

Appendix R

Koi Nation Tribal Resolution Concerning BMPs

**RESOLUTION OF THE
KOI NATION OF NORTHERN CALIFORNIA**

TC Resolution No. 24.09.30

To Adopt Best Management Practices for Shiloh Project

WHEREAS, the Koi Nation of Northern California (“Koi Nation” or “Nation”) is a federally recognized Indian tribe, organized by virtue of powers inherent in tribal sovereignty and those delegated by the United States federal government; and

WHEREAS, pursuant to Article IV of the Constitution of the Koi Nation of Northern California, as amended (“Constitution”), the governing body of the Koi Nation is the General Council; and

WHEREAS, pursuant to Article IV of the Constitution, the General Council shall exercise its powers through, among other things, the Tribal Council, which is established under Article VII of the Constitution and which acts on behalf of the Koi Nation by enacting, executing and enforcing motions, resolutions and ordinances of the Koi Nation, and by transacting or causing to be transacted all day-to-day business of the Koi Nation; and

WHEREAS, Article VIII, Section 1(e) of the Constitution grants the Tribal Council the power to exercise jurisdiction over all lands, persons, and subjects within the exterior boundaries of the Nation’s reservation (“Tribal Land”); and

WHEREAS, the Nation has acquired real property (the “Parcel”) in unincorporated Sonoma County for which it has applied to the Department of Interior’s Bureau of Indian Affairs (“BIA”) seeking trust status for gaming purposes under the Indian Gaming Regulatory Act at 25 U.S.C. § 2701 *et seq.* (“IGRA”); and

WHEREAS, upon the BIA’s approval of the Nation’s application, the Parcel will become Tribal Land upon which the Nation intends to develop and operate a Class III Gaming facility within the meaning of IGRA (the “Shiloh Project”); and

WHEREAS, the Tribal Council previously adopted the Building and Safety Code of 2023 of the Koi Nation of Northern California, which provides for the regulation of construction, repair, maintenance, expansion, modification, or renovation of all structures on Tribal Land, including the Shiloh Project, in order to ensure that all such activities are conducted in a safe manner to protect persons, property, and the Nation, and to provide for the regulation and oversight of workplace safety and personal safety on Tribal Land; and

WHEREAS, the Nation has worked cooperatively with the BIA in its preparation of a draft Environmental Impact Statement (“EIS”) pursuant to the National Environmental Policy Act (NEPA) in order to identify potentially significant environmental impacts related to the BIA’s acquisition of the Parcel as Tribal Lands and the Nation’s development of the Shiloh Project as described in Alternative A under the EIS; and

WHEREAS, the draft EIS has described certain protective measures and Best Management Practices (BMPs), as set forth with specificity in Exhibit A hereto, that would be implemented by the Nation in its development of the Shiloh Project as described in Alternative A under the EIS;

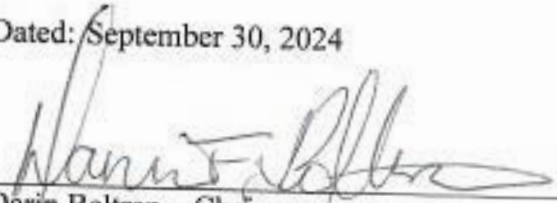
WHEREAS, the Tribal Council finds it in its best interest to affirmatively commit to employing the BMPs in its development of the Shiloh Project as described in Alternative A under the EIS; and


NOW, THEREFORE, BE IT RESOLVED that the Tribal Council hereby commits to adopting and implementing the Best Management Practices (BMPs) identified in Exhibit A hereto during the development and operation of the Shiloh Project as described in Alternative A of the EIS, as such BMPs may be further refined by the BIA in the final EIS.

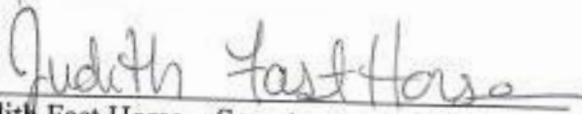
CERTIFICATION

The undersigned, the duly elected Tribal Council members of the Koi Nation of Northern California, does hereby certify that the foregoing resolution was adopted on September 30, 2024 at a duly called meeting of the Tribal Council of the Koi Nation at which a quorum was present, by a vote of 3 ayes, 0 noes, and 0 abstentions, and such resolution has not been rescinded or amended in any way.

Dated: ~~September~~ 30, 2024


Darin Beltran – Chairperson


Dino Beltran – Vice Chairperson/Treasurer


Judith Fast Horse – Secretary