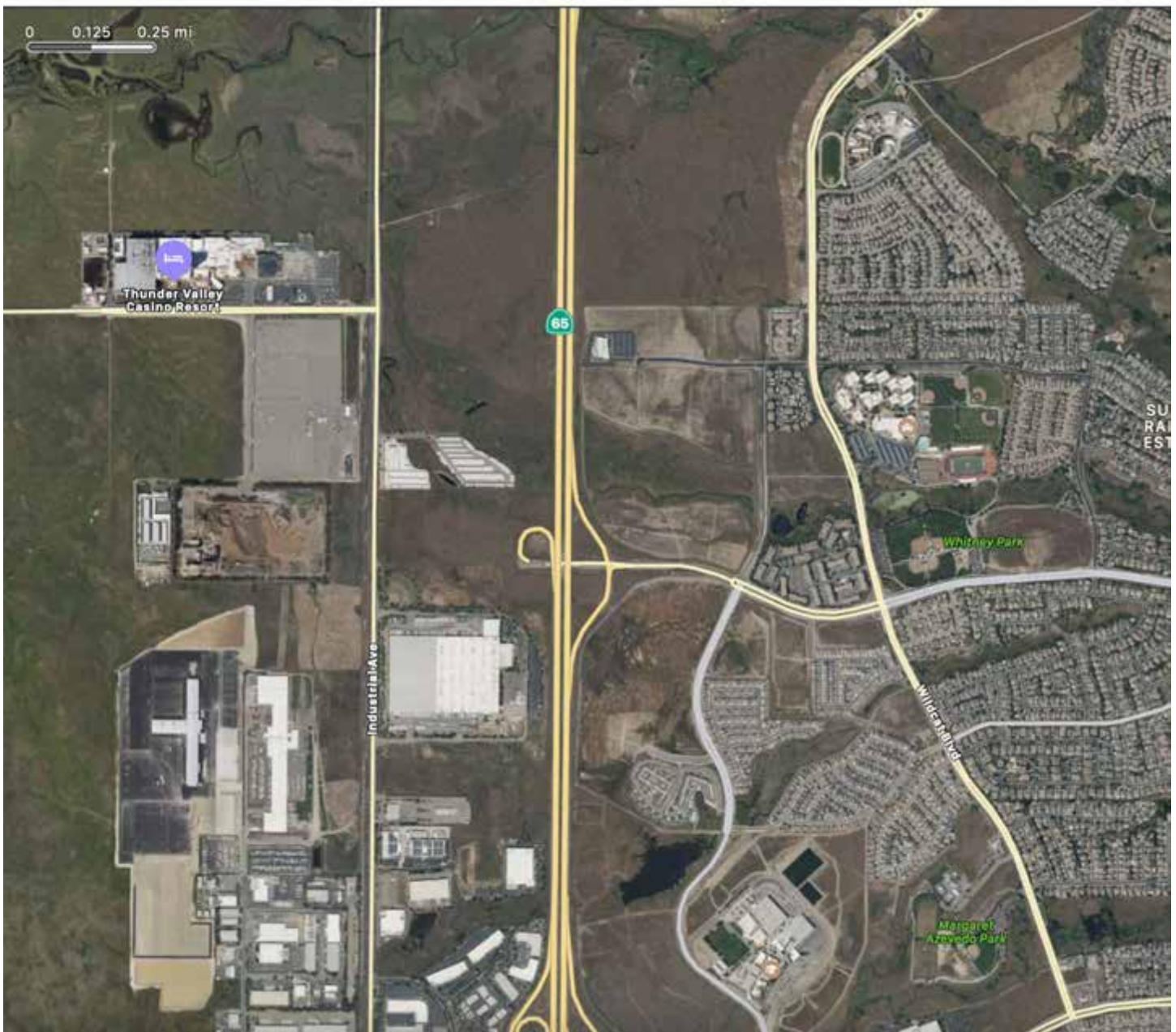
Sky River Casino's location is very far from other casinos as shown on the map above.

Sky River is on a commercial zoned parcel of 288 acres, entirely separated from 2 small residential areas by the Parkway and Hwy 99.

There is minimal traffic impact on these neighborhoods because the casino is located immediately adjacent to Hwy 99, with an off-ramp directed to the casino on Promenade Parkway, away from the residential areas.

See map below.

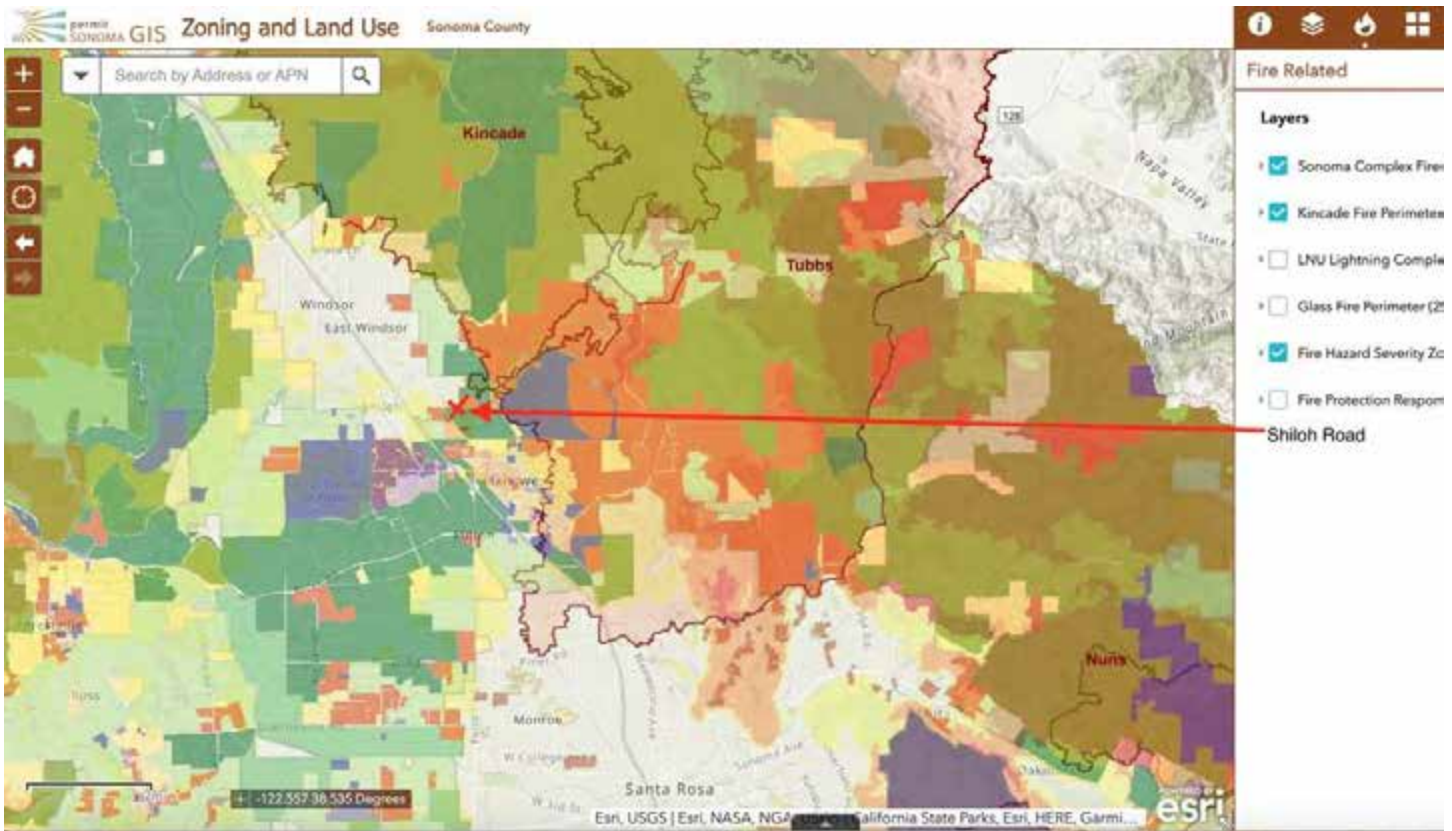




Thunder Valley Casino is separated from the Rocklin residential areas by Hwy 65 and Industrial Ave, in a commercial zoned area, and it does not share any transit routes with the residents in the area.

Examination of every other Northern California Casino shows this same condition: on commercial zoned land or remote, separated from nearby residential neighborhoods by highways, located immediately adjacent to the highway with its own transit route or minimal sharing with the residential areas.

The EA does not include assessment of these differences in location, does not compare the location of the proposed Shiloh Casino with other Northern California casinos, and ignores the current zoning of this parcel that prohibits commercial development.



source: Sonoma County Planning GIS Zoning and Land Use (November 2023)

Shiloh Road is at "X" at point of arrow. This location is surrounded by residential neighborhoods, parks, valuable vineyards as demonstrated by the colors. It lies at the point next to the boundaries of both the Tubbs Fire 2017 and Kincade Fire 2019 (orange, purple outline). All the residents living east of this point "X" will need to evacuate via Faught Road and Shiloh Road. The Casino traffic will adversely impact evacuation traffic trying to access Hwy 101 and contribute to possible deadly gridlock. The EA does not adequately address this situation and lacks critical assessment for a worst case scenario.

This location is different from EVERY OTHER CASINO RESORT in Northern California. It is surrounded by residential neighborhoods.

The EA report does not consider the residential developments that extend from Santa Rosa to north of Windsor. The East side of Hwy 101 is densely populated by residential neighborhoods. Old Redwood Highway is the main transit route, a two-lane road, extending from Windsor to NE Santa Rosa.

As shown in the daily traffic map above, the numbers presented by the EA are not accurate and inadequate as an analysis of Traffic Impact.

As noted above, the EA is inadequate, with insufficient evidence and data to support its conclusions.

From: mike.cote@sbcglobal.net <mike.cote@sbcglobal.net>
Sent: Sunday, November 12, 2023 1:35 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Amy Dutschke, Regional Director
2800 Cottage Way
Sacramento, CA 95825

SUBJECT: Koi Nation Shiloh Resort and Casino Project
Town of Windsor Comments on Environmental Assessment
Published September 2023

Dear Ms. Dutschke:

I am responding to the Environmental Assessment that was prepared by the Koi Nation Shiloh Resort Casino Project.

The proposed resort casino will be in my family's environment – very much within the surrounding area that we live. Despite the unregulated promises to mitigate the impact of construction and operation of the proposed resort casino, our environment will be negatively impacted. Here is my environmental assessment.

Traffic

300 new apartments and a senior care facility are nearing completion or starting construction, all within a few hundred feet of the proposed resort casino. If the resort casino is approved to be built, traffic and roadway changes on Shiloh Road and Old Redwood Highway **will** significantly impact lives of the community residents, businesses, schools, and churches.

Given the need for low income and elderly housing, the traffic impacts from these sources are welcome. In fact, the diversity brought to the community will have a favorable impact. I stress "community" because these projects are for permanent residents who will be our neighbors and contribute to the community.

Conversely, the impact of a resort casino in the proposed location will destroy the community. A walking and biking oriented landscape will be impractical with the proposed resort casino requirements. As a youth in South San Jose in the 1960's and 1970's, I watched as traffic mitigation separated communities.

Wildfire

It may not happen next year, or even within 5 or 10 years, but eventually another wildfire will approach this area. I was alerted to wildfire in the middle of the night in October 2017. As I scanned the foothills east of us, the glow of the Tubbs fire 3 miles away lit up the sky. Had the wind shifted westerly by a few degrees, our homes would have had the fate of our neighbors in Larkfield and Coffey Park. A fire driven by

extreme wind, raced at high speed and crossed a 6-lane freeway like it wasn't there. Horrible death will occur if evacuation routes are filled with resort casino patrons and staff. This is not the right location for a resort casino.

Our Environment

I frequent Shiloh Ranch Regional Park. At the park pond a few years ago I saw two otters. Otters have been spotted as Windsor Golf course as well as the Russian River so I assume the otters traveled up a creek. I have video footage of foxes in my front yard. I hear and see coyote in the proposed resort casino property. I'm not a wildlife expert but I know that I don't see racoons, skunks, opossum, or bobcats as much as I used to. Building an unnecessary complex over a creek that is teeming with wildlife is unmitigable. Instead of promoting wildlife sustainability and recovery, a resort casino in the proposed location will result in another fallen domino against nature.

I've spoken with people all over the country about the location of this proposed resort casino. 100% of those I've spoken have agreed that a resort casino as close to their house as this one will be to my house would be traumatic and unacceptable to them. This is not the right location for a resort casino which is why every local elected official including the Town of Windsor and Sonoma County Board of Supervisors is opposed to the location of this project.

The Environmental Assessment used the words "short term inconveniences" and "short term disruptions" to describe unmitigated impacts. Other words like "not expected" and "not anticipated" were used to downplay potential impacts. These words may sound inconsequential to some, but not to the residents who will be impacted. Who will monitor and regulate all of the mitigating factors described in the report? For example, who will ensure that the property owners will maintain a sufficiently trained staff to manage an evacuation 5 years from now? Given the initial secrecy of the project, I do not trust these property owners.

Never has a resort casino in California been built across the street from a church and an established neighborhood. These proximities are not addressed in the Environmental Assessment. Please consider our environment.

The only option I can support is Option D, no resort casino.

Sincerely,

Michael Coté

5828 Mathilde Drive

Windsor, CA 95492

mike.cote@sbcglobal.net

From: Nick Ratiani <nick.ratiani@shilohnc.com>
Sent: Sunday, November 12, 2023 6:33 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

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As a current member and retired pastor of Shiloh (formerly Mark West) Neighborhood Church, I am strongly opposed to the Koi Nation's Shiloh Resort and Casino Project. I have lived in the neighborhood since 1994, and served as pastor until 2022. I care deeply about our community.

During spoken testimony on September 27, 2023, I addressed some specific traffic and security issues that the casino would present to our church, which is directly across Old Redwood Highway from the proposed "Old Redwood Highway Casino Entrance 1" driveway. There is no question that Shiloh Neighborhood Church would be negatively impacted by the traffic created by any development at the proposed casino location. Because the main casino entrance/exit will be directly opposite the front of our building, traffic noise, accidents, and intrusive lights will destroy the sense of peace and serenity that we seek to foster in our church. This is not reflected in the studies presented in the Environmental Assessment.

I also spoke about the impact the additional traffic will have on East Shiloh Road and Faught Road, the narrow country road that leads to the Wikiup neighborhood where I live. After Faught Road takes a few narrow turns, it opens up to a standard road in front of San Miguel School. Casino customers who "take the back road" will accelerate right before reaching the school, even though the speed limit is 25 MPH. There is no mention of the impact the casino will have on Faught Road, or on the school. Neither are even shown on the maps or pictures included in the study.

When I spoke, I did not address the impact a large casino would have on the affordable housing complex which is being built diagonally across the Old Redwood Highway/Shiloh Road intersection from the projected casino. I see no mention of this housing project in the EA, and I am concerned that our future neighbors living there will be tempted by the possibility of winning easy money gambling at the casino right across the street.

These omissions demonstrate the project's callous disregard for the surrounding community. No attempt has been made to really understand the drastic impact the casino would have on the Shiloh and Wikiup neighborhoods. Instead the EA is full of studies and statistics denying/minimizing what will obviously be destructive impacts on the surrounding area. Even the satellite photo of the proposed project site is carefully cropped to leave out the neighborhoods on Shiloh Road and Faught Road.

The other casinos in Sonoma County were not built in existing neighborhoods. There are much better places to build a resort and casino. If the Shiloh Resort and Casino developers were from Sonoma County, they would care about the land and its residents. They would care about being good neighbors. By proceeding with this resort and casino project at this location, they

demonstrate that they are intruders, unconcerned about the people who actually are from this area.

Sincerely,
Rev. Nikolas Ratiani
Pastor (retired), Shiloh Neighborhood Church

From: Beth Evers <blt4223@sbcglobal.net>
Sent: Sunday, November 12, 2023 7:59 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] This would be a disaster

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Please don't let this happen
Sent from my iPhone

From: Cathy Ernst <ernst_family@yahoo.com>
Sent: Sunday, November 12, 2023 8:09 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Casino in Windsor, California

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To Whom it May Concern,

My name is Catherine Ernst and I am a long time citizen of Windsor, parent, and educator. I am extremely concerned that a casino is being considered in our residential small community. There are many reasons why this is an unsafe and highly objectionable proposal. First, this tribe, Koi, are not indigenous to Sonoma County. They set up an office here, but that doesn't make it their home county. They are from Lake County. Our indigenous tribes are the only ones entitled to this area. Also, why would another tribe from out of California be allowed to help the Koi set this up. If this is allowed the Bureau of Indian Affairs is setting up a new precedent that would allow any tribe anywhere to shop other areas other than their true ancestral home .

Second, the negative impact to our community would be multi-fold as you look at the water consumption, when drought is always a concern. Traffic is already a problem on our one lane each way streets. With fire evacuation always a concern this would cripple escape routes. Also, surrounding this 65 acre property are two schools within a mile, a church, a park and a regional park for hiking and horses. Does that sound like a place to drop a casino?

We already have two casinos within 14 miles north and south of Windsor. We don't have freeways per say, we have 101 Highway for our main road.

From everything I have read and heard, the only people who want this project have been bought and paid for with money and promises of money. The citizens of Windsor, Sonoma County, and all our true indigenous tribes do not want the casino built here. They need to go to their own ancestral county.

Please don't let the Koi Casino destroy our community and change the policies of the Bureau of Indian Affairs. I know money usually wins, but this is a matter of severe negative proportions for Windsor.

Sincerely,
Catherine Ernst

Sent from my iPhone

From: sandra george <bailey011@att.net>
Sent: Sunday, November 12, 2023 9:49 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good Evening Mr, Broussard,

We write to you regarding the Proposed Koi Nation Resort and Cassino. The first item we ask to be taken in consideration that should garner an automatic NO, is the fact that this proposed project is bordered on 3 sides by RESIDENTAL HOUSING. Not only residential housing, but also directly across the street is a Church, and Esposti Park which has baseball and soccer fields. Directly across the street of the proposed 65 foot high hotel are back yards of houses. Their privacy of 6 foot fence will be obliterated by the proposed 65 foot Hotel. Hotel guests will not only look down into the yards of these houses, but directly into windows. Tasking away of any and all privacy IN their houses! Sonoma County is know as Wine Country. The proposed site is zoned agriculture. Commercial building is prohibited and would RUIN the look of this area which is bordered on the 4th side by Shiloh Regional Park. The reason we bought our home across the street of he proposed project is because of all of the beautiful agricultural land surrounding us. This would be ruined by ANY building on this land. This fact CANNOT be mitigated. The Koi have been land shopping for years. After being unsuccessful in their prior attempts. They then bought the proposed site sneakily and underhandidly. Not revealing who they were, or what their intent was. They say they want to be a good neighbor. They why haven't they reached out to the neighbors? Why did they not reach out to us before they snuck into our neighborhood? The Koi talk about the economic increases they believe they will make. What about the economic damage they will make. We reached out to our realtor about our home value with and without a cassino. The response was a \$200,000 decrease with a casino. A casino would effect thousands and thousands of home values. The Koi say they will create 2000 + new jobs. They also say in their EA that Sonoma county Unemployment is at a historic low at 2.6%. Businesses and companies are closing daily. This in mainly due to lack of workers. There are more jobs available that the Koi reported 2.6% of unemployed. This 2.6 % represents those that choose NOT to work. If the Koi do produce the over 2000 projected jobs, the only workforce to fill those jobs will be from the currently struggling businesses and companies. This will further promote more closures of these businesses and companies. This will create even more commercial buildings left un rented. That will effect the land/building owners and force more forclosuers. Any financial gains the Koi tout, will pale to the economic losses of home owners, land owners, business owners who invested their life savings in their failed businesses, county tax revenue. The Koi plan to fill areas on the land by 2 feet. This will odviously be the low lying areas of the property. It is illegal to grade your property and divert water onto bordering properties. This is exactly what would happen. The properties to the south of the proposed project are directly across from Pruitt Creek and are in a low lying area. This diversion, along with depleting flood land, and land that absorbed rain water instead of channeling it into the creek will increase flooding of low lying lands, and lands along the creek which border

residential housing. The Koi project taking 170,000 gallons of water, A DAY, out of wells up to 700 feet deep. Our houses ONLY source of water is our well. Our well is not 700 feet deep. Our well WILL GO DRY with the proposed amount of water being taken daily. Wells have been going dry around the county, without having 170,000 gallons being taken on a daily basis nearby from the ground. California's Central Valley is sinking at a rate of 1 foot a year due to over use of wells. What will be the impacts in our area? These impacts CANNOT BE MITIGATED! The Koi project about 2 million gallons of wastewater a week. They propose a wastewater storage tank of 12,000 million gallons. What is going to happen when the proposed tank fills up in 6 weeks time? It will only have one place to go. Pruitt Creek! There is no way to mitigate waste water smell. Either we will smell the waste water or the deodorizer. We will also have to smell the odors of the Restaurant/Kitchen, and Laundry. These smells cannot be mitigated. The Koi say that the parking areas will be "well lit". This along with the other lighting CANNOT BE MITIGATED! The Koi talk about the TEMPORARY construction jobs for the County. The Contractors who build Casinos are primarily from Las Vegas or elsewhere in Nevada. The construction monies made by these companies will go back to these states and not the local economy. Many of the workers will be coming in with these companies from Nevada and other states. As you heard in the last zoom meeting. The only support were from some speakers from the Carpenters Union. ALL of which did not LIVE in close proximity of the proposed project and WONT be DIRECTLY affected. EVERY politician in the STATE of CALIFORNIA, from the nearby towns, cities, county, state, and federal levels, ALL OPPOSED the proposed project! All home owners, local businesses, prior Superintendent of Schools, retired Police chiefs etc. ALL OPPOSED the proposed project. We fled our house the night of the Tubbs fire with our Grandchildren with only the clothes/pajamas on our backs. Only to get onto Hwy 101 heading South and almost was hit head on by vehicles that had turned around on the freeway and were going the wrong direction because the freeway was blocked by the fire and fallen trees. After exiting the freeway we were stuck in gridlocked traffic. Luckily we escaped as 24 others died trying! When the Kinkade fire broke out. I could see it from my bedroom. I watched it grow through the night. When we were systematically evacuated the next day. It was complete gridlock. This was under controlled conditions. Had the winds not shifted. The outcome could have been worse than the Paradise fire. On a typical day Shiloh Road gets backed up almost to the freeway. With a Casino it WILL be backed up not only to the freeway, but on the freeway! If the Koi are allowed to build the proposed Casino and Resort. The hotel and casino patrons, and nearby residents WILL NOT be able to evacuate if and when another fire starts. Both the Tubbs and Kinkade fire came right through this path as this is the way the wind currents run and funnel the fires. The Koi say that they were wronged in the past. I was always told from a young age that two wrongs do not make a right. Don't let the Koi wrong us homeowners/citizens. There is plenty of commercial land available that is not near, or directly across the street of residences. The only viable, and correct option, is Option D. Our only support is of Option D.

Please make the correct decision in this matter. Option D.

Thank you,
David and Sandra George

From: dcraigm@aol.com <dcraigm@aol.com>
Sent: Monday, November 13, 2023 3:20 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Donald Craig Mitchell Comments Koi Nation EA

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To: Chard Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region

FROM: Donald Craig Mitchell

SUBJECT: Environmental Assessment
Koi Nation of Northern California
Shiloh Resort and Casino Project

Attached to this email as a pdf file for the consideration of Regional Director Dutschke and other Department of the Interior officials (including the Associate Solicitor - Indian Affairs) are my comments on the Environmental Assessment the BIA has issued regarding the request of the Koi Nation of Northern California that Secretary Haaland acquire 68.8 acres of land in Sonoma County for the Koi Nation pursuant to section 5 of the Indian Reorganization Act.

I also will mail Director Dutsche a hard copy copy of my comments.

Would appreciate your confirmation of receipt of these comments.

Thanks.

One attachment • Scanned by Gmail

November 13, 2023

TO: Amy Dutschke
Regional Director
Pacific Regional Office
Bureau of Indian Affairs

FROM: Donald Craig Mitchell
1335 F Street
Anchorage, Alaska 99501
(907) 276-1681

SUBJECT: Comments on Environmental Assessment
Koi Nation Shiloh Resort and Casino

In September 2023 the BIA Pacific Regional Office made available for public comment an assessment (EA) of the environmental impacts that may occur if Secretary of the Interior Deb Haaland takes into trust for an organization called the Koi Nation of Northern California the title to 68.8 acres of land located adjacent to the town of Windsor, California, to enable the Koi Nation to construct and operate a casino whose gaming floor will contain 2,750 video gaming machines and 105 table games, as well as a five-story hotel and four-story concrete parking garage.

The EA describes four alternative actions.

Alternative D is no action: Secretary Haaland will not take the title to the 68.8 acres into trust, no casino, hotel, and parking garage will be built, and, should it wish to do so, the

Koi Nation (which owns the property in fee title) can continue to use the land for agricultural purposes.

For the reasons set out below, Alternative D not only would be, as a matter of public policy, the most appropriate action, as a matter of law, Secretary Haaland has a nondiscretionary duty to implement Alternative D because

1. The members of the Koi Nation of Northern California are not "Indians" as section 19 of the Indian Reorganization Act (IRA) defines that term for whom Congress, in section 5 of the IRA, has delegated Secretary Haaland authority to take the title to land into trust; and
2. The members of the Koi Nation of Northern California are not an "Indian tribe" as section 4(5) of the Indian Gaming Regulatory Act (IGRA) defines that term.

SECRETARY OF THE INTERIOR DEB HAALAND HAS NO AUTHORITY TO TAKE THE TITLE TO ANY LAND INTO TRUST FOR THE KOI NATION OF NORTHERN CALIFORNIA PURSUANT TO SECTION 5 OF THE IRA

Section 5 of the IRA, 25 USC 5108, delegates the secretary of the interior authority to acquire land "for the purpose of providing land for Indians." Section 5 also provides that the title to acquired land "shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation."

In turn, section 19 of the IRA, 25 U.S.C. 5129, defines "Indian" to mean "all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood." (emphasis added).

In 1942 Felix Cohen, who today remains an authoritative commentator on federal Indian law, cautioned that "The word 'tribe' is commonly used in two senses, an ethnological sense and a political sense" and that it is "important to distinguish between these two meanings of the term."¹

In 1901 in *Montoya v. United States*² the U.S. Supreme Court defined an ethnological tribe as "a body of Indians of the same or a similar race, united in a community under one leadership or government and inhabiting a particular though sometimes ill defined territory."

A group of individuals of Native American descent is a tribe in a political sense if the group has been lawfully "recognized" to be such by the federal government. In 1994 the Committee on Natural Resources, which in the U.S. House of Representatives

¹ Felix S. Cohen, Handbook of Federal Indian Law, at 268 (1942).

² 180 U.S. 261.

exercised jurisdiction over Native American-related legislation, instructed that

"Recognized" is more than a simple adjective; it is a legal term of art. It means that the government acknowledges as a matter of law that a particular Native American group is a tribe by conferring a specific legal status on that group, thus bringing it within Congress' legislative powers. This federal recognition is no minor step. A formal political act, it permanently establishes a government-to-government relationship between the United States and the recognized tribe as a "domestic dependent nation," and imposes on the government a fiduciary trust relationship to the tribe and its members. Concomitantly, it institutionalizes the tribe's quasi-sovereign status, along with all powers accompanying that status (emphasis added).

H.R. Rep. No. 103-781 at 2-3. *Accord* Newton, Nell Jessup (ed)., *Cohen's Handbook of Federal Indian Law*, at 133-134 (2012).

There are three "formal political acts" that can confer recognition:

1. The Senate's ratification of a treaty that has been negotiated with a group whose membership is composed of individuals of Native American descent;
2. Congress's enactment of a statute that "recognizes" a group whose membership is composed of individuals of Native American descent as a tribe that, as a consequence of the recognition, henceforth has a "government-to-government relationship" with the government of the United States; and

3. Final agency action by the secretary of the interior taken pursuant to a statute in which Congress has delegated the secretary authority to "recognize" groups whose memberships are composed of individuals of Native American descent as tribes in Congress's stead.

The group once called the Lower Lake Rancheria, but which now calls itself the Koi Nation of Northern California, has not been "recognized" by any of those three means. As a consequence, the group is not a "recognized Indian tribe" for which Congress has delegated Secretary Haaland authority to take the title to land into trust pursuant to section 5 of the IRA.³

³ In 2017 the Koi Nation filed a civil action against the Department of the Interior in the U.S. District Court for the District of Columbia to obtain a declaratory judgment that "the Koi Nation 'is an Indian Tribe that is restored to federal recognition' in accordance with [section 20(b)(1)(B)(iii) of the IGRA]." *Koi Nation of Northern California v. U.S. Department of the Interior*, U.S. District Court for the District of Columbia No. 1:17-cv-01718. In paragraph 6 of its complaint the Koi Nation alleged that it was a "federally recognized tribe." In their answer the federal defendants admitted the assertion of tribal status in paragraph 6. Because tribal status had not been contested, in her memorandum opinion District Judge Beryl A. Howell simply assumed, albeit without deciding, that the Koi Nation was "a landless federally recognized Indian tribe. See *Koi Nation of Northern California v. U.S. Department of the Interior*, 361 F. Supp.3d 14, 20 (D.C.D.C. 2019).

The History of the *Ultra Vires* "Recognition" of
of the Members of the Koi Nation of Northern California
as a "recognized Indian Tribe"

In 1848 in the Treaty of Guadalupe Hidalgo⁴ the government of Mexico ceded to the United States authority to assert its jurisdiction throughout the geography known as California. In Article XI of the treaty the parties agreed that members of the "savage" tribes that resided in California would "hereafter be under the exclusive control of the Government of the United States."

To obtain information regarding the extent to which the United States should validate land ownership claims in California, in 1849 Secretary of State John M. Clayton sent two individuals, Thomas Butler King, a former congressman, and William Carey Jones, to reconnoiter and then report on the situation. Insofar as the occupancy of land by Native Americans was concerned, Butler reported that in California the Indians "have never pretended to hold any interest in the soil, nor have they been treated by the Spanish or American immigrants as possessing any."⁵ And Jones reported the same, advising that "In the wild or wandering tribes, the Spanish law does not recognize any title whatever to the soil." But he also reported that

⁴ Treaty of Peace, Friendship, Limits, and Settlement with the Republic of Mexico, 9 Stat. 922.

⁵ T. Butler King's Report on California, H. Exec. Doc. 31-59, at 8 (1850).

insofar as Indians who resided in villages in the vicinities of the missions that in 1833 the Mexican Congress had secularized were concerned:

I understand the law to be, that wherever Indian settlements are established, and they till the ground, they have a right of occupancy in the land which they need and use; and whenever a grant is made which includes such settlements, the grant is subject to such occupancy . . . The continued observance of this law, and the exercise of the public authority to protect the Indians in their rights under it, cannot, I think, produce any great inconvenience."⁶

A year later, in 1851 the 31st Congress enacted the California Lands Act,⁷ which established a three-member commission empowered to determine the validity of the land ownership rights of "every person claiming lands in California by virtue of any right or title derived from the Spanish or Mexican government." Jones's recommendation regarding the occupancy rights of Indians who resided in villages located in the vicinities of the missions was ignored. The silence in the Act was tantamount to a decision by the 31st Congress that the United States government would not afford Native American land occupancy rights in California any legal recognition.

But a year earlier the same 31st Congress had directed President Millard Fillmore to send "not more than three agents

⁶ Report on the Subject of Land Titles in California, at 37 (1850).

⁷ Act of March 3, 1851, 9 Stat. 631.

for the Indian tribes in California" to "perform the duties now prescribed by law to Indian agents."⁸ Secretary of the Interior Alexander Stuart subsequently decided on his own that the agents should negotiate treaties that would establish reservations onto which Indians who agreed to a treaty would relocate.

The three agents negotiated eighteen treaties. But in 1852 when the treaties were presented to the Senate for ratification they were rejected, among other reasons because, as Senator David Atchison, the chairman of the Committee on Indian Affairs railed, the 31st Congress had not authorized the agents to negotiate any treaties to begin with.⁹

The Senate's refusal to ratify the treaties established two legal precedents. The first was that Congress would not recognize that Native Americans in California had any legally enforceable right to any of the land they occupied. The second was that Congress would not "recognize" any groups of Native Americans in California as "Indian tribes" in a political sense. Instead, Indians would be dealt with as individuals.

Throughout the latter half of the nineteenth century, in southern California Congress's Indian policies in California were problematical. For example, after visiting eight Indian

⁸ Act of Sept. 28, 1850, 9 Stat. 519.

⁹ *See generally*, Harry Kelsey, "The California Indian Treaty Myth," 55 *Southern California Quarterly* 225-238 (1973).

settlements in southern California, in 1875 Indian agent D.E. Dryden reported to Commissioner of Indian Affairs Edward Parmelee Smith that

The Indians, by virtue of long possession inherited from their ancestors, very naturally feel that their rights are being invaded and their lands wrested from them. Grant-holders regard the Indians as troublesome incumbrances upon their lands, and are anxious to have them removed, while the settlers are crowding in to make homes upon the lands to which they consider the Indians have no title, notwithstanding their actual possession. The adjustment of these interests has been too long neglected, but cannot much longer without very serious consequences, and any adjustment left to the parties interested must result in disadvantage and disaster to the Indians, the weakest party.¹⁰

But in northern California, in the Sierra Nevada foothills where gold had been discovered and in the river valleys where farms and ranches had been established, the situation for Indians was horrific. Indian men wantonly murdered. Indian women sexually abused. Indian children kidnapped.¹¹

By the turn of the twentieth century most Indians still alive in northern California were impoverished and itinerant, moving in family groups from farm-to-farm ranch-to-ranch where the white owners allowed them to camp while they labored in the fields.

¹⁰ 1875 Report of Commissioner of Indians Affairs, at 223.

¹¹ See generally Benjamin Madley, *An American Genocide: The United States and the California Indian Catastrophe, 1846-1873* (2016).

In 1894 a group of locally socially prominent women in San Jose, California, who were concerned about the dire living conditions of itinerant Indians in that locale organized the Northern California Indian Association (NCIA).¹²

In 1904 the NCIA petitioned the 58th Congress to appropriate money to enable the secretary of the interior to purchase small tracts of land Indian families. The petition described the rationale for doing so as follows:

The present unfortunate condition of the nonreservation Indians of northern California¹³ is largely or perhaps wholly owing to their landless condition, and this landless condition results from the seizure of their lands by the Government of the United States without payment therefor . . . We do not wish reservations established for them. Reservations would be very expensive for the Government, and, we think, undesirable for the Indians in many ways. We ask that land be given them in severalty, under the tenure and with the probationary period or greater of the general allotment act. Our Indians have been more or less in contact with civilization for years, and are, we are convinced, ready for allotments in severalty. We do not ask for large farms. Most Indians would be unable to use a large farm properly. Small tracts, we think, will be sufficient.¹⁴

¹² See generally Larisa K. Miller, "The Decline of the Northern California Indian Association," *99 California History* 25-52 (2022).

¹³ After the Senate rejected the treaties whose ratification would have created eighteen reservations, later in the nineteenth century several relatively small reservations were created in both northern - e.g., Round Valley and Hoopa Valley - and southern - e.g., Capitan Grande - California.

¹⁴ S. Doc. No. 58-131, at 2-3.

In 1905 the 58th Congress responded to the petition by directing Secretary of the Interior Ethan Hitchcock "to investigate through an inspector or otherwise existing conditions of the California Indians and to report to Congress at the next session some plan to improve the same."¹⁵

To conduct the investigation Secretary Hitchcock appointed Charles E. Kelsey, an attorney and member of the NCIA who in 1901 had moved to San Jose from Wisconsin.¹⁶

In the report he submitted in March 1906 Kelsey "recommend[ed] the appropriation of a sufficient sum for the purchase of land in the immediate localities where the Indians live, to be allotted or assigned to them in small tracts under such rules as the Secretary of the Interior may prescribe."¹⁷

Three months later the 59th Congress appropriated \$100,000 that the secretary of the interior was directed to spend by "purchas[ing] for the use of the Indians in California now residing on reservations which do not contain land suitable for cultivation, and for Indians who are not now upon reservations in said State, suitable tracts or parcels of land, water, and water

¹⁵ Pub. L. No. 58-212, 33 Stat. 1048, 1058.

¹⁶ Larisa K. Miller, "Made in Wisconsin: The Shaping of a Federal Indian Agent," 33 *Voyageur* 10-18 (Summer/Fall 2016).

¹⁷ Report of the Special Agent for California Indians to the Commissioner of Indian Affairs, 21, 1906, *reprinted at* Indian Tribes of California: Hearing before a Subcomm. of the H. Comm. on Indian Affairs, 66th Cong. 125-126 (1920).

rights in the State of California."¹⁸

That was the first of several appropriations Congress made for the purpose of purchasing small tracts of land. As Commissioner of Indian Affairs Francis Leupp in 1907 explained to the Senate Committee on Indian Affairs:

The Act of June 21, 1906 appropriated the sum of \$100,000 for the purchase of lands and water rights for the Indians in the State of California. This appropriation is now nearly exhausted, and while a great deal has been done for the betterment of the condition of these Indians, it is apparent that the amount was wholly inadequate to carry out the purposes for which the appropriation is made.

It is but justice, both to the Indians and to the citizens of the State of California, that the Congress make suitable provision to place the Indians of the State of California in a position to gain their own livelihood. It is not intended to give these Indians farms, but merely to purchase for each Indian, or family of Indians, a small tract not exceeding 5 or 10 acres, on which it will be possible to erect homes and cultivate small gardens or orchards.¹⁹

Commissioner Leupp appointed Charles Kelsey as a special Indian agent to administer the land purchase program, a position Kelsey held until 1913 when Democrat Woodrow Wilson assumed the presidency and Kelsey and all other Republican political appointees in the Department of the Interior were terminated.

¹⁸ Pub. L. No. 59-258, 34 Stat. 325, 333.

¹⁹ S. Rep. No. 60-95, at 1.

During his tenure

From his office in San Jose, Kelsey racked up thousands of miles traveling around California and made two trips to the Indian Office headquarters in Washington, D.C. Kelsey bought forty-five tracts of land in California totaling more than 7,500 acres; a dozen sites were in southern California and the rest were in the north. More sites were purchased after Kelsey left the service. They are now known as Indian rancherias."²⁰

Clear Lake is a large fresh water lake in Lake County, California, 109 miles northeast of San Francisco. In 1916 Charles Kelsey's successor as Indian agent purchased a 140.46-acre tract of land at the southern end of the lake that would be known as the Lower Lake Rancheria.

The tract was vacant because, while individuals of Pomo Indian descent long had lived around the lake, in 1916 they resided at locations other than on the 140.46-acres that had been purchased for Indian occupancy.

²⁰ Larisa K. Miller, "Primary Sources on C.E. Kelsey and the Northern California Indian Association," 4 *Journal of Western Archives*, at 3-4 (2013). After the missions in California were secularized the Mexican government granted the land around each mission to private individuals as multi-thousand-acre ranches whose principal purpose was grazing cattle whose hides and tallow were sold to merchants who sailed around the Horn from Boston. On the ranches Indians provided most of the labor. See generally Richard Henry Dana, Jr., *Two Years Before the Mast* (1840). The location on a ranch at which the owner allowed his Indian workers to camp was called a rancheria. Similarly, during the latter half of the nineteenth century and the beginning of the twentieth century when farms and ranches were established in northern California, the location at which the owner of a farm or ranch allowed the Indians who labored in his fields (and their families) to camp also was called a rancheria. By 1907 when Charles Kelsey began purchasing small tracts of land for landless Indians the tracts were described as "rancherias."

The year after the Bureau of Indian Affairs (BIA) purchased the 140.46-acres the California Supreme Court issued *Anderson v. Mathews*,²¹ a decision in which it held that Ethan Anderson, a Pomo Indian who resided at the north end of Clear Lake, was a citizen who, as a consequence of that status, was entitled to vote in state elections. The Court's description of the situation vis-a-vis Mr. Anderson and other Pomo Indians who lived around Clear Lake in 1917 merits the length of the quote:

[Plaintiff Ethan Anderson] was born in California, after its admission into the Union, and has always resided there.²² At the time of the treaty of [Guadalupe Hidalgo] his ancestors were wild and uncivilized Indians settled in and permanently inhabiting Indian villages in the region now forming Lake county. Then and for several years thereafter they lived in tribes and maintained tribal relations, the nature of which is not stated. The name of the tribe is not given.²³ It does not appear that it was known by any name. The United States has never made any treaty with the tribe, or with any tribe of which it ever formed a part, or with the particular group or village of Indians with whom the plaintiff associates and resides. It does not appear that the original tribe had any form of government, laws or regulations of any kind. He is one of a group of Indians residing in Lake

²¹ 174 Cal. 537 (1917).

²² Anderson was born in Scattered Rocks Village - also known as Kabemato'lil, an 89-acre tract of land located several miles north of Clear Lake that in 1879 fourteen Pomo Indians had purchased in fee title for \$2,200 from a local farmer. See Khal Schneider, "A Square Deal in Lake County: *Anderson v. Mathews* (1917), California Indian Communities, and Indian Citizenship," 18 *Journal of the Gilded Age and Progressive Era* 263-281 (2019).

²³ The context indicates that the Court was using the term "tribe" in its ethnological sense, rather than in its political sense.

county, and who, although surrounded by white neighbors, practically associate exclusively with each other and with other Indians in that and adjacent counties. The group has no tribal laws or regulations, and no organization or means of enforcing any such laws or regulations. The only sort of communal organization or semblance of political autonomy it has consists of the fact that one of them has the title of "captain," and is treated as their leader or spokesman, and receives some deference and respect on that account. But he has no authority. Disputes are sometimes submitted to him for settlement, but his decisions are considered wholly advisory. Each party accepts or rejects them as he chooses, and there is neither enforcement nor means of enforcement thereof.

Some years ago a white man named Bucknall donated a tract of land to another group of Indians in the vicinity, on which said Indians reside as in a village. In this village the United States has established a school for the benefit of all the Indians of the vicinity, and it provides transportation thereto for the children of the plaintiff's group or village. This land is held in trust for the benefit of all these Indian villages, and they all contribute to pay the taxes thereon. They have never been taxed on other property, and the plaintiff has not otherwise paid taxes.

A few years ago the federal government purchased a tract of land in Lake county for a home for these Indians, including the group of which plaintiff is a member, upon which any family of the group can live and make its home. It has been subdivided into lots for allotment, in severalty, to the beneficiaries. The plaintiff has selected a lot and has established a residence thereon where he lives when not employed elsewhere. He has not received any certificate or patent for the allotment. The Indian agent at Round Valley Reservation furnishes some food and clothing to these Indians in cases of extreme necessity "and attends to their ordinary wants." No explanation is given of the meaning of the phrase just quoted. In no other manner has the United States dealt with these Indians or recognized their distinct or communal existence separate from other inhabitants of the state.

The plaintiff and the other Indians of his group maintain themselves and their families chiefly by doing farm work for wages on the farms of their white neighbors. They also catch fish and gather acorns which they dry and store for winter food. When at work for farmers they live in houses furnished by their employers or in camps in the fields near their work, returning to their village when the employment ends . . . They all acknowledge themselves bound by state laws, and do not dispute the jurisdiction of the state over them. The plaintiff was married under state law, and when the petition was filed he was living with his family in a house on the land of a farmer for whom he was working. He expects to return to the village when his employment ceases. It is not the custom of those Indians to marry by state law. They usually take a woman and live with her according to the Indian custom, by her parents' consent, but without a ceremonial marriage after our forms. They wear clothes similar to those worn by their white neighbors.

From these circumstances we think it is clear that the plaintiff is a citizen of the United States, and entitled to registration as a voter.²⁴ (emphases added).

It is reasonable to assume that Pomo Indians who lived at the southern end of Clear Lake were similarly situated.

In 2000 the superintendent of the BIA Central California Agency reported that, as it had been in 1916, until 1947 the 140.46 acres known as the Lower Lake Rancheria continued to be uninhabited. But that year the BIA allowed two individuals of Pomo Indian descent - Louis Johnson and Harry Johnson - and their families to move onto the land. But only Harry Johnson and his family did so, settling on a 41-acre parcel inside the boundaries

²⁴ *Supra* at 542-544.

of the rancheria.²⁵

Three years later, in 1951 the Lake County Board of Supervisors asked the BIA whether it would be possible lease or purchase the 99.46 acres that remained uninhabited for use as an airport. Harry Johnson and the BIA agreed to that arrangement, and in 1953 Representative Hubert Scudder, who represented Lake County in the U.S. House of Representatives, introduced a bill whose enactment would effectuate that result.²⁶

The bill was so noncontroversial that Representative Arthur Miller, the chairman of the House Committee on Interior and Insular Affairs to which the bill had been referred, did not bother to have the committee hold a hearing on the measure. But a technical land conveyance problem required Representative Scudder to introduce an amended version of the bill,²⁷ which in 1956 the 84th Congress enacted as Public Law No. 84-443.²⁸

The Act authorized the secretary of the interior to sell the 99.46 acres to Lake County for the fair market value of the land,

²⁵ Memorandum entitled "Administrative Reaffirmation of Federal Recognition - Lower Lake Rancheria," from Superintendent BIA Central California Agency to Regional Director BIA Pacific Region, Sept. 14, 2000 [hereinafter "BIA Superintendent Memorandum"]. This document and the documents cited in footnotes 35, 40, 44, 46, and 48 are part of the administrative record that was filed in *Koi Nation of Northern California v. U.S. Department of the Interior*, 361 F. Supp.3d 14 (D.C.D.C. 2019).

²⁶ H.R. 6105, 83d Cong. (introduced July 6, 1953).

²⁷ H.R. 585, 84th Cong. (introduced Jan. 5, 1955).

²⁸ 70 Stat. 58.

and to convey to Harry Johnson an unrestricted deed in fee title to the 47 acres he and his family were occupying. According to the superintendent of the BIA Central California Agency, subsequent to his receipt of the deed "Mr. Johnson sold at least some of the 41-acre parcel"²⁹ (and presumably pocketed the proceeds).

In 1974 Harry Johnson died in Santa Rosa, California.

At the request of the Indians who resided on forty-one rancherias in northern California, in 1958 the 85th Congress enacted the California Rancheria Act.³⁰ The Act delegated the secretary of the interior authority to convey to the occupants of each of the forty-one rancherias the land on which each occupant resided, but only after the Indians who resided on a rancheria had voted to accept the conveyances. The Act also provided that after title to the land in a rancheria had been conveyed, the Indians who now owned the land in fee title would not be entitled to "any of the services performed by the United States for Indians because of their status as Indians," and "all statutes of the United States which affect Indians because of their status as Indians shall be inapplicable to them."

Throughout the 1960s the BIA implemented the California Rancheria Act.

²⁹ BIA Superintendent Memorandum.

³⁰ Pub. L. No. 85-671, 72 Stat. 619.

In 1971 attorneys in the employ of California Indian Legal Services (CILS), a recently established OEO-funded "public interest" law firm headquartered in Oakland, California, decided to begin a litigation campaign whose objective was to reverse the BIA's implementation of the California Rancheria Act and, as part of the project, establish that the occupants of each of the former rancherias were, and had always been, members of "federally recognized tribes."

In 1977 the CILS campaign achieved its first win when in *Duncan v. Andrus*,³¹ the U.S. District Court for the Northern District of California held that the BIA had unlawfully conveyed to the Pomo Indians who lived on it the land in the Robinson Rancheria, a tract of land on the north end of Clear Lake that Charles Kelsey had purchased in 1909. Even though the Indians who occupied homesites on the rancheria had approved the conveyances by a vote of 24 in favor to 1 opposed, the CILS attorneys won because "Defendants, through counsel, have conceded that the termination [of the Robinson Rancheria] was unauthorized."³²

³¹ 517 F. Supp. 1 (D.C. Cal. 1977).

³² *Id.* at 4. While Secretary of the Interior Cecil Andrus and the other Department of the Interior defendants were represented in *Duncan v. Andrus* by attorneys in the U.S. Department of Justice, the defendants' response to the lawsuit was managed by attorneys in the Office of the Solicitor of the Department of the Interior in Washington, D.C. The complicity of those attorneys with the CILS attorneys in CILS's years-long effort to invalidate the BIA's implementation of the California Rancheria Act is a subject beyond the scope of these comments.

Motivated by that victory, in 1979 in the same court the CILS attorneys filed *Tillie Hardwick v. United States*,³³ a class action whose objective was to invalidate the BIA's implementation of thirty-six of the forty-one rancherias.

That same year, 1979, Assistant Secretary of the Interior for Indian Affairs Forrest Gerard published in the *Federal Register* a list of "Indian Tribal Entities That Have a Government-to-Government Relationship with the United States."³⁴ The BIA also announced that in future years Assistant Secretary Gerard and his successors periodically would publish updated lists.

In 1980 CILS attorneys apparently lobbied Commissioner of Indian Affairs William Hallett to preempt the judicial process by including eleven rancherias on the next list.

While nine of the rancherias were plaintiffs in the *Tillie Hardwick* lawsuit, inexplicably, one of the two others was the Lower Lake Rancheria. Since Harry Johnson was deceased, who the individuals were who the CILS attorneys believed had a connection of any sort to the Lower Lake Rancheria is not known.

But what is known is that in a memorandum dated October 31, 1980 R.S. McDermott, the acting area director of the BIA

³³ U.S. District Court for the Northern District of California No. 79-1710.

³⁴ 44 *Fed. Reg.* 7231.

Sacramento Area Office, informed Commissioner Hallett that "All of the rancherias except Lower Lake are presently involved in litigation, and it is the position of this office and the Justice Department that inclusion of the eleven would be a detriment to the legal positions being taken by the United States in the suits." And with respect to the Lower Lake Rancheria, Director McDermott advised Commission Hallett: "No tribal entity existed prior to termination."³⁵

In 1982 when the BIA published an updated list,³⁶ neither the Lower Lake Rancheria nor the ten other rancherias were included.

No further mention of the Lower Lake Rancheria was made for twelve years until 1994 when three brothers - Dino, Darin, and Daniel Beltran - created an organization they called the Lower Lake Rancheria of Pomo Indians that they began asserting was, and had always been, a "federally recognized tribe."³⁷

³⁵ Memorandum entitled "California Rancherias - Tribal Entities," from Acting Area Director BIA Sacramento Area Office, to Commissioner of Indian Affairs, Oct. 31, 1980.

³⁶ 47 *Fed. Reg.* 53130.

³⁷ In 2021 Darin Beltran informed the BIA that "Our Nation has approximately eight-nine members and is governed by a three-member Council: Chairman Darin Beltran, Vice Chairman/Treasurer Dino Beltran, and Secretary Judy Fast Horse." Request for Restored Land Opinion Submitted by the Koi Nation of California, at 1, Sept. 15, 2021. Other than Darin, Dino, and Daniel Beltran, and Ms. Fast Horse, who the eighty-six other members of the Koi Nation are, where they each reside, and what each of their connection is to the Lower Lake Rancheria is not known.

Why the Beltran brothers decided to do so is not known. But six years earlier the 100th Congress had enacted the IGRA and by 1994 Indian bingo halls and card rooms that annually were earning their owners millions of dollars were becoming increasingly ubiquitous throughout California.

What was the brothers' connection to the Lower Lake Rancheria? In the 1980s all three had attended a Catholic high school in Santa Rosa. And four years before they created their organization Dino Beltran was living in Santa Rosa (fifty-one miles south of Clear Lake), Darin Beltran in Hidden Valley Lake (fourteen miles south of Clear Lake), and Daniel Beltran in Healdsburg (fifty miles south of Clear Lake).³⁸

According to the 1950 U.S. Census, their father, Tito Beltran, had been born in San Francisco to parents who had been born in Mexico and New Mexico. But the brothers's connection to the Lower Lake Rancheria apparently was through their mother, Ann Beltran, who may have been a granddaughter of Harry Johnson.

In 1995 an organization called the Koi Nation of the Lower Lake Rancheria, whose "tribal chairman" was Dino Beltran, submitted an application to the BIA Central California Agency for a \$20,000 Tribal Government Planning Grant. In a letter dated November 20, 1995 that he mailed to the tribe's headquarters at

³⁸ Obituary: Ann Beltran, *Press Democrat*, Nov. 28, 1990.

605 University Street in Healdsburg³⁹ Harold Brafford, the superintendent of the BIA Central California Agency, informed Mr. Beltran that the agency was "unable to consider the Koi Nation of the Lower Lake Rancheria's request because the Tribe does not appear in the February 16, 1995 Federal Register List of Indian Entities recognized and eligible to receive services from the United States Bureau of Indian Affairs."⁴⁰

In other words, the BIA had determined that the Beltran brothers and the other members of their group were not a "federally recognized tribe."⁴¹

Prior to Superintendent Brafford's denial of the grant application, the Beltran brothers had been aware of the problem. To try to solve it, they lobbied the members and staff of the Advisory Council on California Indian Policy to lobby the BIA to reverse its position and declare that the members of the Lower

³⁹ 605 University Street is a small single-family home in a residential section of downtown Healdsburg that, according to whitepages.com, as of this writing Dino Beltran continues to occupy.

⁴⁰ Letter from Harold M. Brafford, Superintendent, BIA Central California Agency, to Dino Beltran, Tribal Chairman, Koi Nation of the Lower Lake Rancheria, Nov. 20, 1995.

⁴¹ Two months before Superintendent Brafford denied the application, on September 28, 1995 Dino Beltran filed with California Secretary of State Bill Jones articles of incorporation for a nonprofit corporation called the Lower Lake Koi Cultural Protective Association (LLKCPA). California Secretary of State Business Entity No. 1950955. The articles listed Dino Beltran as the corporation's registered agent and listed 605 University Street, Healdsburg, California, as the corporate headquarters.

Lake Rancheria of Pomo Indians were, and had always been, a federally recognized tribe.⁴²

In a letter to Assistant Secretary of the Interior for Indian Affairs Ada Deer dated June 21, 1995 that Polly Girvin, the executive director of the Council and a former CILS attorney,⁴³ wrote "On behalf of the Advisory Council on California Indian Policy" Ms. Girvin informed Assistant Secretary Deer that the Council had concluded that the "Koi Tribe of Lower Lake Indians" had "federally recognized status."⁴⁴

Assistant Secretary Deer (and John Leshy, the Solicitor of the Department of the Interior?) were unpersuaded. As was Kevin Gover, who in 1997 succeeded Ms. Deer as Assistant Secretary

⁴² At the instigation of California Representative George Miller, the chairman of the House Committee on Interior and Insular Affairs, which exercised jurisdiction over Native American-related legislation in the U.S. House of Representatives, in 1992 the 102d Congress created the Council *inter alia* to "identify the special problems confronting unacknowledged and terminated Indian tribes [in California] and propose reasonable mechanisms to provide for the orderly and fair consideration of requests by such tribes for Federal acknowledgment." Pub. L. No. 102-416, 106 Stat. 2131.

⁴³ See EPIC's 2022 Sempervirens Lifetime Achievement Awardees: Priscilla Hunter & Polly Girvin, <https://www.wildcalifornia.org/post/epic-s-2021-sempervirens-lifetime-achievement-awardees-priscilla-hunter-polly-girvin> ("After graduating from law school, [Polly Girvin] went on to work with California Indian Legal Services in Eureka" and later "served as the Executive Director of the U.S. Congress' Advisory Council on California Indian Policy").

⁴⁴ Letter from Polly Girvin, Advisory Council on California Indian Policy, to Ada Deer, Assistant Secretary - Indian Affairs, June 21, 1995.

since the list of "Indian Tribal Entities Within the Contiguous 48 States Recognized and Eligible to Receive Services From the United States Bureau of Indian Affairs" that Assistant Secretary Gover published in the *Federal Register* in 1998 did not include the Koi Tribe of Lower Lake Indians.⁴⁵

In response, the Beltran brothers retained Lester Marston, a former CILS attorney, who arranged for Loretta Tuell, the acting director of the BIA Office of Tribal Services in Washington, D.C., and two other BIA officials to meet with Dino and Daniel Beltran and Mr. Marston in Healdsburg on November 19, 1999 to discuss the status of the brothers's request that the BIA designate group they had created five years earlier as a "federally recognized tribe" that, as a consequence of the designation would be included on the next list.

The outcome of the meeting was that Director Tuell and the other BIA officials agreed that the subject merited "additional research."⁴⁶ But four months later when on March 13, 2000 Assistant Secretary Gover published the next list it did not include the Lower Lake Rancheria.⁴⁷

⁴⁵ See 63 *Fed. Reg.* 71941.

⁴⁶ Memorandum entitled "Administrative Reaffirmation of Federal Recognition - Lower Lake Rancheria," from Superintendent, BIA Central California Agency, to Regional Director, BIA Pacific Region, Sept. 14, 2000.

⁴⁷ See 65 *Fed. Reg.* 13299.

But then nine months after the 2000 list was published, on December 12, 2000 the U.S. Supreme Court issued its decision in *Bush v. Gore*, which gave the presidency of the United States to George W. Bush.

The consequence for Assistant Secretary Gover was that on January 20, 2001 he and all other Clinton administration political appointees in the Department of the Interior would be terminated when President Bush assumed office.

Two weeks after the Court issued the *Bush v. Gore* decision, in a letter dated December 29, 2000 Assistant Secretary Gover informed Daniel Beltran, who had replaced his brother as chairman of the Lower Lake Rancheria, that

Upon careful review of the matter of the long-standing and unfortunate omission of the Lower Lake Rancheria from recognition and services by the Bureau of Indian Affairs following the adoption of the Indian Reorganization Act of 1934, as amended, the Lower Lake Act, and the Rancheria Act, and having been advised in the premises by the Office of Tribal Services [i.e., by Loretta Tuell], BIA, as well as the BIA Pacific Regional Director and Central California Agency Superintendent, that a reaffirmation of recognition would be prudent and proper, by this letter and on behalf of the United States Department on the Interior and BIA, I am hereby reaffirming the Federal recognition of the Lower Lake Rancheria. (emphases added).⁴⁸

That same day, December 29, 2000, Assistant Secretary Gover sent the regional director of the BIA Pacific Region a memorandum

⁴⁸ Letter from Kevin Gover, Assistant Secretary - Indian Affairs, to Daniel D. Beltran, Chairman, Lower Lake Rancheria, Dec. 29, 2000.

in which he asserted that "the Lower Lake Rancheria has been officially overlooked for many years by the Bureau of Indian Affairs even though [its] government-to-government relationship with the United States was never terminated." He then baldly asserted that "At one time, [the Lower Lake Rancheria] was recognized by the Bureau."

Assistant Secretary Gover then even more baldly asserted that

With respect to the Lower Lake Rancheria, the documentation shows that it should be treated differently than other California tribes that were terminated during the termination era. The California Indian tribes considered terminated during this era were those subject to the terms of Pub. L. 85-671, commonly referred to as the Rancheria Act. The Rancheria Act specifically provided in section 10b, that when assets were accepted, the affected tribe was terminated. In contrast, the Lower Lake Rancheria lost its land pursuant to the Lower Lake Act, which sold its land for the purpose of establishing a local airport. This Act predated the Rancheria Act and did not contain a provision to cause the loss of an Indian's legal status as an Indian as a result of his (or her) acceptance of any of the assets of the Lower Lake Rancheria. Thus, the Lower Lake Act did not terminate the Lower Lake Rancheria. (public law citations omitted).⁴⁹

Assistant Secretary Gover having announced that the members of the Lower Lake Rancheria had always been a federally recognized tribe, in 2002 when Neal McCaleb, Kevin Gover's

⁴⁹ Memorandum entitled "Reaffirmation of Federal Recognition of Indian Tribes," from Kevin Gover, Assistant Secretary - Indian Affairs, to Regional Directors, BIA Alaska and Pacific Regions, Dec. 29, 2000.

successor as Assistant Secretary, published in the *Federal Register* the next list of "Indian Tribal Entities Within the Contiguous 48 States Recognized and Eligible to Receive Services From the United States Bureau of Indian Affairs" the list for the first time included "Lower Lake Rancheria, California."⁵⁰

Why Assistant Gover suddenly summarily reversed course and asserted that the Beltran brothers and other members of an organization that did not exist until 1994 had always been a federally recognized tribe is not known. But it merits noting that when Assistant Secretary Gover sent the regional director of the BIA Pacific Region the memorandum dated December 29, 2000 the Deputy Assistant Secretary of the Interior for Indian Affairs was an attorney named Michael Jon Anderson.⁵¹

In 2001 when, like Kevin Gover, he departed the Department of the Interior, Anderson joined Monteau, Peebles & Crowell, a law firm that specialized in representing Indian tribes and other Native American clients.⁵² In 2007 Anderson and Loretta Tuell,

⁵⁰ 67 Fed. Reg. 46328, 46329. In 2014 when the list was published "Lower Lake Rancheria, California," was replaced with "Koi Nation of Northern California (previously listed as the Lower Lake Rancheria, California)." See 79 Fed. Reg. 4748, 4750.

⁵¹ See 106th Congress, *Congressional Directory*, at 689 (October 2000).

⁵² "Indians Given a Parting Boost," *Boston Globe*, March 3, 2001, https://cache.boston.com/globe/nation/packages/gaming/indians_given_a_parting_boost+.shtml ("Anderson, upon leaving office, joined the firm of Monteau, Pebbles and Crowell, which specializes in Indian gaming representation")

who after she departed the Department of the Interior had joined Anderson at Monteau Peebles, started their own firm, Anderson Tuell LLP. One of the firm's first clients was the Lower Lake Rancheria.⁵³ And to the present day Michael Jon Anderson continues to represent the Koi Nation of Northern California.⁵⁴

Did Anderson (and Loretta Tuell) bring the Lower Lake Rancheria to Monteau Peebles as a client when he (they) joined the firm? And to what extent, if at all, was Anderson (and Ms. Tuell) involved in Assistant Secretary Gover's decision to deem the Lower Lake Rancheria a federally recognized tribe for no reason other than his say so? Even at this late date, the malodorous possibilities merit investigation.

But more importantly, in the memorandum dated December 29, 2000 that he sent to the regional director of the BIA Pacific Region, Assistant Secretary Gover announced that "At one time, [the Lower Lake Rancheria] was recognized by the Bureau." (emphases added).

Really? If so, when did that "recognition" occur?

⁵³ See Open Secrets. 2007 Lobbying Firm Profile: Anderson Tuell LLP, <https://www.opensecrets.org/federal-lobbying/firms/summary?cycle=2007&id=F220674&year=2007>.

⁵⁴ See *Koi Nation of Northern California v. United States Department of the Interior*, 361 F. Supp.3d 14, 20 (D.C.D.C. 2019) ("Michael Jon Anderson, Anderson Indian Law, Washington, DC, for plaintiff").

As the history of the Lower Lake Rancheria and the Beltran brothers's invention of the Koi Nation of Northern California set out above documents, at no time between 1916 and 2000 did the BIA "recognize" that Harry Johnson, his heirs, including Ann Beltran and the Beltran brothers, or anyone else were members of an Indian tribe that, as a consequence of that legal status, had a "government-to-government relationship with the United States."

It also long has been a blackletter principle of administrative law that, because an executive branch department or agency "may not confer power on itself,"⁵⁵ "the exercise of quasi-legislative authority by governmental departments and agencies must be rooted in a grant of such power by the Congress and subject to limitations which that body imposes."⁵⁶ As a consequence, "an agency's power is no greater than that delegated to it by Congress."⁵⁷

For that reason, Assistant Secretary Gover had no authority to transform the members of the Lower Lake Rancheria into a federally recognized tribe on his own unless a statute enacted by Congress had delegated him the authority to do so.

⁵⁵ *Louisiana Public Service Commission v. FCC*, 476 U.S. 355, 374 (1986).

⁵⁶ *Chrysler Corporation v. Brown*, 441 U.S. 281, 302 (1979).

⁵⁷ *Lyng v. Payne*, 476 U.S. 926, 937 (1986).

But there was no such statute. For which reason Assistant Secretary Gover's action was *ultra vires*.

Because it was, the Koi Nation of Northern California is not a section 19 of the IRA "recognized Indian tribe." And because it is not, Secretary Haaland has no authority to acquire land for the Koi Nation pursuant to section 5 of the IRA.

THE KOI NATION OF NORTHERN CALIFORNIA IS NOT AN "INDIAN TRIBE" AS SECTION 4(5) OF THE INDIAN GAMING REGULATORY ACT DEFINES THAT TERM

The IGRA requires that, to engage in gaming on "Indian lands," a group whose membership is composed of individuals of Native American descent must be an "Indian tribe" as section 4(5) of the IRA, 25 USC 2703(5), defines that term.

Paragraph (B) of section 4(5) requires the group to have been lawfully "recognized as possessing powers of self-government."

In turn, to possess "powers of self-government" a group must have been lawfully designated as a "federally recognized tribe" through one of the three above described "formal political acts:" treaty, statute, final agency action of the secretary of the interior taken pursuant to authority delegated in a statute.

Because the attempt on December 29, 2000 by Assistant Secretary Gover to on his own say-so designate the Beltran brothers and other members of the Lower Lake Rancheria (later known as the Koi Nation of Northern California) as a "federally

recognized tribe" was *ultra vires*, the governing body of the Koi Nation does not possess, nor has it ever possessed, "powers of self-government." As a consequence, the Koi Nation is not an "Indian tribe" as section 4(5) of the IGRA defines that term.

CONCLUSION

For the reasons set out above, Secretary of the Interior Deb Haaland has a nondiscretionary legal duty to adopt the Alternative D no action alternative.

11/13/23, 2:39 PM

Subject: Donald Craig Mitchell Comments Koi Nation EA
Date: 11/13/2023 2:20:14 PM Alaskan Standard Time
From: dcraigm@aol.com
To: chad.broussard@bia.gov

To: Chard Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region

FROM: Donald Craig Mitchell

SUBJECT: Environmental Assessment
Koi Nation of Northern California
Shiloh Resort and Casino Project

Attached to this email as a pdf file for the consideration of Regional Director Dutschke and other Department of the Interior officials (including the Associate Solicitor - Indian Affairs) are my comments on the Environmental Assessment the BIA has issued regarding the request of the Koi Nation of Northern California that Secretary Haaland acquire 68.8 acres of land in Sonoma County for the Koi Nation pursuant to section 5 of the Indian Reorganization Act.

I also will mail Director Dutsche a hard copy copy of my comments.

Would appreciate your confirmation of receipt of these comments.

Thanks.

DONALD C. MITCHELL
Attorney at Law
1335 F Street
Anchorage, Alaska 99501
(907) 276-1681 drcraig@aol.com

November 13, 2023

TO: Amy Dutschke
Regional Director
Pacific Regional Office
Bureau of Indian Affairs

FROM: Donald Craig Mitchell
1335 F Street
Anchorage, Alaska 99501
(907) 276-1681

SUBJECT: Comments on Environmental Assessment
Koi Nation Shiloh Resort and Casino

In September 2023 the BIA Pacific Regional Office made available for public comment an assessment (EA) of the environmental impacts that may occur if Secretary of the Interior Deb Haaland takes into trust for an organization called the Koi Nation of Northern California the title to 68.8 acres of land located adjacent to the town of Windsor, California, to enable the Koi Nation to construct and operate a casino whose gaming floor will contain 2,750 video gaming machines and 105 table games, as well as a five-story hotel and four-story concrete parking garage.

The EA describes four alternative actions.

Alternative D is no action: Secretary Haaland will not take the title to the 68.8 acres into trust, no casino, hotel, and parking garage will be built, and, should it wish to do so, the

Koi Nation (which owns the property in fee title) can continue to use the land for agricultural purposes.

For the reasons set out below, Alternative D not only would be, as a matter of public policy, the most appropriate action, as a matter of law, Secretary Haaland has a nondiscretionary duty to implement Alternative D because

1. The members of the Koi Nation of Northern California are not "Indians" as section 19 of the Indian Reorganization Act (IRA) defines that term for whom Congress, in section 5 of the IRA, has delegated Secretary Haaland authority to take the title to land into trust; and
2. The members of the Koi Nation of Northern California are not an "Indian tribe" as section 4(5) of the Indian Gaming Regulatory Act (IGRA) defines that term.

SECRETARY OF THE INTERIOR DEB HAALAND HAS NO AUTHORITY TO TAKE THE TITLE TO ANY LAND INTO TRUST FOR THE KOI NATION OF NORTHERN CALIFORNIA PURSUANT TO SECTION 5 OF THE IRA

Section 5 of the IRA, 25 USC 5108, delegates the secretary of the interior authority to acquire land "for the purpose of providing land for Indians." Section 5 also provides that the title to acquired land "shall be taken in the name of the United States in trust for the Indian tribe or individual Indian for which the land is acquired, and such lands or rights shall be exempt from State and local taxation."

In turn, section 19 of the IRA, 25 U.S.C. 5129, defines "Indian" to mean "all persons of Indian descent who are members of any recognized Indian tribe now under Federal jurisdiction, and all persons who are descendants of such members who were, on June 1, 1934, residing within the present boundaries of any Indian reservation, and shall further include all other persons of one-half or more Indian blood." (emphasis added).

In 1942 Felix Cohen, who today remains an authoritative commentator on federal Indian law, cautioned that "The word 'tribe' is commonly used in two senses, an ethnological sense and a political sense" and that it is "important to distinguish between these two meanings of the term."¹

In 1901 in *Montoya v. United States*² the U.S. Supreme Court defined an ethnological tribe as "a body of Indians of the same or a similar race, united in a community under one leadership or government and inhabiting a particular though sometimes ill defined territory."

A group of individuals of Native American descent is a tribe in a political sense if the group has been lawfully "recognized" to be such by the federal government. In 1994 the Committee on Natural Resources, which in the U.S. House of Representatives

¹ Felix S. Cohen, *Handbook of Federal Indian Law*, at 268 (1942).

² 180 U.S. 261.

exercised jurisdiction over Native American-related legislation, instructed that

"Recognized" is more than a simple adjective; it is a legal term of art. It means that the government acknowledges as a matter of law that a particular Native American group is a tribe by conferring a specific legal status on that group, thus bringing it within Congress' legislative powers. This federal recognition is no minor step. A formal political act, it permanently establishes a government-to-government relationship between the United States and the recognized tribe as a "domestic dependent nation," and imposes on the government a fiduciary trust relationship to the tribe and its members. Concomitantly, it institutionalizes the tribe's quasi-sovereign status, along with all powers accompanying that status (emphasis added).

H.R. Rep. No. 103-781 at 2-3. *Accord* Newton, Nell Jessup (ed)., *Cohen's Handbook of Federal Indian Law*, at 133-134 (2012).

There are three "formal political acts" that can confer recognition:

1. The Senate's ratification of a treaty that has been negotiated with a group whose membership is composed of individuals of Native American descent;
2. Congress's enactment of a statute that "recognizes" a group whose membership is composed of individuals of Native American descent as a tribe that, as a consequence of the recognition, henceforth has a "government-to-government relationship" with the government of the United States; and

3. Final agency action by the secretary of the interior taken pursuant to a statute in which Congress has delegated the secretary authority to "recognize" groups whose memberships are composed of individuals of Native American descent as tribes in Congress's stead.

The group once called the Lower Lake Rancheria, but which now calls itself the Koi Nation of Northern California, has not been "recognized" by any of those three means. As a consequence, the group is not a "recognized Indian tribe" for which Congress has delegated Secretary Haaland authority to take the title to land into trust pursuant to section 5 of the IRA.³

³ In 2017 the Koi Nation filed a civil action against the Department of the Interior in the U.S. District Court for the District of Columbia to obtain a declaratory judgment that "the Koi Nation 'is an Indian Tribe that is restored to federal recognition' in accordance with [section 20(b)(1)(B)(iii) of the IGRA]." *Koi Nation of Northern California v. U.S. Department of the Interior*, U.S. District Court for the District of Columbia No. 1:17-cv-01718. In paragraph 6 of its complaint the Koi Nation alleged that it was a "federally recognized tribe." In their answer the federal defendants admitted the assertion of tribal status in paragraph 6. Because tribal status had not been contested, in her memorandum opinion District Judge Beryl A. Howell simply assumed, albeit without deciding, that the Koi Nation was "a landless federally recognized Indian tribe. See *Koi Nation of Northern California v. U.S. Department of the Interior*, 361 F. Supp.3d 14, 20 (D.C.D.C. 2019).

The History of the *Ultra Vires* "Recognition" of
of the Members of the Koi Nation of Northern California
as a "recognized Indian Tribe"

In 1848 in the Treaty of Guadalupe Hidalgo⁴ the government of Mexico ceded to the United States authority to assert its jurisdiction throughout the geography known as California. In Article XI of the treaty the parties agreed that members of the "savage" tribes that resided in California would "hereafter be under the exclusive control of the Government of the United States."

To obtain information regarding the extent to which the United States should validate land ownership claims in California, in 1849 Secretary of State John M. Clayton sent two individuals, Thomas Butler King, a former congressman, and William Carey Jones, to reconnoiter and then report on the situation. Insofar as the occupancy of land by Native Americans was concerned, Butler reported that in California the Indians "have never pretended to hold any interest in the soil, nor have they been treated by the Spanish or American immigrants as possessing any."⁵ And Jones reported the same, advising that "In the wild or wandering tribes, the Spanish law does not recognize any title whatever to the soil." But he also reported that

⁴ Treaty of Peace, Friendship, Limits, and Settlement with the Republic of Mexico, 9 Stat. 922.

⁵ T. Butler King's Report on California, H. Exec. Doc. 31-59, at 8 (1850).

insofar as Indians who resided in villages in the vicinities of the missions that in 1833 the Mexican Congress had secularized were concerned:

I understand the law to be, that wherever Indian settlements are established, and they till the ground, they have a right of occupancy in the land which they need and use; and whenever a grant is made which includes such settlements, the grant is subject to such occupancy . . . The continued observance of this law, and the exercise of the public authority to protect the Indians in their rights under it, cannot, I think, produce any great inconvenience."⁶

A year later, in 1851 the 31st Congress enacted the California Lands Act,⁷ which established a three-member commission empowered to determine the validity of the land ownership rights of "every person claiming lands in California by virtue of any right or title derived from the Spanish or Mexican government." Jones's recommendation regarding the occupancy rights of Indians who resided in villages located in the vicinities of the missions was ignored. The silence in the Act was tantamount to a decision by the 31st Congress that the United States government would not afford Native American land occupancy rights in California any legal recognition.

But a year earlier the same 31st Congress had directed President Millard Fillmore to send "not more than three agents

⁶ Report on the Subject of Land Titles in California, at 37 (1850).

⁷ Act of March 3, 1851, 9 Stat. 631.

for the Indian tribes in California" to "perform the duties now prescribed by law to Indian agents."⁸ Secretary of the Interior Alexander Stuart subsequently decided on his own that the agents should negotiate treaties that would establish reservations onto which Indians who agreed to a treaty would relocate.

The three agents negotiated eighteen treaties. But in 1852 when the treaties were presented to the Senate for ratification they were rejected, among other reasons because, as Senator David Atchison, the chairman of the Committee on Indian Affairs railed, the 31st Congress had not authorized the agents to negotiate any treaties to begin with.⁹

The Senate's refusal to ratify the treaties established two legal precedents. The first was that Congress would not recognize that Native Americans in California had any legally enforceable right to any of the land they occupied. The second was that Congress would not "recognize" any groups of Native Americans in California as "Indian tribes" in a political sense. Instead, Indians would be dealt with as individuals.

Throughout the latter half of the nineteenth century, in southern California Congress's Indian policies in California were problematical. For example, after visiting eight Indian

⁸ Act of Sept. 28, 1850, 9 Stat. 519.

⁹ See generally, Harry Kelsey, "The California Indian Treaty Myth," 55 *Southern California Quarterly* 225-238 (1973).

settlements in southern California, in 1875 Indian agent D.E. Dryden reported to Commissioner of Indian Affairs Edward Parmelee Smith that

The Indians, by virtue of long possession inherited from their ancestors, very naturally feel that their rights are being invaded and their lands wrested from them. Grant-holders regard the Indians as troublesome incumbrances upon their lands, and are anxious to have them removed, while the settlers are crowding in to make homes upon the lands to which they consider the Indians have no title, notwithstanding their actual possession. The adjustment of these interests has been too long neglected, but cannot much longer without very serious consequences, and any adjustment left to the parties interested must result in disadvantage and disaster to the Indians, the weakest party.¹⁰

But in northern California, in the Sierra Nevada foothills where gold had been discovered and in the river valleys where farms and ranches had been established, the situation for Indians was horrific. Indian men wantonly murdered. Indian women sexually abused. Indian children kidnapped.¹¹

By the turn of the twentieth century most Indians still alive in northern California were impoverished and itinerant, moving in family groups from farm-to-farm ranch-to-ranch where the white owners allowed them to camp while they labored in the fields.

¹⁰ 1875 Report of Commissioner of Indians Affairs, at 223.

¹¹ See generally Benjamin Madley, *An American Genocide: The United States and the California Indian Catastrophe, 1846-1873* (2016).

In 1894 a group of locally socially prominent women in San Jose, California, who were concerned about the dire living conditions of itinerant Indians in that locale organized the Northern California Indian Association (NCIA).¹²

In 1904 the NCIA petitioned the 58th Congress to appropriate money to enable the secretary of the interior to purchase small tracts of land Indian families. The petition described the rationale for doing so as follows:

The present unfortunate condition of the nonreservation Indians of northern California¹³ is largely or perhaps wholly owing to their landless condition, and this landless condition results from the seizure of their lands by the Government of the United States without payment therefor . . . We do not wish reservations established for them. Reservations would be very expensive for the Government, and, we think, undesirable for the Indians in many ways. We ask that land be given them in severalty, under the tenure and with the probationary period or greater of the general allotment act. Our Indians have been more or less in contact with civilization for years, and are, we are convinced, ready for allotments in severalty. We do not ask for large farms. Most Indians would be unable to use a large farm properly. Small tracts, we think, will be sufficient.¹⁴

¹² See generally Larisa K. Miller, "The Decline of the Northern California Indian Association," 99 *California History* 25-52 (2022).

¹³ After the Senate rejected the treaties whose ratification would have created eighteen reservations, later in the nineteenth century several relatively small reservations were created in both northern - e.g., Round Valley and Hoopa Valley - and southern - e.g., Capitan Grande - California.

¹⁴ S. Doc. No. 58-131, at 2-3.

In 1905 the 58th Congress responded to the petition by directing Secretary of the Interior Ethan Hitchcock "to investigate through an inspector or otherwise existing conditions of the California Indians and to report to Congress at the next session some plan to improve the same."¹⁵

To conduct the investigation Secretary Hitchcock appointed Charles E. Kelsey, an attorney and member of the NCIA who in 1901 had moved to San Jose from Wisconsin.¹⁶

In the report he submitted in March 1906 Kelsey "recommend[ed] the appropriation of a sufficient sum for the purchase of land in the immediate localities where the Indians live, to be allotted or assigned to them in small tracts under such rules as the Secretary of the Interior may prescribe."¹⁷

Three months later the 59th Congress appropriated \$100,000 that the secretary of the interior was directed to spend by "purchas[ing] for the use of the Indians in California now residing on reservations which do not contain land suitable for cultivation, and for Indians who are not now upon reservations in said State, suitable tracts or parcels of land, water, and water

¹⁵ Pub. L. No. 58-212, 33 Stat. 1048, 1058.

¹⁶ Larisa K. Miller, "Made in Wisconsin: The Shaping of a Federal Indian Agent," 33 *Voyageur* 10-18 (Summer/Fall 2016).

¹⁷ Report of the Special Agent for California Indians to the Commissioner of Indian Affairs, 21, 1906, reprinted at *Indian Tribes of California: Hearing before a Subcomm. of the H. Comm. on Indian Affairs, 66th Cong.* 125-126 (1920).

rights in the State of California."¹⁸

That was the first of several appropriations Congress made for the purpose of purchasing small tracts of land. As Commissioner of Indian Affairs Francis Leupp in 1907 explained to the Senate Committee on Indian Affairs:

The Act of June 21, 1906 appropriated the sum of \$100,000 for the purchase of lands and water rights for the Indians in the State of California. This appropriation is now nearly exhausted, and while a great deal has been done for the betterment of the condition of these Indians, it is apparent that the amount was wholly inadequate to carry out the purposes for which the appropriation is made.

It is but justice, both to the Indians and to the citizens of the State of California, that the Congress make suitable provision to place the Indians of the State of California in a position to gain their own livelihood. It is not intended to give these Indians farms, but merely to purchase for each Indian, or family of Indians, a small tract not exceeding 5 or 10 acres, on which it will be possible to erect homes and cultivate small gardens or orchards.¹⁹

Commissioner Leupp appointed Charles Kelsey as a special Indian agent to administer the land purchase program, a position Kelsey held until 1913 when Democrat Woodrow Wilson assumed the presidency and Kelsey and all other Republican political appointees in the Department of the Interior were terminated.

¹⁸ Pub. L. No. 59-258, 34 Stat. 325, 333.

¹⁹ S. Rep. No. 60-95, at 1.

During his tenure

From his office in San Jose, Kelsey racked up thousands of miles traveling around California and made two trips to the Indian Office headquarters in Washington, D.C. Kelsey bought forty-five tracts of land in California totaling more than 7,500 acres; a dozen sites were in southern California and the rest were in the north. More sites were purchased after Kelsey left the service. They are now known as Indian rancherias."²⁰

Clear Lake is a large fresh water lake in Lake County, California, 109 miles northeast of San Francisco. In 1916 Charles Kelsey's successor as Indian agent purchased a 140.46-acre tract of land at the southern end of the lake that would be known as the Lower Lake Rancheria.

The tract was vacant because, while individuals of Pomo Indian descent long had lived around the lake, in 1916 they resided at locations other than on the 140.46-acres that had been purchased for Indian occupancy.

²⁰ Larisa K. Miller, "Primary Sources on C.E. Kelsey and the Northern California Indian Association," *4 Journal of Western Archives*, at 3-4 (2013). After the missions in California were secularized the Mexican government granted the land around each mission to private individuals as multi-thousand-acre ranches whose principal purpose was grazing cattle whose hides and tallow were sold to merchants who sailed around the Horn from Boston. On the ranches Indians provided most of the labor. See generally Richard Henry Dana, Jr., *Two Years Before the Mast* (1840). The location on a ranch at which the owner allowed his Indian workers to camp was called a rancheria. Similarly, during the latter half of the nineteenth century and the beginning of the twentieth century when farms and ranches were established in northern California, the location at which the owner of a farm or ranch allowed the Indians who labored in his fields (and their families) to camp also was called a rancheria. By 1907 when Charles Kelsey began purchasing small tracts of land for landless Indians the tracts were described as "rancherias."

The year after the Bureau of Indian Affairs (BIA) purchased the 140.46-acres the California Supreme Court issued *Anderson v. Mathews*,²¹ a decision in which it held that Ethan Anderson, a Pomo Indian who resided at the north end of Clear Lake, was a citizen who, as a consequence of that status, was entitled to vote in state elections. The Court's description of the situation vis-a-vis Mr. Anderson and other Pomo Indians who lived around Clear Lake in 1917 merits the length of the quote:

[Plaintiff Ethan Anderson] was born in California, after its admission into the Union, and has always resided there.²² At the time of the treaty of [Guadalupe Hidalgo] his ancestors were wild and uncivilized Indians settled in and permanently inhabiting Indian villages in the region now forming Lake county. Then and for several years thereafter they lived in tribes and maintained tribal relations, the nature of which is not stated. The name of the tribe is not given.²³ It does not appear that it was known by any name. The United States has never made any treaty with the tribe, or with any tribe of which it ever formed a part, or with the particular group or village of Indians with whom the plaintiff associates and resides. It does not appear that the original tribe had any form of government, laws or regulations of any kind. He is one of a group of Indians residing in Lake

²¹ 174 Cal. 537 (1917).

²² Anderson was born in Scattered Rocks Village - also known as Kabemato'lil, an 89-acre tract of land located several miles north of Clear Lake that in 1879 fourteen Pomo Indians had purchased in fee title for \$2,200 from a local farmer. See Khal Schneider, "A Square Deal in Lake County: *Anderson v. Mathews* (1917), California Indian Communities, and Indian Citizenship," 18 *Journal of the Gilded Age and Progressive Era* 263-281 (2019).

²³ The context indicates that the Court was using the term "tribe" in its ethnological sense, rather than in its political sense.

county, and who, although surrounded by white neighbors, practically associate exclusively with each other and with other Indians in that and adjacent counties. The group has no tribal laws or regulations, and no organization or means of enforcing any such laws or regulations. The only sort of communal organization or semblance of political autonomy it has consists of the fact that one of them has the title of "captain," and is treated as their leader or spokesman, and receives some deference and respect on that account. But he has no authority. Disputes are sometimes submitted to him for settlement, but his decisions are considered wholly advisory. Each party accepts or rejects them as he chooses, and there is neither enforcement nor means of enforcement thereof.

Some years ago a white man named Bucknall donated a tract of land to another group of Indians in the vicinity, on which said Indians reside as in a village. In this village the United States has established a school for the benefit of all the Indians of the vicinity, and it provides transportation thereto for the children of the plaintiff's group or village. This land is held in trust for the benefit of all these Indian villages, and they all contribute to pay the taxes thereon. They have never been taxed on other property, and the plaintiff has not otherwise paid taxes.

A few years ago the federal government purchased a tract of land in Lake county for a home for these Indians, including the group of which plaintiff is a member, upon which any family of the group can live and make its home. It has been subdivided into lots for allotment, in severalty, to the beneficiaries. The plaintiff has selected a lot and has established a residence thereon where he lives when not employed elsewhere. He has not received any certificate or patent for the allotment. The Indian agent at Round Valley Reservation furnishes some food and clothing to these Indians in cases of extreme necessity "and attends to their ordinary wants." No explanation is given of the meaning of the phrase just quoted. In no other manner has the United States dealt with these Indians or recognized their distinct or communal existence separate from other inhabitants of the state.

The plaintiff and the other Indians of his group maintain themselves and their families chiefly by doing farm work for wages on the farms of their white neighbors. They also catch fish and gather acorns which they dry and store for winter food. When at work for farmers they live in houses furnished by their employers or in camps in the fields near their work, returning to their village when the employment ends . . . They all acknowledge themselves bound by state laws, and do not dispute the jurisdiction of the state over them. The plaintiff was married under state law, and when the petition was filed he was living with his family in a house on the land of a farmer for whom he was working. He expects to return to the village when his employment ceases. It is not the custom of those Indians to marry by state law. They usually take a woman and live with her according to the Indian custom, by her parents' consent, but without a ceremonial marriage after our forms. They wear clothes similar to those worn by their white neighbors.

From these circumstances we think it is clear that the plaintiff is a citizen of the United States, and entitled to registration as a voter.²⁴ (emphases added).

It is reasonable to assume that Pomo Indians who lived at the southern end of Clear Lake were similarly situated.

In 2000 the superintendent of the BIA Central California Agency reported that, as it had been in 1916, until 1947 the 140.46 acres known as the Lower Lake Rancheria continued to be uninhabited. But that year the BIA allowed two individuals of Pomo Indian descent - Louis Johnson and Harry Johnson - and their families to move onto the land. But only Harry Johnson and his family did so, settling on a 41-acre parcel inside the boundaries

²⁴ *Supra* at 542-544.

of the rancheria.²⁵

Three years later, in 1951 the Lake County Board of Supervisors asked the BIA whether it would be possible lease or purchase the 99.46 acres that remained uninhabited for use as an airport. Harry Johnson and the BIA agreed to that arrangement, and in 1953 Representative Hubert Scudder, who represented Lake County in the U.S. House of Representatives, introduced a bill whose enactment would effectuate that result.²⁶

The bill was so noncontroversial that Representative Arthur Miller, the chairman of the House Committee on Interior and Insular Affairs to which the bill had been referred, did not bother to have the committee hold a hearing on the measure. But a technical land conveyance problem required Representative Scudder to introduce an amended version of the bill,²⁷ which in 1956 the 84th Congress enacted as Public Law No. 84-443.²⁸

The Act authorized the secretary of the interior to sell the 99.46 acres to Lake County for the fair market value of the land,

²⁵ Memorandum entitled "Administrative Reaffirmation of Federal Recognition - Lower Lake Rancheria," from Superintendent BIA Central California Agency to Regional Director BIA Pacific Region, Sept. 14, 2000 [hereinafter "BIA Superintendent Memorandum"]. This document and the documents cited in footnotes 35, 40, 44, 46, and 48 are part of the administrative record that was filed in *Koi Nation of Northern California v. U.S. Department of the Interior*, 361 F. Supp.3d 14 (D.C.D.C. 2019).

²⁶ H.R. 6105, 83d Cong. (introduced July 6, 1953).

²⁷ H.R. 585, 84th Cong. (introduced Jan. 5, 1955).

²⁸ 70 Stat. 58.

and to convey to Harry Johnson an unrestricted deed in fee title to the 47 acres he and his family were occupying. According to the superintendent of the BIA Central California Agency, subsequent to his receipt of the deed "Mr. Johnson sold at least some of the 41-acre parcel"²⁹ (and presumably pocketed the proceeds).

In 1974 Harry Johnson died in Santa Rosa, California.

At the request of the Indians who resided on forty-one rancherias in northern California, in 1958 the 85th Congress enacted the California Rancheria Act.³⁰ The Act delegated the secretary of the interior authority to convey to the occupants of each of the forty-one rancherias the land on which each occupant resided, but only after the Indians who resided on a rancheria had voted to accept the conveyances. The Act also provided that after title to the land in a rancheria had been conveyed, the Indians who now owned the land in fee title would not be entitled to "any of the services performed by the United States for Indians because of their status as Indians," and "all statutes of the United States which affect Indians because of their status as Indians shall be inapplicable to them."

Throughout the 1960s the BIA implemented the California Rancheria Act.

²⁹ BIA Superintendent Memorandum.

³⁰ Pub. L. No. 85-671, 72 Stat. 619.

In 1971 attorneys in the employ of California Indian Legal Services (CILS), a recently established OEO-funded "public interest" law firm headquartered in Oakland, California, decided to begin a litigation campaign whose objective was to reverse the BIA's implementation of the California Rancheria Act and, as part of the project, establish that the occupants of each of the former rancherias were, and had always been, members of "federally recognized tribes."

In 1977 the CILS campaign achieved its first win when in *Duncan v. Andrus*,³¹ the U.S. District Court for the Northern District of California held that the BIA had unlawfully conveyed to the Pomo Indians who lived on it the land in the Robinson Rancheria, a tract of land on the north end of Clear Lake that Charles Kelsey had purchased in 1909. Even though the Indians who occupied homesites on the rancheria had approved the conveyances by a vote of 24 in favor to 1 opposed, the CILS attorneys won because "Defendants, through counsel, have conceded that the termination [of the Robinson Rancheria] was unauthorized."³²

³¹ 517 F. Supp. 1 (D.C. Cal. 1977).

³² *Id.* at 4. While Secretary of the Interior Cecil Andrus and the other Department of the Interior defendants were represented in *Duncan v. Andrus* by attorneys in the U.S. Department of Justice, the defendants' response to the lawsuit was managed by attorneys in the Office of the Solicitor of the Department of the Interior in Washington, D.C. The complicity of those attorneys with the CILS attorneys in CILS's years-long effort to invalidate the BIA's implementation of the California Rancheria Act is a subject beyond the scope of these comments.

Motivated by that victory, in 1979 in the same court the CILS attorneys filed *Tillie Hardwick v. United States*,³³ a class action whose objective was to invalidate the BIA's implementation of thirty-six of the forty-one rancherias.

That same year, 1979, Assistant Secretary of the Interior for Indian Affairs Forrest Gerard published in the *Federal Register* a list of "Indian Tribal Entities That Have a Government-to-Government Relationship with the United States."³⁴ The BIA also announced that in future years Assistant Secretary Gerard and his successors periodically would publish updated lists.

In 1980 CILS attorneys apparently lobbied Commissioner of Indian Affairs William Hallett to preempt the judicial process by including eleven rancherias on the next list.

While nine of the rancherias were plaintiffs in the *Tillie Hardwick* lawsuit, inexplicably, one of the two others was the Lower Lake Rancheria. Since Harry Johnson was deceased, who the individuals were who the CILS attorneys believed had a connection of any sort to the Lower Lake Rancheria is not known.

But what is known is that in a memorandum dated October 31, 1980 R.S. McDermott, the acting area director of the BIA

³³ U.S. District Court for the Northern District of California No. 79-1710.

³⁴ 44 *Fed. Reg.* 7231.

Sacramento Area Office, informed Commissioner Hallett that "All of the rancherias except Lower Lake are presently involved in litigation, and it is the position of this office and the Justice Department that inclusion of the eleven would be a detriment to the legal positions being taken by the United States in the suits." And with respect to the Lower Lake Rancheria, Director McDermott advised Commission Hallett: "No tribal entity existed prior to termination."³⁵

In 1982 when the BIA published an updated list,³⁶ neither the Lower Lake Rancheria nor the ten other rancherias were included.

No further mention of the Lower Lake Rancheria was made for twelve years until 1994 when three brothers - Dino, Darin, and Daniel Beltran - created an organization they called the Lower Lake Rancheria of Pomo Indians that they began asserting was, and had always been, a "federally recognized tribe."³⁷

³⁵ Memorandum entitled "California Rancherias - Tribal Entities," from Acting Area Director BIA Sacramento Area Office, to Commissioner of Indian Affairs, Oct. 31, 1980.

³⁶ 47 *Fed. Reg.* 53130.

³⁷ In 2021 Darin Beltran informed the BIA that "Our Nation has approximately eight-nine members and is governed by a three-member Council: Chairman Darin Beltran, Vice Chairman/Treasurer Dino Beltran, and Secretary Judy Fast Horse." Request for Restored Land Opinion Submitted by the Koi Nation of California, at 1, Sept. 15, 2021. Other than Darin, Dino, and Daniel Beltran, and Ms. Fast Horse, who the eighty-six other members of the Koi Nation are, where they each reside, and what each of their connection is to the Lower Lake Rancheria is not known.

Why the Beltran brothers decided to do so is not known. But six years earlier the 100th Congress had enacted the IGRA and by 1994 Indian bingo halls and card rooms that annually were earning their owners millions of dollars were becoming increasingly ubiquitous throughout California.

What was the brothers' connection to the Lower Lake Rancheria? In the 1980s all three had attended a Catholic high school in Santa Rosa. And four years before they created their organization Dino Beltran was living in Santa Rosa (fifty-one miles south of Clear Lake), Darin Beltran in Hidden Valley Lake (fourteen miles south of Clear Lake), and Daniel Beltran in Healdsburg (fifty miles south of Clear Lake).³⁸

According to the 1950 U.S. Census, their father, Tito Beltran, had been born in San Francisco to parents who had been born in Mexico and New Mexico. But the brothers's connection to the Lower Lake Rancheria apparently was through their mother, Ann Beltran, who may have been a granddaughter of Harry Johnson.

In 1995 an organization called the Koi Nation of the Lower Lake Rancheria, whose "tribal chairman" was Dino Beltran, submitted an application to the BIA Central California Agency for a \$20,000 Tribal Government Planning Grant. In a letter dated November 20, 1995 that he mailed to the tribe's headquarters at

³⁸ Obituary: Ann Beltran, *Press Democrat*, Nov. 28, 1990.

605 University Street in Healdsburg³⁹ Harold Brafford, the superintendent of the BIA Central California Agency, informed Mr. Beltran that the agency was "unable to consider the Koi Nation of the Lower Lake Rancheria's request because the Tribe does not appear in the February 16, 1995 Federal Register List of Indian Entities recognized and eligible to receive services from the United States Bureau of Indian Affairs."⁴⁰

In other words, the BIA had determined that the Beltran brothers and the other members of their group were not a "federally recognized tribe."⁴¹

Prior to Superintendent Brafford's denial of the grant application, the Beltran brothers had been aware of the problem. To try to solve it, they lobbied the members and staff of the Advisory Council on California Indian Policy to lobby the BIA to reverse its position and declare that the members of the Lower

³⁹ 605 University Street is a small single-family home in a residential section of downtown Healdsburg that, according to whitepages.com, as of this writing Dino Beltran continues to occupy.

⁴⁰ Letter from Harold M. Brafford, Superintendent, BIA Central California Agency, to Dino Beltran, Tribal Chairman, Koi Nation of the Lower Lake Rancheria, Nov. 20, 1995.

⁴¹ Two months before Superintendent Brafford denied the application, on September 28, 1995 Dino Beltran filed with California Secretary of State Bill Jones articles of incorporation for a nonprofit corporation called the Lower Lake Koi Cultural Protective Association (LLKCPA). California Secretary of State Business Entity No. 1950955. The articles listed Dino Beltran as the corporation's registered agent and listed 605 University Street, Healdsburg, California, as the corporate headquarters.

Lake Rancheria of Pomo Indians were, and had always been, a federally recognized tribe.⁴²

In a letter to Assistant Secretary of the Interior for Indian Affairs Ada Deer dated June 21, 1995 that Polly Girvin, the executive director of the Council and a former CILS attorney,⁴³ wrote "On behalf of the Advisory Council on California Indian Policy" Ms. Girvin informed Assistant Secretary Deer that the Council had concluded that the "Koi Tribe of Lower Lake Indians" had "federally recognized status."⁴⁴

Assistant Secretary Deer (and John Leshy, the Solicitor of the Department of the Interior?) were unpersuaded. As was Kevin Gover, who in 1997 succeeded Ms. Deer as Assistant Secretary

⁴² At the instigation of California Representative George Miller, the chairman of the House Committee on Interior and Insular Affairs, which exercised jurisdiction over Native American-related legislation in the U.S. House of Representatives, in 1992 the 102d Congress created the Council *inter alia* to "identify the special problems confronting unacknowledged and terminated Indian tribes [in California] and propose reasonable mechanisms to provide for the orderly and fair consideration of requests by such tribes for Federal acknowledgment." Pub. L. No. 102-416, 106 Stat. 2131.

⁴³ See EPIC's 2022 Sempervirens Lifetime Achievement Awardees: Priscilla Hunter & Polly Girvin, <https://www.wildcalifornia.org/post/epic-s-2021-sempervirens-lifetime-achievement-awardees-priscilla-hunter-polly-girvin> ("After graduating from law school, [Polly Girvin] went on to work with California Indian Legal Services in Eureka" and later "served as the Executive Director of the U.S. Congress' Advisory Council on California Indian Policy").

⁴⁴ Letter from Polly Girvin, Advisory Council on California Indian Policy, to Ada Deer, Assistant Secretary - Indian Affairs, June 21, 1995.

since the list of "Indian Tribal Entities Within the Contiguous 48 States Recognized and Eligible to Receive Services From the United States Bureau of Indian Affairs" that Assistant Secretary Gover published in the *Federal Register* in 1998 did not include the Koi Tribe of Lower Lake Indians.⁴⁵

In response, the Beltran brothers retained Lester Marston, a former CILS attorney, who arranged for Loretta Tuell, the acting director of the BIA Office of Tribal Services in Washington, D.C., and two other BIA officials to meet with Dino and Daniel Beltran and Mr. Marston in Healdsburg on November 19, 1999 to discuss the status of the brothers's request that the BIA designate group they had created five years earlier as a "federally recognized tribe" that, as a consequence of the designation would be included on the next list.

The outcome of the meeting was that Director Tuell and the other BIA officials agreed that the subject merited "additional research."⁴⁶ But four months later when on March 13, 2000 Assistant Secretary Gover published the next list it did not include the Lower Lake Rancheria.⁴⁷

⁴⁵ See 63 *Fed. Reg.* 71941.

⁴⁶ Memorandum entitled "Administrative Reaffirmation of Federal Recognition - Lower Lake Rancheria," from Superintendent, BIA Central California Agency, to Regional Director, BIA Pacific Region, Sept. 14, 2000.

⁴⁷ See 65 *Fed. Reg.* 13299.

But then nine months after the 2000 list was published, on December 12, 2000 the U.S. Supreme Court issued its decision in *Bush v. Gore*, which gave the presidency of the United States to George W. Bush.

The consequence for Assistant Secretary Gover was that on January 20, 2001 he and all other Clinton administration political appointees in the Department of the Interior would be terminated when President Bush assumed office.

Two weeks after the Court issued the *Bush v. Gore* decision, in a letter dated December 29, 2000 Assistant Secretary Gover informed Daniel Beltran, who had replaced his brother as chairman of the Lower Lake Rancheria, that

Upon careful review of the matter of the long-standing and unfortunate omission of the Lower Lake Rancheria from recognition and services by the Bureau of Indian Affairs following the adoption of the Indian Reorganization Act of 1934, as amended, the Lower Lake Act, and the Rancheria Act, and having been advised in the premises by the Office of Tribal Services [i.e., by Loretta Tuell], BIA, as well as the BIA Pacific Regional Director and Central California Agency Superintendent, that a reaffirmation of recognition would be prudent and proper, by this letter and on behalf of the United States Department on the Interior and BIA, I am hereby reaffirming the Federal recognition of the Lower Lake Rancheria. (emphases added).⁴⁸

That same day, December 29, 2000, Assistant Secretary Gover sent the regional director of the BIA Pacific Region a memorandum

⁴⁸ Letter from Kevin Gover, Assistant Secretary - Indian Affairs, to Daniel D. Beltran, Chairman, Lower Lake Rancheria, Dec. 29, 2000.

in which he asserted that "the Lower Lake Rancheria has been officially overlooked for many years by the Bureau of Indian Affairs even though [its] government-to-government relationship with the United States was never terminated." He then baldly asserted that "At one time, [the Lower Lake Rancheria] was recognized by the Bureau."

Assistant Secretary Gover then even more baldly asserted that

With respect to the Lower Lake Rancheria, the documentation shows that it should be treated differently than other California tribes that were terminated during the termination era. The California Indian tribes considered terminated during this era were those subject to the terms of Pub. L. 85-671, commonly referred to as the Rancheria Act. The Rancheria Act specifically provided in section 10b, that when assets were accepted, the affected tribe was terminated. In contrast, the Lower Lake Rancheria lost its land pursuant to the Lower Lake Act, which sold its land for the purpose of establishing a local airport. This Act predated the Rancheria Act and did not contain a provision to cause the loss of an Indian's legal status as an Indian as a result of his (or her) acceptance of any of the assets of the Lower Lake Rancheria. Thus, the Lower Lake Act did not terminate the Lower Lake Rancheria. (public law citations omitted).⁴⁹

Assistant Secretary Gover having announced that the members of the Lower Lake Rancheria had always been a federally recognized tribe, in 2002 when Neal McCaleb, Kevin Gover's

⁴⁹ Memorandum entitled "Reaffirmation of Federal Recognition of Indian Tribes," from Kevin Gover, Assistant Secretary - Indian Affairs, to Regional Directors, BIA Alaska and Pacific Regions, Dec. 29, 2000.

successor as Assistant Secretary, published in the *Federal Register* the next list of "Indian Tribal Entities Within the Contiguous 48 States Recognized and Eligible to Receive Services From the United States Bureau of Indian Affairs" the list for the first time included "Lower Lake Rancheria, California."⁵⁰

Why Assistant Gover suddenly summarily reversed course and asserted that the Beltran brothers and other members of an organization that did not exist until 1994 had always been a federally recognized tribe is not known. But it merits noting that when Assistant Secretary Gover sent the regional director of the BIA Pacific Region the memorandum dated December 29, 2000 the Deputy Assistant Secretary of the Interior for Indian Affairs was an attorney named Michael Jon Anderson.⁵¹

In 2001 when, like Kevin Gover, he departed the Department of the Interior, Anderson joined Monteau, Peebles & Crowell, a law firm that specialized in representing Indian tribes and other Native American clients.⁵² In 2007 Anderson and Loretta Tuell,

⁵⁰ 67 Fed. Reg. 46328, 46329. In 2014 when the list was published "Lower Lake Rancheria, California," was replaced with "Koi Nation of Northern California (previously listed as the Lower Lake Rancheria, California)." See 79 Fed. Reg. 4748, 4750.

⁵¹ See 106th Congress, *Congressional Directory*, at 689 (October 2000).

⁵² "Indians Given a Parting Boost," *Boston Globe*, March 3, 2001, https://cache.boston.com/globe/nation/packages/gaming/indians_given_a_parting_boost+.shtml ("Anderson, upon leaving office, joined the firm of Monteau, Peebles and Crowell, which specializes in Indian gaming representation")

who after she departed the Department of the Interior had joined Anderson at Monteau Peebles, started their own firm, Anderson Tuell LLP. One of the firm's first clients was the Lower Lake Rancheria.⁵³ And to the present day Michael Jon Anderson continues to represent the Koi Nation of Northern California.⁵⁴

Did Anderson (and Loretta Tuell) bring the Lower Lake Rancheria to Monteau Peebles as a client when he (they) joined the firm? And to what extent, if at all, was Anderson (and Ms. Tuell) involved in Assistant Secretary Gover's decision to deem the Lower Lake Rancheria a federally recognized tribe for no reason other than his say so? Even at this late date, the malodorous possibilities merit investigation.

But more importantly, in the memorandum dated December 29, 2000 that he sent to the regional director of the BIA Pacific Region, Assistant Secretary Gover announced that "At one time, [the Lower Lake Rancheria] was recognized by the Bureau." (emphases added).

Really? If so, when did that "recognition" occur?

⁵³ See Open Secrets. 2007 Lobbying Firm Profile: Anderson Tuell LLP, <https://www.opensecrets.org/federal-lobbying/firms/summary?cycle=2007&id=F220674&year=2007>.

⁵⁴ See *Koi Nation of Northern California v. United States Department of the Interior*, 361 F. Supp.3d 14, 20 (D.C.D.C. 2019) ("Michael Jon Anderson, Anderson Indian Law, Washington, DC, for plaintiff").

As the history of the Lower Lake Rancheria and the Beltran brothers's invention of the Koi Nation of Northern California set out above documents, at no time between 1916 and 2000 did the BIA "recognize" that Harry Johnson, his heirs, including Ann Beltran and the Beltran brothers, or anyone else were members of an Indian tribe that, as a consequence of that legal status, had a "government-to-government relationship with the United States."

It also long has been a blackletter principle of administrative law that, because an executive branch department or agency "may not confer power on itself,"⁵⁵ "the exercise of quasi-legislative authority by governmental departments and agencies must be rooted in a grant of such power by the Congress and subject to limitations which that body imposes."⁵⁶ As a consequence, "an agency's power is no greater than that delegated to it by Congress."⁵⁷

For that reason, Assistant Secretary Gover had no authority to transform the members of the Lower Lake Rancheria into a federally recognized tribe on his own unless a statute enacted by Congress had delegated him the authority to do so.

⁵⁵ *Louisiana Public Service Commission v. FCC*, 476 U.S. 355, 374 (1986).

⁵⁶ *Chrysler Corporation v. Brown*, 441 U.S. 281, 302 (1979).

⁵⁷ *Lyng v. Payne*, 476 U.S. 926, 937 (1986).

But there was no such statute. For which reason Assistant Secretary Gover's action was *ultra vires*.

Because it was, the Koi Nation of Northern California is not a section 19 of the IRA "recognized Indian tribe." And because it is not, Secretary Haaland has no authority to acquire land for the Koi Nation pursuant to section 5 of the IRA.

THE KOI NATION OF NORTHERN CALIFORNIA IS NOT AN "INDIAN TRIBE" AS SECTION 4(5) OF THE INDIAN GAMING REGULATORY ACT DEFINES THAT TERM

The IGRA requires that, to engage in gaming on "Indian lands," a group whose membership is composed of individuals of Native American descent must be an "Indian tribe" as section 4(5) of the IRA, 25 USC 2703(5), defines that term.

Paragraph (B) of section 4(5) requires the group to have been lawfully "recognized as possessing powers of self-government."

In turn, to possess "powers of self-government" a group must have been lawfully designated as a "federally recognized tribe" through one of the three above described "formal political acts:" treaty, statute, final agency action of the secretary of the interior taken pursuant to authority delegated in a statute.

Because the attempt on December 29, 2000 by Assistant Secretary Gover to on his own say-so designate the Beltran brothers and other members of the Lower Lake Rancheria (later known as the Koi Nation of Northern California) as a "federally

recognized tribe" was *ultra vires*, the governing body of the Koi Nation does not possess, nor has it ever possessed, "powers of self-government." As a consequence, the Koi Nation is not an "Indian tribe" as section 4(5) of the IGRA defines that term.

CONCLUSION

For the reasons set out above, Secretary of the Interior Deb Haaland has a nondiscretionary legal duty to adopt the Alternative D no action alternative.

From: Sidnee Cox <sidnee@sonic.net>
Sent: Monday, November 13, 2023 4:03 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Re: EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

November 12, 2023

Hello Mr. Broussard,

Thank you for this opportunity to submit comments regarding the Koi Shiloh Casino Project. The Environmental Assessment is deficient on most points regarding this location and I am asserting that the only option for this project is "D"...no project. Here's why:

1) Aesthetics: a & c: (significant impact).

The project will damage scenic vistas from Shiloh Regional Park and create substantial light pollution for the entire area, including surrounding neighborhoods.

2) Agricultural Resources: a: (significant impact).

The project will convert many acres of off-reservation farmland to non-agricultural use.

3) Air Quality: a, b, c, d, e: (significant impact).

The project will violate air quality standards due to substantial vehicular traffic on a two lane road adjacent to residential neighborhoods, resulting in cumulatively considerable increase in air pollutants. This includes employee traffic, service trucks and the like, construction crews, and of course, patrons of the casino resort. There will also be pollutants from the operation of a 24/7 casino project itself. This will obviously "create objectionable odors affecting a substantial number of people off-reservation."

7) Hazards and Hazardous Materials: d: (significant impact).

This project will absolutely expose off-reservation people or structures to a significant risk of loss, injury or death involving wildland fires!! We have had to evacuate our neighborhoods twice due to wildfires! All of Windsor had to evacuate in 2019. How can we safely evacuate and how can fire engines do their job if this project goes in? People will die in their cars due to gridlock and there will be mass chaos.

8) Water Resources: a, b, c, d: (significant impact).

This project will significantly impact ground water resources and the

surrounding environments resulting from disposal of waste water and sewage.

These is much more that I would like to add, but time is short. How can the EA state that there is less than significant impact to Noise, Population and Housing, Public Services (police, fire, parks, etc), Recreation, Traffic, Utilities and Services, and Cumulative Effects, even with mitigation incorporation?

Please deny this project in its entirety. Option D.

Sincerely,
Sidnee Cox
5846 Leona Court
Windsor, CA 95492

From: Scott & Casey Snow <snkcsnow@comcast.net>
Sent: Monday, November 13, 2023 3:09 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Environmental assessment KOI Nation casino project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Mr. Chad Broussard
Bureau of Indian Affairs,
Pacific Region 2800 Cottage Way
Sacramento, CA 95825

My wife and I are longtime residents of the Town of Windsor, CA and we have lived in our home at 6267 Lockwood Dr. Windsor in the Oak Creek subdivision since January 1984. Our home is approximately 2,584 feet (.49 miles) from the proposed Koi Nation Casino project so we have a vested interested in the environmental impacts of this venture.

In my profession as a senior commercial credit office at a major national commercial bank, I've had the opportunity to review environmental impact reports and traffic studies and I find the quality of this report to be extremely lacking or bias in favor of the applicant.

Traffic Study:

- In regards to the traffic study, a tribal casino in Elk Grove, CA was utilized as a comparable. Sonoma County is a major tourist destination as compared to Elk Grove and in all likelihood more people would be drawn to the Koi Nation Casino as a result of the desirable tourist opportunity Sonoma County affords which could lead to more customer visits than as indicated in the traffic studies.
- The traffic study took place during the wet month of January 2022 when you would historically find less cars on the road and that study doesn't take into account the additional traffic that will be created by the nearly completed 133 unit apartment complex at the corner of Shiloh Rd and Old Redwood Hwy and the under construction of the 173 unit apartment complex at the corner of Shiloh Rd and Hembre Lane. These two new projects alone will create an additional 7 trips per day, 0.7 per peak hour per ITE Trip Generation reports for apartments, condos & townhouses. The traffic on Shiloh Rd which would be the main access point to the proposed casino is already backed up on many weekdays' late mornings to late afternoons from Old Redwood Hwy to

Hwy 101 on ramps on Shiloh Rd and vice versa. When these two new apartment complexes are fully occupied, they will both negatively add to the traffic impacts to Shiloh Rd with their primary ingress and egress points from the apartment complexes coming onto Shiloh Rd. Adding 1,104 daily trips from these two apartment complexes where their access and egress to these complexes comes directly onto Shiloh Road will create major traffic jams and backups and potentially backing up to the off ramp of Hwy 101 making for an extremely dangerous situation for drivers.

- Since the Town of Windsor has no immediate plans to widen Shiloh Rd from its current configuration, Shiloh Rd would not be capable of handling the added vehicle count the proposed casino would create in a safe manner. Adding additional stop lights or adjust the timing on the stoplights on Shiloh Road in this very short stretch of roadway from Hwy 101 to Old Redwood Hwy will only compound the traffic backup issue on Shiloh Rd for those trying to enter onto Shiloh Road or for those driving on Shiloh Rd.
- Shiloh Road is also one of the major bicycle routes used by all of the road cyclists who ride and tour around Sonoma County and I did not see any mention of the impacts to bicycle riders. On any given day in the Spring, Summer and Fall months and even on nice days in the winter, there are a substantial number of road bike cyclists who utilize Shiloh Rd as a means to get from the west side of Hwy 101 to the east side of Hwy 101. Most cyclists ride the back roads of West Sonoma County and East Sonoma County because they offer some of the most dynamic and scenic riding opportunities in the area and Shiloh Rd is the main artery for this crossing. With the addition of the two new apartment complexes let alone the addition of the proposed casino, Shiloh Rd will become very dangerous for bicycle riders. With the current emphasis to put more people on bicycles and get them out of their automobiles, bicycling impacts need to be taken seriously into consideration with any approval for a casino.
- All of the above traffic impacts lead to my biggest concern and that is evacuation in the **event of major fires**. Since 2017, we've had to evacuate our home twice and been under evacuation orders 4 times. Never before had we ever needed to evacuate from our home since 1984. With global warming and drought conditions California is experiencing on a more regular basis, this concern can not be overlooked and brushed under the carpet like it was in the report. You would have to had lived here and experience being evacuated to understand my concern. Cars were backed up to a crawl in both directions on Old Redwood Hwy and Shiloh Road trying to get out of the

area and this happened without the added pressure of 133 new apartment units at the corner of Shiloh Rd and Old Redwood Hwy and 173 apartment units at the corner of Shiloh Rd and Hembre Lane. If and when another fire occurs, it will come from the direction of the hills behind us and behind the proposed casino and the primary way out to safety would be on Shiloh Rd. driving to the west towards Hwy 101. To burden our area with the expected 11,213 daily trips to the proposed casino per the report would at least be equal to a minimum of 1,000 additional cars trying to evacuate onto Shiloh Rd and Old Redwood Hwy which would cause a total disaster for these two small 2 lane roadways. We don't want our area to be another Paradise, California or Santa Rosa, CA where many people died because they couldn't get out of the area fast enough because of the fast-moving fires. If the proposed casino is approved and another fire like the ones we've had in the past in Windsor, this expected disaster will lay at the hands of the Bureau of Indian Affairs for approving such project.

- Don't just rely on this traffic study, come out yourself and look at the subject roads, surrounding subdivisions and visualize for yourself how you would be able to safely evacuate if there was another major fire in the Windsor area. Just look at all of the major Insurance Companies that are pulling out of the California home insurance market. They are in the risk business and they see California as having high fire potential all over the state and that is why they are pulling out and we can't just think there won't be another fire on the horizon in our area.

I could go on and on why it doesn't make environment sense to build a casino in the proposed area especially when it comes to noise. Just go park near the front or rear entrance to the Graton Casino in Rohnert for 24 hours and see if that is the type of noise you would want to hear as a homeowner living near or right across the street from this proposed casino. I live ½ mile from Home Depot/Walmart shopping area and on most nights, I can hear the noise of trucks "beep beep" from backing up and a casino would just add to this noise. Nobody in their right mind would ask for this no matter what the noise and vibration report tends to lead one to believe.

There's no mention of the health effects coming from automobile, bus and commercial trucks road noise. There are many major medical health studies that have come out over past few years that indicate the road noise over 45 decibels from motor vehicles increase the likelihood of stroke by 27% for people over 65 years old who live near noisy roadways and increase risk of ischemic heart disease with daytime noise levels of 55-60 decibels and above. The traffic study indicates common traffic noise levels of 78db which is well above these health effect levels. Epidemiological studies have

shown that traffic noise increases the frequency of arterial diseases, hypertension and vascular dysfunctions in people. Why should the folks living near the proposed casino be subjected to this noise?

I'm not opposed to Native Americans having the ability to be self-supporting but there are numerous other locations that could have been chosen in and around their home territory of Clear Lake, CA. There is plenty of space in Lake County or more remote areas of Sonoma County where you won't be putting the neighboring community at risk and creating major traffic and noise impacts that would greatly affect those of us living in this community.

Regards,

Scott Snow
6267 Lockwood Dr.
Windsor, CA
415-309-2533

From: Paul Browning <paul.browning@comcast.net>
Sent: Monday, November 13, 2023 5:13 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Amy Dutschke, Region Director of the Bureau of Indian Affairs, Chad Broussard and other BIA members,

This communication is to voice by concerns with the Environmental Assessment and overall opposition to the Koi Nations attempt to build any type of development on the property located at 222 East Shiloh Rd.

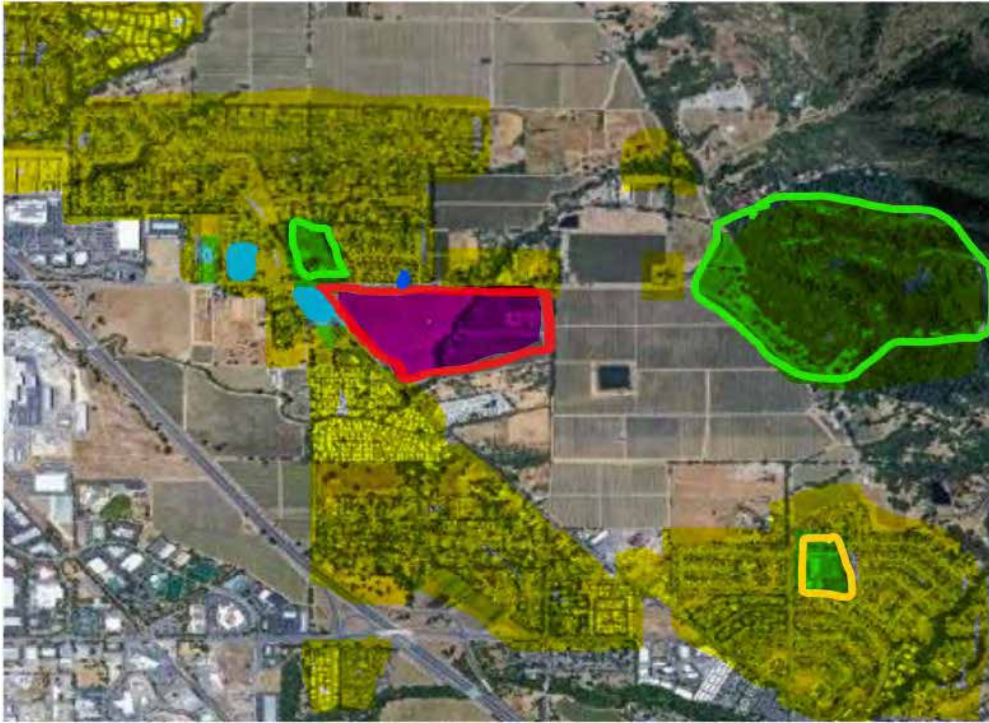
Please see my attached letter/document.

Kind regards,
Paul and Stephanie Browning
One attachment • Scanned by Gmail

Dear Amy Dutschke, Region Director of the Bureau of Indian Affairs, Chad Broussard and other BIA members,

This communication is to voice my overall concerns with the Koi Nations casino proposal, the Environmental Assessment and my overall opposition to the Koi Nations attempt to build any type of development on the property located at 222 East Shiloh Rd. I support Option D, no project.

My home sits directly adjacent to the proposed casino. As you can see by the pictures, this development will have a profound effect on my family's quality of life and will dictate whether we stay in our current home of over 25 years. The hotel portion of this project will look into the windows of our home. Based on the supplied information, the hotel portion of this project, will be roughly 85 feet from my home. The main entrance to the casino will be roughly 95 feet from my home as well. On the colored aerial the blue dot is my home and the other picture looks out from my family room to where the hotel and casino will be.



In referring to the aerial photo above, the proposed casino will be constructed among family homes (yellow), churches (blue), parks (green) and schools (orange/green). This would be the first full scale casino ever allowed to be built in the state of California that would be constructed among ***an already existing community***. There is no such precedence at this time.

The Environmental Assessment report is far from impartial and factual. I would go as far as to say it is purposely misleading and written with the explicit intent of falsifying information to gain approval of the Bureau of Indian Affairs. The contracted party was only looking out for the interests of the Koi Nation which I am sure is what they paid for.

There are so many false or fabricated points made in the Environmental Assessment, here are just a few as it is overwhelming to try and speak to each and every one of them:

Noise: the EA states that there will be limited if any increases in noise. How can this be? 222 East Shiloh Road is all vineyards with one residence. The only noticeable noise generated from this property is the occasional spraying in the spring and harvest in the fall, which this year lasted only one night. The proposed casino will employ over 1,000 people and will generate thousands of car trips per day which will extend to all hours of every night. This will result in an endless increase in noise at all hours. It will be impossible for us to keep our windows open, all night during the summer, this added noise that will be created by cars, buses and delivery trucks. From 9 PM to 6 AM there is virtually zero traffic on East Shiloh Rd., if built the traffic will be exponential at all hours of the day and night. The noise will be life changing for us. And to add to this, as I work from home 50% of the time, the noise generated during the construction phase would be intolerable.

Traffic: the same principles regarding noise will extend to traffic. The property currently generates almost zero traffic. The EA states it will only marginally increase, this is incredibly deceptive. For all intents and purposes, East Shiloh road only sees traffic from the residences in the Mayacama development and those visiting Shiloh Regional Park. With over 5,100 parking spaces for both cars and buses, as well as ongoing delivery trucks, the anticipated impact will be overwhelming.

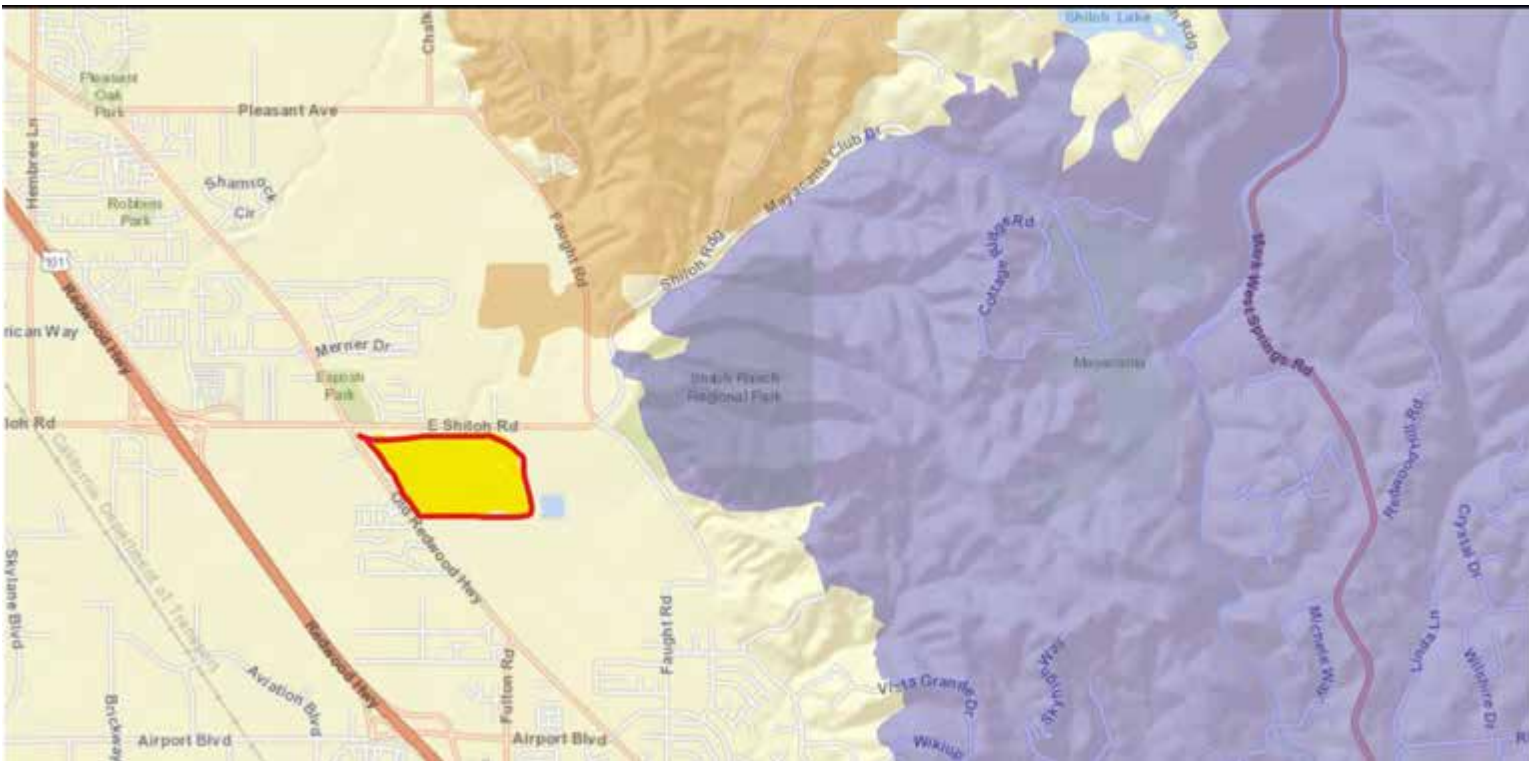
Crime: my neighbors and I have experienced zero crime over the last 25 years. The EA report suggests very little if any additional violent crime will be seen. I find this incredibly hard to believe. By putting a casino amongst neighborhoods, the inevitable crime that this type of establishment will draw will spill into our streets. Here is a list of just a few of the reported crimes generated by the Graton casino in Rohnert Park. Please keep in mind, there are no residential neighborhoods close to this property so at the very least, the communities were buffered, that will not be the case with the Koi's proposal. This is in addition to knowing there will be an increased likelihood of drunk driving taking place on the roads in our neighborhood.

-
- <https://www.pressdemocrat.com/article/news/at-graton-casino-east-bay-couple-arrested-on-drug-weapons-charges/>
- <https://lakeconews.com/news/57880-lake-county-man-arrested-in-assault-at-graton-casino>
- <https://www.nbcbayarea.com/news/local/man-arrested-in-connection-with-assault-with-deadly-weapon-at-graton-casino/1968921/>
- <https://www.cbsnews.com/sanfrancisco/news/lake-county-man-gets-4-years-for-fatal-casino-parking-lot-confrontation/>
- <https://www.cbsnews.com/sanfrancisco/news/2-arrests-made-in-christmas-eve-robbery-outside-graton-casino/>
- <https://www.sonomanews.com/article/news/cops-find-borrowed-car-at-graton-casino/>
- <https://www.kron4.com/news/bay-area/bus-driver-arrested-on-dui-charges-at-graton-casino/>
- Here is a posting from the Sonoma County Sheriff's office from just 2 weeks ago



Wildfire Evacuation: over the last 6 years we have lived through 2 devastating fires, Tubbs and Kincaid. Both of these fires required the surrounding communities to evacuate which caused gridlock and panic. In both instances, the fires burned down to and across Faught Rd. making it completely impassible, for the Tubbs fire south at Shiloh Rd. and the Kincaid fire north at Shiloh Rd. Please see the map below. If a mass evacuation of the community and casino were required, people exiting the casino and heading west would effectively create a roadblock while entering Shiloh Rd. while backing up traffic onto Faught Rd. and into the Mayacama development. This would have the potential of repeating what happened in Maui with gridlock resulting in people burning to death in their vehicles while trying to escape. The EA states that a potential evacuation would be handled by having an individual(s) direct traffic at the entrance of the casino at Shiloh Road. Based on what we experienced during past evacuations, there is nothing one, two or even three people could do to prevent a complete blockage of vehicles that could result in people attempting to flee on foot. The links below are to videos from the Tubbs fire, the last 20 seconds of the helicopter video is of Wikiup Dr. area less 2 miles from the proposed casino site and then the second video is from Vista Grande Drive less than one mile from the proposed casino. A fire in this area could have catastrophic consequences.

- <https://www.youtube.com/watch?v=zmAmxkTdElo>
- https://www.youtube.com/watch?v=f2QXrR_zmvM



Here is an estimated amount of time it would take to evacuate the casino and the surrounding area taken directly from the EA. The Tubbs Fire, fueled by 65 mph winds traveled over 12 miles in less than 2 ½ hours. If a fire were to start closer to this area with similar conditions, the results would be catastrophic due to the roads being blocked by fleeing patrons and residents.

- At the signalized exit onto Old Redwood Highway, the exiting would be less efficient due to the signal itself and a higher proportion of other traffic using the signalized intersection. At a service rate of about 800 vehicles per hour, it would take about two hours and 45 minutes to handle all the traffic at this location.

Property Values: the EA did not use apples to apples examples of casino impacts on property values. In those examples only a few existing homes were already located near the preexisting tribal lands were used for comparative analysis. 99% of all homes were built after the casino was already in operation. Those examples do not even remotely come close representing established communities like those that surround the property at 222 East Shiloh Rd. How can anyone think a casino and what goes with it would not affect my property value vs. the existing vineyard? Additionally, there is no account given to the expenses current homeowners would incur if they made the decision that living next to a casino and the impacts brought by it would cost. After calculating in 6% realty fees, thousands of dollars in both inspection reports, appraisals and closing costs, the cost to relocate would be \$70,000 or more. This amount would be enough to prevent a family from being able to purchase a similar home in Windsor or the surrounding areas.

Koi's claim that the property is part of their ancestral home range: it is a well know fact that the Koi tribe does not call any part of Sonoma County home. Their ancestral home is in Lake County. This is proven by their August 2023 lawsuit against the City of Clearlake because a sports complex was going to be built on what they consider is a major cultural site next to the city. Their claim was also supported by a local Attorney General in their case. This is the Koi's third attempt to seek property outside of their indigenous lands. Please see the supporting information.

- <https://oag.ca.gov/news/press-releases/attorney-general-bonta-files-amicus-brief-supporting-koi-nation-lawsuit-against>
- <https://www.pressdemocrat.com/article/news/koi-nation-sues-city-of-clearlake-over-development-of-sports-complex/>
- The Koi Nation should be encouraged to seek a viable alternative in their true ancestral home range of Lake County

It is very obvious that the Koi Nation directed the consulting firm that put the EA together to paint a picture favoring the construction of the casino and gloss over any negative effects. It is long, in some cases confusing and reads like a paid advertisement. There are too many false details to list in the EA report.

It is no accident that both United States Senators, both surrounding United States House of Representatives members, Sonoma County Board of Supervisors, Town of Windsor officials, historically based local Indian tribes and many others, have spoken out against the Koi Nations efforts, in addition to hundreds of community members. The only local supporter has been the Northern California Carpenters Union who obviously have entered into a lucrative agreement with the Koi Nation. The opposition has been broad and comprehensive.

For all of these reasons, I am asking you to support option D, **NO Project.**

Thank you for your time and consideration,

Paul and Stephanie Browning

From: walterbrusz@comcast.net <walterbrusz@comcast.net>

Sent: Sunday, November 12, 2023 9:59 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Attached COMMENTS KOI NATION SHILOH RESORT AND CASINO

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Mr. Broussard,

Please find attached comments on the EA written by myself and my wife.

Best,

Walter Bruszewski

Pam Bruszewski

One attachment • Scanned by Gmail

HIDING A FIVE-STORY HOTEL IN A VINYARD: The Koi have attempted to deceive our neighborhood by misrepresenting their planned casino development.

September 27, 2023

SUMMARY. The Koi have presented arguments for creating a gambling casino, event center, spa and hotel to host thousands of people, replacing a vineyard in our neighborhood inhabited by no one. In their EA, they attempt to convince our neighborhood that this development will have no significant impact on our environment, our lives, or our safety. The Koi's arguments in their EA are disingenuous and specious. Here I address the Koi's assertions in the EA about:

- the appearance of the planned development;
- the Koi's history relevant to their claim of being a local tribe;
- noise created by the casino-hotel-event center operation;
- the safety of evacuations during wildfires with the additional estimated 2000 daily casino / hotel patrons.

In sum, the Koi have grossly misrepresented the safety and benign nature of their planned project. They present voluminous "analyses" which give the false impression that they are seeking the truth about the impact of their casino. They have misrepresented the appearance of the development with deceptive photographs which attempt to hide the casino, resort, hotel, etc. in a vineyard. Conclusion: the Koi have produced an EA which gives the appearance diligent analysis, but is actually deception. I do not trust the Koi and their consultants and they are not entitled to ruin my quiet residential neighborhood.

I strongly support the efforts of indigenous peoples over the world to assert their rights as individuals and groups. I believe that the United States created a shameful record of genocide, taking of indigenous lands, and destruction of the culture of the first citizens of America. Further, I believe that these people demonstrated a spiritual connection with the land of which they were the custodians. In contrast, I believe that they were confronted with white settlers supported by the United States Government who plundered indigenous lands by mining, logging, and extermination of wildlife. I believe that American indigenous peoples have suffered from systematic racism in the same way as African Americans. And they have a right to expect support for their livelihood from the government of the United States.

Still, I am opposed to the Koi casino enterprise, which would ruin our peaceful residential neighborhood.

THE KOI MISREPRESENT THE SIZE OF THE CASINO. In Figure 3-13.2 the Koi present "VISUAL SIMULATION OF ALTERNATIVE A". Here, the Koi attempt to show that their proposed resort would be almost invisible from the perimeter of their parcel. In Figure 1, below, I show that the before and after development views presented by the Koi in their figure are considerably distorted, compared with what one sees with the naked eye from the Koi's Viewpoint A looking east from the intersection of Old Redwood Highway (ORH) and Shiloh Rd., southeast corner. I am familiar with this view because I see it every time I return home, traveling east on Shiloh to my home at 219 Lea Street in the Oak Park development, which is directly north of the proposed casino site. I have lived there since 2010.

In Figure 1 (below), the EA image from Figure 3-13.2 of the parcel before development is compared with my recent image of the same view. My image was taken with a camera with a 50 mm "normal lens". A normal lens creates an image that is closest to what the human eye sees. This image is not manipulated in any way. The EA image is strikingly different. It has been extensively tinkered with in PhotoShop: the fence has been removed and a large space between the edge of the parcel has been inserted between the road (Old Redwood Highway) and the vines. A fantastic distortion was created such that, on the right-hand side of the image, one can see that ORH apparently runs nearly parallel to Shiloh. ORH intersects Shiloh at about a 60 degree angle. I am not sure how this was achieved, but the image was probably captured with wide angle lens; a cell phone may have been used. One of the effects a wide angle lens is that it makes objects in the distance become abnormally small and distant. Notice how the ridge within Shiloh Ranch park in the EA image is small and receding, compared with the ridge in my image. Why would one want to make an image like this?

Figure 2 shows the post-development view from EA Figure 3-13.2. Here, the utility of the distorted, receding background is apparent: It makes the 60-foot high hotel appear to recede into the distance. In this picture, notice that relative to the "before" picture, the Mayacamas mountains have disappeared.

In both of the images in EA Figure 3-13.2, notice that the concrete walkway extends all across the image bottoms. This shows another effect of the wide angle lens: objects in the foreground become huge. This segment of walkway is only about 15 feet wide.

It appears that the Koi's consultants have been fiddling with the photos presented in the EA to make the casino disappear into the vineyard.



Figure 1. Top: the EA image of the view from Viewpoint A before development. Bottom: my image of the same view.



Figure 2. The EA post development image.

THE EA MAKES FANTASTIC CLAIMS ABOUT NOISE AND LIGHT. The EA claims that the project will create no significant impact from noise and light pollution. It claims that proposed mitigations will render the project benign. How can this be so? How can a site which is currently inhabited by no one be no quieter and no darker than a casino and event center with thousands of 24/7 visitors? From 15 years of personal experience, I can say that, at night, there is no light coming from the proposed site and no sound, with the exception of cricket chirps and the faint sound of coyotes. NO SOUND. Without resorting to the Koi's obfuscating "analysis", It is impossible for any development of the site to be as quiet as no development. This shows how specious the Koi's EA is.

THE EA PRESENTS AN INADEQUATE HISTORY OF THE KOI AS A LOCAL GROUP. As residents who will be substantially affected by the project, our clear impression is that our neighborhood is now at the mercy of unknown, financially powerful entities rather than individuals with a genuine interest in local matters. Who are these entities?

- Chickasaw Nation gaming interests
- the source of the \$12.3 million to purchase the land for the project
- the Koi nation, whose geographic base is Clear Lake, not Windsor. In fact, the Koi continue to litigate against the City of Clearlake on the basis of claims of Koi cultural artifacts in the Clearlake region. It is notable that the Koi have never made an attempt to present their case to residents of this neighborhood. It appears that they have chosen to hide behind their EA and their PR consultants.

- the BIA
- Singer Associates PR
- the Carpenters' union

In all the description in the EA of the Koi's movements since leaving their original geographic base in Lower Lake, there is no indication that the Koi have ever settled near the proposed project site. In both the EA and in PR materials created by Singer Associates, the diaspora of the Koi is vague and members of the tribe are described as living and working in Santa Rosa, Sebastopol, and along the Russian River. These locations are far away from the site chosen for their tribal base. The Koi are not and never have been local.

At the meeting in which public comment on the EA was heard, the preponderant group of individuals testifying in favor of the casino development were members of the Carpenters' Union. The Koi have lobbied this group and offered construction jobs at the casino. In his comments, Sam Singer (Singer Associates, San Francisco) commended the Koi for reaching out to the Union membership as an example of the Koi's effort to connect with local stakeholders. None of the union members testifying mentioned that they lived in this locality. It's clear that the possibility of construction jobs is the carrot which the Koi is offering to the carpenters in return for their support.

No one, not even the Press Democrat reporter who has published two stories on the casino development, knows who has bankrolled the Koi by purchasing the parcel they hope to make into a casino. The money does not seem to have a local origin. We in this community whose homes and lives will be disrupted by casino development don't know who has precipitated this crisis.

The original event which precipitated the Koi's need to find a place for their tribal base is the exit of the Koi from their reservation in Clear Lake because the BIA did not provide them with good quality lands. This means that a casino development which will render our neighborhood uninhabitable is primarily the responsibility of the BIA in its incompetence. Why is our neighborhood being taken from us to correct a BIA mistake?

FIRE. We live directly across Shiloh Road from the project site. My wife and I evacuated during both the Tubbs Fire and the Kinkaide Fire. We watched trees burn in the Shiloh Ranch Regional Park.

The Koi and their consultants who wrote the EA are either ignorant of the realities of local wildfires or disingenuous. The fact is that the Koi plan to create a very large casino, hotel, and performance venue which will accommodate thousands of people in a region with a local history of deadly wildfires. The Koi maintain that there will be no significant impact on the evacuation of people living in the neighborhood. On page 3-118, the EA says, "Therefore, Alternative A would not significantly impede evacuation traffic as patrons and staff would be evacuated early and before community wide evacuation." This is an outrage: they are saying that they will fix the evacuation problem by making the local residents wait for the casino to evacuate. In section 4, the Koi describe mitigations which supposedly will ensure no impact by the casino on general evacuation. In section 4, a number of evacuation plans are presented, but nowhere in the EA is there described a mechanism which ensures accountability to implement their plans. There is no guarantee that the Koi will in fact implement the described plans.

Public comment Shiloh Casino EA; Bruszewski

It is generally accepted that recent California wildfires are a manifestation of global warming. On page 3-28, the EA directs the reader to Appendix E for a summary of potential effects of climate change in the region. In Appendix E, among the impacts of climate change, wildfires are not even mentioned. This represents either considerable ignorance, or just deception.

Walter Bruszewski

Pam Bruszewski

From: Renee Avanche <renee.lorenz73@gmail.com>
Sent: Monday, November 13, 2023 7:24 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Casino project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Mr. Broussard,

I am a concerned resident of the immediate community where the Koi Nation is trying to put a casino. I live on Old Redwood Highway and my kids attend the Mark West Elementary School just south of the 65 acres where the Koi (actually, the Oklahoma gaming big shots who are spearheading this idea), want to build a huge casino and hotel etc.

This will ruin the beautiful and cohesive community where many of us were raised. I also attended the MW Elementary School and grew up across the street from the proposed casino site. It is a place where kids play soccer and baseball and ride bikes, walk their dogs, get exercise (Esposti Park). My family had to evacuate twice from our home due to the wildfires. Traffic was a scary challenge even then, prior to the estimated 5,000 plus more cars that the casino folks say will need evacuating. Its mind boggling and crazy to think this site is even being considered.

Please reject this site and assist the Koi Nation in finding a suitable place that is not residential and where the impact could be absorbed better. This is not their ancestral homeland, Lake County is. Please come here and see what this site is among. They did a video that was ridiculous in terms of the impact by not showing the close proximity to residences etc and was not to scale.

Sincerely,

Renee Lorenz & family

From: Dylan Whittemore <dwhittemore26@cardinalnewman.org>
Sent: Monday, November 13, 2023 9:14 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Amy Dutschke
Regional Director
2800 Cottage Way
Sacramento, CA 95825

Dear Ms. Dutschke,

My name is Dylan Whittemore and I'm very much against this casino plan on Shiloh Road. I am a high school student who lives along Shiloh Road in Windsor, CA. I have read the EA report even though it is very difficult to understand. What upsets me the most are the issues that were NOT studied enough or accurately. Obviously, this report was done by people with no real connection or understanding of this area.

Wild fire concerns and evacuation:

My family and I lived through the fire evacuations in 2017 and 2019. It was horrible and chaos. I remember my sister calling our mom from the car. She told my mom that she was on Shiloh Road for 20 minutes but had only moved a little bit to get to Hwy 101. She was really scared that the rest of our family wouldn't have a chance of getting out because of EVERYBODY trying to evacuate. The casino staff would not be able to help with an evacuation. Somebody working a job will only care about their own life when you see smoke and fire heading over Shiloh Ridge. These employees are not first responders. Also, all those customers at a casino wouldn't even listen to a casino worker saying slow down or do this, do that. It's crazy! Even if roads were widened, they would still not be able to handle all the current residents, casino people and all the people that will be added with the THREE new apartment buildings in the area. People will die and then what???

Faught Road dangers:

Another big issue where I see people could die would be Faught Road that is less than a quarter mile from this casino idea. Faught Road is a very small

and narrow two lane country road that goes right by our regional park. There are a number of sharp turns on Faught Road and a couple are even 90 degree turns. It's pretty well known that people take back roads to avoid police when they have been drinking. This will be death waiting to happen on Faught Road. People jog and ride their bikes there. Also, there is a school called San Miguel Elementary on Faught Road just one mile south from the casino site. It can be very congested there during school hours. About one mile to the north on Faught Road is ANOTHER elementary school called Mattie Washburn. So either way that these casino drivers take, they will pass through schools and neighborhood areas with people everywhere. It would not be a matter of IF somebody gets killed. It would just be a matter of when. I would think that nobody wants that blood on their hands.

The site that is proposed for this casino project couldn't be a WORSE idea. Families, churches, schools and parks will be changed forever and ruined by this thing. Please, please help in making this thing go away. Please, please only support Option D - No Project.

Thank you very much for your time,

Dylan Whittemore
237 Lea Street
Windsor, CA 95492

From: Susie Sedlacek <ssedlacek2015@gmail.com>
Sent: Monday, November 13, 2023 8:32 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Mr. Chad Broussard
Environmental Protection Specialist Bureau of Indian Affairs, Pacific Region chad.broussard@bia.gov

Dear Mr. Broussard -

We are writing to add our support to many of our community neighbors who have written to you with concerns about the proposed Koi Nation Shiloh Resort and Casino. We are wine grape growers living within 10 miles of the proposed site and use Shiloh road to shop at Home Depot, Walmart as well as access the Shiloh Ranch Regional park multiple times a week in our exercise routine.

Many of our community members have taken the time to research and provide you with concerns backed up with very detailed data to support their concerns. We will reiterate them below, and respectfully ask that you please provide us with the requested responses.

We ask that the Bureau reject the Koi Nation's effort to build a casino of **any size** in Sonoma County. In addition to the preferred alternative, other proposed options for what is to be called the "Shiloh Resort & Casino" at 222 E. Shiloh Road, Windsor is also unacceptably large.

Sources used for the following information and our understanding of the facts are listed at the end of this letter. The current proposal will include a:

- 540,000 square foot casino
- 400-room hotel
- 2,800 seat event center
- 5,000 parking spots and an estimated 54,000 daily visitors
- Two ballrooms
- Five restaurants
- Additional support and entertainment facilities
- Use 280,000 gallons of water per day

My understanding is that the **Shiloh Resort & Casino** would become the largest casino in California. The **Graton Casino** in Rohnert Park is already the fifth largest casino in California. It is now embarking on an approved \$1 Billion expansion to make it even bigger!

A few key points against the proposal include:

KOI NATION IS INDIGINOUS TO LAKE NOT SONOMA COUNTY

- It is our understanding that the Koi Nation are **indigenous to Lake not Sonoma County** and therefore have **no significant historical connection or inherent rights** to build this casino in Windsor or anywhere in Sonoma County.
 - Their website acknowledges this history
 - ABC News and others also reported that “Five other tribes question Koi Nation's "historical connection" to Sonoma County, saying their ancestors lived 50 miles away in Lake County.”
- And just this month, the **Clearlake City Council, in Lake County** approved increasing funding the city will devote to **defending itself against legal challenges involving major park and road projects filed by the Koi Nation. The reference notes that “The tribe, whose traditional territory includes the city of Clearlake and Lower Lake...”,** They go on to note that the money is needed because the tribe, **indigenous to Lake County**, approving \$250,000 for legal defense... “after the tribe sued to stop the city’s extension of 18th Avenue as part of a new hotel development at the former Peace Field airport site.” (Lake County News, October 20, 2023)
- Yet in 2021, the Koi Nation purchased 68 acres in Sonoma County at 222 E. Shiloh Road, Windsor, for \$12.3 Million. They did not have approval to build the casino before this purchase and are now requesting permission.

LARGE CASINOS ALREADY EXIST IN SONOMA COUNTY ARE ALREADY HAVING PROBLEMS COMPETING

By building the Shiloh Resort & Casino, the biggest in California, Sonoma County will become the Las Vegas of California. Forever changing our cherished rural landscape and sense of community, while creating new crime and safety challenges, and contributing to transportation gridlock for all.

- **Just 14 miles, or 15 minutes south** off Highway 101 is the 2013 built **Graton Casino**. It has a:
 - 135 square foot casino – 25% the size of one proposed for Windsor
 - 200-room hotel, and others built nearby to support it
- **In June 2023 Graton began a \$1 Billion expansion** which will add a:
 - Second hotel wing with 200 rooms
 - 3,500-seat theater for live entertainment
 - Rooftop restaurant seating for 480 guests
 - 144,000 square feet of gaming space
 - Five-level parking structure for 1,500 additional vehicles
- Upon completion, **Graton will be the second largest casino in California. The Shiloh Resort & Casino would easily become the largest in the state.** Surrounded by other massive casinos just a few miles away.
- Earlier this year, on March 1, 2023, Sonoma County Supervisors approved the **Dry Creek Rancheria Band of Pomo Indians’ new River Rock resort and casino in nearby Geyserville.**
 - **That location is only 18 miles or 30 minutes north of Windsor**

○ Why are they tearing down their existing facilities to build a bigger new luxury resort and casino? **During the approval process they argued that business slowed significantly after Graton opened. They were granted permission for a complete re-build as they need it to compete! How will they compete with a third casino closer in geographic distance?**

○ This suggests that **Sonoma County cannot sustain three massive casinos requiring high revenue targets for financials to meet expectations.** If this turns out to be the case, it will lead to owner neglect as operating funds diminish. **Sonoma County taxpayers** may in the end need to step in with taxpayer monies to fund basic maintenance and security functions. Moreover, Sonoma County may not get the planned tax revenue approval all these new casino builds promise.

- **Twin Pine Casino & Hotel in Middleton, Lake County,** is also just one hour by car from the proposed Windsor site.
- The Dry Creek Rancheria Band of Pomo Indians also plan to build a **large casino in Petaluma south of Windsor.** They have delayed it until 2032 but it is still a strong and viable possibility.
- Again, just 14 miles from Graton Casino and 18 miles from River Rock Casino, **the proposed Shiloh Casino in Windsor would easily become California's largest casino.** Built in a residential area and location Sonoma County cannot support.

Sonoma County residents do not need three massive Las Vegas style casinos within a 32-mile radius of each other.

PROPOSED SHILOH RESORT AND CASINO WOULD BE LOCATED IN THE MIDDLE OF ESTABLISHED RESIDENTIAL NEIGHBORHOODS

- The proposed site is smack dab in the middle of established residential communities, and the stores, restaurants, churches and other operations the local community relies on.
- What will the impact be on diminishing rural landscape, the wildlife and natural environment that land currently supports? Crime, drunk-driving, drug use, and noise from this new 24/7 operation? Property values of long-existing residents?

IMPACT OF NEW URGENT STATE MANDATED PROHOUSING COMMUNITY MULTI-FAMILY HOUSING. HAVE YOU CONSIDERED THIS IN YOUR ENVIRONMENTAL REVIEW?

Have you considered other major expansion projects within Sonoma County in your assessment?

Governor Newsom's Fiscal Year 2019-20 budget established the [Prohousing Designation Program](#) help meet California's goal of 2.5 million new homes over the next eight years, with at only about 40% of these new homes serving the needs of lower-income Californians. Windsor, Santa Rosa, and Rohnert Park are part of this designated, fast-growth housing program.

According to Gustavo Velasquez, Department of Housing and Community Development (HCD) Director:

“I’m thrilled that we now have 30 communities that have achieved the Prohousing designation,” said HCD Director Gustavo Velasquez. “The cities and counties are leading the way by **reducing unnecessary barriers and red tape** that discourage new housing production, instead they are **signaling to developers that are ready to build more housing faster.**”

(California Department of
[Housing and Community Development](#), August 7, 2023)

“This isn’t hype. If it becomes law, the bill could really revolutionize California cities. As currently written, SB 827 would essentially **exempt all new housing built within half a mile of a train stop or quarter mile of a frequent bus stop from most local zoning rules**. So, if a city had zoned an area for single-family homes, developers could invoke the bill to build multifamily apartment buildings **between four and eight stories high.**”

(Cal Matters June 23, 2020)

- One only has to look at the large multi-family housing developments going up all over Santa Rosa now to know there will be major issues going forward with transportation gridlock, parking and community services. Eliminating the “red tape” that is fundamentally needed to successfully incorporate new housing into Sonoma County.
- Windsor, Santa Rosa and Rohnert Park have been designated **Prohousing Communities** by the State of California.
- All three have embarked on building new multi-housing units to address homelessness. Santa Rosa alone is adding almost 4,700 new housing units by 2025 (technically 2031 but they are on-track to finish sooner).
- Highways, roads, and community services such as grocery stores and medical facilities are not equipped to deal with the **Prohousing Community** requirements, let alone a third Las Vegas style casino.
- The State mandate has also put aside many developer requirements in order to get this housing built, including developer money to support new roads, adequate parking and multi-family community services such as nearby grocery stores, and public transportation. This whole program is going to provide needed housing but at great expense to the public, and those who will reside in these new homes.
- The Wal-Mart and Home Depot right off Highway 101 along with other stores and restaurants located there are already destination points for residents **outside of Windsor** which also leads to much more traffic.
- My understanding from the recent public Zoom hearing is that your transportation study was done in the early morning on a winter day. Have you re-evaluated it during afternoons when schools let out and people leave work? Highway 101 already becomes a parking lot at many busy travel times of the day.

ADDITIONAL NEW MULTI-FAMILY HOUSING GOING UP AT 295 SHILOH ROAD, WINDSOR

- The Corporation for Better Housing and Integrated Community Development received \$40 million in construction financing for Shiloh Crossing, **a 171-unit complex**.
- The development will have two buildings plus 8,000 square feet of commercial space. The North Building will include 130 apartments, while the South Building will consist of the remaining residential units, administrative offices, community space and two commercial spaces. It will have a swimming pool, community room and bocce court.
- The development will be located at 295 Shiloh Road near Route 101. Just one mile or a 3-minute drive from the proposed new Shiloh Resort & Casino. This new residential development, one of many fast-tracked to deal with California's housing shortage will also add to traffic congestion, slow wildfire evacuation efforts and pull from depleted water reserves.

WILDFIRE EVACUATION ROUTES ALREADY STRESSED

It is also quite easy to see from the above map that the proposed casino would hamper wildfire evacuations as evacuees travel west on narrow roads to get to Highway 101 during emergency evacuation. It is also unrealistic in my view to expect casino employees to risk their lives trying to evacuate patrons as the road traffic quickly comes to a standstill and a death trap.

If the Koi Nation's proposal is approved the BIA will share the blame should more wildfires lead to death due to an inability to flee. The BIA knows locating the largest casino in California at this location will add significant wildfire evacuation hurdles.

SONOMA COUNTY BOARD OF SUPERVISORS UNANIMOUSLY OPPOSES THE KOI NATION PROPOSAL

- There has been great Sonoma County opposition to the Koi Nation plan. In April 2022 the "Sonoma County Board of Supervisors unanimously passed a resolution opposing the Koi Nation's proposed casino and resort outside Windsor while discounting the tribe's historical ties to the county". (CDC Gaming Reports, April 6,2022). Many other groups also oppose this new development.

SUMMARY

The proposed location is not equipped nor the spot for another massive casino. In addition to overcrowding, casino-saturation, the water table, environment, and wildfire evacuation routes are also not equipped to support another casino.

Right off Highway 101 by Walmart and Home Depot? Adjacent and near long established residential areas families, children and the elderly call home? Where property owners are already facing low water pressure as their wells dry up? With Prohousing Designations already adding thousands of multi-family housing in Windsor, Santa Rosa and Rohnert Park?

Please let me know if you have factored in the impact of the new **Prohousing Community** build in Windsor, Santa Rosa and Rohnert Park in your evaluation, and re-evaluated the impact on roads, water requirements, and the safety of adjacent neighborhoods, which seems flawed as many pointed out during the Public Hearing. **I request a written reply to these questions.**

I urge you to deny the Koi Nation Shiloh Resort & Casino **in any form.**

Sincerely

Susie Sedlacek

Fred Sedlacek

Data sources include:

- The September 27, 2023, Public Hearing, Zoom-moderated by C. Broussard, BIA
- Publications:
 - <https://abc7news.com/koi-nation-casino-sonoma-county-casinos-windsor-plan/11710358/>
 - <https://www.lakeconews.com/news/76942-clearlake-sets-aside-half-a-million-dollars-to-defend-against-tribal-lawsuits-over-city-projects>
 - <https://www.pressdemocrat.com/article/news/sonoma-county-supervisors-approve-casino-agreement-with-dry-creek-rancheria/>
 - <https://www.pressdemocrat.com/article/news/federal-hearing-on-proposed-koi-nation-casino-near-windsor-draws-scores-of/>
 - <https://www.townofwindsor.com/1303/Koi-Nation-Resort-and-Casino-Project>
 - https://en.wikipedia.org/wiki/Koi_Nation#:~:text=The%20Koi%20Nation%20of%20the,an%20island%20in%20Clear%20Lake.
 - <https://www.koinationsonoma.com/history/>
 - <https://www.koinationsonoma.com/project/>
 - <https://www.srcity.org/CivicAlerts.aspx?AID=2253>
 - <https://www.hcd.ca.gov/about-hcd/newsroom/california-department-of-housing-and-community-development-awards-prohousing-designation-to-five-new-jurisdictions>
 - <https://www.hcd.ca.gov/about-hcd/newsroom/governor-newsom-designates-three-more-california-communities-prohousing-strides-made-to-accelerate-housing-production>
 - <https://www.townofwindsor.com/DocumentCenter/View/27736/3818-23-Authorizing-Town-Manager-to-Submit-Prohousing-Incentive-Pilot-Program-App-to-CA-HCD?bidId=>
 - <https://calmatters.org/housing/2018/03/what-to-know-about-the-housing-bill-that-has-people-freaking-out-from-marin-to-compton/>
 - <https://www.pressdemocrat.com/article/news/public-hearing-announced-for-koi-nations-proposed-casino-project-near-wind/>
 - <https://huffman.house.gov/media-center/in-the-news/sonoma-county-elected-leaders-react-to-koi-nation-proposal-for-casino-near-windsor>
 - https://www.pressdemocrat.com/article/news/graton-rancheria-statement-on-koi-nations-application-for-gaming-facility/?utm_campaign=trueAnthem%3A%20Trending%20Content&utm_medium=trueAnthem&utm_source=facebook&fbclid=IwAR2VfpsWJpFRLIH8vlsWcOb8hd_IQqZd2bwOTuM3lvK7rOnxKjc6u53MWv0
 - <https://www.petaluma360.com/article/north-bay/sonoma-county-dry-creek-tribe-poised-to-extend-agreement-banning-casinos-n/>
 - <https://cdcgaming.com/brief/california-sonoma-county-supervisors-unanimously-oppose-koi-nations-casino-near-windsor/>
 - <https://abc7news.com/koi-nation-casino-sonoma-county-casinos-windsor-plan/11710358/>
 - <https://www.landispr.com/wp-content/uploads/2019/11/PD-Coverage-Koi-Nation-casino-battle-091821.pdf>
 - <https://www.healdsburgtribune.com/windsor-casino-would-increase-fire-risk-impact-residential-communities-opponents-say/>
 - <https://www.shilohresortenvironmental.com/>
 - <https://www.multiphasingnews.com/california-affordable-development-lands-40m/>

November 1, 2023

Amy Dutschke
Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento CA 95825

RE: EA Comments, Koi Nation Shiloh Resort and Casino

Dear Ms. Dutschke,
I read information about the proposed Shiloh Resort and Casino in Sonoma County, Windsor California. I am opposed to this project.

My understanding is that the Koi Nation is NOT from Sonoma County. The Koi Nation is a tribe from Lake County. Why can a tribe from Lake County develop a casino in Sonoma County?

This proposed casino and resort is in a residential neighborhood. This would be awful to have gambling and drinking in a quiet residential neighborhood. I seriously hope this project does not get approved.

The site is close to Shiloh Ranch Regional Park. So much for the rural park setting that many people enjoy if the resort and casino is approved.

Thank you for taking into consideration my concerns and the concerns of others in Sonoma County.

Sincerely,



Valerie McKamey
739 Natalie Drive
Windsor CA 95492
vmckamey@msn.com

Lynn R. Darst
5845 Mathilde Drive
Windsor, CA 95492
(707) 318-9917
Backpackers_darst@sprynet.com

October 5, 2023

Amy Dutschke
Regional Director
Bureau of Indian Affairs – Pacific Region
2800 Cottage Way – Room @-2820
Sacramento, CA 95825

Re: EA Comments, Koi Nation Shiloh Resort and Casino

Dear Ms. Dutschke:

A glaring reality occurred in the public forum on Zoom on September 27, 2023 which highlights there is only one reasonable plan and that is for the **BIA to TAKE NO ACTION.**

During the almost four-hour Zoom session, there were people who spoke out in support and in opposition to the proposed Casino Resort project along E. Shiloh Road. Aside from the three people associated with Koi Nation, Dino Beltran, someone from the Chickasaw Tribe in Oklahoma and Mr Singer, the only other people who expressed support for the Casino were from the Carpenter's Union, whose only interest is motivated by money. Absent those there was no one else who expressed support, not even any of the 90 members of the Koi Nation. Stunning! The overwhelming majority of speakers strongly voiced opposition. This is compelling evidence of major opposition with valid reasons that the **BIA CANNOT IGNORE.**

A correction is necessary about the comment made on zoom about Koi Nation being open and transparent. That statement is not true. Koi Nation invited a select few for a Meet and Greet function on their property on September 7, 2023. None of the neighbors in the properties directly across the street from the proposed Casino Resort site were invited, nor the residents who surround the site. That is truly significant. Upon learning of the Meet & Greet for neighbors, flyers were distributed to the neighborhoods. In the last minute, Koi Nation cancelled the meeting, probably upon learning that real neighbors would be attending. While we tried to notify everyone that the meeting had been cancelled, there were some who did not get the message and resulted in 100 vehicles showing up to find a closed and locked gate. **This is a clear indication of interested neighbors thwarted from sharing their thoughts.**

While the Koi Nation has a website and a Facebook page, it should be noted that there is no visible information around town advertising and inviting people to their social media sites. On Facebook they have a total of 150 likes and 177 followers. The population of Santa Rosa and Windsor combined is over 200,000. The population for Sonoma County as of January 2023 is 478,174. The number of followers to the Koi Nation Facebook page pales in comparison to the population. While the Koi Nation claims to be transparent by posting things, the fact is that very few people are aware of their social media sites. **Bottom line – In actuality this is not real transparency.**

We have been residents of Windsor, California for 24 years. We selected Windsor as a place where we could age in place and be close to a variety of businesses that would fill our needs without having to travel far. Koi Nation has estimated they will need between 1100-2000 employees. That would devastate many existing businesses in the towns of Windsor, Santa Rosa and outlying towns where low staffing has been an issue for several years. There have been a number of businesses that have been forced to close as a result of staffing issues. As residents, we are forced to endure poor customer service and altered operating times from businesses. Approving a business of this magnitude would be an economic disaster particularly for Windsor and Santa Rosa. I present to you photographs of "Now Hiring" signs (attached) that demonstrate what I say is the truth. These photographs are just a small sample of what exists in the Windsor and Santa Rosa area. You are invited to take a drive through our area and witness these signs for yourself! Also in this packet, I have cut and pasted comments from Sonoma County residents, along with newspaper headlines. This could spell economic doom for many businesses, up to and including an entire town! For six of Sonoma County towns, the total number of jobs that Zip Recruiter is trying to fill is 60,784. **This is something the BIA cannot turn a deaf ear to or brush off!**

Additionally, it is extremely concerning to me that consideration is being given to allow this project to move forward based on:

1. Five Sonoma County Tribes oppose the project.
2. Santa Rosa Board of Supervisors opposes the project
3. The Town of Windsor opposes the project
4. Also opposing the project is:
 - a. Jared Huffman, Congressman
 - b. Mike Thompson, Congressman
 - c. Alex Padilla, Senator
 - d. The Late Dianne Feinstein, Senator
 - e. Mike McGuire, Senator
5. The Koi Tribe has claimed Clearlake their home for the last 14,000 years. See attached.

In closing, it is my hope that the BIA could assist the Koi Nation in identifying a suitable location for their dream Casino that is less invasive to residential neighborhoods, churches, schools and recreational areas and would not put human beings at risk of death during an evacuation. E. Shiloh Road is the wrong location!

My husband and I **STRONGLY oppose this project** and highly **recommend that no action be taken!**

Sincerely,



Lynn R. Darst



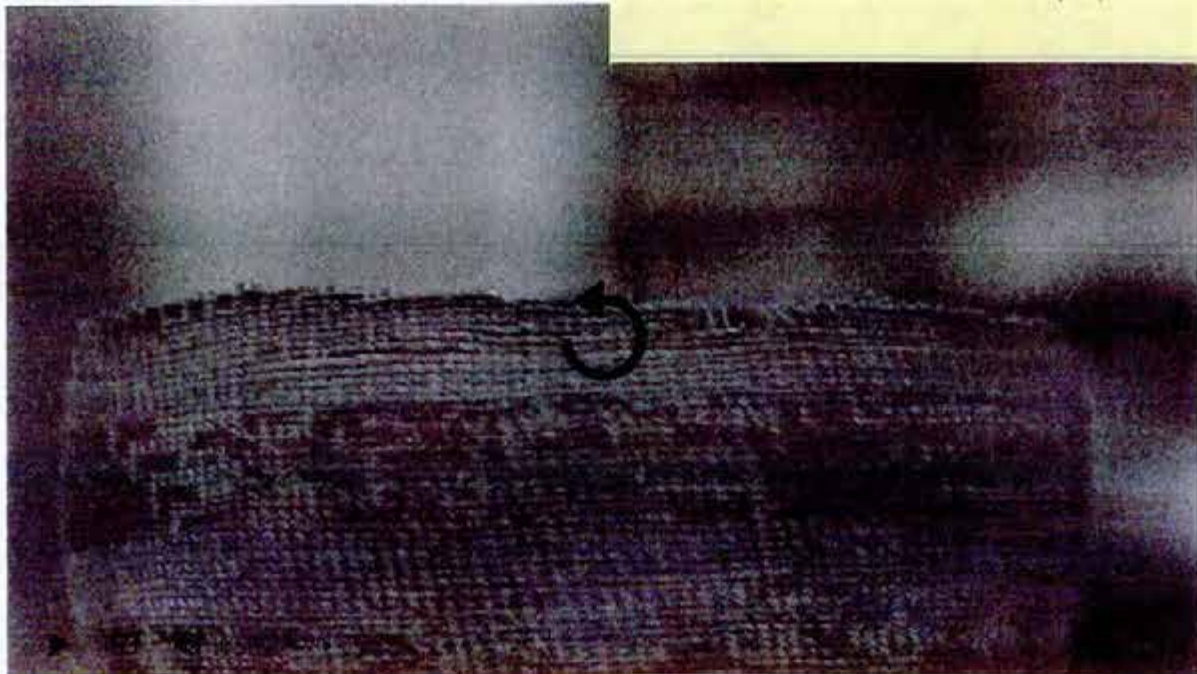
THIS IS THE WRONG LOCATION
FOR A CASINO RESORT. IT IS
IN THE MIDDLE OF RESIDENTIAL
NEIGHBORHOODS.



SAVING THE SACRED



The Koi have claimed Clearlake to be their home for 14,000 years. It is posted throughout the internet.



The Koi and Habemetol Pomo have called the majestic Clear Lake Basin home for an incredible 14,000 years. However, rapid urbanization and the looting of artifacts for sale on illegal markets has threatened to erase their long history and rich culture from this unique landscape. In an effort to protect these sacred sites, the tribes unite with their local governments and communities to preserve their priceless culture and past. This is a story of the those who occupied the Clear Lake Basin first and how they are trying to maintain the culture and history of their ancestral lands, told by representatives of the Pomo along with partners in the local and state governments.



Padilla T. · Cotati, CA

That is becoming the norm with many stores. They are only open when they have staff to cover the time of operation. People truly don't want to work and want to work from home.



Jennifer Brune · Santa Rosa, CA

...

They have adjusted their hours due to staffing issues. We understand how frustrating it is for our customers as well as the employees.

1w

Like Reply Share



Jerri Mendivel · Cotati, CA

...

I've experienced early closures at both RiteAid and Walgreens multiple times due to staffing shortages. I'm strongly considering transferring my prescriptions to an online pharmacy like Amazon because of the unreliability of the local pharmacy access. Not thrilled about doing that, but it's becoming very frustrating to not be able to count on when I can pick up prescriptions.



Kay Gordy · NW of Downtown

I was in there last week and a man had to come from somewhere else in the store to work the cash register. He said they only had two employees working.

... - . - ..



Eddie Ruddick · Hessel

...

Might have to do with staffing shortages. Or perhaps it was a genius that wanted to close at 6 pm just to inconvenience customers! 😏





Marie Reichlmayr · NW of Downtown

...

Have spoke with management, definitely staffing issues, no one to stock shelves, no applicants applying. Another member leaving in 2 weeks 🙄



Joy Wakefield · Coddingtontown

...

I bought tires at Walmart, made an appointment and paid with a credit card. I went on the day and time they gave me, only to be told they didn't have the staff to put on my tires. So I came home without tires! and we don't need migrant labor???

PHOTO COURTESY OF PRIMA LINENS

Prima Linens to close

By SARA EDWARDS
THE PRESS DEMOCRAT

Prima Linens, a bedding and fine linens shop, is the latest store to close in Santa Rosa's Montgomery Village.

Owner Pamela Layton attributed her store's closure at the end of this month after 10 years in business to the ongoing staffing shortage.

Because of a lack of staff, she's usually working six to seven days a week, which has made it difficult for her to take time off. And finding qualified candidates to ease the shortage has been tough.

"I need a better work-life balance," she said. "And that's what it really boils down to."

Layton said she has considered moving her business elsewhere, but she has yet to find a new location.

In the meantime, she's going to transform her business into a concierge service where she'll design the linen aspect of a customer's home — picking out the right table napkins for dinner or finishing a bedroom with the right throw pillow cases and duvet covers, for example.

Montgomery Village General Manager Brittany Mundarian, in a statement to The Press Democrat, wished Prima Linens the best in its new chapter.

"We would like to thank them for the years of dedication to their community, providing the best in bath, bedding, and decor essentials," she said in the statement.

Layton's career has always revolved around retail, with a background in interiors and textiles. She was owner of the former high-end stationary shop Sincerely



Prima Linens owner Pamela Layton said she has considered moving her business elsewhere after she closes the Montgomery Village shop in Santa Rosa at the end of the month.

Yours, also located in Montgomery Village, which she closed about a year and a half ago.

She opened Prima Linens in 2013, five months after another linen store closed in Montgomery Village. Layton's shop has since been the local spot for premier bed, bath and table linens and textiles. She said her shop is one of the only stores north of San Francisco that carries fine linens.

"I had my business cards redone with all of my information and my linen companies (that I buy from) are supportive of me

so that I can continue to assist my customers." Layton said
"A lot of (my clients) still need bedding or they're making changes to their homes and they need these types of linens."

She said she's also open to options outside of working with customers on a one-on-one basis, though for now her plans are to spend more time with family.

You can reach Staff Writer Sara Edwards at 707-521-5487 or sara.edwards@pressdemocrat.com. On Twitter @sedwards380.

California Cinema

The North Coast

Fight to keep birth center open

Petaluma » Operator says it's unable to keep facility properly staffed

By MARTIN ESPINOZA

THE PRESS DEMOCRAT

The battle lines have been drawn over a proposal to close Petaluma Valley Hospital's Family Birth Center, with a host of supporters of the popular maternity ward gearing up this week to voice their strongest op-

position yet.

Expectant mothers, nurse midwives, doulas, obstetric nurses, physicians and other hospital staff are expected to raise concerns over plans to close the unit during a meeting Wednesday of the Petaluma Health Care District, which sold the hospital to Providence health care company two years ago.

Providence wants to close the birth center because it has been unable to recruit the staff

necessary to operate the unit safely, particularly anesthesia services.

But opponents say the health care giant is simply trying to cut costs by closing the unit and consolidating obstetrics services at Santa Rosa Memorial Hospital. In purchasing the hospital from the district, Providence agreed to keep the birth center open until 2025.

"I'm shocked that they're being allowed to even consider this, quite honestly," said Sherril

Buda, an obstetrics nurse at Petaluma Valley Hospital.

Buda, who is also a nurse representative with the nurse's union, the Petaluma Staff Nurse Partnership, said maintaining an obstetrics department at Memorial Hospital is required to maintain the facility's Level II Regional Trauma Center designation, the highest such designation of any hospital in the county.

"They're trying to roll two units into one to save Memorial

and to save their trauma designation," Buda said. "But it's very much being done at the cost of Petaluma ... so Petaluma Valley Hospital and the community of Petaluma have been made the sacrificial lamb to Memorial."

The Providence proposal is scheduled to be taken up early during Petaluma Health Care District's meeting Wednesday evening. The meeting, which will also be carried via Zoom,

TURN TO CENTER • PAGE A4


STAFFING SHORTAGE

OCTOBER 2023
JOBS LISTED WITH ZIP RECRUITER
(This list does not include all Sonoma County Towns)

Summary

Cloverdale	6,105
Cotati	14,118
Healdsburg	7,892
Rohnert Park	11,644
Santa Rosa	11,714
Windsor	9,311
TOTAL:	60,784 (Jobs to Fill)

SEE ATTACHED

 ZipRecruiter

<https://www.ziprecruiter.com> › Jobs › -in-Cloverdale,CA

\$16-\$32/hr Jobs in **Cloverdale**, CA (NOW HIRING) Sep 2023

6,105 Jobs in Cloverdale, CA · Bookkeeper Office Manager · Assistant Store Manager ·
Outside Sales Representative/Building Envelope Specialist · Seasonal Driver gig ...



ZipRecruiter

<https://www.ziprecruiter.com> > Jobs > -in-Cotati, CA



\$16-\$31/hr Jobs in Cotati, CA (NOW HIRING) Sep 2023

14,118 Jobs in Cotati, CA · Customer Service Representative · Retail Merchandiser · Sales Associate, CA Job 776.23 · Seasonal Sales Representative · Customer Service ...



ZipRecruiter

<https://www.ziprecruiter.com> > Jobs > ☰

\$19-\$42/hr Jobs in Healdsburg, CA (NOW HIRING) Sep 2023

7,892 Jobs in Healdsburg, CA · Operations Manager · Maintenance Technician I · DBV1 - ROUE - ROUG EXPRESS LOGISTIK - Lieferfahrer (m/w/d) · Tasting Room Associate.



ZipRecruiter

<https://www.ziprecruiter.com> > Jobs > :

\$16-\$32/hr Jobs in Rohnert Park, CA (NOW HIRING) ...

11,644 Jobs in Rohnert Park, CA · Retail Merchandiser · Maintenance Technician Trainee/Level

1 · Seasonal Sales Representative · Sales Associate · Server ("Mesero/a").



ZipRecruiter

<https://www.ziprecruiter.com> › Jobs › :

\$22-\$46/hr Jobs in Santa Rosa, CA (NOW HIRING) Sep 2023

11714 SANTA ROSA, CA jobs (\$22-\$46/hr) from companies with openings that are hiring now. Find job listings near you & 1-click apply to your next opportunity!

Search Job



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<https://www.ziprecruiter.com> » Jobs » -in-Windsor, CA » :

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Latest wave of restaurant closures hits Sonoma County

Nearly a dozen restaurants closed throughout the county in 2022, many experiencing difficulty in finding staff and having to deal with rising food costs. | 97

Zimi on Mission is just one of nearly a dozen restaurants that closed throughout the county in 2022. Almost all of the owners cited the difficulty in finding staff and food costs that continue to rise as supply-chain issues and inflation take their toll.

Tudor Rose, Santa Rosa - closing January 2023: Owner Angela Grant decided she will close her 10-year-old tearoom in downtown Santa Rosa after dealing with increased operating costs and what she saw as a lack of support from the city and the challenges of finding staff. (Beth Schlanker/The Press Democrat)

Staffing woes dominate Sonoma County government budget talks

Staffing challenges dominated discussions during the Board of Supervisors budget workshops this week that served as precursor to next month's proposed spending plan.

[Santa Rosa Press Democrat: Sonoma County Social Workers Decry Tight Staffing They Say Puts Children At Risk](#)

Sonoma County's Child Protection Services agency is grappling with a severe staff shortage that has social workers claiming children's lives could be in danger. They have been going before the county supervisors in recent weeks to call out the agency's unsafe practices and raise public awareness of the problems resulting from not having enough people to handle the workload. ...Officials said the county has had difficulty recruiting and retaining social workers for a number of reasons, including the area's housing shortage and high cost of living. Last year's wildfires have caused additional strain on social services and the community, leading to more cases of alleged domestic abuse, county supervisor Shirlee Zane said.

Staffing concerns were the theme of this week's budget workshops hosted by the Sonoma County Board of Supervisors. Twenty-six county departments presented their preliminary budgets and spending requests. Many top government administrators said employee burnout and growing vacancies are their major issues, adding that it's affecting essential services like public health, law enforcement and elections. The Sonoma County budget for the 2022-2023 fiscal year is expected to be about two-billion-dollars, with salaries and benefits accounting for about \$793-million of the total. The Board of Supervisors will finalize the budget and spending requests at hearings in June.

Landscapers and dishwashers are the first ones to leave," said Brandon, general manager of the

Vintners Inn north of Santa Rosa.

They depart for seasonal jobs that pay more money, often with wineries and vineyard management companies. This year, however, it is particularly difficult to replace them.

A low jobless rate, a tight housing market and steady growth among the county's hospitality businesses is making it harder than ever for Brandon to find cooks and other workers for the inn and its three kitchens, including its highly regarded John Ash & Co. restaurant.

"It's the worst it's ever been," said Brandon, who has worked here 17 years.

The hospitality sector isn't the only one dealing with a shortage of help. From construction to health care, from food manufacturers to wineries, Sonoma County employers say finding available workers has become a major headache.

Mary's Pizza Shack remains closed in downtown Santa Rosa due to staffing shortage

Prima Linens, a bedding and fine linens shop, is the latest store to close in [Santa Rosa's Montgomery Village](#).

Owner Pamela Layton attributed her store's closure at the end of this month after 10 years in business to the ongoing staffing shortage.

Because of a lack of staff, she's usually working six to seven days a week, which has made it difficult for her to take time off. And finding qualified candidates to ease the shortage has been tough.

Sonoma County education officials sound alarm over worker shortages

COUNTY OF SONOMA

Department of Human Services

Health + Food +

Jobs + Money +

Housing + Shelter +

Older Adults + People with Disabilities +

Children + Families +

Veterans

FOR IMMEDIATE RELEASE

Sonoma County Human Services Department actively working to shorten wait times for people seeking aid

SANTA ROSA, CA | July 31, 2023

[En español »](#)

Officials for the Sonoma County Human Services Department are asking for the public's patience when applying for CalFresh and Medi-Cal benefits. Numerous challenges are causing delays in processing benefits, including increased staffing vacancies, the transition to a new state-mandated software system, and efforts to address a recent surge in electronic benefits theft.

ATTENTION

These photos do not represent all that are posted throughout Sonoma County.

This is a small sampling.



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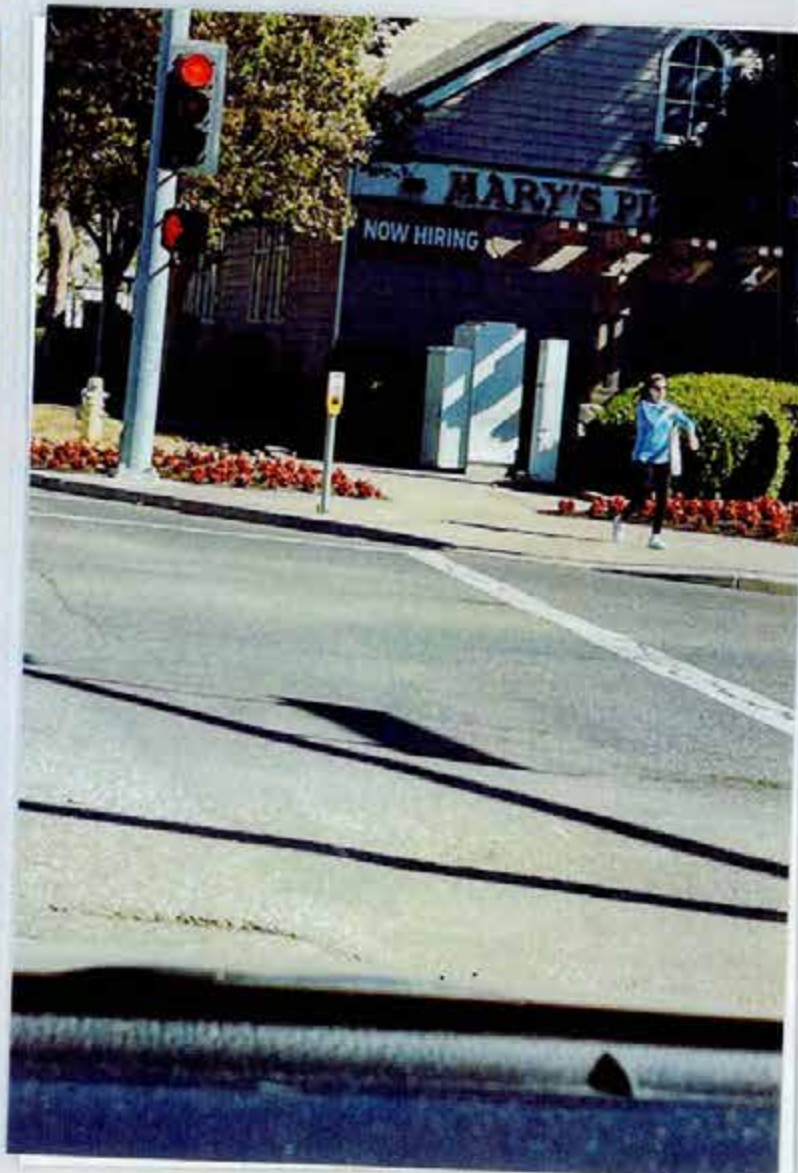
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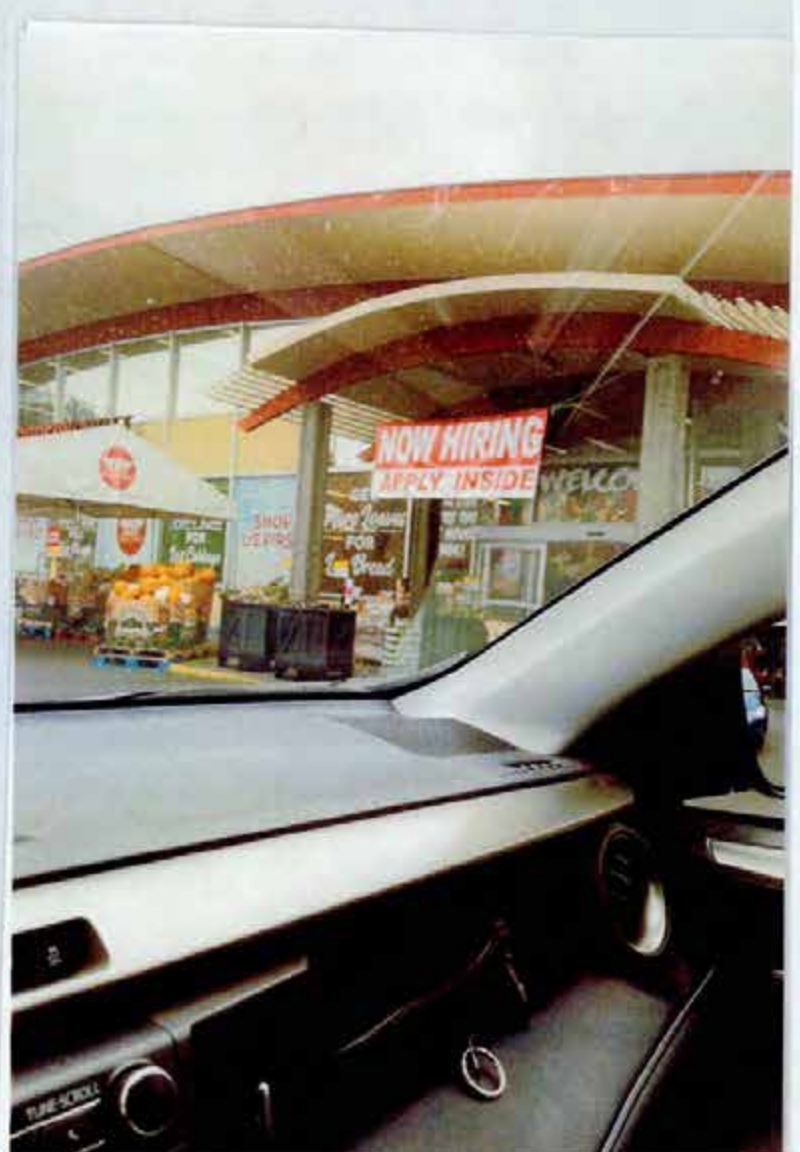
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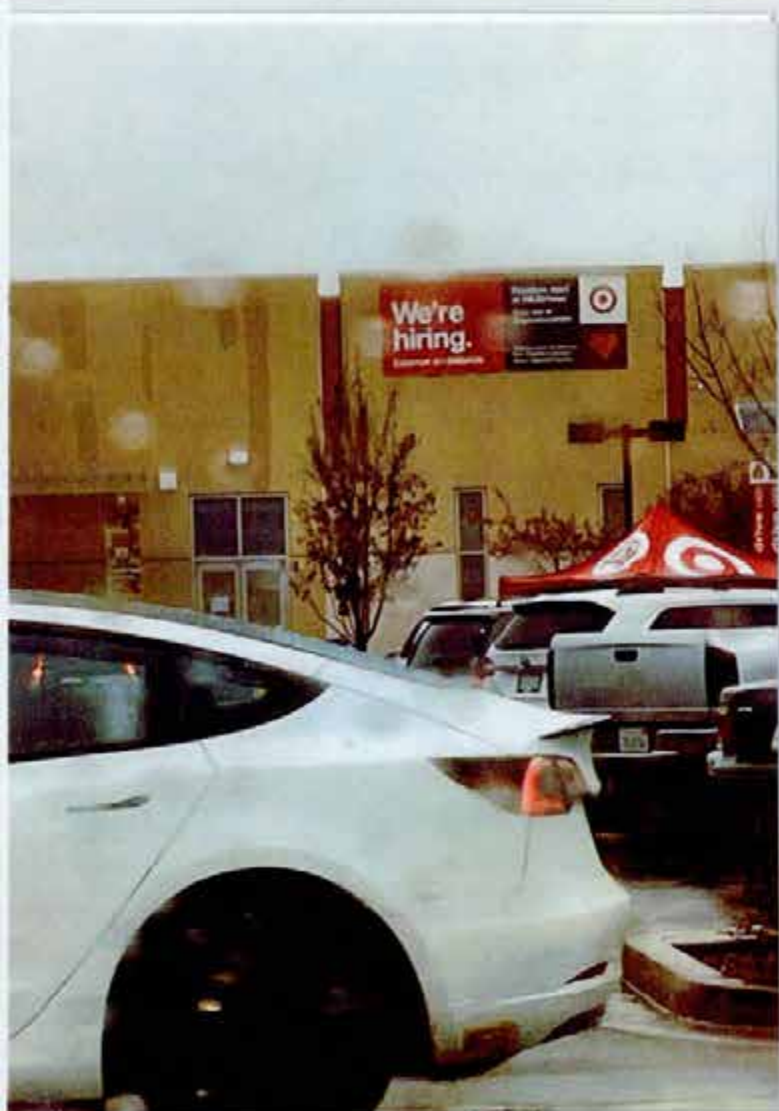
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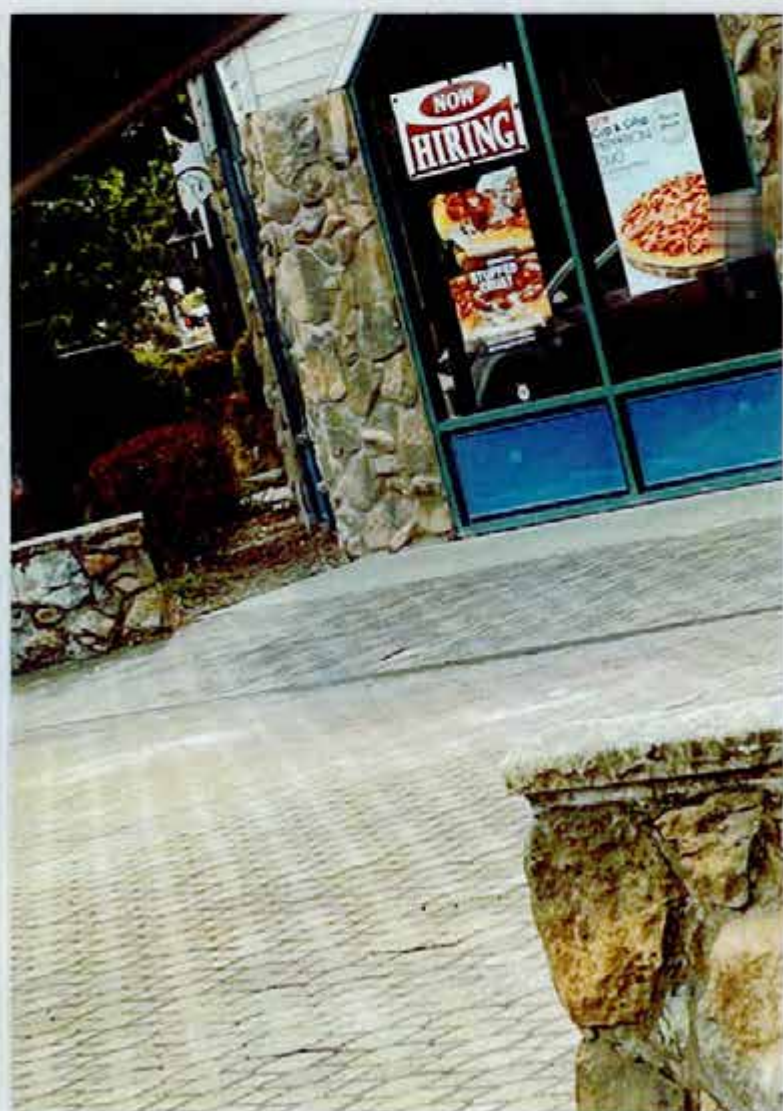
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From: Kristine Anderson-Manos <kris.anderson.manos@gmail.com>
Sent: Thursday, September 21, 2023 1:40 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] EA Comments, Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I do not know that I have anything more to say than what has already been said about the proposed casino in Windsor.

1. The Koi Nation is not from Sonoma County. Their homeland was Lake County. Therefore they cannot claim this was their homeland. They do not have an automatic right to build a casino in Windsor or any other location in Sonoma County.

2. The location is right in the middle of subdivisions and vineyards. The access to and from will be a nightmare. Maybe they should have looked into a location with less impact. If it had to be Windsor, why not the bare land next to the freeway?

--

Kris Anderson
Kristine Lynn Anderson-Manos
Senior Mortgage Consultant
BRE# 01040787
NMLS# 236256



(707) 521-3434 ext. 323 Office
(707) -8933 Cell Phone

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November 5, 2023

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825
RE: EA Comments, Koi Nation Shiloh Resort and Casino

Dear Ms. Dutschke:

I have lived in the Town of Windsor for 28 years, approximately 3 miles from the proposed Koi Shiloh Resort project. This letter is to voice my extreme opposition to this project, which would destroy the quality of life and safety in our town. In addition to the quality of life concerns in this proposed residential area such as traffic and noise as well as environmental impacts, I would like to emphasize the following two serious safety concerns.

- **Wildfire Evacuation** – I have lived through the evacuations of both the Tubbs Fire and the Kincadee Fire and know first-hand how dangerous this situation is. We live in an area surrounded by extreme, very high and high wildfire risk. This project would replace the vineyard, which is a natural fire break, with a casino, hotel, spa, event center that would increase the fire risk. We are aware that another wildfire in our area is when, not if, and we know the tragic consequences of inadequate evacuation routes from the Paradise Fire and the Maui Fire. Adding a project of this size to our already stressed two lane roads would very likely cause gridlock and a real potential for loss of life robbing us of our peace of mind and will cause constant fear for our safety in our own homes. The EA is faulty in the assumption that we will have adequate warning to evacuate the casino property prior to evacuating the Town of Windsor.
- **Crime** – The proposed mitigation to address this issue by staffing up the police department in response to the increased crime is not acceptable. The proposed location of the casino project is in very close proximity to neighborhoods with families and retired people. The knowledge that police are available to respond after a DUI accident or worse occurs will not alleviate the impact and fear of these crimes in our community.

The proposed site is not in a commercial area. It is in an agricultural, residential area where families and retired live, children go to school and play in the park, wildlife live, and we all enjoy the incredible natural beauty of this area. The proposed location is absolutely **not** the right location for this project.

I wholeheartedly request that you implement **Alternative D, no action**.

Sincerely,



Bruce DeCrona
1206 Eagle Drive
Windsor, CA 95492

707-696-0892

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

EA Comments, Koi Nation Shiloh Resort and Casino

Dear Amy Dutschke,

My husband and I and our two sons moved to Windsor from Rohnert Park, CA in 1988. We purchased a home in the new subdivision of Oak Park. We have enjoyed living here.

I was very dismayed to learn the Koi Nation plans on building a large hotel and casino at the end of our block! This is not the place for it. We do not want all the traffic, noise, lights, and crime in our neighborhood! This is a peaceful residential area.

I sincerely hope my family and neighbor's concerns will be addressed and the Koi find a better suited area to build on.



Nancy Larson

5834 Gridley Drive
Windsor, CA 95492

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

EA Comments, Koi Nation Shiloh Resort and Casino

Dear Amy Dutschke,

I stand with my neighbors in rejecting a casino and all its vices and inconveniences! This type of establishment will ruin our neighborhood and surrounding agricultural environment.

There is no mitigation. Mitigation means compromise and this type of establishment does not compromise. The vices that we are concerned about automatically come with a casino. Not if, but when any of these vices occur it will be one too many!

There are plenty of commercial spaces on the west side of Highway 101 that could work for the Koi.

Please don't let a casino be built in our neighborhood.

Thank you for reading my letter.


Wilbur B. Larson, Jr.

5834 Gridley DR
Windsor, CA 95492

October 18, 2023

458-D Las Casitas Court
Santa Rosa, CA 95403

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

Dear Ms. Dutschke,

It has recently come to my attention that the Koi Nation is planning to build a 538,000 square foot "Shiloh Resort and Casino" at the corner of Redwood Highway and Shiloh Road, in Santa Rosa. As a resident of Wikiup Greens, a small senior community only a few miles from the proposed building location, I am writing to express my strong opposition to this project.

Over the past few years, we have seen several major fires, which produced widespread devastation in nearby areas. The first of these fires reached less than 1/2 mile from our community, and the ensuing evacuation was a nightmare which compounded the disaster. We know that similar natural emergencies can occur at any time: Our environment is entirely vulnerable. In such a case, a major casino, encompassing a 2,800- seat event center, 400-room hotel, and 5,000 parking spaces, could create the kind of traffic situation that would significantly reduce nearby residents' chances of escaping to safer locations.

Further, an establishment of such huge dimensions will place immeasurable strain on our local infrastructure and ecology. Our own community has been asked to save water in every possible manner and work hard to reduce our energy consumption. The proposed casino will drain vital sources of water and energy. Moreover, the hugely increased ambient noise and light pollution will place further stress on our natural habitat, which is already endangered from encroaching development. In a time of environmental stress, there is no justifiable excuse for such a project.

Finally, as Indian casinos are not required to pay taxes on the land or their profits, the local residents--all working people--will be required to subsidize it. None of us have asked for this project; the jobs created will be short-term and unskilled, and it will not benefit our communities. Even both the local tribes at Graton and River Rock are against it!

We understand that the final decision about the proposed casino may not be based on local response, but on the environmental assessment of the project by the Bureau of Indian Affairs. However, we strongly urge you to consider the welfare and needs of our communities in determining whether this initiative will be approved. We stand firmly against it and hope that you will take our views into consideration.

Sincerely yours,



Ms. Suzanne Cowan

Amy Dutschke, Region Director

OCTOBER 15, 2023

Bureau of Indian Affairs, Pacific Regional Office

I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD ON E. SHILOH RD. SANTA ROSA, CA

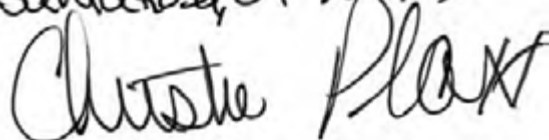
- I have lived on E. Shiloh for 41.5 years. A casino does not belong where me and my neighbors live.
- Mitigations are just a bunch of words. Who is going to monitor what they promise? We just got a 300 apartment building at the corner of E. Shiloh & Old Redwood. More residents that will totally add to traffic. Traffic will be horrendous with a casino added!!!
- Urban Wildfire . It took my family 2 hours to get to Hwy 101 during one of our fire evacuations. That is 2 miles. Sounds so scary that we may not be able to evacuate and could get caught in a fire storm. So scary
- Water - I am on a well on E. Shiloh Rd. I have already had to get a new well because it went dry. Now you want to take my water away for a casino. I can't get Windsor sewer hook up.
- Noise 24/7- the casino would be so loud. Trash pickup, ventilation, AC, people, vehicles. Casino said they would give us new windows. Come on, that will not solve the problem. That shows you right there, they know it will be loud. Why do we, in a residential area, have to even be thinking about this!!! I sleep on the second floor and will hear it all.
- What about the drunk drivers that come and go to the casino. What about the crime it will bring. My neighbor is a cop and is constantly going to Graton Casino dealing with crime. So scary to think that a bad person can just walk across the road into my neighborhood. We don't have enough sheriffs and firemen to respond to casino and our town.
- Economy jobs - Windsor business already cannot find enough employees and businesses are closing

I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD

Christine Plaxco

143 E. Shiloh Rd

Santa Rosa, CA 95403



November 6, 2023

Amy Dutschke
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Subject: EA Comments, Koi Nation Shiloh Resort and Casino

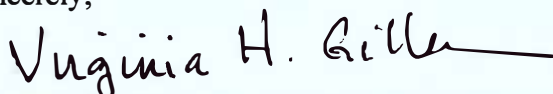
Red flags! Fire Weather Watch! Nixles! As a resident of Windsor for the last 17 years, these are terms we have come to live with every Fall. And if you didn't know that you live in a "moderate to high fire zone" as the environmental reports calls it, you know it's serious when your water company sees the need to enclose a full-color, trifold brochure on emergency preparedness (including an Evacuation Map) in with your monthly bill. Two copies, actually, one for our Spanish-speaking neighbors.

But what good is the evacuation map when you try to escape and find the only roads out clogged by the thousands (up to 2,450) cars that are pouring out of the casino several miles to the south. Not to mention the thousands of local residents also in mortal danger. We know that typically the fires begin to the north of us and the Diablo winds push the flames to the south, therefore Old Redwood Highway (2 lanes) and Highway 101 (4 lanes) are the only way out. Having experienced a controlled evacuation during the Kincadee fire, I know that it can take hours to go several miles during the best of circumstances and without all the additional vehicles that the proposed casino would contribute.

I believe that for many, many reasons: water availability, traffic congestion, proximity to a residential area and local schools, etc, etc, the Koi Casino should not be built in the proposed location. But above all, the real impact would be to the lives of who knows how many Sonoma County residents who would be put in jeopardy by this reckless proposal. Just look at how many poor souls died in their cars in the Paradise and Maui fires. Don't let this happen here!

There are no evacuation zones, alarms, warnings, or sirens that could begin to mitigate the real danger of another fire sweeping thru our county with no way out because people failed to recognize what Mother Nature has already demonstrated. Please, stop the Casino!

Sincerely,



Virginia H Gillen

9559 Ashley Drive, Windsor, CA 95492

November 10, 2023

Amy Dutschke, Regional Director
 Bureau of Indian Affairs, Pacific Regional Office
 2800 Cottage Way, Room W-2820
 Sacramento, CA 95825

Re: Proposed KOI Nation of Northern California Shiloh Resort and Casino Project

To further expand on our earlier letter, below are additional concerns in opposition to the proposed Koi Nation Casino in Windsor, California and the negative impact it would have in our community.

- **Community Safety:** The risk of a casino near San Miguel Elementary School is, of itself, a concern as Faught Road to the south becomes an alternative route for casino goers trying to get around congested traffic on E Shiloh Road. This will increase traffic and add additional risk for children, parents, teachers and administrators. Further, for those traveling north on Faught Rd. / Pleasant Ave. drivers will pass yet another elementary school, increasing risk for community members. Already traffic and congestion at Mattie Washburn Elementary School today, during morning drop offs and afternoon pick up is terrible, causing back ups on Old Redwood Highway. Has this been reviewed? Near both campuses, not only occupied during school session, but used for after-school activities, sports, etc., are regional and community parks and a dog park which are used daily.
- **Pruitt Creek runoff.** As noted several times during the September hearing, Pruitt Creek water pollution is a serious issue and concern, especially for nearby families that rely on wells as their water source. How carefully has this been reviewed and evaluated in the EA for both drought years and in the event of El Niño flooding?
- **Sonoma County repeated drought years;** Water is a needed and limited resource. To build a casino today, or anywhere in Sonoma County, when our community (and the State) has experienced years of drought requiring people to ration water is not responsible. The community is also required to build additional affordable housing to meet the needs of the people. We can't put ourselves in a situation where we have more people and not enough water, further impacted because hundreds of thousands of gallons of water per day is consumed by the proposed casino/hotel....a recreational site!!! As responsible citizens, water must be preserved for the people of the community and we should not create unnecessary risk of well, creek and water contamination.
- **Esposti Park,** a regional community Park, was built for and is used to offer outdoor activities for children and adults. Building a casino literally next to a community park creates risk with increased traffic, people drinking and driving, loiterers, and other riff-raff that comes with casinos and increased population in the area. This fact was noted by the retired Police Chief of Santa Rosa at the September Zoom hearing.
- **Our roads our terrible and traffic congestion already exists.** How can a residential area handle an increase of up to 15,000 cars per day along 2-lane roads? It's just not feasible, not to mention how poorly maintained our roads are now. Already, there is backed up traffic on E Shiloh Road and Old Redwood Highway in the mornings and evenings. As a Windsor resident, it took > 30 years to repair roads in our neighborhood and E Shiloh Road (and still work-in-process); and the quality delivered unsatisfactory. How can the city/town handle the additional traffic and maintain a heavily traveled road? This is already a concern with the 140+ 2 & 3 bedroom apartments that

were recently built, and two other large developments that are being build near Home Depot, along Shiloh Rd, 1/2 mil from the proposed casino/hotel.

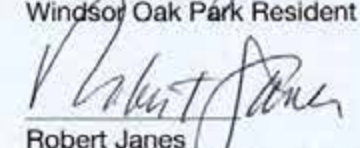
- **Impact to Residents.** Residents of Oak Park, which is right across the street from the proposed casino, will be recipients of noise, traffic, more exhaust fumes, light pollution, people parking and entering our neighborhoods, and potential for more crime and traffic accidents, making it less safe and a less desirable place to live. Is it fair to take this away from the people and potentially decrease the value of our homes? Especially for those who chose to live here before the KOI Nation quietly purchased the property?
- **During the September Zoom hearing,** concerned citizens reiterated impactful issues of building the casino including traffic, noise, crime, property values and the effect on the local water table of pumping more than 200,000 gallons of water from the ground each day. Again, with repeated years of drought in Sonoma County, the concern of global warming and hotter days, and potentially having to ration water again, it is not responsible to build such property in this location (or Sonoma County for that matter).
- **Fire evacuation risk.** As area residents, we want to repeatedly warn and voice our concern, based on first-hand experience, about the potential risk of loss of life due to the inability to successfully evacuate in the event of a fire should the casino be built in this area. The wooded, 850-acre Shiloh Regional Park and Mayacama mountains, which are less than 1/4 mile from the proposed site, have an increased likelihood of fire. And to risk residents of Shiloh Estates, Oak Park, Wikiup and along Faught Road, to name a few areas, is irresponsible. This will also impact traffic along Hwy. 101, which was a nightmare, as residents attempted to escape flames and the fast moving fires in 2017 & 2019. How did the environmental assessment report not capture this?
- To date, **NO OTHER CASINO in California was granted permission to build in a residential area** and this makes sense and precedence should prevail. Why would BIA even consider making that change now? A casino in an industrial or commercial area is where it belongs. Not to mention, in the county where the tribe originated (Lake County - not Sonoma County).
- Attending the September hearing, what was remarkable was that the only group in favor of building the casino was the Carpenters union, because, they said, it would guarantee jobs for workers. This is not a reason to build a casino in a fire and drought-prone, residential area. Plus it is a short-term gain and not what is best for our town, our community, or our county. Its worth mentioning that with a myriad of construction projects across the county, many focusing on affordable housing to meet county targets, there are plenty of jobs and opportunities without building a casino that would have a negative impact on the community.

To reiterate, we are vehemently opposed to all three alternatives (A, B & C) proposed for a Casino & Resort on E. Shiloh Road in Windsor, California.

Thank you for your thoughtful consideration to do what is right for the community



Pamela Janes
Windsor Oak Park Resident



Robert Janes
Windsor Oak Park Resident

Don Ziskin
5862 Leona Court
Windsor, CA. 95492
Phone 707.292-0779
donziskinlaw@comcast.net

November 8, 2023

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820, Sacramento, CA 95825

Re: EA Comments, Koi Nation Shiloh Resort and Casino,

Thank you for the opportunity to comment on the findings in the Environmental Assessment (EA) and the impact the Koi Casino Resort will have on the local environment and community.

1. Acorn Environmental Statement

The neutrality of the EA report prepared by Acorn Environmental is questionable. Their website identifies Fee-to-Trust Applications, NEPA Compliance for Fee-to-Trust and Two-Part Determinations and Tribal-State Compact Environmental Analysis as areas of specialty. Acorn Environmental provides environmental studies for Native American Indian tribes acquiring land for gaming purposes and has a vested interest in minimizing environmental impact for their clients.

As a retired trial attorney, I have experienced the biased nature of expert testimony and the need to have it thoroughly vetted. The Environmental Assessment references numerous technical standards and regulations; but fails to provide relevant fact specific or substantive information of the impact the casino will actually have on the environment and community.

The conclusions reached are all based on subjective analysis and minimal data. This applies to most sections listed in the Table of Contents, from the evaluations on traffic and circulation to the impact drawing 170,000 gallons a day ave on the water supply. When the EA does recommend mitigation of a condition, it's recommendation doesn't provide a solution; rather, it frequently calls for creation and adoption of a policy. The concerns raised in the scoping questions last year and addressed by Acorn were all determined to be insignificant after their evaluation. Examples of their common conclusions are:

Groundwater- cumulative impacts to groundwater would be less than significant.

Carbon Monoxide Hot Spot Analysis - Cumulative impacts to CO levels resulting from Alternative A would be less than significant.

Transportation and Circulation. - Thus, mitigation would reduce cumulative impacts to a less-than-significant level.

It is hard to believe that the proposed casino complex will have little or no impact on the community. When Acorn does reference a possible negative impact, such as wells running dry, the remedies offered are inadequate and callous. Compensating someone with money or trucked in water after causing their well to run dry is not "insignificant" or an adequate remedy.

2. **Transportation and Circulation/ Fire/Evacuation**

My family and I are 31 years residents of Oak Park, the development directly across E. Shiloh Road from the proposed hotel/casino complex. We have been through the Tubbs and Kincaid fires and experienced gridlock during evacuations as well as property damage from flying embers. Over the years traffic has increased significantly with backed up stop and go traffic from the 101 Shiloh exit to Old Redwood Highway a daily occurrence. There are 3 projects approved and/or under construction between the Highway 101 Shiloh offramp and Old Redwood Highway that will result in approximately 400 residential units in addition to commercial ventures. An additional 15,000 trips a day to and from the casino will result in constant traffic congestion.

The Environmental Assessment consists of a minimal traffic study done over two wet, cold days in January 2022. Those days and traffic during that time of year are not representative of conditions on E. Shiloh Road. The conclusions of the TIS concerning the impact the casino project will have on traffic are not based on actual conditions but on assumptions and subjective analysis.

Again, an opposing "expert" could just as easily reach an opposite conclusion. While the traffic study does acknowledge that the casino will cause a loss of services (LOS) it utilizes the common phrase in the report... "Mitigation would reduce impacts to a less than significant level". Changing lane striping and signal phasing is not going to alleviate the LOS. There is no information in the TIS on how signal installation will impact traffic. Further detailed analysis incorporating actual conditions is needed.

The only time evacuation is mentioned is in Appendix N which calls for the Koi to coordinate with emergency evacuation and traffic experts to develop a project-specific evacuation plan. No specific plan is referenced. There is some information on what their plan is on the Casino grounds in Appendix N. It calls for a large group of employees to provide traffic control to casino guests. It plans on evacuating the guests from the casino grounds through the two exits. It does not incorporate people evacuating from the surrounding community. It acknowledges that even then it would take between 2 and 2 3/4 hours to evacuate all Casino guests. They will be exiting onto single lane roads carrying local residents as well. There is no way the roads can handle this. People will die!

How will 5,000+ vehicles leaving the casino at one time during an emergency impact resident in Oak Park and east of the casino Shiloh entrance trying to evacuate?

How will local residents and businesses morning and evening commutes be impacted by people traveling to and from the casino?

How will traffic signals at Gridley and Shiloh casino entrance impact traffic on East Shiloh?

How will the traffic signals at Gridley and the Shiloh casino entrance impact residents of Oak Park?

How will Casino and residential evacuation impact responding emergency services travelling in the opposite direction?

How will several thousand vehicles coming and going to an event at a specific time impact traffic?

The minimal eight hours of actual traffic monitoring over two days in January 2022, does not provide adequate data for accurate evaluations. The conclusions of the TIS are conclusory and speculative.

3. Other Casinos in Residential Communities

In response to scoping concerns over casinos in residential areas, the Environmental Assessment references three casinos in California in residential communities; however, there are significant differences between the Yaamava, Pechanga and San Pablo casinos in the ES and the proposed Koi Casino Resort.

None of the three have housing as close to the casino as does the proposed Koi Casino. None share a common entry/exit with private residences, or a church as does the proposed Koi Casino. Contrary to these casinos, The Koi Casino East Shiloh entrance will share a common intersection with the residents of Oak Park. Homes are located on the corner of the intersection of Gridley and the East Shiloh casino entrance.

The Environmental Assessment acknowledges “the Project Site is bordered by Shiloh Road, **residential parcels, and Esposti Park to the north**; vineyards to the east; **residential to the south**; and Old Redwood Highway, **residential, commercial, and Shiloh Neighborhood Church, to the west**. The Charles M. Schulz Sonoma County Airport is located approximately 2 miles southwest of the Project Site. Shiloh Ranch Regional Park is located approximately 0.3 miles east of the Project Site.

As evidenced by the EA the immediate area surrounding the casino site consists of homes, churches, parks, and a school. There are no commercial or business ventures on Old Redwood Highway or Shiloh/East Shiloh in the vicinity of the Casino project. The commercial area

referenced in the EA is freeway adjacent and is one half mile away from the proposed project and does not impact local traffic.

The Pechanga Casino is separated from homes by a four-lane parkway and a nature trail. The only two entrances to the casino are from the four-lane parkway. The casino is over ¼ mile from the closest residences. It was built on historical reservation lands belonging to the Pechanga tribe for over 10,000 years in Temecula. Here the community is well established as rural/residential while the Koi purchase was only two years ago.

The Yaamava casino, like the Pechanga Casino is built on the San Miguel Band of Indians historical reservation land in San Bernardino. It was designed so that the casino entry way faces an unoccupied hillside on their reservation lands. The homes in the area all face the unlit, backside of the casino and are separated by open space and a service road. Driveways and roadways entering and exiting the casino are removed from any residential areas. The Koi proposal has the casino entrance directly facing homes.

Like Pechanga and Yaamava, San Pablo casino does not share a common entry with any residential community. The only entrance is off a major commercial intersection. Overall, the general area is mostly industrial and retail, with commercial buildings and a large parking lot surrounding the casino on three sides. The few homes around San Pablo Casino only face the backside of the casino area and the houses are separated by trees and a creek.

The EA does not provide specific information on the impact these Casino's had and continue to have on the surrounding communities.

4. Crime and Drunk Driving

The EA states that with mitigation (by financially contributing to law enforcement) the Proposed Project would not result in significant adverse effects associated with crime.

The EA reached the conclusion without any data analysis. It does state that generally as a local population increases so generally does the crime rate in a proportional, corresponding rate. And that as a result of the local population increasing because of the size of the Koi casino, they do expect more criminal incidents and law enforcement calls. Their analysis does not incorporate the type of business, gambling, and entertainment, which is a relevant factor. This type of population increase is more likely to cause an increase in crime and should be factored into the analysis. At the very least specific data is needed from other casinos. I did locate some older studies (2002 and 2006) that did show increases following the opening of casinos.¹

The Town of Windsor's letter states there will be increased crime due to the project and that a mechanism to mitigate the impact on Windsor Police Department resources should be developed. Again, the EA fails to provide substantive information and refers to a future plan

¹ <https://oag.ca.gov/sites/all/files/agweb/pdfs/gambling/GS98.pdf>

The EA makes draws another favorable conclusion without any data in finding the implementation of a "Responsible Alcoholic Beverage Policy," would be implemented during the operation of the casino resort to reduce the likelihood of drunk driving resulting from Alternative A. Consequently, the potential impacts to drunk driving as a result of Alternative A would be less than significant."

Six restaurants serving liquor, bars/lounges, a casino and entertainment venue all serving alcohol logically creates an increased risk of drunk or impaired drivers. Implementing a "Responsible Alcoholic Beverage Policy," does not alleviate the drunk/impaired driving issue. Drunk Driving increased 13.5% in Rohnert Park the first year after the Graton Casino opened.

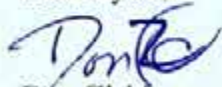
5. **Best Management Practices-** The EA indicates that the Tribe will ensure that BMPs will be followed; however, it does not say how! Best Management Practices is a totally subjective determination. Is it self-governing by the Koi; or will an independent agency oversee, regulate, and ensure that the Tribe is adequately using/enforcing the BMPs? Who determines the BMPs. How does the Tribe become trained and responsible for enforcing compliance? You can design to State and Local standards, but will state and local inspectors regularly inspect during construction and ongoing operation?

There is no question that this project will materially change every aspect of this community. I have watched the community slowly grow to what it is today, a semi-rural residential neighborhood. This is not about the who, it is about the what! It will change from a quiet residential/recreational community into a 24 hour a day destination entertainment center.

It is important to address the four alternatives in the EA. In lieu of suggesting "an alternative project be investigated, it is critical that alternatives A, B and C be rejected and that alternative D - No Action be adopted. A, B and C all bring the same issues, albeit at different levels.

Because the Environmental Assessment report is lacking any substantive detailed information on how the proposed casino project would impact the environment and local residents is imperative that a more detailed Environmental Impact Study be done unless Alternative D is adopted.

Thank you,



Don Ziskin
5862 Leona Court
Windsor, CA. 95492
707.292-0779

November 9, 2023

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

Re: KOI Nation of Northern California Shiloh Resort and Casino Project

We are writing you in opposition to the above project...alternatives A, B, and C.

My wife and I reside in the Oak Park subdivision directly across E. Shiloh Road from the proposed Resort and Casino. The thought of having a gambling casino/large hotel immediately outside a residential area, and more specifically our quiet neighborhood, is heartbreaking. It's our understanding that of all the casino/hotels constructed in California, not one of them is located approximately 100 feet away from a residential subdivision, as with this proposal, and with good reason.

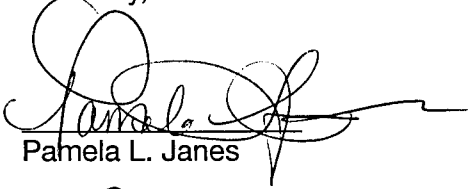
We believe the Environmental Assessment (EA) dated September 2023 is defective in numerous ways and appears to be nothing more than a thinly veiled attempt to encourage the BIA to rubber-stamp the project. Additionally, since the KOI tribe paid for the EA, it represents an inherent conflict of interest. Many of the impacts addressed....water and wastewater, air quality, traffic, noise and vibration, wildfire evacuation, potential for increased crime/drunken drivers....both during construction and post construction....are deemed to be "less than significant." We have lived on Leona Court for nearly 35 years, raised our family here, and common sense tells us that living with this type of construction/completed project, literally at our subdivision's door step, whether it be alternative A, B, or C, would be anything BUT "less than significant". Common sense must prevail here.

In particular, the EA fails to adequately address the fire safety issues of a project of this magnitude (alternatives A, B, or C). History tells us that the E. Shiloh Road corridor is a major artery in the event of a fire evacuation. Both during the Tubbs Fire of 2017 and the Kincaid Fire of 2019, E. Shiloh Road was clogged with cars as residents fled for their lives. It's important to note that this was BEFORE the construction of the large apartment complex at the corner of E. Shiloh Road and Old Redwood Highway, BEFORE the construction of the large apartment complex on E. Shiloh Road just east of Hembree Lane, and BEFORE the proposed construction of a massive Senior Living Complex on E. Shiloh Road, just east of US Highway 101. We cannot imagine the chaos that would ensue on E. Shiloh Road, with all this additional traffic, including the proposed Resort and Casino, should another wildfire occur near us. If deaths were to occur as a result of not being able to flee due to a standstill on E. Shiloh Road traffic corridor, post Hotel/Casino construction, I am sure the BIA would be taken to task, as well they should.

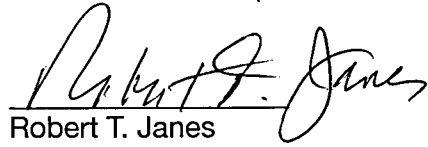
Lastly, the loss of nearly \$100K in property tax revenue to Sonoma County is also a concern. Yes, as noted in the EA, it's only a fraction of the total property tax proceeds for Sonoma County....but it is still ONE HUNDRED THOUSAND DOLLARS.

We strongly oppose this project (alternatives A, B, and C) and implore the BIA to deny approval.

Sincerely,



Pamela L. Janes



Robert T. Janes
5855 Leona Court
Windsor, CA 95492

From: denyse specktor <denysespecktor@gmail.com>
Sent: Friday, March 8, 2024 4:09 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NO KOI NATION CASINO IN WINDSOR

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

YOU WILL RIP A FAMILY NEIGHBORHOOD APART.
Not the appropriate neighborhood for gambling.
Shiloh & Old Redwood Highway will be worse than a nightmare to drive. Every artery in Windsor will be impacted.
Thank you
denyse Specktor

From: "Arash Behrouz" <abehrouz@hotmail.com>

Sent: Friday, March 8, 2024 7:18 PM

To: "admin@shilohresortenvironmental.com" <admin@shilohresortenvironmental.com>

Cc: "chad.broussard@bia.gov" <chad.broussard@bia.gov>

Subject: Re: Notice of Intent for Environmental Impact Statement

thanks. can you have a bus from marin county to this new casino? this will save environment and save gas and many cars from highway.

same price and times and pickup location as river rock casino.

(river rock casino express bus)

thanks.

arash

From: Pamela Geiss <geiss@att.net>
Sent: Friday, March 8, 2024 7:02 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Please do not allow this casino to be built in the lovely residential neighborhood off of Shiloh Road in Windsor, CA. It would be a shame to destroy the beauty of the area with a casino. The increased traffic and police presence needed would tax our resources and the actual property is not in Windsor, but in Santa Rosa = tax revenues would go to Santa Rosa vs Windsor. Windsor will bear the brunt of resurfacing roads, police calls, fire calls, vandalism, unwanted vagrants, drunken drivers, etc. Windsor will not benefit from this casino. It is a shame to ruin our little town with a giant structure and the accompanying infrastructure changes and hardships that will be required. I vote NO!

Respectfully,
Pamela Geiss
Windsor resident
1112 Enzos Way, Windsor

Sent from me

From: Richard zolli <richard.zolli@att.net>
Sent: Saturday, March 9, 2024 8:17 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi nation Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

In response to possible casino on Shiloh in Windsor.....I can't think of any positives for this project. Terrible location infringing on neighborhoods now in the area. Old Redwood Hwy not conducive to the amount of traffic it will cause. Disruption to life of residents with constant lights and commotion at hotels and casino. destruction of beautiful land leading to Shiloh park. Allowing Koi nation to claim land out of their area sets a bad precedence...I do not deny Native American rights, but not at the price of denying others their rights to land ownership and peace...too much disruption in the area. Hoping for no casino....Mary Ann Zolli

From: m henry <michenrypatrick@yahoo.com>
Sent: Saturday, March 9, 2024 9:55 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOIComments,Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Michelle Henry
55 Billington Lane
Windsor, CA 95492

This is in response to your article regarding the proposal of Casino Project off Shiloh and Old Redwood Highway in Windsor CA. Concerns of mine are the impact of increased traffic on the Highway. Also with the newly constructed huge apartments on the corner of Shiloh and Old Redwood which brings increased parking, not enough of it in the apartment complex forcing occupants to park on the roads. During our past wildfire evacuations; Old Redwood and Shiloh were gridlocked. I foresee a huge nightmare in coming wildfire evacuations in Windsor. What is the necessity of a casino in this area.? I can't see that locals will seek employment there as Windsor has a huge retirement base. Employees will be brought in I imagine to fill positions. I firmly oppose the construction of this casino. I feel city managers didn't do an effective environmental impact survey.

Sent from my iPad

From: RICHANDSHERYL LAWTON <rslawton@aol.com>

Sent: Saturday, March 9, 2024 10:09 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI comments, Koi Nation Fee to Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello,

I previously submitted concerns about this project but will restate them as I don't want any of these concerns to be minimized or looked over. This proposed project would be extremely detrimental to Sonoma County, specifically the northern section of Santa Rosa and the Town of Windsor.

1. Traffic- the corner of Shiloh Road and Old Redwood Highway if already impacted by recently built housing and projecting currently underway. Additional traffic on these two lane roads will cause significant backups leading to numerous negative impacts such as noise and air pollution, accidents, soil and water contamination, etc.
2. Evacuation routes in emergencies fall in this proposed area. Current roadways, freeway access, and the surrounding areas can not accommodate the additional projected numbers of visitors.
3. Water usage- water is already a limited resource within our community. The current sanitation and water systems would be overloaded with the estimated increase usages.
4. Flooding potential- Poole Creek often floods during the rainy season. Additional conversion of land available for water absorption to building development will increase the amount of runoff and erosion.
5. Wildlife corridors currently exist on the proposed property. Development will displace these important corridors and thereby reduce the populations of endangered species.
6. Gaming opportunities already exist within the county and meet the demands of visitors.
There isn't a need for further options.
7. The proposed project is immediately adjacent to existing neighborhoods, town park, and large apartment complex. Residents, specifically children, will be exposed to negative social behaviors that are associated with casinos (smoking, drinking, gambling, addictive substances, etc.)

I anticipate that my twice stated concerns will be heard and that a decision to not develop this 68.60 acre parcel will be reached.

Thank you,
Sheryl Lawton
rslawton@aol.com
Sent from my iPhone

From: Laurie Smith <laurieks5@gmail.com>
Sent: Saturday, March 9, 2024 10:23 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Shiloh casino question

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello,

I just saw your email in a post on nextdoor.com about the Shiloh Koi casino.

I live on Donna Drive, southwest of the site. I anticipate dust during construction, and traffic once it's open.

I have one question; Will it have a gas station? With diesel?

Thank you kindly,

Laurie Smith, RN

From: Janet S Marsten <jsmarsten@gmail.com>
Sent: Monday, March 11, 2024 8:33 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] "NOI Comments, Koi Nation Fee-to- Trust and Casino Project"

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March 11, 2024
RE: NOI Comments, Koi Nation Fee-to-
Trust and Casino Project

Dear Bureau of Indian Affairs and Representatives,

This proposed casino resort in our Sonoma County neighborhood by the Koi Nation from Lake County must be stopped.

Mandatory evacuations due to wildfires clogged our few escape routes. People spent hours just attempting to get on Highway 101. A 24/7 casino, event center, and hotel would create catastrophic impacts to an already tenuous situation. Stopping this project could save lives.

Drought is a very real part of living in Sonoma County. The Russian River aquifer is a fragile and limited resource we all depend upon. It could not support a huge development with an estimate of almost 300,000 gallons of water wasted daily and the potential hazards of groundwater depletion and contamination to water quality, both during construction and in the long term.

A popular Sonoma County Regional Park and a Little League park would sit directly across from the proposed casino site! A wildlife corridor, hiking green space, and peaceful community would be destroyed by the noise and congestion a casino, event center, hotel, restaurants, and parking garage would create. It is unthinkable how this would ruin our unique public landscape. Also, our quiet two-lane roads are popular with many tourist and team bicyclists. The threat to wildlife migration and public safety is unavoidable with this project.

Casinos unfortunately bring with them crime. It is unfathomable that this could happen to our residential neighborhood and community. Please stop this.

Thank you for your time,
A.P. and Janet Marsten, Shiloh area residents

Sent: Saturday, March 9, 2024 9:58 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Fwd: Casino Opposition Letter

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Hello,
Please see my letter below.
Thank you,
Mary Catelani
One attachment • Scanned by Gmail

October 2, 2023

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825
RE: EA Comments, Koi Nation Shiloh Resort and Casino

Dear Ms. Dutschke:

I have lived in the Town of Windsor for 60 years, approximately ½ mile from the proposed Koi Shiloh Resort project in Oak Creek housing development. I spent almost 4 hours, on September 27, listening to every comment made during the Environmental Assessment Public Hearing and it was heartbreaking to hear the fear from members of our community regarding the proposed destruction of our way of life and our safety. I must add my voice in extreme opposition to this project. I echo all the objections made at the public hearing regarding this project but emphasize the following:

- **Wildfire Evacuation** – This cannot be emphasized enough. I have lived through the evacuations of both the Tubbs Fire and the Kincade Fire and know first hand how dangerous and scary it is. We live in an area surrounded by extreme, very high and high wildfire risk. This project would replace the vineyard, which is a natural fire break, with a casino, hotel, spa, & event center that would increase the fire risk. We are aware that another wildfire in our area is when, not if, and we know the tragic consequences of inadequate evacuation routes from the Paradise Fire and the Maui Fire. Adding a project of this size to our already stressed two lane roads would cause gridlock and a real potential for loss of life robbing us of our peace of mind and causing constant fear for our safety in our own homes.
- **Traffic** –As mentioned, Shiloh and Old Redwood Highway are 2 lane roads. A large apartment building is currently under construction at the corner of Shiloh and Old Redwood Highway and more developments are currently under consideration in that area. The stretch of Shiloh Road between Old Redwood Highway and the freeway onramps is already so congested that often one must wait for several light changes before being able to cross the intersection at Hembree Lane. The addition of the traffic from this project is simply unmanageable.

The proposed site is not in a commercial area. It is in an agricultural, residential area where families and retired people live, children go to school and play in the park, wildlife abounds, and we all enjoy the incredible natural beauty of this area.

I support the Koi Nation's ability to better itself economically and promote the welfare of their people but this location is absolutely not right for this project. I wholeheartedly request that you implement **Alternative D, no action.**

Sincerely,

Mary Catelani
6240 Lockwood Drive
Windsor, CA 95492

From: Marie Eddy <mheddy86@yahoo.com>

Sent: Saturday, March 9, 2024 3:08 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Dear Mr. Broussard:

I live in Windsor on Old Redwood Highway, in a Senior Mobile Home Park, just 1/2 mile from the vineyard where the Koi Nation is trying to build the Casino.

Having the casino built on this vineyard is a terrible idea for the following reasons:

1. It is directly across Shiloh from a densely populated residential area and the casino will have a huge impact on that community because of the noise and traffic at all hours of the night;
2. There is currently a new apartment complex being built on the corner of Shiloh and Old Redwood Hwy which will contribute to the increase in traffic and lack of street parking, and when the casino goes in, it will be impossible for Shiloh and Old Redwood to handle the traffic flow. It is difficult enough to get through that area with the current housing;
3. There is a neighborhood park across from the vineyard where many people play baseball and just have picnics, etc. This park will be impacted by the traffic from the casino.

I believe your environmental report said there will be "less than significant" impact upon the community once the casino is built, but I don't agree with that theory. Of course, you would say there was very little impact - they don't live here - and this means money, money, money for the Koi Tribe.

We are already in a drought in this area and having the casino here will increase the water use, along with the added apartment complex water use.

The traffic along Old Redwood and Shiloh is already busy, so adding so many more automobiles will not help the situation at all, and the impact to the wildlife in the area is definitely going to be affected.

What happens in a disaster? All of us along Old Redwood Highway had a very difficult time getting out of the area during the last evacuation. The number of automobiles at the casino trying to get out to the freeway will slow everything down and possibly prevent some of the other residents from clearing the area in time.

It is a very bad idea to have this casino in this area. We already have Graton in Rohnert Park and River Rock in Geyserville, all within a short drive from here, so this casino is not needed. This is a nice area with many residential homes and having a casino with a hotel, etc. will definitely impact this quiet community.

Marie Eddy
82 Shamrock Circle
Santa Rosa CA 95403

From: Heidi Doggwiler <hdoggwiler@msn.com>
Sent: Monday, March 11, 2024 11:35 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi casino in Windsor, CA

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To whom it may concern,

I am writing to voice my strong objections to allowing the Koi nation to buy themselves a reservation, with rights of sovereignty, in my town. We don't have the infrastructure, the water, or the support services to keep both ourselves and customers of a large commercial enterprise safe in this location.

Furthermore, and just as important, the Koi nation has NO CONTACTS with this area that would justify infringing on the rights of the people who live here, some of whom have been here for decades. We've already had one remote tribe allowed to do this, and it's about time we say enough is enough.

Heidi M. Doggwiler
619 Smoketree Ct.
Windsor, CA 95492

From: Barbara <bcoen@sonic.net>

Sent: Monday, March 11, 2024 1:27 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee to Trust and Casino Project

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From:
Barbara Coen
411 B Las Casitas
Santa Rosa, CA 95403

I wish to register my protest to the building of a casino complex as noted above. I have concerns about density, fire mitigation and the existence of similar gambling casinos in the vicinity.

Thank you for your attention to this matter.

From: Marilyn Volpert <peanutsgrama@yahoo.com>
Sent: Monday, March 11, 2024 2:04 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] "NOI Comments, Koi Nation Fee-to-Trust and Casino Project"

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We are a close Town. We are not willing to have gambling here to influence our children, our spouses, our co-workers! Especially when we have droughts here, quite often, that depletes our residents usage and raises our costs. A large development of visitors using hotel water (Laundry!!! Sheets washed daily, and kitchen usage. Oh my.)

This is not a well thought project. In fact, poorly thought out. There are casinos just 7 miles and 15 miles from here. But having one so close to our Town and children who don't need that type of business, is BAD for our environment. How do we explain, next drought, that sorry, we must empty our pools and not wash clothes as often??? Or bathe as often?

The Koi can surely find a piece of land where they have NO casinos.

Thank you for listening to this senior, wise and happy lady's comments.

Marilyn Parsons-Volpert 8085 A Street, Windsor, California 95492

From: Raul Guillen <r.guillentovar@gmail.com>

Sent: Monday, March 11, 2024 3:23 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Raul, guillen from Rohner Park I think that casino it's going to be great it's going to bring more jobs and more value to the county

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Sent from my iPhone

From: Regan Arndt <reganandrosanna@gmail.com>
Sent: Monday, March 11, 2024 3:42 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Casino Opposition - OurCommunityMatters <OurCommunityMatters2@gmail.com>; Regan Arndt <reganandrosanna@gmail.com>
Subject: [EXTERNAL] KOI Nation Shiloh Resort - RESIDENT COMMENTS

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Amy Dutschke
Regional Director
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way, Sacramento, CA 95825

I am writing to provide comments on the Koi Nation Shiloh Resort and **Casino** Project EIR.

This proposal will significantly affect the quality of this residential environment.

Home sales & home values are affected! Several homeowners have been told by prospective buyers that they were no longer interested because of the proposed **casino** project. Real estate brokers have advised that that the **casino** project is a negative disclosure impacting sale and pricing. One residential neighborhood is directly across the street, 50 feet from the proposed **casino** project. Please study the impact the **casino** project will have on local home values and marketability. Please study how housing values will be impacted by the transformation of the area from rural residential/agriculture to commercial/industrial. Please study how decreases in home values will affect homeowners.

Additionally the Loss of Aesthetic Quality of Neighborhood Populations Adjacent to location - Study how many residents will be impacted by traffic/ noise/ light pollution/ loss of scenic corridor/ inflow of tens of thousands of visitors daily into area with increase in crime and accidents/ increase in drunk and intoxicated driving accidents on local residents. Please study how many families live in these neighborhoods, how many students attend the local elementary and middle and high schools served by the residents in this area – in Windsor and NE Santa Rosa, Mark West, Fulton, Wikiup/Larkfield. This loss of aesthetic quality will result in decline in property values for the many homes and housing units impacted by the direct visibility of the large buildings, the flux of vehicles to/from the **casino** resort and the noise caused by the increase in vehicle traffic as well as entertainment, both inside and outside during evening hours and weekend hours when the residents in the adjacent neighborhoods

desire peace and quiet after working all day or for those who work night-time shift, peace and quiet during the day.

Most Importantly the Decline in Property Values - Please study the expected decline in property values during construction (for how many years?) and after completion as a consequence of the impact of noise, traffic, loss of aesthetic quality of life. RE: Aesthetic/ social/ public safety – wildfire evacuation, intoxicated driving/ crime, residential property value impacts, noise, residential life activities, proximity to major public parks, transit routes to the **casino**.

Also - Especially because this Area is home to annual bike races, triathlons, cycling club routes, as well as pleasure riding. My husband & I are Cyclists & have Recently moved here primarily because of it's Landscape & Serenity & Easy Cycling Lifestyle. Shiloh Regional Park is home to mountain bike trails and draws bicycle traffic on Shiloh Road. Adding the volume of additional cars, trucks and traffic to Shiloh Road will make biking in the area unsafe and undesirable. Please study the safety of bike riders, tours, races and recreational cycling with this added traffic volume.

The reasons I addressed are Extremely Serious & Important for our Livelihoods & Financial Stability. Yet they are Only a Very Small Amount in comparison to the list of the Myriad Reasons the **Casino** is Not a positive option for this location.

Please take Serious Consideration on the Negative affect of this proposal. There are many other options which can & Should be considered with a 'Win-Win' on All sides and Not One-Sided.

Thank you very much for considering my comments.

Rosanna & Regan Arndt
5099 Deerwood Drive
Santa Rosa, Ca. 95403

From: Bill Bolster <billbolster@gmail.com>
Sent: Monday, March 11, 2024 2:08 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Shiloh Resort and Casino Concerns

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Chad Broussard, Environmental Protection Specialist
Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

My wife and I have lived at 6500 Faught Rd., Santa Rosa, CA since September, 1977 (46 years).

Here are our objections to the Koi Nation Shiloh Resort and Casino:

1. This development will have a significant impact on traffic on all the surrounding roads. People avoiding the congestion will spill onto our narrow winding country road (Faught Rd.). It is not designed for that.
2. Fire danger. This development is in the path of the last 2 fires, Tubbs and Kinkade. The vineyard is supposed to be a fire break. The development will be fuel for the next big fire.
3. We live in the country and have 2 wells on our property. Until the drought, we had no problems. In the last 5 years one well went dry and the 2nd is marginal. We do not irrigate our landscaping anymore and keep our fountain dry. If the Koi Nation builds the development they will draw down the water table more. I will have to drill an expensive deep well. The very least they should do is to get their water from the Town of Windsor or the County of Sonoma so that they live with the same rules others do.
4. This location is not near the Koi Nation's home. That is 48 miles away in Lake County. No other tribe has built a development farther than 15 miles from their home. This is a terrible precedent to set.
5. Sam Salmon, former mayor of Windsor and now on the town council, suggested that the suitable land for this development was on the vacant land south of Home Depot on the south side of Shiloh Rd. Easy access, wide road and just off Hwy 101.

Do not let this development proceed. There are too many issues with the impact of it. Again a terrible precedent to set.

William and Joan Bolster
6500 Faught Rd., Santa Rosa, CA 95403

From: Rochell Letasi <cletasi@comcast.net>

Sent: Tuesday, March 12, 2024 2:24 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-To-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Chad Broussard,

I'd like to once again express my concern over the intended Koi Nation Shiloh Resort and Casino Project.

My husband and I have lived in the Town of Windsor for 29 years where we raised our four boys and now some of our grandchildren are growing up here. I drive past the location several times a week on my way to drop off or pickup kids to and from school. I can only imagine the amount of traffic such a large resort and casino will have on our roads. The traffic on Old Redwood Hwy is already congested and then there is the maintenance which will be considerable.

Windsor, as you know is a quiet small town and that's one of its many charms and why we as well as many others chose to move here. With the proposed development we lose that! It doesn't take a college degree to understand the negative impact casinos have on neighboring communities. Gambling addiction and crime are just two that come to mind. Let's not forget about the noise from events and traffic. There is an existing neighborhood right across the street on Shiloh and a new apartment development on Shiloh and Old Redwood Hwy with more homes being planned on Shiloh.

We have had several wildfires in recent years and I for one have experienced trying to evacuate with the traffic we currently have. This was an organized evacuation and still Hwy 101 became congested with stand still traffic as did our backroads. It's not a matter of if we will experience more wildfires but a matter of when.....they are going to happen.

We need to think of what the impact this project will have on our water supply through out our community. Most of our community members have made changes/sacrifices to reduce our water use. We can't afford to have a resort and casino taking valuable resources from the land.

I hope you will consider the negative impact a resort casino will have on our little town and the people in it. We like our neighbors just want a peaceful and safe community to raise our families and peaceful place spend our retirement years. There is no doubt that if a resort and casino is allowed it will have a negative impact on Windsor and our community. The land should remain as it has been.....a vineyard gives birds a place to roost, helps to reduce the carbon dioxide in the atmosphere and as we have found is a great firebreak and so much more.

Regards,

Rochell Letasi
431 Christopher Way

Windsor, CA 95492
cletasi@comcast.net

From: Nancy Daher <nldaher48@gmail.com>
Sent: Tuesday, March 12, 2024 6:27 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Casino Nightmare on Shiloh

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Hello,

This site is completely unacceptable for a hotel and casino. It is in the middle of a neighborhood and near a park where organized children's sports are played.

Old Redwood Hwy is a 2 lane street. In case of fire, it would be disastrous for people and families to get out. Santa Rosa and Windsor have already experienced grid lock while trying to flee a fire.

Also there is a large apartment complex which is almost complete to add to the possible grid lock.

I hope some federal employees research and visit the site to see how unacceptable the site is. It will also bring crime to the neighborhood.

Thank you,
Nancy Daher

Sent from my iPhone

From: John Calverley <calverley05@sbcglobal.net>
Sent: Tuesday, March 12, 2024 9:47 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Fw: Notice of Intent for Environmental Impact Statement

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In response to this environmental impact statement our position is that we neighborhood resident across the street from proposed casino development do not want a casino in our neighborhood there are no pro's in my mind only negative conditions for our neighborhood including;

Congestion and traffic at the corner of Shiloh Road and Old Redwood Hwy.
Location close to an elementary school (San Miguel)
Location across Neighborhood Church
Evacuation plans due to recent fires Shiloh Road is only a 2 lane road with numerous residents using the same outlet.
Crime that comes with a Casino
Noise pollution with 200 plus cars/customers on any given day
Light pollution

This is a quite bedroom community that is why we moved here, if you move in we will be forced to move out!

Penny Calverley

From: Peter Walker <mmraminvest@yahoo.com>
Sent: Wednesday, March 13, 2024 1:04 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Opposition to the Proposed Shiloh Resort and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Chad Broussard,

I am writing to you as an Environmental Protection Specialist at the Bureau of Indian Affairs to express my strong opposition to the development of the proposed Shiloh Resort and Casino Project, situated adjacent to the Town of Windsor on approximately 68.60 acres. This development, while promising economic growth, raises significant concerns that I believe could fundamentally change the essence of what makes Sonoma County unique and desirable.

The local community, including the city council, prominent businesses, and many residents of Sonoma County, have already voiced their alarm regarding the potential impacts of this casino. It has come to my attention that the Indian tribe advocating for this project does not have a historical connection to the area, which raises questions about the authenticity and justification for its location here. We've seen similar scenarios play out, such as with the Graton Casino in Rohnert Park, which serves as a stark reminder of the potential for historical claims to be utilized for the benefit of a few, at the expense of the broader community's well-being.

The introduction of a sprawling casino resort threatens to disrupt our wine-growing heritage, rural character, and the ecological balance that our community deeply values. Among my concerns are the irreversible agricultural and environmental impacts, the significant strain on our already limited water supply, increased traffic and pollution, socioeconomic displacement, and the broader social costs associated with gambling. Such developments can lead to a dilution of our community's strong ties to agriculture and a shift in our collective identity, which I find deeply troubling.

Given these considerations, I wish to add my name to the many others in Sonoma County who are opposed to the proposed Shiloh Resort and Casino Project. I urge you to consider the broad spectrum of concerns shared by the community and to take action that reflects the best interests of Sonoma County and its residents.

I believe we must stand together at this critical juncture to safeguard the integrity, beauty, and future of our beloved county. Your role as an Environmental Protection Specialist could be pivotal in ensuring that our collective voice is heard and that the development that threatens our community does not proceed.

Thank you for your attention to this matter. I look forward to your support in preserving the land and values that are dear to us all.

Sincerely,

Peter Walker
Long-time Resident of Sonoma County

From: Catherine Correia <CatherineCorreia@msn.com>
Sent: Friday, March 15, 2024 8:19 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] "NOI Comments, Koi Nation Fee-to-Trust and Casino Project"

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Mr. Broussard,

I live about a mile down Old Redwood Hwy, south of your property intended for a casino. Already, the traffic is so thick it is hard to pull out onto the roadway from our side street. The Overcrossing at River Rd, is a disaster daily since they built the Sutter Hospital near the freeway there. It's hard to get to the freeway onramp there. Your casino will create a no doubt worse condition at the Shiloh Rd. overcrossing, which will make our life so much harder. We will still have the Airport Overcrossing, but that one is almost as bad as River Rd.

Let me be clear, during the Tubbs fire, which I may add, is the second time in my lifetime that burned, the road out of Larkfield, where I live, was a parking lot. It' took forever to get out of here, due to everyone having to go North. Your casino would be a death sentence should an emergency like that happen again, at least for us. And maybe the other problem we may have need of evacuating from, is an earthquake, since the fault lines run right through Wikiup.

Please reconsider your casino, understand what it would do to the traffic, which is bad enough prior to your construction. That's all I can ask.

Sincerely,
Catherine Correia
41 Sussex Dr.,
Santa Rosa, CA

From: Pam Pizzimenti <ppizzimenti33@gmail.com>
Sent: Friday, March 15, 2024 6:28 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: district4@sonoma-county.org <district4@sonoma-county.org>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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One attachment • Scanned by Gmail

Friday, March 15, 2024

Chad Broussard
NEPA Lead Agency:
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way

Subject: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

Dear Mr. Broussard -

This letter contains my response to the Notice of Intent for EIS for the Shiloh Resort and Casino Project.

Traffic Impacts/Concerns

The Traffic Impact Study, attached to the Environmental Analysis, does not address intersections for likely routes to the proposed casino from the south. The following intersections should be analyzed to identify measures to discourage trips using these routes. The trips should be discouraged as these routes pass schools, go through residential neighborhoods, and are popular walking and biking routes. The TIS should be revised to include the following intersections:

1. Hwy 101 N/B offramp at Airport Blvd
2. Hwy 101 S/B offramp at Airport Blvd
3. Airport Blvd onramp to Hwy 101 North
4. Airport Blvd onramp to Hwy 101 South
5. Airport Blvd and Old Redwood Drive
6. Airport Blvd and Faught Road
7. Faught Road and Shiloh Road
8. Airport Blvd and Fulton Road
9. Fulton Road and Old Redwood Hwy

A significant number of trips will likely be made using southern approaches including (1) Airport Blvd to Fulton Road to Old Redwood Hwy to Shiloh Road and (2) Airport to Faught Road to Shiloh Road. These routes are not appropriate or safe for heavy use as there are schools and they pass through residential neighborhoods. Route 2, is especially not suitable as it uses a narrow winding road with no shoulders and deep ditches that is popular with bicyclists and walkers, and the route passes the Shiloh County Park. The Project includes an eastern entrance on Shiloh Road to the Project which will further entice people to use these "back" routes to the Project. In addition to trips generated from the south, those visitors arriving at the Sonoma County airport and disembarking the SMART train at the Airport station are likely to also use these back routes.

The use of routes that are not anticipated or mitigated for by similar casino projects in the area include the existing River Rock and Graton casinos. For example, River Rock's route was to be State Route 128 through Geyserville. However, many trips are taken using the Lytton route through Alexander Valley using narrow roads, unsafe intersections, working farms, and along popular bicycle routes. Another example is the Graton casino, where, despite not being marked by directional signs, trips are made from more southern Hwy 101 exits and enter through back entrances.

The back routes listed above are inappropriate so, therefore, the TIS should identify measures to discourage trips on these routes. Some potential mitigation measures, that should be evaluated for inclusion in the Project, include the following:

1. Preventing access to the Casino from Faight Road. For those traveling west on Shiloh Road from Faight Road, access to the Casino should be blocked, by a center island, striping, or other road configuration means. This would discourage trips using Faight Road.
2. Removing the easternmost Shiloh Road entrance to the Project or making it an Emergency Vehicle access entrance only with a locked gate.
3. Closing Faight Road to through traffic.
4. Include traffic calming measures on
 - a. Fulton between Airport Blvd and Old Redwood Hwy
 - b. Airport Blvd between Old Redwood Highway and Faight Road, and
 - c. Faight Road between Old Redwood Hwy and Carriage Lane.

For the reasons stated above, the Traffic Impact Study is inadequate which makes the Environmental Assessment inadequate. The EIS should include revisions to these documents to adequately address the impacts by the proposed casino channeling a significant number of trips through residential neighborhoods, past schools, and through popular walking and biking routes. Mitigation measures listed above and others should be evaluated and included in the EIS and Project to address these concerns.

Water Impacts/Concerns

The Water and Wastewater Feasibility Study (Study) is concerning as it projects an 11 to 16 fold increase of water pumping compared to existing pumping. The Study incorrectly assures us the dramatic increase in water pumping is feasible yet the Study does not provide any data to support this claim. The Cal American Water Co. relies solely on wells and there was no evaluation or measures to safeguard negative impacts to those wells. What happens if the production capacity drops and those wells are no longer viable - will the Project proponents compensate Cal American Water Co. and its customers for efforts to secure a reliable water source? What are the options for the Project if the groundwater is not adequate and/or negatively impacts neighboring wells. Not addressing this very real possibility is unacceptable.

Page 4-2 states it is not anticipated use of deeper wells for the Project will impact the Esposti and other neighboring wells including Cal American wells. There does not appear to be any analysis supporting this conclusion.

The Study states the existing well will be redrilled down to 700 feet. This well will have significant pumping and its location is in the upper reaches of the Santa Rosa Groundwater basin which is thought to be a significant area of natural recharge for the basin. Large and constant groundwater pumping in this area could directly reduce a main source of natural recharge for the basin. This potential reduction in natural recharge should be studied as it has basin-wide impacts and could threaten the long-term sustainability of the basin.

The Study states fire flow demands could be 8,000 gpm for 4 hours or be reduced to 2,000 gpm for 4 hours. This represents a storage tank that's from between half a million gallons to two million gallons yet the site plans do not show where this tank is located. The tank would need to be either elevated or at ground level and have large fire pumps with backup generator power.

Wastewater Concerns

Regarding Wastewater, have the Project proponents approached Sonoma Water or the Town of Windsor for extension of their wastewater systems to serve the Project? The development of a separate wastewater system is more energy intensive and less reliable than adding on to an existing system. Additionally, what are the provisions for discharging treated wastewater when the storage pond's capacity is exceeded?

Impacts on Shiloh Ranch Regional Park

Shiloh Ranch Regional Park is a highly used gem of 850 acres located only about 700 feet from the proposed Project. The views from the park's hiking trails are spectacular but the Project threatens to ruin these views. Measures need to be taken by the Project to maintain a low building profile and do renderings, so the public has a more realistic understanding of the Project's impact on these views. Additionally, the wastewater ponds are at the property's border closest to the park, and the wastewater treatment plant and these ponds will have a strong odor noticeable if not overwhelming to park visitors. Mechanisms to reduce this smell should be evaluated.

Please do not hesitate to contact me with any questions you may have regarding these comments and concerns.

A handwritten signature in blue ink, appearing to read "Pamela L Pizzimenti", is shown within a light gray rectangular box.

Pamela L Pizzimenti
5381 Arnica Way
Santa Rosa, CA 95403

Cc: James Gore, County of Sonoma Supervisor, District 4 (district4@sonoma-county.org)

From: Karen Fies <karenalvesfies@gmail.com>
Sent: Monday, March 18, 2024 2:51 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Karen Fies <karenalvesfies@gmail.com>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I understand that there is another opportunity to submit comments on the Koi National Casino Project as a result of the notice of intent for an environmental impact statement (EIS).

I believe my comments, sent to you in November (below), are appropriate now to submit again with the NOI. Therefore, I am resubmitting them again, for the record.

Sincerely,
Karen Fies
Mark West area resident

Begin forwarded message:

From: Karen Fies <karenalvesfies@gmail.com>
Date: November 9, 2023 at 6:41:55 AM PST
To: chad.broussard@bia.gov
Cc: Karen Fies <karenalvesfies@gmail.com>
Subject: EA Comments, Koi Nation Shiloh Resort and Casino

Dear Mr. Broussard,

Thank you for the opportunity to comment on the EA for the Koi Nation Shiloh Resort and Casino.

I live just south of the proposed casino, in the Mark West area of Sonoma County, which includes the unincorporated areas of Larkfield and Wikiup. My EA comments are as follows:

- Community input: The EA seems to focus on the impact to the Town of Windsor, but little to no outreach or focus was given to the impacts of the Mark West area. Even though we are unincorporated, we have a strong community presence and would have

liked to have shared our concerns and comments on the proposed casino.

- School district: The footprint of the proposed casino is within the Mark West Unified School District and is dangerously close to one of its elementary schools. Casino traffic, disorderly conduct, and drunkenness are real threats to the school district.

- Fire evacuation: I'm sure that this will be a very common comment, as all of us living in the area have experienced evacuations many times over. I lost my home in the Tubbs Fire. The evacuation in the middle of the night in a firestorm was terrifying. Adding non-residents who are staying, or working, at the proposed casino would be disastrous.

- Traffic: If visitors and/or employees of the proposed casino are fed up with traffic on the freeway, the overflow will negatively impact the surface streets of the Mark West area, particularly Old Redwood Hwy (where people already drive above the speed limit) and Shiloh Road, a small two-lane rural road.

- Crime and social service needs: As the retired director of Sonoma County's Human Services Department, I know first hand of crimes in our existing casinos; crime that spills out onto the parking and surrounding areas. In addition to the typical drunk and disorderly behavior and driving, there has been a history of child abuse and neglect (leaving children in cars while parents gamble), addiction, sexual trafficking and exploitation, and other crimes. Additional services are needed to respond to these issues.

- Green space: Part of the culture of Sonoma County is the community separators or green spaces between cities. The proposed property is currently zoned for agricultural use and is used as a vineyard, creating a beautiful green space between Santa Rosa and Windsor. To "fill in" the community separator, starting with a casino, would change the character of the Mark West area.

These are a few of my top concerns. Thank you for allowing me to comment on the EA.

Sincerely,
Karen Fies
707-529-0191

From: Valerie Zanette <vzanette4@gmail.com>

Sent: Friday, March 15, 2024 2:34 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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As a resident of the Esposti Park neighborhood in Windsor, I am very opposed to the Koi Nation Shiloh Resort and Casino project. It will no doubt affect the following areas (to name a few):

- Land resources, use biological resources
- Air quality, noise, + visual resources
- Transportation + circulation
- Socioeconomics
- Cumulative, indirect and growth inducing effects
- Public services + utilities
- Cultural + Paleontological resources
- Environmental justice
- Hazardous materials + hazards

We moved to this area to enjoy our retirement in a safe and beautiful environment with an emphasis on family and community. A monstrosity such as this casino project is not needed or welcome in our little community. Of course, the union workers are supportive of this project **because they don't live here**. Simple as that.

Thank you,
Valerie and Mike Zanette
189 Savannah Way, Windsor, CA 95492

From: Daniel Pellegrini <corsagna14@gmail.com>

Sent: Friday, March 15, 2024 2:17 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Good Morning Mr. Broussard,

I do not believe the Koi Nation aka the Lower Lake Rancheria should be putting their casino on land that is not on their original ancestral land. Their ancestors came from Lake County, which is not Sonoma County where they are trying to place their casino. The Indian tribes originally from Sonoma County are the Cloverdale Rancheria of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Federated Indians of Graton Rancheria, Kashia Band of Pomo Indians of the Stewart's Point Rancheria, and the Lytton Band of Pomo Indians. Two of the tribes that are actually from Sonoma County already own casinos. If the Lower Lake Rancheria casino project is allowed to open then it will create too much competition in a small area.

Lower Lake Rancheria should look into other ventures such as the wine and cannabis industry since they bought a plot of land with vineyards.

Thanks,

Sonoma County Native and resident for 32 years.

From: Craig Scott <craigscott41@gmail.com>
Sent: Friday, March 15, 2024 6:53 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: district4@sonoma-county.org <district4@sonoma-county.org>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-To-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Chad -
Please find my comments on the subject project attached.
Craig Scott
5381 Arnica Way
Santa Rosa, CA. 94303
One attachment • Scanned by Gmail



Reply Reply all Forward

Friday, March 15, 2024

Chad Broussard
NEPA Lead Agency:
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way

Subject: NOI Comments, Koi Nation Fee-To-Trust and Casino Project

Dear Mr. Broussard -

This letter contains my response to the Notice of Intent for EIS for the Shiloh Resort and Casino Project.

Traffic Impacts/Concerns

The Traffic Impact Study, attached to the Environmental Analysis, does not address intersections for likely routes to the proposed casino from the south. The following intersections should be analyzed to identify measures to discourage trips using these routes. The trips should be discouraged as these routes pass schools, go through residential neighborhoods, and are popular walking and biking routes. The TIS should be revised to include the following intersections:

1. Hwy 101 N/B offramp at Airport Blvd
2. Hwy 101 S/B offramp at Airport Blvd
3. Airport Blvd onramp to Hwy 101 North
4. Airport Blvd onramp to Hwy 101 South
5. Airport Blvd and Old Redwood Drive
6. Airport Blvd and Faught Road
7. Faught Road and Shiloh Road
8. Airport Blvd and Fulton Road
9. Fulton Road and Old Redwood Hwy

A significant number of trips will likely be made using southern approaches including (1) Airport Blvd to Fulton Road to Old Redwood Hwy to Shiloh Road and (2) Airport to Faught Road to Shiloh Road. These routes are not appropriate or safe for heavy use as there are schools and they pass through residential neighborhoods. Route 2, is especially not suitable as it uses a narrow winding road with no shoulders and deep ditches that is popular with bicyclists and walkers, and the route passes the Shiloh County Park. The Project includes an eastern entrance on Shiloh Road to the Project which will further entice people to use these "back" routes to the Project. In addition to trips generated from the south, those visitors arriving at the Sonoma County airport and disembarking the SMART train at the Airport station are likely to also use these back routes.

The use of routes that are not anticipated or mitigated for by similar casino projects in the area include the existing River Rock and Graton casinos. For example, River Rock's route was to be State Route 128 through Geyserville. However, many trips are taken using the Lytton route through Alexander Valley using narrow roads, unsafe intersections, working farms, and along popular bicycle routes. Another example is the Graton casino, where, despite not being marked by directional signs, trips are made from more southern Hwy 101 exits and enter through back entrances.

The back routes listed above are inappropriate so, therefore, the TIS should identify measures to discourage trips on these routes. Some potential mitigation measures, that should be evaluated for inclusion in the Project, include the following:

1. Preventing access to the Casino from Faight Road. For those traveling west on Shiloh Road from Faight Road, access to the Casino should be blocked, by a center island, striping, or other road configuration means. This would discourage trips using Faight Road.
2. Removing the easternmost Shiloh Road entrance to the Project or making it an Emergency Vehicle access entrance only with a locked gate.
3. Closing Faight Road to through traffic.
4. Include traffic calming measures on
 - a. Fulton between Airport Blvd and Old Redwood Hwy
 - b. Airport Blvd between Old Redwood Highway and Faight Road, and
 - c. Faight Road between Old Redwood Hwy and Carriage Lane.

For the reasons stated above, the Traffic Impact Study is inadequate which makes the Environmental Assessment inadequate. The EIS should include revisions to these documents to adequately address the impacts by the proposed casino channeling a significant number of trips through residential neighborhoods, past schools, and through popular walking and biking routes. Mitigation measures listed above and others should be evaluated and included in the EIS and Project to address these concerns.

Water Impacts/Concerns

The Water and Wastewater Feasibility Study (Study) is concerning as it projects an 11 to 16 fold increase of water pumping compared to existing pumping. The Study incorrectly assures us the dramatic increase in water pumping is feasible yet the Study does not provide any data to support this claim. The Cal American Water Co. relies solely on wells and there was no evaluation or measures to safeguard negative impacts to those wells. What happens if the production capacity drops and those wells are no longer viable - will the Project proponents compensate Cal American Water Co. and its customers for efforts to secure a reliable water source? What are the options for the Project if the groundwater is not adequate and/or negatively impacts neighboring wells. Not addressing this very real possibility is unacceptable.

Page 4-2 states it is not anticipated use of deeper wells for the Project will impact the Esposti and other neighboring wells including Cal American wells. There does not appear to be any analysis supporting this conclusion.

The Study states the existing well will be redrilled down to 700 feet. This well will have significant pumping and its location is in the upper reaches of the Santa Rosa Groundwater basin which is thought to be a significant area of natural recharge for the basin. Large and constant groundwater pumping in this area could directly reduce a main source of natural recharge for the basin. This potential reduction in natural recharge should be studied as it has basin-wide impacts and could threaten the long-term sustainability of the basin.

The Study states fire flow demands could be 8,000 gpm for 4 hours or be reduced to 2,000 gpm for 4 hours. This represents a storage tank that's from between half a million gallons to two million gallons yet the site plans do not show where this tank is located. The tank would need to be either elevated or at ground level and have large fire pumps with backup generator power.

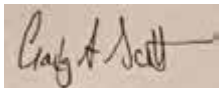
Wastewater Concerns

Regarding Wastewater, have the Project proponents approached Sonoma Water or the Town of Windsor for extension of their wastewater systems to serve the Project? The development of a separate wastewater system is more energy intensive and less reliable than adding on to an existing system. Additionally, what are the provisions for discharging treated wastewater when the storage pond's capacity is exceeded?

Impacts on Shiloh Ranch Regional Park

Shiloh Ranch Regional Park is a highly used gem of 850 acres located only about 700 feet from the proposed Project. The views from the park's hiking trails are spectacular but the Project threatens to ruin these views. Measures need to be taken by the Project to maintain a low building profile and do renderings, so the public has a more realistic understanding of the Project's impact on these views. Additionally, the wastewater ponds are at the property's border closest to the park, and the wastewater treatment plant and these ponds will have a strong odor noticeable if not overwhelming to park visitors. Mechanisms to reduce this smell should be evaluated.

Please do not hesitate to contact me with any questions you may have regarding these comments and concerns.

A rectangular box containing a handwritten signature in dark ink, which appears to read "Craig A. Scott".

Craig A. Scott
5381 Arnica Way
Santa Rosa, CA 95403

Cc: James Gore, County of Sonoma Supervisor, District 4 (district4@sonoma-county.org)

From: maricam C <maricam58@gmail.com>

Sent: Friday, March 15, 2024 1:29 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Koi Nation of Northern California Shiloh Resort and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

Where will all the water that is needed to run this resort come from? You will need a lot of it to maintain landscaping, fill baths, run showers, and wash dishes. You'll need potable water for your kitchens and restaurants to cook with, to drink, and to make ice.

In Sonoma County we often experience drought. It's a fact of life here. We've had austerity measures forced upon us when water was short. We're constantly bombarded with water conservation PSAs. Governor Newsom told Californians to let our lawns and gardens die a couple of years ago to save water (even though having a garden helps the soil retain water and bare earth does not, but oh well).

So where is the large and reliable source of water to run this resort coming from? And wherever or whatever it is, why hasn't it been available to the public previously to relieve so much of the grief brought on by drought? Will the people of Windsor be paying more for their own water because what little is available they will now have to share with the resort? Or will the resort have its own well which will subsequently drain its neighbors' wells?

Sincerely,

MKCampbell

From: Stefan and Kathy Parnay <skparnay@sonic.net>
Sent: Friday, March 15, 2024 1:10 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I am writing in response to the "**Intent to Prepare the Environmental Impact Statement (EIS) for the Koi Nation's Proposed Shiloh Resort and Casino Project, Sonoma County, California**".

My family and I have lived in the Oak Creek subdivision, 1/2 mile from the Koi Tribe's proposed site, for the last 26 years. We feel strongly that the scope of the EIS should address, in detail, the criteria listed below in order to provide a clear picture of the environmental impacts the Koi Tribe's proposed projects will have on the surrounding residential neighborhoods.

Requested criteria to be included on the EIS:

- **The EIS traffic study should analyze the "true" traffic patterns on the roadways surrounding the Koi Tribe's site by taking into account the dramatic increase in cars traveling the roadways resulting from the completion of the apartment complexes and office building projects currently under construction on Shiloh Road and Old Redwood Highway** in order to get an accurate picture of the mitigations necessary to ensure safe evacuation routes as well as to avoid major traffic congestion during peak hours. **All three roads surrounding the project** (Shiloh Road, Old Redwood Highway, and Faight Road) need to be included in the study. Once the new apartment complexes are fully rented and the new office buildings are operating at full capacity there will be hundreds of additional vehicles traveling along these roads.

The EIS traffic study should include:

- **A detailed and realistic disaster evacuation strategy** by outlining how thousands of people can safely evacuate the area during a disaster. The evacuation strategy must go beyond the EA's suggestion of having the Casino be the first to evacuate during a crisis - before a mandatory evacuation is ordered. The EA's strategy will cause accidents and traffic issues as neighboring residents try to reach their homes and connect

with loved ones in preparation for a mandatory evacuation while thousands of visitors are trying to leave the proposed project site.

- **The ramifications of implementing the eminent domain law.** The widening road mitigations will directly affect the residents that reside along Shiloh, Old Redwood Highway and Faught Roads. The EIS needs to identify the homes that will be required to be taken over through the eminent domain law in order to widen the roadways to accommodate the new safe traffic patterns and acknowledge how the act of the government taking over those individuals' personal property will impact our community and it's view of the Koi Tribe and their business as community partners.

- **The report needs to have a thorough evaluation of the water tables on the Koi Tribe property and the neighboring homes that have private wells** so that a clear understanding about how the proposed projects' water needs will affect the local residents. In addition, the report needs to provide realistic mitigations that will prevent water shortages for the private well owners during drought years due to the high water usage needs of the Koi Tribe's proposed projects.

The EIS should also evaluate:

- **The water usage needs of the apartments and office building projects currently under construction on Shiloh Road and Old Redwood Highway, using the data based on the apartment complexes being occupied and the office/business spaces operating at full capacity.** Although under the Town of Windsor's jurisdiction and not Unincorporated Santa Rosa, the close proximity of the new apartment complexes and businesses to the Koi Tribe's proposed projects makes it important to evaluate how each site's water needs can affect the other's and the shared aquifer.
- **The water requirements for the new project and a clear comprehensive plan for fire protection needs to be carefully outlined** to ensure that, when the next fire hits the area, the local community has resources that support effective fire protection and response activities.

- **The report needs to take an in-depth look at the increased need for law enforcement based on the nature of the proposed businesses to operate on the Koi Tribe's site as compared to similar projects across the state and include an honest and thorough evaluation of the capacity of local law enforcement to protect the surrounding area 24 hours/7 days a**

week so residents can trust that their homes and family will remain safe. Currently, the crime in the proposed projects area is basically nonexistent. Naturally, exponentially increasing the number of individuals into a small area will increase crime and traffic accidents. However, introducing a large casino, hotel, spa and events center will compound the need for law enforcement significantly by increasing the likelihood of drunk driving, drug abuse, sex crimes and petty theft. The EIS safety report needs to address mitigations that can protect the residents living in the surrounding areas of the proposed site, beyond the promise that local authorities will take responsibility. Neighbors to the Koi Tribe's proposed projects need to be able to trust that their safety is a priority and they will not lose the basic right to maintain the same level of safety in their neighborhoods they currently experience.

- **The report needs to identify and address all aspects of noise pollution that can result from a casino, hotel, spa, and events center and how the introduction of these new noises will change the noise levels negatively from what local residents currently experience.** The report needs to evaluate reasonable and realistic mitigations that respect the rights of the proposed projects' neighbors as new and disrupting sounds will be introduced into their quiet homes 24 hours/7 days a week. These mitigations must go beyond the EA's suggestion of special roadway materials to dampen the sound of tires on the street and the installation of double paned windows in the homes (which is standard in most homes already) to dampen environmental noises and address the noise pollution created by the comings and goings of thousands of people 24 hours a day/7 days a week, including car crashes, car backfires, people yelling or speaking loudly, loud music from car radios, etc. Neighbors to the Koi Tribe's proposed projects need to be able to trust that maintaining their quiet neighborhoods is a priority.
- **The report needs to unbiasedly and honestly weigh the benefits of the Koi Tribe's proposed projects against the negative environmental changes that affect the local community.** The EIS should perform a careful and thorough evaluation of the many levels of disruption and harm that occur when drastically changing the local environment from peaceful agriculture, quiet residential homes, and places of worship by introducing a mega-sized business for this area that operates 24 hours/7 days a week.

The EIS should address:

- **The vast incongruity between the current local environment and the changes that will occur due to the enormity of the Koi Tribe's proposed**

- projects. The report should provide realistic mitigation strategies that **minimize the drastic irrevocable changes** to the community's current environment and minimize this incongruity.
- **The vast incongruity between the scale of the Koi Tribe's proposed projects and the resources of the Koi Tribe**, a small tribe of 90 members who do not have ancestral ties to Sonoma County. The EIS should provide transparency on **who is benefiting from these proposed projects**. As stated in the [Notice of Intent](#), the purpose of the casino project "is to facilitate tribal self-sufficiency, self-determination, and economic development". However, the **Koi Nation will NOT be the ones running the proposed projects**. Per the [Koi Nation website](#), the Koi Tribe publicly announced on January 2022 that they partnered with the Chickasaw Nation to develop, manage and operate the Shiloh property, a tribe of "more than 73,000 citizens" from Oklahoma with no ancestral ties to Sonoma County. The report needs to provide transparency regarding the role and responsibilities the Koi Tribe will be required to take as owners of the proposed projects.
 - **How the Koi Tribe's proposed projects benefit, not only the Koi Tribe's "self-sufficiency, self-determination and economic development", but also the local community and surrounding residents**. Eliminating 66 acres of agriculture land, forcing selected residents to move from their homes, disrupting the peaceful environment of nearby neighborhoods and increasing crime and traffic for the benefit of bringing in thousands of visitors daily so the Koi Tribe and the Chickasaw Nation can build their legacy of financial independence **leaves our community feeling violated and disrespected**. Making the assumption that, due to the magnitude of the proposed projects, the local economy will benefit with an increase in job creation and tourism is unrealistic. If the Chickasaw Nation is actually running and managing the Koi Tribe's businesses, over time these local jobs will most likely be filled by the out of state Chickasaw people. In addition, assuming that attracting visitors will provide increased revenue to local businesses is hypothetical and impossible to quantify as the proposed projects are designed to be destination points with the goal of encouraging their visitors to spend their money on site. The EIS needs to show realistic benefits the Koi Tribe's proposed projects will actually provide the community that will balance the drastic negative effects.

We are saddened by the lack of integrity, empathy and honor the Koi Tribe has shown in the designs for their proposed projects. Instead of considering the local community culture, the beauty of the land, and recognizing and honoring the sacredness of our quiet peaceful family oriented community, their single-minded quest for financial gain and ability to improve their standing among the Tribal communities will irrevocably negatively impact our community.

Thank you for your time and consideration.

Best,

Kathy and Stefan Parnay
190 Barrio Way
Windsor, CA 95492

From: Kathy Reiche <kryoga@sonic.net>
Sent: Friday, March 15, 2024 12:34 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Noi comments koi nation fee to trust and casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear chad: I live at 5754 Mobil Drive Santa Rosa Ca 95404-1154, 95403. I also lived at 382 Donna drive. I took natural resource management at cal poly slo. I am heart sick that the plans for a casino is even being considered. I have lived near Shiloh park for 35 years. The development here is horrific. Disgusting. Environment disaster. Traffic is horrible. A crime against humanity, seniors, and nature. I oppose the plans 100 percent. I call upon sanity to prevail and not corruption, corporate greed, addiction, and elder abuse. Stop now. Respect the environment. Kathleen and John Reiche. (707) 755 4750.
Sent from my iPhone

From: Mary Ann Huckabay <huckabay@synth.org>
Sent: Friday, March 15, 2024 11:35 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Greetings, Mr. Broussard,

I'm writing out of deep concern about the proposed Koi Nation casino project. It borders on regional park land that will be seriously degraded by traffic, population, and urbanization in an already over-developed area. It is in the line of historically devastating wildfires, like the Tubbs Fire and should another wildfire sweep through the area, the structural losses and traffic congestion would be life-threatening. We are a geographical area with a very rich indigenous cultural history and while the Koi Nation has my full respect and sympathy for being robbed of their native homelands, this is not the right form of compensation for that horrific injustice. We have too many huge casinos in our area already.

Thank you for your consideration,
Mary Ann Huckabay
12446 Fiori Lane
Sebastopol, CA 95472
510-684-6462

From: kst@sonic.net <kst@sonic.net>
Sent: Friday, March 15, 2024 11:32 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

Please submit these questions to the NOI Comments, Koi Nation Fee-to-Trust and Casino Project on Shiloh Road, Santa Rosa.

Questions and Comments, plus attached maps.

Evaluation of Residential Neighborhoods:

What is the population living within a 4 mile radius from the Shiloh site? The map shows the areas in WHITE.
What is the population living within a 5 mile radius? What are the demographics? How many families with children, grandchildren?
THE NEPA REPORT DOES NOT EVALUATE THIS.

HOW WILL A CASINO RESORT located at Shiloh Road/ Old Redwood Hwy (ORH) impact the people who will be living in the new 123 unit apartment building across the street? How will the increased traffic, noise, and night activity impact them? What will be their public safety risks? Will the owners of the building be able to attract the best residents when the quality of life is adversely impacted by being immediately adjacent to a casino resort?
THE NEPA REPORT DOES NOT EVALUATE THIS.

Evaluation of 10 schools located in area:

The NEPA does not name the 10 schools or consider the adverse impact on the schools, the students, their families, and the routes taken by walking, car, bicycle, or other for families and students to reach school, homes, or after-school activities. What is the impact on the students and families that attend the 10 schools in the area? What is the increased risk to their safety going to/from school and school events?

How many schools are located 4 miles from this Shiloh site? within 5 miles? How many students attend these

schools? What parks are used by these schools for school activities? What transit routes are used by the students and families to travel to/from school? How will after-school activities at these schools be impacted by a casino resort at the Shiloh site - what is the impact on traffic and public safety?
THE NEPA REPORT DOES NOT EVALUATE THIS.

Evaluation of Esposti Park and Shiloh Regional Park:

How many parks used for school and public recreation are located within 4 miles of this site? within 5 miles?
How many visitors every month use these parks? How do visitors travel to these parks? Where do they park?
How will a casino resort on Shiloh Road impact their enjoyment and safety? How many special events occur at these locations? How many special events use East Shiloh Road - Faught Road every year?
What is the impact of loss of Scenic Corridor on the residential neighborhood immediately across the street? What is the impact of this loss to tourists and visitors to the area who would see tall commercial structures, the casino, hotel, and parking garages blocking the views from 101/ Shiloh Road and ORH to the east?

What is the impact on the aesthetic quality of Esposti Park? On the aesthetic quality of Shiloh Regional Park?
How many visitors to these parks will be affected? What will be the impact on local tourism to this area?
THE NEPA REPORT DOES NOT EVALUATE THIS.

Evaluation of transit routes:

How much overlap with transit routes used by local residents will there be with casino visitors? And how much increased risk to public safety due to the proximity of a casino to these schools and residential neighborhoods?

How many roads used by local residents will share traffic with casino visitors? There are many transit routes used by local residents that will overlap with visitors to/from the casino, increasing their risk to public safety.
THE NEPA REPORT DOES NOT EVALUATE the impact that this location is **COMPLETELY SURROUNDED BY RESIDENTIAL NEIGHBORHOODS.**
THIS IS DIFFERENT FROM EVERY OTHER NORTHERN CALIFORNIA CASINO RESORT.

How many roads will be used by casino visitors to get to the Shiloh Road site? How many alternate routes exist that will be used by visitors to a casino at this location?

THE NEPA REPORT DOES NOT EVALUATE THIS.

How will the current traffic patterns be affected by a casino at Shiloh Road? The NEPA REPORT is too superficial and the data inadequate to evaluate: only two days in January and one day in July were used for traffic analysis.

THE NEPA REPORT is INADEQUATE to evaluate the impact of tens of thousands of estimated daily visits to the proposed site. The conclusions in the NEPA contradict the findings for VMT for employees found in the recent Graton Rancheria 2022 TIER, for example.

The NEPA report does not evaluate the significance of Old Redwood Highway for local transit to/from Windsor to Larkfield and Fulton, and Airport Bl. to River Road/ Mark West Springs Rd.

It does not consider the impact on traffic to/ from the 10 schools located within a 5 mile radius from the Shiloh site.

It does not consider the fact that Hwy 101 is a major corridor that separates the east side residential neighborhood developments from the west side commercial development.

This boundary extends from Rohnert Park, where Graton Rancheria Casino Resort is located, to Cloverdale. Graton Casino Resort is built on over 250 acres, and its access from Hwy 101 goes through commercial areas, not residential areas. The residential and school locations in Rohnert Park are on the east side of 101.

Evaluation of Sonoma County General Plan and non-compliance of casino proposal with their criteria:

The NEPA report does not consider how many Sonoma County General Plan criteria are ignored by this project:

the Shiloh site is a designated SCENIC CORRIDOR. The NEPA does not consider the loss of valuable

agricultural acreage which will be a PERMANENT LOSS of 48 acres which now benefit all the residents of

Sonoma County and Sonoma County Wine Tourism.

THIS IS THE ONLY CASINO IN NORTHERN CALIFORNIA THAT WOULD BE LOCATED ON A SITE ENTIRELY SURROUNDED BY RESIDENTIAL NEIGHBORHOODS, SCHOOLS, AND PARKS.

THE ONLY ONE. AND WHY?

BECAUSE THERE IS TOO MUCH RISK TO PUBLIC SAFETY DUE TO PROXIMITY TO

RESIDENTIAL NEIGHBORHOODS. **This site is completely SURROUNDED BY residential neighborhoods.**

What is the liability risk to the Casino business for anyone harmed in an accident off-reservation by an employee of or visitor to the casino?

And, BECAUSE THIS PROJECT WILL DOMINATE THE LANDSCAPE AND THE PARKS AND DAMAGE THE SPECIAL CHARACTER OF THE SURROUNDING RESIDENTIAL NEIGHBORHOODS IN WINDSOR AND NORTHEAST SANTA ROSA.

THE NEPA REPORT DOES NOT CONSIDER HOW THE SHILOH SITE IS DIFFERENT FROM SITES OF EXISTING NORTHERN CALIFORNIA CASINO RESORTS. THE EIR NEEDS TO COMPARE THEIR LOCATIONS RELATIVE TO RESIDENTIAL NEIGHBORHOODS NEARBY WITH THE PROPOSED SHILOH CASINO LOCATION.

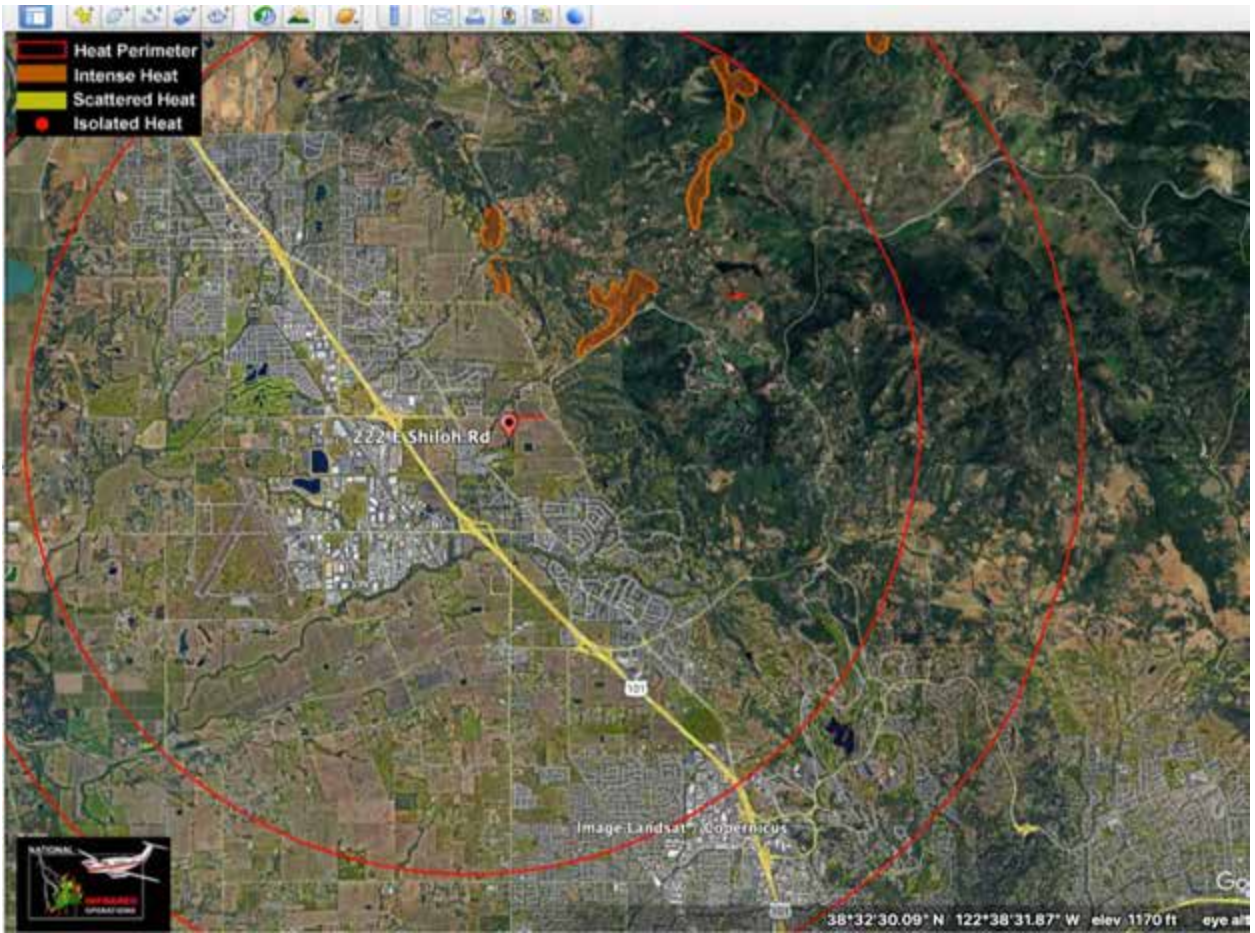
THERE IS NO OTHER CASINO IN NORTHERN CALIFORNIA WITH DENSELY POPULATED RESIDENTIAL NEIGHBORHOODS AND SCHOOLS SURROUNDING ITS LOCATION. This is the WRONG location for a casino.

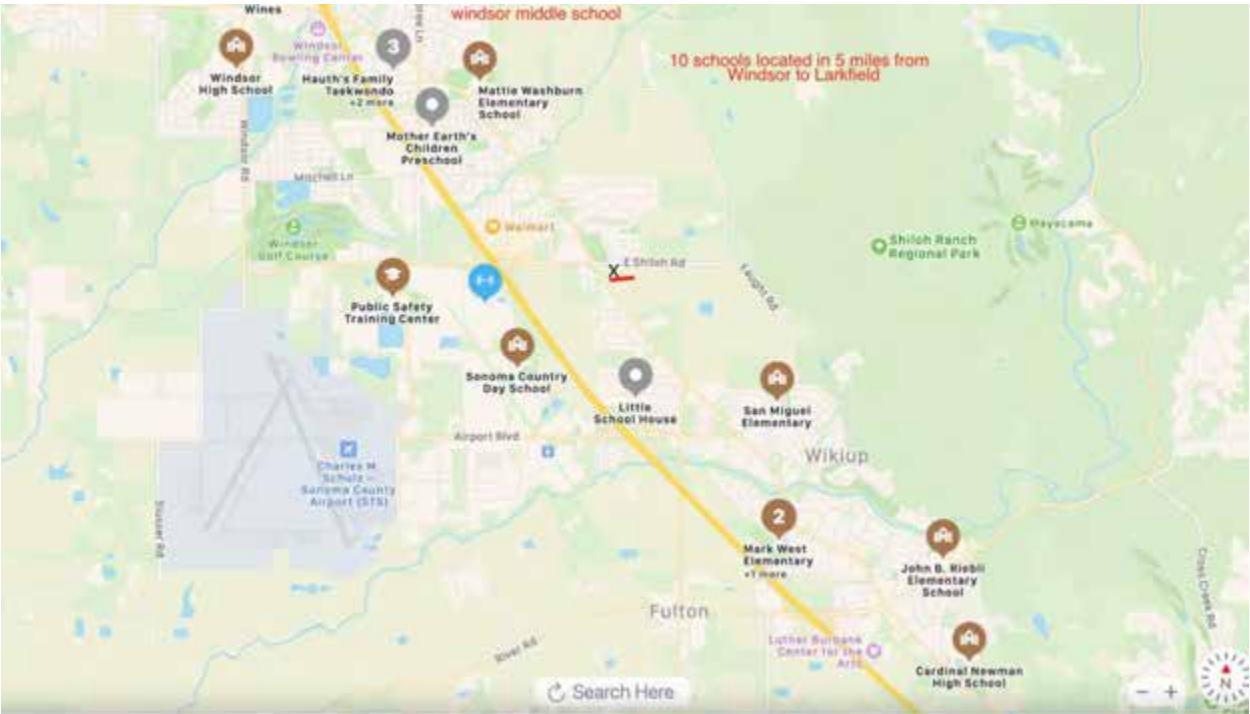
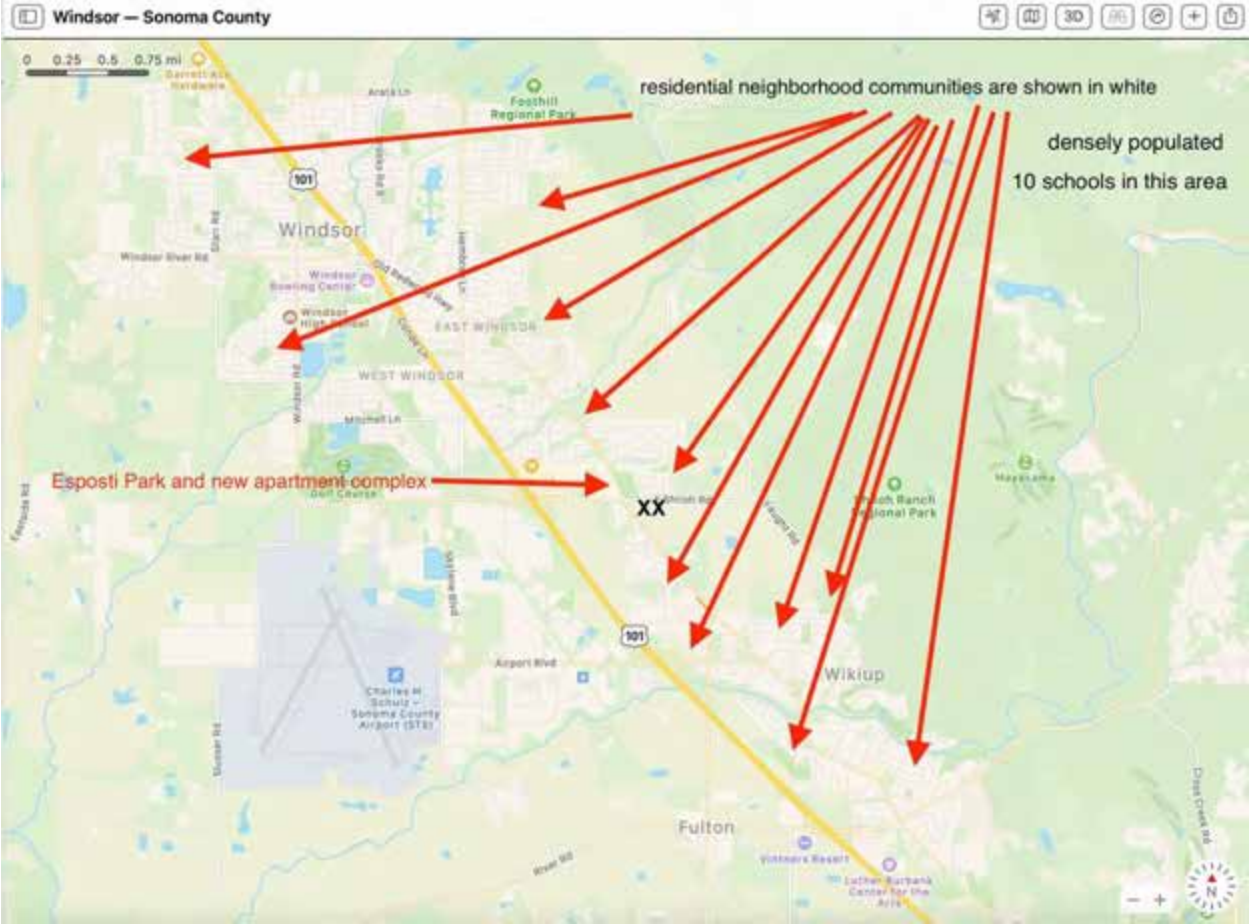
MAP SHOWS DISTANCE **4 MILES** AND **5 MILES** FROM THE SHILOH ROAD site. The Residential areas are in white. The Wildfire Burn areas with highest intensity burn are in orange.

Maps showing residential neighborhoods and the location of 10 schools are also attached below.

Thank you for your help submitting these questions for further evaluation of adverse impact on the environment by the proposed Shiloh casino resort.

Cathleen Belden
resident Santa Rosa, Sonoma County





From: Nancy Lindell <nancy lindell1@gmail.com>

Sent: Friday, March 15, 2024 10:58 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] 'NOI Comments, Koi Nation Fee-to-Trust and Casino Project'

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

As a resident of Santa Rosa, CA located just 5 miles from this proposed Casino, I am against this project. How many casinos within a radius of 20 miles is truly necessary!!! After going through a second drought living in Sonoma County, and a huge devastating fire in 2017, we cannot afford the water and resources for such a large enterprise.

My VOTE IS NO GO on this project!!

--

Kind Regards,

Nancy Lindell

From: dgwines <dgwines@att.net>

Sent: Friday, March 15, 2024 9:58 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino

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Dear Chad,

Please do not invade the safety of our neighborhood with this casino! The risk include fire evaluation, traffic congestion, high water usage, deflation of home values and compromising the rural area to industrial area.

Please share these concerns with others.

Much appreciated,

Denise Gill

Sent from my Verizon, Samsung Galaxy smartphone

From: Amy Hoover <amychoover@gmail.com>

Sent: Thursday, March 14, 2024 5:00 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>; Dutschke, Amy <Amy.Dutschke@bia.gov>

Subject: [EXTERNAL] Casino Project

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Mr Broussard, Ms Dutschke and the BIA,

I am forwarding the detailed an impassioned letter from my friend and neighbor, because I would not be able to add to it. Please understand that the KOI project is NOT appropriate for this area.

Thank you for your consideration.

Amy and Chris Hoover
225 La Quinta Dr, Windsor, CA 95492

Sent from Gmail Mobile

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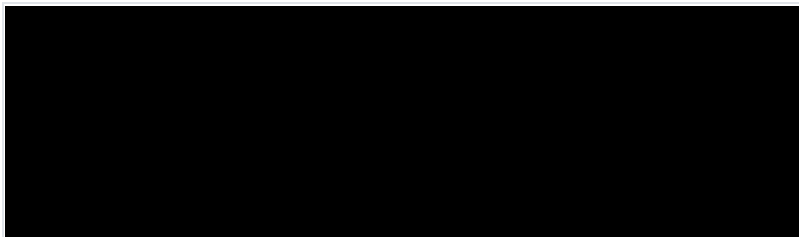
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Carrie Marvin

...

[Message clipped] [View entire message](#)
One attachment • Scanned by Gmail

To: Bureau of Indian Affairs, chad.broussard@bia.gov, Amy Dutschke, Regional Director

NOI Comments, Koi Nation Fee-to-Trust and Casino Project

From: Carrie Marvin 237 La Quinta Drive Windsor CA 95492

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Carrie Marvin

From: Carrie Marvin <caretoride@yahoo.com>

Sent: Thursday, March 14, 2024 4:07 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>; Dutschke, Amy <Amy.Dutschke@bia.gov>; carrie@cfapromo.com <carrie@cfapromo.com>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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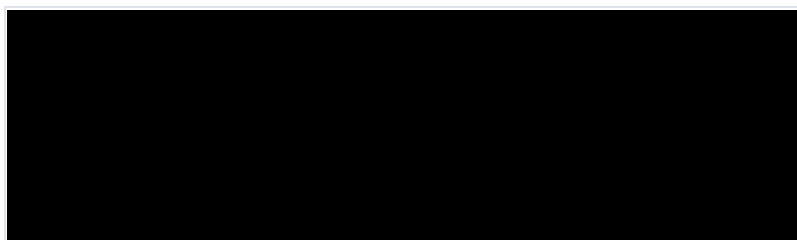
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There is another article where the KOI work directly with the California Parks Department and they celebrate and rename a trail and a Ridge. Is it located in our county? Sonoma County? Is it in Windsor? NOPE – it is in LAKE COUNTY. Because that is where their tribe is from. [Koi Nation of Northern California and California State Parks Renew Memorandum of Understanding and Celebrate Renaming of Ridge and Trail](#) and this was just from 2023. NO KOI CASINO IN WINDSOR.



**Koi Nation of Northern California and
California State Parks Renew Memor...**

Koi Nation of Northern California and California State Parks
Renew Memorandum of Understanding and Celebrate
Ren...

Carrie Marvin

...

[Message clipped] [View entire message](#)

One attachment • Scanned by Gmail

To: Bureau of Indian Affairs, chad.broussard@bia.gov, Amy Dutschke, Regional Director

NOI Comments, Koi Nation Fee-to-Trust and Casino Project

From: Carrie Marvin 237 La Quinta Drive Windsor CA 95492

It is my understanding that the Bureau of Indian Affairs has Announced a Notice of Intent To Prepare an Environmental Impact Statement for the Koi Nation's Proposed Shiloh Resort and Casino Project, Sonoma County, California.

The original Environmental Assessment seemed pretty ridiculous and useless to me. As someone who has lived in Windsor for 20 years (and Sonoma county for 30 years) I have seen a lot of change and a lot of it is concerning. Our family, and everyone I have personally spoken to, is not wanting this casino considering there are already 2 casinos, one north and one south within 20 minutes in either direction - and I am sure those tribes do not want this impinging on their casinos unless they potentially are getting a cut. The Pomos are welcome neighbors here in my town, where they have built homes for their families. This land purchased unknowingly at the time, by the KOI tribe, who is not a local tribe, might be more suitable for some native family homes than an immense casino and hotel.

The EIS will need to look at how our extreme weather will impact not just the people who go to this proposed casino, but how it will affect all of us when we are evacuating from fires. Whether that is in a year, or two years, 10 years or 20 years, it will happen again. As it has happened already 3 times here where I have had to evacuate.

This proposed new casino is directly across from a brand new apartment complex which appears to be hundreds of apartments. I do not know the number but it is extremely large. The traffic impact will be monumental on just a regular school/work week as people start moving in. Old Redwood Highway and Shiloh are already very busy roads at certain times, but also one lane each direction. I cannot imagine how this would work without significant roadwork - but even that, if there is a fire - it is irrelevant because getting onto the freeway in the morning can be well backed up without all these new apartment dwellers and casino folk. And add fire evacuation and it's nightmare of epic proportions.

Not one of you folk at the BIA have experienced a wildfire in the way that we have. It is beyond your wildest imagination. I personally know at least 25 families that lost homes and that was just the first fire. I personally here in Windsor was out of my home for months due to smoke damage and many neighbors had fire damage their homes just 15 houses up the street from me. Your original assessment discussed having someone in the parking lot directing people out during a fire- you have zero idea how ridiculous that is. I was laughing out loud at the absurdity. People are literally fleeing for their lives. And if the traffic is bad - like what happened in Lahaina, Paradise and other fires, people die in their

cars. This is so irresponsible. During the last zoom call we had, I know that you heard our ex-mayor discuss how Windsor was almost completely wiped off the map. We had firefighters in every driveway in our neighborhood. They saved our homes. A lot of people moved out after the fires, that is how terrifying they are. Again, this is no place for a casino.

This is a neighborhood. A casino doesn't belong there. We have had massive droughts. Floods and fires. All within our town. This is the WRONG place to put a casino. There are also lots of coyotes, fox and deer who live in our area. I hope they will also be evaluating their paths. I can hear the coyotes at night and I see the deer come down thru Shiloh. I hope that is assessed also. I was always under the impression that the native people cared about the environment and this certainly doesn't appear to be the case with this monstrosity of a building they are proposing.

Besides natural disasters, we have had several businesses close even recently due to lack of workers. Just yesterday I looked online and saw ads for Walmart 1 minute away from the proposed casino site, looking for help. I went to the local Chinese restaurant and other restaurants right there for lunch/dinner where Walmart is, and many had signs up looking for help. There simply isn't even a pool of workers to draw from. At least at Graton Casino they are closer to Marin County which has more population than we have here. Everywhere they are short help here in our county. And with the exception of these new apartments being built (and I don't know what they are costing for rent) - we have a housing shortage. I believe our unemployment rate is now around 4.5%

The long term building of this casino will be incredibly disruptive to the entire adjacent neighborhood. To offer them better windows is a joke. You know it's day and night construction around the clock. Neighbors to this land have jobs. Kids have school. This is no place for a casino. Some of those homes don't have A/C - how can they cool the house down - the dust and noise pollution will be horrible for them. And everyone who doesn't have a high end AC with HEPA is going to have issues.

I would like the BIA to NOT continue further with this site. It is smack in the middle of a neighborhood and across from a park where kids play soccer/baseball and also near Shiloh Park which is used by hikers and equestrians. The roadways surrounding are not suitable and some very rural. This is not an appropriate place for a casino and I would imagine a more competent Assessment would show just that. Of course if they are working for you, I cannot imagine it would be a fair report. Would be nice to have an independent report done where they really discuss the fire situation with people who know and understand.

As you know this tribe has an alternate name - the Lower Lake Rancheria. It is even indicated on THE BIA website. We are NOT near Lower Lake. This is not their home. This is

no place for this massive casino. This is NOT their land and has been stated by many tribes along with a resolution from the Sonoma County Board of Supervisors. <https://sonomacounty.ca.gov/board-of-supervisors-adopts-resolution-opposing-koi-tribe-attempts-to-establish-casino> NO further assessments should be done. This should be a hard no for this tribe and the OK tribe looking to expand their gaming franchise.

It is important to note that the KOI PEOPLE are NOT from WINDSOR or technically Sonoma County.

The **Koi Nation of the Lower Lake Rancheria** is a federally recognized tribe of Southeastern [Pomo people](#) in northern California. Their name for their tribe is **Koi Nation of Northern California**, from their traditional village, [Koi](#), once located on an island in [Clear Lake](#). Clear Lake is located in LAKE COUNTY, not Sonoma County and certainly not Windsor.

Koi, meaning people of water, lived on islands in the Clear Lake in what is now Lake County, California, and migrated seasonally to the California coast. The "Purvis Tract" is located on the Northwest corner of the Clear Lake. For thousands of years, the Nation lived under the Purvis Tract. In that time, the nation continued to assert its unique identity and maintain control of its area.

The Koi people were among the Southeastern Pomo who lived in north-central California for millennia. They fished, hunted, and gathered. In the 19th century, European-Americans rapidly flooded Pomo lands. The US government signed two treaties with Pomos in 1851–1852 which defined Pomo territory; however, these treaties were never ratified by congress. In 1856, the US government forcibly removed many Pomo people to a reservation in [Mendocino County](#); however, the Koi remained on their island.

In 1870, Koi people attended a historic [Ghost Dance](#). By 1871, their homes had been burned and destroyed by European-Americans. Disease, enslavement, and murder greatly reduced their population. The federal government secured a parcel of land called Purvis Flat, which became the Lower Lake Rancheria, for the homeless Koi people. In [Bureau of Indian Affairs](#) then declared the land "uninhabitable" in 1937; however, the BIA reversed itself and demanded that Koi people had to live on the land or lose their rights to it. Seven tribal families lived on the rancheria in 1950. In 1956, the tribe sold the land to [Lake County](#) to use as an airport; however, the federal government never terminated their recognition of the tribe. The BIA finally reaffirmed tribal recognition of the Lower Lake Rancheria on 29 December 2000.

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There is another article where the KOI work directly with the California Parks Department and they celebrate and rename a trail and a Ridge. Is it located in our county? Sonoma County? Is it in Windsor? NOPE – it is in LAKE COUNTY. Because that is where their tribe is from. <https://www.parks.ca.gov/NewsRelease/1206> and this was just from 2023. NO KOI CASINO IN WINDSOR.

Carrie Marvin

From: Brett Mail <bkwright450@comcast.net>

Sent: Thursday, March 14, 2024 4:18 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I hope this email finds you well. I am writing to express my deep concerns regarding the proposed Koi casino project adjacent to our community. As a resident of the Larkfield-Wikiup community, I believe it is crucial to address the potential negative impacts such a project could have on our neighborhood.

The planned development of a 68-acre casino in such close proximity to our small community neighborhoods, and little league baseball field, raises several significant concerns. Firstly, the increased traffic flow generated by the casino would undoubtedly have adverse effects on our local infrastructure, including road congestion and safety hazards for pedestrians and cyclists. Moreover, this influx of traffic could disrupt the peaceful atmosphere of our community and decrease property values.

Additionally, there is a heightened risk of increased crime associated with large-scale casino developments. Research has shown that casinos often attract criminal activity, including theft, fraud, and drug-related offenses. The presence of a casino could also lead to an increase in problem gambling behaviors, which may further contribute to criminal activity in our area.

Furthermore, the social and economic consequences of a large-scale casino development cannot be overlooked. Studies have shown that casinos often exacerbate issues related to gambling addiction, leading to financial hardship and strained relationships within families. Furthermore, the influx of tourists drawn to the casino could strain local resources and services, putting additional pressure on our community's already limited amenities.

Additionally, there is a concerning pattern where casinos tend to disproportionately displace low-income and minority communities. These communities are often targeted by the gambling industry due to their vulnerability to financial hardship and limited access to resources. As a result, the presence of a casino in the vicinity of several low income housing complexes could exacerbate existing socioeconomic disparities, further marginalizing these already disadvantaged groups.

The environmental impact of such a project cannot be ignored. The construction and operation of a casino on this scale would likely result in habitat destruction, increased pollution, and a significant strain on water resources. As stewards of our environment, it is essential that we consider the long-term consequences of any development in our area.

I urge you to carefully consider these concerns before moving forward with the proposed casino project. It is vital that the well-being and interests of our community are prioritized in any decision-making process. I strongly encourage open dialogue and community engagement to

explore alternative development options that align with our values and goals.

Thank you for your attention to this matter. I look forward to hearing your response and participating in discussions regarding the future of our community.

Sincerely,

Brett Wright
227 Wikiup Meadows Dr
Santa Rosa

Sent from my iPhone

From: Lynne Carpenter <lyndistarr@att.net>

Sent: Thursday, March 14, 2024 4:40 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments; Koi nation fee-to-Trust and casino Comments

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Dear Sir

I am happy to hear that you have decided to move forward with an environmental impact statement for this poorly designed and poorly located project. There are many areas that need further study including, but not limited to, the things listed below.

Land resources

Air quality

Noise

Light pollution

Fire risk without mitigation

Biological resources

Cultural and paleontological resources

Transportation and circulation

Land use - in a predominantly residential area

Hazardous materials and hazards

Public services and utilities - this project includes onsite waste water treatment plant where public sewer is readily available, causing huge concerns about safety and contamination of our aquifer

Water use as proposed with wells rather than accessible public water

Impact on water resources due to drought

Socioeconomics

Environmental justice

Visual resources

Cumulative, indirect and growth inducing effects

I look forward to reading the impact statement and attending the subsequent public hearing. This impact statement should be more detailed and developed than the initial environmental work done on this project, which I found to be superficial and lacking any true analysis of the issues that will impact our residential community.

Thank you for your consideration.

Lynne Carpenter

Typos courtesy of my iPhone

From: paul I <paul.ignatius.lynch@gmail.com>
Sent: Friday, March 15, 2024 1:51 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Support Koi Nation Casino Windsor, CA

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We have lived in Lake County over the years and the KOI NATION should be given the same respect to develop as other similar groups in the area. Their choice should be honored as their history is a story of sadness and repression so common amongst the local native populations that stretch back thousands of years in this area. Let them build as they wish. They have been told what to do and where to live for far too long in California History.

P Lynch PO BOX 1983 Middletown, CA

From: Matthew Culmore <mculmore@comcast.net>
Sent: Saturday, March 16, 2024 11:22 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Chad,

As a Windsor resident already concerned about too much traffic on Old Redwood Hwy., this commercial business should not be put in a residential neighborhood. Put it at the airport.

As a person with Native American blood, I understand the issue of land which was taken before, but this is not what we need, more gambling for gambling addicts, more drunks on the road in a quiet residential area, dimly lit roads and all for the profits of an out of state business and tribe.

I will appear at any hearings, and definitely vote against this poor decision to bully your way around in the name of rights.

Matthew Culmore

From: Annette <flachman@sonic.net>
Sent: Sunday, March 17, 2024 9:37 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI comments, Koi Nation fee-to-trust and casino project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I am writing you urge you to reject the Koi Nation resort casino in Windsor, CA. Aside from the fact that this is a poor location, in a residential neighborhood that will reduce the value of homes in the area resulting in destroying families' equity in their homes, this is not anywhere near the Koi Nation's native lands. Additionally, CA has been in a severe drought for a number of years, and while we've had significant rain in the past two winters, drought conditions will return and become worse as climate change becomes worse. Add to that, we've had wildfires for five years in a row which resulted in extreme loss of homes and lives. There is no infrastructure for more traffic to be evacuated in case of emergency. During the Kincade fire in 2019, when we were evacuated from Windsor, it took me over an hour to get from Windsor to Santa Rosa, a distance of about 7 miles, on three lanes of freeway heading south; just me and my cat in the car, choking on the smoke, buffeted by the winds and having difficulty seeing because the smoke was so thick, not knowing if I had a home to return to. It was terrifying. People were killed in the Paradise fire because they were unable to flee due to the lack of exit roads. If we had any additional traffic attempting to flee the Kincade fire, there's a good chance people would have burned to death in their cars, like the Paradise fire, just because of traffic gridlock. I can't think of a worse way to go. Drought will return. Fires will happen. Adding more people will only make things worse. This is a semi-rural area with homes and families around. This is the wrong location for the wrong type of business. Thank you for your consideration.

Annette Flachman
Windsor, CA

From: Louise Calderon <louisecalderon338@comcast.net>
Sent: Sunday, March 17, 2024 9:50 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Nation Casino project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

In response to the Koi Nation of Northern California Shiloh Resort/Casino project environmental impact statement I submit the following.

I am not familiar or knowledgeable to be aware of species protected by the Federal Endangered Act and California Endangered Species Act (CESA) in that particular location. I am aware of the common Bee (Bombus Crotchii, Bombus Franklini, Bombus Suckleyi, and Bomus Occidentali) which play a critical role in pollination and that their decline affects ecosystems and agriculture.

Koi Nation of Northern California was originally located on an island in Clear Lake. As of 2021, the Koi Nation has 90 members, whereas Windsor has a population of 25,000. Windsor is a community that appeals to families, singles and retirees with its richness of schools, churches, parks, family movie nights, restaurants which adds to the sense of community for which its residents have embraced. This is not conducive to a casino with its lack of roadway, environmental noise, traffic, the possibility of crime, and the potential impact on the community environment and wellbeing.

I respectfully urge the Koi Nation to consider another location, other than Windsor, for its casino.

Louise Calderon, 338 Winemaker Way, Windsor, CA

From: Kathy Doran <sonomahealing@sonic.net>

Sent: Sunday, March 17, 2024 11:03 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Chad,

The traffic at the Shiloh Road exit is already completely impacted throughout most of the day due to the shopping center across the street from the proposed casino/resort. When exiting Old Redwood Highway at the northbound Shiloh Road exit, one often needs to wait for two or more light changes to be able to exit, leaving cars to back up on the highway. Additional traffic would only compound this problem. I don't know if it would be possible to have an exit put in south of Shiloh Road so that all traffic to the proposed casino/resort could exit there and avoid Shiloh Road. I know that would be expensive but it would be necessary. Thank you, Kathy Doran

From: Sonic <martc2@sonic.net>

Sent: Sunday, March 17, 2024 1:18 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments,Koi Nation Fee-to -Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Please add my name to those opposing the proposed casino by the Koi nation. A casino has no place in residential neighborhoods or in close proximity to schools. This casino will greatly devalue property values of the nearby homes, not to mention the increase in water usage. The increase in area traffic will not only be an every day headache, but a major problem exiting if another fire should occur again in this area. Lastly the loss of the scenic vineyard will be a detriment not only to this area but the entire county. We do not need another casino in Sonoma County.

Martha L Clark
523 Juniper Ln
Windsor, CA 95492
martc2@sonic.net

From: Kenneth Pietrelli <ken.pietrelli@gmail.com>
Sent: Sunday, March 17, 2024 6:48 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, KOI Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

Attached is a PDF with my written comments on the KOI Nation Fee-to-Trust and Casino Project.

Regards,

Kenneth Pietrelli
4873 Hoen Avenue
Santa Rosa, CA 95405
One attachment • Scanned by Gmail

March 13, 2024

Subject: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

Mr. Broussard,

In reviewing the EA for the Koi Nation Shiloh Resort and Casino, I do not find an adequate mitigation plan to address the neighboring communities needs to egress down Shiloh Road to the Highway 101 interchange.

Adding yet more traffic for the proposed destination would totally overwhelm the existing infrastructure, especially the feeder roads of Shiloh Road and Old Redwood Highway as well as the existing "undersized" Shiloh Road interchange at the overpass for Highway 101.

My family has been evacuated twice since 2017 due to fires in Sonoma County, in both cases we had to drive several backed-up streets to reach Highway 101 to drive south to San Francisco. I own at Shiloh Estates at the end of Shiloh Road, and I am very concerned about fire evacuation that would be made almost impossible if the casino is sited at the intersection of Shiloh Road and Old Redwood Highway.

I also had a recent experience in West Maui, Hawaii where we also have a home. Due to the fires in Lahaina, the sole remaining road was closed during the fire and for over a week after. To leave we had to take a helicopter from the West Maui airport to depart Maui. Many of the individuals who perished in the fire died in their vehicles because there was no way to exit the town in a timely manner. Even now as they try to reopen the schools in West Maui, high school and elementary, the parents are demanding that "evacuation plans be well thought out and prepared- and not only prepared and talked about, but actually completed. They want to see improvements to the roads done before they are willing to send their kids back to the schools."

This is what needs to be done before allowing the planning for the Casino to go forward. The existing infrastructure is "undersized" for the existing traffic patterns which experience backups, especially during the summer and fall months when we have fires in Sonoma County. Adding yet more traffic for the proposed destination would totally overwhelm the existing infrastructure. There has to be an actual plan and funding to improve the surface roads and highway interchange to support a valid evacuation plan for everyone East of Highway 101 who would use Shiloh Road to reach Highway 101. Failure to include this in the evaluation of the EA would border on being "criminally negligent".

Kenneth Pietrelli
4873 Hoen Avenue
Santa Rosa, CA 95405

From: MEREDITH STROM <mandmstrom@comcast.net>
Sent: Monday, March 18, 2024 10:25 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-To-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Chad Broussard,

I am adamantly opposed to the casino proposed on Shiloh Road in the Windsor area. I live one block off of Shiloh Road on Mathilde Drive, a quiet residential area of homes owned mostly by older citizens who have lived here for years. We will be across the road from this casino.

I have had to evacuate twice in the last two years due to wildfires I could see burning from my front door. Shiloh Road is the only access road between US 101 and several rural roads running along the hillside behind us. During these evacuations, Shiloh Road was backed up and stopped all the way to US 101 which is the only north/south through road in this part of the county. Emergency vehicles could not get through to the fires nor to assist people in need. I am 78 years old and need assistance when evacuating and my kids could not get to me to give that assistance. Imagine the increased risk and danger if traffic from employees and visitors to the casino are added to this situation.

With the exception of US101, almost all roads in this area are two-lane rural roads with heavy traffic. They are not well kept up and this increased traffic will only add to their failing condition. There are three elementary schools and several churches along with numerous mobile home parks within a mile or two of the proposed site. Traffic is gridlocked during drop off and pick up times for the schools. A casino, with its increased traffic, noise and possible crime will not be a good fit in this neighborhood.

The wine country, and Sonoma County specifically, is a destination for many bike races, triathlons, cycling club events and just pleasure riding. Nearby Shiloh Regional Park is home to mountain bike trails. Literally hundreds of these riders gather at Esposti Park, which is on the corner of Shiloh Road and the Old Redwood Highway, to begin their rides on a weekly basis. It is also a much used park for youth athletic teams and parking is at a premium, including on the shoulder of Shiloh Road all weekend and in the evenings, year around for soccer, youth football, baseball and other activities.

We bought our homes because this is a quiet area that backs up to open space and vineyards, believing the zoning would not allow anything to change that. What is to be almost certain 24 hour increase in noise will completely disrupt our lives, to say nothing of the decrease in our property values if we find we can not tolerate the traffic, noise,

increased crime, light pollution, etc. and need to sell to relocate. I feel totally bullied and aggrieved that I might be expected to pay the price out of my retirement pension so that a casino can be built in an area not zoned for it and totally inappropriate for it.

Of further frustration for me is that the Koi Tribe that is pushing this casino has no legal or moral right to claim a connection to this land. This is evidenced by the fact that five other tribes in this immediate area have expressed their opposition to the project.

Water is a constant concern for this area. Almost every year Windsor residents are placed on water rationing during the summer months. Adding this huge casino is going to negatively effect the water table as it draws massive amounts from the water table. This will effect not only those of us just across the road but for miles around. Building permits, including those for affordable housing, are restricted because of this water issue.

We also experience periodic power outages. I can't image how much this tremendous power driven casino will add to that problem.

I appreciate your careful study of all the issues surrounding the proposed casino that will produce your expressed opposition to the project.

Meredith Strom
5825 Mathilde Road
Windsor, CA 95492

From: Mark Hauser <mark.hauser@gmail.com>

Sent: Monday, March 18, 2024 10:28 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To those considering the Koi proposal to build a casino off Shiloh Rd,

I oppose this casino proposal. Some of my reasons:

- There is a casino 14 miles to the south, and 20 miles to the north. I believe both casinos are in the process of expanding. There are ample casino services for this valley. Are we to overbuild and induce a competition, with more advertising to create more demand? My vote is No. There are sufficient casino services for this community.
- The Koi Nation has no roots in this area. My understanding is their roots are in Lake county, not Sonoma county. This clearly looks like opportunity shopping for a site, not based on righting past wrongs. Why not Marin county, or San Francisco?
- The impact of water, drainage, road congestion and support services will be substantial.
- It would certainly change the nature of this neighborhood, not for the better. Both of the existing casinos are located in non-neighborhoods. This location is not community friendly. I am not close to the wrongs done to this tribe. But do they give them the right to drop in wherever they want?

Yes, there is an element of NIMBY in my input, but with all the factors, is this a good place for a casino? My input is No.

Mark Hauser
236 Lea St
Windsor, CA 95492

From: RALPH MELARAGNO <drralphm@comcast.net>

Sent: Monday, March 18, 2024 2:04 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I am a 93-year-old Korean War veteran, living in a senior complex just south of the proposed casino location. I travel past that location for medical matters and for grocery shopping. There are already multiple apartment buildings going up in the same area, which means the traffic will be very great and get even more so if the casino were built. Water is now an issue and would increase greatly for a casino. Finally, while I support developments that benefit Native Americans, I note there currently are many casinos in the county. The tribe members requesting this approval are not actually native to Sonoma County and would be better served by developing a casino in their natural native area.

Ralph Melaragno
441D Las Casitas
Santa Rosa CA 95403

From: Paige Mazzoni <paigemazzoni@gmail.com>
Sent: Tuesday, March 19, 2024 12:50 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Paige Mazzoni <paigemazzoni@gmail.com>; Brad Pighin <brad8460@sbcglobal.net>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard:

We are writing to voice our strong opposition to the proposed casino off of Shiloh Road in Windsor, California. As you are no doubt aware, the Koi Tribe from Lake County has purchased vineyard acreage adjacent to a series of single-family residential neighborhoods, located at the crossroads of Old Redwood Highway and East Shiloh in North Santa Rosa/Windsor. They have announced plans to build a large casino complex, including multiple restaurants and a 200-room hotel. Our neighborhood, and all neighborhoods in the surrounding area, are very distressed by this plan and the negative impact this development would have on our local environment, traffic congestion, wildlife habitats, emergency access, infrastructure strain and much more. While we understand the need to address the wrongs committed against indigenous people in our country, we are confident that this proposed development is not an appropriate manifestation of those efforts.

Although we do not believe this land is even appropriate land for the Koi to claim as their tribal land, given they are from another county, we have focused our concerns in this letter on the potential environmental impact of the casino. Our points are highlighted as follows:

- The neighborhoods adjacent to this proposed casino are middle class, mostly long-time resident neighborhoods. We are families, retired couples and citizens that have invested in our properties for a lifetime, planning to retire in the area because it is quiet, safe and family oriented. To introduce a casino in the midst of these neighborhoods would immediately and irreparably damage both the quality of the residents' lives as well as their lifetime investments.
- When the proposed casino was announced, the Koi had a celebration on the site. The noise from this celebration lasted for hours and was heard throughout the neighborhood. That is acceptable for a celebration. But it does illustrate how noise from this area will travel throughout the adjoining neighborhoods, making the quality of life and the peaceful quiet we all enjoy changed to more of a busy commercial level of noise.
- It is well established that casinos cause an increase in prostitution, drunk driving and crime in the immediate area. In the Thompson, Gazel and Rickman study of 1996, the researchers found that, "that the casino or near casino counties had rates of major crimes 6.7% higher than expected and Part II offense arrest rates were 12.2% higher than non-casino counties. They concluded that the introduction of casino gambling is associated with increased crime." (Thompson, Gazel, & Rickman, 1996). This increase in crime will not be isolated in

a remote area, focused on the casino. It will spread into multiple nearby residential neighborhoods.

- In addition, there are several elementary schools and two high schools within a 7-mile area of the proposed casino. This increase in crime will play out in the lives of these youth and, without a doubt, be an enticement to them in terms of underage drinking and possible crime.

- Traffic in our area has already been increased due to the shopping center on Shiloh and the Sonoma County Airport area. Most days the commute to work involves a 20-minute journey from Old Redwood highway to the freeway access at Shiloh and 101. There is no other clear pass for an on ramp, since all potential pathways run directly through residential neighborhoods. A low income housing apartment complex is nearing completion on the corner of Old Redwood Highway and Shiloh roads. This complex already does not have enough parking for the number of apartments, due to concessions made for the low income housing. That means cars will be spread into our neighborhoods already, further increasing congestion. There is no place for traffic to a casino and 200-room hotel to go but onto Shiloh and Old Redwood Highway. This will create incredible backups and traffic issues, increase accidents and clog the flow of movement for everyday life in the area.

- Our neighborhoods that directly adjoin the proposed casino property have all been evacuated consistently during fires in Sonoma County. The evacuations cause traffic. In the Tubbs fire, as you know, lack of planning for traffic in emergencies caused deaths due to people not being able to drive or get to safety fast enough. We are very concerned that a casino will exacerbate this issue in our area, causing horrific impacts that can be avoided.

- While we understand that tribal land developments are not held to CEQA standards, the surrounding areas are. We have red tailed hawks, barn owls, fox, coyotes, endangered wildflowers, bobcats and many other forms of wildlife in our area. We see them frequently. The vineyards are a habitat and feeding ground for these animals and flowers. It is definite that a development in that vineyard will significantly damage the environmental surroundings and wildlife present.

- We already have infrastructure issues in our area. Cable lines are overloaded and have not been upgraded. Internet signal is often weak. Television outages with Comcast and other carriers that dominate the area are frequent. Wells are tied to the functioning of the neighborhood, as much of the initial housing was tied to wells for water. To put the size of a

development proposed, with the individual televisions, internet connections, water, sewage and technology needs required of a hotel and casino, would completely damage the ability of our neighborhoods to access such needed activities as working from home or basic recreation such as watching a movie at home. In addition, we are in a drought area and frequently limit our water intake, plant care, etc at the request of the city and county. To put this large a facility in the middle of a fire zone affected by drought seems irresponsible and very inequitable to the local residents being asked to cut back.

- During low rainfall years, which happen every few years, we are all on water mitigation measures in the nearby neighborhoods. We can only water on certain days, we are asked to take 2 minute showers, not flush toilets and are held to very tight water standards. To put a

200- room hotel in this area is just not environmentally sound. Water mitigation measures would suggest we already do not support the housing in place, including the new low income housing on the corner of Shiloh and Old Redwood Highway. To add a resort with high water needs, who are not monitored in the same way, will have environmental impact on other residents in the area who are already limited in their water consumption.

For all these reasons, we feel this casino must be stopped. We are asking for your support in stopping this development.

We are happy to discuss any further points with you. Thank you for your consideration.

Sincerely,

Paige Mazzoni Ostheimer

Brad Pighin

707 235 8332

paigemazzoni@gmail.com

From: Richard Kluck <kluck11@att.net>
Sent: Tuesday, March 19, 2024 3:50 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments ,KOA Nation Fee to Trust Casino Project

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CONCERNS.

Well water level in our shallow wells. Mine is less then 100ft..

Treated sewage from private treatment plant being dumped in our creek and river. Is there an oversight plan from government? or regulations?

Light and noise pollution. My home sits 30 Ft. from the edge of Shiloh rd., about 1000 ft. from your entrance.

Road noise and safely entering road is already an issue.

Evacuation for fire may become impossible for the residents and livestock in our area if our only escape is crowded with thousands of people and cars using our only escape route. The proposal that the casino provide personnel to direct traffic is just dumb and laughable. Often the roads around here become impacted do to slow downs, accidents or rush hours on 101 .

Crime and criminals in our neighborhood will increases with the influx of thousands casino, event , and bar customers. Who protects our neighborhoods and children outside your casino?

Shortage of low cost housing and labor has put a burden on many of our local normal local businesses. The casino will exacerbate this and other government service issues around our community.

I see no mechanism from the Koi Nation to compensate the community for lower water tables, crime, pollution, more law enforcement, fire safety, and my loss of peaceful enjoyment of my home, along with loss of real estate value. [My retirement]

I respectfully oppose this project. Thank you for listening , I've lived here for forty years.

Richard Kluck
149 E. Shiloh Rd
Santa Rosa, Calif.
95403

707 480-7870

From: Peter Pelham <peterpelham@gmail.com>
Sent: Tuesday, March 19, 2024 9:21 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Proposed Koi Nation Shiloh Casino

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RE NOI Comments, Koi Nation Fee to Trust and Casino Project

Dear Sir

I heartily oppose any casino development in the Shiloh area. I visit this area for cycling quite often and enjoy the natural beauty as well as minimal traffic. Your development will destroy that plus put many more cars in the area.
This is an area that needs to be preserved not developed.

Sincerely

Peter Pelham
19 Jules Dr, Novato CA 94947

From: dgtaylor1@gmail.com <dgtaylor1@gmail.com>

Sent: Tuesday, March 19, 2024 5:29 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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I am not in favor of this development as we already have two casinos in the area and with the EEL River diversion not settled we may have insufficient water to support the casino.

***Don Taylor
Healdsburg, CA
707-217-9500***

From: Ron Grassi <ronsallygrassi@me.com>

Sent: Tuesday, March 19, 2024 6:13 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and California Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard, We are concerned with the proposed Koi Nation Casino Project that would be built in an inappropriate location of our county. It doesn't fit with the current neighborhood and surrounding areas. The traffic, environmental impacts of noise and pollution, the size of the project are all concerns of the negative effect of this proposal. The goal of the casino is to have a maximum number of visitors which equates to hundreds or thousands of added cars to the area. I understand that. But then what happens not if, but when, we need an emergency evacuation due to a fire being spread by high winds?? Why is the focus always more development which places the residents at risk? Why does the planning agency minimize the environmental harm and evacuation risks most of the time? Assuming the motivation for this project is to help the Koi Nation earn income for its members, that's fine, but why does it have to be gambling casinos most of the time? How about putting our heads together and coming up with an equally good income stream which benefits the entire community, including the Koi Nation? How about, as an example, design and build solar panels and capture solar energy and sell it like the utility companies and also sell and install solar panels throughout Sonoma County. Why don't we solicit ideas from the community as to what mini-industry to develop at the site? More thought and ideas need to be put into this proposed development and whatever the plan it should enhance the area and the people that would be affected.

Sincerely,

Sally and Ron Grassi
Healdsburg, Ca.

From: Kate Stevens <knonella@comcast.net>

Sent: Tuesday, March 19, 2024 7:04 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project"

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As a life-long resident of Sonoma County I am stunned and alarmed that a massive casino and hotel project is planned for the the 70 acres of unincorporated land between Old Redwood Highway and Shiloh Regional Park in Sonoma County. I am a frequent hiker of Shiloh Park and love the beauty and tranquility there. I highly doubt that any member of the Koi Nation has even taken the time to hike up in Shiloh Park. If they had, they would understand how detrimental a 100,000 square foot casino and 200-400 room hotel would be to the area. The promo video, where the Koi "cleverly" hired Peter Coyote to narrate is deceiving. It says "The Shiloh Resort is destined to become one of California's most iconic and beautiful destinations". Really? That's a stretch, given that California is home to The Sierra Nevada, Joshua Tree National Park, Bodega Bay Headlands, The Lost Coast and Yosemite National Park, just to name a few. It's laughable to even try and compare this horrible ill-conceived development with California's natural wonders. The video further goes on to say by building this casino/hotel, the Koi Nation is "taking long overdue steps to preserve its cultural and historic integrity". How is dumping a ghastly casino/hotel in the middle of a vineyard adjacent to a gorgeous open park preserving their culture? That is a preposterous statement.

I am an active birder and 25+ year member of the Audubon Society. The birds, other wild life and area residents will be negatively impacted by this development with light and noise pollution. General traffic on Shiloh Road as well as the large tour buses from the Bay Area bringing gamblers in to the casino will add to the congestion and overall air and noise pollution. Parking for the "more that 1000 employees" as well as guests will be a multi-story highly visible eyesore or an endless blacktop parking lot. What about crime? It is a fact that casinos and bars attract a criminal element and this development is no exception.

The Koi Nation does not care about the environment. They do not care about the natural land. They do not care about the residents in the area, some of whom have lived there for several decades. Making the claim that this resort casino will "preserve their culture" as stated above is absurd. This project will not benefit Sonoma County residents in any way. The Koi Nation cares about one thing and one thing only: making money.

I am vehemently opposed to the Shiloh Resort and Casino. This project must be stopped to preserve the integrity of Sonoma County.

From: Emily Carlson <emilyoehl@yahoo.com>

Sent: Tuesday, March 19, 2024 9:12 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project —Emily Carlson

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Hello,

I live a few miles away from the proposed casino site and would like to voice my opinion against the casino. The proposed site is in between a residential neighborhood and a beautiful park both of which I would no longer feel comfortable to live in or recreate at if there was a casino near by.

Graton casino has seen a lot of crime on the premises and in the parking lots (including a killing) and that is very far from an area that people live in. Imagine that violence and crime in a residential area. It is a horrible location for a casino.

Furthermore, there is another casino, not too far from the site this is casino is being proposed for, River Rock. It is empty most of the time, so I don't see the need for another casino so close by.

Please do not allow this casino to be built. It is not in the best interest of the community.

Thank you,
Emily Carlson
Sent from my iPhone

From: MICHAEL SKAGGS <maskaggs@comcast.net>
Sent: Wednesday, March 20, 2024 8:31 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NNOI Comments, Koi Nation Casino Project

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Dear Mr. Broussard

It is clearly obvious to anyone who is familiar with the location of the proposed Koi gambling casino, that this location is completely inappropriate. I am sure you have heard all the arguments about tiny one lane roads, schools, neighborhoods and little league parks literally feet away from the planned casino. I have lived in the area for nearly all of my 60+ years and have never been so disturbed about a development. This is a rural, agricultural area with small roads that have little to no shoulder.

The idea that some non local tribe could be allowed to destroy the community, the environment and our lives in pursuit of the almighty dollar is borderline insane. They could have procured land just half a mile west on Shiloh road in a commercial zone next to highway 101 and that would have been safer and frankly a better and lower cost to build venue.

The massive Tubbs fire (2017) burned right to the edge of their property and we will certainly have fire again. In fact the massive Kinkaid fire burned very close in 2019. I remember evacuating during these fires when it took nearly two hours to drive two miles on Old Redwood at Shiloh Road. Since then, there is even more development in the area and if you add a 24/7 casino, it will be a disaster.

I implore you and the Director to come up here to Windsor and see the site for yourself. Then you can truly see why the local population and "actual" local tribes are so upset. This is nothing but an attempted end run around the law by an out of area tribe and should not be allowed to proceed.

Best regards,
Mike Skaggs
Windsor, CA

From: kst@sonic.net <kst@sonic.net>
Sent: Wednesday, March 20, 2024 9:44 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Dear BIA Director, and Mr. Broussard,

Here is a photo of the proposed Shiloh Casino location showing it surrounded by residential neighborhoods that have existed for over 20 - 30 years. There is NO OTHER Commercial development nearby. There are 7 schools located less than 4 miles from this location. Esposti Park is at the right edge, directly across the street from the proposed casino site. Shiloh Regional Park is at the left edge: Faught Road runs at the base of the hills. This photo is oriented south to Santa Rosa. The areas with trees are residential areas. Visitors to the Casino will have to pass through the surrounding residential areas to get to this location. The traffic impacts cannot be mitigated; the risks to public safety cannot be mitigated. The adverse environmental impact on the tens of thousands of humans living in these neighborhoods cannot be mitigated. This is the wrong location for this project.

The glossy Koi Nation presentation on their website is not accurate and is misleading in its representation of the surrounding area.



PLEASE look at the maps of the locations of casinos in Northern California and find another casino resort that is surrounded by long-established residential neighborhoods with their schools and parks in areas where there are no large commercial businesses. There is no other casino located within a residential community that is not already on tribal land. The reason: there are many adverse significant impacts on established residential communities and the risks to public safety are paramount.

The Walmart and Home Depot businesses in the Shiloh Center are located immediately adjacent to Hwy 101, and have low profiles, standing only 1-2 stories high. These buildings do not block the SCENIC CORRIDOR along Old Redwood Highway and Shiloh Road. They are immediately adjacent to Hwy 101, and on the west side of Old Redwood Highway. ORH is the main transit route for most of the traffic transit between Windsor Town Center to the north and Mark West Springs/ River Road at the south boundary, where Sutter Hospital is located. The other stores located in the shopping area next to Hwy 101 at Hembree are small businesses, have a low profile, and serve the residential neighborhoods in the area. There are no other large businesses.

A casino resort at Shiloh/ Old Redwood Hwy will dominate the landscape and forever ruin the Sonoma County Wine Country character in the area. At Shiloh Rd, the valley is at its narrowest point, extending from the Larkspur/Mark West Hills up to the Windsor Hills and Foothills Regional Park. Development in this area has been restricted to be in compliance with the Planning Code and the Sonoma County General Plan.

This is also the area with the most intense wildfire burn areas affected in the Tubbs Fire (2017) and the Kincadee Fire (2019), where fires burned to Windsor and to Faught Road/ Shiloh intersection. and south, to Fountaingrove, then crossing Hwy 101 to burn Coffee Park.

Shiloh is the ONLY Northern California Casino that would be built in an area zoned for residential and agricultural use ONLY, an area with long established residential communities and prized agricultural land for vineyards established over 20 years. This location has a SCENIC CORRIDOR designation due to its proximity to Shiloh Ranch Regional Park and the value it provides for wine country tourism.

Building a 4-5 story commercial business at this location is entirely INCONSISTENT with the Sonoma County General Plan which has guided the development of the area, and INVESTMENT OF THE SONOMA COUNTY RESIDENTS in their homes for over 40 years. The residents of this area have paid property taxes to support this area, the schools, and the parks. If you allow this casino to be built here, this will be the ONLY ONE CASINO in Northern California to be located where there is NO COMMERCIAL DEVELOPMENT ALLOWED by County Planning Codes.

PLEASE EXAMINE THE SHILOH ROAD LOCATION in detail, and consider the significant differences with the Wilton Rancheria/ Sky River Casino in Elk Grove, the location used to compare Transportation impacts in the Shiloh NEPA Report.

Sky River Casino, approved in 2017, is located immediately off Hwy 99 with NO TRANSIT THROUGH EXISTING RESIDENTIAL NEIGHBORHOODS. The nearby Sterling Meadows housing was developed at the same time as Sky River Casino - this is very important because the Sky River Casino project was known by anyone wanting to live here, and likely with a purpose to serve the employees of the casino resort and Tribe members. **The Casino was built on the site of the abandoned Elk Grove Mall.** Sky River is located in an area consistent with the Elk Grove Planning guidelines surrounded mostly by an area of undeveloped land. There were no nearby or adjacent residential communities already existing.

Again, the transit from Hwy 99 to the Casino does not pass through any residential neighborhoods.

THE CONDITION AT SHILOH ROAD IS ENTIRELY DIFFERENT. THE RESIDENTIAL NEIGHBORHOODS AND SCHOOLS HAVE EXISTED FOR OVER 20 YEARS. The transit routes from Hwy 101 pass through several residential neighborhoods and the degree of overlap of transit routes with local residential traffic is VERY HIGH.

THERE IS SIGNIFICANT RISK TO PUBLIC SAFETY DUE TO THE OVERLAP OF TRANSIT ROUTES AND THE IMMEDIATE PROXIMITY TO THE SURROUNDING RESIDENTIAL NEIGHBORHOODS AND PARKS AND SCHOOLS.

Compare the populations in the areas where the No. California casino resorts were built.

Compare the number of schools in the area, the number of students in these schools, and the distance travelled by these students between home and school; compare the distance from the casino to each school and the transit routes that intersect these routes.

Seven schools are located 3.7 miles and less from 222 E Shiloh Road

Three elementary schools are located 2 miles or less from 222 E Shiloh Road:

San Miguel elementary school 1.4 miles from 222 E Shiloh Road (red pin)
Mattie Washburn elementary school 2.1 miles from 222 E Shiloh Road
Mark West Charter School 2.1 miles from 222 E Shiloh Road

John B. Riebli elementary school 3.3 miles from 222 E Shiloh Road
St. Rose Catholic School, preschool 3.6 miles from 222 E Shiloh Road
Windsor Middle School 3.7 miles from 222 E Shiloh Road

Brooks Elementary School 3.8 miles from 222 E Shiloh Road

Compare the number of town, city, and county parks, and the size of these parks, and proximity to the casino resort:

- the number of local residents served by these parks
- the number of county and tourist visitors to these parks
- the parking spaces provided for visitors to these parks
- the street parking for residents and visitors to the parks

Compare the proposed Shiloh Casino location and the proximity of surrounding residential neighborhoods with the following Northern California casinos' locations:

HOW MANY OF THESE ARE IN A LOCATION SURROUNDED BY DENSELY POPULATED RESIDENTIAL NEIGHBORHOODS WITH SCHOOLS AND PARKS? HOW MANY ARE BUILT IN AREAS ZONED FOR COMMERCIAL DEVELOPMENT, CONSISTENT WITH LOCAL ZONING REGULATIONS?

Sonoma County:

Graton Rancheria Casino Resort - 15 minutes away, 2nd largest casino in Calif.

River Rock Casino

Cloverdale Rancheria Resort
resorts

Napa County- no casino

Sacramento County
Sky River Casino
Casino

Colusa County
Colusa Casino Resort

Amador County
Harrahs Northern California

Jackson Rancheria Casino Resort
Placer County
Thunder Valley Casino

El Dorado County
Red Hawk Casino

Lake County
Casino
Konocti Vista
Robinson
Running Creek
Twin Pine

Mendocino County
six casinos

Bay Area - San Pablo Lytton

A CASINO RESORT WITH 400 HOTEL ROOMS AND HIGH-RISE PARKING IS NOT CONSISTENT WITH THE SONOMA COUNTY GENERAL PLAN AT THIS LOCATION AND WILL HAVE A SIGNIFICANT DETRIMENTAL IMPACT ON THE ENVIRONMENT.

THIS IS THE WRONG PLACE FOR THIS PROJECT: the Casino Resort will destroy the special character of Sonoma County residential neighborhoods on the east side of Hwy 101 from Mark West Springs/ Larkfield to Windsor, and the public safety will forever be significantly compromised.

C Belden, resident Santa Rosa, Sonoma County



From: Arash Behrouz <abehrouz@hotmail.com>
Sent: Wednesday, March 20, 2024 2:21 PM
To: admin@shilohresortenvironmental.com <admin@shilohresortenvironmental.com>
Cc: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Re: Notice of Intent for Environmental Impact Statement

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if your agency also monitors the other casino's and so forth; can you find out if in the "original" agreements and so forth happened and approval was done to build the casino in rohnert park on "tribal land" ; was it a requirement for them to get approval to build that casino to provide bus transportation for example from marin county to the graton casino?

the reason I ask is when the graton casino first opened ; there was a bus or shuttle service from marin county to graton casino.

but then ; they stopped that service.

providing affordable bus and transportation services to these casinos is a wonderful and helps eliminate traffic and pollution. i thank you for all you do.

From: Arash Behrouz <abehrouz@hotmail.com>
Sent: Friday, March 8, 2024 7:18 PM
To: admin@shilohresortenvironmental.com <admin@shilohresortenvironmental.com>
Cc: chad.broussard@bia.gov <chad.broussard@bia.gov>
Subject: Re: Notice of Intent for Environmental Impact Statement

thanks. can you have a bus from marin county to this new casino? this will save environment and save gas and many cars from highway.

same price and times and pickup location as river rock casino.

(river rock casino express bus)

thanks.

arash

From: Sallie Silveira <sallysdogs548@gmail.com>
Sent: Wednesday, March 20, 2024 4:06 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Marcy Silveira <marcypleinair@gmail.com>; Brenda Abrahams <abrahamsb32@gmail.com>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Dear Mr. Broussard,

I would like to say that the proposed Koi Nation Shiloh Resort and Casino is an absolutely LUDICROUS and unacceptable project and should be stopped.

The idea of putting this kind of business in this area is simply absurd and insidious. I was born and raised in Healdsburg CA, and have lived in Sonoma County most my life. I currently live directly across the street from the beautiful vineyard where this monstrosity is proposed to be built. This just can't happen.

It would have devastating affects on wildlife in the area. It would put dangerous drunk drivers on all the surrounding roads day and night. It would create even more horrific traffic congestion than already unfortunately exists due to too many people having moved into Sonoma County.

This County wasn't meant to have such a grotesquely burdensome over-population catering to these kinds of cheap, tawdry, tacky, low-brow casinos/resorts. The juxtaposition is tragic and despicable.

The Koi tribe isn't even indigenous to Sonoma County, and would have adverse effects on the current five local indigenous Sonoma County tribes.

Our beautiful area that is now disgustingly and pathetically only known as "Wine Country" already has enough drunks staggering and dangerously driving around, we don't need an atrocious seedy casino adding to it. This area is meant to be serene, quiet and peaceful. This casino will hold concerts which will create artificial loud noise unnatural and jarring to the environment.

It's just so wrong beyond any words, and I will do whatever I can to see that this project never comes to fruition. And I will recruit as many others as I can to join in efforts to stop it. The concept is a travesty. We must preserve the sanctity and natural beauty of this area, not ravage and degrade it.

Earnestly and desperately,

Sallie Silveira
106 Lafayette Drive
Santa Rosa, CA 95403

From: DG <mdg1265@gmail.com>

Sent: Thursday, March 21, 2024 12:32 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments. KOI Nation Fee to Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I am writing to voice my strong objection to the proposed Koi Nation Casino project in Windsor, California. The development of a large casino on this current agricultural property would be a local disaster. It would increase congestion and traffic in a quasi-rural area.

Two of the current roads around it are one lane only, and both are heavily travelled by bicycles. There is a regional park and homes adjacent to the proposed casino site. There is also an elementary school just down the Faught Road.

I don't know anyone locally who thinks the project is a good idea. The Koi Nation has no local roots. They have picked a site strictly because it would pull traffic from 101 Highway. I don't see why they should be given an exemption for land that has no connection to their history for a project that would ruin our community.

Please stop this project! The Koi should build a casino on their historic land.

Sincerely yours,

Dana Gioia

7190 Faight Road
Santa Rosa, CA
95403

From: Pam Johnsen <pamsoss@gmail.com>

Sent: Thursday, March 21, 2024 1:13 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To whom it may concern:

We are greatly opposed to having a casino in our immediate area.

Our concerns involve increased traffic, land use, crime, public services and utilities, socioeconomics and maintaining residential property values.

Please find a better location that is not in close proximity to residential subdivisions where we have invested the majority of our savings.

Thank you,

Pamela and Larry Johnsen
139 Savannah Way
Windsor, CA 95492

From: denyse spektor <denysespektor@gmail.com>

Sent: Thursday, March 21, 2024 1:45 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

NO - NOI Casino

Residential family neighborhood

2 Lane highway

From: kates1@sonic.net <kates1@sonic.net>

Sent: Thursday, March 21, 2024 2:23 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

My comments as a resident of the Town of Windsor follows:

1. It is my understanding that the proposed site is not within the traditional area for this tribe. The Tribe should not be permitted to select any area within the United States to site their proposed facilities, rather such facilities should be within their traditional Tribal territory boundaries.
2. Water supply and rights to use local water is a hot topic in the Western US. The Tribe's intent to use local infrastructure, and essentially circumvent local limitations on water use should not be permitted. There is no "excess" water within the Town of Windsor, and the tribe should not be permitted to bypass local limitations and water use provisions already in place within the Town and imposed on the Town by State agencies. Particularly, they should not be permitted to "buy" their way to the front of the long line for increasingly precious water supply.
3. By purchasing the land for their proposed facilities in advance of any decision from your agency, the Tribe seems to have intended to make a negative decision more difficult for the Bureau. Real estate developers can choose this path, but the risk must remain on them to sell the property if the Bureau ultimately turns down the proposal. Thus, the fact that they already have rights to the proposed site should not be part of the decision-making process by the Bureau. This risk must remain on them, as it would for any developer of real property.

Thank you for considering these comments in your evaluation of this proposal.

David Kates
1082 Elsbree Lane
Windsor, CA 95492

From: Barbara Reed <barbra623@sbcglobal.net>

Sent: Thursday, March 21, 2024 2:55 PM

To: Dutschke, Amy <Amy.Dutschke@bia.gov>

Cc: Broussard, Chad N <Chad.Broussard@bia.gov>; TribalAffairs@sonoma-county.org <TribalAffairs@sonoma-county.org>

Subject: [EXTERNAL] Opposition Letter to Koi Nation Proposed Casino and Resort

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

One attachment • Scanned by Gmail

March 21, 2024

Amy Dutschke
Regional Director
Bureau of Indian Affairs
Pacific Region
2800 Cottage Way
Sacramento CA. 95825
email: amy.dutschke@bia.gov
Re: Koi Nation Shiloh Resort and Casino Project

Dear Ms. Dutschke,

I am a resident of Windsor CA and am strongly opposed to the to the proposed Koi Resort and Casino. I feel it would be environmentally devastating to our community.. This casino would drastically affect the towns and area's limited water supply. It would greatly affect our traffic especially on the Old Redwood Hwy which many of us seniors use to get to our doctors and hospitals in Santa Rosa. We have a large senior population that avoids driving on the Freeway and this proposed casino is right off Old Redwood Hwy. It's also proposed in a residential community. It will affect the property values, parking and noise in that residential community.

We are always being threatened with rolling power blackouts and have already been asked to limit our power use to specific times. Presumably they will be using an exorbitant amount of power for a casino etc.

With regard to water we are encouraged to tear up our lawns and conserve water use. There are restrictions for both our homes and businesses. This proposed resort and casino would require both a heavy use of power and water which are already in limited supply.

This casino would have an extreme negative impact on our daily lives in this community!

I strongly oppose this Koi Casino Resort and Casino Project!

Thank you for your considerations of my comments.

Sincerely,

Barbara Reed

729 Kay Starr Court

Windsor, CA. 95492

cc: Chad Broussard, Environmental Protection Specialist Bureau of Indian Affairs
chad.broussard@bia.gov

cc: TribalAffairs@sonoma-county.org

From: hiecke@sonic.net <hiecke@sonic.net>

Sent: Thursday, March 21, 2024 5:18 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments. KOI Nation Fee to Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I am writing to register my and my neighbors' objections to the proposed Koi Nation Casino project in Windsor, California.

The development of a big hotel and casino on this agricultural property will be overwhelming for all of us. It will increase congestion, noise, and traffic in a semi-rural area.

My street—Faught Road—(which intersects Shiloh Road where the casino and hotel is proposed) is currently the route for a number of large-scale weekend bike rides and public races/marathons/ etc. Hundreds of bikers use this country road each month during the good weather. Oftentimes the route goes past the proposed casino.

There are two regional parks—one has a playing field which is always in use for local leagues on the weekends and the other is a hiking and horse-riding park right by the casino site. There are also many homes adjacent to the proposed site. Plus there is also an elementary school just down the Faught Road.

Finally, for local residents, still recovering from two historic large-scale wildfires, and fresh from multiple large-scale (and may I say SLOW) evacuations over the past few years, the thought of a major hotel and casino emptying traffic onto our limited exit routes is very scary.

I don't know anyone locally who thinks the project is a good idea. **The Koi Nation has no local roots.** They have picked a site strictly because it would pull traffic from 101 Highway. I don't see why they should be given an exemption for land that has no connection to their history. And, in fact, the town of Windsor is currently the home of the Lytton Band of Pomo Indians.

Please stop this project! The Koi should build a casino on their historic land—not in an entirely different county.

Sincerely yours,

Mary Hiecke Gioia

7190 Faight Road
Santa Rosa, CA
95403

From: John Quinn <johnpquinn@sbcglobal.net>
Sent: Sunday, March 24, 2024 10:54 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Proposed Shiloh Casino

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Some time ago we wrote in opposition of the proposed Shiloh Casino although our email letter was not acknowledged. Our main objections are:

1. Having moved to Windsor from Rohnert Park we can attest to the increase in crime resulting from elements attracted to the nearby Graton Casino. Since that casino opened to the public, sirens increased significantly throughout both days and nights.
2. The proposed casino would be located in a residential area, unlike Graton, with family homes immediately adjacent to the Shiloh Road site. Both Old Redwood Highway and Shiloh are one lane roads and the ability for residents of the area to easily access their homes would be next to impossible with increased traffic
3. There is currently a serious parking problem in the area with residents of highrise condos and apartments already forced to find parking on nearby streets.

In summary we recommend that the Koi Nation consider selling the proposed acreage and look to purchase a location in a more rural and less congested area.

Please consider these factors in future decision-making and note our strong opposition to the development of this casino in our neighborhood.

John and Candice Quinn
444 Tamara Way
Windsor

From: Greg Alexander <gsa9@cornell.edu>
Sent: Friday, March 22, 2024 10:45 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

As a full-time resident of Chalk Hill Road, I wish to express my strong opposition to the proposal for a new Shiloh Casino and Resort on Shiloh Road. My opposition is based on two considerations: demand and negative externalities.

Demand:

Although I have not conducted a market analysis of the demand for a third casino between Santa Rosa and Geyserville, I am deeply skeptical that such a demand exists. If anything, I suspect the market is already saturated. As a member of the Board of the Alexander Valley Association, I am privy to information that suggests that the River Rock Casino itself is not financially healthy. Adding a third casino within what is essentially the same market will surely deepen River Rock's problems in remaining solvent. I just can't see an economic case for adding a third casino to our area.

Negative externalities:

As you likely know, the AVA originally opposed the River Rock casino proposal because of its likely impact on its neighbors. But River Rock really isn't in a dense residential area. Rather, the area is mainly agricultural, so it was at least arguable that the externalities of that project would be minimal. The proposed Shiloh project is entirely different. It is immediately contiguous to a densely populated residential neighborhood. We know from the River Rock experience that among the externalities that the casino will generate are substantially increased traffic on Pleasant Avenue and increased noise. Aside from the fact that these factors will affect the property values of the contiguous homes, it will surely degrade the quality of their lives.

There is another externality to take into consideration. Chalk Hill Road has been the site of three major wildfires in recent years, which have required mass evacuations. The odds are that there will be more such wildfires in the future. Our evacuation requires that we drive down Chalk Hill Road to Pleasant Avenue, then to the 101 Freeway. If a casino exists at the proposed site, the amount of traffic along that route will be very high, significantly slowing down evacuation. I cannot stress enough how precarious a situation residents of Chalk Hill Road are in with respect to wildfire evacuation.

I urge you in the strongest terms not to approve the proposed project. It is in no one's interests except its promoters.

Sincerely,

Gregory S. Alexander

A. Robert Noll Professor of Law *Emeritus*

Cornell Law School

Ithaca, NY 14853

607-280-8589

Gsa9@cornell.edu

14830 Chalk Hill Road

Healdsburg, CA 95448

From: brian bollman <bdbollman@sbcglobal.net>

Sent: Saturday, March 23, 2024 10:56 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Hi,

It is difficult to imagine that a casino in this location would be appropriate. I realize that local zoning laws do not apply on land taken into trust by the federal government, but local zoning laws exist for a reason. Local zoning laws take into account not only future expectations for growth, but also things like infrastructure, environmental concerns, and the affects of a particular type of development on surrounding neighborhoods and businesses. I don't think anyone can argue that this type of development is appropriate adjacent to what is essentially a residential neighborhood and park. This development will also greatly increase traffic in the area, requiring millions of dollars in road improvements beyond the boundaries of the land taken into trust. Unless the federal government deems the local zoning to be groundless, any new project on any land under federal jurisdiction should attempt to stay within the parameters of local zoning laws, and any infrastructure improvements that the project requires should be paid for by the appropriate federal agency, or in this case, the developers.

In addition to the zoning issues and the impact on the local community, there is another concern regarding this type of development. All development contributes greenhouse gasses (GHGs) to the atmosphere. Those gasses are created in the manufacture of materials (especially cement), and in the construction process itself. Once built, the project contributes additional operational GHGs, and transportation GHGs. A casino is essentially a frivolous enterprise. It doesn't produce needed goods, it doesn't provide housing, and it doesn't improve the local community in any way (in fact people living near new casinos often say that the casino has had a detrimental effect on their quality of life). If we are truly in a global warming crisis, as climatologists are telling us, then we shouldn't be building anything that isn't clearly necessary, and in fact, building this type of development in a location such as this is inconsistent with the federal government's goal of reducing GHGs.

Thank you,

Brian Bollman
Wellington Circle
Windsor, CA 95492

From: Victor Delpanno <victordelpanno@gmail.com>

Sent: Saturday, March 23, 2024 11:23 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I'm a resident of Santa Rosa, just a few miles from this project. I don't go to casinos, and am wary of new construction outside urban areas because it causes sprawl and promotes car dependency.

That being said, tribal land is different. If this is what the Koi Nation wants to do with their land, let them.

The only thing is that I would like to see if for them to work with the county and the Town of Windsor to ensure the casino is connected to safe bike routes and near transit stops.

From: Mark Mezey <mmezey@sbcglobal.net>
Sent: Saturday, March 23, 2024 1:59 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Mark Mezey <mmezey@services@sbcglobal.net>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Ref: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

To: Chad Broussard

From: Mark Mezey
301 Stirrup Ct.
Santa Rosa, CA 95403
707-478-2450

Hello- I am against any of the proposed options outlined in the Koi Nation proposal. My objections are twofold:

Increased traffic-

Despite the lovely diagrams and charts within the proposal, all additional traffic will negatively impact the neighborhood. We have yet to even recognize the impact of the additional apartment units on the corner of Shiloh and ORH and now we are talking about adding significantly more. I do see that there are mitigation options identified in the **Appendix I: Traffic Impact Study** in all of those ad-nauseam details. None of it paints a picture of a workable solution for the area; Even with some future four lane road intersecting with a new four lane 101 freeway overpass (Rohnert Park Expressway style). The infrastructure just can't support it.

As a survivor / evacuee of the 2017 and 2019 fires, I am very concerned about access to the freeway. My Larkfield home was lucky enough to be spared in the fires but the 2017 trauma of realizing that I can't get out of my neighborhood still resonates. As I attempted to travel west on El Mercado (towards Faught Rd.) that night, it was gridlock. The short version is that my family caravan made it to ORH and couldn't go south or west (toward the freeway). We couldn't go west once we finally made it to Shiloh Rd. either. The first freeway access was in downtown Windsor. We had thought about trying to take Faught north to Pleasant / ORH but didn't want to be anywhere near hillsides full of trees. A slight northerly shift in the winds and what happened in Maui would have happened to the traffic jams in Larkfield.

Not at all the right fit for a residential neighborhood-

Increased traffic is enough to ruin any neighborhood. Add in the alcohol and the need to get your gambling fix and you turn that extra traffic flow into a community killing torrent of manic drivers. A detail not specifically covered by the study, but that is dear to me, is what happens to the 5% of the traffic that chooses to go east on Shiloh. How many of those departures will race down the back roads

to avoid the police sobriety checks? As an avid hiker and biker in the Shiloh county park (along the north/south connecting road of Faught), I definitely worry about increased traffic along the terribly narrow road. The local traffic up Faught to Pleasant and even up Chalk Hill to 128 coincides with the beginning (for me), middle, or end of one of the most epic road bike ride segments into the north of the county. Adding a steady flow of traffic will lead to deaths on this newly paved stretch of Sonoma county bike riding heaven.

How many of those groups will continue their evening partying in the closed for the night Shiloh park picnic area? How many of those people will be careless with their garbage and cigarettes? Will the casino pay for security to monitor the park? The park is a local hidden gem and one of the many reasons the Windsor / Larkfield area is so outdoor activity friendly.

There will be 24/7 (?) lights and noise. I can look north to star gaze from my balcony and see a small section of the west facing hills of Shiloh park. Will this hillside be lit up every night? I'm away from the Santa Rosa and Windsor city lights and that was a choice. I thought that there was some master plan that sought to maintain green zones between cities? Any of these options will, at least visually, close a significant portion of that gap.

If I am being completely honest, the Alternative C (winery option) is the only one I would ever vote for; if I was to ever be convinced that that is where things would stop (minus the massive hotel of course). I don't want to say "What's in it for me" but essentially there is not an upside from my soon to be well lit vantage point. I doubt the increased traffic, crime, air pollution, and general crush of people will do anything for my already dropping home value either. This location is not, and never will be, suitable for, or capable of supporting, this type and scale of business. As an alternative, the farmland for sale on the west side of the freeway, on Shiloh adjacent to the Valero, is a much better fit if there is something magic about the distance from the Graton casino. Across the street is an industrial park and further up there are already breweries and the like. It is not a neighborhood location and has significantly better access to 101. This proposal just doesn't pass the common sense test.

Regards,

Mark Mezey

From: Francis Le <phuongle47@gmail.com>
Sent: Saturday, March 23, 2024 4:38 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] KOI Nation Shiloh Casino

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Francis P. Le
207 Lea Street
Windsor, CA 95492
(707) 479 9798

To Whom It May Concern:

I, Francis P. Le reside at 207 Lea Street, Windsor, CA 95492

I strongly oppose the project of Koi Nation Shiloh Casino.

Reasons :

- Increase traffic
- Environment
- Security concern
- Reduce green, trees, agriculture area.
- Effect on young age residents in nearby areas.
- Hazardous materials and hazards.

Very Truly Yours.

From: Debra <d_avanche@yahoo.com>

Sent: Saturday, March 23, 2024 5:20 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I am once again writing to you to address the proposed Gambling operation for the Koi Nation's benefit on E Shiloh Rd in Santa Rosa, CA

I am requesting that the powers that are deciding on the scope and approval of this project come to the actual proposed site in order to realistically assess the impact such an operation (all three scenarios are inappropriate for this site) would have on the surrounding community. It's quite striking that the Koi Nation thought this would be a project that blends into the environment and residential neighborhood without **unacceptable impacts** for the community.

Another major factor presented with this project is the fact that the Koi Nation does not have jurisdiction in Sonoma County.

I have yet to hear how this particular site was arrived at, just that the Koi Nation "chose" it. Its unfathomable to me and my neighbors how you arrived at determining the Koi may have sovereign rights here. We've heard about the members relocating to Sebastopol and somewhere in Santa Rosa but no specific ancestral connection exists. The Koi Nation tribe's native land is in Lake County and Lake County is where they were treated so inhumanely. I'm pretty sure it's not ridiculous to emphatically suggest that it is Lake County that owes the Koi Nation this opportunity. Sonoma County already has two large casinos and we don't need another one, particularly in a residential neighborhood abutting homes, elementary school a church, senior mobile home park, recreational fields at Esposti Park and our beautiful Shiloh Regional Park.

The Oklahoma gaming entities who are financially backing this project have no passion for our community and do not care what negative effects result from gambling operations. I feel they could locate land in Lake County at a lesser price which is not in a residential area and which will provide needed jobs there. It's not unreasonable to ask why this was not the plan. Obviously from the beginning of their plan they intended to keep their Shiloh project under wraps while they quietly purchased the property and then sent a press release to the local paper once the sale was final. Our Community will never accept a project that has no interest in playing fair and up front.

This is our third opportunity to submit comment for consideration. I chose to focus on the lack of Koi Nation connection to Sonoma county and our community environment. Many others have rightfully focused on serious impacts like wildfire concerns, traffic, light excess, crime etc. All valid.

Please come to the site and let's have a polite public forum, not just on zoom. I think the zoom meeting that was held last fall was well run and people were respectful in their comments.

Respectfully submitted,

Debra Avanche

127 E Shiloh Rd
Santa Rosa, CA 95403

From: Roger Nichols <roger5cents@icloud.com>
Sent: Sunday, March 24, 2024 10:05 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

From:
Roger Nichols
4241 Chanate Rd
Santa Rosa, CA 95404

Please find attached my original comment on the proposed Casino/Shiloh Resort in the Town of Windsor in Sonoma County, CA.

Thank you for considering my inputs and thank you for the further work on an EIS in relation to this proposed project. The further EIS is to assess a wide range of issues related to this proposal. The alternatives appear to be anything from allowing the project to proceed as planned to a “no-action alternative”.

I do not need to restate the details of my position as described in the attached dated from September 2023. We have no need of additional gambling establishments in the state or even in the nation. While such, if well-run, would offer the potential of “tribal self-sufficiency, self-determination, and economic development”, this would come at the cost of a degradation of society in the immediate surroundings at least. The photos on the web-site of the Koi Nation show beautiful natural landscapes, wildlife. Such is the opposite of what casino-resorts bring to any environment (have a quick drive through Central City or Cripple Creek in Colorado). I would have the same response regardless of the basis of any group wishing to build such an establishment.

I implore you to opt, at the very least, for a non-gaming alternative but I prefer that this property remain undeveloped. The net negative of this proposal cannot be overstated.

Sincerely,

Roger Nichols
Santa Rosa

From: Roger Nichols <roger5cents@icloud.com>

Sent: Sunday, March 24, 2024 10:17 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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The Koi Nation as of 2021, according to Wikipedia, has 90 members. A 90-member tribe wants to build a 400-room hotel with 2500 gaming machines and six restaurants for “tribal self-sufficiency, self-determination, and economic development”. The absurdity of these numbers alone, especially given the negative environmental impact to far more than 90 people in the nearby locations, should not get past anyone.

On Mar 24, 2024, at 10:05, Roger Nichols <roger5cents@icloud.com> wrote:

<EA Comments, Koi Nation Shiloh Resort and Casino.eml>

Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

From:

Roger Nichols

4241 Chanate Rd

Santa Rosa, CA 95404

Please find attached my original comment on the proposed Casino/Shiloh Resort in the Town of Windsor in Sonoma County, CA.

Thank you for considering my inputs and thank you for the further work on an EIS in relation to this proposed project. The further EIS is to assess a wide range of issues related to this proposal. The alternatives appear to be anything from allowing the project to proceed as planned to a “no-action alternative”.

I do not need to restate the details of my position as described in the attached dated from September 2023. We have no need of additional gambling establishments in the state or even in the nation. While such, if well-run, would offer the potential of “tribal self-sufficiency, self-determination, and economic development”, this would come at the cost of a degradation of society in the immediate surroundings at least. The photos on the web-site of the Koi Nation show beautiful natural landscapes, wildlife. Such is the opposite of what casino-resorts bring to any environment (have a quick drive through Central City or Cripple Creek in Colorado). I would have the same response regardless of the basis of any group wishing to build such an establishment.

I implore you to opt, at the very least, for a non-gaming alternative but I prefer that this property remain undeveloped. The net negative of this proposal cannot be overstated.

Sincerely,

Roger Nichols
Santa Rosa

Subject: EA Comments, Koi Nation Shiloh Resort and Casino

Roger Nichols <roger5cents@icloud.com>

Wed, Sep 27, 2023,
12:42 PM

to chad.broussard

From:

Roger Nichols
4241 Chanate Rd
Santa Rosa, CA 95404

To Whom it May Concern
Re: EA Comments on Koi Nation Shiloh Resort and Casino

The proliferation of gambling-based resorts in California and around the country on small plots of land which end up being designated exempt from state and local restrictions regarding such business is a disease for our society. The worst-case example of the entire state of Nevada allowing such businesses make for places like Las Vegas which, while driving significant economic up-side, result in a thin shiny facade covering human behavior riddled with addiction, crime, and corruption.

From the environmental perspective, the direct impacts of the planned resort will include significant addition of automobile traffic with the natural increase of noise pollution, air pollution, and humanity's unfortunate tendency to litter. This will happen in an otherwise quiet section of the county and Windsor proximity.

An underlying problem will be the increase of automobile traffic piloted by intoxicated drivers which will exacerbate the issues described above. The counter-arguments are that such behavior exists without casinos, bars, and hotels. But it must be acknowledged that such establishments drive a concentration of such behavior to the communities and general proximity of the locale.

While it is not a direct environmental impact, it must also be considered that Fought Road and Shiloh Road are common cycling routes for those wishing for a quiet bypass of Old Redwood Highway, and shorter routes to places like Chaulk Hill Road. The

incremental traffic is dangerous enough for the cyclists without being augmented by inevitable intoxicated drivers exiting (and perhaps even entering) the casino and bar. So the impact will be to reduce cycling and increase automobile traffic in the vicinity which is the opposite of a positive impact on the environment. Also it is good to keep in mind that at least two alternate routes to this location from the Old Redwood Highway to the resort go past public schools.

While those planning the resort will claim that they cannot be held responsible for the behavior of their clientele, there is no doubt that the mere existence of such an establishment will concentrate this kind of behavior.

This general community and the entirety of Sonoma county has no need for incremental gambling establishments.

Sincerely,

Roger Nichols

From: C Plaxco <cplaxco143@gmail.com>
Sent: Monday, March 25, 2024 4:46 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Shiloh Casino Environmental Impact

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I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD

- I have lived on E. Shiloh for 42 years. A casino does not belong where me and my neighbors live.
- **Mitigations of traffic** is just a bunch of words. Who is going to monitor what they promise? We just got a 300 apartment building at the corner of E. Shiloh & Old Redwood. More residents that will totally add to traffic. Traffic will be horrendous with a casino added!!! There is only a 2 lane road off the freeway towards my house on E. Shiloh, only 2 miles. The casino isn't going to widen that road and neither are the new 300+ apartments that are going in.
- **Urban Wildfire** . It took my family 2 hours to get to Hwy 101 during one of our fire evacuations. That is 2 miles. Sounds so scary that we may not be able to evacuate and could get caught in a fire storm. So scary
- **Water** - I am on a well on E. Shiloh Rd. I have already had to get a new well because it went dry. Now you want to take my water away for a casino. I can't get Windsor sewer hook up.
- **Noise 24/7**- the casino would be so loud. Trash pickup, ventilation, AC, people, vehicles. Casino said they would give us new windows. Come on, that will not solve the problem. That shows you right there, they know it will be loud. Why do we, in a residential area, have to even be thinking about this!!! I sleep on the second floor and will hear it all.
- What about the **drunk drivers** that come and go to the casino. What about the **crime** it will bring? So scary to think that a bad person can just walk across the road into my house. We **don't have enough sheriffs and firemen** to respond to a casino and our town of Windsor.
- Economy jobs - Windsor business already cannot find enough employees and businesses are closing

I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD

Christine & Richard Plaxco

From: Robert Eberling <roberte@sonic.net>
Sent: Monday, March 25, 2024 4:52 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Please, Let's stop this project, Now!

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Chad Broussard,

March 25, 2024

In my last letter of opposition (EIS) to the Koi Nation of Northern California Shiloh Resort and Casino Project; I listed the infamous discontinuous state wide California drought as reason for not approving the current and very controversial 'Shiloh Resort and Casio Project.

I noted that California's intermittent years of paralyzing drought, and Northern California's (Sonoma County) commitment to the exceptionally large construction of mammoth apartment housing complexes are making water usage and conservation a very important consideration in this matter.

Among the other considerations such as the impact of more traffic in our area and the pollution that comes with this problem; we will also face a potential increase in crime along with higher costs of law enforcement, and most likely, more drinking and driving.

The other day as I looked out at the beautiful vineyards where this casino resort is being planned, I felt a very deep sadness. I can't imagine how the wild life in our area, and its survival will be effected; and also, how much our peace and quiet will be shattered when the construction begins to rip out the vineyard and pour concrete for the parking lots and the large sprawling campus of buildings; a casino, hotel, pools, restaurants and so forth....

Northern California already has it's fair share; a plethora, of Tribal Casinos along with their large consumption of water and destruction of wild life. Please, Let's stop this project. Now!

Sincerely,
Robert Eberling

From: Laurie Leach <laurieleach@comcast.net>
Sent: Monday, March 25, 2024 8:57 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI comments,Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Chad,

I am writing to protest this development in Windsor, CA. I live within a mile of the site and utilize the same freeway access.

My concerns are:

Safety-We have been evacuated twice recently from wild fires. If there had been hundreds/thousands of additional cars, there would have been a disaster.

In addition, the proposed site is at the base of the hills that burned and will burn again.

Traffic-there are currently more than 300 apartments under construction between the freeway and the casino site. There is a large additional development (senior housing and retail) approved on the same stretch of road. Please talk to Town of Windsor. Just these new projects will make this single lane road more than challenging.

Tribe- This tribe has no footprint in Sonoma County. Greg Sarris spoke eloquently about this. This plan would open the door to tribes staking claims anywhere.

Conflict with established neighborhood- There is a housing tract directly across the street. This casino will destroy their quality of life.

Existing casinos- There are two casinos with 15-20 minutes of the site. It is ridiculous to jam in another. They both vehemently oppose this project.

WATER - This area suffers regularly from drought. The amount of water required for this kind of project will put everyone's water supply at risk.

Alternative- Sam Salmon, town council member, proposed an alternative site on west side of the freeway with no near-by residences. While this is a terrible precedent in general, at least no homes would be destroyed.

Thank you.

Lauren Leach
219 Deanna Place
Windsor CA

rom: myelomastompers@comcast.net <myelomastompers@comcast.net>

Sent: Tuesday, March 26, 2024 11:55 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

From: Robert Ensten
153 Anna Drive
Windsor, CA 95492
Tel: 707-836-0913

Thank you for inviting additional comments on the proposed Koi Nation Shiloh Casino to be located in Sonoma County, California. My comments will serve to reinforce those previously made by myself and others. I feel that the Koi Nation should not be allowed to build the proposed casino for the following reasons.

1. The Koi Nation is not indigenous to Sonoma County. They originated in Lake County and still own and occupy land in Lake County. However, they have tried over the past 20 years to open a casino in Oakland (Alameda County), Vallejo (Solano County), and now Sonoma County. Why have they not tried to locate in Lake County?
2. The proposed site in Sonoma County would be located adjacent to Old Redwood Highway (ORH), a two lane road connecting Windsor and Santa Rosa, and just south of Shiloh Road, another two lane road used to access US Highway 101 freeway. ORH and Shiloh are both very busy during weekday “rush hour” periods and on weekends. In order to accommodate the additional traffic, both roadways would need to be widened, a very expensive project costing many millions of dollars. In some places, it would be impossible to widen the roadway. The flow of traffic would be slowed considerably and would be intolerable.
3. The Koi Nation proposal talks of using a local water supply, i.e., drilling their own wells on their property. The Koi argument is that they would not cause any additional load on existing water supplies. However, after many drought years, the level of the local water table has dropped dramatically and local agricultural businesses that use ground water for their crops and/or animals are having a difficult time getting enough water for their use. Drilling new wells would only exacerbate that problem.
4. The Koi proposal also speaks to their building a waste water treatment facility to partially restore the waste produced in the new facility to a “tolerable” level. However, the

output of their treated effluent would not be potable, and would be piped to a stream some distance away, contaminating the water. I feel that is not acceptable.

5. I have learned from a member of the Rohnert Park, CA police department that as soon as the casino opened in their area, crime increased dramatically. This included auto theft, auto burglary, armed robbery, and solicitation and prostitution, and more. We in Windsor do NOT want that in our area.

6. The proposed facility would be very close to existing residential areas. The increased noise level from vehicle traffic and other sources would reduce the quality of life and property values without any compensation for the residents.

Please do not allow the Koi Nation to proceed with their plan to build a casino and possible hotel in the proposed location in Sonoma County, CA.

Thank you.

From: Katie Stevens <knonella@comcast.net>

Sent: Tuesday, March 26, 2024 4:02 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI COMMENTS, Koi Nation Fee-to-trust Casino Project

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<https://www.yuroktribe.org/post/save-the-redwoods-league-the-yurok-tribe-and-park-partners-sign-historic-agreement-to-return-triba>

Please read the above link to see how the Yurok Tribe is collaborating and partnering with Save the Redwoods League . A drastic contrast with the Koi Nation and their environmentally disastrous casino/ hotel project in Windsor Ca.

Katie

Sent from my iPhone

From: Bonnie Farrow <bonnie-business@sonic.net>
Sent: Tuesday, March 26, 2024 5:13 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs Pacific Region

Bonnie Farrow
5820 Mathilde Drive
Windsor, CA 95492

Dear Chad,

I wrote to you before stating that I was concerned about the noise, lights on 24-7, and the air quality if a Casino was crammed into the space just across the street from my house. I am only 5 houses away from the land that you want to develop. I am also very concerned about fire and getting out to Hwy 101 to evacuate.

I thought that a casino needed to be away from a residential neighborhood.

I am voting "NO" on this project that you are proposing.

Bonnie Farrow

From: Deborah Corlett <dcorlett@obrienlaw.com>
Sent: Wednesday, March 27, 2024 12:58 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: whiteheade@aol.com <whiteheade@aol.com>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Please see attached letter with comments on the subject proposed project. Thank you.

*Deborah G. Corlett, Esq.
Certified Specialist, Estate Planning and Trust & Probate Law
California State Bar Board of Legal Specialization*

O'Brien Watters & Davis, LLP
1550 Airport Blvd., Ste. 201
Santa Rosa, CA 95403
dcorlett@obrienlaw.com
707-545-7010 (ext. 427)
Fax: 707-544-2861

...

[Message clipped] [View entire message](#)
One attachment • Scanned by Gmail

Deborah Corlett
680 Leafhaven Lane
Windsor, CA 95492
707-838-3663

whiteheade@aol.com ; dcorlett@obrienlaw.com

March 27, 2024

Via email: chad.broussard@bia.gov
Chad Broussard, Environmental Protection Specialist,
Bureau of Indian Affairs

Amy Dutschke
Regional Director, Bureau of Indian Affairs, Pacific Region
2800 Cottage Way
Sacramento, CA 95825

RE: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

Dear Ms. Dutschke:

This letter includes my comments on the subject project located on the southeast corner of Old Redwood Highway and Shiloh Road south of the Town of Windsor, Sonoma County, California.

My family and I have lived in Windsor in the same house for the past 31 years, which is located about 2 to 3 miles north of the proposed development. My husband was a middle school science teacher at the local public middle school for over 25 years, our two sons went through the Windsor Unified School District school system. I have been on past boards of the Windsor Boys & Girls Club and the Windsor Site Council and have been continuously active in local charities and events. My law firm's office is about 5 miles south of Windsor.

Windsor was incorporated soon after we moved to the area and the local community has been very active in planning the town, the open space areas between the development areas and in the local elections. The natural beauty of the area drew us to locate here.

I am very concerned about the proliferation of casinos in California and the crime and hit to local economies that appear to accompany them. This area of northern California has numerous casinos. Sonoma County has a large casino in Rohnert Park (about 10 miles south of Windsor) and in northern Sonoma County (about 10 miles north in the hills). Windsor's town center has periodically struggled to remain viable (after Walmart arrived, the economic downturn in 2008, and the pandemic of 2020.) Restaurants remain slow at times due to the slow pace of businesses to

March 27, 2024

Page Two

pick up after the pandemic. Windsor's business community is very active and supportive, which has enabled the small, locally-owned businesses to survive.

I am concerned about the impact that another large casino, with numerous restaurants, would have on the local economy. I am also concerned about the lack of infrastructure in the location proposed and the change to the prior open-space plan that provided that this area remain agricultural. This location is located across the street from a family park and surrounded by vineyards and residences. The addition of a large casino, restaurants and the associated traffic will drastically change the local social and natural environment.

Finally, there is the very real concern about evacuation capabilities during the fires that have ravaged the region and will no doubt continue into the future. Every few years, fires march across the foothills and this location is on the road up to the area that has burned frequently (during most years we have lived here, not only during the most destructive Tubbs Fire and Kincaid Fire). During the Kincaid Fire a few years ago, the entire Town of Windsor, all areas of the county west of Highway 101 to the ocean, and including this proposed site were evacuated and the residences given about 7 hours to leave. The roads were so impacted within 2 hours of the notice that it took cars 2 hours to travel 3 miles, not only on the side roads on which this site is located, but also on Highway 101, Highway 12 and other major highways. It is foolhardy and reckless to build more accommodations in such a high-risk area.

Thank you very much for considering my comments. If you would like further information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Deborah G. Corlett". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Deborah G. Corlett

From: Sharon Conley <sjcon1951@yahoo.com>
Sent: Wednesday, March 27, 2024 9:41 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NO CASINO IN WINDSOR

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Good day,

My daughter lives just off Shiloh Road. She travels twice a day past where the casino would be to take and pick up her daughter to and from Sam Miguel School.

My son lives one mile from where casino would be, Shiloh Road west of 101. His two sons attend Maddy Washburn. His daughter is in childcare with my daughter.

The congestion is horrendous from 101 at Shiloh Road through Old Redwood Hwy in all directions
a large part of the day, especially at peak hours.

As the new affordable housing along Shiloh east is occupied the traffic will be more congested and opens the door to more accidents.

On another note, when speaking with friends, family and acquaintances I have yet to have one person who is for the casino, hotel, and other amenities planned there.

There are two other casinos in very close proximity. Rohnert park is closer for gamblers coming from the south and only a short jaunt from there to go to Geyserville. It makes no sense to add one in Windsor. There is a casino in Lake county for gamblers coming from the north.

Casinos also add a temptation for young adults to gamble away their hard earned money and become addicted to gambling. In turn they may turn to large credit card debt in order to pay for the necessities of life.

A big concern for all is the fact that not all gamblers will be delivered by bus. Those who drive will likely be driving and leaving the casino at varying degrees of intoxication. Air pollution in the area will go up.

Casinos draw a lot of other bad influences to the area. Without touching on those, we know what they are.

This is a beautiful and rural area. Do not destroy it. Please, no casino on Windsor.

Thank you,

Sharon Conley
233 Burgundy Road
Healdsburg, CA 95448

From: Barbara Lyon <barblyon@gmail.com>

Sent: Wednesday, March 27, 2024 1:04 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Chad,

I just want to take this opportunity to express my strong opposition to the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

While I support economic development for the Koi Nation, I DO NOT support a casino located right next to a residential neighborhood and community park. This is not a suitable location for this type of business.

Please follow Sonoma County zoning regulations, the green belt separators we have voted for, and the neighborhood norms by not putting a casino at the Shiloh Rd location.

Sincerely,
Barbara Lyon
114 Billington Lane,
Windsor, CA 95492

From: Dinah Costello <haviceprin@aol.com>
Sent: Wednesday, March 27, 2024 4:15 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Fw: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

----- Forwarded Message -----

From: Dinah Costello <haviceprin@aol.com>
To: DINAH COSTELLO <haviceprin@aol.com>
Sent: Wednesday, March 27, 2024 at 01:10:28 PM PDT
Subject: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way, Sacramento, CA 95825

Dear Mr. Broussard,

I write to you once again in the strongest, most vehement opposition to the Koi casino proposal, which would be built across the street from our home of 22 years.. To update you: two new construction projects have recently added to the housing density adjacent to the proposed casino site in Windsor. The massive 176 unit apartment complex directly across the street (at Shiloh Road and Old Redwood Highway) from the site, along with the even bigger commercial/residential structure a block away (on Shiloh Road), are a constant reminder of the folly of building a casino in our neighborhood. The proposed 68 acre casino site is now surrounded by the following: on the north, by residential neighborhoods (with the Esposti Childrens' Park directly across the street from the project site's planned entrance); on the west, by two churches and the two massive new housing projects mentioned above; on the south, by a residential and commercial corridor, including San Miguel Elementary School; finally, on the east, lies Sonoma County's popular Shiloh Regional Park. I would strongly encourage you to personally visit the project site; it will become abundantly clear why this location is the worst possible location for a casino complex. There is a reason every public official, at all levels, have opposed this project, as you will see for yourself upon visiting.

Also, I find it very telling that the Koi Nation of Lake County, who have no history or cultural ties in Sonoma County, are presently in a dispute with Lake County over their claimed ancestral land in, yes, Lake County. The Koi Nation's non-existent status in

Sonoma County should have precluded them from ever claiming land here. Of course, with the aide of out-of-state gaming interests using them as a cover to casino shop, we now have to deal with this uninvited intrusion into our community.

You have no doubt heard of the numerous other issues regarding lack of infrastructure, air quality, noise, and crime -- as well as increased demands on public services, including water use and utilities -- that this proposal raises. It should also be highlighted here that the fires of 2017 and 2019 decimated portions of our community, forcing us to evacuate on each occasion. My brother-in-law lost his home just down the road, as did many of my friends. To put a casino in the middle of a historically fire prone area, endangering the lives and property of surrounding residents, would be reckless in the extreme. This project must be stopped!

On a personal note: I teach science at Ridgway High School (Santa Rosa City Schools) and would like to see a state biologist survey the proposed casino site. As a watershed site, with its streams and ponds, the 68 acres is home to many species of flora and fauna. I'd be curious to know if any are on the endangered species list, and how that would affect the casino proposal. Does the Environmental Impact Statement require such a survey?

Lastly, Sonoma County presently has a casino 15 minutes to the south (Graton) and 15 minutes to the north (River Rock) of our home. Building another casino in our neighborhood, destroying a beautiful vineyard, and severely affecting the quality of life of our community is something we could never have imagined. Again, please visit this beautiful area of Sonoma County, and see for yourself the damage this project would do to our neighbors and surrounding small businesses, schools, and churches. This whole project has caused unnecessary stress and anxiety in the good people we call our friends. Please join us and stop this ill-conceived and dangerous proposal from becoming reality.

Respectfully yours,

Dinah Costello
5840 Mathilde Drive
Windsor, CA 95492

From: rldabney@sonic.net <rldabney@sonic.net>

Sent: Thursday, March 28, 2024 4:02 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Hello

As an adjacent resident and a property owner for 31 years, I am against this project for the following reasons.

- A casino should not be immediately adjacent to a residential area.
- The roads leading to the proposed casino are woefully inadequate for the expected traffic.
- There will be a increase in traffic past an adjacent neighborhood park (Esposti Park), putting more kids at risk of inattentive or impaired drivers.
- The same goes for Shiloh park that is close by and on one of the potential access roads, a park that is often filled with hikers, equestrians and bikers, many of which use the roads to access the park (me included).
- If the expected main road access (Shiloh Road) is expanded to accommodate additional traffic, a number of privately owned residences would be forced to cede some land to make way for road widening.
- Alternate access roads include Faught Road, which winds through a residential area already impacted by traffic, and past an elementary school. Any increase of traffic will most definitely negatively impact children's safety.
- As seen in Rohnert Park at the Graton casino, enormous concrete parking structures are being built as the Casino expands, greatly impacting the surrounding landscape in a negative way. Well past the original expectations of those in the area. A similar issue as seen at the casino in Geyserville where a large undecorated concrete parking structure sits as a eye-sore on an otherwise beautiful landscape.
- Any promise of jobs will mostly be limited to unskilled service level positions. According to Indeed.Com, there are at least 6,300 unskilled or semi-skilled job openings in Sonoma County. For every job offered by the casino, there will be one less applicant available to local businesses that sorely need workers. This will hurt local businesses rather than help.
- Most jobs offered will not help employees gain skills to advance their careers and offer them at best lateral opportunities in an area where the cost of living is exceptionally high.
- With the local cost of living being so high, it is reasonable to expect the commute traffic to increase, with the associated environmental costs. The environmental costs associated with increased commute traffic can be significant. More cars on the road means higher levels of air pollution, increased greenhouse gas emissions, and greater traffic congestion, all of which can have negative impacts on public health and the environment.

- Casinos can attract a diverse crowd, including individuals who may engage in illegal activities or disruptive behavior. Placing a casino near residential areas could raise safety concerns for residents, particularly at night.
- There is evidence to suggest that the presence of a casino can negatively impact property values in the surrounding area. Homebuyers may be less inclined to invest in properties located near a casino due to concerns about noise, traffic, and other negative externalities.
- My Neighborhood of 11 homes depend on wells for our water supply. Casinos can be water-intensive facilities, requiring significant amounts of water for operations such as landscaping, cooling systems, and sanitation. Developing a casino on agricultural land could potentially disrupt groundwater recharge and impact local water resources if not managed properly.
- There is significant wildlife that visit or roam through the proposed property. Converting this land to a casino could disrupt ecosystems and impact local wildlife populations.
- Light pollution from parking lots is very disruptive for local residents (I can see the proposed site from my front porch).
- Noise pollution is a major concern, including additional vehicles, busses, concerts and entertainment. Excessive noise can diminish the overall quality of life for residents in affected areas, making it difficult to relax, concentrate, or enjoy outdoor activities.
- The observation that the chosen location for the project appears to be in an area primarily inhabited by working-class people who may not have the financial resources or influential voices of large corporations is a common concern in urban development projects. This situation can raise questions about equity, social justice, and the distribution of resources and opportunities within a community.
- Casinos often attract large numbers of visitors, especially during peak hours and special events. This influx of vehicles can exacerbate existing traffic congestion, making it more difficult for residents to evacuate quickly and safely during a wildfire emergency. I have experienced evacuation orders twice during the last two wildfires, one of which I could see the flames from my house. The evacuation was harrowing. It would be so much worse with the additional traffic.

I am but one voice speaking against those better funded, more organized and more articulate. I hope I am heard.

Sincerely,

Rick Dabney
5911 Old Redwood Hwy.
Santa Rosa, CA 95403
707-477-1019

From: Joanne Dieckmann <jldieckmann@msn.com>
Sent: Friday, March 29, 2024 3:03 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NCI Comments, Koi Nation Fee-to-trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Mr. Broussard,

I'm writing to again voice my concerns re the above project. I know you've heard all the reasons this shouldn't be allowed and I really don't have anything new to add. However, I do want to stress again what a terrible risk this project poses for all the residents of Windsor in the event of a wildfire and the resulting evacuation. While it can be argued its not likely that a fire takes that direct route again, evacuation for any fire in our area would be vastly impacted. It was quite the challenge for us to all evacuate the last times. Thanks to the incredible planning of Windsor, we were able to evacuate without major problems. However, you add the huge number of people/vehicles from the casino/resort, a safe, successful evacuation would not be at all that likely. Not only will you be putting the residents of Windsor at great risk but also the guests and employees of the casino.

Additionally, our town is not set up for the amount of increased daily traffic, regardless of what improvements you may make. And even though I understand their own water supply is part of the plan, it still takes from the water available for the residents of Windsor

And while I know the following "doesn't count", I would hope it would be taken into consideration. We have everyday families who have worked hard to buy a home in Windsor. The impact of added traffic, noise, light, unknown people in neighborhoods and general quality of life should not go without consideration. As to a good use of the land, I don't really know. Perhaps something on a much, much smaller scale that maintains the land and environment would be appropriate.

Thank you,
Joanne Dieckmann
123 Anna Drive
Windsor, CA

Sent from [Mail](#) for Windows

From: Jim Wright <jwright621@icloud.com>

Sent: Friday, March 29, 2024 6:04 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

> Hello Chad, I am strongly opposed to this project, and would only support Alternative D - No Action Alternative. Please see my below comments on areas I believe should be addressed in the Environmental Impact Statement primarily based on the impacts of Alternative A - Proposed Project.

>

> Disingenuous Stated Purpose

> The "stated purpose" of proposed action is to facilitate tribal self sufficiency, self determination, and economic development. Considering the size of the tribe is 89 members, 52% who live in Sonoma County, a \$600M casino with estimated \$575 annual revenue is way overkill for the stated purpose. This obviously leads one to believe the stated purpose is disingenuous, and the proposed action is really to create a money-making machine for the few casino senior executives and investment partners, with I suspect a small percentage trickling to the tribal members, although probably enough to make them all very wealthy. By comparison, the Graton Resort & Casino, of comparable size to the proposed, has 1,400 members of the Federated Indians of Graton Rancheria. The project should be more appropriately sized for the number of tribal members.

>

> Employee Challenges

> The proposed resort and casino is estimated to employ 1,571 full time employees. The average annual salary according to Salary.com of the Graton Resort & Casino is \$39,520 - \$52,000. It's reasonable to assume the proposed resort and casino would pay similar wages. According to the California Department of Housing and Community Development, the median income for a single person living in Sonoma County is \$89,650. <\$70,000 is low income. <\$44,050 is very low income. It's expensive to live in Sonoma County. A recent article in the Press Democrat, the local newspaper, stated according to GOBanking website, a family needs \$144,090 to live comfortably if paying a mortgage, and \$84,823 if paying rent in Sonoma County. The predominantly low and very low incomes to be paid by the proposed resort and casino would not provide a comfortable living for their employees, we don't need more of that in our community.

>

> The Sonoma County Economic Development Board indicated a 3.8% unemployment rate as of June 2023. This is expected to increase slightly in the next 5 years when the proposed resort and casino would be hiring employees. A Workforce Development Survey this year indicated 63% of respondents experienced hiring difficulties, with insufficient number of applications, lack of skills, and reluctance to accept offered wage as primary reasons. The need and lack of employees is evidenced by "Now Hiring" signs posted in many businesses in the local area. Employees will be hard to find for the proposed resort and casino, and 1,571 is a lot of employees.

>

> Groundwater Depletion

> The proposed resort and casino is estimated to use 170,000 gallons of fresh water per day, or 62,050,000 per year, or 191 acre feet per year, or enough to support 573 single family households. The testing performed so far has not determined conclusively this huge amount of water usage wouldn't significantly impact the groundwater and wells in the area. The EA proposes to begin a groundwater monitoring program at least 1 year prior to opening, meaning the project would already have been under construction for 1 year considering a 2 year construction timeline. Additional time would be needed to evaluate results from the monitoring. This is too late to make changes should the groundwater be negatively impacted and should be determined prior to project approval.

>

> Declining Property Values

> The EA also states the proposed resort and casino would not significantly impact nearby home property values based on a study of other completed casinos and the property values in a 5 mile radius. It is ludicrous to think homes directly adjacent to a \$600M resort and casino operating 24/7 would not be impacted with significantly reduced property values. Who would want to live next to or near such an operation? Housing several miles away would not be as impacted, but that would not be the case for those adjacent to the property who currently enjoy vineyard views.

> Environmental Setting

> The current project site includes 59.3 acres of landscaping, consisting primarily of vineyards and ornamental trees and plants. The site is located approximately 1/2 mile from Shiloh Ranch Regional Park, an 850 acre park with nearly 8 miles of hiking trails with beautiful views of the surrounding areas, including the project site. The park is enjoyed by numerous Sonoma County residents, including myself, as a way to escape the sounds and sights of the city. The proposed project, a 24/7 resort and casino operation in such close proximity, would completely shatter the ambience of the park, and make it an undesirable hiking and picnicking location. This is not fair to the park patrons and community.

>

> Sincerely, Jim Wright, 713 Willowood Way, Windsor, CA 95492 jwright621@icloud.com

> Sent from my iPad

From: Patricia Biggi <cpbg@sbcglobal.net>

Sent: Sunday, March 31, 2024 9:10 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] "NOI Comments, Koi Nation Fee-to-Trust and Casion Project"

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Chad,

I am writing in response to the invitation from the U.S. Bureau of Indian Affairs (BIA) to submit public comments on the Environmental Impact Statement for the Koi Nation of Northern California's proposed casino resort project southwest of Windsor.

I completely oppose the Koi Nation's proposed casino resort project. The Koi Nation is 49 miles outside of their territory and California Tribal law says a tribe can only build 15 miles outside of their territory. This is a violation of tribal law and sets a precedent that other tribes can now build casinos outside of their 15-mile territory. If the Koi Nation is allowed to move forward, other tribes will use the same precedent and build casinos in Marin County, San Francisco and Silicon Valley, and beyond.

The law of staying within the 15-mile territory needs to be followed by all tribes and this law cannot be manipulated for just the Koi Nation.

Native American Indian Law is complex, and the BIA and the California government need to understand these laws, specifically the law regarding territory, before making critical decisions that will change the landscape of Tribal Gaming in California and beyond.

Sincerely,

Patricia Biggi
14839 Morrison Street
Sherman Oaks, CA 91403

From: Elizabeth Acosta <acostalcsw@gmail.com>
Sent: Friday, March 29, 2024 10:50 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Comments on Environmental Impact Statement – Koi Nation Shiloh Resort Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Mr. Broussard,

Please accept our attached letter and 6 supporting attachments as comment on the Environmental Impact Statement (EIS) for the Koi Nation Shiloh Resort and Casino Project. **If possible, please confirm our letter and six (6) attachments were received prior to the comment period deadline.**

***Note:** please redact our email address, anywhere it appears, prior to publishing this letter on the internet, if publication is required.*

Thank you,

Elizabeth Acosta & Stephen Rios
Windsor Residents (Sonoma County)
acostalcsw@gmail.com

Attachments

Letter_KoiEIS_3.2024
att-A_Town of Windsor Major Project List Updates January 2024
Att. email_FINALcomments-KoiEA_11.5.23
att-1_PD Koi Lawsuit
att-2_LakeCo News koi lawsuit
att-3_Casinos-Crime-CommunityCosts_20091117_grinols_mustard
att-4_BOTL Casino-Bus-Training-Toolkit

...

[Message clipped] [View entire message](#)
7 Attachments • Scanned by Gmail

Sent via email to chad.broussard@bia.gov

March 29, 2024

Mr. Broussard,

Thank you for the opportunity to comment on the potential issues, concerns, and alternatives to be considered in the EIS re: the Koi Nation of Northern California Shiloh Resort and Casino Project. As stated in our previous comments, we join the Town of Windsor, County of Sonoma, all five federally recognized Sonoma County tribes, U.S. Representatives Huffman and Thompson, and residents of Windsor to urge rejection of this Project given the **unmitigable and irreversible impacts of the Shiloh resort/casino project put forth by the Koi Nation.**

Our understanding of the purpose of NEPA is to “make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment” and that the EIS “shall provide full and fair discussion of significant environmental impacts and shall inform decision makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment.” **We are confident that your analysis will find that environmental impacts of the proposed Koi project will negatively and irreversibly impact the environment and will worsen the quality of the human environment.** At the risk of repeating ourselves, we have attached our comments submitted November, 2023 primarily to ensure the information and evidence we cite are considered in your EIS. In addition, we are submitting the following current, pertinent information.

[Map Nov 2023](#)

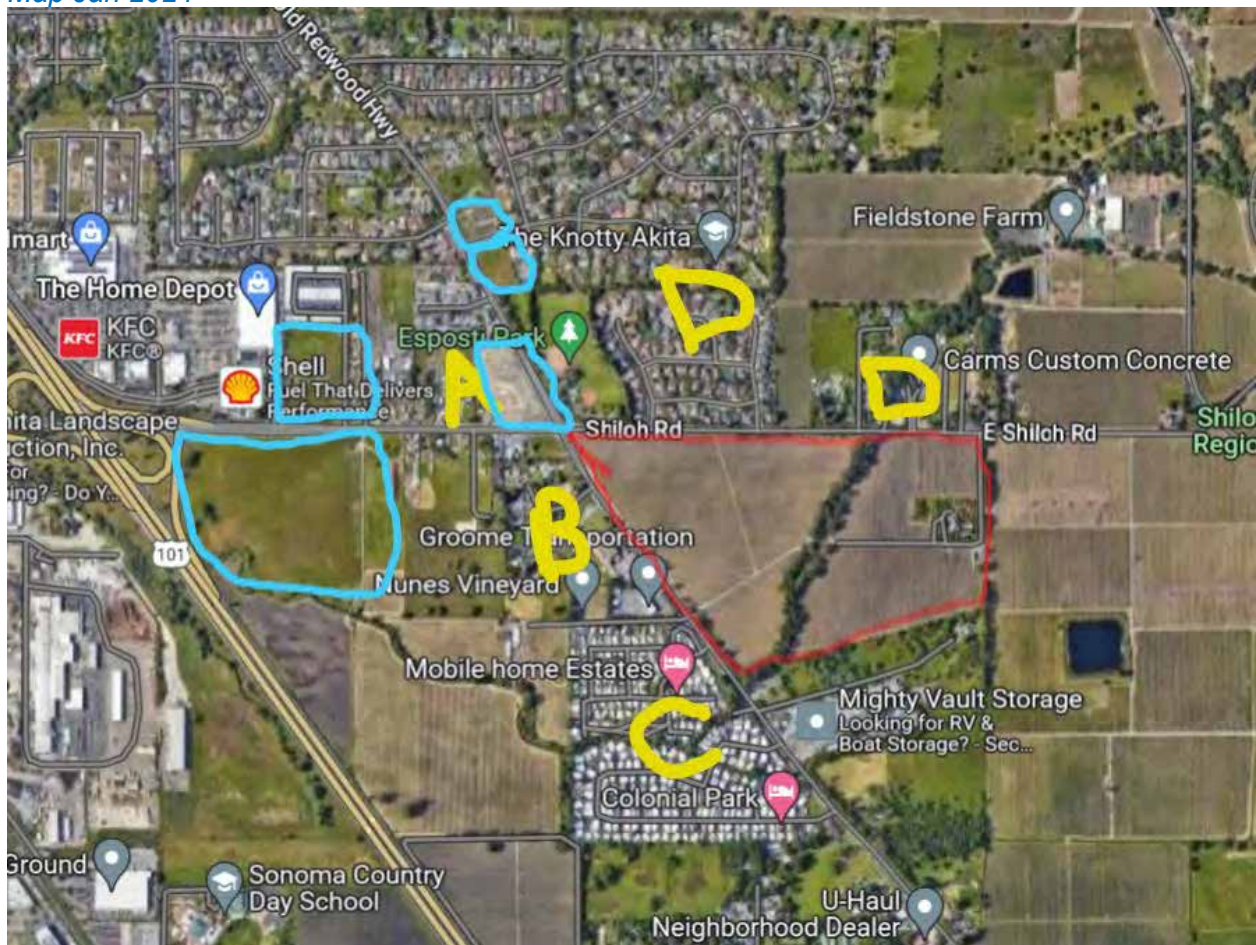


In our November, 2023 comments on the EA, we expressed concern that a map submitted in the EA (to the BIA) misrepresented the environmental impacts in that it provided an incomplete picture of the

surrounding community; aerial views were cropped to exclude viewing the presence of surrounding residential neighborhoods. Noted in the map above, the project site is surrounded by a high-density apartment building now under construction (“A”), a church (“B”), a mobile home park (“C”), and residential neighborhoods (“D”). This broader view shows the project site is immediately surrounded by neighborhoods that will be negatively impacted by a large scale project such as this.

The EIS analysis must consider the context and timing of the proposed casino. Since providing the map above in our November, 2023 comments on the EA, the Town of Windsor has approved several projects, others are now under construction and/or nearly move-in ready. The map below shows the location of the new/approved residential projects which were not indicated in the November, 2023 map (above). The new residential projects, highlighted in blue, are listed in Windsor’s Major Project List. See attached “Town of Windsor Major Project List Updated January 2024” publication (See also: <https://www.townofwindsor.com/1450/Major-Development-Construction-Project-L>). We have marked the relevant pages with a red “star” but hope you will also glean the number of planned development projects already underway in the Town of Windsor, some due to State housing mandates; the Koi project will have a dramatic cumulative impact on environmental conditions due to its size and scope (e.g., traffic, water runoff and flooding, loss of wildlife habitat, vehicle emissions, emergency operations and evacuations). Please visit the actual site and look at the significant amount of development that includes high density affordable housing and senior living facilities which will attract low-income seniors and families, and BIPOC citizens. A major 24/7 resort and gaming project will have disproportionate impact on these socioeconomically vulnerable populations.

Map Jan 2024



Together, these additional housing projects alone will add over 500 residential units (primarily low income, high density) which will easily add 1-2,000 more people to the vicinity. Not shown on the map are additional commercial projects approved or currently under review which will bring added commercial traffic to nearby major intersections especially Hwy 101 @ Shiloh Rd (See: “Town of

Windsor Major Project List Updated January 2024”). Of note, the prospect of adding a development the size and scope of the Koi project has further alarmed nearby residents who dread a repeat of recent wildfire events. The cumulative environmental impacts of the Koi project on existing planned, residential development in the vicinity will be exacerbated. The proximity of the Koi project site to recent wildfires (to the east, Shiloh Park) can be seen below.

Map w/Shiloh Park



NEPA requires that, if a project would have significant adverse effects on the environment, mitigation for those impacts must be identified. Identification is no guarantee of implementation. Who will ensure enforcement of mitigations? Once lands are taken into trust, local, state, and federal agencies will lose regulatory oversight of the land use and any ability to enforce compliance with mitigations offered or required. Further, there is no guarantee the development would cease with the proposed project. There may be no recourse to inhibit future development or expansion of the project site, which would be after any NEPA-required environmental assessment. Local governments, regulatory agencies, and residents will lose any right to influence policy that protects the environment and its natural resources where they reside. Homeowners and others who reside adjacent to the project site may have no other way to mitigate impacts but to move. That, by definition, is an adverse impact.

Finally, we are in agreement and strongly urge you to thoroughly evaluate the items needing analysis suggested by the Town of Windsor in its draft letter dated April 4, 2024. Specifically:

“The conclusions in the EA regarding less-than-significant impacts in many of these areas were inaccurate or not adequately supported by evidence. The Town expects the EIS analysis to use up-to-date data, local policies/plans, reasonable assumptions, and technical best practices.” (emphasis added)

“The Town is also in agreement with the issues and concerns raised in the EA comment letter submitted by the Sonoma County Counsel on behalf of the County of Sonoma, dated November 13, 2023. **The Town strongly recommends that the issues and concerns outlined in the Sonoma County Counsel’s letter be considered and analyzed in the EIS.**” (emphasis added)

“One of the major concerns with the currently proposed location is its proximity to existing low-intensity residential neighborhoods in Windsor. The proposed casino resort

of this size and operational capacity would be incompatible with, and detrimental to, the quiet residential character of the surrounding neighborhoods at the current site.”

“With the information and analysis currently available, the Town finds that only the no project alternative guarantees that no significant adverse impacts will occur. Beyond the proposed project and alternative location, the EIS must include the no project alternative in its analysis. Additionally, the Town recommends the EIS evaluate any other potentially feasible alternatives that could reduce the intensity and scale of the project to minimize environmental impacts and impacts to community character.”

Of the possible alternatives under consideration, we argue that to-date testimony and comments expressing concern on the Koi project because of the actual, potential, and cumulative environmental impacts to water resources, land use, air quality, native populations’ sovereignty, traffic, crime, animal species and habitat, and human quality of life remain valid and must be seriously considered in the EIS. The EIS must thoroughly, accurately, and realistically assess all the impacts raised by this and our prior letter, current residents, and local and tribal government officials. We argue that **if the EIS adheres to NEPA’s mission and intent, the only viable options that “protect, restore, and enhance the environment” and “avoid or minimize adverse impacts or enhance the quality of the human environment” are (1) an alternate-use, reduced intensity (non-gaming) alternative, or (2) a no-action alternative.**

Thank you for the opportunity to comment.

Regards,

Stephen Rios and Elizabeth Acosta
Windsor Residents (Sonoma County)
acostalcsw@gmail.com



**Community Development Department
Major Project List -- January 2024
Updated Quarterly**

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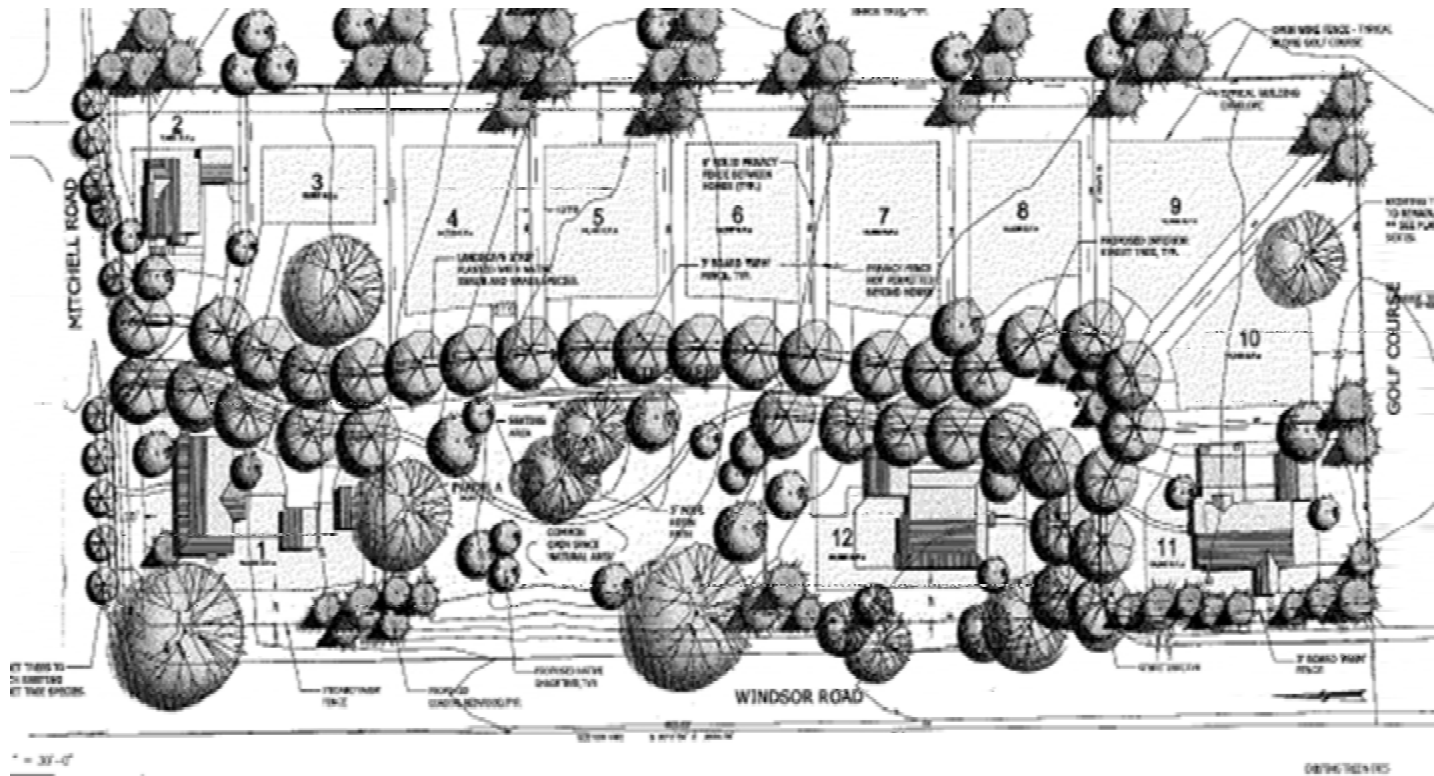
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PROJECTS UNDER CONSTRUCTION



Portello (APM Homes)

Project Status:	Under Construction
Project Type:	Residential
Affordable Units:	No
File Number:	05-28
Location:	Northwest corner Hembree Lane/Victoria Lane (north of Walmart)
Project Description:	<ul style="list-style-type: none"> • Detached and attached single-family homes on 16.9 acres • Creekside parks with connections on Pool and Fought Creeks
Applicant/Developer:	Aaron Matz, APM Homes 2880 Cleaveland Ave, Suite B, Santa Rosa, CA 707-544-7194; aaronmatz@yahoo.com
Project Planner:	Kimberly Jordan, Planner III, kjordan@townofwindsor.com, 707-838-5331
Status Details:	Building permits issued
Next Steps:	Construction, inspections, and issuance of Certificates of Occupancy



The Overlook

Project Status:	Under Construction
Project Type:	Residential
Affordable Units:	No
File Number:	98-42
Location:	Southeast corner of Windsor Road/Mitchell Lane
Project Description:	12-lot subdivision with design and landscape guidelines for construction of the homes
Applicant/Developer:	Phil Richardson, 451-383-2900 / padr@comcast.net
Project Planner:	Kimberly Jordan, Planner III, kjordan@townofwindsor.com, 707-838-5331
Status Details:	Public improvements completed
Next Steps:	Submittal of building permit for homes



Shiloh Terrace Affordable Housing

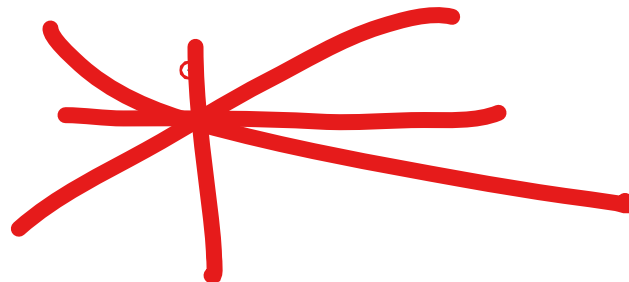
Project Status:	Under Construction
Project Type:	Residential
Affordable Units:	134
File Number:	21-10
Location:	65 Shiloh Road (APN 163-171-043)
Project Description:	134 affordable apartments, including one 3-story building with 21 units and one 4-story building with 128 units.
Applicant/Developer:	Pablo Espinosa, CRP Affordable Housing, 4455 Morena Boulevard, San Diego, CA 92117, (619) 453-3169, pespinosa@crpaffordable.com
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com , 707-838-1106
Status Details:	Building permit approved
Next Steps:	Construction underway





Shiloh Crossing

Project Status:	Under Construction
Project Type:	Residential
Affordable Units:	173
File Number:	21-17
Location:	295 Shiloh Road (APN 163-171-039)
Project Description:	173-unit mixed use affordable housing apartment project with 8,000 SF commercial space and two residential buildings, including a four-story building facing Shiloh Road with commercial space on the ground floor and apartments above, and a five-story all-residential building in back. The unit mix includes 15 studio units (576 SF); 70 1BR units (626 SF); 44 2BR units (928 SF); and 44 3BR units (1,079 SF).
Applicant/Developer:	Integrated Community Development/Attn: Jake Lingo, 20750 Ventura Boulevard, Suite 155, Woodland Hills, CA 91364, jlingo@icdemail.com
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	Building permits issued
Next Steps:	Construction underway





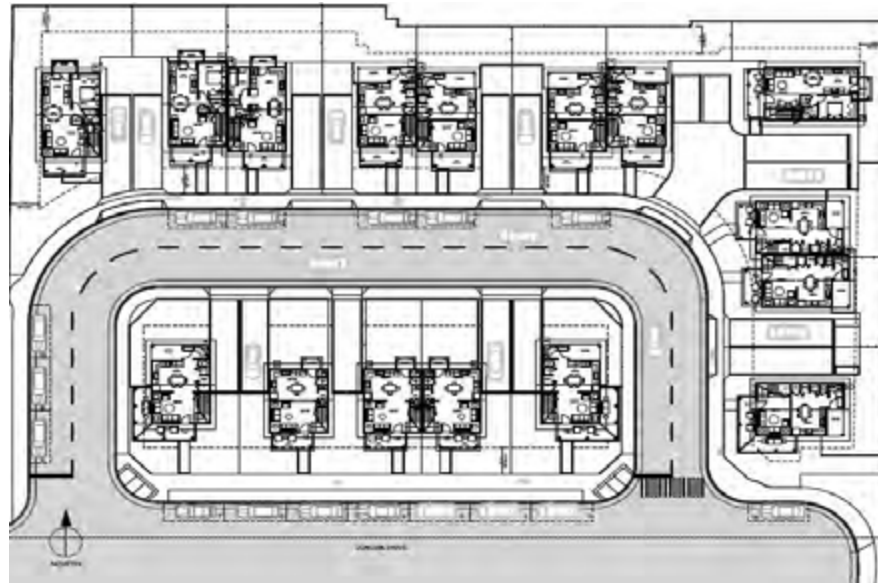
Shiloh Road Mixed Use

Project Status:	Approved
Project Type:	Mixed Use
Affordable Units:	None
File Number:	18-22
Location:	1200 Shiloh Road/5823 Skylane Boulevard
Project Description:	Mixed use project with a 2,844-square foot community market and 29 apartments, including 15 one-bedroom units (680-730 SF); 12 two-bedroom units (860 SF); and two studio apartments (500 SF). The project includes four 3-story buildings.
Applicant/Developer:	Mangal Dhillon, 50 Santa Rosa Avenue, Suite 400, Santa Rosa, CA 95404
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	Building permit issued.
Next Steps:	Construction underway.

APPROVED PROJECTS

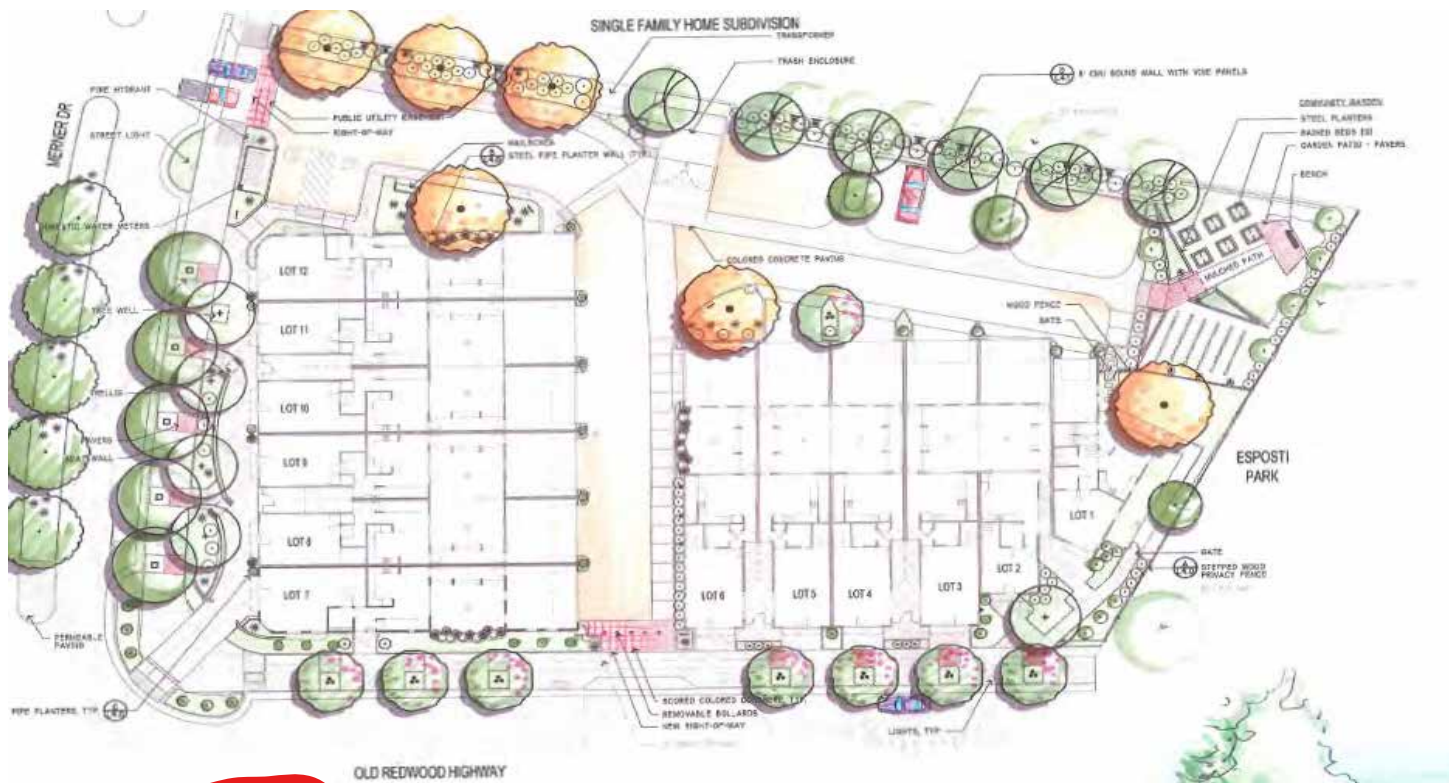
6500 and 6516 Old Redwood Highway Subdivision

Project Status:	Approved
Project Type:	Residential
Affordable Units:	No
File Number:	15-31 MJS
Location:	6500 and 6516 Old Redwood Highway (APNs 163-012-016 and 163-012-017)
Project Description:	<ul style="list-style-type: none"> • 8-lot subdivision of 1.814 acres • 8 lots ranging in size from 6,140 to 6,844 square feet and one 9,919 square foot lot • Construction of new street to provide access to the parcels • Development of the individual lots is not included as part of the project
Applicant/Developer:	Joe Ripple, Schellinger Brothers, Santa Rosa, CA 95403 707-890-8074 / joe@schellingerbrothers.com
Project Planner:	Kimberly Jordan, Planner III, kjordan@townofwindsor.com, 707-838-5331
Status Details:	<ul style="list-style-type: none"> • 3/28/2017: Planning Commission approved project Final map and improvement plans under review
Next Steps:	Submittal of building permit plans for construction of homes



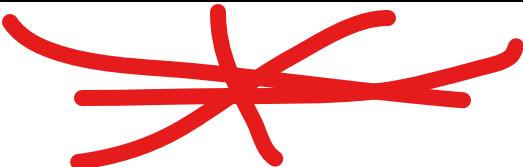
Duncan Village

Project Status:	Approved
Project Type:	Residential
Affordable Units:	16
File Number:	16-08
Location:	484 Wall Street
Project Description:	<ul style="list-style-type: none"> • 1.34-acre parcel • 16 single family homes, including 6 attached and 10 detached units. • Lot sizes range from 1,953 to 3,495 square feet. • Unit sizes range from 945 to 1,265 square feet. • Affordable to low- and very-low income households.
Applicant/Developer:	Habitat for Humanity of Sonoma County, Wayne Kleefeld, w.kleefeld@habitatsoco.org
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	Planning entitlements are valid through 12/19/2024.
Next Steps:	Applicant to submit improvement plans and building permit applications



Windsor Gardens

Project Status:	Approved
Project Type:	Residential
Affordable Units:	No
File Number:	06-20
Location:	6100 Old Redwood Highway (APN 163-172-017)
Project Description:	<ul style="list-style-type: none"> • 1.17-acre site • 12-lot tentative map • 37 onsite parking spaces
Applicant/Developer:	Harpal Chahal, Skyline Jenen Inc., 4300 Black Avenue, Unit 117, Pleasanton, CA 94566, Harp01@outlook.com (408) 981-2842
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	• 7/5/22: One-year tentative map extension approved (last extension)
Next Steps:	Building permit pending





Mill Creek (formerly "Windsor Mill")

Project Status:	Approved
Project Type:	Residential
Affordable Units:	No
File Number:	14-09
Location:	8703, 8711, 8713, 8713, and 8777 Bell Road - South of the terminus of the northerly segment of Bell Road, east of the railroad to the south of Old Downtown and west of Windsor Creek Elementary School
Project Description:	<ul style="list-style-type: none"> • 360 multi-family units in 16 three-story buildings on 20.3 acres • 2.5-acre creek-side open space with trail and passive recreation • Completion of Bell Road and addition of street bridge over Windsor Creek on south end • Pedestrian bridge for access to Windsor Elementary
Applicant/Developer:	Peter Stanley, ArchiLOGIX 707-636-0646
Project Planner:	Patrick Streeter, Community Development Director, pstreeter@townofwindsor.com, 707-838-5313
Status Details:	Planning entitlements valid through December 26, 2024.
Next Steps:	Applicant to submit final map, improvement plans, and building permit applications.



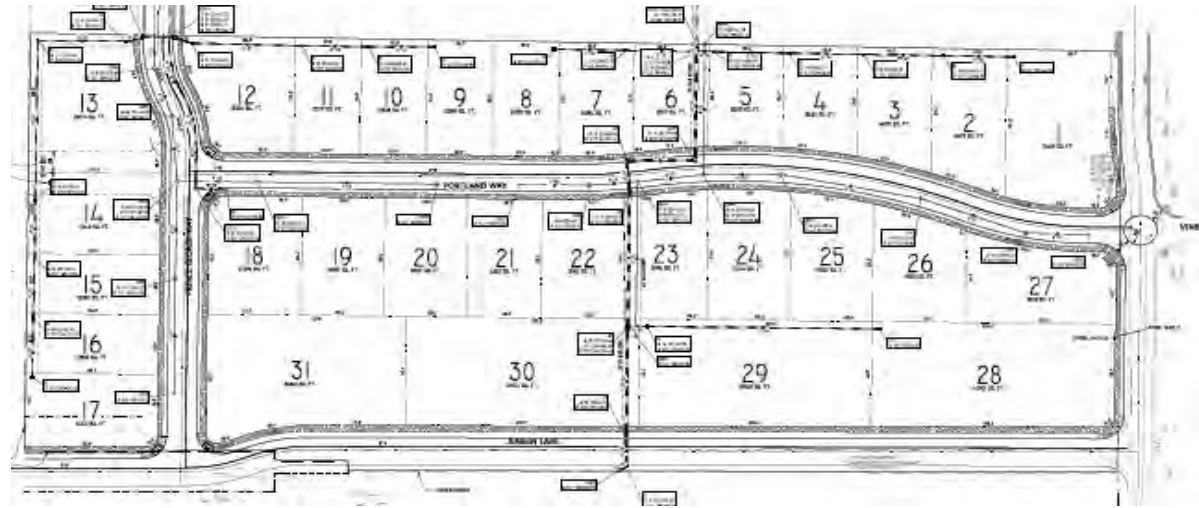
Heritage Park Apartments

Project Status:	Approved
Project Type:	Residential
Affordable Units:	33
File Number:	17-19
Location:	8685 Old Redwood Highway
Project Description:	<ul style="list-style-type: none"> • 1.66-acre site • 33 apartments (4 one-bedroom, 16 two-bedroom, 13 three-bedroom units) • Affordable to low- and very low-income households
Applicant/Developer:	Michael Weyrick 3911 N. Ventura Avenue, Ventura, CA 93001 michaelweyrick@mwdevelopment.org (805) 451-7268
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	7/28/2020 Planning Commission approval
Next Steps:	Building permit application under review



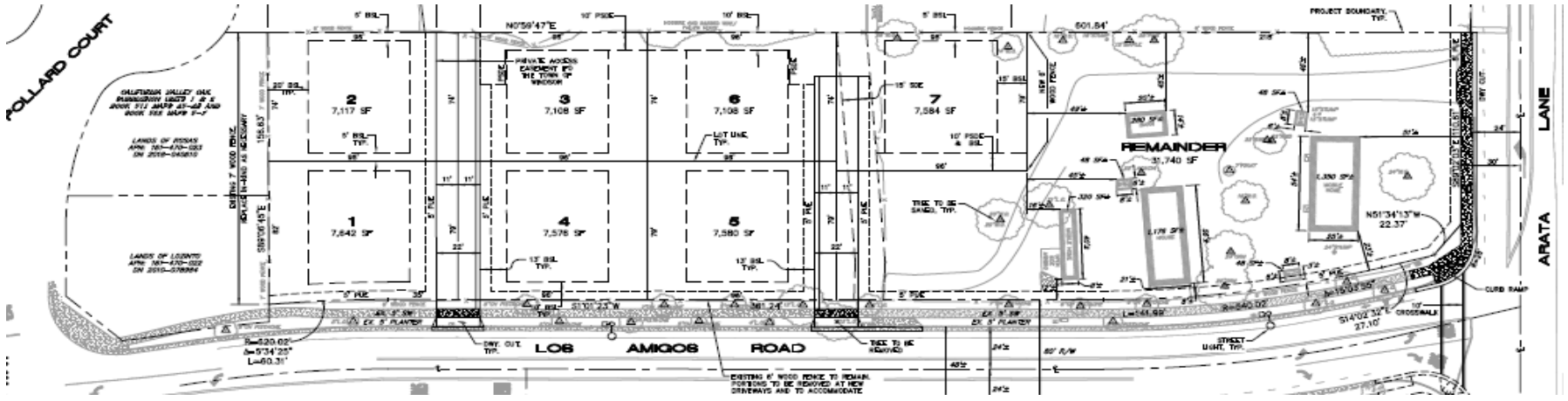
Redwood Glen

Project Status:	Approved
Project Type:	Residential
Affordable Units:	43
File Number:	20-14
Location:	8550, 8560 Old Redwood Highway (APNs 164-080-038, 164-080-002)
Project Description:	43 unit affordable apartments, including 1 one-bedroom, 5 two-bedroom, and 37 three-bedroom units. The building is four stories along the Old Redwood Highway frontage, stepping down to three stories in the rear
Applicant/Developer:	Redwood Glen Apartments, L.P. Contact: Mike Limb, Project Manager, mlimb@newportpartners.com, 949-923-7800
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	4/26/2022 Planning Commission approval
Next Steps:	Funding applications in process. Applicant to submit building permits.



The Estates at Ross Ranch

Project Status:	Approved
Project Type:	Residential
Affordable Units:	No
File Number:	19-08
Location:	1295 Jensen Lane (APN 162-020-004)
Project Description:	<ul style="list-style-type: none"> • 17.17-acre site with one single-family home • 31 lot subdivision, with a minimum lot size of 12,199 square feet (0.25-acre), maximum lot size of 40,931square feet (0.93-acre), and average lot size of 18,862 square feet (0.43-acre) • Extension of Prince George Way to the east, extension of the Jensen Lane along the east property line, new street Portland Way would extend from Vinecrest Road to the new Prince George Way extension • Roundabout at Vinecrest Road and Portland Way • Request to reduce agricultural buffer along the south property line to 100-feet from 200-feet
Project Website:	https://www.townofwindsor.com/1318/Estates-at-Ross-Ranch
Applicant/Developer:	Brian Flahavan, btf@flavahanlaw.com
Project Planner:	Kimberly Jordan, Planner III, kjordan@townofwindsor.com, 707-838-5331
Status Details:	<ul style="list-style-type: none"> • 4/5/2023: Town Council certified Supplemental Environmental Impact Report (SEIR) and adopted Statement of Overriding Consideration and approved the Tentative Subdivision Map to create 31 lots and to reduce the required agricultural buffer on the south side of the site to 100-feet
Next Steps:	Applicant submittal of final map and improvement plans for staff review



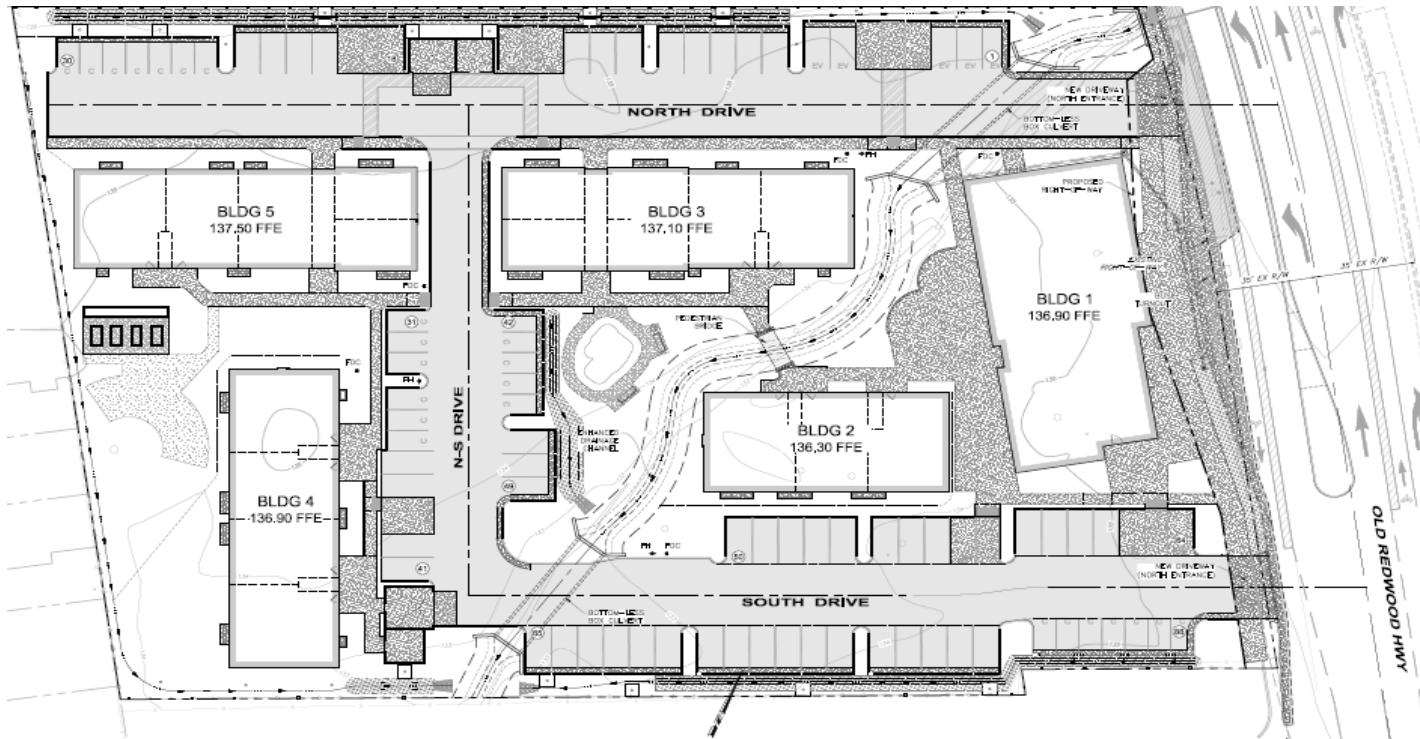
Sherlock Homes

Project Status:	Approved
Project Type:	Residential
Affordable Units:	None
File Number:	18-27
Location:	260 Arata Lane (APN 161-050-060)
Project Description:	<ul style="list-style-type: none"> • 2.08-acre parcel on the southwest corner of Arata Lane and Los Amigos Road • 7 new residential lots with single-family homes on approximately 1.38 acres • Existing development retained on a 0.70-acre remainder parcel • Frontage improvements along the Arata Lane project frontage
Applicant/Developer:	Dennis Dalby, Civil Design Consultants, 2200 Range Avenue, Suite 204, Santa Rosa, CA 95403, (707) 542-4820
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	6/13/2023 Planning Commission approval
Next Steps:	Applicant submittal of improvement plans



Hembree Lane Oaks Subdivision

Project Status:	Approved
Project Type:	Residential
Affordable Units:	2 moderate income units
File Number:	21-18
Location:	7842 Hembree Lane (APN 163-080-047)
Project Description:	24-lot subdivision on a vacant 5.19-acre site with lots ranging in size from 2,000 to 11,000 square feet (smaller lots at the west end) with two-story, single-family units, including some zero lot line duets. Includes two deed-restricted affordable units for moderate income households and dedication of 2.0 acres of open space contiguous with Robbins Park
Applicant/Developer:	Doyle Heaton/Falcon Point Associated LLC 3496 Buskirk Avenue, Pleasant Hill, CA 94523, doyle@drbuilders.com, (925) 872-9917
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	5/17/2023 Town Council approval. Review of improvement plans underway.
Next Steps:	Applicant submittal of building permit applications.



Kasha/Burbank Affordable Housing/Mixed-Use Project

Project Status:	Approved
Project Type:	Mixed Use
Affordable Units:	54
File Number:	20-18
Location:	10221 Old Redwood Highway (APN 161-040-008)
Project Description:	54 affordable apartments for Kasha Tribe members and a mixed-use building for Tribal Headquarters offices, with community spaces and a lobby/gallery on the ground floor. Project includes five three-story buildings on a 2.5-acre parcel.
Applicant/Developer:	Jocelyn Lin, Burbank Housing, 1420 Gunneville Road, Unit 1, Santa Rosa, CA, 95403, jlin@burbankhousing.org
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	Planning entitlements valid through September 14, 2024.
Next Steps:	Building permit application submittal anticipated early 2024



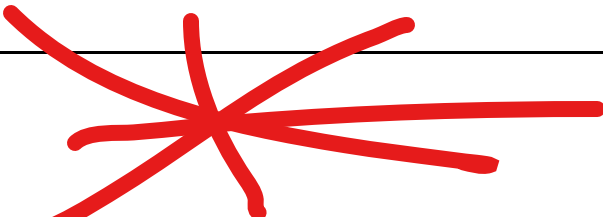
Shiloh Apartments

Project Status:	Approved
Project Type:	Mixed Use
Affordable Units:	No
File Number:	21-13
Location:	(APN 164-350-001)
Project Description:	<ul style="list-style-type: none"> • Develop 3.83 acre vacant lot • 6 apartment buildings, 60 units total • 3,5711 square feet of commercial space
Applicant/Developer:	Contact: Natalie Balfour, Project Manager, nbalfour@airportbusinesscenter.com
Project Planner:	Kevin Locke, Planner I, klocke@townofwindsor.com, 707-838-5004
Status Details:	<ul style="list-style-type: none"> • 6/22/2021: Planning Commission approval 7/06/2023: Administrative Hearing Office approves a Tentative Parcel Map to subdivide the 3.83 acre parcel into two.
Next Steps:	Permits approved for and work commenced on underground and grading



Old Redwood Highway Villages

Project Status:	Approved
Project Type:	Mixed Use
Affordable Units:	3 moderate income units
File Number:	21-21
Location:	6114 and 6122 Old Redwood Highway (APNs 163-172-021, 163-172-019, and 163-172-020)
Project Description:	29-unit small lot subdivision with two common open space parcels at the northwest and southwest corners. All units are two stories. Six units will have flexible office spaces oriented to Old Redwood Highway.
Applicant/Developer:	Doyle Heaton/Heaton Point Associated LLC 3496 Buskirk Avenue, Pleasant Hill, CA 94523, doyle@drbuilders.com, (925) 872-9917
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	11/2/22 Town Council approval. Improvement plans and Final Map under review.
Next Steps:	Applicant to submit building permit application for review





Windsor Place (AKA Richardson Street Mixed Use)

Project Status:	Approved
Project Type:	Mixed Use
Affordable Units:	None
File Number:	12-07
Location:	Old Redwood Highway at Richardson Street (north of McDonalds), Station Area/Downtown Specific Plan
Project Description:	<ul style="list-style-type: none"> • Mixed-use project with 30 apartments and 4,200 SF retail space on 0.87-acre lot • Four-stories; retail/restaurant, residential lobby, service areas, covered arcade, and three residential units on ground floor; upper three floors all residential. • 40 shared parking spaces and 30 parking spaces dedicated to residential units. • Shared access driveway with McDonald's.
Applicant/Developer:	Bob Dailey, 1148 Alpine Road, Walnut Creek, CA 94596 (925) 899-8549 dailyb@pegasusgroup.net
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	• 7/29/20: Grading permit issued. Building permit under review
Next Steps:	Approval of building permit and initiation of construction



The McClelland (AKA Town Green Hotel)

Project Status:	Under Construction
Project Type:	Commercial
File Number:	18-12
Location:	550 McClelland Drive (APN 066-100-067)
Project Description:	135-room, 4-story hotel with bistro/bar, indoor/outdoor dining opposite the Town Green, including meeting space, and outdoor pool for guests, and surface parking lot.
Applicant/Developer:	Tom Birdsall, 255 Mountain Meadow Lane, Santa Rosa, CA 95404, 415-730-8174, thbirdsall@gmail.com
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	Building permit issued.
Next Steps:	



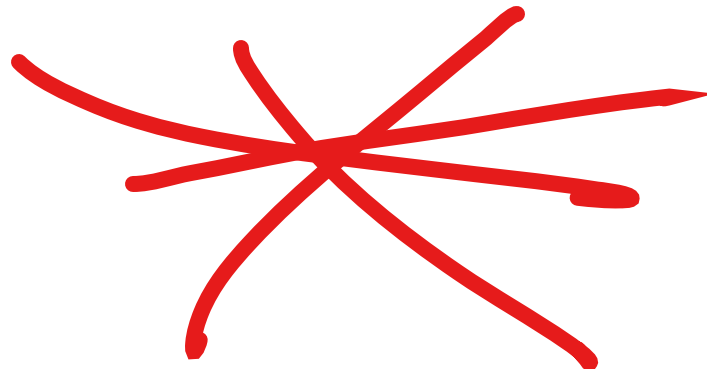
Carol Shelton Winery Mixed-Use Project

Project Status:	Approved
Project Type:	Mixed Use
Affordable Units:	None
File Number:	19-21
Location:	900 Mitchell Lane (APN 164-140-039)
Project Description:	<p>58,500 sf three-story building including:</p> <ul style="list-style-type: none"> • winery, crush area, wine storage, wine tasting room • ground floor restaurant with outdoor eating areas • event space on the third floor and roof top • one caretaker unit and three multi-family units on the third floor
Applicant/Developer:	Mitch MacKenzie, mitch@carolshelton.com
Project Planner:	Kim Jordan, Planner III, kjordan@townofwindsor.com, 707-838-5331
Status Details:	<ul style="list-style-type: none"> • 12/14/2020: Planning Commission approved Revision to File application allowing more private winery events and an increase in the number of guests per event, subject to conditions of approval
Next Steps:	Staff review of building permit and improvement plans underway

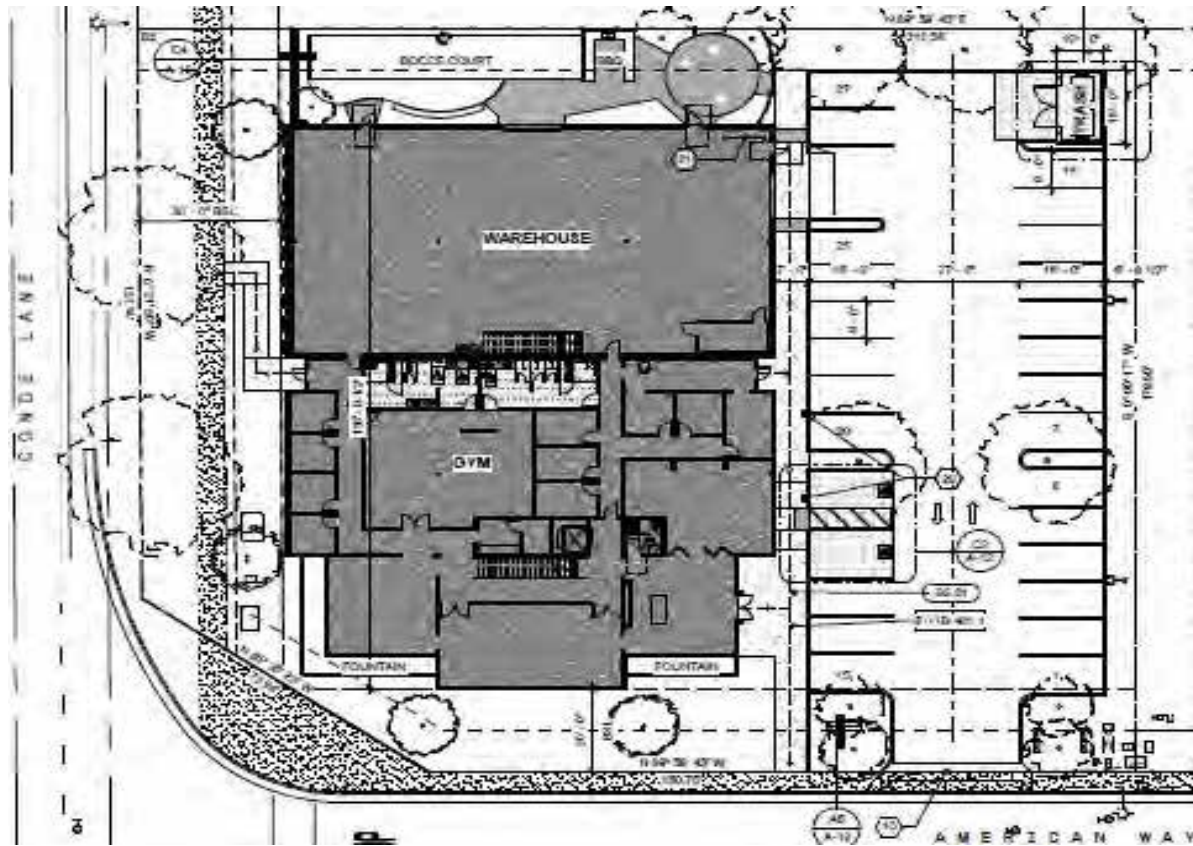


Clearwater at Windsor

Project Status:	Approved
Project Type:	Mixed Use
Affordable Units:	5 very low and 5 moderate income apartments
File Number:	GPA/RZ/11M/DR 19-20
Location:	376 Shiloh Road (APN 059-271-059) "Vincini Property"



Project Description:	<ul style="list-style-type: none"> • 25-acre vacant property • 12 acres undevelopable due to the presence of wetlands, and rare plant habitat • Senior living facility with 34 memory care units, 71 assisted living, and 141 independent living units and amenities • 25,000 square feet of ground floor commercial space with 10 affordable residential units and office space on the second floor along Shiloh Road • Four lot subdivision • Reduction in the Agricultural Buffer along the east and south property lines to 100-feet from 200-feet
Project Webpage:	https://www.townofwindsor.com/1343/Clearwater-at-Windsor
Applicant/Developer:	Wil Ferrero, 5000 Birch Street, Suite 400, Newport Beach, CA 92660, (949) 333-8525, wil.ferrero@clearwaterliving.com
Project Planner:	Kim Jordan, Planner III, kjordan@townofwindsor.com, 707-838-5331
Status Details:	• 2/1/2023: Town Council approval
Next Steps:	Applicant to submit building permit and improvement plans for review



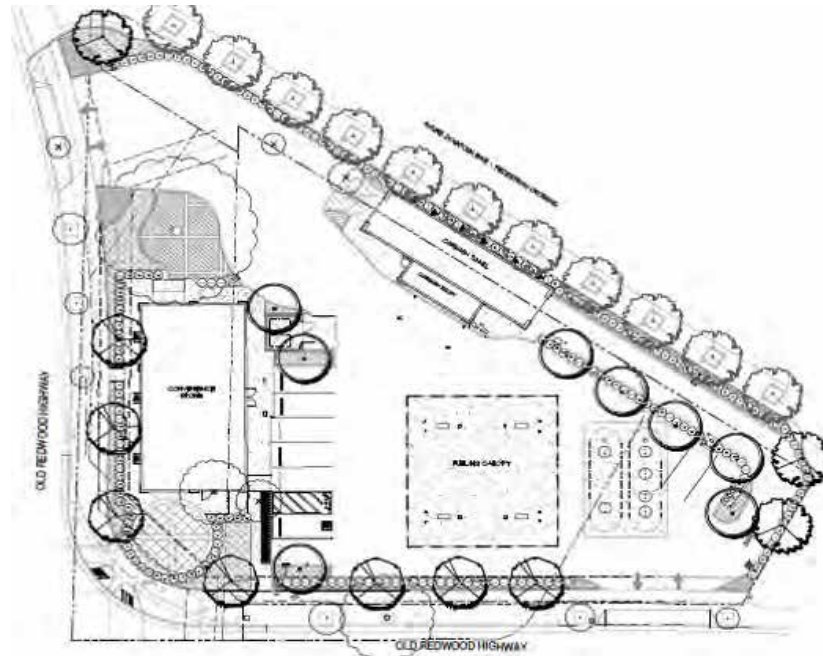
DenBeste Warehouse Building

Project Status:	Approved
Project Type:	Commercial
File Number:	19-17
Location:	700 American Way (APN 163-270-002)
Project Description:	15,830-square foot warehouse building, including 2,586 square feet of office space.
Applicant/Developer:	Ken LaFranchi/Bill DenBeste 100 E Street Ste. 204, Santa Rosa, CA 95403 (707) 528-2449 ken@lafranchidevelopment.com
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	<ul style="list-style-type: none"> Building permit ready to issue in February 2022
Next Steps:	Applicant to pull building permit and start construction



Chevron

Project Status:	Approved
Project Type:	Commercial
File Number:	17-21
Location:	9120 and 9200 Old Redwood Highway
Project Description:	New/remodeled gas station, car wash and market/restaurant, including two new fuel dispensers and expanded canopy. Project includes easements to accommodate future pedestrian improvements.
Applicant/Developer:	Peter Van Alyea/Redwood Market, 50 Professional Circle, Suite 100, Rohnert Park, CA 94928, 707-899-4959, pvan@redwoodoil.net
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	<ul style="list-style-type: none"> 9/14/2021: Planning Commission approval
Next Steps:	Review and approval of building permit and improvement plans



Shell Station	
Project Status:	Approved
Project Type:	Commercial
File Number:	19-06
Location:	9033 Old Redwood Highway (APN 066-100-062)
Project Description:	<ul style="list-style-type: none"> • Demolish existing 6 fuel stations and 2,321-square foot mini mart. • Construct new 2,378-square foot convenience store, new self-service car wash tunnel, and 4 new fuel stations with 2,700-square foot canopy. • Project includes relocating underground storage tanks, new ADA path of travel to public right-of-way, new vehicle access and parking, masonry trash enclosure, new site lighting and landscaping, self-serve vacuum and air/water equipment.
Applicant/Developer:	A U Energy LLC/Sunny Goyal, 41805 Albrae Street, 2nd floor, Fremont, CA 94539, (650) 799-2949, sunny@loopneighborhood.com
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	<ul style="list-style-type: none"> • 9/27/2022: Planning Commission approval
Next Steps:	<ul style="list-style-type: none"> • Complete the sale of excess street right-of-way • Staff review of building and improvement plans underway

PROJECTS UNDER REVIEW



Quail Acres (formerly called North of Arata)

Project Status:	Under Review
Project Type:	Residential
Affordable Units:	30 moderate for sale
File Number:	20-08
Location:	161-020-053 (325 Arata Lane), 161-020-058, and 161-020-060 (259 Arata Lane)
Project Description:	<ul style="list-style-type: none"> 3 parcels, totaling 58.9-acres 301 homes with a mix of lot and home sizes, including affordable 30 affordable for sale homes Alternative plan for 236 homes with a 12-acre school site Reduction in agricultural buffer on north and east property boundaries from 200-feet to 100-feet Community park, linear trail along east and north property lines, plaza Extension of Los Amigos Road Request for waivers from certain Zoning Ordinance development standards, such as lot size, lot width, lot coverage, and setbacks. Project is eligible for waivers since it includes affordable housing.
Applicant/Developer:	Ben van Zutphen, Redwood Equities, LLC, P.O. Box 2357, Healdsburg, CA 95448 ben@vanzutphen.us
Project Planner:	Kim Jordan, Planner III, kjordan@townofwindsor.com, 707-838-5331
Status Details:	<ul style="list-style-type: none"> 5/16/2023: Application complete
Next Steps:	Environmental Review



Los Amigos Cottages

Project Status:	Under Review
Project Type:	Residential
Affordable Units:	8 for sale
File Number:	23-11
Location:	263 Arata Lane, APN 161-020-049 (east of New Song Church)
Project Description:	2.71 acre parcel subdivided into 32 lots. 24 for sale market rate homes on lots ranging in size from 1,863 to 5,814 square feet and 8 for sale affordable duet homes on lots ranging in size from 1,578 to 2,520 square feet.
Applicant/Developer:	Ben van Zutphen, Redwood Equities, LLC, P.O. Box 2357, Healdsburg, CA 95448 ben@vanzutphen.us
Project Planner:	Kim Jordan, Planner III, kjordan@townofwindsor.com, 707-838-5331
Status Details:	1/5/2024 Application is incomplete
Next Steps:	Applicant to resubmit application



Arata North Subdivision

Project Status:	Under Review
Project Type:	Residential
Affordable Units:	No
File Number:	23-33 TSM
Location:	115 Arata Lane (APNs 161-020-064 and 161-020-065)
Project Description:	<ul style="list-style-type: none"> • 55-lot subdivision of 10.47 acres • 55 lots ranging in size from 3,159 to 33,991 square feet • Construction of new streets to provide access to the parcels • Development of the individual lots is not included as part of the project
Applicant/Developer:	Richard Coombs & Larry Wasems, 9970 Troon Court, Windsor, 707 -838-3773, eturner@airportbusinesscenter.com
Project Planner:	Kimberly Jordan, Planner III, kjordan@townofwindsor.com, 707-838-5331
Status Details:	10/27/2023 Application is incomplete
Next Steps:	Applicant to resubmit in response to incompleteness letter



The Artesian of Windsor

Project Type:	Commercial
Project Status:	Under Review
File Number:	18-15
Location:	6675 Old Redwood Highway; APN 163-011-006
Project Description:	<ul style="list-style-type: none"> • 64-unit assisted living and memory care facility on 2.71-acre site • 3 one-story buildings and 1 two-story building • Reduced parking proposed
Applicant/Developer:	Michael Weyrick 3911 N. Ventura Avenue, Ventura, CA 93001 michaelweyrick@mwdevelopment.org (805) 451-7268
Project Planner:	Kevin Locke, Planner, klocke@townofwindsor.com, 707-838-5004
Status Details:	<ul style="list-style-type: none"> • 3/15/2018: Pre-application submitted • 4/24/2018: Planning Commission Conceptual Design Review meeting • 9/7/2022: Formal development application submitted
Next Steps:	<p>Referrals and application completeness review</p> <ul style="list-style-type: none"> • 10/11/2022: Incompleteness letter sent to applicant



BoDean Co. Asphalt Processing Plant

Project Status:	Under Review
Project Type:	Commercial
File Number:	19-16
Location:	470, 510, 590, 600, 610 Caletti Avenue
Project Description:	New asphalt plant and construction materials processing facility on a portion of a 13.59-acre industrial site on Caletti Avenue. Project includes a (1) rezone to Planned Development (PD) to change development standards, including heights up to 100 feet, and specifying the range of uses allowed; (2) Tentative Parcel Map to divide the property into 4 lots, with the asphalt processing facility located on Lot 1 (6.89 acres) and Lots 2-4 ranging in size from 2.04 to 2.36 acres each; (3) Use Permit to allow an asphalt plant/construction materials processing facility with a maximum height of approximately 88 feet; (4) Site Plan and Design Review.
Applicant/Developer:	BoDean Company/Dean Soiland
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	<ul style="list-style-type: none"> • 3/20/2022: Application deemed complete • 8/30/2022: EIR scoping meeting
Next Steps:	Environmental Review



Shiloh Business Park

Project Status:	Under Review
Project Type:	Industrial
File Number:	21-32
Location:	5937 Pruitt Avenue (APN 059-271-095)
Project Description:	<ul style="list-style-type: none"> • 4-lot subdivision of a 45-acre site (with potential remainder parcel) • 3 one-story industrial spec buildings with a total of 480,000+/- square feet. • Buildings are designed with flex spaces to accommodate single or multiple tenants. • Land uses to include light industrial, manufacturing, and warehouse distribution. • Re-alignment of existing drainage channel that is tributary to Airport Creek. • Potential extension of Pruitt Avenue to Aviation Boulevard. • Illuminated wall signs facing Highway 101 are proposed. • Project is within the Shiloh Oaks Master Plan area.
Applicant/Developer:	Tim Gudim, Brennan Acquisitions Group, LLC 9450 Bryn Mawr Avenue, Suite 750, Chicago, IL 60018 / tgudim@brennanllc.com
Project Planner:	Kim Voge, Planner III, kvoge@townofwindsor.com, 707-838-1106
Status Details:	<ul style="list-style-type: none"> • 6/28/2022: Planning Commission concept review meeting • 10/6/2022: Formal development application submitted
Next Steps:	Environmental Review

Sent via email: Chad.Broussard@bia.gov

November 5, 2023

Dear Mr. Broussard,

We join the Town of Windsor, County of Sonoma, all five federally recognized Sonoma County tribes, Sen. Feinstein, U.S. Representatives Huffman and Thompson, and residents of Windsor to oppose this Project given the **unmitigable and irreversible impacts of the Shiloh resort/casino project put forth by the Koi Nation**. We urge the BIA to select Environmental Assessment (EA) Alternative D due to the significant impacts Alternatives A, B, C would have on the environment and existing, adjacent communities.

It is mind-boggling that an EA for a project such as this could find that there is less than significant impact to the existing, surrounding community and natural environment. What is not surprising is that consultants used, such as Global Market Advisors, are providers of specialized consulting services to the gaming, entertainment, sports, and hospitality industries. Consultants who specialize in tribal services and fee-to-trust consultation have a financial interest in ensuring reports have findings favorable to a contractor tribe. The conclusions of the EA should not be accepted as factual without (at minimum) an objective peer review or (at best) an EA prepared by an independent consultant.

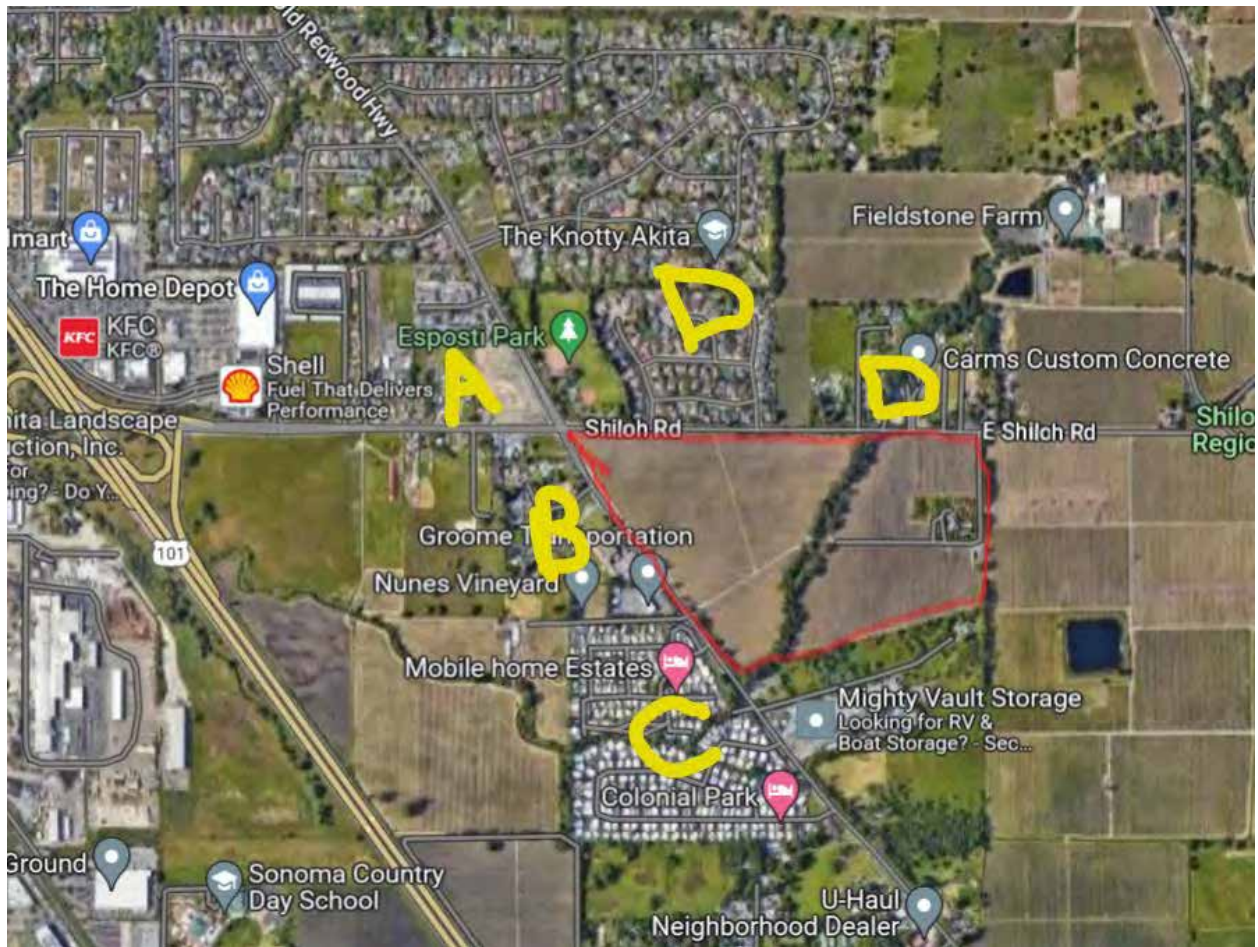
The Town of Windsor created a vision with its residents and developed plans based on the desire to be a family-centric community. **A project of this size, scale, and type would irreversibly change the Town of Windsor**, which borders the project site, given the volume and type of visitors targeted, type of commerce it creates, resources used by visitors, and quality of life of the existing surrounding neighborhoods.

As Windsor residents, we wish to comment on the EA; comments, by EA Section, are below. Studies and articles cited are attached.

i. PROPOSED PROJECT AND ALTERNATIVES

COMMENT ia: EA provides an incomplete picture of the surrounding community; aerial views are cropped to exclude surrounding residential neighborhoods. As seen in the map below, the project site is surrounded by a high density apartment building now under construction (“A”), a church (“B”), a mobile home park (“C”), and residential neighborhoods (“D”). This broader view shows the project site is immediately surrounded by neighborhoods that will be negatively impacted by a large-scale project—operating 24/7—such as this, discussed below. Also present is Esposti Community Park which regularly hosts organized sports and other family activity. It is adjacent and north of the project site (between map “A” and “D”).

COMMENT ib: as mentioned in Town of Windsor comments (to be submitted), the project relies on “best management practices” (BMPs) which are inappropriate given they are not measurable and therefore unable to be monitored. Reliance on voluntary, preferred guidance provides no confidence in the project’s ability to protect natural resources. Without specific environmental protections and binding oversight, there is no incentive or regulation that can ensure natural habitat and resources will not be forever changed or lost.



A. LAND RESOURCES

COMMENT A-1: as noted above, the EA provides an incomplete picture of the surrounding community; aerial views are cropped to exclude surrounding residential neighborhoods. Noted in the map above, the project site is surrounded by a high-density apartment building now under construction (“A”), a church (“B”), a mobile home park (“C”), and residential neighborhoods (“D”). This broader view shows the project site is immediately surrounded by neighborhoods that will be negatively impacted by a large scale project such as this, discussed below.

B. WATER RESOURCES

COMMENT B-1: without repeating, I wish to reiterate the comments made by the Town of Windsor in their letter regarding the EA section on water resources. Most concerning is that, should this project be approved, the Town of Windsor would be bordered by another unregulated wastewater plant. Despite conclusions in the EA, the town has determined there has been, at minimum, insufficient study and analysis to make their conclusions and that **there will be significant impacts.**

COMMENT B-2: The reported peak-day pumping for the project is 402,000 gpd, which equals approximately 275 gpm (Table 2-2). If that pumping were to occur close to the Esposti Well, **drawdown at the Town’s Esposti drinking water well could be significant, which could significantly decrease the Esposti well output rate and possibly water quality.** Prior testing of the Esposti drinking water well was over short durations and should not be used to

extrapolate the level of impact from the proposed project wells without further testing. The potential impacts to the groundwater aquifer and groundwater wells have not been sufficiently evaluated. **Adverse impacts to groundwater aquifers represent a significant threat and impact.**

COMMENT B-3: The State Division of Drinking Water (DDW) does not, and has not approved all of the proposed recycled water uses in this configuration (recycled water is not allowed inside any food service buildings). **Mitigations offered are speculative, making them worthless when drawing conclusions of no significant impact.**

COMMENT B-4: page 3-20 references Mark West Creek for flow monitoring during discharge, which is significantly downstream of the point of discharge on Pruitt Creek. Pruitt Creek is also ephemeral, meaning it does not flow year-round, discharging wastewater into a creek that does not flow year-round **will significantly affect surfaces in the area.**

COMMENT B-5: The project proposes to repurpose or install up to 4 groundwater wells and estimates 100-300 gpm groundwater flow for daily use. The report does not indicate how much the existing wells on-site are currently being used. The proposed mitigation measure for groundwater is insufficient to address the risk to drinking water supplies. The proposed mitigation measure to reimburse the owners of nearby wells that become unusable within five years of the onset of project pumping is not sufficient to mitigate the level of impact. **These “insufficiencies” represent a significant risk and impact to surrounding residents who rely on wells and groundwater.**

COMMENT B-6: The EA cites the 2017 aquifer test at the Esposti well as evidence that pumping from aquifers deeper than 300 feet would not affect water levels in shallow wells (less than 200 ft deep). No drawdown was observed in shallow wells during the Esposti test. However, that test lasted only 28 hours. The EA does not consider the potential for sustained pumping at the Esposti well and the Project supply wells that may lower water levels in the shallow aquifers and could potentially jeopardize output of nearby domestic and municipal drinking water wells. **This depletion would be a significant impact.**

COMMENT B-7: The proposed design takes away from floodplain storage, an adequate amount of stormwater detention is not demonstrated by calculation to address the detraction of floodplain. Sub areas A,C, and E have footprints directly in the floodplain. **Flood risk to the area would have a significant impact to surrounding roads and residences.**

COMMENT B-8: The Town of Windsor completed a Storm Drainage Master Plan where the 100-year flood zones were mapped. The Project location shows potential flooding during the 100-year floods.

COMMENT B-9: wells are shallow; onsite wastewater storage could affect wells. **Contamination to wells/drinking water would be devastating; this poses a significant impact.**

COMMENT B-10: prior to the Winter of 2022, the Town of Windsor, the County of Sonoma, and the State of California were under water rationing rules. The availability of potable water is not endless; the analysis and anticipated use of the water does not consider drought and rationing on long-term availability of potable water. During drought, sustained pumping on the project site that is exempt from local and state regulation or restrictions would hasten depletion of water resources to surrounding residents.

COMMENT B-11: The proximity of Pruitt Creek to a large parking structure and paved parking will exacerbate flood risk. The project site is bordered by a mobile home park; during heavy rains (the area received 40” in 2022-23), flooding would disproportionately affect low income,

senior, and disabled residents who could be displaced. Flood risk a significant impact especially to the most vulnerable low-income residents who would be unable to replace their currently affordable housing.

C. AIR QUALITY

COMMENT C-1: The air quality modeling as detailed in Appendix F-1 makes a number of inaccurate assumptions including that Windsor is located in Climate Zone 4, that the project is in a rural setting, and that the average trip length for non-work trips should be based on the distance from Santa Rosa. It is **unlikely that there are no potential significant impacts** for any air quality or greenhouse gas emissions other than for CO.

COMMENT C-2: the project has an inadequate understanding of environmental impact on air quality as evidenced by its recommended equipment: “to reduce potential air quality impacts, Tier IV construction equipment for equipment greater than 50 horsepower should be required, instead of Tier III as proposed.” This lack of understanding will contribute to an increased impact on air quality.

COMMENT C-3: “Clean fuel fleet vehicles” is not defined and there is no standard to determine when use of clean vehicles is impracticable; there is no alternative to address the potential air quality impacts. EA reasoning is speculative.

COMMENT C-4: the EA makes a lot of assumptions re: use of certain equipment (“...assume the implementation of construction BMPs...;” “...assumes the use of electric boilers and appliances to the greatest extent practicable.” EA reasoning is highly speculative.

COMMENT C-5: the EA boasts significant employment opportunity. The EA fails to comment on the impact on air quality due to increased emissions for commuting workers (See also Comment N-2).

D. BIOLOGICAL RESOURCES

COMMENT D-1: the EA finds there could be significant impacts on wildlife that inhabits or migrates through the project site. Despite acknowledging the impact, there is no guarantee or mechanism to ensure implementation or enforcement of any mitigation measures. For example, the EA states “Increased lighting could increase bird collisions with structures and could also cause disorientation effects for avian species. Thus, nighttime lighting.....could have a potentially significant effect on both migrating and local bird populations.” The EA mitigation involves incorporation of “...lighting so as not to cast significant light or glare into natural areas....” This appears impossible on its face in that the primary purpose of the lighting will be to ensure safety and security of those using the facilities. It’s highly unlikely the project would install “low” enough lighting to not impact birds (perceived as “poor” lighting for human use at night). Regardless, any illumination of the area disrupts the current natural environment enjoyed by all habitants/animals especially species with nocturnal feeding behaviors. **Introducing any lighting into an unlighted space is inherently disruptive and a significant impact.**

E. CULTURAL/PALEONTOLOGICAL RESOURCES

COMMENT E-1: the EA determined that there is a potential for significant subsurface cultural resources on the Project Site, however inadequate monitoring is prescribed only within 150 feet of Pruitt Creek. The determination is sufficient to conclude there would be a significant environmental impact. I will also note that because the Koi Nation is not indigenous to not only the project site but also Sonoma County, any disturbance or excavation within the project site would disturb cultural and potentially sacred sites of other tribes/nations.

COMMENT E-2: other tribes that are indigenous to the area lose any opportunity to preserve tribal lands, potential burial grounds, or other sacred spaces. This is a fundamental encroachment on another tribe's sovereignty and is disrespectful of Sonoma County indigenous tribes' efforts to reclaim and preserve their lands. No local, state, or federal agency or entity should facilitate false entitlement nor encourage overstepping another tribe's jurisdiction. See Attachments 1 and 2.

F. SOCIOECONOMIC CONDITIONS/ENVIRONMENTAL JUSTICE

COMMENT F-1: The growth-inducing effects section indicates that the project would result in pressure for new commercial development in the area, such as additional (new) gas stations (which is banned by the Town of Windsor County of Sonoma). The EA somehow concludes that indirect and induced demand for commercial growth would be diffused across the State, thus no significant regional commercial growth inducing impacts. There is NO justification for this claim. At best, these conclusions are more speculative "wishful thinking" to fit the desired outcome.

COMMENT F-2: the housing section assumes there would be no significant impact but provides no data to support this assertion. It assumes most employees will come from the existing pool of casino and hospitality workers; however, due to housing costs, many of these workers commute from outside Sonoma County. Given the number of projected employees for this project, **the traffic would be a significant addition to existing traffic due to the number of employees that will need to travel from outside the area.**

COMMENT F-3: The Socioeconomic Study was prepared by Global Market Advisors for the Koi Nation of Northern California which is an international provider of consulting services to the gaming, entertainment, sports, and hospitality industries. Any EA conclusions of beneficial no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT F-4: the EA uses erroneous data; states that the Sonoma County Average Annual Household Income (AAHI) was \$121,522 in 2021, which is overstated. Information provided by the California Department of Housing and Community Development indicated that the Sonoma County Area Median Income (AMI) was \$103,300 for a family of four in 2021. Most analyses of housing affordability refer to median income, because the average income is likely skewed by a small number of high-income households. Any EA conclusions of beneficial no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT F-5: Page 6 of the study indicates that only 170 new homes were added to Sonoma County from 2010 to 2020. This is misleading; nearly 5,600 homes were destroyed in Sonoma County by the 2017 Tubbs Fire and construction to replace those homes continues.

- 2019 - Kincade Fire - largest fire in Sonoma County history, burnt approximately 77,758 acres in Sonoma County, destroyed 374 structures
- 2017 - Tubbs Fire - burned approximately 36,807 acres in Sonoma and Napa counties, destroyed 5,636 structures and killed 22 people
- 2017 - Nuns Fire - burned approximately 54,000 acres (34,398 in Sonoma County and 20,025 in Napa County), destroyed 1,355 structures and killed 3 people
- 2017 - Pocket Fire - burned approximately 14,225 acres in Sonoma County, destroyed 6 structures
(Source Press Democrat, November 14, 2019)

Any EA conclusions of beneficial or no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT F-6: Page 40 of the study (Employment) indicates that construction and operation phases will have a positive effect on the local economy (reducing unemployment). The EA fails to describe the local labor shortage in the area, which this project could exacerbate.

This will have no positive impact on local employment and more likely to negatively impact surrounding neighborhoods with increased traffic, air pollution, and other cumulative effects discussed below.

COMMENT F-7: The section beginning on Page 40 of the study (Housing and Schools) does not recognize the local housing shortage and continuing recovery from wildfires. Also, as stated above, the assertion that Sonoma County has a sufficient labor force focused on the hospitality industry is unsubstantiated, thus likely false.

G. TRANSPORTATION AND CIRCULATION

COMMENT G-1: **conclusions were based on insufficient data.** Based on reviews conducted for a casino in Rohnert Park, daily trips may be 15 to 25 percent higher than those indicated on this project analysis. Review of the Rohnert Park facility revealed the highest daily and afternoon peak trip generation occurs on Sundays, not Saturdays. This section conclusions are faulty. The mitigation actions for the casino project proposed on Shiloh Road and the interchange are inadequate to avoid significant negative impacts to the transportation network on opening day of the proposed casino. **The EA does not offer appropriate mitigation.** Any EA conclusions of beneficial or no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT G-2: The Town of Windsor evaluated this portion of the EA and found many examples where the EA proposes inadequate or problematic mitigation, misrepresents the facts, or cites faulty assumptions to support conclusions of little or no impact. For example: re: Shiloh Road/US 101 North Off-Ramp, the proposed mitigation is to restripe the ramp to include triple right-turn lanes. This modification is likely to perform poorly since it would “trap” two of the three right-turn lanes in the left-turn pockets at the adjacent Shiloh Road/Hembree Lane intersection. **It would not function acceptably.** In another example, the project would be responsible for 39.4% of the traffic growth which seems to imply that the project would not need to contribute funds since it addresses its impact under 2028+Project. Further, a contribution of 39.4% if made would still be illogical since the intersection would undergo far more widening (with associated cost) than the Town would never have needed without the proposed project. **The project will cause the Town to incur costs it would have never needed.** Please note that the Town of Windsor is currently projecting a structural budget deficit. Any EA conclusions of beneficial or no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT G-3: the 2040 segment analysis capacities are shown to be 49,800 daily vehicles, which is highly unrealistic for an urban four-lane street. However, if we accept this figure, **the number of additional daily vehicles would be like having nearly twice the entire population of Windsor driving this stretch of roadway every day; that is a significant impact.**

Without repeating all comments here, we wish to reiterate and support all Transportation/Circulation comments by the Town of Windsor in its letter to the BIA re: the EA. **The Town wrote: The mitigation actions for the casino project proposed on Shiloh Road and the interchange are inadequate to avoid significant negative impacts to the transportation network.**

H. LAND USE

COMMENT H-1: as noted above, the EA provides an incomplete picture of the surrounding community; aerial views are cropped to exclude existing, surrounding residential neighborhoods. Noted in the map above (See pg. 1 “Proposed Project and Alternatives” comments), the project site is bordered by a high-density apartment building now under construction (“A”), a church (“B”), a mobile home park (“C”), and residential neighborhoods (“D”). This macro view shows the immediate proximity of the surrounding neighborhoods that will be negatively impacted by a large scale project such as this.

COMMENT H-2: **none of the current land trusts are adjacent to residential-zoned areas.** Allowing this project would go against precedent of disallowing this type of project adjacent to residential zoning. Further, it would violate precedent of taking land into trust for this type of project on land greater than 15 miles from a tribe’s aboriginal site.

COMMENT H-3: the location is currently zoned for agricultural purposes, which not only respects a voter-mandated urban growth boundary but is also now considered a necessary fire mitigation given the recent history of multiple massive wildfires in this area since 2017. **The fire risk cannot be mitigated.** Replacing agricultural land with structures increases the flammables and further increases fuels that may subsequently travel into surrounding structures (as happened in recent wildfires). No amount of firefighting personnel or equipment can provide protection during a firestorm. In prior fires, the speed and scale of the fires prohibited firefighting as personnel had to make life saving evacuation a priority. Lives and structures were lost. Any death cannot be mitigated. **Removing an agricultural barrier significantly impacts the ability to use all available resources to combat wildfires.**

COMMENT H-4: the project EA assumes the location is eligible for the owners’ proposed use. The location should not be eligible for this development because the land is not the homeland of the Koi Nation. In fact, on October 20, 2023, they received support from California Attorney General Bonta (in the form of an amicus brief) supporting the Koi Nation’s current lawsuit contending saying the City of Clearlake, in Lake County (over 50 miles from the project site) failed to adequately consult with the tribe to ensure preservation of ancestral cultural sites during development of a new four-story hotel. The lawsuit is evidence of what five federally recognized, indigenous Sonoma County tribes have stated: the Koi are southern Pomo which are not native to Sonoma County. Therefore, (as in the two prior attempts by the Koi nation to acquire land) **Sonoma County is not Koi Nation homeland and should be ineligible as a site for any process that considers a Koi Nation project.** See *Attachments 1 and 2.*

I. PUBLIC SERVICES AND UTILITIES

COMMENT I-1: waste disposal plans are inconsistent with current County of Sonoma’s Zero Waste Resolution goals of zero waste by 2030.

COMMENT I-2: The EA notes that increases in crime and calls for service to public safety are associated with any population increase, not necessarily gaming specifically. Regardless of the cause, the project location currently generates virtually zero calls for service. The Windsor Police Department anticipates an increase in calls related to: traffic, noise, accidents, DUI’s, loud exhaust and speeding, disturbing the peace/public Intoxication, trespassing, property

crimes, prostitution, assaults, drug activity. Because of how mutual aid works in law enforcement any need for assistance by the Sheriff's Office (the responding agency), will directly impact the Town of Windsor Police Department by redirecting officers away from the Town, thus reducing law enforcement availability within the Town of Windsor (and residents who will suffer a decrease in services despite paying for it). **Any increase in crime or need for mutual aid will, therefore, have a significant impact.**

COMMENT I-3: In their published article "Casinos, Crime, and Community Costs" (*The Review of Economics and Statistics, February 2006, 88(1): 28–45*), Grinols and Mustard state "Our analysis of the relationship between casinos and crime is the most exhaustive ever undertaken in terms of the number of regions examined, the years covered, and the control variables used." They conclude "that casinos increased all crimes except murder, the crime with the least obvious connection to casinos. Most offenses showed that the impact of casinos on crime increased over time, a pattern very consistent with the theories of how casinos affect crime." They also conclude that any crime-ameliorating effects of casinos due to increased employment opportunities are short-term and only after opening. In addition, law enforcement agencies often use casino openings to leverage for staffing increases, but are unable to sustain this growth. The Sonoma County Sheriff's Office and the Town of Windsor are not unique in the Bay Area in that they are currently operating with vacancies, and are competing with many surrounding counties to recruit and fill those positions. The EA erroneously assumes full staffing for these agencies when concluding there is sufficient law enforcement. **The increased need for law enforcement and the associated long-term costs to the Town of Windsor (salary, pension, overtime, recruitment and retention costs, etc.) will have a significant impact. See Attachment 3.**

COMMENT I-4: survivors of human trafficking have reported their traffickers using casinos as a meeting place for buyers who were arranged online or as a venue to solicit prospective buyers, particularly when the casino is combined with a hotel. In their publication "Casinos Combatting Human Trafficking," the non-profit Busing on the Lookout provides tips and recommendations for casinos and bus companies to help stop human trafficking. It is reasonable to expect that this project site would not be immune to this trend. **Any increase in human trafficking crimes within this project site would be a significant impact. See Attachment 4.**

COMMENT I-5: the EA lists Sonoma County Fire District (SCFD) and Cal Fire resources that have jurisdiction of fire services for Sonoma County. The inventory listed (See EA: "Fire Protection and Emergency Medical Services," page 3-84) may appear impressive but was inadequate in real-world practice. During the 2017, 2019 wildfires, the resources were unable to respond to all fire areas, and mutual aid was not available due to the scale and number of events occurring simultaneously statewide. In some areas, the destruction and path of the wildfire were at the mercy of the weather and fire behavior because resources were stretched so thin. **The plan to enter into an agreement with SCFD for fire services is no guarantee those services will be provided or prioritized during an actual wild fire event. This is a significant risk and impact that portends very poor outcomes for unfamiliar customers and local residents.**

J. HAZARDOUS MATERIALS/HAZARDS

COMMENT J-1: The project site is currently a vineyard. In recent wildfires, vineyards have served as buffers to developed urban areas and have been used as staging areas for firefighting activities. The Proposed Project would replace a wildfire mitigating resource with a development of combustible materials (vehicles, structures, landscaping) which could further increase fire risk to surrounding developed areas and residents given the ability of embers to fly more than a mile and start new fires. The EA states that construction materials will mitigate the

fire risk posed by the project. However, recent wildfires and the circumstances of those events easily and quickly overwhelmed all structures. And, regardless of the mitigating construction materials the risk of burning and flying embers from nearby Shiloh Park continue to pose a risk to all structures. **The loss of a fire break and associated fire risk cannot be mitigated and represents a significant impact to potential loss of property and loss of life.** Recent wildfire events and their impacts are below:

- 2019 - Kincade Fire - largest fire in Sonoma County history, burnt approximately 77,758 acres in Sonoma County, destroyed 374 structures
- 2017 - Tubbs Fire - burned approximately 36,807 acres in Sonoma and Napa counties, destroyed 5,636 structures and killed 22 people
- 2017 - Nuns Fire - burned approximately 54,000 acres (34,398 in Sonoma County and 20,025 in Napa County), destroyed 1,355 structures and killed 3 people
- 2017 - Pocket Fire - burned approximately 14,225 acres in Sonoma County, destroyed 6 structures
(Source Press Democrat, November 14, 2019)

COMMENT J-2: the EA estimates that the project would add approximately 2 hours to evacuate of the Town of Windsor during a wildfire. The plan to utilize casino or resort staff as traffic control attendants is naïve at best. During the 2017 Tubbs wildfire, as wind and flames were bearing down on Santa Rosa homes and assisted living care homes, facility staff—likely fearing for their own safety—abandoned approximately 100 elderly residents (the Oakmont and Varena facilities were later sued by the county district attorney). There is no way to mitigate for human behavior in these circumstances. **Any project that delays an evacuation (which historically took hours) will increase the likelihood of human injury or death, thus causing a significant impact to the surrounding community.**

K. VISUAL RESOURCES

COMMENT K-1: The EA mitigation involves incorporation of “...lighting so as not to cast significant light or glare into natural areas....” This appears impossible on its face in that the primary purpose of the lighting will be to ensure safety and security of those using the facilities. It’s highly unlikely the project would install “low” enough lighting to not impact birds (perceived as “poor” lighting for human use at night) or surrounding neighborhoods directly adjacent the project site. **Regardless, any illumination in the area which currently has no artificial light disrupts the current natural environment enjoyed by all habitants/animals especially species with nocturnal feeding behaviors; any lighting will have a significant impact.**

L. CUMULATIVE EFFECTS

COMMENT L-1: it is important to recognize that each of the sections (factors) in the EA are not mutually exclusive in their impacts and can have cumulative effects. For example, drought and excessive water usage have a direct relationship not only to humans that rely on nearby wells, but also to fire risk and demand for limited fire-fighting services. Further, as seen recently, wildfire destruction to humans and structures has a direct relationship to the density of traffic and humans attempt to flee the area. The unpredictable drought cycles which are increasing due to climate change cannot be mitigated, thus **any planned development of this size and scale that provides only entertainment value should not be placed in a high fire risk location that exacerbates individual and cumulative risk.**

COMMENT L-2: **The EA acknowledges “wildfire risk exists and would be exacerbated by climate change.”** The EA then postulates that proposed mitigation measures reduce susceptibility to these risks with no data or evidence to make that assertion. Further, the

mitigation measures are inadequate as discussed above, and do not necessarily account for the rate of future global warming which depends on many factors such as future emissions, processes that dampen or reinforce disturbances to the climate system, and unpredictable natural influences on climate. While scientists use modeling to predict future climate impacts, it is inherently difficult to predict due to many unpredictable variables. Simply put, the mitigation measures in the EA are inadequate and incapable of ensuring a decreased risk. Any EA conclusions of beneficial no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

COMMENT L-3: the EA states “Although the project alternatives are not consistent with existing zoning, potential impacts from land use conflicts would be reduced to less than significant levels through the implementation of mitigation measures.” It defies logic to conclude that a project of this size will have little or no significant impacts on the surrounding environment and community when it replaces agricultural lands that act as a barrier to wildfire in a high-risk fire area, consists of a 24/7 resort casino that uses 170,000 gallons of potable water per day, sits on a 65 acre parcel adjacent to single-family and apartment homes, is surrounded by two-lane roads, provides 5,000 parking spaces for the 11,000-15,000 trips generated each day, among other environmental disruption.

M. INDIRECT AND GROWTH-INDUCING EFFECTS

COMMENT M-1: The EA indicates that the project would result in pressure for new commercial development in the area, such as additional (new) gas stations (which is banned by the Town of Windsor County of Sonoma). The EA somehow concludes that indirect and induced demand for commercial growth would be diffused across the State, thus no significant regional commercial growth inducing impacts. There is NO justification for this claim. At best, these conclusions are more “wishful thinking” to fit the desired outcome. Any EA conclusions of beneficial no significant impact—and the numerous assumptions, data errors and omissions used to support them—should be considered biased and suspect without peer review or a completion of a second EA by a qualified, independent consultant.

N. MITIGATION

COMMENT N-1: the sheer number of mitigations detailed in the EA demonstrates that there will be significant environmental impact.

COMMENT N-2: NEPA requires that, if a project would have significant adverse effects on the environment, mitigation for those impacts must be identified. Identification is no guarantee of implementation. Who will ensure enforcement of mitigation? **Once lands are taken into trust, local, state, and federal agencies will lose regulatory oversight of the land use and any ability to enforce compliance with mitigations described in the EA.** Further, there is no guarantee the development would cease with the proposed project. There may be no recourse to inhibit future development or expansion of the project site. Unfortunately, the current incentive is to provide a favorable EA to gain BIA support/approval to have land taken into trust for this project; if successful, there will be no further incentive for the Koi Nation to consider concerns or local residents and actual Sonoma County tribes. Locally impacted residents will lose any right to influence the environment in which they reside. **Homeowners and others who reside adjacent to the project site may have no other way to mitigate impacts but to move. That, by definition, is a significant impact.**

We appreciate the opportunity to comment. Thank you for careful consideration of our comments.

Regards,

Elizabeth Acosta & Stephen Rios
Windsor Residents (Sonoma County)
acostalcs@gmail.com

Attachments:


Attachment 1: Press Democrat: "State Attorney General Files Legal Brief Supporting Koi Nation in Suit Against Clearlake" (October 20, 2023).

Attachment 2: Lake County News: "Clearlake sets aside half a million dollars to defend against tribal lawsuits over city projects," (October 20, 2023).

Attachment 3: "Casinos, Crime, and Community Costs" by Grinols and Mustard

Attachment 4: Casinos Combatting Human Trafficking Toolkit

State attorney general files legal brief supporting Koi Nation in suit against Clearlake

Department of Justice says city officials violated environmental laws through alleged failure to satisfy tribal consultation requirements to ensure preservation of cultural sites. | 



California Attorney General Rob Bonta, shown in July, announced an investigation Wednesday, Oct. 12, 2022, into Los Angeles' 2021 redistricting process. (Genaro Molina/Los Angeles Times/TNS)

MARY CALLAHAN

THE PRESS DEMOCRAT

October 20, 2023, 5:22PM | [Updated 16 hours ago](#)

The California Attorney General's Office has weighed in on the side of the Koi Nation of Northern California in a lawsuit against the city of Clearlake, saying officials failed to adequately consult with the tribe to ensure preservation of ancestral cultural sites during development of a new four-story hotel.

The project in the south part of the Lake County town is to include a 0.2-mile extension of

18th Avenue west of Highway 53 to serve the hotel and an accompanying one-story meeting hall, along with utilities, sidewalks and 109 parking spaces on land the tribe says contains cultural sites.

The city council approved a declaration last year stating that anticipated environmental impacts were not substantial enough to require full environmental analysis.

It states, in part, that review of historical records and archaeological surveys on the vacant, city-owned land — some of it already extensively disturbed by heavy equipment and other activity — did not turn up protected cultural sites.

In acknowledging “the remote possibility” for artifacts, including human remains, to surface during construction, it said developers could stop activity within 100 feet, further investigate, consult appropriate agencies and determine what mitigation measures are needed.

[MNDAirportHotel.pdf](#)

But the Koi Nation says that’s not enough, given amended provisions of the California Environmental Quality Act under Assembly Bill 52 in 2014 that require “meaningful consultation” with tribes to ascertain what cultural resources might be at risk.

Attorney General Rob Bonta agreed.

In an 18-page amicus brief filed Tuesday in Lake County Superior Court, the state argues the city’s inattention to tribal concerns and guidance violates the California Environmental Quality Act, failing to satisfy the requirement to analyze tribal cultural resources “as a distinct, separate category ... subject to the same rigors and burdens of proof as analyses of other resource categories.”

[AG Amicus Order - combined.pdf](#)

The intent of the change, the brief says, was to factor in “the spiritual, cultural, and intrinsic value of tribal cultural resources to the tribes who maintain connections with those resources” — values that “are not captured through western archaeological and historical surveys,” and thus require consultation.

State code defines tribal cultural resources as sites, features, places, cultural landscapes,

sacred places and objects.

The city did hold an initial March 2022 meeting at which Koi leaders offered evidence of important sites at risk of disturbance, as well as confidential maps of cultural resources and proposed mitigation measures, according to legal documents. (Tribes generally keep information about important ancestral sites confidential to avoid vandalism and theft.)

But then, communications stopped, and the tribe never heard back, despite repeated efforts to contact the city and continue discussions, the brief states.

"The record reflects that the City did only cursory consultation, did not meaningfully consider the Tribe's input, and did not invest 'reasonable effort' to seek mutual resolution," the state's brief says.

"The Clearlake area is home to Native American tribes who have lived there since time immemorial," Bonta said in a news release Friday. "The preservation of tribal cultural resources is of great importance."

"We stand with the Koi Nation in seeking justice and accountability. The California Legislature passed AB 52 to ensure that government agencies' consultation with tribes regarding their tribal cultural resources would be meaningful — that simply didn't happen here."

Clearlake City Hall is closed on Fridays, and city officials could not be reached for comment.

Koi Nation Vice Chairman Dino Beltran said in the news release the tribe is "grateful for the action and leadership of Attorney General Rob Bonta and his hardworking team."

"We hope this will be helpful for all California Native American Tribes in their protection of Tribal Cultural Resources moving forward," he continued. "It is important to recognize traditional cultural knowledge as evidence."

The tribe's March 2023 suit over what's called the Airport Hotel and 18th Avenue Extension Project is similar to [one filed by the Koi Nation](#) in July over proposed development of a 26-acre recreational and public works complex the city said is much needed for its citizens.

Rep. Mike Thompson, D-St. Helena, last year secured \$2 million for the Burns Valley project.

The Koi Nation is a federally recognized tribe of the Southeastern Pomo people that claims

historic roots around Sonoma and Lake counties going back 17,000 years.

It is currently involved in a dispute with public officials and residents over its proposed development of a large casino and resort project on more than 68 acres on Shiloh Road in unincorporated Windsor.

You can reach Staff Writer Mary Callahan (she/her) at 707-521-5249 or mary.callahan@pressdemocrat.com. On Twitter @MaryCallahanB.

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Clearlake sets aside half a million dollars to defend against tribal lawsuits over city projects

ELIZABETH LARSON POSTED ON FRIDAY, 20 OCTOBER 2023 01:34 f t G+ in p 20 OCTOBER 2023



LAKE COUNTY, Calif. — The Clearlake City Council has approved increasing the funding the city will devote to defending itself against legal challenges involving major park and road projects filed by the Koi Nation tribe, with one of those cases set to go to trial on Friday.

At its Oct. 5 meeting, the council was unanimous in approving the request from City Manager Alan Flora to double the city's expenditures with the Downey Brand law firm from \$250,000 to \$500,000.

In his written report for that council meeting, Flora said the legal contract was primarily for the purpose of defending the city against "the recent onslaught by the Koi Nation to challenge all economic development projects in the City of Clearlake."

The tribe, whose traditional territory includes the city of Clearlake and Lower Lake, sued in March to halt the city's projects for the 18th Avenue extension, which is related to a new hotel development.

It filed another suit in July regarding the Burns Valley sports complex and recreation center project, alleging the city has not conducted state-required consultation with its tribal government.

Koi Vice Chair Dino Beltrans did not respond to a message requesting comment for this story.

In December, Congressman Mike Thompson secured \$2 million for the Burns Valley project, which will include construction of a large sports and recreation center complete with baseball fields, soccer fields, a 20,000 square foot rec center, a small amount of retail space and a public works corporation yard.

The 18th Avenue project suit is set to go to trial in Lake County Superior Court on Friday, Oct. 20. No date has been set for the Burns Valley lawsuit.

Council members on Oct. 5 were united in calling the tribal lawsuits "frivolous" and damaging to the city's efforts to complete beneficial projects, including those focused on the community's children.

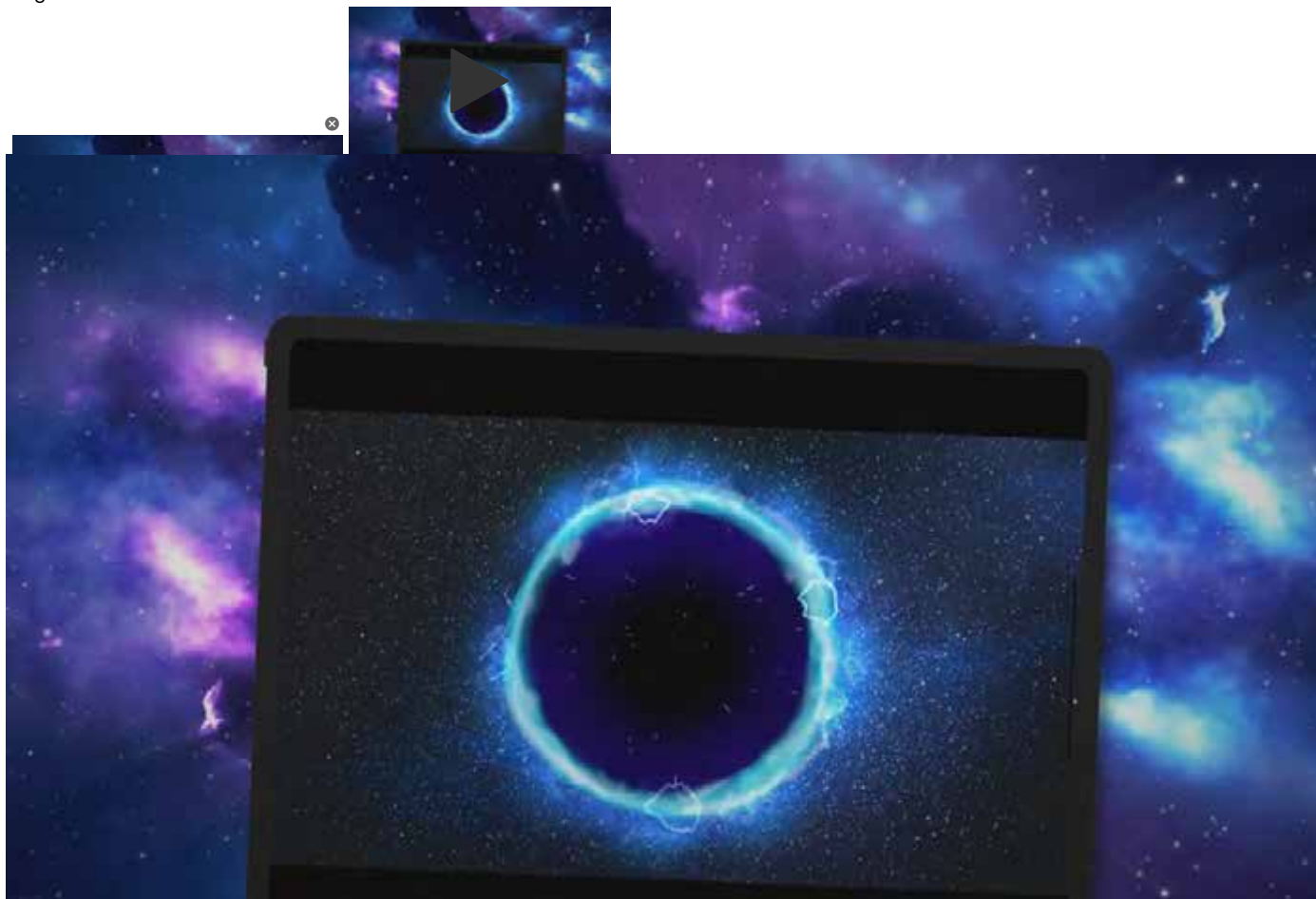
The council had initially approved the \$250,000 figure for legal defense in March after the tribe sued to stop the city's extension of 18th Avenue as part of a new hotel development at the former Peace Field airport site.

The tribe has alleged that the city violated the California Environmental Quality Act, or CEQA, and abused its discretion in adopting a mitigated negative declaration rather than completing an environmental impact report for the project.

Specifically, the tribe has pointed to AB 52, the Tribal Cultural Resources Bill of 2014, which requires that, as part of CEQA, public agencies must consult with a local Native American tribe when a project will have significant impact on tribal sites.

"The City ignored substantial evidence of direct and cumulative impacts to tribal cultural resources within the aboriginal territories of Petitioner Koi Nation, and the City failed to engage in meaningful and legally adequate government-

to-government consultation with Petitioner Koi



Nation as required by CEQA through AB 52," according to case documents.

In its defense, the city has said it conducted that consultation and followed CEQA's requirements fully, and that the tribe is reading things into the law that aren't there.

The city had been set to start road and utility work on the 18th Avenue Project in July, the week after a temporary restraining order hearing that took place on July 13 before Judge Michael Lunas.

At that time, it had been anticipated that Lunas would issue a ruling within a month, but that decision finally came down within recent weeks.

Lunas denied the tribe's request for a preliminary injunction but issued a stay on ground disturbing work until the outcome of the Oct. 20 trial.

With Lunas expected to issue a ruling within 30 days of the trial's conclusion, and no date yet set on the sports complex, Flora said there is "little likelihood" the city will be able to do any work on the projects this year. However, he said he remains "ever hopeful" some work could be done on the 18th Avenue project, depending on weather.

The Koi tribal leadership has appeared to heighten its willingness to fight the city at the same time as they are working to establish a new casino in Windsor in neighboring Sonoma County.

The tribe had been known as the Lower Lake Rancheria Koi Nation until 2011, when it changed its name to the Koi Nation of Northern California.

In the fall of 2021, the tribe went public with its plans for the Windsor casino. By that year's end, the tribe's koination.com website was gone and now redirects to Koinationsonoma.com.

On that website's "Mission" page, it does not mention Lake County. Rather, it says the tribe is "committed to protecting and exercising our inherent sovereign rights as a federally recognized tribe to their fullest extent, including obtaining land to re-establish a permanent land base for our people who have lived in this region for thousands of years, and creating self-sustaining economic activity to support the tribal government and its people, and the entire community of Sonoma County."

So far, the Koi — who will partner with the Chickasaw Nation of Oklahoma to operate the casino — have not gotten a welcome reception either from tribes or government agencies in Sonoma County, which have joined to push back on the plan.

The Sonoma County Board of Supervisors passed a resolution against the casino, the Graton Rancheria accused the Koi of “reservation shopping” and in a federal hearing last month, the tribe’s plans even received opposition from elected leaders at the federal and state levels.

The tribe has, however, gotten support from a group of union workers with whom it has signed an agreement to ensure union labor is employed in building the casino, as well as retired Lake County Sheriff Brian Martin, featured in a support video released in July, and actor Peter Coyote, who has narrated a documentary involving the tribe.

Heightened disagreements

The Koi’s working relationship with the city has most noticeably deteriorated over the last three years, as the tribal leadership and its attorneys have aimed increasingly sharpened criticism at city leadership over the handling of projects.

Much of the tribe’s tension with the city has appeared to involve tribal monitoring. Specifically, the tribe wants trained tribal members to be paid by the city to monitor all operations when there is ground disturbance in order to look for artifacts and human remains, which trigger work stoppage.

The tribe has maintained this is important because of past instances in which lack of monitoring resulted in removal of human remains and historical soils, and destruction of artifacts.

Flora said during a Clearlake Planning Commission meeting in June that the city doesn’t believe that every project it does that involves ground disturbance requires tribal monitoring.

The Koi haven’t just taken aim at city projects.

In the fall of 2020, the Lake County Tribal Health Consortium began work on its new Southshore Clinic at 14440 Olympic Drive. The consortium consists of six Lake County tribes, but the Koi does not participate.

Flora said the Koi tribe was aware of the project, but when construction started, “They came out and kinda caused a ruckus and asked for Dr. Parker to come out.”

Flora said Dr. John Parker, the Koi’s preferred archaeologist, went to the project and concluded there were no issues. In all, Flora estimated that construction on the project was stopped for as much as a day and a half while those matters were resolved.

When it held its official grand opening in May, Tribal Health presented the city with a \$150,000 check in support of the Burns Valley sports complex project, pointing to the health benefits to the community.

Flora said that in 2022, the Koi had threatened to sue to stop completion of the city’s new splash pad at Austin Park. Because the council had wanted to move forward with the contract and completing the project, he said they agreed to the monitoring the Koi wanted.

However, while the splash pad was completed, Flora said there was other work planned at Austin Park that won’t be completed because underground work would have been required and it was expected to result in further issues with the tribe.

That included shade structures in front of the bandstand that were to be paid for with grant funds. Flora said the city is now reallocating those funds elsewhere.

“We know with their pattern of working with us that it’s just not worth the fight at this point,” he said.

In January, during an initial discussion with the Board of Supervisors about designing a regional skate park at Austin Park — and upgrading the existing park with an above-ground concrete structure — Koi representatives again raised issues.

Robert Geary, the tribal historic preservation officer for Habematolel Pomo of Upper Lake who has been working with the Koi in response to city projects, said the site of the existing park is a village site and that they wanted protocols in place before any action was taken.

“This is only for the design,” said Supervisor Bruno Sabatier, whose district includes Clearlake.

“We have discussed the sensitivity of the area as well,” said Sabatier, which is why they are looking to build up, not to dig into the earth in order to

do the least disturbance possible.

Holly Roberson, the tribal cultural resources counsel for the Koi Nation, told the board the tribe isn't against development in Lake County.

She followed up by saying, "It's great that you're interested in development above ground. That doesn't necessarily mean there won't be tribal cultural resources impacts."

Roberson said they would have "significant legal risk" if the tribal resources aren't fully addressed.

Sabatier said he planned to work to make sure the project happened correctly, but didn't support adding any requirements to the memorandum of understanding for the project's design cost.

During a June discussion the Clearlake City Council had on that project, Roberson and Geary appeared and reiterated comments they had made at the supervisorial meeting about the skate park project's potential impact on tribal resources. The council went forward with approving the MOU at that time.

There are other projects the city also is holding off on because they're concerned about more threats of litigation by the tribe, including installing electrical vehicle charging stations at City Hall. He said the city isn't planning any such installations there because they believe the tribe would try to stop it.

In addition, a water line replacement down Dam Road needed to serve the Cache fire area, including one of the mobile home parks where there are 50 mobile homes needing water supply and another park where rebuilding needs to take place, has been held up for the Konocti County Water District, according to Flora.

Flora said the tribe is insisting that any sensitive materials that have been dug up due to the water line work be reburied in the same location. In some instances, that's not possible. The city is offering another reburial location and the tribe is refusing. The result is the district is going to have to come up with more money to pay the tribe for monitoring and reburial.

Situation comes to a head

For the Burns Valley project, the situation comes down to monitoring.

The city purchased the 31-acre parcel at the end of 2020. In May of 2022, the city completed the sale of a five-acre parcel at 14795 Burns Valley Road to Arcata-based Danco Communities, which is building an 84-unit apartment complex with mixed-income family units there. That project had no opposition from the tribe.

"They did not raise issues with Danco because Danco agreed to full tribal monitoring, even though there was no requirement to do so," said Flora.

"Danco was more concerned about the timing of the project being held up and how that would impact their financing stack."

The tribe wants the entirety of the 26 acres where the sports complex and city corporation yard will be located to be monitored, rather than just the location of two habitation sites, which they have argued is actually one large village.

"They say it's always about the monitoring but they feel like they should make all decisions when it comes to tribal resources," said Flora.

There are no state or federal laws requiring tribal monitors, although projects have increasingly included them out of respect for tribes.

Flora said if an item is found, the tribe believes it gets to tell the city what to do about it. "They get to decide and we get to pay for it," he said, adding that's not the state law.

The Clearlake Planning Commission's approval of the Burns Valley project's environmental analysis over the Koi's objections on April 25 brought the disagreements between the city and the tribe to a head over the summer.

The Koi appealed the commission's action. Over the course of several meetings — regularly scheduled meetings on June 1 and 15, and a special meeting in June 6 — the Clearlake City Council discussed the Koi's appeal.

At the June 6 meeting, Tribal Chair Darin Beltran — brother of Vice Chair Dino Beltran — spoke to the council about the project.

Beltran's comments led city officials to understand that he was offering to have the tribe — not the city — pay for the monitoring it wants of the site.

The city created a separate video clip of that discussion from the meeting and posted it on its Youtube page in order to explain the matter.

However, the following week, when Mayor Russ Perdock and Councilman David Claffey met with the Koi tribal council, Perdock said that offer was rescinded.

At the June 15 council meeting, Darin Beltran did not speak to the matter. Instead, Roberson told the council that it was a "misunderstanding," and that the tribe was not extending Darin Beltran's offer, which would have required a vote of the tribal council.

She said it was "confusing," although council members were firm in saying Beltran's offer had been clear.

While his brother didn't speak, Dino Beltran did. "We have not told you no. We want this to happen," he said of the project.

He said it was a social justice, cultural and religious issue, not one of CEQA.

Beltran said they were going to start reaching out to the community. "We are not getting through here," he said about interactions with the council. He said they would not pay for tribal monitoring.

"This isn't a legal issue so much as it is a moral issue," he said.

During the discussion, another tribal member requested that the sports complex be named for the tribe, which Flora later said wasn't something that had ever been discussed before then.

Roberson, who returned to the microphone, said there are numerous cultural sites around the city, and not all cultural resources have been identified or mitigated.

She said sites have historically been desecrated. "Are you going to keep going? Are you going to double down on what happened in the past?"

Tom Nixon, a retired park ranger for Anderson Marsh, said during public comment that he respected both the city and the Koi, which he said wanted to be part of the process.

Part of that is legitimizing compensation, Nixon said. "I think you should pony up."

Flora later noted that, from listening to comments from the public, there was not a clear understanding of the mitigations, which includes tribal monitoring of specific sites and cap and fill.

He said the city purchased the property two and a half years before and immediately started consultation with the tribe. Dino Beltran raised issues

of burials, and that information was passed on to archaeologist Dr. Greg White, who found no evidence of burials on the property.

Councilman Dirk Slooten said it was interesting that, only that day, the tribe raised environmental and social justice issues about the project.

Councilman Russ Cremer said he had been specific in asking the tribe about paying for monitoring during the special meeting in which Darin Beltran had made the offer.

Cremer said that cultivation has happened on the property — which had been part of a working farm and orchard — for over the past 100 years.

Recently, the city had the property disked to knock down vegetation for fire safety, and the tribe criticized the city for taking that measure, which Cremer said was ridiculous.

He said they've tried to get to a happy medium and that the tribe hasn't heard them.

"Quite honestly, I'm somewhat, I shouldn't say I'm shocked," he said. "There was no misunderstanding on what I asked and what Mr. Beltran agreed to."

Cremer said something happened over the weekend or the ensuing three or four days after the meeting in which Darin Beltran had offered to pay for monitoring.

He said he didn't see a requirement for city to pay for monitoring outside of areas we agreed to pay for. "We're stretching to make this thing work."

Cremer added, "You say you want this to happen, but your actions are not showing me that."

Councilwoman Joyce Overton was less diplomatic. "I'm not quite sure why we're even here on the issue."

She faulted Parker for having gone onto city property without permission to conduct surveys — which Flora also had stated during council meetings on the matter — adding she has personally seen Parker make copies of artifacts.

Overton said there is always going to be monitoring, and that she felt the city had gone above and beyond in its responsibilities. "I don't think there's any give anymore."

Flora said during the discussion that the city if human remains are found, work within 100 feet needs to stop.

"This is a unique opportunity for the city of Clearlake," said Slooten, with a amazing sports complex with amazing health benefits to the community.

He pointed out that Lake County has some of the worst health outcomes in the state because it doesn't have these types of facilities.

Perdock added that the city has changed the site designs and made other adaptations. At the tribal meeting, he said he had told them they hoped to extend an olive branch.

However, he said the city's budget is stretched pretty thin to get the project done and across the finish line.

The council voted unanimously to continue forward and deny the Koi's appeal.

Arguing in the court of public opinion

On July 14, the tribe sued, and the tribe and city began exchanging news releases.

The Koi, who said their ancestors have lived in the region for more than 17,000 years, accused the city of "blatant disregard of state laws that mandate the protection of tribal cultural resources," and said it is insisting the Burns Valley project meet state laws on oversight.

The tribe maintained that city officials "have approved a wholly inadequate and rushed approval of the project that excludes the required protection of tribal cultural resources and meaningful tribal consultation."

The Koi's news release did not quote Tribal Chair Darin Beltran, but instead much of it was attributed to his brother, Dino Beltran.

"The City of Clearlake and the City's leaders must respect the law, our cultural heritage and our tribal sovereignty before and during the

development of the Burns Valley Sports Complex,” said Beltran. “Protecting burial sites and artifacts of our people is a legal and moral obligation, and we hope that this action will persuade Clearlake officials to recognize their obligations and meaningfully consult with us.”

The statement by Beltran continued, “The Koi Nation provided lots of evidence of impacts to tribal cultural resources on the project site and many ideas to reduce harm or avoid impacts, but the City just wouldn’t listen. We asked them to keep consulting, and to work it out with us so the project could move forward, but they walked away from the table.”

Beltran accused the city of claiming the tribe opposes the development, which he said is “categorically untrue.”

“The Koi Nation does not object to development in the region, so long as it is done respectfully and legally. The Koi Nation supports the creation of this facility for our friends and neighbors who live in the City, which has a shortage of outdoor recreation options, and is taking this action to ensure that the Burns Valley project moves forward in a way that conforms to the law and does not cause more harm to tribal sites,” Beltran said in the statement.

The statement continued, “The City wants to pit us against our neighbors by these false statements, when we have said publicly that we support the development. It is disappointing and upsetting that the City’s leaders would make such statements in an attempt to create animosity toward us. We are not seeking to stop the project, but rather to ensure that Clearlake officials follow the law.”

Beltran added, “We can and must find a way to co-exist. This place is the land of the original inhabitants of the Clearlake basin, the Koi people. When the City builds projects, it needs to be respectful and take into account all of the tribal cultural resources it could impact and find a way to avoid harming them. The City must do everything it can to build projects in a responsible way, which could save the City money and actually help projects get done faster with less opposition.”

In its response, the city said its on a path to revitalization and that it has “pressing community needs, such as infrastructure, education, medical care and public services. The sports complex is intended to serve as a gathering place for families, friends, and neighbors, strengthening community bonds and fostering a sense of belonging and camaraderie among residents.”

The city added, “Not only is the sports complex needed for the youth in the community, but it will also help convey the necessity of a healthy lifestyle for the whole family. Lake County has some of highest negative health statistics in the State so the City is doing everything it can to help improve the quality of life for their residents.”

The city’s statement also noted that while it continues to hear Koi Nation is “not opposed,” “yet the approach they take and the litigation they filed seems to suggest otherwise. The Sports Complex litigation follows on the heels of the recent Koi lawsuit which has temporarily halted the hotel development and new road project on 18th Avenue in Clearlake.”

“Litigation seems to be routine with the Koi on our projects which is incredibly frustrating and disappointing. During the CEQA process, we worked with the Koi for over two years, and we thought we had made good progress,” Flora said in the statement.

The city said it redesigned the sports complex project to avoid any impacts to tribal cultural resources — primarily by utilizing a cap and fill method of building above any sensitive areas without excavation — and that it made many concessions beyond what was legally required in order to respond to the Koi’s concerns.

Among its offerings to the tribe were a discussion about naming the sports complex, tribal interpretive panels and displays, native plantings and agreeing to allow the tribe free use of the complex up to four times a year for their own events.

In the statement, Perdock said that after their meetings with the Koi, the city believed a feasible agreement was possible, referring to Darin Beltran’s offer to cover tribal monitoring costs. “We were thrilled to feel like we could move forward in unison. However, a week later at the June 15 City Council meeting, the tribe rescinded their offer. I can’t tell you how disheartened our community is at the thought of the Koi holding up yet another project.”

City officials said the tribe’s “continued frivolous lawsuits” are wasting scarce city resources in terms of time and money, and it could destroy the city’s future plans.

Perdock encouraged anyone interested to review the documents about the project themselves. “We hope the Koi Nation won’t take this community asset away from us.”

Council discusses legal expenses

Flora's written report for the Oct. 5 council meeting explained. "While the City continues to believe these lawsuits and the tribe's actions to be an overreach and frivolous, significant taxpayer funds will nonetheless be required to defend these projects."

"I know, it's frustrating," Flora told the council during the meeting, "These are project funds that were identified to be used for sidewalks, playground equipment, batting cages, etc."

He said a number of those items will have to be pulled out of the projects when the city is authorized to move forward or else additional funding is identified.

"I think it's essential that we defend ourselves against these frivolous efforts and the future of Clearlake depends on it," Flora said.

He said the city has spent about \$3.5 million on the sports complex so far, with another \$9 million in the budget for work on the project this fiscal year.

Some of that money comes from grant funds and is not being used for legal expenses, Flora said.

Claffey said that some of the biggest problems the city has faced have involved roads and parks, and set out to address those very issues. "We as a small city cobbled together enough money to start making some significant improvements."

He added, "This is a lot of money going to a purpose that really isn't needed."

That's just on the city's side. Claffey said money is being spent on the other end — a reference to the tribe — that could be invested in this community that is not right now. All of it is being done on the backs of taxpayers, he added.

"We have to defend it now or it's going to continue to haunt us into the years to come as we try to continue to do projects within the city to improve it for our citizens and our community. So we have no choice but to continue," said Cremer.

Slooten concurred with Claffey and Cremer. "We need to do this."

He added, "Otherwise they'll continue with these frivolous lawsuits."

Overton agreed. She said she didn't see any choice. "I'm just saddened that we're going to be taking away from our children."

"I echo the comments of my peers," said Perdock.

He said he was very disappointed in the city's public hearings on the projects, hearings that had been dominated by the disagreements between the tribe and the city.

Agreeing that the legal action by the tribe is frivolous, Perdock maintained Clearlake has complied with all of the CEQA laws and requirements and had tribal monitors in place as required by law.

It was when the tribe wanted extras — an apparent reference to the larger scope of tribal monitoring the Koi wanted — that the city said no and that work needed to get started. Perdock said the city didn't want to pay for unnecessary services "as I see them."

"The tribal chairman agreed for a solution and then they backtracked. Remember that," said Slooten.

Because the city is in litigation on the matter, Perdock said they were limited in what more they could say.

Claffey moved to increase the legal contract amount from \$250,000 to \$500,000, with Slooten seconding and the council voting 5-0.

Email Elizabeth Larson at elarson@lakeconews.com (<mailto:elarson@lakeconews.com>). Follow her on Twitter, @ERLarson, or Lake County News, @LakeCoNews.



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UPCOMING CALENDAR

- Oct 21** 10.21.2023 1:00 pm - 4:00 pm
21 Meyo Marrufo to Discuss Pomo Basket Patterns in Water Basket Workshop (</newcal/7185>)
- Oct 21** 10.21.2023 1:00 pm - 4:00 pm
21 Pomo basket patterns workshop with Meyo Marrufo (</newcal/7197>)
- Oct 22** 10.22.2023 5:00 pm - 8:00 pm
22 Garden Harvest Gala (</newcal/7172>)
- Oct 28** 10.28.2023 10:00 am - 1:00 pm
28 Farmers' Market at the Mercantile (</newcal/6898>)
- Oct 28** 10.28.2023 5:00 pm - 9:00 pm
28 Lake County Land Trust 30th anniversary dinner (</newcal/7152>)
- Oct 31** 10.31.2023
31 Halloween (/newcal/g-4-20231031_36klpu9coljcnm9nfgjth27al4_20231031)
- Nov 1** 11.01.2023
1 First Day of American Indian Heritage Month (/newcal/g-4-20231101_tv17hiji8jipl7hrutr4h62v5o_20231101)
- Nov 2** 11.02.2023 5:00 pm - 9:00 pm
2 Every Beat Counts benefit (</newcal/7163>)
- Nov 4** 11.04.2023 10:00 am - 1:00 pm
4 Farmers' Market at the Mercantile (</newcal/6899>)
- Nov 4** 11.04.2023 2:00 pm - 3:00 pm
4 Lakeport Library hosts Hank Smith (</newcal/7199>)

MINI CALENDAR

<	>	October 2023					
Sun	Mon	Tue	Wed	Thu	Fri	Sat	

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 (/newcal/7165)	2 (/newcal/7167) +2 more	3	4	5 (/newcal/7173)	6 (/newcal/7174) (/newcal/7151)	7 (/newcal/7132) +3 more
8 (/newcal/7170) +2 more	9 (/newcal/g-4-20231009_e8vvu38c3icj97ls28mtfidkp4_20231009) (/newcal/g-4-20231009_t9slrpkceqp8vjg2g2606tq8bc_20231009)	10 (/newcal/7180) +2 more	11	12	13	14 (/newcal/7179) +4 more
15	16	17 (/newcal/7190) (/newcal/7191)	18	19 (/newcal/7196) (/newcal/7193)	20 (/newcal/7194)	21 (/newcal/7195) +4 more
22 (/newcal/7172)	23	24	25	26	27	28 (/newcal/6898) (/newcal/7152)
29	30	31 (/newcal/g-4-20231031_36klpu9c4e2a26j0h2v4h3j370g) (/newcal/g-4-20231031_36klpu9c4e2a26j0h2v4h3j370g) (/newcal/g-4-20231031_36klpu9c4e2a26j0h2v4h3j370g)	(/newcal/7163)			(/newcal/6899) (/newcal/7199)
(/newcal/g-4-20231105_drikm9ramroskv6c07ug7t5l8o_20231105)		(/newcal/20231107_fc8f1530s4lqftcnc9c75jccook_20231107) (/newcal/7192)			(/newcal/g-4-20231110_rhv0a9kcd9m4m20231107)	(/newcal/g-4-20231107_e8vvu38c3icj97ls28mtfidkp4_20231107) (/newcal/6900)



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CASINOS, CRIME, AND COMMUNITY COSTS

Earl L. Grinols and David B. Mustard*

Abstract—We examine the relationship between casinos and crime using county-level data for the United States between 1977 and 1996. Casinos were nonexistent outside Nevada before 1978, and expanded to many other states during our sample period. Most factors that reduce crime occur before or shortly after a casino opens, whereas those that increase crime, including problem and pathological gambling, occur over time. The results suggest that the effect on crime is low shortly after a casino opens, and grows over time. Roughly 8% of crime in casino counties in 1996 was attributable to casinos, costing the average adult \$75 per year.

I. Introduction

PRIOR to 1978, there were no casinos in the United States outside Nevada. Since 1990, casinos have expanded to the point where the vast majority of Americans now have relatively easy access to one. This paper utilizes the natural experiment created by casino openings to examine how casinos affect crime. There are many reasons why understanding this link is particularly valuable. First, the casino industry has grown rapidly in the last decade and has become one of the most controversial and influential industries. Commercial casino revenues increased 203% from \$8.7 billion to \$26.3 billion between 1990 and 2000. Including Class III American Indian casinos, revenues were \$38.8 billion, or \$200 per adult, in 2001. Casino industry revenues are comparable to those of the cigarette market, and all forms of gambling total more than seven times the amount spent on theater tickets.¹ From 1982 to 2000, GDP increased 201% while casino revenues increased more than 660%. This rapid expansion generated extensive debate about the impact of casinos on many social, economic, and political issues.²

Second, the casino industry has become a major lobbying presence. Between 1992 and 1997, \$100 million was paid in lobbying fees and donations to state legislators (Harvard Medical School, 1997). Concerns were sufficiently pronounced that the U.S. Congress established the National Gambling Impact Study Commission (NGISC) in 1996 to study casinos exhaustively. Its final report called for additional research about the effects of casinos and a moratorium on further expansion.

Third, research suggests that on a national basis casino gambling generates externality costs in the range of \$40

billion annually,³ and crime is one of the biggest components of these social costs.

Last and most important, in spite of the substantial attention devoted to the casino-crime link, there is a paucity of convincing research about it. Economists have been virtually silent, and studies from other disciplines typically exhibit many fundamental weaknesses. First, no study has examined the intertemporal effect of casinos, which we contend is essential to understanding the relationship. Second, nearly every study used small samples, most frequently Las Vegas, Atlantic City, Reno, and Deadwood (Albanese, 1985; Lee & Chelius, 1989; Friedman, Hakim, & Weinblatt, 1989; Buck, Hakim, & Spiegel, 1991; Chiricos, 1994; Margolis, 1997) or Wisconsin (Thompson, Gazel, & Rickman, 1996a; Gazel, Rickman, & Thompson, 2001), or a selection of a handful of casino markets (Albanese, 1999). Four of these studies conclude that casinos increase crime, two argue that there is no effect, and one maintains that Florida regions with casinos have lower crime rates than selected Florida tourist cities if visitors are included in the population base denominator.

Another problem with the existing research is that some studies (Albanese, 1999; Hsing, 1996) reached conclusions about crime rates without actually examining crime rates. Instead of analyzing offenses, they used arrests, but did not discuss the problems inherent in using arrest rates to infer anything definitive about crime rates.

A fourth criticism is that most studies are subject to substantial omitted variable bias because they rarely controlled for variables that affect crime. Margolis (1997), Florida Department of Law Enforcement (1994), and Florida Sheriffs Association (1994) included no control variables. Nearly all of the other studies control for very few factors.

Fifth, the literature has generally neglected discussing the theoretical links between casinos and crime, as Miller and Schwartz (1998) document in detail.

Last, many studies were agenda-driven, conducted or funded by either progambling or law enforcement organizations. Nelson, Erickson, and Langan (1996), Margolis (1997) and Albanese (1999) were funded by explicitly progambling groups. As expected, they concluded that gambling had no impact on crime. The Florida Department of Law Enforcement (1994) and Florida Sheriffs Association (1994), which both opposed casinos, concluded that crime and drunk driving increased in Atlantic City and Gulfport, MS, as a result of casinos.

The General Accounting Office (GAO) and NGISC concluded that definitive conclusions cannot yet be reached

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* Baylor University, and Terry College of Business, University of Georgia and the Institute for the Study of Labor, respectively.

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¹ 1997 cigarette sales were \$45 billion. 2002 theater ticket and gambling revenues were \$9.3 and \$68.7 billion.

² Kindt (1994), Grinols (1996), Henriksson (1996), and Grinols and Omorov (1996) discussed a number of these.

³ See, for example, Grinols and Mustard (2001, p. 155) and Grinols (2004, p. 170).

about the casino-crime link. According to the GAO (2000, p. 35), “In general, existing data were not sufficient to quantify or define the relationship between gambling and crime. . . . Although numerous studies have explored the relationship between gambling and crime, the reliability of many of these studies is questionable.” This paper contributes to the literature on this important issue by addressing each of the above limitations.

The paper is organized as follows. Section II explains the data we use. Section III analyzes the theoretical links between casinos and crime, and section IV outlines our estimation strategy. Section V discusses our basic empirical results, and section VI extends the results to border counties. Section VII concludes. We find that crime increases over time in casino counties, and that casinos do not just shift crime from neighboring regions, but create crime. We estimate the crime-related social costs in casino counties at approximately \$75 dollars per adult per year.

II. Data

Our sample covers all 3,165 U.S. counties from 1977 to 1996. The Federal Bureau of Investigation’s (FBI) Uniform Crime Report⁴ provided the number of arrests and offenses for the seven FBI Index I offenses: aggravated assault, rape, robbery, murder, larceny, burglary, and auto theft.⁵ With the exception of Alaska, the county jurisdictions remained unchanged over our sample period.

We used U.S. Census Bureau data for demographic control variables, including population density per square mile, total county population, and population distributions by race, age, and sex.⁶ The Regional Economic Information System, of the Bureau of Commerce, provided data on income, unemployment, income maintenance transfers, and retirement.⁷

⁴ U.S. Department of Justice, FBI, *Uniform Crime Reports: County-Level Detailed Arrest and Offenses Data, 1977–1996*, Washington, DC: U.S. Department of Justice, FBI; Ann Arbor, MI: Inter-university Consortium for Political and Social Research (ICPSR, distributor).

⁵ The definitions are listed in *Crime in the United States: 1993* (U.S. Department of Justice, Federal Bureau of Investigation), Appendix H, pp. 380–381.

⁶ ICPSR (8384): “Intercensal Estimates of the Population of Counties by Age, Sex and Race (U.S.): 1970–80,” U.S. Department of Commerce, Bureau of the Census, Winter 1985, ICPSR, Ann Arbor, MI 48106. “Intercensal Estimates of the Population of Counties by Age, Sex and Race: 1970–1980 Tape Technical Documentation,” U.S. Bureau of the Census, Current Pop. Reports, Series P-23, 103, “Methodology for Experimental Estimates of the Population of Counties by Age and Sex: July 1, 1975.” U.S. Bureau of the Census, Census of Population, 1980: “County Population by Age, Sex, Race and Spanish Origin” (preliminary OMB-consistent modified race).

⁷ Income maintenance includes Supplemental Security Insurance (SSI), Aid to Families with Dependent Children (AFDC), food stamps, and other income maintenance (which includes general assistance, emergency assistance, refugee assistance, foster home care payments, earned income tax credits, and energy assistance). Unemployment insurance benefits include state unemployment insurance compensation, Unemployment Compensation for Federal Civilian Employees (UCFE), Unemployment for Railroad Employees, Unemployment for Veterans (UCX), and other unemployment compensation (which consists of trade readjustment al-

The natural operating measure for casinos is gross revenue or profits. Unfortunately, such panel data do not exist—American Indian casinos are not required to report revenues. We therefore used the year a county first had an operating Class III⁸ gambling establishment, including riverboat casinos, American Indian casinos, land-based casinos, and, in the case of Florida and Georgia, “boats to nowhere”—cruises that travel outside U.S. boundary waters so passengers can gamble. Not all forms of gambling qualify as casinos. For example, Montana has hundreds of small gambling outlets that offer keno or video poker, many in gas stations along the highway. Also, California has many card houses, some of which were illegal. These establishments are distinct from casinos in size and type of play.

To obtain casino opening dates we first contacted state gaming authorities. In cases like Washington, this was an expeditious way to ascertain the first year a casino opened. However, even the central gaming authorities and Indian affairs committees often lacked information on Indian casinos. Therefore, in most states we called each casino to obtain its opening date or first date of Class III gambling if it had previously operated other forms of gambling.⁹ We also used lists from the Casino City Web site, www.casinocity.com, which lists casinos in every state, and verified it against the annually produced *Casinos: The International Casino Guide* (B.D.I.T., 1997).

Table 1 presents summary statistics for casino and noncasino counties. Noncasino counties had no casino in any year of the sample. Casino counties had a casino in operation during one or more years of the period. Casino counties had higher population, land area, income, and crime rates. The regressions later in the paper show no statistically significant differences between casino and noncasino pre-opening crime rates when control variables are included.

lowance payments, Redwood Park benefit payments, public service employment benefit payments, and transitional benefit payments). Retirement payments included old age survivor and disability payments, railroad retirement and disability payments, federal civilian employee retirement payments, military retirement payments, state and local government employee retirement payments, federal and state workers’ compensation payments, and other forms of government disability insurance and retirement pay.

⁸ According to the Indian Gaming Regulatory Act of 1988, Class I gambling consists of “social games solely for prizes of minimal value.” Included in Class I gambling are traditional Indian games identified with tribal ceremonies and celebrations. Class II gambling includes bingo and “games similar to bingo.” Class III gambling includes “all forms of gaming that are not Class I gaming or Class II gaming,” such as blackjack, slot machines, roulette, and other casino-style games.

⁹ We distinguish the operation date of Class III casinos from other dates such as the legislation date to authorize casinos and the operation date of Class I or II establishments. Within a state, different counties acquired casinos at different times. Also, bingo halls operated by American Indians converted to Class III gambling during our sample. Nevada legalized commercial casino gambling (in 1931) prior to the start of our sample. Excluding Nevada from our sample slightly increased the magnitude of the estimated casino-crime effect. For example, when Nevada was excluded from the table 4 regressions, 39 of the 42 post-opening coefficient estimates became more positive or less negative. Excluding New Jersey, whose Atlantic City casinos opened in 1978, produced similar results.

TABLE 1.—DEMOGRAPHIC AND CRIME DATA: CASINO VERSUS NONCASINO COUNTIES

Variable	Casino Counties			Noncasino Counties		
	Mean	Std. Dev.	Sample Size	Mean	Std. Dev.	Sample Size
Population	145,330	288,149	3,533	73,209	252,381	59,053
Population density (pop./sq. mi.)	204	491	3,533	217	1,462	59,045
Area (square miles)	2,021	3,056	3,533	1,008	2,883	59,060
Per capita personal income	\$11,306	\$2,689	3,533	\$10,808	\$2,618	59,040
Per capita unemployment ins.	\$78	\$54	3,533	\$65	\$51	59,024
Per capita retirement comp.	\$10,771	\$6,544	3,538	\$9,831	\$6,243	59,028
Aggravated assault rate	259	276	3,245	188	245	54,551
Rape rate	29	28	3,182	20	32	53,882
Robbery rate	82	136	3,254	44	143	54,623
Murder rate	5.9	9.3	3,254	5.5	10.5	54,628
Larceny rate	2,548	1,423	3,254	1,738	1,940	54,622
Burglary rate	1,056	666	3,254	770	1,110	54,619
Auto theft rate	267	264	3,254	167	276	54,627

Notes: Crime rates are annual incidents per 100,000 population. Monetary amounts are in 1982–1984 dollars.

The differences in the crime rates are due to the postopening differences between casino and noncasino counties.

Between 1977 and 1996 the number of states with some form of casino gambling rose from 1 to 29. Counties with casinos grew from 14 (all in Nevada) to nearly 180. The Indian Gaming Regulatory Act of 1988 increased the number of Indian casinos by mandating that states allow American Indian gambling on trust lands if the state sanctioned the same gambling elsewhere. The semisovereign status of Indian tribes and their management by the Federal Bureau of Indian Affairs gave them greater leverage with the states. By 1996, 21 states permitted casinos on Indian reservations.

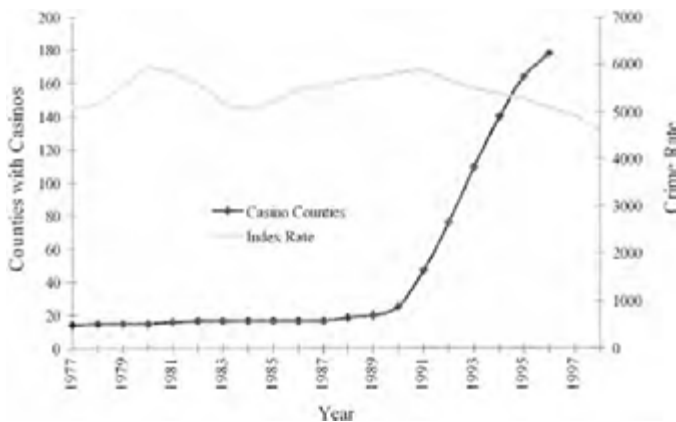
Figure 1 shows the relationship between the number of counties with casinos (left scale) and the crime rate (right scale). The crime rate fluctuated between 1977 and 1990 when the number of casinos was relatively constant. However, between 1990 and 1996, when the number of counties with casinos increased rapidly, the crime rate dropped substantially. This contemporaneous casino growth and crime reduction is important. Some have used these data to suggest that casinos reduced crime. For example, Margolis (1997) stated, “Crime rates in Baton Rouge, LA have decreased every year since casino gaming was introduced.” However, most regions experienced falling crime rates after

1991. Therefore, it is more appropriate to compare the magnitude of the decreases between casino and noncasino counties. We provide two comparisons of this type. Each suggests that crime rates in counties that opened casinos during our sample increased relative to crime rates in noncasino counties.

The first example, shown in figure 2, contrasts the crime rate for casino and noncasino counties between 1991 and 1996. FBI Index I offenses were summed by year for casino counties. Average crime rates for 1991–1996 were calculated by dividing these totals by the populations of the counties in the corresponding years. The series was then scaled to take the value 100 in the year 1991. The same procedure was applied to noncasino counties.¹⁰ Though crime dropped in both sets of counties, crime dropped 12.0 percentage points more in counties without casinos than in casino counties. The absolute reduction in crime in noncasino counties (90.3 offenses per 100,000) was approximately 3 times as large as the reduction (30.6 offenses per 100,000) in counties that opened a casino.

The second example, shown in figure 3, presents casino-county crime data centered on the year of opening, where the average crime rate for the two years prior to casino opening and the year of opening is set to 100. Crime rates were stable prior to opening, were slightly lower in the year of casino introduction, returned to approximately average levels for the next two or three years, and increased thereafter. By the fifth year after introduction, robbery, aggravated assaults, auto theft, burglary, larceny, rape, and murder were 136%, 91%, 78%, 50%, 38%, 21%, and 12% higher, respectively. These effects by year after introduction

FIGURE 1.—INDEX CRIME RATE AND NUMBER OF COUNTIES WITH CASINOS: UNITED STATES, 1977–1998



¹⁰ Data on Florida are excluded from figure 2 because it changed its crime reporting from summary-based to incident-based on January 1, 1988, and switched back to summary-based in 1995. Crime data are missing in the transition years. However, a Florida-only analysis is consistent with figure 2. Between 1977 and 1995 Florida counties that opened casinos experienced greater growth than noncasino counties in murder, rape, robbery, aggravated assault, burglary, larceny, and auto theft (19.9, 29.3, 27.3, 33.6, 7.7, 16.9, and 81 percentage points higher, respectively).

suggest the need to estimate lead and lag structures to identify the relevant time dependencies.

III. Theory

Previous studies focused on the empirical relationship between casinos and crime, but neglected theoretical explanations of how casinos affect crime. We present two reasons why crime could decrease and five reasons why crime could increase. We then discuss their different effects over time, an essential, but previously ignored issue. These factors are not mutually exclusive, and our empirical results estimate the total effect of these factors.

A. Theoretical Connections between Casinos and Crime

Casinos might reduce crime directly by improving legal earning opportunities, or indirectly through development effects.

Wage Effects: Grogger (1997) argued that increases in wages reduce crime, and Gould, Weinberg, and Mustard (2002) showed that increased employment and wages of low-skilled individuals reduce crime. Therefore, if casinos provide greater labor market opportunities to low-skilled workers, they should lower crime. Evans and Topoleski (2002) contend that when casinos are opened by American Indians, the fraction of adults who are poor, who are more likely to commit crime, declines by 14% and that employment increases significantly.

Development: Casinos may reduce crime indirectly through development effects. In the Midwest, for example, legislation decriminalizing casino gambling cited economic development as its rationale. Decaying waterfronts and derelict sections of town that once harbored crime may be less amenable to it when renovation occurs, streetlights appear, and resident presence increases. The streets near Las Vegas casinos, even at night, are often cited as some of the safest.

FIGURE 2.—CASINO-COUNTY VERSUS NONCASINO-COUNTY CRIME RATES

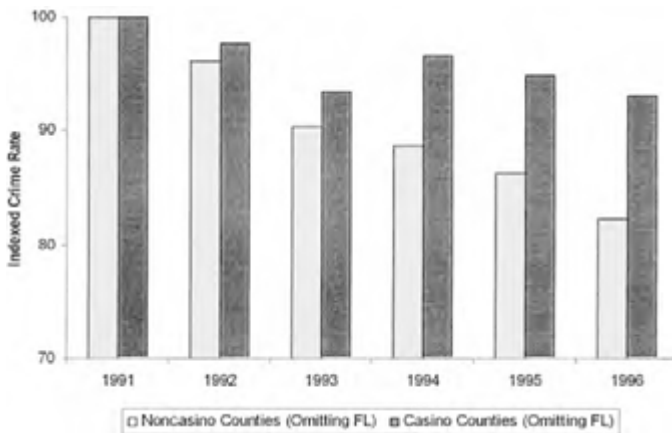
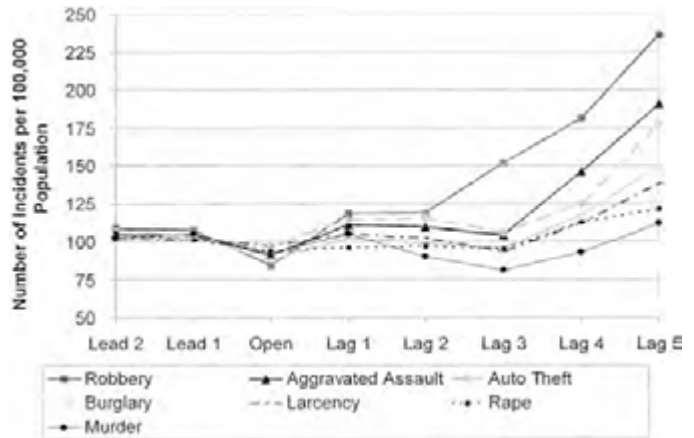


FIGURE 3.—CRIME BEFORE AND AFTER CASINO OPENING: CASINO COUNTIES, OMITTING FLORIDA IN 1988, 1996



Likewise, casinos may increase crime through direct and indirect channels.

Development: Casinos may raise crime by harming economic development, the opposite of the indirect effect discussed above. While some commend casinos for bringing growth, others criticize them for draining the local economy, for attracting unsavory clients, and for leading to prostitution and illegal gambling-related activities.

Increased Payoff to Crime: Casinos may increase crime by lowering the information costs and increasing the potential benefits of illegal activity. Travelers are often more vulnerable to crime victimization, and because casinos attract gamblers and money, there is an increased payoff to crime from a higher concentration of cash and potential victims. A 1996 Kansas City case is illustrative: a local restaurant owner was followed home, robbed, and murdered in his garage after winning \$3,000 at a casino (Reno, 1997). Similar stories exist in other locations with casinos.

Problem and Pathological Gambling: Crime may increase through problem and pathological gamblers. Pathological gambling is a recognized impulse control disorder of the Diagnostic and Statistical Manual (DSM-IV) of the American Psychiatric Association. Pathological gamblers (often referred to as “addicted” or “compulsive” gamblers) are identified by repeatedly failing to resist the urge to gamble, relying on others to relieve the desperate financial situations caused by gambling, committing illegal acts to finance gambling, and losing control over their personal lives and employment. Problem gamblers have similar problems, but to a lesser degree. Compared to those arrested for crime, problem and pathological gamblers are more likely to be female, are older, and have higher incomes.¹¹

¹¹ See NGISC (1999, Tables 4-2, 4-5) and Bureau of Justice Statistics (2002, Tables 4.7-4.10, 6.13, 6.16, 6.17).

The geographical spread of casinos lowers the cost of buying the addictive good, which increases the quantity consumed by problem gamblers, as evidenced by the rapid increase in Gamblers Anonymous programs after casinos open. For example, the number of Wisconsin communities holding Gamblers Anonymous meetings grew from 6 to 29 in the seven years after Indian tribes initiated agreements with the state to open casinos in 1992. Eleven people who contacted the Wisconsin group in 1997 committed suicide because of gambling (*Chicago Tribune*, August 2, 1999). The NGISC also reported a large increase in Gamblers Anonymous from 650 chapters in 1990 to 1,328 in 1998, "a period of rapid legalized gambling expansion" (NGISC, 1999, p. 4–17).

Conversely, when gambling is restricted, the cost of consuming the addictive good increases. Beginning July 1, 2000, South Carolina banned slot machines by court order. Six months later, the number of Gamblers Anonymous groups had dropped from 32 to 11, and the attendance fell from a typical size of approximately 40 to as few as 1 or 2 (Bridwell & Quinn, 2002, p. 718). During the same time, the number of help-line calls in Horry County (Myrtle Beach) dropped from 200 per month to 0 (*ibid.*)

An often-cited Maryland study found that 62% of the Gamblers Anonymous group studied committed illegal acts because of their gambling (Maryland Department of Health and Mental Hygiene, 1990); 80% had committed civil offenses, and 23% were charged with criminal offenses. A similar survey of nearly 184 members of Gamblers Anonymous showed that 56% admitted stealing to finance their gambling. The average amount stolen was \$60,700 (median \$500), for a total of \$11.2 million (Lesieur, 1998).

Visitor Criminality: Crime may also rise because casinos attract visitors who are more prone to commit and be victims of crime. Chesney-Lind and Lind (1986) suggested that one reason tourist areas often have more crime is that tourists are crime targets. However, in the following section we show that visitors to national parks do not increase crime. Therefore, if casino visitors induce crime, it is because they are systematically different from national park visitors or visitors to other attractions. The three largest single tourist attractions in the United States in 1994 were the Mall of America (Bloomington, MN), Disney World (Orlando, FL), and Branson, MO (country and western music) receiving 38, 34, and 5.6 million visitors, respectively. For comparison, Hawaii received approximately 6 million and Las Vegas received 30.3 million visitors in 1994. Visitors per resident were 1,345 for Branson, 436 for Bloomington, 188 for Orlando, and 40 for Las Vegas. If visitors of any type are the predominant mechanism for crime, Branson and Bloomington should be among the most crime-ridden places in North America. Even adding visitors to residents in the denominator to calculate diluted crime rates, the crime rate per 100,000 visitors-plus-residents was

187.3 for Las Vegas, 64 for Orlando, 16.4 for Branson, and 11.9 for Bloomington. Bloomington received 7.7 million more visitors than Las Vegas, but had a diluted crime rate less than $\frac{1}{15}$ of Las Vegas's. One indication of the different clientele casinos attract is the large increases in pawnshops that occur when casinos open. Other tourist areas do not experience similar increases.

A few of the numerous press examples that explicitly link casino gambling to crime are as follows:

Authorities linked a woman arrested in Bradenton, FL to one of the largest and most profitable burglary rings in the country. Baton Rouge, La., police Detective Jonny Dunham said that Barbara Dolinska and her cohorts like to gamble, and they committed many crimes in areas that either had riverboat gambling operations or other kinds of gaming. (*Sarasota [FL] Herald-Tribune*, December 23, 1999)

A man arrested in the armed robbery of a [New Orleans] bar told deputies of his motive for the hold up: he wanted to recover the several hundred dollars he lost playing the lounge's video poker machines. (*Las Vegas Sun*, June 14, 1999)

Former San Jose police officer, Johnny Venzon Jr., was imprisoned for stealing from people on his own beat while in uniform. Venzon, who blamed his actions on a gambling addiction, often burglarized homes and then investigated the crimes. (*San Francisco Chronicle*, February 25, 1999)

Daniel Blank confessed to stealing over \$100,000 and killing six Louisiana residents from October 1996 to July 1997. Blank's motivation for his brutality was to obtain cash to support almost daily trips to video poker halls and casinos. Sometimes Blank headed for casinos right after committing the crimes. ([New Orleans] *Times-Picayune*, January 28, 1999)

Casino-Induced Changes in Population Composition: Gambling, along with gambling-related industries such as hotels and restaurants, is one of the few growth sectors with a high demand for unskilled labor. An increase in demand for unskilled and lower-income employees may alter the composition of the underlying labor force and residents toward those who are more apt to engage in criminal activity.

B. Effects across Types of Crime

Different crime mechanisms need not have the same effects across crimes. For example, improvements in the legal sector reduce property crime more than violent crime (Gould et al. 2002). Although murder has been tied to casino activities as described above, the statistical connection is harder to detect, because murder is rare in comparison with other crimes and because other causes predominate. For this reason we expect casinos to contribute less to the overall explanation of murder rates.

Pathological gamblers generally commit crimes to generate money either to deal with their debts or to gamble. Peoria and Tazewell counties, surrounding one of Illinois's oldest riverboats, have documented a significant increase in casino-related embezzlement, theft, and burglary, much of it committed by professionals like teachers and lawyers (Copley News Service, June 28, 1999). Burglary, larceny, and auto theft, and the violent crime of robbery, have pecuniary payoffs. Casinos may affect aggravated assault because assault often occurs in the context of a crime with an economic payoff. Because the FBI classifies each incident involving multiple offenses under the most serious offense, property crimes and robberies that become assaults are categorized as assaults.

Identifying the link between casinos and rape is less obvious. Casinos may attract visitors more likely to commit rape or to be its victims, and have an indirect effect through the population composition effect and social climate. Changed population might be related to casino-generated growth in adult entertainment, escort services, and related industries, which show significant increases as measured by advertising or the number of listings in the yellow pages. Many law enforcement officials have testified that prostitution increased dramatically after casinos opened (FBI Conference on Casino Gaming, 1999). Pinnacle Entertainment was fined \$2.26 million by the Indiana Gaming Commission for supplying prostitutes and gambling money to attendees at a golf outing sponsored by its Belterra Casino Resort (Piskora, 2002).

C. *Intertemporal Effects on Crime*

The theory importantly predicts that the effects of casinos will vary over time. Reduction of crime through improvements in labor market opportunities is observed prior to and shortly after the casino opening as low-skilled people may be hired by the casino or casino-related industries. The economic development theories (whether positive or negative) imply that a casino's effect after opening will grow until the casino market reaches equilibrium. Likewise, the visitor effect and the effect of changing composition of the population appear with the casino's opening and grow as people are attracted to the area.

Effects operating through problem and pathological (P&P) gamblers will not be felt until a gambling problem has developed. Breen and Zimmerman (2002) studied the time to pathology. "We found that the men and women who 'got hooked' on video gambling became compulsive gamblers in about one year. Those who got hooked on other kinds of gambling (such as horses, sports betting, blackjack, etc.) became compulsive gamblers after about three and a half years" (RI Gambling Treatment Program, 2002). According to gambling treatment specialists, "Many addicted gamblers follow essentially the same course. . . . [T]hey enter a desperation stage, [the treatment specialist] said, and when they've used up their own money and lines of credit

they often turn to stealing" (Schneider, 2003). In the same article, police and prosecutors "told the newspaper that in recent years, with the arrival of casino gambling in the area, they have seen an increase in exactly the kinds of crimes [the convicted subject of the story] has acknowledged committing" (ibid.). The successful Evansville attorney Allan Lossemore's case (Rohrig, 2002) is symptomatic of the role of time lags. He began going to the Casino Aztar in July 1997 and for the first three or four months won enough money to subsidize his fledgling law practice. But by early 1998 he began to lose. "I started to draw from charge cards and from a line of credit in an attempt to get even," he reported. He tried to get back on track by barring himself from the casino and staying away from gambling, but late in 1999 he gambled again and lost. After a series of personal and professional financial circumstances, in mid-2000 he misappropriated clients' funds. "From there, I was just robbing Peter to pay Paul. I was gambling at that point pretty heavily—I was really trying to make up the difference." He was arrested in November 2000 and later jailed.

Research conducted for the NGISC reported that the population percentage of problem gamblers rose from 0.3% to 1.1% when the distance to the nearest casino fell from more than 250 miles to less than 50 miles, and rose from 0.4% to 1.3% for pathological gamblers (National Opinion Research Center, 1999, pp. 28–29). Distances less than 50 miles were not studied; thus a difference of 1.7% in P&P gambling probably understates the actual fraction. Research on the degree of P&P gambling in Las Vegas found the rate was 6.6% (Strow, 1999), suggesting that a difference of 5.9% is closer to an upper bound. If problem and pathological gamblers are an important explanation of crime, we expect to observe crime increase over time as more people start to gamble, develop gambling problems, and eventually commit crimes to fund their losses. Because different causes are at work, and may operate differently for different crimes, there is no presumption that intertemporal effects must be identical.

IV. Estimation Strategy

Our empirical strategy addresses many limitations of the current research. First, by conducting the most exhaustive investigation and utilizing a comprehensive county-level data set that includes every U.S. county, we eliminate sample selection concerns. Second, by analyzing crime effects over time we exploit the time series nature of our data. Third, we are the first to articulate a comprehensive theory about how casinos could increase or decrease crime. Last, we use the most exhaustive set of control variables, most of which are commonly excluded from other studies.

A. *Direct and Indirect Effects*

As noted, casinos may affect crime rates directly through their effects on the resident local population and indirectly

by increasing the number of casino visitors. The total includes both direct and indirect effects, as expressed in the following equations, where crime (C_{it}) in county i in year t is a function of the presence of a casino, the number of casino visitors (V_{it}) to the county, and other variables that affect crime (summarized in the term *Other*), and where a , b , c , and d are unknown coefficients:

$$C_{it} = a \text{ Casino}_{it} + bV_{it} + \text{Other}_{it}, \quad (1)$$

$$V_{it} = c \text{ Attractions}_i + d \text{ Casino}_{it}. \quad (2)$$

Casino visitors in (2) depend on both the visitor attractiveness of the county (Attractions_i) and the presence of the casino. The coefficient a measures the direct effect of the casino on crime. The coefficients b and d measure the indirect effect via casino visitors. Substituting from (2) into (1) gives

$$C_{it} = \beta_i + \delta \text{ Casino}_{it} + \text{Other}_{it} \quad (3)$$

where $\delta = a + bd$, and $\beta_i = bc \text{ Attractions}_i$. The total effect of the casino on crime, δ , in (3) includes the effects on both the local population and casino visitors. Estimating a in (1) would give only a partial effect, because it would not take into account the visitor effect.¹² The key to our being able to estimate the full effect is having panel data. Because many studies of the casino-crime relationship used cross-sectional data, they were limited to estimating only a partial effect.

B. Visitors

Although distinguishing direct and indirect effects is important, it is also important to avoid the assumption that anything that attracts the same number of visitors will have the same crime effects. Different types of visitors may have systematically different effects on crime even if the effect for all types of visitors is positive. The presence of a casino in (3) proxies for direct effects on crime and for an increased number of casino visitors. It does not necessarily follow that the same number of visitors for another purpose would generate the same crime outcomes. Visitors for other purposes appear in the variable Other_{it} , which we now address.

Time series visitor data do not exist at the county level and certainly do not distinguish visitors for different purposes. Running the regression (3) without such information, therefore, risks omitted variable bias. In partial defense, no other crime studies have been run with these data either. However, more importantly, in the case of casinos the omitted variables are likely uncorrelated with a new casino. Fortunately, for at least one type of tourist, data *are* available that we can use to test the hypotheses of being uncor-

related with openings and having an effect on crime different from the effect of casinos. We obtained National Park Service time series data from 1978 to 1998 on all visitors to national parks, monuments, historic sites, recreation areas, and so on. These parks and attractions, scattered across the country, receive millions of visitors annually—some as many as 14 million. Some, such as Yellowstone National Park, are in counties with sparse population; others are in highly populated areas. In most cases the correlation between park visitors and the casino variables used in the study was well below 1%, and in no case was a correlation above 1.7%. This is consistent with the view that this type of omitted variable bias is likely to be small or zero. Although it is always preferable to include such variables when possible, we are confident that in the case of casinos the procedure employed in (3) of treating data on other visitors as part of the constant term and the error term is not a problem for the coefficients of interest.¹³

A second analytical issue is whether to use *diluted* or *undiluted* crime rates. Should the number of crimes be divided by population—the conventional way to generate the crime rate (undiluted)—or by population *plus* visitors (diluted)? Four possibilities exist, depending on whether one considers total or partial effects, and studies diluted or undiluted crime rates. Some have argued for one combination or another without realizing that the choice is not methodological, but depends on what questions the researcher wants to answer. A common but invalid claim is that the diluted crime rate should be used to determine the change in probability that a resident would be the victim of a crime. However, knowing what happens to the diluted crime rate does not give the needed information and could even move the answer in the wrong direction. To illustrate, let s_1 be the share of the resident population P victimized by residents, and let s_2 be the share of the resident population victimized by V visitors. Similarly, let σ_1 be the share of visitors victimized by residents, and σ_2 the share of visitors victimized by visitors. Then the crime rate is $s_1 + s_2 + (\sigma_1 + \sigma_2)\frac{V}{P}$; the diluted crime rate is $(s_1 + s_2)w_P + (\sigma_1 + \sigma_2)w_V$ where w_P and w_V are the shares of visitors plus residents made up by residents and visitors, respectively; and the probability of a resident's being a crime victim is $s_1 + s_2$. If residents do not victimize visitors ($\sigma_1 = 0$), then $P = V$, and $s_2 + \sigma_2$ is smaller than s_1 . The

¹² Ideally we would like to know both a and b . Because of data constraints, we must estimate only the total effect δ . Casino visitor data do not exist at the county level. Both a and b might be estimated using other variables to proxy for the number of casino visitors, but no annual time-series data exist at the county level.

¹³ When visitors to National Park Service sites were included, the regressions (3) showed that an additional one million park visitors annually were associated with statistically significantly *fewer* crime incidents for rape, murder, robbery, and burglary, and had a statistically insignificant effect on auto thefts. The effects of park visitors on larceny and assaults were statistically significant but socially insignificant compared to the crime effects found for casinos (coefficient δ) and reported in section V. For example, we estimated the long-run effect of a casino on larcenies to be 615, which was roughly 60 times larger than the effect of one million national park visitors. This means that if the crime consequences of casino visitors and national park visitors were identical, a casino would have to attract over 59 million visitors annually to account for 615 additional larcenies. Las Vegas, the single largest casino gambling destination in the United States, attracted 30.3 million visitors in 1994.

probability of a resident being victimized is s_1 without visitors, and it rises to $s_1 + s_2$ with visitors. The diluted crime rate is s_1 without visitors and falls to $(s_1 + s_2 + \sigma_2)/2$ with visitors. Thus in this case the diluted crime rate falls while the probability of a resident being victimized rises.

In this study we are interested in the costs to the host county associated with a change in crime from whatever source. We are therefore interested in the total effect of casinos on crime, and thus use the undiluted crime rate based on equation (3).

C. Timing: Separating Casino Effects from Other Effects

The version of equation (3) that we estimated is

$$C_{it} = \alpha + \beta_i X_i + \gamma_t T_t + \delta L_{it} + \theta A_{it} + \varepsilon_{it}, \quad (4)$$

where C_{it} is the crime rate (offenses per 100,000 people) of county i in year t , α is a constant, and β_i is the vector of estimated coefficients on the county-level fixed effects that control for unobserved characteristics across counties. The time fixed effect, T_t , controls for national crime rate trends. Our base specification of L_{it} is a vector of the casino-opening dummy variables that includes two leads and five lags of the opening variable and captures the important intertemporal effects outlined earlier. The opening dummy variable takes the value 1 in the year the casino began operation and 0 in other years. In the reported regressions we used two years of leads, because it is unlikely that a casino would affect the crime rate more than two years prior to its opening. We stopped at five years of lags because the numbers of counties with casinos open three to five years, not counting Nevada counties, were 91, 59, and 35, respectively. Twelve counties (26 including Nevada counties) had casinos open for 6 or more years, and seven (21 including Nevada counties) had casinos open 7 or more years. For each group, however, observations are scattered widely across the decades and geography of our sample.

A_{it} is a vector of 22 control variables. It includes population density, the percentage of the population that was male, the percentage that was black, the percentage that was white, and the percentages in the age ranges 10–19, 20–29, 30–39, 40–49, 50–64, and over 65.¹⁴ Economic variables in A_{it} are real per capita personal income, real per capita unemployment insurance payments, real per capita retirement compensation per old person, and real per capita income maintenance payments. All income figures were adjusted to a 1982–1984-dollar basis. A_{it} also includes a dummy variable indicating whether the county honored a shall-issue right allowing citizens to carry a concealed firearm upon request, and two years of leads and five years of lags on the shall-issue dummy. ε_{it} is the regression error. Including leads and lags, the regression had 50 explanatory

variables plus one constant for each county (3,165) for a total of 3,215 explanatory variables. This set was expanded to 58 variables plus county constants when we analyzed the effects of casinos on adjacent counties. Excluding observations with missing data reduced the sample size in most regressions to approximately 58,000, leaving more than adequate degrees of freedom for estimation.

We independently estimated each lead and lag of the casino opening year (describing the timing of crime effects) without cross restrictions. We weighted regression observations by county population.

V. Results

Before reporting the more sophisticated lag structure discussed above, we begin with a simple dummy variable for whether a county has a casino. Table 2 reports two such regressions for each crime. The left column for each crime reports the estimated coefficient for the casino dummy variable. The variable *Casino* takes the value of 1 if a casino is operating in the county for the year in question and 0 otherwise. No other explanatory variables are present in the leftmost regression. The regressions all show large, statistically significant elevated crime rates for counties with operating casinos. For example, according to table 2 such counties experience 157 more aggravated assaults annually per 100,000 population. This compares to average aggravated assault crime rates of 188 per 100,000 population for counties without casinos in any year of the sample reported in table 1. The right column for each crime reports the estimate of the casino dummy when year and county fixed effects are the only other explanatory variables included in the regression. In each case the effect attributed to an operating casino declines. Aggravated assault, for example, falls from 157 to less than 18. The coefficient estimates are positive and statistically significant for five crimes. The estimated effect is positive for murder and negative for burglary; neither is statistically significant. To summarize the two regressions, when a simple dummy variable specification is used for a casino being open, the estimated casino effect is positive and statistically significant in twelve of the fourteen regressions. The other two results are not statistically different from 0. These before-after results obscure the intertemporal effects, so we now turn our attention to the model that includes leads and lags.

Tables 3 and 4 report coefficient estimates and t -statistics for specifications of (4) that allow for the timing of the effects of casino opening. Table 3 includes year fixed effects and county fixed effects but excludes the control variables A_{it} , whereas table 4 includes these regressors.¹⁵ For example, the estimated coefficient of lag 4 in the table 3 column labeled “Aggravated Assault” indicates that the aggravated

¹⁴ The remaining groups were Hispanics and those between 0 and 9 years.

¹⁵ We report casino variables. Results for the 588 other coefficient estimates for the seven crime regressions are omitted for lack of space, because they are used as controls, and because we are primarily interested in the casino variables.

TABLE 2.—CASINO CRIME RATE REGRESSIONS EMPLOYING CASINO DUMMY VARIABLE ONLY

	Violent Crime							
	Aggravated Assault		Rape		Robbery		Murder	
<i>Casino</i>	157.254 (23.04)	17.825 (4.29)	11.521 (17.91)	0.973 (2.04)	86.905 (12.09)	34.175 (10.07)	1.522 (6.88)	0.117 (0.75)
Year fixed effects	No	Yes	No	Yes	No	Yes	No	Yes
County fixed effects	No	Yes	No	Yes	No	Yes	No	Yes
<i>N</i>	57,796	57,796	57,064	57,064	57,877	57,877	57,882	57,882
<i>F</i>	530.68	754.52	320.88	126.60	146.06	212.39	47.30	81.94
Prob. <i>F</i>	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<i>R</i> -squared	0.0091	0.8147	0.0056	0.7234	0.0025	0.8861	0.0008	0.7506

	Property Crime					
	Larceny		Burglary		Auto Theft	
<i>Casino</i>	1128.547 (31.88)	218.850 (9.44)	144.373 (7.58)	23.927 (1.58)	266.582 (21.72)	217.416 (30.87)
Constant	Yes	No	Yes	No	Yes	No
Year fixed effects	No	Yes	No	Yes	No	Yes
County fixed effects	No	Yes	No	Yes	No	Yes
<i>N</i>	57,876	57,876	57,873	57,873	57,881	57,881
<i>F</i>	1016.63	138.15	57.45	635.32	471.71	472.89
Prob. <i>F</i>	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<i>R</i> -squared	0.0173	0.7839	0.0010	0.6699	0.0081	0.8328

Notes: Coefficient estimates are additional annual crime incidents per 100,000 population. *t*-statistics are in parentheses.

assault rate was higher by 62.153 offenses per 100,000 population four years after a casino opened in the county. The number of observations for each regression varied from 57,023 to 57,841. The *R*² was between 0.67 and 0.89.

The patterns in both tables show that casino effects tend to increase over time after a lag of 2–3 years. In table 3, which does not include control variables, the estimates on the casino leads are often positive and statistically signifi-

cant, consistent with the common belief that casinos are more likely to be placed in high-crime areas. However, when control variables are included, all of the leads are statistically indistinguishable from 0 except for those on auto theft.

Another key difference is that table 3 shows much larger increases in crime in the lagged years. When the control variables are included in table 4, these larger positive

TABLE 3.—CASINO CRIME RATE REGRESSIONS EXCLUDING CONTROL VARIABLES.

	Aggravated Assault	Rape	Robbery	Murder	Larceny	Burglary	Auto Theft
Lead 2	4.325 (0.61)	1.189 (1.42)	13.178 (2.26)	.725 (2.73)	113.498 (1.64)	33.865 (0.79)	114.440 (9.46)
Lead 1	4.455 (0.64)	0.708 (0.86)	19.067 (3.32)	1.270 (4.85)	160.828 (1.82)	28.071 (0.57)	142.864 (11.98)
Open	8.799 (1.19)	.250 (0.29)	19.142 (3.15)	1.251 (4.53)	229.687 (2.61)	19.609 (0.55)	182.095 (14.47)
Lag 1	16.656 (2.24)	1.765 (2.06)	47.031 (7.72)	1.360 (4.91)	315.990 (2.99)	54.171 (0.76)	236.103 (18.69)
Lag 2	3.647 (0.46)	0.684 (0.76)	56.089 (8.63)	1.305 (4.41)	193.729 (0.89)	3.025 (0.03)	225.876 (16.75)
Lag 3	29.953 (3.22)	3.436 (3.23)	81.467 (10.67)	0.801 (2.30)	201.816 (1.51)	13.797 (0.25)	253.046 (15.98)
Lag 4	62.153 (4.76)	7.021 (4.72)	75.755 (7.08)	0.429 (0.88)	460.681 (2.74)	153.209 (2.74)	246.417 (11.11)
Lag 5	124.683 (7.80)	7.076 (3.87)	76.725 (5.84)	1.496 (2.50)	715.031 (2.65)	236.992 (2.97)	376.278 (13.80)
Control variables <i>A_i</i>	No	No	No	No	No	No	No
Year fixed effects	Yes	Yes	Yes	Yes	Yes	Yes	Yes
County fixed effects	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<i>N</i>	57,755	57,023	57,836	57,841	57,835	57,832	57,840
<i>F</i>	562.01	95.50	163.79	63.83	19.25	79.81	358.19
Prob. <i>F</i>	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
<i>R</i> -squared	0.8149	0.7236	0.8865	0.7511	0.7843	0.6730	0.8334

Notes: Coefficient estimates are additional annual crime incidents per 100,000 population. *t*-statistics are in parentheses. We used robust standard errors for larceny and burglary, which the Breusch-Pagan test indicated had heteroskedasticity.

TABLE 4.—CASINO CRIME RATE REGRESSIONS INCLUDING CONTROL VARIABLES

	Aggravated Assault	Rape	Robbery	Murder	Larceny	Burglary	Auto Theft
Lead 2	3.843 (0.55)	0.157 (0.19)	6.924 (1.21)	0.438 (1.00)	37.710 (0.63)	16.481 (0.43)	97.006 (8.43)
Lead 1	8.498 (1.24)	0.815 (1.01)	8.164 (1.44)	0.969 (1.34)	47.645 (0.61)	6.164 (0.14)	113.656 (10.00)
Open	0.376 (0.05)	0.644 (0.77)	11.218 (1.88)	1.103 (1.37)	148.279 (1.74)	23.625 (0.72)	152.659 (12.72)
Lag 1	2.613 (0.36)	0.955 (1.14)	32.588 (5.43)	1.188 (1.68)	173.836 (1.83)	30.661 (0.55)	183.735 (15.24)
Lag 2	9.739 (1.25)	0.267 (0.30)	39.137 (6.08)	1.181 (1.46)	0.447 (0.00)	51.987 (0.68)	161.791 (12.53)
Lag 3	20.306 (2.22)	3.339 (3.20)	70.427 (9.30)	1.099 (1.32)	4.132 (0.03)	48.495 (0.89)	206.769 (13.60)
Lag 4	42.844 (3.34)	6.503 (4.47)	52.188 (4.93)	0.572 (0.54)	184.855 (1.41)	64.367 (0.92)	161.641 (7.60)
Lag 5	99.982 (6.38)	9.979 (5.59)	65.240 (5.02)	0.458 (0.55)	614.695 (1.98)	325.147 (2.30)	271.848 (10.43)
Control variables A_i	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Year fixed effects	Yes	Yes	Yes	Yes	Yes	Yes	Yes
County fixed effects	Yes	Yes	Yes	Yes	Yes	Yes	Yes
N	57,724	56,992	57,805	57,810	57,804	57,801	57,809
F	393.15	129.78	143.37	13.34	42.97	121.18	346.19
Prob. F	0.0000	0.00000	0.0000	0.0000	0.00000	0.00000	0.0000
R -squared	0.8252	0.7410	0.8913	0.7623	0.7992	0.6997	0.8504

Notes: Coefficient estimates are additional annual crime incidents per 100,000 population. t -statistics are in parentheses. We used robust standard errors for larceny and burglary, which the Breusch-Pagan test indicated had heteroskedasticity.

estimates are reduced. Because the table 4 estimates have better fit in the lead variables and the added control variables reduce omitted variable bias, we emphasize these results, that show smaller casino effects on crime.

A. Violent Crime

Figure 4 displays the information on violent crime from table 4. The horizontal axis plots the casino opening leads and lags, and the vertical axis plots the coefficient estimates. The vertical lines show the 95% confidence intervals, the range within which the regression indicates the true coefficient should lie with 95% probability.

For aggravated assault, only estimates for the third and subsequent year after opening are significantly above 0, and the trend rises. The estimated high occurs in the fifth year after opening, when the aggravated assault rate is 100 assaults higher per year. This pattern of crime increase is unlike the typical pattern of visitor increases after casino opening. Grinols and Omorov (1996) showed that the number of visitors to Illinois casinos typically rose immediately after opening and reached equilibrium after 6 months or less.¹⁶

Figure 4 for rape shows coefficient estimates that are not significantly different from 0 prior to the opening. However,

they are positive and significant in the third and subsequent years after the casino opened, rising from the third year on. A county that introduces a casino might expect a negligible effect in the first two years after opening, but a higher rape rate by 6.5 to 10 incidents per 100,000 population in the fourth and fifth years after opening.

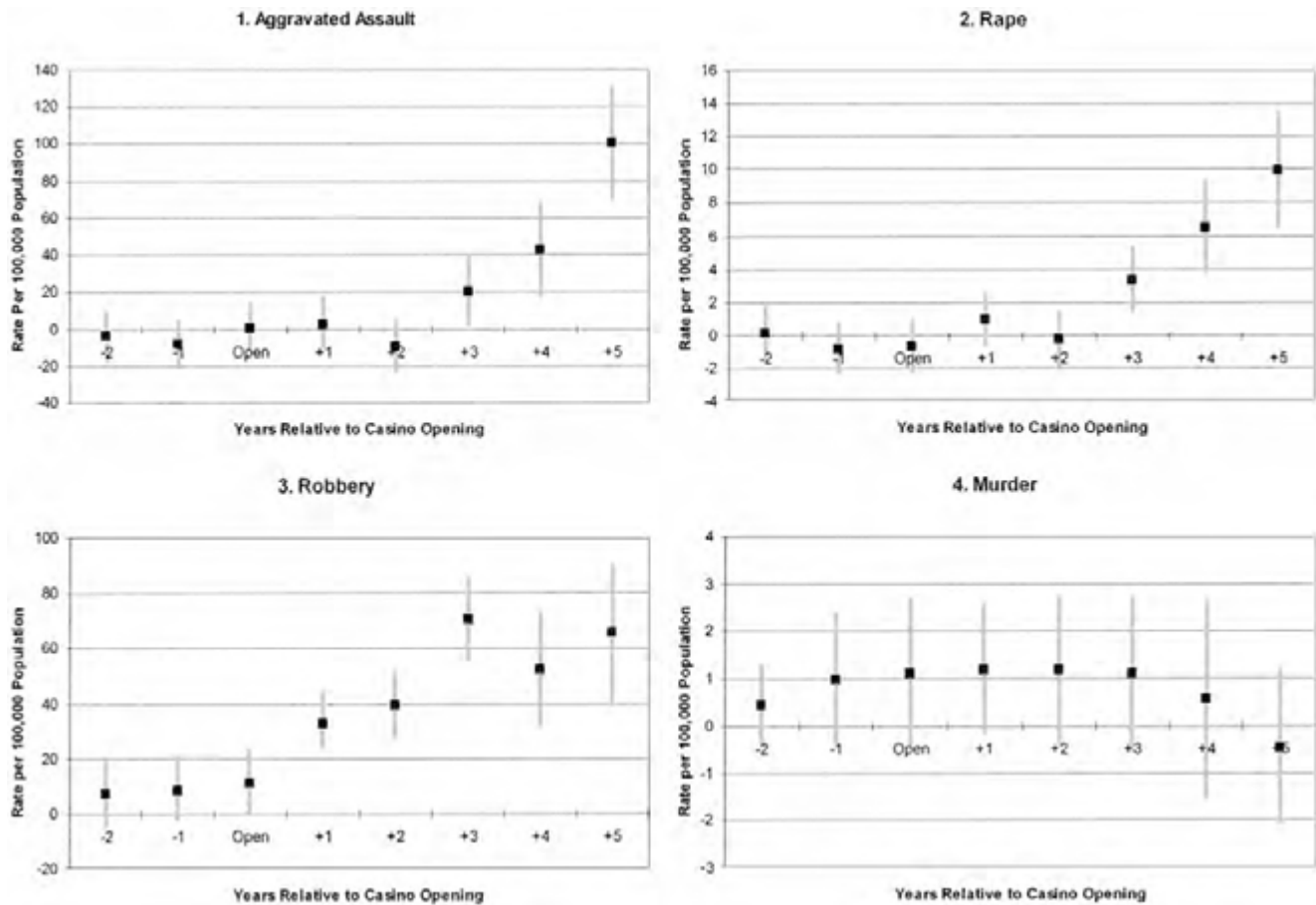
The pattern for robbery in figure 4 is similar to the patterns for aggravated assault and rape, with one important exception—the increase in robbery begins immediately. In the first year there were approximately 35 more robberies per 100,000 people, which increases to over 60 three years after opening.

As expected, the impact of casinos on murder is the smallest among all offenses. Figure 4 shows that casino counties have slightly higher murder rates than noncasino counties both before and after opening. However, murder shows no statistically significant coefficient estimates for any of the casino leads or lags, and the change from before to after is not statistically significant. Gambling-related murders include incidents such as the disgruntled gambler who killed a casino teller when he tried to retrieve his gambling losses, a spouse who fought over the other's gambling losses and was murdered, a parent's gambling leading to the death of her child, murder for insurance, and similar tales.¹⁷ However, because murder is the least fre-

¹⁶ In addition to the regressions reported, we ran regressions that included as many as 4 leads and 7 years of lags of the casino opening variable. With few exceptions, leads continued the pattern of being statistically indistinguishable from 0, and later lags showed comparable or greater estimated effects to the fifth year lag. In the case of murder, the sixth and seventh lags continued the pattern of being statistically indistinguishable from 0.

¹⁷ See Jeffry Bloomberg, Prepared Statement, Hearing Before the Committee on Small Business, House of Representatives, 103rd Congress, Second Session, 21 September 1994, Serial No. 103-104, Washington, DC: USGPO, p. 47. Accounts of the more spectacular gambling-related murders and deaths (most often suicides) frequently appear in the press. *USA Weekend*, February 10-12, 1995, p. 20, for example, describes a man

FIGURE 4.—CASINO EFFECTS—VIOLENT CRIME



quently committed crime and most counties have zero murders, murder rates typically have high variance, which makes it difficult to identify effects.

B. Property Crime

Figure 5 displays the coefficient estimates in table 4 for property crimes. The larceny estimates increase from 0 in the second year after opening, to 4.1 in the third, 185 in the fourth, and over 615 in the fifth year after opening. Burglary increases from negative estimates in the second and third years after opening, to 64 in the fourth, to 325 in the fifth. Only the fifth-year estimates are individually statistically significant, so we investigated further the significance of the rising third-, fourth-, and fifth-year coefficient estimates. We checked whether the rising patterns of coefficient estimates in the last three years with the lag 5 estimated coefficients positive and significant persisted or disappeared after the fifth year. Estimates of the sixth- and seventh-year lags were

745 and 1,069 for larceny and 201 and 229 for burglary, respectively. Moreover, lags 5 through 7 pass a 5% *F*-test for significance for both offenses.

Figure 5 for auto theft presents a different picture. It is the only crime that showed statistically significant leads, which were positive. After opening, the rates increase slightly for a few years and increase substantially after five years. The data indicate that casino counties did not experience the same decreases in auto thefts that noncasino counties did after 1991, when the number of casinos increased rapidly.¹⁸

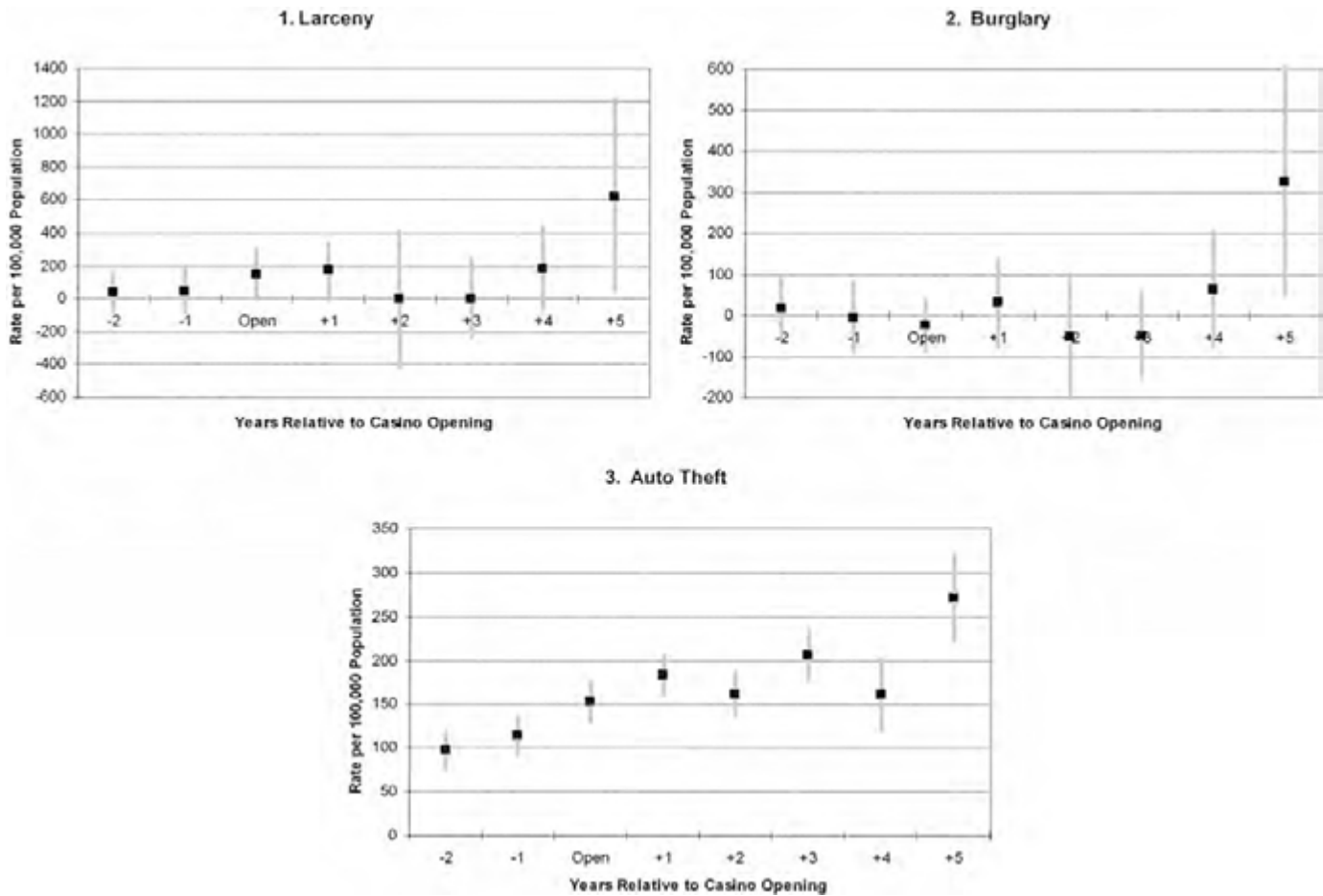
A second factor may be that we were unable to control for Lojack, an electronic tracking system that allows police to quickly locate and recover stolen autos. Ayres and Levitt (1998) found that Lojack accounted for a significant reduction in auto thefts in the 1990s. Because cities that implemented Lojack generally do not have casinos, we may overstate the effect of casinos on auto theft.¹⁹ It is also

killing his wife and beating up his daughter in a fight over his gambling away thousands of dollars. The Associated Press, September 3, 1997, reported on a 10-day-old infant in South Carolina who died of dehydration after being left in a warm car for approximately 7 hours while her mother played video poker. A mother in Illinois was convicted of killing her infant children for insurance money because of her gambling.

¹⁸ A similar divergence in Florida started in 1984 and grew after that, consistent with Florida casino openings. The first Florida casinos opened in two counties in 1982, two more opened in 1988, and the rest opened between 1990 and 1995.

¹⁹ Ayres and Levitt (1998) showed that Lojack had little effect on other offenses, so our results for the other crimes will not be affected.

FIGURE 5.—CASINO EFFECTS—PROPERTY CRIME



possible that Lojack's use is not yet sufficiently widespread to greatly affect our estimates.

C. Additional Robustness Checks

The precisely correct model of crime is not known. Thus, in addition to the comparison of tables 3 and 4, we considered several additional formulations to test the robustness of the results.

Law Enforcement Variables: All the regressions reported to this point omit law enforcement variables. Although including them reduces omitted variable bias, it also introduces sample bias by significantly limiting the number of counties with available data.²⁰ To examine this tradeoff we included two additional sets of law enforcement control variables. When we included the arrest rate as an explanatory variable, the estimated casino effects for almost every

year after opening and for almost all crimes were higher than those reported in table 4. Therefore, the table 4 results that we emphasize are biased against the finding that casinos increase crime.

Although arrest rates are often undefined, the problem is even bigger for other law enforcement variables. County-level conviction rates and sentence lengths are available for only four states (Mustard, 2003), and annual police employment is unavailable at the county level.

We also included explanatory variables that estimated the probability of capital punishment, which we estimated in four different ways.²¹ When these variables are included, the results are qualitatively the same as for the base regression. There are slight differences of the estimated effects for

²⁰ For example, the arrest rate is undefined when there are 0 offenses for a given crime type. Many small counties record no offenses even for property crimes for a given year, and even large counties frequently record no offenses for murder and rape, which consequently produce a large number of missing observations for the arrest rate. For some offenses including the arrest rate eliminated over 30,000 observations. See Lott and Mustard (1997) and Levitt (1998) for more detailed discussions.

²¹ The first was a prorated number of executions in the previous and current year divided by the number of people sentenced to death six years ago. The second was the number of executions in the first three quarters of the current year and last quarter of the previous year divided by the number of people sentenced to death six years ago. The third is a prorated count of executions in the previous and current year divided by the number of persons on death row at that time. The last was the number of executions in the first three quarters of the current year and the last quarter of the previous year, divided by the number of persons on death row at that time. Gittings and Mocan (2003) provided the first two variables, and Gittings and Mocan (2001) explain the last two in more detail.

different crimes in different postopening years, but the general qualitative trends are similar.

That the inclusion of law enforcement variables generally increases the estimated casino effects is consistent with reports from law enforcement officials that enforcement expenditures increased substantially when casinos opened. Stephen Silvern (FBI in Atlantic City) documented that expenditures for the Atlantic City Police Department and Prosecutor's Office grew much more rapidly in the late 1970s and early 1980s than similar expenditures in the rest of the state and nation (Federal Bureau of Investigation Conference on Casino Gaming, 1999). The director of the Indiana Gambling Commission reported that Indiana hired an additional 120 state troopers when the casinos opened in 1995.²² Allocations for police services also rose substantially in New Orleans upon introduction of casinos.²³ Law enforcement officials emphasize that to maintain public safety, spending on enforcement resources must increase when casinos open. Because we cannot measure all these additional resources that reduce crime, our estimates without enforcement variables tend to understate the effect of casinos on crime.

Casino–Population–Density Interactions: A natural question is whether the effect of casinos on crime varies with the type of county, such as a rural-urban difference related to population density. To test for a population-density interaction, we multiplied each of the eight casino-opening lead and lag variables by the county population density and reran the original regressions including these eight new variables. The density interaction coefficient estimates were statistically significant as a group at the 1% or better level for all regressions except aggravated assault and larceny, which were significant at the 11% and 46% levels, respectively. With the exception of murder and auto theft, the same rising pattern of crime after casino introduction was observed as found in the original regressions. Crime is not statistically different from zero in the years before casino introduction and immediately thereafter, but begins to rise three or four years after introduction. By the fifth year after casino introduction, a statistically significantly elevated crime rate for both low- and high-density counties appears. Introducing a density effect does not change the prediction of the model. These results give us confidence that the effect of casinos on crime is similar in large and small counties. For auto theft the casino effect is largest for less densely populated counties.

²² John Thar, director of the Indiana Gambling Commission, report at Federal Bureau of Investigation Conference on Casino Gaming (1999).

²³ Lt. Joseph P. Lopinto, Jr., commander of the Gambling Section of the New Orleans Police Department, reported that his department has been significantly resource-constrained since the opening of New Orleans's casinos and the resulting increase in demand for police services (Federal Bureau of Investigation Conference on Casino Gaming, 1999).

D. Summary

We summarize the results in table 4 and figures 4 and 5. First, the casino-opening lead variables suggest that after controlling for other variables casinos were not more likely to be placed in areas that had systematically different crime environments than other regions.

Second, after casinos opened, casino-county crime rates increased relative to the noncasino-county rates. Of the 42 estimated casino effects (one opening and five lags for each of seven offenses), 34 are positive, of which 19 are statistically significant at the 0.05 level, and others are significant at the 0.10 level. In contrast, none of the 8 negative estimates are statistically significant. As expected, murder exhibits no relation to casino gambling.

Third, the time pattern of estimated coefficients implies that the casino effects may change over time. With the exception of murder, all crimes show higher estimates for the last two coefficients (lags 4 and 5) than for the first two (leads 2 and 1). For most offenses, the statistically significant differences tend to appear two or three years after casino opening. Only one estimated coefficient for the year of opening is statistically significant. Estimates of the sixth and seventh lags (run but not reported) are typically positive and statistically significant.

Fourth, the increase over time in casino effect is consistent with the effects outlined in the theory. For example, the crime-mitigating influences through increased wages and employment should occur before and shortly after opening. In contrast, the crime-increasing factors are more long-term. Casino-induced changes in population and the effects of negative development grow over time. Also, clinical research shows that problem and pathological gamblers typically take approximately 2 to 4 years to start gambling, become addicted, exhaust alternative resources, and eventually commit crimes. Studies that did not have large data sets or a sufficient number of years of observations after casino opening, and that did not allow for the effects of casinos to change over time, missed these effects. An additional potential explanation of the time pattern is that casinos have an immediate impact on crime, but that impact is ameliorated by a large increase in police resources, which are typically significantly increased when casinos open, but do not maintain the same rate of growth over time. The slightly more immediate impact of casinos on violent crime may be explained in terms of *imported* criminals. It may take less time to habituate to a new casino's location than for people to exhaust their resources.

E. Evaluation

The regressions in table 4, of course, cannot decompose the net number of offenses to assign them to each alternative explanation. Nevertheless, it is instructive to ask how many crimes table 4 would imply per additional P&P gambler if all estimated additional crime incidents were arbitrarily

assigned to this one source. The coefficient estimates report additional crime incidents per 100,000 population. If x is the coefficient, and y is the change in P&P share of the population, then

$$\frac{x}{10^5} \frac{\text{Offenses}}{\text{Capita}} \times \frac{10^{-5}}{10^{-5}} \times \frac{1}{y} \frac{\text{Capita}}{\text{Problem and Pathological}} = \frac{x}{y} \times 10^{-5} \frac{\text{Offenses}}{\text{Problem and Pathological}} \quad (5)$$

The total number of crime incidents estimated in table 4 in the fifth year after casino opening is $x = 1,386.4$. If $y = 0.059$ (as in the numbers reported for Las Vegas, for example), then the average additional P&P gambler would have to commit 0.23 crime incidents per year to account for all additional crime, so that roughly one in four P&P gamblers would have to commit a crime annually. This figure rises to 0.82 if $y = 0.017$ at the other extreme. Thus 20%–80% are reasonable proportions relative to the information reported above that 80% of problem gamblers studied committed civil offenses, 56% had stolen, and 23% were charged with criminal offenses. In contrast, if the calculation suggested that each P&P gambler would be required to commit a dozen crime incidents per year, the numbers would be of a different magnitude.

The estimated coefficients in table 4 also allow us to gauge the fraction of observed crime due to casinos. Summing the estimated number of crimes attributable to casinos for each county, taking into account how many years the casino was in operation, and dividing by the casino counties' total population measures the contribution of casinos to observed crime. Estimates of the share of crime attributable to casinos in 1996 for individual crimes ranged between 5.5% and 30%. Auto theft was the highest, followed by robbery at 23%. The values for the rest of the offenses were between 5.5% and 10%.

We provide three estimates of the implied cost of additional crime. First, we use the cost per victimization figures adjusted to 2003 dollars using the CPI-U to calculate the total social cost of crimes committed in casino counties that are attributable to the casino presence according to the estimated coefficients in table 4 (Miller, Cohen, & Wiersema, 1996, column 4 of Table 9, p. 24). We also report the total social cost for casino counties on a per adult basis. Finally, although the social cost of property crime is not synonymous with the value of the lost property, the latter is nevertheless useful in describing the effect of casinos. The *Sourcebook of Criminal Justice Statistics* (Bureau of Justice Statistics, 2002, table 3.112, p. 298) contains data about the average property loss for four of the offenses in this paper—robbery, larceny, burglary, and auto theft. For those offenses we took the fifth-year lag coefficient estimates for each crime and multiplied them by the average loss per crime adjusted to 2003 dollars using the CPI-U. This produced

property loss numbers per 100,000 population, which can be aggregated to the entire adult population.

In 1996 the total costs for the 178 casino counties exceeded \$1.24 billion per year. If the estimated coefficients from table 4 are applied to a representative county of 100,000 population, 71.3% of which are adults (as is representative of the United States as a whole), then the social costs per adult are \$75 in 2003 dollars. These costs reflect the profile of the lagged effect on crimes experienced by the particular sample of casino counties making up our data set. The value of lost property from the four property crimes is \$2.905 million for a population of 100,000 (\$29.05 per adult), which becomes \$5.91 billion when aggregated to the national level for 2003.

We can compare these costs with other estimates that relied on a different methodology. Social costs of casinos have commonly been estimated in terms of the average cost imposed on society by a P&P gambler²⁴ multiplied by their number. In the most recent comprehensive study of this type of which we are aware, Thompson, Gazel, and Rickman (1996b) found that total social costs were \$135 per adult in 1996 dollars, of which \$57 (40%) were due to police and judicial-related costs and to thefts.²⁵ Thompson et al. reported that they intentionally “projected numbers believed to be very conservative,” and that the crime costs in their sample (Wisconsin) were probably lower than similar costs in other locations. Adjusting crime costs to 2003 dollars, their estimate is \$67. Taking into account the different samples and methodologies, their estimate is remarkably close to the direct costs estimated here for 1996 (\$75).

Corrective taxes reflect the costs that an industry imposes on society. Assuming crime costs no lower than \$75 (there are crimes other than FBI Index I, such as embezzlement, not considered here), crime costs equal to 40% of total social costs, and revenues for a representative casino of \$400 per adult²⁶ each year implies tax rates above 47% of revenues. In a few cases tax schedules for high-end casinos include portions where average tax rates reach these levels.²⁷ Having applied proper taxes, continued operation would be efficient in a Kaldor-Hicks sense.²⁸ If it is feasible to offer gambling in an altered manner that causes fewer P&P

²⁴ Some studies group problem gamblers with pathological gamblers; some treat the two groups separately. Costs are computed by learning the behavior of P&Ps through direct questionnaires and surveys.

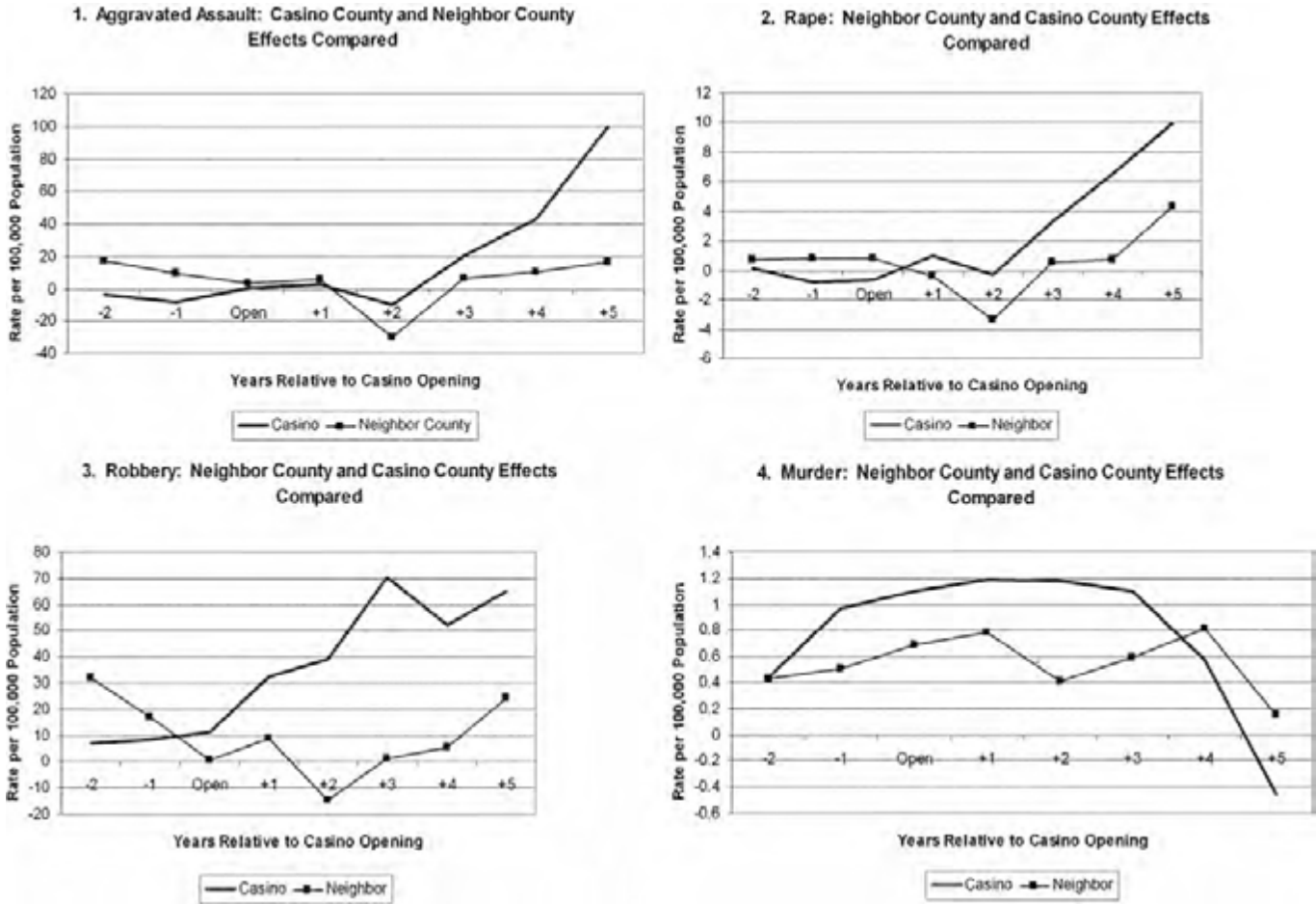
²⁵ The social-cost effect of casino-related serious problem gamblers was \$138,453,113. Dividing this by the number of adults over 20 in the counties with casinos gives the per adult figure in the text. The proportion of costs due to police, theft, and judicial-related costs is determined from their tables A-2 and A-5.

²⁶ Research for the NGISC estimated that average losses by adults living near a casino might be in the \$400–\$600 range per year. Other estimates, including some by the gambling industry for losses by residents in Las Vegas and Atlantic City to casinos, are lower than \$400, even after adjusting upward for price level changes.

²⁷ In Illinois the average tax rate rises from 43% to 50% as casino annual gross revenues rise from \$250 to \$340 million. Revenues this large imply a very successful casino.

²⁸ This observation is due to the anonymous referee. Whether casinos expand, shrink, or disappear will be immaterial, because whatever out-

FIGURE 6.—HOME AND NEIGHBOR CASINO-CRIME EFFECTS: VIOLENT CRIME RATES



gamblers and less crime, then this may be better for society than a response based on taxes.

VI. Do Casinos Simply Attract Crime from Elsewhere?

The estimates suggest that after five years, 8.6% of the observed property crime and 12.6% of the violent crime in casino counties are due to casinos.²⁹ However, do casinos create crime, or merely move it from elsewhere? If the casino-induced increases in crime come only from neighboring regions, casinos produce no new crime. This untested hypothesis is first tested here. To address this question we examine the crime rates of counties that border casino counties. When casinos open, neighboring county crime rates could either decrease, remain the same, or increase. The first possibility supports the idea that casinos move crime from adjacent counties but do not create crime. In the second and third cases, adjacent counties experience no change or an increase in crime, both of which indicate that total crime rises and that casinos create crime.

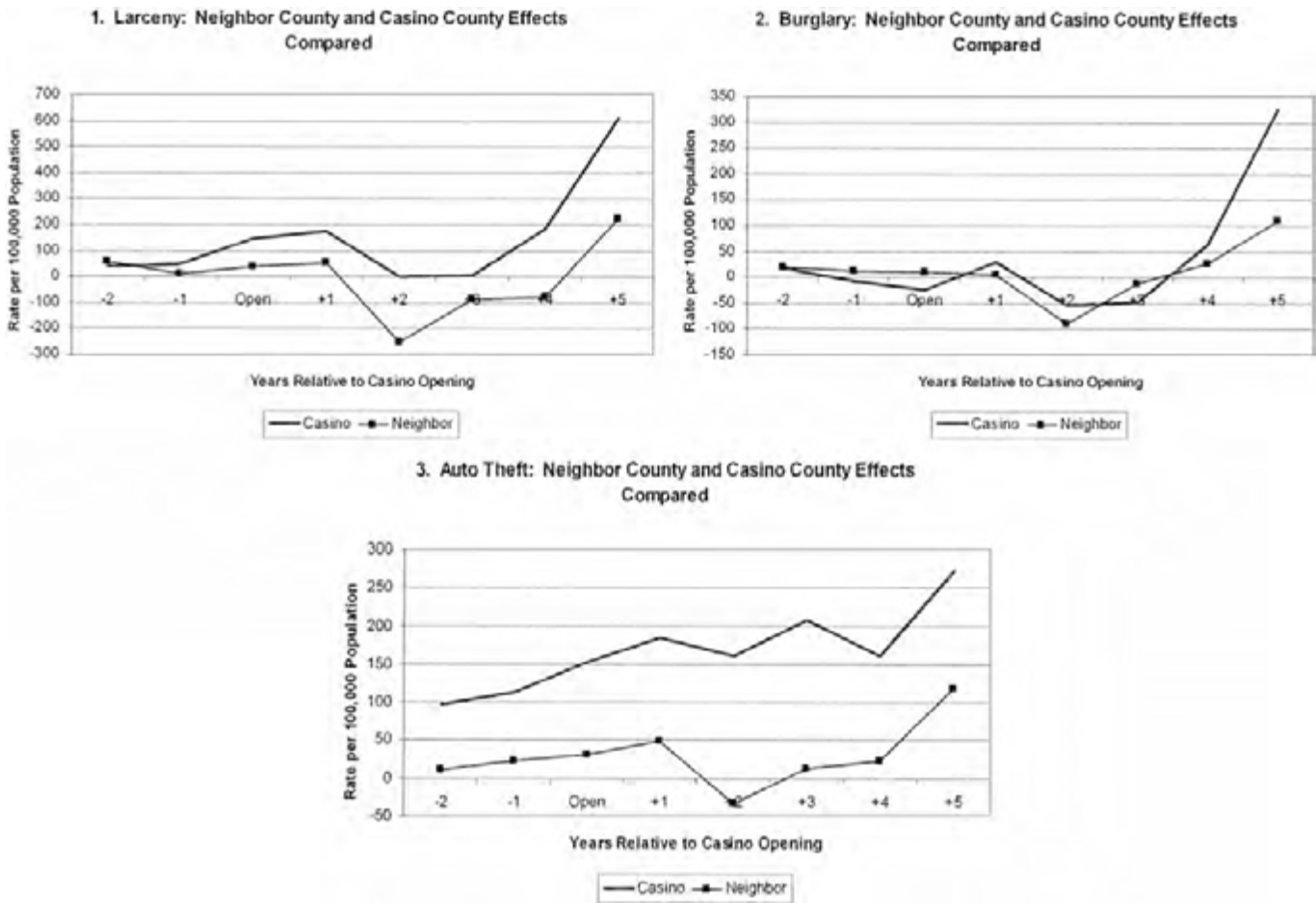
To implement a test strategy we reestimate the table 4 regressions with neighbor leads and lags as additional control variables. We define neighbor lead, opening, and lag variables, similar to those in tables 3 and 4 for the host county. The neighbor opening variable took a value of 1 if a casino opened in an adjacent county in the given year. Adjacent counties are the relevant unit of measurement, because the vast majority of casino patrons come from the local region surrounding the casino. For example, in Illinois over 92% of casino customers come from within 75 miles (Gazel & Thompson, 1996). A few casinos, mainly in Nevada, draw their customers from outside their immediate area. However, our estimates do not rely on these casinos to identify the effects, because these casinos opened prior to the beginning of our sample.

Figures 6 and 7 summarize the estimated casino effect for neighboring and home counties for violent and property crimes, respectively. When the neighbor variables were included, the host-county crime coefficient estimates were virtually unchanged, in terms of both point estimates and statistical significance. For the years before casinos open, there is virtually no effect of the casino on crime rates in neighboring counties. Of the 42 opening and postopening

come occurs will be the result of socially optimal decisions by the firms themselves.

²⁹ Section V C explains the computation of these numbers.

FIGURE 7.—HOME AND NEIGHBOR CASINO-CRIME EFFECTS: PROPERTY CRIME RATES



coefficient estimates on the neighbor variables, 32 are positive, of which 15 are statistically significant at the 0.05 level. Of 21 estimated coefficients for lags 3–5, 18 are positive, of which 8 are individually statistically significant. None of the three negative coefficients for lags 3–5 are statistically significant. All crimes but murder display elevated and rising lags 3, 4, and 5.

For all offense types the data reject the contention that the increase in crime in the casino counties can be attributed to decreases in neighboring counties, and thus support the contention that casinos create crime. *F*-tests reject at the 5% level for all crimes the hypothesis that host-county opening- and lag-coefficient estimates are matched with negative estimates of equal size in neighboring counties. On the contrary, a simple correlation of host- and neighbor-county coefficient estimates for opening and lags ranges from 0.61 to 0.82, with the exception of robbery (0.14). However, there is ambiguity about the extent to which casinos increase crime in neighbor counties. Murder clearly exhibits no spillover effects. For the other offense types the neighbor time pattern is similar to the home-county time pattern. Crime typically increases in later lags, but at half or less the magnitude of the home-county effect, and many of these

neighbor-county effects are not statistically significant until the very last lags. *F*-tests of the proposition that neighbor county coefficient estimates equal their host-county counterparts are rejected at the 5% level for aggravated assault, rape, robbery, and auto theft, but not for the other three crimes.

In our discussion of host-county auto theft rates we speculated as to why the host-county estimated coefficients displayed a different pattern of continually growing crime. This pattern of host-county coefficient estimates did not appear closely related to the introduction of casinos. However, auto theft for neighbor counties displays the pattern of crime increases observed for other crimes. There is a statistically significant, discernibly different crime rate three or more years after the opening of the neighboring casino, but not in the years before. The neighbor-county effect suggests possible spillover of auto theft crimes due to the casino.

VII. Conclusions

Our analysis of the relationship between casinos and crime is the most exhaustive ever undertaken in terms of the number of regions examined, the years covered, and the

control variables used. Using data from every U.S. county from 1977 to 1996 and controlling for over 50 variables to examine the impact of casinos on the seven FBI Index I crimes (murder, rape, robbery, aggravated assault, burglary, larceny, and auto theft), we concluded that casinos increased all crimes except murder, the crime with the least obvious connection to casinos. Most offenses showed that the impact of casinos on crime increased over time, a pattern very consistent with the theories of how casinos affect crime. The crime-ameliorating effects of casinos through increased employment opportunities and wages for low-skilled people will be concentrated shortly after opening. Also, law enforcement agencies can frequently use casino openings to leverage greater immediate staffing increases, but are unable to sustain this growth. This effect further reduces the immediate impact of casinos on crime. However, over time these effects are dominated by casino-related factors that increase crime. Specifically, problem and pathological gamblers commit crimes as they deplete their resources, non-residents who visit casinos may both commit and be victims of crime, and casino-induced changes in the population start small but grow. The data show that these crime-inducing and crime-mitigating effects offset each other shortly after opening, but over time the crime-raising effects dominate, and crime increases in subsequent years. Furthermore, we believe these estimates to be lower bounds on the true effect because they omit measures of law enforcement, which is typically increased substantially when casinos open. When we include law enforcement measures, the estimated effects are larger.

According to the estimates, between 5.5% and 30% of the different crimes in casino counties can be attributed to casinos. This translates into a social crime cost associated with casinos of \$75 per adult in 1996. This figure does not include other social costs related to casinos, such as crime in neighboring counties, direct regulatory costs, costs related to employment and lost productivity, and social service and welfare costs. Overall, 8.6% of property crime and 12.6% of violent crime in counties with casinos was due to the presence of the casino. Although robbery, the offense that exhibited the largest increase, is classified as a violent crime, it is similar to property crime in that its motivation is financial.

We also investigated whether the crime in casino counties is attracted (moved) from other regions or is created. Counties that neighbor casino counties did not experience compensating crime reductions, indicating that crime was created in casino counties, rather than simply being shifted from one area to another. There is mixed evidence about whether casino openings increase neighbor-county crime rates. Murder rates in neighbor counties are unaffected. The other offenses exhibit increasing neighbor rates, but are generally not statistically significant until the fourth and fifth year after opening.

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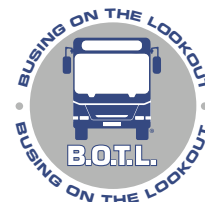
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CASINOS COMBATING HUMAN TRAFFICKING

**A TOOLKIT FOR
CASINOS AND BUS
COMPANIES**



When I was being trafficked, people assumed I was a prostitute. My trafficking was hidden in plain sight, in the middle of casinos on the Las Vegas strip around thousands of people a day. I remember thinking that there were three groups of people: the men who looked at me as if I were a product to buy, the people who looked at me like I was the trash of the earth, and the people who tried to pretend I was invisible. I had to go find the men who would want to buy me in the casinos. My life was in danger if I didn't make money for my trafficker. Everyone thought they knew what I was, so no one asked; but if someone stopped to talk to me maybe they would have found out what was happening to me. During my trafficking I internalized what everyone around me told me ... that I did this by choice, and that I was less than everyone else. The more I internalized, the more I didn't reach out for help.

-Annika Huff

**TOOLKIT CREATED BY SURVIVOR-LEADER ANNIKA HUFF
AND BUSING ON THE LOOKOUT (BOTL).**

BOTL IS A PROGRAM OF TRUCKERS AGAINST TRAFFICKING, A NON-PROFIT ORGANIZATION THAT EXISTS TO EDUCATE, EQUIP, EMPOWER AND MOBILIZE MEMBERS OF THE TRUCKING, BUS AND ENERGY INDUSTRIES TO COMBAT HUMAN TRAFFICKING.


WWW.BUSINGONTHELOOKOUT.ORG

INTRODUCTION


WHAT IS HUMAN TRAFFICKING?

Human trafficking is the exploitation of human beings through force, fraud, or coercion for the purposes of forced labor or commercial sex, wherein a third party is making a profit. Victims find themselves in situations they literally cannot get out of, while traffickers use whatever means necessary to keep making money at their expense. Human trafficking is modern-day slavery.

There are an estimated 40 million victims of human trafficking globally, including thousands of children and adults in the United States and Canada. Human trafficking has been reported in all 50 states and 10 Canadian provinces, including in and connected to casinos. Victims of trafficking may be found in various legitimate businesses, as traffickers exploit those businesses for their personal gain.



This toolkit, created by survivor leader, Annika Huff, is designed to educate and equip casino and bus industry employees, so that working together they are able to recognize and report human trafficking situations happening within their community. Moreover, as legal action can be taken against businesses if trafficking is occurring on their premises, instituting this training makes sense from a risk management perspective.



SEX TRAFFICKING IN CASINOS: BACKGROUND

Survivors have reported their traffickers using casinos as a meeting place for buyers who were arranged online or as a venue to solicit prospective buyers, particularly when the casino is combined with a hotel. Casinos can also be a refuge for victims, offering a secure place where they can seek help or attempt to exit their situation. Similarly for the charter buses and scheduled service bus lines that carry patrons to and from casinos, they may come into contact with trafficking victims who are being transported on those buses or see the bus as a lifeline for escape.

When operating at a casino or hotel-casino, the traffickers may be with their victims – or on the premises – or may send their victims to the casinos to find buyers on their own. If on the premises, while their victims are working, traffickers may go to a hang-out area, where multiple traffickers entertain themselves with drinks and play games. When victims are on the premises without their trafficker, there may be a strong trauma-bond (powerful emotional attachments that occur as a result of cycles of abuse), which makes it more likely that victims will stick to a scripted story, refuse to cooperate or claim they are there by “choice.”

IT IS CRITICAL THAT CASINO AND BUS EMPLOYEES DO NOT TURN A BLIND EYE OR WRITE OFF A PERSON BEING SOLD AS “JUST A PROSTITUTE.”

Traffickers are cheap, always looking to cut costs, so hotel-casinos can be appealing to them, because the buyers already have a room, and they don’t have to assume that expense. On the other hand, traffickers want to evade getting caught and will avoid bringing their illicit activities to businesses that have the reputation of having staff trained on how to recognize human trafficking and who are willing to report it to law enforcement.

BACKGROUND

Sex trafficking in casinos tends to have its own set of rules that the traffickers and victims will follow based, in part, on the operations and culture of the casino itself. Given that, there tend to be two categories of victims.

- Victims who are new to being trafficked in casinos and generally don't know the particular rules and culture of the venue. They may have a harder time approaching buyers and may be easier to spot, because they will act more fearfully, have anxiety and be more on edge.
- Victims who have experience in casinos are more likely to know the casino floor plan, hours of staff members and what is typical for the particular casinos where they are trafficked. They will likely not be the "sympathetic victim," but instead act more aggressive, often dressing and talking like they are there by "choice." Victims in this category are more likely to run away if they believe an employee or others are suspicious of them.

Likewise, buyers of commercial sex tend to fall into two different categories. There are the repeat buyers who have been to casinos to purchase prostituted people before and have returned with the intention of purchasing sex again, whether with a specific girl or someone else. The other category is the new or "opportunistic" buyers. These are buyers who have either not purchased sex before or who did not come to the casino with a plan or the intention of purchasing sex. Warning signs can be an effective deterrent for opportunistic buyers.

OPPORTUNISTIC BUYERS ARE LESS LIKELY TO BUY SEX WHEN THERE ARE WARNING SIGNS INDICATING IT IS NOT LEGAL IN THE COUNTY OR NOT TOLERATED ON THE PROPERTY.

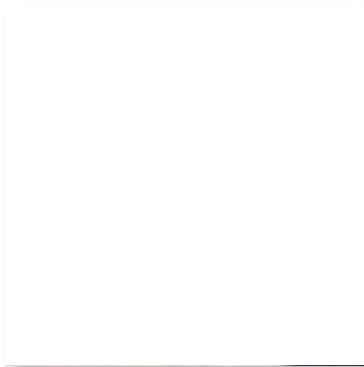


Hotel-casino owners and managers must be vigilant in their employment policies to make sure they do not have bad apples on staff who are complicit in facilitating the crime of trafficking. In some cases, hotel-casino employees (valet, front desk, bell hops, dealers, cocktail waitress and waiters, hotel maids, etc.) have been reported to act as middle men in setting up prostituted people with buyers. In these scenarios, the trafficker may pay the casino employee a cut. This may be done while at work or when off the clock.

Seasonal differences in particular locations may impact the patterns of traffickers and their victims. Busier seasons, for example, can both increase patronage to the casinos as well as increase demand for purchasing sex. During slower seasons, however, victims have more difficulty making the money that their traffickers demand. They will have to take lower amounts from buyers and be at the casino longer or during daytime hours, which increases their risk of arrest. As a result, during these times, victims are more likely to come into the casinos bruised or beaten up.



BACKGROUND



Studies have found a correlation between major events and increases in sex trafficking, because of increases in demand for commercial sex during those events, especially for events in which there are large numbers of men visiting from out of town. These spikes occur during sports events, concerts or music festivals, trade shows and conferences. During certain sporting events, such as March Madness, there may be a spike in both casino patronage and a demand for purchasing sex, regardless of whether the sporting event is in that location or not, because more men are on site to watch and place bets on the games.

There is not a standard outfit or fashion choice for prostituted people in casinos. They will be dressed based on what they think will appeal to buyers in that location and will try not to dress in a way that stands out as inappropriate for the season or their age. Buyers' preferences may vary depending on their age, socio-economic status and reason for visiting. For example, men who are coming for a bachelor party may like to see girls in more provocative clothing looking like they're going to the club. Whereas men who are on business trips may prefer more high-end wear, because it's more discreet, and they will not be embarrassed if a coworker sees them walking to the hotel room.



“DURING THE DAY WHEN I WAS BEING TRAFFICKED, IT WOULD BE ODD OR INAPPROPRIATE IF I WAS TO WEAR AN OUTFIT THAT I WOULD WEAR TO A CLUB, SO I WORE A SWIMSUIT AND SAID I WAS GOING TO THE POOL PARTIES. KIDS WON'T WALK AROUND THE CASINO FLOOR IN LINGERIE, BECAUSE THEY WANT THEM TO BLEND IN.”

-ANNIKA HUFF



If selling a child or adolescent who is unlikely to pass as age 21 or over, traffickers may opt to sell that victim at a “family-friendly casino,” where they are more likely to blend in. It is important to always remember that according to the U.S. definition of sex trafficking, any minor involved in commercial sex is a victim of trafficking automatically. For victims under 18, the elements of force, fraud, or coercion do not need to be established.

EVALUATING RISK AND LOOKING FOR BUYERS IN CASINOS

Victims of sex trafficking are under enormous pressure to earn money for their traffickers and not be arrested. Traffickers will learn the hours and operations of the casinos, as well as the schedules of the head of security and pit bosses. When arriving at a casino, prostituted people working the casino floor will often walk the perimeter to evaluate risk and the likelihood of finding a buyer.

- Victims will learn the casino floor map — they will learn the locations of the hotel room elevators, the security cameras and the exits.
- Victims will continuously watch for the level of security and which employees are working.
- Victims will continuously watch the men. They will notice which men are big winners that night, which men are drunk and how many men are in the casino.
- Victims have a heightened awareness of other victims — they will continuously watch for other prostituted people on the floor. If there are too many, there is more likelihood of a raid, in which case, all of them risk getting arrested. On the other hand, having too few prostituted people in the casino makes it look like security has been tight, and it will scare off traffickers.
- Victims will continuously watch the number of families. They will be particularly aware of mothers or other women who don't like prostitution happening in the casino, out of concern that they will complain and the victim will be run out of the building or arrested.
- Victims are very aware of traffickers. They will continuously watch how many traffickers are in the casino, in part because the presence of too many traffickers may make it harder to find a buyer.

RED-FLAG INDICATORS IN A CASINO

Identifying a person who is being exploited is not a simple matter. Use your instincts, power of observation, and (when possible) a few well-placed questions to help determine if you're looking at a potential human trafficking situation. Keep in mind that *multiple* indicators will most likely present themselves when this crime is occurring.

- Visible bruising
- Under 21 (A child or children who can't pass as 21 will be sold in "family-friendly" casinos where they're more likely to blend in.)
- Prostituted people will be dressed for the types of buyers they are hoping to attract (age, social class, reason for visit to the casino, etc.).
- Individuals who walk around the perimeter of the casino when they first arrive may be scoping out security or looking for buyers. They will commonly stop in the bar area, near the hotel elevators, or on corners where there is a lot of foot traffic.
- Women or girls (could be a boy or man) may be looking for men who are winning big at the gaming tables, drunk, groups that look like they're partying or alone. They may have been seen approaching men at the bar or on the casino floor who they do not seem to know. Common lines for them to use may be "Lucky night?" "Do you have a cigarette?" or "Looking to party?"
- Prostituted people in casinos may openly talk about lap dances or strip teases but are unlikely to talk about money or any form of sexual exchange.
- People making recurring and frequent (less than an hour) trips between the casino floor and a hotel room
- Women carrying expensive items, including jewelry, male watches, electronics, etc.
- Trafficking victims in casinos will usually have their phone in hand — they will answer every call but will be discreet when talking to their trafficker around men (prospective buyers).
- The season may impact patterns. During busier seasons, prostituted people may come in more often, while during slow seasons, victims are more likely to come in bruised, for longer hours and/or during the day.
- Room booked for large number of people, usually a group of girls ... the booking will be under pimp's name or "the bottom" (prostituted person who is given authority over other victims).
- Individuals who come into town without booking a room or who come in often and seem to be on "a route"

RED-FLAG INDICATORS FOR BUSES GOING TO CASINOS

Bus drivers can gain basic knowledge of human trafficking and its intersection with buses through watching BOTL's free 30 minute training video. Bus drivers on casino routes may notice red flags among the passengers they are transporting or may observe things going on around them that may not involve their passengers, such as while they are parked at the casino or waiting somewhere else on the premises.

- People who ride the bus regularly to the casino or gaming town but don't seem to gamble or have a job in town
- Women or girls (could be a boy or man) who have visible signs of physical abuse (bruising, malnutrition, branding, etc.)
- People who are dressed oddly or out of context for their age or the weather
- Children traveling with an adult that they seem uneasy to be around
- Victims and traffickers may or may not sit together on the bus. If they sit together and don't think anyone is listening, they may talk about plans openly. If they are not sitting together but the trafficker is on the bus, he may give physical cues to the victim.
- Traffickers will travel home with victims if they traveled with them to the casino. As traffickers have been known to recruit out of casinos, they may come back with a new or prospective victim they seem to be getting to know.
- Victims will not make eye contact or might not be allowed to look out the windows.
- Prostituted people may set up dates on the bus but will only talk about lap dances or strip teases and will not likely set a dollar amount at that time.
- Victims will travel at night (6 pm–2 am) or early morning (5–9 am), but may not have booked a room in town.
- Individuals who come up more frequently when busy season starts
- Young people who are under 21 but aren't traveling to the town for any age-appropriate activities
- Women or girls (could be a boy or man) who are coming back from town with items they didn't have before, including large amounts of cash, chips, jewelry, male watches, electronics, or other items of value
- Victims and their trafficker may get off the bus in different spots, but texts or physical cues will indicate they are together.

WHAT TO DO

WHAT TO DO

IF A POTENTIAL SITUATION OF HUMAN TRAFFICKING IS UNCOVERED, CONSIDER THE FOLLOWING ACTION STEPS:

1. IN CASE OF IMMEDIATE DANGER, CALL 911.

If you believe someone in your establishment or on your bus is in danger (especially a child under 18), please call 911 for immediate response from local law enforcement.

2. IF YOU IDENTIFY A MISSING CHILD IN THE UNITED STATES, CALL THE NCMEC HOTLINE.

If you believe you have identified a missing child in the United States, call the National Center for Missing and Exploited Children toll-free Hotline at **1-800-843-5678**.

3. IF YOU SUSPECT HUMAN TRAFFICKING, CALL THE NATIONAL HUMAN TRAFFICKING HOTLINE.

If you suspect human trafficking or exploitation may be happening in your establishment but do not think anyone is in immediate danger, call the human trafficking hotline. Both the United States and Canada have human trafficking hotlines that are multilingual, accessible nationwide and are staffed to answer calls 24 hours a day, 7 days a week, every day of the year.

- **National Human Trafficking Hotline in the United States: 1-888-373-7888**
- **Canadian Human Trafficking Hotline: 1-833-900-1010**

Calls received by either hotline are always anonymous unless the caller chooses to provide the operator with his or her name and contact information and authorizes its use. This information is not given to law enforcement, other individuals or other agencies without prior consent. Once a call is received, next steps may include:

- An additional call to the caller to confirm the accuracy of information (with the caller's consent);
- Provision of materials and/or referrals to organizations in the caller's area serving trafficking victims;
- A report to a local anti-trafficking organization, service provider, or law enforcement.

In all cases, casinos should have internal reporting protocols in place for when trafficking is suspected and always make sure their employees keep safety in mind as they act.

VICTIM-CENTERED APPROACH


VICTIM-CENTERED APPROACH



When interacting with potential victims, be sure to employ a victim-centered approach, as it is imperative that they feel safe and that you are on their side ... not trying to get them arrested.

- Ask if the victim would like to speak to a female guard if possible.
- Separate victims if in a group.
- See if they need food or water before starting the conversation in private with them.
- Create a non-judgmental space.
- Start the conversation with “We educate EVERYONE who we bring into our booking area about human trafficking.”
- Provide an anti-trafficking brochure or flyer to the individual as it gets attention off the guard and is a safer way to introduce the concept of human trafficking (some victims won’t have ever heard of the term).
- Say “We are available to help you, and we can contact these resources with you or for you if you’d like to get out of a situation you’re in ... we want to make sure you are safe.”
- As much as possible, make sure you tell him/her every step of the way what is happening and what they can expect next.
- Have a list of local resources available in the security area that are updated regularly, and be ready to contact them to provide victim services.

QUESTIONS TO ASK A POTENTIAL VICTIM



If you do find yourself interacting with a potential victim, a few well-placed questions can help you determine the appropriate next steps. These are questions such as:

- Are you safe?
- Does anyone control you or tell you what to do?
- Are your calls, texts, emails, or other conversations ever restricted or monitored?
- Do you have access to your ID or other personal documents?
- Do you get to keep the money you earn or does someone else take all or part of it?
- What would happen if you left this situation or person?
- If we could provide you with a safe place to escape to, would you like that today?

WHAT TO DO

ADDITIONAL ACTION STEPS

- Show all casino employees and bus drivers on casino routes the 25 minute multimedia online training, “Casinos Combating Human Trafficking,” available for free at www.truckersagainstrafficking.org.
- Post information about the human trafficking hotline in bathrooms (especially in private stalls), on casino floors and on buses.
- Post informational and resource posters or a video for victims in security booking area.
- Post informational and warning posters near hotel registration for buyers.
- Adopt an anti-human trafficking policy with a demand-reduction focus and share the Truckers Against Trafficking “Addressing Demand: Man to Man” training video.
- Contact Truckers Against Trafficking/Busing on the Lookout at tat.truckers@gmail.com for more information or to obtain printed materials.

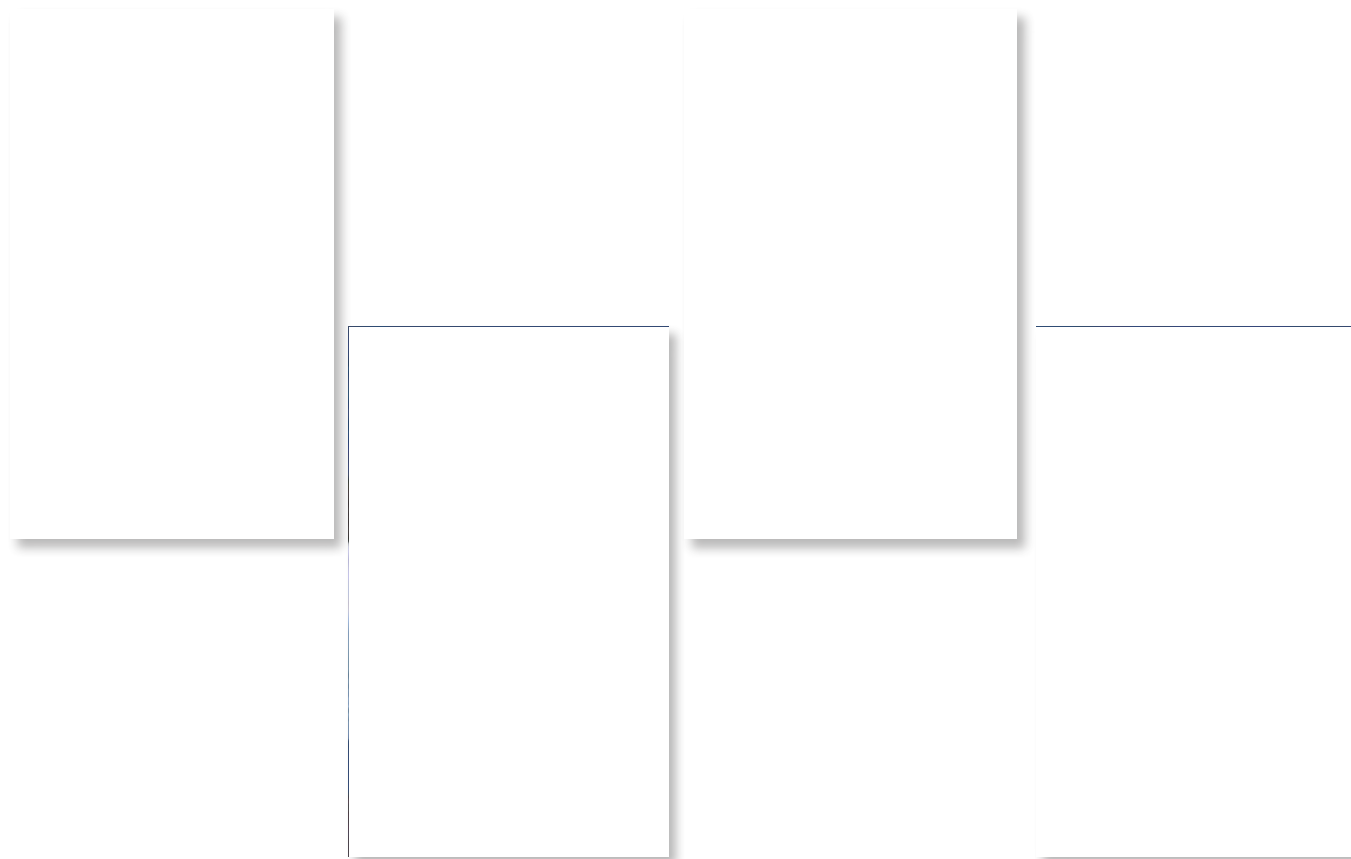
WARNING

- Please do not approach traffickers. Call the hotline and/or the local police (911). Allow law enforcement to deal with traffickers and recover victims. Approaching traffickers is not only dangerous for you and their victims but could lead to problems in the eventual prosecution of traffickers.

APPENDIX A:

VICTIM-CENTERED POSTERS

According to data from the National Human Trafficking Hotline, the top type of callers are “community members”... but after that it is victims themselves who are seeking assistance. Busing on the Lookout (BOTL) worked with survivors of sex trafficking to create a series of posters that use language and visuals intended to be eye catching for victims to see and know they are not alone – and there are resources out there. These posters also contribute to general public awareness about how vulnerable girls, boys, women and men can get lured into trafficking situations. BOTL will share these designs with bus companies and casinos free of charge.



APPENDIX B:

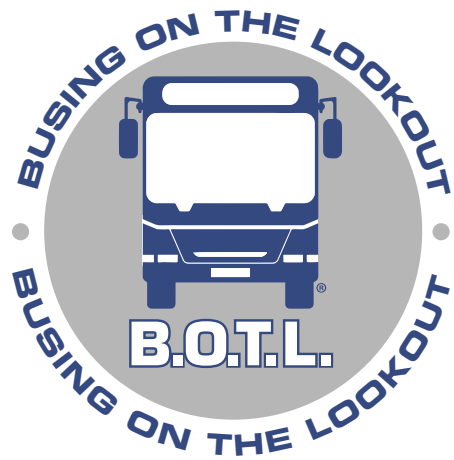
DEMAND-REDUCTION BUSINESS INITIATIVE

At the end of the day if no one purchased commercial sex, the crime of sex trafficking wouldn't exist. Therefore, it is imperative that we address the issue of demand in order to create a culture where the buying and selling of human beings for another's sexual gratification is not looked upon as normal behavior.

To that end, TAT created the video, "Addressing Demand: Man to Man," in order to get the conversation started. In addition to sharing the Addressing Demand video with all employees, casinos and bus companies should adopt and communicate policies to all employees that explicitly stand against sex trafficking, including sex buying.



For more information on demand-reduction steps businesses can take, visit:
<https://truckersagainsttrafficking.org/man-to-man-campaign/>



WWW.BUSINGONTHELOOKOUT.ORG

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Monday, April 1, 2024 4:55 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] "NOI Comments, Koi Nation Fee-to-Trust and Casino Project"

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Chad,

I live near the proposed Shiloh Casino on Lockwood. The vineyards beyond my house back up to Shiloh. I request no alternative actions on this project. I STRONGLY oppose this project. In fact, for our family's safety, peace, and health, we would probably move if this were to happen. There are so many reasons I don't want this to happen, but mainly because this is in a neighborhood. I don't think casinos should be near homes in a nonbusiness district.

The main ones for my family are fire safety- We have been evacuated and stuck on the 101 several times trying to get out before the fires. The size and significance of this Casino would create a hazard and fear that we would get stuck and unable to evacuate on time. Quality of neighborhood, Noise (I moved here to be in an open space). In addition to all these reasons: Proximity to Residential Neighborhood, Churches, Schools, Infrastructure Roads Loss of Open Space/Greenbelt, Negative Ecological Impact, Noise, Drought/Water Availability/Mandatory Water Rationing, Impact of Ignoring Zoning Restrictions, Public Safety, Quality of Neighborhood Activities (kids can't play outside with this), Emergency Response Time, Greenhouse Gases and lastly Decline in my property value because no one wants there house a stone's throw from a casino.

I am opposed to casinos in neighborhoods, and I think it is the wrong place to have a casino. If the Koi wants to build a casino off the freeway in a business district, it makes more sense, and I would support that. But what is also important is that the Koi have NO significant Connection to the land by the Koi Tribe. I understand they relocated to Santa Rosa, but that is not a significant historical connection to Sonoma County. I understand historically, they are from Clearlake.

I support them building a casino from where they are from in Clearlake, even if it has to be somewhere else - but NO CASINOS in NEIGHBORHOODS, please.

Thank you,
Kristine

From: Rich Owens <jazzbear@earthlink.net>
Sent: Monday, April 1, 2024 6:18 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

From: Richard Owens, 5841 Gridley Drive, Windsor, CA 95492

To: Chad Broussard, Environmental Protection Specialist, Bureau of Indian Affairs

Dear Mr. Broussard:

I am a resident in the Town of Windsor within the Oak Park neighborhood. My house is located about 100 yards away from the street entrance to the proposed Shiloh resort and casino. I have a number of concerns, questions, and comments that I believe the upcoming Environmental Impact Statement (EIS) should address or answer.

The previous Environmental Assessment (EA) has called out, or should have called out, all of the impacts in the following areas: Land Resources, Use, Biological Resources, Air Quality, Noise, Visual Resources, Transportation & Circulation, Socioeconomics, Cumulative-Indirect-and-growth-inducing-effects, Public-services-and-utilities, Cultural-and-Paleontological-Resources, Environmental Justice, and Hazardous Materials-and-hazards.

Not all of these were sufficiently covered. For example, no specific and thorough discussion of hazardous waste, community right-to-know, and aboveground storage tank compliance was offered. These issues were not reviewed by the California State agencies that are responsible for regulating these programs.

All of these issues identified above need to be EXPANDED in the EIS. EVERY. SINGLE. ONE. Each area and subset of areas needs to be called out. Each subset area should identify all Federal, State, Regional, County, and Town of Windsor laws, regulations, and the agencies within these governments that are responsible for enforcing them.

This legal and administrative comparison needs to occur in order to achieve a proper environmental impact of the subject area relative to the pre-existing adjacent areas that currently surround the proposed resort and casino.

Creating a 68.6 acre separate federal governmental island area that is surrounded by pre-existing town and unincorporated county areas is a recipe for disaster. Federal laws and their regulations are generally weaker than California State laws and regulations; plus, regional laws and regulations (Bay Area Air Quality Management District (BAAQMD)), Bay Area Regional Water Quality Control Board (RWQCB); plus, County laws and regulations (Sonoma); and Town laws and regulations (Windsor).

Putting tribal land into federal trust is creating a doughnut hole of weaker Federal environmental

compliance inside a doughnut of stronger State and local environmental compliance that currently surrounds the property. With an additional layer of government, this is going to increase the amount of governmental finger pointing and deflection. To whom do I complain when I experience something that must be reported?

I can see it now. Hypothetically, I walk out of my house and begin to experience some sort of negative environmental impact at my house during the adjacent construction or operation of the resort (noise, light, dust, odor, chemical spill, traffic, congestion, or whatever).

I live within the Town limits of Windsor, so I would call them. They probably would respond and say that the source of the impact originates outside of our town limits, so they don't handle it. Then I call Sonoma County and ask the same question. They would respond and say to contact the BAAQMD for dust and odor. For all others, they'll say, "Normally we would respond but the source of the problem is coming from Federal tribal land." I call the BAAQMD, and they'll say the same thing. Then who do I call? The Department of the Interior? The BIA? The Tribe?

Whoever it is, are they going to say, "Yep, we are going to comply with all of your more stringent State, Regional, and local laws even though we don't have to." Or, will they say, "We are in compliance with all Federal laws and your concerns are not in conflict with our laws." Or, will they say, "We are a sovereign government, we have immunity, and do not need to respond to your concerns." Or will they say something else?

This is all hypothetical. But hopefully you catch my drift. The EIS needs to have a thorough written discussion about the regulatory framework that will exist in-and-around the project area by identifying all laws and regulations at the Federal, State, Regional, County, and local levels for each of environmental impacts that will be experienced within and surrounding the 68.6-acre project area. Contact information for different environmental agencies that are responsible for ensuring compliance needs to be identified. This goes for both the 68.6-acre project area and the areas surrounding that property. The differences between these laws and regulations need to be discussed.

The reason for this is due to the fact that environmental impacts are going to happen whether they occur on the 68.6-acre property or migrate away from it. Environmental pollutants and contaminants do not obey politically developed boundaries such as town limits, unincorporated areas, regional districts, and tribal lands. Environmental pollutants and contaminants travel via land, air, and water and negatively impact watersheds, underground aquifers, hydraulic gradients, air basins, and neighborhoods that are common to all areas. It doesn't matter whether or not you determine that these environmental impacts are "significant" or "less than significant". People have a right to know what the impacts are, what the legal differences are, and who is responsible for enforcing differing levels of compliance in the different geographic areas. Where you have different governments, you are going to have differing levels of compliance being enforced by different agencies. People need to know who to whom they can complain.

The EA stated that "The Tribe" will be responsible for ensuring that Best Management Practices (BMPs) are implemented. How exactly does that happen? How does the Tribe come up with the required experience, expertise, and authority to ensure compliance? Are we going to file complaints against a tribe member, or their hired consultants? Or someone else?

During the design phase, who is responsible for submitting plans? Who is responsible for approving them? Who is responsible for performing independent 3rd party inspections to ensure compliance with approved plans during construction? After construction, who is responsible for performing periodic recurring operational compliance inspections? What type of inspections are going to occur? How frequent are these inspections going to occur? Who exactly performs complaint inspections? How long does it take to respond to a complaint? What is the history of response to neighborhood complaints at other nearby casino resorts in California?

Here's the problem. If you build the proposed resort and casino at the proposed location, you will have an on-going unending line of complaints that will occur in the future during construction and subsequent operation of the project. It won't matter if your EA and EIS collect data, analyze them, and quantitatively determine that all environmental impacts are "less than significant".

Qualitatively, the proposed Shiloh projects (Alternatives A, B, or C) appear to be oversized and located on a relatively small piece of property immediately adjacent to pre-existing homes, mobile home parks, and apartments that also operate 24 hours a day, 7 days a week. The project is adjacent to a large urban town (Windsor) and inside an unincorporated community of Sonoma County (Larkfield-Wikiup) that are larger than other communities where you have previously allowed gaming resorts to operate (Middletown, Brooks, and Geyserville). These three nearby resorts are smaller, less dense, and/or they are located in more rural areas.

For example:

The Twin Pine Casino in Middletown has 60 rooms, 500 slots, and 92,000 square feet of guest space located on a property of 109 acres located in the community of Middletown that has a population of 2,771 in 2024. (Smaller facility put on a larger rancheria (less dense); put into Trust in a more rural area.)

The River Rock Casino in Geyserville currently has 0 rooms, 1150 slots, in a 62,000 square foot facility on a property of 75 acres located near the community of Geyserville that has a population of 1,003 in 2024. There is a proposed expansion of 300 rooms, 1500 slots, and a 60,000 square foot facility on this same property. (Smaller facilities (actual and proposed) put on a larger rancheria (less dense); put into Trust in a more rural area.)

The Cache Creek Casino has 659 rooms, 2700 slots, in a 75,000 square foot facility located on a property of 185 acres in Brooks which had a population of 31 in 2020. (Smaller facility put on a larger rancheria (less dense); put into Trust in a more rural area.)

The proposed Shiloh Casino is considering the following alternatives:

Alternative A – 2750 slots, 400 rooms, 500,000+ square foot casino, 250,000+ square foot hotel.

Alternative B – 2750 slots, 200 rooms, 400,000+ square foot casino, approximately 150,000 square foot hotel.

Alternative C – 0 slots, 200 rooms, 160,000+ square foot hotel.

All 3 alternatives are located on a property of 68.6 acres adjacent to Windsor which has a

population of 25,271 in 2024 and also in the Larkfield-Wikiup area which has a population of 7,688 in 2024. (Larger facility to be put on a smaller rancheria (more dense); to be put into Trust in a more urban area.)

The significance of locating a more dense project in a more urban area is that there will be more negative environmental impact occurring because the tribal buffer zone around the subject facility is going to be smaller and closer to a larger number of pre-existing on-going land-use activities that operate 24 hours a day, 7 days a week (e.g., homes, mobile parks, apartments, etc.) similar to the 24/7 operation of the proposed casino and resort. The previously approved resorts in Geyserville, Middletown, and Brooks have less negative environmental impact because they are on bigger rancherias with bigger tribal buffer zones surrounding their facilities and are located in communities that have a smaller number of people with a smaller number of 24/7 land-use activities.

The Graton casino and resort has less negative environmental impact than the proposed Shiloh casino for different reasons.

The Graton casino has 200 rooms (with another 200 rooms proposed), 3000 slots, 135,000 square ft casino located on a property of 90 acres located in Rohnert Park that has a population of 44,216 in 2024. Although there is more population in Rohnert Park than Windsor-Larkfield-Wikiup, there is less negative environmental impact for at least 3 reasons:

- 1) The Graton facility is located on a bigger rancheria and has a bigger tribal buffer zone surrounding the facility (less dense).
- 2) It is surrounded by a business district which has land-use activities that are not 24/7. Businesses usually operate 8AM – 5 PM Monday – Friday. Or there are retail facilities that also operate on weeknights and weekends. None of these are 24/7 activities like the nearby homes, apartments, and mobile home parks that surround the proposed Shiloh project.
- 3) The Graton facility is connected to an existing sewage collection system taking advantage of another entity's NPDES wastewater permit. This activity has less negative environmental impact than Shiloh where a 24/7 wastewater treatment plant will need to be built and a separate NPDES permit will need to be approved.

From what I understand, a hotel, casino, wastewater treatment plant, and a drinking water treatment plant will be operating 24/7 on the Shiloh property. It is already too small to provide a sufficient tribal buffer zone that is too close to other 24/7 pre-existing on-going land-use activities on properties nearby.

The size and scope of the 3 proposed alternatives at Shiloh are each too big and will be squeezed into the small acreage of the proposed tribal rancheria. This proposed Shiloh project should be moved to a rural location that is similar to the facilities in Geyserville, Middletown, and Brooks. Or it should be relocated to an urban industrial place like Graton. All four of these previously approved facilities have less negative environmental impact than the proposed facility at Shiloh for the reasons stated above. The proposed Shiloh facility should be rejected and relocated in order to be consistent with the attributes of these four previous approvals.

Please consider the above issues and comparisons when writing your EIS and making your final decision. Thank you.

Sincerely,
Richard Owens
Oak Park Resident

From: Jessica Cruz <jesscllr@yahoo.com>

Sent: Tuesday, April 2, 2024 1:44 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, KOI Nation Free-to-trust and casino project

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Hi!

My concern about allowing the KOI nation to build a casino in Windsor, Ca is that Windsor Ca is not their ancestral territory. If this is granted it will open Pandora's box to allow other Tribes to build casinos in other tribes territories. The larger established tribes will end up snuffing out the smaller tribes and this will not allow the smaller tribes to have an opportunity to grown on their ancestral lands. This will be like opening pandoras box once it is approved. Please deny this project for the greater good of all Tribes in California.

Thank you.

Jessica

Sent from my iPhone

From: Lark Schumacher Coryell <lark@lark.net>
Sent: Tuesday, April 2, 2024 4:22 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nationa Fee-to0Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Chad, et al: Building a new casino in such close to proximity to several others in the area is a big mistake. The Koi Nation, originally from Lake County, has proposed the establishment of a casino in our area, following a failed attempt at a similar venture at the Oakland Airport. I have significant concerns regarding this proposal, especially its potential impact on traffic congestion and crime rates in the wider area. A new casino here will drastically change the family feeling of the whole area.

The anticipated increase in traffic, especially on Shiloh Road—a road that currently has only two lanes—and Old Redwood Highway, deeply worries me. I fear that these areas would face unprecedented levels of traffic congestion, drastically affecting the quality of life and accessibility for people like me and my neighbors.

Furthermore, I am concerned that the construction and operation of the casino would require major changes to our existing road infrastructure to accommodate the surge in traffic. Such changes would likely lead to significant financial burdens on Windsor or Sonoma County, with costs potentially escalating to millions or even billions of dollars.

Given these points, I strongly oppose the proposed casino. My concerns are rooted in the potential increase in crime, the detrimental impact on traffic and infrastructure, and the financial strain on our local resources. I urge immediate action to be taken to prevent the establishment of this casino, reflecting my opposition and prioritizing the well-being and interests of our community.

Thank you for listening, and please ensure that it does not happen here, particularly given the size of the project.

--

Lark Coryell, Partner
lark@lark.net
(707)888-4524

From: Judi Swenson <judi@rocketmail.com>

Sent: Tuesday, April 2, 2024 9:29 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments Ko Nation Fee-to-Trust and Casino Project--Judi Swenson 5305 Carriage Lane, Santa Rosa, CA 95403

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Hello,

I would like to share some concerns about the proposal for the Casino project in Windsor. With such a significant history of fire danger, my concern is for the increase in risk. I understand that the facility will be a no smoking building which means that a lot of people will be outside smoking with the risk of sending a spark out into the environment. All it will take is a single spark touching dry grass to cause a major event in what is now a residential area.

In addition to the increased fire risk, there will be a significant strain on water usage, and there will be a demand for additional sewage treatment. Although there is not a water shortage this year, we have had significant shortages for many years and such a massive influx of people will affect the water supply.

The planned Casino facility is a huge project with increased demands and risks to the natural environment within which it is proposed. Increased pollution from the car loads of people, increased water demands and the need for sewage treatment are sure to impact the surrounding environment.

By far the biggest concern should be the fire risk. This area has a history of very dry, hot weather and with that dry grasses that will be surrounding the casino area. The onslaught of people, who are not vested in protecting our community, who will be lighting up cigarettes outside the building, using water without a care for conservation and in general increasing the strain on the small surrounding environment, will have substantial impact. I live fairly close to the proposed site in an area that was significantly burned in past fires not so long ago. I urge you to reconsider this project that stands to impact the environment in a catastrophic way.

Sincerely,
Judi Swenson
5305 Carriage Lane

Santa Rosa, CA 95403

From: claudia abend <abendclaudia@gmail.com>

Sent: Wednesday, April 3, 2024 1:24 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Noi Comments , Koi Nation Fee to trust and Casino Project /Claudia Abend 5425 Old Redwood Hwy ,Santa Rosa CA.95403

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To: Chad Broussard

From : Claudia Abend
5925 Old Redwood Hwy
Santa Rosa ,CA. 95403

“NOI Comments, Koi Nation Fee-to-trust and Casino Project”

I am a resident that has lived in the area across the street from this proposed nightmare of a casino project for 38 years . I have experienced continued increase of busyness in this area and oppose any type of casino project on this proposed property! This casino resort plan is not acceptable to our community on any level !

For starters ,this is a community with residential homes, churches, schools, recreational parks, a rural county park with creeks and wildlife that stretch to the creek on this property and vineyard agricultural. Daily traffic and noise is already at it's maximum with more recent high density /low income and senior / memory care housing added and planned on Shiloh Road . Fire evacuation and ER services will also be even more impacted with this current increase of population . Area flooding is a current and continuous problem . This casino project would be a negative impact on this already strained community. This project would bring an added appx 4 times the influx of traffic on Old Redwood Hwy and Shiloh Road ! This traffic would undoubtedly include a population of impaired driving ,drugs , violence and individual bad behavior (prostitution and sex criminal histories). This project would cause the existing community to experience even more difficult Emergency services, evacuation, poor air quality , more increased noise , increased area flooding and ground water depletion and contamination (many in this rural area have ground water wells) . This peaceful beautiful area and community does not deserve the abuse of a casino resort project with constant in and out traffic of people that don't care about it's quality of life . The Koi nation needs to stay in their own Lake County area for land trust plans and development . Sonoma County has enough casinos .

Respectfully,
Claudia Abend

From: Richard Abend <richardabend13@gmail.com>

Sent: Wednesday, April 3, 2024 1:31 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee to Trust and Casino Project . Richard Abend 5925 Old Redwood Hwy ,Santa Rosa ,CA 95403

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To: Chad Broussard

From : Richard Abend
5925 Old Redwood Hwy
Santa Rosa ,CA. 95403

“NOI Comments, Koi Nation Fee-to-trust and Casino Project”

I am a resident that has lived in the area across the street from this proposed nightmare of a casino project for 38 years . I have experienced continued increase of busyness in this area and oppose any type of casino project on this proposed property! This casino resort plan is not acceptable to our community on any level !

For starters ,this is a community with residential homes, churches, schools, recreational parks, a rural county park with creeks and wildlife that stretch to the creek on this property and vineyard agricultural. Daily traffic and noise is already at it's maximum with more recent high density /low income and senior / memory care housing added and planned on Shiloh Road . Fire evacuation and ER services will also be even more impacted with this current increase of population . Area flooding is a current and continuous problem . This casino project would be a negative impact on this already strained community. This project would bring an added appx 4 times the influx of traffic on Old Redwood Hwy and Shiloh Road ! This traffic would undoubtedly include a population of impaired driving ,drugs , violence and individual bad behavior (prostitution and sex criminal histories). This project would cause the existing community to experience even more difficult Emergency services, evacuation, poor air quality , more increased noise , increased area flooding and ground water depletion and contamination (many in this rural area have ground water wells) . This peaceful beautiful area and community does not deserve the abuse of a casino resort project with constant in and out traffic of people that don't care about it's quality of life . The Koi nation needs to stay in their own Lake County area for land trust plans and development . Sonoma County has enough casinos .

Respectfully,
Richard Abend

From: Jackie D'Arcy Denney <jackiedenney1@gmail.com>
Sent: Tuesday, April 2, 2024 2:21 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Shiloh Resort & Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

Thank you for the opportunity to protest the proposed casino in this neighborhood.

I live a few miles south of this location, but drive by frequently to shop in Windsor. The area is a lovely middle class neighborhood and I just cannot believe that a Casino (of any size) would be built right across the street from these residences which would probably drop precipitously in value as a result. The increased traffic would be difficult for all of us to handle, but I especially am concerned for the children as they travel back and forth to school.

Surely there is another location more appropriate to this type of business.

Sincerely,

Jackie Denney

From: Sue Bates-Pintar <sweetums.sbp@gmail.com>
Sent: Wednesday, April 3, 2024 9:52 AM
To: Kitto, Felix F <Felix.Kitto@bia.gov>
Cc: Baker, Pamela R <Pamela.Baker@bia.gov>
Subject: [EXTERNAL] Koi Nation proposed casino in Windsor,CA

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Sirs/Madams,

The proposed Koi Nation Shiloh Resort and Casino would be built and operated by the Chickasaw Nation's Gaming Group, not the Koi. It follows that profits from the casino would not be fully available to the Koi Nation.

It is estimated that it would use 400,000 gallons of water daily. Sonoma County already suffers greatly from periodic droughts. We can not afford to lose that huge amount of water and deplete our aquifers!

Additionally the enterprise would not pay for road improvements or maintenance costs generated by the increased stresses on our infrastructure.

Please decline the proposed Koi Nation Shiloh Resort and Casino!

Sue Bates-Pintar
Petaluma

Sent from my iPhone

From: Marquel Abend <marquelabend@gmail.com>
Sent: Wednesday, April 3, 2024 10:32 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] "NOI Comments, Koi Nation Fee-to-Trust and Casino Project"

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

From : Marquel Abend-Satterwhite
2523 Sonoma Ave
Santa Rosa ,CA. 95405

"NOI Comments, Koi Nation Fee-to-trust and Casino Project"

I am a resident that was raised and lived in the area across the street from this proposed nightmare of a casino project for 38 years . I have experienced continued increase of busyness in this area and oppose any type of casino project on this proposed property! This casino resort plan is not acceptable to our community on any level !

For starters ,this is a community with residential homes, churches, schools, recreational parks, baseball park, a rural county park with creeks and wildlife that stretch to the creek on this property and vineyard agricultural. Daily traffic and noise is already at it's maximum with more recent high density /low income and senior / memory care housing added and planned on Shiloh Road . Fire evacuation and ER services will also be even more impacted with this current increase of population. Area flooding is a current and continuous problem.

This casino project would be a negative impact on this already strained community. This project would bring an added appx 4 times the influx of traffic on Old Redwood Hwy and Shiloh Road! This traffic would undoubtedly include a population of impaired driving, crime, narcotics use, violence, narcotics sales and prostitution. The regional park which families currently use will be flooded with people using narcotics/ selling narcotics, and homeless encampments. My husband is a police officer for Rohnert Park and that is the behavior that takes place at the Graton Casino leaching out into the surrounding areas of Rohnert Park. The difference is that the Rohnert Park casino is surrounded by businesses not residential housing. All around this proposed casino are residential and low income housing. People in low income housing are struggling enough they do not need the influence of increased crime, drugs and prostitution around their families. This project would cause the existing community to experience even more difficult Emergency services, evacuation, poor air quality, more increased noise, increased area flooding and ground water depletion and contamination (many in this rural area have ground water wells). This peaceful beautiful area and community needs to be safe for my children and other families to enjoy! This area does not deserve the abuse of a casino resort project with constant in and out traffic of people that don't care about it's quality of life .

The Koi nation needs to stay in their own Lake County area for land trust plans and development. They need to at least for the respect of families stay away from residential areas. People's homes should not be surrounding a casino they did not choose this when looking for a safe place to raise their families. Sonoma County has enough casinos.

Respectfully,
Marquel Abend -Satterwhite

Sent from my iPhone

From: Chris Thuestad <chris2esta@comcast.net>
Sent: Wednesday, April 3, 2024 10:53 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Chris Thuestad
6186 Lockwood Drive
Windsor, CA 95492

Mr. Broussard,

The Koi Nation bought a 68-acre property near Windsor, in Sonoma County, CA and announced its intentions to open a new casino there. I am deeply concerned about this for a number of reasons and feel very strongly that this should not be allowed to happen.

The proposed casino is at the corner of Shiloh Road and Old Redwood Highway. From that intersection, there are two traffic lights on Shiloh Road to get through in order to get on Hwy 101, the main freeway. It can already take up to three turns of the lights to get through those lights, and another light beyond the on-ramp to Hwy 101 can also cause traffic to back up. This is a two-lane road that is already inadequate for the existing traffic. There are several high-density housing developments currently under construction on both Old Redwood Highway and Shiloh Road, and several more lots are posted with signs indicating that they are also ready for development. The traffic study done by the Koi Nation didn't include any impacts from the new developments already underway or from the planned developments. The southbound traffic on Hwy 101 is already bad during the commute hours, stop and go from Windsor to and beyond Santa Rosa. We've been told the Graton casino in Rohnert Park gets 20,000 guests a day. If the Koi casino is even larger, the traffic in Windsor and Windsor and the freeway traffic heading south will be a nightmare. The most obvious solutions are to prohibit the casino or immanent domain to remove many houses along the route to widen the road.

The proposed site is in a high fire danger area that has been forced to evacuate for wildfires or been put on alert for possible evacuation several times in the last several years. When we had to evacuate during the Kincade fire in 2019, my husband was at Home Depot on Shiloh -- it took him almost an hour to get back to our house which is just a mile away. According to MapQuest, it should only take 4 minutes! Adding a casino to the area with around 2,000 employees and an untold number of guests is insane. When the next wildfire goes through, people could die in their cars like the tragedy that happened in Paradise, CA.

I'm also concerned about water usage. In addition to a gaming area, the proposal includes six restaurants, a spa, and a 400-room hotel. We don't have enough water for the people who are already here let alone for all these extra people. The scientific community has warned that our droughts will increase in frequency and duration. During the recent multi-year drought, we were headed to a real disaster until the rains finally came last season. I've heard that the proposed casino will put in a 700' well and pump out something like a quarter of a million gallons of water a day. Not only will all the existing wells in the area go dry in the next drought (or before), there could be problems with ground subsidence leading to property damage. Once the land is taken into trust and the casino is built, there won't be anything anyone can do about that. We've already been told to replace our toilets, dish washers, and washing machines. We've been asked to pull up all our water-intensive landscaping. We've been required to only water our lawns on certain days each week, not to wash our cars in the driveway, and to cut our usage by as much as 20%. What's next? No showering? No yards at all? No drinking water?

When the Graton Casino in Rohnert Park opened for business, it cannibalized 50 – 70% of the River Rock Casino's business in Geyserville according to the Press Democrat. The Koi Nation is a Lake County tribe with roots 50 miles away yet they bought land in Sonoma County just about half way between two existing casinos owned by Sonoma County tribes – and I don't think that was a coincidence. They plan to take business away from the two Sonoma County casinos. There are two other local tribes in the area that have expressed an interest in building casinos. The Koi Nation may have the right to build a casino in California, but it needs to happen on their own ancestral land. It isn't fair to the local tribes to have to compete with them.

The proposed site is right next to housing developments and a church, and less than a mile from an elementary school. That is a horrible choice for a business which will bring more traffic, crime, noise, and light pollution. Admittedly, the treatment of Native Americans in this country hundreds of years ago was terrible, but the people who own houses across the street from the proposed casino aren't responsible for what happened such a long time ago. They will be severely impacted by this casino, and their property values will plummet. My guess is that many of the houses would be devalued to the point that some homeowners would owe more on their mortgages than their homes would be worth if the casino is built. How can it be fair to let a ninety-member tribe from outside the area take so much from so many people? Other than the tribe itself, the only other people who seem to be in favor of the project are construction workers because it would provide jobs. These jobs would be temporary, but the damages to everyone else in the area would be permanent.

No one wants to live by a casino! Everyone who lives in Windsor will be impacted by the increase in traffic, noise, and crime, and many will see a sizable reduction in their property values. We already don't have sufficient water or adequate roads. The Graton and River Rock casinos will see a significant reduction in their profits taken by a tribe

from another county. Please, please do not allow the Koi Nation to build this casino in Sonoma County!!

Respectfully,
Chris Thuestad

From: Brian Broadbent <broadbent@rocketmail.com>
Sent: Wednesday, April 3, 2024 10:53 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Proposed Koi Nation Shiloh Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

My wife and I just retired and relocated to the Larkfield/Wikiup area near the proposed casino and hotel. We walk our dog, hike and ride our bikes in our residential neighborhood and adjacent parks with limited traffic from cars and buses and can't even fathom the added congestion from visitors and the supporting services. The only traffic we have to plan for currently is when the local schools let out with all the cars and kids biking home and local commute traffic.

Wild fires, water shortages, electrical outages along with insurance coverage are primary concerns that would be negatively impacted. We have visited both of the other local casinos and found them to be just Las Vegas style gambling and dining without supporting any local community involvement or adding anything positive to the surrounding environment. We were amazed by the number of buses and cars that it takes to keep a casino operating. Just the outside lighting and all hours coming and going of traffic would have been a negative to moving here.

Please don't make this incongruous environmental departure impacting our quality of life by building a Las Vegas style gambling casino in my neighborhood.

Thank you,

Brian Broadbent
5305 Carriage Ln.
Santa Rosa, CA 95403

Sent from my iPad

From: erin clark <erinclark10@gmail.com>

Sent: Wednesday, April 3, 2024 12:16 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, KOI Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr.Broussard,

I live near the proposed casino project. My husband and I lost our home to the Kincaid fire in 2019. We lived approximately 1.5 miles from the proposed Koi Nation casino. The area was a nightmare for many weeks after the fire. We still have not been able to rebuild due to several issues but we do plan to return to our property someday. We now are renting approximately 2 miles from the proposed casino. We do not want to see a huge complex built in this beautiful residential area for many reasons. There is an elementary school nearby, Shiloh Regional Park and the area is totally unsuitable for a large ostentatious project. However the main reasons are drought and fire. Unfortunately for Californians today fire is here to stay, and drought is the new normal. We do not want to live through that type of disaster again and with a huge influx of people staying at the proposed casino lives will surely be lost. Sonoma County does not need yet another casino. River Rock casino suffered greatly when Graton Rancheria built their casino in Rohnert Park and now Graton is planning to double their size. Any new casino will surely not be viable compared to the other two options available to patrons. Please do not let the Koi nation proceed with this folly of an idea.

Very Sincerely,

Erin Easton Clark
825 Leslie Road
Healdsburg, CA 95448
707-953-7034

From: Nancy Zankich <zank5827@hotmail.com>

Sent: Wednesday, April 3, 2024 3:10 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project'

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Chad,

> We have been informed that there is a proposal to put a Casino in our neighborhood. I am writing you to be sure this does not happen for the following reasons. We also have two elementary schools a few miles away.

>

> 1. Fire, life and safety - this area had mandatory evacuations twice in 2017 for the Tubbs fire and again in 2019 for the Kincaid fire, which was ultimately stopped at East Shiloh and Faught road. East Shiloh is the only viable evacuation route. It was gridlock for hours. A future evacuation with the largest casino in Northern California could potentially add an additional 10,000 to 25,000 vehicles to the roadway. Even with road widening, Hwy 101 can only accommodate so many vehicles. We believe that any casino threatens this community's ability to safely evacuate and could potentially lead to loss of life.

>

> 2. Water - The proposed venue would use 400,000 gallons daily, which doesn't make our community more sustainable. The water table cannot support the proposed level of increase. We don't know if the water table can continue to support the current level of usage.

>

> 3. Crime - No one wants to talk about crime or share statistics regarding the current largest casino in Northern California, Graton Rancheria in Rohnert Park, just 14 miles from this new proposed casino. There are agreements in place between the Rancheria and the RP police and city. But in talking with surrounding businesses of the Rancheria, they have experienced increased theft, vandalism, drugs and prostitution since the casino went in. Our homes would be yards away from the proposed casino in our neighborhood. We do not believe that a casino business has any place in a residential neighborhood due to crime. Additionally, there is a little league park next to our homes, also directly across the street from the proposed casino.

>

> 4. Traffic, light, sound, 24 hours a day, 7 days per week. We live here and depend on our homes to rest at the end of our work days, to spend quality time with our families. This would no longer be possible as we are, again, yards away from the site of the proposed casino and some of our homes are mere feet away from East Shiloh road.

>

> 5. Environmental impact, both on wildlife, water, sewer, removal of vineyards which have provided a firebreak, pavement increasing run-off, etc.

>

> Please help us to stop this casino from being built here, as it does not belong in a residential community.

>

> Thank you for your attention to this matter.

>

> Joe and Nancy Zankich

160 Barrio Way

Windsor CA 95492

From: John Iverson <iverson.john@gmail.com>

Sent: Wednesday, April 3, 2024 6:19 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I am writing to oppose the Koi Nation casino proposal on the southeast corner of Windsor. From my understanding the Koi don't have any historical roots to Sonoma county, let alone the plot they purchased for development. I also understand they still have property they have historical ties to in Lake county. If they have that property, why can't they build there?

I also understand they've contracted they an Oklahoma tribe, the Chickasaw nation, to run the casino. This appears like they hired the Chickasaw because the casino is too big of a project for the Koi Tribe to operate.

These are all good reasons alone to reject the proposed project. But the most important reasons, from my point of view, is the location of the project. This area was recently affected by wildfires. The vineyards provided a valuable buffer from the spreading of the fires to residential communities. Without that buffer, the fire damage could have been much worse. My understanding is the casino will use up to 400 gallons of water on daily basis. With our recent drought, the size of this project is not wise. The other reason to not have this location is traffic congestion. The lot is located on the corner of a well traveled two lane road and a smaller road without a lane divider. This is a rural road and needs to stay that way to allow safe evacuation in the event of an emergency. Just opposite the proposed lot is a large apartment building, which is getting ready to open and will already increase to traffic in the area. We cannot add even more traffic congestion.

Please deny the Koi Nation casino at the Shilo Road location. The Koi Nation can find a more suitable location.

Best Regards,

John Iverson

101 Leafy Glade Place

Windsor, CA 95492

From: KEVIN WARREN <cajunce@comcast.net>
Sent: Wednesday, April 3, 2024 8:36 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Casino Project

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NOI Comments

Koi Nation Fee-to-Trust and Casino Project

Please allow the land to remain a vineyard-Alternative D. A 24 hour Casino would not be compatible with this location. The Casino is next door to a subdivision of residential houses. The negative impact would be huge. Alternative A and Alternative B are also detrimental to the Tribes that are indigenous to Sonoma County.

A casino is in complete conflict with residential use.

Noise from everyday activities and events (amplified music and even loud voices) would harm many neighborhoods. This a huge issue from a 24 hour a day casino or an event center.

Light pollution would be a problem.

Traffic would be a big issue as Shiloh Road and Redwood Highway already get backed up at certain times of the day. A new 140 unit apartment building is opening up soon to add more cars. There are new projects under way on Shiloh Road near Highway 101 which already have traffic problems during many times of the day.

The waste water plan of putting tertiary treated waste water into Pruitt Creek is a disaster waiting to happen with a big development.

Pruitt Creek should be protected and storm runoff would be a problem with gas and oil residue going into the creek. Erosion from large rain storms would add to the environmental problems of the Casino.

Using wells on site for water use is another drain on ground water and other rural farms and homes. Another drought is around the corner.

Safety of the people living next door should be a huge concern. 24 hour alcohol availability will only add to the problem of this Casino proposal. Crime will go up. Car accidents will go up. Emergency evaluations would be impacted.

There are too many problems with the casino plan. Putting a casino in a neighborhood is a horrible idea! Unfortunately with money, favorable studies are easily obtained and claims of mitigating many of the problems are bogus (their traffic study as an example). Don't harm the life of thousands for a few.

Please visit the site and see for yourself and deny this horrible casino idea.

Thank you,

Kevin Warren

6181 Lockwood DR

Windsor, CA 95492

From: Russell Thompson <rtandjt@pacbell.net>

Sent: Wednesday, April 3, 2024 9:26 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] "NOI Comments, Koi Nation Fee-to-Trust and Casino Project"

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Mr Broussard,

I would like to suggest the casino move into a different location. Simply put no one would think that putting a 24hr Casino in between two residential areas is a good idea. Why ruin so many lives when areas in nonresidential areas, zoned for higher traffic are available. Many of these areas would welcome a large tenant.

If this beautiful area must be developed, the Koi Nation could build housing. Sonoma County needs more houses and the tribe could make money fulfilling those needs as well as places for its members to live.

Thank You,
Russell Thompson
510 Limelight place
Santa Rosa, Ca.95403

From: Gayle Cunningham <gjcunning@comcast.net>
Sent: Wednesday, April 3, 2024 9:34 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Chad,

Since moving here in 1989, I've witnessed Windsor's traffic challenges, particularly during events like the Ironman race. Adjustments were made, but the recent low-cost housing construction has exacerbated congestion. Traffic at Shiloh and Old Redwood, and Hembree and Shiloh intersections are common, especially the post-3 pm commuter hours. Proximity to the freeway often results in gridlock, and flooding has occasionally forced detours from our usual exits.

The prospect of a new casino intensifies my concerns. It could lead to traffic scenarios similar to those near Coddington or Costco in Santa Rosa, with potential freeway backups. Unlike retail stores like Home Depot and Walmart, a casino's traffic impact is less predictable and harder to manage. The city's roundabout plan at Old Redwood and Shiloh seems incompatible with the added casino traffic.

I'm also concerned about having casino traffic in the event of a natural disaster such as a fire. There have been multiple times we have had to evacuate and if there was a casino down the road it may make it difficult to leave. With two major casinos already in the county, a third seems unnecessary, especially near residential areas with children. Casinos should be situated away from dense housing to mitigate traffic surges from events and promotions.

As Windsor braces for more traffic from a new apartment complex, I urge reconsideration of adding another high-traffic establishment like a casino. Our community's past experiences should guide future planning to preserve Windsor as a worthwhile and comfortable place to live.

Gayle and Jim Cunningham
213 Chris Street, Windsor, CA 95492

From: L. Hiatt <hisons@yahoo.com>
Sent: Wednesday, April 3, 2024 10:10 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Input for Koi Nation casino, Windsor California

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello,

Thank you for considering my input regarding the building of a casino in Windsor, California. I do not support the placement of this casino.

Windsor is a fairly small, suburban town. Our roads are not built for this size and type of business. There are narrow 2 lane roads in & out of the area where the casino is proposed.

Our water system can't even support this size of business. Residents are constantly having to conserve water, and it gets worse every year. In Windsor we've faced water shortages and fire, evacuations and other climate disasters. We are one of the ground zero locations for the obvious effects of climate change. It already took 2 hours for everyone to evacuate down our ONE highway in the last fire. And now you're adding this many more people to an already pressurized situation. It's not safe and we aren't prepared for it here.

By the way, all the western slopes in California are extremely vulnerable to wind driven fires,so much so that none of us can even get fire insurance on homes & businesses anymore. I wouldn't build a business nor homes at all in that proposed location. It's safer as farmland, which at least provides us a fire break.

There are neighborhoods and families surrounding the area. Casinos are known to bring more crime to the area, as has happened in Rohnert Park just down the highway. I remember people saying that would happen when they were building the casino in Rohnert Park and I didn't believe them. Now I know, and I even stay away from Rohnert Park. Its sad. This would be devastating to the small town, safe feel of Windsor.

We all know there's a larger machine at work with Indian gaming/casinos that is more Las Vegas mob-like than Native American. I've lived an entire life living near and working with Native populations and I'm sure bringing this up doesn't make my point any better, but just know.....it's obvious and sad to see the greed machine at play.

I wish all the best and more for Native tribes, but I do NOT support the building of this casino in Windsor.

Thank you,
Laurie Hiatt

From: Steve Plamann <shplamann@comcast.net>
Sent: Thursday, April 4, 2024 11:39 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] "NOI Comments, Koi Nation Fee-to-Trust and Casino Project"

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To Whom it may concern,

My letter regarding: "NOI Comments, Koi Nation Fee-to-Trust and Casino Project"

Shiloh Neighborhood Church is across the street & Christ Evangelical Lutheran Church is just down the block from the proposed site of the Koi casino complex.

San Miguel Elementary School is less than one mile from the proposed Koi casino.

The Tubbs and Kincade fires burnt to Faught Rd, the eastern boarder of the Koi property. Only the existing vineyards stopped it from burning into Windsor during both those fires. A large structure, with a hotel, event center and casino complex, would very likely have caught fire and spread both those fires into neighborhoods and possible all of Windsor.

This proposed nightmare casino complex will generate more traffic congestion on Shiloh Road, a two lanes road, already over-crowded all the way to the freeway.

It is across the street from Esposti Park, where kids play baseball and soccer and take their younger kids to play.

Casinos cause a large increase in many crimes that are not welcome in Windsor. We raise kids here. Old folks retire here.

The Casino will cause major environmental damage and greatly increase water run-off from this designated agricultural land.

Steve Plamann and Jill Plamann (in our 29th year of living here and want to retire here.
112 Anna Drive
Windsor, CA 95492

183 Savannah Way
Windsor, CA 95492
March 27, 2024

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

Dear Director Dutschke,

I am writing in regards to "NOI Comments, Koi Nation Fee-to-Trust and Casino Project".

I strongly object to this project, or a scaled-back version, and recommend the no-action alternative. I do not speak just for myself - I have talked with many residents in this area who worry about its effects on our environment. None favors the proposed project at any scale. This is a residential neighborhood. If the land in question were under the jurisdiction of a local government, there is no way it would be re-zoned to allow for this kind of environmentally detrimental development. The environment of our area needs protection.

More specifically, the reasons for my opposition are as follows:

- 1. Evacuation Safety**
Having barely survived the 2017 Tubbs fire in Santa Rosa, my husband and I are acutely aware of the deadly traffic jams that will occur on all exit routes at and around the proposed project site when the next fire erupts. With hundreds and potentially thousands of additional cars from the development clogging our roads, people who actually live here will face the distinct possibility of being burned alive in their homes or cars.
- 2. Water Resources**
Since water needs to be rationed and crops are threatened every time we have a drought, I am flabberghasted that a water-intensive use such as the casino project or a scaled-back version is even being considered, much less given a formal review.
- 3. Quality of Life**
The neighborhoods near the proposed project are lovely and quiet. They have the feel of small-town Americana at its best. These neighborhoods are mixed-income and they welcome cultural diversity. People feel safe; crime is practically unheard of. Kids walk the streets and play baseball year-round at Esposti Park (adjacent to the proposed project site), and families enjoy picnics there. You can find residents biking, jogging and walking in the winding neighborhood streets most any time of day and evening. Or petting the horses that come to the fence directly across the street from the proposed project. A casino would bring all this crashing down. Burglaries, vagrancy, drunk and disorderly conduct, litter, noise, and traffic accompany casinos. It will ruin what we have here.
- 4. Growth-inducing Effects**
Agricultural land adjacent to and within several miles of the proposed project will be prime targets for development. The residential neighborhoods nestled within this bucolic area, some of which lie directly across the street from the proposed project, likely will become engulfed by commercial development related to the casino and the other proposed resort infrastructure. The development that will follow will utterly overtake this area.
- 5. Long list of environmental concerns**
It is heartening to see in the BIA Notice the many environmental concerns that will be

analyzed in deciding if this project should go forward as proposed, or if a scaled-back project would be sanctioned by the BIA, or if a no-action alternative is selected. My reading of information released so far indicates that these concerns are:

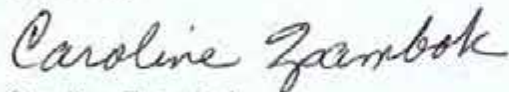
- land resources
- water resources
- air quality
- noise
- biological resources
- cultural and paleontological resources
- transportation and circulation
- land use
- hazardous materials and hazards
- public services and utilities
- socioeconomics
- environmental justice
- visual resources
- cumulative, indirect, and growth-inducing effects

The average resident, myself included, doesn't have ready access to studies that can predict the range and degree of impact that either the full or a scaled-back project would have on these concerns.

But, given this long list of concerns and more that can be added during this period of public input, isn't it obvious that no project should be approved? Just by common sense, one can see that all of these environmental concerns will be negatively impacted by development of the sort proposed, most of them extremely so.

Thank you for inviting public comment on this matter.

Sincerely,



Caroline Zsambok
czsambok@zresearch.net

Chad

S-I407

March 19, 2024

To: Amy Dutschke
Regional Director, Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

From: Paige Mazzoni Ostheimer and Brad Pighin
238 Merner Drive
Windsor, CA 95492
paigemazzoni@gmail.com

Re: NOI Comments, Ko Nation Fee-to-Trust and Casino Project

Dear Ms. Dutschke:

We are writing to voice our strong opposition to the proposed casino off of Shiloh Road in Windsor, California. As you are no doubt aware, the Koi Tribe from Lake County has purchased vineyard acreage adjacent to a series of single-family residential neighborhoods, located at the crossroads of Old Redwood Highway and East Shiloh in North Santa Rosa/Windsor. They have announced plans to build a large casino complex, including multiple restaurants and a 200-room hotel. Our neighborhood, and all neighborhoods in the surrounding area, are very distressed by this plan and the negative impact this development would have on our local environment, traffic congestion, wildlife habitats, emergency access, infrastructure strain and much more. While we understand the need to address the wrongs committed against indigenous people in our country, we are confident that this proposed development is not an appropriate manifestation of those efforts.

Although we do not believe this land is even appropriate land for the Koi to claim as their tribal land, given they are from another county, we have focused our concerns in this letter on the potential environmental impact of the casino. Our points are highlighted as follows:

- The neighborhoods adjacent to this proposed casino are middle class, mostly long-time resident neighborhoods. We are families, retired couples and citizens that have invested in our properties for a lifetime, planning to retire in the area because it is quiet, safe and family oriented. To introduce a casino in the midst of these neighborhoods would immediately and irreparably damage both the quality of the residents' lives as well as their lifetime investments.
- When the proposed casino was announced, the Koi had a celebration on the site. The noise from this celebration lasted for hours and was heard throughout the neighborhood. That is acceptable for a celebration. But it does illustrate how noise from this area will travel throughout the adjoining neighborhoods, making the quality of life and the peaceful quiet we all enjoy changed to more of a busy commercial level of noise.

2024 MAR 28 PM 5:03

- It is well established that casinos cause an increase in prostitution, drunk driving and crime in the immediate area. In the Thompson, Gazel and Rickman study of 1996, the researchers found that, "that the casino or near casino counties had rates of major crimes 6.7% higher than expected and Part II offense arrest rates were 12.2% higher than non-casino counties. They concluded that the introduction of casino gambling is associated with increased crime." (Thompson, Gazel, & Rickman, 1996). This increase in crime will not be isolated in a remote area, focused on the casino. It will spread into multiple nearby residential neighborhoods.
- In addition, there are several elementary schools and two high schools within a 7-mile area of the proposed casino. This increase in crime will play out in the lives of these youth and, without a doubt, be an enticement to them in terms of underage drinking and possible crime.
- Traffic in our area has already been increased due to the shopping center on Shiloh and the Sonoma County Airport area. Most days the commute to work involves a 20-minute journey from Old Redwood highway to the freeway access at Shiloh and 101. There is no other clear pass for an on ramp, since all potential pathways run directly through residential neighborhoods. A low income housing apartment complex is nearing completion on the corner of Old Redwood Highway and Shiloh roads. This complex already does not have enough parking for the number of apartments, due to concessions made for the low income housing. That means cars will be spread into our neighborhoods already, further increasing congestion. There is no place for traffic to a casino and 200-room hotel to go but onto Shiloh and Old Redwood Highway. This will create incredible backups and traffic issues, increase accidents and clog the flow of movement for everyday life in the area.
- Our neighborhoods that directly adjoin the proposed casino property have all been evacuated consistently during fires in Sonoma County. The evacuations cause traffic. In the Tubbs fire, as you know, lack of planning for traffic in emergencies caused deaths due to people not being able to drive or get to safety fast enough. We are very concerned that a casino will exacerbate this issue in our area, causing horrific impacts that can be avoided.
- While we understand that tribal land developments are not held to CEQA standards, the surrounding areas are. We have red tailed hawks, barn owls, fox, coyotes, endangered wildflowers, bobcats and many other forms of wildlife in our area. We see them frequently. The vineyards are a habitat and feeding ground for these animals and flowers. It is definite that a development in that vineyard will significantly damage the environmental surroundings and wildlife present.
- We already have infrastructure issues in our area. Cable lines are overloaded and have not been upgraded. Internet signal is often weak. Television outages with Comcast and other carriers that dominate the area are frequent. Wells are tied to the functioning of the neighborhood, as much of the initial housing was tied to wells for water. To put the size of a


development proposed, with the individual televisions, internet connections, water, sewage and technology needs required of a hotel and casino, would completely damage the ability of our neighborhoods to access such needed activities as working from home or basic recreation such as watching a movie at home. In addition, we are in a drought area and frequently limit our water intake, plant care, etc at the request of the city and county. To put this large a facility in the middle of a fire zone affected by drought seems irresponsible and very inequitable to the local residents being asked to cut back.

- During low rainfall years, which happen every few years, we are all on water mitigation measures in the nearby neighborhoods. We can only water on certain days, we are asked to take 2 minute showers, not flush toilets and are held to very tight water standards. To put a 200-room hotel in this area is just not environmentally sound. Water mitigation measures would suggest we already do not support the housing in place, including the new low income housing on the corner of Shiloh and Old Redwood Highway. To add a resort with high water needs, who are not monitored in the same way, will have environmental impact on other residents in the area who are already limited in their water consumption.

For all these reasons, we feel this casino must be stopped. We are asking for your support in stopping this development.

We are happy to discuss any further points with you. Thank you for your consideration.

Sincerely,



Paige Mazzoni Ostheimer Brad Pighin

707 235 8332

Mary Hiecke Gioia
7190 Faught Road
Santa Rosa CA 95403

March 21, 2024

Amy Dutschke
Regional Director, Bureau of Indian Affairs
Pacific Region
2800 Cottage Way
Sacramento, CA 95825

Dear Ms. Dutschke,

Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

I am writing to register my and my neighbors' objections to the proposed Koi Nation Casino project in Windsor, California.

The development of a big hotel and casino on this agricultural property will be overwhelming both in its impact on our daily quality of life as well as concerns over safety in times of emergency.

Shiloh Road (where the casino and hotel is proposed) intersects the route for a number of large-scale weekend bike rides and public races/marathons/triathlons etc. Hundreds of bikers use these roads each month during the good weather.

There are two heavily used parks across from and adjacent to the casino site. The local town park has playing fields which are always in use for local leagues on the weekends. The Sonoma County Park regional attracts people from all over for hiking and horseback-riding.

There are many homes adjacent to the proposed site. Of great concern for local residents, still recovering from three historic large-scale wildfires and fresh from multiple large-scale (and may I say SLOW) evacuations over the past few years, the thought of a major hotel and casino emptying traffic onto our limited exit routes is very scary.

I don't know anyone locally who thinks the project is a good idea. **The Koi Nation has no local roots.** They have picked a site strictly because it would pull traffic from 101 Highway. I don't see why they should be given an exemption for land that has no connection to their history. And, in fact, the town of Windsor is currently the home of the Lytton Band of Pomo Indians and I think is in the process of establishing a tribal homeland in the Windsor area.

Please stop this latest project! The Koi should build a casino on *their* historic land—not in an entirely different county.

Sincerely yours,


Mary Hiecke Gioia
7190 Faught Road
Santa Rosa, CA 95403

Dana Gioia

7190 Faught Road • Santa Rosa • California • 95403

March 21, 2024

Amy Dutschke
Regional Director, Bureau of Indian Affairs
Pacific Region
2800 Cottage Way
Sacramento, CA 95825

Dear Ms. Dutschke,

Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

I am writing to voice my strong objection to the proposed Koi Nation Casino project in Windsor, California. The development of a large casino on this current agricultural property would be a local disaster. It would increase congestion and traffic in a quasi-rural area.

Two of the current roads around it are one lane only, and both are heavily travelled by bicycles. There is a regional park and homes adjacent to the proposed casino site. There is also an elementary school just down the Faught Road.

I don't know anyone locally who thinks the project is a good idea. The Koi Nation has no local roots. They have picked a site strictly because it would pull traffic from 101 Highway. I don't see why they should be given an exemption for land that has no connection to their history for a project that would ruin our community.

Please stop this project! The Koi should build a casino on their historic land.

Sincerely yours,



Dana Gioia
7190 Faught Road
Santa Rosa, CA 95403

Christine Daniels
135 E. Stilo Rd.
Santa Rosa, CA. 95403
NOI Comments
Koi Nation Fee-to-Treat + Casino project

S-I410

~ Bureau of Indian Affairs ~

RE: Proposed Koi Casino

We are very concerned about the proposed casino and how it will affect our lives.

Main Concern: Traffic will increase. This is a residential area + recently an enormous apt. building was built on the corner. This alone will increase the traffic to an extra 200-300 cars per day. We had no idea that this was being built. We have had numerous devastating fires in our area + there is no way to get out.

There are so many adverse things about this casino that there isn't any sense in

going over each of them
again. but here are a few:

fire increased crime

traffic

noise

property values

Devastation of a beautiful
area that is right below
a park and surrounded
by homes, schools, churches,
etc.

Our creek that has steelhead
coming up it in the winter.

Also, this is absolutely
not their ancestral land.
~~Their~~ ^{land} is in Lake County and
not in Sonoma County.
which is about 1 hour
away.

They want to put the entrance
right across the road that
we live on.

This will be devastating
to everyone that has
lived here for so long.
It will also be dangerous
to all of us because
of our fire danger.
NO WAY TO GET OUT.

This is an easy way
for a few people to make
money by destroying
everything around it.
This is not the right spot
for them. There are many
other areas where the
ecosystem wouldn't be
destroyed.

As far as we can tell
the only people that would
want the casino are the
builder's union and the Koi.

Thank you for your
consideration.

Christine Daniels
135 E. Shiloh Rd.
Santa Rosa, CA. 95403

Deborah Corlett
680 Leafhaven Lane
Windsor, CA 95492
707-838-3663

whiteheade@aol.com ; dcorlett@obrienlaw.com

March 27, 2024

Via email: chad.broussard@bia.gov
Chad Broussard, Environmental Protection Specialist,
Bureau of Indian Affairs

Amy Dutschke
Regional Director, Bureau of Indian Affairs, Pacific Region
2800 Cottage Way
Sacramento, CA 95825

RE: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

Dear Ms. Dutschke:

This letter includes my comments on the subject project located on the southeast corner of Old Redwood Highway and Shiloh Road south of the Town of Windsor, Sonoma County, California.

My family and I have lived in Windsor in the same house for the past 31 years, which is located about 2 to 3 miles north of the proposed development. My husband was a middle school science teacher at the local public middle school for over 25 years, our two sons went through the Windsor Unified School District school system. I have been on past boards of the Windsor Boys & Girls Club and the Windsor Site Council and have been continuously active in local charities and events. My law firm's office is about 5 miles south of Windsor.

Windsor was incorporated soon after we moved to the area and the local community has been very active in planning the town, the open space areas between the development areas and in the local elections. The natural beauty of the area drew us to locate here.

I am very concerned about the proliferation of casinos in California and the crime and hit to local economies that appear to accompany them. This area of northern California has numerous casinos. Sonoma County has a large casino in Rohnert Park (about 10 miles south of Windsor) and in northern Sonoma County (about 10 miles north in the hills). Windsor's town center has periodically struggled to remain viable (after Walmart arrived, the economic downturn in 2008, and the pandemic of 2020.) Restaurants remain slow at times due to the slow pace of businesses to

March 27, 2024

Page Two

pick up after the pandemic. Windsor's business community is very active and supportive, which has enabled the small, locally-owned businesses to survive.

I am concerned about the impact that another large casino, with numerous restaurants, would have on the local economy. I am also concerned about the lack of infrastructure in the location proposed and the change to the prior open-space plan that provided that this area remain agricultural. This location is located across the street from a family park and surrounded by vineyards and residences. The addition of a large casino, restaurants and the associated traffic will drastically change the local social and natural environment.

Finally, there is the very real concern about evacuation capabilities during the fires that have ravaged the region and will no doubt continue into the future. Every few years, fires march across the foothills and this location is on the road up to the area that has burned frequently (during most years we have lived here, not only during the most destructive Tubbs Fire and Kincaid Fire). During the Kincaid Fire a few years ago, the entire Town of Windsor, all areas of the county west of Highway 101 to the ocean, and including this proposed site were evacuated and the residences given about 7 hours to leave. The roads were so impacted within 2 hours of the notice that it took cars 2 hours to travel 3 miles, not only on the side roads on which this site is located, but also on Highway 101, Highway 12 and other major highways. It is foolhardy and reckless to build more accommodations in such a high-risk area.

Thank you very much for considering my comments. If you would like further information, please do not hesitate to contact me.

Sincerely,



Deborah G. Corlett

From: Joan Chance <joanchance@icloud.com>

Sent: Friday, April 5, 2024 7:51 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, KOI Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

One attachment • Scanned by Gmail

March 5, 2024

Dear Mr. Broussard,

For over 30 years, we have lived in this neighborhood, our children were raised here, attended the local schools here, discovered wildlife in Shiloh Regional Park, played baseball at Esposti Regional Park and had adventures exploring up and down the creek bed in the summer when it's not running. Unfortunately, if there is a casino, our grandchildren will not be able to enjoy those pleasures because of the noise, crowds and traffic. It will no longer be safe in our serene neighborhood.

We have two main concerns, fire and water. It would be hard for anyone to understand an evacuation unless you have been through one yourself. No matter how well prepared you are for an evacuation, gathering last minute belongings, rounding up pets & livestock and heading out the driveway is just the beginning. Getting on the road with unpredictable, panicked people is hard enough. The thought of dealing with thousands of casino patrons sounds impossible and will take hours to evacuate while the flames at the top of Shiloh Ridge are heading our way. The creek bed is a thoroughfare for the raging flames chased by the wind. A planned organized evacuation for a compound of what the casino proposed to build cannot be determined when the flames are on your heels.

Most of us in the immediate area are on wells and are conservative with our water. It sounds as if the casino will be using more water in one day than the locals with use in one year. When the water levels drop, the quality of our water drops as well. This doesn't seem like a fixable problem. Not only that, the sewer reclamation site on the property will have an aroma and extra noise from the pumps.

There is a mention of widening Shiloh Road. I didn't notice where it was noted on the casino maps. At least 4 neighbors front doors are about 35 feet from the road. How the road would be widened was not mentioned.

It is completely perplexing why a casino would be planned in a residential neighborhood. I have not met any parents who would support a casino to be built near the 3 elementary schools close by. Our quiet community would be inundated by traffic, drunk driving, public safety concerns, and continual noise & lights. **THIS IS NOT THE RIGHT PLACE TO BUILD A CASINO.**

The Town of Windsor supported the proposal to oppose the casino. The city of Santa Rosa supported the proposal to oppose the casino. The greater population of the neighbors oppose the casino. Please consider this plea to build the casino in a commercial or industrial area, not here.

Sincerely, Brad & Joan Chance
141 East Shiloh Road

From: Danelle Storm Rosati <storm@storm1.com>
Sent: Friday, April 5, 2024 8:54 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Letter concerting the KOI/Chicasaw Casino at 222 E. Shiloh Road, Santa Rosa, CA Sonoma County

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April 3, 2024

Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region
Chad.broussard@bia.gov

Proposed KOI/Chickasaw Casino at 222 E. Shiloh Road, Sonoma County

Dear Mr. Broussard,

We have been watching with intense interest this prospective 540,000 square casino/hotel development project for several years. For the entire time, we have been shocked that any such grandiose project would be a potential for this tranquil valley where vineyards and middle-class residences dominate the landscape.

Many, if not most, of us are sympathetic to the needs of our Native Americans. My family is of Cherokee heritage. So, I am particularly eager for our Indian tribes to become self-sufficient and integrated into our society as a whole.

Neighbors of ours with homes located immediately proximate to the proposed casino site, within our own nearby Shiloh neighborhood, and within Mayacama Club neighborhood have written numerous letters opposing this casino and the associated hotel. We know that all the other tribes within Sonoma County-which are federally authorized to create and run casinos are against this as well. The town of Windsor wrote an extensive and detailed reply to the incomplete EA submitted on behalf of the KOI/Chickasaw Tribes. We believe that reply is a key reason why this potential development must now face a full EIS. We are grateful for the overwhelming support in opposition to the proposed casino.

In looking into this further, we found this article on the Internet from March 2024: **Acquiring Land in Trust Status for Gaming Purposes**. One of the tenets outlined is stated as follows.

Exception for Two Part Determination Process. There's one more exception, called the "two-part determination" process. In this case, the Secretary of the Interior consults with the tribal applicant, the state where the land is located, local governments, and other nearby tribes. They all need to agree on two things:

1. That a casino on this land is in the best interest of your tribe, and
2. **That a casino or gaming business won't hurt the community around it.**

The town of Windsor and every single other letter from our community which you have received have outlined in great detail how this type of commercial development will not just hurt the community, but, rather, **cause great destruction** to it-fundamentally changing our long-standing quality of life.

In addition to, or perhaps, in more plain detail the law enforcement community of Sonoma County states the following. *"Yes the casino in Rohnert Park is a magnet for criminal activity... if the police are looking for someone with a warrant, they head straight to the casino. (There are so many embezzlement cases involving stolen funds that were spent at the casino. Plus the other crimes you mentioned."* The other crimes I mentioned were DUIs, drugs, prostitution.

Why should a well-established and safe community acquiesce to heavy traffic, less water, less safe fire protection/evacuation, noise, less healthy air in addition to increased crime. You must now understand there are many public schools, small parks and regional parks in that serene area. I believe that no one in our communities is supportive of a major upheaval.

For your additional consideration, I have attached photos from the Glass and Kincaide fires. These include burning homes, land and hotels. I wonder if 'future' guests of the KOI/Chickasaw/Harrah's (the casino chain whom we believe is also behind this development) would like to 'relax' in such an unsafe environment. They must surely be aware of these tragic incidents where many lives were lost, properties burned to the ground and untold creatures died. This is an extreme fire zone. Depleting our natural resources to establish gambling seems a very shallow endeavor.

Sincerely,

Danelle Storm Rosati

stormrosati@gmail.com
650-644-7391

Photos of Kincaide Fires

https://www.google.com/search?newwindow=1&client=safari&sca_esv=52b056e1a97f92b3&sxsrf=ACQVn0_T4RGWWmtXXM0MGCeBm8xGyfbaFw:1710293938064&q=Kincaide+Fire+2020&source=lnms&sa=X&ved=2ahUKewiY6I61jfCEAxXUMTQIHV6wBG0Q0pQJegQIDBAB&biw=1633&bih=976&dpr=2&udm=2

Photos of Napa Hotels 2020 Glass

Fire: https://www.google.com/search?q=2020+Glass+Fire+Napa+Hotel&client=safari&sca_esv=15d5bda161c3d604&sca_upv=1&hl=en-us&udm=2&biw=393&bih=642&sxsrf=ACQVn08GsreI_KpQq27f89-1AuMjwL6vZg%3A1711898871736&ei=94AJZorKlKrE0PEP7taFsAo&oq=2020+Glass+Fire+Napa+Hotel&gs_lp=EhNtb2JpbGUtZ3dzLXdpei1zZXJwIhoyMDIwIEdsYXNzIEZpcmUgTmFwYSBib3RlbDIIEAAyGAYogRlkjFQvBVYsS1wAHgAkAEAmAGBAaABvwWqAQM0LjO4AQPIAQD4AQGYAgegAtAFwgIEECMYJ8ICBBAhGAqYAwCIBgGSBwM0LjOgB8kH&sclient=mobile-gws-wiz-serp

Here are all photos from the 2020 Glass

Fire: https://www.google.com/search?client=safari&sca_esv=15d5bda161c3d604&sca_upv=1&hl=en-us&sxsrf=ACQVn08TwPleFBthbIIJ7oUfyHayGMS53Q:1711898869385&q=2020+Glass+Fire+Napa&uds=AMwkrPvoeZl6n5oLV_s3-zvUhT6cpU8tSjOEyiYjswsMmGR4X989I0Tmt2_FNb9shf_5yEHA9u30cdezjUkAe-hdHfN6DngyYlhnSyoEGeMPyq_n69vLAbOBLnwAUEH2ufTrwRMZULEEFJd4KvYLj3Kr9SMAhTXWzrbqWriqVYg31Meg7A06PWrbbrqn3QOhztECSkINIZ54NiNIDeP3sCt0A8uipAQR90a-mRl4wABG2x1SmDMoA03VHleA-V8jaRqQJlJbXchZV9nfZTC8gu-B5F4EJlZ5qPGoqtjU9ThqcjJjuBC3Uf5exHxkZzxJ8_rUBADSLyi&udm=2&prmd=invsmbtz&sa=X&ved=2ahUKewiA34Cg6J6FAxV2MDQIHWUpCX0QtKgLegQIEBA&biw=393&bih=642&dpr=3

From: Joanne Hamilton <jahamil@pacbell.net>

Sent: Friday, April 5, 2024 10:42 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments Koi Nation Fee-To-Trust and Casino Project

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While I support the Koi Nation's right to establish such a casino, I strongly oppose this location.

This EA has the feel of being written from the distance & focused narrowly on the proposed site with out due consideration for the surrounding area. I do not profess to be an expert, but these are my concerns:

Water: The EA infers that all water will come from the site. The aquifers the on site wells would draw from presently supply many surrounding homes and mobile home parks. Also, a retention well for the Town of Windsor. How then, can this project draw the quantity of water expected and not affect the shared aquifer of so many? I see no evidence of consulting with our local water agencies in this EA.

Location: This location is adjacent to a residential neighborhood, park, church and a new large apartment building is under construction on the NW corner of Shiloh Rd & Old Redwood Highway. The proposed land use is not consistent with County zoning. Casinos are known to bring increased crime and drunk driving problems. This is the wrong location for such a project.

Traffic: The existing Shiloh Rd. exit from Hwy 101 is already stressed & suffers backups. This project would exacerbate this problem, yet the EA pushes the cost for road improvements onto other agencies. This exit frequently floods & closes in rainy weather.

Fire: In my lifetime three very large wildfires have swept over the hills from the east (1964, 2017, 2019). Evacuations are real, slow and scary. These 2 lane roads bog down quickly and the freeway also comes to a stop. How can one bring a resort & casino into this mix and expect a better outcome? Controlling evacuation from the Casino/Resort property, as proposed in the EA, would not be adequate to mitigate an exit onto already stopped roads. Also, as these events occur, there is often little to no warning to get out. This land, in it's current use, provides a buffer & staging area for fire personnel, leave it as is.

Floods: With a creek running through this property which feeds into another creek known to flood, paving over and building on this land can only increase flood events.

Ancestral Lands: Our local Native American people have pointed out that the Koi Nation's ancestral lands are in Lake County. Lake County seems like a better fit for this project, both for the County and the Koi Nation.

Potential alternative: A small boutique type winery might serve to be a profitable undertaking for the Koi, leaving the vast majority of the site in agricultural use. Other types of farming on this site might also fit.

Respectfully,

Josephine Hamilton
9447 Victoria Lane,
Windsor, CA 95492

From: Ed Hardeman <edhbayworld@gmail.com>

Sent: Friday, April 5, 2024 10:53 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, KOI Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attention: BIA Chad Broussard,

My wife and I live in the Oak Park subdivision off of East Shiloh Road close to the proposed Koi Casino project being reviewed located across the road from The Town of Windsor.

We object to locating this or any other Casino business in such a sensitive area with so many negative issues that a Casino business can bring into a residential neighborhood where families with children, churches and schools are located.

The Koi Tribe Casino Project should be located in a more suitable location like the recreational area in Lake County where the Koi Tribe Tribe originated from.

The incredible years of fires that we have experienced here in Windsor and surrounding areas has caused mass evacuations of families and animals being evacuated in trailers onto our exit roads, which couldn't handle the car traffic heading towards the freeways trying to escape the intense fire driven by gale force winds accelerating the flames like an uncontrollable giant blow torch burning everything down in its pathway, jumping across ten lanes on Highway 101 to continue burning down homes and businesses on the other side of the freeway.

The proposed Koi Casino project is also very close to the Rodger's Creek Earthquake fault, and it's possible it runs right through that property. This active earthquake fault is a known ticking time bomb overdue to explode in this area with a major earthquake and fires causing a similar evacuation on the small exit roads that would be jammed by the additional traffic the Koi Casino employees and patrons would impact, the roads may not be in any condition to drive on trying to get to the freeway.

We don't need to add to this burden with the Koi Casino project and all of the additional traffic, noise, and crime, that this Casino project will bring to our family community in the Town of Windsor.

This Casino needs to be located in a commercial area similar to the Graton Casino in Rohnert Park or a recreational area like Lake County area where the Koi Tribe Originated from. Not in a fragile residential and agricultural area like this Casino project is proposing.

Thank you for your consideration,
Best Regards
Ed and Mary Hardeman
5816 Mathilde Drive
Windsor, California 95492

From: Ginna Gillen <ginnagillen@sbcglobal.net>

Sent: Friday, April 5, 2024 1:02 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Once again I'd like to register my strong opposition to the Koi Shiloh casino. In addition to the numerous and various significant reasons that have been discussed in terms of why this is an inappropriate location, I'd like to focus on the proximity to the San Miguel Elementary School which is within a mile of the proposed site.

I'm sure that it has already been mentioned that the added traffic on Faught Road will present additional danger to the neighborhood children who walk to school each day. What also needs to be taken into account is that in case of a local crisis in that area, be it an earthquake or fire, the need to evacuate the school (and potentially the casino) will take on nightmare proportions. Because the Mark West School District allows school choice for students to come from outside of the local geography, San Miguel Elementary School draws many children from other areas. A large number of students are enrolled from Windsor and other parts of Santa Rosa. These children are driven to and picked up from school each day. Therefore, in the case of an emergency in which the school needs to be evacuated, desperate parents will be converging on the area, creating a chaotic situation with local residents as well as casino patrons and employees trying to leave the area on woefully inadequate access roads that cannot be improved; i.e Faught Road.

Let's put the safety of our children ahead of the greed of the Koi Nation.

Virginia Gillen
9559 Ashley Drive
Windsor, CA 95492

From: Lesley Alexander <lellya@comcast.net>

Sent: Friday, April 5, 2024 2:04 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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No Casino In our Residential Neighborhood.

We are submitting our comments on why we oppose the Koi casino project:

The two lane Shiloh road cannot support the traffic in an emergency. We live nearby and have been evacuated twice in the past during the fires. We have been caught in the traffic clog at Shiloh and Old Redwood Highway trying to get to the freeway with fire raging in Shiloh Park above the proposed project.

The residents across from the project will be greatly impacted by traffic/noise/lights in and out 24 hours a day. Crime may increase, especially vehicle break ins. This is a residential neighborhood. We already have a housing project on the opposite corner which is almost completed where it has been determined there is not enough parking for the residents who will live there - so there will be more vehicles parked on the street adding to more problems. All this in a residential two lane highway area.

Where will the water come from?

County officials reached an agreement with the Lytton Band of Pomo Indians in 2015 to refrain from building a large planned casino on their sovereign land in north Windsor or anywhere else in the county. - so why allow a casino to be built in this residential neighborhood by the Koi Nation when apparently their roots are in Lake County?

Respectfully,

Lesley and Jerry Alexander
136 Anna Drive

From: Sari Singerman <sari@sariphotography.com>
Sent: Friday, April 5, 2024 2:26 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Larkfield Wikiup

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Dear Chad,

I am completely for the betterment of our community and state, but against this new massive installment of buildings, landscaping and more proposed project for a casino or otherwise hotel, restaurants, in Larkfield/ Wikiup. This will use our water in way we can't afford, our land is sacred, and this is a temple to continue consuming resources that should not be allowed to do on this scale! More for this reason. This is not a hospital, it's not for the general population here, it's not sustainable. This is not healthy for our population.

Thank You
Sari Singerman
Third generation california resident of Sonoma County.

Sent from the almighty cloud

From: Robert Janes <rtjanes@comcast.net>
Sent: Friday, April 5, 2024 4:19 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Of Northern California Shiloh Resort and Casino Project

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“NOI Comments, Koi Nation fee-to-trust and Casino Project”

Mr. Broussard:

First of all I want to go on the record indicating that I am extremely disappointed and frustrated to see that the same firm responsible for the Environmental Assessment (Acorn Environmental) is also preparing the EIS. The EA was woefully inadequate and clearly, whether intentional or not, with regards to...

Water and wastewater,
Air quality,
Traffic,
Noise and vibration,
Fire safety,
Wildlife evacuation, and
Potential for increased crime/drunk drivers - both during construction and post-construction

...was WAY off the mark in stating the true impacts from the above “to be less than significant”.

As I have previously indicated, my wife and I have lived on Leona Court for more than 35 years, raised our family here, and common sense tells me that living with this type of construction/completed project 1/4 of a mile from our home, at our subdivision’s door step, whether it be Alternative A, B, or C, would be anything BUT “less than significant”. I must ask you, where in the world is common sense here?

I can only hope and pray the EIS will be written and reviewed ACCURATELY, COMPLETELY, and OBJECTIVELY, and NOT simply a thinly veiled rubber stamp for the BIA to approve the project. However, I’m sorry to say I do not hold out much hope for this since according to Acorn’s website, and I’m quoting here, “we have a proven ability to work efficiently and effectively together to achieve successful outcomes for our clients’ (Indian tribes) projects”. And this a shame...the EIS should be prepared by an independent consulting firm, not one that depends on Indian tribes for its revenue. This smacks of a clear conflict of interest.

We now have a newly constructed apartment building (Shiloh Terrace, 134 units, 2 and 3 bedrooms) at the corner of E. Shiloh Road and Old Redwood Highway, directly across the street from the proposed casino/hotel project. In addition, construction has begun on another apartment complex, about 1/4 mile west of the proposed casino/hotel project on E. Shiloh Road. AND, There is a proposed, maybe approved by now, very large senior living complex

going in on E. Shiloh Road, just east of US Highway 101. All three densely populated projects are located 1/4 mile from between the proposed casino/hotel project and US Highway 101. So you tell me, in the event of a fire evacuation similar to what we experienced in 2017 and 2019, how in the world is our 55-home subdivision, the three large apartment/senior living projects AND a 200-400 room hotel/casino going to safely evacuate down a 1/4 mile section of E. Shiloh Road to the freeway? If deaths were to occur due to inability to evacuate down the E. Shiloh Road traffic corridor I am confident the BIA, and Acorn Environmental, would be taken to task as they should.

I strongly oppose this project (alternatives A, B, and C) and implore the BIA to deny approval. A casino does not belong in a subdivision so close to 4 elementary schools.

Sincerely,

Robert Janes
5855 Leona Court
Windsor, CA 95492

From: Elaine Pacioretty <maggieandme2010@yahoo.com>

Sent: Friday, April 5, 2024 4:21 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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There are several reasons of concern surrounding the proposal of the Koi Casino project: You family was stuck in gridlock on Shiloh Road during the Kincade Fire, with the fire destroying our home ,barns and 3 cars. Wild fire is very real to our family. We also have concerns about general increased traffic, increased use if water and other services. The amount of noise , lights will affect those living in homes adjacent to proposed casino, as well students attending San Miguel Elementary School. In addition this project will have direct impact on wildlife in Shiloh Regional Park.

Thank you for taking to read my concerns.

Elaine Pacioretty
9112 Chalk Hill Road

Sent from my iPhone

From: Cameron Barfield <cameronbusiness02@sonic.net>
Sent: Friday, April 5, 2024 7:40 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee to Trust and Casino Project

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NOI Comments
Koi Nation Fee to Trust and Casino Project

Attention Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs Pacific Region
916-978-6165

Mr. Broussard,

On Monday morning, March 25th, 2024 at 8:22 AM I am at a full stop near the tail end of a mile long line of cars and trucks that starts at the commute signal lights of the interchange on-ramp that regulates traffic exiting Shiloh Road West onto southbound 101 and ends at the corner of Shiloh Road and Old Redwood Highway. It's taken me ten minutes to get to this point from my home at 5820 Mathilde Drive Windsor CA 95492 using westbound Shiloh Road going through the intersection of Shiloh and Old Redwood Highway. I look over at the address on the mail box for the home that I am stopped right next to. It is 120 Shiloh Road West Windsor CA 95492. It then took me 20 more minutes from that point to get to Hembree Lane, six blocks down the road, where I could make a right turn to go to Home Depot in Windsor. At any other time of day normally a trip to Home Depot takes me 10 minutes at the most including waiting for the full traffic light cycle at the corner of Shiloh and Old Redwood Highway and the full traffic light cycle on Shiloh at Hembree Lane. Am I stuck in traffic of people trying to escape a fire? No, this is "normal" commute traffic for this time of day in southeast Windsor. And it will get worse when people occupy the 173 unit apartment and business building called Shiloh Crossing that is under construction on 295 Shiloh Road West and the almost completed 134 units of low income housing called Shiloh Terrace at the corner of Shiloh Road and Old Redwood Highway.

Now multiply this commute traffic by a factor of say 100 to simulate all the residents of the area trying to escape using tiny two lane Shiloh road to 101. That's assuming 101 is open. It might be closed to traffic because of fire like what happened in the Tubbs fire. Then add to that multitude of local residents the fear and chaos of 10,000 drunk/drugged panicking people in a casino trying to escape as fast as they can in their busses, cars and motorcycles all stuck on Shiloh Road going nowhere. How are first responders supposed to bring in their fire trucks and equipment in this traffic jam to try

and stop the fire from burning up our neighborhood? Picture all this and you will have an small inkling of the fiery disaster that awaits this part of Windsor/Sonoma County when, not if, a fire forces a rapid evacuation. It happened with no warning in the middle of the night of October 8th of 2017 for the Tubbs fire. It happened again in October of 2019 with very little warning for the Kinkade fire. In the case of the Kinkade fire it burned right up to the fence bordering the vineyard on the east side of the community right next to my community, called Oak Creek Park. It also burned the fences and some out buildings of the houses that border Foothill Regional Park (on the north east corner of Windsor) at 1351 Arata Lane Windsor 95492. The only thing that saved Windsor was our valiant first responders and a shift of the wind.

You can't say fires like the Kinkade and Tubbs fires won't happen again because global warming has made fires an almost year round threat to our community. The danger increases exponentially during the dry months during drought years when a north or northeast wind blows down on us from the Mayacaymas mountains at 60 miles per hour. This usually happens in October.

Now let's talk about the noise pollution that will happen 24 hours a day, seven days a week, 365 days a year forever. Multiple busses coming and going night and day. More for special events. Busses, maybe ten at a time idling constantly in the driveway. Busses starting their engines. Eighteen wheel trucks making deliveries of food in the early morning hours. Cars, some of them muscle cars with loud engines, being revved up will add punch to the cacophony. And then the knockout blows will come. Louder than the cars and busses, Harley riders who always race their motor cycle engines when they start them up or are idling at a stop. And racing their engines as they are changing gears to get up to speed. They are already some riding up and down Shiloh Road and Old Redwood Highway, even in the middle of the night. A casino would be a magnet to these types of loud, aggressive people and their loud motorcycles bringing them from all over the United States. Imagine a gang of a hundred Harley riders arriving or leaving the casino at 12 midnight cruising up and down Old Redwood Highway or Shiloh Road going right past your window, disturbing your sleep cycle. Or racing their "Hogs" (Hogs are a common name for a Harley motorcycle) engines to be able to climb the ramps of a multistory parking garage to park. The sound of the Hogs in this concrete structure will be amplified and reverberate for miles.

Of course there will be the drugged and the drunks at the casino wandering around the grounds or even spilling onto the local streets and into Esposti Park, maybe during a baseball game, screaming profanities and insults at all hours of the night and day. They could easily come wandering into my neighborhood and onto my street in Oak Park, which is only a few yards away from the entrance to the casino. And then of course the Hell's Angels motorcycle gangs might decide to take a tour of our neighborhood looking for a car to steal or a house to rob.

The Koi are not going to discourage these types of people from coming to their casino because they spend a lot of drug earned money at casinos. How great is the impact from this noise? A lot more than the Koi will admit. Thousands of people that live along

the streets and roads of our area will be greatly affected by this constant noise bombardment that will happen day and night as thousands (a number possibly half of the total population of Windsor) come and go daily to the casino. Who will pay for the inevitable increase in mental anguish? Anger which will give you an elevated heart rate? Loss of productivity due to constant stress which will cause job losses and an increase in poverty, all from the constant bombardment of traffic noise? Will the Koi pay for the increased illness and suffering from traffic noise which will cause an increase in medical and welfare costs. Will the Koi pay for lowering of property values as neighborhoods become less desirable. Will the Koi care about lowered conception rate due to lack of peace and sleep from these loud noises? Will you? Or the BIA? The Koi Nation? Sonoma county? State of California? Most likely it will be the taxpaying citizens of our country. These loud disturbances that I describe here will be real and can not be dismissed as my fantasies or abated in any realistic way. The loud noises will occur at any time night and day and will increase as time goes by for as long as the casino exists! Which will be forever if it goes into trust.

Now lets talk about light pollution. The Koi claim their facilities will emit a low level of light at night does not give the full picture of the casino's emittance of light. Add to their claim the light from all the cars, busses, trucks and motorcycles which will be on their casino property and driving up and down the streets of Windsor and Sonoma county as thousands come and go daily to the casino. Mostly concentrated on Shiloh Road, Faught Road, and Old Redwood Highway coming to and from the casino. This light will disturb the sleep of thousands of residents near along and near these roads and streets at night. Who will pay for the inevitable increase in mental anguish, loss of productivity and job loss, illness and suffering which will cause an increase in medical and welfare costs and lowering of property values due to lack of peace and sleep from these bright lights? You? The BIA? The Koi Nation? Sonoma county? State of California? Most likely the taxpaying citizens of our country. These light disturbances that I describe here will be real and can not be dismissed as my fantasies or abated in any realistic way. The light disturbances will occur at any time in the night and will increase as time goes by for as long as the casino exists! Which will be forever if it goes into trust.

Now lets talk about air pollution. All the thousands of internal combustion engines I mentioned in the previous paragraph about noise and light pollution emit air pollution, which will affect all of us near the casino and along the roads leading to and from the casino. It will cause increases in respiratory illnesses including nasal congestion, asthma and cancers. The air pollution will severely affect the elderly and those in our neighborhood with nasal and respiratory sensitivities and illnesses. To give you an example, I am friends with a 83 year old lady a few houses away from me who only has one lung to keep her alive. I can't imagine the suffering she will experience when she walks her dog around the neighborhood. She will probably become house bound, unable to leave her home when the wind is blowing the air pollution from the casino in her direction. Statistical studies have proven lung cancer, stroke and heart disease rates are greatly increased in neighborhoods which have a high level of air pollution. Will the Koi Nation compensate us for our illness, pain and suffering due to the air pollution they bring to our neighborhood?

Now lets talk about the casino's destruction of groundwater table that will deprive local grape growers of the water they need for the vineyards that surround the casino/hotel. This deprivation could happen even in years of average to above average amounts of rain. Certainly it will happen after several years of drought. Shallow wells in the area were already running dry after 10 years of drought. This lack of groundwater for our community will cause great economic losses to the grape growers and our local economy which depends on the jobs and property taxes from grape growers. Note, when you water grapes the water that does not evaporate or is not absorbed by the grapes or weeds seeps back into the water table recharging it. The thousands of gallons of wastewater generated from thousands of people staying in the Koi hotel and casino will be dumped into the creek and runoff downstream into the ocean. Relatively little of the total wastewater will sink into the soil and recharge the groundwater around our neighborhood.

Polluted storm runoff from the buildings, parking lot(s) and entry and exit driveways can not be caught and treated. Untold gallons will go directly into the creek. Most of the liquid pollutants in the storm water runoff will be leakage from thousands of stationary or moving car, bus and trucks dripping onto the casino/hotel's paved surfaces. These polluting fluids will be gasoline and oil, transmission fluid, brake line fluid and also windshield washing fluid to name some of the most probable fluids leaked onto their paved surfaces. There will also be huge amount of solid pollutants in the form of cigarette butts (cigarette butts the worst solid pollutant because they don't break down for hundreds of years and get swallowed by marine animals when they go into the ocean), small pieces of plastic, plastic containers (drinking cups for example), paper wrappings, etc... in other words the trash that you see by the side of every road and in every parking lot in California. All plastic gets broken down into pieces of micro plastics which fill every square inch of air and water on our planet and are poisoning every animal and plant on the planet.

Also most importantly the fact that the creek that flows through the casino property has flooded and will flood again. This casino/hotel will choke off the flow of water in the creek causing water to back up and flood the vineyard behind my house which flooded my property. My property at 5820 Mathilde Drive Windsor 95492 has flooded twice in the 25 years I have lived there.

In conclusion, for reasons I have stated above in this message, this Shiloh casino is an environmental and health disaster, a criminal social disturbance and economic injustice to the whole Sonoma County community, state of California our nation. It will have a direct negative impact on the Indians who already have casinos here in Sonoma County who will immediately lose business to the Koi casino when it is completed. They might even become unprofitable, have to close their casinos and lose their economic independence.

But most importantly, because of the increasing threat of wildfire due to global warming the congestion this project will add to the area will create an excessive amount of danger to the growing communities of Windsor and Larkfield/Wikiup areas of Sonoma County. The agricultural areas (vineyards in Sonoma county) in the areas surrounding us act as fire buffers for the town of Windsor which has chosen to limit its' growth to within the current town limits for the reason of fire safety. This casino will destroy our best hope against wildfires and increase our insurance rates too. The Koi and their guests will be in danger too. A couple of examples of this danger are the 2018 Camp Fire in Paradise CA which killed 85 people and the 2023 Lahaina Fire on Maui which killed 101. Some while in their cars. Cars stuck in a traffic jam on Shiloh Road will catch fire and explode. Thousands of people, not just 85 or 101 could die.

Sincerely,

Cameron Barfield
5820 Mathilde Drive
Windsor, CA 95492
707-687-5665

From: Kathleen Kelley <kathykelley707@gmail.com>
Sent: Friday, April 5, 2024 9:21 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Shiloh Casino

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To whom it may concern

I am a resident of the Larkfield neighborhood .

I oppose the new Koi casino. It is a big development for a suburban neighborhood. Our area has had 2 major fires in the last 6 years and has large n scale evacuations. It is also close to 2 schools.

Kathy Kelley

From: Maryann Sorensen <masfoothills@live.com>
Sent: Saturday, April 6, 2024 7:38 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Steve Sorensen <kingrufus1@hotmail.com>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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From:
Mary Ann Sorensen
237 Chris St
Windsor, Ca 95492

Re: NOI Comments, Casino Project

Five years ago I moved to the Windsor Oak Park neighborhood after losing my Santa Rosa home to the 2017 Tubbs fire. Feeling safe again has been an enormous comfort at my age of 83 years. I nearly did not get escape the tubs fire so I feel that impacting my area with the casino would impact my ability to evacuate from a fire or any catastrophe. Another thing which worries me is that I had lung cancer three years ago, which resulted in my right lung being removed. The exhaust from buses coming and going would be extremely bad for my health. I walk my dog Sparky along Shiloh Road every day, and love the Vineyard. Please build your casino elsewhere as the impact to our community would be devastating.

Regards,
Mary Ann Sorensen
Sent from my iPhone

From: betsy mallace <betsymallace@yahoo.com>
Sent: Saturday, April 6, 2024 9:29 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Dutschke, Amy <Amy.Dutschke@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Please find below my public comments identifying potential issues, concerns, and alternatives that need to be considered in the EIS, which have not previously been raised during this NEPA process.

The current agricultural/residential parcel the Koi Nation Fee-to-Trust and Casino Project is proposed on is zoned, planned, voted on to preserved, and needs to remain agricultural/residential/community separator. Building alternative A, B or C would create significant unmitigable environmental impacts. The only alternative for "finding of no significant impact" (FONSI) would be alternative D, which I am strongly suggesting.

There is a large residential apartment unit on the Northwest corner of Old Redwood Highway and Shiloh Road which was not built, fully occupied when the EA studies were done. All traffic, circulation and evacuation studies must be re-done using current information. Also, the timing of the previous studies was not at peak times and did not show accurate information. Additionally, no mention of who would pay, if there is even space/land, or the timing for all needed improvements to Shiloh Road, Old Redwood Highway, Fraught Road and US-101 (exits, entrances, ramps and lanes).

The maps show one of three main driveways of the project directly continuing onto Gridley Drive. This is a very small residential dead-end street, there is no study showing how this will NOT significantly impact the residents on Gridley Drive. The second main driveway is directly continuing into the parking lot of the Shiloh Neighborhood Church, again there is no study showing how this will NOT significantly impact this local community Church. The third driveway (the closest to the parking structure) empties onto a very narrow rural section of Shiloh Road that quickly dead ends on to Fraught Road and a locked gated private mountain community road. No studies have shown how this can be mitigated, and/or how this can NOT have significant impacts.

The studies shown in the EA for emergency evacuation, was not complete, nor did it use real actual local data from 2019 Kincaid fire. A fully prepared emergency evacuation study must use real data from the 2019 Kincaid fire, 2017 Tubbs fire, along with actual data from the Glass fire, Roblar fire and Fremont fire. This parcel is in a known Fire path, and what saved it in the 2019 Kincaid fire was that it was a planted/irrigated parcel. Building on this parcel will create an unmitigable very significant impact hazard.

Again, the only alternative for "finding of no significant impact" (FONSI) would be alternative D, which is am strongly suggesting. If the Koi Nation needs/wants to continue with their proposed alternative A, B or C, they should look for a more suitable parcel to proceed with.

Thank you for your attention to these details.

Betsy Mallace
Windor, CA

From: Geri Orchard <obangelnurse@gmail.com>
Sent: Saturday, April 6, 2024 9:30 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Noi Comments,Koi Nation Fee-Trust and Casino Project

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Geraldine Ott RN, PHN. 6273 Lockwood
Dr. Windsor, Ca.
95492.

I am writing to protest the building of the proposed Koi Nation Casino. The area of Shiloh Rd. and Old Redwood Hiway in Windsor already has a huge parking problem since they are building apartment buildings several stories high. We live in a neighborhood very close by. Our house backs up to Savannah near Old Redwood Hiway. There is only one way out of our street. When Windsor had fires and we had to evacuate this put our family in danger. It was very difficult to get of the way of the fire because of traffic in the area. Casinos bring much more traffic, drinking of alcohol, fires from cigarettes, theft and crime. So far, Windsor has been a pretty safe place for our children to play. Building a Casino so close to a neighborhood will make it less safe, raise water and utility prices and lower property values. During drought years we are already being asked to conserve water beyond what is healthy, such as not bathing often enough. We are told not to add water to swimming pools so we can exercise. People will move out of the area. We strongly oppose building a Casino so close to our residential neighborhood.

Sincerely,
Geraldine Ott RN, PHN

Geraldi

From: Maisie McCarty <maisiemccarty@hotmail.com>
Sent: Saturday, April 6, 2024 9:33 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Fee-to Trust and Casino Project

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Dear Mr. Broussard:

As an addendum to our letter of June 2022 and comments, we offer the following updated comments about a future EIR for this ill -proposed project.

We expect the BIA to conduct the following Impact Studies:

- 1) An in depth study of the 2017 and 2019 fires and evacuation protocols in our neighborhood along with an updated Traffic Study that includes new traffic patterns resulting from the Shiloh Terrace and Shiloh Business Park projects now much closer to completion. These two projects have already greatly impacted traffic at the intersection of Shiloh Rd and Old Redwood Highway with construction causing long delays of traffic. These studies should also be done again once 300 -400 more vehicles arrive in the area when new tenants arrive. If evacuation from new fires is needed, longer delays and possible loss of lives are a threat.
- 2) An in depth review of Sonoma County Sheriff's capacity to manage a large increase in public safety issues such as crime, speeding, accidents, etc related to a casino.
- 3) Noise mitigation studies emanating from construction and participation in 24/7 casino activities.
- 4) Light pollution studies from 24/7 bright lights and signs affecting, along with noise pollution ,sleep pattern disruption for those residing nearby in the 100 + homes across the street from a casino.
- 5) Air Quality Studies brought about by construction activities and thousands of cars pouring into the area causing additional air pollution into this clean air neighborhood.
- 6) Water Resource/Use Impact Studies. It is estimated that 400,000 gallons of water per day would be pumped from wells of the casino ,superseding local wells already in the area which are in danger of failing due to destruction of the water table from such potential use.

Additional Comment:

This project as proposed is not sound. Any existing studies of the above items are flawed and are prepared by the Chocksaw Nation which would be building this project and reaping the most benefit of cash flow from it. The Koi Nation's ancestral land is in Lake County and they are in litigation there to protect their ancestral relics and lands yet they propose a casino in Sonoma County which already has two casinos. This is unsound reasoning. The proposed project does not support the Koi Nation's goal of "reconnecting with our heritage to establish a living relationship between our people and the land".

Koi Nation deserves a chance in their ancestral land in Lake County,not in Sonoma County.

Very truly yours,
Mary M. McCarty
Bill Harrison
651 Lockwood Dr.

Windsor, CA 95492
Sent from my iPad

From: Jill Plamann <jillplamann@gmail.com>

Sent: Saturday, April 6, 2024 10:35 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Please do not place a casino on this important land. I strongly oppose it for the following reasons:

This narrow path from Shiloh Regional Park towards the ocean is an open space that houses a habitat for the dogface butterfly. This ENDANGERED butterfly is the California state insect! I've seen this butterfly in my own backyard numerous times. I live 5 blocks away from this proposed site. My yard is a dedicated pollinator garden. The pollution caused by a Casino will further endanger this butterfly.

This proposed entertainment facility would draw in thousands of people looking for drugs, prostitution, and..... gambling!!!! Our town would be destroyed. Do your research.... The Town of Windsor is ecologically responsible and a leader in protecting our environment in every way possible as we move forward.

This huge, dangerous commercial development would be located walking distance to elementary schools, churches, parks, and established neighborhoods. It makes absolutely no sense to put a Casino here!

I strongly believe that the Native American culture and knowledge is extremely important and vital to the survival and reclamation of our planet. We need this sensitivity more than ever and I sincerely wish that this knowledge can be put to good use rather than wasted on the well-known illnesses caused by casinos.

I believe a scientific or spiritual center would be welcomed in our community. Show off your culture with pride. Teach us! PLEASE!

The proposed casino will never be welcomed in our neighborhood.

Jill Plamann
112 Anna Drive
Windsor, CA. 95492

From: Sidnee Cox <sidnee@sonic.net>
Sent: Saturday, April 6, 2024 11:44 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Hello Mr. Broussard,

Please see my attached letter in pdf format regarding the **NOI Comments, Koi Nation Fee-to-Trust and Casino Project**.

Thank you for your time and attention to this important EIR.

Best regards,

Sidnee Cox
5846 Leona Court
Windsor, CA 95492
One attachment • Scanned by Gmail

Sidnee Cox
5846 Leona Court
Windsor, CA 95492
April 5, 2024

Mr. Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region

Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

Hello Mr. Broussard,

Thank you for this opportunity to submit public comment regarding the Environmental Impact Statement for the proposed Koi Nation Resort and Casino Project on Shiloh Road, adjacent to Windsor, CA. There are many environmental impacts that need to be studied while considering the placement of this proposed casino.

First of all, after Windsor was incorporated in 1992, a community separator and Urban Growth Boundary was established to provide critical open space directly south of town (now the location of the proposed casino project). This open space proved to be a vital firebreak during the Kincadee fire in 2019 that threatened to destroy most of Windsor. The flames came within a half mile of our neighborhood on East Shiloh. (See video links below.)

In addition, much of the east side of Shiloh Regional Park burned in the 2017 Tubbs Fire. I watched the huge red glow on Shiloh Ridge as the park was burning during this disaster. Only a change of wind stopped the fire from racing down into our valley and the neighborhoods on East Shiloh. That was the night when 4,658 homes were destroyed as the fire moved south.

Secondly, the roads surrounding this proposed location would not be capable of providing safe evacuation routes for both the existing neighborhoods as well as the patrons and workers at the proposed casino resort complex.

The evacuation issue has now become even more of a concern due to the fact that there is a new 134 unit housing complex on the corner of Shiloh and Old Redwood that will soon be filled with families. This is in addition to another 173 unit apartment complex under construction just down the street. These apartments reflect California's affordable housing mandates. With this density of neighborhood housing, adding a casino complex of any size on East Shiloh could spell disaster.

Please see this short video clip from ABC News: <https://abc7news.com/kincadee-fire-in-windsor-ca-cal-map/5652149/>

Also please see this video showing how the fire impacted Shiloh Regional Park and the evacuations from our area. The view behind the news commentator is the location of the proposed Koi casino and resort. <https://newsofthenorthbay.com/live-cal-fire-command-center-at-shiloh-regional-park-in-windsor/>

Third, the impact of intensive development in this protected area, which includes 850 acres of Shiloh Regional Park, would greatly endanger its ecosystem. The park is home to many species of birds and wildlife. Please study the impact that vehicle pollution, groundwater pollution/

depletion, light pollution, noise pollution and toxic emissions would have on Shiloh Park and the surrounding area.

Although the new apartments will be impacting *evacuation routes* for the proposed casino as well as the surrounding neighborhood, the apartments were required to satisfy the CA housing crisis, so they had to be built. No such requirement applies to the proposed casino. In addition, unlike the proposed casino, these apartment complexes encourage *reduced* daily vehicle usage and will also be using Windsor water and sewer so will not be depleting local wells. The new apartments will have little impact on noise and light pollution at Shiloh Park and neighborhoods along East Shiloh due to the fact that they are farther away and are *residential dwellings* and not public gaming facilities.

Finally, please see the maps below that show the location of the two nearest casinos in Sonoma County: Graton Resort and Casino in Rohnert Park and River Rock Casino in Geyserville. Neither of these casinos is in the midst of residential neighborhoods.

Sincerely,
Sidnee Cox, 5846 Leona Court, Windsor, CA 95492



Above left, Graton Casino, Rohnert Park, is in an industrial and business zone. Above, River Rock Casino, Geyserville, is in a rural area, miles from any developments.

Below, left, the proposed Koi Casino will be located at Windsor's southern boundary. It will be adjacent to residential neighborhoods. The two new apartment complexes impacting evacuation routes are shown in orange.

From: Ronald Calloway <ronaldcalloway363@yahoo.com>
Sent: Saturday, April 6, 2024 11:55 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Dear Mr. Broussard,

As the recently retired Superintendent of the Mark West School District, I must state my adamant objection to this casino. For the record, not only did I serve as the Superintendent, but I am also a resident of the school district. I live at 531 Coachlight Place, which is one block from San Miguel Elementary School. This school is within a mile of the proposed casino, and I cannot understand how the Bureau of Indian Affairs could even consider approving a casino so close to an elementary school.

While there are areas that would be appropriate for the casino in the Mark West School District, such as commercially zoned areas located along Airport Boulevard, the proposed site is absolutely not within an area that should be considered for a casino. The scope of this project, as proposed, is far too large for the current infrastructure to address.

Furthermore, as the Superintendent at the time of the 2017 Tubbs Fire, I can truly attest to the enormous dangers of a wildfire in our area. It is important to note the following year in 2018 there was a fire in Paradise, California during the daylight hours when school was in session. If such an event were to occur in our area with a casino added to our community, it would have disastrous consequences. In the case of the Paradise fire, the school district was able to use bussing to transport students out of the area. Unfortunately, the Mark West School District does not have Home to School transportation (bussing). All students either walk to school or are transported by vehicles to school. In the event of a daytime fire on the magnitude of the Tubbs or Paradise Fire, parents would be attempting to get to the school(s) in the Mark West District. With people fleeing the casino, inevitably they would use Faught Road next to San Miguel, which would endanger the lives of students, parents, and staff.

Finally, I must reiterate that a casino within a mile of a school is absolutely shameful to consider. As an educator, who has built his entire career in supporting students, I cannot fathom a worse scenario than placing a casino in the proposed location.

Sincerely,

Ronald M. Calloway, Retired Superintendent of the Mark West Union School District

From: Suzanne Calloway <suzicalloway@gmail.com>
Sent: Saturday, April 6, 2024 12:01 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Dear Mr. Broussard:

I am an elementary school teacher at San Miguel School on Faught Road, which is less than a mile from the proposed Koi Nation casino. I am also a local resident - I have lived at my home on Coachlight Place, in the Larkfield/Wikiup neighborhood that borders the proposed casino, since 2002.

Between the roads and resulting fire evacuation impossibilities, the proximity to an elementary school, and the lack of infrastructure in our unincorporated area, a project like this at this location would be a disaster.

Having lived through the Tubbs fire and the Kincade fire, evacuation is absolutely a life and death situation. The fire came directly behind our street, in direct line to the proposed casino property. We barely escaped. The local roads were clogged even with only the residents of this little area. Then in 2019 (Kincade), although we had more warning, the freeway was still gridlocked for hours! And the question isn't IF we will have another wildfire, it is WHEN.

Another huge factor is the implications of a daytime evacuation, much like the Paradise Fire. San Miguel Elementary is part of the Mark West Union School District and our district has ZERO home to school transportation/buses. As a charter school, we accept students from all over the area - especially from Windsor. The amount of traffic that would be coming IN to the area in the event of an emergency would be thwarted by the thousands of additional people at the casino trying to leave. People will die during the next fire with the addition of this project.

Also, our neighborhood is a bit of an "orphan" area - we are covered by the sheriff's department, not Santa Rosa PD, so law enforcement emergencies take an inordinate amount of time to respond. The increased crime that will accompany this type of business will go unchecked - the casino security may police *their* parking lots but what happens when nefarious activities then move to Shiloh Park and San Miguel School? We can't get a sheriff to regularly patrol when we have had incidents now, so what will happen then?

Another impact will be that Faught Road will be a shortcut to the casino, with thousands of cars passing through a quiet street all day and night, right in front of an elementary school where neighborhood kids walk and bike to school. Again, as an "orphan" area, we are not patrolled by SRPD - traffic issues are dealt with through the California Highway Patrol and it is not easy to

ever get any kind of response from them in a timely manner due to the scope of the areas they cover.

There are so many other locations that would have less of an impact on so many lives and less potential for a deadly situation.

I would hope that the Koi tribe could research some of those options and instead use this property for housing. (There's a great school nearby that their children could attend!)

Please do not allow this project to proceed!

Sincerely,
Suzanne Calloway
531 Coachlight Place
Santa Rosa (unincorporated)

From: Sarah Seitz <sseitz360@gmail.com>
Sent: Saturday, April 6, 2024 12:14 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Casino near Windsor

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Please do not build a casino in Sonoma County. People in this area need to be able to escape from wildfire and the addition of many hundreds of people and cars is a disaster waiting to happen. If you read "Inflamed", a book about the Tubbs fire of 2017, you would not want to be here when the next wildfire approaches.

There are already enough casinos in Sonoma County. If you need to profit from people's desire to gamble and drink, please choose a less disaster prone area to enable them to do that.

I have had to evacuate twice in the past 7 years and the thought of all those people clogging the roads is truly frightening.

Sarah Seitz, MD

From: Marie Scherf <mscherf@bpm.com>
Sent: Saturday, April 6, 2024 4:32 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Hi Chad:

I am sharing my opinions re: the potential casino development in Santa Rosa, CA.

I am strongly against the development of a casino in that particular area. My family has used the nearby park and back-country roads for recreational use for decades. It is a beautiful, largely agricultural area that is heavily used by local county residents for walking, biking, hiking, and horse-back riding (in the park). Developing a casino nearby would pollute the air and clog the roads with traffic. The nearby roads are narrow and the additional traffic would put pedestrians and bicyclists more at risk than they are already. It would break my heart to build something so unnecessary in that area.

Over the past few years our county has experienced enormous growth in high-density housing. While I'm not thrilled to see so much development, I appreciate that we need more affordable housing, so it's a problem we need to contend with and resolve as best we can. However, water use is a constant issue.

Our area has experienced severe droughts in the past. We are lucky to have had two good years in which to refill our reservoirs, however it is a problem that is almost always on everyone's mind.

My neighborhood burned down in the Tubbs Fire in 2017 and all the houses were rebuilt without big lawns, but rather with drought-resistant, low water-use landscaping. Many residents have spent a lot of money converting lawns to drought-resistant plants and other low-water use materials. As a county we are moving very deliberately to conserve water in a myriad of ways.

How anyone can think they should build a casino that uses hundreds of thousands of gallons of water each week in this area is amazing to me. I'm so glad to see our government representatives are working against this plan. It's absurd and I sincerely hope it does not happen.

Aren't two casinos in our county enough already?

Marie Scherf
745 Jean Marie Drive
Santa Rosa, CA 95403
(707) 365-0011

NEW

TAX

LAWS

There have been many recent tax law changes. For more information about these new tax laws, please visit our website at www.bpm.com

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From: sllkdl@comcast.net <sllkdl@comcast.net>
Sent: Saturday, April 6, 2024 6:48 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: sllkdl@comcast.net <sllkdl@comcast.net>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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NOI Comments, Koi Nation Fee-to-Trust and Casino Project

Stephen & Kathleen Lawrence
582 Coachlight Pl.
Santa Rosa, C 95404

April 6, 2024
To Whom it May Concern:

We are submitting this letter in response to the 'Notice of Intent to Prepare an Environmental Impact Statement for the Kio Nation's Proposed Shiloh Resort'. There are many issues that need to be addressed in the pending EIS, and we highlight a few of them below. However, one of our main concerns is the use of a potentially biased pro-casino EIR preparation company, such as Acorn Environmental. We can only hope a neutral, non-biased company will be employed to produce an accurate Environmental Impact Report. Acorn Environmental was cherry picked by the Kio Nation for the Environmental Assessment based on their previous work providing EA reports for other tribal casino proposals, as stated by Tribal Chairman Jose Simon during his opening remarks in the Zoom meeting of September 27, 2023.

Emergency Evacuation: During the 2017 Tubbs fire, we left Larkfield at 1:45 AM, forced to turn north from Carriage Road onto Faught Road to East Shiloh Road due to congestion heading south. This route is just over one mile, but it still took us 45 minutes, joining the residents living across from the proposed casino, to get to Old Redwood Highway. The whole time we were at risk of becoming trapped by the flames. The evacuation of additional thousands of people at the casino at the same time would cause true gridlock and increased potential death due to fire entrapment. The Tubbs fire was not a one-time event and carries a very high risk of reoccurring.

Drunk and Impaired Driving: Inevitably some number of patrons will overindulge. Leaving the casino in any direction will ultimately cause property damage and personal injury. Many of these drunk drivers may look at alternate routes to avoid detection. One obvious direction is to head east on Shiloh to Faught Road and exit through Larkfield. This will take them directly in front of San Miguel Elementary School. There is no stretch of imagination needed to foresee a tragic accident involving elementary students.

Other significant concerns that should be addressed in the EIR include, but are not limited to:

- The proposed wastewater plant is located next to a creek.
- Traffic on Shiloh/Old Redwood/Faught Roads.
- Increased crime
- Increased noise
- Light pollution

The concerns listed above should all be addressed in a neutral, non-biased EIR. Historic increases in these areas of concern as documented in other Sonoma County casino developments should be referenced (Graton, River Rock, etc....)

Sincerely,
Stephen & Kathleen Lawrence

From: Mary Ann Bainbridge-Krause <mary_ann_bainbridge_krause@yahoo.com>
Sent: Saturday, April 6, 2024 12:15 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Fee to Trust Casino project

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Dear Mr Broussard: I completely agree with the Town of Windsor and all council members in denying the approval of this Casino. I'm a 30 year resident of Windsor. This tribe has NO Ancestral history in Windsor or Sonoma County. The Traffic,Air and water quality and safety in the event of a Wildfire evacuation will be affected by the existence of this Casino. Do not allow this to happen.

<https://www.townofwindsor.com/DocumentCenter/View/28754/Koi-Nation-Shiloh-Resort-and-Casino-Project---EA-Commentary?bidId=>

MaryAnn Bainbridge-Krause
170 Espana Way
Windsor,Ca 95492
Sent from my iPhone

...

One attachment • Scanned by Gmail



Town of Windsor
9291 Old Redwood Highway
P.O. Box 100
Windsor, CA 95492-0100
Phone: (707) 838-1000
Fax: (707) 838-7349
www.townofwindsor.com

Mayor
Rosa Reynoza

Vice Mayor, District 2
Sam Salmon

Councilmember District 1
Mike Wall

Councilmember District 3
Debora Fudge

Councilmember District 4
Tanya Potter

Town Manager
Jon Davis

Sent via Email
November 13, 2023

Amy Dutschke, Regional Director
2800 Cottage Way
Sacramento, CA 95825

SUBJECT: Koi Nation Shiloh Resort and Casino Project
Town of Windsor Comments on Environmental Assessment
Published September 2023

Dear Ms. Dutschke:

The Town of Windsor, which includes the Windsor Water District, hereby submits comments in response to the Environmental Assessment (EA) that was prepared for the Koi Nation Shiloh Resort and Casino Project. Unless otherwise indicated, all comments are in response to “Alternative A” which is identified as the Proposed Project.

Proposed Project and Alternatives

1. Reliance on the Best Management Practices (BMPs) in Table 2.1-3 is inadequate for environmental protection. The BMPs are not measurable or monitorable, described as, “when feasible” and “when practicable.” Instead, the project description should be amended to incorporate measurable standards to address the relevant concerns. Without these standards there is potential for the project to have significant adverse impacts on the environment.

Water Resources

2. Between 6 and 17 acres of vineyards will remain for recycled water irrigation. At an average daily flow of .3 MGD (2.1.4), this equates to 110 MG / Yr. A 20-acre vineyard would be allocated 4.9 MG per year under current ETC requirements set for the Windsor Water District by the State. Although the project may be held to a lesser standard of environmental protection, the substantial differential in the application rate indicates that the proposed rate is unrealistic.
3. Proposed 12-16 MG reservoirs / tanks would equate to 40 to 50 days of storage. The EA proposes not discharging between May 15 and September 30 (138 days) – storage should be closer to 40 MG to meet that discharge target. As proposed, the storage capacity is likely too small and discharge events, that have not been considered in the EA, are likely to occur.
4. The State Division of Drinking Water (DDW) does not / has not approved all of the proposed recycled water uses in this configuration as described in the project description. For example, recycled water is not allowed inside any food service buildings.
5. 3-20 references Mark West Creek for flow monitoring during discharge, which is significantly downstream of the point of discharge on Pruitt Creek. Pruitt Creek is also ephemeral, meaning it does not flow year-round, discharging wastewater into a creek that does not flow year round will significantly affect surfaces in the area. Significant adverse impacts

due to erosion, loss of habitat, flooding, movement of sediment, and destabilizing of banks could occur. Monitoring should be required at the point of discharge on Pruitt Creek.

6. There are four existing wells on the Project site, the Project proposes to construct up to two additional wells on site for potable water use. The Town of Windsor has two wells at Esposti Park to the north and in close proximity to the Project property. One is used for irrigating Esposti Park, and the other will be used as a replacement municipal drinking water well. The Project well(s) and Project wastewater treatment plant should not be constructed within the zone of influence around the existing Town wells.
7. The reported peak-day pumping for the project is 402,000 gpd, which equals approximately 275 gpm (Table 2-2). If that pumping were to occur close to the Esposti Well, drawdown at the Town's Esposti drinking water well could be significant, which could significantly decrease the Esposti well output rate and possibly water quality. Prior testing of the Esposti drinking water well was over short durations and should not be used to extrapolate the level of impact from the proposed project wells without further testing. The potential impacts to the groundwater aquifer and groundwater wells have not been sufficiently evaluated. At a minimum, a well interference study should be completed as part of the Project to ensure proper placement of the proposed Project well(s) and Hydrogeologic testing should be completed to ensure Project well(s) will not adversely affect the groundwater levels nor the water quality of the existing Town wells or other domestic wells. Mitigation measures should be required for any impacts identified once sufficient analysis has been conducted. As currently proposed the Project may have a significant adverse impact to water resources.
8. As stated in the 2020 Urban Water Management Plan, the Town is moving toward installing arsenic and manganese treatment on the Esposti well in order to meet the drinking water demands. Any analysis of wells on the proposed project should consider increased future pumping from the Esposti well.
9. The project proposes to repurpose or install up to 4 groundwater wells and estimates 100-300 gpm groundwater flow for daily use. The report does not indicate how much the existing wells on-site are currently being used. The proposed mitigation measure for groundwater is insufficient to address the risk to drinking water supplies. The proposed mitigation measure to reimburse the owners of nearby wells that become unusable within five years of the onset of project pumping is not sufficient to mitigate the level of impact. Payment to owners of nearby wells does not increase the total available water supply in the area and the loss of function of existing wells will have significant effects to the area's water system as new sources of water supply will need to be developed.
10. The EA cites the 2017 aquifer test at the Esposti well as evidence that pumping from aquifers deeper than 300 feet would not affect water levels in shallow wells (less than 200 ft deep). No drawdown was observed in shallow wells during the Esposti test. However, that test lasted only 28 hours. The EA should consider the potential for sustained pumping (months) at the Esposti well and the Project supply wells that may lower water levels in the shallow aquifers and could potentially jeopardize output of nearby domestic and municipal drinking water wells.

11. The proposed design takes away from floodplain storage, an adequate amount of stormwater detention is not demonstrated by calculation to address the detraction of floodplain. Sub areas A,C, and E have footprints directly in the floodplain.
12. The Town of Windsor completed a [Storm Drainage Master Plan](#) where the 100-year flood zones were mapped. The Project location shows potential flooding during the 100-year floods. The Project will need to consider flood mitigations, so it does not affect the downstream neighborhoods with additional flooding or sediment transport.
13. Analysis is needed of the existing Pruitt Creek box culvert under Highway 101 to determine the ability to convey the anticipated storm flow from a full buildout condition and mitigation measure should be required for any negative impacts identified in the analysis.
14. The north bound offramp from Highway 101 is periodically closed due to flooding, and the analysis should determine if increased flows from the project negatively impact this condition. Several such closures occurred in December 2022 and January 2023.

Air Quality

15. The EA states that traffic volumes on a surface street would need to exceed 40,000 daily trips to exceed the significance threshold for cancer risk for hazardous air pollutants. It reasons that “these traffic levels do not exist on local roadways serving the Project Site, including Shiloh Road and Old Redwood Highway” and therefore impacts would not be significant. The project would include road widening and itself would generate between 11,213 and 15,779 daily trips. Significance should be determined in the future full build-out scenario, not based on existing conditions. As currently proposed the Project may have a significant adverse impact to air quality.
16. The air quality modeling as detailed in Appendix F-1 makes a number of inaccurate assumptions including that Windsor is located in Climate Zone 4, that the project is in a rural setting, and that the average trip length for non-work trips should be based on the distance from Santa Rosa. It is unlikely that there are no potential significant impacts for any air quality or green house gas emissions other than for CO. A peer review of the air quality study and modeling is recommended. According to the California Department of Energy, Windsor is in Climate Zone 2 and according to the [Generation Housing State of Housing in Sonoma County Report](#), 31.4% of the local work force commutes from outside of Sonoma County.
17. To reduce potential air quality impacts, Tier IV construction equipment for equipment greater than 50 horsepower should be required, instead of Tier III as proposed.
18. “Clean fuel fleet vehicles” should be defined, and a standard should be set to determine when use of clean vehicles is impracticable. In this scenario, what is the alternative to address the potential air quality impacts?

Cultural Resources

19. Due to the presence of Pruitt Creek, the presence of scattered obsidian, and the results of Native American Consultation, the EA determined that there is a potential for significant subsurface cultural resources on the Project Site, however monitoring is only prescribed within 150 feet of Pruitt Creek. A qualified archaeologist and Native

American Tribal Monitor should be present for ground-disturbing activities across the entirety of the Project Site. As currently proposed the Project may have a significant adverse impact to cultural resources.

Socioeconomic Conditions and Environmental Justice

20. The growth-inducing effects section indicates that the project would result in pressure for new commercial development in the area, such as additional gas stations. Consider the gas station bans in the Town of Windsor and the County of Sonoma. This section concludes that indirect and induced demand for commercial growth would be diffused across the State and therefore there would be no significant regional commercial growth inducing impacts. Provide data to justify this conclusion, considering local growth management policies and urban growth boundaries.
21. The housing section assumes there would be no significant impact without sufficient local data. It assumes most employees will come from the existing pool of casino and hospitality workers, however due to housing costs, many of these workers are commuting to Sonoma County from other parts of the Bay Area.
 - a. Provide temporary housing facilities on-site for the construction workers (2,196).
 - b. Provide permanent affordable housing on-site for casino workers (1,571).
 - c. Provide information about the median salary of the construction workers and the casino workers, so that the appropriate housing affordability can be determined.
 - d. Project alternatives should be evaluated with on-site housing options.
22. The Socioeconomic Study was prepared by Global Market Advisors (GMA) for the Koi Nation of Northern California. As described on page 1, GMA is an international provider of consulting services to the gaming, entertainment, sports, and hospitality industries. The BIA should obtain a peer review of the Socioeconomic assessment by an independent consultant.
23. Page 5 of the study (Income) states that the Sonoma County Average Annual Household Income (AAHI) was \$121,522 in 2021, which may be overstated. Information provided by the California Department of Housing and Community Development indicated that the Sonoma County Area Median Income (AMI) was \$103,300 for a family of four in 2021. Most analyses of housing affordability refer to median income, because the average income is likely to be skewed by a small number of high-income households. The following section on Housing costs reflects median housing costs.
24. Page 6 of the study indicates that only 170 new homes were added to Sonoma County from 2010 to 2020. These data appear to be inaccurate and the statistic is misleading, since nearly 5,600 homes were destroyed in Sonoma County by the 2017 Tubbs Fire.
25. Page 40 of the study (Employment) indicates that construction and operation phases will have a positive effect on the local economy (thereby

reducing the unemployment level). This discussion does not recognize the local labor *shortage* in the area, which this project could exacerbate.

26. The section beginning on Page 40 of the study (Housing and Schools) does not recognize the local housing shortage and continuing recovery from the Tubbs Fire and other wildfire events. Also, as stated above, the assertion that Sonoma County has a sufficient labor force focused on the hospitality industry, and thus could easily absorb the new labor needed by the casino, is likely false. These concerns are supported by the [Generation Housing State of Housing in Sonoma County Report](#), published in April 2023.

Transportation and Circulation

27. Based on reviews conducted for a casino in Rohnert Park, the weekday and Saturday daily trips may be 15 to 25 percent higher than those indicated on this project analysis. Review of the Rohnert Park facility also revealed that the highest daily and afternoon peak trip generation occurs on Sundays, not Saturdays. The project should analyze Sundays as well as Saturday, to ensure that worst-case traffic impacts have been captured.
28. The Traffic Impact Study (TIS) indicates that the project would be fully responsible for implementing the improvements needed under Existing plus Project and Opening Year 2028 plus Project. These minor mitigation efforts include:
- a. Shiloh Road/Old Redwood Highway: Restripe westbound approach with a 200' long left-turn lane and modify signal phasing. This is similar to previously-identified near-term improvements except with a longer turn lane.
 - b. Shiloh Road/Hembree Lane: Optimize signal timing.
 - c. Shiloh Road/US 101 North Off-Ramp: Restripe ramp to include triple right-turn lanes (the westernmost would be a shared left/right lane). The proposed mitigation is simply restriping.
 - d. Signalize the project driveways on Shiloh Road and Old Redwood Highway. This is logical but has no broader benefit to the Town since the signals are only needed to accommodate resort traffic.
29. Objections to Existing plus Project and Opening Year 2028 plus Project Findings:
- a. Shiloh Road/Old Redwood Highway: For the queuing analysis the TIS relies on the Town to widen northbound ORH to include dual left-turns, stating that this improvement is included in the traffic impact fee. The north, west, and east legs of the intersection are within the Town of Windsor limits, but the project is not, and therefore no impact fee would be assessed by the Town and no funding would be afforded for this improvement. It is therefore unclear how the Town's impact fee program has any relation to mitigating the impact of the proposed project. The project would not make this improvement as currently proposed, so would not fully address the queuing issue. Note that the dual left-turn lanes also require widening of Shiloh Road to two westbound lanes. Widening of both Old Redwood Highway and Shiloh Road are needed to accommodate the traffic load generated by the project, and no mitigation is proposed for these impacts.

- b. Shiloh Road/US 101 North Off-Ramp: The proposed mitigation is to restripe the ramp to include triple right-turn lanes (the westernmost would be a shared left/right lane). This modification is likely to perform poorly since it would “trap” two of the three right-turn lanes in the left-turn pockets at the adjacent Shiloh Road/Hembree Lane intersection. It would not function acceptably without widening Shiloh Road to two eastbound lanes through the Hembree intersection. The TIS’s mitigated configuration also limits capacity for left-turn movements on the off-ramp which also have high volumes.

30. Objections to 2040 plus Project Findings:

- a. The TIS indicates Shiloh requires widening to four lanes from Caletti Avenue to the project driveway opposite Gridley Drive; it states that Shiloh widening is planned by the Town but this is incorrect. If traffic is increased by a proposed development, that development would be required to make the necessary improvements to mitigate the impact, including widening of Shiloh Road for additional lanes if needed. The Town does not have a capital project planned for widening Shiloh Road, nor is any proposed development planning to do so. The proposed casino project should be required to mitigate the impacts of the project as would any other development.
- b. Shiloh Road/Old Redwood Highway Intersection: In addition to Shiloh Road widening to four lanes and dual northbound left-turn lanes, the TIS indicates ORH requires two lanes in each direction and that existing northbound and southbound right-turn lanes need to be maintained. However, it does not mention that Shiloh Road would also need to include eastbound and westbound right-turn lanes.
- c. This configuration results in an extremely large intersection including five northbound approach lanes and four southbound, eastbound, and westbound approach lanes. Widening of ORH to two lanes in each direction is contrary to the General Plan and ORH Corridor Plan.
- d. The TIS indicates that the project would be responsible for 39.4% of the traffic growth which seems to imply that the project would not need to contribute funds since it addresses its impact under 2028+Project. Further, a contribution of 39.4% if made would still be illogical since the intersection would undergo far more widening (with associated cost) than the Town would ever have needed without the project.
- e. Shiloh Road/Hembree Lane: The TIS indicates that southbound Hembree Lane requires two additional lanes on the intersection approach. This degree of widening is infeasible (approach would include a left-turn lane, a through lane and two right-turn lanes and there is not sufficient right-of-way to support this configuration).
- f. The TIS indicates a fair share cost of 36.4 percent. This value is unreasonably low due to the fact that the Hembree widening would not have otherwise been needed without the project.

31. Objections to Roadway Segment Analysis

- a. The segment analysis is extremely high-level, particularly with its use of volume to capacity ratios that are based on weekday

Average Daily Traffic (ADT) volumes. The analysis also assumes Shiloh Road's capacities to be based on a 40 mph speed, which is inconsistent with the Town's vision for a "village" oriented walking and biking focused streetscape between Hembree Lane and Old Redwood Highway.

- b. As noted above, the project's ADT trip generation may also be underestimated by 15 to 25 percent, so the project's actual share of roadway segment volumes is likely to be greater than assumed in the TIS.
 - c. The TIS shows that the project would cause (or significantly deteriorate) operation on Shiloh Road to LOS E/F levels under 2028 opening year conditions between Conde Lane and Old Redwood Highway. The TIS then indicates that with the proposed mitigations to be constructed by the project, capacities would increase from 22,000 to 30,000 vehicles per day, offsetting the project's impacts to roadway operation. These capacity increases are not in line with the very minor nature of the proposed mitigating improvements; further, the project's proposed mitigation of creating triple right-turn lanes on the US 101 northbound offramp would be likely to reduce rather than increase capacity between the freeway and Hembree Lane (due to two of the offramp right-turn lanes "trapping" vehicles onto Hembree rather than continuing east on Shiloh).
 - d. The addition of project traffic will severely degrade operation on Shiloh Road upon 2028 opening between the US 101 South Ramp and Old Redwood Highway (and possibly westward to Conde Lane) unless additional improvements are implemented in addition to the minor improvements currently proposed by the project.
32. The Town's General Plan includes the possibility of Shiloh Road expanding to 5 lanes, however widening of the roadway would not be constructed by the Town, but rather the developments that created the increased traffic would be required to fund the improvements to mitigate their impacts to the transportation network. Without a mechanism to ensure that the road widening is completed by the time the Project begins operation, it can be assumed that the Project will have a significant adverse impact to traffic and circulation.
 33. The mitigation actions for the casino project proposed on Shiloh Road and the interchange are inadequate to avoid significant negative impacts to the transportation network on opening day of the proposed casino and should be required to be mitigated by the developer of the project.
 34. The 2040 segment analysis capacities are shown to be 49,800 daily vehicles, which is highly unrealistic for an urban four-lane street (particularly in a lower-speed, multimodal environment as envisioned).
 35. The TIS estimates a proportional share of 27.4 percent for the interchange but doesn't identify it as a project mitigation; there are also no fair share calculations for the remainder of the Shiloh Road widening (other than intersection improvements). If no mitigation is required for this improvement, the improvement will not be constructed and the project will have higher impacts than disclosed in the EA.
 36. As noted above, Shiloh Road and interchange improvements should occur by 2028 opening of the facility and the project should be responsible for funding those improvements.

37. Objections to non-auto modes assessment

- a. The project would significantly increase volumes on Shiloh Road through the Shiloh Village area which the Town plans to be a mixed-use, pedestrian- and bicycle-oriented area. The added traffic from the project would drive the need for Shiloh Road to be widened to a higher-speed four-to-five lane arterial (recent analyses overseen by the Town have indicated that a lower-speed three-lane section would accommodate future growth planned in this area without the casino project).
 - b. The project is currently proposing almost no offsite ped/bike improvements, instead relying on the Town to build facilities as widening on Shiloh and ORH occur through the traffic impact fee program. However, the casino project is not in the Town and no impact fees would be provided to the Town and so these improvements should be built and paid for by the project developer.
 - c. The TIS recommends onsite sidewalk connections to the project driveways, and accessible paths between nearby transit stops and driveways.
 - d. The project needs to construct facilities to accommodate multimodal circulation on Shiloh Road given its significant traffic increases on the corridor.
38. The proposal does not address full pedestrian and bicycle improvements, including Class IV bike routes, needed for the Shiloh area to align with The Old Redwood Highway Corridor Enhancement Plan and The Complete Streets Guidelines.
39. An evaluation of the feasibility of a roundabout has not been included, the Town has identified the roundabout as a preferred intersection type for this area.
40. The traffic analysis should consider the impacts of large events in addition to typical daily operations.
41. It is assumed that eminent domain will be utilized to acquire the necessary right-of-way to widen Shiloh Road. If this land acquisition is done by the Town, the Project should be responsible for all legal costs and land acquisition costs.
42. The traffic impact study considers employee vehicle miles traveled (VMT). Analysis of visitor VMT should also be included.
43. The Shiloh Road Village Vision Plan (SRVVP) outlines a grid street network in this area to disperse traffic volumes, provide for the safe movement of traffic, and minimize negative impacts on Shiloh Road. The traffic analysis for the Project should consider the impact to these east-west street connections between the Project Site and Highway 101 assuming full build-out of the SRVVP.

Land Use

44. The Town of Windsor General Plan land use diagram designates the properties to the north and west of the Project Site for Very Low Density Residential (three to six dwelling units per acre) development with Boulevard Mixed-Use (16 – 32 dwelling units per acre) to the west, fronting Shiloh Road. Additionally, the Town has adopted the Shiloh Road Vision Plan for the Shiloh Road Corridor west of the Project Site. The Shiloh Road

Vision Plan envisions mixed use development that encourages walking and biking. The planning for the density and intensity of these land use designations and for Town infrastructure in the area was done with the assumption that the Project Site would continue to be used for agriculture. The EA does not discuss impacts to the long-range vision of these planning documents particularly regarding circulation, safety, public amenities, and public services.

45. The land use designation for the Project Site in the Sonoma County General Plan is Land Intensive Agriculture, the stated purpose of which is to “enhance and protect lands best suited for permanent agricultural use and capable of relatively high production per acre of land.” Permitted land uses include keeping of livestock, indoor or outdoor crop production, daycare facilities, telecommunications facilities, and seasonal farmworker housing. Hotels, restaurants, and gaming facilities are not listed as permitted uses with this designation. The EA states the transfer of the Project property into federal trust status would remove it from County land use jurisdiction, but does not resolve potential environmental impacts that were not addressed in the Sonoma County General Plan Environmental Impact Report.
46. The Project Site is part of the Windsor/Larkfield/Santa Rosa Community Separator. The purpose of community separators is to maintain greenbelt areas around and between Sonoma County’s cities, towns, and more densely developed communities. The Project Site is currently developed with vineyards, meeting the spirit of the community separator designation. Potential impacts to the Windsor/Larkfield/Santa Rosa Community Separator should be analyzed.

Public Services and Utilities

47. Appendix F, page 8, indicates that the Tribe will use County waste disposal facilities, which are required to divert 50 percent of waste from landfills. In 2021, the County of Sonoma adopted a Zero Waste Resolution establishing a goal of zero waste by 2030, consistent with the Countywide Integrated Waste Management Plan and the Sonoma County Regional Climate Action Plan. The purpose of the zero waste goal is to reduce greenhouse gas emissions and conserve the remaining capacity at County landfills. Diversion rates in the future condition should be analyzed.
48. The EA notes that increases in crime and calls for service to public safety are associated with any population increase, not necessarily gaming specifically. Regardless of the cause, the Project Site currently generates virtually zero calls for service presently. Although the proposed Project is in County of Sonoma Jurisdiction, its proximity to the Town of Windsor will impact the Windsor Police Department through increased calls within Town limits and requests for assistance on the Project Site or within County jurisdiction. The Windsor Police Department anticipates an increase in calls related to:
 - a. Traffic, noise, accidents, DUI’s, loud exhaust, and speeding.
 - b. Disturbing the peace/Public Intoxication
 - c. Trespassing
 - d. Property Crimes
 - e. Prostitution
 - f. Assaults

- g. Drug activity
- h. Human Trafficking
- i. Violent Crime

A mechanism to mitigate the impact on Windsor Police Department resources should be developed.

49. The EA assumes that induced population growth and visitation by patrons of the Project would not be significant enough to require expansion of Esposti Park or Shiloh Ranch Regional Park. This may be true, but the EA does not consider the potential impact of visitation by patrons and employees of the Project on park resources including parking, restroom facilities, waste receptacles, and maintenance schedules.

Noise

50. Considering the proximity of sensitive receptors to the Project Site, Sundays should be excluded from construction hours to be consistent with the Town of Windsor Municipal Code.

Hazardous Materials and Hazards

51. The EA does not address post wildfire pollutant materials (such as ash) and their potential effects on Pruitt Creek. Mitigation should include on-site treatment of possible contamination and measures to prevent pollutants from continuing downstream.
52. Per the Town's Windsor Resiliency for Emergencies and Disasters Initiative (READII) Plan all transportation infrastructure investments should engage residents during the planning and design process. This plan considers two types of investments: 1) the development of new connections to open alternate routes during emergencies, and 2) the improvement of existing intersections, both for the purposes of improving daily traffic flows and reducing the risk of bottlenecks during evacuations. Old Redwood Highway (ORH), a two-lane roadway, runs parallel to and connects many local roads to US Highway 101, as well as providing a critical alternative route to the north and south when US Highway 101 is closed or temporarily congested. Old Redwood Highway can also serve as a secondary evacuation route if necessary. Windsor's current Local Hazard Mitigation Plan (LHMP) (2018) designates US Highway 101 as the primary evacuation route and Old Redwood Highway as the primary surface street to support evacuation routes and must be identified including "their capacity, safety, and viability under a range of emergency scenarios". If needed, redesign of street geometries, or evacuation signal timing should be considered as methods of increasing adaptive capacity.
53. In an effort to identify which specific neighborhoods and intersections might face the highest risks of bottleneck formation, the READII Plan team developed a "trafficheds" approach. This approach looks at networks of residential and commercial streets, lanes, courts, other smaller roads that are linked to one another - and the various points at which these self-contained networks are connected to the major roadways and arteries throughout the Town. These points of connection between neighborhoods and the main road network are "exit nodes," also referred to in other state planning documents as "ingress/egress points" and, if unable to handle the traffic loads during evacuation events, have the potential to become severe bottlenecks. The trafficheds method should be considered for evacuation

planning as traffic will be increased at the intersection of Shiloh Road and ORH.

54. The EA assumes that without the Project, it would take an estimated 4 to 6 hours to evacuate the Town of Windsor during a “No-Notice Event” and with the Project, the evacuation time could increase to 6 to 8 hours. The single mitigation measure related to evacuations offered in the EA is to “develop a project-specific evacuation plan” prior to occupancy. There is no way to ensure that this mitigation measure will adequately reduce the impact of impairment of evacuation plans. The loss of life experienced in recent fires in Paradise, CA and Lahaina, HI demonstrates the importance of impacts to evacuation plans.
55. The above evacuation time is taken from Appendix N Wildfire Evacuation Memorandum (Memo). The Memo does not consider that the mountainous areas (residences/properties such as Shiloh Estates and Mayacama) east of the Town, located in the Wildland-Urban Interface (WUI) area, only have two evacuation routes to US101 (through Pleasant Avenue and Shiloh Road) and has a high structure to exit ratio and could compound the issues at the intersection of Shiloh and ORH.
56. The comments from Losh and Associates found in Appendix N state that the State Responsibility Area (SRA) fire zone maps are out for review and should have been available to the public sometime in calendar year 2023. These updated maps should be evaluated if available.
57. The Project Site is currently developed with a vineyard. In recent wildfire events, vineyard sites have served as buffers to developed urban areas and have been used as staging areas for firefighting activities. The Proposed Project would replace a wildfire mitigating resource with a development of combustible materials (vehicles, structures, landscaping). Potential impacts of this land use change should be analyzed, and appropriate mitigation measures proposed.

Visual Resources

58. Due to the proximity of residential development the following changes should be made to the project:
 - a. Reduce parking light pole height to a maximum of 20 feet, instead of the currently-proposed 25 feet.
 - b. Outdoor lighting should be provided in a warm color range no greater than 3,000 Kelvin.
 - c. Details should be provided on illumination of all outdoor signage and the impacts to sensitive receptors should be analyzed.
59. The Town of Windsor 2040 General Plan designates Highway 101 and Faught Road as scenic corridors. Impacts to these scenic corridors should be analyzed and mitigation measures proposed.

As described in the comments above, there exists the potential for significant adverse impacts in almost every resource area analyzed by the EA. The significant adverse impacts associated with the Project are either not identified in the EA or not adequately mitigated below the threshold of significance. Impacts in the areas of water, traffic, public services and utilities, and hazards may be unmitigable and would therefore be significant and unavoidable. Because of the potential for significant adverse impacts to the Town and the environment, the Town of Windsor is opposed to the Project and finds that only Alternative D, the No Action Alternative, can ensure that there will be no significant adverse

impacts associated with the Project. If the Project is to move forward with any alternative other than Alternative D, an Environmental Impact Statement must be prepared.

The Windsor Town Council considered the EA and received public comment at its October 18, 2023, meeting. Written correspondence received up to and after the meeting is attached hereto.

If you have questions or need additional information, please contact me: Patrick Streeter, Community Development Director, at pstreeter@townofwindsor.com or at (707) 838-5313.

Sincerely,

A handwritten signature in blue ink, appearing to read 'P. Streeter', with a long horizontal flourish extending to the right.

Patrick N. Streeter, AICP
Community Development Director

cc: Chad Broussard, Environmental Protection Specialist
Jon Davis, Windsor Town Manager

Attachment: Correspondence received related to the EA

Irene Camacho-Werby

From: BARBARA SACKETT <sackettbarbara@yahoo.com>
Sent: Thursday, January 27, 2022 9:52 AM
To: Town Council
Cc: Barbara Sackett
Subject: New Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to express my strongest opposition to the new casino being built in Windsor. Not only is it completely unnecessary, it will bring an untenable amount of traffic to our small town. It will ruin the quaint atmosphere of our area and will not add to the wholesome ambience of Windsor.

The site is surrounded by residential homes. These home owners do not deserve to have their area devastated by a development of this scope. Building a casino here will not be beneficial to the neighborhood. Instead, it will bring down home values and destroy the peacefulness of the entire area.

We hope that you will take action against using this site for a casino.

Thank You,
Barb and Chuck Sackett

Sent from my iPhone

From: [Mark Linder](#)
To: [Abbie Williams: Town Council](#)
Subject: RE: How dare you
Date: Friday, February 4, 2022 10:10:19 AM

Dear Abbie and Paul Williams,

The Town Council has not approved the proposed Koi casino. The location is not in the Town. It is in the County. Currently, the issue is with the Bureau of Indian Affairs. At some point the Bureau will be conducting community meetings where you will have an opportunity to express your opposition.

Thank you

Mark Linder
Interim Town Manager

-----Original Message-----

From: Abbie Williams <abbie.earthinfofocus@gmail.com>
Sent: Friday, February 4, 2022 9:48 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: How dare you

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear town council, Windsor Ca,

I didn't capitalize town council cause you don't even deserve to be called anything like a council. That would infer that you actually are to be respected.

Correct me if I'm wrong but you've already approved this casino by the Koi tribe? A \$600 million behemoth, similar or exactly like the one that has ruined Rohnert Park already. If you tried to do this in Healdsburg they run you out of town. But here in Windsor because you think of us as less educated, less hip, less cool small town vibe. And we have a mayor who is "build at all costs" greedy sycophant. You think we won't notice that you're building a \$600 million behemoth it will be drugs alcohol prostitution and all sorts of other things to our small town? You don't give a damn about the people of Windsor at all. But you will find out that we are a force to be reckoned with us women.

I hope I've made myself super clear. But let me lay it out for you. There's about 400 of us women who've gotten together and we will protest. We will stand outside and we will scream about it. We will yell, we will protest in our own way with the protection that the first amendment gives us; (which you probably don't even believe in any way anymore). It is going to be very difficult for you to get through the moms that don't want this casino at all, on any level, and anywhere near our children.

So I am starting a coalition with other moms right now. We have about 400 women and families. We ARE A FORCE to be reckoned. This casino must not go through. The next step up is we have the governor's office. We will fight this with all we have.

Abbie and Paul Williams 

Abbie 


From: [Al Storms](#)
To: [Town Council](#)
Subject: No casino
Date: Monday, February 14, 2022 6:10:42 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

A casino will bring nothing good to the community but more traffic crime and violence. I vote no. If this happens i will sell and move shortly after its done

From: David C. Brayton <david.brayton@gmail.com>
Sent: Sunday, April 17, 2022 6:45:36 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: No Casino on Shiloh Road

Hello!

I am writing to encourage you to approve the resolution in opposition to the location of the Casino Resort on Shiloh.

The Casino does not belong anywhere in Windsor, let alone on Shiloh Road. Windsor is a bedroom community and Shiloh Road is simply the wrong place for it.

First, it is aesthetically awful. This is wine country, where agriculture defines the community, not Las Vegas. This Shiloh Road location places a huge, gaudy facility at the entrance to our beautiful town.

Second, the location is utterly wrong because it is surrounded by residential areas. Casinos operate 24 hours a day. Fine for Vegas or the remote hillside in Alexander Valley but the residents in this area need a good place to live. This will bring huge amounts of traffic, noise and bright lights.

Third, there simply isn't the infrastructure needed to support this monstrosity. To accommodate all the traffic, ORH and Shiloh will need to be five lanes. There simply isn't enough water left in the Russian River to support this facility.

The soul of Windsor is in the line. If this monstrosity is approved, the entire character of Windsor will be destroyed. The history of Windsor will be divided into two chapters. BC and AD--Before the Casino and After Development.

Don't let this happen. Vote to approve the resolution in opposition to the casino.

See you on Wednesday evening.

David Brayton

From: Carrie Marvin <caretoride@yahoo.com>
Sent: Saturday, April 16, 2022 7:08:43 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Wednesday's meeting

Please be aware that Carrie, Jon and Theo Marvin of The Foothills in Windsoe would like the town council to vote aye in this matter. In that the Town of Windsor supports retaining the existing Sonoma County General Plan land use designation of Land Intensive Agriculture for the property located at 222 E. Shiloh Road; and that the Town Council of the Town of Windsor, support the continued use of the land for agricultural purposes; and that the Town Council of the Town of Windsor, SUPPORT the Board of Supervisors of the County of Sonoma in OPPOSING the establishment of the casino. This land should not be used for a casino. And furthermore we have great concern about water and fire. Please honor Windsor neighbors concerns about this parcel of land. No casinos in neighborhoods. Thank you.

Carrie, Jon and Theo Marvin

[REDACTED]

windsor

Sent from my iPhone

From: Janice Sexton <janicesexton46@gmail.com>
Sent: Saturday, April 16, 2022 7:32:41 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed Casino at 222 E. Shiloh Rd.

To all members of the Town Council:

I strongly urge your adoption of the proposed Resolution opposing the Koi casino project, and I hope you will follow the lead of the Sonoma County Board of Supervisors in this matter.

Janice Sexton
[REDACTED]
Windsor, CA 95492

From: cd4ques@aim.com <cd4ques@aol.com>

Sent: Saturday, April 16, 2022 11:16:52 PM

To: Town Council <TownCouncil@Townofwindsor.com>

Subject: We are against the proposed Koi casino on East Shiloh Road and Old Redwood Hwy

It doesn't belong in this area and the small Band of Koi Indians have no rights here. Also, fire, water, sewer, traffic, etc. etc, are issues that make it a detriment to all of us. Please oppose it!!

Sent from the all new AOL app for iOS

From: Katherine Schram <schram@sonic.net>
Sent: Sunday, April 17, 2022 5:58:12 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: 222 E Shiloh Resolution

I would like to urge the Town Council to vote in favor of the Resolution to keep 222 E Shiloh Road as Intensive Agricultural Land and oppose the building of a casino.

Thank you,
Katherine Schram

From: Linda McBride <linda.mcbride@icloud.com>
Sent: Sunday, April 17, 2022 7:54:55 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed casino @ 222 E. Shiloh Road

Dear Council members,

As a long-term member of this community, I wholeheartedly support this resolution as written. Please come together to take a stand against the Koi nation building this casino in a well-established residential neighborhood, across from a park where our community gathers. In addition to the negative impact of a casino, our community has lived through a full-scale evacuation due to fire and the risk of that happening again is high in either Foothill Park or Shiloh Park. Adding that many casino guests and staff to an evacuation route that was already challenged would be irresponsible.

Thank you,

Linda McBride

[REDACTED]

Windsor, CA

[REDACTED]

From: Amy Hoover <amychoover@gmail.com>
Sent: Sunday, April 17, 2022 1:15:14 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Resolution regarding casino

Dear Mr Mayor and Town Council Members,

I am writing on behalf of our household in the Foothills area of Windsor. We are very much against the Koi Nation's intent to build a casino with restaurants and hotel on the property at Shiloh Road.

This is a heavily trafficked area, going into and out of Windsor. The idea of yet another casino is abhorrent to us. Our county has more than our share of casinos, we do not need anything more than the agriculture that this property has been zoned for.

Your Resolution is thorough and specific. We wholeheartedly support any and all actions on your part to keep this particular project away from that area. Thank you.

Amy and Chris Hoover



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Sent from Gmail Mobile

From: jscoppedge@att.net <jscoppedge@att.net>

Sent: Sunday, April 17, 2022 3:55:10 PM

To: Town Council <TownCouncil@Townofwindsor.com>

Subject: Proposed Casino Site Location-Residential neighborhoods are inappropriate

Hello Windsor Council Members—

Please take a few moments to review the attached pertaining to the Proposed Casino Site on Shiloh Road. Our opposition is to the location of this Casino—in the middle of a residential neighborhood.

Thank you for your commitment to the safety and well-being of your residents and neighbors.

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you contact The Bureau of Indian Affairs at the following address and share with them the inappropriateness of this proposed location—and as such, this property should not move from fee to trust.

Darryl La Counte, Director of the Bureau; Bryan Newland, Assistant Secretary
Bureau of Indian Affairs
Depart of the Interior
1849 C Street, N.W. MS-4606
Washington, D. C. 20240
Phone: (202)208-5116

We appreciate your attention in this matter and sincerely hope that you and your fellow state, local and community leaders will do everything in your power to change the location of this proposed Casino site to a non-residential location.

Thank you,

Judith and John Coppedge

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

- 10 acres
- baseball, soccer fields
- little league playing fields
- family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

- single family homes
- approx. 75 homes
- \$740-\$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

- private Country Club
- Jack Nicklaus golf course
- 95+ single family, multi-million dollar homes



SHILOH RANCH REGIONAL PARK-Faught Rd.

- 850 acres
- hiking trails, creeks & ponds
- horseback riding trails
- family picnic areas



FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?



TUBBS FIRE-2017

- deaths—22; size—36,800 acres
- buildings destroyed—5,640
- size—36,800 acres
- mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

- size—77,800 acres
- buildings destroyed—374; 90,000 structures threatened
- mandatory evacuations; loss of power, water and gas

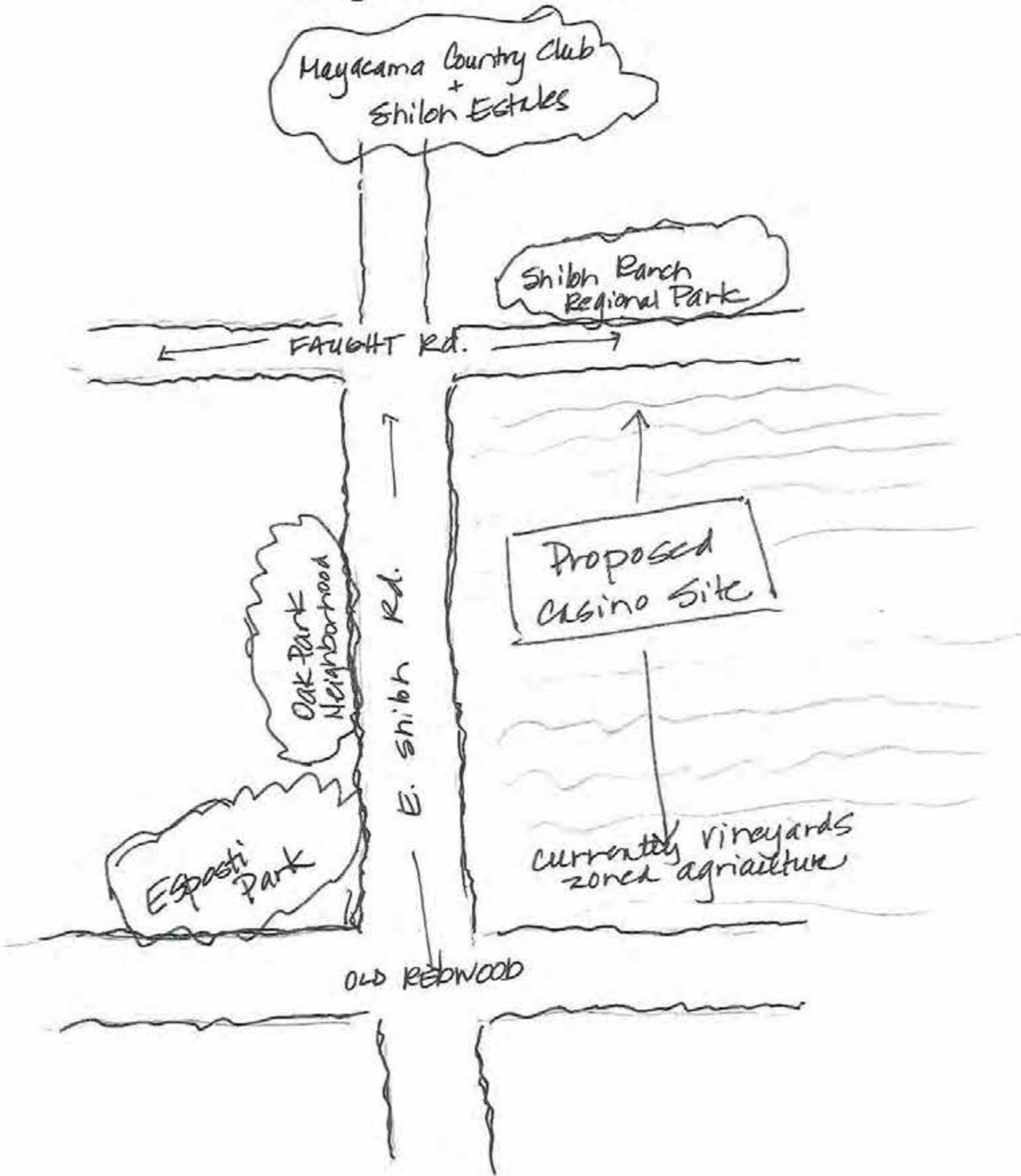
WALBRIDGE FIRE-2020

- deaths—6; -size—363,200 acres
- buildings destroyed—1,490
- mandatory evacuations; loss of power, water and gas

GLASS FIRE—2020

- size—67,500 acres
- buildings destroyed—1,555
- mandatory evacuations; loss of power, water and gas

Proposed Casino Site



From: Elizabeth Acosta [REDACTED]
Sent: Saturday, April 16, 2022 3:48:25 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: April 20, 2022, Town Council Agenda; item 12.4

Please redact our email address prior to publishing on the Town's website; please forward to Mayor Salmon, Vice Mayor Lemus, and Councilmember Reynoza all of whom currently represent District 4.

We support adoption of item 12.4; we encourage the Town Council to oppose development or uses that are inconsistent with the current land use designation of Land Intensive Agriculture on the property at 222 E. Shiloh Road. Further, we support the Town Council joining the Sonoma County Board of Supervisors in stating its opposition to establishment of a casino at the property named in the Resolution.

Thank you for considering our comments.

Stephen Rios & Elizabeth Acosta
Windsor Residents (D-4)

From: Barbara Collin <barbaramaecollin@gmail.com>
Sent: Monday, April 18, 2022 12:24 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Shiloh Casino

My husband and I live on Lea Street one block off east Shiloh. We are vehemently opposed to another casino being built in Sonoma County, ESPECIALLY in the middle of a residential area. This is a no brainer—traffic congestion and limited water during another historic drought alone makes this an incredibly short sighted project BUT in the middle of a residential area??? Absolutely NO MORE CASINOS here in Sonoma County. STOP THE GREED.

Barbara and Dave Collin
[REDACTED] Windsor, CA 95492

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Be yourself, everyone else is taken.

From: Tayler Hockett <hocketttayler@yahoo.com>
Sent: Monday, April 18, 2022 11:09 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: proposed casino on Shilo rd

To whom it may concern,

I am writing to help inform and compel to make sure we do not build a casino on Shilo rd. As a counselor, I work with children and families; and encourage them regularly to get outside and exercise, often trying hiking and cycling. I generally encourage them to go to Shilo as it is often quieter, family-friendly and offers great trails and views. Now more than ever hiking, playing sports, and in general getting exercise and being outside is so important! Our kids and families need parks and outdoor activities made more accessible and friendly, not less. The rise in mental needs and increasing rates of obesity and off the charts since covid. A major deterrent to exercise is accessibility and getting to the parks. Increasing the traffic and likely hood of accidents on Shilo rd by building a casino will directly decrease the safe access and thereby use of the parks.

Secondly, as a cyclist and competitive triathlete I genuinely feel a connection to the trails at Shilo and though a casino would not remove it would greatly diminish the nature Shilo has to offer.

I completely understand it will bring in jobs and capital to the town of Windsor, and agree that is needed right now. However, it is clearly shown casinos increase rates of DUIs nearby, and Shilo rd already being a narrow road with little to no shoulder it will greatly increase possibly and in all likely hood will increase auto, cyclist, and pedestrian accidents. This is a situation where common sense needs to supersede other motivations. Clearly, a casino will increase accidents and drastically change the nature and park dynamics close by, the most concerning factor is that Aposti park is where children, families, sports teams, etc meet and play. Another casino may have its place in Sonoma County (that of course is a matter of opinion), that place is simply not by the family park where children play and a county park where we as a community can enjoy nature.

I am happy to elaborate further about why Shilo in particular is a great park to use, and have stats relating to mental and exercise, rates of accidents near casinos, and more. Please feel free to reach out with any questions.

Sincerely,

Tayler Hockett, MA

-----Original Message-----

From: Lynn Darst <backpackers_darst@sprynet.com>

Sent: Monday, April 18, 2022 1:56 PM

To: Town Council <TownCouncil@Townofwindsor.com>

Subject: Resolution to Oppose Casino Resort on E. Shiloh Road

WINDSOR TOWN COUNCIL MEMBERS:

My husband and I fully support a Resolution by the Windsor Town Council to oppose the Casino Resort on E. Shiloh Road.

E. Shiloh Road is surrounded by neighborhoods, churches schools and parks. Additionally with the multiple evacuations due to the fires/firestorms in our area, we have historical data that shows that the proposed site is in a key evacuation zone. Shiloh and Old Redwood Highway, along with Highway 101 was absolute gridlock. This type of business is an invitation to 20,000-50,000 people visiting per day. To allow this to happen is a disaster in the making - - certainly there would be deaths from the neighborhoods that surround the proposed project, and highly likely customers from the business in any future evacuations. Save lives!!!!

The proposed casino resort is an INAPPROPRIATE LOCATION!!!!

Please follow the lead off the Sonoma County Board of Directors and sign the Resolution in Opposition,

Lynn Darst


Sent from my I-Pad

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you contact The Bureau of Indian Affairs at the following address and share with them the inappropriateness of this proposed location—and as such, this property should not move from fee to trust.

Darryl La Counte, Director of the Bureau; Bryan Newland, Assistant Secretary
Bureau of Indian Affairs
Depart of the Interior
1849 C Street, N.W. MS-4606
Washington, D. C. 20240
Phone: (202)208-5116

We appreciate your attention in this matter and sincerely hope that you and your fellow state, local and community leaders will do everything in your power to change the location of this proposed Casino site to a non-residential location.

Thank you,

Judith and John Coppedge

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

- 10 acres
- baseball, soccer fields
- little league playing fields
- family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

- single family homes
- approx. 75 homes
- \$740-\$1.35M price range

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- private Country Club
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SHILOH RANCH REGIONAL PARK-Faught Rd.

- 850 acres
- hiking trails, creeks & ponds
- horseback riding trails
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FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

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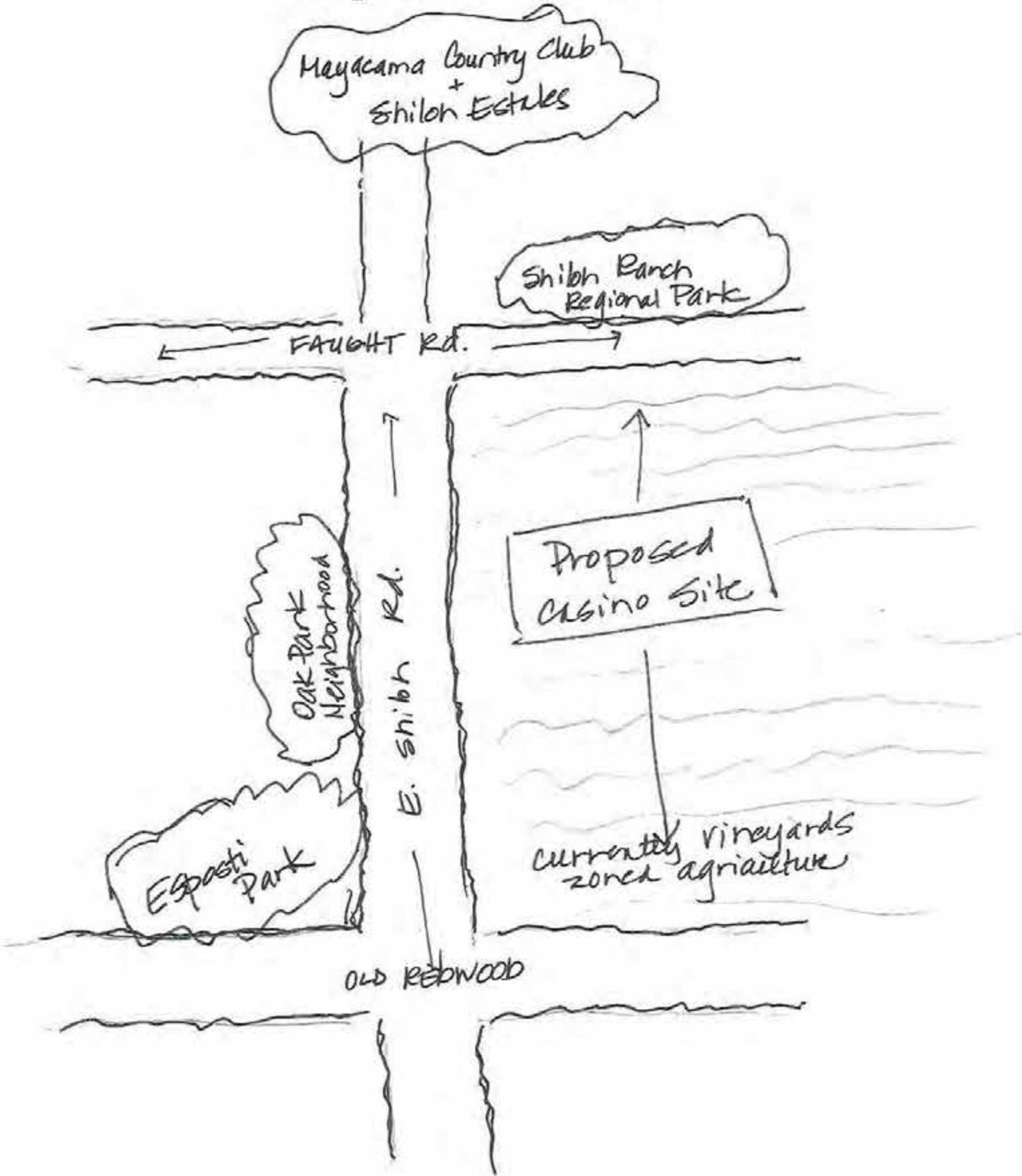
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GLASS FIRE—2020

- size—67,500 acres
- buildings destroyed—1,555
- mandatory evacuations; loss of power, water and gas

Proposed Casino Site



Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Thursday, June 30, 2022 9:39 AM
To: Town Council; Mark Linder; Patrick Streeter
Cc: Irene Camacho-Werby
Subject: Re: Koi Nation Environmental Assessment Scoping -- Town of Windsor Public comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please provide a copy of the town official public comments submitted to the BIA. You said this would be done 10 days ago, it was due on Monday, and you did say you would post it to the website. A search today turns up nothing. Are you hiding something??

Betsy Mallace
betsymallace@yahoo.com

On Monday, June 27, 2022 at 05:48:05 PM PDT, betsy mallace <betsymallace@yahoo.com> wrote:

Could you please direct me to the link to the town website posting the response? The search function comes up empty.

Thanks,

Betsy Mallace
betsymallace@yahoo.com

On Tuesday, June 21, 2022 at 04:58:30 PM PDT, Mark Linder <mlinder@townofwindsor.com> wrote:

Thank you, Betsy. We have previous Council action plus our own technical review to guide us. We have developed a response and will be sending it to the appropriate parties tomorrow. I feel our responses incorporate the community issues that have been expressed. We will post our response on the Town's website.

Mark

From: betsy mallace <betsymallace@yahoo.com>
Sent: Tuesday, June 21, 2022 2:26 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Cc: Mark Linder <mlinder@townofwindsor.com>; Irene Camacho-Werby <iwerby@townofwindsor.com>
Subject: Koi Nation Environmental Assessment Scoping -- Public comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,

I am sorry I missed the last meeting, I was at the yearly Windsor Historical Museum meeting, both happening at the same time.

I just realized that the Towns public comment for the Koi Nation Environmental Assessment scoping was not publicly discussed/agendized. All comments are due to the BIA not later than 6/27/2022. There are no meetings scheduled between now and the due date.

Can you let me know where the town stands on their official public comments?? Will you ask for a 30 day extension so you can get community input? Since this is a scoping comment period, anything NOT mentioned will never be considered, so now is the time to let them know ANY/ALL our concerns.

Below are the links to the NOP and the EA. Looking forward to your reply. Many thanks,

<https://www.shilohresortenvironmental.com/>

https://www.shilohresortenvironmental.com/wp-content/uploads/2022/05/NOP_EA.TEIR_Koi-Nation-Shiloh-Resort-and-Casino-1.pdf

Betsy Mallace

betsymallace@yahoo.com

Irene Camacho-Werby

From: Deanna Williamson <Deanna.Williamson@jfwmail.com>
Sent: Wednesday, June 7, 2023 11:52 AM
To: Town Council
Cc: icarus062@yahoo.com; D Williamson
Subject: No on Windsor Casino

Dear Town Council,

We are vehemently opposed to a new casino in our small, charming, family-oriented town. I have witnessed firsthand how Graton Casino absolutely destroyed Rohnert Park and Cotati (my place of residence for 20 years.) In fact, it was a major decision to leave Cotati in 2017 after years of watching both neighboring cities change for the worse. Who wants to pay Sonoma County cost of living prices while being accosted weekly by drugged out or homeless people in the local Safeway parking lot?

I feel it will bring in the same devastating external influences that Rohnert Park has experienced such as increased crime, individuals with mental health issues, drug use and miserable traffic—the very things most Windsor residents have been fortunate to escape to this point. Why would you allow this business to strip away what is so very precious about our town?

Please let me know where else we can send our concerns. I am happy to message Senator McGuire and our local legislators as well.

Sincerely,

DEANNA WILLIAMSON | Event Coordinator

o: 707.576.3832 | c: 707.331.2807
deanna.williamson@jfwmail.com
www.JacksonFamilyWines.com



Irene Camacho-Werby

From: Mark Linder
Sent: Monday, February 28, 2022 1:32 PM
To: Nina Cote; Town Council
Subject: RE: Towns Council Meeting March 2nd

Good afternoon, Nina.

As the casino location is not in the Town, we are trying to coordinate community meetings with the Bureau of Indian Affairs. The BIA has authority over what will happen with this project will be conducting community meetings on the project.. We are also in communication with the County as the land is in the County. We believe a community conversation about the impacts of this project is very important. We will work with your organization, the County and the BIA to be sure these conversations happen. When we get an idea of where, when, and how the BIA will be conducting community meetings we will let know.

Thank you.

Mark Linder
Interim Town Manager

-----Original Message-----

From: Nina Cote <nina.cote@sbcglobal.net>
Sent: Monday, February 28, 2022 12:00 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Cc: Nina Cote <nina.cote@sbcglobal.net>
Subject: Towns Council Meeting March 2nd

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Respectfully, I would like to request that the Opposition to the Location of the proposed casino on 222 East Shiloh Road be added to the agenda of the next town council meeting.

Thank you! Nina

Nina Cote'
Our Community Matters
707-293-4919
5828 Mathilde Drive
Nina.cote@sbcglobal.net
Our communitymatters2@gmail.com

Irene Camacho-Werby

From: Lynn Darst <backpackers_darst@sprynet.com>
Sent: Monday, April 18, 2022 1:56 PM
To: Town Council
Subject: Resolution to Oppose Casino Resort on E. Shiloh Road

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

WINDSOR TOWN COUNCIL MEMBERS:

My husband and I fully support a Resolution by the Windsor Town Council to oppose the Casino Resort on E. Shiloh Road.

E. Shiloh Road is surrounded by neighborhoods, churches schools and parks. Additionally with the multiple evacuations due to the fires/firestorms in our area, we have historical data that shows that the proposed site is in a key evacuation zone. Shiloh and Old Redwood Highway, along with Highway 101 was absolute gridlock. This type of business is an invitation to 20,000-50,000 people visiting per day. To allow this to happen is a disaster in the making - - certainly there would be deaths from the neighborhoods that surround the proposed project, and highly likely customers from the business in any future evacuations. Save lives!!!!

The proposed casino resort is an INAPPROPRIATE LOCATION!!!!

Please follow the lead off the Sonoma County Board of Directors and sign the Resolution in Opposition,

Lynn Darst


Sent from my I-Pad

Irene Camacho-Werby

From: Barbara Collin <barbaramaecollin@gmail.com>
Sent: Monday, April 18, 2022 12:24 PM
To: Town Council
Subject: Shiloh Casino

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My husband and I live on Lea Street one block off east Shiloh. We are vehemently opposed to another casino being built in Sonoma County, ESPECIALLY in the middle of a residential area. This is a no brainer—traffic congestion and limited water during another historic drought alone makes this an incredibly short sighted project BUT in the middle of a residential area??? Absolutely NO MORE CASINOS here in Sonoma County. STOP THE GREED.

Barbara and Dave Collin
[REDACTED]

--

Be yourself, everyone else is taken.

Irene Camacho-Werby

From: Joan Chance <joanchance@comcast.net>
Sent: Tuesday, April 19, 2022 7:54 PM
To: Town Council
Subject: Opposition of Proposed Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attn: Windsor Town Council -

It was so encouraging to see that The Sonoma County Supervisors passed a Resolution opposing the Casino Resort along Shiloh Road. As a member of Our Community Matters, I highly encourage the Windsor Town Council pass the proposed resolution.

This is not an appropriate place for a casino resort. It is not only zoned for agricultural use, but why would anybody want to build a casino resort near elementary schools, churches, regional parks and established neighborhoods? Apparently the tribe that wants to build this is not even established in this area.

With the fires that have threatened this area in the past few years, evacuation would be impossible with the estimated 23,000 to 52,000 expected guests to attend this proposed resort. Not only that, Sonoma County wants to monitor residential wells. If the casino was built, they would use more water in one day than we would use in a year. The town of Windsor has made it very clear that we are in a severe drought. This is not the appropriate site for a casino resort. It would devastate our community.

Please seriously consider following the lead of the Santa Rosa Supervisors...

Sincerely, Joan Chance

Irene Camacho-Werby

From: suzibill <suzibill@sonic.net>
Sent: Tuesday, April 19, 2022 6:19 PM
To: Town Council
Subject: Proposed Casino Resort on Shiloh Rd.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Council Members,

I have read up on the proposal to build a casino resort, the largest in Sonoma County, at the site on Shiloh Rd and Old Redwood Hwy. I am convinced that such a business would be detrimental to the park and neighborhoods nearby as well as negatively impact our ground water supply and safe evacuation when (not if) it is needed. It's the wrong enterprise for this location.

I urge you all to show solidarity, follow the lead of the Sonoma County Board of Supervisors and put forth a Resolution opposing the Casino Resort. Please do not try to hedge or waffle on this issue-it is too important. Come forth clearly and strongly with a resolution of opposition.

Sincerely,
Suzi Malay



Irene Camacho-Werby

From: Laurie <meanlaureen@gmail.com>
Sent: Wednesday, April 20, 2022 9:03 AM
To: Town Council
Subject: Casino opposition

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor and Windsor Town Council,

I'd like to offer my support in the resolution as written to retain the existing Sonoma County General Plan Land Use Designation of Land Intensive Agriculture for the property located at 222 E. Shiloh Rd.

I OPPOSE the Casino Resort.

Sincerely,

Laureen Buettner

Occidental, Ca

Sent from [Mail](#) for Windows

Irene Camacho-Werby

From: Todd S <tlcl.sloan@gmail.com>
Sent: Wednesday, April 20, 2022 9:06 AM
To: Town Council
Subject: Resolution regarding Casino on Shiloh Rd.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings Town Council,

I am a nearby resident to the proposed Casino site in Windsor off Shiloh Rd.

Please add me the list of those who strongly oppose this development going forward.

I understand a tribe using a casino to create jobs and income for people, but I question how this development impacts the surrounding area.

Ground water usage, including sewage treatment, the impact on the roadways and nearby services and neighborhoods.

It is too much, and does not fit in with the what is already in place. Are there not zoned areas for something this size in another part of Windsor, i.e. a business park?

If these are your concerns, and you don't have concrete solutions to these issues you should vote no on this project.

There is also the concern about evacuation planning in the event of a wildfire.

The Board of Supervisors was unanimous in voting against this development, I hope your votes will be the same.

Thank you,

Todd Sloan

Sent from my iPad

Irene Camacho-Werby

From: Nina Cote <nina.cote@sbcglobal.net>
Sent: Wednesday, April 20, 2022 1:04 AM
To: Town Council
Subject: Resolution to Oppose Proposed Location for Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

On April 20th the Windsor Town Council will be voting on a resolution to oppose the proposed Koi casino resort at 222 E. Shiloh Road.

The proposed location is in the midst of residential neighborhoods, parks, churches, and schools. The estimated number of visitors to the casino is over 25,000 per day, which is equivalent to adding the population of Windsor into this area daily.

The location is currently vineyards that have protected this area from fire two times in the last several years. The thought of losing the fire break as well as trying to evacuate with this number of added people is frightening.

This is truly not an appropriate location for a casino resort for so many reasons.

All five of our local Sonoma County tribes unanimously oppose this as well as your Town of Windsor constituents.

Thank you for putting this resolution on your agenda and I appreciate that the Town of Windsor will be going on record in opposition.

Sincerely, Nina Cote'
Windsor Resident

Irene Camacho-Werby

From: carolmartin016@gmail.com
Sent: Wednesday, April 20, 2022 11:55 AM
To: Town Council
Subject: Strongly oppose Casino project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Town Council,

I am a resident of Oak Park (next door to the proposed casino site).

I actually like going to casinos, but I strongly oppose locating a casino in a residential neighborhood.

I urge you to pass a resolution opposing the Casino Resort.

Thank you for your service to our community.

Sincerely,

Carol Martin



Windsor, CA 95492

Irene Camacho-Werby

From: Kathy Carey <kathy.r.carey@gmail.com>
Sent: Friday, October 1, 2021 6:27 PM
To: Town Council
Subject: Koi Nation Resort and Casino Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please do not allow this. Town of Windsor has a small town charm and this will no longer be the case if you allow this. Do not ruin this town with creed and kickbacks. The traffic in this area will be ridiculous. It will ruin my commute to work and the poor over 50 senior mobile home park across the street will suffer as well. For once, think of the town's residence and not your campaign kickbacks. If this is allowed, I swear I will make it my mission to see that you all are voted out of office. Don't sell us out!

Irene Camacho-Werby

From: Jeanne Powell <jeannepowell@yahoo.com>
Sent: Tuesday, October 12, 2021 12:51 PM
To: Town Council
Subject: Windsor Casino-Please say No

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

10/12/2021

Jeanne Harris Powell

[REDACTED]

Windsor, CA 95492

jeannepowell@yahoo.com

[REDACTED]

Dear Town Council Member of Windsor,

I am very fortunate to be a Windsor resident for over 30 years. I own 2 properties here, a home that my son, his wife and my two granddaughters live in and my condo in the Windsor Town Green. I am greatly concerned about the possibility of a casino coming to Windsor and would like to share those concerns.

Research has shown casinos lead to a plethora of social ills, including increased substance abuse, mental illness and suicide, violent crime, auto theft, larceny and bankruptcy. The latter three all increased by 10 percent in communities that allowed gambling. Casinos aren't even a particularly good source of tax revenue. Studies have found that Indian casinos cannibalize business at nearby restaurants and bars, and in so doing actually reduce state tax revenue.

As an RN who has worked at Providence Santa Rosa Memorial Hospital for over 27 years and have seen the repercussions of violent crime, mental illness and substance abuse please keep Windsor free from a casino.

Thank you,

Jeanne Harris Powell

Irene Camacho-Werby

From: Kim@kimedwards.com
Sent: Thursday, June 9, 2022 2:05 PM
To: Town Council
Subject: Koi Nation Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sonoma County is wine country not casino country. We already have 2 casinos which, fortunately, were not built in neighborhoods. We don't need a third. The disruption to the surrounding neighborhoods will include substantially increased traffic and associated accidents, elimination of a very popular bike route, negatively impacted real estate values, additional pressure on the limited water and power resources, and increased local crime.

Please stop this development

Kim Edwards



Sent from my iPad

TO:

Chad Broussard @ BIA
Tribal Affairs, Sonoma County
Sn McGuire
City of Windsor Town Council

From: Bob and Nancy Jenkins
June 19, 2022

We were shocked and appalled at the prospect of a third casino in our county. We strongly oppose development of the proposed Koi Casino on East Shiloh Avenue in Santa Rosa, California for the following reasons:

The Sonoma County Board of Supervisors voted unanimously to oppose the proposed casino. The Board said in a statement that the Koi are a "non-Sonoma County tribe." The board said it came to the decision based on letters of **opposition from five other Sonoma County tribes: The Kashia Band of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Cloverdale Rancheria of Pomo Indians, Federated Indians of Graton Rancheria and Lytton Band of Pomo Indians.** All five federally recognized Sonoma County tribes and the County of Sonoma itself, have written letters in opposition to the Koi Nation's application to take lands into trust in Sonoma County, where they have no ancestral ties.

Sonoma County doesn't need another casino. The planned **casino** would sit only about 18 miles from the River Rock Casino and a mere 13 miles from the Graton Resort and Casino.

The casino will bring **traffic, pollution, crime and lowered property values** to a substantial area of northeast Sonoma County.

The surrounding neighborhoods have been evacuated multiple times each of the past four years. Those evacuations have resulted in total gridlock scenarios due to dense surrounding residential neighborhoods on East Shiloh Road and limited escape routes in the immediate area. Adding the casino users— hotel, spa, 6 restaurants and 2000 employees— would create a **death trap in a wildfire.**

This project will result in huge **water and sewer impacts.** The infrastructure which was not designed for this kind of Use. The area was designed to support residential and agricultural use, and that is how it is currently zoned.

We hope that you will deny this project and/or reconsider its location.

Sincerely,

Bob and Nancy Jenkins
Sebastopol, CA

Irene Camacho-Werby

From: Jeanne Powell <jeannepowell@yahoo.com>
Sent: Tuesday, October 12, 2021 12:51 PM
To: Town Council
Subject: Windsor Casino-Please say No

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10/12/2021

Jeanne Harris Powell

[REDACTED]

Windsor, CA 95492

jeannepowell@yahoo.com

[REDACTED]

Dear Town Council Member of Windsor,

I am very fortunate to be a Windsor resident for over 30 years. I own 2 properties here, a home that my son, his wife and my two granddaughters live in and my condo in the Windsor Town Green. I am greatly concerned about the possibility of a casino coming to Windsor and would like to share those concerns.

Research has shown casinos lead to a plethora of social ills, including increased substance abuse, mental illness and suicide, violent crime, auto theft, larceny and bankruptcy. The latter three all increased by 10 percent in communities that allowed gambling. Casinos aren't even a particularly good source of tax revenue. Studies have found that Indian casinos cannibalize business at nearby restaurants and bars, and in so doing actually reduce state tax revenue.

As an RN who has worked at Providence Santa Rosa Memorial Hospital for over 27 years and have seen the repercussions of violent crime, mental illness and substance abuse please keep Windsor free from a casino.

Thank you,

Jeanne Harris Powell

Irene Camacho-Werby

From: Beverly Hong <bevhongwalsh@gmail.com>
Sent: Thursday, October 26, 2023 9:21 PM
To: singer@singersf.com
Cc: Town Council
Subject: Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern:

The Koi Nations casino will be a heartache for many.

1. The invasion by this new casino will create problems for the neighborhoods and kids involved. There are established neighborhoods

In the proposed location. Where as both River Rock and Graton are in more rural areas.

2. The Koi Nation is not even from Sonoma County. If this is allowed what would stop tribes from trying to set up where they are not from? This does not seem right.

3. This will cause much more traffic for this area.

4. Water use. How much water will be needed. We are still trying to recover from the drought.

5. With this, there will be much more in an area that has been quite and safe.

I believe if you asked, you would find many more people will oppose this rather than be for it.

Please reconsider this project and request other land which would be much more suitable.

Sincerely,

Beverly Hong-Walsh



Irene Camacho-Werby

From: Mary-Frances Makichen <mfmakichen@gmail.com>
Sent: Tuesday, September 6, 2022 8:39 AM
To: Kim Voge; Town Council
Subject: Bo Dean Asphalt/Koi Nation Shiloh Resort and Casino Project

I have this same question for town planners and city council that I've sent to the BIA.
Mary-Frances Makichen

From: Mary-Frances Makichen <mfmakichen@gmail.com>
Date: September 6, 2022 at 8:15:09 AM PDT
To: Chad.broussard@bia.gov
Subject: Koi Nation Shiloh Resort and Casino Project

Hi Chad,

Are you aware that the city of Windsor is now proposing an asphalt processing plant open near Shiloh road? It seems to me that the amount of trucks that would be going in and out of that plant would also impact the environmental review for the proposed casino. It does not seem like one can be considered without the other since neither would exist in a bubble.

What can be done to take this new information into account?

Thank you,
Mary-Frances Makichen

Irene Camacho-Werby

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council
Subject: KOI shiloh casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sam and town council,

I live in the neighborhood across the street in Windsor that they are proposing this casino. I am completely appalled that this is something that could potentially go up where I live. I moved from San Francisco to Windsor last year to live in a peaceful rural neighborhood. I spent a lot of money to do this.

The neighborhood across the street all have open space easements on the property. I could not build a pool on part of my property for that reason, it is preserved as agricultural land. Now they are going to put a casino in across the street? That certainly is not preservation and does not align with what I was told by the city or county.

I need to know what we can do to make sure this does not happen, I need your support. I will fight and take this where I need to, to stop this. I know you don't control this but you need to ban together with local leaders and I NEED you to be VOCAL about this. I am reaching out to Newsom and Pelosi through personal relationships and I expect you to extend your rolodex as well.

This is my neighborhood, not some strip mall! I am so angry. Please ban together with your other leaders to oppose this. This same tribe dropped pursuing a casino in Oakland in 2005 when city/town and County leaders banned together to oppose this. If there are leaders that support this, I must know and we need to know publicly. This is a gross act upon our neighborhood and where our children sleep at night.

I expect a response and hopefully you are already working on this.

Best,
Kristine Hannigan



Irene Camacho-Werby

From: Irene Camacho-Werby
Sent: Monday, September 20, 2021 9:50 AM
To: Sommer Hageman
Subject: FW: KOI shiloh casino

Sommer,

Please save to the file.

Thank you,
Irene

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: KOI shiloh casino

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I live in the neighborhood across the street in Windsor that they are proposing this casino. I am completely appalled that this is something that could potentially go up where I live. I moved from San Francisco to Windsor last year to live in a peaceful rural neighborhood. I spent a lot of money to do this.

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I expect a response and hopefully you are already working on this.

Best,
Kristine Hannigan



Irene Camacho-Werby

From: Arlene Santino <arlenesantino@yahoo.com>
Sent: Sunday, September 26, 2021 1:27 PM
To: Town Council
Subject: Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Windsor is a family town not Vegas do not allow this here in Windsor.

Sent from my iPhone

Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Thursday, September 28, 2023 5:17 PM
To: Town Council; Jon Davis
Subject: EA Comments, Koi Nation Shiloh Resort and Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

Thank you for all that participated last night in the BIA Zoom meeting. I presume the town will submit their comments regarding the significant impacts this project will have to Windsor. If you have not already, can you also request an additional 60 days to submit your comments? The BIA has historically agreed to additional time, and that way the town will not have to rush to get all the details compiled and submitted. I presume the town will publish and approve their letter before it is sent to the BIA. The impacts to the town of Windsor and its residents are so great, and it seems to me that the EA skipped over most of them. IE: evacuation, fire concerns, water, creek, wildlife, light pollution, noise pollution, traffic infrastructure, ect. ect, ect.

Many thanks for your attention to this ongoing matter.

Betsy Mallace
betsymallace@yahoo.com



Irene Camacho-Werby

From: Kathy Carey <kathy.r.carey@gmail.com>
Sent: Friday, October 1, 2021 6:27 PM
To: Town Council
Subject: Koi Nation Resort and Casino Project

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Please do not allow this. Town of Windsor has a small town charm and this will no longer be the case if you allow this. Do not ruin this town with creed and kickbacks. The traffic in this area will be ridiculous. It will ruin my commute to work and the poor over 50 senior mobile home park across the street will suffer as well. For once, think of the town's residence and not your campaign kickbacks. If this is allowed, I swear I will make it my mission to see that you all are voted out of office. Don't sell us out!

Irene Camacho-Werby

From: Casino Opposition - OurCommunityMatters <ourcommunitymatters2@gmail.com>
Sent: Sunday, October 9, 2022 10:13 AM
To: Town Council
Subject: Please Recind and Revise Proclamation
Attachments: OCM Letter to Town Council regarding 10 5 22 proclamtion.docx.pdf

October 9, 2022

Windsor Town Council
9291 Old Redwood Highway #400
Windsor, CA 95492

Dear Honorable Members Windsor Town Council Members,

On April 5th, 2022, the Sonoma County Board of Supervisors unanimously passed a resolution opposing the Koi Tribes application to build a casino resort on the southeast corner of the intersection of Shiloh Rd and Old Redwood Highway. Their resolution was, in large part, based on the fact that the Koi tribe is not an indigenous, native Sonoma County tribe. Their decision was unanimously supported by the five local indigenous Sonoma County Pomo tribes who provided documentation in support of the Proclamation. Thereafter, the city of Windsor passed a like Resolution opposing the casino project and adopting the County ordinance. The

Resolution also reflected the overwhelming opposition of the neighboring community to the casino project. On October 5th, 2022, the town of Windsor during a town council meeting issued a Proclamation declaring the month of October 2022 shall be Annual Pomo Honoring Month. The proclamation goes on to describe how it is honoring ..." Native Pomo people" ... who... "have historically occupied and/or had important relationships with lands of Sonoma County, including lands now occupied by the town of Windsor." The Proclamation goes on to mistakenly identify the Koi tribe as a local Sonoma County tribe. The inclusion of the Koi by name in this Proclamation actually harms the very tribes you are honoring, as well as the citizens of Windsor, in that it supports the Koi's claim of being an indigenous Sonoma County tribe.

Time is of the essence. The Proclamation in its current form does not reflect the town of Windsor's prior Resolution and is detrimental to efforts opposing the casino project. Please notify the Koi Tribe of the error and recall all copies of the Proclamation that have been distributed with appropriate language halting further use or publication. A new corrected Proclamation needs to be issued at your next meeting where you can publicly correct this error.

Best Regards,

Our Community Matters

P.O. Box 1421

Windsor, CA 95492

[Ourcommunitymatters2@gmail.com](mailto:ourcommunitymatters2@gmail.com)

Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Thursday, September 28, 2023 5:17 PM
To: Town Council; Jon Davis
Subject: EA Comments, Koi Nation Shiloh Resort and Casino

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Hello,

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Many thanks for your attention to this ongoing matter.

Betsy Mallace
betsymallace@yahoo.com



Irene Camacho-Werby

From: Marie Scherf <mscherf@bpm.com>
Sent: Saturday, November 4, 2023 7:16 PM
To: Town Council
Subject: Koi Nation Proposal

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Allowing a casino to be built on that site in Windsor would be disastrous for the neighborhood and for all the people who use Shiloh Park. It's such a beautiful area and the impact of a bustling casino would be so negative for pollution, traffic, etc. plus it would be a visual eyesore on a relatively pristine rural and agricultural landscape. According to my readings in the PD, the Koi Nation doesn't even have roots in this area, so I am astonished that this would be seriously considered.

Whatever else I can do to vote NO on this proposal, please let me know.

Marie Scherf


NEW TAX LAWS

There have been many recent tax law changes. For more information about these new tax laws, please visit our website at www.bpm.com

CONFIDENTIALITY NOTICE: This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Irene Camacho-Werby

From: Patty Lundberg <p.lundberg@ymail.com>
Sent: Wednesday, November 17, 2021 8:33 PM
To: Kimberly Jordan
Cc: Irene Camacho-Werby
Subject: Re: New construction in Windsor - Shiloh Road, Mitchell Lane, and Possible Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Correction, Shiloh Crossing.

Patty

On Nov 17, 2021, at 7:23 PM, Patty Lundberg <p.lundberg@ymail.com> wrote:

It's Shiloh Apartments and yes it's "Affordable Housing." Not great if you are selling right around the corner.

Patty

On Nov 17, 2021, at 6:44 PM, Kimberly Jordan <kjordan@townofwindsor.com> wrote:

Hi Patty,
The Town does not have the information you are requesting. You would need to contact the developer identified for each of the projects to get the information requested.
Best Regards, Kim J

From: Patty Lundberg <p.lundberg@ymail.com>
Sent: Wednesday, November 17, 2021 3:58 PM
To: Irene Camacho-Werby <iwerby@townofwindsor.com>
Cc: Kimberly Jordan <kjordan@townofwindsor.com>
Subject: Re: New construction in Windsor - Shiloh Road, Mitchell Lane, and Possible Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you for this.

- 1.) Do you know the names of the business that will be operating under the apartments on Shiloh?
- 2.) Are any of these Section 8 or for the homeless? Do you know what will this be called?
- 3.) Which types of homes and price points for Overlook division on Mitchell and Windsor River Road.

I am turning 60 in January and want to put my house on the market in Spring. I doubt these will bring home prices up in Windsor : (Distressing news.

Patty
Birdie Drive

On Nov 17, 2021, at 2:16 PM, Irene Camacho-Werby
<iwerby@townofwindsor.com> wrote:

Hello Patty,

With regards to the inquiry regarding the proposed casino, the property the Koi Nation is proposing to develop a casino on is not within the Town's jurisdiction. There are federal and state approvals that must be secured by the Tribe before construction can proceed. At this time, we do not have a sense of the timing for federal and state review or for construction of the casino should the Tribe receive those approvals.

Sincerely,
Irene

Town Clerk | Town of Windsor
Office (707) 838-5315
iwerby@townofwindsor.com
Office Hours: Mon. – Thurs. 7:00 am to 6:00 pm

-----Original Message-----

From: Kimberly Jordan <kjordan@townofwindsor.com>
Sent: Wednesday, November 17, 2021 1:19 PM
To: Patty Lundberg <p.lundberg@ymail.com>
Cc: Irene Camacho-Werby <iwerby@townofwindsor.com>
Subject: RE: New construction in Windsor - Shiloh Road, Mitchell Lane, and Possible Casino

Good afternoon Patty,

Thank you for contacting the Town regarding the developments below. Attached is the Town's current Major Project List. The project at Mitchell Lane and Windsor Road is the Overlook project. The projects on Shiloh Road and Golf Course Drive are Shiloh Mixed-Use and Shiloh Apartments. Information regarding these projects can be found in the attached list, including the project planner who can answer any questions you may have regarding the individual developments.

I have copied the Town Clerk on this email, since I think questions regarding the possible development of a casino are being answered by the Town Manager's office, but am not sure.

Best Regards, Kim J

Kimberly Jordan | Planner III
Town of Windsor | 9291 Old Redwood Highway Bldg. 400 | Windsor, CA 95492
707-838-1000 Main via Text or Phone | 707-838-5331 Direct | 707 838-

7349 Fax| Monday – Thursday 7am - 6pm www.townofwindsor.com

Due to Public Health Orders, I am working remotely outside of Town offices to avoid person-to-person contact and help prevent the spread of the coronavirus. I am checking my email and voice messages regularly during my work hours, 7:00 a.m. to 6:00 p.m., Monday through Thursday, and will return all messages within one business day.

Your patience and understanding as we work together to keep our community safe is appreciated. Please visit www.townofwindsor.com for more information.

-----Original Message-----

From: Patty Lundberg <p.lundberg@ymail.com>
Sent: Wednesday, November 17, 2021 12:38 PM
To: Kimberly Jordan <kjordan@townofwindsor.com>
Subject: New construction in Windsor

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

I live on Birdie Drive in Windsor. Could you please tell me what is being built on the 3 parcels below and estimate completion dates for each.

1.) North side of Shiloh Road at Golf Course Drive (both East AND West of of Golf Course.

2.) Mitchell Lane and Windsor Road

I also read about the casino coming to 222 E Shiloh Road. Do you know when that will be built and it's estimated completion date.

Are there any other approved construction going on in Windsor?

I couldn't find this information on the Town of Windsor site.

Thank you

Patty

Irene Camacho-Werby

From: Lisa Shatnawi <lisashatnawi@gmail.com>
Sent: Sunday, August 28, 2022 4:55 PM
To: Town Council
Subject: Asphalt plant/ casinos etc

Hi town council,

First of all thank you for all that you do for our town!
I just want to weigh in on the casino and asphalt plant possibilities.
No to both! Let's keep our little town small and a sanctuary for us residents!
Please no smelly asphalt plant and no casino!

Sent from my iPhone

Blessings to you and yours,

Lisa Shatnawi
lisashatnawi@gmail.com

Irene Camacho-Werby

From: walterbrusz@comcast.net
Sent: Wednesday, April 20, 2022 12:00 PM
To: Town Council
Subject: Attached public comment on Casino Resolution
Attachments: Windsor Town Council comment 042022.docx

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please find attached my public comment.
Walter Bruszewski

Irene Camacho-Werby

From: Mary-Frances Makichen <mfmakichen@gmail.com>
Sent: Tuesday, September 6, 2022 8:39 AM
To: Kim Voge; Town Council
Subject: Bo Dean Asphalt/Koi Nation Shiloh Resort and Casino Project

I have this same question for town planners and city council that I've sent to the BIA.
Mary-Frances Makichen

From: Mary-Frances Makichen <mfmakichen@gmail.com>
Date: September 6, 2022 at 8:15:09 AM PDT
To: Chad.broussard@bia.gov
Subject: Koi Nation Shiloh Resort and Casino Project

Hi Chad,

Are you aware that the city of Windsor is now proposing an asphalt processing plant open near Shiloh road? It seems to me that the amount of trucks that would be going in and out of that plant would also impact the environmental review for the proposed casino. It does not seem like one can be considered without the other since neither would exist in a bubble.

What can be done to take this new information into account?

Thank you,
Mary-Frances Makichen

Irene Camacho-Werby

From: Arlene Santino <arlenesantino@yahoo.com>
Sent: Sunday, September 26, 2021 1:27 PM
To: Town Council
Subject: Casino

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Windsor is a family town not Vegas do not allow this here in Windsor.

Sent from my iPhone

WALTER BRUSZEWSKI

Windsor CA 95492 USA

April 20, 2022

The Windsor Town Council

My wife and I have lived in the Oak Park development in Windsor since 1998. Our back yard is directly adjacent to East Shiloh Rd. We can see the vineyard and oak trees from our kitchen and bedroom windows. We walk our dog in Esposti Park daily and hike in the Shiloh Ranch Regional Park about twice a week. We evacuated for both the Tubbs and the Kincaide fires. We are both retired and have hoped that we could live out our days where we are. If the proposed Koi Nation casino is developed on the parcel just behind our backyard, we will need to leave this neighborhood. Living next to 68 acres of parking lot, casinos and a 400-unit hotel is a miserable alternative which we will not entertain. We didn't come to Sonoma County for this.

I expect the Town of Windsor, on behalf of its citizens, to oppose the development using every means possible. The Koi nation has partnered with Global Gaming Solutions (GGS), a business which operates 23 casinos and is wholly owned by the Chickasaw Nation in Oklahoma. This organization, based in Oklahoma would operate the proposed casino. According to the Press Democrat, GGS "modeling shows this area is nowhere near saturation" and that "there is demand for a gambling facility of this size." We are members of Our Community Matters, a group which includes many more people than residents of Oak Park. None of us feels that a casino is needed here. In fact, we don't want it here!

We in California are facing what is essentially a permanent drought. The cause of the drought is Global Climate Change. I was trained to be an academic scientist and I continue to monitor scientific data which indicates that the Earth can tolerate no more heating. The wildfires, shortage of water, and disappearance of plant and animal species will only worsen. Everything about the casino will contribute to production of more greenhouse gasses and more drought. The casino project projects over 57,000 visitors a day. That means that the 68-acre parcel will be mostly parking lot and buildings. It is currently a vineyard with an established stream that drains the Mayacamas Mountains, a well-established riparian corridor and hundreds of old native California trees including oaks, buckeye, and laurels. This landscape consumes and stores greenhouse gasses and prevents warming. Asphalt, covered with thousands of cars adds to warming. Sonoma county, along with much of California is facing critically depleted aquifers. Aquifers are replenished when rain can be absorbed into the soil. Asphalt stops penetration and sends rainwater to the storm drains and into the sea. The water is lost.

If you visit the Graton Casino, you will get an idea of how much light and noise pollution will attend the proposed development, but the plan is for a casino twice the size of Graton. Now our neighborhood is dark at night and the soundscape is a subdued Coyote Symphony. If the project goes forward, the light pollution will be on the order of a large shopping mall.

This neighborhood has proven twice in recent times to be a high wildfire risk. As it is, a lot of people use East Shiloh as the evacuation route. Evacuation of thousands of people with their cars at the casino will endanger everyone.

I hope this letter helps clarify the threat that part of Windsor faces if casino development is not stopped.

With best regards,

Walter Bruszewski

Irene Camacho-Werby

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council
Subject: KOI shiloh casino

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The neighborhood across the street all have open space easements on the property. I could not build a pool on part of my property for that reason, it is preserved as agricultural land. Now they are going to put a casino in across the street? That certainly is not preservation and does not align with what I was told by the city or county.

I need to know what we can do to make sure this does not happen, I need your support. I will fight and take this where I need to, to stop this. I know you don't control this but you need to ban together with local leaders and I NEED you to be VOCAL about this. I am reaching out to Newsom and Pelosi through personal relationships and I expect you to extend your rolodex as well.

This is my neighborhood, not some strip mall! I am so angry. Please ban together with your other leaders to oppose this. This same tribe dropped pursuing a casino in Oakland in 2005 when city/town and County leaders banned together to oppose this. If there are leaders that support this, I must know and we need to know publicly. This is a gross act upon our neighborhood and where our children sleep at night.

I expect a response and hopefully you are already working on this.

Best,
Kristine Hannigan
[REDACTED]
Windsor, Ca

Irene Camacho-Werby

From: Irene Camacho-Werby
Sent: Monday, September 20, 2021 9:50 AM
To: Sommer Hageman
Subject: FW: KOI shiloh casino

Sommer,

Please save to the file.

Thank you,
Irene

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: KOI shiloh casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sam and town council,

I live in the neighborhood across the street in Windsor that they are proposing this casino. I am completely appalled that this is something that could potentially go up where I live. I moved from San Francisco to Windsor last year to live in a peaceful rural neighborhood. I spent a lot of money to do this.

The neighborhood across the street all have open space easements on the property. I could not build a pool on part of my property for that reason, it is preserved as agricultural land. Now they are going to put a casino in across the street? That certainly is not preservation and does not align with what I was told by the city or county.

I need to know what we can do to make sure this does not happen, I need your support. I will fight and take this where I need to, to stop this. I know you don't control this but you need to ban together with local leaders and I NEED you to be VOCAL about this. I am reaching out to Newsom and Pelosi through personal relationships and I expect you to extend your rolodex as well.

This is my neighborhood, not some strip mall! I am so angry. Please ban together with your other leaders to oppose this. This same tribe dropped pursuing a casino in Oakland in 2005 when city/town and County leaders banned together to oppose this. If there are leaders that support this, I must know and we need to know publicly. This is a gross act upon our neighborhood and where our children sleep at night.

I expect a response and hopefully you are already working on this.

Best,
Kristine Hannigan
[REDACTED]
Windsor, Ca

Irene Camacho-Werby

From: Kim@kimedwards.com
Sent: Thursday, June 9, 2022 2:05 PM
To: Town Council
Subject: Koi Nation Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sonoma County is wine country not casino country. We already have 2 casinos which, fortunately, were not built in neighborhoods. We don't need a third. The disruption to the surrounding neighborhoods will include substantially increased traffic and associated accidents, elimination of a very popular bike route, negatively impacted real estate values, additional pressure on the limited water and power resources, and increased local crime.

Please stop this development

Kim Edwards

[REDACTED]

95403

Sent from my iPad

Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Tuesday, June 21, 2022 2:26 PM
To: Town Council
Cc: Mark Linder; Irene Camacho-Werby
Subject: Koi Nation Environmental Assessment Scoping -- Public comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,

I am sorry I missed the last meeting, I was at the yearly Windsor Historical Museum meeting, both happening at the same time.

I just realized that the Towns public comment for the Koi Nation Environmental Assessment scoping was not publicly discussed/agendized. All comments are due to the BIA not later than 6/27/2022. There are no meetings scheduled between now and the due date.

Can you let me know where the town stands on their official public comments?? Will you ask for a 30 day extension so you can get community input? Since this is a scoping comment period, anything NOT mentioned will never be considered, so now is the time to let them know ANY/ALL our concerns.

Below are the links to the NOP and the EA. Looking forward to your reply. Many thanks,

<https://www.shilohresortenvironmental.com/>

https://www.shilohresortenvironmental.com/wp-content/uploads/2022/05/NOP_EA.TEIR_Koi-Nation-Shiloh-Resort-and-Casino-1.pdf

Betsy Mallace
betsymallace@yahoo.com

Irene Camacho-Werby

From: Marie Scherf <mscherf@bpm.com>
Sent: Saturday, November 4, 2023 7:16 PM
To: Town Council
Subject: Koi Nation Proposal

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Allowing a casino to be built on that site in Windsor would be disastrous for the neighborhood and for all the people who use Shiloh Park. It's such a beautiful area and the impact of a bustling casino would be so negative for pollution, traffic, etc. plus it would be a visual eyesore on a relatively pristine rural and agricultural landscape. According to my readings in the PD, the Koi Nation doesn't even have roots in this area, so I am astonished that this would be seriously considered.

Whatever else I can do to vote NO on this proposal, please let me know.

Marie Scherf


NEW TAX LAWS

There have been many recent tax law changes. For more information about these new tax laws, please visit our website at www.bpm.com

CONFIDENTIALITY NOTICE: This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Irene Camacho-Werby

From: Kathy Carey <kathy.r.carey@gmail.com>
Sent: Friday, October 1, 2021 6:27 PM
To: Town Council
Subject: Koi Nation Resort and Casino Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please do not allow this. Town of Windsor has a small town charm and this will no longer be the case if you allow this. Do not ruin this town with creed and kickbacks. The traffic in this area will be ridiculous. It will ruin my commute to work and the poor over 50 senior mobile home park across the street will suffer as well. For once, think of the town's residence and not your campaign kickbacks. If this is allowed, I swear I will make it my mission to see that you all are voted out of office. Don't sell us out!

Our Community Matters
An Association of Neighbors in Sonoma County, CA

5828 Matilde Drive
Windsor, California 95492

Telephone: (707) 293-4919
Email: ourcommunitymatters2@gmail.com

October 30, 2021

Via U.S. Mail and Email

Email Address: IndianGaming@bia.gov

Paula Hart, Director
Office of Indian Gaming
U.S. Department of the Interior
1849 C Street, N.W.
MS-3543-MIB
Washington, D.C. 20240

Re: Request for Restored Lands Determination by Koi Nation

Dear Director Hart:

Our Community Matters, a neighborhood association of over 150 Sonoma County residents, submits this letter in opposition to the request for a “restored lands” determination sought by the Koi Nation of Northern California, previously called the Lower Lake Rancheria (the “Tribe”). The Tribe announced that it has recently purchased 68 acres of land in the unincorporated area of Sonoma County for the purpose of building a 1.2 million square foot casino calling for 2,500 slot and other gaming machines, a 200-room hotel, six restaurant and food service areas, a meeting center, and a spa. We understand the Tribe is seeking an exception to the prohibition of gaming on newly-acquired lands pursuant to the 1988 Indian Gaming Regulatory Act (“IGRA”).

The subject property contains several vineyards and a single grand residence, located at 222 E. Shiloh Road, Santa Rosa, California (the “Shiloh Property”). Sonoma County records reveal that a California limited liability company named Sonoma Rose LLC purchased the Shiloh Property on September 1, 2021. (See Attachment 1.) The Tribe does not currently hold ownership of the land in its own name.

The Shiloh Property directly abuts the Southeast edge of the Town of Windsor (population 27,447) and lies at the corner of two main traffic arteries, Shiloh Road and Old Redwood Highway. Many houses are directly across the street from the property along East Shiloh as well as Old Redwood Highway, including homes in the Oak Park subdivision and the Colonial Park mobile home park.

Neighbors formed *Our Community Matters* for the sole purpose of opposing the Tribe’s proposed mega-casino and resort on the Shiloh Property, as we are convinced the project would be devastating to our community, cause health and safety issues, and negatively impact the environment. Put simply, the location is inappropriate for the Tribe’s proposed mega-casino and resort project.

For purposes of the Office of Indian Gaming Management’s (“OIGM’s”) review, it is perhaps even more important that the Tribe has no historical connection to the Shiloh Property nor the surrounding community. The Tribe has simply gone shopping for a place to put a casino and, without consulting any neighbors or local government officials, has decided that our backyard is the best place for it. The location, however, is not well-chosen, and construction of the mega-casino and resort will likely have damaging consequences.

Below is a discussion of the issues and what we have discovered.

I. The Tribe’s Request for Permission to Game on the Shiloh Property Should Be Denied Under IGRA

A. IGRA’s Legal and Regulatory Framework

Indian tribes may operate casinos only on “Indian lands” that are eligible for gaming under the IGRA. To be deemed “Indian lands” per the IGRA (25 U.S.C. § 2703), the land must be located within the limits of a tribe’s reservation, be held in trust by the United States for the benefit of the tribe or its members, or be land subject to restrictions against alienation by the United States for the benefit of the tribe or its members. Additionally,

the tribe must have jurisdiction and exercise governmental powers over the gaming site. If the land is not “Indian lands” and fails to meet these other requirements, then it is subject to state gambling laws.¹

Importantly, the IGRA (25 U.S.C. § 2719 (“Section 2719”)) contains a general prohibition against gaming on lands acquired into trust after October 17, 1988. Tribes may game on such after-acquired trust land only if the land meets one of the two exceptions listed in Section 2719:

1. If the Secretary, “after consultation with the Indian tribe and appropriate State and local officials, including officials of other nearby Indian tribes, determines that a gaming establishment on newly acquired lands would be in the best interest of the Indian tribe and its members, and would not be detrimental to the surrounding community, but only if the Governor of the State in which the gaming activity is to be conducted concurs in the Secretary's determination” (25 U.S.C. § 2719(b)(1)(A)); and
2. The lands are “taken into trust as part of— (i) a settlement of a land claim, (ii) the initial reservation of an Indian tribe acknowledged by the Secretary under the Federal acknowledgment process, or the restoration of lands for an Indian tribe that is restored to Federal recognition.” (25 U.S.C. § 2719(b)(1)(B)(iii).)

Our Community Matters understands the Tribe is not seeking to utilize the first of these exceptions to obtain permission to build a casino on its newly-acquired land per 25 U.S.C. § 2719(b)(1)(A), as doing so would require it to consult with State and local officials and other nearby tribes. Rather than reaching out to these community groups and officials to gain support for its mega-casino project, the Tribe simply announced it via the press, to the surprise of Federal, State, and local officials.² The Tribe is seeking to circumvent this collaborative process most likely due to the fact that it has used it in the past to no avail: we understand the Tribe’s previous requests to build casinos in Vallejo and Oakland were soundly rejected.

The Tribe is thus currently invoking the second exception, seeking to be deemed a “restored tribe” and for its purchase of the Shiloh Property to be considered a “restoration of lands” under Section 2719(b)(1)(B)(iii). While a District Court has determined the Tribe is a “restored tribe” under IGRA,³ the Tribe’s request for the Shiloh Property to be deemed a “restoration of lands” should be rejected.

Because the IGRA does not define the term “restoration of lands,” and the language is susceptible to multiple meanings, it is subject to interpretation by the Department of Interior (“DOI”) through regulation.⁴ The DOI has adopted regulations to interpret the exception, as well as “[w]hat must be demonstrated to meet the ‘restored lands’ exception” found at 25 U.S.C. § 2719(b)(1)(B)(iii). (25 C.F.R. § 292.7; Gaming on Trust Lands Acquired After October 17, 1988, 73 Fed. Reg. 29,354 (May 20, 2008) (“Part 292”).)

¹ See National Indian Gaming Commission: Definitions Under the Indian Gaming Regulatory Act, 57 Fed. Reg. 12382, 12388 (1992).

² See <https://www.pressdemocrat.com/article/north-bay/koi-indian-tribe-unveils-plans-for-600-million-casino-resort-in-sonoma-cou/>.

³ See *Koi Nation of N. California v. United States Dep't of Interior*, 361 F. Supp. 3d 14 (D.D.C. 2019), amended sub nom. *Koi Nation of N. California v. United States Dep't of the Interior*, No. CV 17-1718 (BAH), 2019 WL 11555042 (D.D.C. July 15, 2019), and appeal dismissed sub nom. *Koi Nation of N. California v. United States Dep't of the Interior*, No. 19-5069, 2019 WL 5394631 (D.C. Cir. Oct. 3, 2019). While there may be other challenges to the Tribe’s status as a “restored tribe” under IGRA not addressed in that decision, *Our Community Matters* expresses no opinion on that issue.

⁴ See, e.g., *Grand Traverse Band of Ottawa and Chippewa Indians v. U.S. Attorney for W. Dist. of Mich.*, 198 F. Supp. 2d 920, 928 (W.D. Mich. 2002), aff'd 369 F.3d 960 (6th Cir. 2004); *Oregon v. Norton*, 271 F. Supp. 2d 1270, 1277 (D. Or. 2003).

Pursuant to Part 292, to show that lands qualify as “restored,” a tribe must establish:

- (a) a modern connection to the lands;
- (b) a significant historical connection to the lands; and
- (c) a temporal connection between the date of acquisition and the tribe’s restoration.

(25 C.F.R. § 292.12 (“Section 292.12”).)

To demonstrate a “significant historical connection” under Part 292, a tribe can either (a) show that “the land is located within the boundaries of the tribe’s last reservation under a ratified or unratified treaty”; or (b) “demonstrate by historical documentation the existence of the tribe’s villages, burial grounds, occupancy or subsistence use in the vicinity of the land.” (25 C.F.R. § 292.2.) As the DOI explained in the preamble to Part 292, the word “significant” was used because it “reinforces the notion that the connection must be something more than ‘any’ connection.” (73 Fed. Reg. at 29,366.)

Further, the structure of Section 292.12 indicates that the connection demonstrated must be to the newly-acquired land itself, not simply its surrounding area. As explained in the preamble to the final rule promulgating Part 292, what is required is “something more than evidence that a tribe merely passed through a particular area.” (73 Fed. Reg at 29,366.)

B. The Shiloh Property is Not the Tribe’s “Restored” Lands

The Tribe’s request for the Shiloh Property to be deemed its “restored” lands does not meet Section 292.12’s second requirement, that the Tribe have a “significant historical connection” to that land, for two reasons.

First, the Shiloh Property is not located within the boundaries of the Tribe’s last reservation under a ratified or unratified treaty. (See 25 C.F.R. § 292.2.) The Tribe’s last reservation was purchased by Congress in 1916: a 140-acre parcel in Lake County between the towns of Lower Lake and Clear Lake Heights known as Purvis Flat. Purvis Flat is approximately 49 miles from the Shiloh Property; the Shiloh Property simply does not fall within the reservation’s boundaries. Further, on its website, the Tribe verifies that after the government sold Purvis Flat to Lake County for a municipal airport, the Tribe became landless.⁵ Accordingly, the Tribe cannot reasonably claim the Shiloh Property is located within the boundaries of the Tribe’s last reservation.

Second, research has revealed no evidence to demonstrate the existence of the Tribe’s villages, burial grounds, occupancy or subsistence use in the vicinity of the Shiloh Property. (See 25 C.F.R. § 292.2.) In fact, the Tribe’s ancestral home was on an island in Clear Lake in Lake County, approximately 55 miles North of the Shiloh Property.⁶ The distance between the Shiloh Property and the Tribe’s ancestral lands is just too great to demonstrate a “significant historical connection” between the two. In addition, the Tribe’s lack of historical connection to the Shiloh Property area was also recently verified in a Cultural Resources Study focusing on property at the corner of Shiloh Road and Old Redwood Highway, presented to the Town of Windsor’s Planning Commission regarding a proposed residential project at that corner.⁷ While nine tribes were listed as possibly having a historical connection to the area, none of them were the Koi Tribe.

While the Tribe will likely argue that some of its members have resided in Sonoma County over the past hundred years or so, such a factor is insufficient to demonstrate a “significant historical connection” to the Shiloh Property. Indeed, while a tribe’s activities in the vicinity of a property may be used to reasonably infer a

⁵ See <https://www.koinationsonoma.com/history/>.

⁶ See <https://www.koinationsonoma.com/history/>.

⁷ See https://windsor-ca.granicus.com/MetaViewer.php?view_id=2&clip_id=1308&meta_id=81164, at pages 10, *et seq.*, and Attachment A.

tribe used the subject property for subsistence use, no such inference can be made by showing tribal members lived within a 10-20 mile radius of the property in modern times. Section 292.12 requires the Tribe to show a connection to the newly-acquired land *itself*, not just the surrounding area, as it provides that “[t]o establish a connection to the newly acquired lands [for the purposes of the restored lands exception] . . . [t]he tribe must demonstrate a significant historical connection *to the land*.” (emphasis added). Research has revealed no evidence the Tribe or its members have had any connection to the Shiloh Property *itself*, and such a connection is highly unlikely due to the fact the property has been in private hands.

Moreover, the DOI’s past “restored lands” decisions also demonstrate the Shiloh Property should not be declared a “restoration of lands” for the Tribe. For example, on February 7, 2019, the DOI denied a request by another Lake County Indian tribe, the Scotts Valley Band of Pomo Indians (“Scotts Valley”), for a “restored lands” determination for its newly-acquired parcel in the City of Vallejo, California.⁸ In fact, Scotts Valley had a stronger case than the Tribe for a restored lands determination, as it claimed its ancestors collected provisions near the subject land, and that a tribal chief traveled in the region throughout his life, may have been baptized 17 miles from the land, and worked as a ranch hand and migrant laborer in the area of the land. Despite these ties, the DOI determined that Scotts Valley had failed to show a “significant historical connection” to the subject land because the intermittent presence of the Tribe’s ancestors did not indicate a broader presence to the area as a whole, and there was no evidence of ancestral use of the subject land itself. Scotts Valley has sought to overturn that decision via judicial review, and the DOI’s motion papers filed in the case on October 1, 2021, demonstrate its commitment to enforcing current DOI regulations and policies on those issues.⁹

Moreover, the Federated Indians of Graton Rancheria has gone on record opposing the Tribe’s request for a “restored lands” determination for the Shiloh Property. Specifically, Chairman Greg Sarris stated in an article he authored: “This is an egregious attempt at reservation shopping outside the Koi Nation’s traditional territory and within the territory of other federally recognized tribes.”¹⁰ *Our Community Matters* believes this is the heart of the issue, and that the Tribe’s request for the Shiloh Property to be deemed its “restored” lands should be denied.

II. The Shiloh Property is an Inappropriate Location for a Casino and Resort

While not expressly part of the “restored lands” analysis, *Our Community Matters* believes it is also important to consider how inappropriate the Shiloh Property is for the location of a mega-casino and resort, as follows.

A. Proximity to Residences, Parks, and Elementary Schools

As shown on an aerial view of the Shiloh Property (*see* Attachment 2), it is located across the street from two housing areas on the North side and a mobile home park the West side (there is also a church on the West side). Esposti Park, which is a sports park utilized heavily by Little League teams, is located directly North across the street from the Shiloh Property at the corner of E. Shiloh Road and Old Redwood Highway.

In addition, the attached photo does not show the following: (1) Shiloh Park, a Sonoma County Regional Park which allows for nature-based hiking and horseback riding, is located just 0.4 miles to the West of the Shiloh Property; (2) San Miguel Elementary School, including its surrounding residential neighborhood, is located just 1.4 miles South of the Shiloh Property; (3) Mark West Union Elementary School, including its surrounding residential neighborhood, is located just 1.9 miles from the Shiloh Property; (4) Mattie Washburn Elementary

⁸ See <https://www.timesheraldonline.com/wp-content/uploads/2019/08/DOI-Letter-Scotts-Valley-Restored-Lands-Decision-re-Vallejo-2-7-2019-1.pdf>

⁹ See *Scotts Valley Band of Pomo Indians v. U.S. Dept. of the Interior*, U.S. Dist. Ct., District of Columbia, Case No. 1:19-CV-01544-ABJ, Memorandum in Support of Federal Defendants’ Cross Motion for Summary Judgment and in Opposition to Plaintiff’s Motion for Summary Judgment, Dkt. No. 55, Filed October 1, 2021.

¹⁰ See <https://www.pressdemocrat.com/article/news/graton-rancheria-statement-on-koi-nations-application-for-gaming-facility/>.

School, including its surrounding residential neighborhood, is located just 2.1 miles away from the Shiloh Property; and (5) both Shiloh Road and Old Redwood Highway are major travel arteries for the community.

There is simply insufficient space between the Tribe's proposed mega-casino/resort and these residences, parks and schools to prevent negative effects from noise pollution, light pollution, car exhaust pollution, and traffic from impacting the community. The ecological effects alone in this relatively rural and bucolic area would be substantial. Moreover, the associated negative aspects that ride along with casinos, such as theft, vandalism, drug use, trespassing, etc., would have an overwhelmingly negative impact on our small community.

Further, we are experiencing extreme drought at this time,¹¹ which is expected to be the new normal due to climate change. The Tribe's proposed mega-casino and resort would put tremendous demands on our local resources, including our water table, which we expect will cause water and other conditions to worsen.

B. Lack of Sufficient Wildfire Evacuation Corridors

In the 2017 Tubbs wildfire, over 5,300 homes in Sonoma County burned to the ground. Many of those homes were located just a few minutes' drive to the South of the Shiloh Property. The wildfire came without warning in the night, and there were no emergency messages or evacuations. Since that time, local emergency services aim to provide sufficient warning of wildfires, to enable residents to evacuate with their lives, their pets, and some property.

Attachment 3 to this letter contains a map showing the number and locations of wildfires in the area since 2015 which have ravaged our landscape, both physical and emotional. *Our Community Matters* members have evacuated two to three times in the past four years due to wildfires. For example, in 2019, our members and 50,000 Sonoma County residents were ordered to evacuate to escape the Kincadee Wildfire. Evacuating residents caused traffic jams at the corner of Old Redwood Highway and Shiloh Road, which became almost impassable. Highway 101, the primary North-South artery, was at a standstill Southbound, leading away from the fire.

The Tribe's proposal to develop a mega-casino and resort on the Shiloh Property could very well have life threatening consequences for our community members, as there are simply not enough evacuation routes for us let alone the tens of thousands of people the Tribe expects to host on the property. Further, removing the vast majority of the vineyards on the Shiloh Property will increase the fire threat to our community, as vineyards have proven to be a significant fire break.

C. Lack of Hospitality Workers

The Tribe has indicated it plans on hiring 1,100 employees to work the casino and resort. However, there is a shortage of hospitality workers in our area that has reached the critical stage. In fact, a local restaurant just down the street from the Shiloh Property recently announced it will have to close because it cannot find workers to staff it.¹²

The local newspaper, the Press Democrat, reported in a September 1, 2021, article that "[t]hroughout the country, restaurants are facing a critical shortage of workers... Locally, restaurants have even resorted to

¹¹ See <https://www.drought.gov/states/California/county/Sonoma>.

¹² See <https://www.sonomamag.com/this-is-the-new-reality-popular-santa-rosa-creperie-closes-for-lack-of-staff/?gSlide=1>.

closing on certain days, because of the staffing crunch.”¹³ The workforce shortage is due primarily to the “extremely high cost of living and a shortage of affordable, workforce housing” in our area.¹⁴

Our Community Matters is concerned about the Tribe’s proposed mega-casino and resort taking employees away from our local businesses, causing more of them to close and further decreasing the unique and diverse aspects of our community.

III. Conclusion

Our Community Matters urges the OIGM to reject the Tribe’s request for a “restored lands” exception to the prohibition of gaming on newly-acquired lands. We believe the Shiloh Property is not the Tribe’s restored lands, and that the Tribe has no actual connection to that land from either a modern or historical perspective. Moreover, we believe that the Tribe’s proposed mega-casino and resort would be simply devastating to our community.

We appreciate your consideration of these issues. Should you have any questions, or would like further information, please let me know.

Best regards,

Nina Cote
Steering Committee Chair
Our Community Matters

cc: Robert Pittman, County Counsel, County of Sonoma – Email only: robert.pittman@sonoma-county.org
Jose Sanchez, City Attorney, Town of Windsor – Email only: jsanchez@meyersnave.com
Jared Huffman, U.S. Representative – Fax only: (202) 225-5163
Michael Thompson, U.S. Representative – Fax only: (202) 225-4335
Gavin Newsom, Governor of the State of California – Fax only: (916) 558-3160
Darryl LaCounte, Director of the Bureau of Indian Affairs, DOI

¹³ See <https://www.northbaybusinessjournal.com/article/news/starks-restaurant-group-in-sonoma-county-hosts-party-and-lottery-to-coax-wo/>; see also <https://www.pressdemocrat.com/article/news/sonoma-county-restaurants-still-struggling-in-2021/>; see also <https://www.pressdemocrat.com/article/business/sonoma-county-hospitality-sector-struggles-to-find-workers-despite-high-job/>; see also <https://www.sonomanews.com/article/news/help-wanted-sonoma-valley-businesses-struggle-to-hire/>.

¹⁴ See <https://www.northbaybiz.com/2021/07/19/labor-shortages-in-a-post-pandemic-world/>.

Attachment 1

Page 1 of 3

This document was electronically submitted to the County of Sonoma for recording

2021100185

Official Records of Sonoma County
Deed Part 18 Procs
#2021100185-00-00-00
FIDELITY NATIONAL TITLE | SONOMA TITLE | EN

DEED 3 Pgs

Fee: \$36.00
County Tax: \$13,336.00



RECORDING REQUESTED BY:
Fidelity National Title Company

When Recorded Mail Document
and Tax Statement To:
SONOMA ROSE, LLC

Escrow Order No.: FSNX-7052000481CF
Property Address: 222 E. Shiloh Road,
Santa Rosa, CA 95403
APN/Parcel ID(s): 059-300-003-000

SPACE ABOVE THIS LINE FOR RECORDER'S USE
Exempt from fee per DC 21285.1(a)(2). This document is a transfer that is subject to
Documentary Transfer Tax

GRANT DEED

The undersigned grantor(s) declare(s)

- This transfer is exempt from the documentary transfer tax.
 The documentary transfer tax is \$13,336.00 and is computed on
 the full value of the interest or property conveyed.
 the full value less the liens or encumbrances remaining thereon at the time of sale.
The property is located in an Unincorporated area.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Randall C. Clifton and Cynthia A. Clifton, Trustees of The Randall C. Clifton and Cynthia A. Clifton Trust Agreement dated June 30, 2005

hereby GRANT(S) to SONOMA ROSE, LLC, a California limited liability company

the following described real property is the Unincorporated Area of the County of Sonoma, State of California

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

PROPERTY COMMONLY KNOWN AS: 222 E. Shiloh Road, Santa Rosa, CA 95403

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Grant Deed
ECN000123.ecf Uploaded: 06/26/21

Printed: 06/27/21 @ 10:06 AM
CA-77-10000185-00079-Print-2021100185

GRANT DEED
(continued)

APN/Parcel ID(s): 059-300-003-003

Dated: September 1, 2021

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

The Randal C. Clifton and Cynthia A. Clifton Trust Agreement dated June 30, 2005

BY Randal C. Clifton
Randal C. Clifton, Trustee

BY Cynthia A. Clifton
Cynthia A. Clifton, Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

On September 1, 2021 before me, Carol Hernandez Notary Public,
(Please insert name and title of the officer)

personally appeared Randal C. Clifton and Cynthia A. Clifton
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]



Attachment 2

Aerial Photo of the site of the Casino and Resort proposed by the Tribe, located at 222 E. Shiloh Road, Santa Rosa, CA. The Casino and Resort project is outlined in blue; Esposti Park is outlined in green; the pink line shows the boundaries of the Town of Windsor to the North versus unincorporated Sonoma County to the South.

The proposed Casino and Resort is a 1.2 million-square-foot project calling for 2,500 slot and other gaming machines, a 200-room hotel, six restaurant and food service areas, a meeting center and a spa. It is expected to employ approximately 1,100 employees.



Photo obtained from the SoCoNews: https://soconews.org/scn_windsor/news/windsor-officials-clarify-town-not-involved-with-koi-nation-casino/article_0e7adef2-2871-11ec-93c3-536857a5e1cf.html and not verified by Our Community Matters.

Attachment 3

Locations of Recent Wildfires (Since 2015)



Our Community Matters
P.O. Box 1421
Windsor, CA 95492

February 16, 2022

Mayor Sam Salmon
Town of Windsor
9291 Old Redwood Highway Bldg. 400
Windsor, CA 95492

Dear Mayor Salmon:

Thank you for the opportunity to meet with you and Rosa Espinosa recently via Zoom. We were pleased that we were able to review our Power Point Presentation with you and to help clarify the application process through the BIA (Bureau of Indian Affairs). Upon the follow-up dialog, we were left with the impression you do not clearly understand the reasons for our strong opposition to the proposed Casino Resort. While this project is not in the town limits of Windsor, it does border our town. It is directly across the street, within 40 feet, to a Windsor residential neighborhood. Whatever happens at this location will have a direct impact on the Town of Windsor. As your constituents, we want to make the reason of our opposition 100% clear.

Our Community Matters is objecting to the **LOCATION** of the proposed Casino Resort! The top reasons include:

- Press Democrat Article 2/14/22: Drought Relief Hopes Fading
Press Democrat Article 2/15/22: Drought Worst in 1200 Years

Documents show six or seven wells that are currently located at 222 E Shiloh are dry and have been for several years. Think about it! How much water does a 200 room hotel, six restaurants, a casino, spa and conference center need? In a recent news release the plans have now changed to a 400 room hotel. How does that impact the rest of us, particularly those on wells?

Drought worries immediately lead us to wildfire risk!

- Wildfire Risk!

We do not have to guess what will happen. We already know! We have the experience of the Tubbs fire in 2017 in which 22 people perished and the 2019 Kinkaide fire which stopped directly across the street from the proposed casino location. As you know, the original prediction was that the entire Town of Windsor was in path of the fire. The evacuation in both cases resulted in gridlock along Shiloh/Old Redwood Highway, up to and along Highway 101.

WHY would anyone invite potentially 20,000 vehicles or over 50,000 people a day to an area surrounded by residential neighborhoods to a fire prone area, where evacuation gridlock is history? It doesn't make sense. The thought of 50,000 people evacuating, along with all the residential neighborhoods that surround 222 E. Shiloh, is chilling. How many people will die?.

Mayor Salmon, this is **NOT** an opportunity to seek economic expansion at the expense of safety. This is **NOT** an opportunity to negotiate with anyone relating to this property. This is an opportunity for you to take a stand on this matter! 222 E. Shiloh is the **WRONG LOCATION** for a commercial business that draws thousands of visitors and vehicles per day.

We are strongly urging you to place this important/critical matter on the Windsor Town Agenda immediately for discussion.

Sincerely,

A handwritten signature in black ink that reads "Lynn R. Darst". The signature is written in a cursive style with a large, prominent "L" and "D".

Lynn R. Darst, Windsor Resident
Our Community Matters

Cc: Our Community Matters Members

From: Lynda Williams <misslyndalouu@gmail.com>
Sent: Saturday, October 14, 2023 5:56:03 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Comments on Letter RE: Koi Nation Shiloh Resort and Casino Project

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Dear Honorable Town of Windsor Council Members,

I am writing to comment on the letter on the agenda for approval this Wednesday October 18, 2023, Town Council Meeting commenting on the Environmental Assessment (EA) of the proposed Koi Tribe Vegas Style Casino Resort Hotel.

While I thank you for taking the time to comment on the EA by the deadline, the proposed letter fails to address three critical issues on this matter. The first is Fire and evacuation routes. As you are aware, all evacuation routes out of the Town of Windsor are severely stressed and gridlocked in times of evacuation. As someone who lives directly across the street from this proposed project (less than 40 feet) and who has been evacuated, this issue must be addressed comprehensively in both your letter as well as a new Environmental Impact Statement. This issue risks the lives of residents who are citizens and taxpayers in the Town of Windsor. People like me and my neighbors whom you represent. Please add language addressing this issue.

The second issue is traffic impact, which your letter addresses but fails to tie to the fire and evacuation issue. Specifically, your letter fails to address the proposed traffic light and casino entrance at East Shiloh and Gridley. Gridley is a residential street used by most of the residents of Oak Park (77 homes). Putting a signal here with a casino entrance directly across from Gridley will back up traffic into Oak Park all day and night; it will back up traffic into the Redwood Highway and East Shiloh intersection; this will cause traffic to turn up East Shiloh and speed on Faught Road past San Miguel School; and it will cause traffic to cut through Oak Park to Mathilde backing up traffic at this intersection as well. This will put the life and safety of residents, children on bikes, pets and pedestrians at risk. If intoxicated casino goers become confused when they exit, they could end up roaming the streets of our neighborhood. Additionally, adding 15,000 additional vehicles a day to this area will increase carbon emissions by 25,185,000 metric tons per year (source EPA website). This additional pollution will flow into all our homes.

The third, and most important issue, is that your letter fails to take a stand on the fact that this is the wrong location for this project, for all of the environmental reasons, let alone the fire and evacuation hazard. I would like to see the Town of Windsor take the position that this is the wrong location and recommend that the BIA take plan D, no project and the land is not granted to the Koi. The issue here is not the tribe, it is the location. I personally wish them well and hope they can find an appropriate location for their Vegas Style Casino Hotel. But for the scope of this

EA and this BIA proposal, please support and recommend option D in your letter. Residential neighborhoods are not the place for casinos.

Thank you.

Warmest Regards,

Lynda Williams



Windsor, CA 95492

From: Eddie Flayer <eddie.flayer@att.net>
Sent: Saturday, October 14, 2023 6:12:47 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: I don't understand the legal jargon...

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I live in Santa Rosa but I love your town. Such a great job with building a downtown, and parks, green spaces. Why kill a fine rural vineyard neighborhood with ANOTHER gambling hall? Find some land close to Walmart on Shiloh near the freeway. Give it to the Indians and let the buses of hoards shop at Walmart...and smoke and play slot machines and smoke some more. Maybe they will even smoke a peace pipe since they can make lots of money to get paid back for what we did to them.

I would like to see the Town of Windsor oppose the location of this project and urge the BIA to support option D, not to grant the land to the Koi Tribe.

**Thank you,
Eddie Flayer**

From: Maisie McCarty <maisiemccarty@hotmail.com>
Sent: Sunday, October 15, 2023 8:14:02 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Nation Proposal for Casino Hotel, etc

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Council Members-

We strongly urge the Town of Windsor to oppose the proposed casino just south and east of our border in its comments to the BIA. It will, if accepted into trust by the BIA become a horrific blight causing traffic, noise and light disturbance to those Town of Windsor occupants living so close to its proposed location. In addition it would cause unlimited problems for those of us forced to evacuate due to fire or other natural disasters. The proposed casino's traffic study does not even take into account the new 300 + units being built at Old Redwood Highway and Shiloh Rd which will already cause increased traffic and parking problems so near to their proposed site.

In addition the Koi Nation's ancestral lands are in Lake County, NOT Sonoma County.

Please direct your comments to the BIA in strong opposition to placing this land into trust for the Koi Nation.

Very truly yours,
Mary M. McCarty
L.W. Harrison


Windsor, CA

Sent from my iPhone

From: Ginna Gillen <ginnagillen@sbcglobal.net>

Sent: Sunday, October 15, 2023 10:19:40 AM

To: Town Council <TownCouncil@Townofwindsor.com>

Cc: Jim Gillen <jimgillen@sbcglobal.net>; Suzanne Jean Calloway <suzannecalloway@yahoo.com>; Our Community Matters <ourcommunitymatters2@gmail.com>

Subject: Please Oppose the Koi Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

As an almost 20 year resident of Windsor, I urge the Town Council to take a stronger position in opposition to the proposed Koi casino. Having read the Environmental Assessment, I agree that as your agenda states "... the Town finds that several potentially significant adverse impacts associated with the proposed project are not identified or not adequately mitigated below the threshold of significance".

My family was evacuated during the Tubbs Fire and the Kincade Fire and encountered terrifying traffic jams on the escape routes. This situation would become total gridlock if the casino were to be built to the south of us. The only way to mitigate this potential crisis is to prevent the building of this casino.

The Town Council represents the voices of your constituents and we urge you to take a strong stand to protect the lives of the citizens of Windsor!

James and Virginia Gillen

[REDACTED]

Windsor

From: Mary Ann Bainbridge-Krause <mary_ann_bainbridge_krause@yahoo.com>
Sent: Sunday, October 15, 2023 5:52:33 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Item number 12.2 town agenda


CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Town Council: I'm writing concerning item # 12.2, submittal on the environmental assessment regarding Koi Nation Shiloh Road and Casino project. Even though you very carefully cover reasons why this should not proceed, you never once in your letter state you are against this development.

I'm disappointed. Your concerns are the same as the citizens of Windsor and yet you fail to back us up. Why? I would really like to know.

Very disappointed

MaryAnn Bainbridge-Krause

, a 28 year member of the Windsor community.

Sent from my iPhone

From: Carrie Marvin <[REDACTED]>
Sent: Sunday, October 15, 2023 5:46:10 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: EA letter for KOI Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please make sure in the letter from the Town Council, to include how incredibly dangerous it would be for them to build a large casino and hotel and parking for thousands of cars when we have to evacuate. People living in Windsor could end up like citizens of Lahaina or the Camp Fire - being burned because there is not the ability to evacuate quickly. Both Tubbs fire (getting out of Coffey Park was difficult) and Kincaide Fire had lots of people driving for a very long time to get out (I heard stories of people in Windsor and Sebastopol) This is a very important point that needs to be stressed and to omit that is an issue.

Also, as a citizen of Windsor and of the state of CA, we have suffered for years with a long term drought. I have personally ripped out all my grass - and to think that this group can come in and use our local water for tourists and gamblers - while I shut the water off while I brush my teeth and take timed showers, seems nonsensical to me. Fire and Drought must be addressed in the letter.

Thank you.
Carrie Marvin
[REDACTED]

From: Debra <d_avanche@yahoo.com>
Sent: Sunday, October 15, 2023 5:33:33 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Nation proposed project at 222 E Shiloh Rd., Santa Rosa

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Windsor Town Council members,

I am writing to request that the Windsor Town Council go on record opposing the gaming project at Old Redwood Highway and E Shiloh Rd. by the Koi Nation and Oklahoma Gaming commission.

This property is just outside the Windsor town boundaries but will heavily impact Windsor residents and businesses. This location is designated rural residential agricultural and is **BORDERED BY** Esposti sports park, the Oak Park subdivision, a church, mobile home park for seniors, residences along E Shiloh Rd., The Sonoma County Regional Park at E. Shiloh Rd and Faught Rd and is close to San Miguel Elementary and Mark West Elementary Schools. It is a travesty that a gaming operation is being floated in the middle of this beautiful community.

The Koi Nation is pursuing sovereign status of this property so gambling and 24/7 hoopla can take place. The Koi Nation is from Lake County and should be pursuing their project in that county.

Windsor will not benefit from needing more housing for low paid workers, and will be harmed by plopping a hugh operation in an area that is wildfire prone. Serious evacuation problems are obvious. We are already experiencing parking and traffic issues with the new apartment complex that is in the works.

I urge the Council to go on record strongly opposing this operation and designate the land as off limits for this type of project. Its appalling and makes no sense. We have enough casinos already in Sonoma County. There is **NOTHING** to be gained. Please help stop this.

Thank you,

Debra Avanche



Santa Rosa, Ca 95403

From: Chris Thuestad <chris2esta@comcast.net>
Sent: Sunday, October 15, 2023 4:03:23 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Nation Casino Proposal

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I just received an email stating that the Town of Windsor is ready to approve the EA Comment Letter to the BIA regarding the Koi Nation's proposed casino. I'm deeply concerned about the casino for many of the same reasons you've already heard. The traffic on Shiloh Road is already problematic. I have had to sit through three turns of the light to try to get past the light near Home Depot. When we had to evacuate during the Kincadee fire, my husband was at Home Depot -- it took him almost an hour to get back to our house which is just a mile away. According to MapQuest, it should only take 4 minutes! The traffic study submitted by the Koi Nation also didn't take into account all the high-density construction projects that are being built along Shiloh and Old Red. Heading south on Hwy 101 is a nightmare already. We've been told the Graton casino gets 20,000 guests a day. If the Koi casino is even larger, what will that do to the street traffic in Windsor and the freeway traffic heading south?

I'm also concerned about water usage. We've been told that droughts are going to continue to be more frequent and more severe. We were headed to a real disaster until the rains finally came last rainy season. I've heard that the proposed casino will put in a 700' well and pump out something like a quarter of a million gallons of water a day. Not only will all the existing wells in the area go dry in the next drought, there could be problems with ground subsidence. Once the land is taken into trust, there won't be anything anyone can do about that. We've already been told to replace our toilets, dish washers, washing machines. We've been asked to pull up all our water-intensive landscaping. We've been required to only water our lawns every other day, not to wash our cars in the driveway, and to cut our usage by as much as 20%. What's next? No showering? No yards at all? No drinking water? Does the Town of Windsor have a plan for this?

The Koi Nation is a Lake County tribe yet they bought land in Sonoma County just about half way between two existing casinos owned by Sonoma County tribes. How is it fair to the SoCo tribes to have the Koi Nation come in and cannibalize their business?

Finally, the additional traffic, crime, noise, and light pollution will ruin the property values of all Windsor residents, especially those near the casino. No one wants to live by a casino!!

I urge you to oppose the casino, support option D, and not allow the Koi Tribe to destroy the lives of so many people in Sonoma County.

Thank you,
Chris Thuestad

From: BELVA MITCHELL <mmitchellbc@aol.com>
Sent: Sunday, October 15, 2023 11:25:30 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Fwd: EA Comments,Koi Nation Shiloh Resort and Casino

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Sent from my iPad

Begin forwarded message:

From: BELVA MITCHELL <mmitchellbc@aol.com>
Date: October 11, 2023 at 10:42:09 AM PDT
To: chad.broussard@bia.gov
Subject: Re: EA Comments,Koi Nation Shiloh Resort and Casino

Sent from my iPad

On Sep 28, 2023, at 6:39 PM, BELVA MITCHELL <mmitchellbc@aol.com> wrote:

I am strongly opposed to the proposed Casino due to many factors. I live within [REDACTED] of the Shiloh road entrance/ exit as proposed. This surface street infrastructure at Old Redwood highway and at 101 experience heavy traffic volumes at peak travel times. This will only worsen in coming years due to more population resulting from projects under construction now. The Casino project is indicating some improvements to address infrastructure but I can't foresee this will address the highway 101 approaches and exit ramps.

All of the concerns do not begin to reflect an emergency evacuation situation. I see no indication that noise will be addressed once operations are underway and complete. Over the last several years commercial and private vehicles with loud exhaust systems create an extremely undesirable situation that continues into late at night. There does not seem to be any effort to patrol for this situation.

There is also a great concern that safety will be compromised due to the influx of people that will be present and those looking for an opportunity to traffic drugs and sex if this project becomes a reality . Finally this is a

residential community not a commercial or business location.

From: Tisha Zolnowsky <Tisha.Zolnowsky@kp.org>
Sent: Monday, October 16, 2023 7:22:01 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Windsor Town Council - Safety. - Please oppose!

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to provide comments on the proposed **Koi Nation Shiloh Resort and Casino** Project. **I can't believe this is even an option. Really, why is putting a GIANT casino in a neighborhood even an option! 50'** from backyards where families, animals, and children play.

That vineyard saved the surrounding neighborhoods by being a fire break. What about the flooding. What happens to the homes 50' away from a parking lot? Where will the water go? I cannot comprehend how anyone would think that adding a massive casino in a neighborhood is OK. Why are we even talking about this, it's absurd for so many reasons. **Why do us citizens continue to get pushed around by organizations that put their profit before population safety.** Sadly, politics and things like this are driven and bought by money. The little guy (residents) never seem to win against billionaires.

If this project goes through, will we look back and wonder how we got into a situation where the tiny town of Windsor burned up because the people were trapped by traffic? **Who will be blamed** for all the **deaths by fire** and because of the inability to evacuate? The last evacuation took me four hours to leave Windsor, CA. Windsor, CA, is the wrong location for a business that will add more traffic and people than the 26,000 residents. I am on the county line and it took 4 hours!

Seriously, I'm scared.

Yes, a massive project like the proposed casino will destroy the beauty and increase traffic, congestion, and crime in a residential area, but most of all, it will more than double the people in an area that is already challenged with the ability to evacuate in a safe, timely manner. No roads will be big enough.

There are areas in Sonoma County more appropriate for a high volume 24/7 business. This project will needlessly destroy and corrupt a family residential neighborhood to benefit a small number of individuals from another California region.

So sad 😞

Tisha Zolnowsky

No Casinos near homes, schools, churches,

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From: MEREDITH STROM <mandmstrom@comcast.net>
Sent: Monday, October 16, 2023 11:12 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Tribe request to build casino on East Shiloh Road in Windsor

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing with regard to your upcoming council agenda item regarding a request by the KOI Tribe to build a casino on East Shiloh Road in Windsor.

I live on [REDACTED] and this project would have an immediate and potential disastrous affect on my life. During the recent fires when I had to evacuate my home twice all roads getting out were blocked because of traffic, including Faught Rd., Old Redwood Highway and the 101 freeway. Adding the numbers of cars this project would involve would create a situation that could result in not only property losses but possibly lives, especially for seniors like myself who cannot evacuate easily. Just the increased daily traffic on these country roads will certainly complicate my life immensely.

The noise and parking are also definite concerns for me, especially weekends and evenings. Esposti Park is on the corner of Old Redwood Highway and East Shiloh Park. This is a very well used park during evenings and weekends for many youth athletic leagues with the parking lot full and overflowing onto side streets and neighborhoods. This situation will increase when the huge low income housing unit on the opposite corner is occupied which I fear does not allow enough parking for its projected occupancy. Numerous bike rides commence at this park contributing to traffic and parking issues almost daily during many months of the year.

This is not just a small neighborhood issue. Traffic on and off the freeway, noise, parking, huge increases in water and power usage will affect all Windsor residents.

I urge you to officially oppose this project and recommend the KOI Tribe be denied their request to build a casino at this site.

meredith strom

[REDACTED]
Windsor, CA

From: Joanne Hamilton <jahamil@pacbell.net>
Sent: Monday, October 16, 2023 10:28 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Casino item 12.2

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The Draft responds does a very good point by point assessment of the EA. However, IMO, I feel it could be strengthened with a strong opening that the Town is against this location for the Koi project. Also, perhaps, a strong close to the same affect.

JoAnn Hamilton

From: Judith Coppedge <judithcoppedge727@gmail.com>
Sent: Monday, October 16, 2023 4:52 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Comment for Proposed Koi Casino Mtg 10-18-23

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please see the attached documents for your upcoming Town Council Meeting on the Proposed Koi Nation Casino.

October 16,2023

TO: Town of Windsor, Town Council (for mtg 10/18)

Fr: J Coppedge, [REDACTED] Santa Rosa, CA 95403

Re: Proposed Koi Nation Casino

To Council Members,

After having read the pertinent documents related to the proposed Koi Nation Casino, there are a number of key issues that are missing from the Environmental Assessment, which must be strongly stated and prioritized to the BIA. They include:

- 1) **Ensure a full Environment Impact Study is conducted and a comprehensive Environment Impact Statement be prepared.**
- 2) **Ensure a non-tribal, non-gaming Environmental Organization be utilized to provide a full scope Environmental Assessment as a peer review to Acorn Environmental.** Acorn Environmental was utilized in the completion of the Environmental Assessment. Acorn specializes in tribal governments, fee to trust land, gaming and other closely related tribal and gaming issues.
- 3) **The existing Environmental Assessment completely ignores the number one issue with the location of the proposed Casino. FIRE, FIRE, FIRE, LOSS OF LIFE.** (pls see attached photos for an understanding of what the past number of years of FIRE have brought to this area).
- 4) **Recommend the BIA select Option "D" (no project alternative) and do not grant the fee to trust conversion.**

The proposed location for a Casino is inappropriate and dangerous in many ways.

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you review the attached documents and consider if this residential community is appropriate for a casino location. As we believe you will agree, this is not an appropriate site for a casino. As such, we request that this property not be converted from fee to trust.

We appreciate your time and attention in this matter.

Judith and John Coppedge

FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?



TUBBS FIRE-2017

- deaths—22; size—36,800 acres
- buildings destroyed—5,640
- size—36,800 acres
- mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

- size—77,800 acres
- buildings destroyed—374; 90,000 structures threatened
- mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

- deaths—6; -size—363,200 acres
- buildings destroyed—1,490
- mandatory evacuations; loss of power, water and gas

GLASS FIRE—2020

- size—67,500 acres
- buildings destroyed—1,555
- mandatory evacuations; loss of power, water and gas

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

- 10 acres
- baseball, soccer fields
- little league playing fields
- family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

- single family homes
- approx. 75 homes
- \$740-\$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

- private Country Club
- Jack Nicklaus golf course
- 95+ single family, multi-million dollar homes

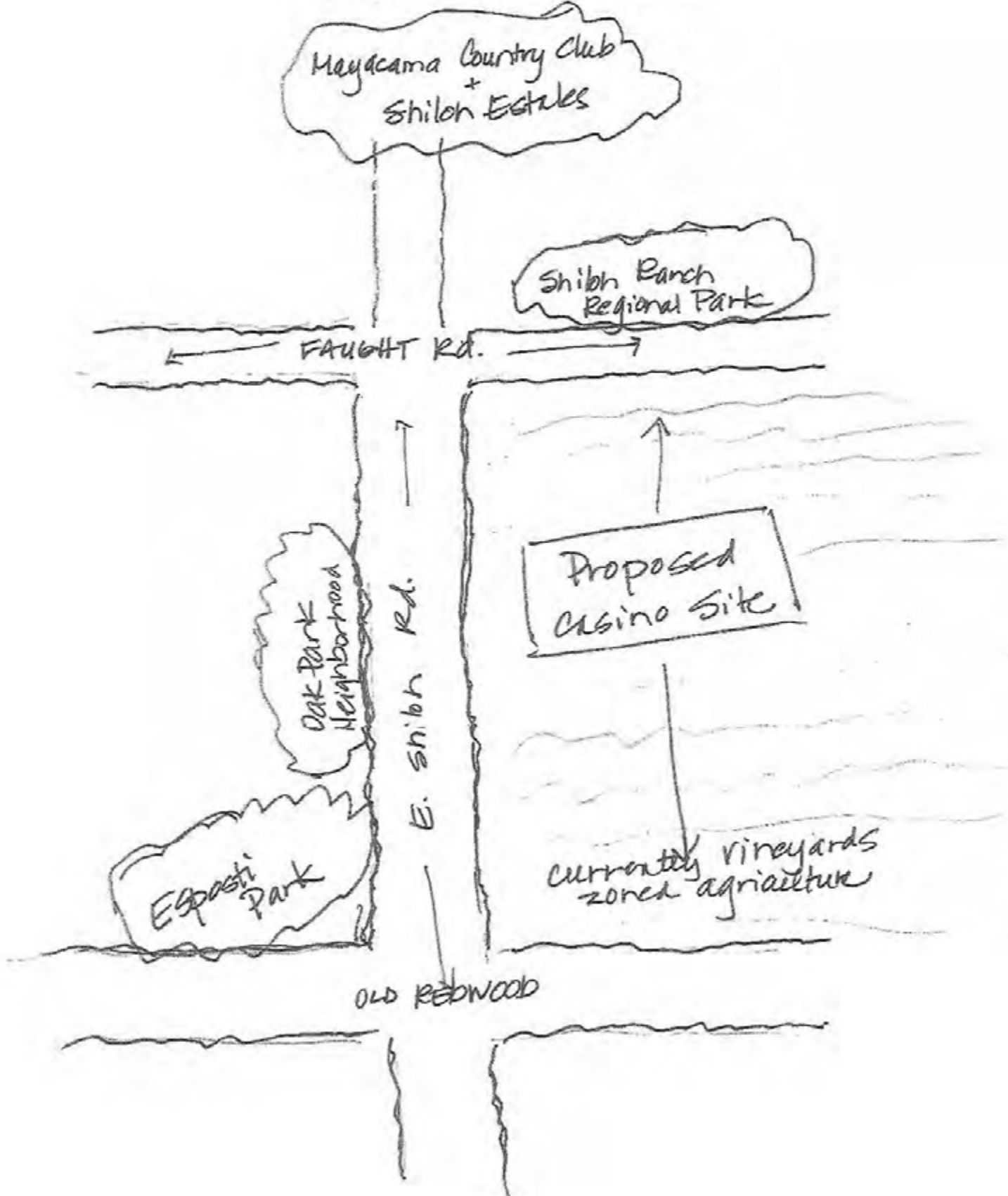


SHILOH RANCH REGIONAL PARK-Faught Rd.

- 850 acres
- hiking trails, creeks & ponds
- horseback riding trails
- family picnic areas



Proposed Casino Site



From: C Plaxco <cplaxco143@gmail.com>
Sent: Monday, October 16, 2023 5:06:49 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: I do not want Shiloh Casino in my residential neighborhood

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I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD

- I have lived on [REDACTED] for 41.5 years. A casino does not belong where me and my neighbors live.
- Mitigations are just a bunch of words. Who is going to monitor what they promise? We just got a 300 apartment building at the corner of E. Shiloh & Old Redwood. More residents that will totally add to traffic. Traffic will be horrendous with a casino added!!!
- Urban Wildfire . It took my family 2 hours to get to Hwy 101 during one of our fire evacuations. That is 2 miles. Sounds so scary that we may not be able to evacuate and could get caught in a fire storm. So scary
- Water - I am on a well on [REDACTED] I have already had to get a new well because it went dry. Now you want to take my water away for a casino. I can't get Windsor sewer hook up.
- Noise 24/7- the casino would be so loud. Trash pickup, ventilation, AC, people, vehicles. Casino said they would give us new windows. Come on, that will not solve the problem. That shows you right there, they know it will be loud. Why do we, in a residential area, have to even be thinking about this!!! I sleep on the second floor and will hear it all.
- What about the drunk drivers that come and go to the casino. What about the crime it will bring. My neighbor is a cop and is constantly going to Graton Casino dealing with crime. So scary to think that a bad person can just walk across the road into my neighborhood. We don't have enough sheriffs and firemen to respond to casino and our town.
- Economy jobs - Windsor business already cannot find enough employees and businesses are closing

I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD

Christine & Richard Plaxco
[REDACTED]

From: Don Ziskin <donziskinlaw@comcast.net>
Sent: Tuesday, October 17, 2023 8:06 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Casino Environmental Statement

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Honorable Town of Windsor Council Members,

Thank you for the opportunity to comment on the letter from the City of Windsor to Amy Dutschke with the Bureau of Indian Affairs concerning the Environmental Statement. My (and my neighbors) chief concern is the impact the Koi Casino Resort will have during the next evacuation as well as on day-to-day life.

1. Transportation and Circulation/ Fire/Evacuation

My family and I are 31 years residents of [REDACTED], the development directly across the street from the proposed hotel/casino complex. We have been through the Tubbs and Kincaid fires and experienced gridlock during evacuations.

There is no information in the Environmental Statement referencing the results of the traffic study done over two wet, cold days in January 2022, nor was there any information concerning the basis for the estimated 11,213 to 15,579 trips a day to and from the casino. While their traffic study does acknowledge that the casino will cause a loss of services (LOS) they utilize a common phrase throughout the report. "Mitigation would reduce impacts to a less than significant level". Changing lane striping and signal phasing is not going to alleviate the LOS. There is no information in the TIS on how signal installation will impact traffic. Conclusory statements at the end of the Transportation and Circulation section simply state that "mitigation would reduce impacts". Further detailed analysis incorporating actual conditions is needed.

There is no substantive information on what their plan is or how their plan would impact the community in the event of an evacuation from fire or earthquake. The only time evacuation is mentioned is at the very end in Appendix N which calls for the Koi to coordinate with emergency evacuation and traffic experts to develop a project-specific evacuation plan. Nowhere in the bullet points do they reference the single lane exit routes or the other surrounding community members trying to evacuate. There is no substantive information on what their plan is or how their plan would impact the community.

How will 5,000+ vehicles leaving the casino at one time during an emergency impact resident in Oak Park and east of the casino Shiloh entrance trying to evacuate?

How will morning and evening commutes be impacted by people traveling to and from the casino?

How will traffic signals at Gridley and Shiloh casino entrance impact traffic congestion on East Shiloh?

How will Casino and residential evacuation impact responding emergency services?

2. Other Casinos in Residential Communities

In response to scoping concerns over casinos in residential areas, the Environmental Statement references three casinos in California that are in residential communities; however, there are significant differences between the Yaamava, Pechanga and San Pablo casinos in the ES and the proposed Koi Casino Resort.

None have housing as close to the casino as does the Koi Casino. All have material differences in ingress and egress. None share a common entry/exit with private residences.

Pechanga is separated from homes by a four-lane parkway and a nature trail. The casino is over ¼ mile from residences. It was built on historical lands belonging to the Pechanga tribe for over 10,000 years in Temecula.

Yaamava casino, like the Pechanga Casino is built on the San Miguel Band of Indians historical land in San Bernardino. It was designed so that the casino entry way faced an unoccupied hillside on their reservation lands. The homes in the area all face the unlit, backside of the casino and are separated by open space and a service road. Driveways and roadways entering and exiting the casino are removed from any residential areas.

Like Pechanga and Yaamava, San Pablo casino does not share a common entrance with any residential community. Like Yaamava, homes around San Pablo Casino only face the backside of the casino area and residences are separated by trees and a creek. Also, the general area is mostly industrial and retail.

The Koi Casino Shiloh entrance will share a common intersection with the residents of Oak Park. Homes will be located on the corner of the intersection of Gridley and the East Shiloh entrance.

3. Acorn Environmental Statement

The neutrality of the report prepared by Acorn should be challenged . Their website identifies Tribal Fee to Trust Applications as one of their specialties. Acorn Environmental provides environmental studies for Native American Indian tribes. Acorn Environmental has a vested interest in minimizing environmental impact for their clients. Their ES utilizes numerous technical standards and regulations but fails to provide factual or substantive information of the impact the casino will actually have on the environment and community. The concerns raised in the scoping questions and

addressed by Acorn were determined to be insignificant after evaluation. Examples of common conclusions are:

Groundwater- cumulative impacts to groundwater would be less than significant.

Carbon Monoxide Hot Spot Analysis - Cumulative impacts to CO levels resulting from Alternative A would be less than significant.

Transportation and Circulation. - Thus, mitigation would reduce cumulative impacts to a less-than-significant level.

Compensating someone with money over the loss of well water is not insignificant or an adequate remedy.

Lastly, while I appreciate the City of Windsor's thorough analysis of multiple topics in the comment letter, I feel it is important that the city take a stronger position concerning the project. There is no question that this project will materially change every aspect of this community. In lieu of suggesting "an alternative project be investigated; it is important to address the four alternatives in the ES. It is critical that alternatives A, B and C be rejected and that alternative D - No Action be adopted. This is not about the who, it is about the what! It will change from a residential, recreational community to a 24 hour a day commercial center.

Because the Environmental Assessment report is lacking any substantive detailed information on how the proposed casino project would impact the environment and local residents is imperative that a more detailed Environmental Impact Study be done unless Alternative D is adopted.

Thank you,

Donald Ziskin

[REDACTED]

Windsor, CA 95492

phone [REDACTED]

From: betsy mallace [REDACTED]
Sent: Tuesday, October 17, 2023 7:16:07 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: public comments on Koi EA #12.2

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you for the opportunity to give feedback on your very detailed comment letter to the BIA regarding the on the Koi Casino Project's EA.

I have found, in my personal experience, that comment letters to the BIA have to be very direct. I think most of the comments should be strengthened by specifically calling out every instance of significant adverse impact. Please consider the following suggestions to be added to the letter.

It should be stated clearly that the town only supports option D. Options A, B, and C could/would all create a **SIGNIFICANT UN-MITIGATABLE ADVERSE IMPACTS** to the town of Windsor. If they move forward with Option A, B, or C then the EA (as written) is incomplete/insufficient and an EIS must be required.

For the items you have stated are "inadequate", "unrealistic", "not-approve", "not-indicated" (missing), "not demonstrated", "could potential jeopardize", need "analysis", "inaccurate", "assume", "overstates", "misleading", "does not recognize", "not addressed" you need to clearly state that the EA as written has and/or could have a **SIGNIFICANT ADVERSE IMPACT** to the Town of Windsor. They have not proven that there is **not** significant impact to the Town of Windsor.

Where you have listed "objections", you again need to clearly state that this is or could be **SIGNIFICANT ADVERSE IMPACT** to the Town of Windsor.

Where any cost, fee, fund or improvement that will and/or could be assigned to the town of Windsor, it will create a **SIGNIFICANT ADVERSE IMPACT** to the town of Windsor.

I am surprised that you barely mentioned evacuation issues, but where you have stated that evacuation times will increase you must also clearly state this is a **SIGNIFICANT UN-MITIGATABLE ADVERSE IMPACT** to the town of Windsor (and the entire community). Will any Windsor zones "safe route" be impacted by the proposed project? If so, please have this added to the comment letter.

Also, removing a natural fire break and replacing it with combustibles creates an **UN-MITIGATABLE SIGNIFICANT ADVERSE IMPACT** to the town of Windsor (and the entire community).

I hope you will consider my suggestions (bolding is mine, for emphasis only). Would you please remove all my contact information on this email, before you publish it?

Many thanks for your consideration,

Betsy Mallace

From: sandra george <bailey011@att.net>
Sent: Tuesday, October 17, 2023 8:00:31 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed Koi Nation Shiloh Resort and Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

October 17, 2023

Dear Honorable Mayor Reynoza, Vice Chair Salmon, Council members Wall, Fudge, And Potter,

We live across the street from the proposed casino, on Shiloh Road. We write to you to urge you at the extremist level. In your letter to the BIA, to OPPOSE the LOCATION of the proposed Koi Nation Shiloh Resort and Casino. To URGE the BIA to support option D, and not grant the land to the KOI Tribe.

In addition to all of your points of opposition in your letter. The proposed location is BORDERED ON 3 SIDES BY RESIDENTIAL HOUSING! In checking with our relator, we were advised that our property value would drop \$200,000 if a Casino is built on the proposed site. This would lead to loss of home values that could be in the Hundreds of millions of dollars. This would not only be a loss to each homeowner. But reduce property taxes to the Cities and County.

Every Town, City, County, and State official that spoke to the proposed site, were in opposition.

The only support is by the Carpenters Union, who are looking at a short term gain in work, while the rest of the community suffers long term losses.

Dave and Sandra George



October 16,2023

TO: Town of Windsor, Town Council (for mtg 10/18)

Fr: J Coppedge, [REDACTED] Santa Rosa, CA 95403

Re: Proposed Koi Nation Casino

To Council Members,

After having read the pertinent documents related to the proposed Koi Nation Casino, there are a number of key issues that are missing from the Environmental Assessment, which must be strongly stated and prioritized to the BIA. They include:

- 1) **Ensure a full Environment Impact Study is conducted and a comprehensive Environment Impact Statement be prepared.**
- 2) **Ensure a non-tribal, non-gaming Environmental Organization be utilized to provide a full scope Environmental Assessment as a peer review to Acorn Environmental.** Acorn Environmental was utilized in the completion of the Environmental Assessment. Acorn specializes in tribal governments, fee to trust land, gaming and other closely related tribal and gaming issues.
- 3) **The existing Environmental Assessment completely ignores the number one issue with the location of the proposed Casino. FIRE, FIRE, FIRE, LOSS OF LIFE.** (pls see attached photos for an understanding of what the past number of years of FIRE have brought to this area).
- 4) **Recommend the BIA select Option "D" (no project alternative) and do not grant the fee to trust conversion.**

The proposed location for a Casino is inappropriate and dangerous in many ways.

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you review the attached documents and consider if this residential community is appropriate for a casino location. As we believe you will agree, this is not an appropriate site for a casino. As such, we request that this property not be converted from fee to trust.

We appreciate your time and attention in this matter.

Judith and John Coppedge

FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?



TUBBS FIRE-2017

- deaths—22; size—36,800 acres
- buildings destroyed—5,640
- size—36,800 acres
- mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

- size—77,800 acres
- buildings destroyed—374; 90,000 structures threatened
- mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

- deaths—6; -size—363,200 acres
- buildings destroyed—1,490
- mandatory evacuations; loss of power, water and gas

GLASS FIRE—2020

- size—67,500 acres
- buildings destroyed—1,555
- mandatory evacuations; loss of power, water and gas

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

- 10 acres
- baseball, soccer fields
- little league playing fields
- family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

- single family homes
- approx. 75 homes
- \$740-\$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

- private Country Club
- Jack Nicklaus golf course
- 95+ single family, multi-million dollar homes

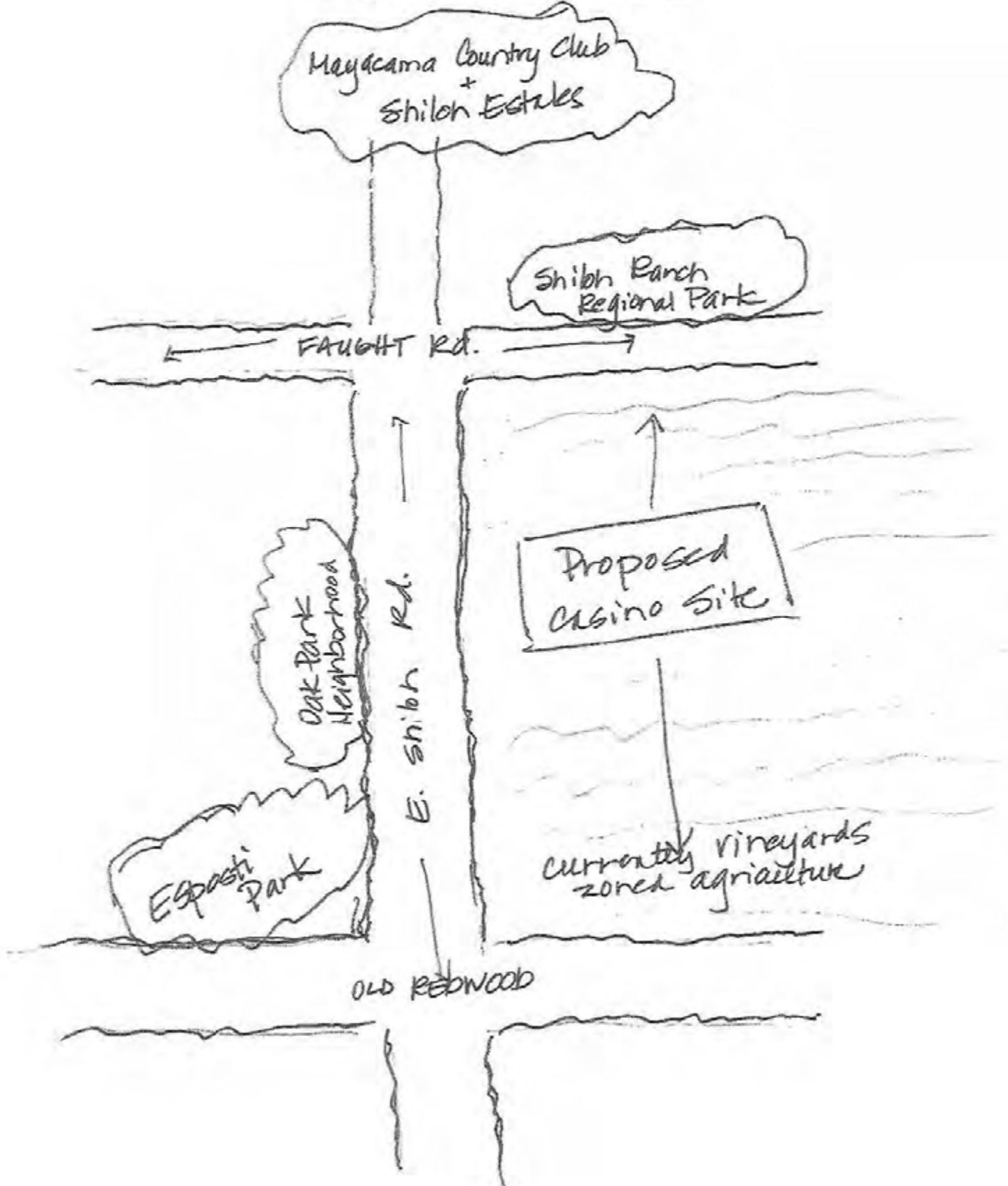


SHILOH RANCH REGIONAL PARK-Faught Rd.

- 850 acres
- hiking trails, creeks & ponds
- horseback riding trails
- family picnic areas



Proposed Casino Site



From: Jet & Scott Engel <jetandscott@comcast.net>
Sent: Saturday, April 6, 2024 7:49 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: district4@sonoma-county.org <district4@sonoma-county.org>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard and Supervisor Gore,
Please review attached letter.
Thank you
Sincerely,
Jeannette and Scott Engel
5392 Arnica Way
Santa Rosa CA 95403
One attachment • Scanned by Gmail

April 6, 2024

Chad Broussard
NEPA Lead Agency:
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

Subject: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

Dear Mr. Broussard -

This letter contains our response to the Notice of Intent for EIS for the Shiloh Resort and Casino Project.

Traffic Impacts/Concerns

The Traffic Impact Study (TIS), attached to the Environmental Analysis, does not address intersections for likely routes to the proposed casino from the south. The following intersections should be analyzed to identify measures to discourage trips using these routes. The trips should be discouraged as these routes pass an elementary school, residential neighborhoods, walking and biking routes, and a popular regional park. The TIS should be revised to include the following intersections:

- A. Hwy 101 N/B offramp at Airport Blvd
- B. Hwy 101 S/B offramp at Airport Blvd
- C. Airport Blvd onramp to Hwy 101 North
- D. Airport Blvd onramp to Hwy 101 South
- E. Airport Blvd and Old Redwood Highway
- F. Airport Blvd and Faught Road
- G. Faught Road and Shiloh Road
- H. Airport Blvd and Fulton Road
- I. Fulton Road and Old Redwood Hwy

A significant number of trips will likely be made using southern approaches including:

- (1) Airport Blvd to Fulton Road to Old Redwood Hwy to Shiloh Road and
- (2) Airport Blvd to Faught Road to Shiloh Road.

These routes are not appropriate for heavy use since there is a school and they pass through residential neighborhoods. Route 2, is especially not suitable because of the narrow winding road with no shoulders and deep ditches that is popular with bicyclists and walkers. Route 2 passes Shiloh Sonoma County Regional Park. The Project includes an eastern entrance on Shiloh Road to the Project which will further entice people to use these "back" routes to the Project. In addition to trips generated from the south, those visitors arriving at the Sonoma County airport and disembarking the SMART train at the Airport station are likely to also use these back routes.

The use of routes that are not anticipated or mitigated for by similar casino projects in the area include the existing River Rock and Graton casinos. For example, River Rock's route was to be State Route 128 through Geyserville. However, many trips are taken using the Lytton route through Alexander Valley using narrow roads, unsafe intersections, working farms, and along popular bicycle routes. Another example is the Graton casino, where, despite not being marked by directional signs, trips are made from more southern Hwy 101 exits and enter through back entrances.

The back routes listed above are inappropriate so, therefore, the TIS should identify measures to discourage trips on these routes. Some potential mitigation measures, that should be evaluated for inclusion in the Project, include the following:

1. Preventing access to the Casino from Faught Road. For those traveling west on Shiloh Road from Faught Road, access to the Casino should be blocked, by a center island, striping, or other road configuration means. This would discourage trips using Faught Road.
2. Removing the easternmost Shiloh Road entrance to the Project or making it an Emergency Vehicle access entrance only with a locked gate.
3. Closing Faught Road to through traffic: Consider closing Shiloh Road at Faught Road by implementation of an emergency-access-only gate. Shiloh Regional Park visitors, Mayacamas Country Club patrons, and Shiloh Estate residents will still be able to travel on Faught Road from either the north or south. But casino employees and patrons will not be able to gain access to the Project via Faught Rd.
4. Include traffic calming measures on
 - a. Fulton between Airport Blvd and Old Redwood Hwy
 - b. Airport Blvd between Old Redwood Highway and Faught Road, and
 - c. Faught Road between Old Redwood Hwy and Carriage Lane.

For the reasons stated above, the Traffic Impact Study is inadequate which makes the Environmental Assessment inadequate. The EIS should include revisions to these documents to adequately address the impacts by the proposed casino channeling a significant number of trips through residential neighborhoods, past schools, and through popular walking and biking routes. Mitigation measures listed above and others should be evaluated and included in the EIS and Project to address these concerns.

Water Impacts/Concerns

The Water and Wastewater Feasibility Study (Study) is concerning as it projects an 11-to-16-fold increase of water pumping compared to existing pumping. The Study incorrectly assures us the dramatic increase in water pumping is feasible yet the Study does not provide any data to support this claim. The Cal American Water Co. relies solely on wells and there was no evaluation or measures to safeguard negative impacts to those wells. What happens if the production capacity drops and those wells are no longer viable - will the Project proponents compensate Cal American Water Co. and its customers for efforts to secure a reliable water source? What are the options for the Project if the groundwater is not adequate and/or negatively impacts neighboring wells. Not addressing this very real possibility is unacceptable.

Page 4-2 states it is not anticipated use of deeper wells for the Project will impact the Esposti and other neighboring wells including Cal American wells. There does not appear to be any analysis supporting this conclusion.

The Study states fire flow demands could be 8,000 gpm for 4 hours or be reduced to 2,000 gpm for 4 hours. This represents a storage tank that's from between half a million gallons to two million gallons yet the site plans do not show where this tank is located. The tank would need to be either elevated or at ground level and have large fire pumps with backup generator power.

Wastewater Concerns

Regarding Wastewater, have the Project proponents approached Sonoma Water or the Town of Windsor for extension of their wastewater systems to serve the Project? The development of a separate

wastewater system is more energy intensive and less reliable than adding on to an existing system. Additionally, what are the provisions for discharging treated wastewater when the storage pond's capacity is exceeded?

Impacts on Shiloh Ranch Regional Park

Shiloh Ranch Regional Park is a highly used gem of 850 acres located only about 700 feet from the proposed Project. The views from the park's hiking trails are spectacular but the Project threatens to ruin these views. Measures need to be taken by the Project to maintain a low building profile and do renderings, so the public has a more realistic understanding of the Project's impact on these views. Additionally, the wastewater ponds are at the property's border closest to the park, and the wastewater treatment plant and these ponds will have a strong odor noticeable if not overwhelming to park visitors. Mechanisms to reduce this smell should be evaluated.

Light Pollution

Light pollution, the excessive or inappropriate use of outdoor artificial light, affects human health, wildlife behavior, and ability to observe the night sky. Light is not addressed in the EIS. This is worrisome due the proposed Project's proximity to Shiloh Regional Park. The park is home to deer, rabbit, fox, coyote, bobcat, quail, hawks, and many other species of wildlife and birds. Increased unnatural light could cause disruption in the life cycle of Shiloh Park's inhabitants.

Thank you for the opportunity to comment on the Notice of Intent for the EIS.

Jeannette and Scott Engel
5392 Arnica Way
Santa Rosa, CA 95403

Cc: James Gore, County of Sonoma Supervisor, District 4 (district4@sonoma-county.org)

From: Martin Pagan Jr. <martinpagan2@icloud.com>
Sent: Saturday, April 6, 2024 9:52 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, KOI Nation Fee-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

I am writing to express my opposition to the proposed Koi Nation Shiloh Resort and Casino. As a resident of a Wikiup neighborhood, many environmental issues concern me. My family enjoys walking to Shiloh Regional Park from our home and hiking in the park. Both of these treasured activities would be negatively impacted. The air quality we enjoy will be adversely affected by this development. Our neighborhood children attending San Miguel School will face safety and air quality issues as well, ones not encountered by our children who grew up here in earlier years or those at the present. Increased traffic, fire safety, adequate water supply, public services, noise, and the health and well being of residents in all nearby residents can be endangered by the presence of this casino built here.

Thank you very much for your consideration of my personal and communal concerns.

A longtime grateful Wikiup homeowner,
Michele Pagan
5311 Marigold Lane
Santa Rosa, CA 95403
Email: meesh.martin@icloud.com

From: djensen3510@aol.com <djensen3510@aol.com>
Sent: Sunday, April 7, 2024 10:45 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard: My wife (Terri) and I would be remiss if we did not submit our input with regard our adamant objections to the projected Koi Nation project. We have lived in our home (5837 Gridley Drive) for over thirty-five (35) years. We have raised our family in our home, and we intend to occupy our home for the remainder of our lives. However, should the project be allowed to move forward we would undoubtedly have to consider relocating. We could not tolerate the significant detrimental impact the project would have upon our lives. There is no doubt that the project will destroy the quiet use and enjoyment of our home and, in fact, the entire neighborhood. It is beyond our comprehension why a project of this type and magnitude would ever be considered in a family friendly and quiet residential neighborhood. In reviewing the previously submitted Environmental Assessment we disagree strongly with some of the conclusions contained therein.

The noise that would be created would, beyond any doubt, have a very significant and detrimental impact on our entire neighborhood. Although the assessment concludes in many respects that there would be no or insignificant impact, this is simply flawed. Consider the huge increase in traffic and the associated noise; the increase in the noise from buses at all hours of the day and night; the increase in the noise from emergency vehicles at all hours of the day and night; from delivery trucks and maintenance trucks. This is a project that will be operating twenty-four (24) hours a day, every day of the year! The increase in noise has no solution. There is no way to avoid or mitigate this issue.

We are aware that this issue is not new, but the assessment is, once again, flawed. This is our home and we have been blessed to have a vineyard on the border of our neighborhood. The numbers on the charts contained in the assessment are not reflective of the reality of what an impact this project would have on our everyday lives. We have no way to escape the traffic, the noise and the hazard this project will create in trying to evacuate should there be (God forbid) another major wildfire. The noise is simply one of the many other factors that will destroy our neighborhood should the project be allowed to move forward and to be completed. We will have to live with the outcome (should we not be forced to relocate) while the members of the Koi nation will be allowed to remain in Lake County where they originated and reside.

We are aware that the following issues have been raised before but we are imploring you to continue to give every consideration to our concerns:

1. Water use and the depletion of water levels;
2. Crime, including drunk driving, theft, prostitution, disorderly conduct, loitering (you can review the police reports associated with the Graton casino);
3. Increased traffic with the greater potential of accidents (including pedestrians);
4. Light pollution from the lights that will be on 24 hours per day;
5. Traffic congestion (especially in light of the recently constructed 140 unit apartment complex on the corner of Old Redwood Highway and Shiloh Road as well as the new development next to the Home Depot shopping center);
6. The increased risk of wildfires and the lack of ability to evacuate (and the liability associated with this distinct possibility);
7. Wastewater plant and significant odors associated therewith;
8. Hazardous materials and hazardous waste;
9. And the list goes on and on (impact on the use of Esposti Park by children and upon local schools and churches).

Perception is reality. Our reality is simply that this project will have a devastating and detrimental impact on our lives, no matter what is contained and concluded in the assessment. Simply put our lives will be forever and permanently impacted. As we have expressed in the past, the proposed site is no place for a project of this type and magnitude. The Koi nation appears to want the best of both worlds. While fighting for their alleged rights in Lake County (where they are established) they now want to place their footprint in Sonoma County where they have no roots and from which they did not originate.

What is needed is a full, complete and comprehensive environmental impact report that, in our opinion, will reflect that the negative and detrimental impact will significantly outweigh any potential benefits that may be derived from completing this project in an area that will be damaged forever. In closing, I would have to predict that, if the project is approved, prolonged litigation is on the horizon. Thank you for any consideration that you can give to our concerns. Terri and Don Jensen.

From: Jeff Barnard <jeff@barnard.net>
Sent: Sunday, April 7, 2024 11:50 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, KOI Nation Fee-Trust and Casino Project

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I oppose the casino project in the Wikiup/Windsor, CA neighborhood. The 1.2 million square feet of building and parking is inappropriate for the proposed site, along with the projected 10-20 million visitors per year. The traffic impacts from an additional 28000-57000 vehicles per day are beyond what the road and intersections were designed... and alternate routes would result in hazardous conditions for nearby schools, parks, bicyclists and pedestrians. First responders would also be impacted- the additional resource demands causing reductions in safety and neighborhood security. Resource/environmental stressors would affect our water supplies, and could increase risks of wildfires. Wildlife is also affected by increased traffic, water runoff, night lighting and noise.

This neighborhood would be better served by this site remaining vineyards with a tasting room.

Jeff Barnard

From: David Low <jdlow2@yahoo.com>

Sent: Sunday, April 7, 2024 11:58 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] David and Jeanne Low 5376 El Mercado Pkwy, Santa Rosa Ca. 95403 "NOI Comments, Koi Nation Fee-Trust and Casino Project"

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We want to express our concerns for the proposed Mega Casino, or any "casino" to be built near residential areas. This type of development would impact negatively our neighborhoods, school safety, and traffic congestion. The idea of gambling patrons leaving the casino at all hours of the day and night is frightening. Driving our backroads in our neighborhoods to get to the casino to avoid traffic on Old Redwood Hwy, it will intensify safety and gridlock issues like we experienced during the Tubbs and Kincaid Fires. The County Sheriff, Fire Departments, and first responders will be heavily impacted, jeopardizing our safety at an increased cost to us, the taxpayers. This new casino, if approved would increase the likelihood of losing fire insurance, all it would take is one cigarette dropped near the casino to cause evacuations, the loss of vineyards on 3 sides of the proposed casino site and with the close proximity of Shilo Park would be disastrous. The impact water usage this casino will generate, will be incalculable, my God, we're just coming off a 5 year drought.

We feel that this proposal by the Koi Nation to build this casino is not only foolish, but threatens so many things that make life desirable for us, and the future generations to come.

From: sandra george <bailey011@att.net>

Sent: Sunday, April 7, 2024 12:02 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good afternoon Mr. Broussard,

We would like you to take in consideration the enclosed concerns we have regarding the above. We bought our home, which is across the street from the proposed project, as a peaceful place to retire in a quiet urban setting some time ago. I have just retired as of February 1, 2024. This dream of ours will end if the proposed land is developed. A casino has NO place being built directly in the middle of residential neighborhoods. Could you take a moment and look across the street from your residence. Envision a 5-story hotel with people looking down into your yard? Can you then envision and hear traffic 24 hours a day, 7 days a week, 365 days a year going back and forth past your house? Envision going to take a shower or flush your toilet and no water comes out because your ONLY source of water from your well has gone dry? After a long day can you imagine trying to go to sleep, but are not able because of the light coming in your windows from the huge complex across the street? Can you imagine being woke in the middle of the night, because a fast moving fire that is burning more than an acre a second, and jumping a mile or more at a time, is barreling your way and you are in the direct path? WE have lived this and had to get our children up and flee with only the clothes/pajamas on our backs, only to encounter grid lock! Try and imagine this with an additional 5,000 cars on 1 street, directly across from your house!

Lets not loose sight of WHO is actually proposing this project. The Chickasaw tribe from Oklahoma! Let's not loose sight that the Chickasaw and partner Koi tribes NEW that this was NOT A PROPER SIGHT TO BUILD A CASINO as they sneakily and underhandedly bought this property, hiding their identity and intent on building a Casino?

Lets not overlook the statements the Koi have made. They claimed various support. Some of this support, the BIA has received letters stating the facts on the proposed support NOT being true. All, of the tribes that they claim to have support of, are NOT from this area. In fact, it is our understanding that ALL of the tribes that have RIGHTFULLY lived in this area have written letters in opposition! The very few politicians they claim to have support from are, "retired".

Claims of economic benefits to Sonoma County. It looks like the Chickasaw are the ones building and owning the casino in the background. Looks like much of the money will be going to OAKLAHOMA.

In Sonoma county we have what are called urban growth boundary. This is where the borders of cities and towns are not built on to prevent urban sprawl and keep at least some of the beauty of our county. The proposed land is on the border of Santa Rosa and Windsor and it is our understanding that this is part of the urban growth boundary, which was voted on by the

residents of Sonoma County, and passed, where there is not to be any building. There had been other efforts to build on this property but were not allowed due to the boundary.

There have been many things brought up in the previous reports, and possible mitigation of impacts, One of those is the amount of ground water the proposed casino project would need. Hundreds of thousands of gallons a week. It was said that since the wells would be deep, that it would not effect shallower wells? This defies common sense! Many wells have been going dry in the recent years. Is the tribe going to pay for all fees and costs to hook up effected properties to city water if this project is approved? Will the tribe then pay for the use of city water by each property owner that currently has no water bill? Will the tribe be making compensation to those property owners who's property value declines if a casino is built? Is the tribe going to pay for property owners to relocate, along with any and all costs ? If the project is approved. their should be set work hours and days, along with stiff fines to detour the abuse of these times. I have worked in construction for the past 39 years. I have worked on projects that were in residential areas where we could not enter the sight until 8:00 am and had to be off site and locked the gated by 3:30 pm Monday thru Friday. I have seen projects that has fines of what I believe to be \$5,000 per minute of infraction.

All other Casinos in the area were built AWAY from residential developments. It is apparent that this is NOT the right location for a casino. It appears that the Koi even acknowledge this, by their deceitful purchase of the property, and apparently factually lacking claims of some of their support. The Koi/Chickasaw tribes should look for an appropriate site to have their proposed cassino considered and built. They should be forthcoming and be good neighbors with any community the seek out, prior to purchase of land.

The Koi claimed that they were wronged by having their native land, in Lake County, as apparent in their recent lawsuits over land, in Lake County. By approving development of this site would wrong ALL of the effected residences in the surrounding areas. Two wrongs do not make a right.

Please make the right decision of the No Action Alternative to the Koi/Chickasaw Casino Project

Thank you for your consideration,

David and Sandra George
133 E Shiloh Road
Santa Rosa, CA

From: Anne Gray <annegray123@sbcglobal.net>

Sent: Sunday, April 7, 2024 12:20 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Chad,

Attached is my Comment on the above Project. Could you please reply so I know it reached you?

Sincerely,

Anne Gray
Santa Rosa CA

One attachment • Scanned by Gmail

Anne Gray

459 Country Club Drive
Santa Rosa, CA 95401
annegray123@sbcglobal.net
630.815.9277

April 7, 2024

Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

To: Chad Broussard
Bureau of Indian Affairs
chad.broussard@bia.gov

Dear Mr. Broussard:

First, could you please send me an email acknowledging receipt of this Comment?

I again ask that the Bureau reject the Koi Nation's effort to build a casino of **any size** in Sonoma County. All proposed options for "**Shiloh Resort & Casino**" at 222 E. Shiloh Road, Santa Rosa, 95403 are unacceptable. I spoke in opposition at the Zoom September 2023 Public Hearing, and sent you a follow-up letter last November.

Sources used for the following information and my understanding of the facts are listed below, and at the end of this letter. As you know, the current proposal will include:

- A 540,000 square foot casino, 400-room hotel and a 2,800-seat event center
- More than 5,000 parking spots hosting up to 57,000 visitors daily
- Two ballrooms and five restaurants
- Additional support and entertainment facilities
- Resort style expansive pool and aquatic/spa center
- Up to 400,000 gallons of water used daily

CLIMATE CHANGE IMPACT ON WATER TABLES & THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA)

During the September 2003 Zoom meeting which you hosted, and in reading related resident testimonials thereafter, one common theme emerged regarding the devastating impact the proposed Shiloh Resort & Casino would have on the Santa Rosa Plains water supply. Nearby residents are already seeing their wells dry. And while California is technically no longer in a drought, we would be fools to think severe drought won't return. Moreover, **we are not "water neutral" now** - we are taking out far more than nature gives back. Ao how can we ever get there with massive growth?

Meanwhile, multi-family housing construction in Sonoma County is undergoing a significant boom, supported in part by the state's **Prohousing Designation** program. Under this aggressive housing growth program, cities "selected" for participation must achieve significant housing growth by 2031 or lose general state funding. **Santa Rosa, Windsor, Healdsburg, Rohnert Park and Petaluma** are all in this program, which I will go back to later in this Comment.

Santa Rosa alone is adding almost 4,685 new housing units by 2025 with many already completed, and well before the 2031 deadline. It's also planning for much more high-density housing development to meet county needs, and grow revenue. Developers are exempt from dealing with many infrastructure requirements to support this massive growth. **Demand for Santa Rosa Plains water will increase dramatically as a result.**

In addition to fast-track housing development, think for a moment about water usage to support up to 57,000 daily gaming visitors, a 400-room hotel, five restaurants, a large resort-style pool complex and supporting facilities. **Has the BIA taken into consideration what the impact would be of taking an additional 400,000 gallons of water from our water supply every day?**

Much of Sonoma County uses water from the Santa Rosa Plains. **The Santa Rosa Plains water system is where 222 E. Shiloh Road, Santa Rosa, 94303 gets its water from, and the Santa Rosa Plains are included in the mandated “Sustainable Groundwater Manageable Act” (SGMA).**

This act was passed in 2014 and requires that by 2042 each area of California that uses ground water – like the Santa Rosa Plains -- must enact a plan to replace the ground water that it draws out. This basically requires that communities don’t use more water than nature puts back, using metered systems to determine natural replenishment versus usage. Extensive planning is already underway to meet this state requirement.

Withdrawing an additional 400,000 daily gallons of water from the Santa Rosa Plains will make adhering to the SGMA much more difficult, especially with so much mandated new housing growth in the Santa Rosa Plains that the state is also requiring. **If we are already using more than nature puts back now, how will we become “water neutral”?**

Will the Oklahoma Chickasaw who would fund, build and manage the casino be required to comply with the SGMA? Do they have a plan to address this future requirement? Will they be required to “break even” on the amount of water used versus what nature puts back like others who draw water from the Santa Rosa Plains?

Or would they be exempt from this program? If that’s the case what happens? Do other Santa Rosa Plains water users get a daily 400,000-gallon discount reflecting the Shiloh Resort & Casino usage? Or does the rest of the community need to make up for the massive Shiloh Resort & Casino deficit, putting another strain on water consumption needs.

Moreover it would negate the important SGMA goal – sustainable water usage and environmental protection. What is the responsibility of the Oklahoma Chickasaw Nation here and the small Koi Nation tribe they appear to be using just to get the largest California resort and casino built in Sonoma County? Here is a link to the SGMA program.

<https://water.ca.gov/programs/groundwater-management/sgma-groundwater-management>

IMPACT ON AIR QUALITY, NOISE POLLUTION AND AIR TRAVEL VIA CHARLES SCHULZ SONOMA COUNTY AIRPORT (STS)

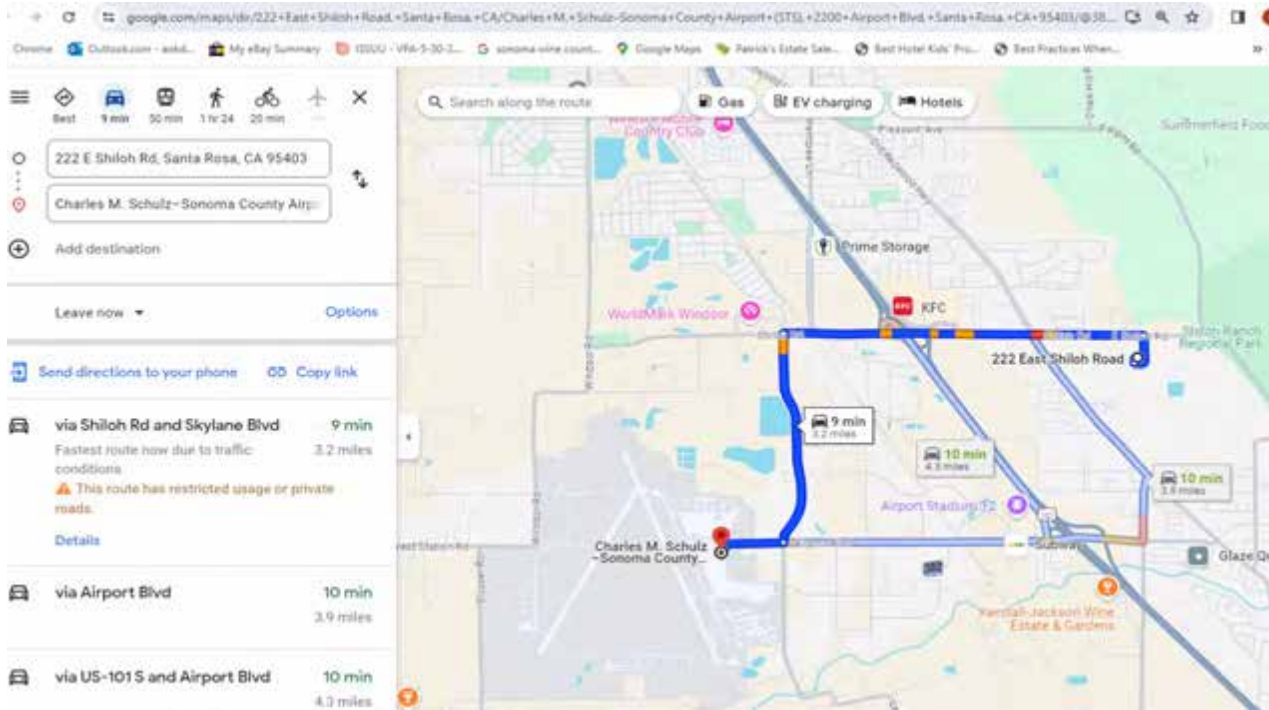
Sonoma County residents are already struggling with air quality and noise pollution caused by the growth of our STS regional airport. Demand for air travel via STS will skyrocket when up to 57,000 daily Shiloh visitors enter the mix. Air and noise pollution from low flying commercial aircraft will worsen.

Moreover, **the ability for area residents to actually use STS will decline sharply as many of those 57,000 casino visitors compete with local residents for seats on crowded planes at our small regional airport.** I use this airport regularly and value the ability to fly directly into Sonoma County versus being required to drive to San Francisco (SFO), Oakland (OAK), San Jose (SJC) or Sacramento (SMF) in order to access air travel.

The most logical alternative is SFO, which is 84 miles or about a 1.5-hour drive away from STS and inaccessible to many. While tourism is key to the Sonoma County economy, adding up to 57,000 daily visitors along with massive housing growth, will overwhelm our community’s ability to afford flying via STS.

The STS airport would be about four miles from the Shiloh Resort & Casino as you can see from the map below. This will also drastically increase road traffic, air, and noise pollution. It would most likely require significant roadway expansion

and improvement – to be paid for by Sonoma County taxpayers, not taxpayers Oklahoma where the Oklahoma Nation Global Gaming Group resides.



IMPACT OF NEW URGENT STATE MANDATED PROHOUSING COMMUNITY MULTI-FAMILY HOUSING

As mentioned above, there is already a very aggressive housing development program being undertaken in Sonoma County. Have you considered this in your assessment? Have you analyzed what if any Enhanced Infrastructure Financing District funds will apply around the area where the casino would be built to ease congestion? (The Enhanced Infrastructure Financing District, or EIFD, is a special finance district that will use property tax increment revenues from community growth in specifically defined areas to finance public infrastructure and economic development projects of community-wide significance.)

Governor Newsom’s Fiscal Year 2019-20 budget established the **Prohousing Designation Program** help meet California’s goal of adding 2.5 million new homes over the next eight years. **Santa Rosa, Windsor, Healdsburg, Rohnert Park and Petaluma are part of this designated, fast-growth housing program.** According to the City of Santa Rosa:

“In its application, the City outlined multiple pro-housing policies it has enacted or will enact to increase housing production and to improve access to affordable housing. These included streamlining and expediting application and review processes, deferring fees for affordable housing construction, **incentivizing increased housing density**, speeding approvals for accessory dwelling units, **reducing parking requirements for new housing**, and creating an Enhanced Infrastructure Financing District to help support affordable housing development, among many other policies the City has adopted or is pursuing.

One project highlighted in the City’s application that received high marks was adoption of the Southwest Greenway Plan, which will preserve up to 47 acres of parklands and open space and provide **244 multi-family housing units in an underutilized area previously designated for Highway 12 expansion.**

Santa Rosa is on track to create **4,685 units of new housing by 2031**, including 1,919 affordable housing units. With 397 units under construction from June 30, 2022, and later, the City's [2023-2031 Housing Element](#) accounts for 163% of Santa Rosa's remaining total Regional Housing Needs Allocation. There are **more than two dozen affordable housing developments in the pipeline**, including Caritas Homes - Phase One set to open soon in Downtown Santa Rosa, South Park Commons at the former City-owned Bennett Valley Senior Center site, and The Cannery at Railroad Square. Recently completed affordable housing projects include the Linda Tunis Senior Apartments in Rincon Valley and Laurel at Perennial Park located on Mendocino Avenue at the former Journey's End Mobile Home Park site, among others." Source:

<https://www.srcity.org/CivicAlerts.aspx?AID=2253#:~:text=Santa%20Rosa%20is%20on%20track,total%20Regiona%20Housing%20Needs%20Allocation>.

Again, according to Gustavo Velasquez, Department of Housing and Community Development (HCD) Director:

"I'm thrilled that we now have 30 communities that have achieved the Prohousing designation," said HCD Director Gustavo Velasquez. "The cities and counties are leading the way by **reducing unnecessary barriers and red tape** that discourage new housing production, instead they are **signaling to developers that are ready to build more housing faster.**"

(California Department of
Housing and Community Development, August 7, 2023)

"This isn't hype. If it becomes law, the bill could really revolutionize California cities. As currently written, SB 827 would essentially **exempt all new housing built within half a mile of a train stop or quarter mile of a frequent bus stop from most local zoning rules**. So, if a city had zoned an area for single-family homes, developers could invoke the bill to build multifamily apartment buildings **between four and eight stories high.**"

(Cal Matters June 23, 2020)

One only has to look at the large multi-family housing developments going up all over Santa Rosa now to know there will be major issues going forward with transportation gridlock, parking, community services and water needs; eliminating the "red tape" needed to successfully incorporate new housing into Sonoma County will negatively impact quality of life. Highways, roads, and community services such as grocery stores and medical facilities are not equipped to deal with the **Prohousing Community** requirements, **let alone a third Las Vegas style casino.**

SONOMA COUNTY RESIDENTS ARE CONFUSED ON WHERE IS THE SHILOH RESORT & CASINO IS GOING TO BE LOCATED

There is confusion within the community as to where the proposed casino will be built. **The Press Democrat insists on telling readers it will be located in Windsor even when corrected.** I asked someone just the other day who reads the Press Democrat daily where it was going to be built and the response was "Windsor up by the Healdsburg border".

The casino is **not going to be located in Windsor as they continue to publish. The address is 222 E. Shiloh Road, Santa Rosa, 95403.** It is in unincorporated Sonoma County within the **Larkfield-Wikiup boundary map** with a Santa Rosa street address. The Press Democrat even changed an April 3, 2024 published Letter to the Editor I wrote. I provided the Santa Rosa address, and they changed it to "Windsor" twice without my permission, then refused to issue a correction. **They are confusing the public which in turn limits the feedback you receive.**

Below are Google Map showing the location and two Press Democrat photos stating it will be in Windsor. **Note:** the Press Democrat has also published that the location would be in unincorporated Sonoma County, and south of Windsor, but also keeps printing "Windsor".

I am hereby requesting that the BIA publish an announcement in the Press Democrat, with the exact address or request a Press Democrat correction as Sonoma County is being misled with respect to Shiloh's proposed location.

Larkfield-Wikiup California Boundary Map



222 E Shiloh Rd
Santa Rosa, CA 95403

Most popular places at this address

Koi Nation Indian Casino

Regalor.com
View 59 photos for 222 E Shiloh Rd, Santa Rosa, CA 95403, a 3 bed, 5 bath, 5695 Sq Ft. farm home built in 2004 that was last sold on 09/03/2017.

Federal hearing on proposed Koi Nation casino near Windsor draws scores of detractors

The Koi Nation's proposed gaming resort led to a federal hearing Wednesday that exposed a sharp divide over the project.



SLIDE 2 OF 8
Residents of the Oak Park subdivision, north of Shiloh Road, near Old Redwood Highway, have placed signs opposing the proposed casino resort, which would be built south of Shiloh Road, in Windsor on Thursday, Sept. 28, 2023. (Christopher Chung/The Press Democrat)

Federal hearing on proposed Koi Nation casino near Windsor draws scores of detractors

The Koi Nation's proposed gaming resort led to a federal hearing Wednesday that exposed a sharp divide over the project.



SLIDE 1 OF 8
Nina Cobb, left, Don Zavin, and Lynn Darré are among the residents of a neighborhood adjacent to a proposed casino resort opposing the project, along Shiloh Road, in Windsor on Thursday, Sept. 28, 2023. (Christopher Chung/The Press Democrat)

PAYING FOR INFRASTRUCTURE IMPROVEMENTS

Federal law makes it clear that the Koi and Chickasaw nations will not be required to fund road, flood and wildfire containment and evacuation “improvements”, or contribute to additional housing requirements needed for staff. Therefore the impact on Sonoma County residents would be enormous as vast changes would be needed to deal with up to 57,000 additional daily visitors to Shiloh Resort & Casino.

What would Sonoma County residents get for this massive investment – up to 1,000 new jobs while the bulk of the revenue and profit goes to the **Oklahoma-based Chickasaw Nation**? This is not practical, fair or advantageous. Especially when you consider the impact on our environment, sustainability and quality of life.

Here is the relevant federal law link regarding funding public projects:

<https://www.ecfr.gov/current/title-25/chapter-I/subchapter-N/part-293>

KOI NATION IS INDIGENOUS TO LAKE NOT SONOMA COUNTY

It is my understanding that the Koi Nation are **indigenous to Lake not Sonoma County** and therefore have **no significant historical connection or inherent rights** to build this casino anywhere in Sonoma County. Their website acknowledges this history (below). ABC News and others also reported that “Five other tribes question Koi Nation's "historical connection" to Sonoma County, saying their ancestors lived 50 miles away in Lake County.” All Sonoma County tribes are strongly against this proposal.

The **Clearlake City Council, in Lake County** approved increasing funding the city will devote to **defending itself against legal challenges involving major park and road projects filed by the Koi Nation**. The reference notes that **“The tribe, whose traditional territory includes the city of Clearlake and Lower Lake...”**. They go on to note that the money is needed because the tribe, **indigenous to Lake County**, approving \$250,000 for legal defense... “after the tribe sued to stop the city’s extension of 18th Avenue as part of a new hotel development at the former Peace Field airport site.” (Lake County News, October 20, 2023)

Yet in 2021, the Koi Nation purchased 68 acres in Sonoma County at 222 E. Shiloh Road, Windsor, for \$12.3 Million. They did not have approval to build the casino before this purchase and are now requesting permission. Is this a version of **"It's easier to ask forgiveness than it is to get permission"**? Why buy the land first? To make it hard for the BIA to say “no”?

So, which is it? Is the Koi Nation indigenous to Sonoma County? Lake County?



LARGE CASINOS ALREADY EXIST IN SONOMA COUNTY ARE ALREADY HAVING PROBLEMS COMPETING

By building the Shiloh Resort & Casino, the biggest in California, Sonoma County will become the Las Vegas of California. Forever changing our cherished rural landscape and sense of community, while creating new crime and safety challenges, and contributing to transportation gridlock for all.

Just 14 miles, or 15 minutes south off Highway 101 is the 2013 built **Graton Casino**. It has a:

- 135 square foot casino – 25% the size of one proposed for Windsor
- 200-room hotel, and others built nearby to support it

In June 2023 Graton began a \$1 Billion expansion which will add a:

- Second hotel wing with 200 rooms
- 3,500-seat theater for live entertainment
- Rooftop restaurant seating for 480 guests

- 144,000 square feet of gaming space
- Five-level parking structure for 1,500 additional vehicles

Upon completion, **Graton will be the second largest casino in California. The Shiloh Resort & Casino would easily become the largest in the state.** Surrounded by other massive casinos just a few miles away. Also relevant, on March 1, 2023, Sonoma County Supervisors approved the **Dry Creek Rancheria Band of Pomo Indians’ new River Rock resort and casino in nearby Geyserville.** (Rendering Below.) **This is only 18 miles or 30 minutes north of Windsor.**



Why are they tearing down their existing facilities to build a bigger new luxury resort and casino? **During the approval process they argued that business *slowed significantly* after Graton opened. They were granted permission for a complete rebuild as they need it to compete and not go out of business!**

This suggests that **Sonoma County cannot sustain *three (or four)* massive casinos requiring high revenue targets for financials to meet expectations.** If this turns out to be the case, it will lead to owner neglect as operating funds diminish. **Sonoma County taxpayers** may in the end need to step in with taxpayer monies to fund basic maintenance and security functions.

Twin Pine Casino & Hotel in Middleton, Lake County, is also just one hour by car from the proposed Windsor site.

The Dry Creek Rancheria Band of Pomo Indians also plan to build a **large casino in Petaluma south of Windsor.** They have delayed it until 2032 but it is still a strong and viable possibility.

Again, just 14 miles from Graton Casino and 18 miles from River Rock Casino, **the proposed Shiloh Casino in Windsor would easily become California’s largest casino.** Built in a residential area and location Sonoma County cannot support.

Sonoma County residents do not need *three* massive Las Vegas style casinos within a 32-mile radius of each other.

PROPOSED SHILOH RESORT AND CASINO WOULD BE LOCATED IN THE MIDDLE OF ESTABLISHED RESIDENTIAL NEIGHBORHOODS



The above images show the proposed site abuts established residential communities, and the stores, restaurants, churches and other operations the local community relies on. **This includes about six densely populated mobile home parks, five of which serve senior citizens only;** and seniors often require additional help during evacuations, which adds to the risk associated with putting a major resort/casino in their backyards.

CURRENT TRAFFIC CONGESTION

The Wal-Mart and Home Depot right off Highway 101 along with other stores and restaurants located there are already destination points for many residents **outside of Windsor**, which also leads to much more traffic.

My understanding from the recent public Zoom hearing is that your transportation study was done in the early morning on a winter day. Have you re-evaluated it during afternoons when schools let out and people leave work? Highway 101 already becomes a parking lot at many busy travel times of the day.

ADDITIONAL NEW MULTI-FAMILY HOUSING GOING UP AT 295 SHILOH ROAD, WINDSOR

The Corporation for Better Housing and Integrated Community Development received \$40 million in construction financing for Shiloh Crossing, **a 171-unit housing complex**.

The development will have two buildings plus 8,000 square feet of commercial space. The North Building will include 130 apartments, while the South Building will consist of the remaining residential units, administrative offices, community space and two commercial spaces. It will have a swimming pool, community room and bocce court.

The development will be located at **295 Shiloh Road** near Route 101. Just one mile or a 3-minute drive from the proposed new Shiloh Resort & Casino. This development, one of many fast-tracked to deal with California's housing shortage, will also add to traffic congestion, slow wildfire evacuation efforts and pull from depleted water reserves.

IMPACT ON RESIDENTIAL PROPERTY VALUES

Can you please tell me what the impact will be on residential property values all around the proposed site in Windsor, and Santa Rosa, including those who reside in the Larkfield-Wikiup boundary map? How much property value will be lost when the biggest casino in California moves in next door? How will this impact current residents?



ALREADY STRESSED WILDFIRE EVACUATION ROUTES

It is also quite easy to see from the above map that the proposed casino would hamper wildfire evacuations as evacuees travel west on narrow roads to get to Highway 101. It is also unrealistic in my view to **expect casino employees to risk their lives trying to evacuate patrons as the road traffic quickly comes to a standstill and a death trap.**

Here is a snip from the Koi's Proposal Appendix N – Wildfire Evacuation Memorandum. Many assumptions and conclusions in this Addendum are debatable, and it also shows clearly that significant public infrastructure improvements would be required for any extra degree of mitigation when wildfire strikes.

If the Koi Nation's proposal is approved the BIA will share the blame should more wildfires lead to death due to an inability to flee, and destruction that would not have happened if the proposed site was left as is. The BIA knows locating the largest casino in California at this location – **or anywhere in Sonoma County** - will add significant wildfire evacuation hurdles.

SONOMA COUNTY BOARD OF SUPERVISORS UNANIMOUSLY OPPOSES THE KOI NATION PROPOSAL

There has been great Sonoma County opposition to the Koi Nation plan. In April, 2022, the "Sonoma County Board of Supervisors unanimously passed a resolution opposing the Koi Nation's proposed casino and resort outside Windsor while discounting the tribe's historical ties to the county". (CDC Gaming Reports, April 6, 2022). Many other groups also oppose this new development.

The Koi Nation (and the Press Democrat) also indicated that a **Letter of Intent with Sonoma County Firefighters** equaled an endorsement. I checked with this firefighter organization directly; they have NOT endorsed the proposed casino.

SUMMARY

Elements of Mitigation Plan

The following mitigation measures are recommended to achieve a safe, efficient and organized site evacuation:

- Trained on-site personnel will direct roughly half of the 4,310 vehicles from the rear of the site to each of the two access points (the east Shiloh Road access point and the signalized Old Redwood Highway access point.) Thus, each access point connecting to adjacent public streets would handle about 2,155 vehicles.
- The two-lane two-way loop road serving the 4,310 vehicles should be converted to two outbound lanes during evacuation. However, only a single lane of traffic would enter the single westbound lane on Shiloh Road, so the extra outbound lane would be for storage of vehicles that would be directed onto the westbound lanes of Shiloh Road by two on-site attendants to keep traffic flowing.
- To accommodate any opposite flow emergency vehicles, the loop road should be designed with at least one paved shoulder wide enough to handle in-bound traffic during evacuation. This design should be available at all three access points.
- The Old Redwood Highway access point will be signalized and it also only has a single receiving lane on southbound Old Redwood Highway. All evacuation traffic should be directed to the south. This exit should also have two outbound lanes but only one vehicle at a time can use the outbound lane at the signal. Two attendants will be necessary to direct traffic.
- At the signalized exit near the entry area, also only a single lane can exit onto Shiloh Road. There would be two westbound receiving lanes at this location allowing both the vehicles exiting from the entry area and the other evacuating vehicles from the east access point to have their own westbound lane approaching the signalized intersection of Shiloh Road and Old Redwood Highway. To keep traffic flowing smoothly, two attendants should be present at this location.
- There should be at least six traffic attendants to direct the 4,310 vehicles exiting the garage and surface parking areas. In addition, at least two attendants would be needed at each of the three casino parking lot exit points. A total of 12 persons would be needed during evacuation. These traffic attendants should be specially trained employees of the casino.
- It is assumed that the approximate 2,155 vehicles exiting the site on the east Shiloh Road access point would have a maximum service rate of about 1,000 vehicles per hour. This is a typical rate assumed in urban areas and assumes that other traffic will be present, although at this location other traffic should be relatively light. This exit can therefore handle the exiting evacuating traffic in 2.2 hours or about two hours and twelve minutes.

Sonoma County is already being over-built without regard to water requirements, air quality, noise and road transport needs. Threats from wildfires and required evacuation infrastructure are easier to overlook when the drought abates, but severe drought due to climate change is predicted, along with future wildfires. The land and water impact of adding this casino to our county and its long-term impact on our fragile environment - already being fast-tracked to build more densely populated housing - should not be brushed aside.

I urge you to deny the Koi Nation Shiloh Resort & Casino **in any form anywhere in Sonoma County.**

Sincerely

Anne Gray

Anne Gray

Data sources and links not listed above include:

- The September 27, 2023, Public Hearing, Zoom-moderated by C. Broussard, BIA
- Publications:
 - <https://abc7news.com/koi-nation-casino-sonoma-county-casinos-windsor-plan/11710358/>
 - <https://www.lakeconews.com/news/76942-clearlake-sets-aside-half-a-million-dollars-to-defend-against-tribal-lawsuits-over-city-projects>
 - <https://www.pressdemocrat.com/article/news/sonoma-county-supervisors-approve-casino-agreement-with-dry-creek-rancheria/>
 - <https://www.pressdemocrat.com/article/news/federal-hearing-on-proposed-koi-nation-casino-near-windsor-draws-scores-of/>
 - <https://www.townofwindsor.com/1303/Koi-Nation-Resort-and-Casino-Project>
 - https://en.wikipedia.org/wiki/Koi_Nation#:~:text=The%20Koi%20Nation%20of%20the.an%20island%20in%20Clear%20Lake.
 - <https://www.koinationsonoma.com/history/>
 - <https://www.koinationsonoma.com/project/>
 - <https://www.srcity.org/CivicAlerts.aspx?AID=2253>
 - <https://www.hcd.ca.gov/about-hcd/newsroom/california-department-of-housing-and-community-development-awards-prohousing-designation-to-five-new-jurisdictions>
 - <https://www.hcd.ca.gov/about-hcd/newsroom/governor-newsom-designates-three-more-california-communities-prohousing-strides-made-to-accelerate-housing-production>
 - <https://www.townofwindsor.com/DocumentCenter/View/27736/3818-23-Authorizing-Town-Manager-to-Submit-Prohousing-Incentive-Pilot-Program-App-to-CA-HCD?bidId=>
 - <https://calmatters.org/housing/2018/03/what-to-know-about-the-housing-bill-that-has-people-freaking-out-from-marin-to-compton/>
 - <https://www.pressdemocrat.com/article/news/public-hearing-announced-for-koi-nations-proposed-casino-project-near-wind/>
 - <https://huffman.house.gov/media-center/in-the-news/sonoma-county-elected-leaders-react-to-koi-nation-proposal-for-casino-near-windsor>
 - https://www.pressdemocrat.com/article/news/graton-rancheria-statement-on-koi-nations-application-for-gaming-facility/?utm_campaign=trueAnthem%3A%20Trending%20Content&utm_medium=trueAnthem&utm_source=facebook&fbclid=IwAR2VfpsWJpFRLIH8visWcOb8hdIQqZd2bwOTuM3IvK7rOnxKic6u53MWVg
 - <https://www.petaluma360.com/article/north-bay/sonoma-county-dry-creek-tribe-poised-to-extend-agreement-banning-casinos-n/>
 - <https://cdcgaming.com/brief/california-sonoma-county-supervisors-unanimously-oppose-koi-nations-casino-near-windsor/>
 - <https://abc7news.com/koi-nation-casino-sonoma-county-casinos-windsor-plan/11710358/>
 - <https://www.landispr.com/wp-content/uploads/2019/11/PD-Coverage-Koi-Nation-casino-battle-091821.pdf>
 - <https://www.healdsburgtribune.com/windsor-casino-would-increase-fire-risk-impact-residential-communities-opponents-say/>
 - <https://www.shilohresortenvironmental.com/>
 - <https://www.multiphasingnews.com/california-affordable-development-lands-40m/>
 - <https://www.srcity.org/CivicAlerts.aspx?AID=2253#:~:text=Santa%20Rosa%20is%20on%20track,total%20Regional%20Housing%20Needs%20Allocation.>

From: Dan Gilbert <artwork@dangilbert.com>

Sent: Sunday, April 7, 2024 1:22 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Chad,

I am deeply troubled by the continued consideration of the casino project near Wikiup.

The proposed casino threatens to degrade our environment and disrupt the quality of life in our tranquil neighborhood, compromising the distinct charm of wine country with an influx of visitors seeking a vastly different form of entertainment.

Significant concerns include increased traffic, noise, air pollution, strain on the water table, elevated fire risks, and a surge in crime. These changes would irreversibly transform our cherished family-friendly community into a landscape that is starkly at odds with resident values and expectations.

While I recognize the potential economic benefits in terms of revenue and taxes for Sonoma County, the adverse effects on local residents are too great to ignore. A more suitable location should be sought—one that steers clear of residential areas and preserves the integrity of our vineyards and natural environment.

The potential decline in property values also worries me greatly, as it threatens the financial security and retirement plans of many in our community, including myself.

Moreover, the construction phase alone poses significant disruptions through noise, increased traffic, and deteriorating air quality, affecting the daily activities and well-being of our community members who cherish our outdoor lifestyle.

I vehemently oppose the casino project and will actively campaign against it for as long as it remains under consideration.

Dan Gilbert, home-owner

5477 Carriage Lane

Santa Rosa, CA 95403

5477 Carriage Lane
Santa Rosa, CA 95403
PH: 707.791.3161
www.dangilbert.com

From: Alison Fierro <abcfierro@gmail.com>
Sent: Sunday, April 7, 2024 2:06 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] proposed casino

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To Whom It May Concern:

Sonoma County is home to a diverse array of species of flora and fauna, some of which fall on the threatened or endangered species lists. For example, the Button's banana slug, (*Ariolimax buttoni*) found in Shiloh Regional Park and the surrounding area is considered imperiled. The proposed casino, which I understand will be the largest in California, will certainly have a negative effect on the future of threatened plants and animals.

Twenty-eight years ago we moved to our home on Corbett Circle. We came here for the schools, the proximity to a regional park, and primarily, the sense of community we saw in the neighborhood. I taught at San Miguel Elementary School (roughly a mile away from the proposed casino site) for over two decades and became acquainted with hundreds of children and their families who in turn, harbored similar feelings about our corner of the world. I have spent much of my career encouraging children to be good stewards of our neighborhood.

The possibility of a casino being built a stone's throw away from my home and my beloved school is extremely alarming. This is not the appropriate venue for a casino for a myriad of reasons. Safety is of paramount importance; having evacuated three times since 2017, I know firsthand how dangerous our roads can become when congested and drivers are under duress. The possibility of wildfire is now a year round threat and the proximity of a casino to Shiloh Park puts employees and patrons alike in jeopardy. Thousands more people trying to flee via narrow outlets such as Faught Road or Shiloh Road will make our escape routes far more dangerous and it will be very difficult for emergency vehicles to gain access. Wildfires aside, unwanted activity such as increased drunk driving and property crimes are often affiliated with casinos, creating an unsafe environment in our residential area.

The proposed casino will have a profound effect on the ecological environment. Sonoma County is in the midst of experiencing a multi-year drought, with residents asked to conserve water as much as possible. With water supplies so low, how can we possibly justify building a casino that will use copious amounts of this precious resource? With the tremendous traffic a casino brings, what is to become of Shiloh Park, a jewel in our regional parks system? A casino in the proposed location eliminates an area of greenbelt and will surely increase greenhouse gasses.

The quiet enjoyment of our neighborhoods will disappear if the Casino project is allowed to proceed. Traffic, lighting, music, and special events associated with the casino, and especially the years of construction this will entail, will extinguish the quiet enjoyment of this area. This is the wrong place to build a casino and I strongly oppose its construction.

Sincerely,
Alison Fierro

From: Chris Fierro <fierrochris@sonic.net>

Sent: Sunday, April 7, 2024 2:16 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] OPPOSITION TO KOI NATION CASINO & RESORT IN SONOMA COUNTY, CA

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Dear Mr. Chad Broussard,

As 28 year residents of the Larkfield Wikiup area in Sonoma County, living merely a mile from the proposed Koi Nation Casino site, I feel compelled to express strong opposition to this project, echoing the concerns of many in our community. Rather than reiterating the numerous objections already presented, I wish to highlight specific issues based on my personal experiences, which underscores my stance.

The prospect of evacuating during wildfires, a reality this community has faced in 2017, 2019 and 2020, is daunting. The addition of hundreds of casino guests and staff would greatly exacerbate the wildfire challenges in our urban-wildlife interface area. Furthermore, our region, particularly Larkfield Wikiup, has endured prolonged droughts, leading to significant aquifer depletion. The casino's voracious water demands will intensify the strain on our precious resource without offering sustainable solutions.

The sovereign status of the Koi Nation, and by extension the casino, effectively insulates them from civil recourse by residents over any disputes or grievances arising from the project, leaving the community without a voice or means to address potential harm.

Moreover, I believe the casino's business model, which inherently relies on the financial losses of its patrons, is fundamentally at odds with the values and livelihoods of our community in Larkfield Wikiup. This venture contributes nothing constructive, instead draining the economic vitality for the exclusive gain of the Tribe and its affiliates.

I propose that less developed and more suitable regions exist in California that would welcome such a project, benefiting from the economic influx without the detrimental impacts faced by our community here in Sonoma county.

Thank you for considering this perspective.

Chris Fierro

From: Ron Carrey <papacarrey@yahoo.com>
Sent: Sunday, April 7, 2024 2:51 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NO on residential casino

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To Whom it may Concern:

My wife and I are deeply troubled at the thought of a Casio being placed so close to our home. A residential area is not a place to develop a casino! We are senior citizens, we love our neighborhood because it feels safe. The crime rate in this area will spike with a casino so near by. Old Redwood Highway already has enough traffic and we would hate to see that get any worse, esp since it is used by many as an escape route when needing to evacuate due to fires. This is a mistake, please help us and keep our area safe and beautiful as it currently is.

Ron and Nancy Carrey

From: carleene cady <carleenejcadly@gmail.com>

Sent: Sunday, April 7, 2024 3:06 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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This intention is to build a huge casino complex in a neighborhood of family homes and agriculture. The complex would be less than 1/4 mile from a hilly regional park used heavily by bicyclists, equestrian riders, hikers and families with children.

Immediately across the narrow two lane road, as well as housing, is a park with a baseball diamond. The streets surrounding the area are two lane and heavily used already by the local population.

Housing prices would drop as locals sell because of the increased impact of traffic, litter, crime, 24 hour lights, 24 hour noise pollution. Animals living in the local rural lands will be affected as well as trees and vineyards.

Water use would tremendously increase with drought conditions already a concern in Sonoma county.

With the past 9 years of severe fires in the area, a casino with people smoking in the area, increases the chance of more fires.

Sonoma county already has two casinos whose businesses will be impacted by a third one that is planned to be much larger than those already here, ruining those already established.

The present two casinos are NOT in family neighborhoods!

Another aspect is that alcohol and gambling are both addictive so it seems unconscionable to place another structure (especially in this location) that encourages both alcohol and gambling. The tribe trying to start this casino is not even a tribe from this county,

We do not want a casino in this area of family homes, rural regional parks and agriculture.

Carleene Cady

Ashley Hansen

Samuel Wingfield

384 Baile De Ciervos

Santa Rosa, California 95403

From: Jeanne Duben <jdub@sonic.net>
Sent: Sunday, April 7, 2024 3:16 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Casino/Hotel Project

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One attachment • Scanned by Gmail

April 7, 2024

Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs

Dear Mr. Broussard

As concerned residents of Windsor, CA, we are passionately against the Koi Nation's plans to build a casino/hotel on Shiloh Road. This development not only impacts our community but also has far-reaching consequences for all of Sonoma County.

Our concerns are valid and pressing. The safety of our community during evacuations, especially in the face of wildfires and earthquakes, is a top priority. The traffic congestion on Shiloh Road and Old Redwood Hwy is already a daily challenge, and adding a casino/hotel will only exacerbate the problem. The strain on water resources is a serious issue, with the county already struggling to provide enough water for its residents. The noise, crime, and lack of contribution to road upkeep from the nation are all additional worries.

With two existing casinos within 20 miles and two hotels currently under construction nearby, the necessity of another casino/hotel is questionable. The strain on resources will only intensify with the addition of this new development.

While we support the economic growth of the Koi Nation, we urge them to explore alternative options that benefit both their community and ours. Residential homes, cultural showcases, shopping centers, and other businesses could offer economic opportunities without the negative impacts of a casino/hotel.

We believe that the proposed casino/hotel is not a good fit for Windsor and Santa Rosa. We implore the Koi Nation to consider the well-being and concerns of the thousands of Sonoma County residents who will be affected by this project. Let us work together to find a solution that benefits everyone involved.

Jeanne and Richard Duben
9496 Lakewood Drive
Windsor, CA 95492
jduben@sonic.net
duben@sonic.net

From: (null) (null) <dpsmc@yahoo.com>
Sent: Sunday, April 7, 2024 3:22 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Fwd: NOI Koi Nation fee to trust and Casino Project

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Sent from my iPhone

Begin forwarded message:

From: "(null) (null)" <dpsmc@yahoo.com>
Date: April 7, 2024 at 2:45:17 PM PDT
To: chad.brossard@bia.gov
Subject: NOI Koi Nation fee to trust and Casino Project

Sent from my iPhone
To Whom it may Concern:

We are deeply concerned about the negative impact of placing a Casino so close to a residential neighborhood. This is not a good thing for residents in the Larkfield/Wikiup or Windsor districts. A casino will bring traffic congestion and based upon what has transpired at Graton, it will very likely bring an increased crime rate, as documented in Rohnert Park. This location is in very close of proximity to a neighborhood park, frequented by families and children. This is not the place for a casino in any way. Please consider those of us who live here and chose this location for its county like beauty, safety and family friendly living.

Sincerely,

Doug and Sharon Caesare

From: al beltran <a_bel_2@yahoo.com>
Sent: Sunday, April 7, 2024 3:59 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Water runoff traffic issues

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The proposed Casino is at the North edge of Santa Rosa and we are at the South edge of Windsor. The Casino is within half a mile of our home. Shiloh and East Shiloh is the boundary line of Windsor and Santa Rosa. Anything environmentally done on this property will impact the north edge of Windsor.

I'm concerned with the water runoff that eventually goes to the Russian River. We have lived here for 45 years. The land where Esposti Park is, used to be a "retention pond" for the runoff of the hillside east of the proposed casino. The retention pond collected excess water runoff eliminating negative water impact to properties west of the retention pond. It would also replenish ground water. (Shiloh Terrace currently exposes the need for a retention pond and displays the excess water which will impact properties/homes west to 101.)

The Windsor Watershed map [Windsor Creeks - Monitoring | Windsor, CA - Official Website](#) shows 4 creeks that reside within the Windsor city limits. Pruitt Creek is within the boundary of the proposed casino property. Pruitt Creek has direct negative impact causing closure of the Shiloh/101 exit due to flooding. The Windsor Watershed map shows four creeks, Pruitt, Pool Creek, Faught Creek and Airport Creek.... merging which causes flooding to the west side of town. Flooding from the creeks has caused roads and intersection closures. In addition, vineyards, properties, and the golf course have endured flooding. The golf course has been called Windsor Lake by one San Francisco news station. As the Casino property is developed, the once flourishing agricultural land will be covered with asphalt, cement and buildings which will exacerbate the runoff.

The vehicles coming and going on the property will leak oil and fluids. When it rains how are they going to mitigate the potentially hazardous chemical runoff into the drains/creeks?

The corner of Shiloh and Old Redwood Highway has a new apartment complex. The complex can only handle 200 parked cars on site, but the projected number of cars for the complex is 500. The adjoining Esposti Apartment Complex parking is full. The residents are using the sides of the roads of Old Redwood Highway, Shiloh Road, Merner Drive as excess parking spots for their vehicles. All directions of Shiloh Road and Old Redwood Highway are one lane in both directions either way. It can take 3-4

minutes to cross Old Redwood Highway. The town of Windsor has a plan for a roundabout at the Shiloh Road intersection.

What is the projected Casino addition to the traffic? The report will be a time frame of when? During construction, once it is open and projections 1-3-and 5 years?

Will the traffic report also include the impact not only to the the Shiloh/101 exit and up to the Casino but the Main Windsor exit to Pleasant Avenue and to Faught Road (the back narrow rd. to the casino).

Along with this the noise/pollution estimates for the surrounding/adjoining neighbors and neighborhoods.

Old Redwood Highway is it still owned/controlled by the state and has some historical landmarks/values that need their approval?

From: Donald Ziskin <donziskinlaw@comcast.net>

Sent: Sunday, April 7, 2024 4:18 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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One attachment • Scanned by Gmail

Don Ziskin
5862 Leona Court
Windsor, CA. 95492
Phone 707.292-0779
donziskinlaw@comcast.net

April 7, 2024

Chad Broussard

Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project,

This correspondence includes comments and concerns for evaluation by the BIA/BLM in the Environmental Impact Statement (EIS) regarding the Koi Tribe Casino application; and the impact the Koi Casino Resort will have on the local community. I will not repeat the several topics addressed in my original letter concerning the Environmental Assessment (EA). It is my understanding they are already part of the analysis. I will address changed circumstances concerning Traffic and Circulation since last year. Before doing that I would like to make a few preliminary comments.

According to the current design for the proposed Casino Report, the driveway entrance to the casino will be 45 feet from the two closest homes; and an entire street will have bedroom windows (also 45 feet away) facing the proposed casino. To local residents watching rows of existing, healthy grape vines being ripped out and surveyors making measurements, it feels as if the casino is a foregone conclusion. This is despite unwavering opposition from residents, local, state, and federal elected officials, and numerous organizations.

The Koi have not reached out to the local community and have published false information giving the indication they have widespread support for their application. Recently they claimed the Sonoma County Fire District and Santa Rosa City Council Member and former mayor Tom Schwedholm supported the project. In fact, they did not. (see attached correspondence).

I would also like to restate my concern over the neutrality of Acorn Environmental who prepared the EA and will apparently be doing the EIS.

Acorn Environmental is a company that is, and has been, utilized by other tribes applying for Fee to Trust Applications in efforts to acquiring land for gaming purposes. Their website identifies Fee-to-Trust Applications, NEPA Compliance for Fee-to-Trust and Two-Part Determinations and Tribal-State Compact Environmental Analysis as areas of specialty. The EA previously prepared in this matter glossed over and minimally analyzed the concerns expressed in the scoping comments preceding the report. This was evident during the comments from callers at the public forum. While not questioning their qualifications or professionalism, they are making many subjective assumptions and reaching subjective determinations. The NEPA procedure should

incorporate some safeguards to verify neutral professional analysis. Acorn consistently concluded that essentially all concerns raised in the scoping questions last year were determined to be insignificant after their evaluation. Examples of their common conclusions are:

Groundwater- cumulative impacts to groundwater would be less than significant.

Carbon Monoxide Hot Spot Analysis - Cumulative impacts to CO levels resulting from Alternative A would be less than significant.

Transportation and Circulation. - Thus, mitigation would reduce cumulative impacts to a less-than-significant level.

Transportation and Circulation/ Fire/Evacuation

Since the round of scoping for the EA, there has been significant development in the immediate area. There are 3 projects approved and/or under construction between the Highway 101 Shiloh offramp and Old Redwood Highway that will result in over 500 residential units in addition to retail ground floor ventures. The EA did not incorporate the increased traffic and circulation coming from these developments; and the impact they will have in addition to the proposed Koi Casino. The area has already seen a significant increase in traffic since the preparation of the EA. During busy hours traffic on eastbound Old Redwood Highway backs up to the freeway. The additional daily trips to and from the casino will result in constant traffic congestion.

The EA study was done over two winter days and the traffic during that time of year was not representative of conditions on E. Shiloh Road. During spring and summer months the park is full of young children playing baseball/softball as well as other groups utilizing the park. Several bike riding groups meet at the park for rides on Wednesdays and on weekends. The park parking lot during the weekends is full, with overflow parking on E. Shiloh Road and Old Redwood Highway. There will also be significant increased demand for street parking for the 131 units nearly completed catty-corner to the proposed site (at the intersection Old Redwood Highway and Shiloh Road). There are an additional 300 residential/senior units plus retail space approved or under construction between Old Redwood Highway and the 101 freeway.. The conclusions of the TIS concerning the impact the casino project will have on traffic circulation did not incorporate these actual conditions. The EIS should conduct a new traffic study, during spring/summer months to evaluate how the 500 plus units as well as parkgoers will impact the community.

Most importantly to residents who have been through multiple evacuations, it is concerning that the only time evacuation is mentioned is in Appendix N which calls for the Koi to coordinate with emergency evacuation and traffic experts to develop a project-specific evacuation plan. No specific plan is referenced nor is the increase in residential and retail space incorporated. The infrastructure of the area cannot sustain this increase in housing and retail and the proposed casino resort.

How will the addition of 500 plus residential units and commercial retail businesses on Shiloh Road impact traffic in addition to the casino traffic.

What will be the impact of the loss of available street parking from the casino project and new development to local residents and park users.

How will the traffic signals at Gridley and the Shiloh casino entrance impact residents of Oak Park?

In lieu of suggesting "an alternative project be investigated, it is critical that alternatives A, B and C be rejected and that alternative D - No Action be adopted. A, B and C all bring the same issues, albeit at different levels. It is unprecedented for a casino resort of this size to be developed in a residential neighborhood. From a precedent standpoint, allowing this project by an out of county tribe, funded by an out of state tribe, in a residential neighborhood, would be sanctioning casino development throughout the state.

Thank you,



Don Ziskin
5862 Leona Court
Windsor, CA. 95492
707.292-0779

OUR COMMUNITY MATTERS
PO Box 1421
Windsor, CA. 95492
ourcommunitymatters2@gmail.com

February 9, 2024

Amy Dutschke
Regional Director
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way, Sacramento, CA 95825

Subject: Koi Nation Shiloh Resort and Casino Project

Dear Ms. Dutschke:

The purpose of this correspondence is to correct certain misinformation being circulated by the Koi Tribe in the media concerning supporters of their application to build the Shiloh Casino. This misinformation causes confusion and alarm as our community continues to oppose this project.

In a recent newspaper article¹ the Koi listed 25 supporters, almost all of which were outside of Sonoma County and the proposed casino site. 18 of the supporters were other Tribes and Rancherias located outside of Sonoma County. The project is opposed by the Sonoma County indigenous tribes, the Sonoma County Board of Supervisors, and the Windsor Town Council. With the exception of the two former Santa Rosa Town Council members listed in the article, virtually all of our local and California government representatives oppose the Shiloh Casino project. The only local agency listed in support was, surprisingly, the Sonoma County Fire District as we had previously only heard negative comments from them in prior communications.

A group of local residents toured the fire ravaged areas surrounding the proposed casino with a Sonoma County fire captain and a representative of former senator Diane Feinstein's office in 2022. At that time the captain expressed considerable concern over the placement of such a large commercial development in a residential area that was fire prone and had already experienced fire. The chief concerns were over evacuation of local residents and casino patrons as well as access to the area by first responders. Following that meeting, Dianne Feinstein generated a letter to the Bureau of Indian Affairs opposing the project.

Being participants in the meeting with Ms. Feinstein's office and the Sonoma County Fire District, it was surprising for us to read that the Sonoma County Fire District was listed as a supporter of this project. In response to the article, we contacted the Sonoma County Fire Department and spoke with Ron Bush. He advised us that the Sonoma County Fire District is "totally neutral" with reference to the project. They did generate a "letter of intent" in an effort to

¹ <https://finance.yahoo.com/news/koi-nation-announces-support-coalition-175400472.html?>

maintain "continuity of service"... in the event the project does go through. The letter of intent was not a letter of support! The purpose for that letter was to protect taxpayers and the community in the event the project is approved. Identifying the Sonoma County Fire District as a supporter is inaccurate, according to Mr. Bush.

The Koi tribe are currently very active in Lake County, their indigenous homeland, asserting their legal rights as an indigenous tribe. This third attempt to build a casino resort in a neighboring county will have a significant negative impact on the community as was evidenced by the public comments during the public zoom hearing on September 27, 2023, refuting the Environmental Assessment prepared by Acorn Environmental. Our Community Matters joins the others in requesting No Action on this project.

Thank you,


Our Community Matters

OUR COMMUNITY MATTERS
PO Box 1421
Windsor, CA. 95492
ourcommunitymatters2@gmail.com

February 9, 2024

Amy Dutschke
Regional Director
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way, Sacramento, CA 95825

Subject: Koi Nation Shiloh Resort and Casino Project

Dear Ms. Dutschke:

On February 9, 2023, we sent a correspondence to you clarifying information in a newspaper article concerning a list of claimed supporters of the Koi Tribe's casino application (enclosed). As mentioned in that letter there is virtually no support for this project in Sonoma county and the community surrounding the proposed project. In addition to misrepresenting the posture of the Sonoma County Fire District as supporting the casino project, the article listed Tom Schwedhelm, a former Santa Rosa police chief and later a Santa Rosa City Council member as a supporter.

Following the Press Democrat article, I was contacted by mutual friend of mine and Tom Schwedhelm who advised me that Mr. Schwedhelm was not contacted about the article and is not a supporter of the casino project. I thereafter spoke Mr. Schwedhelm personally concerning the article. He stated that he was asked, while a council member by a consultant to meet with the Koi Tribe concerning the project. He and another council member did meet with the Beltran brothers but did not (and does not) "support" the Casino project.

He advised the Koi to reach out to the community and discuss items such as crime mitigation funds and other issues impacting the community.

with correct certain misinformation being circulated by the Koi Tribe in the media concerning supporters of their application to build the Shiloh Casino. This misinformation causes confusion and alarm as our community continues to oppose this project.

In a recent newspaper article¹ the Koi listed 25 supporters, almost all of which were outside of Sonoma County and the proposed casino site. 18 of the supporters were other Tribes and Rancherias located outside of Sonoma County. The project is opposed by the Sonoma County

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indigenous tribes, the Sonoma County Board of Supervisors, and the Windsor Town Council. With the exception of the two former Santa Rosa Town Council members listed in the article, virtually all of our local and California government representatives oppose the Shiloh Casino project. The only local agency listed in support was, surprisingly, the Sonoma County Fire District as we had previously only heard negative comments from them in prior communications.

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Being participants in the meeting with Ms. Feinstein's office and the Sonoma County Fire District, it was surprising for us to read that the Sonoma County Fire District was listed as a supporter of this project. In response to the article, we contacted the Sonoma County Fire Department and spoke with Ron Bush. He advised us that the Sonoma County Fire District is "totally neutral" with reference to the project. They did generate a "letter of intent" in an effort to maintain "continuity of service"... in the event the project does go through. The letter of intent was not a letter of support! The purpose for that letter was to protect taxpayers and the community in the event the project is approved. Identifying the Sonoma County Fire District as a supporter is inaccurate, according to Mr. Bush.

The Koi tribe are currently very active in Lake County, their indigenous homeland, asserting their legal rights as an indigenous tribe. This third attempt to build a casino resort in a neighboring county will have a significant negative impact on the community as was evidenced by the public comments during the public zoom hearing on September 27, 2023, refuting the Environmental Assessment prepared by Acorn Environmental. Our Community Matters joins the others in requesting No Action on this project.

Thank you,


Our Community Matters

From: Peggy Buzanski <p.buzanski@comcast.net>
Sent: Sunday, April 7, 2024 4:23 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Sir,

The proposed Koi Nation Project is not compatible with Sonoma County, California. This resort/casino proposal would be built in a residential, rural area. Presently, it is a vineyard with one house. Directly across is a small County park and subdivision of single family homes. Just further down Shiloh Road is a newly built apartment complex for low income families. Across Faught Road is a public park built with Open Space monies with hiking trails and beautiful vistas of Sonoma County. This would all be destroyed if the Chickasaw Developer builds this resort and casino. Also, the Koi Nation is from Lake County not Sonoma County.

This area was also involved in two wildfires and was evacuated for a third wild fire. The proposal envisions 57,000 daily visitors occupying 5,000 parking spots. Where would all the people from this project go to evacuate? The ingress and egress to this property is a two lane rural road. Additionally, **this gaming resort would use about 400,000 gallons of water daily. In a warming world, we will be facing more and more droughts, where will this water come from?**

Sonoma County does not need another casino. We already have several and some bordering us in Lake County. The Graton Rancheria just enlarged their resort and casino. Geyserville's River Rock Casino is expanding. Both of these tribes are also against this developmen by the Chickasaw Developer.

I would urge you to visit Sonoma County and the site of this development before you make your decision.

Please vote against this proposal. Thank you for your time.

Margaret Buzanski

8608 Zinfandel Drive
Windsor, CA 95492
707-326-8317

From: TappyNSue Gmail <tappynsue@gmail.com>
Sent: Sunday, April 7, 2024 4:30 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

This email is intended to voice our opposition to the Koi Nation proposal of building a Casino on Shiloh Road in Windsor, California.

The area of the proposed casino is predominantly residential with a large subdivision right across Shiloh Road, several subdivisions north of that, several apartment complexes to the east, residences and small businesses to the south, and residential to the west in the foothills. There is a community park at the corner of Shiloh and Old Redwood Highway (which you would have to drive by to get to the casino) that is extensively used for baseball games and family gatherings; a church is across the street; an elementary school is not far away. This property is not out in the "boonies" where its presence will not change the way of life for hundreds of people. Rather, a casino would negatively impact all who live here or drive through the area via Old Redwood Highway simply due to the amount of traffic added to the area as well as the number of people who would be frequenting the casino - a place where children do not belong and is not a family-friendly environment.

Because it is residential, having a casino in the area would greatly negatively impact those of us who live here by bringing in copious amounts of traffic, noise, lights, and crime into rural neighborhoods (if you don't agree with the "crime" part, please contact some long-time Rohnert Park residents about the changes that occurred when Graton Casino opened). It would put a strain on our natural resources, i.e. water, and attract some unsavory people who otherwise wouldn't be in a residential neighborhood.

Up until this year, we have had consistent droughts. A casino would utilize copious amounts of water daily that could endanger our way of life in drought years, harming the community and small farms in the area. In the event of evacuations, traffic from the casino would further endanger the locals who would need to leave their homes, vying with needless vehicles from an inappropriate business being added to the local traffic.

The Koi tribe is not indigenous to this area. If they were, I could see where they might have a say in the property. However they are NOT local tribes. And, on top of that, they aren't even the ones that would oversee the casino project. This tells me it's all about money with no respect for the area or its residents.

This project is just wrong on SO many counts. We believe in quality of life over money, and therefore adamantly oppose the Koi Nation's proposal of building the Casino on Shiloh Road. If they must build in a county they have no history in, then let it be out in the country where entire family neighborhood areas would not be negatively impacted.

Clancy & Sue Faria
6261 Lockwood Dr.
Windsor, CA 95492

From: Jackie Austin <wackyjacky@comcast.net>

Sent: Sunday, April 7, 2024 5:01 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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My family and I have lived and worked in Windsor for over 22 years. We are adamantly opposed to the KOI Casino being built in the current proposed location. As outlined by many, many people, this is a terrible location for very important reasons, some of which are that it will also be detrimental to the physical environment as well as ruining the lifestyle and well-being that we have all come to enjoy by living in Windsor.

There is no end to the mess that will be caused by a Casino in that location. The traffic alone is enough to cause this to be cancelled. We have lived through horrendous fires when we were almost unable to evacuate to get out of town safely. With a casino in that spot, it will become a nightmare should a large fire break out again. People may die just trying to escape. I can go on and on but you have already heard the many people that are against this very bad idea.

Sincerely,
Jackie Austin
7910 Fox Hollow Place
Windsor, CA 95492

From: Heidi Aarts <heidiaarts1@gmail.com>

Sent: Sunday, April 7, 2024 5:03 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Dear Mr. Broussard,

I am writing to voice my STRONG opposition to the proposed Koi Nation Resort and Casino and urge you, the Bureau of Indian Affairs, not to allow the land for the proposed project to be taken into trust for gaming in our neighborhood in Sonoma County.

While attending the several hours long Zoom meeting back several months ago, I felt those who spoke in opposition to the proposed Koi Nation Resort and Casino were spot on. Those who supported the project appeared to primarily be union construction workers, who may not even live in the adjacent neighborhoods, and who have only a short-term interest once the project would be completed.

This proposed casino would strongly impact the wildfire risk in our neighborhood and would severely jeopardize our evacuation route on narrow two lane Shiloh Road. We have already evacuated twice for recent wildfires, which came within 500 feet of my home. The addition of some 25,000 cars per month into our neighborhood, as well as adjoining neighborhoods, would serve as a barrier to any safe and timely evacuation route. In addition, added traffic at the Koi Nation Shiloh Resort and Casino would impede emergency response time for firefighters and other emergency vehicles. Further, the amount of proposed water use by such an expansive entity would detrimentally impact my neighborhood. Some of our neighbors near this proposed project already have an extremely fragile water table and wells. The Koi Nation would most likely require additional wells.

Several churches are located on Old Redwood Highway, and the proposed Resort & Casino would cause traffic congestion with the planned entry gate located directly across from the community church, which not only holds multiple services on Sundays, but also offers community foodbank throughout the week.

Mattie Washburn Elementary School is located 1.5 miles north of the proposed site. I am extremely concerned about the safety of our children who live and study in this community. These children ride their bikes with their families on Shiloh Road, and they frequent the Shiloh Regional Park, located just up the road from the proposed resort and casino. If alcohol is available for consumption at the proposed resort and casino, it could jeopardize pedestrians, cyclists and drivers who use Faught Road, Shiloh Road and Old Redwood Highway.

The quality of use of Esposti Park across from the casino by soccer and baseball teams, as well as other recreational users would be severely limited by increased traffic and lack of parking. This casino would be only a few yards from a large residential neighborhood whose occupants consist of many families with young children. The associated noise and light impacts of the Koi Nation Shiloh Resort and Casino would be tremendous in this quiet bucolic setting.

Moreover, their ancestral lands are not even in Sonoma County, but are in Lake County, some 75-85 miles away. I believe they have no ancestral rights in Sonoma County. Five other Native American tribes who do have ancestral lands in Sonoma County have written objections to this plan and are wholly against it because the Koi Nation from out of the area is venue shopping. Sonoma County supervisors have unanimously passed a resolution against this planned project.

The construction of the proposed resort and casino would increase noise pollution, as well as impact our fragile air quality, and would be an eyesore. The socioeconomic impact would be negative for the value of our homes. Crime increases when casinos are located within residential communities. The proposed project would be a short-term benefit during construction, and employees of the casino may benefit, but the biggest benefit would be for the out of state investors. This is wrong.

For all of the above reasons and many more, we could not be more opposed to this plan by the Koi Nation for our neighborhood. It is a very bad proposal.

I honor all Native American tribes who have as their primary goal to promote the education, health and welfare of their tribal members. I do not believe the Koi Nation Shiloh Resort and Casino project fits this goal. Native Americans have a rich culture that contributes to the betterment of all of us. However, a resort and casino project that represents a tribe with no connection to Sonoma County ancestral lands, and for a tribe that is represented with less than 100 members is not sound. This is a business proposition where only a few will benefit, and even that, it would be the out of state investors who benefit most. Please encourage the Koi Nation to support the Lake County community where they have ancestral lands, and keep them out of Sonoma County!

I urge the Bureau of Indian Affairs not to allow this land to be placed in trust for gaming.

Thank you,
Heidi Aarts Michels
6259 Lockwood Drive
Windsor, CA 95492

From: Terri Miller <silverdamsel47@gmail.com>
Sent: Sunday, April 7, 2024 5:11 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] KOI Nation Fee to trust and Casino Project

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Dear Mr. Broussard,

I am writing to express my concern over the casino project near the Wikiup / Shiloh community. I have been a resident in this peaceful neighborhood for about 9 years and am very upset to hear of plans to develop a gambling center so close by.

I'm in my golden retirement years and hate to think of the increased traffic, noise, potential water shortages and increased fire risk as we live in this beautiful, serene green belt. Often we have experienced power outages and intentional PGE blackouts due to fire hazards. The development of a casino will only strain those services. I have evacuated for two fires in the last seven years and both times wasn't sure I'd come home to a standing house.

On a more global note, this mega casino will have a major carbon footprint at a time we are all concerned about global warming. The additional traffic, noise and influx of visitors will disrupt the serenity of this community, and potentially impact nearby vineyards and other agricultural endeavors.

I will continue to work on a campaign opposing this project as long as it remains under consideration. Please consider another location for this enterprise.

Kind Regards,
Terri Miller

From: David Hansen <mana1943@yahoo.com>
Sent: Sunday, April 7, 2024 6:16 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: Karen Fies <karenalvesfies@gmail.com>; PE Peter J. Lescure <plescore@lescore-engineers.com>;
Lori Barber <lorib83811@aol.com>; Heidi Would <heidiwould@gmail.com>; Bob Cipolla
<bobcipolla65@gmail.com>; Catherine Dodd <catherine.dodd@gmail.com>; Brad Sherwood
<bradleywsherwood@gmail.com>; Willie Lamberson <willielamberson24@gmail.com>; Jenny
Chamberlain <district4@sonoma-county.org>; Aggie Maggio <aggiemaggio@icloud.com>; Matthew
Callaway <matt@conservationaction.org>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attn: Chad Broussard,
Environmental Protection Specialist
Bureau of Indian Affairs

Dear Mr. Broussard:

I am a 32 year resident of the unincorporated community of Larkfield-Wikiup (Mark West area) which extends from the proposed casino property south approximately 2-3 miles along and on both sides of Old Redwood Highway. This is a major residential-business community of over 10,000 residents which will be significantly negatively impacted by the proposed casino development. While I am a member of the Planning subcommittee of the Mark West Area Municipal Advisory Council I am representing only myself in this letter to you and not representing the Council or anyone else.. I am vehemently opposed to the siting of this casino in the proposed location principally because it is in the wrong location and will overwhelm our residential community and other communities nearby. The proposal sits within our planning area. Most of the issues impacting our community are not mentioned in the NOI.

Listed below are the principal impact issues on the Mark West area by the proposal and which need to be addressed:

1) Increased Traffic impacts:

Old Redwood Highway is the principal and historic artery North and South other than Highway 101 and is used by residents travelling north and south to access towns in both directions. Often is is crowded when the highway is jammed or slow. Traffic has increased significantly ever since Sutter Hospital was built as well as by the major expansion of commercial development off Airport Boulevard to the West and

increased development to the east on Calistoga Road. Excess vehicle speeds beyond that posted are constant and need to be mitigated especially near the Larkfield shopping center. Major additional traffic use caused by casino use will add significantly to that on Old Redwood and also to the intersections of Airport Boulevard and at Mark West-River Road at Highway 101.

Additionally Old Redwood is well used by both pedestrian and Bicycle traffic. In fact it is a nationally known travel route for bicycles both training and occasionally racing, including often the popular Gran Fondo event.

All these issues need to be addressed for their impacts with adequate mitigations in the Casino report.

2) Water impacts:

The Mark West Area is served by a private water company (California Water Service Company) which acquires its water principally through local wells. Any increased well drilling at the casino or its significant use will potentially negatively affect the ground water table in our area. In addition it may help increase our costs including by significantly increasing local water needs acquired from the Sonoma Water Agency. California Water Company's rates are close to if not the highest in the County..

These issues need to be addressed in the report.

3) Loss of Community Separator and open space-agricultural buffer lands:

The property on which the Casino is proposed was and is considered a community separator in both the Sonoma Countywide plan and the Larkfield-Wikiup 1980 specific plan. It is also in the urban Growth Boundary of Windsor. It will destroy not only the open space aspects of the land but also active agricultural land. This flies in the face of stated objectives of all plans to create natural or agricultural buffer zones between developed communities in the County.

In the 1990s when I served as the Sonoma County Agricultural Preservation and Open Space District's General Manager I negotiated with the then owner of the Casino property to preserve the land in a conservation Easement. We were not able to come to terms over its fee and easement land value at that time but the land has retained its current use until today, and should in perpetuity. This adds to the quality of living for all the residents who live north and south and around this proposed development.

4) Noise:

The Mark West Area has a large number of seniors as well as younger families who bought properties and moved to this area because of its quiet neighborhoods, its great schools, convenient smaller businesses and quiet well used parks and preserves.

Morning and evening quiet walking is a major activity in the area. With increased traffic noise, loud sometimes intoxicated out of town casino goers around 24 hours a day occupying our streets or open stores only lessens our Community's quiet ambience. This is on top of increasing noisy helicopter and airport use which grows above our community. Shiloh Preserve and Regional Park will constantly be bombarded by nearby Casino noise taking away a major reason why local citizens enjoy these quiet natural lands for contemplation and exercise.

5) Fire:

The Mark West Area has been subject to catastrophic wildfires which devastated much of our community and surroundings in 2017 and previously in 1964. Any impacts from increased fire danger to the Mark West community should be considered and discussed in the report.

As I stated previously this project is in the wrong location and should not be built on the Shiloh road property due to the significant impacts not only communities North and West to Windsor but also to the south and the Mark West community.

Thank you for your consideration and study and potential mitigations of my concerns.

Sincerely,

David Wm. Hansen,
retired Landscape Architect
4722 Cambridge Court,
Santa Rosa 95403

From: Bill Bridges <wbridges@pacbell.net>

Sent: Sunday, April 7, 2024 6:47 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I am very concerned about the Koi Nation casino being proposed near Windsor, California. My concerns are centered around the following areas:

- Agricultural and Residential Area
- Water Usage
- Wastewater Treatment
- Vehicle Traffic
- Wildfire Evacuation

I'll also suggest a possible solution to this situation at the end of this email.

Agricultural and Residential Area: Overall, a development of this magnitude would never be permitted in this location. It is currently a vineyard located next to a residential area. Most of the vineyard would be destroyed and replaced by the casino, a 5,000 vehicle parking garage, a surface parking area, a water treatment plant, and a wastewater treatment plant. The residents next to the casino complex would be subjected to traffic, pollution, and constant noise. Simply put, this is the wrong facility in the wrong location.

Water Usage: Water is planned to be supplied by wells which would deplete our already tenuous ground water reserves. The water usage projections indicate over 8,000,000 gallons will be extracted every month. We have been in a long-term drought environment and this type of water extraction rate would be a significant impact. As there are no restrictions on the tribe's water usage, these estimates may be vastly understated.

Wastewater Treatment: Wastewater would be treated onsite and disposed of into Pruitt Creek. The amount of wastewater would be very large and would significantly impact this small creek. As with water usage, tribal lands do not have to comply with any local, state, or federal requirements. The volume of wastewater could be significantly greater than what is proposed.

Additionally, solid waste would be hauled off to a landfill. The amount of fossil fuels used would be significant to accomplish this task. It is also problematic where this solid waste would be dumped and what toxins may be present.

Vehicle Traffic: The traffic generated by this casino would be huge. The impact on our residential neighborhoods would be extreme. The streets around this area are inadequate for this type of use.

Wildfire Evacuation: We have had a recent history of wildfires which have required mass evacuations. Streets become gridlocked at these times. Having another 5,000 vehicles trying to use the roads is unimaginable. The proposal indicated that workers will direct traffic. It is clear that the tribe's consultants have no idea of what happens during a mass evacuation under extreme circumstances. We had a situation where workers abandoned a senior care center and left the residents to be on their own!

Possible solutions: I would support a casino located at the intersection of Highway 101 and Shiloh Road. There are commercial parcels in this area that would be amenable to this type of development. Traffic concerns would be reduced and use of public potable water and wastewater treatment would be available. Wildfire evacuations would be more feasible.

The current site could be sold so that it could continue to be operated as an agricultural operation. Perhaps the federal government could make the tribe whole financially if required. Why not try to come up with a solution that is a win-win for both local residents and the Koi Nation?

Thank you for considering my concerns. I hope a more reasonable solution will be realized.

Take care,
William Bridges
6224 Lockwood Drive
Windsor, CA 95492
wbridges@pacbell.net

From: DENNIS STOFFEL <drstoffel@comcast.net>

Sent: Sunday, April 7, 2024 6:55 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>; DENNIS STOFFEL <drstoffel@comcast.net>

Subject: [EXTERNAL] KOI Nation Fee-to-Trust and Casino Project

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To Chad Broussard:

These comments are concerning Koi Nation Shiloh Resort and Casino.

I first moved to Windsor back in the 1970's from the Sunnyvale, San Jose area because the congestion had already begun to take place. There were no spaces allowed for between cities, and the traffic congestion was already becoming a problem. I enjoy the greenery and agricultural crop growing area of Sonoma County. We need the food, not casinos.

So I am a resident in Windsor for the last 36 years which have been peaceful and a controlled small city for me and my family.

First of all the proposed casino land has been a agriculture area forever. It had plum trees when I arrived and now many grape acres.

It was by the way the safety net that kept our community of houses from burning up in the 3 years of fires which were just on the other east hills of the vineyards where the casino plans to build. If a fire occurs like it did in the past there may not be enough water or fireman to stop the place from burning down quickly like the Hilton Hotel did on a hilltop nearby. Even the major hospitals had to evacuate all patients since the fire came within striking distance. It burned K-mart to the ground within a very short time. We lost thousands of houses within hours. Many are still in the process of rebuilding years later. Some never will due to lack of insurance.

The open fields gave us a distance from the flames and many of the vineyards were able to turn on their sprinklers making it moist over a wide area of fields. Some of the distant sparks hit some of our back yard fences and the fire departments were able to contain them before a 100 or more of additional houses caught fire during those 3 weeks of infernos.

Due to the circular streets we live on there is only one way out for hundreds of persons to get out. Traffic was backed up for miles and some people simply ran out of gas while idling in traffic because the nearby gas stations ran out or closed shop. So some were stranded. It was reported that nearly 30,000 people were told to leave now. Its not fun when you need to leave everything behind and high tail it one way out and you cannot get out because casino traffic is adding to the already bad problem.

You would have had to be here to fully comprehend what I am sharing about the fear and stress we felt, and not knowing for 10 days if our houses still were standing. We had to stay in other distant cities. All access was cut by the Police.

Adding a casino will take our cherished fire break away and the next major fire may take its toll on our community. Our fire insurance already took a hit, but imagine if we all lost our houses. Rebuilding may become impossible, just because of our green acreage being consumed.

Currently we are experiencing an explosion of new high rise apartments and buildings which are nearby the casino proposed area. Parking has already become an issue where the only place to park has been on the sides of streets and that will only get worse. We are seeing very little space for parking for 400 plus renters.

We have narrow streets so when cars start parking in our area the fire trucks can not get through and would have to push them onto yards to get quick access to a house on fire. We were warned about that many years ago by the fire department and ambulance services. They cannot afford delays due to overflow parked cars.

I have been having a much more difficult time accessing Old Redwood Hiway and Shiloh Rd. By placing a casino just east of my residence will be a gridlock nightmare just like the rest of the Bay Area.

I am reading about more crime problems surfacing and this type of facility will only bring more people and more problems to go with it. People tend to have drinks while gambling and then leave, endangering us on our way home. We already have enough casinos and gambling.

Transport busses take people to a number of nearby casinos. Rohnert Park has a very large facility where local people hang out and gamble. The more gambling places there are the more addicted people could become since its readily available along with the many others.

Since moving to Windsor the Airport has expanded and we are in the circling flight path for many more commercial airlines and private planes. The noise level has increased significantly. More casino noises due to increased traffic and flights, makes this once somewhat quiet place much more noisy and congested.

Our public services will now be stretched for electricity, water and sewer. During the drought years we were told that we had to do more to conserve water and electricity. This type of large facility will only place pressure on our short natural resources.

Larger delivery trucks will need to be making constant deliveries which will cause our roads, already full of potholes and spotty blacktop fill-ins a much larger problem along with their speed of travel and safety to get fast on time deliveries.

In closing, Shiloh Rd and Old Redwood are not the type of high capacity traveled roads. We need to leave our agriculture crops alone and this casino could find a more suitable

location which will not affect so many local people. This location just is not a suitable location for this type of venue.

Dennis Stoffel
6273 Lockwood Dr.
Windsor, Ca. 95492
E-mail drstoffel@comcast.net

From: Susan Strong <susan.strong@gmail.com>
Sent: Sunday, April 7, 2024 6:59 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to Trust and Casino Project

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TO: Chad Broussard, Environmental Protection Specialist
Bureau of Indian Affairs
SUBJECT: "NOI Comments, Koi Nation Fee-to-Trust and Casino Project"
FROM: Susan J. Strong, 6224 Lockwood Drive, Windsor, CA 95492

Dear Chad Broussard,

I am writing with concerns regarding the proposed Koi Nation Shiloh Casino in Windsor, California. I am a homeowner in the Oak Creek Neighborhood, near the proposed Shiloh Resort and Casino.

While I respect and acknowledge the need and desire of the Koi Nation to facilitate tribal self-sufficiency, self-determination, and economic development, this location is not appropriate for a casino, particularly of the magnitude proposed.

Concerns:

1. The proposed property is currently agricultural bordering on family homes, not a commercial area. The business proposed would bring thousands of people daily to this area with the intent to party and have fun. I am not against people having fun but I am against the impact of this kind of fun on a family neighborhood and on an already stressed environmental system. **A business of this type is more appropriately located in a commercial area.**
2. The proposed property is in an area already impacted by water scarcity as we are increasingly in seasons of drought. The very nature of a resort is the promotion of extravagance and that includes water usage.
3. The proposed property is in an area already impacted by periodic wildfires and evacuations. We have had to evacuate our neighborhood twice in the past 5 years.

The reality of navigating additional thousands of cars on already impacted roads is truly frightening and dangerous for all involved.

4. The construction phase of the proposed resort and casino will result in significant noise, (trucks, machinery, etc), air pollution, bright lights near homes, traffic increase and disruption, as any development of the proposed property will. These are in addition to the ongoing impacts noted above. I believe most people can be tolerant of the construction phase disruption when it fits with existing use, which in this case is agricultural and nearby, residential.

5. For the nearby neighborhoods the long-term outcome of the construction phase disruption will not result in something beneficial to residents but quite the opposite.

A casino will mean increased police action due to alcohol and other drugs use/abuse, problems with solicitation for prostitution, light pollution at night from signage, parking lot lights and building lights. There will also be extreme noise and air pollution from the weekly thousands of automobiles of customers and employees, and the hundreds of trucks delivering goods and services to the casino.

A more appropriate use of this property would be housing of some kind.

It makes more sense for the casino to be located closer to the freeway. That would allow easier and less disruptive access for both the building phase and the operational phase. That would also allow a potentially more effective evacuation of the facility in the event of a natural disaster, such as wildfire.

PROPOSED SOLUTION:

There is a large piece of property next to the freeway bordered by Shiloh Road that seems more suited for the casino. The north side of Shiloh is already commercial and there is easy access to the 101 Freeway.

My understanding is that property is currently slated for a large senior housing project. Is it possible there could be a property “swap” locating the senior housing project at the proposed casino site and the casino at the senior housing site? The site further away from the freeway would be quieter for housing, there wouldn't be as much traffic impact, senior housing would be more appropriate for the existing neighborhood.

This is written with the hope that a solution that is beneficial to all concerned parties can be found.

Sincerely,

Susan J. Strong

--

"When we tug at a single thing in nature we find it attached to the rest of the world." John Muir

From: Peg Champion <peg@pegchampion.com>
Sent: Sunday, April 7, 2024 7:13 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Dear Mr. Broussard,

We are residents of Windsor, California, and are writing to you about the proposed Koi Shiloh Resort and Casino.

The Koi Nation is not originally from this area and their Resort and Casino do not belong here.

As you know, the Lytton Rancheria Resort property is located a stone's throw away from the proposed Koi Resort and Casino.

Note that the Lytton are not originally from Windsor, either, but were only granted trust land in Windsor as a result of language inserted into the 2019 Defense Spending Bill.

There are many reasons that the Koi Resort/Casino should be disallowed, including issues pertaining to:

- Land Resources
- Air Quality
- Noise
- Biological Resources
- Transportation
- Land Use
- Hazardous Materials
- Public Services and Utilities
- Socioeconomics
- Environmental Justice
- Cumulative Growth-inducing effects

Windsor is a small town. Its infrastructure, environment and public services cannot support another Indian resort *and* a casino!

Please listen to the people who live here and who care about our community and our environment.

Do not allow this land to go into trust.

Thank you,

Peg Champion & Brad Whitworth
Windsor Residents and Concerned Community Members

1337 Woody Creek Lane
Windsor, California 95492

peg@pegchampion.com
650.492.0342

From: Laura Wilson <wilsons1998@comcast.net>

Sent: Sunday, April 7, 2024 8:49 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I am writing concerning the projected casino project by the Koi Nation located in Sonoma County, California.

I would like to voice opposition to this project because of the way it will affect the environment and culture of the surrounding area. The biggest concerns are those of noise, light and exhaust pollution along with wastewater run-off and water usage of this project. Wildlife in the area will be affected with these changes in their environment. There are residential neighborhoods and a park located right across the street from this proposed project and with an increase in traffic, there is more potential for pedestrians being victims of accidents.

In doing some research, I found that the historic and cultural home of the Koi Nation is on an island in Clearlake, CA and that they are suing the City of Clearlake for wanting to build a hotel on cultural land. This should indicate where their historical home is and it is 53 miles from the proposed casino project.

The other item I am concerned about is that they have contracted with another tribe located in Oklahoma to manage this operation. I assume that the Choctaw nation will receive most of the money that will be made at this casino and not the Koi Nation or the county of Sonoma or state of California.

There are already two large casinos here in Sonoma County and they are not located near established neighborhoods. Another casino that will create more addiction to gambling is not needed here.

For these many reasons, I would respectfully ask that this proposal be rejected. Please see the video at the link that will describe and give a broader insight to the area in which this project would like to be completed: <https://www.ourcommunitymatters2.com/>

Thank you for your attention to this request.

Sincerely,
Laura Wilson
6229 Lockwood Dr.
Windsor, CA 95492

From: Ron and Debbie Wheeler <debron70@hotmail.com>

Sent: Sunday, April 7, 2024 10:29 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Sir:

As 50+ year neighbors to the proposed Koi Nation Casino, I appreciate their initiative; however, another sight would be more appropriate. I agree with other tribes that Koi never had a presence in Sonoma County. Our concerns are traffic, infrastructure, ambiance in our rural neighborhood, green space that was very important only a few years ago, and it would be directly across from a church and not far (approximately 1/2 mile) from two elementary schools.

We appreciate your consideration of our concerns.

Sincerely,

Ron and Debbie Wheeler
113 E Shiloh Rd.
Santa Rosa, CA 95403
707 838-6892

Sent from my iPhone

From: Ernst <ernst_family@yahoo.com>
Sent: Sunday, April 7, 2024 11:10 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Shiloh Resort and Casino Project

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April 7, 2024

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Rm.W-2820
Sacramento, CA 95825

Chad Broussard (via email)
Environment Protection Specialist
Bureau of Indian Affairs, Pacific Region
chad.broussard@bia.gov

Subject: Koi Nation Shiloh Resort and Casino Project

Dear Ms. Dutschke and Mr. Broussard

I have written to you in the past to point out the many reasons why a casino in our Windsor neighborhood is an unthinkable idea. It can only be that you don't realize what surrounds these 65 acres. It is not an uninhabited area or open space. It is surrounded by residential family homes, a local park where children play soccer and baseball, a regional park where we hike, have picnics and people can bring horses. Then more houses and another residential home development with a school. Finally, we come down Old Redwood Hwy (which is just a narrow road, one lane each way) with several more homes, a trailer park (with elderly people), and a church. All of the streets are narrow one lane each way streets. Does that sound like a place to put a casino and hotel? Plus there are already two casinos in Sonoma County. They are 15 minutes in each direction.

Our town, in the last 6 years has had terrible wildfires threaten our community. Twice we have been evacuated and if it wasn't for brave firemen from all over the nation who came to our aid our whole town would have been lost in 2019. As you are aware, during these wildfires or any emergency, evacuation of a community is very difficult already. Shiloh Road is one of two main routes for leaving town.

A casino in Windsor would be a huge drain on our quality of life (environmental impact, traffic and emergencies) our financial expenditures (roads, police, fire department) and our natural resources (water, creeks, wells). I know the Town of Windsor has detailed the negative effects that this casino would have on our town and the Environmental Assessment has not addressed these items.

The Koi tribe is not from Sonoma County. We support our Pomo tribes who are from Sonoma County. The Koi need to find another location for their Casino. Preferable, in Clearlake where they originated or in an area that is not near families, schools, parks and churches.

Please help the Koi find another area for their tribe.

Sincerely,

Catherine Ernst
Concerned Citizen

From: Pat Warren <patdjw7@comcast.net>
Sent: Monday, April 8, 2024 8:55 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation Casino Project

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NOI Comments

Koi Nation Fee-to-Trust and Casino Project

I am opposed to any casino project on the Shiloh property. There are huge problems with the site that include the noise, traffic, more crime, the environmental issues (creek erosion, creek wildlife corridor, storm water runoff and waste water plan) and a large reduction of neighbor's property values. There should be no casino allowed in neighborhoods. This is right across the street from an existing neighborhood and a child's baseball field. There are other neighborhoods nearby and the casino will substantially lower the quality of life for many people. **A 24 hour business that serves alcohol and provides entertainment is not compatible within a residential neighborhood.**

A main issue is the safety of the nearby residents. Crime will go up. Loud noise and lights will harm everyday life. There will be more accidents with a major increase in traffic with new projects already underway.

Please reject this ill-suited project-it is wrong for the area!

Thank you,

Pat Warren

6181 Lockwood DR

Windsor, CA

From: SANDRA NIETO <snieto707@aol.com>

Sent: Monday, April 8, 2024 9:15 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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To whom it may concern,

My name is Sandra Nieto and I've been a Windsor resident for over 33 years.

- I'm writing this email against the proposed Koi casino in Windsor. First, This is not raurel area as noted in press releases. There is a subdivision of homes just across the street on Shiloh and a new 4 story apartment complex at the corner. There are homes that butt up to this property and a trailer park within walking distance. There will also be an additional apartment complex less than a quarter mile and a proposed senior living. With the continued growth in this area, Windsor/Sonoma County hasn't kept up with the addition demand on traffic or parking. Shiloh Rd goes from one lane to two lanes and back to one to go over the overpass for the 101 highway. This causes a bigger bottle neck issue, than it does today. The impact on the environment doesn't warrant an addition of another casino.
- Secondly, the proposed location butts up to Shiloh regional park which burned in both the Tubbs and Kincaid fires. The addition traffic from a casino would be putting the lives of residents and visitors in this area in harms way.
- Thirdly, water and sewer are an issue in the area. Windsor can't add this parcel onto an already strand system. Additionally, greater traffic equals higher crime. Lastly, the area does not need another casino, currently we have two within 15 minutes of this location. Both of these casino are bussing in gamblers from the Bay Area to stay in business. Our society doesn't need to create areas for people addicted to gambling. I'm strongly oppose having the second largest casino in California in my small town of Windsor. It will put the nail in the coffin of me continuing to be a resident of this state.

Sincerely,
Sandra Nieto
Windsor Resident

From: Lynda Williams <misslyndalouu@gmail.com>
Sent: Monday, April 8, 2024 9:25 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] "NOI Comments, Koi Nation Fee-to-Trust and Casino Project"

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April 7, 2024

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

Dear Ms. Dutschke,

I live in the Oak Park Neighborhood and my house is directly across the street from this proposed project, less than 50 feet away. Since the impact on the environment of a residential neighborhood is not being considered in this environmental review, I will discuss some of the many other issues that were addressed so poorly in the EA and that will hopefully, be investigated by a company that analyzes complete data in a transparent manner.

The traffic study of the EA was not a serious study, measuring traffic on a Sunday in January. It failed to take into consideration traffic during the work week, it failed to consider all the additional traffic that will be generated by the current high density housing project, on the corner of East Shiloh and Old Redwood Highway, "*Shiloh Terrace Affordable Housing*" nearly completed, consisting of 134 additional units, with 384 total bedrooms, and 141 on-site parking spaces. This project only allows for 1 and a half parking spaces per unit which will add more overflow parking to the surrounding streets which are already impacted by the *Windsor "Redwood Apartments"* and "*Esposti Park Apartments*" overflow parking. Currently this overflow parking takes up street parking on Redwood Hwy and up the dirt median along East Shiloh Road and onto Gridley Drive in the Oak Park Neighborhood.

Additionally, the "*Shiloh Crossing*" project is under construction on the corner of Hembree and Shiloh Road, a heavily trafficked intersection. This will add 173 additional apartment units and their traffic onto Shiloh Road impacting this intersection and the Highway 101 interchange. Directly across the street "*Clearwater at Windsor*", a Senior Housing project, will be built adding 290 more units including memory care, assisted living, affordable apartments, as well as 25,000 square feet of commercial space. Additional cars would include staff, customers, visitors, and residents.

These are only three of the current projects impacting the Shiloh/Old Redwood Highway traffic. Projects will be ongoing as required by the State of California required housing plan quotas.

The solutions offered for traffic remediation in the EA are grossly inadequate and would cause round-the-clock gridlock and completely unsafe conditions for the residents of the entire area. There is no traffic mitigation for a project like this one. This is the wrong location for any casino, hotel, or entertainment complex.

Wildland fire risk was only addressed from the perspective of someone who wants this project. A qualified currently active fire chief with a differing opinion was not consulted. The retiree's opinion included in the EA did not take into consideration the lives of the community living here every day nor the facts encountered here during both the Tubbs and Kincaid fires. With the ever-increasing housing density in this area required by the State of California the traffic and road congestion will only become worse. The BIA would be wise to take the lives of potential casino/hotel guests into consideration as well. The evacuation plan outlined in the previous EA was ludicrous. All customers will be joining the other 50,000 plus residents on the limited and gridlock evacuation routes. There is no guarantee of advance warning for evacuation. Having lived through two serious wildfires here, evacuation is already gridlock and there is no shelter in place. High winds move these fires swiftly through curb and gutter neighborhoods. Traffic will impact the already difficult evacuation routes.

The intensely high-water usage proposed by this project will empty the wells of all neighbors who will not be able to afford to dig ever deeper wells. We know this already from Graton Rancheria as all their neighbors' wells are dry or the water quality has become unusable. This problem is expanding ever outward from Graton Rancheria. Currently well owners in Sebastopol are now impacted by the severe loss of groundwater being used by Graton Rancheria. Santa Rosa City has a water policy in place that affects all current residents which requires them to only use the amount of water that can be restored during the rainy season. It appears that the Koi Nation does not intend to be held to the resident's standard and will use up all the water for this project as they are exempt from the laws the rest of us must follow. Additionally, if Graton Rancheria is any example of what will come, once the land is granted to the Koi Tribe, and they are allowed to build a casino of any size, they will continue to expand without any restrictions using ever more water, bringing ever more traffic, pollution and ending any type of evacuation from this area during a crisis.

Taken all together, the traffic impact, the fire evacuation routes and the emptying of the aquifer, this project is unfeasible and dangerous. I urge the BIA to (3) A NO ACTION ALTERNATIVE.

Lynda Williams

5801 Mathilde Drive

Windsor, CA 95492

From: bill mccormick <billmccormickiii@gmail.com>
Sent: Monday, April 8, 2024 9:38 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Chad,

Attached please find my comments letter for the Koi Nation NOI

Thank you for considering my comments

Take Care

William McCormick
5811 Faight Road
Santa Rosa, CA 95403
One attachment • Scanned by Gmail

April 7, 2024

TO: Ms, Amy Dutschke
Region Director
Bureau of Indian Affairs -Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

CC: chad.broussard@bia.gov

SUBJECT: NOI Comments
Koi Nation Fee-to-Trust and Casino Project

FROM: William V. McCormick, CEG
5811 Faught Road
Santa Rosa, CA 95403

Dear Ms. Dutschke:

One again I find it hard to believe that I am actually obligated to respond to such a preposterous land development proposal as this one put forward by the Koi tribe for a casino and resort at the border of the Town of Windsor, within Sonoma County. My property is bounded by Shiloh and Faught Rd, immediately east of this project. I am a local, licensed, Certified Engineering Geologist (CEG) who has spent the last 38 years evaluating the engineering and environmental feasibility of proposed development projects in Northern California, and I must say I have never seen such a ludicrous development proposal such as this one; ***a casino in a residential neighborhood is almost comedic....however, in my case it is an on-going tragedy.*** I spent 11 years opposing the fee-to-trust development on the western edge of Windsor with another tribe, only to find that even though I moved to the other side of town, I now have to defend my rights and way of life again!

From a professional perspective, I can't say that I have ever read a more flawed, incomplete and down-right unprofessional environmental document than the EA that was produced for this ludicrous development by Acorn Environmental. Clearly this firm is a paid advocate for the Koi tribe and their conduct and work product is subject to further scrutiny and professional investigation. This out-of-town firm clearly has no understanding of the local conditions and has produced this document using desktop study procedure, outdated data and no true field ground-truthing. Miraculously, all issues are deemed to be less than significant, to the public. This clearly shows that the EA was written only to the benefit of the Koi tribe and WITHOUT consideration to the surrounding neighbors or current environmental reality. This study is so flawed that it never even defines what the phrase less than significant means, and to whom. In order to accurately point out the numerous flaws of this 217-page study, it would take another 217-page letter.

The flawed nature of the EA was clearly demonstrated in letters by neighbors, Sonoma County Native American Tribes and local government officials that the BIA has found it necessary to issue a NOI and the requirement for a formal EIS for this land and project. For sanity sake, I will reiterate only a few examples that clearly demonstrate why the Fee-to-Trust should not be considered for acceptance and that the only project that is acceptable is Alternative D – No Action Alternative.

TRAFFIC

The provided traffic study is extremely flawed and incomplete. First of all, new traffic volumes will increase by up to 16,000 cars a day, within a residential neighborhood with **NO mitigations whatsoever proposed.** We cannot accept or be forced to accept such a degradation to our way of living. This amount of traffic will severely decrease the safety of our neighborhood.

In addition to this, the previously presented traffic study is completely flawed because it does not even consider traffic generated from the major intersection of Shiloh and Faught Rd; the corner I live on. Casino patrons will try to go around the traffic created on Old Redwood Highway at the main entrance, for the Faught Road/Shiloh back entry. For us who live here, we all know that Shiloh road is a part-time drag strip already....adding 16,000 cars to this will result in many injuries, death, property damage and overall degradation to our current peace and lifestyle with endless, 24-hour traffic noise. ***Let's be clear...there is NO practical or theoretical traffic solution than can reduce traffic impacts to a less than significant rating.***

WATER SUPPLY

The EA claims that daily groundwater use needs on the site will be 170,000+ gallon per day and require additional wells to be drilled. This will severely affect neighboring supply wells with typical yields of only 10 to 20 gallons per minute and will cause a drawdown effect, possibly drying up adjacent domestic wells. This will also limit firefighting efforts in this wildfire hazard zone. ***Commercial use wells by the casino project will permanently overtax existing well and groundwater supplies for all citizens that rely on well water.***

WASTEWATER

This category is especially disturbing. The previous EA estimates up to 400,000 gallons of waste per day. The proposed on-site system will include pipes under Pruitt Creek, the need for up to 16 million gallons of onsite storage and/or discharge into Pruitt Creek...which would permanently damage the existing creek environment. There will be so much excess sewage water that the EA states that up to 11 acres of offsite irrigation is possible, if they can find someone willing to take it...if not, the excess will be pumped into Pruitt Creek. ***We cannot allow Pruitt Creek to become a sewage canal.***

The proposed plans call for an on-site sewage treatment plant which will use hazardous chemicals for treatment which would be environmentally disastrous if spills were to occur.

What's most important here is that private sewage treatment plants on tribal lands are not subject to local operating guidelines, inspections or oversight. In addition, all waste biosolids would have to be continually trucked offsite to some other disposal site, presenting additional commercial traffic and potential environmental hazards for Sonoma County citizens.

****If this casino is permitted, the Town of Windsor will be bordered by TWO UNREGULATED WASTEWATER TREATMENT PLANTS.***

OTHER UNMITIGATABLE ISSUES

There are many other unmitigable issues associated with having a casino in this neighborhood. It has been proven that areas surrounding casinos experience a sharp and lasting increase in **criminal activity**. Even though my property is located somewhat in a rural setting, I have had prostitutes and drug users use my driveway and vineyard access for their business. ***Criminal activity will increase exponentially with the Casino making our neighborhood unsafe.*** The tribe erroneously assumes that Sonoma County Sheriffs and Fire will service the project.

There is no way to eliminate new **NOISE** associated with traffic access to the site from patrons and deliveries, parking for over 5,000 cars and general **24-HOUR-A-DAY** operation of the casino itself. Other forms of **POLLUTION** will be car exhaust and light pollution. ***All of these factors will permanently damage our peace and SEVERELY reduce the VALUE of our properties.***

SUMMARY

In a nutshell, this proposal to take this land into Fee-to-Trust status and permit a casino in a residential neighborhood is absolutely ludicrous and since there are numerous issues that cannot be adequately mitigated, any future environmental study will be flawed and unacceptable. Let me summarize the fatal flaws for this project:

- NO additional environmental study can adequately characterize the overwhelming negative effects to the neighborhood and Sonoma County Citizens and **WILL BE A WASTE OF TIME.**
- The tribe has not presented mitigating factors for critical issues
- There is no definition of Less than Significant and this implication for all issues clearly ignores the concerns of neighbors and Sonoma County citizens
- The proposed development is opposed by every civic organization and the overwhelmingly majority of Sonoma County citizens.
- The proposed development is opposed by existing Tribes that originate from Sonoma County
- We already have two casinos in Sonoma County, we don't need a third

What is completely omitted from the previous EA document and will most likely be omitted in future studies is the description and acknowledgment of the permanent damage to the existing residential and agricultural culture that exists in this area.

No credence is given to forever changing the lives of the current residents, which far outnumber the 90 Koi members who would be the beneficiaries of residential neighborhood destruction. ***Clearly none of the Koi would live in this neighborhood once the casino is built. I would also like to point out that NEVER has permission been granted in the past for a tribal casino more than 15 miles from their native origins nor has a casino EVER been permitted next to a residential neighborhood...*** this policy should not be changed!

I have one final comment that needs to be taken into consideration by the BIA. This current process of **RESERVATION SHOPPING** at will needs to cease, and the Federal Government needs to find other more positive ways to assist tribal communities that doesn't destroy the lives of others in the process and is not based on a monopoly of casino greed. Where is it written in BIA policy that the only way for Tribes to become financially self-supporting is by granting Fee-to-Trust land specifically for casino building. Tribal rights should not be more important than all other citizens' rights. We are all **US Citizens** and one group should not be allowed to infringe upon the rights of others for selfish means, especially since the citizens that could be negatively and permanently affected have lived here for many decades.

In closing, I implore the BIA to reject any future EIS studies and considering granting Fee-to-Trust for the Koi Nation on this Parcel of land, and only consider **Alternative D- No Action Alternative**. **I also strongly encourage you to guide the Koi Nation into finding fee-to-trust land opportunities outside of Sonoma County.**

Respectfully submitted,



William V. McCormick, CEG

Neighborhood Resident

From: [REDACTED]

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To Whom It May Concern,

In response to the BIA request for public comments for development of an Environmental Impact Statement, I propose that all issues and concerns raised during the review of the EA be thoroughly addressed. The information presented in the EA was shockingly deficient, often based on outdated information and superficial reference to website information. It should be noted that there is no local support for the Casino Project, not from the nearby residents, the Windsor Town Council, Sonoma County Board of Supervisors, nor the other Sonoma County tribes. (I notice that all support the Koi Project cites is from tribes not in or near Sonoma County.)

Contrary to comments made by the tribe's Chickasaw representative during the public hearing in response to the Environmental Assessment, the parcel under Fee-to-Trust consideration for construction of the Casino Project is NOT in a commercial zone. No other commercial properties are adjacent to the parcel, but residential neighborhoods, a church and a Windsor park containing sports fields used by children and adults currently border 3 sides of the parcel. In fact, the parcel under consideration is zoned as Intensive Agricultural by the County of Sonoma. The project is wholly unsuited for this agricultural location.

The biggest concern I have personally is the effect of such a project in the event of another devastating wildfire, which is more likely than not. The EA's response to this concern was not only impractical, but also insulting to the residents in the immediate area of Shiloh Rd., Faught Rd., Chalk Hill Rd., and Shiloh Ridge. Several thousands of these residents would likely have to use Shiloh Rd. as their only evacuation route. Given the past history of local wildfires in 2017 and 2019 alone, there is no way that 2-lane country Shiloh Rd. can accommodate the 7,000+ cars that will be evacuating to Highway 101.

I am not opposed to tribal self-sufficiency, self-determination and economic development. Nor am I opposed in general to gaming. However, this is not the right location for a casino and resort. Additionally, these are not the Koi ancestral lands; in fact, the tribe is currently involved in a dispute with Lake County regarding their ancestral lands in that county. Their position in that dispute is contradictory to their claim that Sonoma County constitutes their historical lands. They cannot have it both ways.

Their claim to Sonoma County land is unfair to the existing Sonoma County tribes, all of whom are allied in their opposition.

I urge you to deny the Fee-to-Trust proposal from this tribe that has a recorded history of reservation-shopping. I am open to consideration of an alternate, non-gaming project, but prefer a no-action alternative. The tribe has already begun removing the existing vineyards, and the Koi Casino is already shown on Google maps. I'm not sure if these are tactics employed to demoralize or intimidate the local residents and others, but it seems disingenuous of the tribe to claim they want local support.

I request that my personal identifying information be withheld from public review.

Sincerely,



From: Hank Schreeder <hschreedersr@gmail.com>
Sent: Monday, April 8, 2024 10:46 AM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, KOI NationFee-To-Trust, and Casino Project

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I am writing to let you know my strong opposition to the proposed casino project in our community. As someone who has dedicated their career to law enforcement, I have witnessed firsthand the detrimental effects that casinos can have on communities. The issues associated with this project are numerous and deeply concerning, and I would like you to carefully consider the implications before moving forward.

First and foremost, the proposed casino project fails to adequately address the significant environmental impacts it would have on our area. From increased air and light pollution to the potential disruption of wildlife corridors, the project poses a serious threat to the delicate ecosystem surrounding us. Furthermore, the proposed extraction of 400 thousand gallons of water daily, coupled with the construction of on-site sewage treatment facilities, raises serious concerns about the sustainability of our water resources and the potential for contamination.

Additionally, the proposed location of the casino, accessed by a two-lane rural road already at capacity, would exacerbate existing traffic issues and pose a danger to residents. With hundreds of new apartments planned along the same route, the influx of daily traffic would further strain our infrastructure and negatively impact the quality of life for current residents.

Moreover, the social implications of the casino cannot be overlooked. Casinos are known to attract crime, including theft, prostitution, and addiction, which place an increased burden on our public services and pose a threat to community safety. While the tribes may offer "crime mitigation" funds, these measures are often insufficient to offset the damage caused by the presence of a casino in our midst.

In addition to these concerns, I am troubled by the apparent disregard for the historical and cultural significance of the proposed site, which was not inhabited by the Koi tribe. The Koi tribe historically resided in Lake County. It is deeply troubling that this location is being exploited to undermine the financial stability of neighboring communities.

In conclusion, I implore you to thoroughly consider the long-term consequences of the proposed casino project on our community and take decisive action to address these concerns. Our collective well-being and the future of our area depend on it.

Thank you for your attention to this matter.

Sincerely,
Robert and Lisa Schreeder
117 Lafayette Dr
Santa Rosa, Ca 95403

From: Brian Moe <brian.moe@sonic.net>

Sent: Monday, April 8, 2024 10:50 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To Whom It May Concern:

I believe the Koi Nation resort and casino project proposed for 68 acres of primarily agricultural land adjacent to Windsor, CA, would be detrimental to the land, to surrounding resources and to established rural and semi-rural neighborhoods. The establishment of such a massive business would forever diminish the character, peace and beauty of southeast Windsor.

This business would cause a huge influx of traffic and congestion. Nearby infrastructure for Highway 101 was designed for 1960s-era traffic and is already strained by daily backups. The property itself is surrounded by two-lane rural byways where even sidewalks are rare. More traffic brings more exhaust and poorer air quality.

Paving over much of the project area, which would be inevitable, would increase runoff into adjacent creeks and raise the risk of downstream flooding.

Residents from all over Sonoma County value nearby Shiloh Ranch Regional Park as one of the area's gems. I worry about the impact to the park from nearby construction, air and water pollution and visual degradation.

I do not object to the Koi Nation developing a sustaining business for itself but I do not think this Windsor project is being pursued in a proper or desirable location. Compare this project to the Graton Casino in Rohnert Park, which is actually much larger, but it was located in an area far from residential neighborhoods. The Graton band of Pomo also located its project within that tribe's established historical territory while the Koi band is known to have traditionally occupied areas far to the northeast in what is now Lake County.

Thank you for your consideration,

Brian Moe
PO Box 101
Windsor, CA 95492
Brian.moe@sonic.net

From: Dahdri McCormick <dahdrimc@icloud.com>

Sent: Monday, April 8, 2024 11:26 AM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] KOI NATION SHILOH RESORT & CASINO PROJECT WINDSOR CA

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To Whom it May Concern:

This is my written strong opposition of the proposed Koi Nation Shiloh Resort and Casino in the area at Old Redwood Highway/East Shiloh Road in Windsor. I am a 30-year resident of Sonoma County. I have raised my 3 children in the vicinity of this proposed project and I currently reside in close proximity of this project.

The proposed location of the casino is not conducive to the character of this part of Windsor. Located in close proximity are established neighborhoods, agriculture, churches, parks, playgrounds and baseball fields all of which will suffer tremendously by the proposed casino project.

The small 2 lane Old Redwood Highway as well as East Shiloh Road could not handle any excess traffic that would be brought on by this project. In addition to traffic congestion the environmental impact to this area brought by traffic, noise, air quality, visual resources and destruction of established agricultural land, the area is set up for an impact to residents, their children and the overall "culture" this area currently holds. As seen in the previous years of catastrophic wild fires in this area, these roads could not possibly handle more congestion especially in the event of future fires or other catastrophic events. Expansion of the Shiloh Rd/ East Shiloh Road could not possibly accommodate the projected traffic increase that would impact this neighborhood road. There is lack of adequate circulation to and from this project that would create a domino effect to surrounding roads and neighborhoods.

This particular Koi nation has no known or significant connection to this land or the Town of Windsor. This tribe should investigate land or locations in the vicinity of their origin. In addition, the ignorance of local zoning and building restriction only causes the current area to decrease land and property values for all those in the surrounding areas.

This neighborhood is not the location for a proposed casino . Not even a "resort" with high-end projections. This is a neighborhood with families. These families take walks, play ball, shop, attend school and attend churches in this area.

A proposed casino will increase traffic, crime, decrease the current green space and jeopardize emergency time to respond to any future emergencies in the area. The project jeopardizes land and biological resources. There is direct negative impact on public services, utilities and overall socioeconomics.

There are other areas more conducive to this type of business. Please keep our Town of

Windsor a family community—the reason we chose to live here in the first place.

Thank you for your consideration,

Dahdri McCormick
5811 Faught Road
Santa Rosa CA 95403
dahdrimc@icloud.com

From: Gene Clark <gclark426@gmail.com>
Sent: Monday, April 8, 2024 12:34 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Opposition to proposed Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

NEPA Lead Agency: Bureau of Indian Affairs Pacific Regional Office 2800 Cottage Way
Sacramento, CA 95825

Chad Broussard Environmental Protection Specialist

Dear Mr. Broussard,

I am writing to express my strong opposition to the approach taken to support the proposed new Shiloh Resort and Casino.

When members of the Koi Nation of Northern California consider the introduction of a casino, they have sought guidance from consultants to conduct various studies. In this scenario, a consultant, commissioned and funded by entities supportive of the casino's establishment, meticulously crafts a report aimed at bolstering the case for casino development. This tailored study strategically presents biased information favoring the interests of those financing the consultancy. Through selective data interpretation and emphasis on potential economic benefits, such as job creation and revenue generation, the consultant aims to sway public opinion and decision-makers in favor of the casino project. By framing the narrative to downplay or overlook potential negative impacts, such as increased traffic congestion or problem gambling, the consultant endeavors to create a persuasive argument that aligns with the agenda of their benefactors. This orchestrated effort to present a one-sided view of the proposal underscores the influence of vested interests in shaping public perception and policy decisions regarding the casino's introduction.

Empirical evidence reveals the community will face a myriad of compounding factors, as illustrated below, which necessitate the denial of yet another casino in Sonoma County.

1.

1. Traffic Congestion: There is currently no infrastructure in place, nor planned, nor even close to being funded, to accommodate the increased traffic that will

occur traveling to or around the proposed casino location. This will strain local infrastructure and create inconvenience for residents.

2. 2.

3. Crime Concerns: Increased crime associated with casinos, including theft, fraud, and organized crime activities, are commonly understood issues. Therefore, *the study must include full disclosure* of the number and nature of the Graton Casino and River Rock Casino calls over the past 5 years from the Sonoma County Sheriff's Department and associated data from the City of Rohnert Park Police Department. Respectfully, The Bureau of Indian Affairs must consider this as a formal Public Records Access Request through the Freedom of Information Act, whereby such information is promptly and made reasonably available to the public.

4. 3.

5. Problem Gambling: The presence of another casino will undoubtedly contribute to problem gambling behaviors in our community, leading to financial hardship, family disruptions, and depression.

6. 4.

7. Impact on Local Businesses: Casinos will draw customers away from existing local businesses, especially smaller establishments. This will lead to economic challenges for nearby retailers, restaurants, and entertainment venues.

8. 5.

9. Impact on Family Well Being.: In the gaming industry, it's said to never gamble with "scared money." Scared money is what is referred to when a person uses their money to gamble...that in fact was supposed to go to paying the rent, covering a child's nutritional needs at school, or having funds to pay for a medical emergency. Gambling institutions turn a blind eye to such problems! In fact, they multiply and magnify such hardships and stresses by installing personal ATM machines right in the casinos.

10.6.

11. Social Disruption: The introduction of a third casino will inevitably change the social fabric of the community, leading to disruptions in community cohesion, values, and norms. This will heighten the concerns of residents who value their community's identity and sense of belonging.

12.7.

13. Negative Image: Communities fear that the presence of a casino will tarnish their reputation or negatively impact their brand image. This concern will be particularly relevant for areas seeking to promote themselves as family-friendly or culturally rich destinations.

Thank you for allowing me to participate in this process.

Sincerely, Gene Clark, 1036 Elsbree Lane, Windsor, CA 95492

From: Yana Ross <yanaross@yahoo.com>

Sent: Monday, April 8, 2024 12:40 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard, Environmental Protection Specialist, BIA,
I am writing to voice my concern and dismay that consideration would be afforded to the southeastern Pomo Koi Nation of Lake County to build a proposed casino and resort in the ancestral territory of the southern Pomo, and the Federated Indians of Graton Rancheria. For years Koi has tried to build a casino in Oakland, in Vallejo and now in Windsor. They have no valid claim to this area, and in fact their own records and media (<https://www.pbssocal.org/shows/kvie-viewfinder/episodes/saving-sacred-hj7xzd>) declare and affirm their ancestral ties to Lake County, about 60 miles away.

I am part Coast Miwok, Southern Pomo and Mishewal Wappo, and an enrolled citizen of the Federated Indians of Graton Rancheria, and as a fellow Indigenous person I am well aware of the injustices Indian people, including my family and ancestors, have had to endure, but two wrongs don't make a right in this case; it would be wrong to allow Koi Nation to usurp our Sonoma County homeland in this way.

The five Sonoma County tribes: Federated Indians of Graton Rancheria, Dry Creek Pomo, Mishewal Wappo, Cloverdale Pomo, and Kashia Pomo all oppose Koi's mistaken assertion that they have a place to advance their economic development here. Their efforts have been refused in the other counties they have audaciously attempted this operation, and they should indeed be turned down again because they are out of line. The overwhelming majority of neighbors, Sonoma County residents and governmental leaders oppose this project based on, but not limited to, legitimate environmental, social, traffic, public safety, and tribal issues. Thank you for considering.

Respectfully,
Yana Fawn Ross
Santa Rosa, California

From: Gene Clark <gclark426@gmail.com>

Sent: Monday, April 8, 2024 12:50 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>; Gene Clark <gclark426@gmail.com>

Subject: [EXTERNAL] Opposition to Shiloh Resort and Casino

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

Please use this attached document regarding my position for the proposed Shiloh Resort and Casino, as it will have better formatting.

Thank you.

Gene Clark

One attachment • Scanned by Gmai

NEPA Lead Agency: Bureau of Indian Affairs Pacific Regional Office 2800 Cottage Way
Sacramento, CA 95825

Chad Broussard Environmental Protection Specialist

Dear Mr. Broussard,

I am writing to express my strong opposition to the approach taken to support the proposed new Shiloh Resort and Casino.

When members of the Koi Nation of Northern California consider the introduction of a casino, they have sought guidance from consultants to conduct various studies. In this scenario, a consultant, commissioned and funded by entities supportive of the casino's establishment, meticulously crafts a report aimed at bolstering the case for casino development. This tailored study strategically presents biased information favoring the interests of those financing the consultancy. Through selective data interpretation and emphasis on potential economic benefits, such as job creation and revenue generation, the consultant aims to sway public opinion and decision-makers in favor of the casino project. By framing the narrative to downplay or overlook potential negative impacts, such as increased traffic congestion or problem gambling, the consultant endeavors to create a persuasive argument that aligns with the agenda of their benefactors. This orchestrated effort to present a one-sided view of the proposal underscores the influence of vested interests in shaping public perception and policy decisions regarding the casino's introduction.

Empirical evidence reveals the community will face a myriad of compounding factors, as illustrated below, which necessitate the denial of yet another casino in Sonoma County.

1. Traffic Congestion: There is currently no infrastructure in place, nor planned, nor even close to being funded, to accommodate the increased traffic that will occur traveling to or around the proposed casino location. This will strain local infrastructure and create inconvenience for residents.
2. Crime Concerns: Increased crime associated with casinos, including theft, fraud, and organized crime activities, are commonly understood issues. Therefore, *the study must include full disclosure* of the number and nature of the Graton Casino and River Rock Casino calls over the past 5 years from the Sonoma County Sheriff's Department and associated data from the City of Rohnert Park Police Department. Respectfully, The Bureau of Indian Affairs must consider this

as a formal Public Records Access Request through the Freedom of Information Act, whereby such information is promptly and made reasonably available to the public.

3. Problem Gambling: The presence of another casino will undoubtedly contribute to problem gambling behaviors in our community, leading to financial hardship, family disruptions, and depression.
4. Impact on Local Businesses: Casinos will draw customers away from existing local businesses, especially smaller establishments. This will lead to economic challenges for nearby retailers, restaurants, and entertainment venues.
5. Impact on Family Well Being.: In the gaming industry, it's said to never gamble with "scared money." Scared money is what is referred to when a person uses their money to gamble...that in fact was supposed to go to paying the rent, covering a child's nutritional needs at school, or having funds to pay for a medical emergency. Gambling institutions turn a blind eye to such problems! In fact, they multiply and magnify such hardships and stresses by installing personal ATM machines right in the casinos.
6. Social Disruption: The introduction of a third casino will inevitably change the social fabric of the community, leading to disruptions in community cohesion, values, and norms. This will heighten the concerns of residents who value their community's identity and sense of belonging.
7. Negative Image: Communities fear that the presence of a casino will tarnish their reputation or negatively impact their brand image. This concern will be particularly relevant for areas seeking to promote themselves as family-friendly or culturally rich destinations.

Thank you for allowing me to participate in this process.

Sincerely, Gene Clark, 1036 Elsbree Lane, Windsor, CA 95492

From: [REDACTED]

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI comments Koi nation fee-to-trust casino project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello,

I'm writing to express opposition to the proposed Koi casino in Sonoma County. It would be a decimation of natural resources to help out of state tribal entities profit from our local resources, and there are many adverse environmental impacts should this project come to fruition.

Most notably, the roads infrastructure cannot sustain the expected increase in traffic to the location - neither the highways or surface roads are capable of handling this volume. Additionally, this region has been impacted by wildfires multiple times over the years, requiring evacuation of neighborhoods and entire towns. Adding this volume of vehicles and additional traffic to an evacuation would put local residents lives at risk.

Given the immediate proximity to a high volume of residential neighborhoods, schools, and churches, bringing in such traffic for activities such as gambling will adversely impact the local neighborhoods. I am concerned that the casino will cause an increase in violent and non violent crime to the surrounding areas.

For many years, California has suffered under drought conditions with water restrictions, etc. Only recently have we started to replenish water tables with only two years of sufficient rain. There is not enough water to sustain the anticipated 400,000 gallon DAILY use for this casino. The drain on local environmental resources is too significant to overlook.

Please save the water, save the land, save our local communities, our infrastructure, and our economy by saying no to this casino.

Please redact any personally identifiable information from this message before distribution.

If you need any additional information from me, please reach out.

Signed,

concerned resident of Windsor, [REDACTED]

From: catherine dodd <catherine.dodd@gmail.com>

Sent: Monday, April 8, 2024 1:14 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-trust and Casino project: NO ACTION

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Please find my comments attached and please confirm receipt of comments.

May you be well,

c.

Catherine Dodd PhD, RN [FAAN](#) she/her

[linked](#) in

Board Member [Commonweal](#)

Leadership Council [HealingCirclesHealthCare](#)

catherine@healingcircleshealthcare.org

Board Member [National Committee to Preserve Social Security & Medicare](#) [Join TODAY](#)

Advisor, Families Advocating for Chemical and Toxic Safety [FACTS](#)

[Nurses for America](#) Core Team

One attachment • Scanned by Gmail

Catherine Dodd PhD, RN
Former Region IX Director US Department of Health & Human Services
5259 Carriage Lane
Santa Rosa, CA 95403 (Wikiup unincorporated Sonoma County)

April 7, 2024

NOI Comments, Koi Nation Fee-Trust and Casino Project:
Option 3: No ACTION

Amy Dutschke, Regional Director
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

c/o Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region

Dear Director Dutschke,

I am writing as a resident, an environmental health consultant and senior who moved to the unincorporated area of Sonoma County, where the proposed Koi Casino project is being considered, after a bone marrow transplant in 2014. Only one photo/map in the Environmental Assessment shows our neighborhood even though we are 1.2 to 2 miles away from the proposed casino project. Our neighborhood is called Larkfield-Wikiup and is made up of young families and seniors (like myself). I moved here from the "City" because it is peaceful and *quiet*. People walk their dogs on the sidewalkless streets, there is wildlife, there is a regional park (Shiloh-directly across from the proposed casino not shown in pictures or maps) where we can enjoy nature year-round. Many people bike ride for pleasure and competition because of the *quiet streets and calm surroundings*. Because the EA omits photos of our neighborhood it leads the reviewer to believe that there will be no impact on the several thousand people in this neighborhood and the 10,000 people who live in the "Larkfield-Wikiup" neighborhood at large.

The proposed casino will change the character of and harm the health and well-being of individuals, our community and the neighboring communities north and west of the proposed casino. It will also harm the Regional Park and wildlife east of the proposed casino. It will exacerbate climate change locally and beyond, it will endanger the water supply and system.

I searched the CFR and located CFR Title 25 Chapter 1 Subchapter N Part 292 and found:

To satisfy the requirements of [§ 292.16\(f\)](#), an application must contain the following information on detrimental impacts of the proposed gaming establishment: (below a-g) and § 292.18 poses the question: What information must an application contain on detrimental impacts to the surrounding community? I answer this question below.

(a) Information regarding environmental impacts and plans for mitigating adverse impacts, including an Environmental Assessment (EA), an Environmental Impact Statement (EIS), or other information required by the National Environmental Policy Act (NEPA);

(b) Anticipated impacts on the social structure, infrastructure, services, housing, community character, and land use patterns of the surrounding community;

- (c) Anticipated impacts on the economic development, income, and employment of the surrounding community;
- (d) Anticipated costs of impacts to the surrounding community and identification of sources of revenue to mitigate them;
- (e) Anticipated cost, if any, to the surrounding community of treatment programs for compulsive gambling attributable to the proposed gaming establishment;
- (f) If a nearby Indian tribe has a significant historical connection to the land, then the impact on that tribe's traditional cultural connection to the land; and
- (g) Any other information that may provide a basis for a Secretarial Determination whether the proposed gaming establishment would or would not be detrimental to the surrounding community, including memoranda of understanding and inter-governmental agreements with affected local governments

I have not worked with these regulations previously so I will address what has not been adequately described in the EA and items required in a-g.

- (a) The EA was very incomplete. It lacks data and in many instances it is completely unrealistic. The list of topics in the EA does not include **Climate Change** (which is a relatively newly accepted environmental concern and apparently is not yet part of EA ES reviews). What is the projected tonnage of CO2 and GHGs generated/day? How large is the projected carbon footprint? A carbon footprint in tons should be part of this assessment/study.

Sonoma County like other parts of California and the US has been and continues to be significantly affected by Climate Change. Increasing temperatures and earlier spring & summer with accompanying drought which have impacted our **temperatures, air quality** and our **water supply**. Climate change has brought flooding in winter and **unpredictable high winds** in both winter and summer. The summer winds have resulted in catastrophic fires throughout the state but specifically in the area of the proposed casino project.

A 1.2M sq ft building, with a 200-400 (different #s on KOI website than in EA) hotel, with 5-7 (again differing #s) restaurants *and* a parking lot for over 5,000 (visitors and staff) cars will create a giant heat island warming the site and neighborhoods nearby. It will require immeasurable amounts of electricity and gas – largely from fossil fuels. Gas for the restaurants is inevitably released during cooking and is a known GreenHouseGas. 24/7 casino lighting, air conditioning, 5,500 automobiles as well as trucks will also contribute to GHGs.

Extreme heat is a danger to the health of seniors and children. The proposed site is across from a Senior Mobile Home park and a Windsor City recreational park for children and families. There is no prediction regarding dangerous the heat effect that this project will create. Currently the agricultural land has served as a cooling break for the area and absorbs CO2 as well as works as a fire break.

Fire: The Wikiup and Oak Park neighborhoods (north and south of the project) have been evacuated for fire twice in the past seven years. Trying to evacuate from a life-threatening fast-moving fire on the two-lane Redwood Hwy and onto the gridlocked HWY 101 is extremely anxiety producing. In the Tubbs fire we had less than 15 minutes to leave, it took an hour to travel half a mile and cross over HWY 101 at Shiloh (which was closed at the closest exit because the fire was heading toward our Mark West exit and in fact crossed the HWY and burned an entire subdivision

of 1,000 homes killing 2 people) onto the 2 lane River Road also blocked. Luckily, we had friends in Sebastopol to go to, but then were evacuated from there so we went to a supermarket parking lot and tried to find a place to stay. There were thousands of people with no place to go who set up at the fairground. Imagine a fire or **earthquake** (the proposed casino is close to a fault line – we had an earthquake 2 years ago that broke our water pipe with 5,000+ cars and 10,000 people trying to escape and to find a safe place none of us knowing where to go. We were out of our smoke damaged home for over a week the fire stopped 8 houses away.

During the Tubbs fire, emergency services were so overwhelmed that staff in a nursing home lined all the patients up for transport and then staff fled for their lives leaving the patients to burn to death.

The proposed mitigation: is completely unrealistic. The suggestion that 12 traffic “attendants” attempting to direct 4-8,000 *panicked* visitors in 4,310 visitor vehicles (not counting employee vehicles) away from a *hot fast-moving fire* (which the Tubbs fire was – as well as Paradise and Malibu fires) will be able to evacuate traffic and not flee themselves is totally unrealistic as is the projection that all will be evacuated in 2.2 hours and the suggestion that “other traffic will be relatively light” is preposterous. This does not consider the thousands of people in the neighborhoods north and south or the senior trailer park west of the proposed project who are also evacuating. The proposed 12 staff (like those in the nursing home) will flee for their life. Most of us in surrounding neighborhoods – near the proposed project have had our fire insurance not renewed and have had to pay high premium through a state insurance program because the risk of fire is so great. If their insurance was not canceled, it will be if the casino project goes forward. The existing vineyard acted as a firebreak in the 2021 Kincaid fire which tinged the vineyards at the top east border for which those of us to the south of the proposed project were grateful. Fire insurance does not reimburse for loss of life, only property. This proposal minimizes the value of human life. One cigarette or marijuana butt tossed out a car window into the dry grass or leaves along the road – not just along the border of the project – but along the road in the neighborhoods or into Shiloh Regional Park will be the end of our lives for thousands of us.

From a health perspective, extreme heat is a danger especially for seniors and the neighborhoods (and Colonial trailer park) that surround the proposed project are home to countless seniors. Air pollution caused by cars and trucks especially in hot weather will exacerbate any pulmonary conditions. Smoke from fires can be deadly for people with pulmonary conditions. Anxiety about fire already causes sleepless nights during warm summer nights and the casino project will only make these worse. Our quality of life will be harmed and there is no mitigating that.

Water supply: Larkfield Wikiup relies on well water and is the most expensive water in the state. Rationing has been implemented the past three years charging much higher rates when watering on the wrong day and above the gallons/person limits set by Cal American Water. I have been saving water from the sink and shower to water the garden and flush toilets for over 5 years as have many neighbors.

Cal American Water gets the water from nearby wells relying on aquifers. The aquifers do not only supply the casino project areas, they supply all of us! The state of California passed “Sustainable Groundwater Manageable Act” (SGMA) was passed in 2014 and requires that by 2042 each area of California that uses ground water to replace what is used. Sonoma County wells are on “the Santa Rosa Plains” and is in the process of planning to replace the ground water that it draws out. California has proposed implementing water rationing.

It seems unrealistic to assume that our water table and aquifers are limitless, and 400,000 (includes the so-called treated water) gallons proposed to be used by the casino project will only

make water more scarce and costly. Wastewater processing does not belong between neighborhoods and the possible danger to Pruitt creek cannot be mitigated.

Solid waste – landfill:

Sonoma County like other counties in California is working toward a “zero waste” goal. It is unconscionable that 5,000 – 10,000 people each day will not create a solid waste disaster. All of our individual efforts to reduce, reuse and recycle will be made meaningless. Keep the casino garbage out of our county! **Hazardous waste** – there is a special facility for hazardous waste however it’s much better to prevent it by not needing it to begin with.

Light and Noise:

A casino will light up the night and will eliminate the night sky we cherish gazing at. It will confuse navigation that wildlife require for protection in and near Shiloh Regional Park. Noise in the neighborhoods will create a citylike environment that many of us moved here to avoid.

Traffic noise from HWY 101 will be much louder with 4,000-5,000 additional cars and trucks traveling 24/7. Speeding hotrods will disrupt our quiet neighborhoods and the park. Noise from daily delivery and refuse trucks, and water filtration pumps and systems 24/7 will be disruptive, not to mention noise from the casino itself. We will be unable to sleep with doors and windows open during warm temperatures. The **sound of sirens** from emergency vehicles, which are rare in our quiet neighborhoods will be frequent and unpleasant given an anticipated need for law enforcement and emergency response presence.

Regional Park

Shiloh Regional Park, on the hill adjacent to the east side of the project is home to many wildlife and has wonderful hiking trails. Hiking with views of the “neighborhood casino” will ruin this important natural resource for families.

Traffic:

The traffic evaluation in the EA is inaccurate, it was not performed between Cal Trans “car pool hours” of 7am-9am and 3pm-5pm when there is gridlock on HWY 101 *and* River Road. An additional 5,000+ vehicles will negatively impact drive times, safety and air quality. Traffic danger along Shiloh near Esposito Park where kids play softball and people walk dogs will increase and is an unacceptable risk. Walking in our Wikiup neighborhood and over to Shiloh Regional Park is one of the nicest parts of living here. Cars taking the “backroad” to avoid traffic or law enforcement will add both danger (especially to kids near San Miguel School 1.2 miles away) and noise to our neighborhoods. There are many bicycle riders who enjoy traffic free neighborhoods for pleasure and competition.

- (b) Anticipated impacts on the social structure, infrastructure, services, housing, community character, and land use patterns of the surrounding community are significant and not addressed in the EA. As described, the two neighborhoods north and south of the proposed project are made up of quiet family homes. The increased traffic and water use will dramatically and negatively impact our neighborhood. Emergency services will be drawn away from those they currently serve and those who pay the taxes that support the services. A casino does NOT fit the quaint small town, safe, outdoor character of the proposed site. Sonoma County is working to build enough affordable housing for the existing workforce, we do not need to add 1,100 employees and families to the lack of affordable housing burden.

- (c) Anticipated impacts on the economic development, income, and employment of the surrounding community; the hospitality industry unless it is unionized does not pay a living wage giving the cost of living in Sonoma County because of this there is a shortage of hospitality workers.
- (d) Anticipated costs of impacts to the surrounding community and identification of sources of revenue to mitigate them; This was not addressed. Windsor police will respond to problems in Windsor, the casino project is in unincorporated Sonoma County and must rely on an increasingly stretched Sheriff department. The cost of law enforcement according to other casino locations will be significant. In addition, how do you quantify (no less mitigate) the health and well-being effects of increased fear of crime, inebriation and accidents for community members in adjacent neighborhoods.
- (e) Anticipated cost, if any, to the surrounding community of treatment programs for compulsive gambling attributable to the proposed gaming establishment; are not addressed. County mental health budgets are challenged, and gamblers who hit rock bottom have nowhere to go. The homeless population continues to increase. There is only one GA meeting in the county (although that is not a cost). The county should not have to bear the cost financially or morally of addictions created and perpetuated by casinos.
- (f) If a nearby Indian tribe has a significant historical connection to the land, then the impact on that tribe's traditional cultural connection to the land; The KOI tribe nor the Oklahoma Chickasaw nation have **no historical connection to this land**.
- (g) There is no question that this project will have a detrimental effect on the lives and health of residents in the community, the community itself, the immediate environment and the larger Sonoma County environment from of climate change, heat, air pollution, traffic, accidents, infrastructure deterioration, and crime. The project does not belong in such close proximity to neighborhoods and parks.

Lastly, It is my understanding that the “Fee to Trust” issue is not yet decided. The two exceptions in that allow this land transfer are described in the “two-part determination” process where the Secretary of the Interior consults with the tribal applicant, the state where the land is located, local governments, and other nearby tribes. **They all need to agree** on two things:

1. That a casino on this land is in the best interest of your tribe, and
2. That a casino or gaming business won't hurt the community around it.

This proposed project WILL hurt the community around it.

I urge approval of number (3) the NO-ACTION alternative. The danger of fire from cigarettes on nearby roads can't be underscored. Our communities need the agricultural land to act as a firebreak, to absorb CO2. We need to keep Shiloh Regional Park as a precious natural resource with beautiful views and wildlife, and we need to eliminate added dangerous traffic on HWY 101, Redwood Rd and on the backroads through our Wikiup neighborhoods.

Sincerely,



Catherine Dodd PhD, RN

From: chandler_construction@yahoo.com <chandler_construction@yahoo.com>
Sent: Monday, April 8, 2024 2:52 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-To-Trust and Casino Project.

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I am writing to provide objection to the proposed Koi Nation Shiloh Resort and Casino Project.

If completed, the project would bring tens of thousands of visitors to the area daily. This will result in a significant increase in traffic congestion, noise, and air pollution, 24/7 artificial light to the surrounding area threatening the natural environment of migratory birds. The proposed project is surrounded by residential and agricultural sections with a community/family park directly across Shiloh Road and an elementary school a mile away.

The size and dominance of the proposed gambling casino and resort at this location will adversely impact the landscape, residential life, and community activities of the whole surrounding area. It will overwhelm the resources of the public, including the diminishing residential water supply, road maintenance, emergency/wildfire evacuation routes and resources for fighting fires and managing crime.

Local air pollution and public health

In addition to greenhouse gas pollution, please study the possibility of local air pollution and public health impacts from increased vehicle traffic on neighborhood roads and highways, as well as the impacts from idling vehicles (including construction, delivery, and passenger vehicles).

The EPA has found that people who live, work, or attend school near major roads appear to have an increased incidence and severity of health problems associated with air pollution exposures related to roadway traffic. It is likely that a project of this size will have a measurable impact on air pollution in nearby neighborhoods. Please assess the possibility that there will be a public health impact due to an increase in particulate matter, air toxics, and NOx, as well as any other foreseeable air pollutant.

Water demands and drought:

California is in the midst of a 1200-year drought. Sonoma County is under mandatory water use restriction and the reality if supplies worsening with global warming is inevitable. Please consider what the water demands, both now and in the future, would be for a resort project of this size vs a

residential development on the same site. The proposed project will decimate the local water table, heavily impacting local water resources for the surrounding community, the community cannot withstand the loss of water supply caused by this project.

Pressure on local fire/police/emergency responders' capabilities:

This property, and the whole surrounding area is subject to intense and fast-moving wildfires, not only would visitors to a casino resort be at risk, but the whole community would also be threatened by having the designated escape/evacuation routes overwhelmed and in complete gridlock, with emergency vehicles unable to operate. All roads leading to and from the designated property are only two lanes. For residents in the immediate area and the hills above, Shiloh Road is the main, and in some cases, the only escape route out.

This project, in this location threatens the community with a high potential to greatly contribute to more loss of life and homes.

Community safety

Please consider how many thousands of families and individuals live in the actual Area of Potential Effect (APE). The APE is far greater than the project site and extends for miles in all directions. A project of this scope will bring an unprecedented adverse element to the greater surrounding area resulting in unintended consequences for the entire community.

The APE includes Windsor and NE Santa Rosa, Mark West, Fulton, and Wikiup/Larkfield, the inflow of tens of thousands of visitors daily into area will increase rates of crime and traffic accidents in the surrounding areas. Consider police/fire statistics from casinos in Northern California that identify casino resorts in particular that are built in locations surrounded by long-established communities of residential neighborhoods, areas intended and zoned for residential/ agricultural use only and not commercial use.

Decline in property values:

The expected decline in property values is both during construction of the project, and in the long term. Homes and housing units impacted by the direct visibility of the large buildings, parking lots, and bright lights, and the flux of vehicles to/from the casino resort -plus the noise of the increased vehicular traffic and entertainment - will most likely experience a decline in property values and quality of life. The 24/7 presence will significantly decrease the desirability of buying into the area and lower current residents ability to rest at night and to use and enjoy their outdoor living spaces.

There are areas in Sonoma County more appropriate for a high volume 24/7 casino business. Please study alternative sites for this project as it is not an environmentally sound project for this location and threatens the well-being of thousands of members of the local community.

The proposed site would be better suited and welcomed as a residential development by the Koi Nation to serve its people with an

affordable residential community where all families would be able to thrive and continue to enjoy living in the area. _

Thank you for your consideration.

Thanks
Marc Chandler
(707) 889-6381

From: Debra <d_avanche@yahoo.com>
Sent: Monday, April 8, 2024 3:20 PM
To: Dutschke, Amy <Amy.Dutschke@bia.gov>
Cc: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments Koi Nation fee to Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Ms. Dutschke, and Mr. Broussard,

I am taking one more opportunity to address the Koi Nation proposal to build a casino in our residential neighborhood on East Shiloh Rd. Santa Rosa, CA

I have written several letters to Chad Broussard as well as contacted the Koi Nation representative to express my serious concerns. I also participated in the zoom meeting a couple months ago.

This 65 acres is located in the middle of a rural, residential, agricultural designated portion of Sonoma County. That in and of itself is reason to reject all the scenarios of this ill fitting project. I have asked that a representative of BIA come and see the site "chosen" by the Oklahoma gaming interests in order to assist the "90" Koi Nation members in forging a better life. It's inconceivable that anyone would find this site appropriate on a purely physical level let alone community level.

The Koi Nation certainly deserves redress for previous actions by others, but they are not from this area. They are Lake County based historically and there's lots of land there that won't disrupt quiet neighborhoods and native species. Wildfires and water also play a part in my serious concerns as well. I know you must know this recent history of evacuations and destruction from two wildfires over the past 4 years. My neighbors and I have private wells and are justifiably worried about a 700 deep well and the proposed sewage treatment plant. Too big a deal and risk so gambling can occur. And let me restate its the Oklahoma gaming powers that will reap the lions share of this project. What do they care about impact to our community?

Please let us address your agency and the Koi Nation members and their representatives in person. We would appreciate hearing how this site was chosen and thoughtful dialogue over why not Lake County. All I have heard is that the move to Sonoma County is a given but I haven't heard why. We already have two large casinos along the 101 corridor.

(Call me, I would love to show you the site and our perspective on the above. The video with Peter Coyote (who I admire) showing how great this will be is deceiving as to impact and scale. I hope you have seen the video by Our Community Matters).

Thank you for your time and consideration,

Debra Avanche

127 E Shiloh Rd
Santa Rosa, CA 95403

707 494-2660

From: walterbrusz@comcast.net <walterbrusz@comcast.net>

Sent: Monday, April 8, 2024 3:20 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Cc: pedwards47@comcast.net <pedwards47@comcast.net>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project.

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr Broussard,

Please find attached our further comments on the Koi Nation casino project. Thank you for the opportunity to provide input.

With best regards,

Walter Bruszewski and Pam Bruszewski

One attachment • Scanned by Gmail



HIDING A FIVE-STORY HOTEL IN A VINEYARD: Further evidence that the Koi have endeavored to deceive our neighborhood with misleading images of their proposed casino and resort.

April 8, 2024.

SUMMARY. The Koi have presented arguments for creating a gambling casino, event center, spa and hotel to host thousands of people, replacing a vineyard in our neighborhood inhabited by no one. In their EA, they attempt to convince our neighborhood that this development will have no significant impact on our environment, our lives, or our safety. The Koi's arguments in their EA are disingenuous and specious. Here I address the Koi's assertions in the EA about:

- the appearance of the planned development;
- the Koi's opaque process of assigning significance to impactful changes created by their project.

The Koi Nation has misrepresented the safety and benign nature of their planned project. They present voluminous "analyses" which give the false impression that they are seeking the truth about the impact of their casino. They have misrepresented the appearance of the development with deceptive photographs which attempt to hide the casino, resort, hotel, etc. in a vineyard. Conclusion: the Koi have produced an EA which gives the appearance diligent analysis, but is actually deception.

I strongly support the efforts of indigenous peoples over the world to assert their rights as individuals and groups. I believe that the United States created a shameful record of genocide, taking of indigenous lands, and destruction of the culture of the first citizens of America. Further, I believe that these people demonstrated a spiritual connection with the land of which they were the custodians. In contrast, I believe that they were confronted with white settlers supported by the United States Government who plundered indigenous lands by mining, logging, and extermination of wildlife. I believe that American indigenous peoples have suffered from systematic racism in the same way as

African Americans. And they have a right to expect support for their livelihood from the government of the United States.

Still, I am opposed to the Koi casino enterprise, which would ruin our peaceful residential neighborhood.

THE KOI MISREPRESENT THE SIZE OF THE CASINO. In Figure 1 above, the Koi's conception of what their proposed casino-resort-event center would look like is compared with an actual photograph of the site in which a scale model of the project (based on the site plan and description) is inserted. In the EA, the Koi present Figure 3-13.2 (their post-development illustration of the project), which is shown on the left. The right-hand image is a composite of a recent photograph, made with a 50 mm lens. A 50 mm lens is generally considered to capture a view equivalent to what the unaided eye sees. If one is familiar with the view of the site as one proceeds eastward on Shiloh, the right-hand image looks realistic. The left-hand image is strangely distorted (probably attributable to use of a wide-angle lens) so that everything recedes into the background to the extent that the Mayacamas Mountains are not visible. The distortion is enough that East Shiloh appears nearly parallel to Old Redwood Highway (ORH). (The streets actually intersect at a 60 degree angle.)

Figure 2 shows the image upon which the composite was constructed. Notice that is an accurate image, with respect to the land. The Mayacamas are clearly visible.



Figure 2. Normal, typical view from the corner of ORH and Shiloh East, looking eastward.

Figure 3 shows an early stage in the construction of a scale model of the project. It was built on the site plan furnished by the Koi in their EA (Figure 2.1-1)



Figure 3. Building the scale model on the site map with SolidWorks 3D CAD (computer assisted drafting / design) software.

In the following figure, the complete SolidWorks virtual solid model of the project is shown in Blender 2.90, which was used to create a photorealistic model of the project with realistic surface textures and colors. In Blender, a scene was created with the model and naturalistic lighting and shadow simulating the Sun and other light sources. Blender is very similar to Pixar, the software used to produce modern animated movies. SolidWorks is a typical 3D solid CAD program, which mechanical engineers and mechanical designers use for product design.

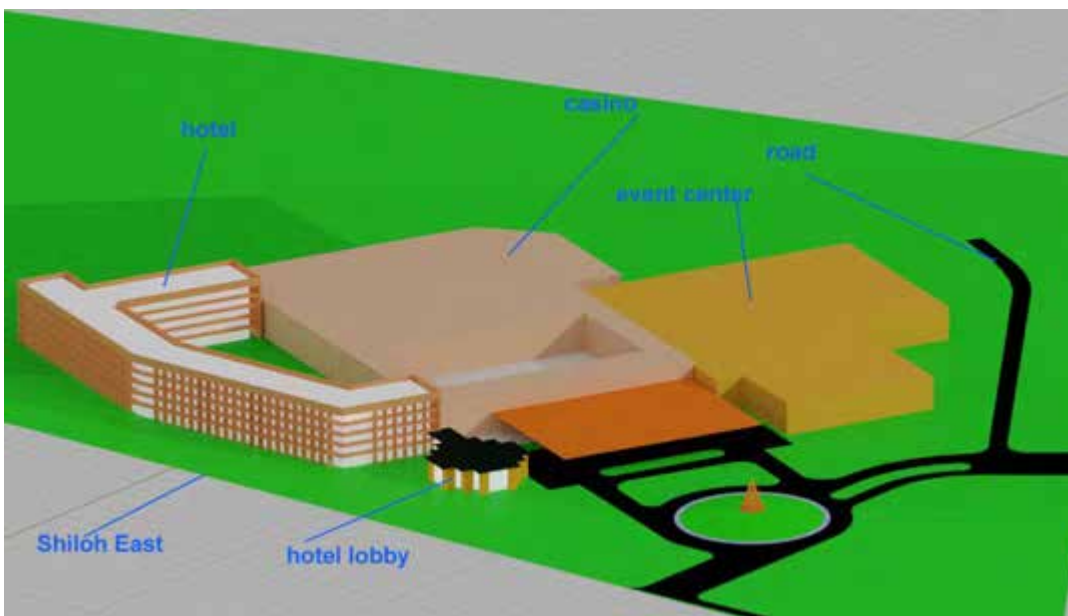


Figure 4. Photorealistic scene of the project created in Blender.

Public comment Shiloh Casino EA; Bruszewski

The construction and visualization of this project is well within the capability of an architect, or even an architectural drafter. I am surprised that the architects serving the Koi did not undertake such a project. As it is, it appears that the Koi are not interested in the truth; they have opted to deceive with manipulated photographs which deviate from the truth.

THE KOI EMPLOY AN OPAQUE AND WORTHLESS PROCESS FOR ASSIGNING SIGNIFICANCE TO A RANGE OF IMPACTS CREATED BY THEIR PROPOSED PROJECT. In Section 3.13.3 of the EA, impacts on visual appearance, quiet, and darkness are addressed. The EA concludes that “visual impacts . . . would be less than significant. Impacts are partially identified, but assignment of significance occurs by an unknown process. Thus, it has no value. It appears that the Koi’s judgement is essentially arbitrary. In an extreme case, the impact of the water treatment facility is deemed of no significance. Nowhere in their narrative do they seem to be aware that waste treatment plants which process sewage are well known for their emission of foul smells. I have visited several waste treatment plants around the Bar Area: they all stink! It is obvious why these plants are sited far from population centers, not in a residential neighborhood.

For a fair determination of the impact of this project, the Koi need to prepare a truthful EIS. I look forward to this.

Walter Bruszewski

Pam Bruszewski

From: Michael Higgins <mr.mike.a.higgins@gmail.com>

Sent: Monday, April 8, 2024 3:26 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, KOI Nation Fee-Trust and Casino Project Attn: Amy Dutschke

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Dear Mr. Chad Broussard and Ms. Amy Dustschke,

I hope this letter finds you well. My name is Michael Higgins, and I am writing to you today to express my deep concerns about the proposed KOI Nation Casino project in Windsor, CA. Specifically, I wish to address the environmental, traffic, and wildfire risks associated with this development.

First and foremost, the construction and operation of a large-scale project such as the KOI Nation Casino inevitably pose significant environmental challenges. The disruption of natural habitats, increased traffic congestion, and potential pollution from the construction phase alone can have lasting effects on the delicate balance of our local ecosystem. As residents of the immediate area, we have a responsibility to protect and preserve our natural environment for current and future generations.

Additionally, the introduction of a major attraction like the casino will undoubtedly exacerbate existing traffic issues in the area. I understand that this will be 1.2 million square feet of buildings bringing 27,000 to 57,000 visitors per day. That effectively doubles or triples Windsor's current population of 25,271.

Windsor already faces congestion challenges, particularly during peak tourist seasons and events. The influx of visitors drawn to the casino will only further strain our roads and infrastructure, leading to increased traffic congestion, longer commute times, and heightened safety concerns for residents and visitors alike. All of this being proposed in residential neighborhoods.

Furthermore, Windsor and its surrounding areas are highly susceptible to wildfires, especially during the dry summer months. The construction and operation of the casino bring with them increased human activity and potential ignition sources, significantly elevating the risk of wildfires in our community. It is imperative that we take proactive measures to address these wildfire risks and ensure the safety and well-being of our residents.

Thank you for considering these critical issues.

Sincerely,

Michael and Kathleen Higgins

5235 Carriage Lane, Wikiup-Larkfield, CA 95403

From: Bob Cipolla <bobcipolla65@gmail.com>

Sent: Monday, April 8, 2024 3:31 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Chad Broussard

Environmental Impact Specialist

US Bureau of Indian Affairs

RE: Proposed Casino at 222 E.Shiloh Rd., Sonoma County, CA 95403

NO CASINO HERE: Robert N. Cipolla and Gail C. Cipolla, husband and wife, oppose the concept of creating a gambling casino, of any size, on the 68.6 acre property proposed by the Koi nation. We agree with the detailed 10 page assessment of Anne Gray, dated April 7, 2024, in its entirety. It is not necessary for us to repeat the specifics contained therein.

SOLIDARITY WITH TRIBES: Gail C. Cipolla is a member of the Yankton Sioux Tribe of South Dakota, and her mother grew up on the reservation. Gail and I are respectful of her ancestral history and particularly supportive of legitimate efforts of tribes to reclaim land taken from them by force, whether by military or legislative process. The purchase of this land, by the Koi nation, does not qualify as an effort of restoration.

FIRE LOSS: We are survivors of the October 2017 Tubbs Fire, where we lost the Larkfield home we now live in, as did 5,300 others in Sonoma and Napa counties at that time. I

would unlikely be able to write words which could come close to the experience of that disaster. Our home and community were obliterated then we experienced a grueling rebuilding process, which some have still not completed. All of the resources that were needed in the rebuilding effort were subject to the low supply and the high demand of that time, meaning cost and availability of materials and labor skyrocketed as insurance companies attempted to diminish claim amounts at the same time. Enough about that.

FIRST EVACUATION: On October 23, 2019, as we were about one month away from moving into our rebuilt home, the Kincade Fire started near Geyserville, 22 miles north of our rebuild project. Authorities evacuated 186,000 residents, including us from the Windsor CA home at which we were then living and our son, his wife, two children and their cat and dog. Gail and I drove to our son's north Windsor home, contrary to evacuation orders, to help them and escape together. Together we headed south to the expected safety of our newly constructed, solar powered, battery backed up home, which wouldn't be affected by the gas and electricity shut-offs that the evacuation and fire-fighting efforts required.

TRAVELING DURING FIRE: Normally, it takes us about 9 minutes to travel the six mile distance from our son's Windsor home to ours. That day it took us 90 minutes to drive down the Old Redwood Highway, past the proposed Koi Casino site on Shiloh Road, to our 250 Darbster Place address in Larkfield. There were no beds, no furniture, nor carpets or window coverings, but at least we felt safe to unload food, sleeping bags, the dog, cat and people to spend the night. The fire came within

a quarter mile of our son's Windsor home, causing smoke damage and considerable remediation efforts to remove the smokey smell, while our home was untouched.

SECOND EVACUATION: Even though our Larkfield home was not directly threatened, this time, we were ordered to evacuate from there, the same day we arrived and unloaded. Our home is near a major intersection of Mark West Springs Road and Old Redwood Highway, and next to Sutter Hospital, an essential community resource. At that location were placed fire trucks, tanker trucks, personnel carriers, police vehicles, semi-truck and trailers with bulldozers and other heavy equipment, as well as all the personnel needed to operate the equipment and staff the fire fighting crews.

CONCLUSION: From our experience, and those of the 186,000 other citizens whose homes were evacuated, as well as all those involved in the evacuations and fire fighting efforts, it is CHAOS! No one wants to do it again but evacuation will be required of those living in our location, in a future time, in a significantly more populated area than the historic fires we have already experienced. The location chosen to propose a casino which will make any future evacuation efforts significantly more difficult is not well considered. During the 2017 Tubbs Fire fighting efforts both Highway 101 and Old Redwood Highway were closed. If that happened again, how would you plan an evacuation?

Bob and Gail Cipolla
250 Darbster Place

Santa Rosa, CA 95403
707.3212450

From: Mary Euphrat <euphrat@sonic.net>
Sent: Monday, April 8, 2024 3:37 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, KOI Nation Fee-to-Trust and Casino Project

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To: chad.broussard@bia.gov

From: Mary Euphrat, euphrat@sonic.net; 6203 Lockwood Drive, Windsor, CA 95492

RE: NOI Comments, Koi Nation Fee-to-Trust & Casino Project

Dear Administrator,

I am writing to voice my strong opposition to the proposed casino from the Koi Nation off Shiloh Road in unincorporated Sonoma County adjacent to the Town of Windsor, California.

The Koi Tribe from Lake County (not Sonoma County) has purchased vineyard acreage adjacent to a series of single- family homes, parks, schools, a church, and other nearby residential neighborhoods. The proposal of a large casino complex including restaurants and a hotel will have a negative impact on our local environment adding traffic congestion, infrastructure strain, lack of emergency access especially during fires, disturbance of wildlife habitat, lack of water supply especially during drought conditions and much more.

While I understand that tribal land developments are not held to CEQA standards, the surrounding areas are. We have red tailed hawks, barn owls, foxes, coyotes, bobcats, mountain lions, deer, endangered wildflowers and salamanders and many more forms of wildlife. The building of the casino would significantly destroy their habitat and feeding grounds. The current land is a vineyard of which the wildlife can roam freely. There is also a regional park right across from the proposed development that is used by bike riders, hikers and horse back riders. The parking is already overfilled on the small street adjacent and across the street from the proposed casino.

Water is always a huge focus. During drought years our community has had to regulate use of water based on hours and days of the week. The casino leaders are proposing setting up their own wells and wastewater systems. This will affect the aquifers in the area and many of the residential homeowners that are on wells adjacent to the property. Their wells could go dry as a result of a well water system placed on the casino property.

Fire has been a huge issue since 2017. The lack of roadways to support evacuation or residential areas in a timely manner has been a major challenge taking up to 8 hours to evacuate only 15,000 people. The Kincaid Fire came down close to the proposed casino. Imagine trying to evacuate hotel and casino guests along with the residential neighbors before the fire reaches the property. We don't have the infrastructure to support this project including street structure and utilities, and first responder personnel.

Safety is a major concern. There are several elementary and two high schools within a seven mile area of the proposed casino. Human Trafficking, Drugs, and Sex crimes along with other crimes are known to increase near or at casinos, a rate of 6.7% higher than expected based on a study by Thompson, Gazel and Rickman (1996). Do you want to expose our youth to those possible crimes including underage drinking? On the northeast corner of Old Redwood Hwy and Shiloh Road there is Esposti Park. It is a local park for our youth and adult athletes to play teeball, baseball, soccer, and for families to host family parties. Many bicycle enthusiasts park their cars in the adjacent parking lot as a start off point for their

bike rides which usually last a full day as they tour the beautiful backroads. I am concerned for the safety of our town's children with a park so close to the adjacent proposed casino. This is a residential area. Not a commercial area.

Lastly, the stress that a casino brings to the mental wellness of people that are living in a quiet neighborhood must be considered. Mental health is very important and although not "environmental" in nature it is a condition that risks the well-being of an individual. This area is quiet, residential, with parks and trails and bike trails, soccer and baseball fields directly adjacent to a casino that will exude the opposite, a transient population seeking the solace of gambling, drinking, and entertainment.

For these environmental reasons I strongly oppose the development of the proposed casino. If the casino was directly adjacent to Highway 101 it would be in a more appropriate development area. The current property is again in a quiet, residential, non-commercial area and not environmentally sustainable. Thank you for your time and consideration.

Sincerely,
Mary Euphrat
6203 Lockwood Drive
Windsor, CA 95492
euphrat@sonic.net

--

Mary Euphrat

From: Paul Browning <paul.browning@comcast.net>
Sent: Monday, April 8, 2024 3:51 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Mr. Broussard,

Please include the attachment document in the NOI comments for the Koi Nation Fee to Trust and Casino Project.

Kind regards,
Paul and Stephanie Browning
One attachment • Scanned by Gmail

Dear Chad Broussard, Environmental Protection Specialist, Amy Dutschke, Region Director of the Bureau of Indian Affairs and other BIA officials,

Topic: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

I am once again writing in opposition to the Koi Nations attempt to build a casino at 222 East Shiloh Road in unincorporated Sonoma County, abutting the Town of Windsor and next to my current home of over 25 years. **I strongly support Option D, no project.**

My home sits directly adjacent to the proposed casino. As you can see by the pictures, this development will have a profound effect on my family's quality of life. The hotel portion of this project will look directly into the windows of our home. Based on the supplied information, the hotel portion of this project, will be roughly 85 feet from my home. The main entrance to the casino will be roughly 95 feet from my home as well. On the colored aerial map the blue dot is my home and the other picture looks out from my family room to where the hotel and casino will be.



In referring to the aerial photo above, the proposed casino will be constructed among family homes (yellow), churches (blue), parks (green), Esposti Park which hosts T-ball and Little League baseball games during the week and on weekends is highlighted in green across the street from the proposed casino and schools (orange/green). This would be the first full scale casino ever allowed to be built in the state of California that would be constructed among ***an already existing community***. There is no such precedence at this time.

The Environmental Assessment report is far from impartial and factual. I would go as far as to say it is purposely misleading and written with the explicit intent of falsifying information to gain approval of the Bureau of Indian Affairs. The contracted party was only looking out for the interests of the Koi Nation which I am sure is what they paid for.

There are so many false or fabricated points made in the Environmental Assessment, here are just a few as it is overwhelming to try and speak to each and every one of them:

Noise: the EA states that there will be limited if any increases in noise. How can this be? 222 East Shiloh Road is all vineyards with one residence. The only noticeable noise generated from this property is the occasional spraying in the spring and harvest in the fall, which this year lasted only one night. The proposed casino will employ over 1,000 people and will generate thousands of car trips per day which will extend to all hours of every night. This will result in an endless increase in noise at all hours. It will be impossible for us to keep our windows open, all night during the summer, this added noise that will be created by cars, buses and delivery trucks. From 9 PM to 6 AM there is virtually zero traffic on East Shiloh Rd., if built the traffic will be exponential at all hours of the day and night. The noise will be life changing for us. And to add to this, as I work from home 50% of the time, the noise generated during the construction phase would be intolerable.

Traffic: the same principles regarding noise will extend to traffic. The property currently generates almost zero traffic. The EA states it will only marginally increase, this is incredibly deceptive. For all intents and purposes, East Shiloh road only sees traffic from the residences in the Mayacama development and those visiting Shiloh Regional Park. With over 5,100 parking spaces for both cars and buses, as well as ongoing delivery trucks, the anticipated impact will be overwhelming. The stretch of Shiloh Road from Interstate 101 to the proposed casino entrance will be one of the heaviest travelled roads, Interstate or Highway in the entire county. Every casino patron, employee and vendor/supplier will have to pass by homes, churches and youth ball fields.

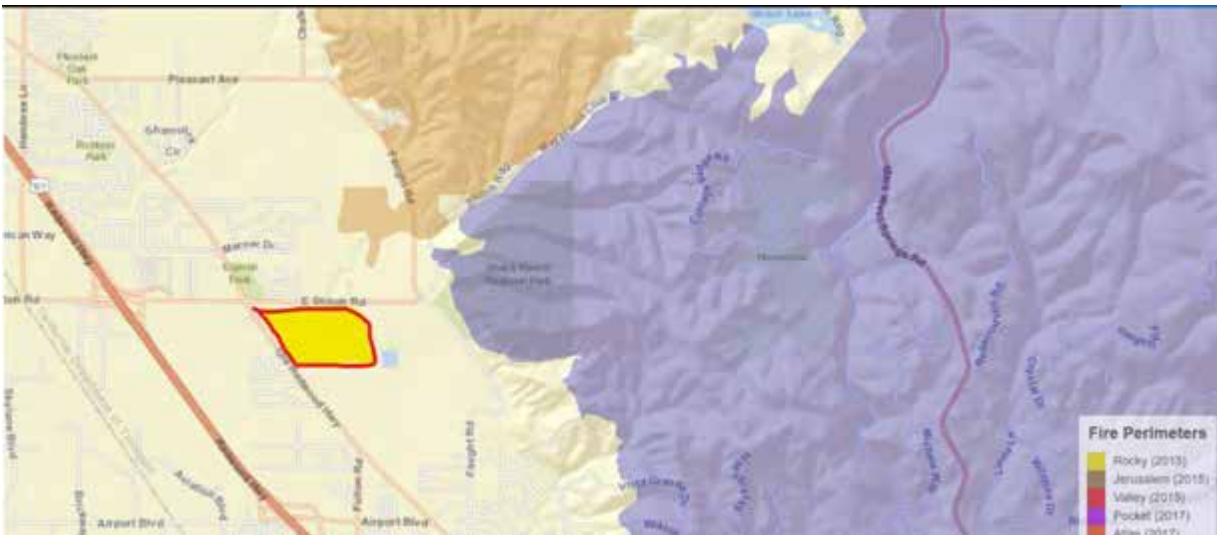
Crime: my neighbors and I have experienced zero crime over the last 25 years. The EA report suggests very little if any additional violent crime will be seen. I find this incredibly hard to believe. By putting a casino amongst neighborhoods, the inevitable crime that this type of establishment will draw will spill into our streets. Here is a list of just a few of the reported crimes generated by the Graton casino in Rohnert Park. Please keep in mind, there are no residential neighborhoods close to this property so at the very least, the communities were buffered, that will not be the case with the Koi's proposal. This is in addition to knowing there will be an increased likelihood of drunk driving taking place on the roads in our neighborhood.

-
- <https://www.pressdemocrat.com/article/news/at-graton-casino-east-bay-couple-arrested-on-drug-weapons-charges/>
- <https://lakeconews.com/news/57880-lake-county-man-arrested-in-assault-at-graton-casino>
- <https://www.nbcbayarea.com/news/local/man-arrested-in-connection-with-assault-with-deadly-weapon-at-graton-casino/1968921/>
- <https://www.cbsnews.com/sanfrancisco/news/lake-county-man-gets-4-years-for-fatal-casino-parking-lot-confrontation/>
- <https://www.cbsnews.com/sanfrancisco/news/2-arrests-made-in-christmas-eve-robbery-outside-graton-casino/>
- <https://www.sonomanews.com/article/news/cops-find-borrowed-car-at-graton-casino/>
- <https://www.kron4.com/news/bay-area/bus-driver-arrested-on-dui-charges-at-graton-casino/>
- Here is a posting from the Sonoma County Sheriff's office from just 2 weeks ago



Wildfire Evacuation: over the last 6 years we have lived through 2 devastating fires, Tubbs and Kincaid. Both of these fires required the surrounding communities to evacuate which caused gridlock and panic. In both instances, the fires burned down to and across Faught Rd. making it completely impassible, for the Tubbs fire south at Shiloh Rd. and the Kincaid fire north at Shiloh Rd. Please see the map below. If a mass evacuation of the community and casino were required, people exiting the casino and heading west would effectively create a roadblock while entering Shiloh Rd. while backing up traffic onto Faught Rd. and into the Mayacama development. This would have the potential of repeating what happened in Maui with gridlock resulting in people burning to death in their vehicles while trying to escape. The EA states that a potential evacuation would be handled by having an individual(s) direct traffic at the entrance of the casino at Shiloh Road. Based on what we experienced during past evacuations, there is nothing one, two or even three people could do to prevent a complete blockage of vehicles that could result in people attempting to flee on foot. The links below are to videos from the Tubbs fire, the last 20 seconds of the helicopter video is of Wikiup Dr. area less than 3/4 mile from the proposed casino site and then the second video is from Vista Grande Drive less than one mile from the proposed casino. A fire in this area could have catastrophic consequences. The EA's suggestion that a few casino employees could direct traffic to avoid gridlock in such a firestorm is ridiculous.

- <https://www.youtube.com/watch?v=zmAmxkTdElo>
- https://www.youtube.com/watch?v=f2QXrR_zmvM



Here is an estimated amount of time it would take to evacuate the casino and the surrounding area taken directly from the EA. The Tubbs Fire, fueled by 65 mph winds traveled over 12 miles in less than 2 ½ hours. If a fire were to start closer to this area with similar conditions, the results would be catastrophic due to the roads being blocked by fleeing patrons and residents.

- At the signalized exit onto Old Redwood Highway, the exiting would be less efficient due to the signal itself and a higher proportion of other traffic using the signalized intersection. At a service rate of about 800 vehicles per hour, it would take about two hours and 45 minutes to handle all the traffic at this location.

Property Values: the EA did not use apples to apples examples of casino impacts on property values. In those examples only a few existing homes were already located near the preexisting tribal lands were used for comparative analysis. 99% of all homes were built **after** the casino was already in operation. Those examples do not even remotely come close representing established communities like those that surround the property at 222 East Shiloh Rd. How can anyone think a casino and what goes with it would not affect my property value vs. the existing vineyard? Additionally, there is no account given to the expenses current homeowners would incur if they made the decision that living next to a casino and the impacts brought by it would cost. After calculating in 6% realty fees, thousands of dollars in both inspection reports, appraisals and closing costs, the cost to relocate would be \$70,000 or more. This amount would be enough to prevent a family from being able to purchase a similar home in Windsor or the surrounding areas.

Koi's claim that the property is part of their ancestral home range: it is a well know fact that the Koi tribe does **not** call any part of Sonoma County home. Their ancestral home is in Lake County. This is proven by their August 2023 lawsuit against the City of Clearlake because a sports complex was going to be built on what they consider is a major cultural site next to the city. Their claim was also supported by a local Attorney General in their case. This is the Koi's third attempt to seek property outside of their indigenous lands. Please see the supporting information.

- <https://oag.ca.gov/news/press-releases/attorney-general-bonta-files-amicus-brief-supporting-koi-nation-lawsuit-against>
- <https://www.pressdemocrat.com/article/news/koi-nation-sues-city-of-clearlake-over-development-of-sports-complex/>
- The Koi Nation should be encouraged to seek a viable alternative in their true ancestral home range of Lake County

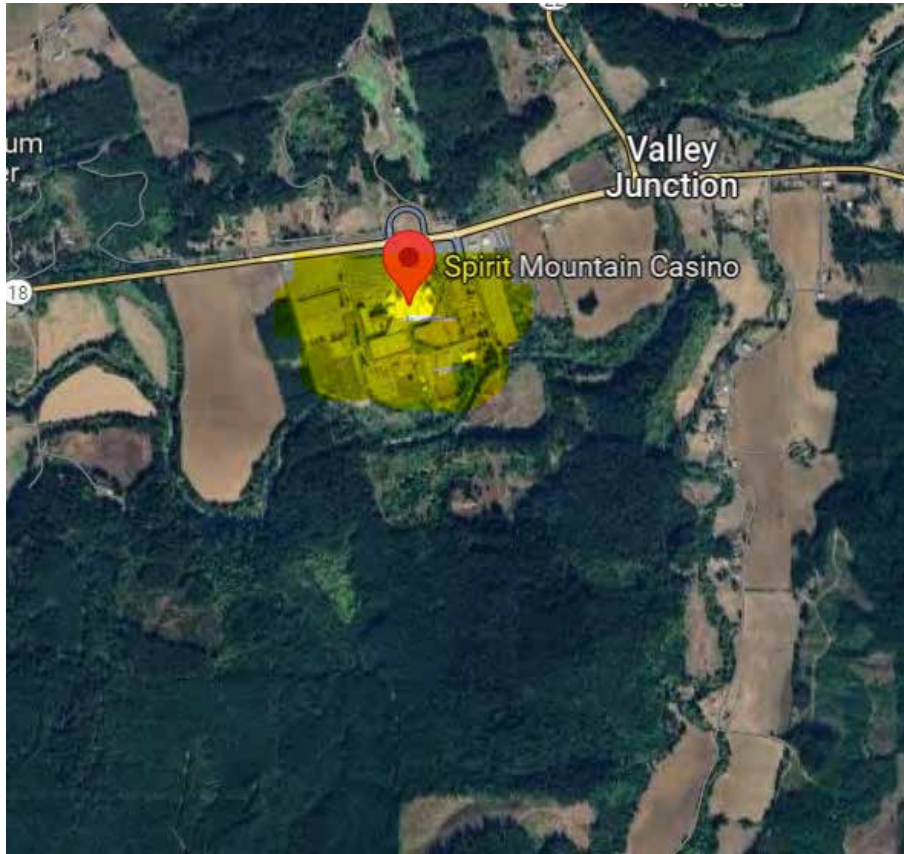
I would like to add a few additional items in relation to the Koi Nations proposed casino project.

- Over the last 2 years as I have conducted business travel attending meetings, seminars and tradeshow, several of these events have been hosted at tribal gaming facilities in California, Oregon and Washington. Given my personal situation I have paid close attention when attending these events to the surrounding areas where these gaming facilities have been located. I am specifically referring to The Ilani (Washington State), Spirit Mountain Casino (Oregon), Rolling Hills Casino and Resort) and Thunder Valley Casino (California). What is abundantly clear is that NOT one of these properties is amongst any type of residential development. There is zero residential on entrance or surrounding these facilities. By allowing this property to be taken into trust and thus allowing a casino to be built, it is setting a precedent of allowing large scale gaming facilities to be build in the middle of **preexisting** family neighborhoods.

Ilani:



Spirit Mountain Casino:



Rolling Hills Casino and Resort:



Thunder Valley Casino:



- With spring, the youth baseball league's season has now started with games being played at Esposti Park (directly across the street from the proposed property, see my attached map, highlighted in green). Last weekend was the first round of T-ball games. I couldn't help but think of the dangers that this mass influx of traffic could have on 5-6 years old being directly in this vicinity, there were kids everywhere. Also, it would be naïve to believe that at least a few of these drivers will not be inebriated to at least certain extent.
- The previous Environmental Assessment reads like a paid advertisement in support of the Koi Nations attempts to push this project through. There are so many inaccuracies and borderline lies that only those who live in this area can recognize. When looking at the number of parking spaces, stated number of employees and anticipated customer visits, the claims of minimal traffic and noise impacts can only be determined as factually untrue. How can you increase traffic by 50 times or more and claim the additional noise will be minimal? Especially considering this will be operating 24/7. The light and noise created at night will be exponential to what it currently is, it is currently zero as it is a vineyard. I would hope that all decision makers would make a personal/physical visit to the location to truly recognize just how detrimental this development would mean to our community.
- Based on the fact that the Koi Nation's ancestral home is NOT in Sonoma County but in Lake County (they continue to litigate against the City of Clearlake because of development on what the Koi claim is one of their cultural sites) I do not support allowing them to take any Sonoma County land into trust. However, if acquiring property in Sonoma County was deemed acceptable (which is shouldn't be), there are other much more appropriate locations such as the former Oluf farm (40 acres) at the corner of Conde and west Shiloh Rd, the old residence and barn was recently bulldozed. It is light industrial/commercial with no residential in the immediate area with direct freeway access. See map:



- Wildfire safety issues. Given the congestion a facility of this type and size will cause. There is the real possibility of mass casualties in the event of another evacuation is needed. In October 2017, the Tubbs fire killed 22 individuals unable to evacuate quickly enough, one death being only ½ of a mile from the proposed property. Other similar events would include the Paradise fire with 85 deaths in 2019 and the Maui fire with 101 deaths just last year. Residents located directly east will be caught in a bottleneck.

It is very obvious that the Koi Nation directed the consulting firm that put the EA together to paint a picture favoring the construction of the casino and gloss over any negative effects. It is long, in some cases confusing and reads like a paid advertisement. There are too many false details to list in the EA report.

It is no accident that both United States Senators, both surrounding United States House of Representatives members, Sonoma County Board of Supervisors, Town of Windsor officials, historically based local Indian tribes and many others, have spoken out against the Koi Nations efforts, in addition to hundreds of community members. The only local supporter has been the Northern California Carpenters Union who obviously have entered into a lucrative agreement with the Koi Nation. The opposition has been broad and comprehensive.

For all of these reasons, I am asking you to decide option D, **NO Project.**

Thank you for your time and consideration,

Paul and Stephanie Browning

From: jeneal wells <tjash@sbcglobal.net>

Sent: Monday, April 8, 2024 3:58 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] Kenneth and Jeneal Wells(230 Lea St, Windsor) NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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To whom it may concern,

We would like to voice our concerns regarding the proposed Koi Nation Casino. We live in the Oak Park neighborhood directly across from the proposed space. We are concerned with the noise, lights, traffic, and public safety. We have two elementary schools, two parks, 2 churches and residential homes directly surrounding this space and it is of grave concern that a casino would bring unwanted theft, property destruction and a multitude of other safety concerns for our children, young adults and elderly alike. We are also very concerned with the extra traffic and all the extra cars that will be traveling on an already well traveled road. We are in an area that doesn't need another casino, but aside from that in a space that is in a residential area.

We are overwhelmingly against this project moving forward.

Kenneth and Jeneal Wells
230 Lea Street
Windsor, CA 95492

From: CATHERINE ADAMS <cathywayneadams@verizon.net>
Sent: Monday, April 8, 2024 4:31 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

To Whom it May Concern,

I would like to thank the BIA for the determination to require an Environmental Impact Statement to further analyze the effects of the proposed development of the Koi Nation Casino project.

As a resident of the Town of Windsor, I have many concerns related to the impacts on our town's "family-friendly" environment which prompted my decision to relocate to Windsor, California from Virginia four years ago.

This casino project, due it's size and location will have many significant impacts on the residents and visitors to our local community, and does not fit the General Plans, visions or land use plans of the town, or the county, because its location is directly adjacent to neighborhoods, shops and parks used by residents on a daily basis.

Traffic and mitigations: The casino project is not in the Town and no impact fees would be provided to the Town of Windsor. Given the size and scope of the proposed casino/hotel/entertainment facility, the mitigation actions for the casino project proposed on Shiloh Road and the interchange are inadequate to avoid significant negative impacts to the transportation network of the proposed casino and should be required to be mitigated by the developer of the project before the casino opens. In addition, **the traffic analysis should consider the impacts of large events in addition to typical daily operations and needed improvements should be built and paid for by the project developer.**

As previously pointed out by Town and County officials, the Project Site is currently developed with a vineyard and, in recent wildfire events, vineyard sites have served as buffers to developed urban areas and have been used as staging areas for firefighting activities. The Casino Project would replace a wildfire mitigating resource with a development of combustible materials (vehicles, structures, landscaping). Currently, some Windsor residents are being denied home and fire liability insurance because the insurance companies feel there are insufficient mitigations to protect from major fire events. **Removal of fire buffers to build large projects will only worsen the situation and increase the fire risk.**

The Town of Windsor, City of Santa Rosa, and the County of Sonoma have insufficient funds for housing, education and socioeconomic supports to accommodate such a project. Along with many environmental consideration, this is not a proper location for the Koi tribe to build a casino/hotel and entertainment facility.

Thank you for your consideration.

Catherine Adams
Windsor Resident and Home Owner

From: Mary Foley <maryfoleyrn@att.net>

Sent: Monday, April 8, 2024 6:44 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Please see my comments in opposition to the proposed casino in Northern CA. Please do not hesitate to contact me if you have questions.

Thank you,
Mary Foley

Mary Foley RN ,PhD, FAAN
Professor Emeritus
415-505-2931
maryfoleyrn@att.net

One attachment • Scanned by Gmail

Mary Foley PhD, RN, FAAN
Professor Emeritus, University of CA San Francisco
Nurse Researcher, San Francisco Veterans Administration

963 Duncan Street, San Francisco, CA 94131

Maryfoleyrn@att.net

Amy Dutschke, Regional Director
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

c/o Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region
Dear Director Dutschke,

I am writing as a frequent visitor to the Windsor and Santa Rosa area. I have a dear older friend and mentor who lives in a home off Pleasant and Faught Road at the intersection of Windsor and Healdsburg. I have assisted her when she has had to evacuate from fires in Sonoma County (2017 and 2019) and in 2019, she almost lost her home, and her cats.

I am very concerned about the proposed casino on a number of levels (gambling/excessive alcohol/cigarette smoking) but I am particularly concerned about the adverse environmental dangers posed by the proposed casino. I am also concerned about the safety of the people who live in this lovely area, and the visitors who come to Sonoma County to safely enjoy the outdoors, the food, and the farms.

This mega casino (more than double the size of Graton) will have a major carbon footprint at a time when we are concerned about climate change, as evidenced by the hotter summers and the frequency of fires in this area.

The proposed footprint for the casino will overwhelm a lovely rural/residential community. The estimated ten million annual visitors and over a thousand employees will generate car-induced pollution and congestion. I have observed Old Redwood highway in rain and sun, and it is not equipped for heavy use. Neither is Faught Road, which is winding and two small lanes, one going north and one going south. There are bicyclists, agriculture, horse trailers, and hikers using that road, but it is not designed for major traffic.

The casino will require large parking lots and those will create heat island for neighborhood across Shilo and increase temperatures in the area. Right now, the parks, trees, and fields help absorb heat.

This is a quiet residential and rural area, not designed for a around-the-clock casino. The power requirements for operation will disrupt the residents, and will also be unreliable given the frequency of wind-generated red-flag warnings and outages. The around-the-clock lighting will also disrupt the night sky and affect wildlife navigation systems necessary for protection.

The fire danger should not be underestimated. This concern is based on actual experiences in this area of Sonoma County. Even in years when there is average rain (2023) by late summer, grasses and brush is dry, winds are increased, and fire is a real threat. There will be extreme crowding on the small and limited routes in the event of a fire, and in an evacuation, there is substantial risk to visitors and residents alike.

This Spa/Casino with 6 restaurants will compound water shortage and if/when they drill more wells it will jeopardize the water table. This area continues to try to balance water resources and conservation, and this casino will throw that balance way off.

This proposed casino will not benefit the community and will stress a finely balanced and delicate part of northern California. The environmental impacts of this proposal endangers the health and well-being of residents and places them at risk from environmental hazards. It is not worth the risk.

Mary Foley, RN

415-505-2931

From: Phil Essner <philusc1@icloud.com>
Sent: Monday, April 8, 2024 7:26 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Casino project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

April 8, 2024

To: Amy Dutschke, Regional Administrator BIA
Chad Broussard, Environmental Protection Specialist BIA

From: Phil Essner
656 Greenview Drive
Santa Rosa, Ca 95403

RE: NOI Comments KOI Nation Fee-Trust and Casino Project: Request option "no action"

My name is Phil Essner and I live in the Wikiup neighborhood of unincorporated Sonoma County approximately 4 miles from the proposed Casino Project. I manage property and own a Tree Service and have lived here with my family for 25 years. I work all over Sonoma County.

Over the past 10 years, I have witnessed traffic in both directions on HWY 101 gridlock especially during rush hour and despite the carpool lanes. The last thing we need is to add an estimated 4,000+/day cars onto Old Redwood Highway and Highway 101. This is especially true should there be a need to evacuate any part of the county. My family has been evacuated twice in the last 7 years. I know many families who lost their homes in the recent fires and some who lost loved ones.

Sonoma County continues to suffer from drought as climate change causes hotter and hotter temperatures during the summer months. High winds during these heat waves make stopping fires almost impossible. Fire crews from all over California have come to our aid despite that thousands of people have lost their homes and many their lives.

Water is very precious, much of my work is helping clients both fireproof their homes and help make their landscape drought resistant. The projected water use of the casino 400,000 gallons/day (with 179,000 being waste water treated on site) will jeopardize our aquifer.

This is not the right location for a casino of any size particularly one of over a million square feet with a hotel, spa and entertainment venue with a projected visitor attendance plus employees requiring 5,000 parking spaces. The proposed area is between three neighborhoods: directly across Shiloh road to the north is the Oak Park Neighborhood within the Windsor town limit lines, to the South 1.4 miles away is the Wikiup neighborhood where I live and across to the south is a senior trailer park neighborhood. Adding thousands of people and traffic to our quiet calm neighborhoods some of whom might toss a cigarette out the window is irresponsible. The traffic, the noise, the light, and the questionable activities that casinos bring are not part of what characterizes our quiet safe community.

I urge the BIA to take NO ACTION and not move forward with a casino or facility of any type. The rural fire break between Wikiup and the town of Windsor adjacent to a Regional park is part of our community for walkers, bicyclists, and hikers. Don't replace that with yet another casino. Don't jeopardize our fire safety.

Sent from my iPhone

From: Scott Campbell <campbesk@gmail.com>
Sent: Monday, April 8, 2024 7:58 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Proposed Koi Nation Shiloh Casino

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I have many questions and need more information about this casino.

#There are currently two casino's within 30 minutes of each other currently on the 101 corridor

#Is the proposed site federal land or a private purchase (I recognize the land was taken from the Koi nation)

#The Koi nation has joined with an outside investment group and what are the details and expected income and costs for this venture

#Wouldn't purchasing land closer to the original Koi land make more sense or is the 101 corridor the real draw

#I noticed that River Rock and Graton tried to choose an more industrial and River Rock more rural location, the proposed site is right in between two residential communities

#Two major fires since 2017 affected Shiloh area and I personally sat for 3 hours to go two miles in 2017 trying to evacuate from the fire. What are the fire mitigation and traffic control plans if the freeway is shut down.

#Insurance companies are canceling homeowner policies until some more negotiation is done with the major companies

#Casino's bring in potential tax revenue but what of the lability for more security, police, and infrastructure

Finally what happens to Shiloh regional park down the road. I would like to protect these open site area.

What about water and pollution for such a project?

These are just a few of the concerns but the main concern I have is what a casino brings in good and bad and is that what the people currently living in this area want? Just because you can build a Casino what determines that you should. Can a local ballot measure be possible to find out the thoughts and feelings of the community it affects most. The Koi nation has been wronged in the removal of their land, but I have always been taught two wrongs do not make it right.

Thank you for your time and consideration.
Scott

From: JONATHAN D STARR <jstarrj@aol.com>
Sent: Monday, April 8, 2024 8:04 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Casino project

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April 8th 2024
To Amy Dutschke & Chad Broussard

From Marta Starr
5255 Carriage Lane
Santa Rosa, CA 95403

RE: NOI Comments KOI Nation Fee-Trust and Casino Project: Request Option "no action"

I live in Wikiup/Larkfield area and my name is Marta Starr. My house burned down in Coffee Park in the 2017 Tubbs Fire and I have been evacuated twice since living in Wikiup. There are 2 ways out... Faught Road is one of them. More traffic increases our danger of being trapped. Thank you for your time.
Marta Starr
Sent from my iPhone

From: Scott & Casey Snow <snkcsnow@comcast.net>
Sent: Monday, April 8, 2024 8:53 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Cc: windsorcup2005@comcast.net <windsorcup2005@comcast.net>
Subject: [EXTERNAL] EIS comments for the proposed KOI Nation Casino and Resort Project on Shiloh Rd. Windsor

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Mr. Chad Broussard
Bureau of Indian Affairs,
Pacific Region 2800 Cottage Way
Sacramento, CA 95825

RE: EIS for the proposed KOI Nation Casino and Resort Project on Shiloh Rd. Windsor

My wife and I are longtime residents of the Town of Windsor, CA and we have lived in our home at 6267 Lockwood Dr. Windsor in the Oak Creek subdivision since January 1984. Our home is approximately 2,584 feet (.49 miles) from the proposed Koi Nation Casino project on Shiloh Road so we have a vested interest in the environmental impacts of this venture. I'm providing the following comments regarding the proposed EIS to be performed for the above project.

In my profession as a senior commercial credit office at a major national commercial bank, I've had the opportunity to review many environmental impact reports and traffic studies over the years and I find the following areas need to be addressed:

- A. The high risk of harm or death to individuals in the event of a fire evacuation because of traffic congestion.
- B. What are the proposed mitigations to this risk because of the increased traffic the casino will create?
- C. The safety impacts to the many bicyclists who use Shiloh Road and Old Redwood Hwy as these are the major North-South and East-West arteries utilized by the many bicyclists touring/riding in this section of Sonoma County
- D. Address the health and wellbeing impacts to individuals from noise, air pollution and light pollution that will be generated at and around the casino.
- E. A detailed study of the Endangered California Tiger Salamander needs to be performed for the proposed parcel.

Traffic Study:

- In regards to the traffic study, a tribal casino Sky River Casino Elk Grove, CA was utilized as a comparable in the Environmental Assessment. Sonoma

County is a major tourist destination as compared to Elk Grove and in all likelihood more people would be drawn to the Koi Nation Casino as a result of the desirable tourist opportunity Sonoma County affords which could lead to more customer visits than as indicated in the traffic studies. The comparable in the assessment doesn't address that there are numerous mentions by surrounding residents of noise impacts and lack of parking in the surrounding area caused by the casino.

The traffic impacts between the Sky River Casino location and the Shiloh Road Casino location are night and day and this needs to be addressed fully. Access to the Sky River Casino in Elk Grove is via a 6 lane divided thoroughfare/hwy with median divider and turn lanes. Access to the proposed Shiloh Road Casino is via a two lane (one in each direction) East-West non divided road known as Shiloh Road or by North-South road known as Old Redwood Hwy which is also a 2 lane "one lane in each direction" road also. The town of Windsor has no plans to widen Shiloh Road until at least 2040 and in order to do so they would need to impose eminent domain on many properties on Shiloh Road just to increase the road by 2 lanes. Similar action would be need to be taken to increase the size of Old Redwood Hwy. It should be noted that every major/large Indian Casino in the Northern California sector has access to their casinos with 4 to 6 lane roadways, whereas the Shiloh Road Casino would be only 2 lanes "one in each direction". Why is it that all of these large casinos have great access to their casinos when they are in remote areas? Because traffic to the casinos demands it. No stop light control would mitigate this negative impact and major traffic jams would be inevitable.

It should be noted that the Elk Grove Casino is the only major newly constructed comparable sized casino of the 42 operating Indian casinos in the Northern California sector that is near residential homes. These homes are separated by a major 6 lane thoroughfare and vacant land. The nearby homes appeared to have been recently constructed during or post construction of the casino so those homeowners chose to move there knowing a casino was there or was to be constructed there. This is not the same situation as the Shiloh Road proposed casino where nearby "across the street" homes have existed years before. Every other major Northern California casino plus the many smaller casinos are all located in remote areas and a remote distance from any residential dwellings except for a couple small casinos with tribal homes nearby but not directly across from their casino. Note: San Pablo Lytton Casino is not referenced as a casino built next to homes because the casino building's footprint was previously there prior to it becoming a casino and its surrounding homes were already impacted by the previous on Indian use.

- The traffic study took place during the wet month of January 2022 when you would historically find less cars and bicycles on the road and that study doesn't take into account the additional traffic count that will be created by the nearly completed 134 unit apartment complex at the corner of Shiloh Rd and Old Redwood Hwy opening later in 2024 and the under-construction of the

174 unit apartment complex at the corner of Shiloh Rd and Hembre Lane opening in 2025. **See exhibit #1 attached.** These two new projects alone will create an additional 7 household trips per day, 0.7 per peak hour per ITE Trip Generation reports for apartments, condos & townhouses. The traffic on Shiloh Rd, which would be the main access point to the proposed casino, is already backed up on many weekdays, late mornings to late afternoons from Old Redwood Hwy to Hwy 101 on-ramps on Shiloh Rd in both directions. When these two new apartment complexes are fully occupied, they will both negatively add to the traffic impacts to Old Redwood Hwy and Shiloh Rd with their primary ingress and egress points from the apartment complexes coming onto Shiloh Rd. Adding 1,104 daily trips from these two apartment complexes where their access and egress to these complexes comes directly onto Shiloh Road, will create major traffic jams and backups and potentially backups on the freeway off-ramp on Hwy 101 making for an extremely dangerous situation for drivers. The traffic study should measure the cars coming off of the freeway including the number of cars coming from the new apartments and the proposed casino.

- Since the Town of Windsor has no immediate plans to widen Shiloh Rd from its current configuration, Shiloh Rd would not be capable of handling the added vehicle count in a safe manner coming from the two new apartment complexes and the proposed casino. Adding additional stop lights or adjusting the timing on the stoplights on Shiloh Road in this very short stretch of roadway from Hwy 101 to Old Redwood Hwy will only compound the traffic backup issue on Shiloh Rd for those trying to enter onto Shiloh Road or for those driving on Shiloh Rd. In any traffic study, vehicle counts would need to be taken on Old Redwood Hwy also, near the intersection of Old Redwood Hwy and Shiloh Road to obtain a good understanding of the traffic patterns on both roads and the potential impacts. A traffic study of at least one week in duration should be required to obtain a good understanding of our traffic patterns on both roads.

Safety Issues to Bicyclists:

- Shiloh Road is also one of the major bicycle routes used by all of the road cyclists who ride and tour around Sonoma County and I did not see any mention of the impacts to bicycle riders. On any given day in the Spring, Summer and Fall months and even on nice days in the winter, there are a substantial number of road bike cyclists who utilize Shiloh Rd as a means to get from the west side of Hwy 101 to the east side of Hwy 101. Most cyclists ride the back roads of West Sonoma County and East Sonoma County because they offer some of the most dynamic and scenic riding opportunities in the area and Shiloh Rd is the main artery for this crossing. With the addition of the two new apartment complexes let alone the addition of the proposed casino, Shiloh Rd will become very dangerous for bicycle riders with vehicles trying to exit and enter the two new apartment complexes. With the current emphasis to put more people on bicycles and get them out of their automobiles, bicycling impacts need to be taken seriously into consideration

with any approval for a casino. The traffic study needs to address the safety impacts to bicyclists on Shiloh Road and on Old Redwood Hwy.

Fire Evacuation and safety Impacts:

- All of the above traffic impacts lead to my biggest concern and that is evacuation in the **event of major fires**. Since 2017, we've had to evacuate our home twice "2017 & 2019" and been under evacuation orders 4 separate times from different fires. I've attached **exhibit 2** for the two fires we had to evacuate to show how close the fires came and the direction of the fires. This exhibit also shows the number of homes, limited road and evacuation points for over 6000 plus homes to be evacuated on this side of Windsor. With global warming and drought conditions California is experiencing on a more regular basis, this concern cannot be overlooked and brushed under the carpet like it was in the report.

You would have to have lived here and experience being evacuated to understand my concern. Cars were backed up to a crawl in both directions on Old Redwood Hwy and Shiloh Road trying to get out of the area and this happened without the added pressure of 134 new apartment units at the corner of Shiloh Rd and Old Redwood Hwy and 174 apartment units at the corner of Shiloh Rd and Hembre Lane. If and when another fire occurs, it will come from the direction of the hills behind us and behind the proposed casino and the primary way out to safety would be on Shiloh Rd. driving to the west towards Hwy 101.

To burden our area with the expected 11,213 daily trips to the proposed casino per the EA report would at least be equal to a minimum of 1,000 additional cars trying to evacuate onto Shiloh Rd and Old Redwood Hwy which would cause a total disaster for these two small 2 lane roadways. We don't want our area to be another Paradise, California or Santa Rosa, CA where many people died because they couldn't get out of the area fast enough because of the fast-moving fires. If the proposed casino is approved and another fire like the ones we've had in the past in Windsor area occur again, this expected disaster will lay at the hands of the Bureau of Indian Affairs for approving such a project. The EIS needs to address fully the impact of fire and evacuation of residents without loss of life

Noise, Light and Air Pollution:

I could go on and on why it doesn't make environment sense to build a casino in the proposed area especially when it comes to noise, light and air pollution. Just go park near the front or rear entrance to the Graton Casino in Rohnert for 24 hours and see if that is the type of noise or night light exposure you would want 24/7 as a homeowner living near or right across the street from this proposed casino. I live ½ mile from Home Depot/Walmart shopping area and on most nights, I can hear the noise of trucks' "beep beep" from backing up and a casino would just add to this noise and more so because of the 24/7 nature of casino operations. It's a known fact the Indian Casinos daily bus in many customers to earn revenue and these busses run night and day. Nobody in their right mind would ask to live next the noise, vibration,

light and air pollution this casino will create so why should we be subject to these impacts?

There's no mention of the health effects coming from automobile, diesel bus and commercial trucks' road noise. There are many major medical health studies that have come out over past few years that indicate the road noise over 45 decibels from motor vehicles increase the likelihood of stroke by 27% for people over 65 years old who live near noisy roadways and increase risk of ischemic heart disease with daytime noise levels of 55-60 decibels and above. The existing traffic study indicates common traffic noise levels of 78db which is well above these health effect levels. Epidemiological studies have shown that traffic noise increases the frequency of arterial diseases, hypertension and vascular dysfunctions in people. Why should the folks living near the proposed casino be subjected to this noise 24/7? The EIS needs to address these impacts to nearby residents' health.

Since the Casino will have diesel busses and diesel trucks coming to the area 24/7 and right near residential homes on both Shiloh Road and Old Redwood Hwy, the diesel and gasoline particulate matter needs to be measured and calculated for the exposure to these residents. Residents exposed to diesel exhaust on a continued basis face the risk of health effects ranging from irritation of the eyes and nose, headaches and nausea, to respiratory disease and lung cancer per California OEHHA. The EIS should address these environmental impacts to a person's health.

Light pollution from the casino is another area that needs to be addressed by the EIS. If you've gone to any major Indian casino, they put out a substantial amount of light pollution to the surrounding area. Research suggests that artificial light at night can negatively affect human health, increasing risks for obesity, depression, sleep disorders, diabetes, breast cancer and more per the American Medical Association. The EIS needs to address this environmental impact regarding how the massive lights coming from this proposed casino will impact the health of the residential neighbors and the abundant wildlife in this area.

California Tiger Salamander Endangered Species:

The California Tiger Salamander is listed as an endangered species on the EPA's endangered species list. **"See exhibit # 3"**. The subject casino parcel lies in the potential range of the Salamander's living territory per the US Department of Interior Fish and Wildlife Service. **"See exhibit #4"**. The California Tiger Salamanders potentially live in this area because the subject parcel has seasonal vernal pools and an area that typically floods next to Old Redwood Hwy coming from the seasonal creek located on the property. These particular salamanders are typically found in the winter months when they come above ground to mate. They actually have been found in nearby residential swimming pools following winter storms so we know they live in this area. The construction of the casino and resort would pave over a substantial portion of the subject property which in all likelihood would destroy the endangered California Tiger Salamander's habitat. The EIS needs to include a winter study of the property to

determine the extent of endangered California Tiger Salamander habitat in the subject area.

I'm not opposed to Native Americans having the ability to be self-supporting but there are numerous other locations that could have been chosen in and around their home territory of Clear Lake, CA. There is plenty of space in Lake County or more remote areas of Sonoma County where you won't be putting the neighboring community at risk, creating major traffic and pollution impacts that would greatly affect those of us living in this community and destroy an endangered species habitat.

Regards,

Scott Snow

Scott and Kathleen Snow

6267 Lockwood Dr.

Windsor, CA

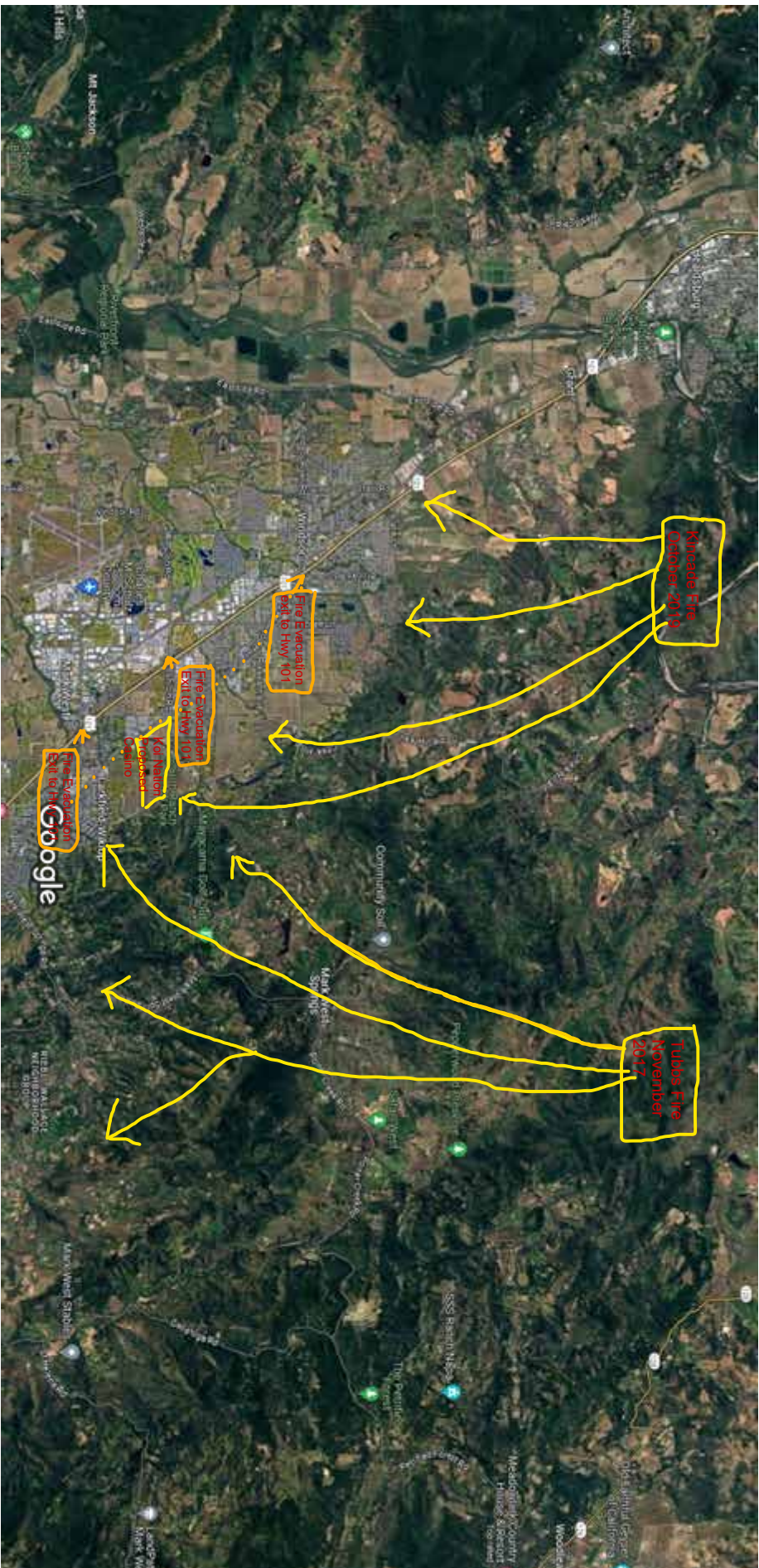
415-309-2533



Exhibit #2



Click on the + marker above to
Zoom in on Photo



Imagery ©2024 Airbus, CNES / Airbus, Landsat / Copernicus, Maxar Technologies, Map data ©2024 1 mi

• This orange dot indicates
Old Redwood Hwy.

Orange arrow indicates
access to Hwy 101 or
cross over to the West
side to evacuation purposes.

Yellow arrow reflects
the paths of the Kincadee
and Tubbs fires.

Note: Old Redwood Hwy along with Shiloh Road and Airport Blvd are all one lane in each direction roadways.



U.S. Environmental Protection Agency Endangered Species Facts

Ambystoma californiense

California Tiger Salamander

Description and Ecology

Status Santa Barbara District Population Segment (DPS), Threatened, listed January 19, 2000. Sonoma DPS, Endangered, listed July 22, 2002. Central California DPS, Threatened, listed August 4, 2004.

Critical Habitat Designated for Santa Barbara DPS 2004, Sonoma DPS 2005, and Central California DPS 2005.

Appearance The California tiger salamander is now considered to be a distinct species within the more widespread *Ambystoma tigrinum* complex. Like other members of the complex it is a fairly large and stocky salamander. Adult males are about 8.0 inches in length, females are about 6.8 inches in length, and snout-vent length for both is about 3.6 inches. The salamander's head is large and rounded and its wide mouth appears to smile. Small eyes protrude from the head; its dark irises appear large. All California tiger salamanders have some amount of dots or bars in pale yellow or white against the black background of its back, sides, legs and tail. Their bellies may be white, pale yellow, or a variegated pattern of white, pale yellow and black.

Range The range of the California tiger salamander is limited to the grasslands and foothills (to elevations of 1,500 feet) of central California and does not overlap the range of any other species of tiger salamander. Along the coast ranges, it occurs in southern San Mateo County south to central San Luis Obispo, and also in the vicinity of northwestern Santa Barbara County. The Santa Barbara population is considered a separate DPS and is "endangered." The population in Sonoma County is also considered a separate DPS and is "endangered." That these two populations have been classified as separate DPSs means that there has been little genetic exchange with the Central California DPS for some time. In the Central Valley and the surrounding Sierra Nevada foothills the California tiger salamander occurs from northern Yolo County southward to northwestern Kern County and northern Tulare County.

Critical habitat has been designated in Yolo, Solano,



California tiger salamander from Alameda County
© Gary Nafis, californiatigers.com

The California tiger salamander is both an endangered species and a threatened species.

Endangered species are plants and animals that are in immediate danger of becoming extinct.

Threatened species are plants and animals whose population numbers are so low that they may become endangered in the future.

The U.S. Environmental Protection Agency's (EPA) Endangered Species Protection Program (ESPP) will help ensure that pesticide use does not jeopardize the survival of listed species.

Ambystoma californiense

Sacramento, San Joaquin, Amador, Calaveras, Stanislaus, Merced, Madera, Alameda, Fresno, Tulare, Santa Clara, San Benito, Monterey, Kern and San Luis Obispo counties.

Habitat Salamanders of the genus *Ambystoma* are referred to as mole salamanders because of their use of burrows for hibernation and shelter or, as in the case of the California tiger salamander, aestivation and shelter during the warm, dry months of summer and autumn. Because California tiger salamanders dig poorly, the burrows of small mammals are essential. Their dependence upon the upland burrows of California ground squirrels and Botas's pocket gopher is called a commensal relationship: it neither helps nor harms the burrowing mammals, but is of great benefit to the salamanders. Because the ground squirrel and pocket gopher tunnels collapse within 18 months of abandonment, the ongoing co-location with these animals is critical for the survival of California tiger salamanders that spend the majority of their life in upland habitat. This habitat is usually grassland or oak savannah, and sometimes oak woodland.

California tiger salamanders exhibit a biphasic life cycle and as a result require two distinct habitats. At the onset of the winter rains, these salamanders will emerge from their burrows to feed and migrate as far as one mile to their wetland breeding ponds. These are vernal pools or seasonal ponds within the grasslands or oak savannah, or even stock ponds that mimic seasonal ponds. In years of "normal" amounts of rainfall these ponds will retain water long enough for salamanders to complete their larval stage and metamorphose, but not long enough, as in the case of permanent ponds, to be habitable by major predators such as fish and bullfrogs. Within that range of water retention, larvae develop faster in smaller, more rapidly drying ponds. However, the longer larvae remain in the pond, the larger they will be and the more likely they are to survive and reproduce. It is estimated that during the life of an average female California tiger salamander, just 11 of her offspring will reach metamorphosis. Other estimates further suggest that

California Tiger Salamander

only 5 percent of juveniles survive to become breeding adults.

Adult California tiger salamanders have been found as far as 1.3 miles from their breeding pond; most remain closer. One study located 95 percent of the salamanders within 2,100 feet of their breeding pond in Solano County.

Biology and Behavior Following metamorphosis in late spring or early summer, juvenile salamanders migrate into the uplands and settle into animal burrows. Like adults they will leave their burrows to feed on insects and worms during nights of high humidity, and return to the burrow before morning. Eventually, they will aestivate there until the onset of the next rainy season.

It will take two or more (as much as 4 to 6) years for California tiger salamander larvae to reach maturity. Like other adults, they will then leave their burrows as the rainy season begins and migrate to the breeding pond, most often their natal pond. Males will go first and stay longest. Females will leave the pond shortly after laying their eggs. They attach the eggs singly, or in groups of two or four, to twigs, grass and plant stems, boards, rocks and debris. In 10 to 14 days the eggs hatch.

Salamander larvae look very little like the adults. They are yellowish-gray with a broad dorsal fin extending well onto the back. The head is large and broad with feathery gills on each side. They are among the top predators of the seasonal pond system. During the first six weeks they eat zooplankton, small crustaceans and aquatic insects and then switch to larger prey such as the small Tadpoles of Pacific treefrogs and California red-legged frogs. They will remain in the pond for 3-6 months depending on the season. In seasons of drought many of the ponds may not be able to retain larvae fully to a critical body size that would enable metamorphosis. In extreme droughts, a seasonal pond that fails to fill means there will be no breeding season.

California Tiger Salamander Information Sources

Listing Notice Santa Barbara DPS - US.

Fish and Wildlife Service, 2000. Federal Register 65, No. 12, pp. 3096-3109, January 19, 2000. http://ecos.fws.gov/docs/federal_register/fr3498.pdf

Sonoma DPS – US Fish and Wildlife Service, 2002. Federal Register 67 No. 140, pp. 47726-47740, July 22, 2002. http://ecos.fws.gov/docs/federal_register/fr3498.pdf

Central DPS - US. Fish and Wildlife Service, 2004. Federal Register 69, No. 149, pp. 47212-47248, August 4, 2004. http://ecos.fws.gov/docs/federal_register/fr4278.pdf

Critical Habitat Designation Santa Barbara DPS - US. Fish and Wildlife Service, 2004. Federal Register 69, No. 226, pp. 68568-68609, November 24, 2004. http://ecos.fws.gov/docs/federal_register/fr4355.pdf

Sonoma DPS – US Fish and Wildlife Service, 2005. Federal Register 70 No. 239, pp. 74137-74163, December 14, 2005. http://ecos.fws.gov/docs/federal_register/fr4495.pdf

Central California DPS - US. Fish and Wildlife Service, 2005. Federal Register 70, No. 162, pp. 49379-49458, August 23, 2005. http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2005_register&docid=fr23au05-22

Species Account U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2009. http://www.fws.gov/sacramento/es/animal_spp_acct/california_tiger_salamander.pdf



California tiger salamander breeding pond, Merced County
© Gary Nafis, CaliforniaTigerPS.com



California tiger salamander larva, Sonoma County © 2006 Jeffrey Mitchell



California tiger salamander, Santa Barbara County
© Gary Nafis, CaliforniaTigerPS.com

Potential Range of the Sonoma County California Tiger Salamander



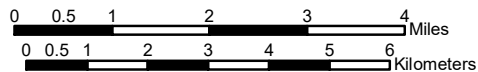
United States
Department of the Interior
Fish and Wildlife Service
Sacramento, California



Potential Range of the Sonoma Co. CA Tiger Salamander

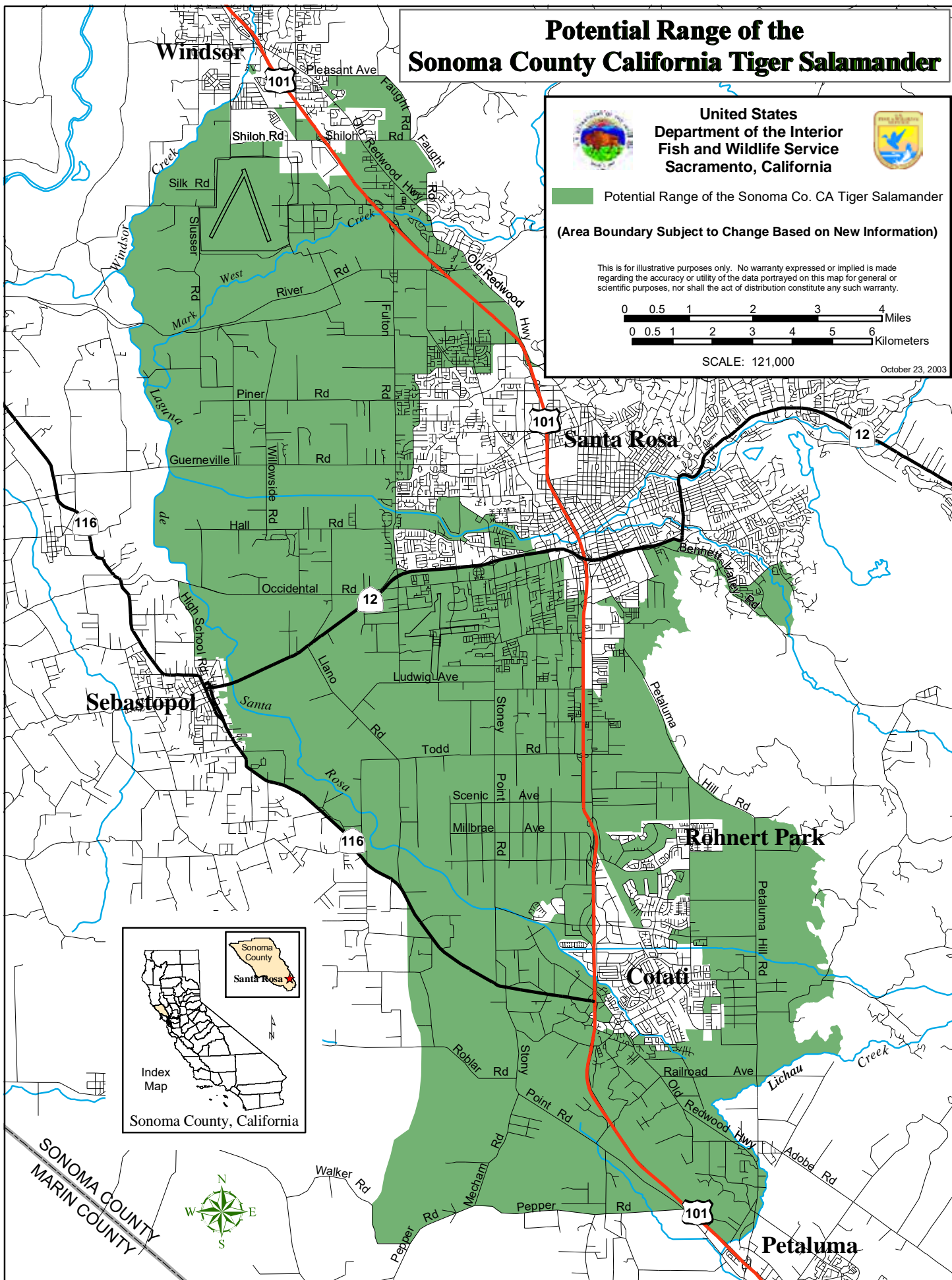
(Area Boundary Subject to Change Based on New Information)

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SCALE: 121,000

October 23, 2003



SONOMA COUNTY
MARIN COUNTY



From: lbarber@sonic.net <lbarber@sonic.net>

Sent: Monday, April 8, 2024 10:07 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Cc: 'David Hansen' <mana1943@yahoo.com>; 'Catherine Dodd' <catherine.dodd@gmail.com>; 'Peter J. Lescure, PE' <plescore@lescore-engineers.com>; heidiwould@gmail.com <heidiwould@gmail.com>

Subject: [EXTERNAL] Koi Nation of Northern California Shiloh Resort and Casino Project

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April 8, 2024

Mr. Chad Broussard
Environmental Protection Specialist
Bureau of Indian Affairs

Re: Shiloh Resort and Casino

Dear Mr. Broussard,

I have nothing against Native Americans and their search for economic development. I have Cherokee blood – my great grandmother collected checks from Standard Oil for reparations for the displacement of native peoples in Oklahoma.

I do object to your proposal to develop subject property. The site is adjacent to residential neighborhoods, which include children, and in close proximity to a well frequented regional park, neither of which have anything in common with a casino use. I reside approximately 1.5 miles south of the backside of your site and most days walk the designated “Scenic Corridor” of Faught Road where there are other walkers, joggers, and cyclists on a consistent basis. The sunset view from Faught Road is one of the most beautiful in the County of Sonoma.

I always understood that the Native American held a strong philosophy of “stewardship of the land.” If this is true, could you not uphold these values now?

Please do not destroy our local beauty.

Respectfully,

Lori Barber

231 Candlelight Dr.

Santa Rosa, CA 95403

35 year resident of lower Wikiup and
concerned citizen

From: Dawn Chandler <d_e_chandler@yahoo.com>
Sent: Monday, April 8, 2024 10:19 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-To-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I am writing to provide objection to the proposed Koi Nation Shiloh Resort and Casino Project.

If this project goes forward, it will bring tens of thousands of visitors to the area daily, resulting in a significant increase in traffic congestion, noise, and air pollution, artificial light to the surrounding area threatening the natural environment of migratory birds. The proposed project is surrounded by residential and agricultural sections with a community park directly across Shiloh Road, and an elementary school a mile away. The size of the proposed project at this location will adversely impact the landscape, residential life, and community activities of the whole surrounding area. It will overwhelm the resources of the public, including the diminishing residential water supply, road maintenance, emergency/wildfire evacuation routes and resources for fighting fires and managing crime.

In addition to greenhouse gas pollution, please study the possibility of local air pollution and public health impacts from increased vehicle traffic on neighborhood roads and highways, as well as the impacts from idling vehicles, including construction, delivery, and passenger vehicles. The EPA has found that people who live, work, or attend school near major roads appear to have an increased incidence and severity of health problems associated with air pollution exposures related to roadway traffic. It is likely that a project of this size will have a measurable impact on air pollution in nearby neighborhoods. Please assess the possibility that there will be a public health impact due to an increase in particulate matter, air toxics, and NOx, as well as any other foreseeable air pollutant.

California is in the midst of a 1200-year drought. Sonoma County is under mandatory water use restriction and the reality of this worsening with global warming is inevitable. Please consider what the water demands, both now and in the future, would be for a casino and resort of this size vs. a residential development on the same site. The proposed project will decimate the local

water table, heavily impacting local water resources for the surrounding community. The community cannot withstand the loss of water supply caused by this project.

This property, and the whole surrounding area is subject to intense and fast-moving wildfires. Not only would visitors to a casino resort be at risk, but the whole community would also be threatened by having the designated evacuation routes overwhelmed in gridlock, with emergency vehicles unable to operate. All roads leading to and from the designated property are only two lanes. For residents in the immediate area and the hills above, Shiloh Road is the main, and in some cases, the only escape route out. This project in this location threatens the community with a high potential to greatly contribute to more loss of life and homes.

Please consider how many thousands of families and individuals live in the actual Area of Potential Effect (APE). The APE is far greater than the project site and extends for miles in all directions. A project of this scope will bring an unprecedented adverse element to the greater surrounding area resulting in unintended consequences for the entire community. The APE includes Windsor and NE Santa Rosa, Mark West, Fulton, and Wikiup/Larkfield. The inflow of tens of thousands of visitors daily will increase rates of crime and traffic accidents in the surrounding areas. Consider police/fire statistics from casinos in Northern California that identify casino resorts in particular that are built in locations surrounded by long-established communities of residential neighborhoods, areas intended and zoned for residential/ agricultural use only and not commercial use.

The expected decline in property values is both during construction of the project, and in the long term. Homes and housing units impacted by the direct visibility of the large buildings, parking lots, bright lights, and the increase in traffic to/from the casino resort, plus the noise of the entertainment will most likely experience a decline in property values and quality of life. The 24/7 presence will significantly decrease the desirability of buying into the area and lower current residents ability to rest at night and to use and enjoy their outdoor living spaces.

There are areas in Sonoma County more appropriate for a high volume 24/7 casino business. Please study alternative sites for this project as it is not an environmentally sound project for this location and threatens the well-being of thousands of members of the local community. The proposed site would be better suited and welcomed as a residential development by the Koi Nation to serve its people with an affordable residential community where all families would be able to thrive and continue to enjoy living in the area.

Thank you for your consideration.

Dawn Chandler
(707) 975-7481

From: Michael Moran <moranx5@att.net>

Sent: Monday, April 8, 2024 10:26 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-trust and Casino Project

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No Casino!

Bad location period.

Reasons:

1. Impact to already crowded hospitals and shortage of emergency personnel and ambulances
2. Traffic in area already congested without a casino and will get worse once apartment complex opens up on corner of Shiloh and old red hwy
3. Will increase crime and DUI drivers
4. Roads gridlocked during Last evacuations for fires were dangerous. People will lose lives in the event of another major emergency.
5. Wells in danger of drying up for some residents in the area

Christina Moran
Amie Drive, Windsor ca

Sent from my iPhone

From: Cliff Dylan <clifftun7@yahoo.com>
Sent: Monday, April 8, 2024 10:41 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] Koi Nation fee to trust and casino project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Koi Nation fee to trust and casino project
April 8, 2024

I am writing again to express my strict opposition to the proposed casino/land use by the Koi tribe on East Shiloh Road. The previous EA that was performed left me in shock and with one main thought...There is NO WAY that EA was done with boots on the ground. All those pages and no real life assessments were made nor were there accurate statements of real impacts to this area, nature, wildlife, the people and the neighborhoods.

I would like to focus on that human aspect in the immediate proximity of this proposed casino. There is a Mark West School District bus that goes through my neighborhood twice a day, every single weekday during the nine month school year. It enters from Shiloh Road with a left turn on Gridley Drive, makes a right on Chris Street, a right on Mathilda Drive, a right on Lea Street, a left back on Gridley Drive and finally back out to Shiloh Road. I see it on my driveway camera every time that it passes by. This is a grammar school bus! No place for a casino of any size.

Esposti Park is located at the corner of Shiloh Road and Old Redwood Hwy. It is directly across from the proposed casino site. This park is used daily by the community along with baseball, softball and soccer leagues. No place for a casino of any size.

There are two community churches within sight of this proposed casino. One of these churches is across the street from the proposed casino and acts as a food distribution center for people in need. This is run by The Redwood Empire Food Bank. No place for a casino of any size.

Fire danger and evacuation. No assessment would be complete without going door to door and talking with the real people who went through real Hell being evacuated and fearing for their safety while sitting in traffic trying to get to highway 101. The area filling with wind and smoke along with the flow of fire over the Shiloh Ridge is something that this area will never forget. The Koi's response to this is that their employees will stay back in a fire emergency to help with traffic...Pure nonsense and laughable. Except for the fact that people will likely die in their cars. Lahaina, Hawaii. Casino employees are not first responders. Even if they did stay, they couldn't do a single thing about the gridlocked roads. During the Kincaid fire, my daughter left our house on Lea Street and

it took her 20 minutes to go one mile to reach a gridlocked Hwy 101. NO PLACE FOR A CASINO OF ANY SIZE!

Speaking of crowded roads, the area of Shiloh Road and the corner of Shiloh Road and Old Redwood Hwy are already being developed with hundreds of apartments and retail shops. This will increase traffic immensely. These two developments that are on the way to completion will stress the infrastructure even if any widening of roads is proposed/completed. No place for a casino of any size.

I really could go on and on stating facts and real life situations making this proposed land use a disaster that will happen. The ONLY option for this proposed land use is the "no action alternative." That is, the land NOT put into trust for the Koi Nation or any entity looking to put a large establishment there. No Action Alternative is the only way, as anything less will lead to annual applications to build that giant \$\$\$ casino.

This is no place for a casino of any size...Ever.

Signed,
Cliff Whittemore

Cliff Whittemore
237 Lea Street
Windsor, CA 95492

From: Mike Landon <landonmikes@gmail.com>

Sent: Monday, April 8, 2024 6:53 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

I would like to go on record as being in complete opposition to the Koi Nation Casino Project referenced above. I live in the immediate vicinity of this proposed project, and am convinced that it would be a disaster for the local neighborhoods, as well as for the county at large. Among the many negative impacts of this project would be:

1. Destruction of the beauty and peace of the pastoral natural environment which drew people to live here.
2. A huge drain on water, power, and other resources and utilities, of which the area is already in short supply. (PG&E is currently having great difficulty providing power for construction projects many times smaller than this which have already been approved.)
3. Air quality impact, along with noise, night light, and a host of other environmental impacts.
4. Tremendous volume of added stress on transportation infrastructure, with thousands and thousands of additional cars and trucks on the few available roads.

There are many more specifics which I could outline here, but suffice it to say for the moment that this proposed project is a wholly inappropriate use for this land. Our area was Ground Zero in Santa Rosa for the 2017 catastrophic Tubbs Fire, and we are not yet fully rebuilt all these years later. The last thing we need or want as we strive to pull our neighborhoods together is the spectre of a huge casino and entertainment complex rising here from the ashes.

Regards,
Mike Landon

landonmikes@gmail.com

From: Mike Landon <landonmikes@gmail.com>
Sent: Tuesday, April 9, 2024 5:31 PM
To: Broussard, Chad N <Chad.Broussard@bia.gov>
Subject: [EXTERNAL] FW: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Mr. Broussard,

Please see below the letter that I sent yesterday, with my address appended to the end of it.

Thank You,
Mike Landon

From: [Mike Landon](#)
Sent: Monday, April 8, 2024 6:53 PM
To: chad.broussard@bia.gov
Subject: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

Dear Mr. Broussard,

I would like to go on record as being in complete opposition to the Koi Nation Casino Project referenced above. I live in the immediate vicinity of this proposed project, and am convinced that it would be a disaster for the local neighborhoods, as well as for the county at large. Among the many negative impacts of this project would be:

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3. Air quality impact, along with noise, night light, and a host of other environmental impacts.
4. Tremendous volume of added stress on transportation infrastructure, with thousands and thousands of additional cars and trucks on the few available roads.

There are many more specifics which I could outline here, but suffice it to say for the moment that this proposed project is a wholly inappropriate use for this land. Our area was Ground Zero in Santa Rosa for the 2017 catastrophic Tubbs Fire, and we are not yet fully rebuilt all these years later. The last thing we need or want as we strive to pull our neighborhoods together is the spectre of a huge casino and entertainment complex rising here from the ashes.

Regards,
Mike Landon

landonmikes@gmail.com

358 Wikiup Drive
Santa Rosa, CA

From: Nina Cote <nina.cote@sbcglobal.net>

Sent: Thursday, April 4, 2024 2:28 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Cc: Nina Cote <nina.cote@sbcglobal.net>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Attention: Chad Broussard

Regarding: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

From: Nina Cote', 5828 Mathilde Drive, Windsor CA 95492

Our community is appreciative that the BIA has decided to perform an Environmental Impact Statement (EIS) for the proposed Koi Nation of Northern California Shiloh Resort and Casion Project.

The Environmental Assessment was significantly lacking in all aspects, was disappointing, and honestly a bit ridiculous. After surviving two fires that devastated the area surrounding the proposed site, I continue to feel that we will perish in the next fire because we won't be able to evacuate our own subdivision which is directly across from the proposed site. There will be thousands of additional cars exiting the proposed casino, many of whom have no idea where they are, or the evacuation routes, competing with the neighboring communities, churches, schools, parks all of which encountered gridlock during the last two events. There is no mitigation possible, but the fact that it was stated in the report that the casino would provide employees to direct traffic was laughable. When people are in survival mode, there is no predicting their behavior, and the unpredictability of fires makes it impossible to implement a way to increase the area population by thousands and not have it irreparably impact the community in the event of any type of emergency. The current vineyard is a fire break that needs to remain available for the surrounding community.

Additional education into our fire seasons. Regardless of the season we can have RED FLAG WARNINGS in in effect whether someone feels it is "so late in the season" and after "all that rain." This is now reality for those of us living in California and especially in Sonoma County. This link below is to an article from the Western Fire Chiefs Association website.

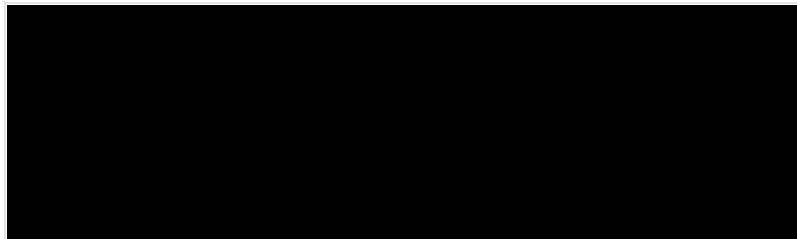
<https://wfca.com/articles/california-fire-season-in-depth-guide/>

The area surrounding the proposed site is already increasing in population with planned housing that is desperately needed in our community. The

infrastructure in this area can't handle any business/recreational facility of the proposed magnitude on the chosen site.

For the past few years, Sonoma County businesses have had significant difficulty recruiting employees and we have watched as more and more businesses have closed due to lack of staffing. This has gotten worse in the past year and the fact that the proposed casino resort says they will need 1000 employees would decimate small businesses who are desperate for employees. I'd also like to know where these 1000 employees will live with the shortage of affordable housing in our community.

[From hiring bonuses to job fairs, inside county's 'unprecedented' effort to fill hundreds of vacancies](#)



From hiring bonuses to job fairs, inside county's 'unprecedented' effort...

MARTIN ESPINOZA

Sonoma County is one of the many public employers state and nationwide that has seen the holes in its ranks grow...

In the original report it referenced that there aren't endangered species found on the proposed casino site. A beautiful ecosystem will be permanently harmed. The impact on the large population of wildlife, that may not be considered endangered, but currently populate this agricultural property will be devastating! Our days and nights are filled with the sights and sounds of Coyotes, Foxes, Squirrels, Snakes, Skunks, Owls, Quail, Hawks and many other species of Birds, Frogs, Salamanders and the list goes on. The proposed site and surrounding area who are currently home to these animals will experience displacement, 24x7 lighting, noise, pollution, and increased physical risk due to thousands of additional cars daily. It will impact their nesting and migration habits and more.

Our local indigenous tribes care about the environment, land and living creatures. This is not the same for the Koi Tribe who is only thinking of financial gain by choosing this site. Proposing a mega business in an agricultural area, home to wildlife is wrong!!! This will decimate the beautiful creatures that call that land home.

The physical, emotional health and well being of our community will significantly decline from this proposed large business by being impacted by the additional pollution directly related to running the large buildings, cars, people smoking outside the casino, as well as the noise (that no, dual paneled windows won't help), and 24/7 lighting (we'll no longer see stars).

No casino in California has been built directly across a small two lane road from an existing neighborhood. The only example of a casino this close to a neighborhood is one that the casino was already built and in existence, and then homes were purchased. So, in that example anyone buying a home was conscious of what they were getting into. The danger that is being proposed so close to this community is not appropriate on any level.

All of the other casinos in our area were thoughtfully and appropriately segregated from communities of residential neighborhoods. Our community doesn't need another casino with two others very close by, but especially not on a property zoned for agriculture, scenic view, county separator, protected valley oak trees, flood way and flood plain.

In the past two years we have had flooding in this area. Removing a flood way and floodway increases the risk to flooding into our neighborhoods. I've attached photos from recent storms. Pruitt Creek came right up to the roadway and threatened traffic and homes this year. Once again, the current zoning is appropriate for the area and modifying it would be a travesty.

Up until the past two years, we have been in a severe drought causing mandatory water rationing. The amount of water needed by this mega resort is an abomination. Knowing with climate change we will experience droughts on an increasing magnitude how can building something that will use more water than any of the other community? How can this be justified? We skip showers, have buckets we carry out to water of our plants and the building directly across the street will be using more than any of us!!

I wish the Koi Nation well in their endeavors to gain financial independence, but only in an appropriate location, not here on Shiloh Road.

Sincerely, Nina

Nina Cote'

From: Anne Gray <annegray123@sbcglobal.net>

Sent: Sunday, April 7, 2024 12:20 PM

To: Broussard, Chad N <Chad.Broussard@bia.gov>

Subject: [EXTERNAL] NOI Comments, Koi Nation Fee-to-Trust and Casino Project

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Chad,

Attached is my Comment on the above Project. Could you please reply so I know it reached you?

Sincerely,

Anne Gray
Santa Rosa CA

One attachment • Scanned by Gmail

Anne Gray

459 Country Club Drive
Santa Rosa, CA 95401
annegray123@sbcglobal.net
630.815.9277

April 7, 2024

Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project

To: Chad Broussard
Bureau of Indian Affairs
chad.broussard@bia.gov

Dear Mr. Broussard:

First, could you please send me an email acknowledging receipt of this Comment?

I again ask that the Bureau reject the Koi Nation's effort to build a casino of **any size** in Sonoma County. All proposed options for "**Shiloh Resort & Casino**" at 222 E. Shiloh Road, Santa Rosa, 95403 are unacceptable. I spoke in opposition at the Zoom September 2023 Public Hearing, and sent you a follow-up letter last November.

Sources used for the following information and my understanding of the facts are listed below, and at the end of this letter. As you know, the current proposal will include:

- A 540,000 square foot casino, 400-room hotel and a 2,800-seat event center
- More than 5,000 parking spots hosting up to 57,000 visitors daily
- Two ballrooms and five restaurants
- Additional support and entertainment facilities
- Resort style expansive pool and aquatic/spa center
- Up to 400,000 gallons of water used daily

CLIMATE CHANGE IMPACT ON WATER TABLES & THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT (SGMA)

During the September 2003 Zoom meeting which you hosted, and in reading related resident testimonials thereafter, one common theme emerged regarding the devastating impact the proposed Shiloh Resort & Casino would have on the Santa Rosa Plains water supply. Nearby residents are already seeing their wells dry. And while California is technically no longer in a drought, we would be fools to think severe drought won't return. Moreover, **we are not "water neutral" now** - we are taking out far more than nature gives back. Ao how can we ever get there with massive growth?

Meanwhile, multi-family housing construction in Sonoma County is undergoing a significant boom, supported in part by the state's **Prohousing Designation** program. Under this aggressive housing growth program, cities "selected" for participation must achieve significant housing growth by 2031 or lose general state funding. **Santa Rosa, Windsor, Healdsburg, Rohnert Park and Petaluma** are all in this program, which I will go back to later in this Comment.

Santa Rosa alone is adding almost 4,685 new housing units by 2025 with many already completed, and well before the 2031 deadline. It's also planning for much more high-density housing development to meet county needs, and grow revenue. Developers are exempt from dealing with many infrastructure requirements to support this massive growth. **Demand for Santa Rosa Plains water will increase dramatically as a result.**

In addition to fast-track housing development, think for a moment about water usage to support up to 57,000 daily gaming visitors, a 400-room hotel, five restaurants, a large resort-style pool complex and supporting facilities. **Has the BIA taken into consideration what the impact would be of taking an additional 400,000 gallons of water from our water supply every day?**

Much of Sonoma County uses water from the Santa Rosa Plains. **The Santa Rosa Plains water system is where 222 E. Shiloh Road, Santa Rosa, 94303 gets its water from, and the Santa Rosa Plains are included in the mandated “Sustainable Groundwater Manageable Act” (SGMA).**

This act was passed in 2014 and requires that by 2042 each area of California that uses ground water – like the Santa Rosa Plains -- must enact a plan to replace the ground water that it draws out. This basically requires that communities don’t use more water than nature puts back, using metered systems to determine natural replenishment versus usage. Extensive planning is already underway to meet this state requirement.

Withdrawing an additional 400,000 daily gallons of water from the Santa Rosa Plains will make adhering to the SGMA much more difficult, especially with so much mandated new housing growth in the Santa Rosa Plains that the state is also requiring. **If we are already using more than nature puts back now, how will we become “water neutral”?**

Will the Oklahoma Chickasaw who would fund, build and manage the casino be required to comply with the SGMA? Do they have a plan to address this future requirement? Will they be required to “break even” on the amount of water used versus what nature puts back like others who draw water from the Santa Rosa Plains?

Or would they be exempt from this program? If that’s the case what happens? Do other Santa Rosa Plains water users get a daily 400,000-gallon discount reflecting the Shiloh Resort & Casino usage? Or does the rest of the community need to make up for the massive Shiloh Resort & Casino deficit, putting another strain on water consumption needs.

Moreover it would negate the important SGMA goal – sustainable water usage and environmental protection. What is the responsibility of the Oklahoma Chickasaw Nation here and the small Koi Nation tribe they appear to be using just to get the largest California resort and casino built in Sonoma County? Here is a link to the SGMA program.

<https://water.ca.gov/programs/groundwater-management/sgma-groundwater-management>

IMPACT ON AIR QUALITY, NOISE POLLUTION AND AIR TRAVEL VIA CHARLES SCHULZ SONOMA COUNTY AIRPORT (STS)

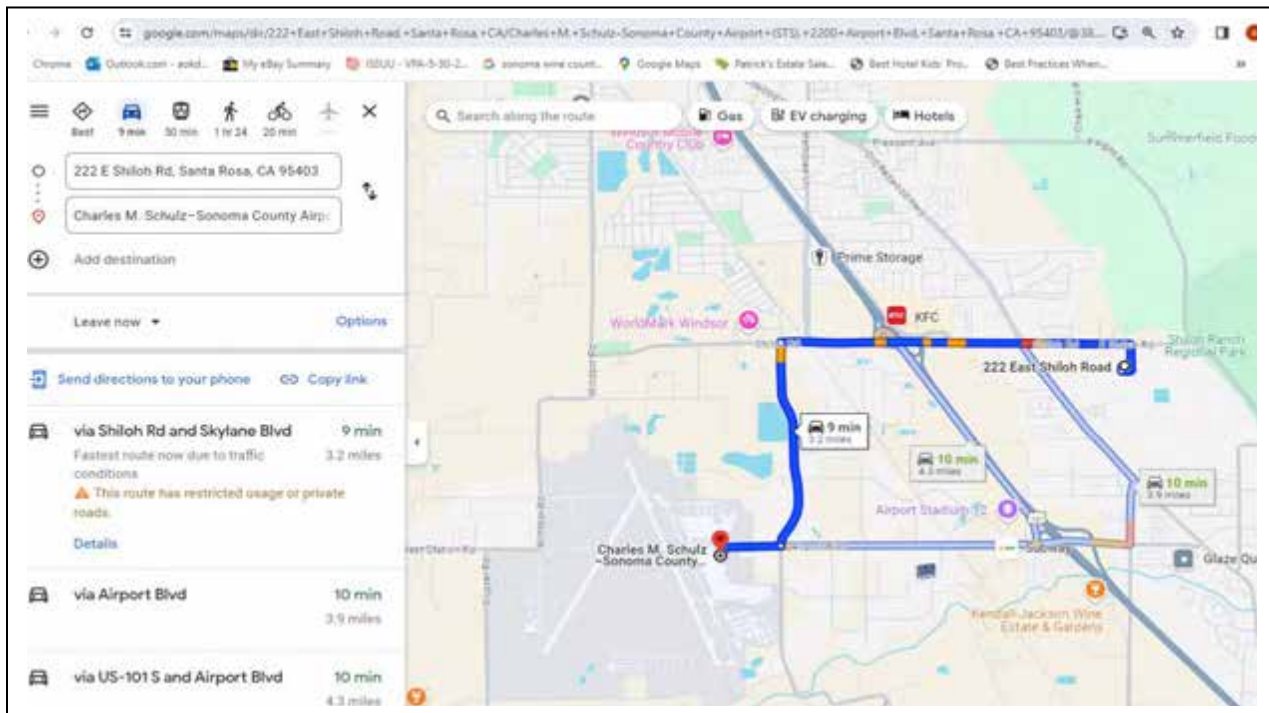
Sonoma County residents are already struggling with air quality and noise pollution caused by the growth of our STS regional airport. Demand for air travel via STS will skyrocket when up to 57,000 daily Shiloh visitors enter the mix. Air and noise pollution from low flying commercial aircraft will worsen.

Moreover, **the ability for area residents to actually use STS will decline sharply as many of those 57,000 casino visitors compete with local residents for seats on crowded planes at our small regional airport.** I use this airport regularly and value the ability to fly directly into Sonoma County versus being required to drive to San Francisco (SFO), Oakland (OAK), San Jose (SJC) or Sacramento (SMF) in order to access air travel.

The most logical alternative is SFO, which is 84 miles or about a 1.5-hour drive away from STS and inaccessible to many. While tourism is key to the Sonoma County economy, adding up to 57,000 daily visitors along with massive housing growth, will overwhelm our community’s ability to afford flying via STS.

The STS airport would be about four miles from the Shiloh Resort & Casino as you can see from the map below. This will also drastically increase road traffic, air, and noise pollution. It would most likely require significant roadway expansion

and improvement – to be paid for by Sonoma County taxpayers, not taxpayers Oklahoma where the Oklahoma Nation Global Gaming Group resides.



IMPACT OF NEW URGENT STATE MANDATED PROHOUSING COMMUNITY MULTI-FAMILY HOUSING

As mentioned above, there is already a very aggressive housing development program being undertaken in Sonoma County. Have you considered this in your assessment? Have you analyzed what if any Enhanced Infrastructure Financing District funds will apply around the area where the casino would be built to ease congestion? (The Enhanced Infrastructure Financing District, or EIFD, is a special finance district that will use property tax increment revenues from community growth in specifically defined areas to finance public infrastructure and economic development projects of community-wide significance.)

Governor Newsom’s Fiscal Year 2019-20 budget established the **Prohousing Designation Program** help meet California’s goal of adding 2.5 million new homes over the next eight years. **Santa Rosa, Windsor, Healdsburg, Rohnert Park and Petaluma are part of this designated, fast-growth housing program.** According to the City of Santa Rosa:

“In its application, the City outlined multiple pro-housing policies it has enacted or will enact to increase housing production and to improve access to affordable housing. These included streamlining and expediting application and review processes, deferring fees for affordable housing construction, **incentivizing increased housing density**, speeding approvals for accessory dwelling units, **reducing parking requirements for new housing**, and creating an Enhanced Infrastructure Financing District to help support affordable housing development, among many other policies the City has adopted or is pursuing.

One project highlighted in the City’s application that received high marks was adoption of the Southwest Greenway Plan, which will preserve up to 47 acres of parklands and open space and provide **244 multi-family housing units in an underutilized area previously designated for Highway 12 expansion.**

Santa Rosa is on track to create **4,685 units of new housing by 2031**, including 1,919 affordable housing units. With 397 units under construction from June 30, 2022, and later, the City's [2023-2031 Housing Element](#) accounts for 163% of Santa Rosa's remaining total Regional Housing Needs Allocation. There are **more than two dozen affordable housing developments in the pipeline**, including Caritas Homes - Phase One set to open soon in Downtown Santa Rosa, South Park Commons at the former City-owned Bennett Valley Senior Center site, and The Cannery at Railroad Square. Recently completed affordable housing projects include the Linda Tunis Senior Apartments in Rincon Valley and Laurel at Perennial Park located on Mendocino Avenue at the former Journey's End Mobile Home Park site, among others." Source:

<https://www.srcity.org/CivicAlerts.aspx?AID=2253#:~:text=Santa%20Rosa%20is%20on%20track,total%20Regiona%20Housing%20Needs%20Allocation>.

Again, according to Gustavo Velasquez, Department of Housing and Community Development (HCD) Director:

"I'm thrilled that we now have 30 communities that have achieved the Prohousing designation," said HCD Director Gustavo Velasquez. "The cities and counties are leading the way by **reducing unnecessary barriers and red tape** that discourage new housing production, instead they are **signaling to developers that are ready to build more housing faster.**"

(California Department of
Housing and Community Development, August 7, 2023)

"This isn't hype. If it becomes law, the bill could really revolutionize California cities. As currently written, SB 827 would essentially **exempt all new housing built within half a mile of a train stop or quarter mile of a frequent bus stop from most local zoning rules**. So, if a city had zoned an area for single-family homes, developers could invoke the bill to build multifamily apartment buildings **between four and eight stories high.**"

(Cal Matters June 23, 2020)

One only has to look at the large multi-family housing developments going up all over Santa Rosa now to know there will be major issues going forward with transportation gridlock, parking, community services and water needs; eliminating the "red tape" needed to successfully incorporate new housing into Sonoma County will negatively impact quality of life. Highways, roads, and community services such as grocery stores and medical facilities are not equipped to deal with the **Prohousing Community** requirements, **let alone a third Las Vegas style casino.**

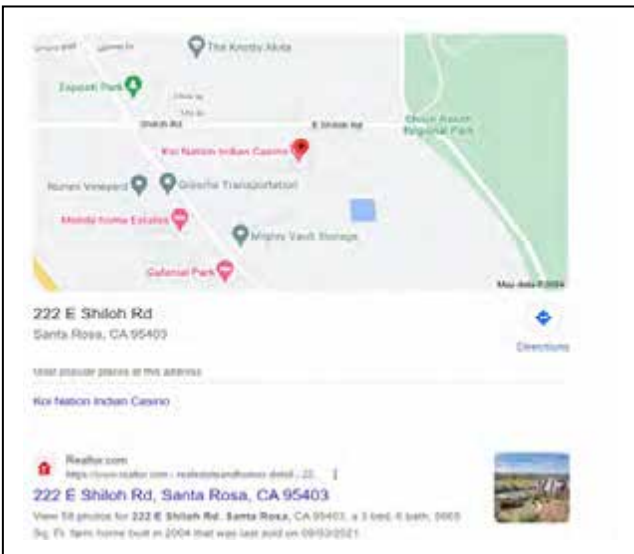
SONOMA COUNTY RESIDENTS ARE CONFUSED ON WHERE IS THE SHILOH RESORT & CASINO IS GOING TO BE LOCATED

There is confusion within the community as to where the proposed casino will be built. **The Press Democrat insists on telling readers it will be located in Windsor even when corrected.** I asked someone just the other day who reads the Press Democrat daily where it was going to be built and the response was "Windsor up by the Healdsburg border".

The casino is **not going to be located in Windsor as they continue to publish. The address is 222 E. Shiloh Road, Santa Rosa, 95403.** It is in unincorporated Sonoma County within the **Larkfield-Wikiup boundary map** with a Santa Rosa street address. The Press Democrat even changed an April 3, 2024 published Letter to the Editor I wrote. I provided the Santa Rosa address, and they changed it to "Windsor" twice without my permission, then refused to issue a correction. **They are confusing the public which in turn limits the feedback you receive.**

Below are Google Map showing the location and two Press Democrat photos stating it will be in Windsor. **Note:** the Press Democrat has also published that the location would be in unincorporated Sonoma County, and south of Windsor, but also keeps printing "Windsor".

I am hereby requesting that the BIA publish an announcement in the Press Democrat, with the exact address or request a Press Democrat correction as Sonoma County is being misled with respect to Shiloh's proposed location.



Federal hearing on proposed Koi Nation casino near Windsor draws scores of detractors

The Koi Nation's proposed gaming resort led to a federal hearing Wednesday that exposed a sharp divide over project. | 02/38

SLIDE 2 OF 8
Residents of the Oak Park subdivision, north of Shiloh Road, near Old Redwood Highway, have placed signs opposing the proposed casino resort, which would be built south of Shiloh Road in Windsor on Thursday, Sept. 28, 2023. (Christopher Chung/The Press Democrat)

Federal hearing on proposed Koi Nation casino near Windsor draws scores of detractors

The Koi Nation's proposed gaming resort led to a federal hearing Wednesday that exposed a sharp divide over the project. | 02/38

SLIDE 1 OF 8
Hina Cook, left, Don Zakin, and Lynn Danstark among the residents of a neighborhood adjacent to a proposed casino resort opposing the project along Shiloh Road in Windsor on Thursday, Sept. 28, 2023. (Christopher Chung/The Press Democrat)

PAYING FOR INFRASTRUCTURE IMPROVEMENTS

Federal law makes it clear that the Koi and Chickasaw nations will not be required to fund road, flood and wildfire containment and evacuation “improvements”, or contribute to additional housing requirements needed for staff. Therefore the impact on Sonoma County residents would be enormous as vast changes would be needed to deal with up to 57,000 additional daily visitors to Shiloh Resort & Casino.

What would Sonoma County residents get for this massive investment – up to 1,000 new jobs while the bulk of the revenue and profit goes to the **Oklahoma-based Chickasaw Nation**? This is not practical, fair or advantageous. Especially when you consider the impact on our environment, sustainability and quality of life.

Here is the relevant federal law link regarding funding public projects:

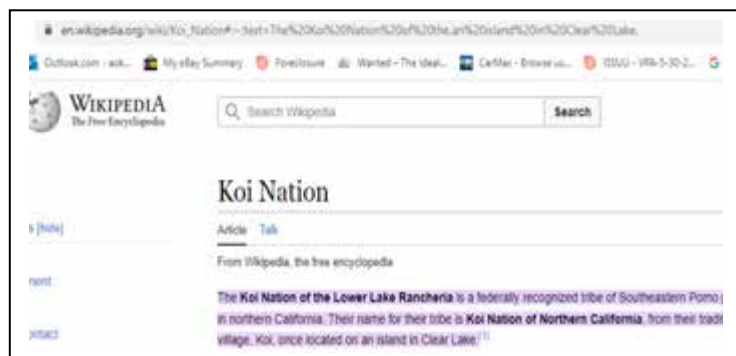
KOI NATION IS INDIGENOUS TO LAKE NOT SONOMA COUNTY

It is my understanding that the Koi Nation are **indigenous to Lake not Sonoma County** and therefore have **no significant historical connection or inherent rights** to build this casino anywhere in Sonoma County. Their website acknowledges this history (below). ABC News and others also reported that “Five other tribes question Koi Nation's "historical connection" to Sonoma County, saying their ancestors lived 50 miles away in Lake County.” All Sonoma County tribes are strongly against this proposal.

The **Clearlake City Council, in Lake County** approved increasing funding the city will devote to **defending itself against legal challenges involving major park and road projects filed by the Koi Nation**. The reference notes that **“The tribe, whose traditional territory includes the city of Clearlake and Lower Lake...”**, They go on to note that the money is needed because the tribe, **indigenous to Lake County**, approving \$250,000 for legal defense... “after the tribe sued to stop the city’s extension of 18th Avenue as part of a new hotel development at the former Peace Field airport site.” (Lake County News, October 20, 2023)

Yet in 2021, the Koi Nation purchased 68 acres in Sonoma County at 222 E. Shiloh Road, Windsor, for \$12.3 Million. They did not have approval to build the casino before this purchase and are now requesting permission. Is this a version of **"It's easier to ask forgiveness than it is to get permission"**? Why buy the land first? To make it hard for the BIA to say “no”?

So, which is it? Is the Koi Nation indigenous to Sonoma County? Lake County?



LARGE CASINOS ALREADY EXIST IN SONOMA COUNTY ARE ALREADY HAVING PROBLEMS COMPETING

By building the Shiloh Resort & Casino, the biggest in California, Sonoma County will become the Las Vegas of California. Forever changing our cherished rural landscape and sense of community, while creating new crime and safety challenges, and contributing to transportation gridlock for all.

Just 14 miles, or 15 minutes south off Highway 101 is the 2013 built **Graton Casino**. It has a:

- 135 square foot casino – 25% the size of one proposed for Windsor
- 200-room hotel, and others built nearby to support it

In June 2023 Graton began a \$1 Billion expansion which will add a:

- Second hotel wing with 200 rooms
- 3,500-seat theater for live entertainment
- Rooftop restaurant seating for 480 guests
- 144,000 square feet of gaming space

- Five-level parking structure for 1,500 additional vehicles

Upon completion, **Graton will be the second largest casino in California. The Shiloh Resort & Casino would easily become the largest in the state.** Surrounded by other massive casinos just a few miles away. Also relevant, on March 1, 2023, Sonoma County Supervisors approved the **Dry Creek Rancheria Band of Pomo Indians' new River Rock resort and casino in nearby Geyserville.** (Rendering Below.) **This is only 18 miles or 30 minutes north of Windsor.**



Why are they tearing down their existing facilities to build a bigger new luxury resort and casino? **During the approval process they argued that business *slowed significantly* after Graton opened. They were granted permission for a complete rebuild as they need it to compete and not go out of business!**

This suggests that **Sonoma County cannot sustain *three (or four)* massive casinos requiring high revenue targets for financials to meet expectations.** If this turns out to be the case, it will lead to owner neglect as operating funds diminish. **Sonoma County taxpayers** may in the end need to step in with taxpayer monies to fund basic maintenance and security functions.

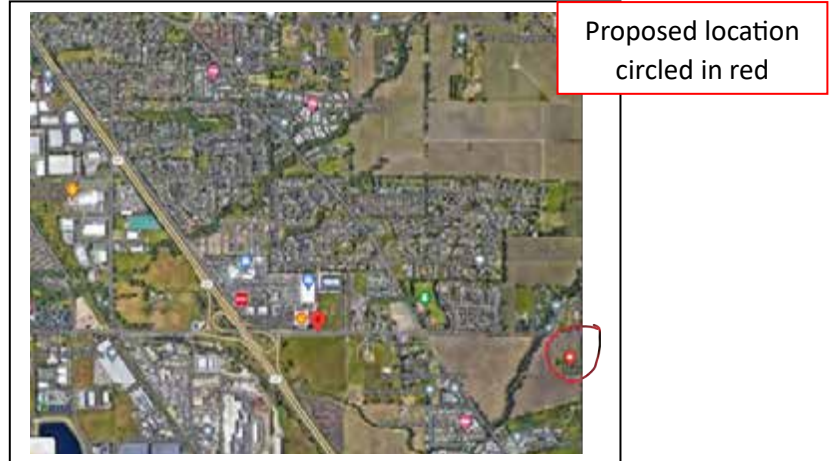
Twin Pine Casino & Hotel in Middleton, Lake County, is also just one hour by car from the proposed Windsor site.

The Dry Creek Rancheria Band of Pomo Indians also plan to build a **large casino in Petaluma south of Windsor.** They have delayed it until 2032 but it is still a strong and viable possibility.

Again, just 14 miles from Graton Casino and 18 miles from River Rock Casino, **the proposed Shiloh Casino in Windsor would easily become California's largest casino.** Built in a residential area and location Sonoma County cannot support.

Sonoma County residents do not need *three* massive Las Vegas style casinos within a 32-mile radius of each other.

PROPOSED SHILOH RESORT AND CASINO WOULD BE LOCATED IN THE MIDDLE OF ESTABLISHED RESIDENTIAL NEIGHBORHOODS



The above images show the proposed site abuts established residential communities, and the stores, restaurants, churches and other operations the local community relies on. **This includes about six densely populated mobile home parks, five of which serve senior citizens only;** and seniors often require additional help during evacuations, which adds to the risk associated with putting a major resort/casino in their backyards.

CURRENT TRAFFIC CONGESTION

The Wal-Mart and Home Depot right off Highway 101 along with other stores and restaurants located there are already destination points for many residents **outside of Windsor**, which also leads to much more traffic.

My understanding from the recent public Zoom hearing is that your transportation study was done in the early morning on a winter day. Have you re-evaluated it during afternoons when schools let out and people leave work? Highway 101 already becomes a parking lot at many busy travel times of the day.

ADDITIONAL NEW MULTI-FAMILY HOUSING GOING UP AT 295 SHILOH ROAD, WINDSOR

The Corporation for Better Housing and Integrated Community Development received \$40 million in construction financing for Shiloh Crossing, **a 171-unit housing complex**.

The development will have two buildings plus 8,000 square feet of commercial space. The North Building will include 130 apartments, while the South Building will consist of the remaining residential units, administrative offices, community space and two commercial spaces. It will have a swimming pool, community room and bocce court.

The development will be located at **295 Shiloh Road** near Route 101. Just one mile or a 3-minute drive from the proposed new Shiloh Resort & Casino. This development, one of many fast-tracked to deal with California's housing shortage, will also add to traffic congestion, slow wildfire evacuation efforts and pull from depleted water reserves.

IMPACT ON RESIDENTIAL PROPERTY VALUES

Can you please tell me what the impact will be on residential property values all around the proposed site in Windsor, and Santa Rosa, including those who reside in the Larkfield-Wikiup boundary map? How much property value will be lost when the biggest casino in California moves in next door? How will this impact current residents?

Proposed locations for the new casino and 171 new multi-family housing circled in red; 1 mile apart.



ALREADY STRESSED WILDFIRE EVACUATION ROUTES

It is also quite easy to see from the above map that the proposed casino would hamper wildfire evacuations as evacuees travel west on narrow roads to get to Highway 101. It is also unrealistic in my view to **expect casino employees to risk their lives trying to evacuate patrons as the road traffic quickly comes to a standstill and a death trap.**

Here is a snip from the Koi's Proposal Appendix N – Wildfire Evacuation Memorandum. Many assumptions and conclusions in this Addendum are debatable, and it also shows clearly that significant public infrastructure improvements would be required for any extra degree of mitigation when wildfire strikes.

If the Koi Nation's proposal is approved the BIA will share the blame should more wildfires lead to death due to an inability to flee, and destruction that would not have happened if the proposed site was left as is. The BIA knows locating the largest casino in California at this location – **or anywhere in Sonoma County** - will add significant wildfire evacuation hurdles.

SONOMA COUNTY BOARD OF SUPERVISORS UNANIMOUSLY OPPOSES THE KOI NATION PROPOSAL

There has been great Sonoma County opposition to the Koi Nation plan. In April, 2022, the "Sonoma County Board of Supervisors unanimously passed a resolution opposing the Koi Nation's proposed casino and resort outside Windsor while discounting the tribe's historical ties to the county". (CDC Gaming Reports, April 6, 2022). Many other groups also oppose this new development.

The Koi Nation (and the Press Democrat) also indicated that a **Letter of Intent with Sonoma County Firefighters** equaled an endorsement. I checked with this firefighter organization directly; they have NOT endorsed the proposed casino.

Elements of Mitigation Plan

The following mitigation measures are recommended to achieve a safe, efficient and organized site evacuation:

- Trained on-site personnel will direct roughly half of the 4,310 vehicles from the rear of the site to each of the two access points (the east Shiloh Road access point and the signalized Old Redwood Highway access point.) Thus, each access point connecting to adjacent public streets would handle about 2,155 vehicles.
- The two-lane two-way loop road serving the 4,310 vehicles should be converted to two outbound lanes during evacuation. However, only a single lane of traffic would enter the single westbound lane on Shiloh Road, so the extra outbound lane would be for storage of vehicles that would be directed onto the westbound lanes of Shiloh Road by **two on-site attendants**, to keep traffic flowing.
- To accommodate any opposite flow emergency vehicles, the loop road should be designed with at least one paved shoulder wide enough to handle in-bound traffic during evacuation. This design should be available at all three access points.
- The Old Redwood Highway access point will be signalized and it also only has a single receiving lane on southbound Old Redwood Highway. All evacuation traffic should be directed to the south. This exit should also have two outbound lanes but only one vehicle at a time can use the outbound lane at the signal. **Two attendants** will be necessary to direct traffic.
- At the signalized exit near the entry area, also only a single line can exit onto Shiloh Road. There would be two westbound receiving lanes at this location allowing both the vehicles exiting from the entry area and the other evacuating vehicles from the east access point to have their own westbound lane approaching the signalized intersection of Shiloh Road and Old Redwood Highway. To keep traffic flowing smoothly, **two attendants** should be present at this location.
- There should be at least six traffic attendants to direct the 4,310 vehicles exiting the garage and surface parking areas. In addition, at least two attendants would be needed at each of the three casino parking lot exit points. **A total of 12** persons would be needed during evacuation. These traffic attendants should be specially trained employees of the casino.
- It is assumed that the approximate 2,155 vehicles exiting the site on the east Shiloh Road access point would have a maximum service rate of about 1,000 vehicles per hour. This is a typical rate assumed in urban areas and assumes that other traffic will be present, although at this location other traffic should be relatively light. This exit can therefore handle the exiting evacuating traffic in 2.2 hours or about two hours and twelve minutes.

SUMMARY

Sonoma County is already being over-built without regard to water requirements, air quality, noise and road transport needs. Threats from wildfires and required evacuation infrastructure are easier to overlook when the drought abates, but severe drought due to climate change is predicted, along with future wildfires. The land and water impact of adding this casino to our county and its long-term impact on our fragile environment - already being fast-tracked to build more densely populated housing - should not be brushed aside.

I urge you to deny the Koi Nation Shiloh Resort & Casino **in any form anywhere in Sonoma County.**

Sincerely

Anne Gray

Anne Gray

Data sources and links not listed above include:

- The September 27, 2023, Public Hearing, Zoom-moderated by C. Broussard, BIA
- Publications:
 - <https://abc7news.com/koi-nation-casino-sonoma-county-casinos-windsor-plan/11710358/>
 - <https://www.lakeconews.com/news/76942-clearlake-sets-aside-half-a-million-dollars-to-defend-against-tribal-lawsuits-over-city-projects>
 - <https://www.pressdemocrat.com/article/news/sonoma-county-supervisors-approve-casino-agreement-with-dry-creek-rancheria/>
 - <https://www.pressdemocrat.com/article/news/federal-hearing-on-proposed-koi-nation-casino-near-windsor-draws-scores-of/>
 - <https://www.townofwindsor.com/1303/Koi-Nation-Resort-and-Casino-Project>
 - https://en.wikipedia.org/wiki/Koi_Nation#:~:text=The%20Koi%20Nation%20of%20the,an%20island%20in%20Clear%20Lake.
 - <https://www.koinationsonoma.com/history/>
 - <https://www.koinationsonoma.com/project/>
 - <https://www.srcity.org/CivicAlerts.aspx?AID=2253>
 - <https://www.hcd.ca.gov/about-hcd/newsroom/california-department-of-housing-and-community-development-awards-prohousing-designation-to-five-new-jurisdictions>
 - <https://www.hcd.ca.gov/about-hcd/newsroom/governor-newsom-designates-three-more-california-communities-prohousing-strides-made-to-accelerate-housing-production>
 - <https://www.townofwindsor.com/DocumentCenter/View/27736/3818-23-Authorizing-Town-Manager-to-Submit-Prohousing-Incentive-Pilot-Program-App-to-CA-HCD?bidId=>
 - <https://calmatters.org/housing/2018/03/what-to-know-about-the-housing-bill-that-has-people-freaking-out-from-marin-to-compton/>
 - <https://www.pressdemocrat.com/article/news/public-hearing-announced-for-koi-nations-proposed-casino-project-near-wind/>
 - <https://huffman.house.gov/media-center/in-the-news/sonoma-county-elected-leaders-react-to-koi-nation-proposal-for-casino-near-windsor>
 - https://www.pressdemocrat.com/article/news/graton-rancheria-statement-on-koi-nations-application-for-gaming-facility?utm_campaign=trueAnthem%3A%20Trending%20Content&utm_medium=trueAnthem&utm_source=facebook&fbclid=IwAR2VfpsWjPFRlIH8visWcOb8hd_IQgZd2bwOTuM3lvK7rOnxKic6u53MWVg
 - <https://www.petaluma360.com/article/north-bay/sonoma-county-dry-creek-tribe-poised-to-extend-agreement-banning-casinos-n/>
 - <https://cdcgaming.com/brief/california-sonoma-county-supervisors-unanimously-oppose-koi-nations-casino-near-windsor/>
 - <https://abc7news.com/koi-nation-casino-sonoma-county-casinos-windsor-plan/11710358/>
 - <https://www.landispr.com/wp-content/uploads/2019/11/PD-Coverage-Koi-Nation-casino-battle-091821.pdf>
 - <https://www.healdsburgtribune.com/windsor-casino-would-increase-fire-risk-impact-residential-communities-opponents-say/>
 - <https://www.shilohresortenvironmental.com/>
 - <https://www.multiphousingnews.com/california-affordable-development-lands-40m/>
 - <https://www.srcity.org/CivicAlerts.aspx?AID=2253#:~:text=Santa%20Rosa%20is%20on%20track,total%20Regional%20Housing%20Needs%20Allocation.>

To: Amy Dutschke, Regional Director

S-I498

Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA. 95825

From : Richard Abend
5925 Old Redwood Hwy
Santa Rosa ,CA. 95403


"NOI Comments, Koi Nation Fee-to-trust and Casino Project"

I am a resident that has lived in the area across the street from this proposed nightmare of a casino project for 38 years . I have experienced continued increase of busyness in this area and oppose any type of casino project on this proposed property! This casino resort plan is not acceptable to our community on any level !

For starters ,this is a community with residential homes, churches, schools, recreational parks, a rural county park with creeks and wildlife that stretch to the creek on this property and vineyard agricultural. Daily traffic and noise is already at it's maximum with more recent high density /low income and senior / memory care housing added and planned on Shiloh Road . Fire evacuation and ER services will also be even more impacted with this current increase of population . Area flooding is a current and continuous problem . This casino project would be a negative impact on this already strained community. This project would bring an added appx 4 times the influx of traffic on Old Redwood Hwy and Shiloh Road ! This traffic would undoubtedly include a population of impaired driving ,drugs , violence and individual bad behavior (prostitution and sex criminal histories). This project would cause the existing community to experience even more difficult Emergency services, evacuation, poor air quality , more increased noise , increased area flooding and ground water depletion and contamination (many in this rural area have ground water wells) . This peaceful beautiful area and community needs to be available for my grandchildren to enjoy! This area does not deserve the abuse of a casino resort project with constant in and out traffic of people that don't care about it's quality of life .

The Koi nation needs to stay in their own Lake County area for land trust plans and development . Sonoma County has enough casinos .

Respectfully,
Richard Abend



201 APR 8 AM 11:13
BUREAU OF INDIAN AFFAIRS
SACRAMENTO, CALIFORNIA

From: Marquel Abend-Satterwhite
2523 Sonoma Ave
Santa Rosa, CA. 95405

“NOI Comments, Koi Nation Fee-to-trust and Casino Project”

Amy Dutschke Regional Director,

I am a resident that was raised and lived in the area across the street from this proposed nightmare of a casino project for 38 years. I have experienced continued increase of busyness in this area and oppose any type of casino project on this proposed property! This casino resort plan is not acceptable to our community on any level!

For starters, this is a community with residential homes, churches, schools, recreational parks, baseball park, a rural county park with creeks and wildlife that stretch to the creek on this property and vineyard agricultural. Daily traffic and noise are already at its maximum with more recent high density /low income and senior / memory care housing added and planned on Shiloh Road. Fire evacuation and ER services will also be even more impacted with this current increase of population. Area flooding is a current and continuous problem.

This casino project would be a negative impact on this already strained community. This project would bring an added appx 4 times the influx of traffic on Old Redwood Hwy and Shiloh Road! This traffic would undoubtedly include a population of impaired driving, crime, narcotics use, violence, narcotics sales and prostitution. The regional park which families currently use will be flooded with people using narcotics/ selling narcotics, and homeless encampments. My husband is a police officer for Rohnert Park and that is the behavior that takes place at the Graton Casino leaching out into the surrounding areas of Rohnert Park. The difference is that the Rohnert Park casino is surrounded by businesses not residential housing. All around this proposed casino are residential and low-income housing. People in low-income housing are struggling enough they do not need the influence of increased crime, drugs and prostitution around their families. This project would cause the existing community to experience even more difficult Emergency services, evacuation, poor air quality, more increased noise, increased area flooding and ground water depletion and contamination (many in this rural area have ground water wells). This peaceful beautiful area and community needs to be safe for my children and other families to enjoy! This area does not deserve the abuse of a casino resort project with constant in and out traffic of people that don't care about its quality of life.

From: Marquel Abend-Satterwhite
2523 Sonoma Ave
Santa Rosa ,CA. 95405



2021 APR -3 AM 11:37
SANTA ROSA COUNTY
BUREAU OF ENVIRONMENTAL SERVICES

To: Amy Dutschke, Regional Director

S-I500

Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA. 95825

2021 APR -8 AM 11:42
BUREAU OF INDIAN AFFAIRS
PACIFIC REGIONAL OFFICE

From : Claudia Abend
5925 Old Redwood Hwy
Santa Rosa ,CA. 95403

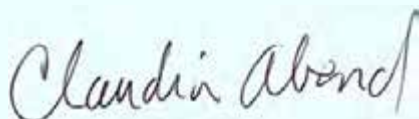
"NOI Comments, Koi Nation Fee-to-trust and Casino Project"

I am a resident that has lived in the area across the street from this proposed nightmare of a casino project for 38 years . I have experienced continued increase of busyness in this area and oppose any type of casino project on this proposed property! This casino resort plan is not acceptable to our community on any level !

For starters ,this is a community with residential homes, churches, schools, recreational parks, a rural county park with creeks and wildlife that stretch to the creek on this property and vineyard agricultural. Daily traffic and noise is already at it's maximum with more recent high density /low income and senior / memory care housing added and planned on Shiloh Road . Fire evacuation and ER services will also be even more impacted with this current increase of population . Area flooding is a current and continuous problem . This casino project would be a negative impact on this already strained community. This project would bring an added appx 4 times the influx of traffic on Old Redwood Hwy and Shiloh Road ! This traffic would undoubtedly include a population of impaired driving ,drugs , violence and individual bad behavior (prostitution and sex criminal histories). This project would cause the existing community to experience even more difficult Emergency services, evacuation, poor air quality , more increased noise , increased area flooding and ground water depletion and contamination (many in this rural area have ground water wells) . This peaceful beautiful area and community needs to be available for my grandchildren to enjoy! This area does not deserve the abuse of a casino resort project with constant in and out traffic of people that don't care about it's quality of life .

The Koi nation needs to stay in their own Lake County area for land trust plans and development . Sonoma County has enough casinos .

Respectfully,
Claudia Abend



~~March 22, 2024~~
April 4, 2024

Sam Salmon, Windsor Town Council Member
956 Milsom Place, Windsor, Ca. 95492 email- mayorsalmon@gmail.com

2024 APR -8 AM 11:41
PACIFIC REGIONAL OFFICE
BUREAU OF INDIAN AFFAIRS

Amy Dutschke
Regional Director
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way, Sacramento, Ca. 95825

NOI Comments, Koi Nation Fee-to Trust and Casino Project

The Windsor Community knows many of the impacts Alternate A and B will have on our Town and there are yet some impacts we can only speculate on. What concerns me most is that the Casino project will be the impact to the Shiloh area, which was the subject to a September 4, 2001 Shiloh Road Village Vision Plan. I have been an elected Windsor Council Member since 1994 and know the time, effort and money allocated to this section of Shiloh Road encompassing the vision plan area which terminates at the Koi project. The Town took on the visioning project because it became apparent that this area was going to become a focal point for growth and development. The Town desired to provide a guide to the growth and development through this visioning process with the clear goal of providing a livable and vibrant residential community with walkability and sustainability in the forefront.

Over 20 years have passed since the Plan's adoption and development is currently occurring with two large multi-family apartments under construction on the north side of Shiloh totaling over 300 units combined. The Vison Plan

acknowledged a guiding principle of safe movement of traffic. Since 2001, the need to enhance pedestrian and bicycle access and safety has become imperative. Reduction of climate warming is a priority, and which means Shiloh Road must be adapted to accommodate modes of transportation in addition to the car. The Koi project Alternatives A & B will create such additional auto traffic that it will basically eliminate people's choice of walking or biking to shopping which is available in the Shiloh Center which serves all shopping needs.

The Koi's choice of a casino/hotel project in Alternative A and somewhat in Alternative B, is replica of the Graton Tribe's Casino and Hotel in Rohnert Park, just 15 miles to the south. From review, the project and the current casino are very similar in size and the uses. What is different is the access. The Koi project is not situated in an area such as the Graton Casino/Resort. While the Graton facility is adjacent to Highway 101 with Wilford Ave., a four-lane road basically serving the Graton facility, the Koi project would utilize Shiloh Road, currently two lanes, for access with Shiloh Road currently serving our industrial park, golf course and thousands of residential properties on our west side of Town. On the project or east side of the highway, Shiloh Road serves Walmart/Home Depo Shopping Center, as well as the entire southern portion of the Town of Windsor. The impacts are not comparable and the highway 101 overpass is not capable of handling the traffic generated by the Koi Project.

What the Town desires of Shiloh Road is a boulevard consisting of mixed-use development, small businesses on ground floor levels with housing, two to three stories above, parking behind the buildings, wide sidewalks and safe bike lanes along the street, two lanes, one each direction with landscaped islands for pedestrian safety and limited turning lanes and crosswalks of shorter distances for safety and efficient traffic movement. This design is specifically for the livability of the Shiloh community. The Koi Casino project, Alternates A and B, will make this vision unattainable and render those of our

future Shiloh community not having the benefits that the Town of Windsor has stood to provide, a community that its residents love.

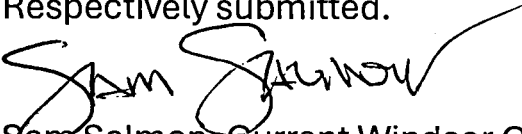
There has been concern regarding the same environmental consultant performing the EIS who submitted the EA with conclusions of no impacts that could not be mitigated. As an elected representative, I am held to a level of impartiality that includes prohibition of bias. Is it not understood that the consultant who provided the conclusions in the EA would be inclined to find that their conclusions were justified through a deeper EIS investigation? Certainly, any conclusions made in the EIS which appear to be made to justify prior determinations will be scrutinized.

Finally, the Koi's are known in their community in Lake County as involved and concerned citizens and residents. The Tribal leaders who I have met are genuine and concerned. It is the scope of their project Alternates A and B which raises the issue of the Town of Windsor's capacity to deal with their potential impacts. As I have stated at the beginning of these comments, the Town's goals are to continue building our community as a safe and welcoming place to live and to be grateful for living here. Our plans in the Shiloh Road corridor are for just that. The Koi Tribe is said to constitute 92 members. While I certainly understand the Department's goals in providing our indigenous people compensation for their terrible losses of their lands and the atrocities afflicted, it would seem a 600-million-dollar project financed by the Chickasaw Nation of Oklahoma is a too much. The burden placed upon the Town of Windsor is beyond its capacity. The 68 acres is adjacent to the Town and Town services will be used because of the project's location and the location of Town services and facilities.

Finally, there may be alternative sites or specifically an alternative site on the northwest corner of Shiloh Road and Highway 101. There are three undeveloped adjoining parcels totaling about the equal acreage of the current Koi project, two currently for sale and one taken off the market in the past year. The parcels are zoned commercial for the most part and are in our light industrial zoned area of Town. Impacts of traffic and cohesiveness of development would seem to be much more mitigatable. Almost direct

freeway access as well as complete visibility from the freeway would lead to a more successful project. This acreage is adjacent to the Town's newly created Beverage District and a project such as the Koi's could benefit the town while still retaining it's sovereignty and providing for the benefit of our indigenous people.

Respectively submitted.

A handwritten signature in black ink, appearing to read "SAM SALMON". The signature is stylized with a large, sweeping initial "S" and a checkmark-like flourish at the end.

Sam Salmon, Current Windsor Council Member and past Mayor

April 3, 2024

Amy Dutschke
Regional Director
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825

Comments: to Koi Nation Fee-to-Trust and Casino Project

Dear Ms Amy Dutschke:

Since moving here in 1989, I've witnessed Windsor's traffic challenges, particularly during events like the Ironman race. Adjustments were made, but the recent low-cost housing construction has exacerbated congestion. Traffic at Shiloh and Old Redwood, and Hembree and Shiloh intersections are common, especially the post-3 pm commuter hours. Proximity to the freeway often results in gridlock, and flooding has occasionally forced detours from our usual exits.

The prospect of a new casino intensifies my concerns. It could lead to traffic scenarios similar to those near Coddington or Costco in Santa Rosa, with potential freeway backups. Unlike retail stores like Home Depot and Walmart, a casino's traffic impact is less predictable and harder to manage. The city's roundabout plan at Old Redwood and Shiloh seems incompatible with the added casino traffic.

I'm also concerned about having casino traffic in the event of a natural disaster such as a fire. There have been multiple times we have had to evacuate and if there was a casino down the road it may make it difficult to leave. With two major casinos already in the county, a third seems unnecessary, especially near residential areas with children. Casinos should be situated away from dense housing to mitigate traffic surges from events and promotions.

As Windsor braces for more traffic from a new apartment complex, I urge reconsideration of adding another high-traffic establishment like a casino. Our community's past experiences should guide future planning to preserve Windsor as a worthwhile and comfortable place to live.

Gayle and Jim Cunningham
213 Chris Street
Windsor, CA 95492

2024 APR -3 08:11:41
PACIFIC REGIONAL OFFICE
BUREAU OF INDIAN AFFAIRS

S-I503

March 21, 2024

Amy Dutschke
Regional Director
Bureau of Indian Affairs
Pacific Region
2800 Cottage Way
Sacramento CA. 95825
email: amy.dutschke@bia.gov
Re: Koi Nation Shiloh Resort and Casino Project

Dear Ms. Dutschke,
I am a resident of Windsor CA and am strongly opposed to the to the proposed Koi Resort and Casino. I feel it would be environmentally devastating to our community.. This casino would drastically affect the towns and area's limited water supply. It would greatly affect our traffic especially on the Old Redwood Hwy which many of us seniors use to get to our doctors and hospitals in Santa Rosa. We have a large senior population that avoids driving on the Freeway and this proposed casino is right off Old Redwood Hwy. It's also proposed in a residential community. It will affect the property values, parking and noise in that residential community.

We are always being threatened with rolling power blackouts and have already been asked to limit our power use to specific times. Presumably they will be using an exorbitant amount of power for a casino etc.

With regard to water we are encouraged to tear up our lawns and conserve water use. There are restrictions for both our homes and businesses. This proposed resort and casino would require both a heavy use of power and water which are already in limited supply.

This casino would have an extreme negative impact on our daily lives in this community!

I strongly oppose this Koi Casino Resort and Casino Project!

Thank you for your considerations of my comments.

Sincerely,



cc: Chad Broussard, Environmental Protection Specialist Bureau of Indian Affairs
chad.broussard@bia.gov

cc: TribalAffairs@sonoma-county.org

2024 APR -9 AM 11:39
BUREAU OF INDIAN AFFAIRS
SACRAMENTO, CALIFORNIA

April 6, 2024

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825
RE: NOI Comments, Fee-to-Trust and Casino Project

PACIFIC REGIONAL OFFICE
BUREAU OF INDIAN AFFAIRS
2024 APR 10 PM 4:06

Dear Ms. Dutschke:

I have lived in the Town of Windsor for 28 years, approximately 3 miles from the proposed Koi Shiloh Resort project. This letter is to once again voice my extreme opposition to this project, which would destroy the quality of life and safety in our town. In addition to the quality of life concerns in this proposed residential area such as traffic and noise as well as environmental impacts, I would like to emphasize the following two serious safety concerns.

- **Wildfire Evacuation** – I have lived through the evacuations of both the Tubbs Fire and the Kincade Fire and know first-hand how dangerous this situation is. We live in an area surrounded by extreme, very high and high wildfire risk. This project would replace the vineyard, which is a natural fire break, with a casino, hotel, spa, event center that would increase the fire risk. We are aware that another wildfire in our area is when, not if, and we know the tragic consequences of inadequate evacuation routes from the Paradise Fire and the Maui Fire. Adding a project of this size to our already stressed two lane roads would very likely cause gridlock and a real potential for loss of life robbing us of our peace of mind and will cause constant fear for our safety in our own homes. The EA is faulty in the assumption that we will have adequate warning to evacuate the casino property prior to evacuating the Town of Windsor.
- **Crime** – The proposed mitigation to address this issue by staffing up the police department in response to the increased crime is not acceptable. The proposed location of the casino project is right across the street from neighborhoods with families and retired people. The knowledge that police are available to respond after a dui accident or worse occurs will not alleviate the impact and fear of these crimes in our community.

The proposed site is not in a commercial area. It is in an agricultural, residential area where families and retired live, children go to school and play in the park, wildlife live, and we all enjoy the incredible natural beauty of this area. The proposed location is absolutely **not** the right location for this project.

I wholeheartedly request that you implement **Alternative D, no action.**

Sincerely,



Bruce DeCrona
1206 Eagle Drive
Windsor, CA 95492

also, it seem that anyone who supports this doesn't live anywhere around here. I invite them to come see for themselves what a poor & inappropriate location it is.

To: chad.broussard@bia.gov

From: Mary Euphrat, euphrat@sonic.net; 6203 Lockwood Drive, Windsor, CA 95492

RE: NOI Comments, Koi Nation Fee-to-Trust & Casino Project

Dear Administrator,

I am writing to voice my strong opposition to the proposed casino from the Koi Nation off Shiloh Road in unincorporated Sonoma County adjacent to the Town of Windsor, California.

The Koi Tribe from Lake County (not Sonoma County) has purchased vineyard acreage adjacent to a series of single- family homes, parks, schools, a church, and other nearby residential neighborhoods. The proposal of a large casino complex including restaurants and a hotel will have a negative impact on our local environment adding traffic congestion, infrastructure strain, lack of emergency access especially during fires, disturbance of wildlife habitat, lack of water supply especially during drought conditions and much more.

While I understand that tribal land developments are not held to CEQA standards, the surrounding areas are. We have red tailed hawks, barn owls, foxes, coyotes, bobcats, mountain lions, deer, endangered wildflowers and salamanders and many more forms of wildlife. The building of the casino would significantly destroy their habitat and feeding grounds. The current land is a vineyard of which the wildlife can roam freely. There is also a regional park right across from the proposed development that is used by bike riders, hikers and horse back riders. The parking is already overfilled on the small street adjacent and across the street from the proposed casino.

Water is always a huge focus. During drought years our community has had to regulate use of water based on hours and days of the week. The casino leaders are proposing setting up their own wells and wastewater systems. This will affect the aquifers in the area and many of the residential homeowners that are on wells adjacent to the property. Their wells could go dry as a result of a well water system placed on the casino property.

Fire has been a huge issue since 2017. The lack of roadways to support evacuation or residential areas in a timely manner has been a major challenge taking up to 8 hours to evacuate only 15,000 people. The Kincaid Fire came down close to the proposed casino. Imagine trying to evacuate hotel and casino guests along with the residential neighbors before the fire reaches the property. We don't have the infrastructure to support this project including street structure and utilities, and first responder personnel.

Safety is a major concern. There are several elementary and two high schools within a seven mile area of the proposed casino. Human Trafficking, Drugs, and Sex crimes along with other crimes are known to increase near or at casinos, a rate of 6.7% higher than expected based on a study by Thompson, Gazel and Rickman (1996). Do you want to expose our youth to those possible crimes including underage drinking? On the northeast corner of Old Redwood Hwy and Shiloh Road there is Esposti Park. It is a local park for our youth and adult athletes to play teeball, baseball, soccer, and for families to host family parties. Many bicycle enthusiasts park their cars

in the adjacent parking lot as a start off point for their bike rides which usually last a full day as they tour the beautiful backroads. I am concerned for the safety of our town's children with a park so close to the adjacent proposed casino. This is a residential area. Not a commercial area.

Lastly, the stress that a casino brings to the mental wellness of people that are living in a quiet neighborhood must be considered. Mental health is very important and although not "environmental" in nature it is a condition that risks the well-being of an individual. This area is quiet, residential, with parks and trails and bike trails, soccer and baseball fields directly adjacent to a casino that will exude the opposite, a transient population seeking the solace of gambling, drinking, and entertainment.

For these environmental reasons I strongly oppose the development of the proposed casino. If the casino was directly adjacent to Highway 101 it would be in a more appropriate development area. The current property is again in a quiet, residential, non-commercial area and not environmentally sustainable. Thank you for your time and consideration.

Sincerely,
Mary Euphrat
6203 Lockwood Drive
Windsor, CA 95492
euphrat@sonic.net

A handwritten signature in blue ink that reads "Mary R. Euphrat". The signature is written in a cursive style with a large, sweeping "M" and "E".

2021 APR 10 PM 4:07
PACIFIC REGIONAL OFFICE
BUREAU OF INDIAN AFFAIRS

Don Ziskin
5862 Leona Court
Windsor, CA. 95492
Phone 707.292-0779
donziskinlaw@comcast.net

November 8, 2023

Amy Dutschke, Regional Director
Bureau of Indian Affairs, Pacific Regional Office
2800 Cottage Way, Room W-2820, Sacramento, CA 95825

Re: NOI Comments, Koi Nation Fee-to-Trust and Casino Project,

This correspondence includes comments and concerns for evaluation by the BIA/BLM in the Environmental Impact Statement (EIS) regarding the Koi Tribe Casino application; and the impact the Koi Casino Resort will have on the local community. I will not repeat the several topics addressed in my original letter concerning the Environmental Assessment (EA). It is my understanding they are already part of the analysis. I will address changed circumstances concerning Traffic and Circulation since last year. Before doing that I would like to make a few preliminary comments.

According to the current design for the proposed Casino Report, the driveway entrance to the casino will be 45 feet from the two closest homes; and an entire street will have bedroom windows (also 45 feet away) facing the proposed casino. To local residents watching rows of existing, healthy grape vines being ripped out and surveyors making measurements, it feels as if the casino is a foregone conclusion. This is despite unwavering opposition from residents, local, state, and federal elected officials, and numerous organizations.

The Koi have not reached out to the local community and have published false information giving the indication they have widespread support for their application. Recently they claimed the Sonoma County Fire District and Santa Rosa City Council Member and former mayor Tom Schwedholm supported the project. In fact, they did not. (see attached correspondence).

I would also like to restate my concern over the neutrality of Acorn Environmental who prepared the EA and will apparently be doing the EIS.

Acorn Environmental is a company that is, and has been, utilized by other tribes applying for Fee to Trust Applications in efforts to acquiring land for gaming purposes. Their website identifies Fee-to-Trust Applications, NEPA Compliance for Fee-to-Trust and Two-Part Determinations and Tribal-State Compact Environmental Analysis as areas of specialty. The EA previously prepared in this matter glossed over and minimally analyzed the concerns expressed in the scoping comments preceding the report. This was evident during the comments from callers at the public

forum. While not questioning their qualifications or professionalism, they are making many subjective assumptions and reaching subjective determinations. The NEPA procedure should incorporate some safeguards to verify neutral professional analysis. Acorn consistently concluded that essentially all concerns raised in the scoping questions last year were determined to be insignificant after their evaluation. Examples of their common conclusions are:

Groundwater- cumulative impacts to groundwater would be less than significant.

Carbon Monoxide Hot Spot Analysis - Cumulative impacts to CO levels resulting from Alternative A would be less than significant.

Transportation and Circulation. - Thus, mitigation would reduce cumulative impacts to a less-than-significant level.

Transportation and Circulation/ Fire/Evacuation

Since the round of scoping for the EA, there has been significant development in the immediate area. There are 3 projects approved and/or under construction between the Highway 101 Shiloh offramp and Old Redwood Highway that will result in over 500 residential units in addition to retail ground floor ventures. The EA did not incorporate the increased traffic and circulation coming from these developments; and the impact they will have in addition to the proposed Koi Casino. The area has already seen a significant increase in traffic since the preparation of the EA. During busy hours traffic on eastbound Old Redwood Highway backs up to the freeway. The additional daily trips to and from the casino will result in constant traffic congestion.

The EA study was done over two winter days and the traffic during that time of year was not representative of conditions on E. Shiloh Road. During spring and summer months the park is full of young children playing baseball/softball as well as other groups utilizing the park. Several bike riding groups meet at the park for rides on Wednesdays and on weekends. The park parking lot during the weekends is full, with overflow parking on E. Shiloh Road and Old Redwood Highway. There will also be significant increased demand for street parking for the 131 units nearly completed catty-corner to the proposed site (at the intersection Old Redwood Highway and Shiloh Road). There are an additional 300 residential/senior units plus retail space approved or under construction between Old Redwood Highway and the 101 freeway. The conclusions of the TIS concerning the impact the casino project will have on traffic circulation did not incorporate these actual conditions. The EIS should conduct a new traffic study, during spring/summer months to evaluate how the 500 plus units as well as parkgoers will impact the community.

Most importantly to residents who have been through multiple evacuations, it is concerning that the only time evacuation is mentioned is in Appendix N which calls for the Koi to coordinate with emergency evacuation and traffic experts to develop a project-specific evacuation plan. No specific plan is referenced nor is the increase in residential and retail space incorporated. The infrastructure of the area cannot sustain this increase in housing and retail and the proposed casino resort.

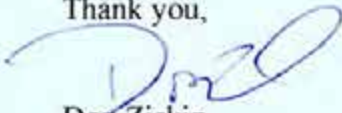
How will the addition of 500 plus residential units and commercial retail businesses on Shiloh Road impact traffic in addition to the casino traffic.

What will be the impact of the loss of available street parking from the casino project and new development to local residents and park users.

How will the traffic signals at Gridley and the Shiloh casino entrance impact residents of Oak Park?

In lieu of suggesting "an alternative project be investigated, it is critical that alternatives A, B and C be rejected and that alternative D - No Action be adopted. A, B and C all bring the same issues, albeit at different levels. It is unprecedented for a casino resort of this size to be developed in a residential neighborhood. From a precedent standpoint, allowing this project by an out of county tribe, funded by an out of state tribe, in a residential neighborhood, would be sanctioning casino development throughout the state.

Thank you,



Don Ziskin
5862 Leona Court
Windsor, CA. 95492
707.292-0779

OUR COMMUNITY MATTERS
PO Box 1421
Windsor, CA. 95492
ourcommunitymatters2@gmail.com

February 9, 2024

Amy Dutschke
Regional Director
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way, Sacramento, CA 95825

Subject: Koi Nation Shiloh Resort and Casino Project

Dear Ms. Dutschke:

The purpose of this correspondence is to correct certain misinformation being circulated by the Koi Tribe in the media concerning supporters of their application to build the Shiloh Casino. This misinformation causes confusion and alarm as our community continues to oppose this project.

In a recent newspaper article¹ the Koi listed 25 supporters, almost all of which were outside of Sonoma County and the proposed casino site. 18 of the supporters were other Tribes and Rancherias located outside of Sonoma County. The project is opposed by the Sonoma County indigenous tribes, the Sonoma County Board of Supervisors, and the Windsor Town Council. With the exception of the two former Santa Rosa Town Council members listed in the article, virtually all of our local and California government representatives oppose the Shiloh Casino project. The only local agency listed in support was, surprisingly, the Sonoma County Fire District as we had previously only heard negative comments from them in prior communications.

A group of local residents toured the fire ravaged areas surrounding the proposed casino with a Sonoma County fire captain and a representative of former senator Diane Feinstein's office in 2022. At that time the captain expressed considerable concern over the placement of such a large commercial development in a residential area that was fire prone and had already experienced fire. The chief concerns were over evacuation of local residents and casino patrons as well as access to the area by first responders. Following that meeting, Dianne Feinstein generated a letter to the Bureau of Indian Affairs opposing the project.

Being participants in the meeting with Ms. Feinstein's office and the Sonoma County Fire District, it was surprising for us to read that the Sonoma County Fire District was listed as a supporter of this project. In response to the article, we contacted the Sonoma County Fire Department and spoke with Ron Bush. He advised us that the Sonoma County Fire District is "totally neutral" with reference to the project. They did generate a "letter of intent" in an effort to

¹ <https://finance.yahoo.com/news/koi-nation-announces-support-coalition-175400472.html?>

maintain "continuity of service" ... in the event the project does go through. The letter of intent was not a letter of support! The purpose for that letter was to protect taxpayers and the community in the event the project is approved. Identifying the Sonoma County Fire District as a supporter is inaccurate, according to Mr. Bush.

The Koi tribe are currently very active in Lake County, their indigenous homeland, asserting their legal rights as an indigenous tribe. This third attempt to build a casino resort in a neighboring county will have a significant negative impact on the community as was evidenced by the public comments during the public zoom hearing on September 27, 2023, refuting the Environmental Assessment prepared by Acorn Environmental. Our Community Matters joins the others in requesting No Action on this project.

Thank you,


Our Community Matters

OUR COMMUNITY MATTERS
PO Box 1421
Windsor, CA. 95492
ourcommunitymatters2@gmail.com

February 9, 2024

Amy Dutschke
Regional Director
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way, Sacramento, CA 95825

Subject: Koi Nation Shiloh Resort and Casino Project

Dear Ms. Dutschke:

On February 9, 2023, we sent a correspondence to you clarifying information in a newspaper article concerning a list of claimed supporters of the Koi Tribe's casino application (enclosed). As mentioned in that letter there is virtually no support for this project in Sonoma county and the community surrounding the proposed project. In addition to misrepresenting the posture of the Sonoma County Fire District as supporting the casino project, the article listed Tom Schwedhelm, a former Santa Rosa police chief and later a Santa Rosa City Council member as a supporter.

Following the *Press Democrat* article, I was contacted by mutual friend of mine and Tom Schwedhelm who advised me that Mr. Schwedhelm was not contacted about the article and is not a supporter of the casino project. I thereafter spoke Mr. Schwedhelm personally concerning the article. He stated that he was asked, while a council member by a consultant to meet with the Koi Tribe concerning the project. He and another council member did meet with the Beltran brothers but did not (and does not) "support" the Casino project.

He advised the Koi to reach out to the community and discuss items such as crime mitigation funds and other issues impacting the community.

with correct certain misinformation being circulated by the Koi Tribe in the media concerning supporters of their application to build the Shiloh Casino. This misinformation causes confusion and alarm as our community continues to oppose this project.

In a recent newspaper article¹ the Koi listed 25 supporters, almost all of which were outside of Sonoma County and the proposed casino site. 18 of the supporters were other Tribes and Rancherias located outside of Sonoma County. The project is opposed by the Sonoma County

¹ <https://finance.yahoo.com/news/koi-nation-announces-support-coalition-175400472.html?>

indigenous tribes, the Sonoma County Board of Supervisors, and the Windsor Town Council. With the exception of the two former Santa Rosa Town Council members listed in the article, virtually all of our local and California government representatives oppose the Shiloh Casino project. The only local agency listed in support was, surprisingly, the Sonoma County Fire District as we had previously only heard negative comments from them in prior communications.

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Being participants in the meeting with Ms. Feinstein's office and the Sonoma County Fire District, it was surprising for us to read that the Sonoma County Fire District was listed as a supporter of this project. In response to the article, we contacted the Sonoma County Fire Department and spoke with Ron Bush. He advised us that the Sonoma County Fire District is "totally neutral" with reference to the project. They did generate a "letter of intent" in an effort to maintain "continuity of service"... in the event the project does go through. The letter of intent was not a letter of support! The purpose for that letter was to protect taxpayers and the community in the event the project is approved. Identifying the Sonoma County Fire District as a supporter is inaccurate, according to Mr. Bush.

The Koi tribe are currently very active in Lake County, their indigenous homeland, asserting their legal rights as an indigenous tribe. This third attempt to build a casino resort in a neighboring county will have a significant negative impact on the community as was evidenced by the public comments during the public zoom hearing on September 27, 2023, refuting the Environmental Assessment prepared by Acorn Environmental. Our Community Matters joins the others in requesting No Action on this project.

Thank you,


Our Community Matters

S-I507
2024 APR 10 PM 1:08
PACIFIC REGIONAL OFFICE
BUREAU OF INDIAN AFFAIRS

April 7, 2024

TO: Ms, Amy Dutschke
Region Director
Bureau of Indian Affairs -Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825

CC: chad.broussard@bia.gov

SUBJECT: NOI Comments
Koi Nation Fee-to-Trust and Casino Project

FROM: William V. McCormick, CEG
5811 Faught Road
Santa Rosa, CA 95403

Dear Ms. Dutschke:

One again I find it hard to believe that I am actually obligated to respond to such a preposterous land development proposal as this one put forward by the Koi tribe for a casino and resort at the border of the Town of Windsor, within Sonoma County. My property is bounded by Shiloh and Faught Rd, immediately east of this project. I am a local, licensed, Certified Engineering Geologist (CEG) who has spent the last 38 years evaluating the engineering and environmental feasibility of proposed development projects in Northern California, and I must say I have never seen such a ludicrous development proposal such as this one; ***a casino in a residential neighborhood is almost comedic....however, in my case it is an on-going tragedy.*** I spent 11 years opposing the fee-to-trust development on the western edge of Windsor with another tribe, only to find that even though I moved to the other side of town, I now have to defend my rights and way of life again!

From a professional perspective, I can't say that I have ever read a more flawed, incomplete and down-right unprofessional environmental document than the EA that was produced for this ludicrous development by Acorn Environmental. Clearly this firm is a paid advocate for the Koi tribe and their conduct and work product is subject to further scrutiny and professional investigation. This out-of-town firm clearly has no understanding of the local conditions and has produced this document using desktop study procedure, outdated data and no true field ground-truthing. Miraculously, all issues are deemed to be less than significant, to the public. This clearly shows that the EA was written only to the benefit of the Koi tribe and WITHOUT consideration to the surrounding neighbors or current environmental reality. This study is so flawed that it never even defines what the phrase less than significant means, and to whom. In order to accurately point out the numerous flaws of this 217-page study, it would take another 217-page letter.

The flawed nature of the EA was clearly demonstrated in letters by neighbors, Sonoma County Native American Tribes and local government officials that the BIA has found it necessary to issue a NOI and the requirement for a formal EIS for this land and project. For sanity sake, I will reiterate only a few examples that clearly demonstrate why the Fee-to-Trust should not be considered for acceptance and that the only project that is acceptable is Alternative D – No Action Alternative.

TRAFFIC

The provided traffic study is extremely flawed and incomplete. First of all, new traffic volumes will increase by up to 16,000 cars a day, within a residential neighborhood with **NO mitigations whatsoever proposed.** We cannot accept or be forced to accept such a degradation to our way of living. This amount of traffic will severely decrease the safety of our neighborhood.

In addition to this, the previously presented traffic study is completely flawed because it does not even consider traffic generated from the major intersection of Shiloh and Faught Rd; the corner I live on. Casino patrons will try to go around the traffic created on Old Redwood Highway at the main entrance, for the Faught Road/Shiloh back entry. For us who live here, we all know that Shiloh road is a part-time drag strip already....adding 16,000 cars to this will result in many injuries, death, property damage and overall degradation to our current peace and lifestyle with endless, 24-hour traffic noise. ***Let's be clear...there is NO practical or theoretical traffic solution than can reduce traffic impacts to a less than significant rating.***

WATER SUPPLY

The EA claims that daily groundwater use needs on the site will be 170,000+ gallon per day and require additional wells to be drilled. This will severely affect neighboring supply wells with typical yields of only 10 to 20 gallons per minute and will cause a drawdown effect, possibly drying up adjacent domestic wells. This will also limit firefighting efforts in this wildfire hazard zone. ***Commercial use wells by the casino project will permanently overtax existing well and groundwater supplies for all citizens that rely on well water.***

WASTEWATER

This category is especially disturbing. The previous EA estimates up to 400,000 gallons of waste per day. The proposed on-site system will include pipes under Pruitt Creek, the need for up to 16 million gallons of onsite storage and/or discharge into Pruitt Creek...which would permanently damage the existing creek environment. There will be so much excess sewage water that the EA states that up to 11 acres of offsite irrigation is possible, if they can find someone willing to take it...if not, the excess will be pumped into Pruitt Creek. ***We cannot allow Pruitt Creek to become a sewage canal.***

The proposed plans call for an on-site sewage treatment plant which will use hazardous chemicals for treatment which would be environmentally disastrous if spills were to occur.

What's most important here is that private sewage treatment plants on tribal lands are not subject to local operating guidelines, inspections or oversight. In addition, all waste biosolids would have to be continually trucked offsite to some other disposal site, presenting additional commercial traffic and potential environmental hazards for Sonoma County citizens.

****If this casino is permitted, the Town of Windsor will be bordered by TWO UNREGULATED WASTEWATER TREATMENT PLANTS.***

OTHER UNMITIGATABLE ISSUES

There are many other unmitigable issues associated with having a casino in this neighborhood. It has been proven that areas surrounding casinos experience a sharp and lasting increase in **criminal activity**. Even though my property is located somewhat in a rural setting, I have had prostitutes and drug users use my driveway and vineyard access for their business. ***Criminal activity will increase exponentially with the Casino making our neighborhood unsafe.*** The tribe erroneously assumes that Sonoma County Sheriffs and Fire will service the project.

There is no way to eliminate new **NOISE** associated with traffic access to the site from patrons and deliveries, parking for over 5,000 cars and general **24-HOUR-A-DAY** operation of the casino itself. Other forms of **POLLUTION** will be car exhaust and light pollution. ***All of these factors will permanently damage our peace and SEVERELY reduce the VALUE of our properties.***

SUMMARY

In a nutshell, this proposal to take this land into Fee-to-Trust status and permit a casino in a residential neighborhood is absolutely ludicrous and since there are numerous issues that cannot be adequately mitigated, any future environmental study will be flawed and unacceptable. Let me summarize the fatal flaws for this project:

- NO additional environmental study can adequately characterize the overwhelming negative effects to the neighborhood and Sonoma County Citizens and **WILL BE A WASTE OF TIME.**
- The tribe has not presented mitigating factors for critical issues
- There is no definition of Less than Significant and this implication for all issues clearly ignores the concerns of neighbors and Sonoma County citizens
- The proposed development is opposed by every civic organization and the overwhelmingly majority of Sonoma County citizens.
- The proposed development is opposed by existing Tribes that originate from Sonoma County
- We already have two casinos in Sonoma County, we don't need a third

What is completely omitted from the previous EA document and will most likely be omitted in future studies is the description and acknowledgment of the permanent damage to the existing residential and agricultural culture that exists in this area.

No credence is given to forever changing the lives of the current residents, which far outnumber the 90 Koi members who would be the beneficiaries of residential neighborhood destruction. ***Clearly none of the Koi would live in this neighborhood once the casino is built. I would also like to point out that NEVER has permission been granted in the past for a tribal casino more than 15 miles from their native origins nor has a casino EVER been permitted next to a residential neighborhood...***this policy should not be changed!

I have one final comment that needs to be taken into consideration by the BIA. This current process of **RESERVATION SHOPPING** at will needs to cease, and the Federal Government needs to find other more positive ways to assist tribal communities that doesn't destroy the lives of others in the process and is not based on a monopoly of casino greed. Where is it written in BIA policy that the only way for Tribes to become financially self-supporting is by granting Fee-to-Trust land specifically for casino building. Tribal rights should not be more important than all other citizens' rights. We are all **US Citizens** and one group should not be allowed to infringe upon the rights of others for selfish means, especially since the citizens that could be negatively and permanently affected have lived here for many decades.

In closing, I implore the BIA to reject any future EIS studies and considering granting Fee-to-Trust for the Koi Nation on this Parcel of land, and only consider **Alternative D- No Action Alternative**. I also strongly encourage you to guide the Koi Nation into finding fee-to-trust land opportunities outside of Sonoma County.

Respectfully submitted,



William V. McCormick, CEG

Neighborhood Resident

Public Hearing

PUBLIC MEETING
KOI NATION SHILOH RESORT AND CASINO PROJECT
September 27, 2023
6:00 p.m.

Reported by:
Brooke Silvas
CSR 10988
Job No. 1031079

1 SEPTEMBER 27, 2023; 6:00 P.M.

2

3 CHAD BROUSSARD: Okay. We're going to
4 go ahead and start the hearing. We were having
5 some audio difficulties there for a second. But I
6 think we have fixed that.

7 So good evening. The Bureau of Indian
8 Affairs welcomes you to this public hearing for
9 the proposed Koi Nation fee-to-trust and casino
10 project environmental assessment, or EA for short.
11 My name is Chad Broussard. And I'm an
12 Environmental Protection Specialist for the
13 Pacific Regional Office of the Bureau of Indian
14 Affairs, or BIA for short. The BIA is the agency
15 within the United States Department of the
16 Interior. I will be your facilitator for this
17 evening's public hearing. Here with me are the
18 representatives from Acorn Environmental, the
19 BIA's consultant. This hearing will be closed
20 captioned for the hearing-impaired. To activate
21 this feature, please click on the closed
22 captioning icon at the bottom of your screen.

23 The purpose of tonight's hearing is to
24 facilitate public review and comments on the
25 Environmental Assessment, or EA, for the proposed

1 fee-to-trust land acquisition in unincorporated
2 Sonoma County near the Town of Windsor and the
3 subsequent proposed development of a casino for
4 the federally recognized Koi Nation. If the BIA
5 approves the proposed fee-to-trust acquisition, it
6 will hold the property in trust for the Tribe,
7 allowing for the development of a gaming facility
8 on-site. However, the National Environmental
9 Policy Act, also known as NEPA, requires that the
10 BIA conduct an environmental review before
11 deciding whether or not to accept the land into
12 trust. An EA has been prepared as the first step
13 in this environmental review. We published the EA
14 on September 12, 2023. The purpose of this
15 evening's hearing is to facilitate public review
16 and comments on the EA. We will consider all
17 comments received during the public comment
18 period, which ends on October 27, 2023. After the
19 close of the comment period, we will review all
20 comments and decide whether to issue a finding of
21 No Significant Impact or initiate the
22 Preparation of an Environmental Impact Statement.

23 If you would like to make a spoken
24 comment at the hearing tonight, please use the
25 Zoom raised hand feature. To raise your hand,

1 click the hand symbol at the bottom of your screen
2 or enter star 9, if joining by phone. This will
3 place you in line to speak. We will do our best
4 to take speakers in the order that hands are
5 raised. When it is your turn to speak, I will
6 call your name and unmute your connection so you
7 can give your comment. Everyone will be given 3
8 minutes to make their remarks to ensure that
9 everyone has the opportunity to speak. A public
10 hearing is not the best forum for lengthy
11 comments, due to the constraints of time. If you
12 have a lengthy comment, we encourage you to submit
13 a written letter. Either a hard copy letter, a
14 paper letter, or you can send your comments in via
15 e-mail. All comments will receive equal weight,
16 whether spoken or written. We have a stenographer
17 here that will record your spoken comments word
18 for word, so that they can be considered fully as
19 comments on the record. With that said, please
20 restate your name for the record before giving
21 your comment and please speak as clearly as
22 possible so that the stenographer can understand
23 and accurately document your words.

24 Please understand that the purpose of
25 tonight's hearing is not to have a

1 question-and-answer session or a debate of any
2 kind. We will not respond to questions or engage
3 in debate. Instead, we are here to listen and
4 document your comments for the record. We will
5 then carefully consider your spoken and written
6 comments received by the close of the comment
7 period on October 27, 2023, and decide whether to
8 issue a Finding of No Significant Impact or
9 initiate the preparation of an Environmental
10 Impact Statement.

11 Now, we have asked our consultant, Acorn
12 Environmental, to provide you with a brief
13 presentation on the Proposed Action, its Purpose
14 And Need, the alternatives analyzed in the EA, and
15 also an overview of the NEPA process.

16 ACORN ENVIRONMENTAL: Thank you, and
17 good evening.

18 As noted, we will be going over the
19 purpose for this public hearing. In addition, we
20 will be giving an overview of the environmental
21 assessment process under the National
22 Environmental Policy Act, commonly known as NEPA,
23 the proposed action and alternatives, issues
24 analyzed in the environmental assessment, and how
25 to make public comments on the environmental

1 assessment.

2 The purpose of the hearing tonight is to
3 obtain public comments and feedback on the
4 Environmental Assessment, also known as an EA,
5 prepared for the Koi Nation Shiloh Resort and
6 Casino Project, which will be referred to as "the
7 Proposed Project" during this presentation.

8 It should be noted that public feedback
9 and input is an integral part of the NEPA Process,
10 which will be explained in detail later in the
11 presentation. However, first some background on
12 the Proposed Action and Proposed Project.

13 NEPA requires federal agencies to take
14 into account the environmental impact of federal
15 actions and resulting projects prior to their
16 implementation.

17 EAs are prepared to determine whether or
18 not a federal action has the potential to cause
19 significant environmental effects. In this case,
20 the Koi Nation of Northern California has
21 submitted an application to the BIA requesting
22 that the Department of the Interior take
23 approximately 68.6 acres, located in Sonoma
24 County, into federal trust for gaming purposes in
25 accordance with the Indian Gaming Regulatory Act.

1 This is the proposed federal action being
2 considered by the BIA.

3 If the property is taken into federal
4 trust, the Tribe proposes to build a resort
5 facility that includes a casino, hotel,
6 ballroom/meeting space, event center, spa, and
7 associated parking and infrastructure.

8 This slide illustrates the key steps in
9 the NEPA process for the Proposed Action. To
10 commence the process, a notice of preparation, or
11 NOP, was sent to interested parties, the State
12 Clearinghouse and published in the local
13 newspaper. The NOP announced the BIA's intent to
14 prepare an EA, and solicited comments from the
15 public and agencies on the scope of potential
16 issues, alternatives, and impacts to be assessed
17 in the EA.

18 When scoping was concluded, the EA was
19 prepared. Once the EA was drafted and ready for
20 public review, a notice of availability was sent
21 to interested parties in addition to being
22 published in the newspaper. The notice of
23 availability kick-started the public comment
24 process.

25 Once the public comment period ends on

1 October 27, 2023, the comments received are
2 reviewed and responses are prepared by the BIA.
3 The BIA will then consider the EA, comments
4 received, their responses, and decide on one of
5 two actions: issuance of a Finding of No
6 Significant Impact, or FONSI, signaling the end of
7 the NEPA process, or the preparation of an
8 Environmental Impact Statement, or EIS, another
9 step in the NEPA process.

10 As seen on this slide, the components of
11 the EA are organized into seven chapters. An
12 overview of the Proposed Project and the
13 alternatives to the Proposed Project will be shown
14 on the following slides.

15 This map shows the location of the
16 Project Site in unincorporated Sonoma County,
17 outside of, but adjacent to, the Town of Windsor.

18 As shown, the Project Site is located
19 southeast of the intersection of Old Redwood
20 Highway and Shiloh Road. Regional access is
21 provided by Highway 101. The Project Site is
22 currently developed with a residence and operating
23 vineyard and is bisected by Pruitt Creek. The
24 site is zoned by the County as Land Intensive
25 Agriculture and land uses in the immediate

1 surrounding area are a mixture of residential,
2 agriculture, commercial, and recreation.

3 The EA assesses three development
4 alternatives within the Project Site, including
5 the Tribe's Proposed Project, or Alternative A, a
6 reduced intensity alternative, and a non-gaming
7 alternative, as well as the No Action Alternative
8 as required by NEPA. These alternatives will be
9 described in sequential order, starting with
10 Alternative A.

11 Alternative A, the Tribe's Proposed
12 Project, includes the before mentioned transfer of
13 68.6-acres of land into trust, and subsequent
14 development by the Tribe of a three-story casino
15 with amenities in addition to ballrooms/meeting
16 space and event center, five-story hotel with pool
17 and spa area, parking garage, and surface parking
18 lots. Circulation facilities would include two
19 clear span bridges across Pruitt Creek riparian
20 area, including a pedestrian bridge and vehicular
21 bridge. Support facilities would include onsite
22 wells, a water treatment plant, and wastewater
23 treatment plant.

24 This figure shows the site plan for the
25 Proposed Project. As can be seen, the riparian

1 area along Pruitt Creek and some of the existing
2 vineyards around the perimeter of the Project Site
3 would be retained, but the onsite residence would
4 be removed.

5 This slide shows an architectural
6 rendering of Alternative A from the corner of
7 Redwood Highway and Shiloh Road.

8 This slide shows additional renderings
9 of Alternative A from the viewpoints of Shiloh
10 Road and Old Redwood Highway with retained
11 vineyard buffer areas in the foreground.

12 Alternative B would be similar to
13 Alternative A, including the size of the gaming
14 facility. However, the hotel would be smaller
15 with fewer guest rooms and the event center would
16 not be constructed. Less parking would also be
17 constructed, and the support facilities would be
18 smaller in size.

19 This figure shows the site plan for
20 Alternative B. As shown here, the development
21 components would be in similar positions as
22 Alternative A. Under this scenario, more of the
23 existing vineyard would be preserved due to the
24 lack of the surface parking lot.

25 Under the non-gaming alternative,

1 Alternative C, development would include a hotel
2 with 200 guest rooms with spa and pool area as
3 well as a restaurant, winery, and visitor's
4 center. Alternative C would not include a casino
5 element. Parking would be reduced in size, and
6 support facilities would still be similar to
7 Alternative A and B, but smaller in size.

8 This figure shows the site plan for
9 Alternative C. Under this alternative, more of the
10 vineyard would be preserved than would occur under
11 Alternative A and B.

12 With the last alternative, Alternative
13 D, the No Action Alternative, no land will be
14 taken into trust for the benefit of the Tribe and
15 no change in the current land use of the Project
16 Site would occur. The BIA would take no action
17 under this alternative.

18 Section 3 of the EA, titled Affected
19 Environment and Environmental Consequences,
20 provides an analysis of the impacts of the project
21 alternatives associated with the issue areas
22 listed on this slide, including direct, indirect,
23 and cumulative effects.

24 Within each environmental issue area
25 examined in Section 3, the EA provides a

1 description of the regulatory setting, the
2 affected environment, and the environmental
3 consequences associated with implementation of
4 each alternative to an equal level. Mitigation
5 measures necessary to reduce impacts to less than
6 significant levels are provided in Section 4.

7 The EA identified a number of Best
8 Management Practices, known as BMPs, and
9 mitigation measures to avoid or reduce the
10 potential adverse environmental effects resulting
11 from the alternatives. For the sake of brevity,
12 this presentation only summarizes key BMPs and
13 mitigation measures identified for Alternative A.
14 For a full description of the BMPs and mitigation
15 measures, please refer to Sections 2 and 4 of the
16 EA.

17 To prevent impacts associated with soil
18 erosion and water quality, the Tribe would comply
19 with the National Pollutant Discharge Elimination
20 System General Construction Permit requirements,
21 which includes the preparation of a Stormwater
22 Pollution Prevention Plan, also known as SWPPP.
23 To ensure effectiveness of the SWPPP, a sampling
24 and monitoring program would be implemented.
25 Other measures to reduce impacts to water

1 resources include the Tribe using Low Impact
2 Development measures for operational stormwater
3 conveyance, detention, and treatment, and
4 implementing a groundwater monitoring program to
5 reduce the impacts to other groundwater wells in
6 the vicinity of the Project Site.

7 Air Quality effects during construction
8 would be reduced through the implementation of
9 fugitive dust and wind erosion prevention measures
10 and other measures to reduce air pollutant and
11 greenhouse gas emissions, such as limiting
12 equipment and vehicle idling time. During
13 operation, air pollutant and greenhouse gas
14 emissions would be reduced through building to the
15 minimum Silver standard of Leadership in Energy
16 and Environmental Design, better known as LEED,
17 and minimizing the use of natural gas, providing
18 EV charging ready parking spaces, and giving
19 preferential parking to vanpools and carpools.

20 The biological resource analysis
21 identified potential impacts to habitats and
22 special-status species. These impacts would be
23 reduced through conducting pre-construction
24 surveys for potentially affected special-status
25 species and nesting birds. Habitat preservation

1 measures include avoiding riparian habitat and
2 Waters of the U.S. to the maximum extent feasible,
3 limiting ground disturbance activities near
4 wetlands during the dry season, and construction
5 personnel awareness training.

6 While there are no known Cultural
7 Resources within the project site, there is a
8 potential for buried resources. Therefore, all
9 ground disturbing activities within 150 feet of
10 Pruitt Creek would be monitored by a qualified
11 archeologist and Native American monitor. In the
12 event of an inadvertent discovery, work would stop
13 and the appropriate agency and Tribe would be
14 notified.

15 A traffic study was prepared to
16 quantitatively assess the impacts of the
17 alternatives on the surrounding road network and
18 included recommended measures to mitigate
19 identified impacts down to less-than-significant
20 levels. For Alternative A, these measures include
21 restriping, adjusting signal timing, and
22 installation of signals. While the timing for the
23 off-site roadway improvements is not within the
24 jurisdiction or control of the Tribe or BIA, the
25 Tribe shall make good faith efforts to assist with

1 implementation of the opening year mitigation
2 improvements recommended in the traffic study
3 prior to opening day. The Tribe shall make fair
4 share contributions to the cumulative 2040 traffic
5 mitigation measures. Funding shall be for design
6 standards consistent with those required for
7 similar facilities in the region.

8 Water and wastewater services would be
9 entirely onsite. Therefore, no impacts to public
10 water or wastewater services will occur. Per
11 Public Law 280, the Project Site once taken into
12 trust would fall under the criminal jurisdiction
13 of the Sonoma County Sheriff's Office after tribal
14 consent. The Tribe proposes to contract for law
15 enforcement services to the Project Site from
16 Sonoma County Sheriff's Office in order to provide
17 compensation for the services provided. A Letter
18 of Intent between the Tribe and Sonoma County Fire
19 District specifies the intention of the Tribe and
20 Sonoma County Fire District to enter into a
21 Memorandum of Understanding for the provision of
22 fire response and emergency medical services to
23 the Project Site. If a service agreement is not
24 reached with the Sonoma County Fire District or
25 other provider, then an onsite fire station would

1 be built, equipped, and staffed to reduce
2 potential fire service impacts.

3 Noise generated during construction and
4 operation could negatively affect nearby sensitive
5 receptors, and therefore mitigation measures are
6 proposed during construction and operation.
7 Construction noise reduction measures include
8 limiting construction hours, equipping mufflers,
9 and modifying certain construction activities
10 within 250 feet of sensitive receptors.

11 Operational noise would be reduced through
12 shielding HVAC systems in addition to the
13 wastewater treatment plant. To address potential
14 cumulative noise impacts due to increases in
15 traffic, the Tribe would make fair share payments
16 towards sound-reducing pavement on certain
17 segments on Shiloh Road and Old Redwood Highway,
18 or, at the request of the homeowner, pay for the
19 installation of dual pane exterior windows.

20 Measures to reduce the potential for
21 impacts associated with hazardous materials
22 include following best management practices for
23 filling and servicing construction equipment and
24 vehicles to prevent hazardous materials release or
25 fire ignition. Other measures would be

1 implemented to further reduce potential fire
2 hazard impacts. This includes adhering to National
3 Fire Protection Association standards; developing
4 an evacuation plan; performing regular testing,
5 maintenance, and inspections of on-site equipment,
6 and different forms of vegetation management, such
7 as onsite vineyard maintenance and developing a
8 riparian corridor wildfire management plan.

9 An emergency evacuation plan shall be
10 prepared to complement the County of Sonoma's
11 Emergency Evacuation Plan and will at a minimum
12 include, but not be limited to the procedures for
13 early evacuation of the Project Site unless
14 specifically directed otherwise by the lead
15 authority for evacuations, protocols for vehicles
16 evacuating the site, providing transportation for
17 visitors and employees that do not have a mode of
18 transportation on-site, and use of an emergency
19 notification system. Management and staff at the
20 casino-resort shall be trained on evacuation
21 procedures for guests and visitors as part of
22 their new hire orientation and shall receive
23 updated evacuation procedures training annually.

24 Finally, best management practices to
25 address potential effects associated with visual

1 resources include a number of measures to shield
2 and minimize lighting. This would include fully
3 or partially shielding outdoor light fixtures and
4 designing lights to be in accordance with the
5 International Dark Sky Association's Model
6 Lighting Ordinance to reduce cast light or glare
7 on the nearby creek. Other lighting features
8 include limiting pole-mounted lighting to 25 feet,
9 using LEDs with cut-off lenses and downcast
10 illumination where applicable, and not using
11 strobe lights, spotlights, or flood lights. For
12 aviation safety, marking and lighting per the
13 Federal Aviation Administration requirements would
14 be installed.

15 A hard copy version of the EA can be
16 reviewed at the Windsor Regional Library, located
17 at 9291 Old Redwood Hwy #100, Windsor, CA 95492.
18 A digital copy can be reviewed and downloaded from
19 the project website at
20 www.shilohresortenvironmental.com.

21 Written comments on the EA can be mailed
22 or hand delivered to the Bureau of Indian Affairs
23 Pacific Regional Office, whose address is shown on
24 this slide, or you can email comments to
25 chad.broussard@bia.gov.

1 When submitting written comments, please
2 include "EA Comments, Koi Nation Shiloh Resort and
3 Casino" in the email subject line or at the top of
4 a written comment letter.

5 For further information on anything
6 mentioned in the presentation today or other
7 issues, you can contact Mr. Chad Broussard with
8 the BIA Pacific Regional Office via email. This
9 slide concludes the presentation.

10 CHAD BROUSSARD: Okay. Thank you for
11 that presentation. Now we will proceed with
12 public comments. Remember that all comments will
13 be limited to three minutes. Also, please
14 remember to state your name before speaking and
15 speak as clearly as possible. Also, to best
16 participate in this hearing process, I offer the
17 following ground rules and suggestions.

18 First, summarize your main points within
19 your three-minute public speaking period. Be as
20 specific as you can and only substantive comments
21 will be considered for our NEPA process. In other
22 words, if you tell me that you do not like the
23 analysis in the EA, but give no specific
24 rationale, there will be very little to which we
25 can consider in our review. Second, avoid

1 personal attacks. We understand there may be
2 strong feelings, pro and con, regarding the
3 Proposed Project. The best opportunity to state
4 your views convincingly is through a brief factual
5 presentation. Third, this hearing is not a
6 referendum. We are not here to count the number
7 of people for or against the project. The purpose
8 of the hearing is to collect comments on the
9 adequacy or the scope of the EA only. And all
10 comments will be considered equally, no matter how
11 many times they're made. Please limit the
12 substance of your comments accordingly. If
13 someone ahead of you has made your point, there is
14 no need to repeat it.

15 Remember to unmute your microphone
16 before speaking. I will let you know if your
17 microphone appears to be muted. And then fifth,
18 we may ask you to adjust your system if audio
19 feedback noises are heard. Typically these noises
20 can be eliminated by turning down the volume on
21 the speakers of your computer. And then finally
22 offensive language or behavior will not be
23 tolerated and will result in your immediate
24 removal from the hearing and possible referral to
25 the appropriate authorities.

1 Okay. With that introduction, our first
2 speaker will be representative vice chairman of
3 the Koi Nation, Dino Beltran.

4 DINO BELTRAN: Good evening, everyone.
5 Welcome to the Bureau of Indian Affairs Public
6 Comment Hearing on the Koi Nation of Northern
7 California Shiloh Casino and Resort Project. I'm
8 the Koi Nation Vice Chairman Dino Beltran. And
9 I'm joined by Chairman Darren Beltran and Council
10 Secretary Judy Fast Horse. Our nation is
11 committed to hearing testimony on our project.
12 The Department of Interior will analyze all
13 comments on the Koi's environmental assessment and
14 will ultimately make the decision on whether the
15 EA is approved, which we believe is merited. The
16 Koi Nation believes the project is in the best
17 interest of the Pomo citizens and will also serve
18 the local community, Sonoma County, and the region
19 at large through an economic development
20 opportunity and government-to-government
21 partnerships. As a Pomo tribe with thousands of
22 years of history in the Russian River Valley, we
23 will continue to protect the environment, be a
24 good neighbor, and construct our facility in a
25 manner consistent with best practices, energy

1 conservation, presentation, and local community
2 standards. We want a resort that the community
3 can be proud of. Our nation has had a long tragic
4 history with respect to the U.S. and the
5 California governments, including forest
6 displacement, bloody massacres, and a lack of
7 resources. In this modern age, the Nation can at
8 long last foster its own self-determination,
9 cultural revival, and economic self-sufficiency,
10 laying a foundation for the next generations. We
11 have partnered on this project with the Chickasaw
12 Nation, on Oklahoma tribal nation, nationally
13 respected in the medical, business, and gaming
14 fields. As part of the federal environmental
15 process, the Koi Nation has partnered with Acorn
16 Environmental, a Sacramento-based environmental
17 consultancy firm whose principals have decades of
18 experience nationally with successfully approved
19 environmental assessments for tribal gaming
20 facilities. Over a dozen experts in the field of
21 traffic, crime, air quality, jobs, fire safety,
22 water quality, air quality have provided a
23 well-documented EA that address any and all
24 potential impacts and demonstrates that the
25 project will cause no significant impacts to the

1 environment. We believe our project can co-exist
2 in a beneficial manner, not only with the large
3 commercial shopping area just a couple
4 streetlights away with Home Depot and Walmart, but
5 also with the local neighborhood. The Koi Nation
6 is committed to transparency with our project has
7 a website with information on the nation and the
8 project. We also have a Facebook page with
9 important information. Tonight's hearing is not
10 required by federal law, but the Nation believed
11 it is important for the public to have the
12 opportunity to put its views on record. We are
13 pleased with over 17 Native-American tribal
14 governments supporting our project, as do labor,
15 like the Carpenters Union, and hundreds of local
16 citizens. While we know some of the community
17 have concerns about the project with respect to
18 traffic, safety, and fire protection, we believe
19 these items have been addressed in the EA in a
20 prudent, comprehensive, and thoughtful way. In
21 conclusion, and keeping in mind that comments are
22 limited to three minutes, I appreciate all of the
23 attendees that have joined together tonight and we
24 look forward to your comments. Thank you.

25 CHAD BROUSSARD: Thank you, Chairman.

1 The next speaker will be Greg Sarris, Chairman of
2 the Federated Indians of Graton Rancheria.

3 GREG SARRIS: Thank you, Mr. Broussard,
4 and all attending tonight. I am Greg Sarris,
5 chairman of the Federated Indians of Graton
6 Rancheria, a tribe of over 1500 enrolled citizens
7 of Coast Miwok and Southern Pomo descent. We
8 share the borderlands area of Windsor with two
9 other dry -- Southern Pomo Tribes, Dry Creek and
10 Lytton. We are opposed to this project for
11 several reasons. One, of course, is for our
12 concern for the local citizens. The fire issues
13 are huge, as you all know. And given an
14 evacuation of the casino in a fire, which has been
15 estimated at a two -- two-and-a-half-hour
16 evacuation of the casino should such a thing have
17 to happen, a delay for those other citizens trying
18 to get out. But our main concern tonight is with
19 our sovereignty, as a sovereign nation. Should
20 this project go through and this land be deemed
21 trust land for the Koi Nation, the Federated
22 Indians of Graton Rancheria and other Southern
23 Pomo tribes would lose the opportunity to protect
24 their sacred sites, burial grounds, traditional
25 plants and species that we have taken care of

1 since the beginning of time, as we like to say.
2 These things are important to us, and our tribe
3 now is currently overseeing the sacred sites,
4 burial grounds, and species of this area. We
5 don't oppose a restored tribe getting land in a
6 trust. We, in fact, were a tribe that were
7 taken -- land was restored and land taken into
8 trust, but it was in the heart of our aboriginal
9 territory, seven miles from the original
10 Rancheria. It is 49 miles from the proposed site
11 here. 49 miles from their original reservation.
12 And never, never has a Department of Interior
13 taken land into trust, restored lands, that far.
14 Never further than 15 miles from their original
15 Rancheria. It would set a terrible precedent,
16 affecting the sovereignty of many federally
17 recognized tribes, now and in the future. So
18 please understand and see this. We know from the
19 documents that we have our histories, our family
20 histories, that we are -- our language, which is
21 distinct and different from that of the Eastern
22 Pomo, of which Koi Nation speaks is very
23 different. We're different languages, cultures,
24 and so forth. Those must be respected. And we
25 must be able to protect them.

1 Finally, we ask that you give us a
2 60-day delay in responding with written comments.
3 We did -- you did not meet with us before, and the
4 document is very thick. Again, thank you for
5 hearing me out and taking the time.

6 CHAD BROUSSARD: Thank you, Chairman.
7 The next speaker will be Lauren S.

8 LAUREN S.: Hello. My name is Lauren.
9 I have a degree in econometrics from California
10 State University. And I've been in the ag
11 industry for over 15 years. I live very close to
12 the proposed site. And I know that Sonoma County
13 does not have the necessary safety infrastructure
14 to support a casino and event center with the
15 capacity of 20,000 people, especially not in the
16 fire-prone Shiloh area. Sonoma County usually has
17 only two deputies to cover the entire
18 unincorporated area of the Sonoma County. This
19 leads to average response times of up to 30
20 minutes currently. This unincorporated area runs
21 from the coast and south to Petaluma. There is
22 barely enough coverage and long wait times for
23 emergency response as is. The impact report for
24 the proposed Shiloh casino admits there will be an
25 increase in crime whenever there is an increase in

1 people. But the report falsely claims empirical
2 evidence on an increase in crime with casinos. In
3 reality, there is a plethora of empirical studies
4 published in journals shows statistically
5 significant increase in crime with casinos.
6 Casinos do not just shift crime from neighboring
7 regions, but creates crime. We estimate -- this
8 is a quote from them -- crime-related social costs
9 in casino communities at \$75 per adult per year.
10 Their study shows increases in the four to five
11 years after a casino opens, including at five
12 years a hundred assaults more per 100,000
13 population. At three years, over 16 more
14 robberies per 100,000. And at four years, six and
15 a half to ten more rapes per 100,000 people. This
16 data studied -- data and study compares their
17 findings to high volume sites such as Disney World
18 and Mall of America. I request that this proposal
19 be rejected wholesale. At the very minimum, it
20 must be paused until a truthful and realistic
21 impact report can be presented to the residents of
22 Sonoma County, including the results of the
23 evacuation rate analysis within the county. Thank
24 you.

25 CHAD BROUSSARD: Thank you for your

1 comment.

2 The next speaker will be Patricia
3 Kempton.

4 Ms. Kempton, I think you're on mute. If
5 you can unmute your microphone.

6 PATRICIA KEMPTON: My name is Patricia
7 Kempton. I live very near -- adjacent. I live on
8 Shiloh Road. I was here during the 2017 fire and
9 the other ones. My husband would not evacuate
10 when everybody else did. We stayed on our
11 property. I saw cinders up off of Shiloh Mountain
12 and the area behind us across our property and
13 some of them are probably the ones that exploded
14 and landed in Coffey Park and in Fountain Grove
15 and near the Kaiser hospital on Old Redwood Road.
16 I don't know that the developers of this property
17 have any concept of what it was like. We have a
18 two-lane road. Part of the environment would
19 be -- in order to get people out, I would assume
20 they would have to widen the roads maybe to four
21 lanes. That would mean eminent domain, taking my
22 home away from me. There's a lot of homes on my
23 street. Not a lot. But some are within 30 feet
24 of the actual street. So those homes I suppose if
25 this project goes through in the environmental

1 impact negates those people's homes and their
2 rights to live there, they would lose their homes.
3 I'm concerned we live on a well. And although I
4 depend on that well not only for the water for my
5 family and to feed -- to take care of the small
6 farm crops that we have to feed ourselves, I also
7 depend on that water, if I had to put out a fire
8 on my own property and stand my ground against a
9 fire. We've had several major fires where entire
10 blocks and blocks and blocks of people were
11 literally burned out within a matter of an hour
12 and a half to two hours. To put a huge complex
13 right in the middle of the path of everything
14 coming down off of that mountain and fill it with
15 thousands and thousands of people and expect them
16 to be able to drive out on these two narrow roads
17 or even if they were widened is -- I think it is
18 irresponsible. Also, it may mean if those people
19 were being evacuated, those of us who live here
20 may not be able to evacuate and we may perish as a
21 result. I'm concerned about the eminent domain
22 that may have to happen to take my property. I'm
23 concerned about the impact on the water. The
24 water table here in the community. I'm very
25 concerned about the fire hazard. I know I can

1 take care of my property. But if 20,000 people
2 were on the road ahead of me, I would hate to
3 think that I would burn to death just so the Koi
4 Tribe can have a casino right across the street
5 from me. I thank you for your time.

6 CHAD BROUSSARD: Thank you, Ms. Kempton,
7 for your comments.

8 The next speaker will be Curtis
9 Ferreira.

10 CURTIS FERREIRA: Hi. My name is Curt
11 Ferreira. I'm calling in support of the Koi
12 Nation's proposed resort and casino. This project
13 will be great for the construction workers and the
14 community. I strongly urge the BIA to approve
15 this project. Thank you.

16 CHAD BROUSSARD: Okay. Thank you,
17 Mr. Ferreira, for your comments.

18 The next speaker will be Francisco
19 Martinez. Mr. Martinez -- thank you.

20 FRANCISCO MARTINEZ: Hello. Good
21 evening. My name is Francisco Martinez. And I'm
22 a field rep with the Carpenters Union. And I just
23 want to say that these jobs will create maybe over
24 1500 permanent jobs once fully operational. And
25 the Koi Nation's partnership with Northern

1 California Carpenters Union is going to bring
2 hundreds of union jobs to Sonoma County, including
3 a lot of Sonoma County residents that are members
4 of the union. So -- and I just want to say this
5 too. This project's mitigation plans include
6 provisions for on-site security, a law
7 enforcement, traffic management, fire mitigations,
8 and use of readily available on-site water. Okay.
9 So I encourage you to -- to go forward with this
10 project. We are really in favor of it. Thank you
11 so much for your time.

12 CHAD BROUSSARD: Thank you,
13 Mr. Martinez, for your comments.

14 The next speaker will be Lisa Lellis.

15 Ms. Lellis, I think you might be on
16 mute. Please unmute your microphone. Lisa
17 Lellis, are you there?

18 Okay. We're going to go to the next
19 speaker. And, Ms. Lellis, if you're able to come
20 back to your computer, please raise your hand
21 again and we will call you later. So the next
22 speaker will be Albert Lustre.

23 ALBERT LUSTRE: Good evening. My name
24 is Albert Lustre with the Carpenters Union
25 organizing department. I'm calling to fully

1 support this project. This project is going to
2 bring hundreds of jobs, not just for construction
3 workers but for the community. It is going to
4 bring so much revenue. It will help the economy
5 in the Sonoma area and all around the area. And
6 it is going to help many, many new apprentices
7 from our construction background to get into a
8 construction career and build a career path. I
9 encourage you to approve the project. And then
10 let's make this happen. Thank you for your time.

11 CHAD BROUSSARD: Okay. Thank you for
12 your comment.

13 The next speaker will be William
14 McCormick.

15 WILLIAM McCORMICK: Thank you. Bill
16 McCormick. My property is bounded by Shiloh and
17 Faught Road, just east of the project. I'm a
18 licensed certified engineering geology engineer,
19 who spent the last 30 years evaluating the
20 feasibility of proposed projects in Northern
21 California. And I must say I've never seen such a
22 ludicrous development proposed such as this. A
23 casino in a residential neighborhood is almost
24 comedic. However, in my case, it is an ongoing
25 tragedy. I spent 11 years opposing the

1 fee-to-trust bill on the western side of Windsor
2 with another tribe, only to find that even though
3 I moved to the other side of town, I have to
4 defend my rights and way of life again. When we
5 talk about some of the negative impacts initial
6 period of time, the provided traffic study is
7 extremely flawed and incomplete. First of all,
8 all new traffic volumes will increase up to 16,000
9 cars a day without -- within a residential
10 neighborhood, with no mitigations whatsoever
11 proposed. We cannot be forced to accept such a
12 degradation to our way of living. The increased
13 traffic will impact the safety of our
14 neighborhood. In addition to this, the present
15 traffic study is completely flawed because it does
16 not even consider traffic generated at the
17 intersection of Shiloh and Faught Road, where I
18 live. The casino patrons will try to go around
19 the traffic on Old Redwood Highway at the main
20 entrance of Shiloh and Faught Road. For us who
21 live here, we all know that Shiloh Road is a
22 part-time drag strip already. Adding 16,000 cars
23 a day to this will result in many injuries, death,
24 and property damage.

25 The water supply. There's -- 170,000

1 gallons a day. That will drain my well that I
2 rely on to live.

3 The wastewater. This category is
4 especially disturbing. The EA -- the proposed
5 system will include pipes, the need for 16 million
6 gallons of on-site storage. The creek seems to be
7 the default in either one of their categories.
8 The proposed plan calls for on-site which will use
9 hazardous chemicals and for treatment which would
10 be environmental disastrous. Not only that, if
11 this would allow, the Town of Windsor will be
12 bounded by two unregulated wastewater treatment
13 plants.

14 In summary, this is ridiculous. I want
15 to -- I want a personal quote. I did some work
16 for another tribal member up in Lake County. And
17 this quote has always stayed with me that he told
18 me. And I quote, you White people crack me up.
19 There is only one Pomo nation, but your government
20 decided to split us into 16 separate groups. And
21 now you will have to deal with 16 different
22 casinos instead of one. We should all be treated
23 equally. And this -- we need to stop this
24 federally guided reservation shopping from
25 happening all over Sonoma County. Thank you.

1 CHAD BROUSSARD: Thank you,
2 Mr. McCormick, for your comments.

3 The next speaker will be Ronald
4 Calloway.

5 RONALD CALLOWAY: My name is Ronald
6 Calloway. I'm the recently retired superintendent
7 of the Mark West School District. The proposed
8 casino is within the school district. I highly
9 oppose the casino where it is being placed, as it
10 is within a mile radius of an elementary school,
11 San Miguel. Additionally, driving will now take
12 place not only on -- going up the road, but onto
13 Faught Road, into the casino, which will directly
14 impact the elementary school within the district.
15 I propose housing in that area so that the Mark
16 West School District can educate the children of
17 the Koi Nation. We will be proud and give them an
18 outstanding education. Thank you.

19 CHAD BROUSSARD: Thank you,
20 Mr. Calloway, for your comments.

21 The next speaker will be Matt Kelly.

22 MATT KELLY: Can you hear me?

23 CHAD BROUSSARD: Yes, I can. Thank you.

24 MATT KELLY: Okay. Good evening. My
25 name is Matt Kelly. I'm a proud union carpenter.

1 And I'm calling in support of the Koi nation of
2 the proposed Shiloh casino and resort. What we
3 see are on the projects aren't held accountable
4 for the hardworking men and women of the
5 construction industry are treated on the project.
6 This project is different. Amazing jobs for
7 thousands of people working and hundreds of
8 construction workers will come for this project.
9 But it will continue to provide careers benefiting
10 the community as a finished project exists.
11 Economic impact of this project will be felt on
12 many different levels, from ground-up construction
13 to daily operations. I believe the Koi Nation has
14 done a great job reaching out to the public about
15 this project. With all of these benefits, I
16 strongly urge the BIA to approve this project.
17 Thank you.

18 CHAD BROUSSARD: Okay. Thank you,
19 Mr. Kelly, for your comments.

20 The next speaker will be Seth Howard.

21 SETH HOWARD: Hi. Can you hear me?

22 CHAD BROUSSARD: Yes, I can. Thank you.

23 SETH HOWARD: Good evening. My name is
24 Seth Howard. I want to voice my support for this
25 project. It will create over a thousand permanent

1 jobs and many more jobs that pay well and the
2 benefits during the construction project. Many
3 people in the area depend on these types of
4 construction projects to support their family. It
5 is in our community's best interest to approve
6 this project. Thank you.

7 CHAD BROUSSARD: Okay. Thank you,
8 Mr. Howard, for your comments.

9 The next speaker will be --

10 SETH HOWARD: All done. Yep.

11 CHAD BROUSSARD: The next speaker will
12 be Josh Ratiani.

13 JOSH RATIANI: I'm Josh Ratiani, pastor
14 of the Shiloh Neighborhood Church. The casino's
15 main driveway would be built at the entrance to
16 our church. I also live on the property, so my
17 personal home would be less than 100 yards from
18 the event center. Our mailbox is on Old Redwood
19 Highway, where the casino entrance would be built.
20 On page 3-57 of the EA, special attention is given
21 to socioeconomic conditions. Shiloh Neighborhood
22 Church is an ethnically diverse church with no
23 ethnic majority. Over 10 percent are church
24 members of registered members of Native-American
25 tribes from California. We provide weekly meeting

1 space for a religious minority group of Jewish
2 Christians. And we host one of the two Unitarian
3 churches in Sonoma County. Building the driveway
4 for the casino at our entrance would increase
5 noise for all of these groups, as cars would be
6 accelerating in front of our worship spaces
7 instead at Shiloh Road. This is not considered in
8 the noise report. The headlights of thousands of
9 cars leaving the casino would shine directly onto
10 the platform of our worship building. Development
11 would disrupt the culture community of these
12 minority cultural groups. We also host a food
13 bank. Each week, over 500 people receive food at
14 our church. The traffic generated by the casino
15 would disproportionately affect these impoverished
16 people. Our church is known in Sonoma County as a
17 leading church caring for foster children. Many
18 of the families in our church are foster families.
19 In fact, the majority of the children in our
20 church have been in foster care. In addition, we
21 have hosted mentoring programs for other foster
22 children for many years, requiring strict
23 protocols of who is on our property. If the
24 casino prohibits smoking, drinking, and loitering
25 on their grounds, what is to prevent these people

1 from crossing the street and disrupting these
2 at-risk children. While the casino could mitigate
3 loitering for itself, we cannot afford a security
4 guard or ground maintenance, as it is done by
5 volunteers. Our budget for the year is under
6 \$120,000. We can barely afford to have a pastor
7 by providing on-site housing, which would become
8 undesirable. Therefore casino development
9 threatens the viability of our church's existence.
10 Lastly, our church hosts recovery groups like
11 Alcoholics Anonymous. In fact, 2016, we became
12 the site for Sonoma County's chapter of Gamblers
13 Anonymous. In 2021, when the casino was proposed,
14 I thought that choosing this site for the casino
15 location perhaps the worst location for a casino
16 in the entire county. Our church is small, but
17 has a big impact on the neighborhood and the
18 community at large. Building a casino would
19 likely remove our church from this community and
20 affect the well-being of thousands of lives we
21 benefit. Thank you.

22 CHAD BROUSSARD: Thank you, Mr. Ratiani,
23 for your comment.

24 The next speaker will be Zachary Vaden.

25 ZACHARY VADEN: Hi. My name is Zachary

1 Vaden. I'm a senior field rep from the office of
2 Senator Dianne Feinstein. The senator was asked
3 to give public comment by the county, the local
4 community, and the local tribes. She has sent a
5 letter to the department last year in opposition
6 to the development. It's surprising that we've
7 gotten this far, given that the senator doesn't
8 believe that this proposal meets the significant
9 historical connection to Stanford for a casino
10 such as this. And she has reiterated time and
11 time again her concerns for -- her main concerns
12 when it comes to California now, our fire and
13 water. And so as my former coworker Dominic
14 Faria, he went up earlier this year to meet with
15 local community members who [indiscernible] during
16 Tubbs Fire in 2017 and the Kincade Fire of 2019.
17 And looking at the environmental impact report, it
18 does not look to be where the senator -- that this
19 would be -- that there is sufficient evacuation
20 procedure in place for fire. And then the
21 increased strain on water and wastewater
22 facilities for the county would be a little bit --
23 it would just be too much. So that's what I've
24 got to offer. Thank you.

25 CHAD BROUSSARD: Okay. Thank you,

1 Mr. Vaden, for your comment.

2 The next speaker will be Matthew
3 Beeston.

4 MATTHEW BEESTON: Are we good now?

5 CHAD BROUSSARD: I can hear you now.
6 Thank you.

7 MATTHEW BEESTON: Okay. Thank you.
8 Sorry. Good evening. My name is Matthew Beeston.
9 I'm calling in support of the Koi Nation proposed
10 resort and casino. During construction, this
11 project will provide jobs and livelihood for
12 countless skilled trades people. Upon project
13 completion, this resort will provide ongoing
14 employment for well over a thousand citizens and
15 community members within the resort, as well as
16 mitigation-related employment for community-based
17 services. Furthermore, with a partnership with
18 the Chickasaw Nation, we can feel confident that
19 the project will be built responsibly with
20 sustainability in mind. Thank you.

21 CHAD BROUSSARD: Okay. Thank you, Mr.
22 Beeston, for your comment.

23 The next speaker is Giovanni Ottolini.

24 GIOVANNI OTTOLINI: Good evening. My
25 name is Giovanni Ottolini. And I'm calling to

1 voice my strong support for the Koi Nation's
2 proposed resort and casino. This project will
3 create thousands of good-paying construction jobs
4 and much needed long-term career opportunities for
5 the local community. As a carpenter, I would like
6 an opportunity to work on a project close to home
7 instead of driving an hour away to the city.
8 Approving this project will be an economical boost
9 to the Sonoma County residents. I feel the Koi
10 Nation has done a fantastic job of working with
11 the community, collaborating with members of the
12 community to address their concerns, and mitigate
13 the issues. Given all the positive economic
14 benefits of this project, I'm respectfully asking
15 that the BIA approve this project. Thank you for
16 the opportunity to speak on this.

17 CHAD BROUSSARD: Okay. Thank you for
18 your comments.

19 The next speaker will be S. Salmon. I
20 think you may be on mute.

21 SAM SALMON: Yes. Can you hear me?

22 CHAD BROUSSARD: I can hear you now.

23 SAM SALMON: Good evening. I'm Sam
24 Salmon. As a 20-year Windsor council member
25 involved in the planning of the town with my

1 entire political career based on city-centered
2 growth and the preservation of open space, I'm
3 here to provide testimony in opposition to the
4 Koi's trust application for the casino hotel
5 resort on the 68-acre Shiloh Road site identified
6 as Alternative A and Alternative B in the
7 Environmental Assessment. The current and
8 intended use for the property located within the
9 county -- within the county jurisdiction is
10 strictly agriculture. The practical use of the
11 property adjacent is community separator open
12 space and fire prevention area. And most
13 importantly, is outside of our voter-mandated
14 urban boundary. In an adverse environmental
15 impact that cannot be mitigated is the
16 conversion from intensive agriculture to intensive
17 commercial development associated with
18 Alternatives A and B. The potential for
19 catastrophic fire event. I refer you to Figure
20 3.12-2 on page 149 of your environmental
21 assessment. The map provided by -- the county
22 wildfire risk index illustrates how the property
23 is at risk for wildfire. And Alternative A and B
24 provide the catalyst for catastrophic events that
25 would affect the town and the surrounding

1 businesses and residents. Just to the east of the
2 property is the very high number 4 risk area
3 leading to the high designation number 3 for the
4 actual property. What we experienced in the
5 devastating Tubbs Fire is a funneling effect, with
6 winds up to 41 miles an hour and a fire that fell
7 more than 12 miles in the first three hours,
8 ultimately killing 22 people and destroying 5,600
9 structures. That same funneling effect can be
10 witnessed in the wildfire risk map in your EA as
11 provided. Wildfires destroy structures and
12 killing people are becoming all too common to
13 ignore the risk that Alternative A and B
14 represent. No amount of fire personnel and
15 equipment can provide fail-safe protection. We,
16 you, the county, and the town must provide
17 protection to all of our people.

18 I would ask you to offer Alternative C
19 to the Kois. It would provide -- I think it would
20 provide an economic opportunity that they deserve.
21 I believe in reparations to our native and
22 indigenous peoples. I understand that these
23 opportunities are your charge. I would ask you to
24 ask the Kois to look closely at an alternate site
25 that has just been raised, but not able to be part

1 of this application. That is the 39-acre property
2 at 895 Shiloh Road. It is in the town of Windsor.
3 And perhaps Windsor would take a close look at
4 supporting this land going into trust for a casino
5 resort as proposed in Alternatives A and B. It
6 would make a lot sense. Thank you for your time.

7 CHAD BROUSSARD: Thank you, Mr. Salmon,
8 for your comments.

9 The next speaker will be Anthony
10 Lavaysse.

11 I think you may be on mute. Unmute your
12 microphone.

13 ANTHONY LAVAYSEE: Good evening. Can
14 you hear me now?

15 CHAD BROUSSARD: Yes, I can. Thank you.

16 ANTHONY LAVAYSEE: Thank you. My name
17 is Anthony Lavaysse. And I'm a 24-year member of
18 Nor Cal Carpenters. I'm calling to urge your
19 support for the Koi Nation proposed resort and
20 casino. I believe the project will provide
21 much-needed jobs for local construction workers,
22 while stimulating the economy with minimum impact
23 to the surrounding environment. The long-term
24 benefits of this project will be a huge asset to
25 Sonoma County for years to come. So please, BIA,

1 vote yes to approve this project. Thank you for
2 letting me speak.

3 CHAD BROUSSARD: Thank you. The next
4 speaker will be Robin Goble.

5 ROBIN GOBLE: Can you hear me?

6 CHAD BROUSSARD: I can. Thank you.

7 ROBIN GOBLE: My name is Robin Goble.
8 For decades, Windsor has established urban growth
9 boundaries and community separators. We have
10 passed voter initiatives on this so that sprawl
11 does not occur. What is proposed is the worst
12 case of sprawl. It is choosing not to be in a
13 community but adjacent to it. We have already
14 lost our land use control at our western edge of
15 town to a sprawling housing project that will
16 ultimately house a hotel convention center for the
17 Lytton Nation, who, by the way, refuse to
18 cooperate with our town in the least. Now, our
19 28,000-population-sized town is supposed to
20 accommodate a large casino development on our
21 eastern border. I cry foul to that.
22 Interestingly, 40 years ago when I moved here, no
23 one wanted any part of Windsor. It was known as
24 poor man's flat. Now that we have developed a
25 community, Indian nations want to border us

1 without being us. This Koi Nation has its roots
2 more than two counties away. This is not
3 historically their land. A casino is not what a
4 family-friendly Windsor is about. Our public
5 services will be highly compromised with this
6 proposed use. Please deny its application and
7 adopt Alternative D, no action. I ask that as a
8 former two-time mayor of Windsor. Thank you.

9 CHAD BROUSSARD: Thank you for your
10 comment.

11 The next speaker will be Richard Kluck.

12 Mr. Kluck, I think your microphone may
13 be muted. If you're there, can you unmute your
14 microphone. Richard Kluck, are you there?

15 Okay. We're going to move on to the
16 next attendee. And, Richard Kluck, if you come
17 back and want to speak, raise your hand again, and
18 we will get you in.

19 Next speaker will be William Bridges.

20 WILLIAM BRIDGES: Hello. This is
21 William Bridges. And I would like to thank you
22 for taking our comments tonight. I am opposed to
23 this project. It was alluded to in a scoping
24 report. And even the leader of the Koi Nation
25 earlier tonight indicated it is located in a

1 commercial area. It is not a commercial area. It
2 is in an agriculture -- agricultural and
3 residential area. Not commercial. Especially
4 when you look at 5,000 parking spaces being
5 proposed. Over 5,000. I think it would be better
6 if this project were in a commercial area. And
7 what I really am disturbed about, in looking
8 through the scoping report on page 13, that
9 alternative was rejected out of hand or rejected
10 from full analysis. I don't quite understand
11 that. No real reason was given. No data to
12 support that conclusion. So I would certainly
13 support this project if it were in a true
14 commercial area, such as Sam Salmon indicated
15 earlier tonight.

16 Also, the impacts on our water supply.
17 We've been in a drought for many years. And that
18 is going to continue. The wildfire evacuation
19 concerns people have voiced. And then the level
20 of traffic. Again, with a 5,000-parking-space
21 facility, that's going to generate a huge amount
22 of traffic. So for these reasons, I'm very
23 opposed to this project. It's just the wrong
24 project in the wrong place. So I would like to
25 thank you for taking our comments tonight.

1 CHAD BROUSSARD: Okay. Thank you,
2 Mr. Bridges, for your comment.

3 The next commenter will be Jesse
4 Peralez.

5 JESSE PERALEZ: Good evening, BIA. My
6 name is Jesse Peralez. And I strongly ask that
7 you approve this proposed casino and resort for
8 the Koi Nation. Not only will this provide a lot
9 of careers for our community, but also a lot of
10 construction jobs. I am a union carpenter. I
11 would love to be working on this project. So
12 please approve this project. I'm in strong
13 support. Thank you.

14 CHAD BROUSSARD: Okay. Thank you,
15 Mr. Peralez, for your comment.

16 The next speaker will be Jerry
17 Santarpia.

18 JERRY SANTARPIA: Hello. Can you hear
19 me?

20 CHAD BROUSSARD: Yes, we can. Thank
21 you.

22 JERRY SANTARPIA: Very good. My name is
23 Jerry. And I'm calling in support of the Koi
24 Nation proposed resort and casino. Not only will
25 it create thousands of good-paying construction

1 jobs, but great careers for thousands of local
2 people in the community. And it will be an
3 amazing economic boost to Sonoma County and all
4 surrounding businesses. And especially to the
5 mall down the block. I mean, hopefully -- I'm
6 hoping -- it will be great to see it built. I
7 urge the BIA to approve this project. Thank you.

8 CHAD BROUSSARD: Thank you for your
9 comment.

10 The next speaker will be SRT Singer.

11 I think you may be on mute. Please
12 unmute your microphone.

13 Okay. We're going to move to the next
14 attendee. If you would like to speak later, just
15 please raise your hand again, and we will put you
16 in the queue to speak.

17 The next speaker will be Beatrice
18 Mirelez.

19 BEATRICE MIRELEZ: Good evening. My
20 name is Beatrice. I'm in full support of the Koi
21 Nation proposed resort and casino. This will not
22 only create amazing jobs for thousands of
23 construction workers in apprenticeship programs,
24 but it will continue to provide careers for our
25 local community for years to come. This project

1 will bring an economic boost to Sonoma County. I
2 believe the Koi Nation has done a great job
3 reaching out to the public about this project.
4 With all of these benefits, I strongly urge the
5 BIA to approve this project. Thank you.

6 CHAD BROUSSARD: Thank you, Ms. Mirelez,
7 for your comments.

8 The next speaker will be Sidnee Cox.

9 SIDNEE COX: My name is Sidnee Cox. I
10 live on Leona Court, very close to the proposed
11 construction of the casino. First of all, I find
12 it really interesting that most of the callers
13 that are opposed -- for this project are
14 construction workers or wanting construction jobs,
15 which, of course, will be all over once it is
16 done. So then we have to live with the
17 consequences. And the other thing is that they're
18 talking about a thousand employees working at
19 this. Well, you know, there are other places
20 where employees can work. So I just want to say
21 that that's very interesting. This has nothing to
22 do with the environment or the environmental
23 impacts. It just has to do with construction jobs
24 and a thousand employees.

25 And the other thing is twice we have

1 been evacuated in the last few years. It was
2 very, very hard getting out of our neighborhood.
3 And that's without the new huge complex of
4 apartments that have been built right down the
5 street from us. And my fear is that we're going
6 to be incinerated in our cars when we're trying to
7 evacuate. Just like what happened in Maui. I
8 mean, that just happened, what, a month ago.
9 You're going to create an extremely dangerous
10 situation for all neighbors nearby. As well as
11 the workers and the patrons of the casino project.
12 The mitigation measures that were outlined, I want
13 to understand how these mitigation measures are
14 going to be policed. Who is going to make sure
15 that all of these mitigation methods will occur?
16 Even in the best-case scenario. This is
17 definitely the wrong place. This is definitely
18 the wrong place for this kind of project. 16,000
19 cars a day. I mean, you know, our -- it's so
20 mind-boggling that this is even being considered.
21 It's like I can't hardly believe it. Anyway, this
22 talks about the environment. This is an
23 environmental impact report. Not about
24 construction jobs or employees. This is about our
25 environment and what is going to happen and what

1 kind of danger we're all going to be in if this
2 casino goes through. Thank you.

3 CHAD BROUSSARD: Thank you, Ms. Cox, for
4 your comments.

5 The next speaker will be Chris Wright.

6 CHRIS WRIGHT: Hi. Can you hear me?

7 CHAD BROUSSARD: Yes, we can. Thank
8 you.

9 CHRIS WRIGHT: Thank you. My name is
10 Chris Wright. I'm the chairman for Dry Creek
11 Rancheria Band of Pomo Indians. We're an
12 aboriginal tribe, native to the lands in Sonoma
13 County. We do not come from another place. We
14 have always been here. I want to say that I
15 support everything that Greg Sarris, Chairman of
16 Graton, has already said in this meeting. But
17 what I really -- this is pretty simple. I see a
18 lot of people who are opposing it. And some that
19 are for it. And really I think someone just said
20 the people that are for it is the union. They're
21 looking for jobs. This has nothing to do with the
22 unions or the jobs. This has to do with right and
23 wrong. The BIA knows it. Everybody knows it.
24 You know, I think all tribes in Sonoma County
25 would support Koi in getting land in a trust where

1 they're from, which is Lake County. We all know
2 Lake County is where they're from. There is no
3 dispute on that. Everybody can prove it. But,
4 you know, I think that trying to come into Sonoma
5 County and say that that is their land is for I
6 think for the tribes is wrong. Tribe Rancheria
7 has fought for 20 years with the County and the
8 State to get to where today. And for a tribe who
9 is from Lake County to come in and say that is
10 their aboriginal land is insulting and should not
11 happen. And so I urge the BIA to turn this
12 application down. And we as Tribe Rancheria, we
13 do not support Koi coming into Sonoma County. We
14 support them going into Lake County, but not here.
15 And I want to thank you for giving me the
16 opportunity to speak tonight. Thank you very
17 much.

18 CHAD BROUSSARD: Thank you, Chairman
19 Wright, for your comments.

20 The next speaker will be Nick Ratiani.

21 NICK RATIANI: Hi. My name is Rick
22 Ratiani. I am retired pastor of Shiloh
23 Neighborhood Church. You heard earlier from our
24 current pastor, my son. I live in the Wikiup
25 area. And I attend the church. It is right

1 across Old Redwood Highway from the proposed
2 casino. For 22 years as a pastor, I would drive
3 often on Faught Road from where I live in Wikiup
4 over to the church because it was a beautiful
5 narrow, windy, bumpy road. I'm terrified about
6 what will happen with all of the increase of
7 traffic on that narrow road. It is the back way,
8 as people have mentioned already. It is the way
9 that people would take as a shortcut. They will
10 zoom right past San Miguel School either on the
11 way to the casino or worse after they've been
12 drinking, after they have been losing money,
13 whatever, on the way out. But I'm also concerned
14 about how that will impact our church, Shiloh
15 Neighborhood Church. That isn't mentioned in the
16 environmental assessment. The church sign is
17 right across Old Redwood Highway from the proposed
18 main entrance for the casino. It shows one wide
19 entrance with a stoplight, yes. But we have two
20 driveways, north and south of our sign. How is
21 that intersection going to work? Who is going to
22 pay for those changes? This isn't addressed in
23 this assessment. The security of our church will
24 be at risk because as people leave the casino,
25 however they're feeling, they're going to be

1 facing right into our church, as was mentioned
2 earlier. We're going to need to put up gates.
3 Who is going to pay for that? We took them down
4 years ago because we thought they were
5 unwelcoming. But who is going to take care of
6 those kinds of things? Who is going to help us
7 with fencing to protect the folks on our property?
8 We partner with the Redwood Empire Food Bank.
9 Today we fed 542 individuals as they drove through
10 to pick up their food. As hungry people drive
11 onto the property to receive the food, they
12 frequently cause traffic slowdowns on Old Redwood
13 Highway. I as a volunteer now am in charge of the
14 parking, the traffic control. I see this. They
15 exit right where the proposed main entrance for
16 the casino will be. None of this is addressed in
17 this thing.

18 I've heard a lot about the job creation.
19 That's great. But the reality is restaurants and
20 other service industries are having a hard time
21 hiring people. We don't need more jobs. We need
22 more houses. And there are many things not
23 addressed in this report. So for these and many
24 other reasons, a casino is wrong for this area.
25 It is wrong for the Shiloh neighborhood. It is

1 wrong for the Wikiup neighborhood. It will
2 drastically impact my church, the Shiloh
3 Neighborhood Church, in many negative ways. So I
4 do hope you will deny its application. Thank you.

5 CHAD BROUSSARD: Thank you, Mr. Ratiani,
6 for your comment.

7 The next speaker will be Chris Lamela.

8 CHRIS LAMELA: Can you hear me now?

9 CHAD BROUSSARD: I can.

10 CHRIS LAMELA: Wonderful. Thank you. I
11 know this has been raised before. Let me
12 reiterate, if I can. Most people in support of
13 this are carpenters and construction folks who
14 support this only for short-term jobs. The EA
15 speaks to this. The construction may last, what,
16 three years. After that, the jobs will be gone.
17 There's no reason to believe that a few jobs for a
18 short time is worth a terrible, terrible disaster
19 that this development will bring to our community.
20 Please, we request that you deny this application.
21 Thank you for your time.

22 CHAD BROUSSARD: Thank you for your
23 comment.

24 The next speaker will be Bill Bolster.

25 CHRIS LAMELA: How did I do?

1 BILL BOLSTER: Can you hear me?

2 CHAD BROUSSARD: I can. Thank you.

3 BILL BOLSTER: Okay. My name is Bill
4 Bolster. I live on Faught Road. I have lived
5 here for 46 years. When we moved here, there were
6 trains at night. And soon there will be trains
7 again. That -- different kinds of trains now.
8 The smart train. Long-time residents. Two wells
9 on seven acres. Never had any problems with the
10 wells. Great water. The last five years, the
11 water has gone down. One well is basically dry.
12 And we're limping by on the second. The casino
13 will increase water usage by pumping water from
14 the water table. They should not be allowed to --
15 if this project goes through, they should not be
16 allowed to do that. They should have to get water
17 from the County of Sonoma or the City of Windsor
18 and pay for it and not pump down the water table.
19 It's crazy. We can't use the water table to
20 support developments of this size.

21 The second big thing if this goes
22 through -- and I -- I don't know why it couldn't
23 be at the location that Sam Salmon proposed. Near
24 the freeway.

25 Traffic. How the heck are you going to

1 get people in and out of this with Shiloh narrow?
2 Who is going to pay for widening Shiloh? Who is
3 going to pay for widening Old Redwood Highway?
4 For those two reasons, it should be denied or
5 changed. You can't just walk in and -- and build
6 a big huge thing like this and forget about the
7 impact. And people brought up the fire stuff. My
8 place virtually burned down during the Kincade
9 Fire. So I lived that. You know, it's -- it's
10 wrong. This impact report doesn't cover any of
11 that. Those are my comments.

12 CHAD BROUSSARD: Thank you, Mr. Bolster,
13 for your comments.

14 The next speaker will be Bob Janes.

15 BOB JANES: Bob Janes. I live on Leona
16 Court in the Oak Creek -- Oak Park subdivision,
17 just to the north of the proposed development.
18 And I have gone through the EA twice. It is a
19 very complicated, convoluted,
20 difficult-to-understand document that, frankly, I
21 think is an embarrassing document. But at any
22 rate, each of the potential impacts addressed in
23 that EA -- noise, traffic, pollution, crime, fire
24 safety -- both pre- and post-construction, are
25 deemed to have less than significant impacts on

1 the environment and on the people surrounding it.
2 My wife and I have lived in our home on Leona
3 Court for 34 years. We have raised our family
4 here. Common sense tells me that living through
5 this type of construction, immediately outside of
6 our subdivision, both preconstruction and
7 post-construction, would be anything other than
8 less than significant. So common sense, in my
9 view, has to prevail here.

10 Secondly, the obvious fire safety issues
11 of the proposed casino have already been raised
12 here. So I will not understand that. Very
13 important issue. But it is a big concern to all
14 of us who live in that area. I'm opposed to the
15 project. And I encourage the BIA to do the right
16 thing and deny it. Thank you very much.

17 CHAD BROUSSARD: Thank you, Mr. Janes,
18 for your comment.

19 The next speaker will be someone who has
20 called in. So I don't have a name. Last four of
21 the phone number is 0154. Are you there? 0154
22 call-in.

23 CLAUDIA ABEND: Can you hear me?

24 CHAD BROUSSARD: Yes, I can. Thank you.
25 I can't hear you now. Are you still speaking?

1 CLAUDIA ABEND: What about now?

2 CHAD BROUSSARD: Yes.

3 CLAUDIA ABEND: I guess I wasn't pushing
4 the right button.

5 I'm Claudia. And my husband and I, we
6 raised our kids here. We've been here for 37-plus
7 years. And started out seeing across the street
8 area is an old prune orchard. And then it went
9 into -- they mowed down all of the oaks and made
10 it a vineyard with Kendall-Jackson. So this is --
11 we kind of get used to this as a -- an agriculture
12 green area buffer. And it really did help us out
13 for the fire. This -- we were here for both
14 fires. It was a bottleneck. Definitely with what
15 we got took more than two hours for people to go
16 down the street and get out of here, out of this
17 area. This is a disaster to come into our
18 neighborhood. A disaster waiting to happen, for
19 us and others.

20 Construction jobs, I agree. These
21 people are just looking at temporary. I mean,
22 look at Lahaina. Just like the other gal said.
23 It was a funnel. We don't have an ocean to
24 retreat to. We have Highway 101. And it would
25 burn us clear to there. You know, this is just

1 ridiculous. And to think that not even the school
2 residents around is considered in the impact
3 report is just disastrous too. We have kids
4 that -- in these neighborhoods that are
5 surrounding this proposed project. They ride
6 buses and they walk to school. And the traffic
7 for that, I don't care how wide you put the road,
8 this is dangerous. And you know that people will
9 come from this resort drunk driving and in
10 crime -- and crime -- and cause crime around this
11 area. It is just -- it is just out there.

12 And then the water. Wells drying.
13 We're on a well, too. We live behind the Mark
14 West Neighborhood Church. And I'm totally afraid
15 of that. That our well would dry up after being
16 sunk by this casino, all because they want to
17 build a resort for 400 people to stay. And the --
18 and the construction workers can work. I mean,
19 that is just all temporary. We even got a new
20 development across the street on Shiloh and one
21 that is being developed close to Walmart. That is
22 going to increase the traffic to get out of here
23 terribly. This is not included in the impact
24 report. And that creek that divides the property,
25 that is not a buffer for a riparian area or

1 wildlife. That is not a buffer. That casino is
2 too, too close for any wildlife to reside there.
3 It is just going to ruin the area for that. Leave
4 it as a vineyard.

5 CHAD BROUSSARD: Thank you. Your time
6 is up. Can I ask you to finish up your comments
7 please.

8 CLAUDIA ABEND: Opposed definitely. And
9 not only that, going to the creek with extra water
10 on a higher rain year is going to flood us out.
11 It has happened before. And this is a high flood
12 plane area. Very high.

13 CHAD BROUSSARD: Thank you for your
14 comment. Can I ask you to -- if you're still
15 there, to restate your name for the record.

16 CLAUDIA ABEND: I'm Claudia Abend.

17 CHAD BROUSSARD: Okay. Thank you very
18 much for your comment.

19 The next speaker will be Lynda Williams.

20 LYNDA WILLIAMS: Thank you, Mr. Chad
21 Broussard. My name is Lynda Williams. And I'm
22 here to speak about the environmental assessment
23 as a neighbor whose home is less than 40 feet from
24 this Proposed Project. And I'm not alone. There
25 are many, many homes in my situation. Let me tell

1 you how this is going to affect me and all of my
2 neighbors. Reading through this environmental
3 assessment, it repeatedly states impact less than
4 significant. Significant is never defined. So
5 let me just define it for a bit. Widening Shiloh
6 to four lanes and installing signals eight feet
7 from residential homes is significant. Increasing
8 traffic by 95 percent is significant. Using a
9 minimum of 295,000 gallons of brown water per day
10 is very significant to folks here whose wells have
11 already run dry. Listening to all of the
12 equipment to process sewer, recycle water, run
13 air-conditioning, and continuous traffic noise and
14 pollution while inside your home day and night is
15 significant. Socioeconomic conditions are
16 significant when the value of our homes is
17 degraded because this project was built literally
18 on top of us. And this is not offset by
19 economics. We already cannot fill job vacancies
20 in Windsor. All due respect to the Carpenters
21 Union, construction jobs are temporary.

22 But finally, and most importantly, let
23 me address the most important issue, which is
24 evacuation. The next time a wildfire roars
25 through this area -- not if, but when -- I will be

1 unable to evacuate due to the additional 15,000
2 cars per day, according to your own assessment.
3 When the Tubbs Fire and the Kincade Fire came
4 through here and embers were falling on our homes
5 and cars and on the roads as we tried to get to
6 Highway 101, we were gridlocked for hours. As we
7 know from both fires, as well as other fires like
8 the Camp Fire and most recently Maui, if we can't
9 evacuate, we will die in our homes. We will die
10 trapped in our cars. There is no roadway
11 mitigation for this threat. All roads lead to
12 101. It took 60 years to get a third lane added
13 to 101. And it is still gridlock. The Tubbs Fire
14 jumped 101 to the south of this, closing 101. The
15 Kincade Fire jumped 101 to the north of here,
16 closing 101. And now we're told that
17 24-hour-a-day, 7-days-a-week casino will be built.
18 I have to put this on the public record. When the
19 next fire roars through, people will die.
20 Possibly even your casino customers. And you were
21 warned today. And did nothing to prevent it. You
22 still have the power to prevent this tragedy. Do
23 not approve this project. This is the wrong
24 location for this project for any large-scale
25 enterprise. There is no mitigation.

1 CHAD BROUSSARD: Thank you,
2 Ms. Williams.

3 LYNDA WILLIAMS: The evacuation route --
4 I'm almost done. Because there is nowhere to go
5 from here. Thank you, Mr. Broussard.

6 CHAD BROUSSARD: Okay. Thank you.
7 Next speaker will be Betsy Mallace.

8 BETSY MALLACE: Hi. My name is Betsy.
9 While I support the Koi Tribe's need for
10 self-determination, this parcel is the wrong
11 location. I'm, therefore, requesting the BIA find
12 significant unmitigable environmental impacts to
13 A, B, and C projects listed. I request that they
14 approve Alternative D. And if not, further extend
15 the NEPA and continue an Environmental Impact
16 Statement. This is the wrong location as it is in
17 a residential neighborhood. This is the wrong
18 location for any commercial business, especially a
19 casino. This is the wrong location due to the
20 adjacency to the church and parks and schools.
21 These are all unmitigable situations. This is the
22 wrong location due to the parcel being a working
23 vineyard which has served during the last two
24 wildfires as a natural fire break. If that fire
25 break is gone, as people have said, people will

1 die. This is the wrong location due to two sides
2 of the project being accessible by only a narrow
3 tiny two-lane road. One side is the bigger
4 two-lane road. And on the portside, there is no
5 accessibility. This is the wrong location due to
6 no way to mitigate the additional emergency
7 evacuation it is going to cause. It is currently
8 not significant. More will make it deadly.

9 The description on the document, the EA
10 is not accurate and it is not based on the last
11 two actual current -- last two wildfires. This is
12 the wrong location due to no significant
13 mitigation for the current creek and the wildlife
14 that already exist on this property. This is the
15 wrong location due to no historical or ancestral
16 significance to the property. This is further
17 confirmed by the current litigation by the Koi
18 Tribe where they're litigating against their
19 historical remains being disturbed. This is the
20 wrong location due to the very name of the tribe
21 of Koi, which is indigenous to Lake County -- to
22 Clear Lake in Lake County. Please do not approve
23 any of these listed projects on this application
24 as their impacts are significant -- are
25 significant and cannot be mitigated. This is the

1 wrong location for any commercial business,
2 especially a casino. Please find a way to support
3 the Koi Tribe on their ancestral land in Lake
4 County. And I am requesting a 60 -- an additional
5 60-day extension for public comments for this
6 project. Thank you for your time.

7 CHAD BROUSSARD: Thank you, Ms. Mallace,
8 for your comment.

9 The next speaker will be Michael Adler.
10 Next speaker will be Michael Adler.

11 CAROLYN ADLER: Can you hear me?

12 CHAD BROUSSARD: Yes.

13 CAROLYN ADLER: Hello.

14 CHAD BROUSSARD: Yes, I can hear you.
15 Thank you.

16 CAROLYN ADLER: All right. Fine. I'm
17 speaking for Michael Adler. I'm his wife. My
18 name is Carolyn. And the reason that I wanted to
19 say something is that I live in this area. I know
20 what the traffic impacts are going to be. And so
21 far I agree with everyone who is questioning the
22 standards that were set to determine that there
23 would be no significant impact in particular on
24 traffic in the case of a fire. My husband and I
25 barely got out alive in the last fire, the Tubbs

1 Fire. And we know what it feels like to have the
2 fire breathing down your neck, literally, as
3 you're in your car, trying to get away from it,
4 and imagining that you're going to burn inside of
5 your car. We moved to Windsor after this time,
6 hopefully to be away from the fire potential. We
7 did not rebuild on our lot. We sold it because we
8 didn't want to be anywhere near fire potential. I
9 would like to know what it is that stands for the
10 standards that say there is going to be no
11 significant impact in the case of a fire
12 emergency. I don't know what standards they were
13 looking at. I just have to believe that they're
14 just fantasy. There's no way to believe that
15 there's not going to be a significant impact in
16 the case of fire trying to get out of here.
17 Traffic is one of the issues. The other issue is
18 where does the fire come from? It creates a
19 tunnel right in this area. We don't have any
20 buffers if the casino is built. So my point is, I
21 think that the assessment is just plain wrong.

22 CHAD BROUSSARD: Does that conclude your
23 comments?

24 CAROLYN ADLER: Yes.

25 CHAD BROUSSARD: Okay. Thank you very

1 much for your comments.

2 The next speaker will be Christie
3 Wilfey. I apologize if I butchered your name. It
4 probably won't be the last time. Christie, I
5 think you may be on mute.

6 CHRISTIE WILFEY: Hi. Good evening.
7 Thank you. My name is Christie Wilfey. I
8 appreciate the opportunity to comment tonight. I
9 want to call in support of this project,
10 particularly in respect to the jobs. There are
11 going to be hundreds of good union construction
12 jobs, as this project is constructed for Sonoma
13 County, but also 1500 permanent jobs once it's
14 operational, as well as ongoing economic support
15 for the county. So I'm supporting this project.
16 Thank you.

17 CHAD BROUSSARD: Okay. Thank you for
18 your comment.

19 The next speaker will be
20 Oswaldo Ocegueda de Horta.

21 Oswaldo, you may have your speaker on --
22 or your microphone on mute. We can't hear you.
23 Oswaldo, are you there?

24 Okay. We're going to move on to the
25 next attendee. If you come back and want to

1 speak, raise your hand, please.

2 Next speaker will be Lilian Fonseca.

3 LILIAN FONSECA: Hi. My name is Lilian
4 Fonseca. And I have lived in Windsor since 1990.
5 I raised my family here. I'm a retired educator.
6 And I love my community. I could go on and say --
7 repeat all the things that other people said, but
8 I just want to approach it from a different way.
9 I'm adamantly opposed to this project. Adamantly.
10 My support would be for D, for don't build a
11 casino in Windsor, please. As a grandmother, one
12 of the only ways we could get my grandson to go to
13 sleep sometimes is take a drive. Guess what road
14 we drive? Yeah, we drive down that very exact
15 road by -- down Shiloh, back around Faught, and
16 around. That's the only place that we could get
17 him to go to sleep because there are no bright
18 lights. The stars are out. The moon is
19 beautiful. And it is peaceful and calming. That
20 would be something that we would lose. That makes
21 my heart break. That makes my heart break. I
22 also would like to support the statements that
23 Greg Sarris made. I fully agree with him. I know
24 that that EPA report, I read it over three times
25 totally. And it was very vague, very hard to

1 decipher. The sentences just kept going around
2 and around. And it just never really made
3 complete sense to me. I question it. And it also
4 upsets me because a lot of regular people, normal
5 people, don't have access to computers and don't
6 have access to Zoom. They don't know how to go
7 through a lengthy report like that. And they
8 don't have a voice then. So that concerns me. I
9 think that you should have some town halls or
10 something if you want to hear from the community.
11 But just to reiterate, our community will be
12 impacted. No matter what the studies stated. It
13 will be impacted. It is inevitable. And it just
14 devastates me. It really gets me deeply, deeply.
15 Because I just retired from teaching for 30 years.
16 37 years. And now I have to worry that my
17 community is going to be changed into something
18 that I never dreamed it would come to. Please
19 don't build a casino by my house. There's -- it
20 is just not the right location. It is a beautiful
21 agricultural spot. Wildlife is there. The hills
22 are there. And I was trapped on the road when I
23 was trying to evacuate. So I know what it feels
24 like for hours. So thank you. And I will be
25 continuing to send my comments. Thank you.

1 CHAD BROUSSARD: Okay. Thank you,
2 Ms. Fonseca, for your comments.

3 The next speaker will be Hank Shreeder.

4 HANK SHREEDER: Hi. Can you hear me?

5 CHAD BROUSSARD: Yes, I can. Thank you.

6 HANK SHREEDER: My name is Hank
7 Shreeder. I'm a retired Sonoma County chief of
8 police and a resident located near the
9 construction of the casino. For this particular
10 issue, I want to focus on some of the
11 environmental and then we will talk about some of
12 the other. One, Alternative A and B, the
13 stormwater alone on creating flooding in the area
14 and these kinds of things, displaced water from
15 parking lots, things like that will end up in
16 Pruitt Creek. The loss of the open space and the
17 increase in those hazards are also a problem. The
18 other problem is the impact on Pruitt Creek
19 itself. Alternative A and B don't really take
20 into account Pruitt Creek and the aspect that it
21 actually provides flood prevention and/or wildlife
22 habitat for the area. The other thing is
23 wastewater on-site. As a homeowner in the area
24 and a well owner, I am very concerned about this
25 issue because our wells are shallow, at best, less

1 than a hundred feet. And wastewater production at
2 that magnitude for Alternative A and B is
3 substantial and could impact our wells and our
4 personal lifestyle as residents in the area. Even
5 though monitoring is talked about, it doesn't talk
6 about what happens if you monitor and you actually
7 produce pollutants in those wells that you have
8 never seen before after it.

9 And finally, traffic impact -- not
10 finally, but traffic impact is also a problem. We
11 live on two-lane roads in this area. I've been
12 evacuated twice for fires in this area and seen
13 fires on Shiloh Park between my house and where
14 this casino proposal is supposed to be built. The
15 challenges have not been considered. Also, the
16 current developments that Windsor has already
17 approved in the area which will impact traffic and
18 fire evacuation.

19 As far as labor goes, they're not
20 talking about the environment. They're talking
21 about temporary jobs. And honestly, it doesn't
22 talk about -- labor doesn't talk about noise
23 concerns, trucks, and traffic on the roadway.
24 Finally, from my experience as a former chief of
25 the police, gaming does have an impact on the

1 community. The churches and schools in the area
2 are impacted. Crime does increase based on money.
3 And this is based on moneys that the casinos pay
4 to police departments to mitigate those issues.
5 They do it everywhere. DUI, prostitution, drugs,
6 and traffic accidents will have an impact on our
7 community. Thank you for my comments.

8 CHAD BROUSSARD: Thank you,
9 Mr. Shreeder, for your comments.

10 The next speaker will be Joan Chance.

11 Joan Chance, I think you might have your
12 microphone on mute. Joan Chance. Are you there?

13 Okay. We're going to move on to the
14 next speaker. Joan, if you would like to speak
15 later, please raise your hand again.

16 The next speaker will be Eric Chazankin.

17 ERIC CHAZANKIN: Yep. I'm here. Can
18 you hear me?

19 CHAD BROUSSARD: I can.

20 ERIC CHAZANKIN: My name is Eric
21 Chazankin. So my family owns a house in Shiloh
22 Estates, where my mom now lives. And then I have
23 a house in Windsor, on the other side of the
24 freeway off of Shiloh Road. I am tasked with
25 taking care of her. She is 81 years old with

1 Alzheimer's, moderate dementia, and takes a lot of
2 taking care of. I make multiple trips every day
3 back and forth on Shiloh Road, right past where
4 the casino will be. We're talking per this report
5 473 trips an hour on that road. 7.8 trips per
6 minute. There is no way that the amount of
7 mitigation that is set forth in this report could
8 possibly allow proper access back and forth for
9 the kind of access that I need to do and the kind
10 of access that many people need to do. Not only
11 for day-to-day, but in an emergency. I was there
12 when these fires started. I was there for the
13 Tubbs fire. That house up in Shiloh had to be
14 evacuated multiple times. My mom was not capable
15 of getting out on her own. I had to go up there,
16 up that road, past where the casino goes, get her,
17 and take her back down the road. How would that
18 have been possible with the casino development
19 there? The answer is a lot of people would have
20 died in that situation that did not die. So I
21 want to make this very personal. When my father
22 passed on 2018, he made me promise that I would
23 take care of my mom. She is the widow of a Marine
24 Corps veteran. I can't fulfill that promise to my
25 father if you build this casino here. I don't

1 know how you get much more personal than that.

2 I would also like to point out that the
3 water use portion of the report is flawed and
4 based on the analysis of water use historically
5 from 1999 to present. So it fails to take into
6 account the fires, the droughts, the extreme
7 problems with water drawdown and the water tables
8 in wells that have happened during that time.
9 Instead, it simply uses a historical average,
10 which is not a proper reflection of the actual
11 rainfall and water availability in this community
12 in the present day on the ground.

13 There is no way that the 5,000 parking
14 capacity that the event center, all of the other
15 construction could be stated as not government
16 action and possibly stated to have no significant
17 impact, as stated -- as alleged in this EIA, which
18 seems to be a piece of advocacy rather than a
19 truly impartial study. So an EIS is required
20 prior to further action. Thank you for listening
21 to all of us. I appreciate your attention.

22 CHAD BROUSSARD: Yes. Thank you,
23 Mr. Chazankin, for your comment.

24 The next speaker will be Nina Cote.

25 NINA COTE: Hi. This is Nina Cote.

1 Building a casino resort this close to a
2 residential neighborhood can't be mitigated. I
3 feel the proposed mitigations fall severely short.
4 There has been no casinos built this closely to an
5 existing residential neighborhood in California,
6 as stated in the report. All of the report
7 examples were very different situations. One
8 entrance is directly across from one of our only
9 entrance exits into our neighborhood. I have
10 evacuated twice during wildfires. And there are
11 no realistic mitigations for wildfire evacuation.
12 I've been on the road with fire in front of and
13 beside my car wondering if my family would
14 survive. Adding even the low estimate of cars
15 will be pure gridlock, and my family will not even
16 be able to exit the neighborhood. Having parking
17 attendants directing traffic as a mitigation is
18 laughable. The new housing developments along
19 Shiloh are already adding hundreds, if not
20 thousands, of additional cars on our already
21 congested roads. The impact of adding the
22 thousands of daily vehicles that the casino would
23 bring is unacceptable. The cycle of day and night
24 is important for the natural rhythms of all living
25 things. The light, noise 24/7 means disruption to

1 wildlife and humans. And we will no longer be
2 able to enjoy the stars at night or have a quiet
3 sleep environment. The information on water usage
4 used in the report is from 2011 and before that
5 time. That's before we experienced severe
6 long-term droughts and rationing. We have been
7 rationing water for years due to droughts. The
8 proposed drilling into our water table for the
9 extreme amount of water usage for the casino will
10 put unexpected strain on our water system.

11 Our local businesses have been closing
12 because they do not have enough staff. So the
13 arguments that the casino will provide many jobs
14 falls a bit short when we have local businesses
15 that are closing. I do find it interesting that
16 the sole proponents for this casino location are
17 people that will be financially benefiting. There
18 has been no collaboration with the community by
19 the Koi, except for communicating and
20 collaborating with people that they can
21 financially compensate in the future.

22 I'm also concerned that I didn't see
23 anything about schools or churches included or our
24 wildlife in the report. The report seemed to
25 focus only on endangered species, but not all of

1 the wildlife that our habitats at that location
2 and the location close to our neighborhood.

3 CHAD BROUSSARD: Thank you, Ms. Cote,
4 you're out of time.

5 NINA COTE: I appreciate your time.
6 Thank you.

7 CHAD BROUSSARD: Thank you very much for
8 your comment.

9 Okay. Our next speaker will be Rosa
10 Reynoza.

11 ROSA REYNOZA: Hello. Thank you for
12 this opportunity to speak. My name is Rosa
13 Reynoza, the current elected mayor of Windsor.
14 And I want to start by saying that I do understand
15 the intentions that the Koi tender. And they're
16 good intentions and they want to provide for their
17 tribal members. However, this location for the
18 project is just not the right one, as others have
19 mentioned. Some of my greatest concerns is the
20 proximity of this project to the residential
21 community. And then the roads and
22 infrastructures, it is going to take a lot. It is
23 going to take a lot to build those roads to
24 support that kind of traffic. That will not be
25 something easy to take on. And there's definitely

1 other unmitigable impacts. I do want to share
2 that the council is currently looking at the EA,
3 the staff. And they're going to prepare an
4 official comment. And we will bring it to the
5 town council on October 18th to share with the
6 residents and also get more feedback from the
7 residents on that date.

8 But I also want to share with you that
9 back on April 20th of 2022, the Town of Windsor
10 adopted a resolution that supported the resolution
11 by the Board of Supervisors on April 5th, 2022,
12 opposing the establishment of the casino by the
13 Koi Nation within the county. We also continue to
14 stand and support the Sonoma County Board of
15 Supervisors and the federally recognized Sonoma
16 County tribes who all agree this is not the proper
17 place for this project. Thank you for your time.

18 CHAD BROUSSARD: Thank you, Mayor
19 Reynoza, for your comments.

20 The next speaker will be Noah Starr.

21 NOAH STARR: Good evening,
22 Mr. Broussard. And thank you for your time. I'm
23 here to support the project. Specifically for its
24 potential to create and spur meaningful economic
25 development across the entire North Bay region,

1 bringing hundreds of good union construction jobs
2 to Sonoma County during construction, and over
3 1500 permanent jobs once the project is fully
4 operational. I also want to salute the tribe for
5 its predevelopment agreement with the Chickasaw
6 Nation of Oklahoma. This agreement is going to
7 ensure that the casino is going to be managed and
8 operated by a world-class gaming expert with a
9 proven track record of success. Thank you for
10 your time.

11 CHAD BROUSSARD: Thank you, Mr. Starr,
12 for your comment.

13 The next speaker will be Sean Boyd.

14 SEAN BOYD: Good evening. This is Sean
15 Boyd. And I represent the Chickasaw Nation and
16 have been working on this project with the Koi
17 Nation since we met the Koi Nation over 18 months
18 ago. In our work with tribes across the country
19 and in the state of Oklahoma, we have a deep
20 dedication to both the Indian Gaming Regulatory
21 Act and the support of tribal sovereignty. We
22 have worked with jurisdiction after jurisdiction
23 to support the federal standards placed on tribes
24 so that they may exercise their tribal standards
25 and their tribal sovereignty. We found in the Koi

1 Nation a deep commitment to this project and a
2 deep commitment to this federal process. We are
3 in support of the EA that is before the BIA today.
4 And we are dedicated to see this process through
5 the fee-to-trust process, as we have for the past
6 20 years with over 25 gaming establishments in
7 multiple jurisdictions. We thank you for your
8 time. We thank you for your commitment to the
9 process. We do understand the community concerns.
10 We work with communities all across our
11 jurisdictions and we believe that a rising tide
12 truly does lift all ships. We're thankful for the
13 opportunity to work through these concerns. And
14 we believe the Koi Nation is fully committed to
15 working with the community through their concerns
16 upon successful completion of a fee-to-trust
17 process. There will be great time for the Koi
18 Nation and the Chickasaw Nation and our subsidiary
19 entity, Global Gaming Solutions, to solve and work
20 through these challenges, the concerns that have
21 been voiced today and an ongoing manner. We have
22 faced those before. And we have a deep regard to
23 listen and work with the community. From an
24 environmental standpoint, we believe deeply in
25 this project and the work before the BIA today.

1 And we thank you for your commitment to this
2 project.

3 CHAD BROUSSARD: Thank you, Mr. Boyd,
4 for your comment.

5 The next speaker will be Jeanne Powell.

6 JEANNE POWELL: Hi, Chad. This is
7 Jeanne Powell.

8 CHAD BROUSSARD: Jeanne, thank you.

9 JEANNE POWELL: Hi. I am a very
10 fortunate Windsor resident for over 35 years. I
11 own two properties here at -- in Windsor. One
12 home that my son and his wife and two
13 granddaughters live in, which is right next to the
14 proposed project. I'm greatly concerned about the
15 possibility of a casino coming to Windsor and
16 would like to share those concerns. Research has
17 shown that casinos lead to a number of social
18 ills, including increased substance abuse, mental
19 illness, suicide, violent crime -- crime, auto
20 theft, larceny, and bankruptcy. The last three
21 all increase by 10 percent in communities that
22 allowed gambling. Casinos aren't even considered
23 a particularly good source of tax -- tax revenue.
24 Studies have shown that Indian casinos cannibalize
25 business at nearby restaurants and bars. And

1 doing so actually reduce state tax revenue.
2 Lastly, as an RN who has worked at Providence
3 Santa Rosa Memorial Hospital for over 27 years and
4 has seen the repercussions of violent crime,
5 mental illness, and substance abuse, please do not
6 build a casino in this location. Thank you.

7 CHAD BROUSSARD: Thank you, Ms. Powell,
8 for your comments.

9 Our next speaker will be Cameron
10 Barfield.

11 CAMERON BARFIELD: Hi, Mr. Broussard.
12 Can you hear me?

13 CHAD BROUSSARD: Yes. I can hear you.

14 CAMERON BARFIELD: My name is Cameron
15 Barfield. And I'm opposed to the Shiloh recent --
16 Shiloh casino -- casino project. I would like to
17 address the issues regarding Alternatives A, B,
18 and C. I live on Matilda Drive, which is a street
19 that abuts the proposed casino. In fact, if
20 Alternatives A, B, or C are approved, from my
21 front yard, I would be looking down the street,
22 directly at a five-story hotel where there will be
23 lots of light and noise from drunk, drugged, and
24 disorderly people that come and leave via cars,
25 motorcycles, and loud buses at all hours of the

1 night and day. We spent our lives earning enough
2 money to be able to afford the house we live in in
3 the setting we believe would stay the same because
4 it was a vineyard in the county agricultural
5 preservation program. To be able to move here, we
6 did not have the benefit of a Bureau of Indian
7 Affairs giving us a free hand to destroy a
8 community around us so we can enrich ourselves or
9 the wealthy Oklahoma Indian corporation that backs
10 us. If A, B, or C are approved, it would
11 personally cost us a lot due to loss of property
12 value, moving costs, and increased property taxes
13 to move so we can have a home where we can sleep
14 at night in quiet and beauty and safety. It would
15 also cost us our network of friends and neighbors
16 that we have created over the years by being part
17 of the Oak Park neighborhood, which is right
18 across the street from the casino. At our age of
19 68 and 81, we need all of the friends that we can
20 get.

21 My safety -- main safety concerns have
22 to do with the congestion on Shiloh Road that will
23 be created, especially during a fire. And there
24 will be more fires like the Tubbs Fire of 2017,
25 where we needed to evacuate fast and could not

1 because of the congestion on Shiloh Road at that
2 time. Since the Tubbs Fire, there has been lots
3 of development along Shiloh Road. A 300-unit
4 apartment complex is currently being under
5 construction at the corner of East Shiloh Road and
6 Old Redwood Highway. More development is underway
7 already right next to Home Depot, further adding
8 to the construction on Shiloh Road. Your EA
9 suggestions do not adequately address the fact
10 that the roads are not adequate enough to evacuate
11 the people who already live here, much less are
12 going to be living here on Shiloh Road.

13 CHAD BROUSSARD: Thank you, sir.

14 CAMERON BARFIELD: No amount of --

15 CHAD BROUSSARD: Your time is up.

16 Please wrap up your comments. Okay. Thank you,
17 Mr. Barfield. I appreciate your comment.

18 Our next speaker will be Riley Ahern.

19 RILEY AHERN: Good evening, everyone.

20 My name is Riley Ahern. And I'm Congressman Jared
21 Huffman's Sonoma County field representative. I'm
22 here on behalf of the congressman who wanted me to
23 share with you that Congressman Huffman continues
24 to oppose the proposed casino as noted in
25 correspondence with Representative Mike Thompson

1 to BIA in April of 2022. Thank you.

2 CHAD BROUSSARD: Okay. Thank you for
3 your comments.

4 The next speaker will be Kristi Selby.

5 KRISTI SELBY: Hi. Can you hear me?

6 CHAD BROUSSARD: Yes, I can. Thank you.

7 KRISTI SELBY: Perfect. I'm writing
8 on -- or I'm calling in on behalf of myself and my
9 family. We live in the neighborhood adjacent to
10 the proposed site. I'm also a nurse at the
11 hospital two miles away. And, you know, I feel
12 like there's several issues. One being the park
13 that this proposed casino is wanting to be right
14 next to. My kids go there to play. They play
15 softball. They play baseball at that park. It
16 would greatly damage the ability to do that
17 safely. I think that every person who has called
18 in to want this proposal to go through, with all
19 due respect to the Koi Nation, to the Tribe in
20 Oklahoma, they weren't here in 2017 and they
21 weren't here in 2019 when it took hours for us to
22 leave our homes. And we almost lost our home.
23 The fire came right up to our backyard. We almost
24 lost our home. We almost lost everything. I
25 don't -- my kids' safety and my kids' lives come

1 before any economic growth or jobs the casino
2 might bring. Not to mention that the hospital is
3 already impacted highly. We are at capacity
4 almost 100 percent of the time. We can't house
5 the sick people and residents. To add 20,000 more
6 people to that, being the closest hospital to the
7 proposed casino, would greatly impact that area as
8 well. Not to mention, you know, I think we have
9 all talked about the traffic and the fact that,
10 you know, our kids -- our kids ride their bikes.
11 We ride our bikes all over. We walk. The
12 elementary schools that are within one mile in
13 Windsor and Mark West, this is just a bad idea.
14 I've never heard of a casino going in the middle
15 and being surrounded by residential neighborhoods.
16 I grew up in the Wikiup area. And now I'm raising
17 my family in the Windsor area. You know, my
18 husband is a member of the Pomo tribe. I want the
19 Koi Nation to have their casino. I don't want
20 them to have it next door to my home. And we
21 don't want them to have it when we're already
22 struggling. It is not if another fire happens,
23 but when. They are impacting the survival for
24 thousands of people. And there is no mitigation
25 for that. And I think the EA is joke. And I

1 think that a third party who has no connections to
2 the Koi Nation really needs to have another
3 environmental study. And that's it.

4 CHAD BROUSSARD: Thank you, Ms. Selby,
5 for your comments.

6 The next speaker will be Monicqua Brown.
7 Monicqua Brown, are you there? I think
8 you might be on mute.

9 Okay. We're going to go to the next
10 speaker. If you would like to speak later, please
11 raise your hand.

12 The next speaker will be Kevin Maxemin.
13 Kevin, I think you might be on mute.

14 KEVIN MAXEMIN: Can you hear me?

15 CHAD BROUSSARD: I can. Thank you.

16 KEVIN MAXEMIN: Okay. My name is Kevin
17 Maxemin. I'm a homeowner in Sonoma County. I'm
18 in strong support of this project for the Koi
19 Nation proposed casino and resort. It will not
20 only create amazing jobs for thousands of
21 construction works, but provide careers for local
22 community for years to come. It will bring an
23 incredible economic boost for Sonoma County. I
24 believe the Koi Nation has done a great job
25 reaching out to the public about the project.

1 With all of the benefits, I strongly urge BIA to
2 approve this project. That's my time. Thank you
3 very much, sir.

4 CHAD BROUSSARD: Okay. Thank you,
5 Mr. Maxemin, for your comments.

6 The next speaker will be Tiffany Wolvek.

7 OGDEN STINSON: Hi. I'm Ogden Stinson.
8 And I'm the son of Tiffany Wolvek. Can you hear
9 me?

10 CHAD BROUSSARD: I can. Thank you.

11 OGDEN STINSON: And I go -- and I go San
12 Miguel, which is part of the Mark West District.
13 And I'm -- I'm in fifth grade. And I walk to
14 school. And I'm worried that I could be -- I
15 could be unsafe if like there's a bunch of cars
16 coming in. And like right next to where I'm
17 walking. And I feel that -- and I feel that it
18 could be unsafe for me and my fellow classmates to
19 be walking where there are 16,000 cars coming and
20 going each day. And also the environmental
21 impacts. Like -- I mean like the -- like
22 you're -- it's like the -- like 400,000 gallons of
23 semi-treated wastewater going into Pruitt Creek
24 each day. I mean, imagine the effect that could
25 have. It flows into Mark West Creek, which flows

1 into the Russian River. Imagine -- and I swim in
2 the Russian River all the time. So that's all I
3 wanted to say. And thank you for your time.

4 CHAD BROUSSARD: Thank you very much for
5 your comment.

6 Our next speaker will be Mary Ann
7 Bainbridge-Krause.

8 MARY ANN BAINBRIDGE-KRAUSE: Hi. Can
9 you hear me?

10 CHAD BROUSSARD: Yes, I can. Thank you.

11 MARY ANN BAINBRIDGE-KRAUSE: Thank you
12 for taking my call. I had to wait quite a while.
13 First of all, I want to address something that I
14 noticed. One other person also mentioned this.
15 And that is all of the union members calling in
16 about the great union jobs that this is going to
17 create. It is pretty obvious that they are
18 reading from a script, that they were contacted by
19 their union and told to, hey, you know, call in
20 tonight in favor of this project. I want to thank
21 the office of Dianne Feinstein, senator; Sam
22 Salmon, town council member; Robin Goble,
23 ex-council member of Windsor and ex-mayor; Rosa
24 Reynoza, the current mayor of Windsor; the board
25 of supervisors; Jared Huffman, all of them calling

1 in tonight or representatives calling in tonight
2 against this project. This is the wrong project
3 in the wrong location. They are a tribe from Lake
4 County. They need to build their facility in Lake
5 County. I support everything that Lynda Williams
6 and Betsy Mallace stated tonight. I am a 30-year
7 member resident of Windsor. I love my town. I
8 don't want to see it destroyed by a casino and a
9 hotel and a parking garage and all of the cars in
10 the environment and everything that goes along
11 with that. Thank you for taking my time. And I
12 hope the BIA listens to the residents and the
13 governments represented here tonight of Windsor.
14 Thank you.

15 CHAD BROUSSARD: Thank you,
16 Ms. Bainbridge-Krause, for your comment.

17 Our next speaker will be Carlos
18 Resendez.

19 CARLOS RESENDEZ: Thank you,
20 Mr. Broussard, for allowing me to speak tonight.
21 My first thought concerning the project is the
22 third time shouldn't be the charm. The Koi Tribe
23 has asked for land in Merritt Island and Oakland
24 for a casino. So what makes Windsor special?
25 This proposed project site is not well thought out

1 or well planned. There are only two lanes into
2 this area. No matter which way you drive. The
3 amount of construction traffic that is going to
4 come through and all of the semis and 18-wheelers
5 and the wide loads are going to detriment these
6 whole entire infrastructure. In addition, that
7 large wildlife park right across the way sees
8 wildlife going into the adjacent area, across the
9 proposed state. There is no mitigation for the
10 wildlife staying in their own area. This will
11 increase road kill along the roads leading into
12 the casino. The project site itself leads into
13 the Russian River watershed. Every winter, this
14 is evident as the entire area ends up under water
15 by over six inches. Paving this area and reducing
16 bare ground absorption will greatly impact those
17 properties and homes directly across from Old
18 Redwood Highway.

19 As far as the community, the Koi Nation
20 has failed to live up to their own statements of
21 being a collaborative partner. They have
22 [indiscernible] local community groups with the
23 proposal, but immediately leave and will not allow
24 for any questions or concerns to be raised by
25 those who will be impacted by this project. Thank

1 you for your time.

2 CHAD BROUSSARD: Thank you for your
3 comment.

4 Our next speaker will be Martin
5 McCormick.

6 MARTIN McCORMICK: Can you hear me?

7 CHAD BROUSSARD: I can. Thank you.

8 MARTIN McCORMICK: Great. Great. Thank
9 you, Chad. And, Chad, I hope that you will come
10 and spend some time with us here in this
11 community. You've got to see how beautiful this
12 land is. I raised ten children at the end of
13 Gridley Drive. I have 14 grandchildren who are
14 here within our area. Shiloh is a beautiful
15 place. There's an aura about it. I get up at
16 5:30 in the morning. There's the chickens,
17 there's the hawks, and all of that will be gone if
18 this casino is built. This is a place for
19 children. Like I said, I've raised ten kids here,
20 14 grandkids. They all congregate here. They
21 come to Esposti Park. We walk along Shiloh. And
22 I have to tell you that there's an aura about this
23 place. It is a spiritual place. I mean that.
24 Okay. And I have raised these kids. And I have
25 been here for almost 35 years. And now it could

1 end. This is the wrong place. I'm a realtor.

2 I'm a former president of the Savings and Loan.

3 And as far as the construction guys are
4 concerned, guys, this can be built someplace else.

5 Not here. Okay. I'm big with jobs. I'm big with
6 building. But it is not the right place. Okay.

7 All right. This is a community of beautiful

8 people. We have a lot of elderly. And I'm going

9 to tell you something, there is something

10 special -- special spiritual about Shiloh and

11 Faught Road. And it is not the place for a

12 casino, a winery, or a hotel.

13 And so, Chad, I hope you just come and

14 see it. There's something special here. And so

15 I'm not opposed to them building someplace else.

16 This is not the right place. This is family. You

17 know, this is nature. This is spiritual. I have

18 to say, again, 35 years. I want you to please

19 take the time, come and meet us here. We would

20 love to tell you why this place is special. This

21 should not be a casino. I'm advocating for all of

22 us. Please do not approve any of this. Thank

23 you, Chad.

24 CHAD BROUSSARD: Thank you,

25 Mr. McCormick, for your comment.

1 Our next speaker will be Jessica Sutton.

2 JESSICA SUTTON: Hello.

3 CHAD BROUSSARD: Yes. I can hear you.

4 JESSICA SUTTON: Okay. Great. Thank
5 you for your time. I was interested to hear the
6 comment from Mr. Beltrain or Beltran in the
7 beginning of the sequence tonight where he said
8 the company they hired to do the BIA was well
9 known and very successful in helping Indians
10 create casinos. Okay. That was interesting to
11 hear. What I would say is the BIA study as it
12 stands has a serious lack of depth. There is
13 no -- there are no metrics. There's no analysis.
14 As someone who has been a teacher and a professor
15 in college for years, I was reading it. And I
16 was -- I was actually chagrined and mollified.
17 What is this? There is nothing against to --
18 there is nothing to substantiate any of this. The
19 best that I can say is that I would hope that the
20 BIA would go back and take their job seriously,
21 and look at the water, fire, and traffic problems.
22 Their analysis was thin and shallow, at best.
23 Plus, we already have a lack of affordable
24 housing, which we are trying to make up here in
25 Sonoma County, especially in Windsor. When I hear

1 these gentlemen who are in the construction
2 business, I -- of course, everyone needs a job and
3 we want to support growing families. But I'm so
4 curious, in a small district in Sonoma County
5 where there is no housing and we're already
6 underhoused for the vineyard workers that bring in
7 a lot of the money for -- where are these houses
8 going to come -- going to appear for these new
9 workers that are -- first, the construction
10 workers, and then the 1500 workers they say are
11 actually going to work in this casino? There's
12 just no people to hire now. I would like to ask
13 that the BIA either redo their study or go to
14 NEPA. There is no metrics. There's no solid
15 basis. And I actually want the best for the Koi
16 Nation. And I feel as though someone has put on
17 rose-colored glasses for them as a reservation
18 shock. This is their third try. And I expect
19 that they're being chaperoned or helped by the
20 Chickasaw Nation. And I'm sorry because I want
21 them to succeed. But someone has led them down
22 the false path. There is no way that we can have
23 anything in this area of the county without true,
24 true devastation, whether it be water, lack of
25 water in water -- water tables, fire, or housing.

1 And I wish the Koi Nation the best. But this is
2 not the place for their casino. I'm done. Thank
3 you, sir.

4 CHAD BROUSSARD: Thank you, Ms. Sutton,
5 for your comments.

6 Our next speaker will be Heidi Jacquin.

7 HEIDI JACQUIN: Hi. Am I on?

8 CHAD BROUSSARD: Yes. I can hear you.

9 HEIDI JACQUIN: Okay. Thank you. So I
10 have to agree with everyone who is opposing this
11 project. I think what surprised me the most about
12 the EA was how thin it was. It looked like
13 something I could type up in about an hour and a
14 half. It didn't seem to contemplate any of the
15 issues that we have that everyone has talked
16 about. From water wells to fire. You know, we
17 live in an extreme fire danger area. And I don't
18 know if anyone has really contemplated that, if
19 you don't live here and you haven't lived through
20 it. I lost my home in the Tubbs Fire on a nearby
21 hill called Redwood Hill. I now live up in Shiloh
22 Estates. And if you weren't moved by water,
23 traffic, schools, churches, everything else,
24 wildlife, the creek, maybe you would be moved by
25 death and people burning to death in their homes,

1 burning to death in their cars. Because two-lane
2 roads are not going to evacuate the amount of
3 people that would need to get out of the casino.
4 And as someone who is behind the casino, where do
5 I fit in to get my family out? I think the
6 residents, we have all lived here a long time.
7 And it is really scary to think that we could be
8 trapped in because you have all of those people
9 filling up the casino to play games and hang out
10 here. It's very devastating to think about. The
11 other thing that I read in the EA that made me
12 laugh out loud was the concept that you were going
13 to hire people during a fire evacuation. The
14 employees were going to stand there and usher
15 people out of your parking lot. And, you know,
16 let people go one at a time and mitigate traffic.
17 And after living through the Tubbs Fire, that --
18 nobody was standing -- the only people standing
19 and mitigating traffic were the police. Your
20 employees -- I don't know they're going to make an
21 hour. \$15, \$22, whatever it is. If fire is
22 roaring down or on their back, they're not going
23 to mitigate traffic. They're going to run for the
24 hills and find their own car. It is not well
25 thought out. It is very scary. And I can't think

1 of anyone who lives in this area that wants this
2 project. As for jobs, there's so many jobs
3 available. I'm sorry. But drive half an hour to
4 a different job. I love for people to be able to
5 work. I love economic activity. But this is just
6 the wrong place and the wrong time. And the last
7 thing I'll say, when we first -- when my husband
8 and I first heard about this, I said, it will
9 never happen. It's an agricultural zone. It is
10 low-density housing. It's neighborhoods. There's
11 parks. There's schools. There's churches. It
12 will never happen. This is never coming here.
13 And I'm really surprised we have gotten this far.

14 CHAD BROUSSARD: Thank you for your
15 comment. Your time is up.

16 HEIDI JACQUIN: Thank you.

17 CHAD BROUSSARD: Thank you.

18 Our next speaker will be Lori Thomas.

19 LORI LAIWA THOMAS: Hello?

20 CHAD BROUSSARD: Yes. I can hear you.

21 LORI LAIWA THOMAS: My name is Lori
22 Laiwa Thomas. And I'm an enrolled citizen of the
23 Hopland Band of Pomo Indians, just down the road
24 here. I live here in Santa Rosa. Typically I
25 support tribal economic development projects, but

1 I cannot support this one. All tribal nations
2 have ancestral territories and boundaries. And
3 Koi does not belong in Sonoma County. Bottom
4 line. They do not belong here. They belong in
5 Lake County, where my husband is from. He is from
6 Elem. It is disrespectful to the five Sonoma
7 County tribes -- Cloverdale, Dry Creek, Kashia,
8 Lytton, and Graton -- to even think about bringing
9 economic development here into another tribe's
10 turf. You just do not do it. Please do not
11 approve this land and trust proposal. I just
12 think it is the wrong thing to do. Thank you.

13 CHAD BROUSSARD: Thank you for your
14 comment.

15 Our next speaker will be Ross Yana.

16 YANA ROSS: Hi there. My name is Yana
17 Ross. And I'm an enrolled citizen of the
18 Federated Indians of Graton Rancheria. I am Coast
19 Miwok, Southern Pomo, and Mishewal-Wappo. I
20 believe and respect tribal sovereignty and
21 economic development for all Indian Nations when
22 they are within traditional aboriginal homeland of
23 their own. Every tribal nation is indigenous to
24 someplace in this country. That is a natural
25 fact. And while Indian people live with a legacy

1 of profound injustice and unfairness, two wrongs
2 don't make a right. And the Koi Nation belong to
3 Lake County, not Sonoma County. Please listen to
4 and respect the unanimous opposition to the Koi's
5 attempted encroachment from all Sonoma County
6 tribal nations. My own, Federated Indians of
7 Graton Rancheria, Kashia Pomo, Lytton Pomo, Dry
8 Creek Pomo, Cloverdale Pomo, and Mishewal-Wappo.
9 The Koi are indigenous to Lake County and they
10 have no jurisdiction and no entitlement to
11 overstep these traditional and lawful boundaries.
12 We are just recovering from a critical fire
13 response and multi-year drought. We have untold
14 increased development in Sonoma County and we have
15 enough casino resorts. This project is not smart,
16 not ethical, or not sustainable. I implore the
17 BIA to decline this egregious assertion from the
18 Koi Nation and join all Sonoma County tribal
19 nations that oppose this proposal. Thank you for
20 considering and for this public forum. Good
21 night.

22 CHAD BROUSSARD: Thank you, Ms. Ross,
23 for your comments.

24 The next speaker will be David George.

25 DAVID GEORGE: Good evening,

1 Mr. Broussard. My name is David George. I live
2 directly across the street from the site. I back
3 to a vineyard. I have a vineyard out my front
4 drive as I drive out, which is the proposed site.
5 I bought this land because of the agricultural
6 nature around me. I didn't buy it to drive out
7 and look at the huge parking structure nor a
8 65-foot-tall resort. I have concern about the
9 amount of water that will be taken out of the
10 groundwater. I know my well will run dry. Not
11 may, but it will. As far as economic impacts,
12 your report talks about 2.6 unemployment rate for
13 Sonoma County, historic low. We have a severe
14 shortage of workers in this area, whether it is
15 construction or any other business. The
16 construction -- the short-term construction jobs,
17 I have been in the construction industry for 39
18 years. So I know the industry. And these casinos
19 are built by general contractors out of Vegas. A
20 lot of this money that they're talking about that
21 will be generated here will go back to Vegas.
22 That general contractor, their subcontractors, and
23 employees that come out of that area. We have a
24 shortage of construction industry workers, along
25 with every other industry here. And we do not

1 have enough to staff that. The rest of the folks
2 will come out of Sonoma County -- outside of
3 Sonoma County. Very little is going to stay here.
4 As far as the ongoing full-time jobs they're
5 talking about, the 2,220, again, there's a
6 shortage of workers right now. There's plenty
7 enough jobs out there that businesses need. And
8 many businesses have gone out of business here
9 because of the shortage of lack of workers. The
10 2.6 percent out of work, if they wanted to work,
11 there is plenty of jobs for them. They don't want
12 to work. The Koi Tribe if they build this, that
13 2,220 workers will be taken from other small
14 businesses that are hurting for workers currently
15 and they will go out of business. It is going to
16 ruin their lives and their family's lives. This
17 is not a good spot for it. It is bordered by
18 three residents on three different sides. The
19 65-story [sic] monstrosity will look down into the
20 backyard of some of those that are directly across
21 the street. They will have people peering into
22 their windows. Their privacy will be ended. This
23 is not the place for it. They need to put it
24 somewhere else. The tribal Chairman Beltran
25 talked about transparency. Where was the

1 transparency when they underhandedly and secretly
2 bought that property without divulging who they
3 were and their intent. If they were transparent,
4 they would have been open on it and divulged their
5 intent. They have not been transparent or honest.
6 Please do not allow this project to be built or
7 any other of their options. It needs to stay as
8 agricultural land as been zoned.

9 CHAD BROUSSARD: Your time is up. Thank
10 you very much for your comment.

11 Our next speaker will be Edward Evans.

12 EDWARD EVANS: Hi. Can you hear me?

13 CHAD BROUSSARD: Yes, I can. Thanks.

14 EDWARD EVANS: Thank you very much. My
15 name is Edward Evans. I'm calling on behalf of
16 Nor Cal Carpenters Union. [Inaudible] the
17 environmental impact approve and let the project
18 go forward. You have heard it before tonight.
19 The jobs it will create, the apprenticeship
20 opportunities for folks here in San Mateo -- in
21 the county, in Sonoma County. Also, I do want
22 to -- on behalf of labor, I do want to point out
23 something. People keep harping on the fact that
24 these construction jobs are temporary, as if -- as
25 if something -- as if there is something about

1 construction jobs that is less than. Let me tell
2 you something. Every construction job is
3 temporary. And good carpenters, good
4 tradespeople, they make a living out of going from
5 one temporary job to the next one. As carpenters,
6 we're always working ourselves out of a job. So
7 we're looking for this one and we're going to be
8 looking for others afterwards. So I can't sit
9 here and let the Carpenters Union and let labor be
10 told that we don't have the right to advocate for
11 work in our communities. You're using the -- the
12 opposition is using the environment as a reason to
13 kill this project. So therefore, we have the
14 right -- if you're going to try to do that, you're
15 going to take work away from us, we have the right
16 to advocate for the work. So that's my two cents
17 on it. Thank you very much. Please -- please
18 push the project forward and approve it. Thank
19 you.

20 CHAD BROUSSARD: Thank you, Mr. Evans,
21 for your comments.

22 Our next speaker will be Laura Pierce.

23 LAURA PIERCE: Hi. My name is Laura
24 Pierce. And I moved to Windsor when I was about
25 6 years old. So that was over 50 years ago.

1 And -- [indiscernible] the nice family
2 environment. And somebody had mentioned the word
3 earlier about disrespect. I do think it is very
4 disrespectful to all of the people who have lived
5 here for decades and planned to retire here. I
6 think there would be a pretty mass exodus. I live
7 on Tamara. And all my neighbors that I have
8 talked to have all mentioned probably moving.
9 Having to move. I have family members that are
10 buried in the cemetery. I don't want to move.
11 There's four generations of my family here. But I
12 also can't see myself -- can't see myself trying
13 to go to work two and a half miles away and
14 needing it -- you know, taking 40 minutes to get
15 there during the construction period. I'm
16 wondering where these people are going to park.
17 We already have -- from the housing developments
18 that are being put up right now, right across from
19 Esposti Park, there are people who are already
20 parking all the way down to Tamara. So I'm
21 wondering where all of these thousand construction
22 workers are going to park while it is being built.
23 And Esposti Park is right there. It is supposed
24 to be used for children and for games and whatnot.
25 If I -- if I had a child going there right now, I

1 would be pretty upset because I can't even get a
2 parking spot. And when my kids were at Windsor
3 High School and I took them to school, it already
4 took 30 minutes to get there during commute time.
5 Let alone, you know, the fire that everyone is
6 talking about. What about the day-to-day effort
7 to get to work or to get to the freeway mainly
8 during these construction periods. I think it is
9 such a disservice to the community. And I really
10 truly hope that you decline this proposal. Thank
11 you for your time.

12 CHAD BROUSSARD: Thank you, Ms. Pierce,
13 for your comment.

14 Our next speaker will be SRT Singer.

15 Singer, are you there? Or you may be on
16 mute. You can unmute your microphone.

17 Okay. We're going to move on to the
18 next speaker. Singer, if you would like to speak,
19 please come back and raise your hand.

20 Next speaker will be Angela Adams.

21 ANGELA ADAMS: Hello. Can you hear me?

22 CHAD BROUSSARD: Yes, I can. Thank you.

23 ANGELA ADAMS: Okay. Good evening. My
24 name is Angela Adams. And I'm calling in support
25 of the Koi Nations proposed resort and casino.

1 This will not only create amazing jobs for
2 thousands of construction workers, but it will
3 continue to provide careers for our local
4 communities for years to come. This project will
5 bring an incredible economic boost to the Sonoma
6 County. I believe that the Koi Nation has done a
7 great job reaching out to the public about this
8 project. With all of these benefits, I strongly
9 urge the BIA to approve this project. And thank
10 you for your time and hearing me out. Thank you.

11 CHAD BROUSSARD: Thank you, Ms. Adams,
12 for your comments.

13 Our next speaker will be Janice Sexton.

14 JANICE SEXTON: I live about 50 feet
15 from the northern edge of the proposed project in
16 Oak Park. There are three residential
17 neighborhoods that surround -- that border this
18 proposal, as well as two public roads. Both of
19 those two public roads are two-lane roads. Shiloh
20 Road is the only evacuation route that some 100
21 homes across from the project have in case of
22 wildfires. There have been two such wildfire
23 evacuations in the past six years. Adding as many
24 as 15,000 additional vehicles as proposed on any
25 one day will result in gridlock and an inability

1 to safely evacuate. This applies not only to the
2 residents, but also to the Tribe's customers,
3 which they can't -- and employees, which they
4 couldn't possibly want. I also want to note that
5 I absolutely support the Sonoma County tribes.
6 This is just not the right place for a casino.
7 And as far as the jobs that would be created,
8 carpenters jobs would be created no matter what
9 was built. It does not have to be a casino. And
10 I just wanted to make that point. And thank you
11 very much.

12 CHAD BROUSSARD: Thank you for your
13 comment.

14 Our next speaker will be Terri Jenson.

15 TERRI JENSON: Can you hear me?

16 CHAD BROUSSARD: Yes, I can.

17 TERRI JENSON: Okay. My name is Terri
18 Jenson. I live on Gridley Drive with my husband,
19 Don. We are directly across the street from where
20 the proposed casino is planned. We have lived
21 there for 34 years and raised our family here.
22 There is really no question that a project of this
23 magnitude will create jobs and benefit contractors
24 and unions. But the issue here is not jobs. I
25 think everybody is just missing the point. The

1 issue, why we're all here tonight, is because of
2 the profound and permanent impact that this
3 project will have on the quality of all of our
4 lives and our environment. And the main issue is
5 that this proposed site is absolutely without
6 question the wrong location. And we could go on
7 and on and talk about all of the different -- the
8 different issues that were brought up tonight.
9 The traffic, the noise, the air safety, what have
10 you. And what we're repeatedly hearing is that
11 the negative impacts for all of these will be
12 minimized. But we don't want anything minimized.
13 [Indiscernible] I have yet to hear an argument
14 tonight in favor of this project, other than those
15 who are interested in creating jobs. And I really
16 would like to [indiscernible] argument for this
17 besides jobs. Because as the gentleman before me
18 just said, he will do this job, and it is
19 temporary. And once he is finished, they will
20 move on and get another job. But this is our
21 home. We don't move to another home. This is a
22 home that we have created for over 30 years. And
23 when it's -- when that's impacted and the comfort
24 of our home is taken away from us, we just don't
25 get to pick up and move like the folks who are

1 looking for another job. And we just feel
2 strongly about opposing this project. And I know
3 I probably haven't said anything that hasn't
4 already been said. But I just couldn't sit here
5 and listen without voicing my strong opinion about
6 how both my husband and I feel about opposing
7 this. But I do want to thank you for allowing us
8 all to speak and taking the time to listen.

9 CHAD BROUSSARD: Thank you for your
10 comment.

11 The next speaker will be Debra Avanche.

12 DEBRA AVANCHE: Can you hear me?

13 CHAD BROUSSARD: Yes, I can. Thanks.

14 DEBRA AVANCHE: Thank you. My name is
15 Debra Avanche. And I live on East Shiloh Road.
16 I've been here for 33 years. And I raised my kids
17 and my grandkids here. First of all, I would like
18 to say that the Koi Nation has been given a raw
19 deal for decades. It seems appropriate that they
20 are given recognition as a tribe from Lake County.
21 The members deserve land and an opportunity to
22 thrive and to make up for lost time and resources
23 that they were denied. That being said, I have to
24 go on record as emphatically opposing this
25 particular project. I'm not familiar with a

1 history of the BIA approving gaming operations of
2 this magnitude in the middle of a rural
3 agricultural designated area. To plot such a
4 massive project on this land closely surrounded by
5 a church, mobile home park, baseball/soccer
6 fields, residential development, and single-family
7 housing right directly across the two-lane east
8 Shiloh Road, as well as the beautiful Shiloh
9 Regional Park, and all of these directly abutting
10 the Proposed Project. Not to mention the
11 elementary schools, which I'm appalled wasn't
12 mentioned in the report. My and my neighbors'
13 properties are on self-maintained wells. We try
14 hard to use every drop of water and reuse often.
15 I divert my laundry largely to buckets which I use
16 to water my trees and other landscaping. This
17 project proposes a 700-foot-deep well. So rich
18 people get to take long leisurely showers at the
19 hotel while we haul buckets and go without a lawn.
20 The EA addresses well impact mitigation but says
21 that we will be fine. When the vineyard went in,
22 in this area, quite a few years ago, the Pruitt
23 Creek stopped running year-round. It was running
24 in the winter when it rained, but not year-round.
25 So wildfires and timely evacuation are another

1 main concern for me and my family. We would have
2 a very difficult time getting out in a wildfire
3 emergency, when we have experienced this twice in
4 past few years. This environmental assessment
5 seems to address the different concerns which
6 would occur and then quickly say it probably won't
7 be a big deal. Not a big problem. There's
8 literally nothing about this project that isn't a
9 very big deal. It is reasonable to find a more
10 suitable setting for a casino hotel than that is
11 situated in Lake County in a commercial and
12 industrial area. I very much oppose this project.
13 Thank you, Mr. Broussard.

14 CHAD BROUSSARD: Thank you for your
15 comment.

16 At this time we're going to take a very
17 short break. We have a stenographer who is
18 recording every word of this hearing to make sure
19 that we have an accurate record. And we want to
20 give her a short break. It is about a 10-minute
21 break. So we're going to reconvene at about 8:55.
22 And we will have a timer on the screen that will
23 show specifically when we're going to reconvene.
24 So go ahead and start that. And then we will
25 start right back up again, taking comments when

1 this timer gets down to zero. Thank you,
2 everyone, for your participation. And we will be
3 back in just a little over nine minutes to
4 reconvene the hearing.

5 (A brief recess was taken.)

6 CHAD BROUSSARD: Okay. Thank you for
7 your patience. We're going to go ahead and
8 reconvene and start taking comments again.

9 So our next commenter will be Steve
10 Plamann.

11 STEVE PLAMANN: Okay. You're unmuted.

12 JILL PLAMANN: Hello. I'm actually Jill
13 Plamann, Steve's wife. Can I speak? Can you hear
14 me?

15 CHAD BROUSSARD: Yes. Yes, I can.

16 JILL PLAMANN: Thank you. Okay. My
17 name is Jill. I live close to this development.
18 I regularly hike in the beautiful Shiloh Park,
19 which borders this project. I personally witness
20 the hell flames spewing from this park during the
21 last two major fires. The fire department worked
22 tirelessly for days to keep it from reaching the
23 neighborhoods as it was attempting to lick the
24 rooftops. It was horrifying. There is no way
25 this casino won't -- won't impact the safety of

1 our neighborhood and its evacuation efforts.
2 There is no way that we can fill this agricultural
3 space with a casino development safely. I urge
4 the BIA to look at this narrow passageway. It's
5 narrow. We can't survive with a casino here.
6 Thank you for your time.

7 CHAD BROUSSARD: Thank you, Ms. Plamann,
8 for your comments.

9 Our next speaker will be Pam Bruszewski.
10 Pam, are you there? You may have your microphone
11 muted.

12 WALTER BRUSZEWSKI: Hello.

13 CHAD BROUSSARD: Yes. I can hear you.

14 WALTER BRUSZEWSKI: I'm Walter
15 Bruszewski. And I am speaking for Pam.

16 CHAD BROUSSARD: Okay. Thank you.

17 WALTER BRUSZEWSKI: Okay. Hello. My
18 name is Walter Bruszewski. I am opposed to the
19 project. My comments are on fire risk, noise, and
20 the idea that our neighborhood is at risk of being
21 made uninhabitable by things that are not local
22 and known to us. First of all, fire. I live
23 directly across Shiloh Road from the project site.
24 My wife and I evacuated during both the Tubbs fire
25 and the Kincade Fire. We watched trees burn in

1 the Shiloh Regional Park. The Koi and their
2 consultants who wrote the EEA are either ignorant
3 of the realities of local wildfires or
4 disingenuous. The fact that the Koi plan to
5 create a very large casino, hotel, and performance
6 venue which will accommodate thousands of people
7 in a region with a local history of deadly
8 wildfires. The Koi maintains that there will be
9 no significant impact on the evacuation of people
10 living in the neighborhood. On page 3-118, the EA
11 says, quote, therefore Alternative A would not
12 significantly impede evacuation traffic as patrons
13 and staff would be evacuated early before
14 community-wide evacuation. The EA offers no
15 support for this claim. It is generally accepted
16 that recent California wildfires are a
17 manifestation of global warming. On page 328, the
18 EA directs the reader to Appendix E for a summary
19 of potential effects of climate change in the
20 region. In Appendix E, among the impacts of
21 climate change, wildfires are not even mentioned.
22 This represents either considerable ignorance or
23 just deception.

24 Not local. As the resident who will be
25 substantially affected by the project, my clear

1 impression is that my neighborhood is now at the
2 mercy of unknown financially powerful entities.
3 Who are these entities? First of all, the
4 Chickasaw Nation. Global Gaming Solutions, LLC.
5 Another entity is the source of the \$12.3 million
6 which enabled the Koi to purchase the land.
7 Thirdly, the Koi Nation, whose geographic base is
8 Clearlake, not Windsor. In fact, the Koi continue
9 to litigate against the City of Clearlake on the
10 basis of claims of Koi cultural artifacts in the
11 Clearlake region.

12 Finally, I would like to address noise.
13 The EA claims that the project will have no
14 significant impact on noise and light pollution.
15 It claims that proposed mitigations will render
16 the project benign. How can this be so? How can
17 a site that is currently inhabited by no one?

18 CHAD BROUSSARD: I'm sorry, but your
19 time is up.

20 WALTER BRUSZEWSKI: I have one more
21 word.

22 CHAD BROUSSARD: Okay.

23 WALTER BRUSZEWSKI: Point. Inhabited by
24 no one, how can that site be no quieter than a
25 casino and event center with thousands of 24/7

1 visitors.

2 CHAD BROUSSARD: Thank you. Thank you
3 for your comment.

4 Our next speaker will be Jennifer Klein.
5 Jennifer Klein. I think you may be on
6 mute.

7 JENNIFER KLEIN: Can you hear me now?

8 CHAD BROUSSARD: Yes, I can.

9 JENNIFER KLEIN: Can you hear me now?

10 CHAD BROUSSARD: Yes. Thanks.

11 JENNIFER KLEIN: My name is Jennifer
12 Klein. I'm a chief deputy county counsel with the
13 County of Sonoma. We are -- well, first, thank
14 you for holding this meeting. We did request that
15 you hold community meetings as part of our
16 comments on the scoping and -- or the notice of
17 preparation rather. The County is closely
18 reviewing the EA. So my oral comments here will
19 be supplemented with written substantive comments.
20 But I have just a few things that I want to
21 highlight tonight. One, I want to emphasize that
22 this NEPA document is the federal government's.
23 It is to support your decision. And so the
24 adequacy of it, the comprehensiveness of it, is
25 essential to your decision. And we believe that

1 an EIS is required. The impacts are significant.
2 They are not mitigated. And cumulative impacts
3 really must be examined, something that BIA do not
4 do. The speakers tonight have highlighted
5 groundwater, water, water quality, traffic,
6 aesthetics, noise, air quality. And really the
7 highlight of tonight, sadly, is the flood and
8 wildfire evacuation hazards. Wildfires do not
9 discriminate. That's what Lahaina found when many
10 native Hawaiians lost their lives there. We are
11 concerned with native populations. We're
12 concerned about the citizens of Sonoma, whoever
13 they are. It is a very important issue to our
14 community. And it is something that your agency
15 must consider.

16 Two, I would like to draw your attention
17 to Section 4, mitigation measures, and the
18 statement that the mitigation measures are
19 enforceable. And the basis for that is that they
20 are either part of the project or required by
21 federal law or tribal law. So my question is, how
22 exactly and by whom is that enforceable? May any
23 of the county citizens enforce tribal law?
24 Will -- will the federal government insist that
25 certain elements of this project that are designed

1 to mitigate impacts be built or not built? So I
2 think you need a lot more detail on what you mean
3 by enforceable. And I say that because the county
4 recognizes and understands tribal sovereignty and
5 the extent of state, local, and federal
6 jurisdiction. And we know that when this land
7 goes into trust, we will not have land
8 jurisdiction or any kind of civil jurisdiction.
9 There will be public law 280. And we heard the
10 chairman mention that he tends to reach agreements
11 with our sheriff. But no indication of any kind
12 of comprehensive enforceable agreement where the
13 Tribe waives its sovereign immunity for the
14 purposes of allowing these types of mitigations to
15 actually be meaningful and real.

16 CHAD BROUSSARD: Thank you. Your time
17 is up. Thank you for your comment.

18 Our next speaker will be Carrie Marvin.

19 Carrie Marvin. If you're there, you may
20 be -- have your microphone on mute. If you could
21 unmute.

22 CARRIE MARVIN: Here we go. Can you
23 hear me now?

24 CHAD BROUSSARD: Yes, I can.

25 CARRIE MARVIN: Great. Great. One

1 thing -- everyone said a lot of great things, so I
2 don't want to rehash everything. But what I would
3 like to say is I haven't heard every single
4 speaker, but what I did notice was that the union
5 people that were calling in, none of them said
6 that they were local, except one that I heard that
7 said that they were from Rohnert Park. And no one
8 else mentioned where they were from. Someone
9 started to say San -- maybe it was San Mateo. I'm
10 not sure. So I thought that was interesting. But
11 they're not local people who are saying -- it
12 didn't appear to me to be that they were local
13 people.

14 My other comment is that definitely
15 concerned about the fire, as everyone else is.
16 And that is a very, very real thing. And for
17 people who haven't experienced it, people that are
18 calling in or the Chickasaw tribe, they haven't
19 experienced the fires the way we have. It is very
20 real and very frightening. And to think about the
21 thousands of people and thousands of cars in
22 addition in this area trying to escape. And I
23 also agree with Heidi, whoever she was. But she
24 was laughing at the people in the parking lot that
25 were going to guide people out. I mean, you're

1 fleeing for your life. You're not helping people
2 get out of a parking lot.

3 Anyway, as we all know, this tribe is
4 not from Windsor. It is a Lake County tribe. And
5 we are definitely against this. It is the wrong
6 place to have this venue. So please, please do
7 not -- do not approve this. Thank you very much.
8 I appreciate your time.

9 CHAD BROUSSARD: Thank you, Ms. Marvin,
10 for your comments.

11 Our next speaker will be Walter
12 Bruszewski.

13 WALTER BRUSZEWSKI: Hello. I already
14 spoke on my wife's spot.

15 CHAD BROUSSARD: Okay.

16 WALTER BRUSZEWSKI: Okay.

17 CHAD BROUSSARD: Thank you very much for
18 your comments.

19 WALTER BRUSZEWSKI: Thank you.

20 CHAD BROUSSARD: Our next speaker will
21 be Paul Fisetette.

22 PAUL FISETTE: Hi, Chad. Thank you. My
23 name is Paul Fisetette. I'm a Windsor resident.
24 I'm raising my family here. And I just want to
25 speak in objection to this casino being built.

1 There's been a lot of good comments tonight. I
2 have a few more points. The first being that in
3 the scoping report and in the presentation made
4 earlier today, I didn't see any sort of
5 projections of what this casino is going to look
6 like at night. This is a five-story hotel,
7 four-story garage, a three-story casino. And all
8 of that is going to be lit. And this is being put
9 directly in a residential area. I haven't seen
10 any evidence that the mitigation mentioned in the
11 scoping report is going to reduce the level of
12 light that is going to be surrounding this casino
13 and this facility and how that is going to impact
14 the residents.

15 I also want to speak a little bit about
16 Pruitt Creek. Now, this is going to have a garage
17 and parking for approximately 5,000 cars. And
18 I've looked at the map in your scoping report.
19 And the parking facility is going to be about
20 30 feet away from Pruitt Creek. That is
21 potentially the runoff, the -- from an entire
22 garage area going directly into the creek during
23 the rainy season. Not to mention what happens if
24 that wastewater treatment plant has any issues.
25 It is all going to go into the creek. And, you

1 know, during the winter, we've had up to
2 eight inches of rain in one day. That will all
3 dry -- whatever pollutants go into that creek,
4 into our watershed, and also directly into the
5 mobile home park that is less than half a mile
6 away from this proposed facility. And one of the
7 things in the scoping report that you're asked to
8 consider is the impact of this building on
9 lower-income residents around the area. And I
10 would propose that -- or I would ask that a lot of
11 effort be taken to see what kind of impact would
12 actually occur to the folks that are in the --
13 folks that are in the mobile home area next to
14 this proposed casino. How a wastewater treatment
15 plant will impact them. How the runoff from, you
16 know, the cars and sort of the -- everything that
17 is going to be involved in having 20,000 people in
18 a facility, you know, 60 acres large, is going to
19 impact these folks.

20 And so, again, I would just say the
21 folks that have called in today, advocating for
22 this have been benefiting monetarily. And the
23 folks objecting to it live here and want to raise
24 their kids here. Thank you.

25 CHAD BROUSSARD: Thank you, Mr. Fisette,

1 for your comments.

2 Our next speaker will be Lynn Darst.

3 LYNN DARST: You can hear me?

4 CHAD BROUSSARD: Yes, I can. Thank you.

5 LYNN DARST: Okay. My name is Lynn
6 Darst. I moved to Windsor 24 years ago. I live
7 in a residential neighborhood closer to the
8 proposed project. My husband and I selected
9 Windsor due to the close proximity of businesses
10 that would suit our needs during the time we age
11 in place. It has been reported in the press and
12 mentioned this evening that the estimated amount
13 of employees for this project would be between
14 1100 and 2,000. And that it would be a
15 significant boost to Sonoma County. I strongly
16 disagree, as it would devastate the businesses and
17 the towns of Windsor, Santa Rosa, and outlying
18 towns of Sonoma County where we have experienced a
19 significant shortage of staff. Businesses have
20 closed due to lack of staffing. Hours of
21 operation have been altered due to lack of
22 staffing. Customer service in many businesses has
23 been affected due to lack of staffing. The
24 existing local businesses will suffer greatly. As
25 a result, we, the residents, will be severely

1 impacted. The now hiring signs are evident
2 throughout Sonoma County. I support the BIA to
3 assist the Koi Nation to find property in Lake
4 County where they can fulfill their dream of
5 building a casino resort. For many reasons
6 mentioned this evening, I am highly opposed to the
7 Proposed Project on East Shiloh Road. Simply put,
8 it is in the wrong location. Thank you.

9 CHAD BROUSSARD: Thank you, Ms. Darst,
10 for your comments.

11 Our next speaker will be Debora Fudge.

12 DEBORA FUDGE: Hi. Thank you for
13 listening to all of us tonight. I'm a 27-year
14 council member and a six-time mayor. And this
15 casino proposal is actually adjacent to my council
16 district. There are a few things that I'm going
17 to try to bring up that haven't been brought up or
18 have been -- or I'm going to try to add more
19 information. The urban growth boundary that
20 people talk about was voted in by the residents in
21 1998. And I'm one of the authors of it. The
22 property that they discussed tonight was actually
23 purposefully left out of the original town
24 boundary and the urban growth boundary. So it has
25 always been proposed to remain viniculture, as it

1 is now. Also, in Windsor, we have a Shiloh Road
2 Vision Plan. So we have a 20-year plan for this
3 whole vision -- this whole Shiloh Road. It is
4 supposed to be a two-lane boulevard with a median
5 of trees to slow traffic in town, going to and
6 from 101. This project would ruin and dissolve
7 our plans for the Shiloh Road area. Also, the
8 town has proposed a roundabout at Shiloh and Old
9 Red. I'm not sure what would happen to that
10 proposal with this project.

11 My primary concern is about fire.
12 People have talked about it. But I was in the
13 emergency operations center with the fire chief in
14 2019 during the Kincade Fire. And on the second
15 night, the fire captain told me at -- it was at
16 about 3:00 a.m. He said, we're going to lose all
17 of Windsor tonight. All 27,000 people who live
18 here were going to lose everything unless the
19 fire -- unless the wind direction changed
20 slightly, which it did. If the fire couldn't be
21 stopped at Foothill Park, where it was eventually
22 stopped with 200 fire engines, the fire was going
23 to march all the way to the ocean. And that's
24 what the fire captain told me. So the fire that
25 people are talking about, the danger, cannot be

1 understated.

2 Further, the Lytton Pomo Tribe who built
3 housing here when they were putting their land
4 into trust agreed in a senate hearing to no gaming
5 in Sonoma County in perpetuity, which we really
6 appreciated. So it is sort of shocking to have
7 another tribe come and propose a casino, when the
8 Lytton Pomo graciously agreed to not have any
9 gaming here in Sonoma County.

10 So this is simply the wrong project in
11 the wrong location. I think there would be
12 support in town for the Alternative C.
13 Somebody -- another council member mentioned a
14 parcel on the other side of 101 and Shiloh. It is
15 called the Olufs property. I do know the tribe is
16 listening. The Sonoma County Tourism Bureau would
17 like to build a convention center and resort
18 there. They need a partner. So I would propose
19 that the tribe work with the Sonoma County Tourism
20 District to build us a convention center, which I
21 think everybody could support and help support the
22 tribe.

23 Thank you for listening to all of our
24 comments tonight.

25 CHAD BROUSSARD: Thank you, Ms. Fudge,

1 for your comments.

2 Our next speaker will be Amy Ramsey.

3 AMY RAMSEY: Hi, hello. Thank you for
4 holding this meeting tonight and letting us speak.
5 I know it is late, so I will keep my comments
6 brief. I'm speaking on behalf of my family and
7 also my parents who also live in the community.
8 We were here for the 2017 and 2019 fires. So I
9 cannot overstate the challenges that we foresee
10 with getting out if there were another fire here.
11 That has been really addressed tonight, so I'll
12 move on from that.

13 But for every reason that has already
14 been stated, we strongly oppose this. And, you
15 know, we would love for an alternative location to
16 be found that does not have such a horrific impact
17 on the surrounding community that this will have.
18 We -- one of the things that I really honed in on
19 with the -- the report that was submitted -- and
20 it is a huge report to comb through, but it really
21 was striking to me that there was nothing in there
22 that talked about the impact to the value of the
23 homes for the surrounding area. It wasn't even
24 addressed. And so I'm -- I'm curious about that
25 because I'm sure there is data about other casinos

1 and the impact of the residential homes in that
2 neighborhood.

3 And, you know, there are so many reasons
4 that we have all gone over tonight that really
5 show that I think the community that is in the
6 area where this casino could be built is not in
7 support of it. And the support seems to be coming
8 from people that will not have to be there and
9 deal with the impacts of it for the long haul.
10 And so I'm really happy to go -- to be able to
11 speak after the previous city councilperson. And
12 she did a phenomenal job of talking about the
13 opportunity for this tribe to find a location in
14 an area where the community is going to
15 wholeheartedly and resoundingly support their
16 efforts. And that's what we hope that you will
17 all look towards. And we hope that you will vote
18 against and not allow this to happen in our
19 community. Thank you.

20 CHAD BROUSSARD: Thank you, Ms. Ramsey,
21 for your comments.

22 Our next speaker will be Sam Singer.

23 You may be on mute. Unmute your
24 microphone.

25 SAM SINGER: Oh. Mr. Broussard. Sorry

1 about that.

2 CHAD BROUSSARD: Thank you.

3 SAM SINGER: My name is Sam Singer. I'm
4 a California native. I've had the honor to know
5 the Koi leadership for more than a decade. And
6 I've had the privilege to work with the tribe. I
7 urge the BIA to approve the Koi Nation resort and
8 casino and its environmental assessment. I read
9 the EA, and I believe it to be complete and
10 thorough. The important fire protections,
11 wildfire evacuation, water, sewer, traffic,
12 parking impacts, as well as environmental
13 mitigations are included in the EA, which I
14 support. There is no significant impact on the
15 nearby community as it is a commercial area next
16 to big-box retailers, including Home Depot and
17 Walmart, as well as an airport and other
18 businesses. The Koi project has the support of
19 nearby retired county sheriff and hundreds of
20 other local citizens. The Koi lived in this
21 region for thousands of years. They are a
22 federally recognized Sonoma-area tribe. The
23 traditional trade route of their people runs
24 through the proposed resort and casino site. The
25 Koi have called Sonoma their tribal headquarters

1 for more than a century. The tribe has fought
2 hard for economic independence. This proposed
3 project will employ their members and create jobs
4 in the community, boost travel and tourism, and
5 employ hundreds when opened. This will allow the
6 tribe to keep its tribal customs alive and honor
7 the spirit of its ancestors as they seek to regain
8 their sovereign land and build a self-sustaining
9 future for their members and for future
10 generations. The Tribe has done an excellent job
11 of reaching out to the public to inform them about
12 their plans. The Koi Nation has an agreement with
13 the Carpenters Union to build a union project.
14 They have an agreement with the Chickasaw Nation,
15 the most respected tribe in the gaming world, to
16 manage the facility. The tribe has always been
17 respectful and been a good neighbor. 17 other
18 Native-American tribes support the Koi project and
19 the EA to approve the Koi casino and resort.

20 I find it a little troubling that some
21 of the voices this evening keep talking about
22 being local, that they're local. The Koi Nation
23 lives, works, and has been in Sonoma for thousands
24 of years, far longer than the speakers this
25 evening. I have great respect for them, but they

1 have to keep in mind that there are other people
2 who live in their community as well. Thank you
3 for your time.

4 CHAD BROUSSARD: Thank you, Mr. Singer,
5 for your comments.

6 Our next speaker will be Caroline
7 Gonsalves.

8 Caroline, are you there?

9 I think you may be on mute. Are you
10 there?

11 Okay. We're going to move on to the
12 next speaker. And, Caroline, if you want to sign
13 back up and raise your hand, we can try to get to
14 you later.

15 Next speaker will be Richard Boyd.

16 RICHARD BOYD: Thank you for listening
17 to all of us for all of this time. I'm Richard
18 Boyd. I live two blocks north of Shiloh Road. I
19 have many concerns about the proposed casino hotel
20 on the other side of Shiloh Road. I'll just talk
21 about two of them. The first is what happens to
22 the Pruitt Creek when we have another atmospheric
23 river? The one we had last year turned this quiet
24 little creek into a river, threatening the
25 residents and their homes near to it. Consider

1 what happens when we get another atmospheric river
2 when we now have a vineyard that much of the rain
3 water soaked up and is now paved over for a
4 parking lot. Well, all of that will also go into
5 the creek. And now it will turn it into a raging
6 river. So the residents who lived there during
7 the first atmospheric episode will be forced to
8 leave, evacuate.

9 The more pressing issue is the fire
10 evacuation order. This certainly has been talked
11 about a lot, but I will put a couple extra spins
12 on it. The past evacuations were entirely
13 orderly, certainly compared to Coffey Park and
14 Paradise Fire and certainly Lahaina. But that
15 depends on the wind. And we were luckier than the
16 people in those other locations. The number of
17 people who need to pass through the Shiloh 101
18 interchange to evacuate, though, will soon
19 increase dramatically with the completion of the
20 300-unit apartment complex at Shiloh and Old
21 Redwood, and a comparable one under construction
22 at the Home Depot and Walmart lot. All of these
23 occupants, along with the rest of us who live east
24 of them, will have to pass through the
25 Shiloh/Highway 101 interchange in order to

1 evacuate. Now add the 2,000 guests and employees
2 from the casino hotel complex. It is easy to
3 imagine that hundreds of people might well die in
4 their cars, incinerated because they were unable
5 to pass through crush at Shiloh and 101. It
6 happened in the Paradise Fire where several people
7 in their cars wouldn't even be close to what would
8 happen when the casino hotel patrons were added to
9 the already existing population trying to flee a
10 fiery death. Further, widening Shiloh Road won't
11 have any effect either because you also have the
12 same log jam at the Shiloh/101 junction. No
13 significant impact? Any EA that concludes that
14 surely has zero credibility. Thank you.

15 CHAD BROUSSARD: Thank you, Mr. Boyd,
16 for your comments.

17 Our next speaker will be Anne Gray.

18 ANNE GRAY: Can you hear me?

19 CHAD BROUSSARD: Yes, we can. Thanks.

20 ANNE GRAY: Okay. I'm Anne Gray. My
21 family has lived in Santa Rosa for over 35 years.
22 So I don't live in Windsor, but I do go there at
23 times. I usually go to Home Depot, right off of
24 101 and Shiloh. And I have to say that one of the
25 things that I dread about going there now is the

1 traffic, especially at -- you know, when you're on
2 Shiloh. I'm always thinking, I can't believe it
3 is so crowded here and there aren't a lot of
4 accidents because it sure looks like it is ripe
5 for it. So the idea of adding even more traffic
6 in that area is I think a mistake. And therefore,
7 I oppose the casino.

8 I oppose it for reasons already stated.
9 And I'm also surprised that so many callers
10 supported it because it would bring short-term
11 construction jobs for workers, from what it sounds
12 like, go from one big construction site to another
13 and don't -- and it doesn't seem that they live in
14 the area. But I wanted to add one more thing too.
15 And that is according to Google Maps, there's
16 already a casino, a huge one just 14 miles or 17
17 minutes away from the new proposed site. Graton
18 Casino is just minutes from the nearby site, right
19 down 101. And as we all know, it is a huge
20 casino. I don't think that we need another one so
21 close.

22 Secondly, Santa Rosa and other areas are
23 building huge buildings, huge apartment buildings,
24 et cetera, to deal with the homeless situation and
25 the lack of housing. And I have heard that 4500

1 more homes or apartments will be added by the end
2 of 2025 in order to meet State requirements. So
3 when you look at the environmental impact, do you
4 consider the impact of adding all that traffic
5 from the casino to already stressed highways?
6 101, the major one, is also a very important
7 critical major evacuation highway. And it too is
8 stressed. I mean, the Tubbs Fire crossed over 101
9 from the east to the west and went right into
10 Coffey Park and other areas. And adding even more
11 traffic could really hurt an already stressed
12 evacuation system.

13 I think that this site is a poor site
14 for this new development. We do not need another
15 casino right down the road from the one we already
16 have. And there must be some other sites,
17 commercial, industrial sites that are better --
18 are better locations for this new casino. Thank
19 you.

20 CHAD BROUSSARD: Thank you, Ms. Gray,
21 for your comment.

22 Our next speaker will be Matthew Prott.

23 MATTHEW PROTT: Can you hear me?

24 CHAD BROUSSARD: Yes, I can. Thank you.

25 MATTHEW PROTT: My name is Matt Prott.

1 I'm a resident of Windsor. I would like to point
2 out a couple things. First off, the -- I listened
3 to every comment this evening. Every objection --
4 excuse me, every proponent of the casino has been
5 from a builder's standpoint. Mostly it sounds
6 like the Carpenters Union has asked their members
7 to call in and advocate for jobs and economic
8 security. The other -- the only two that have
9 been fallen under this umbrella are a Mr. Boyd,
10 who called in, I believe, from Oklahoma,
11 representing the Chickasaw Nation. He seemed to
12 advocate for the casino based on a bunch of
13 talking points. He mentioned that he had
14 represented 20-some-odd casinos that they have
15 advocated for. They're a money -- you know,
16 they're a funder of casinos, such as what we're --
17 you know, the Shiloh -- the -- his telling point
18 was a comment saying that the rising tide will
19 lift all ships. I'm not sure what that means. We
20 just got a comment also from a Mr. Sam Singer
21 advocating for the casino. I did a quick Google
22 search, and he is a media PR representative for
23 the Koi Nation. We have not heard from any Koi
24 Nation members at all on this. The only advocates
25 are construction jobs and outlying lobbyists. We

1 have heard from a lot of local opponents
2 advocating for -- excuse me, explaining the
3 common -- the water supply issues, the fire danger
4 issues, the noise issues, the pollution,
5 wastewater potential issues, the safety and crime
6 issues, life potential -- life pollution. My
7 point is more subjective. I believe that there --
8 this is an agricultural, very rural area. I
9 bought my home here 32 years ago for the quality
10 of life that it provided, which was, you know, a
11 rural, quiet, serene environment. I believe most
12 of the local residents probably share that.
13 There's not a -- in the EA, there's not -- any
14 kind of measurement of the quality of life that
15 would be affected by this -- this casino or even
16 Plan C, the hotel. I believe if it goes -- if the
17 EA does not address this --

18 CHAD BROUSSARD: Thank you, sir, but
19 your time is up. So please finish your comments.

20 MATTHEW PROTT: The EA should advocate
21 or measure the quality of life cost of this
22 proposal. Thank you.

23 CHAD BROUSSARD: Thank you very much for
24 your comment.

25 Our next speaker will be Paige Mazzoni.

1 Paige. Yeah. You may be on mute.

2 Unmute your microphone.

3 PAIGE MAZZONI: Can you hear me now?

4 CHAD BROUSSARD: I can. Thank you.

5 PAIGE MAZZONI: All right. My dog is
6 excited. So a couple of comments. A lot of them
7 have already been made. One, if you trace the
8 history of the Koi Nation, which is pretty easy to
9 do in local history, they came from Lake County.
10 That is true. Their trade route was through the
11 Russian River, which is not here. It is about
12 seven to eight miles north. Also, as has been
13 stated, the neighborhood adjacent to this proposed
14 casino are middle class. They are people who came
15 here, not a lot of money. They built a lifetime
16 of value in their homes. This will mitigate that
17 lifetime of value and do irreparable damage to a
18 lot of life savings for a lot of people. There
19 are standards. There are statistics across
20 studies. Thompson, Gazel & Rickman in 1996 that
21 showed the introduction of a casino raises crime.
22 This proposed casino would be within a seven-mile
23 area of several elementary schools and two high
24 schools. People who would be highly susceptible
25 to crime. Traffic in our area has already

1 increased exponentially. We now have another huge
2 apartment building on the corner of Shiloh and Old
3 Redwood that has inadequate parking. The parking
4 in our neighborhood, just north of that, has
5 already started to be impacted. They're parking
6 on our streets. You introduce more cars to that.
7 It already can be a 20-minute exit from our little
8 neighborhood in Merner, all the way to the
9 highway. It can be 20 minutes already. It is
10 going to get worse once that apartment gets
11 filled. If you add 200 people in a hotel, it is
12 going to get worse. There is no way -- I
13 understand that indigenous tribes are not -- they
14 are not required to follow CEQA, but there are
15 bobcats, flowers, fox, barn owls, all kinds of
16 wildlife on that piece of property. We see them
17 every day in our backyards. They will be damaged
18 by this. We are all subjected to water
19 restrictions. We can only water on certain days.
20 We can't water whenever we want. Our gardens have
21 died over the last couple of years because of the
22 city water restrictions. And now you're going to
23 put a resort where there will be water every day
24 and it will affect every single one of us because
25 we already have been affected by water

1 restrictions. And then finally, the escape route
2 for the fires, those fires came over that hill and
3 it was very difficult to get out. It was very
4 fast. There is no way that -- putting this resort
5 on that road, there is no way to create any kind
6 of transport out that will actually make it safe
7 for all of these neighborhoods to get out and to
8 the freeway. It is basically creating a trap
9 where people are going to die.

10 So I understand that indigenous tribes
11 have a right to their land. But this is not their
12 land. This is a really lovely piece of property.
13 And it's going to endanger the people in all the
14 surrounding neighborhoods. So we strongly,
15 strongly, strongly request that you do not approve
16 this. Thank you.

17 CHAD BROUSSARD: Thank you for your
18 comment.

19 Our next speaker will be Aaron Hadzess.

20 AARON HADZESS: Hello. Can you hear me?

21 CHAD BROUSSARD: Yes, I can. Thanks.

22 Are you there? I heard you for a
23 second. But -- is he dropping off?

24 AARON HADZESS: I'm sorry. Can you hear
25 me now?

1 CHAD BROUSSARD: Yes, I can.

2 AARON HADZESS: Yes. Yes. I -- I'm a
3 union carpenter. And I've heard all kinds of
4 opposition to the project from people who are
5 against the -- against the project. I just want
6 to say -- I'm a 21-year member -- I'm sorry --
7 resident of the Sonoma County. And many times
8 I've had to drive to San Francisco. And I would
9 like to work on a project here close to town,
10 where I live. It is a real detriment to travel
11 long distances. And it is difficult on my family
12 life. So it's been brought up that the jobs have
13 been sort of disparaging by calling them
14 temporary. In the world of construction, as was
15 mentioned by a previous caller, I believe,
16 Mr. Evans, all jobs are temporary nature. You
17 know, you're building a thing. You start the job,
18 you build it, and then you build another one. So
19 that's just I think kind of a common misconception
20 to a lot of people who don't work in construction.
21 So in closing, I would just like to say that this
22 project is about supporting working men and women
23 in Sonoma County. And I strongly urge the BIA to
24 support this project and do a -- push it forward
25 for the good of all working people in Sonoma

1 County. Thank you.

2 CHAD BROUSSARD: Thank you for your
3 comment.

4 Our next speaker will be Joan Chance.

5 JOAN CHANCE: Hello?

6 CHAD BROUSSARD: Yes. I can hear you.

7 JOAN CHANCE: Oh, great. Okay. My name
8 is Joan Chance. And we've lived on East Shiloh
9 Road for over 30 years. I'm speaking tonight
10 against the development of the casino and what it
11 could do to our neighborhood. I know you've heard
12 this before, but it would be hard for anyone to
13 understand an evacuation unless they have been
14 through it. And we have done it twice. No matter
15 how well you're prepared for an evacuation,
16 gathering last-minute belongings, pets, livestock,
17 and heading out the door is just the beginning.
18 It took an hour and a half to get a mile down the
19 road, just to the freeway. And with the casino
20 going in, the thousands of cars, people partying
21 and drinking until all hours, it would be total
22 gridlock. Not just on Shiloh Road, but when you
23 hit 101. And I can't imagine the horses burning
24 up in the trailer. That would just be
25 devastating. It's just not right.

1 Anyway, most of us in the immediate area
2 are on wells. And we're pretty conservative with
3 our water out here. It sounds like the casino
4 will be using more water in one day than the
5 locals will use in a year. When the water drops,
6 the quality of our water drops as well. This
7 doesn't seem to be a fixable problem at all.

8 Anyways, with added noise and lights at
9 the proposed casino, there would be no more
10 looking at the stars, no more leaving windows open
11 on warm summer nights, no more peace and quiet.
12 The casino would not just be a neighborhood
13 nuisance, it would endanger our community. A
14 casino does not belong in a residential
15 neighborhood. Thank you.

16 CHAD BROUSSARD: Thank you, Ms. Chance,
17 for your comments.

18 Our next speaker will be Gregory Heath.

19 JANINE HEATH: Hello? Can you hear me?

20 CHAD BROUSSARD: Yes. Yes, I can.

21 Thank you.

22 JANINE HEATH: Yeah. This is actually
23 Janine Heath. I'm a retired RN. I live locally.
24 And I find it interesting that I'm the third RN to
25 speak tonight. Because a lot of times, you know,

1 we RNs advocate for communities where we live,
2 the people in the communities. And I have to say
3 that in reading the report, I was very upset to
4 read all of the less than significant impact
5 results, you know, on the noise, traffic,
6 economics, crime. I mean, I -- I think that it is
7 going to be an extreme negative -- extremely
8 negative impact on quality of life and, in fact,
9 even threat life itself. So I know, you know, it
10 is something that all the issues have been
11 addressed that I wanted to address. But I just
12 wanted to make that emotional statement, that I
13 think it is going to have a very significant
14 negative effect on the community. And that's all
15 I have to say. Thank you.

16 CHAD BROUSSARD: Thank you for your
17 comment. Our next speaker is Deena Stapleton.

18 DEANA STAPLETON: Yes. Thank you. My
19 name is Deena Stapleton. You know, one of my
20 biggest concerns is the lack of consideration for
21 increased traffic around San Miguel School on
22 Faught Road. This is the back way. And it will
23 be used. I live in the neighborhood directly
24 across the street. And my two sons attend
25 San Miguel. I already think of Faught Road as a

1 dangerous road due to fast driving. I do not let
2 my kids cross the road without supervision. And
3 I'm deeply concerned about the increased traffic
4 and speeding and drunk driving and decreased
5 safety to the kids trying to cross Faught Road to
6 go to school or just to play in other parts of the
7 neighborhood. I think the EA needs to assess the
8 small two-lane road between Faught Road at
9 San Miguel and Shiloh. It is a skinny road with
10 ditches on either side. It is tree lined. There
11 are accidents and deaths on the road. You can see
12 the flowers and crosses when you drive that way.
13 And people under the influence will drive on the
14 road no matter what the law says. And they
15 will -- it is going to happen. And the road needs
16 to be assessed for those issues. I'm also
17 concerned about the light pollution. I'm looking
18 out my back window right now. It faces the fields
19 and where this proposed site is. And it is black.
20 You know, the casino will have a significant
21 impact on light pollution, not only for the people
22 and their view, but their circadian rhythms, which
23 are influenced by the light. I'm also a nurse.
24 So I have to throw that in there. Also the
25 nighttime animals. That was not addressed. I so

1 resonated with the gentleman that talked about
2 just that majestic feeling and aura that this
3 whole area has. You know, that can't be put into
4 words. I was literally at Shiloh today and just
5 was looking west on to this proposed site, and it
6 brought tears to my eyes knowing that was going to
7 be lost. So I agree with so many of the other
8 things that people stated in opposition to this
9 project. This is the wrong place for this
10 project. And I oppose it. Thank you for your
11 time.

12 CHAD BROUSSARD: Thank you,
13 Ms. Stapleton, for your comments and everyone for
14 your comments. That concludes our list of
15 individuals who signed up to share their comments.
16 And I want to thank everyone for their patience
17 and their participation in this hearing tonight.
18 If there are no more comments, this concludes the
19 BIA's public hearing for the Koi Nation
20 fee-to-trust and proposed casino project. Thank
21 you again for your participation and good night.

22 (Public meeting concluded at 9:46 p.m.)

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