

**From:** Paul Middlebrook <pmiddlebrook2001@yahoo.com>  
**Sent:** Sunday, August 25, 2024 5:21 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments Koi Nation Shiloh Resort and Casino

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Hello Chad,

I wanted to voice my concerns on the Koi Nation Casino project. The casino is being literally built around neighbor hoods. I will not emphasize the traffic challenges, and we all know the test and data of the data was during Covid.

The real challenge is the crime and community. I moved to this area to get out of the crime and challenges of the Bay Area. We are part of a community, and the state and city want us to manage water, keep paying taxes, and maintain the natural ecosystem. We do this with preserving the land and the respect of the community.

The Koi Nation did not come from this region and to allow them to purchase a property and claim this is not correct. On top of that it is not going in its natural state but a casino that will bring crime, homeless, drugs, and a location that will go 24/7.

Graton Rancheria purchased a property around Commercial not residential homes. We know that area went from 2 calls in a year to over 1200 calls. Can you think what the percentages of 10% increase in crime that will filter out to the community. I do not want to hear sirens going 24/7 during the night and having 529 calls from the Graton casino alone in 2019 is a nightmare for a family.

If this goes through at the size and scale will perish the community, school, and safety. Secondly, I have contacted a law firm for our community that I reside in the WIKIUP area and over 35% of us were never informed of your communication. We are going to make sure that the city or the Koi Nation will purchase our homes if this goes through, and we have a strong case on this outcome. Even Las Vegas has a commercial area for Casinos. This is in a neighborhood. This is blind greed and not taking into account the families and promising a false narrative that crime will not exist. I want everyone on the city board to purchase one of the homes of the main entrance and if they can live there as we do, then I will stay. You are throwing a great community to a dark place to live with. I saw all the data, reports, union, city, and tribe pushing this through and this is being done without an honorable conscious.

The city needs to manage the budget and pensions better like every private sector company and employee has to do. Your city is an addict of tax revenue and short-term greed. I actually work in the private sector in sales and produce to the state, but this is bait and switch and the purest form.

I reside in Wikiup, and this was not mentioned in the DEIS. 8,000-12,000 cars a day will flood Shiloh, Mark West Springs exits with an endless grid lock. A 200-400 hotel is not going to sleep while we try to sleep before we take our children to school and our work. The water treatment plant will create a smell and 400,000 gallons a day will put pressure on water that is precious for California.

My only strategic suggestion is that you and the KOI Nation buy every property owner within the area purchase our homes at fair market value that will be moving out in droves as soon as the first piece of dirt starts turning over.

Cheers,

Paul M. Middlebrook



**From:** Suzanne Calloway <suzicalloway@gmail.com>  
**Sent:** Sunday, August 25, 2024 6:44 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino

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Dear Mr. Broussard:

This letter is in response to the EIS report for the proposed Koi Nation casino. The draft environmental impact statement (DEIS) released on July 8, 2024, does not adequately address the significant impacts this project will have on the surrounding community and Sonoma County if it is approved. Sonoma County and the Town of Windsor have raised numerous concerns related to water supply, wastewater, traffic, wildfire risk and evacuation routes, law enforcement and public safety, and housing and other economic impacts. Sonoma County tribes have also highlighted the impacts on them and their cultural resources.

**Many of the mitigation measures in the EIS are framed as "best management practices", but there is no definition of what that means, therefore no guarantee that they will occur.**

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.

**The traffic analysis in the EIS report did NOT include Shiloh Road and Faught Road, Airport Boulevard and Faught Road, and Airport Boulevard and Old Redwood Highway, all of which will be routes used to access the proposed casino.**

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. This neighborhood is out of city limits and 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 area they cover.

Furthermore, having lived through the Tubbs fire and the Kincadee 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 (Kincadee), 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.

**Again, this was not addressed in the EIS study. There is no part of the evacuation plan that encompasses Faught Road, which is two lanes. As such, the EIS does not answer the questions brought forth by the community.**

As I mentioned above, we are not in the city limits of Windsor OR Santa Rosa. We are covered by the sheriff's department, not Santa Rosa PD, so law enforcement emergencies take an inordinate amount of time to get a response. 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?

**The EIS states they will “negotiate with police and fire departments” with no clear definition of what that will look like. Again, the EIS does not answer the questions brought forth by the community.**

In summary, 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. The mitigations suggested by the EIS report are vague and incomplete. Therefore I oppose the Koi Nation's proposed fee-to-trust transfer of unincorporated land adjacent to the Town of Windsor for a hotel and casino gaming project.

Sincerely,

Suzanne Calloway

531 Coachlight Place

**From:** christine hoex <choex@sbcglobal.net>  
**Sent:** Sunday, August 25, 2024 7:51 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] "EIS Comments, Koi Nation Shiloh Resort and Casino

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August 26, 2024 by electronic mail

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

c/o: [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov)

Subject: EIS Comments, Koi Nation Shiloh Resort and Casino *and* on the TEIR (Tribal Environmental Impact Report) on "off-reservation" environmental impacts)

Dear Director Dutschke,

I am deeply concerned about adding another large resort and casino that would have a huge carbon footprint for Sonoma County. The impact of on water, energy needs, GHG emissions would be great indeed.

First the location of the proposed Alternatives A,B & C are in an area of the county that was set aside intentionally by the voters of the Town of Windsor as an urban Growth Boundary. This was created as a community separator in the Sonoma Countywide plan and the Larkfield-Wikiup 1980 specific plan. It is zoned for agriculture and is intended to be open space. It is inappropriate to put 34+acres of buildings and asphalt

I question the estimates on which the environmental impacts are suggested. data may be out of date, and any statements of mitigation measures are inappropriate in this time of crisis. Impacts are impacts. There is not enough healthy nature to mitigate any project at this point. All needs to be protected.

Casinos are 24/7 energy consumers. The electric grid according to the DEIS "PG&E has planned electrical and natural gas infrastructure projects which will

increase capacity near the Project Site prior to 2028". These are upgrades that have been paid for by Sonoma County residents who frequently **experience "brown outs" and fire safety shut offs.** The DEIS proposes *four onsite diesel generators for their guests which will further add GHGs* while the residents sit in the dark because the Casino overloaded the grid.

The waste produced by the Casino will add to the land fill with the 5+tons/day or 3+tons/day or .5ton/day of waste (which will undoubtedly include lots of plastic and chemical products which are fossil fuel based) which will sit in landfill producing greenhouse gases. Sonoma County is proud to be working toward Zero Waste and the proposal is the exact opposite of that goal.

**"The DEIS refers to "Climate change as a global phenomenon. [In which Certain gases in the atmosphere, classified as GHGs, play a critical role in determining the surface temperature of the earth.] In 2018, a primary sources of GHG emissions in the County were transportation (60%), building energy (21%), livestock (11%), solid waste (6%), and water/wastewater (1%)."** Since the DEIS acknowledges that transportation makes up 60% of the county's GHG contributions adding thousands vehicle miles traveled by employees and visitors in thousands of "trips/day" is unacceptable as we seek to decrease our contribution to climate change – the determination in the DEIS that this pollution and its contribution to climate change is not significant is unacceptable. Every addition to the problem of GHG emissions is an impact. Every impact on nature is a diminishment of nature and natural resources. I believe Climate Change is a local responsibility. We have just had the hottest July in history and in order to meet the Paris climate agreement target of limiting warming this century to less than 2.7 degrees Fahrenheit on average above pre-industrial temperatures, the world must slash carbon dioxide emissions in half by 2030 and reach net zero emissions by 2050, it is ludicrous to approve a commercial development which emits hundreds of tons of GHGs in an area where natural and working lands currently sequester CO2.

Further, the "urban heat island effect" as defined by the [EPA](#) where buildings, roads, and other infrastructure replace open land and vegetation and surfaces **that were once permeable and moist generally become impermeable and dry."** In this phenomenon whereby urban regions experience warmer temperatures than their rural surroundings." The existing vineyards sequester carbon and absorb heat. The neighborhood will be affected and suffer higher temperatures Casino need guests to stay comfortable year round Indoor climate control will strain the electric grid and increase the need for more energy out put. Energy, electric or other is not an unlimited resource. It take

energy to produce energy. To build windmills, solar panels, drill for geothermal power.

The risk of fire at this urban-wildfire-interface is important. Sonoma County's air quality is frequently compromised by fire. Fire mitigation ON SITE is discussed extensively. Including how to evacuate >5,000 cars onto E Shiloh, Old Redwood and HWY 101 in addition to Windsor and neighborhoods south of Windsor in the unincorporated area of Larkfield/Wikiup and Mark West Area which will jeopardize the safety of residents. They proposal of adding additional lanes and adding signals will not help (and is another impact GHGs) and is not wanted. This is a rural neighborhood not a city. Neighbors do not want more lanes and employees will flee for their lives if we have a repeat of the Kincaid fire or the Tubbs fire.

- Increase in Off site danger is not addressed: Casinos, liquor and cigarettes puts the neighborhood at increased risk for fire.

Last but not least is the issue of water, waste water and protection of wetlands.

- The DEIS proposes to use existing wells and that new well(s) will be drilled for anticipated use of **170,000 gallons per day** (gpd) of potable water and 108,000 gpd of recycled water and if the wells run dry they will drill new wells greatly affecting nearby residents. The water supply is not endless. With the Climate Chaos we are now moving into there is no guarantee of consistent rainfalls. With raising temperatures the demand for water grows and agriculture needs to be the first priority. Placing alternative A,B or C on this rural area will jeopardize our water supply over time. The wastewater proposal for up to **400,000 gallons/day to be treated onsite** will create an eyesore from Shiloh park and odors in the area, and overflow into Pruitt Creek is likely unfeasible and hence, unacceptable. Further the existing wetlands (which add moisture and cool the air) and wildlife habitat will be jeopardized.

**The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative D in the DEIS.**

I am writing on my own behalf, and as an individual member of Sonoma County Climate Activist Network. I am not authorized to speak for the Group. Thank you for this opportunity to comment  
Christine Hoex  
330 Horn Ave

Santa Rosa Ca.

**From:** Bill Bridges <wbridges@pacbell.net>  
**Sent:** Sunday, August 25, 2024 7:56 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] DEIS Comments, Shiloh Resort and Casino Project

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Dear Mr. Broussard,

I remain very concerned about the Koi Nation casino being proposed near Windsor, California. My concerns are centered around the following areas:

- Lack of objectivity in the EIS
- 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.

**Lack of Objectivity in the EIS:** The EIS was clearly bought and paid for by the Chickasaw tribe and the conclusions are nearly identical to the Environmental Assessment. Because of this fact, it is an inherently flawed document and cannot be trusted without an independent review.

**Agricultural and Residential Area:** Overall, a development of this magnitude would never be permitted in this location. It is currently a vineyard located right 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. I hope the Bureau of Indian Affairs takes this into account and respects the concerns of the nearby residents, not just the wishes of the Koi Nation.

**Water Usage:** Water is planned to be supplied by wells which would deplete our already tenuous ground water reserves. The water usage projections indicate a huge amount of water 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 is proposed to 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 and the mitigation solutions are minimal and would be ineffective.

**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 during a wildfire evacuation 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 local residents and the Koi Nation?

For these reasons, I believe the proposed casino should not be approved.

Thank you for considering my concerns.



William Bridges  
6224 Lockwood Drive  
Windsor, CA 95492

**From:** Gino Rantissi <ginorantissi@gmail.com>  
**Sent:** Sunday, August 25, 2024 8:48 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino

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Please see attached letter regarding the EIS for the Koi Nation Shiloh Resort and Casino. Thank you.

Gino Rantissi  
117 E Shiloh Road  
Santa Rosa, CA 95403  
707-321-5720

Gino Rantissi  
117 E Shiloh Road  
Santa Rosa, CA 95403

August 25, 2024

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

Re: EIS Comments, Koi Nation Shiloh Resort and Casino

Dear Ms. Amy Dutschke,

My name is Gino Rantissi. I am a Sonoma County Native who resides with his family, including three young children, across the street from where the Koi Nation of Clearlake is looking to build a casino and resort. There is no doubt in my mind that this is the wrong location to build a casino. This location is feet away from residential housing occupied by families and children. There is no casino anywhere in California that is in such close proximity to residential communities. The impact that a casino would have on growing families in the area could not be measured.

In addition to a residential community, the area where the Koi Nation intend on building is nestled in between churches, schools, and both a city and county park. I would like to emphasize that there is no casino in California that is in such close proximity to these community assets.

The Environmental Impact Statement does not factor in the detrimental effects of a casino within a residential community, nor does the report adequately address the wildfire threat in our area. As a first responder who works in Sonoma County, I have had first-hand experience dealing with a wildfire crisis. I understand the chaos that unfolds when wildfire strikes and residents are forced to evacuate their homes. Shiloh and Faught Road are extremely narrow and do not have the capacity to evacuate several thousand additional people who would need to flee the casino during an evacuation. Need not remind you that several Sonoma County residents were killed during the 2017 and 2019 fires. I personally had seen the ashy remains of a resident who did not make it out in time.

Lastly, the Koi Nation are not from Sonoma County. The fact that some members of the tribe voluntarily choose to live in Sonoma County does not grant them rights to the land. The Koi Nation are from Clearlake, California – not Sonoma County.

I wholeheartedly support local, indigenous tribes, but the truth matters.

I conclude by stating that in order to avoid significant environmental impacts to our area, I am respectfully asking for the Bureau of Indian Affairs to approve the only reasonable action which is the "NO PROJECT" alternative.

Thank you.

Respectfully,

Gino Rantissi

**From:** Daniel Schindler <danslist@comcast.net>  
**Sent:** Sunday, August 25, 2024 9:27 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] proposed Koi Nation Shiloh Resort and Casino

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Dear Ms. Dutschke,

I live in the Larkfield/Wikiup neighborhood and have been made aware of the proposed Koi Nation Shiloh Resort and Casino project.

I am opposed to this project. There are serious concerns about the impact of this proposed project that have not been addressed. There are many retirement communities all along Old Redwood Hwy which would be irreparably impacted. I have moved to the area because it is a peaceful, semi-rural, affordable, and safe area. This project would likely effect power consumption, traffic, community safety by causing an influx of outside traffic which Shiloh and Old Redwood area cannot handle.

This proposed project is poorly suited to the area and its surrounding environment, and would be a detriment to the people of this community.

Thank you for addressing my concerns.

Daniel M. Schindler  
1328 Wikiiup Drive  
Santa Rosa, CA 95403

**From:** Daisy Bogart <verbaldaz@hotmail.com>

**Sent:** Sunday, August 25, 2024 9:33 PM

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

**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino and on the TEIR on "off Reservation " environmental impacts

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Dear Regional Director Dutschke,

I live in the Wikiup/Larkfield neighborhood which is not even mentioned in the DEIS and I oppose the Koi Nation's proposed fee to trust transfer of unincorporated land where our neighborhood is located and adjacent to the town of Windsor for a hotel and casino gaming project funded and managed by the Chickasaw Nation. I support local indigenous tribes. This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, who's ancestral home is in Lake County. This DEIS does not adequately the significant impacts this proposed project will have on the "off reservation" surrounding community and Sonoma County if it is approved. Throughout the DEIS different issues are determined to have "no impact" or be "less significant" or "mitigated" through unproven suggestions that ONLY refer to mitigation on the casino site. My family literally lives less than a 10 minute drive to the site. I happen to think that this project will have a significant environmental impact on our Neighborhood and Community. My children play soccer in the park adjacent to the site where the casino is planned. The only way to avoid significant environmental impacts to our area is for the Bureau of Indian affairs to approve the environmentally preferred "no project" alternative D in the DEIS.

My husband was a nurse at the jail when the casino in Rohnert Park opened up 2013. He saw a "significant" increase in the amount of out of town intakes into the jail from guests visiting that casino. From the opening day of the casino, a night did not go by that he did not see at least one person from the casino getting booked into the jail. He vividly remembers one such guest crashing into a CHP officer's car. The area where the new casino is planned, is surrounded by neighborhoods full of families with children. It is not the place where a casino should be built.

We were also here during the fires in 2017 and 2019. Cars were backed up and stretched for miles when everyone was trying to evacuate. This area does not have the infrastructure to support all the guests at the casino evacuating along with all the residents of area.

Sonoma county tribes have also highlighted the impacts of them and their cultural resources. I agree with Governor Newsom who stated he is "concerned that these projects (Koi and Scott's Valley) are proceeding in a manner that would sidestep the State and ignore the concerns of tribal governments and other local communities."

As I previously stated, I support the local indigenous tribes. This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, whose homeland is in Lake County.

Respectfully,  
Daisy Bogart

5369 Cassandra Way,  
Santa Rosa, CA 94503

Sent from my iPhone

**From:** Larry Arias <mook4.4@yahoo.com>  
**Sent:** Sunday, August 25, 2024 9:36 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] Proposed Koi Nation Siloh Resort and Casino

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Dear Ms. Dutschke,

I live in the Shamrock Mobile Home park off of Old Redwood Hwy just north for Shiloh Rd. Recently I have been made aware of the proposed Koi Nation Shiloh Resort and Casino project. I am opposed to this project. There are serious concerns about the impact of this proposed project on my community that have not been addressed. There are many retirement communities all along Old Redwood Hwy in addition to mine, which would be seriously impacted. I have moved to the area because it is a peaceful, semi-rural, affordable, and safe area. This project would likely negatively effect power consumption, traffic, community safety by causing an influx of outside traffic which Shiloh and Old Redwood area cannot handle.

This proposed project is a poor fit to our area and its surrounding environment, and would be a detriment to the people of this community.

Thank you.

Larry L. Arias  
6 Shamrock Circle  
Santa Rosa, CA 95403



**From:** Geoff Coleman <[geoffreycoleman@aol.com](mailto:geoffreycoleman@aol.com)>

**Sent:** Sunday, August 25, 2024 9:56 PM

**To:** Broussard, Chad N <[Chad.Broussard@bia.gov](mailto:Chad.Broussard@bia.gov)>

**Subject:** [EXTERNAL] Environmental Impact Study Comments for the koi Nation Shiloh Resort and Casino

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Chad,

Thank you for the opportunity to offer the attached letter noting concerns regarding the Koi Nation's proposed Resort and Casino on Shiloh Road in the unincorporated area of Sonoma County.

Respectfully,

Geoff Coleman

Chad Broussard  
Bureau of Indian Affairs  
2800 Cottage Way, Room W-2820  
Sacramento, CA 95825

October 25, 2024

Subject: Environmental Impact Study comments for the Koi Nation Shiloh Resort and Casino

Chad,

I am writing today to express concern, as a 40-year resident of Sonoma County, a registered professional engineer, a licensed land surveyor and college engineering/land planning professor, about the casino proposed along east Shiloh Rd in the unincorporated area of Sonoma County. I am not opposed to local native tribes legally and lawfully utilizing their existing landholdings in a manner that benefits its members, but am bewildered how any responsible entity could consider urban development at this location, let alone a casino of this magnitude. This is a selfish and blatant disregard to the environment, neighborhood and our community.

The County of Sonoma and Town of Windsor, which this proposed monstrosity of a development borders, have active policies in place that prohibit development of this nature. The land use designation in the Sonoma County General Plan "Land Intensive Agriculture" was created to enhance and protect lands best suited for permanent agricultural use. These policies are established to promote responsible growth and prevent urban sprawl in accordance with the Local Agency Formation Commission's (LAFCO) policies.

It would be an irresponsible violation of these policies and completely inappropriate to build a casino in a residential area with our families and schools, inviting crime, drugs and prostitution, particularly when the residents of Sonoma County relied upon these policies and the actions of our Board of Supervisors approving them when purchasing their homes and nesting in this area. A development of this nature is not allowed under the California Environmental Quality Act (CEQA) and would not be permitted if proposed by any other entity, so I'm astonished that this is even being considered. In summary:

- The casino would introduce unwelcome noise, odors and light pollution which violate the County's policies. The original environmental impact report suggested the development would fund dual pane windows for residents adjacent to the entry road who request them. However, this isn't sufficient to mitigate the additional noise hundreds of other nearby residents will be forced to endure.
- Lighting will be downward facing and shielded, but this doesn't mitigate the impacts generated by light cast from 65ft tall structures which this latest development proposes.

- The environmental impact report notes some of the wastewater facilities will be located inside buildings, but suggests effluent may be stored outside in a 12.1 million gallon reservoir (33 million gallons if they don't discharge sewage to Pruitt Creek) and still fails to adequately address how odors from the wastewater treatment plant will be fully mitigated.
- Shiloh Road is planned as a 2-lane road with a single travel lane in each direction in the Town of Windsor's governing documents. Development is progressing along this corridor based on traffic counts supporting this configuration. Most roads in Sonoma County are built by the developments fronting them. It would be an unfair burden for the Town to require all property owners along Shiloh Road to give up additional right of way, and build a wider road as a condition of their respective developments, purely to benefit the casino. The environmental impact report noted the casino would pay their fair share for traffic improvements, but didn't identify what this entails. Shiloh Road is currently operating at a Level of Service of "D". The traffic impact study for the latest alternative still reports nearly 16,000 daily trips, degrading the Level of Service to F, which is totally unacceptable. Any other development of this magnitude would be required to completely fund the acquisition of right of way, design of a 4 lane arterial (2 lanes in each direction) and the improvement of Shiloh Road from the development to Highway 101 as a condition of development. Why wouldn't the casino be held to the same standard?
- California now evaluates the environmental impact of a development based on the number of vehicle miles traveled when accessing a facility (VMT). Adding 1 vehicle a day for an unplanned land use would violate this policy. The casino will bring thousands of people a day, substantially increasing VMT and greenhouse gas emissions. The traffic consultant for the casino side stepped this impact noting there isn't a VMT model for casinos, so they allegedly can only evaluate the impact created by employees which we all know generate a very small percentage of the number of vehicle trips this development would draw. Even when limiting their VMT analysis to employees alone, they noted these few trips would have an impact on VMT.
- Sonoma Water and the Town of Windsor provide sewer service to the unincorporated area of Sonoma County and the residents of the Town. Their facilities do not extend, nor were they ever planned to accommodate the waste discharge from the casino. Therefore, the casino would have to build their own sewage treatment plant in the back yards of our residents, bringing unsightly facilities and unwanted odors. The casino is proposing uses that may generate up to 400,000 gallons of wastewater daily. Even if the water were treated, it is too much effluent for them to use as recycled water for irrigation, toilets and other means. They want to discharge the excess sewer effluent

to Pruitt Creek during the wet season, where it will flow downstream through the mobile home park that already experiences regular flooding from this creek.

- The Town of Windsor and California American Water provide potable water service to this area for drinking, irrigation and fire protection. Their facilities do not extend to, nor were they ever planned to serve this site. Therefore, the casino would have to drill their own well(s) and further diminish groundwater supply in this area. The environmental impact report noted they intend to drill deep wells to approximately 700ft deep to ensure they have enough water (294,000 gallons per day, which they report in the environmental document as being more than half the water available from this groundwater basin) and to mitigate the impacts of their wastewater groundwater recharge efforts. The Town of Windsor, California American Water and Sonoma water have wells in this area to serve the existing residents and would be forced to compete for this water, drilling new deeper wells and passing these costs along to existing residents.
- The casino is proposed immediately adjacent to a Wildland Urban Interface Area (WUI). We have observed two devastating fires in this immediate area in the last 5 years. Residents attempting to flee their homes during the Tubbs fire, which took more than 5,600 structures in a matter of hours, were grid-locked in traffic trying to lead their families to safety, down the only viable evacuation route for many local residents. The casino will eliminate an existing agricultural greenbelt and provide additional strain on our roads and ability to seek refuge during emergency events. The Environmental Impact Statement acknowledges that people could not evacuate fast enough during the Tubbs fire in grid-locked traffic and that the casino would have a significant impact making evacuations 54% worse.
- Although Sonoma County residents are in dire need of housing, Permit Sonoma won't allow a residential lot to be split to build another home within a WUI area as a life/safety precaution. If County policy won't allow a single home in this area due to policy and life/safety concerns, then I am bewildered how findings can be made that a casino or resort are safe at this location.
- The local water supply network is designed to provide approximately 1,500gpm for firefighting. California American Water's tanks ran dry when fighting the Tubbs fire. A development of this magnitude having wood framed construction would require a flow rate of 8,000gpm (4,000gpm for sprinklered buildings). The local water purveyors don't have the capacity for this or the infrastructure to support this flow rate. Therefore, the casino will need to build their own tank or tanks which may require more than 500,000 gallons of water if computed using NFPA1142. However, this code wasn't intended to be used for sizing firefighting facilities in an urban design setting. When

considering the California Fire Code, the water tank storage requirement could approach 1 Million gallons, even for sprinklered buildings.

- Pruitt Creek traverses the proposed casino property. Even if the property could be developed, our local land development policies require that the creek be preserved and enhanced with landscape and development be setback from the creek.
- Sonoma Water, our local flood control agency and the Town of Windsor, in their Stormdrain Master Plan, identify Pruitt Creek as being incapable of handling the design storm event. The existing mobile home park and other downstream residents already experience flooding during inclement weather. The northbound Shiloh Road off ramp at Hwy 101 also floods and experiences closures on a regular basis. Substantially increasing the amount of impervious surface upstream will add runoff and create exacerbate flooding. A development this size might generate as much as 100cfs (~45,000gpm). This might require a 2-acre detention basin to help offset and mitigate the additional runoff. However, as an existing low laying agricultural use, the site already floods, providing several acre-ft of attenuation, protecting downstream properties from inundation. Therefore, development of this site will remove this needed amenity, requiring further mitigation. The combination of filling the site, removing the ability to attenuate water and adding impervious surface might require a 5-acre detention basin. The area reserved for detention in the hydrology element of the latest Environmental Impact Study is not nearly large enough to accommodate a detention basin this size.
- The Russian River and its tributaries, including Pruitt creek are listed as impaired water bodies under the Clean Water Act. The State of California requires that development draining to these tributaries treat and infiltrate stormwater through hydromodification. A development this size could require 4-acres of bioretention, aside from the requirement to temporarily detain the peak runoff to help mitigate flooding. The bioretention area in the hydrology element of the latest Environmental Impact Study is not nearly large enough to accommodate this infiltration requirement.
- The EIR notes that the Casino intends to contract with local law enforcement and emergency services but didn't quantify the amount needed to accommodate these services which is likely to be in the millions of dollars. Instead, they noted if they fail to reach an agreement that they would retain private security and staff their own firefighters. However this doesn't mitigate the majority of the impacts such as increased crime and medical calls in the area surrounding the casino. They will need to contract with local agencies to truly mitigate impacts and an amount should be negotiated and noted in the EIR prior to adoption.

As may be gleaned from the summary above, Shiloh Road is the wrong place for a casino, creating an unsafe environment for our residents on multiple levels. I am bewildered how a development of this magnitude proposed on this site made it as far as it has through our government process.

I don't understand why the BIA would consider giving priority to a tribe that doesn't have roots in this area, allowing them to partner with a financial enterprise to irresponsibly and harmfully destroy an entire community, and I would be equally bewildered if the BIA finds that their environmental document adequately addresses and mitigates the impacts of any of the alternatives proposing development at this location. This is why the governor of the State of California, County of Sonoma and Town of Windsor adamantly oppose developing this site as a casino or a resort.

Respectfully,



---

Geoff Coleman PE, LS, CDT

**From:** GISELE MONNEY <giselem10@comcast.net>  
**Sent:** Monday, August 26, 2024 12:04 AM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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 Regional Director Amy Dutschke:

I live in the Larkfield/Wikiup neighborhood which was not even mentioned in the DEIS and I oppose the Koi Nation's proposed fee-to-trust transfer of unincorporated land where our neighborhood is located and adjacent to the Town of Windsor for a hotel and casino gaming project funded and managed by the Chickasaw Nation. I support the local, indigenous tribes. This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, who's ancestral is in Lake County. This DEIS does not adequately address the significant impacts this proposed project will have on the "off reservation" surrounding community and Sonoma County if it is approved.

**The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative D in the DEIS.**

This agricultural land is available because *voters* set the Windsor border next to it as a community separator in the Sonoma Countywide plan and the Larkfield-Wikiup 1980 specific plan. It is in the urban Growth Boundary of Windsor. Converting this area to a commercial development will have significant environmental impacts among them, water supply and wastewater, the aesthetic nature of rural/suburban neighborhoods, open space and views from Shiloh Regional Park, land fill (5 tons/day garbage), traffic and traffic noise (from 9,000 – 11,000 car trips/day, refuse and delivery trucks and sirens), law enforcement, drunk driving – (pedestrian and bicycle safety) crime and public safety, housing and wildfire risk and evacuation routes. Lastly, there are currently 30 hotels approved for Sonoma County. There are already two casinos in Sonoma County – each less than 15 miles from this proposed location.

**Water supply & Wastewater** – water conservation is not just a requirement for this area, it is a way of life. Our water comes from wells and is the most expensive water in the state. The proposal states that new well(s) will be drilled for anticipated use of 170,000 gallons per day (gpd) of potable water and 108,000 gpd of recycled water and if the wells run dry they will drill new wells greatly affecting nearby residents. The water supply is not endless and continued drought as temperatures rise make it even more precious. Placing alternative A,B or C on this rural area will jeopardize our water supply over time. The wastewater proposal for up to 400,000 gallons/day to be treated onsite will create an eyesore from Shiloh park and odors in the area, and overflow into Pruitt Creek is likely unfeasible and hence, unacceptable.

**Wildfire mitigation and Evacuation** are serious concerns. The DEIS acknowledges that Cal Fire has designated this area as #3 High and #4 Very High Fire just north east of the casino. That alone should be reason not to add 34.4 acres of a commercial operation to the location. The DEIS speaks only to mitigating wildfire risk *on the site* itself and *to evacuation of guests and staff*. **It fails to acknowledge the surrounding residents.**

Many of us have had our homeowner's insurance cancelled because of fire, some property sales have failed because buyers could not get insurance. This casino will increase fire risk making insurance more difficult and more expensive and it will drive property values in our quiet neighborhoods down.

**Crime** is another concern. The DEIS is very misleading-when it says crime is not necessarily linked to casinos. Prior to the opening of the casino in Rohnert Park there were only 2 calls for service to the area, in 2013 the opening year there were 1,757 calls in the area (the number used in the DEIS), in 22/23 there were 6,680 calls (529 generated by the casino) and the rest: for assaults, trespassing, thefts, stolen vehicles, public intoxication and drug activity in the area. This will be a larger facility and will generate

more calls into and through our neighborhoods, with sirens blaring. Mitigation of “cameras” on site and possible security guards is not going to mitigate crime in the surrounding area and the nerve-racking sirens day and night.  
Prostitution, human trafficking.

### **Climate Change, GreenHouse Gases, the Electric Grid, Traffic, Noise,**

**Solid Waste** Sonoma County and all of the residents are working toward ZERO waste. The DEIS describes SoCo solid waste facilities and capacities and then says it will increase solid waste by 1% of the total county waste. The DEIS projects Alternative A will produce in excess of 10,000+ pounds of waste per person/day, B will produce 6,943 pounds/day (why not just say 7,000 – where are these precise numbers from anyway?) and C will produce 729 pounds/day (or almost half a ton). We don't need more garbage in our landfill. We don't need more plastic and PFAS in our landfill. SoCo landfills hope to capture 30% of methane GHG emissions produced in landfill by 2035 – we have been paying for this upgrade for years. This project will make it difficult to meet that goal and the casino has not been paying for the upgrades.

**Traffic** (the largest contributor to GHGs) are estimated with GHGs being measured in Sebastopol (an area much more coastal and breezy). The DEIS GHG estimate contributions to developing cancer use an CA OEHHA report from 2009 that refers to exposure over 70 years. That statistic is no longer used and demonstrates the intent of the DEIS to mislead the public and decision makers.  
The Vehicle Miles Traveled (VMT) estimates are not justifiable for visitors or the 1,600+ employees and the vehicle trips/day vary in the document from Alternative A 11,213 M-F and 15,779 S and Alternative B 8,410-11,834 and Alternative C 2,078 – 2,704. How do they come up with these precise estimates and how do they determine that the GHGs are insignificant for air quality and contributions to climate change.

That many additional cars on the road will increase noise well beyond the boundaries and immediate vicinity of the casino. In Wikiup/Larkfield we can hear Hwy 101 and we don't want an additional 15,799 cars 24/7 not to mention trucks and emergency vehicles.

Sonoma County Tribes have also highlighted the impacts on them and their cultural resources.

Gov Newsom stated he is "concerned that these specific projects [Koi and Scotts Valley] are proceeding in a manner that would sidestep the State, ignore the concerns of tribal governments and other local communities, and **stretch the "restored lands" exception beyond its legal limits** – while failing to adequately consider whether there might be a better way."

I am also very concerned that the Bureau of Indian Affairs is rushing this process, has not adequately considered the local environmental impacts, and addressed every one of the concerns raised and cannot prove the “limited significance measures” or guarantee and/or enforce the mitigations that is proposed.

I support the local, indigenous tribes. This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, whose homeland is in Lake County.

**The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred “no project” alternative D in the DEIS.**

Sincerely,  
Gisele Monney  
46 Larkfield drive  
Santa Rosa, CA 95403



**From:** Danelle Rosati <danelle@rosatifamilywines.com>

**Sent:** Monday, August 26, 2024 7:12 AM

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

**Subject:** [EXTERNAL] Proposed Chickasaw/Koi Resort-Casino on Shiloh Road in Santa Rosa, California

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

Dear Chad,

I did write to you some months ago. We continue to vehemently oppose any commercial development at the site proposed for the Chickasaw/Koi resort.

This area is not zoned for commercial usage and certainly not of this magnitude.

We are sympathetic to communities that have not had success in developing. But, to ruin a community built by hard-working people who are contributors to Santa Rosa and Windsor is abominable. The people who live nearest to that proposed commercial site are teachers, doctors, firemen, policemen, attorneys, and young families of all walks of life. To destroy what they have built for decades is quite simply a tragedy.

The development alone along that tranquil road would be highly, highly disruptive. As you are well-aware, the impingement of water, safety and traffic is beyond anyone's imagination. A 365 24/7 operation of this size is completely inappropriate for quiet Shiloh Road.

We along with so many others, including the Governor, urge you and your colleagues to consider the lives of all of us who have strived to create and maintain a safe and environmentally sound community.

With best regards,

Danelle and Mario Rosati

**From:** Delia Lopez <delialopez2016@icloud.com>  
**Sent:** Monday, August 26, 2024 8:10 AM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] BIA koi

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

Hi my is Ivan Astudillo. I'm a resident on Shiloh rd. I want to express my concern on building another casino in Sonoma County. Where there is already 3 casinos less than 60 miles. The Koi tribe who are 95 people from Ukiah where there is their ancestry land and are being recognized in their land rightfully. The fact that 95 people want to be accommodate by building a casino that will give a temporary job for a few hundred people, while it's under construction is disturbing the lives of people living from Windsor and Santa Rosa. I find it appalling. " "Give a man a fish, and you feed him for a day; teach a man to fish and you feed him for a lifetime.;  
Sent from my iPhone

**From:** VALENCIA LEZZENI <mrsengdanl@comcast.net>  
**Sent:** Monday, August 26, 2024 8:22 AM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] DEIS Comments, Koi Nation Shiloh Resort

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

Dear Regional Director Dutschke:

I live in the Wikiup/Larkfield neighborhood. Our neighborhood is not mentioned in the DEIS and I oppose the Koi Nation's proposed fee-to-trust transfer of unincorporated land where our neighborhood is located and adjacent to the Town of Windsor for a hotel and casino gaming project funded and managed by the Chickasaw Nation.

I opposed all past additions and will continue to oppose the addition of any Casino Resorts in Sonoma County altogether.

Please consider avoiding significant environmental impacts, water supply and wastewater impacts, wildfire mitigation and evacuation impacts, more crime, climate change and all that goes along with, traffic, etc. by insisting the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative D in the DEIS.

Sincerely,

Valencia Lezzeni  
573 Misty Court  
Santa Rosa, Ca 95403

**From:** sandra george <bailey011@att.net>  
**Sent:** Monday, August 26, 2024 11:21 AM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Cc:** town council@townofwindsor.com <town council@townofwindsor.com>  
**Subject:** [EXTERNAL] EIS 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.

Chad Broussard,

We write to you about the effects we have, ALREADY, suffered from just the PROPOSAL of the Koi Nation Shiloh Resort and Casino. Our home value, at the time that the Koi purchased the property across the street from our house on Shiloh Road, was \$1,168,482 in September 2021. This rose to \$1,403,434 July 2022. This is the time frame when people started learning that the Koi had, SECRETLY bought the property, and that they intended to build a casino and resort on the property and our house value started a steep decline. Since this time, our property value had now dropped to a current value of \$998,927 as of August 2024. This is a current personal loss to us of \$404,5027. Oh, and it is still declining!

There has been a recent listing of a house for sale in the Oak Park subdivision directly across from the PROPOSED casino location. At the recent Windsor City Council meeting held this month regarding the Koi project. A relator spoke about this house listing, He stated that potential buyers have concerns and inquired about the casino. Needless to say, the house hasn't sold!

Who knows how low this person would need to drop their price to sell. Or is anyone would purchase it at all? Our house has a well as its only source of water. With the amounts of water that the Casino and Resort would take from their proposed wells, our well WILL surely go dry. There have been many wells in Sonoma County that have recently gone dry, without a casino near them drawing down the water table. If ours go dry, our house will be uninhabitable and be worth nothing! No one would buy it.

Who is going to make us whole for what will be over Half a Million Dollar loss, or a complete loss to us? The Koi, the BIA? Please respond back to this email as to whom is liable for our losses?

We urge that this property is not put into trust, and that the option that nothing be built on this property is properly, and appropriately, selected.

Thank you  
David and Sandra George  
133 E Shiloh Road

8:25

5G

← Search



Built in 1965, renovated in 1973



1.27 acres



\$462 Redfin Estimate per sq ft

• Source: Public Records

## Redfin Estimate



Redfin has the most accurate online home estimate ⓘ

**\$998,927**

▲ **\$319K** since sold in June 2010

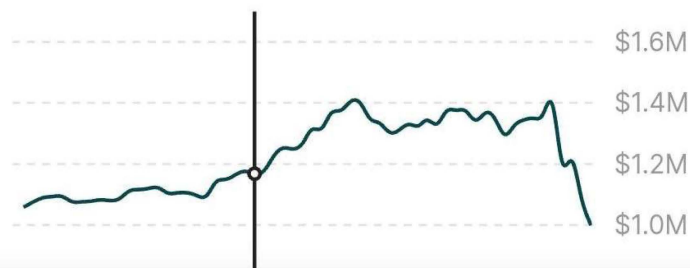
▼ **\$90K** since July

Sep 2021

1 year

**5 year**

**\$1,168,482** Estimate



**I own 133 E Shiloh Rd**

Track this home's value and nearby sales activity

**Schedule a selling consultation**



\$462 Redfin Estimate per sq ft

• Source: Public Records

## Redfin Estimate



Redfin has the most accurate online home estimate ⓘ

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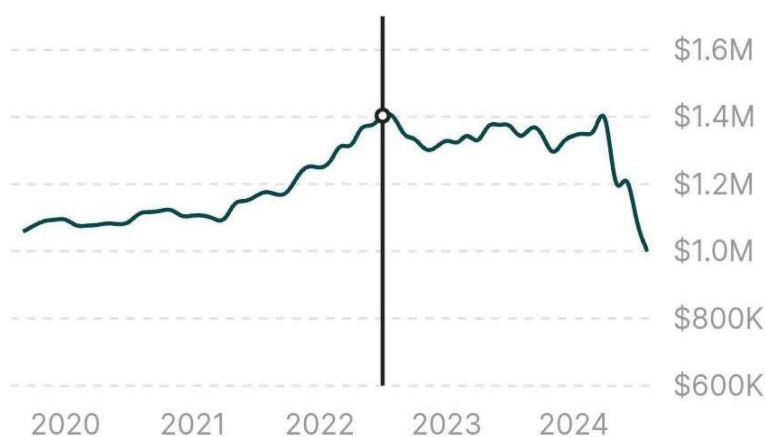
▼ **\$90K** since July

Jul 2022

1 year

5 year

**\$1,403,434** Estimate



**I own 133 E Shiloh Rd**

Track this home's value and nearby sales activity

**Schedule a selling consultation**



\$462 Redfin Estimate per sq ft

• Source: Public Records

## Redfin Estimate



Redfin has the most accurate online home estimate ⓘ

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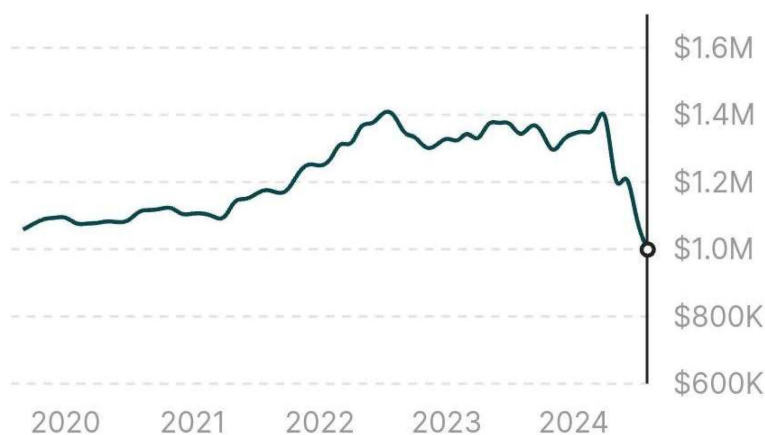
▼ **\$90K** since July

Aug 2024

1 year

5 year

\$998,927 Estimate



**I own 133 E Shiloh Rd**

Track this home's value and nearby sales activity

**Schedule a selling consultation**

**From:** Bill Halliday <hallidayhome60@gmail.com>  
**Sent:** Monday, August 26, 2024 11:23 AM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments Koi Nation Shiloh Resort and Casino and TEIR

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

Dear Regional Director Dutschke,

As a resident of the Larkfield/Wikiup neighborhood, I would like to express my strong opposition to the proposed Koi Nation Shiloh Resort and Casino. My reason for opposition are as follows:

- 1) Sonoma County is not the ancestral home of the Koi; Lake County is.
- 2) Our Neighborhood is suburban and rural and not suitable for a large casino.
- 3) Our community water source cannot sustain a large scale casino. (170,000 gallons per day of well water and 108, 000 of recycled water)
- 4) Homes, businesses, parkland and open spaces burned in both the Tubbs and Kinkade Fires. We are extremely fire prone. Egress and emergency personnel access during a fire is already a gridlock. Adding the traffic of a 5,000 person casino to an already challenging evacuation zone will put life and property in danger; not to mention our heroic emergency response teams!
- 5) Schools: we are blessed to have three excellent public elementary schools in our area: Mark West, Riebli, and San Miguel, plus a non-public school serving special needs students; Anova. All the school's students and staff would be at risk during a gridlocked fire evacuation. The daily traffic would also add an unnecessary burden on our hardworking neighborhood parents.

The only way to avoid significant environmental and lifestyle impacts is for the BIA to approve the environmentally preferred "no project" alternative D in the DEIS.

With regards,

Bill Halliday and Deanna Fontanes-Halliday  
5636 Carriage Lane  
Santa Rosa CA 95403



**From:** Noah Starr <[noah@singersf.com](mailto:noah@singersf.com)>  
**Sent:** Monday, August 26, 2024 12:01 PM  
**To:** Broussard, Chad N <[Chad.Broussard@bia.gov](mailto:Chad.Broussard@bia.gov)>  
**Cc:** Sam Singer <[singer@singersf.com](mailto:singer@singersf.com)>  
**Subject:** [EXTERNAL] EIS 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 afternoon Mr. Broussard,

On behalf of Sam Singer and Singer Associates, Inc., attached please find attached our agency's public comments on the Draft Environmental Impact Statement.

Please let us know if you have any questions.

Thank you,

Noah

**Noah Starr, MPA | Account Director** | Singer Associates, Inc.  
47 Kearny Street, 2nd Floor | San Francisco, CA 94108  
Office: 415.227.9700 | Cellular: 949.370.0221  
[noah@singersf.com](mailto:noah@singersf.com) | [www.singer-associates.com](http://www.singer-associates.com)

# SINGER ASSOCIATES PUBLIC RELATIONS, INC.

PUBLIC AFFAIRS & CORPORATE COMMUNICATIONS

**August 26, 2024**

**To: Chad Broussard, Environmental Protection Specialist, Bureau of Indian Affairs, Pacific Region, [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov)**

**From: Sam Singer, Singer Associates, Inc.**

**Re: EIS Comments, Koi Nation Shiloh Resort and Casino**

Dear Mr. Broussard:

As the Koi Nation of Northern California's ("Nation") public relations consultant, Singer Associates, Inc. submits this letter to the BIA in full support of the draft Environmental Impact Statement (EIS) of the Nation's proposed Shiloh Resort & Casino project in Sonoma County, California. To assist the BIA in its review of the public's comments, please find below a summary of the support the Nation's proposed project has received during the comment period.

During the BIA's public comment hearing on July 30, 2024, 68 individuals spoke in support of the EIS' approval, nearly tying with the 76 individuals who spoke in opposition.

Since the beginning of the EIS public comment period on July 12, 2024, the Nation has received and submitted to the BIA 29 new letters of support from members of the public. These letters are attached to this letter as Exhibit 1 and bring the total number of project support letters the Nation has submitted to the BIA to 351.

In addition to the 29 letters of support received during the public comment period and detailed in Exhibit 1, Singer Associates, Inc. also calls your attention to numerous supportive comments posted by members of the public to the Nation's Facebook page ([www.Facebook.com/KoiNationSonoma](https://www.Facebook.com/KoiNationSonoma)) since the beginning of the public comment period. The comments include supportive messages such as

- "Yes!! It will be beautiful!" from Dorothy Stonelhouye, and
- "Absolutely the Pomo should build their casino there!" from Debbie Bouvier, and
- "Absolutely yes" from Michael Christensen, and
- "Everyone should have a seat at the table." from Carla Jack-Rodriguez, and
- "Good luck" from Juana Brown, and
- "I support all First Person and Native American efforts to seek and gain their tribal and individual rights." from John-David Hughes, and many others.

We also call to your attention the 225 positive engagements (200 "likes" and 25 "loves") with the Nation's latest digital advertising effort on Facebook. Lastly, we call to your attention the 31,314 views the [www.KoiNationSonoma.com](http://www.KoiNationSonoma.com) website has received, 4,666 of which took place since the beginning of the EIS public comment period.

Finally, the Nation's proposed project has also received the support of 59 federally-recognized tribes and 3 tribal communities from across California and beyond:

1. Habematolel Pomo of Upper Lake Tribe
2. Hopland Band of Pomo Indians
3. Sherwood Valley Band of Pomo Indians
4. Big Valley Band of Pomo Indians
5. Guidiville Indian Rancheria (Pomo)
6. Robinson Rancheria (Pomo)
7. Scotts Valley Band of Pomo Indians
8. Cahto Tribe of the Laytonville Rancheria
9. Pala Band of Mission Indians
10. Jamul Indian Village of California
11. Chicken Ranch Rancheria
12. Redding Rancheria
13. Tejon Indian Tribe
14. Bishop Paiute Tribe
15. Ione Band of Miwok Indians
16. Confederated Tribes of Siletz Indians
17. Kletsel Dehe Wintun Nation
18. Manzanita Band of the Kumeyaay Nation
19. Big Lagoon Rancheria
20. Augustine Band of Cahuilla Indians
21. Yurok Tribe
22. San Pasqual Band of Mission Indians
23. Tanana Chiefs Conference (tribal consortium made of up of 42 members, including 37 federally-recognized tribes)

These tribal support letters are attached as Exhibit 2 and reflect meaningful and broad support that the Nation's proposed project has received from its brother and sister tribal nations.

If the BIA has any questions about the contents of this letter, please do not hesitate to reach out to Singer Associates, Inc. at either (415) 227-9700 or [singer@singersf.com](mailto:singer@singersf.com).

Sincerely,

Sam Singer

# EXHIBIT 1

Friday, Jul 12, 2024

Janet Hamilton

janettravelshere@gmail.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

The Koi Nation has suffered the effects of broken promises by the government and dispossession of its tribal lands for 150 years. This trust land application is an opportunity for the BIA to right these wrongs and enable the Tribe to exercise its inherent, sovereign rights and its ability to build a stable economic base for itself and its members.

We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Monday, Jul 15, 2024

Gloryanna Valerio

jps\_ndnprincess@yahoo.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

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We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Tuesday, Jul 16, 2024

Gloria Birch

abedul@aol.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

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We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Thursday, Jul 25, 2024

Holly Wright

[h.wright1018@gmail.com](mailto:h.wright1018@gmail.com)

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

The Koi Nation has suffered the effects of broken promises by the government and dispossession of its tribal lands for 150 years. This trust land application is an opportunity for the BIA to right these wrongs and enable the Tribe to exercise its inherent, sovereign rights and its ability to build a stable economic base for itself and its members.

We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.



Thursday, Jul 25, 2024

Maureen M Regan

mreenmd@aol.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We would appreciate your expedited approval of this application.

Thursday, Jul 25, 2024

Yolanda Basurto

yo.stylist56@icloud.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Tuesday, Jul 30, 2024

William M. Brown

inforrepair@sbcglobal.net

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Wednesday, Jul 31, 2024

Aime Graves

abodhilove@hotmail.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Friday, Aug 02, 2024

Gina Griffin

fog4u@aol.com

Department of the Interior  
Attn: Bryan Newland, Assistant Secretary - Indian Affairs  
1849 C Street, N.W.  
Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Saturday, Aug 03, 2024

Denise Jackson

niecee393@sbcglobal.net

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Sunday, Aug 04, 2024

Jazmyne Josephine Marrujo  
marrujojazmyne@gmail.com

Department of the Interior  
Attn: Bryan Newland, Assistant Secretary - Indian Affairs  
1849 C Street, N.W.  
Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in San Jose California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

The Koi Nation has suffered the effects of broken promises by the government and dispossession of its tribal lands for 150 years. This trust land application is an opportunity for the BIA to right these wrongs and enable the Tribe to exercise its inherent, sovereign rights and its ability to build a stable economic base for itself and its members.

We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Monday, Aug 05, 2024

Alan Herzberger

alanherzberger@gmail.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We would appreciate your expedited approval of this application.



Monday, Aug 05, 2024

Brooke Green

brooke8269@att.net

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We would appreciate your expedited approval of this application.

Monday, Aug 05, 2024

Jenny Herzberger

jenherzy@gmail.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

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We would appreciate your expedited approval of this application.

Monday, Aug 05, 2024

Julia Nored

jnored@kochcomm.com

Department of the Interior  
Attn: Bryan Newland, Assistant Secretary - Indian Affairs  
1849 C Street, N.W.  
Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

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We would appreciate your expedited approval of this application.

Monday, Aug 05, 2024

Kate Douglas

kdouglas@kochcomm.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

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We would appreciate your expedited approval of this application.

Monday, Aug 05, 2024

Kym Koch Thompson

kym@kochcomm.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

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We would appreciate your expedited approval of this application.

Monday, Aug 05, 2024

Sade Taylor

staylor@kochcomm.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

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We would appreciate your expedited approval of this application.

Tuesday, Aug 06, 2024

Melodi Akers

melodiwalton@yahoo.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

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We would appreciate your expedited approval of this application.

Tuesday, Aug 06, 2024

Shaundra North

shaundranorth@yahoo.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We would appreciate your expedited approval of this application.



Thursday, Aug 08, 2024

Robert Boyce

robert.b@tribalsupport.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

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We would appreciate your expedited approval of this application.

Thursday, Aug 08, 2024

Tessa Wright

twright@kochcomm.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

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We would appreciate your expedited approval of this application.

Friday, Aug 09, 2024

Jaime Boggs

jboggs@rrcbc-nsn.gov

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We would appreciate your expedited approval of this application.

Saturday, Aug 10, 2024

Teodoro Hernández

teodorohernandez828@yahoo.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We would appreciate your expedited approval of this application.

Tuesday, Aug 20, 2024

Benjamin Benjamin

galindobenjamin90@yahoo.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We would appreciate your expedited approval of this application.

Tuesday, Aug 20, 2024

David Tuley

homahatuk@gmail.com

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We would appreciate your expedited approval of this application.

Wednesday, Aug 21, 2024

Diane McClelland

machaus@sonic.net

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application. We the people want this casino!

Thursday, Aug 22, 2024

Richard Honsa

honsa10@sbcglobal.net

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

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We would appreciate your expedited approval of this application.



Sunday, Aug 25, 2024

Carol Sellers

[gigisellers@comcast.net](mailto:gigisellers@comcast.net)

Department of the Interior

Attn: Bryan Newland, Assistant Secretary - Indian Affairs

1849 C Street, N.W.

Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

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We would appreciate your expedited approval of this application.

# EXHIBIT 2



635 E. Hwy 20  
Upper Lake, CA 95485

P 707.275.9050 | F 707.275.9338  
[www.hpultribe-NSN.gov](http://www.hpultribe-NSN.gov)

October 7, 2021

Honorable Darin Beltran  
Koi Nation  
P.O. Box 3162  
Santa Rosa, CA 95402


**Subject: Letter of Support for Koi Nation Tribe**

On behalf of the Habematolel Pomo of Upper Lake Tribe, I would like to congratulate the Koi Nation Tribal Council and its members on the recent acquisition of Sixty-eight (68) acres in Santa Rosa California. Additionally, I understand this land is to be used to further the self-reliance and the self-determination of the Koi Nation thereby strengthening the Nation's sovereignty. Our Tribe wishes to convey its strong support for the Koi Nation's multi-year effort to restore its government, its land base and its plan to place this land into trust for the purposes of gaming.

Like Koi Nation, the Habematolel was once landless and knows all too well the arduous task to restore a tribe's land base. What is more, without resources from economic development opportunities, often tied to on reservation activity, reversing the impacts of hundreds of years of failed federal policy on our nations and its destructive effects on generations of our people becomes nearly impossible.

It has been a long time coming for our fellow sovereign. From one nation to another we wish you the best on the challenging path ahead.

Respectfully,



Sherry Treppa  
Chairperson  
Habematolel Pomo of Upper Lake



# Hoplend Band of Pomo Indians

3000 Shanel Rd., Hopland, California 95449 Phone (707) 472-2100 Fax (707) 744-1506

March 10, 2022

Honorable Bryan Newland  
Assistant Secretary- Indian Affairs  
United States Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

RE: Support for Koi Nation

Dear Assistant Secretary Newland:

The Hopland Band of Pomo Indians is pleased to support the Koi Nation's longstanding effort to re-establish its tribal homeland in Sonoma County, California.

As United States District Court Judge Beryl Howell recently observed, the federal government's trust relationship with Koi Nation "has been marked by decades of mistreatment" including the "egregious administrative mistake" of improperly ignoring and treating the Tribe as an unrecognized Indian tribe.<sup>1</sup> Although the federal government reaffirmed the Koi Nation's status as a federally recognized Indian tribe two decades ago in December 2000, the Tribe has been without a land base or reservation since 1956.

We have now learned that the Koi Nation has identified a 68-acre site in unincorporated Sonoma County upon which to restore its homeland. We applaud the Tribe for this historical step and believe that this location is clearly appropriate for the restoration of the Tribe's homeland.

We support the Koi Nation's effort to reestablish its homeland on the 68-acre site in unincorporated Sonoma County.

Sincerely,

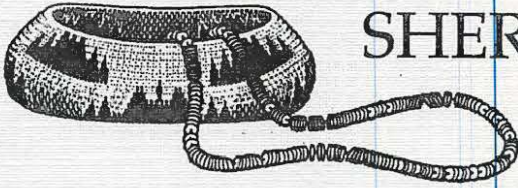
A handwritten signature in blue ink, appearing to read "Sonny J. Elliott Sr.", is written over a horizontal line.

Sonny J. Elliott Sr.  
Tribal Chairman

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<sup>1</sup> *Koi Nation of N. California v. United States Dep't of Interior*, 361 F. Supp. 3d 14, 20 (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).





# SHERWOOD VALLEY BAND OF POMO INDIANS

March 24, 2023

Honorable Bryan Newland  
Assistant Secretary – Indian Affairs  
United States Department of the Interior  
1849 C Street, N. W.  
Washington, DC 20240

Re: Support Letter for the Koi Nation of Northern California

Dear Assistant Secretary Newland:

On behalf of the Sherwood Valley Band of Pomo Indians, our tribe wishes to convey its support for the Koi Nation of Northern California. Given their history, we applaud their efforts to reestablish their homelands on the 68-acre site in Sonoma County for the purpose of gaming. This is exciting news and we wish nothing but the best in their endeavor.

Respectfully,

A handwritten signature in blue ink that reads 'Melanie Rafanan'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Melanie Rafanan  
Tribal Chairperson



## Big Valley Band of Pomo Indians

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August 23, 2022

Honorable Bryan Newland  
Assistant Secretary- Indian Affairs  
United States Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

Re: Support Letter for Koi Nation of Northern California

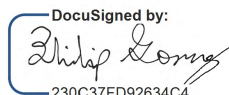
Dear Assistant Secretary Newland:

The Big Valley Band of Pomo Indians is pleased to support the Koi Nation Tribal Council and members effort to re-establish its tribal homeland in Sonoma County, California. Their recent acquisition of a 68-acre site in unincorporated Sonoma County, California is an amazing opportunity for the Koi Nation to strengthen its sovereignty and place this land into trust for the purposes of gaming.

Big Valley Band of Pomo Indians had to gain its recognition back in 1983 and we know the pain of having to fight negative federal government decisions. As United States District Court Judge Beryl Howell recently opined in her 2019 court decision, the federal government's trust relationship with Koi Nation "has been marked by decades of mistreatment" including the "egregious administrative mistake" of improperly ignoring and treating the Tribe as an unrecognized Indian tribe. *Koi Nation of N. California v. United States Dept. of Interior*, 361 F. Supp. 3d 14, 20 (D.D.C. 2019). Although the federal government reaffirmed the Koi Nation's status as a federally recognized Indian tribe two decades ago in December 2000, the Tribe has been without a land base or reservation since 1956.

We therefore support the Koi Nation's efforts to reestablish its homeland on the 68-acre site in unincorporated Sonoma County and wish them the best in their future endeavors.

Respectfully,

DocuSigned by:  
  
230C37FD92634C4...  
Philip Gomez  
Tribal Chairman





# GUIDIVILLE

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## Indian Rancheria

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P.O. BOX 339 • TALMAGE, CA 95481 • PH: 707/462-3682 • FAX: 707/462-9183

April 15, 2022

Honorable Bryan Newland  
Assistant Secretary of Indian Affairs  
United States Department of Interior  
1849 C Street N.W.  
Washington, D. C. 20240

***Subject: Support for Koi Nation Land Acquisition Sonoma County, CA***

Dear ASIA Newland:

The Guidiville, Rancheria of California wishes to offer its strong support to the Koi Nation's land acquisition/restoration efforts in Sonoma County.

Like the Koi Nation, the Guidiville Tribe also fell victim to the misguided federal and state Indian policies of the past. Each of our respective tribes, and many of our sister California Tribes were left without federal recognition or land in the wake of the illegal termination era. Fortunately, today both state and federal policies have progressively evolved, denouncing the harmful practices of the past and the recognizing the importance, that tribal nations have within the family of governments that make up our nation.

Unlike the practices of the past, where Tribes lost lands or their very relationship with the United States with the stroke of a pen, the land restoration process for Tribes to recover even a mere sliver of the land within their ancestral territory today is a complex, expensive and daunting federal process. It is a long expensive process wrought with organized opposition from states, cities and counties competing for jurisdiction and tax base, anti-native community groups, and even other Tribes. California is a big state with a thriving economy. Every city, state, county and municipality is built on the ancestral lands, of native people. Certainly with the knowledge of the past wrongs and failed Indian policies, we can make better decisions today to address some of those past wrongs and move to a more positive and equitable recognition for descendants of California's remaining native people.



Because of the great time and expense and opposition involved with land acquisition, it is not surprising that one of the Koi Nation's first land acquisition efforts is for Tribal government gaming. Tribal gaming has proven to be a strong, reliable and financeable economic cornerstone upon which a Tribal government can then build a strong Tribal economy, and ultimately economic self-sufficiency, absent of significant federal assistance.

Nearly 30 years Tribal government gaming in California has borne out that Tribal governments and surrounding communities greatly benefit from gaming with far more positive benefits than negative impacts. Fears of purported impacts from tribal activities simply have not materialized. We encourage you to consider the record of California Tribe's relationships with surrounding communities, institutions of charity and education in your analysis when considering the Koi Nation's application.

Further, we also encourage you to take a look at the Tribe's entire history, and not just a convenient snap shot in time, when making a significant historical connection analysis.

We encourage you consider the Tribe's entire history in the context of the brutal history of how California was settled and specifically how our collective ancestors reacted to the very rapid settlement of California. In studying our own history in great detail, we learned that the general ancestral make up of our Tribe includes Coast Miwok/Costanoan, Wapo, Patwin, and Pomo in about equal parts. These native ancestors occupied portions of modern day, Mendocino County, Sonoma County, Marin County, Lake County, Contra Costa County, and to a lesser extent Solano County and Napa County. We would not be surprised if the Koi Nation's ancestral make up may have similar overlaps of common ancestors and areas used, which likely fluctuated greatly in this region over time, as our ancestors responded to the many destructive forces in the name of settlement. Forces that nearly wiped out all of California native people.

Stated more simply, the DOI, should not just consider, where the Tribe's last trust lands used to be located, as a basis for determining the Tribe's ancestral or historical areas. As we hope you know, the creation of Rancheria's in California was more than anything else, based on where federal officials found the last remnants of homeless and displaced native people, hiding in isolated safe havens, away from the forces of extermination. These random purchases of land for homeless indian people eventually morphed into recognized tribal governments, as both Tribes and the federal government reacted to the ever-changing federal Indian Policy.

Lastly, we ask you to consider the fact that time has proven, that when Tribes reacquire or regain a little bit of their historical use and occupancy area, positive change and healing begins. Time and time again we have seen how both the Tribe and the surrounding communities have enjoyed more positive benefits than negative impacts when Tribes gain a little bit of the land they once had.

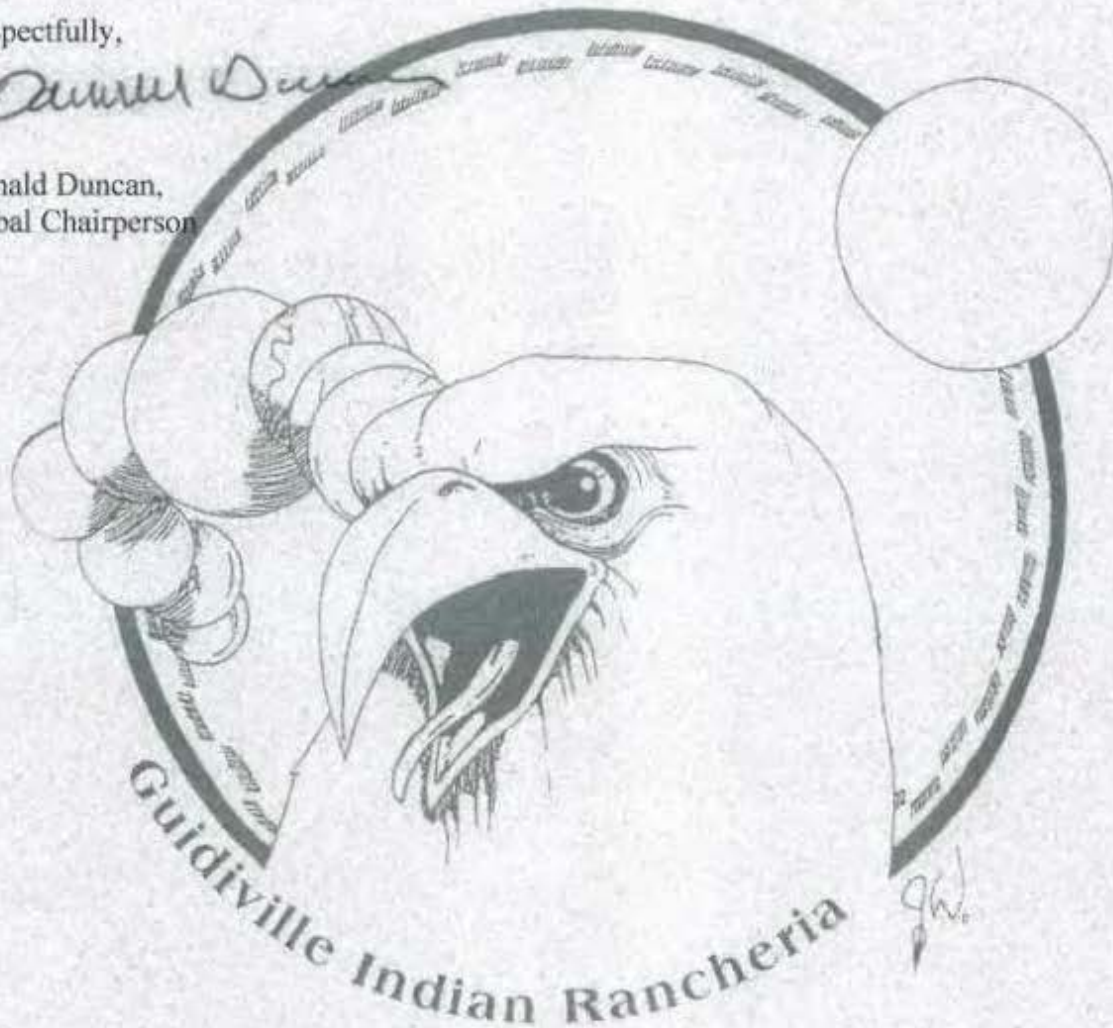


As a similarly situated Tribe in the northern California regional who has lost their federal recognition and land base due to failed Federal Indian policy we strongly applaud and support the Koi Nation's efforts to gain any land nearly anywhere in the north Bay area, so they can begin to build a strong functioning economy for the benefit of their people and those nearby communities and institutions who will ultimately also enjoy the benefits of the Tribe's land restoration effort.

Respectfully,

*Donald Duncan*

Donald Duncan,  
Tribal Chairperson





# ROBINSON RANCHERIA

CITIZENS BUSINESS COUNCIL

February 6, 2024

Honorable Darin Beltran  
Koi Nation  
P.O. Box 3162  
Santa Rosa, CA 95402

Subject; Support Letter Koi Nation

Please accept this letter of support from Robinson Rancheria to Koi Nation to reestablish homeland in unincorporated Sonoma County. Our Council understands the long and difficult journey dealing with the Federal Government and the "egregious administrative mistake" that resulted from this. We hope with our support, along with the support of many other tribes, the Koi Nation can strengthen their self-reliance and continue to determine their economic future with a land base.

From our Tribe to yours, we support your efforts for the future generations of the Kio Nation.

Sincerely,

Beniakem Cromwell  
RRCBC Tribal Chairman

P.O. Box 4015 • 1545 E. Highway 20 • Nice, CA 95464  
Phone: 707.275.0527 • Fax: 707.275.0235

September 21, 2021

Honorable Bryan Newland  
Assistant Secretary- Indian Affairs  
United States Department of the Interior  
1849 C Street, N.W.  
Washington, D.C. 20240

RE: Support for Scotts Valley Band of Pomo Indians

Dear Assistant Secretary Newland:

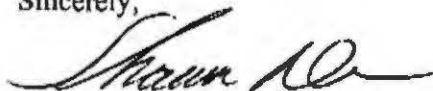
The Scotts Valley Band of Pomo Indians are pleased to support the Koi Nation's long standing effort to re-establish its tribal homeland.

As a fellow landless Indian tribe, we share the sentiment of United States District Court Judge Beryl Howell that the federal government's trust relationship with Koi Nation "has been marked by decades of mistreatment" including the "egregious administrative mistake" of improperly ignoring and treating the Tribe as an unrecognized Indian tribe.<sup>1</sup> Although the Assistant Secretary of Indian Affairs reaffirmed the Koi Nation's status as a federally recognized Indian tribe two decades ago in December 2000, the Tribe has been without a land base or reservation since 1956.

We have now been advised that the Koi Nation has identified a 68-acre site in unincorporated Sonoma County upon which to restore its homeland. We applaud the Tribe for this historical step and believe that this location is clearly appropriate for the restoration of the Tribe's homeland. After all, the Koi Nation has significant historical ties to the Sonoma area, including that the Tribe is a successor of the Clear Lake bands that ceded lands to the United States in an 1851 treaty.

We ask for your support of Koi Nation's request to reestablish its homeland.

Sincerely,



Shaw Davis  
Tribal Chairman

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<sup>1</sup> *Koi Nation of N. California v. United States Dep't of Interior*, 361 F. Supp. 3d 14, 20 (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).





# CAHTO TRIBE

LAYTONVILLE RANCHERIA  
P.O. Box 1239 • Laytonville, CA 95454  
Office (707) 984-6197 • Fax (707) 984-6201



March 25, 2023



Honorable Bryan Newland  
Assistant Secretary Indian Affairs  
United States Department of the Interior  
1849 C Street, N.W  
Washington, D.C. 20240

Re: Koi Nation



Dear Assistant Secretary Newland:



We, the Cahto Tribe of the Laytonville Rancheria are writing this letter of support on behalf of the Koi Nation, once a landless Tribe. We are very much aware of the importance of self-governance and self-preservation and the need of a home base for our People and are very proud of the Koi Nation through many years of effort in securing a 68-acre site in which to develop their economic development and establish themselves in their rightful territory.



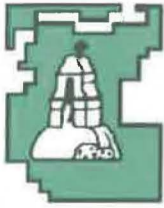
Due to years of unfair treatment the Koi Nation has been unable to secure many of the resources and benefits other Tribes in the State have had. Now they will begin navigating through one the hardest systems Tribes face today, the Fee-to-Trust process. We are hoping that those on the other side of this operation see the need to change the status quo and start working with Native People to secure their inherited right to their land and make this an easier procedure. We applaud the Koi Nation and stand with them as they regain their rightful homelands.



Respectfully,

Mary J. Norris, Chairwoman  
Cahto Tribe of the Laytonville Rancheria





**PALA BAND OF  
MISSION INDIANS**

PMB 50, 35008 Pala Temecula Road  
Pala, CA 92059  
Phone 760-891-3500 | Fax 760-742-1411

February 21, 2024

**US. Mail & Certified Mail #7018 1130 0000 7206 6329**

Bryan Newland  
Assistant Secretary, Indian Affairs Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

Mr. Newland,

On behalf of the Pala Band of Mission Indians, this letter is to express our support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good-paying jobs as well as create a substantial, possible economic impact in Sonoma County and other nearby communities.

The Koi Nation has suffered the effects of broken promises by the government and the dispossession of its tribal lands for 150 years. This trust land application is an opportunity for the BIA to right these wrongs and enable the Tribe to exercise its inherent, sovereign rights and its ability to build a stable economic base for itself and its members.

We believe the Koi Nation and its partner on the project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

If you should have any questions or concerns, please don't hesitate to contact the Tribal Secretary's Office at (760) 891-3517.

Sincerely,

Robert H. Smith  
Chairman  
On behalf of the Executive Committee  
Pala Band of Mission Indians

Cc: Executive Committee  
File – Koi Nation Tribal Council  
File – Assist. Sec. Indian Affairs Dept. Interior



March 9, 2023

Honorable Bryan Newland  
Assistant Secretary of Indian Affairs  
United States Department of Interior  
1849 C. Street, NW  
Washington, DC 20240

**Re: Support for Koi Nation's Fee-to-Trust Application**

Dear Assistant Secretary Newland,

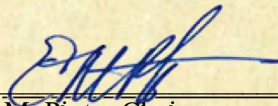
I am writing you today on behalf of Jamul Indian Village of California ("JIV") in support of the Koi Nation's (the "Nation") land acquisition/restoration efforts in Sonoma County, California. As Chairwoman of JIV, I understand the need for Koi Nation to establish a home territory in order to further its self-determination, self-governance, economic development and cultural preservation.

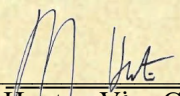
We understand the long federal process for taking land into trust and wish Koi Nation great success in meeting all of the federal requirements for ensuring the casino project is safe for the environment and beneficial to the Nation. Land restoration is very important to the Koi Nation, as it is for all tribes who were once landless or had their territory diminished. Koi Nation also experienced a long period of being treated as a terminated tribe which cost the Nation decades of lost opportunities. Now is the time for the Bureau of Indian Affairs to partially rectify this tragic history and acquire land into trust for the Koi Nation.

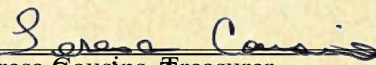
Jamul Indian Village of California strongly supports the Koi Nation's effort to reestablish its homeland on the 68-acre site in unincorporated Sonoma County through the fee-to-trust process.

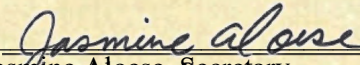
Respectfully,

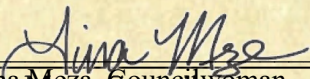
Jamul Indian Village of California Tribal Council

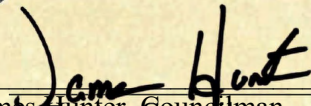
  
Erica M. Pinto, Chairwoman

  
Michael Hunter, Vice Chairman

  
Teresa Cousins, Treasurer

  
Jasmine Aloese, Secretary

  
Tina Meza, Councilwoman

  
James Hunter, Councilman

  
James Cuero III, Councilman



EMAIL: [info@jamulindianvillage.com](mailto:info@jamulindianvillage.com)

TEL: 619.669.4785  
FAX: 619.669.4817  
ADDR: P. O. Box 612  
Jamul, CA 91935

[jamulindianvillage.com](http://jamulindianvillage.com)





July 19, 2023

Honorable Darin Beltran  
Koi Nation of Northern California  
PO Box 3162  
Santa Rosa, CA 95402

RE: Support for Koi Nation of Northern California

Dear Chairman Beltran,

On behalf of Chicken Ranch Rancheria, I would like to congratulate the Koi Nation Tribal Council and its members on the recent acquisition of sixty-eight acres in Santa Rosa, California. This acquisition will further the self-reliance and self-determination of the Koi Nation people and strengthen its sovereignty. Our Tribe wishes to convey its strong support for the Koi Nation's multi-year effort to restore its land base as a tribe restored to federal recognition.

It has been a long time coming for our fellow sovereign. From one nation to another, we wish you the best on the challenging path ahead.

Respectfully,

Lloyd Mathiesen  
Chairman  
Chicken Ranch Rancheria of Me-Wuk Indians of California



September 5, 2023

Honorable Bryan Newland  
Assistant Secretary of Indian Affairs  
United States Department of Interior  
1849 C. Street, NW  
Washington, DC 20240

**Re: Support for Koi Nation's Fee-to-Trust Application**

Dear Assistant Secretary Newland,

I am writing you today on behalf of Redding Rancheria in support of the Koi Nation's (the "Nation") land acquisition/restoration efforts in Sonoma County, California. As Chairman of Redding Rancheria, I understand the need for Koi Nation to establish a home territory in order to further its self-determination, self-governance, economic development and cultural preservation.

We understand the long federal process for taking land into trust and wish Koi Nation great success in meeting all of the federal requirements for ensuring the casino project is safe for the environment and beneficial to the Nation. Land restoration is very important to the Koi Nation, as it is for all tribes who were once landless or had their territory diminished. Koi Nation also experienced a long period of being treated as a terminated tribe which cost the Nation decades of lost opportunities. Now is the time for the Bureau of Indian Affairs to partially rectify this tragic history and acquire land into trust for the Koi Nation.

Redding Rancheria strongly supports the Koi Nation's effort to reestablish its homeland on the 68-acre site in unincorporated Sonoma County through the fee-to-trust process.

Respectfully,

Jack Potter Jr.

Redding Rancheria Tribal Chairman





March 4, 2023

Honorable Darin Beltran  
Koi Nation of Northern California  
P.O. Box 3162  
Santa Rosa, CA 95402

Re: Support for Koi Nation of Northern California

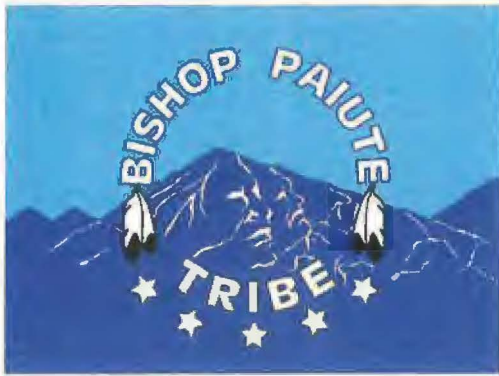
Dear Chairman Beltran,

On behalf of the Tejon Indian Tribe, I would like to congratulate the Koi Nation of Northern California on its recent fee-to-trust application to acquire 68 acres of land in Santa Rosa, California. This acquisition will further the self-reliance and self-determination of the Koi Nation people and strengthen its sovereignty. Our Tribe wishes to convey its strong support for the Koi Nation's multi-year effort to restore its land base as a tribe restored to federal recognition.

With a good heart we pray for your **nation's** continued success.

Best regards,

Octavio Escobedo III  
Chairman  
Tejon Indian Tribe



# BISHOP TRIBAL COUNCIL

February 8, 2022

Honorable Darin Beltran  
Koi Nation of Northern California  
P.O. Box 3162  
Santa Rosa, CA 95402

Re: Support for Koi Nation of Northern California

Dear Chairman Beltran,

On behalf of the Bishop Paiute Tribe, I would like to congratulate the Koi Nation of Northern California on its recent fee-to-trust application to acquire 68 acres of land in Santa Rosa, California. This acquisition will further the self-reliance and self-determination of the Koi Nation people and strengthen its sovereignty. Our Tribe wishes to convey its strong support for the Koi Nation's multi-year effort to restore its land base as a tribe restored to federal recognition.

From one nation to another we wish you the best on the road to success ahead.

Sincerely,

A handwritten signature in blue ink, which appears to read 'Tilford P. Denver', is written over the printed name.

Tilford P. Denver  
Chairman, Bishop Paiute Tribe



April 8, 2022

Honorable Darin Beltran  
Koi Nation  
P.O. Box 3162  
Santa Rosa, CA 95402

Subject: Letter of Support for Koi Nation of Northern California

Dear Chairman Beltran,

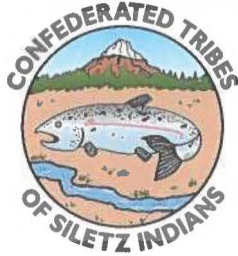
On behalf of the Ione Band of Miwok Indians, I would like to congratulate the Koi Nation of Northern California on your recent acquisition of 68 acres for a proposed casino, hotel and resort facility. **The Tribe's proposed project will undoubtedly assist** the Koi Nation in furthering your self-reliance and self-determination. As a Tribe that, until very recently, was landless, the Ione Band is keenly aware of the importance of restoring a viable landbase to support tribal citizens now and into the future. We applaud your continued perseverance in the pursuit of this critical goal.

Achieving economic prosperity is long overdue for Koi Nation. From one nation to another, we wish you success on the road ahead.

Very truly yours,

A handwritten signature in blue ink that reads "Sara A. Dutschke".

Sara A. Dutschke  
Chairperson



**Confederated Tribes of Siletz Indians  
Tribal Council**

P.O. Box 549

Siletz, Oregon 97380

(541) 444-8203 • 1-800-922-1399 ext. 1203 • FAX: (541) 444-8325

May 17, 2022

Honorable Bryan Newland  
Assistant Secretary of Indian Affairs  
United States Department of Interior  
1849 C Street N.W.  
Washington, DC 20240

Subject: Support for Koi Nation of Northern California Land into Trust Acquisition, Sonoma County

Dear Assistant Secretary Newland:

The Confederated Tribes of Siletz Indians in Oregon wishes to offer its strong support for Koi Nation's land acquisition/restoration efforts in Sonoma County, California. As Tribal Chairman of Siletz, I understand the need for Koi Nation to establish a home territory in order to further the Nation's self-determination, self-governance, economic development and cultural preservation.

We understand the long federal process for taking land into trust and wish Koi Nation great success in meeting all of the federal requirements for ensuring the casino project they plan in Sonoma County is safe for the environment and beneficial to the Nation. Land restoration is very important to the Koi Nation as it is for all tribes who were once landless or saw their territory diminished. Koi Nation also experienced a long period of being treated as a terminated tribe which cost the Nation decades of lost opportunities. Now is the time for the Bureau of Indian Affairs to partially rectify this tragic history and acquire land in trust for Koi Nation.

Sincerely,

Delores Pigsley  
Tribal Chairman

Cc: Paula Hart, Director Office of Indian Gaming  
Koi Nation Council



# ***KLETSEL DEHE WINTUN NATION***

*P.O. Box 1630 ♦ Williams, CA 95987 ♦ [www.kletseldehe.org](http://www.kletseldehe.org)*

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July 28, 2023

Honorable Bryan Newland  
Assistant Secretary – Indian Affairs  
United States Department of Interior  
1849 C Street, N. W.  
Washington, DC 20240

Re: Support Letter for Koi Nation of Northern California

On behalf of the Kletsel Dehe Wintun Nation, we would like to convey our support and congratulations to the Koi Nation of Northern California for their fee-to-trust application to acquire 68 acres of land in Santa Rosa California, in furtherance of their tribal self-determination and sovereignty to restore their land base. We also convey our sincerest wishes for the continued success of Koi Nation on their path ahead.

Sincerely,

Charlie Wright  
Tribal Chairman  
Kletsel Dehe Wintun Nation





## **Manzanita Band of the Kumeyaay Nation**

August 3, 2023

Department of the Interior  
Attn: Bryan Newland, Assistant Secretary - Indian Affairs  
1849 C Street, N.W.  
Washington DC 20240

Dear Bureau of Indian Affairs:

I am writing on behalf of the Manzanita Band of the Kumeyaay Nation, also known as the Manzanita Band of Diegueno Missions Indians, this letter is to express the Tribe's support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

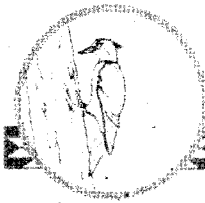
The Koi Nation has suffered the effects of broken promises by the government and dispossession of its tribal lands for 150 years. This trust land application is an opportunity for the BIA to right these wrongs and enable the Tribe to exercise its inherent, sovereign rights and its ability to build a stable economic base for itself and its members.

The Manzanita Tribe supports the rights of all Tribes to trust land and sustainable economic development. Projects such as this are essential for the future of the Tribe and greatly benefit the surrounding communities. These projects also stimulate and expand business opportunities and development in the region where they are located. Local and state governments will also benefit from this project as this project will increase tax base. These positive affects are a win/win for the Tribe and the Community.

We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with the region to develop this property in a way that is both environmentally sound and economically viable. We would appreciate your expedited approval of this application.

Sincerely,

Angela Elliott Santos, Tribal Chairwoman  
Manzanita Band of the Kumeyaay Nation



# BIG LAGOON RANCHERIA

P.O. BOX 3060, TRINIDAD - CALIFORNIA 95570, PH. (707) 826-2079 FAX (707) 826-0495

August 24, 2023

Honorable Darin Beltran  
Koi Nation  
P.O. Box 3162  
Santa Rosa, CA 95402

Subject: Letter of Support for Koi Nation Tribe

On behalf of the Big Lagoon Rancheria, I would like to support the Koi Nation's acquisition of Sixty-eight (68) in their ancestral territory and efforts to begin the Land of into Trust process with the Department of the Interior. Big Lagoon Rancheria would like to congratulate the Koi Nation on their early success in implementing a long plan which will benefit the Koi Nation Tribal membership.

Once the property is taken into Trust for Gaming purposes not only will the Koi Tribal membership benefit but there will be a positive impact on the surrounding community. Big Lagoon understands this to be a long-drawn-out process and wishes the Koi Natin the best.

Sincerely,

Virgil Moorehead  
Big Lagoon Rancheria  
Tribal Chairperson



## AUGUSTINE BAND OF CAHUILLA INDIANS

84-001 AVENUE 54 COACHELLA, CA 92236 | T: 760-398-4722 F: 760-369-7161

TRIBAL CHAIRPERSON: AMANDA AUGUSTINE TRIBAL VICE-PERSON: VICTORIA MARTIN

TRIBAL TREASURER: WILLIAM VANCE TRIBAL SECRETARY: GERAMY MARTIN TRIBAL COUNCIL MEMBER: RONNIE VANCE

ATTN: Bryan Newland, Assistant Secretary - Indian Affairs  
Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

Dear Bureau of Indian Affairs:

This letter is to express my support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good-paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

The Koi Nation has suffered the effects of broken promises by the government and the dispossession of its tribal lands for 150 years. This trust land application is an opportunity for the BIA to right these wrongs and enable the Tribe to exercise its inherent, sovereign rights and its ability to build a stable economic base for itself and its members.

We believe the Koi Nation and its partner on this project, Global Gaming Solutions, both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Sincerely,

Victoria Martin, Tribal Vice-Chairwoman  
Augustine Band of Cahuilla Indians







# YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA



November 8, 2023

Honorable Darin Beltran  
Koi Nation  
P.O. Box 3162  
Santa Rosa, CA 95402

Subject: Letter of Support for Koi Nation of Northern California

Dear Chairman Beltran,

On behalf of the Yurok Tribe, I would like to congratulate the Koi Nation of Northern California on your recent acquisition of 68 acres for a proposed casino, hotel, and resort facility. The Tribe's proposed project will undoubtedly assist the Koi Nation in furthering your self-reliance and self-determination. We applaud your continued perseverance in the pursuit of this critical goal. The Yurok Tribe supports the Koi Nation's fee-to-trust process effort for the 68-acre site in unincorporated Sonoma County.

Wok-hlew'

A handwritten signature in black ink, appearing to read "Joseph L. James".

Joseph L. James  
Chairman

IPAI



## SAN PASQUAL BAND OF MISSION INDIANS®

### SAN PASQUAL RESERVATION

February 7, 2024

#### TRIBAL COUNCIL

Stephen W. Cope  
Tribal Chairman

Victoria Diaz  
Vice Chair

Jenny Alto  
Secretary-Treasurer

Roberta Cameron  
Councilmember

Joyce L. Stein  
Councilmember

ATTN: Bryan Newland, Assistant Secretary-Indian Affairs  
Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

Dear Bureau of Indian Affairs:

On behalf of the San Pasqual Band of Mission Indians, this letter is to express our support of the Koi Nation of Northern California and its application to the Federal Bureau of Indian Affairs to establish trust land in Sonoma County, California.

Approval of this trust land application would make it possible for the Koi Nation to exercise its rights as a federally recognized Tribe and develop a gaming facility that would provide more than 1,000 new, good-paying jobs as well as create a substantial, positive economic impact in Sonoma County and other nearby communities.

The Koi Nation has suffered the effects of broken promises by the government and the dispossession of its tribal lands for 150 years. This trust land application is an opportunity for the BIA to right these wrongs and enable the Tribe to exercise its inherent, sovereign rights and its ability to build a stable economic base for itself and its members.

We believe the Koi Nation and its partner on the project, Global Gaming Solutions both have a proven record of being committed community partners. We believe both organizations are committed to working with our region to develop this property in a way that is both environmentally sound and economically viable.

We would appreciate your expedited approval of this application.

Sincerely,

Stephen W. Cope  
Tribal Chairman  
The San Pasqual Band of Mission Indians



April 16, 2024

Bryan Newland  
U.S. Assistant Secretary of the Interior for Indian Affairs  
1849 C Street NW  
Washington, DC 20240

RE: Support for Koi Nation Land Acquisition Sonoma County, CA

Dear Assistant Secretary Newland,

The Tanana Chiefs Conference (TCC) writes to encourage you to consider the Koi Nation's Fee to Trust land acquisition. We strongly support Koi Nation's efforts to gain any land nearby the North Bay area, to begin rebuilding a strong functioning economy for the benefit of their people and nearby people.

Tanana Chiefs Conference is a tribal consortium made up of 42 members, including 39 villages and 37 federally recognized tribes. Our region covers an area of 235,000 square miles in Interior Alaska. Tanana Chiefs Conference provides a unified voice in advancing sovereign tribal governments through the promotion of physical and mental wellness, education, socioeconomic development, and culture of the Interior Alaska Native people. TCC has several supporting Full Board Resolutions regarding American Indian and Alaska Native Tribes sovereign and self-determined ability to designate trust lands.

As you well know, trust lands represent incredible opportunities for tribes—opportunities as wide-ranging and diverse as our communities. Trust lands are a valuable tool for cultural preservation. With trust lands protected from alienation, taxation, foreclosure, encumbrance, or eminent domain, they are the gold standard for lands preservation.

Trust lands have also proved vital to economic development in Native communities. Whether it's the family-friendly swimming pool and water park developed by the Confederated Tribes of the Chehalis Reservation, the car parts store developed by the Reno Sparks Indian Colony, or the hotel and convenience stores operated by the Saginaw Chippewa Indian Tribe of Michigan, the results are the same—tribes are utilizing trust lands to build local economies, based on local needs, for the betterment of their people.

Again, we strongly support the Koi Nation's efforts and encourage you to consider their application.

TANANA CHIEFS CONFERENCE

Brian Ridley  
Chief

**From:** Kathy Doran <sonomahealing@sonic.net>  
**Sent:** Monday, August 26, 2024 11:35 AM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] DEIS Comments, Shiloh Resort 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,

This is a terrible idea. Have you driven to the Shiloh exit from the south at various times of day? I have and I always dread having to go to the shopping center for appointments. Often you have to wait for 3 light changes to even get off the freeway. You have to worry that you will be hit from behind as traffic backs up onto the freeway. Unless you are going to build a new freeway off ramp to the south before the Shiloh exit you really can't consider this a feasible project. People will be killed. Thank you for reconsidering the placement of this project. Sincerely, Kathy Doran

**From:** delonegl <delonegl@comcast.net>  
**Sent:** Monday, August 26, 2024 12:13 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shilo Resort and Casino

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

It is my understanding that the Koi Nation have their aboriginal land located in Clear Lake County, Ca. and not in Sonoma County, Ca. It is for this reason that I request the BIA uphold the 15 mile precedent established by the DOI for taking land into Trust for a landless tribe. We followed the rules. Koi and Scott's Valley must do the same for the good of all American Indian people.

I am a member of the Federated Indians of Graton Rancheria,

Gail L Hodges Delone

Sent from my T-Mobile 4G LTE Device

**From:** Sue Madura <[suemadura@gmail.com](mailto:suemadura@gmail.com)>  
**Sent:** Monday, August 26, 2024 12:26 PM  
**To:** Broussard, Chad N <[Chad.Broussard@bia.gov](mailto:Chad.Broussard@bia.gov)>  
**Subject:** [EXTERNAL] EIS 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 Regional Director Dutschke:

I feel compelled to express my deep opposition to the Koi Tribe building a casino on the proposed site at East Shiloh Road. This site, opposite Esposti Park, Oak Park residential subdivision and a variety of privately owned residences, is inappropriate for a commercial venture of the type and size proposed.

I am just plain angry that a tribe can purchase land anywhere they want, having no prior connection to it, and propose a project of this nature. It is an insult to all of us who live here that they want to impose a casino and hotel, no matter how beautifully designed, in our area, so close to existing houses. We do not want this in our neighborhood. The Koi Nation is being disrespectful. That will not be forgotten.

I ask that this project not be allowed to move forward.

Respectfully,

Susan D. Madura  
411 Firelight Drive  
Santa Rosa, CA 95403  
[suemadura@gmail.com](mailto:suemadura@gmail.com)

**From:** Sue Madura <suemadura@gmail.com>  
**Sent:** Monday, August 26, 2024 12:29 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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 Regional Director Dutschke:

I feel compelled to express my deep opposition to the Koi Tribe building a casino on the proposed site at East Shiloh Road. This site, opposite Esposti Park, Oak Park residential subdivision and a variety of privately owned residences, is inappropriate for a commercial venture of the type and size proposed.

I have seen many tribal casinos in Northern California, none built in such proximity to a residential neighborhood. The potential negative impact of the proposed project is huge simply on the level of noise and light/glare pollution, which has already been acknowledged to be a factor.

Imagine, if you will, a car alarm going off in the middle of the night. For that to happen every so often in a neighborhood is annoying. Adding hundreds of cars nearby increases the chance of that happening more often. Also, consider for the nearby residents the increased noise of car and bus engines starting at all hours of the day and night, the general noise generated by combustion engines, the extra chatter of people entering and exiting the casino and hotel. These factors may seem minor but they won't be to the people living near this site. The noise pollution will negatively impact the quality of their sleep and the enjoyment of their homes and outdoor spaces. Also, it will decrease their property value.

Light pollution will also affect not only the nearby residents but all of us in the surrounding area. Parking lots and garages have to be lit in order to be safe. Light pollution can prevent people from enjoying their evening time outside and disrupt sleep cycles. We who live here live with the rhythm of nature, the naturally occurring changes in length of daylight hours. More light pollution can have a negative impact on a person's mental and physical health.

Of great importance also is the effect the light and noise pollution will have on the local fauna. This area is home to mammals, birds, fish, insects, and spiders. They all depend upon the natural rhythm of nature. Each and every disruption has a negative effect upon their ability to hunt and forage, to find shelter, to navigate their territory. We humans cannot continue to ignore the needs of other life forms, for it is upon these that our survival depends.

I ask that this project not be allowed to move forward.

Respectfully,

Susan D. Madura

411 Firelight Drive  
Santa Rosa, CA 95403  
[suemadura@gmail.com](mailto:suemadura@gmail.com)



**From:** Sue Madura <suemadura@gmail.com>  
**Sent:** Monday, August 26, 2024 12:31 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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 Regional Director Dutschke:

I feel compelled to express my deep opposition to the Koi Tribe building a casino on the proposed site at East Shiloh Road. This site, opposite Esposti Park, Oak Park residential subdivision and a variety of privately owned residences, is inappropriate for a commercial venture of the type and size proposed.

Among the many concerns I have about this project is the use of existing and new wells. It is an established fact that water is a limited resource, especially in our specific area of California. We have suffered drought conditions and have adapted our lifestyle to be better conservators by doing the following:

1. Rainwater capture to water our garden
2. Shower water recapture to flush our toilets
3. Shower time limitations
4. Kitchen sink water recapture to water our garden
5. Limited toilet flushing
6. Xeriscaping
7. Installing a point-of-use electric water heater

Residents near the proposed casino site have legitimate deep concerns about a casino's use of our precious resource. I personally resent that the Koi Nation wishes to use our local resource to provide an entertainment facility strictly for their own monetary gain, especially considering that my family has itself on a voluntary strict water budget.

Water is a precious and necessary resource, too precious to be wasted on a gaming and resort facility. Water is necessary for survival, whereas gaming is not.

I ask that this project not be allowed to move forward.

Respectfully,

Susan D. Madura  
411 Firelight Drive  
Santa Rosa, CA 95403  
[suemadura@gmail.com](mailto:suemadura@gmail.com)



**From:** Steve Birdlebough <scbaffirm@gmail.com>  
**Sent:** Monday, August 26, 2024 1:35 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] Comments on Koi Nation Environmental Assessment | SCTL

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

Greetings Mr Broussard—

Please file the attached comment letter to Director Dutschke, regarding the final draft Environmental Assessment of Koi Nation's Proposed Gaming Facility.

The Sonoma County Transportation & Land-Use Coalition appreciates your attention to this matter.

Steve Birdlebough

707-576-6632



SONOMA COUNTY TRANSPORTATION & LAND-USE COALITION

August 26, 2024

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

Via email to [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov)

Re: Final Draft Environmental Assessment of Koi Nation's Proposed Gaming Facility

Dear Director Dutschke—

The Sonoma County Transportation and Land-Use Coalition has for three decades advocated for active transportation and transit-oriented developments north of the San Francisco Bay. We understand the need for the Koi Nation to establish a land base for its approximately 90 residents of Sonoma County. However, our review of the proposed gaming facility concludes that it is inappropriate, and it is environmentally very detrimental.

Rather than creating a new gaming facility that would compete with the existing tribal casinos, the Koi Tribe should be partnering with the tribes that already operate casinos. The plan for the recently acquired property could be re-focused to provide a quiet rural gathering center for the Koi Tribe as well as a venue for tribal performances, an anchor for educational and social services that serve tribal members, and as a burial ground for its members. Activities on the property can be developed to attract public transit and reasonable reductions in vehicle miles of travel.

The proposed project would urbanize some 70 acres of land that is currently a vineyard at the edge of the Town of Windsor in unincorporated Sonoma County. It is environmentally inappropriate to develop another casino in the North Bay by replacing the existing vineyards with multi-story buildings that destroy the aesthetic nature of nearby neighborhoods that now enjoy open space and views from Shiloh Regional Park.

SCTLC - 684 Benicia Drive, Apt 63, Santa Rosa, CA 95409 – 707-576-6632  
[scb affirm@gmail.com](mailto:scb affirm@gmail.com)

We are surprised that Section 3.4.3 of the draft environmental assessment (from page 3-33 to page 3-39) fails to acknowledge the greenhouse gas reduction goals established by the California Air Resources Board.<sup>1</sup> The Board's 2022 scoping plan calls for a 25% reduction of vehicle miles traveled by the year 2030, and a 30% reduction by the year 2045.<sup>2</sup> Such reductions depend upon transit oriented developments, not the conversion of agricultural acreage into urban destinations.<sup>3</sup>

The draft assessment states, contrary to the State's traffic reduction goals, the proposed project would *increase* average driving by 8.7 to 15.7 thousand additional vehicle trips each day, depending on the selected project alternative. In addition, the widening of nearby roads to accommodate gaming visitors and emergency evacuations must be expected to increase the overall number of vehicles using those roads in future years.<sup>4</sup>

The existing vineyards sequester carbon and absorb heat. A gaming facility would cause much of the soil that is permeable and moist to become impermeable and dry. Such a development creates an urban heat island with higher temperatures than its rural surroundings. Fire experts note that heat islands combined with 20 mph winds create a dangerous combination for fire in wildland urban interface areas. The addition of a large commercial space would create a urban heat island to the detriment of the surrounding neighborhoods where many seniors live (especially the low-income mobile home parks) adding to the danger of wildfire.

It is expected that climate change will reduce snowpacks and the availability of water, increase droughts, and wildfires. All three of the suggested gaming projects would increase greenhouse gas emissions from construction, urban structures, pavement, and additional vehicle trips.

The assessment acknowledges that transportation is Sonoma County's largest source of climate emissions. Its suggested limits on idling and the proposed use of electric vehicles to reduce greenhouse gas emissions related to transportation are trivial compared to the three to twelve thousand additional trips that would result from construction of a casino at this rural location. The electric grid would also need expansion to serve the proposed casino, and the danger presented by potential wildfires presents the necessity of enabling speedy evacuation of thousands of people, primarily by automobile on the existing streets. Street-widening would run counter with efforts to reduce vehicle miles traveled.

The local water supply is limited, and recurring droughts are likely as temperatures rise. New wells are likely to threaten the wells of nearby residents. The cost of treating

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<sup>1</sup> <https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf>  
<https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf>

<sup>2</sup> <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-e-sustainable-and-equitable-communities.pdf> (p. 12)

<sup>3</sup> <https://www.onestl.org/toolkit/list/practice/reduce-vehicle-miles-traveled-vmt>

<sup>4</sup> <https://quickonomics.com/terms/induced-demand/> <https://quickonomics.com/terms/induced-demand/>

wastewater needs consideration, the treatment could create odors in the area. The existing wetlands that cool the air should be retained.

We oppose the current project for the above reasons. However, we appreciate the work that will be ongoing in the interests of the Koi Nation's members and would be willing to assist in making it become environmentally beneficial rather than detrimental. If you have questions for us, please let us know.

Cordially,

A handwritten signature in dark ink, appearing to read "Stephen Birdlebough". The signature is written in a cursive, flowing style.

Stephen Birdlebough, Chair, Sonoma County Transportation & Land-Use Coalition

**From:** Tim Souza <tims@tep.net>

**Sent:** Monday, August 26, 2024 1:49 PM

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

**Subject:** [EXTERNAL] Kio Nation Shiloh Resort and Casino - Please NO Casino in Larkfield Wikiup

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

Dear Reginal Director Amy Dutschke,

This area of the Wikiup Larkfield neighborhood (less than a mile from my home) is NO place for a Casino and Hotel. And certainly NOT an area where the Koi Nation ever was occupying in the past, I believe they were from Lake County which I'm sure was days away when there were no roads. This area is already heavily congested with traffic and too many people already, we do not need more impacting the area. I realize their was injustice done to the native americans past, but this is not the way to equal the score. I do support local tribes and helping them makes sense to me. My family came to this area (Petaluma) in 1870's when California was just getting started.

So please **do not** approve this project.

Thanks

Tim Souza  
530 Los Altos Ct  
Santa Rosa, CA 95403  
707-526-7768

**From:** Maris Peach <marispeach7@gmail.com>  
**Sent:** Monday, August 26, 2024 1:56 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, I'll 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,

I've lived within 2 miles of the proposed development for nearly 30 years.

I think I know this area fairly well. My husband, Stuart Martin, worked at the Sonoma County Agriculture and Open Space District for over 20 years and, through him I've learned about land use, zoning and mitigation.

I've also experienced the phenomenon of fires in our area. Which brings me to my greatest concern about the environmental impact of this project. Aside from the import of more crime and congestion to our area I know that when (not if) there's another wildfire here the roads out will not support the evacuation of the thousands of people (in their cars) to get out.

The last time we had a wildfire evacuation the freeway was at a stand still, a virtual parking lot. Already there has been new housing and increased population in our area since then. We do indeed need affordable housing, not more superfluous casinos.

I don't know if you are aware there are already 2 casinos near this area. Graton Resort and Casino is only 15 miles and River Rock is 19 miles. This casino would be nearly half way between them. The opportunity for the tribe to make it financially viable is minimal, if they go bankrupt, then what becomes of the property?

I'm in favor of indigenous people being able to support and provide for their tribes independently. I don't think this particular place or business is a good resource for them. The large tribe back east that is giving them advice doesn't understand the area.

I hope you have an opportunity to visit the site before making this serious decision.

Thank you for your consideration,  
Maris Jean Peach



**From:** Carlyn Knight <carlyn.s.knight@gmail.com>  
**Sent:** Monday, August 26, 2024 2:03 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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.**

My name is Carlyn Knight and my husband is John Knight. We are residents and owners of 175 Pacific Heights Drive, Larkfield, CA 95403, 2.6 miles south of the proposed casino project. We are writing to oppose the Koi Nation's proposed fee-to-trust transfer of unincorporated land for a hotel and casino gaming project funded and managed by the Chickasaw Nation.

We have lived here since the fall of 1987, and chose to rebuild after losing our home in the 2017 Tubbs fire. We chose this area because of the small community feel of Larkfield, the friendly neighborhoods, and the good school district. It was for these same reasons that we chose to rebuild. The concerns we and our neighbors have about this project's negative impact on water supply and wastewater, wildfire evacuation, traffic, noise, and crime have been well-stated by many in our neighborhoods between Shiloh Rd. and Mark West Springs Road, both in writing and at the public hearings. We do not repeat them here, but we refer to them and agree with them.

This project is not right for Sonoma County. The DEIS does not adequately address significant impacts this project will have on the "off reservation" surrounding neighborhoods if approved. Furthermore, the prospect of competing with casino guests in an emergency wildfire evacuation onto Old Redwood Highway and our onramps to Highway 101 are truly terrifying to us. We well remember the traffic jam of cars trying to get out of our area on October 9, 2017.

Finally, Esposti Park (right across the street) is for children and families and local sports events. The bike paths in this area are used by cyclists all through the year. A casino that is run seven days a week, with high traffic, and drinking will have a very negative impact on these important components of our neighborhood.

The large amount of residential housing in the area, plus new, large residential projects currently underway, will already create a significant load to traffic, roads, and on/off-ramps to the freeway. Adding a hotel and casino gaming project is too much for this area!

This project is not right for Sonoma County. The only way to avoid significant environmental impacts is for the BIA to approve the environmentally preferred "no project" alternative D in the DEIS.

The Koi Nation is not historically from Sonoma County. Please listen to the heartfelt concerns of residents who care about indigenous rights, environmental impact, AND the unity and safety of our area.

Sincerely,

Carlyn and John Knight  
[175 Pacific Heights Drive, Larkfield, CA 95403](#)  
[knight\\_family@comcast.net](mailto:knight_family@comcast.net)

**From:** Abby Neal <abb\_ers80@icloud.com>  
**Sent:** Monday, August 26, 2024 2:33 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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.**

Hi Chad,  
Please see my letter attached.

Thanks,  
Abby

August 26, 2024

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

**Subject: EIS Comments, Koi Nation Shiloh Resort and Casino**

Dear Regional Director Dutschke:

I am a Sonoma County resident and I oppose the Koi Nation's proposed fee-to-trust transfer of unincorporated land adjacent to the Town of Windsor for a hotel and casino gaming project. The draft environmental impact statement (DEIS) released on July 8, 2024, contains complex, technical information and is virtually impossible for a layperson to understand or comment on. Moreover, it does not adequately address the significant impacts this project will have on the surrounding community and Sonoma County if it is approved. I have children that go to the nearby public elementary school around the corner from where the casino is proposed to go on Faught Rd. Faught Rd is a very narrow road filled with bikers, hikers etc. I am concerned not only that the beautiful landscape will be changed but there will be many more people on the road as well, making it dangerous for walkers and hikers. The construction of this will make it a nightmare trying to get to school and I have also seen crime rates go up in Rohnert Park since Graton opened and that casino isn't even in a residential neighborhood. I am concerned for the safety and well being of our kids that go to school in such close proximity to the proposed site due to increased traffic, crime rates and if there were an emergency evacuation the length of time to get out would be drastically increased as there would be thousands more people rushing for safety.

Sonoma County and the Town of Windsor have raised numerous concerns related to water supply, wastewater, traffic, wildfire risk and evacuation routes, law enforcement and public safety, and housing and other economic impacts. Sonoma County Tribes have also highlighted the impacts on them and their cultural resources. Many of the mitigation measures in the DEIS are framed as best management practices, but there is no guarantee that they will occur. I am very concerned that the Bureau of Indians Affairs is rushing this process, has not adequately considered the local environmental impacts, and cannot guarantee or enforce the mitigation that is proposed.

We support the local, indigenous tribes. This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, whose homeland is in Lake County. The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative in the DEIS.

Sincerely,

Abby Neal  
935 Foothill Dr. Windsor, CA 95492

**From:** Janet Souza <js@tep.net>  
**Sent:** Monday, August 26, 2024 2:46 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] Stop the Koi/Chickasaw Windsor Casino

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

Dear Ms. Dutschke,

I live in Larkfield/Wikiup, less than two miles from the Koi Nation's proposed casino and hotel project. I vehemently oppose this project for a wide variety of reasons.

1. The proposed site is directly opposite two residential neighborhoods, a church, and a mobile home park. All of these will be negatively impacted by a large commercial and gambling project such as this. It's not just a matter of traffic and noise, it is about crime. For example, the area right around the casino in Rohnert Park had only 2 calls for police service in the year prior to its opening. In 2022/23, there were 6680 calls, 529 of which were generated by the casino itself. The calls were for assault, trespassing, theft, stolen vehicles, public intoxication, and drug use. And the Koi project is larger!
2. The Koi Nation is not a Sonoma County indigenous tribe, and the proposed project will hurt our local indigenous native Americans -- the Federated Indians of Graton Rancheria, and the Dry Creek Rancheria Band of Pomo Indians.
3. Both Windsor and Larkfield/Wikiup have unfortunately dealt with several wildfires over the past several years. In 2017, we lost half of our neighborhood due to the horrific Tubbs fire. Evacuating that night was scary and the roads had all the cars they could handle. We have been under mandatory evacuation orders two additional times since 2017. Allowing this project to go forward at that location will worsen the situation, as it is a large-scale resort and casino.
4. The roads all around the proposed project site are not up to the expected additional 5000-10,000 cars daily created by the casino/hotel.

I hope you are listening to the concerns of our community, our local politicians, our Sonoma County indigenous native Americans, and our governor -- all of whom are requesting that this land not be transferred to the Koi nation, and that this project be denied.

Sincerely,  
Janet Souza  
530 Los Altos Ct.  
Santa Rosa, CA 95403

P.S. Despite the address saying "Santa Rosa" it is in an unincorporated area of Sonoma County locally referred to as Larkfield/Wikiup.

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**From:** Cindy Gillease <cindygillease@comcast.net>  
**Sent:** Monday, August 26, 2024 2:57 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino

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Chad Broussard and Amy Dutschke,

I am writing you to voice my concern about the land the Koi Nation people bought on Shiloh and the possibility of it becoming a resort/casino.

While I believe that casinos are a valuable way to help Native Americans be financially bettered, the placement of this casino is wrong.

Signs have been put up at the corner of Faught Road and Shiloh Road making everyone aware of the Extreme Fire Danger at that location (next to the Koi property) because of the dense trees and dry brush of Shiloh Regional Park. All of the homes in this area have had their home insurance raised by 30% or more because of the 2 large fires coming right up to that intersection in both 2017 and 2018 when the whole neighborhood was evacuated. This area is not a good idea in which to place a large investment such as this casino!

I agree with all the reasons voicing in an article in the Press Democrat local newspaper by local native spokesperson Greg Sarris for not putting a casino in at this location. I also agree with the letter sent by Governor Gavin Newsom rejecting the development of this casino in this location.

I also find a huge problem in the local neighborhood with the San Miguel Elementary School which is on a road that leads into the possible casino (Faught Road) and the danger of car traffic to the children and families walking their children into the school from local homes and cars. This is also a problem for families going in and out of the baseball/soccer fields at the corner of Old Redwood Highway and Shiloh Road and would be dangerous.

The Koi deserve a casino (I know their history in Lake County), but absolutely not at this location.

In an EIS statement by an archeologist in the 1980's concerning the adjacent development of Shiloh Regional Park, it was mentioned that there is a potentially toxic waste dump on the land that was created just after WW 2 and could affect human drinking water on the land the Koi Nation has purchased for the casino.

I have high regard for Native Americans, but this is a very poor choice for their casino. Do not allow the development of a casino/resort at this current location on Shiloh Road. These reasons influence the invalidity of the DEIS process as well.

Sincerely,  
 Cynthia Gillease  
 5720 Corbett Circle  
 Santa Rosa CA 95403  
 cindygillease@comcast.net

**From:** Michelle <seaswirlpolaris@gmail.com>  
**Sent:** Monday, August 26, 2024 3:11 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] Koi Nation Shiloh Resort and Casino Project

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Hello Mr. Broussard.

I am in opposition to this project, the Koi Nation Shiloh Resort/Casino. We already have fire access issues with Hwy 101 being the main exit route. We have limited power and water. It's not a good idea to have a casino so close to bicycle routes. Please do not allow this huge change to the area.

Thank you,

Mary Lou Nisbet

5303 Vista Grande Dr  
Santa Rosa, CA 95403

**From:** F. Michelle Fegley <michellefegley@gmail.com>  
**Sent:** Monday, August 26, 2024 3:28 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.**

Hello.

Please do not allow this project. It is not a good place in our community for gambling and all the conditions it brings. I have friends that ride bicycles in that area. We have agriculture there now. We are currently limited on available electricity in the arae. Same with water. There is an evacuation concern with wildfires as well.

Please do not support this project.

Thank you.

Missy Fegley

7975 Cameron Dr #500  
Windsor, CA 95492



**From:** Kelly Jenkins <kejenkins@gmail.com>  
**Sent:** Monday, August 26, 2024 3:39 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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.**

To whom it may concern:

In addition to other comments opposing any variation of the proposed resort and casino, I oppose the project on the grounds that it should not be located in a residential area where it would become an attractive nuisance to neighborhood children. When my 14-year-old daughter heard of the plan, she immediately stated she wanted to check it out. This is problematic for many reasons. One of those is that the land the casino would be built on would be akin to a foreign nation. Whether the State of California or County of Sonoma would have agreements for jurisdiction over certain crimes will create a lot of confusion and uncertainty. If my daughter ended up in the casino and was injured by a tribal member or the tribe's employee, would the only recourse be with the tribal council? What laws apply? Regardless, such easy access by neighborhood children should not be allowed. Casinos are known to harbor a large number of intoxicated patrons, and to attract other nefarious ongoing. This is why these businesses are not put in the middle of residential neighborhoods with numerous schools.

Also at the forefront of my mind in opposition to this casino project is the threat of evacuating during a wildfire. I cannot now barely get down Old Redwood Highway to the Home Depot on Shiloh Road in a timely manner. I hate to think of trying to get out of the neighborhood if we are again alerted we need to evacuate quickly.

I also think that the risk of illnesses from wildfires burning structures should be considered. Brain cancer and dementia have recently been determined to be of higher prevalence in communities that have been exposed to wildfire smoke. Thus, it would seem best to avoid placing large structures in high-risk zones because, when they burn, they produce a lot more contaminants. My husband died of brain cancer in 2020. Talking with doctors in the area, some have indicated they see higher rates of cancer in this area since the 2017 Tubbs and other fires. I have also heard that Benzene is linked to cancer, which contaminated much of this area after the Tubbs fire. Large potentially high-polluting buildings should not be put in wildland-urban interface areas.

The Sonoma County General Plan does not support the size of this project on this parcel; Sonoma County residents have relied upon the general plan in determining where they decided to live. This area is supposed to be semi-rural with agricultural uses.

If this project is approved, the area that is unincorporated would need to be incorporated. Currently, there is insufficient governmental representation to protect residents living in surrounding unincorporated areas. Residents in Larkfield-Wikiup particularly have little representation as the district's county supervisor is our only local representative. Such incorporation would need to take place in order to obtain contracts with the tribal regarding crimes occurring on or near the parcel.

For all these reasons and more, I request the project be denied and the property not placed in trust for a small group of people who have no ancestral ties near to the proposed project site.

Thank you,

Kelly Jenkins  
470 Pheasant Lane  
Larkfield-Wikiup, CA 95403

**From:** Bonnie Kam <bonkam@comcast.net>

**Sent:** Monday, August 26, 2024 3:43 PM

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

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

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Dear Regional Director Dutschke:

My husband and I have lived in the Larkfield-Wikiup community for 44 years. We also have friends who live near Shiloh Road/Old Redwood Highway for decades. We ABSOLUTELY OPPOSE the proposed Koi Nation casino located at that location for the following reasons:

First, my husband and I frequently shop at Home Depot and Wal-Mart at the Shiloh Shopping Center. There always has been a lot of traffic, but we noticed a significant increase since the development of apartment buildings in the area. Currently, there is more construction in the shopping center. There is no doubt the resort/casino will worsen traffic and increase the risk of accidents. Since the resort/casino will open 24 hours 7 days a week, there will be no end to traffic congestion and noise. My husband and I will have to shop elsewhere.

Secondly, the casino does not belong in a residential area. No one would like a casino built across the street from his/her house! Bright lights, noise pollution, and heavy traffic from cars coming and going all day! I am particularly concern about drunk drivers putting other drivers in danger.

Thirdly, crime in that area will rise. A study done on crime at the Graton Casino showed an increase since its opening. Latest data show that there were 529 calls to law enforcement about casino-related crimes in the Rohnert Park area such as assault, stolen vehicles, trespassing, public intoxication, and drug activity. The Koi Nation resort/casino will also cause a similar increase in crime in the Shiloh/Old Redwood Highway area. Please consider the safety of the residents living in the area.

Lastly, it was said at one of the hearings that the Koi Nation is not native to Sonoma County but is part of Lake County. If this is true, they should build their casino on their own land. In addition, it is unjust and selfish on the part of 80 to 90 Koi members to negatively impact the lives of thousands of Sonoma County residents.

Thank you for considering my comments and plea to not allow the Koi Nation resort/casino to build on Shiloh/Old Redwood Highway. Please compassionately consider and acknowledge its negative, life-changing impact on residents and those of us who shop in the area. Many have enjoyed living quietly there for decades, and it should not be taken away from them. Again, I am STRONGLY OPPOSED to the resort/casino located there!!!

Sincerely,  
Bonnie Kam

45 Larkfield Drive  
Santa Rosa, CA. 95403

Sent from my iPad

**From:** Kimberly Gluch <kgluch61@gmail.com>  
**Sent:** Monday, August 26, 2024 3:55 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino

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Mr. Chad Broussard  
 Environmental Protection Specialist  
 Bureau of Indian Affairs, Pacific Region

Dear Mr. Chad Broussard,

My name is Kimberly J Gluch I am an elder with Federated Indians of Graton Rancheria. I am 62 years of age and have lived in Sonoma County my whole life. When I was very young it was so important to my father, Jerre Anthony Paolini (passed) to be recognized as Coast Miwok. He would tell me stories of going fishing with his grandfather Eli Smith of Smith Brothers fishing boats in Bodega Bay which resides in Sonoma County. Many times I would go and be with my Smith relatives who spoke their native Coast Miwok. They also spoke English as well. They were proud people and always wanted to be recognized as the Coast Miwok as well. Our tribe at that time was very small. But proud and wanted to be recognized and this happened on December 27, 2000 when President Clinton signed our Restoration Bill. (We applied to put OUR LAND INTO TRUST) (a new reservation in Rohnert Park). Which was about 7 miles from our original RESERVATION in GRATON. NOT 59 MILES as KOI & SCOTT'S VALLEY ARE WANTING TO DO. That is not okay and should not even be entertained and a SLAP IN OUR TRIBES FACE to say the least. We stayed both within the territory where our people have a true "DEEP HISTORIC CONNECTION TO THE LAND" and with in 15-mile precedent established by the DOI for taking land into Trust for a LANDLESS TRIBE. WE FOLLOWED THE RULES! KOI and SCOTT'S VALLEY MUST DO THE SAME FOR THE GOOD OF ALL AMERICAN INDIAN PEOPLE..

This is very sad that a TRIBE such as KOI and SCOTT'S VALLEY are wanting to TREAD AND STOMP on OUR RESERVATION LAND. They need to go to their home land and their home reservation. For their casino in Lake County. A DISGRACE!

I hope you read this with an open and understanding HEART.

Respect the RULES SET FORTH and NOT

TURN A BLIND EYE TO THEM.

Thank you and respectfully,  
Elder Kimberly J (Paolini) Gluch  
Coast Miwok  
Federated Indians of Graton Rancheria

**From:** Mary Euphrat <[euphrat@sonic.net](mailto:euphrat@sonic.net)>  
**Sent:** Monday, August 26, 2024 4:07 PM  
**To:** Broussard, Chad N <[Chad.Broussard@bia.gov](mailto:Chad.Broussard@bia.gov)>  
**Subject:** [EXTERNAL] Comments on the EIS for the proposed Casino by the KOI Nation

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Dear. Mr. Broussard,  
Please see my letter attached to this email and in the body of this email.  
Thank you  
From: Mary Euphrat, [euphrat@sonic.net](mailto:euphrat@sonic.net); 6203 Lockwood Drive, Windsor, CA 95492

RE: Comments on the Environmental Impact Statement published on July 12, 2024 for the proposed Koi Nation Casino site on Shiloh Road and Old Redwood Highway

Dear Administrator:

This letter is in response to the Environmental Impact Statement published on July 12, 2024 concerning the proposed Casino and development on the southeast corner of Old Redwood Highway and E. Shiloh Road.

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. The Koi have never resided in Sonoma County and should not have precedence over local tribes.

TJKM prepared a traffic impact statement on the impact of the three proposed alternatives on traffic and circulation. Their statement is based on minimal data and data that was collected on two winter dates and one summer date. Both the Shiloh Regional Park and Esposti Park border the proposed Casino and are very busy with hikers, soccer, baseball, and softball players and bicyclists along with equestrians. The number of cars in those areas during the busy fall, spring, and summer months are not reflected in this report. With the addition of a new apartment complex ready to open within the next few months, parking is very limited in front of Esposti Park. There is no reference to these additional cumulative projects and their impact on traffic conditions or delay or loss of services based on traffic. There is no information on how the mitigation efforts that were mentioned in the traffic study will improve conditions or guarantees that the mitigation would be effective.

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. The EIS indicates that the onsite wells would be deep wells and that the shallow wells belonging to nearby residents are at most risk. The report discounts the risk, cost and impact of reduced or inadequate water supplies to local residents.

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. The Casino patrons would increase the amount of people to evacuate which would increase the risk of loss, injury, or God forbid, death involving a wildland fire. This property is not where a Casino should be built.

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](mailto:euphrat@sonic.net)

--

Mary Euphrat



To: [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov)

From: Mary Euphrat, [euphrat@sonic.net](mailto:euphrat@sonic.net); 6203 Lockwood Drive, Windsor, CA 95492

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Sincerely,  
Mary Euphrat  
6203 Lockwood Drive  
Windsor, CA 95492  
euphrat@sonic.net

**From:** walterbrusz@comcast.net <walterbrusz@comcast.net>  
**Sent:** Monday, August 26, 2024 4:35 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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,

Please find attached my comments on the Koi DEIS.

My best,

Walter



[ Shiloh Resort Hotel viewed from the Oak Park neighborhood: “less than significant visual impact.” ]

## **COMMENT ON THE KOI NATION’S DRAFT EIS: Deception and lies.**

Walter Bruszewski

August 26, 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 EIS, 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 EIS are disingenuous and specious. Here I address the Koi's assertions in the EIS 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 EIS 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 PROPOSED RESORT.** Figure 1 below is an image of the project site from Viewpoint 1 described in the EIS. I made this image with a 50 mm lens, which is generally considered to capture a view equivalent to what the unaided eye sees. Compare this with Figure 2, which is EIS Figure 3-13.2 ("Existing view"). This 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 appear distant, and significantly diminished. The distortion is enough that East Shiloh appears nearly parallel to Old Redwood Highway (ORH). (The streets actually intersect at a 60 degree angle.) The discrepancy between what the Koi show in their EIS and reality brought me to suspect that the Koi are endeavoring to manipulate the perception of the size and extent of their project so that it appears to be less than it is. Figure 3 below illustrates this. Figure 3 is a reproduction of EIS and EA Figure 3.13-2. Because the architectural rendering in Figure 3 is based on a distorted view of the land, the resort appears to barely rise above the level of the grape vines in the foreground. To get a more realistic assessment of the size of the proposed resort, I created a dimensionally accurate 3D model of most of the resort using CAD. I am a mechanical design engineer with experience in technical photography and computer graphics. I used SolidWorks, an industry standard CAD application. I constructed 3D models of the casino, event center, hotel, and landscape features using dimensions stated in the description of Alternative A in the EIS. I used the site plan published as EIS Figure 2.1-1, combined with distance measurements provided by Google Earth, to arrive at some dimensions. Figure 4 illustrates the model being developed on the site plan.





Figure 1. My photograph from EIS Viewpoint 1.



Figure 2. EIS Figure 3.13-2.





Figure 3. Koi EIS Figure 3.13-2 showing a view of proposed Alternative A.



Figure 4. Development of a 3D CAD model of the project based on the site plan.



Figure 5 below shows the completed model to which realistic building material surfaces, textures, and colors have been applied and photorealistic images rendered in Blender, which is an industry standard for CGI (computer graphics imagery).



Figure 5. Completed dimensionally accurate rendering of most of the proposed resort, Alternative A.



Figure 6. Computer graphic image of architectural models viewed from EIS viewpoint 1 inserted into the photo shown in Figure 1.



Figure 6 above shows a montage of an accurate architectural rendering of Alternative A in a realistic image of the site as it would appear to the naked eye. Compare this with Figure 3, which the Koi assert in their EIS to be how the project will look.



Figure 7. Photomontage of an accurate architectural rendering of Alternative A within a drone photo (courtesy of Our Community Matters).

Figures 6 and 7 endeavor to truthfully show the appearance of the proposed project in the context of the surrounding neighborhood. The Koi present no such images in the EIS. Instead, the EIS is full of pictures showing dim, distant, poorly defined buildings in the context of fanciful, highly manipulated photos of the land. Most importantly, my images demonstrate that the project is large and imposing, and entirely fills up the site. The Koi aim to deceive. An interesting fact emerges when looking at all the architectural renderings in the EIS: the 5-storey hotel in Alternative A, the tallest building in the project, is never clearly shown in the EIS. It is likely that the Koi have simply decided that the hotel looks too big to safely present. In fact, most of the hotel lies along Shiloh Road East and it is the building closest to residents of Oak Park. Figure 8 below shows the view Oak Park residents might have of the hotel.

The work I describe here is something that any architect or architectural technician could do, exercising a common skillset. It is not exotic. The Koi and the BIA well know that the resort they are pitching is not likely to be popular with anyone who lives in our neighborhood. So it is wise for them, to avoid presenting anything other than the cozy, atmospheric views of the front of the casino, which are divorced from the surroundings of the proposed resort. Examples include the title page illustration, and Figures 2.1-2a and 2.1-2b, which also do not show the hotel. In my last submission to the BIA, dated April 8, 2024, I addressed the same topic I am discussing now. It is clear that no amendments were made in response to my comments, and the current EIS still includes the same misleading and worthless images.



Figure 8. View of the proposed 5-storey hotel looking South on Mathilde Drive across Shiloh East.

**THE KOI USE AN OPAQUE, ARBITRARY PROCESS TO EVALUATE THE SIGNIFICANCE OF NEGATIVE IMPACTS OF THEIR PROJECT.** The Koi present in Table ES-1 many of the potential impacts of each of the 4 alternative plans for development of the site. I am focusing on visual impacts because these are easy to understand; one need not be a geologist, hydrologist, or archeologist to appreciate a visual impact. ES-1 includes “mediations” for negative impacts, which through the magic of BMPs (Best Management Practices) render all impacts LS (Less than Significant). Visual impacts are of course judged Less than Significant. The Koi evaluation process is suspect because, regardless of the nature and severity of the impact, the process *a/ways* finds that BMPs and other mediations produce the result desired by the BIA and the Koi: LS. In fact, the proposed project involves extensive interventions with the natural world by taking water from aquifers, changing conditions for inevitable wildfires, adding sources of water and air pollution, altering habitats. The Koi, Acorn and the Chickasaw Nation reveal dangerous hubris in their confidence that they can successfully mediate anything untoward resulting from their development project. The natural world operates by processes that are not fully known. For example, global climate change is a highly impactful process whose mechanisms are mostly not well known by the most competent climate scientists. Much of the confidence of the preparers of this EIS is not warranted. The proposed BMPs

are worthless in their vagueness. In the particular case of visual impacts of proposed construction of a miniature city in a place where there is now only vineyards and a seasonal stream, the Koi evaluation process has gone completely off the rails. For example, Alternative A has been shown, by methods which are not described anywhere in the document, to have a Less than Significant impact on visual resources, and the soundscape. I have lived across from the site since 2009, and I can say that, at night, there are no sounds (save the occasional coyote coming from across Shiloh). Also there is no light. Still, the Koi believe that the difference between nothing, except vineyards, and a casino-hotel-resort-event venue complex full of cars and thousands of people is less than significant. Large buildings, some of which are very close to existing neighborhoods represent a less than significant impact. This is farcical and outrageous. The truth is not being served.



**From:** Linda Moreskini <zumbitahula@gmail.com>  
**Sent:** Monday, August 26, 2024 4:53 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Cc:** Linda <Indathomas@aol.com>  
**Subject:** [EXTERNAL] EIS Comments, 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,

First of all, I want to thank you for your time (and patience!) during the 7/30/2024 ZOOM meeting. 5.5 hours of calls must be a record!

I have been a Sonoma County resident for 36 years. I live on the Southwest side of Old Redwood Highway less than 1/2 mile away from the proposed Shiloh Resort and Casino project.

I have major concerns about the location, Demolition and Construction affects on Public Health, negative impact on the environment, increasing high volume traffic and collisions; increasing poor air quality Wildfire Evacuation and grave risk for loss of life, and Seniors and Low-Income families losing their homes.

The Draft Environmental Impact Statement (DEIS) released on July 8, 2024 does not adequately address the significant impacts a project of this type and magnitude will have on the nearby residential communities,.

Family Neighborhoods Surround the proposed resort and casino.

Residential neighborhoods are at or next to the proposed Shiloh Rd Casino property: on the North side right across the street; the South side right at the property line; and the West side directly across Old Redwood Highway. Directly to the East of the proposed Casino project is Shiloh Regional Park, located on Faught Rd which is a Scenic Route.

The maps in the DEIS are out-of date with incomplete information. There are at least four housing groups that aren't on the maps.

Latino\_Equity Community

The majority of people who live on Old Redwood Highway between Shiloh Rd and River Rd are Latin, Asian, no -English Speakers, low-income, and Seniors.

The cumulative impact from the proposed Shiloh Resort and Casino project to the health, housing, and safety of the Seniors, disabled. Low income, non-English speakers, and Farmworkers who live all along Old Redwood Highway must be addressed.

Wildfires and Evacuation

Wildfire evacuation procedures were not appropriately addressed in the EIS. In response to community concerns, the Koi Nation stated, " We will go first and get out of everyone's way". This is unacceptable.

Federal and State Fire officials have stated that the incidences of large wildfires is increasing. It is not a question of "if" but "when".

How will Casino staff and three Security Guards/and/or trained EMS effectively communicate with and manage 8,000 to 20,000 Casino guests in an emergency?

Some guests are visiting from other countries and speak many different languages. Will there be staff Interpreters available for each of the represented languages?

Seniors at risk of losing housing

There are 10 Mobile Home Parks in Windsor and the surrounding area, primarily Seniors, and of a distance less than 1 1/2 miles from the Shiloh Rd parcel.

Two Senior Mobile Home Parks are directly across the street from the proposed Casino project! The next closest mobile home park is a .4 miles from the site!

The impacts of the proposed Shiloh Casino project are many:

- 1). health issues resulting from contaminants, dust, and other chemicals released into the air during construction and after;
- 2) the high volume of Casino traffic on these 2 lane country roads will increase exhaust fumes and other pollutants; thus creating more health issues for the people who live nearby.
- 3) it will be very difficult, especially for Seniors, to safely navigate the congested roads and high volume of vehicles; it will be next to impossible to enter and exit the side streets where our residences are located
- 4) And yes, the risk of injury or death from a collision with an impaired driver leaving the Casino.
- 5) The bright lights most definitely will affect safe driving and vision, especially to Seniors.
- 6) If Old Redwood Highway is widened because a 2 lane country road cannot accommodate the very high volume of Casino traffic, many Seniors who live across the street and all the way down to Fulton Rd/possibly River Rd will lose their housing.

Sonoma County has a Housing Crisis. Rent prices are unaffordable now for those on a fixed income. Sonoma County and California has a Homeless Crisis. Seniors are getting pushed out and priced out!

The negative impact to the health, financial loss, and loss of secure and affordable housing to the residents on Old Redwood Highway in closest proximity to the Shiloh Road casino project cannot be understated.

Where will these Seniors and Disabled go?

Statistics show that the fastest growing homeless group (@49%) are Seniors (55+).

10% of that 49% are homeless for the first time

I oppose the Koi Nation's proposed fee-to-trust transfer of the unincorporated parcel located at the Southeast corner of Shiloh Rd and Old Redwood Highway for a resort and casino gaming project.

Thank you for your time and consideration.

Respectfully,

Linda Moreskine  
Old Redwood Highway  
Windsor, CA

Sent from my iPhone

Sent from my iPhone

**From:** Beverly Ortiz <beverly.r.ortiz@outlook.com>  
**Sent:** Monday, August 26, 2024 4:56 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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.**

Attached please find my EIS Comments,

Beverly R. Ortiz, Ph.D.  
1487 Lupine Drive  
Santa Rosa, CA 95401

Beverly R. Ortiz, Ph.D.  
Ethnographic Consultant  
1487 Lupine Drive, Santa Rosa, CA 95401  
720-648-4306, beverly.r.ortiz@outlook.com

RE: EIS Comments, Koi Nation Shiloh Resort and Casino

I'm writing as a Cultural Anthropologist who has worked for 48 years on a wide variety of projects with hundreds of Native Californians from every region of the place now known as the State of California to address the problematic underlying restored land claim that underpins this project—the fact that in relatively recent decades, due to the Federal government's Relocation Program, and for varied economic reasons, Native people left their rural homelands, rancherias, and reservations to seek job opportunities in urban areas, including in Sonoma County.

This is the reason that the State of California has for decades alternated between having the largest and second largest population of Native peoples of any state in the United States based on the U.S. Census, most from tribes well beyond present-day California's borders. It is also the reason that if the BIA puts the land under consideration here in trust for the Koi Nation, that decision would set a deeply concerning precedent—the permitting of landless tribes to establish trust land far from their ancestral homelands based on relatively recent ties of some of their members to a given location.

While I strongly support the establishment of land in trust and economic development for all tribes, including the Koi Nation, I'm concerned that in this case addressing one injustice—Koi's current status as a landless tribe, will create another far-reaching, present-day one—the aforementioned precedent that landless tribes can establish land in trust within the homeland of other tribes.

As the earliest ethnographic studies conducted with Pomo peoples make clear, this project is located within the ancestral homeland of a Southern Pomo speaking tribe, while the ancestral homeland of the Koi Nation is located in a place where Southeastern Pomo was the primary language. As noted by McLendon and Oswalt (1978:274), Southern and Southeastern Pomo are two “of seven distinct and mutually unintelligible languages.... [T]he most divergent of the Pomoan languages differ from one another more than do the Germanic languages.”

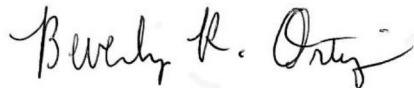
In 1903, 1904, and 1906, Samuel Barrett (1908:7, 101-106) travelled widely to work with Pomo cultural consultants to establish the geographic boundaries of the seven Pomo languages, as well as the territories of some 72 distinct Pomo tribes, sometimes referred to as village-communities, whose overall cultures, while having some things in common, also had distinct differences. Later field research by Edward Gifford, as published by Gifford and Kroeber in 1939 (117-119), elaborated on the cultural and linguistic diversity of the varied Pomo tribes, as did others to follow, as documented by McLendon and Oswalt (1978:274-288); Bean and Theodoratus (1978:289-293); and McLendon and Lowy (1978:306-318).

These studies, and many more, likewise confirm the sacrosanct honoring by Native Californians across time of territorial boundaries and rights, with people only crossing into the territories of

other tribes with permission, primarily for purposes of trade, to participate in ceremonial gatherings, and to avail themselves of seasonally available resources in overabundance, reciprocating for the opportunity with gifts. See, for example, Bean and Theodoratus (1978:293-296); McLendon and Lowy (1978:306-307, 310-314); and Collier and Thalman (1991:28, 62-75, 196-204).

Were this project to be approved, in addition to the deeply concerning precedent setting issue of allowing an unaffiliated tribe to establish land in trust outside of their tribal territory, there's an associated issue of potential impacts to the "cultural resources" of the culturally affiliated Southern Pomo people within whose territory the project is proposed to be built. While robust Section 106 tribal consultation is warranted to address the latter, the underlying issue of territorial rights is one for which the only remedy is to relocate the project to the ancestral homeland of the Koi Nation.

Sincerely,

A handwritten signature in black ink, reading "Beverly R. Ortiz". The signature is fluid and cursive, with the first name "Beverly" being the most prominent.

Beverly R. Ortiz, Ph.D.

## REFERENCES

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McLendon, Sally, and Michael J. Lowy

1978 Eastern Pomo and Southeastern Pomo. *In California*, Volume 8 of the Handbook of North American Indians, pp. 306-323.



**From:** M R <mariaross13@hotmail.com>  
**Sent:** Monday, August 26, 2024 5:01 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] Opposition to the Koi casino in Windsor

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Mr. Broussard:

I am fervently opposed to the Koi nation's planned development of a casino project in Sonoma County. The casino will ruin the small beautiful town of Windsor and will consequently generate tremendous anti-Native sentiment. Permitting the former slave-owning Chickasaw tribe to invest in a Native California business is an affront to every Native Californian whose ancestors were enslaved in California's missions.

My paternal Pomo and Miwok relatives lived in Sonoma county for generations. My grandparents moved from Sonoma County to Lake County in 1924 where they reared my father and his four younger sisters. My grandparents, then my father, owned and operated a pear ranch for decades in western Lake County. My father was also a great hunter and fisherman who instilled in his children a deep respect for all animals and plants and never harvested more food than we needed. He taught us how to cultivate the land, grow and sell sustainable produce, raise animals, and fish in the waters of Clear Lake and on the Sonoma Coast.

My family's lineage is genealogically traceable to Sonoma County, yet my immediate family has lived perpetually in Lake County for exactly 100 years. Despite this, none of us can claim Lake County as our tribal land. Why? Because we remain as guests of all the local tribes, including the Koi Nation. Conversely, the Koi tribe, indisputably a Lake County tribe, allege that Sonoma County is its historical territory because random individuals lived in the area intermittently. How do these few instances establish historical residency or cultural bonds to the land?

If I, a member of a Sonoma County tribe whose family established a bona fide 100-year continuous residency in Lake County can't claim her childhood home

as tribal property, then the Koi, a Lake County tribe, can't be allowed to claim Sonoma County as theirs.

In deserting Lake County for the more affluent Sonoma suburb of Windsor, which has few casino competitors in the immediate vicinity, members of the Koi dishonor their land and birthright, and disgrace their ancestors who were murdered in the 1800's for that land. Their plans to transform a beautiful agrarian tract into a 24-hour casino shows a further disregard for the land and the trees, plants and animals who live on it.

Moreover, Lake County is an extremely poor community, especially in Koi territory. Should the Koi develop a casino and resort project, they have my blessing to build it in Lake County where the taxes, jobs creation, and other ramifications will benefit a disadvantaged community.

In green-lighting this project, the BIA will once again pit natives against natives, as well as foment anti-Native opinions and actions in the Sonoma community at large. The general public is ignorant to the fact that there are approximately 110 recognized tribes and dozens of unrecognized tribes in California. Non-natives tend not to differentiate between tribes, so we're simply lumped together as Indians. If this casino project proceeds, it will destroy this community and the surrounding environment and this destruction will cast dispersion upon ALL Natives.

Sincerely,

Maria Rosa

**From:** Robert Campbell <rob@meyyewines.com>  
**Sent:** Monday, August 26, 2024 5:13 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino

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Hello Mr. Broussard,

Please see the attached letter which contains my comments on the Draft EIS for Koi Nation's Shiloh Resort and Casino project.

Please let me know if you have any questions with the document.

Best Regards,

Robert Campbell

August 6, 2024

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

Subject: EIS Comments, Kol Nation Shiloh Resort and Casino

Dear Regional Director Dutschke,

I am a Tribal Citizen of the Federated Indians of Graton Rancheria of both Coast Miwok and Southern Pomo ancestry. The purpose of this letter is to express my opposition to the Koi Nation of Northern California's project to establish trust land for gaming in Sonoma County, California.

The Koi Nation, previously known as the Lower Lake Rancheria (a Southeastern Pomo dialect tribe), submitted a restored lands gaming application to the U.S. Department of the Interior (DOI) for a parcel located outside the Town of Windsor, in Sonoma County. The proposed project location is a 59-mile drive from the Koi Nation's ancestral and cultural roots in the Lower Lake area of Lake County, where its historic rancheria was located. Separating their ancestral lands and the proposed project is two mountain ranges, another historically significant tribe speaking a completely different language and cultural tradition (Napa and Mendocino bands of Wappo Indians) countless creeks, two rivers, and several federally recognized Southwestern dialect Pomo nations that both border the proposed project and would annex a portion of another tribe's recognized boundary—my tribe.

DOI is chartered to protect tribal sovereignty and this *precedent setting* proposal by the Koi Nation is undoing tribal sovereignty. DOI is now being put in the position of pitting Indians against Indians here in California. Our tribes were not removed from their ancestral homelands, like tribes in Oklahoma. In California, tribes were decimated in place but were by no means eliminated. We have always been in Sonoma County. As my Tribe and others rebuild, our Tribal Citizens are returning to their ancestral territories. In fact, I recently purchased a plot of land in the town my grandparents were born and married in that lies at the heart of Coast Miwok and Southwestern Pomo territory where I am building a house and planting a vineyard. DOI must consider an alternative location for the Koi Nation in their true homeland in Lake County. DOI would be wrong to allow for Kol Nation to jump into another tribe's territory by claiming a significant historical connection to our Southern Pomo territory based on trade routes or a single Koi family moving to our territory in the past. Koi Nation's application is simply a new twist on their previous efforts to acquire gaming sites outside of their ancestral territory, which DOI was correct to previously deny on the same grounds.

I wholeheartedly support the right of all tribes to restore their homelands and pursue gaming on those lands. I cannot, however, support this project. It undermines tribal sovereignty and would be

a detriment to the identity, sovereignty, and cultural rights of all the federally recognized Southwestern Pomo tribes in Sonoma County.

I would greatly appreciate you considering another location for the Kol Nation casino in their ancestral territory in Lake County. Otherwise, this project should be denied.

Respectfully,

A handwritten signature in black ink, appearing to read 'R-JC' followed by a horizontal line.

Robert John Campbell  
5063 Winterfield Drive  
El Dorado Hills, CA 95762  
415-235-4540

**From:** sandra george <bailey011@att.net>  
**Sent:** Monday, August 26, 2024 5:14 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Cc:** townncouncil@townofwindsor.com <townncouncil@townofwindsor.com>; townncouncil@townofwind  
sor.com <townncouncil@townofwindsor.com>  
**Subject:** [EXTERNAL] EIS comments, Koi Nation Shiloh Resort and Casino

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Chad Broussard,

We write to you about the Koi and their integrity.

The Koi have tried to build a casino in Oakland, Vallejo, and now in Sonoma County. They ARE a Lake County Tribe.!

Lets look at the purchase of the property in question on Shiloh Road. This land/house was purchased with the buyer not disclosing who they were, or their intent for the property! It is our understanding that the sellers thought it was a famous person who wanted a vacation house and their privacy. That if they know the intent of the house and property, that they would not have sold to them.

They have had and currently have a lawsuit over "their" tribal land in Lake County.

They did not reach out to anyone to discuss what their intent and be a good neighbor. Local neighbors or officials.

They want to build in an urban area with housing on "3" sides. In conflict with the compact the State of California has.

They do not list in their EIS.

The 171 units diagonal from the proposed project  
The project just hundreds of feet north of the proposed project on Old Redwood Highway  
The church on Shiloh Road that is a few hundred feet from the intersection of Shiloh Road and Old Redwood Highway, and on the path from Hwy 101 to  
The housing located just on the other side of Pruitt creek to the South

They do not have ANY known "local" support. The only support is from out of the area and will suffer no direct affect. And one lone Union.

In opposition are all local residents, the government at all levels that have jurisdiction over the proposed location which are Unanimously the Town of Windsor Council, Unanimously the Sonoma County Board of Supervisors, the Governor of California, Senators, Congressmen. We just heard that the Central Labor Council sent a letter off opposition which most all of the Construction Unions belong to. And many more!

The 3 proposals look eerily the same. If the Koi is allowed any development, they could switch and build whatever they want or "expand" to whatever they want later.

The Koi have shown that they cannot be trusted, That they ARE a Lake County Tribe. That they do not intend to be a good neighbor. That they knew that the site was not appropriate by underhandedly purchasing the property.

Please stop the insanity of considering this project which is creating much undo stress on many, many people.

Please do not put this land into trust, choose option D as the only appropriate decision.

Thank you,  
David and Sandra George  
133 E Shiloh Road

**From:** sandra george <bailey011@att.net>  
**Sent:** Monday, August 26, 2024 5:14 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Cc:** townncouncil@townofwindsor.com <townncouncil@townofwindsor.com>; townncouncil@townofwindsor.com <townncouncil@townofwindsor.com>  
**Subject:** [EXTERNAL] EIS comments, Koi Nation Shiloh Resort and Casino

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Chad Broussard,

We write to you about the Water Issues of the proposed project,

Our house has a well as our ONLY source of water. With the Hundred and Seventy Thousand gallons of water that the Casino Resort projects that it will need each day, and that they plan to get this water through wells. Our well WILL go dry if they are allowed to build. There have been many, many, wells in Sonoma County that have been going dry in the recent years. As responsible people, we have been rationing at our house because of this.

They talk about "recycling water", using it to flush toilets, water the vineyard, water landscaping in the summer months. They are taking basically ALL the vineyard out. The only minimal kept is part of the landscaping. So there is no 'vineyard' to water! What are they going to irrigate with 2 million gallons of water "each week"! This is just smoke and mirrors. In "there" report. They talk about discharging into Pruitt Creek in the winter. Pruitt Creek will not be able to handle the discharges necessary for the proposed casino. More smoke and mirrors. They talk about their holding ponds for waste water. With only a 12 million gallon capacity, that will fill up in 6 weeks! If they do irrigate. My well is not that deep and is subjected to contamination

I live near the end of the project near the proposed wastewater ponds/Processing plant. There WILL be odors from both of these.

The EIS does not provide acceptable water mitigation

Please do not put this land into trust, choose option D as the only appropriate decision.

Thank you,  
 David and Sandra George  
 133 E Shiloh Road



**From:** sandra george <bailey011@att.net>  
**Sent:** Monday, August 26, 2024 5:15 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Cc:** townncouncil@townofwindsor.com <townncouncil@townofwindsor.com>; townncouncil@townofwindsor.com <townncouncil@townofwindsor.com>  
**Subject:** [EXTERNAL] EIS comments, Koi Nation Shiloh Resort and Casino

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Chad Broussard,

We write to you about the additional noise pollution a Casino would produce.

The additional traffic will create more Highway road noise on Hwy 101 that will be heard a long ways away from the freeway. This is the jurisdiction of Cal-Trans. There is no mention of them being involved or contacted? This is their jurisdiction. Why have they not been contacted for comment/input? Sound walls will be needed to MITIGATE the sound pollution.

The report talks about using rubberized asphalt to reduce noise on Shiloh Road. That the Koi will pay their "fair share". Who do they propose to pay the rest? Why would anyone else be obligated to pay anything for their mitigation obligations? Rubberized asphalt will have a minimal impact on road noise. It will not have any impact on the noise of the engines of each vehicle and delivery truck going up and down the roads. It will not have any impact of people honking horns at each other in all hours of the day and night. It will not have any impact of tires screeching when people tear out of the site when they are mad that they lost money, and those that will do the same celebrating if they won money.

The report talks about the noise of construction. It also talks about if two pieces of equipment are running at the same time, that the sound noise does not double. But is an average of the two plus only 3 dba more. It does not say that this continues to compound free each sound source? This project will probably have a minimum of dozens and dozens of pieces of equipment, power tools, jack hammers delivery trucks coming and going, work trucks,, workers yelling back and forth, etc, etc, etc..... Many of these pieces of equipment are rated at 85 dba each. When you start compounding this, the noise will be astronomical! It appears that the noise level of 3 projects going on simultaneously, the Casino, Parking Garage, and Hotel,, could easily go above 100 dba!

On page 11 of appendices J-O it says "5 dba- is required before any noticeable change in human response would be expected". "10+ dba is subjectively heard as approximately a doubling in loudness and can cause adverse response" With current noise levels being basically nothing. This will surpass 10 dba multiple times over. This would have to be endured for several years of construction.

Nearby homes were built to a standard to provide an interior noise level Of 45 dba or less. The homes surrounding homes were not built to be subject to the noise levels of the 2 year

construction projected, the ongoing noise of a casino/resort/hotel, and traffic noise.

The EIS does not sufficiently show mitigation for noise control.

Please do not put this land into trust, choose option D as the appropriate option.

Thank you,  
David and Sandra George  
133 E Shiloh Road

**From:** sandra george <bailey011@att.net>  
**Sent:** Monday, August 26, 2024 5:15 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Cc:** townncouncil@townofwindsor.com <townncouncil@townofwindsor.com>; townncouncil@townofwindsor.com <townncouncil@townofwindsor.com>  
**Subject:** [EXTERNAL] EIS comments, Koi Nation Shiloh Resort and Casino

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Chad Broussard,

We write to you about traffic issues a casino, or any development, will create at the Shiloh site.

Enclosed are 3 photos of traffic at a COMPLETE stop on Hwy 101 North Bound before the Shiloh Road exit. This would be the most used exit if a casino is allowed to be built. The first one is as I approach the stopped traffic on Hwy 101. The second as I stop on Hwy 101. The third is as when I come to a stop as I approach the stopped traffic at the Shiloh Exit. This took about 2 minutes from the time of my stop on Hwy 101, to the time of my exit of Hwy 101. They were taken on August 23, 2024, approx. 8:30 am. I would like to point out that this was a Friday, which is historically a day of the week with less traffic in the morning, and not at the peak time of morning as stated in the study.

I did not see anything in the EIS about any studies on mitigation of Hwy 101 traffic and sound increases? There has been no mention of Cal-Trans being notified/contacted regarding Highway issues, which is their jurisdiction? Why has Cal-Trans not been involved. This will be the most affected area with the compounding backups at each intersection leading to the proposed casino, and additional stop signs to be added that are mentioned in the study. There surely will need to be soundwalls added. The current offramps do not have the capacity to handle the increased traffic proposed. This offramp floods every year during the winter. Where will all of the casino traffic go when the offramp is shut down? They will find other alternative routes and make more traffic jams and create noise pollution in those other areas. As the routes are unknown. No mitigation can be done and others will suffer with the rest of us.

In the EIS report. The proposed mitigation for traffic is having the Town of Windsor Restripe the roads. First, why should the Town make ANY expenditures for the Koi mitigation? Two, the proposed restriping is just smoke and mirrors to distract the BIA and make it look like something is being done. People already use the "unstriped" parts of the road to make turns, as proposed as mitigation. The bottom line is that there is not enough road to accommodate the increased traffic. The only way would be to add additional lanes each way and additional turn lanes. This is not an option as there is not enough room to add lanes with the existing houses on Shiloh Road. This is also not in the vision and plans of the Town of Windsor .

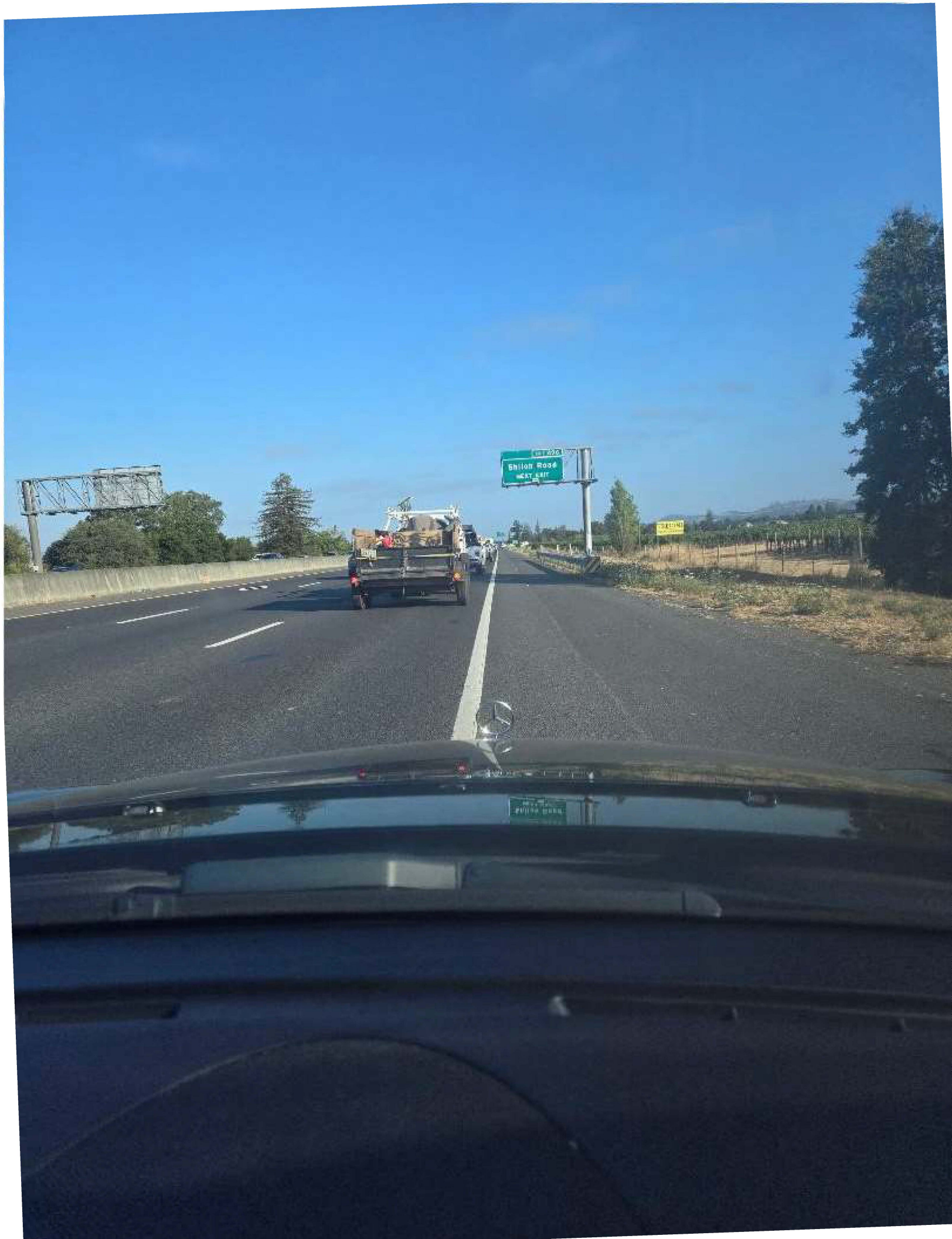
There is currently as project "Shiloh Crossing" nearing completion that is diagonal from the proposed Koi location. I find it convenient that this was not shown in the report? This project has

been in construction for some time and could not be missed or overlooked? The impacts it will have are not shown in the report? This project has 171 units and 8000 square feet of retail space. The average vehicles per household in Sonoma County is 2. This will add 342 more vehicles of the residents. Then there will be the additional vehicles of workers at the retail spaces and the customers coming and going. There is an additional project just hundreds of feet away on Old Redwood Highway, just North of the Proposed Project. This was not mentioned either?

The EIS does not show proper mitigation of traffic for the proposed project, All proper agencies have been allowed input.

Please do not put the land in trust and choose option D as the only appropriate choice.

Thank you,  
David and Sandra George  
133 E Shiloh Road

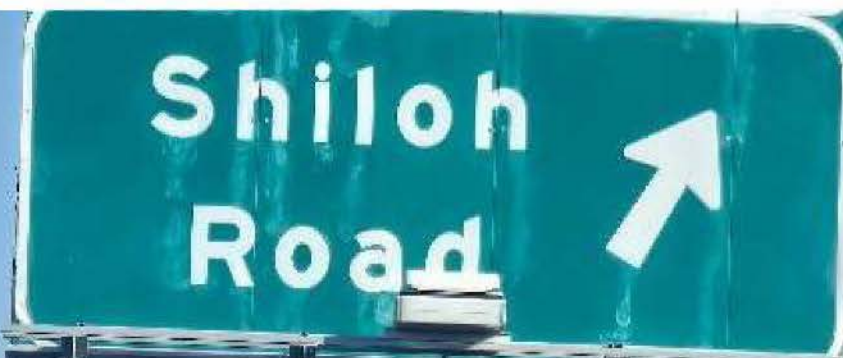




SHILTON ROAD  
NEXT EXIT







**From:** sandra george <bailey011@att.net>

**Sent:** Monday, August 26, 2024 5:16 PM

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

**Cc:** towncouncil@townofwindsor.com <towncouncil@townofwindsor.com>; towncouncil@townofwindsor.com <towncouncil@townofwindsor.com>

**Subject:** [EXTERNAL] EIS comments, Koi Nation Shiloh Resort and Casino

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Chad Broussard,

We write to you about the Koi EIS report.

First, there has not been enough time given to the lay persons that this project will directly affect. An extension to comment is requested.

We have briefly skimmed to the Thousands of pages that are not written well to understand. The report appears to be vague, ambiguous, misleading, self serving, and biased. This is shown and proven by words and phrases used in the report. Such as "predicted, less than significant, generally consistent, not predicted to result in significant adverse effects, assumed maximum noise levels" just to name a few. There are parts that they rate as no impact, slight impact etc. What their intrepid and someone living in the affected area differs substantially. It was disclosed at the last Zoom meeting that whoever prepared the EIS report has done lots of them on behalf of tribes seeking to build casinos. Because of this we believe this report should be thrown out. And ask that it be thrown out. That an unbiased company chosen by local government officials, or one at least agreed upon by Local officials.

The report left out things that raise an eyebrow as to the intent. They did not mention the Shiloh Crossing project directly diagonal to the proposed casino. This project has 171 units and 8000 square feet of retail space. The average household in Sonoma County has 2 cars. this is additional 342 cars plus the workers and customers at the retail space that was not accounted for in the report?

Please give an extension for comment if option D is not chosen at this time.

Please do not put this land into trust, choose option D as the only appropriate choice.

Thank you,  
David and Sandra George  
133 E Shiloh Road





Shiloh Crossing rendering. *Image courtesy of Walker & Dunlop*

**Corporation for Better Housing and Integrated Community Development** have received \$40 million in construction financing for Shiloh Crossing, a 171-unit fully affordable community in Windsor, Calif., in Sonoma County. The community is designated for residents earning between 30 and 70 percent of the area median income.

**Alliant Capital**, a company owned by **Walker & Dunlop**, closed on the financing through the syndication of Low-Income Housing Tax Credits. Senior Vice President Dudley Benoit and Managing Director Jennifer Erixon led the Alliant team.

The development will comprise two buildings also including 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.



**From:** Michael Higgins <mr.mike.a.higgins@gmail.com>  
**Sent:** Monday, August 26, 2024 5:38 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] Amy Dutschke Koi/Chicksaw Nation Casino Project DEIS Comments

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Michael A. Higgins  
5235 Carriage Lane  
Santa Rosa, CA 95403  
[Mr.mahiggins@gmail.com](mailto:Mr.mahiggins@gmail.com)  
925-364-0786  
08/26/2024

Amy Dutschke Regional Director Bureau of Indian Affairs, Pacific Regional Office

Dear Amy Dutschke,

I am writing to express my firm opposition to the proposed Koi Nation Shiloh Resort and Casino in Windsor, CA. I live in a neighborhood adjacent to this proposed fee-to-trust transfer of unincorporated land. The Koi Nation is part of this in name only and will do nothing to restore lands to the KOI Nation where the ancestral location is in Lake County. The out of the region Chicksaw Nation is the driving force for funding and management of this project. While I understand the desire for economic development, the potential negative consequences of this project on our community's resources, safety, and environment are too significant to overlook. The DEIS does not sufficiently address the environment impacts this project will have on the surrounding communities.

To avoid these impacts, the Bureau of Indian Affairs must only approve the "no project" alternative D in the DEIS.

### **1. Wildfire Mitigation and Evacuation:**

As we are all too aware, Sonoma County is highly susceptible to wildfires. The proposed site for the resort and casino is in a region that has experienced severe fires in recent years. The introduction of a large, densely populated facility would complicate evacuation plans and increase the risk to both residents and visitors. Gridlocked evacuation routes caused by the addition of visitors to the casino will unnecessarily put people at risk. Will you want blood on your hands should loss of life happen? Additionally, the construction and operation of the resort could contribute to fire hazards, with increased human activity and potential infrastructure strain making effective wildfire mitigation more challenging.

## **2. Traffic and Infrastructure:**

The addition of a large resort and casino in Windsor would bring an influx of visitors, resulting in substantial increases in traffic on local roads. It is reported that the Casino will increase the area traffic by 11,000 car trips per day. This increased traffic could lead to congestion, longer commute times, and a higher incidence of accidents. Moreover, our current infrastructure may not be adequate to accommodate this level of use, leading to wear and tear on roads and additional costs for maintenance and upgrades. The strain on local roads could diminish the quality of life for residents and detract from the town's appeal.

## **3. Crime and Public Safety:**

The introduction of a casino has been shown in other communities to correlate with increased crime rates, including theft, fraud, and more serious offenses. The influx of visitors, coupled with the cash-heavy nature of casino operations, could strain our local law enforcement and jeopardize the safety and well-being of Windsor residents. The town's resources may not be sufficient to address the potential rise in crime, which could lead to long-term negative impacts on the community. Besides the increases in assaults, trespassing, thefts, stolen vehicles, public intoxication and drug activity, there will be an increase in human trafficking.

## **4. Climate Change and Environmental Impact:**

The construction and operation of the Shiloh Resort and Casino would contribute to greenhouse gas emissions and environmental degradation. The additional traffic, energy consumption, and waste generation associated with such a large development are incompatible with Windsor's commitment to sustainability and climate resilience. The environmental footprint of this project would undermine local efforts to combat climate change and preserve the natural beauty of our area.

## **5. Water Supply:**

Windsor and the surrounding region already face challenges related to water scarcity, exacerbated by ongoing drought conditions and climate change. A large-scale resort and casino would require substantial water resources for daily operations, including landscaping, hospitality services, and recreational facilities. The increased demand on our already limited water supply could lead to further restrictions for residents and agricultural use, threatening the sustainability of our community.

## **6. Solid Waste Management:**

A project of this scale would generate a significant amount of solid waste, including food waste, packaging, and other materials. Our current waste management infrastructure may not be equipped to handle this increase, leading to potential overflows in landfills and a higher environmental burden. This not only poses environmental risks but also adds financial strain on the town's waste management system.

In conclusion, while economic development is important, the potential negative impacts of the Koi Nation Shiloh Resort and Casino far outweigh the benefits. The project poses significant risks to our water supply, public safety, environment, and infrastructure. I urge the Bureau of Indian Affairs to carefully consider these concerns and oppose the development of this project in our community. The only environmentally responsible action is the “no project” alternative D in the DEIS.

Thank you for your attention to this critical matter.

Sincerely,

Michael Higgins

**From:** Scott & Casey Snow <snkcsnow@comcast.net>  
**Sent:** Monday, August 26, 2024 6:00 PM  
**To:** Gaming, Indian <indiangaming@bia.gov>; Broussard, Chad N <Chad.Broussard@bia.gov>  
**Cc:** Newland, Bryan <bryan\_newland@ios.doi.gov>  
**Subject:** [EXTERNAL] Koi Nation Proposed Draft EIS Dated May 2004

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August 25, 2024

Mr. Chad Broussard  
Bureau of Indian Affairs,  
Pacific Region 2800 Cottage Way  
Sacramento, CA 95825

RE: Draft EIS dated May 2024 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. In my profession as a senior commercial credit officer at a major national commercial bank, I've had the opportunity to review many environmental impact reports and traffic studies over the years for large projects so I am familiar with them.

I reviewed the entire draft EIS dated May 2024 and I find the report sets forth only hopeful and opportunistic intentions and vague or invalid mitigation measures. The proposed measures in the report are toothless, vague, and if the said parcel is taken into trust, environmental oversight will be totally lacking.

After reading the report and knowing our area very well and its location and the environmental impacts the proposed casino would cause, I don't see how Acorn Environmental could even be considered qualified to prepare an EIS that the Federal Government is looking to rely upon based on the quality of this report. It appears Acorn Environmental might have a vested financial interest in preparing favorable reports for the various Indian tribes so it will continue to receive future considerations for additional work. Acorn Environmental should be unbiased in their work and preparation of this document and it is plain to see they are not or perhaps they are just are not qualified to handle a project of this magnitude. You could hire any national company that is qualified to prepare this type of report and I believe they would come to a completely different conclusion on the viability of this project and the negative impacts to the community and the environment. If the Bureau of Indian Affairs relies on Acorn's report in making its decision, it will be a travesty for all parties involved and will only lead to further federal lawsuits.

The areas that I considered faulty, unreliable or not even addressed in the report relate **to traffic impacts; noise, light and air pollution; safety to bicyclists and other forms of transportation, community fire evacuation and safety, potential downstream flooding impacts and water table depletion and sewage disposal**. All of these impacts are vaguely addressed or not at all by the author of the report with assumptions that lead to acceptable or desirable outcomes. It's my understanding that County of Sonoma civil engineers have already reviewed the water run off mitigation analysis in the report and it doesn't meet any current engineering codes or standards. If the BIA is truly looking to the best interests of the community, the environment, the County of Sonoma and the Koi Nation, a different national environmental assessment company who is highly qualified should be engaged to prepare this report.

We are not opposed to the Koi Nation 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. The Koi Nation is actually involved in lawsuits in Clearlake, CA trying to protect their ancestral grounds and the tribe has done great work in helping to protect the water environment to protect a small fish that is meaningful to the tribe in Clearlake. In the Koi's own words, they say they been part of the Lake County area for thousands of years, so I don't see how they could or the BIA could consider Windsor/Sonoma County part of their home territory for the purposes of building an Indian Casino.

It's my understanding that no other alternatives were looked at in the Koi Nation's native home territory of Lake County which is not following federal laws regarding Indian gaming. Plus, if the proposed Koi casino game to fruition it would in all likelihood put the 900-member Dry Creek Rancheria Band of Pomo Indian's River Rock Casino out of business. Ever since the Graton Casino opened in Rohnert Park, CA, River Rock Casino has struggled financially. Why would you want to jeopardize the Dry Creek Rancheria Band of Pomo Indians' ability to be self-supportive with their River Rock Casino by letting the 90 member Koi Nation open a casino so close to River Rock Casino. This does not make any sense! Bottom line in regards to Draft EIS and all of the environmental impacts the Koi Nation casino would create, the Secretary or assistant Secretary or whoever makes this decision needs to come out and look at the proposed site, the access roads, the adjoining residential neighborhoods to see for themselves how faulty the Draft EIS is. It doesn't take a rocket scientist when you actually see the area that these impacts cannot be mitigated and ask yourself if you would actually want to live right across the street from this casino or try make a quick evacuation in the event of a fire to the area? We've had to evacuate 3 times since 2017 and it was a very hectic and a serious endeavor and that was without having the many cars a casino would add to the equation.

Please note this is the third letter email I've written in opposition of the Koi Nation Casino project and I have never received any response from you or the BIA regarding my concerns.

Regards,

*Scott Snow*

Scott and Kathleen Snow

6267 Lockwood Dr.

Windsor, CA

415-309-2533

Email: [snkcsnow@comcast.net](mailto:snkcsnow@comcast.net)

CC: Bryan Newland

Assistant Secretary Bureau of Indian Affairs,

By Email: [bryan.newland@bia.gov](mailto:bryan.newland@bia.gov)

Jared Huffman

US Congressman California 2nd District  
By Fax: 202-225-5163

**From:** Kirk Snedeker <kirk.a.snedeker@gmail.com>  
**Sent:** Monday, August 26, 2024 6:01 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino and on the TEIR

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To Whom It May Concern

I am writing to express my strong opposition to the proposed casino complex in the Shilo park area of Santa Rosa and Windsor. My wife and I, along with my 83 year old mother, live at 1453 Wikiup Dr. We purchased our house last year and, up until learning of this preposterous plan, have been very happy with the decision.

We chose our neighborhood for its close proximity to open spaces, vineyards, restaurants, and health care. It is beautiful, and we feel lucky to have found a home here. Here we feel safe, and despite hearing the occasional laughing of children and the pops of tennis volleys from the Swim and Tennis club, it is a quiet and serene place to live. Our neighbors are responsible and respectful.

We feel that introducing a casino and hotel into the area would all but threaten the safety of our neighborhood, the natural beauty, the serenity, and our scarce resources. It is a terrible idea. One that does not serve the community in any meaningful way.

Why a casino? What positive impact will that have for the people who live here? I can think of one. It will create jobs. I understand that even the low-skill level positions that the complex will create are needed to help our state drive employment and increase our tax revenue. I understand that taxes from casinos (the successful ones) can help fund social services, education, and other initiatives. Best case scenario, the state, and perhaps some local government, will see some padding of coffers.

But at what cost? What is the return on investment? Where will these people live? In our neighborhoods? Certainly not. There is a well known housing shortage here. It is hard for people to find a house even if they are lucky enough to afford it. This means the casino staff will commute from afar, introducing hundreds of cars to our streets each day and night. Adding to this traffic will be traffic from the casino's suppliers. Potentially hundreds of trucks per week hauling food, beverages, linen, and copious amounts of goods needed to run a 24hr casino. All of them infiltrating our streets while their loud growling engines belch diesel fumes into our air. And then there is the traffic from the patrons. Thousands and thousands per month by some estimates. And even if those estimates are off by a few thousand, it is still thousands of cars and trucks congesting our quiet neighborhood on a casino's bad day. This is completely unacceptable for any residential area, not just ours. Expect a few pedestrian deaths. Maybe some kids.

We all know how casinos use alcohol to loosen up their guests in order to encourage them to spend more, and to take more risks. And now imagine trying to evacuate thousands of people



from the casino during a crisis. Imagine that a good percentage of the patrons will be somewhat, if not completely, inebriated. On top of the threat of fire and earthquake we may be facing, now we'll have drunk people trying to drive their way out of a threatening situation only to become a threatening situation themselves. Expect some vehicular deaths. Maybe some kids.

I could go on about the casino tapping into our already depleted water supply. How casinos attract thieves and thugs. But please take a second look. You will save our neighborhood. And maybe some kids.

Sincerely,  
Kirk Snedeker  
1453 Wikiup Dr.  
Santa Rosa

**From:** Mary Foley <maryfoleyrn@att.net>

**Sent:** Monday, August 26, 2024 7:08 PM

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

**Subject:** [EXTERNAL] Subject: EIS Comments, Koi Nation Shiloh Resort and Casino and on the TEIR (Tribal Environmental Impact Report) on "off-reservation" environmental impacts)

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I am attaching my comments related to the proposed casino in Windsor CA. I remain opposed to the casino, and ask that the project not move forward.

**The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative D in the DEIS.**

Thank you,  
Mary Foley RN ,PhD, FAAN  
Professor Emeritus UCSF  
963 Duncan Street  
San Francisco CA 94131  
415-505-2931  
maryfoleyrn@att.net

**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*

August 26, 2024

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,

Subject: EIS Comments, Koi Nation Shiloh Resort and Casino *and* on the TEIR (Tribal Environmental Impact Report) on “off-reservation” environmental impacts)

As I explained in my initial letter in opposition to the proposed casino 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. Again, let me repeat that 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. Just last month, she almost had to evacuate due to a fire on Chalk Hill Road, which is within 2 miles of the proposed casino.

I have followed the issue very closely, and I am even more convinced that the only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred “no project” alternative D in the DEIS.

Converting this area to a commercial development will have significant environmental impacts among them, water supply and wastewater, the aesthetic nature of rural/suburban neighborhoods, open space and views from Shiloh Regional Park, land fill (5 tons/day garbage), traffic and traffic noise (from 9,000 – 11,000 car trips/day, refuse and delivery trucks and sirens), law enforcement, drunk driving – (pedestrian and bicycle safety) crime and public safety, housing and wildfire risk and evacuation routes. Lastly, there are currently 30 hotels approved for Sonoma County nine in Santa Rosa; six in Healdsburg; three in Petaluma; three in Rohnert Park; three in Sonoma; one in Geyserville; one in Guerneville; one in Kenwood; one in Sea Ranch; one in Sebastopol; one in Windsor we do not need any more. There are already two casinos in Sonoma County – each less than 15 miles from this proposed location.

I will confine my focus on the issue of traffic, and the contribution vehicle emissions have on Green House Gases (GHGs). I have followed the hearings, reports, and press coverage. 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 Vehicle Miles Traveled (VMT) estimates are not justifiable for visitors or the 1,600+ employees and the vehicle trips/day vary in the document from Alternative A 11,213 M-F and 15,779 S and Alternative B 8,410-11,834 and Alternative C 2,078 – 2,704. How do they come up with these precise estimates and how do they determine that the GHGs are “insignificant” for air quality and contributions to climate change. That additional traffic will increase noise well beyond the boundaries and immediate vicinity of the casino. In this area of Windsor, one can hear Hwy 101 and that is without the additional estimated 15,799 cars 24/7 not to mention trucks and emergency vehicles.

The fire danger again should not be underestimated, which I have explained is my personal experience with my friend living in the Windsor area. This has been a very busy year for vegetation fires. And many acres of woodlands have already been burned in Sonoma and Lake County. 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.

I also read the feedback from the Sonoma County Tribes, who have also highlighted the impacts on them and their cultural resources. Even Governor Newsom stated he is "concerned that these specific projects [Koi and Scotts Valley] are proceeding in a manner that would sidestep the State, ignore the concerns of tribal governments and other local communities, and stretch the "restored lands" exception beyond its legal limits – while failing to adequately consider whether there might be a better way."

This proposed casino will not benefit the community and will stress a very special 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 multiple environmental and human-caused harm. It is not necessary, and certainly not worth the risk.

Mary Foley, RN

415-505-2931

**From:** Kim Young <youngones5@comcast.net>

**Sent:** Monday, August 26, 2024 7:48 PM

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

**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino and on the TEIR (Tribal Environmental Impact Report) on "off reservation enviromental impacts)

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Dear Regional Director Dutschke

I am writing to raise serval concerns that were not addressed in the DEIS and in response to the public hearing held July 30 online.

1. The concern raised by Joan Chance needs to be properly addressed. The map does not address the impact to the total area and while the Casino address is in Windsor, it is on the border of unincorporated Santa Rosa. There is a school, San Miguel just over a mile away in Wikiup.. Those students take field trips to Shiloh Park, walking there which will not be possible with the significant increase to traffic this project at any level except option D will bring. The map fails to recognize the apartment buildings now constructed. The map seems very skewed and needs to take in a more comprehensive view of the impact. Shiloh Regional Park serves many residents and provides hiking, horseback and biking trails. Faught and Shiloh road are narrow roads with cyclists. By taking a full review of the area impact, there should be reports on the churches, baseball park, dance school and even the hospital a few miles down the road in Santa Rosa that would all be negatively impacted.
2. Water needs have not be thoroughly vetted or addressed. We already pay the highest rates for water and new wells are likely to impact current wells. The American Water Company has already had problem with sewage in the creek. Please address the concerns raised by Greg Scott around this and other points he raised.
3. Allan Titus raised an excellent point about who has governmental jurisdiction over the land in question as it is not federal land but state land. I am also concerned that per various speakers the land was never part of the Koi nation. Please show that you have explored the sovereign rights issue and that the outside help the Koi nation is getting from a group in Oklahoma is in line with the rules- it all seems very close to setting a new precedent. It seems to fundamentally wrong and it has not been fully vetted.
4. Finally, the number of carpenter union call was so high and they had the same repeated message, that I began to wonder if they got paid to call in. It all seems rather odd.

I fully support Native American rights but this Koi casino is not in the right location and will have significant negative impact for all the people in the area as well as for the surrounding casinos that are on historical tribal land. Please complete your full due diligence and proceed with "no project" alternative D in the DEIS.

Sincerely

Kimberly Young  
375 Rosemary Lane

Santa Rosa CA 95403

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Virus-free. [www.avg.com](http://www.avg.com)

**From:** Andrew Fegelman <ajf0825@yahoo.com>  
**Sent:** Monday, August 26, 2024 8:16 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] Koi Nation Casino

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I wish to add my objection to the plans to construct a casino near Windsor, CA by the Koi nation. Aside from the legal issue of whether the nation can lay claim to the property as a native land, the question of the impact on the community needs to be addressed. There are fewer places less suitable to a major project like this than the selected site and the environmental impact on the community would be devastating.

This is currently a beautiful open space and anyone who spends any time on the site would be hard pressed to feel otherwise. Also, as someone who was evacuated in 2019 due to a devastating wildfire (the fire came with a block of my home). I can say that an evacuation from that area in the event of a fire would be extremely difficult at best. Congestion is already increasing due to a large apartment complex expected to open soon at the intersection of Shiloh Road and Redwood Highway.

I strongly urge you to reject this project. A Lake County site would be better suited for this project and legally sound.

Thank you

Andrew Fegelman  
Windsor, CA

**From:** Mo Moran <moxl55@yahoo.com>  
**Sent:** Monday, August 26, 2024 8:27 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS comments, KOI Nation Shiloh Resort and Casino

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## No Casino! Bad location for a myriad of reasons.

1. Close proximity to residential neighborhoods, churches and parks
2. Traffic

There are six locations east of Hwy 101 that are either currently under construction or close to start of construction. Three sites are on Shiloh Road and three sites are on Old Redwood Hwy near Shiloh. All of these sites are slated for approximately 585 apartments/units for affordable housing and senior living. The names of these projects are Shiloh Crossing, Shiloh Terrace, Clearwater at Windsor, Old Redwood Hwy Villages and Old Redwood Hwy Subdivision. Some of these developments do not have the parking capacity needed for the number of residents that will be housed. Currently, cars line up and down Old Redwood Hwy with residents in the developments that are operating now.

The casino would draw tens of thousands of visitors each week and approximately 10 million per year. Roads are currently congested, will get worse with all this new housing and will be a bottleneck with a casino. Faught road is dangerous enough now without casino patrons.

3. Evacuation in an emergency/disaster

The Kincade Fire caused evacuations in Windsor and parts of Santa Rosa. The roads were gridlocked then with people panicking. With the addition of all the above-mentioned housing and a potential casino property lives will be lost!!!!!!

4. Crime and impacts to first responders, hospitals and medical personnel

Given the size and nature of the potential casino property, arrests and illegal activity at or around the property will be incidents requiring the presence of



law enforcement officers will increase. These types of calls would certainly be attributed to thousands of people going to the same location, a casino, which comes with gambling, drinking, drugs, fraud and theft. Arrests for both violent crimes, including aggravated assault and robbery and lower tier offenses including car theft, drug possession and weapons violations would also occur.

Fire and medical calls would increase as well. If not on the property itself than the outlying areas.

The hospitals in the area are already overcrowded with no bed space. The nursing shortage is of concern now. Increase in patients as a result of the developments in Windsor and the casino would make it much worse. Patients would not receive the care they are in need of in the time needed.

#### 5. Pedestrian/bicycle safety on Shiloh and Faught Road

Pedestrians and many bike riders use Shiloh and Faught Roads to get to Shiloh Regional Park. There are a number of bike races during the year that use Faught and Shiloh Roads.

This is just a short list but all deeply concerning for the neighbors and Windsor community.

Thank you,

Christina Moran  
6149 Amie Drive  
Windsor

**From:** Mike Landon <landonmikes@gmail.com>

**Sent:** Monday, August 26, 2024 8:56 PM

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

**Subject:** [EXTERNAL] To Amy Dutschke : EIS Comments, Koi Nation Shiloh Resort and Casino and TEIR (Tribal Environmental Impact Report) on "off-reservation" environmental impacts)

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Dear Ms. Dutschke,

I am a resident of the Larkfield/Wikiup area just to the south of the proposed location for the Koi Nation Shiloh Resort and Casino project. I have written the BIA previously to express my opposition to this project, and I herewith am going on record again to strongly re-state that I am against this project. Among the many reasons for my position on this issue are the following:

1. The Koi Nation is not historically local to this area; they therefore should not be allowed to come here funded by big, out-of-state investors to impose a huge project on the people of Sonoma County. This is a misuse of the laws and provisions which ensure valid indigenous rights.
2. The EIS comments on the additional water demand and wastewater creation of the proposed project are vague and overly optimistic. Our neighborhoods have been putting in dry landscaping, water-saving fixtures, and scrimping and saving in every other way possible to reduce our water usage and preserve water for the environment. The Koi Nation proposal will create a tsunami of unanticipated water use which will pull millions of gallons from our local aquifers, thus endangering local water supplies, flora and fauna, and creating more wildfire risk.
3. This proposed Koi Nation development, with thousands of additional people and cars each day, will create significant new wildfire prevention and evacuation risks in the surrounding neighborhoods, many of which were torn apart by the catastrophic wildfires of 2017 and 2019.
4. The electric grid in Sonoma County has been so overburdened in recent years that it has been extremely difficult to get electricity hooked up to even small or moderate construction projects. The electric grid improvements that PGE is currently undertaking (paid for by local Sonoma County residents) will hopefully mitigate some of this electricity shortfall. However, if you factor in the immediate, off-the-charts demand for

additional electricity that will be created by the construction of this Koi Nation project, the approval of the project will guarantee a shortage of safe electricity into our foreseeable future.

5. And then there are the environmental and lifestyle issues. The rural beauty of Sonoma County is one of the main reasons people like to live here. There is already an ample supply of large casino/resort complexes in the county. To add another one here, right across the road from one of our most popular regional parks, would be doing a great injustice to the land, the wildlife, those of us who live here, and those who like to visit.

Therefore, for the reasons outlined above, as well as many others, I would like to go on the record again as being in direct and complete opposition to this Koi Nation development proposal.

Best Regards,  
Mike Landon

358 Wikiup Dr.  
Santa Rosa, CA 95403

**From:** Jodeena Landon <Jodeenal@comcast.net>

**Sent:** Monday, August 26, 2024 8:57 PM

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

**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino and on the TEIR on "off-reservation" environmental impacts

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Dear Regional Director Amy Dutschke,

I live in the Wickiup/Larkfield neighborhood and I oppose the Koi Nation's proposed fee-to-trust transfer of unincorporated land where our neighborhood is located and is adjacent to the Town for Windsor for a hotel and casino gaming project funded and managed by the Chickasaw Nation. This project will impact many who live here now and in the future along this delicate wildlife urban interface. This DEIS does not adequately address the significant impacts it will have on the "off Reservation" surrounding community and the only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "No project" alternative D in the DEIS.

1. I am very concerned about the impact this casino proposal will have on our water supply and about it's waste treatment of water use - if left to proceed. I see no sustaining benefit this casino will achieve in protecting our local environment and any of the neighboring communities that also require this limited resource to sustain their livelihoods and families. Also our water is also needed for Wild FIRE mitigation and water should not be frivolously used and set aside by any group or business especially ones with questionable moral ethics an/or purpose in establishing a new business in our neighborhoods.

2. I am very concerned that the Casino will increase traffic congestion ultimately impacting the surrounding areas beyond it's parking lots and that it's customers because they will be driving there in their own cars or busloads and will impact the safety of our Wildlife corridors, increase harm by the added risk of accidents to pedestrians and cyclists also using our roads surrounding the Casino. This casino will ultimately affect the peaceful neighborhoods surrounding the Casino due to the extra noise from the cars driving to and from a 24/7 day establishment that also serves alcohol raising even more risk of drunk drivers on our local roads and on the one highway "101" which is the main artery in and out of the Santa Rosa area this Casino's customers will be driving on to get to the Shiloh vicinity.

3. With more Drunk Drivers comes the need for more police and highway patrol cars to drive around and protect our surrounding residential communities from expected increase in tourism from visitors to Wine Country and beach going revelers. I am against bringing more partiers aka "gamblers" to our residential neighborhoods. Having a casino built in my neighborhood, (no matter who wants to build one) will not promote a healthy environment nor can it protect it or truly foster good samaritan values and community pride. How can any casino protect the native lands from urban sprawl and dis ease? I don't see the answer from a "build it and they will come" paradigm.

4. I believe the casino will increase our local electricity rates for our local residents especially those who are seniors due to supply and demand as a casino is a a perpetual energy using business (including its continued waste stream from showers and toilets) and these streams for energy and waste quickly fill our landfills and dry out our water tables and cause more need for plastic use and non renewables and with it comes the ever increasing FIRE risk. Any newly built casino will have a great negative impact on our local environment and will complicate the local's ever expanding desire in reducing global warming. By its nature, a Casino exists only to sustain its own gaming revenues 24/7. This is not an industry good for the environment and many in this community believe strongly in reducing energy demands and conspicuous

waste. I believe all of us have a responsibility to flush out bad ideas and prevent further harms to our environment.

Building a Casino is going the wrong direction in saving our planet.

**5. The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "No Project" alternative D in the DEIS.**

Sincerely,

Jodeena Landon  
358 Wickiup Drive  
Santa Rosa, CA 95403

**From:** Lori Barber <lorib83811@aol.com>  
**Sent:** Monday, August 26, 2024 9:26 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino, TEIR

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

Dear Regional Director Dutschke:

In the interest of the future environmental wellness of our area I am requesting that the Koi Nation Shiloh Resort and Casino proposal be approved by the Bureau of Indian Affairs as an environmentally approved "no project" alternative D in the DEIS.

The waive of the future is renewable energy which the world is striving to attain in the face of CO<sub>2</sub> emissions, global warming and climate change. No evidence can be more convincing that this priority is eminent than the menacing fires which occurred over the past few years in the Mayacamas mountains directly to the east of subject site.

Our society needs a break from the one sidedness of commercialization – earth in the balance is at stake.

As a resident of the area immediately to the south of subject property, I walk the Scenic Faught Road Corridor on a regular basis. For those of us who live within walking distance of subject property, the impacts would be far reaching, yet we have not been considered as far as impacts to our neighborhoods, not to mention the loss of nature and natural habitat which would be decimated by the development of subject site.

Sincerely,

Lori Barber

231 Candlelight Dr.

Santa Rosa, CA 95403

**From:** Ross & Susan Hampton <rossandsusanhampton@gmail.com>

**Sent:** Monday, August 26, 2024 9:37 PM

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

**Subject:** [EXTERNAL] EIS Comments, Koi/Chickasaw Nation Shiloh Resort And Casino AND On The TEIR (Tribal Environmental Impact Report) On "Off-Reservation" Environmental Impacts

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

Dear Regional Director Amy Dutschke (c/o Chad Broussard),

We live in the Wikiup/Larkfield neighborhood (which was not mentioned in the DEIS report) and we want to express our opposition to the Koi Nation's proposed fee-to-trust transfer of unincorporated land near our neighborhood area. We support the local, indigenous tribes, yet we must say that this project is not good for Santa Rosa/Windsor or Sonoma County as a whole.

**We feel that the way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative D in the DEIS.**

**There are several reasons why we oppose the Resort & Casino which include potential threats for:** more crime; overload on the electric grid & water supply, noise, and traffic, as well as wildfire mitigation and **EVACUATION**.

**EVACUATION** is extremely concerning due to our experience with the 2017 fires, when we had to evacuate in the middle of the night watching the huge flames at the end of El Mercado Parkway (above Wikiup Drive) while we attempted to drive to escape toward Faught Road and Old Redwood Highway and Airport Blvd. We sat in our vehicles, stuck in traffic, wondering whether we would make it out of our neighborhood alive. We sat for quite a while and then traffic finally started moving slowly. What a relief once we were able to make it to 101 to head north and see where we could get a place to stay. Please note that heading north from Airport Blvd. onto 101 North, takes us up past the Shiloh Road exit near the proposed location of the Resort & Casino. Additional traffic in this whole described area, could be more than devastating if our community has to go through a similar experience in the future.

Thank you for considering the right thing for the whole community!

Our address is:  
5355 El Mercado Pkwy.  
Santa Rosa, CA 95403

In appreciation,  
Ross and Susan Hampton

**From:** daniel rei <reifam4@att.net>

**Sent:** Monday, August 26, 2024 9:39 PM

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

**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino and on the TEIR (Tribal Environmental Impact Report) on “off-reservation” environmental impacts)

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

Dear Regional Director Dutschke:

We live in the Wikiup/Larkfield neighborhood which was not even mentioned in the DEIS and we oppose the Koi Nation’s proposed fee-to-trust transfer of unincorporated land where our neighborhood is located and adjacent to the Town of Windsor for a hotel and casino gaming project funded and managed by the Chickasaw Nation. We support the local, indigenous tribes. This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, whose ancestral is in Lake County. This DEIS does not adequately address the significant impacts this proposed project will have on the “off reservation” surrounding community and Sonoma County if it is approved. Throughout the DEIS different issues are determined to have “No Impact” or be “Less Significant” or “mitigated” through unproven suggestions that ONLY refer to mitigation on the casino site. These are “opinions, hopeful suggestions, nothing more.”

**The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred “no project” alternative D in the DEIS.**

This agricultural land is available because *voters* set the Windsor border next to it as a community separator in the Sonoma Countywide plan and the Larkfield-Wikiup 1980 specific plan. It is in the urban Growth Boundary of Windsor. Converting this area to a commercial development will have significant environmental impacts among them, water supply and wastewater, the aesthetic nature of rural/suburban neighborhoods, open space and views from Shiloh Regional Park, land fill (5 tons/day garbage), traffic and traffic noise(from 9,000 – 11,000 car trips/day, refuse and delivery trucks and sirens), law enforcement, drunk driving – (pedestrian and bicycle safety) crime and public safety, housing and wildfire risk and evacuation routes. Lastly, there are currently 30 hotels approved for



Sonoma County nine in Santa Rosa; six in Healdsburg; three in Petaluma; three in Rohnert Park; three in Sonoma; one in Geyserville; one in Guerneville; one in Kenwood; one in Sea Ranch; one in Sebastopol; one in Windsor. We do not need any more. Moreover, there are already two casinos in Sonoma County – each less than 15 miles from this proposed location.

We want to emphasize a few areas important to our family. First we moved here from the East Bay because of the aesthetically beautiful and rural nature of the neighborhoods. We can sleep with the windows open and enjoy the fresh air and the sound of the breeze and the birds. The proximity to Shiloh Regional Park makes for nice hiking, horseback riding, and jogging. We are also bike riders and walkers and already need to be careful of the current cars on the two lane roads. We don't want inebriated Casino losers driving in our neighborhoods to avoid the HWY. We already have the noise and traffic close by from Hwy 101 present, with notable increased traffic when there is an accident on Highway 101 and drivers come down Old Redwood highway to avoid the freeway. This will become worse by the casino's 11,000 car trips/day.

The photo renderings in the DEIS use a misleading lens from Shiloh Park (less than half mile away) that makes the "casino compound" look much farther away. Placing a 200 -400 room hotel and casino or winery one mile away from our neighborhood and schools, will change the aesthetics of our community, increase traffic, and make it more dangerous on the road.

In addition, we are concerned about:

**Water supply & Wastewater** – water conservation is not just a requirement for this area, it is a way of life. Our water comes from wells and is the most expensive water in the state. The proposal states that new well(s) will be drilled for anticipated use of 170,000 gallons per day (gpd) of potable water and 108,000 gpd of recycled water and if the wells run dry they will drill new wells greatly affecting nearby residents. The water supply is not endless and continued drought as temperatures rise make it even more precious. Placing alternative A,B or C on this rural area will jeopardize our water supply over time. The wastewater proposal for up to 400,000 gallons/day to be treated onsite will create an eyesore from Shiloh park and odors in the area, and overflow into Pruitt Creek is likely unfeasible and hence, unacceptable.

**Wildfire mitigation and Evacuation** are serious concerns. The DEIS acknowledges that Cal Fire has designated this area as #3 High and #4

Very High Fire just north east of the casino. That alone should be reason not to add 34.4 acres of a commercial operation to the location. The DEIS speaks only to mitigating wildfire risk *on the site* itself and *to evacuation of guests and staff*. **It fails to acknowledge the surrounding residents.** It

mentions coordinating plans with SoCo and the town of Windsor and says nothing about our neighborhoods. Wikiup is in the SON 3C2 which the DEIS lists evacuation routes for the casino. Adding up to 5,000+ cars on to Shiloh, Old Redwood Highway (ORH) and HWY 101 will add to gridlock traffic (despite traffic signs and lights) and prevent the evacuation of Windsor residents to the north and Wikiup/Larkfield residents to the South. Many guests unable to turn onto Shiloh and ORH are likely to turn East toward Faught Rd through our neighborhoods toward Airport Blvd or Mark West and HWY 101 again creating gridlock. If it is during a school day students will be being evacuated San Miguel and Reibli schools in Wikiup/Larkfield. The residents of the mobile home parks on ORH will not be able to get out – similar to the experience of the “Journey’s End” mobile home park next to Hwy101 where people in mobile homes burned to death because they couldn’t get onto ORH and Hwy101 during the Tubbs fire.

The unlikelihood that posting 6 casino traffic attendants will save lives is slim - in the Tubbs fire, dedicated health attendants abandoned patients in a long-term care facility when the fire was upon them which will be the case for Casino traffic attendants.

Mitigation efforts for vegetation on site are appropriate. Outdoor cigarette smoking was not mentioned. What about mitigation efforts for smokers leaving the casino and tossing a cigarette butt out of their car or driving a truck with a chain sparking. Up to 11,000+ car trips/day how many irresponsible smokers are in those cars.

The Park Fire California’s largest current blaze at [429,388 acres](#) as of Aug 19 was started by a drunk driver who pushed his car off a cliff and then the fire moved so rapidly that towns had to be evacuated. Here in Sonoma County, we get notifications about fires every day and it increases our stress levels. Adding this mega complex where people drink (and the DEIS drinking mitigation “best management practice of implementing responsible drinking practices” is unfounded) and drive a 1000+ trips/day and smoke (off reservation), puts our homes, our families and our lives in danger. The vineyards were a firebreak in the Kincadee fire, and for our safety should remain one.

Many of us have had our homeowner’s insurance cancelled because of fire, some property sales have failed because buyers could not get insurance. This

casino will increase fire risk making insurance more difficult and more expensive and it will drive property values in our quiet neighborhoods down.

**Crime** is another concern. The DEIS is very misleading-when it says crime is not necessarily linked to casinos. Prior to the opening of the casino in Rohnert Park there were only 2 calls for service to the area, in 2013 the opening year there were 1,757 calls in the area (the number used in the DEIS), in 22/23 there were 6,680 calls (529 generated by the casino) and the rest: for assaults, trespassing, thefts, stolen vehicles, public intoxication and drug activity in the area. This will be a larger facility and will generate more calls into and through our neighborhoods, with sirens blaring. Mitigation of “cameras” on site and possible security guards is not going to mitigate crime in the surrounding area and the nerve-racking sirens day and night.

### **Climate Change, GreenHouse Gases, the Electric Grid, Traffic, Noise,**

The DEIS refers to “Climate change is a global phenomenon. [In which Certain gases in the atmosphere, classified as GHGs, play a critical role in determining the surface temperature of the earth.] It the GHG contributions are In 2018, the primary sources of GHG emissions in the County were transportation (60%), building energy (21%), livestock (11%), solid waste (6%), and water/wastewater (1%). The County emitted approximately 3.41 million metric tons carbon dioxide equivalent (MT CO<sub>2</sub>e) in 2018.

The charts in section 3.4 reveal that Alternative A would generate total GHGs tons/year of 420.96 tons/year and B would generate 341 total GHG tons/year.

The DEIS states that the GHG emissions are below levels for several Air Quality Board guidelines. (which differ from the CA Air Resources Board scoping goals that are reset every 5 years).

Somehow at time when we have just had the hottest July in history and in order to meet the Paris climate agreement target of limiting warming this century to less than 2.7 degrees Fahrenheit on average above pre-industrial temperatures, the world must slash carbon dioxide emissions in half by 2030 and reach net zero emissions by 2050, it is ludicrous to approve a commercial development which emits hundreds of tons of GHGs in an area where agriculture currently sequesters CO<sub>2</sub>. Further, the “heat island effect” of 34.4 acres of buildings and asphalt that will absorb heat *and* remit it creating both a surface and atmospheric “heat island” where the temperatures vary from 1.8 to 21 degrees higher over the built environment and near by and drying out the atmosphere creating a perfect

storm for wildfire was not even mentioned in the DEIS. Nearby neighbors should not suffer higher temperatures so Casino guests can play in airconditioned buildings which further put strain on the electric grid. The electric grid according to the DEIS "PG&E has planned electrical and natural gas infrastructure projects which will increase capacity near the Project Site prior to 2028". These are upgrades we have been paying for in our outrageous PG&E bill because we frequently have "brown outs" and fire safety shut offs. The DEIS proposes four onsite diesel generators for their guests which will further add GHGs while the residents sit in the dark because the Casino overloaded the grid. The electric grid should not have to bear a 24/7 365 electricity guzzling operation – it's not good for the environment and it will increase power failures and drive-up resident electricity costs.

**Solid Waste** Sonoma County and all of the residents are working toward ZERO waste. The DEIS describes SoCo solid waste facilities and capacities and then says it will increase solid waste by 1% of the total county waste. The DEIS projects

Alternative A will produce in excess of 10,000+ pounds of waste per person/day, B will produce 6,943 pounds/day (why not just say 7,000 – where are these precise numbers from anyway?) and C will produce 729 pounds/day (or almost half a ton). We don't need more garbage in our landfill. We don't need more plastic and PFAS in our landfill. SoCo landfills hope to capture 30% of methane GHG emissions produced in landfill by 2035 – we have been paying for this upgrade for years. This project will make it difficult to meet that goal and the casino has not been paying for the upgrades.

**Traffic** (the largest contributor to GHGs) are estimated with GHGs being measured in Sebastopol (an area much more coastal and breezy).

The DEIS GHG estimate contributions to developing cancer use an CA OEHHA report from 2009 that refers to exposure over 70 years. That statistic is no longer used and demonstrates the intent of the DEIS to mislead the public and decision makers.

The Vehicle Miles Traveled (VMT) estimates are not justifiable for visitors or the 1,600+ employees and the vehicle trips/day vary in the document from Alternative A 11,213 M-F and 15,779 S and Alternative B 8,410-11,834 and Alternative C 2,078 – 2,704. How do they come up with these precise estimates and how do they determine that the GHGs are insignificant for air quality and contributions to climate change.

That many additional cars on the road will increase noise well beyond the boundaries and immediate vicinity of the casino. In Wikiup we can hear Hwy 101 and we don't want an additional 15,799 cars 24/7 not to mention trucks and emergency vehicles.

Sonoma County Tribes have also highlighted the impacts on them and their cultural resources.

We agree with Governor Newsom who stated he is "concerned that these specific projects [Koi and Scotts Valley] are proceeding in a manner that would sidestep the State, ignore the concerns of tribal governments and other local communities, and **stretch the "restored lands" exception beyond its legal limits** – while failing to adequately consider whether there might be a better way."

We are also very concerned that the Bureau of Indians Affairs is rushing this process, has not adequately considered the local environmental impacts, and addressed every one of the concerns raised, and cannot prove the "limited significance measures" or guarantee and/or enforce the mitigations that is proposed.

We support the local, indigenous tribes. This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, whose homeland is in Lake County.

**The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative D in the DEIS.**

Sincerely,  
Rita and Dan Rei  
5467 Corbett Circle  
Santa Rosa, Ca. 95403

**From:** SANDRA NIETO <snieto707@aol.com>

**Sent:** Monday, August 26, 2024 9:51 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 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. I don't want my community to be another Rohnert Park with the Graton Casino and it's never ending expansions. If the casino is allowed to move forward there is no stopping what additional expansion they will make in the future. This area is not rural 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 of Shiloh and Old Redwood Hwy. 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 will cause a bigger bottle neck issue, than it does today. The impact on the environment doesn't warrant an addition of yet another casino in Sonoma County.
- 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.
- Water and sewer are an issue in the area. Windsor can't add this parcel onto an already strand system.
- 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. Plus the Koi tribe has no connection to this area. Allowing them to build will be infringing on the Pomo tribe's rights. 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:** Cliff Dylan <clifftun7@yahoo.com>  
**Sent:** Monday, August 26, 2024 9:39 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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.**

August 25, 2024

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

Dear Regional Director Dutschke,

Like so many others, I strongly oppose this casino-hotel-resort and especially its proposed location. There are a great many reasons why I oppose. For this letter, I will focus on the eastern area of this location and the area wildlife. These subjects were basically ignored in the DEIS.

**Faught Road:**

The Faught Road and E. Shiloh Road intersection is just 0.023 of a mile (a short walk) from the proposed casino resort site. Faught Road is a windy two lane road leading to elementary schools, neighborhoods and parks in each direction. The road is **NARROW**, with hills and turns where one **can't see the oncoming** traffic, people or hazards. The northern direction of Faught Road has an 80 degree turn where Faught becomes Pleasant Ave and leads right to Mattie Washburn Elementary School, a neighborhood and park. The southern direction of Faught Road has two 90 degree turns that lead to San Miguel Elementary School and expansive neighborhoods. Both directions are very narrow and would be a serious challenge for casino patrons to navigate.

The Shiloh Ranch Regional Park also borders Faught Road. Walkers, joggers, and bicyclists including children frequent Shiloh and Faught Roads for exercise and to access Shiloh Ranch Regional Park. The regional park is pristine nature for people to explore and exercise by foot, bike and horseback. The views from the park are breathtaking. This wonderful treasure would be forever changed/ruined by a monstrosity of a casino, parking structure, hotel etc.

Drivers leaving the proposed casino site will take Faught Road as a shortcut or, most likely, to avoid law enforcement while inebriated. Let there be no mistake about that. **It's no exaggeration to state that many** people would leave the proposed site/casino after drinking too much, considering all the various opportunities to drink and drink cheaply in such an establishment. This poses a great and **REAL** threat to the community. There is no doubt in my mind or in the minds of others, who I have spoken to, that it is not a matter of **IF** but **WHEN** someone will be badly hurt or killed while using the neighboring roads. It would more than likely be an accident reported in the news often. Any life is precious but when a child gets run over by a casino patron at one of the two nearby **schools or parks**, **I'd can't even imagine the impact on** the community, families and the actions taken towards the casino.

**Wildlife:**

For any report (DEIS) to conclude that impact on wildlife would be minimal or no impact is ludicrous. The person/persons compiling information for the severely lacking, erroneous and unacceptable EIS obviously spent minimal time in the area. As a resident since 2008 with a house that backs up to Shiloh Road, I can attest to the many animals that live in the area and/or come down from Shiloh Ridge. Wildlife consistently



seen and heard on or near the proposed casino site are: Foxes, coyotes, deer, skunks, possums, raccoons, squirrels, owls, hawks and numerous other bird life.

I have attached two maps and photos of the area that I have referenced above. Blue dot is the proposed casino site.

1. Map of Faught Road to Pleasant Avenue to Mattie Washburn Elementary. 2 miles.
2. Map of Faught Road to San Miguel Elementary. 1.6 miles.
3. Four pictures of Faught Road's turns, blind hills, slow speed requirements and narrow nature.

**For those reasons and so many more, I am asking the BIA to please choose the option of No Project/No Action/No land to trust.**

Thank you so much for your time and efforts,

Cliff Whittemore



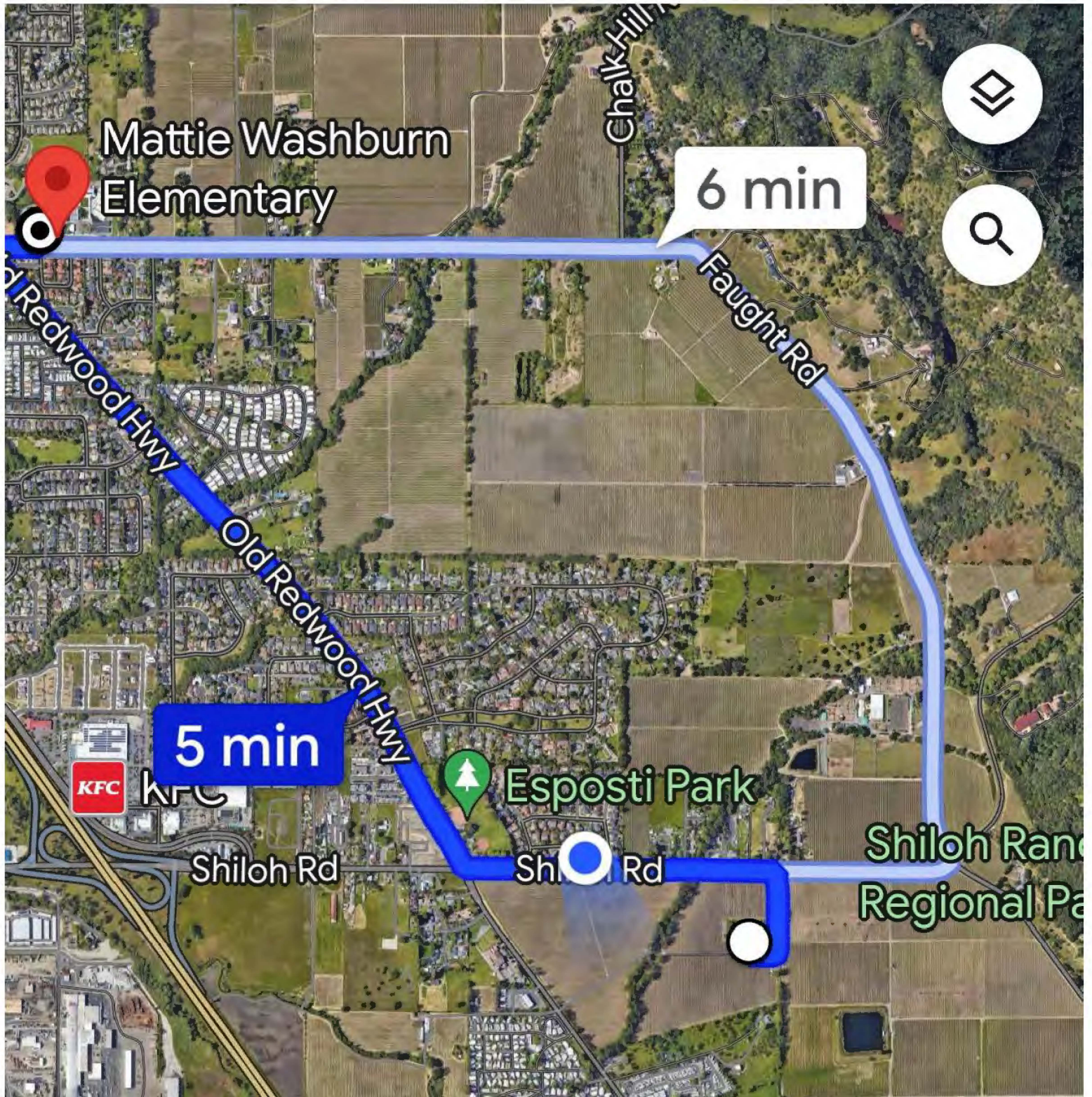
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222 East Shiloh Road



San Miguel Elementary School



4 min



29 min



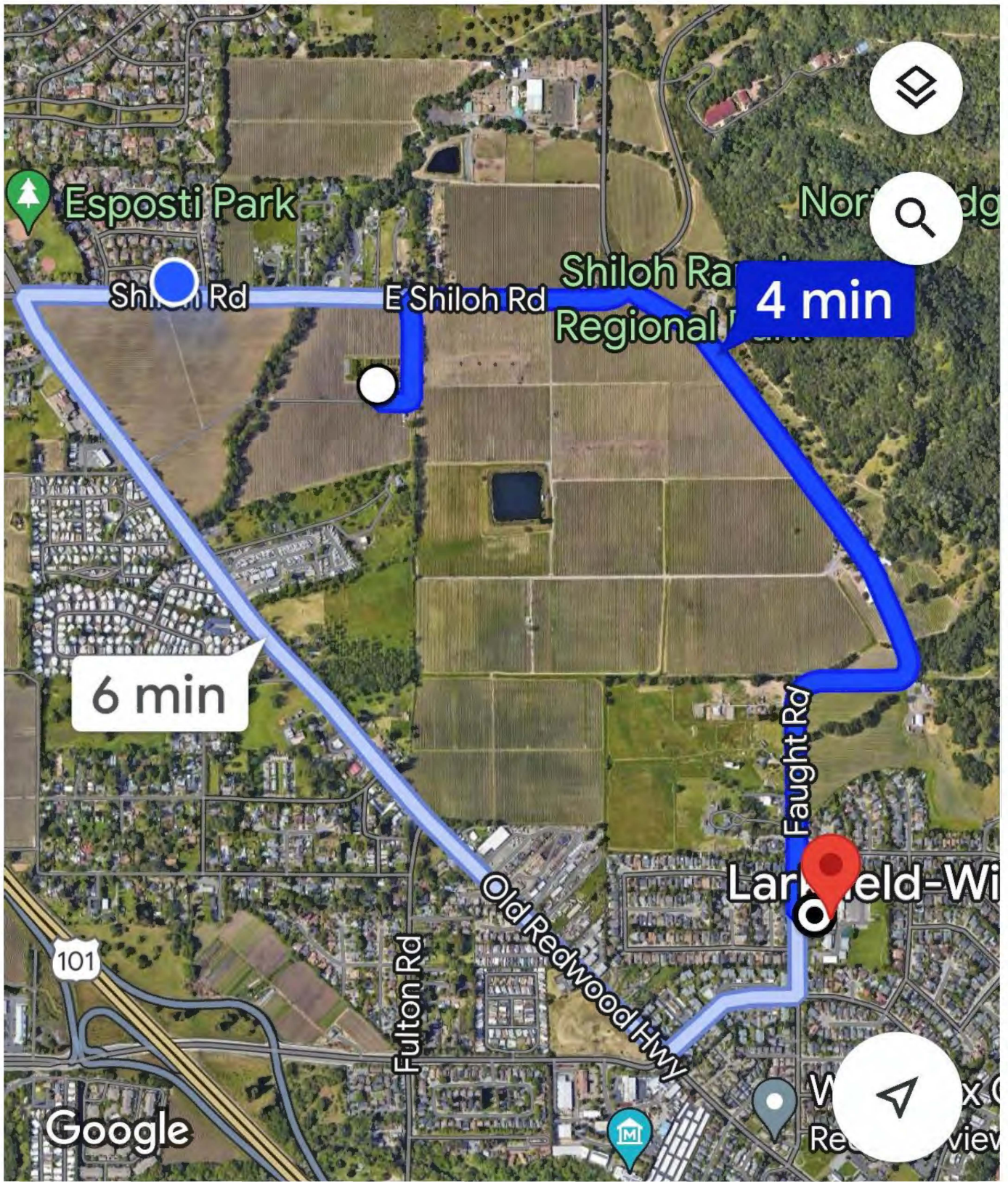
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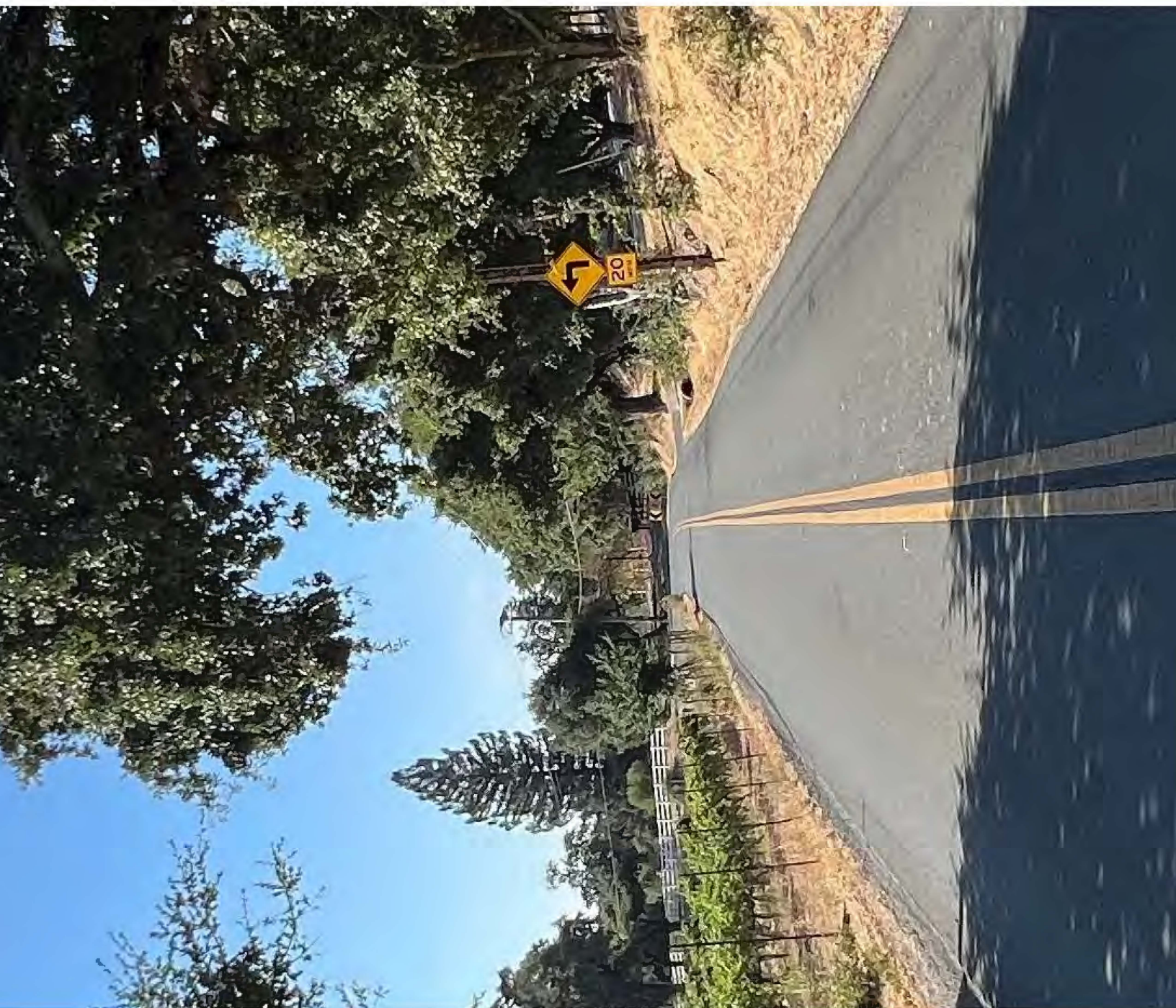
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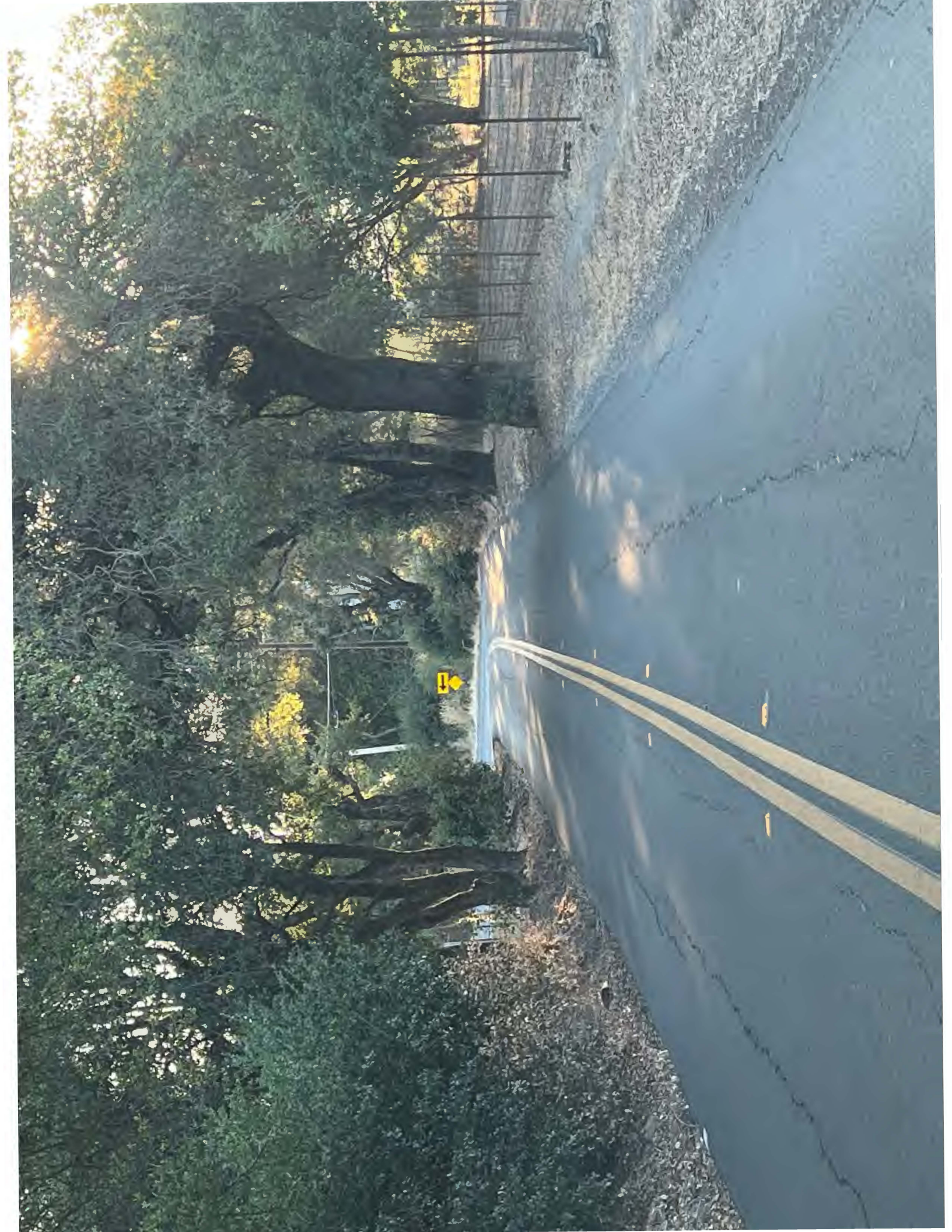














**From:** catherine dodd <catherine.dodd@gmail.com>  
**Sent:** Monday, August 26, 2024 10:16 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino

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

Please find my comments attached and please acknowledge receipt. 10:15 pm Aug 26  
May you be well,

Catherine Dodd PhD, RN she/her  
[catherine.dodd@gmail.com](mailto:catherine.dodd@gmail.com)  
5259 Carriage Lane  
Santa Rosa CA 95403

Catherine Dodd PhD RN  
5259 Carriage Lane CA 05403  
Santa Rosa 95403  
Catherine.Dodd@gmail.com

August 26, 2024

Amy Dutschke, Region Director  
Bureau of Indian Affairs, Pacific Regional Office  
2800 Cottage Way, Room W-2820, Sacramento, CA 95825  
c/o Chad Broussard  
Please send an acknowledgement that these comments were received, thank you  
c/o: [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov)

Subject: Koi Nation of Northern California Shiloh Resort and Casino Project and Tribal-State Compact between the State of California and the Koi Nation, a Tribal Environmental Impact Report (TEIR)

Dear Regional Director Dutschke

I am hoping that these comments are also being considered as part of both listed above. I only became aware of the comment process in 2023 so I missed the 2022 notification which said that the first EA covered both the purposes. I am glad to have the opportunity to comment on this DEIS. I will first say that talking to many neighbors in the Wikiup neighborhood of unincorporated Sonoma County one mile south of the proposed casino, few people knew about. The BIA and other government agencies should notify all residents within 5 miles by USPS when something of this magnitude is being considered.

I very much love learning about Native American history and customs, in community meetings I attend we always do a sincere land acknowledgement that goes something like this: we gather today on the traditional, ancestral, and contemporary homelands of the Coast Miwok, Pomo, and Wappo peoples. This includes the Southern Pomo and Graton Rancheria Tribes. These tribes were removed or displaced from their lands. We recognize this history and the harm to present-day Coast Miwok, Pomo, and Wappo peoples and to their ancestors and we vow to assist these communities using our resources, skills and talents if and when requested. I am a registered nurse and worked at the Indian Health Center in San Francisco as a volunteer while I was in nursing school. I love many of the Native American sayings and I especially hold as a personal guide the "7th generation" principle handed down in the [Great Law of the](#)

I am sure you are familiar with it, it states that "in every decision, be it personal, governmental or corporate, we must **consider how it will affect our descendants seven generations into the future.**" If only all of us had followed that principle for the last several hundred years we would not be on the verge of a catastrophic melt down of our communities and the earth itself. I hope the BIA considers how this decision will affect descendants of all peoples and wildlife this proposal will affect.

Regarding the transfer of the casino project and restore lands to the Koi Nation. In my research, the Koi Nation considers the southern part of Clear Lake as their ancestral homeland. They have done important work establishing the history of the tribe working with the California State Parks. The website of Anderson Marsh State Historic Park talks about Native California Indians, it states that "The area of Anderson Marsh is imprinted with the rich cultural heritage of its native peoples. Southeastern Pomo — **The park and**

**adjoining area comprise the ancestral territory of the Koi Nation of Northern California, a Southeastern Pomo tribe. The ancestral Koi were among the first humans to colonize California, arriving at least 14,000 years ago.** The Koi, remarkably wealthy and prosperous traders, controlled two local sources of obsidian that were widely traded throughout Northern California. Other resources included magnesite, a beautiful adornment stone used to make highly valued stone beads. **Although they did not live at the coast,** the Koi also manufactured shell beads and controlled their distribution in Northern California. Clear Lake basin, with its unique fishery, provided abundant protein-rich resources for both trade and sustenance. The Koi permitted non-Pomo people access to the lake and its resources. When non-Indian immigrants first arrived in the mid-1800s, the principal Koi home base was Koi Island. The PBS special [clearly describes the Koi's ancestral homeland](#) as southern Clear Lake. There are other documents such as the Koi nation's lawsuit against the City of Clear Lake re: not being consulted about building a hotel in Clear Lake City. As well [renaming of the Ridge Trail in Lake County in September of 2023](#) "Koi Nation Chairman Darin Beltran and State Parks Director Armando Quintero executed the MOU renewal during a formal signing ceremony on Wednesday, August 30, at Anderson Marsh SHP near the newly renamed Mxqawlay'ba Knowin Xyoykith Ridge, which translates to "the grandmothers/ancestors heal on this mountain," in Southeastern Pomo. The ridge was formerly known as Lewis Ridge. The other park feature that was renamed is the McVicar Trail, now called Dawa Qanoq'ana, which translates into "south way in front of me." The Koi nation had their first MOU with the state park in 2017 based on archeological documentation that this was their ancestral home. As Governor Newsom's Indian Affairs policy expert asserts, this project stretches "restored lands" exception beyond its legal limits. However, if the BIA grants this recognition, it sets precedent *for generations* to come that any tribe that traveled through an area can claim it as their ancestral homeland.

This proposal does nothing to restore lands to the Koi Nation, whose homeland is in Lake County. And if the BIA does approve the exception definition, the environmental impacts that have been identified some in this comment letter make it clear that his location between three neighborhoods in a "high fire danger area" is inappropriate for this site.

This project is being financed to the tune of nearly \$800,000 by the Oklahoma Chickasaw Global Gambling Solutions gaming monopoly who will manage the proposed casino *for* the 92 member Koi tribe only 4 of whom recently moved to the property. Half of the tribe live in Sebastopol and half in Clear Lake. How many members of the tribe will actually work at the Casino? How much money will go back to Oklahoma? Is gambling at this scale part of the cultural heritage – not according to the history previously mentioned.

California and our local government have many environmental goals, laws and regulations related to water, climate change, safety, waste reduction to name only a few. How many of those will apply to the Koi and the Chickasaw nations? Locally we have invested in fire prevention and notification, in road and street safety and in rebuilding entire neighborhoods after the Tubbs (2017) and Kincaid (2019) fires and we are investing in affordable housing to address a growing unhoused population with increasing numbers of people – many with children living in their cars. All of these resources will be used by the Chickasaw/Koi tribes.

The DEIS document is inadequate and fails to identify and questionably measure significant environmental impacts and to propose evidence based mitigations. Many items are determined be less than significant which are a matter of opinion and not documentation. The proposed mitigations would not mitigate serious environmental damage.

It is distressing that the DEIS and the EA before it did not even consider the neighborhood of 5,000-10,000 residents that begins just one mile south in the unincorporated are called Wikiup/Larkfield and Mark West Springs. The ariel pictures and graphic maps do not include these areas which will be affected.

We chose to live here because of its pleasant aesthetic country ambience, because it is walking distance to Shiloh Regional Park, because neighbors walk on country roads **and converse and because it's a very** bikeable area.

All of these attributes will be eliminated if this land, zoned as agricultural and determined by the *voters* to be set as the Windsor border with the vineyard next to it as a community separator in the Sonoma Countywide plan and the Larkfield-Wikiup 1980 specific plan. It is in the urban Growth Boundary of Windsor if the area is converted to a mega commercial development. I will not list the gigantic physical footprint of Alternative A & B or the physical footprint of a non-gambling winery and 200 room hotel in Alternative C. All three of these will have *significant environmental impacts* on the environment and our neighborhoods. Among them, water supply and wastewater, the aesthetic nature of rural/suburban neighborhoods, open space and views from Shiloh Regional Park, land fill (5 tons/day garbage), traffic, pedestrian and bicycle safety from increased traffic and inebriated drivers along with traffic noise(from 9,000 – 11,000 car trips/day, refuse and delivery trucks and *sirens*), crime requiring law enforcement response, housing, climate change – creation of a 34+ acre heat island and wildfire risk and evacuation.

Sonoma County does not need another hotel. There are currently 30 hotels approved for Sonoma County nine in Santa Rosa; six in Healdsburg; three in Petaluma; three in Rohnert Park; three in Sonoma; one in Geyserville; one in Guerneville; one in Kenwood; one in Sea Ranch; one in Sebastopol; one in Windsor. Sonoma County also does not need another casino jeopardizing the financial wellbeing of the two other tribes who have casinos less than 15 miles in both directions who have been good stewards of their land and members of their respective communities.

I am personally involved in educating and protecting people from environmental health hazards. The greatest of which is Climate Change. The [Press Democrat](#) reported on Sunday Aug 11 that July 2024 was the hottest month in history and it will continue due to green house gas emissions driven by human caused climate change. People, especially the elderly are particularly sensitive to extreme heat. The seniors who reside in the low-income trailer parks just feet from the proposed casino will be especially burdened because of the effect of the urban heat island (both surface and atmospheric) that will be created by covering 34+ acres of vineyard (which absorbs heat and sequesters CO2) with buildings, parking lots and asphalt paths where heat is trapped in buildings roofs, roads, and sidewalks. These structures and non-vegetative surfaces collect and remits heat 24/7. The night air loses its humidity. The casino and a 400, 200 room hotel as proposed in alternatives A, B, & C will absorb heat and remit it back. It will create a 34+acre

“urban heat island” which according to the [EPA](#) will see Fahrenheit surface temperatures increase from 18 to 27 degrees during the day and 9 to 18 degrees at night. Atmospheric temperatures will range from 1.8 to 5.4 degrees during the day and 12.6 to 21.6 degrees at night. This increase in atmospheric temperature will spread to nearby neighborhoods endangering the seniors in the three trailer parks. Heat islands will also require increased air conditioning and stress on the electric grid. Seniors like all of us would prefer to keep our windows open and enjoy the cool humid night air this area is famous for.

Climate scientists suggest that there are strong signs that Sep and Oct could once again be very warm months—perhaps even exceptionally so—and given the typical seasonal cycle of coastal upwelling and the marine layer, these likely late season heatwaves would be much more likely to reach the coast. According to UCLA fire/climate specialists there are considerable concerns regarding another major spike in wildfire activity during the autumn in California. There will also likely be increases in activity/spread rates after each (modest) heat wave peak as southwesterly prevailing winds occur, especially for fires occurring in NorCal. Outside of these periods of thunderstorm activity—which are always wildcards and can sometimes cause fires to “misbehave” on short order, and in Sep-Oct, scientists expect to see another considerable uptick—so the season is far from over, and may well end up running longer than would be the case under typical historical conditions.

As the nighttime heat intensity dries all the humidity from the air creating a perfect storm for fire even with wind speeds as low as 15mph. Imagine a fire started by a cigarette butt tossed out on Faught Rd near Shiloh Regional Park or by dry lightening (Tubbs fire) picking up and hitting that atmospheric heat island which will carry it west across Old Redwood through the mobile home park neighborhoods, and South through the Wikiup neighborhood. The areas will become scorched earth like Fountain Grove, Wikiup and Coffey Park were in 2017.

The DEIS refers to “Climate change is a global phenomenon. [In which Certain gases in the atmosphere, classified as GHGs, play a critical role in determining the surface temperature of the earth.] In 2018, the primary sources of GHG emissions in the County were transportation (60%), building energy (21%), livestock (11%), solid waste (6%), and water/wastewater (1%). The County emitted approximately 3.41 million metric tons carbon dioxide equivalent (MT CO<sub>2</sub>e) in 2018.

The charts in section 3.4 reveal that Alternative A would generate total GHGs tons/year of 420.96 tons/year and B would generate 341 total GHG tons/year.

The DEIS states that the GHG emissions are below levels for several Air Quality Board guidelines these are not from the CA Air Resources Board scoping goals that are reset every 5 years. At a time when NASA scientists confirm that we’ve had the hottest July in history it is counter intuitive to consider that these emissions could be acceptable if we are to meet the Paris climate agreement target of limiting warming this century to less than 2.7 degrees Fahrenheit on average above pre-industrial temperatures. To do this, the world must slash carbon dioxide emissions in half by 2030 and reach net zero emissions by 2050. Saying that the project’s estimated tons of GHGs are not significant and approving this project, with (alternative A) or 341.23 tons of GHGs/year (alternative B) (both of these DEIS estimates need to be externally validated) are not significant to Sonoma County, is unacceptable. Climate scientists predict that our temperatures will continue to increase until and unless we reach net-zero emissions of manmade Green House Gases. This

project, which will emit hundreds of tons of GHGs in an area where agriculture currently sequesters CO2 is unconscionable. Any hotel casino complex that contributes Green House Gases in the estimated amounts is contrary to the scientific warning that with **every gram** of manmade HGs we add are contributing to higher temperatures. The state of California requires every county to have a carbon footprint goal and strategy so we can get to net zero by 2050. Are tribes exempt from working to get to zero emissions? In addition, the electricity required by these projects 24/7 is exponential and will contribute to our undependable power grid (which local PG& E customers have paid to upgrade since 2017).

Air quality measures use 1988 reports. The 75 year exposure for particulate matter has long been declared obsolete. The DEIS uses outdated and misleading reports. The air quality monitors are from Sebastopol, in an entirely different area away from HWY 101. "Transportation **is one of** Sonoma County's largest sources of climate emissions." And this project with projected 11,000 to 15,000 trips/day will add to those climate emissions.

Widening Shiloh and Old Redwood should not be done, it will change the aesthetic character of the area, this is a rural neighborhood not a commercial center! Also Faught is a bicycle corridor which will be endangered by more cars and likely more inebriated drivers leaving the casino

I am concerned for my safety and the safety of my neighbors and community members from wildfire. The DEIS does not assess RISK! The proposal is for a non-smoking facility however smokers will go outside and will smoke in their cars traveling to and from. Adding 10,000 people drinking and gambling (Half the population of Windsor and twice the population of Wikiup) squeezed into 34 acres between 2 neighborhoods will inevitably end up some people leaving inebriated and carelessly tossing cigarette butts out the window after they leave the grounds.

You identified how you will deal with fire on the casino property and you have estimated the time it will take to evacuate more than 5,000 cars off the casino grounds and onto Shiloh is just under one hour which is wishful thinking because they will get as far as Old Redwood Hwy (if that far) and the roads will be gridlocked.

Evacuation estimates do not point out that they are the same evacuation routes for Windsor and only refer to Windsor and east Mayacama estates - need to add Wikiup and Larkfield south and the stopped traffic will be greatly worsened. You failed to address that residents of Windsor and Southeastern Healdsburg will be using the same evacuation routes (per county EMS). Some may try to go east to Faught Road but will encounter the Wikiup neighborhood attempting to evacuate including saving the children from San Miguel School just 1 mile away. They will further clog Airport Blvd onramp to HWY 101, then Mark West onramp. In 2017 and 2019 it took 2 hours to go over the highway because it was so backed up and then the back roads- Fulton, Stonybrook were at a stand still. You failed to take into consideration the safety and well-being of the residents who live in the area. Adding 5,000 panicked drivers to the roads will threaten all of our lives. CA Highway patrol are responsible for traffic on county roads and they will be consumed with traffic on Hwy 101, 12, 116.

Visual resources: In the DEIS there are references to "visuals" and several photos with the casino stuck in (one from Hwy, 101, Shiloh Ridge) none from the neighborhood across the street on Shiloh. The rendering that Acorn used on the cover of the EIS which is the entrance across the road neighborhood and it looks like a freeway turn off, not a quiet country road. Their photos from Shiloh Regional Park use some kind of special lens which makes the monolith look farther away and much smaller. Thousands of hikers and



bicyclists will not appreciate the removal of the beautiful bucolic view. In many photos the project looks like a prison or manufacturing compound. The proposed visuals ruin the aesthetic peaceful agrarian nature of our bucolic neighborhood. "Scenic corridors are in the Windsor General Plan," it is important protecting the quaint country aesthetic of the neighborhoods and Alternatives A,B and C will harm that.

The DEIS refers to aesthetics as only visual. Aesthetics is more than visual. Aesthetics include neighborhood quality: fresh air birds singing, and quiet days and nights. The traffic alone on Old Redwood and Hwy 101 will damage both the air and the quiet for the two directly adjacent neighborhoods: 8,410/trips/day and 11,834 trips Saturday will cause significant noise at all hours of the day and night as cars speed out of the Casino. Sirens from law enforcement, emergency medicine, fire will interrupt the quiet of Larkfield – Wikiup neighborhoods too. Neighbors should be able to sit outside and sleep with their windows open to cool off and wake up to birds and **shouldn't have to close their windows to avoid traffic and casino noise.**

#### Solid Waste

Electronic waste which is known to be a major issue for casinos is not mentioned.

The DEIS does not address solid waste, it merely describes SoCo solid waste facilities and capacities and then says it will increase solid waste by 1% See below:

*Solid Waste Service Solid waste from construction may include vegetation removal (e.g., grapevines), packing material (e.g., paper, wood, glass, aluminum, and plastics), waste lumber, insulation, empty non-hazardous chemical containers, concrete, metal, and electrical wiring. These solid waste materials are typical of construction sites and would most likely be collected by Sonoma County Resource Recovery's service trucks after being contracted for services prior to construction. Central Landfill is permitted to accept waste from construction and, therefore, the solid waste could be deposited there for processing. Solid waste generated from the construction of Alternative A and B would be temporary, and therefore **would not impact Central Landfill's long-term capacity to serve its current customers.** Solid waste would be generated from Alternative A once operation begins. The estimated solid waste generated by (Alternative A is shown in Table 3.10-2. As seen in Table 3.10-2,) This is not true*

**Alternative A at maximum would produce approximately 10,516 pounds (lb.) of solid waste per day (approximately 5.3 tons per day).** This estimate is conservative as it assumes maximum occupancy of proposed facilities and includes recycling. This would equate to approximately 0.7% of the permitted daily quantity accepted at the Healdsburg Transfer Station. Utilizing the average daily stream of waste, Alternative A would increase the average daily stream by approximately 1.4%.

At Central Landfill, the daily solid waste generation from Alternative A would equate to approximately 0.2% of the permitted throughput.

These increases at the Healdsburg Transfer Station and Central Landfill represent a negligible addition to the landfill. Construction and operation of Alternative A **would not result in a significant adverse effect to the solid waste stream.**

3.10.3.3 Alternative B 6,943lbs/day

3.10.3.4 Alternative C –729.5 lbs/day

All of us in Sonoma County are working toward zero waste. The fact that the landfill is not at capacity does not mean that the amount of waste is not significant. Landfill also adds to the Green House Gas emissions (methane capture will only be at 30% by 2035).

The DEIS also doesn't consider the waste produced by the addition of 1,600 employees who will seek housing in SoCo for low paying casino jobs.

Recycling mitigation efforts cannot mitigate 5 tons/day of waste.

Additionally, the Proposed Project will introduce a new source of light and glare to the project area, and mitigation by directing at neighborhoods will not mitigate eliminating our enjoyment of the night sky nor wild animal and bird night time navigation.

Water – the DEIS suggestion that when a well dries up the casino will just drill another one does not take into account neighbors in the area who rely on the same aquifer nor the fact that climate change and drought have affected our ground water and our aquifers are not promised forever. This is an irresponsible proposal in a community that has had mandatory water rationing for the past decade.

Wastewater – no one wants to look down from Shiloh Regional Park and see (and smell) giant waste water containers. Again, no consideration has been given to the importance of our beautiful aesthetic surroundings. (for the record, the photo renderings in the DEIS make the casino look much further away than it is and are misleading). It also does not address the dangers of overflow into Pruitt creek.

Wildlife – the analysis of impacts of wildlife is skimpy at best although it acknowledges that birds will be impacted which is tragic.

In summary:

**“Pursuant to 40 CFR § 1502.14(f), Alternative D was determined to be the environmentally preferred alternative.”**

I'd like to end with a poem by one of my favorite Native American Poets, it gives me hope that we will find the light

## Once the World Was Perfect

Once the world was perfect, and we were happy in that world.

Then we took it for granted.

Discontent began a small rumble in the earthly mind.

Then Doubt pushed through with its spiked head.

And once Doubt ruptured the web,

All manner of demon thoughts

Jumped through—

We destroyed the world we had been given

For inspiration, for life—

Each stone of jealousy, each stone  
Of fear, greed, envy, and hatred, put out the light.  
No one was without a stone in his or her hand.  
There we were,  
Right back where we had started.  
We were bumping into each other  
In the dark.  
**And now we had no place to live, since we didn't know**  
How to live with each other.  
Then one of the stumbling ones took pity on another  
And shared a blanket.  
A spark of kindness made a light.  
The light made an opening in the darkness.  
Everyone worked together to make a ladder.  
A Wind Clan person climbed out first into the next world,  
And then the other clans, the children of those clans, their children,  
And their children, all the way through time—  
To now, into this morning light to you.

© Joy Harjo. *Conflict Resolution From Holy Beings*. W. W. Norton & Company, 2015.

With all sincerity,  
Catherine Dodd RN

**From:** kksr44@sonic.net <kksr44@sonic.net>

**Sent:** Monday, August 26, 2024 10:25 PM

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

**Subject:** [EXTERNAL] EIS Comments, Koi Nation Shiloh Resort and Casino and on the TEIR (Tribal Environmental Impact Report) on "off-reservation" environmental impacts

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

**Subject: EIS Comments, Koi Nation Shiloh Resort and Casino *and* on the TEIR (Tribal Environmental Impact Report) on “off-reservation” environmental impacts**

I am an elderly resident of Sonoma County and have spent many enjoyable hours at Shiloh Regional Park which is located directly across the road from the vineyard. If this project goes through, the park and the surrounding area will be impacted incredibly by the casino/hotel. My friends who live at Wiki-up are all very fearful of what this project means for their safety and ability to remain in the area.

This area was set aside as agricultural land not for commercial development and there is a reason for that. It was to be a buffer. The waste water itself of up to 400,000 gallons/day treated on site will not only be an eyesore visible from the park with its attending smells but its overflow, and there surely will be much of it, will pollute Pruitt Creek. The noise, Green House Gases and other pollutants from traffic of up to 11,000 car trips/day makes being in the area, particularly the park totally unsustainable.

Shiloh Regional Park has already burned in one of the recent fires. Fortunately there is still much of it left. What makes one think that a wildfire will not happen in this area again. Why does the DEIS not address the evacuation of residents, the school population of staff and students, park visitors. It only talks about casino/hotel guests and staff. With such an increase in daily population at the project site, why would someone think that some careless person, perhaps drunk wouldn't do something terrible such as throwing a lit cigarette into a bush and starting another fire. In Sonoma County we have certainly had our share of local wildfires this year alone and live in fear of the next big major local fire, such as the one that destroyed the town of Paradise and the Park fire still out of control near Chico. In 2017 over 5000 dwellings were destroyed in the City of Santa Rosa, many never rebuilt.

I agree with Gov Newsom who stated he is "concerned that these specific projects [Koi and Scotts Valley] are proceeding in a manner that would sidestep the State, ignore the concerns of tribal governments and other local communities, and **stretch the "restored lands" exception beyond its legal limits** – while failing to adequately consider whether there might be a better way."

It is very bothersome that the Bureau of Indians Affairs is not taking into account the environmental impacts of this project in particular the wildfire safety issue. Often times mitigation measures are stated but never implemented or enforced. Local tribes are not in support of this project. We already have nearby casinos in Sonoma County. This project, supported by the gambling interest of the Chickasaw Nation, is not right for Sonoma County and will do nothing to restore lands to the Koi Nation of Lake County.

**The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred “no project” alternative D in the DEIS.**

Sincerely,  
Karen Kubrin  
5241 Wendell Lane  
Sebastopol, CA. 95472

**From:** Dylan Whittemore <dwhittemore26@cardinalnewman.org>  
**Sent:** Monday, August 26, 2024 10:38 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] DEIS comments, Koi Nation resort & casino

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

August 26, 2024

Bureau of Indian Affairs / Pacific Regional Office  
2800 Cottage Way, Room W-2820  
Sacramento, CA 95825

Dear Regional Director Amy Dutschke,

I have lived in the Oak Park neighborhood since I was 2 years old. It was a great place to grow up and play with my friends. We could play basketball on our street and walk to Esposti Park to play baseball and football. We had so many birthday parties in the backyard for my sisters and me. Now, I am really worried about what could happen to this family friendly area. Having a big casino across the street from our neighborhood and all the other houses and parks would change everything.

I am writing because of what I believe this casino idea would do to this area. I am concerned for all the little kids that live in the area today and won't have the same fun and safety that we had. What kind of people might start hanging out at our park? How bad would all the traffic be? How much noise and pollution will happen? Will it be loud and have bright lights all night long?

Most of all, I worry about fire evacuation!!! We had to evacuate for the Tubbs fire and the Kincaid fire. It was horrible and the scariest thing I have ever been through. During the Kincaid Fire my older sister and I left the house with our pets. My sister says that it took us about 40 minutes to get from 237 Lea Street to Hwy 101. That is less than a mile! My sister was screaming and crying. She called my Dad who was still packing stuff at the house screaming for him to leave or he was going to die. One day, there will be another fire and there will be no way to escape. In 2019, there wasn't the new apartment building on the corner of Shiloh and Old Redwood Highway. So there's more people. Now behind Home Depot they are building more apartments and shops. Then my uncle told me that at the corner of 101 and Shiloh road they are building a huge place for elderly people to live and get care. There is no way that a casino can go in and have all those people plus a hotel.

Please don't allow this to happen. the area will burn and the people too. Fire trucks might not even be able to get around because people panic like crazy in a fire. I saw pictures from the fire last year in Hawaii. That could happen here!

Please vote NO to put the land on Shiloh in trust. Vote NO to have anything built there.

Thank you,

Dylan Whittemore  
237 Lea St  
Windsor CA 95492



**From:** LEONARD BRAJNIKOFF <brajnikoff@comcast.net>  
**Sent:** Monday, August 26, 2024 10:42 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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.**

From: Leonard, Trudy, Misha and Natalia Brajnikoff.  
101 Knight Ct.  
Windsor, CA 95492  
August 26, 2024

**Dear Mr. Broussard,**

This letter is in response to the Environmental Impact Statement published on July 12, 2024 concerning the fee-to-trust application and proposed development of the 68 acre property located on the southeast corner of Old Redwood Highway and E. Shiloh Road by the Koi Tribe. The Koi tribe was originally located in Lake County before they lost their ancestral lands. They are currently a tribe with 89 members, 42 of whom live in Sonoma County. The land purchased by the Koi and Chickasaw Tribes in Sonoma County is bordered by E. Shiloh Road which includes a 77 home residential neighborhood and Esposti Park to the north; residential neighborhoods and vineyards to the east; residential to the south; and Old Redwood Highway, residential and Shiloh Neighborhood Church, to the west.

As I read through the EIS and Appendices it strikes me as to how out of place alternatives A and B are, and to a lesser extent, Alternative C. The size and scope of the proposed hotel/casino/entertainment center requires a water treatment facility and a wastewater treatment facility. Between the 5119 parking spaces, a five story 400 room hotel, a casino with 2,900 gaming tables and a 2,800-person entertainment/ballroom venue, the facility will be a city within a city! This is a strictly residential, recreational and agricultural area. Placing a 24 hour a day entertainment complex in the middle of these neighborhoods will unquestionably cause significant safety, traffic, noise and social impacts on every household.

Transportation and Circulation-

TJKM was retained to prepare a Traffic Impact Statement (TIS) on the impact the three proposed alternatives, A, B and C, would have on transportation and circulation services in the area. TJKM prepared the TIS with minimal data. The only actual data related to this project comes from traffic monitors set up between 7-9 a.m. and 2-4 p.m. on January 22 (Thursday) and 28 (Sunday), 2022, and on July 28, 2022 (Thursday). The weather is cold and wet in January and the data collected would be significantly different from that gathered over spring and summer when baseball leagues are active,

and people are using the two neighborhood parks. The volume of people using Shiloh Regional Park and Esposti Park is minimal compared to summer months. During Spring and Summer, the parking lot is full with overflow parking on Old Redwood Highway and E. Shiloh Road. The park is used daily by boys' baseball and girls' softball. The EIS references seven Cumulative Projects in section 3.14.1 (page 3-145) that are either in construction or the Planning and Development stage, four of which are within one-quarter mile of the proposed project. They will bring in approximately 480 new residential households making multiple daily trips within ½ mile of the proposed Casino/hotel complex. While generally referencing in the study that the cumulative projects will have an impact on Transportation and Circulation, there is no specific information in the report or Appendices on how the cumulative projects will impact traffic conditions and loss of services. Appendix I to the EIS estimates there will be 11,213 daily trips and 15,799 Saturday trips to and from the Koi Casino complex. There are estimates of as many as 1340 hourly trips... or 22 cars per minute. The Traffic Impact Study (TIS) confirms that this traffic increase will have a substantial impact on the roadways and intersection that rise to a level of unacceptable Level of Service (LOS). The TIS then cites mitigation efforts that will make the LOS acceptable without providing any substantive information how. It does not offer any concrete information on how the mitigation efforts will improve conditions or any guarantees that they would be effective. The Alternatives will undoubtedly cause unacceptable levels of traffic. For example, cars traveling on east/west Shiloh road at Gridley Avenue currently have no waiting time. Cars on southbound Gridley have minimal if any wait time to enter Shiloh Road. Signalizing this intersection will cause delays.

#### Water resources –

##### Potable water-

The EIS projects that Alternative A would pump between an average of 170,000 gallons per day (gpd) per day to a daily peak of 294,000 gpd from onsite wells. The new well(s) will require a water treatment plant to remove arsenic and magnesium and a large storage tank to hold the treated water. Water from the treatment plant would be sent to a one-million-gallon storage tank and then to pumping station for distribution to the facility. Between 1,250,300 gallons to 2,005,800 per week. The draw-down on existing wells is a very real likelihood. Recent droughts and water rights issues are all discounted or ignored factors in the evaluation. The EIS indicates that the onsite wells would be deep wells (700 feet) and that the shallow wells belonging to nearby residents are at most risk. The report discounts the risk, cost and impact of reduced or inadequate water supplies to local residents.

##### Wastewater-

The EIS calls for the construction of a Wastewater Treatment Plant (WWTP) to treat the estimated average of 232,000-335,000 gallons of wastewater discharged each day, or 1,624,000 on an average day and up to 2,345,000 on peak days. Wastewater treatment plants (WWTP) are designed to reduce wastewater and environmental pollution, but the raw materials, energy consumption and emissions from the WWTP subsequently result in different environmental impacts. The process emissions from wastewater treatments

account for two thirds of the total greenhouse gases generated by the water and sewage companies. The operation of a wastewater treatment plant involves a range of direct and indirect emissions. These are called the social cost of greenhouse gases (SC-GHG). These are dismissed in the EIS as less than significant.

Figure 2.5 in Appendix D is a diagram of the Project Water and Wastewater Feasibility Study Wastewater Treatment Process Flow. Estimating its size (using the truck as a gauge), the system will be over 500 feet long x 300 feet wide and up to three stories high. There will be hundreds of families living ¼ mile to several hundred yards away who are subject to these emissions. There is also the strong possibility of odor emanating from the plant.

#### Groundwater Discharge-

The project site is currently a 68-acre vineyard. As farmland, the landscape is permeable, allowing for water to permeate the soil. The proposed project will result in over 35 acres of this land being paved and developed, significantly altering groundwater conditions. In addition to the loss of permeable land there is significant risk of pollutants entering Pruitt Creek despite “best management practices”. The EIS calls for use of bioswales which may keep debris from entering Pruitt Creek but may allow other pollutants, such as parking lot runoff, through. This was determined to be less than significant!

#### Evacuation –

The proposed Alternatives A, B and to a lesser extent C will attract a large volume of patrons and increase the total number of people onsite that will need to be evacuated during a wildfire event. The facility will have parking for over 5,000 cars and will accommodate more people than cars. There will also be people using ride-share and public transportation and any evacuation plans will need to account for this group. The Project Site has access to two major emergency routes identified by the Town of Windsor, Shiloh Road and Old Redwood Highway (Town of Windsor, 2021). The EIOs confirms that 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. These are single lane roads which will not only be casino patrons but also used by evacuating neighborhoods. Past evacuations during the Tubbs and Kincaid fires resulting in stopped traffic and dangerous conditions on both of these roads with embers landing around cars. In the Kincaid fire specifically, Windsor was expected to burn, but thanks to a successful --though strained--evacuation, fire fighters were able to focus on saving the city instead of escorting stragglers as in Tubbs. Old Redwood Highway and Shiloh Road cannot handle the addition of thousands of more cars and people. The EIS recommendations include following best management practices and training employees on evacuating guests in the event of a fire.

#### Socioeconomic conditions-

#### Property values-

The EIS cites other casinos in California that have had minimal impact on property values within a five mile radius. In fact, the EIS states that values increased between the years 2000 and 2021. This general statement does not provide any substantive information. Property values throughout California, and in these particular areas, all increased during the years 2000 through 2021. There is no information on what the increased values were and how they compared to neighboring communities.

#### Crime-

The EIS and Appendix B-1 do not provide any substantive information other than the fact that law enforcement received 1,700 calls and made 39 arrests at the Graton Rancheria in its first year of operation. After a comparison of the Graton Rancheria Casino and the proposed Alternative A, the EIS concludes "As a result of this quantitative and qualitative analysis, GMA finds that the negative impacts on community services in areas in which a casino has opened are generally minimal.". The report does not include any "quantitative and qualitative" information other than from the 2014.

#### Drunk Driving-

The EIS states "The proposed project intends to serve alcohol consistent with a liquor license, which could result in an increase in drunk driving incidents." It then say "Drunk driving prevalence is not anticipated to increase significantly as a result of the proposed casino resort...". The only mitigation offered is the implementation of a "Responsible Alcoholic Beverage Policy". The conclusion of little impact is not supported by any substantive information.

#### Light Pollution –

The additional traffic alone will cause light pollution for stargazers not accounted for in Appendix E under "Dark-Sky Association's Model Lighting Ordinance."

In conclusion, we join with California Governor Gavin Newsom and implore you deny the Koi casino project to proceed at Shiloh Road. Above are listed some of the many reasons this project does not fit or belong at the property on Shiloh Road. Thus, the no-build option is the only fitting solution.

Thank you for your attention.

Sincerely,

Leonard Brajnikoff, Trudy Brajnikoff, Misha Brajnikoff, Natalia Brajnikoff

101 Knight Ct.

Windsor, CA 95492

**From:** Kevin Robison <kfrobison@gmail.com>  
**Sent:** Monday, August 26, 2024 10:43 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS 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.**

My family has owned our home for 35 years and lives one mile from the proposed Koi Nation's fee-to-trust transfer of unincorporated land adjacent to the Town of Windsor for a hotel and casino gaming project. I've reviewed the draft environmental impact statement (DEIS) released on July 8, 2024 and feel that the impact on my local community will be massive ... and all negative to my community if it is approved. I am very concerned that the Bureau of Indians Affairs has not adequately considered the local environmental impacts and cannot guarantee the mitigation that is proposed.

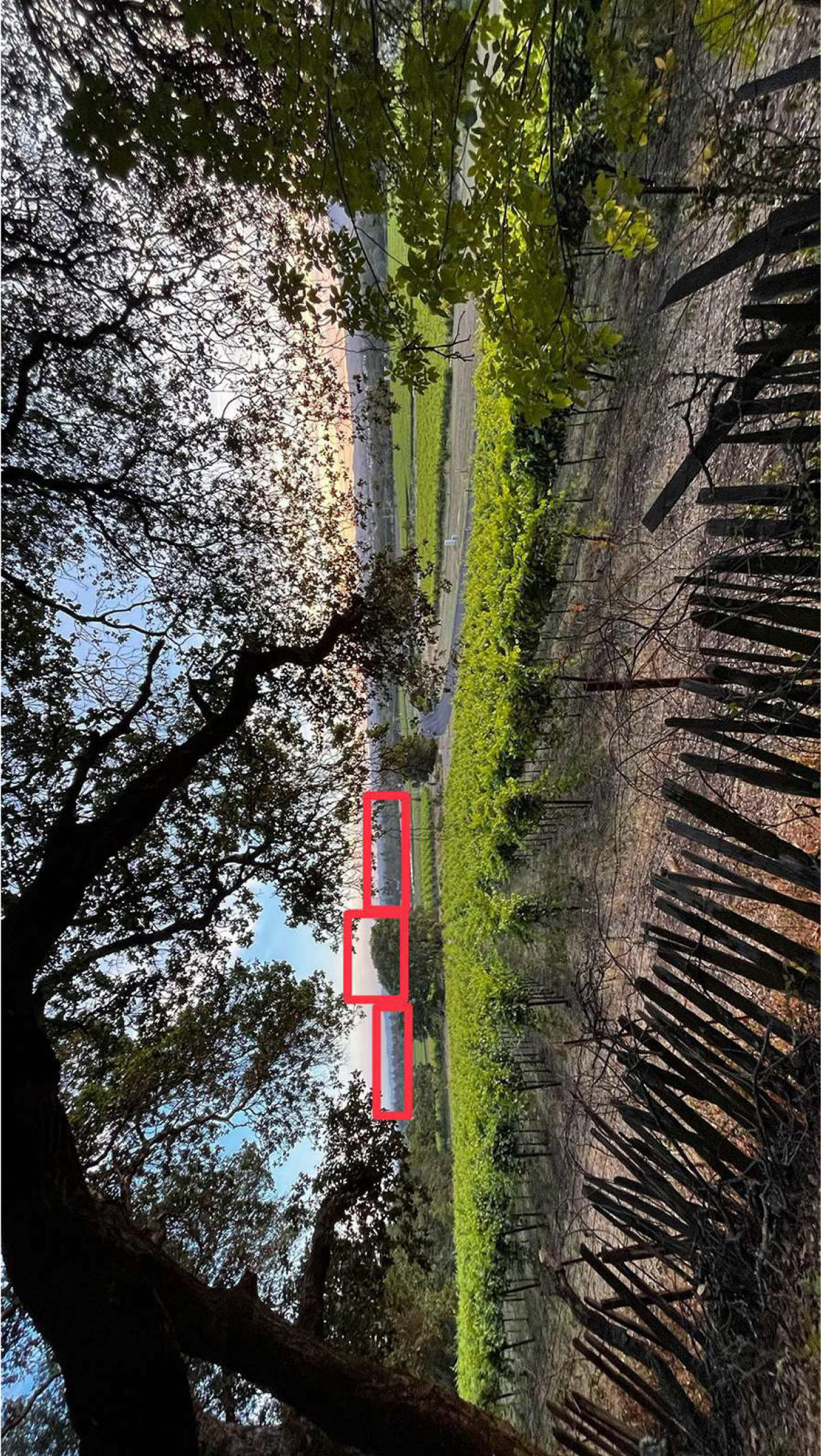
I'm attaching a photo I took while on a hike in Shiloh Ranch Regional Park showing the approximate location of the proposed hotel and casino gaming project next to vineyards, open space, and a quaint regional park where I hike at least twice a week.

I hope you will approve the environmentally preferred "no project" alternative in the DEIS.

Regards,

Kevin Robison  
260 Wikiup Meadows Dr.,







**From:** Sallie S <sally6silva@gmail.com>  
**Sent:** Monday, August 26, 2024 11:19 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] Koi nation and Windsor california

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

To whom it may concern, please do not allow a casino to be built in Windsor, especially a tribe that doesnt belong there. I grew up in Windsor. Please we beg to not let this happen. appreciate your time.  
Sally Silva.

**From:** Bev <hongwalshb@gmail.com>  
**Sent:** Monday, August 26, 2024 11:55 PM  
**To:** Broussard, Chad N <Chad.Broussard@bia.gov>  
**Subject:** [EXTERNAL] EIS Windsor Casino

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

I am opposed to the construction of the Koi Nation casino.  
We are in a drought area and the strain on our water supply is not a good idea.  
The noise level will go up in these very quiet neighborhoods and so will criminal activity and no one wants that.  
The main reason however is the Koi Nations unsubstantiated land claims. They are not native to this area.  
Please do not allow another casino in Sonoma County. No casino in Windsor  
Thank you,  
Bev Hong Walsh  
[70 Ellie Drive](#)  
[Santa Rosa, CA 95403](#)

**From:** Chris Lamela <[chris@chrislamela.com](mailto:chris@chrislamela.com)>  
**Sent:** Thursday, August 22, 2024 3:23 PM  
**To:** Dutschke, Amy <[Amy.Dutschke@bia.gov](mailto:Amy.Dutschke@bia.gov)>  
**Subject:** [EXTERNAL] Response to Koi EIS

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

Amy,  
Please find attached my response to the EIS for the proposed Koi casino. I have sent you a hard copy via Fedex for tomorrow delivery, but I want to make sure all my bases are covered.

- Chris Lamela  
[chris@chrislamela.com](mailto:chris@chrislamela.com)  
707-566-8790 PST

Chris Lamela  
9081 Conde Lane  
Windsor, CA 95492

August 22, 2024

Amy Dutschke, Regional Director,  
Bureau of Indian Affairs, Pacific Region,  
2800 Cottage Way, Sacramento, California 95825.

Subject: DEIS Comments, Shiloh Resort and Casino Project

Ms. Dutchke,

This communication is in response to the proposed Koi (the Tribe) casino in Sonoma County. While you requested that I specifically address only items found in the Draft Environmental Impact Statement (EIS) dated May 2024, I will begin with certain relevant statements followed by my specific objections to the EIS. Also please find attached letters from California Governor Gavin Newsom, California Congressmen Jared Huffman and Mike Thompson objecting to this project.

As a point of interest, I hold three university degrees including a Masters Degree in International Business and Economics from a prestigious university. I trust this credibility will lend authority to my writing here.

First, the Koi, a tiny tribe of less than 100, claim that they need this proposed casino because of no opportunities for them and they are without funds. That is false. Through the state's Revenue Sharing Trust Fund the Tribe is allocated \$275,000 every quarter. The Koi have received a total of \$24.4 million since the plan's inception in 2000. That is a lot of money that they will continue to receive over one million dollars a year until eternity. There is no need for them to build this casino as there are many other business opportunities for them with that money.

Second, many people have pointed out that the Koi do not belong in Sonoma County and that their homeland is in Lake County. Yet the BIA is ignoring this fact. The Koi have tried time and time again to persuade the BIA that Sonoma County is their homeland. Their claim is absurd and brought about purely by greed. I counter their claim in my submittal here.

Last, the investor for this proposed casino is the Chickasaw Nation in Okalahoma which owns 23 casinos in that state including the Winstar Casino, **the largest casino in the world**. This is an incredibly deep pocket that would end up being the true owner of this proposed casino – not the Koi. This means an out-of-state casino would have invaded California as the owner of the proposed largest casino in California, violated the sacred homeland of legitimate local tribes and may effectively destroy those tribes financially.

My perspective is simple and the data I provide here will back this up: Alternative D, No Action is my desired outcome.

I will now continue with my specific objections to the extremely flawed EIS.

### **“Best Management Practice” is no management practice**

The term “Best Management Practice” is used throughout the EIS, often as the only answer to an issue. This is clearly a flaw as it allows the EIS to “cop out” of a concise answer to the issue raised. This is a clear and serious flaw of the EIS. Those will be pointed out continually throughout this response.

### **“No mitigation required” almost always ignores impacts in this EIS**

The term “No mitigation required” is another term used throughout the EIS that belittles impacts caused by this proposed development. Those will be continuously pointed out in this response.

Following are my specific responses to this flawed EIS.

#### **1. Section 3.3 Ground water**

The table states: “Groundwater Supply.” – It answers with: “The use of BMPs would minimize impacts to groundwater supply. No migration required.”

There is that ugly term, “BMP” for best management practices used throughout this flawed EIS that we will see time and time again. The fact is that the “drawdown of the aquifers would minimize impacts” does not take into account the surrounding residential wells. To state there is no mitigation required is absurd.

This EIS completely ignores the water plans concerning the new wells for this proposed project.

The project is planning on pumping 170,000 gallons per day from wells on the property. This EIS seems to think that the underground aquifers are without limits. However, there are dozens of wells used by residents near the site. There is little doubt those 170,000 gallons per day would lower the water table enough so that the local residents’ wells would most likely run dry. These residents have had many years where they had to conserve because of the drought years. These residents probably don’t use 170,000 gallons in a month because they are afraid of running out of water.

Understand that this region goes through cycles of drought and rain, with the last drought lasting four years. This affects the water table and the draw of 170,000 gallons would have devastating effect on local residents reliant on well water.

This EIS states this so matter of fact. It is clear that they want us to overlook this enormous impact.

Once again, we are witness to the poor quality of this EIS that overlooks such a concerning matter.

The lack of this extremely important detail that is not presented in a reasonable manner in this EIS is unconscionable and demonstrates why this EIS should be rejected by the BIA.

## 2. Section 3.4 Air Quality

This table states: “Construction Emissions – Construction The use of BMPs would minimize impacts to air quality caused by LS LS LS NI activities could adversely affect air quality construction emissions. No mitigation required.”

The same wording applies to the table entries titled:  
“Operational Vehicle and Area Emissions”  
“Hazardous Air Pollutants”

Best Management Practices would not fix the hundreds and hundreds of dump trucks and other trucks passing with their tons of diesel fumes within a few hundred feet of residential housing for upwards of two years. Nor would it solve the constant daily pollution from dozens of delivery trucks and tens of thousands of cars once the propose casino opens. And “No mitigation required” completely ignores the impact this would have on the immediate community. A flaw in this EIS.

## 3. Section 3.7. Socioeconomic Conditions

This table entry states: “Economy and Employment – operation of the project alternatives could impact spending and labor demand in the region. Construction and operation of the project alternatives could impact wages, job availability, and/or employment rate. No mitigation required.”

The unemployment rate in Sonoma County is currently less than 4% while for the state of California it is currently 5.5%. This means there is very little labor available for this proposed casino. Graton casino reports that they have dozens of open positions due to lack of qualified candidates. **This statement of “No mitigation required” should say, “No mitigation available.”**

This is so typical of this EIS that here ignores a very important aspect of the labor market if this proposed casino is ever built. They would simply not have enough employees.



#### 4. Property Values

“Development of the project alternatives could cause a reduction in regional property values. No mitigation required.”

“No mitigation required” proposes the solution? According to a study by the National Association of Realtors, Indian casinos create a negative impact on home values of 4.6% on average.

**This casino project has already had impacts on local home values even before it is built!** A homeowner two blocks from the proposed casino who tried to sell their home had three offers; all were withdrawn after the prospective buyers learned of the casino. **This cost the homeowner over a million dollars!** The proposed casino is already having financial impacts on the surrounding neighborhoods. **Does this mean that the local homeowners are trapped in their homes?** To say “No mitigation required” is obscene!

#### 5. Crime

This table entry states: “Crime – Operation of the project alternatives could increase the incidence of crime in the region.” Answered by: “The use of BMPs and implementation of Socioeconomic Conditions Mitigation Measure A would minimize impacts related to increased crime.”

This trivializes the impacts of crime on the surrounding neighborhoods. It is a sheer joke to believe Best Management Practices would minimize any crimes!

The Graton casino is located only a few miles from this site. As reported by the Rohnert Park Police Department, the city in which the casino is located, crime jumped from about 100 in 2013. The year the casino was completed in 2014 crime jumped to 755. By 2015 and 2016 it rose to 21% year-over-year to 925 in 2017 and has likely continued to climb since then. Rohnert Park’s violent crime rate is 6.57 per 1,000 people vs. 4.4 for California overall. This means that many more people experienced violent crime in Rohnert Park than the average Californian which was definitely caused by the casino.

The types of crimes associated with casinos are auto break-ins, burglaries, robbery, drug sales and prostitution.

Clearly the EIS minimizes their concern for crime as an attempt to push crime from people’s minds. As a resident only a few hundred feet from this proposed casino there is no way I would leave my car in my driveway for fear of a break-in, and would be fearful to take my nightly walk around the neighborhood.

There is no mitigation for this. The EIS dismissing crime once again shows serious flaws in this EIS.

## **6. Existing Tribal Casino Gaming Market Substitution Effects**

This table entry states: “Operation of the project alternatives could reduce revenues at existing tribal casinos. While review of similar case studies and market data suggests that it is unlikely that competition would cause the closure of any affected gaming facilities. No mitigation feasible.”

River Rock Casino which is located north of the proposed casino would not have a 24% drop in business, **River Rocks would go out of business.** Customers from the Bay Area would stop at this proposed casino rather than drive the additional 20 miles to River Rock which would be a relatively inferior casino compared to this monstrosity. The magnitude of the proposed casino would create draw that would greatly affect Graton Casino as well.

It is not fair that the Koi should be allowed to damage the financial means of tribes that clearly have Sonoma County as their homeland.

**The statement, “No mitigation feasible” should say, “We don’t care.”**

## **7. Section 3.8. Transportation/ Circulation**

The table entry states: “Construction Traffic – Vehicle trips associated with project construction would be temporary and not significantly increase traffic on roadways. No mitigation required.”

Hundreds and hundreds of trucks would be involved in construction of the proposed casino, spewing tons and tons of diesel fumes upon the local residents. Once the proposed casino is open, the neighborhood would have 24/7 with tens of thousands of cars and dozens of delivery trucks daily.

Once again the term “No mitigation required” says “We don’t care, it’s not our neighborhood!”

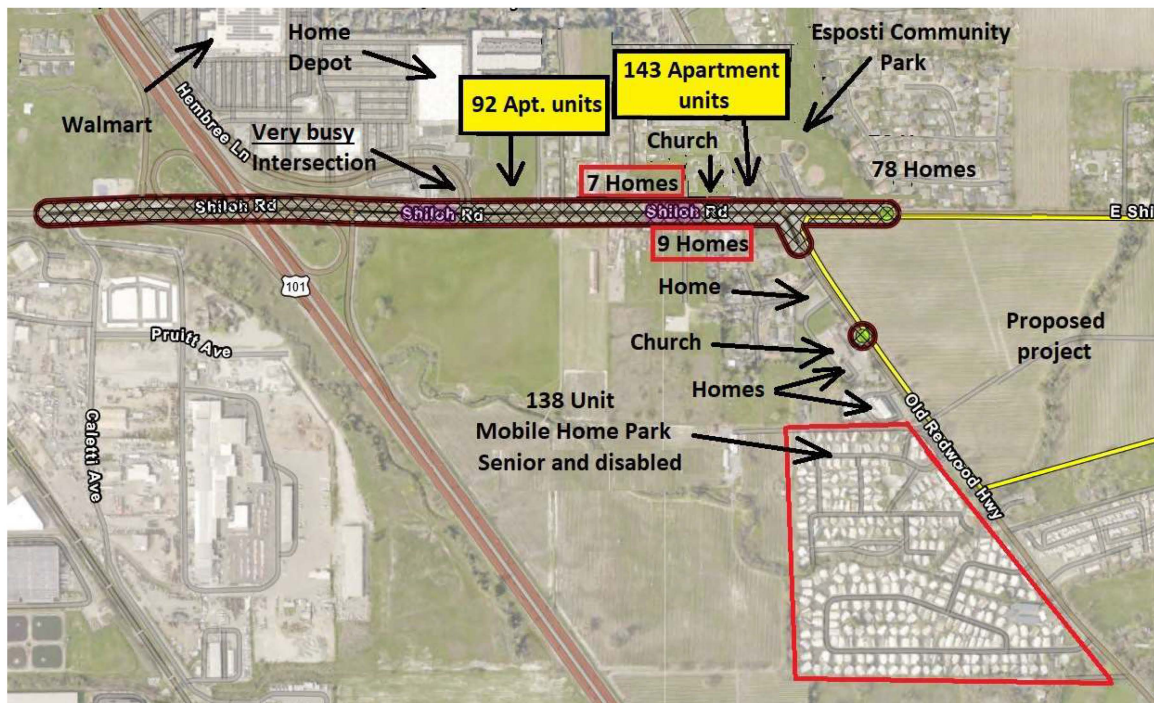
## 8. Project Traffic

This entry states: “Vehicle trips associated with the operation of the project alternatives could significantly increase traffic volume and exceed the designed capacity of regional roadways and intersections. Implementation of the mitigation measures below shall minimize potential impacts related to project traffic.”

To answer this we are treated to a convoluted description of how they would increase roadway capacity.

The only way traffic to the proposed casino could be facilitated is by widening Shiloh Road and Old Redwood Highway which is in no way possible.

The descriptions contained in the EIS concerning road alterations contained in this entry is so deliberately cryptic that it is nearly impossible to understand! The best one can tell is that they would intend to widen both Old Redwood Highway and Shiloh Road by many lanes. There is just one problem: Homes are located close to both roads. This map shown in the EIS tells the story with my annotations about the location of homes. This map with the Shiloh Road widening indicated came from EIS section 3.15.1. The widened Shiloh Road is in the original diagram, other annotations are there for clarity in this discussion.



This EIS description says that 16 homes would have to be destroyed along Shiloh Road. Concerning widening Old Redwood Highway, immediately across the street from the proposed project there is a church and three homes. Also, there is a 138 unit mobile home park for seniors and disabled homeowners. If this project is approved that would mean potentially dozens of homeowners forced to move. **All because of a casino.**

**Is that fair?**

### **9. Section 3.9. Land Use: Land Use Compatibility**

This entry states: “The project alternatives could conflict with neighboring land uses, including residential uses and parks. The use of BMPs and implementation of mitigation measures for noise, air quality, traffic, and aesthetic resources would minimize impacts related to land use compatibility.”

This statement clearly disregards quality of life for the surrounding neighborhoods and diminishes the value of Esposti Park, literally exactly across the street from this proposed casino that hosts baseball and soccer for kids and hosts countless community events throughout the year. The very idea that good old Best Management Practices can mitigate any of this is absurd.

### **10. Section 3.10. Public Services, Water Supply**

This entry states: “The project alternatives would not connect to a municipal water supply and therefore could not exceed the capacity of the municipal water supply or require significant improvements to the existing municipal water distribution infrastructure. No mitigation required.”

This EIS completely ignores the water plans of neighbors concerning the new wells for this proposed project and tries some form of meaningless calculations trying to convince us this makes any sense.

The project is planning on pumping 170,000 gallons per day from wells on the property. This EIS seems to think that the underground aquifers are without limits. However, there are dozens of wells used by residents near the site. There is little doubt those 170,000 gallons per day would lower the water table enough so that the local residents' wells would most likely run dry. These residents have had many years where they had to conserve because of the drought years. All of those residents combined probably don't use 170,000 gallons in a month because they are afraid of running out of water.

Understand that this region goes through cycles of drought and rain, with the last drought lasting four years. This affects the water table and the draw of 170,000 gallons would have devastating effect on local residents reliant on well water.

This EIS states this so matter of fact. It is clear that they want us to overlook this enormous impact.

Once again, we are witness to the poor quality of this EIS that overlooks such a concerning matter.

The lack of this extremely important detail that is presented in a reasonable manner in this EIS is unconscionable and demonstrates yet one more time why this EIS should be rejected by the BIA.

### **11. Solid Waste Service, Construction**

This entry states: “Construction – Construction of the project alternatives could generate quantities or types of waste that cannot be accommodated by regional waste disposal facilities. No mitigation required.”

No mitigation required? Question: Where is that waste going? If this EIS was worth the paper it is printed on, it would tell us where that waste is going. Here “No mitigation required” says “We don’t know” or “We know but we will not tell you.” Another clear failing of this EIS.

### **12. Operation**

“Operation of the project alternatives could generate quantities or types of waste that cannot be accommodated by regional waste disposal facilities. The use of BMPs would minimize impacts to solid waste services from project operation. No mitigation required.”

As stated for the previous table entry: No mitigation required when there is no stated answer? Once again, “No mitigation required” says “we don’t know.” Another shortcoming of this EIS.

### **13. Section 3.11. Noise**

“Noise associated with construction activities could adversely affect human health and/or the physical environment. The use of BMPs would minimize impacts caused by construction noise. No mitigation required.”

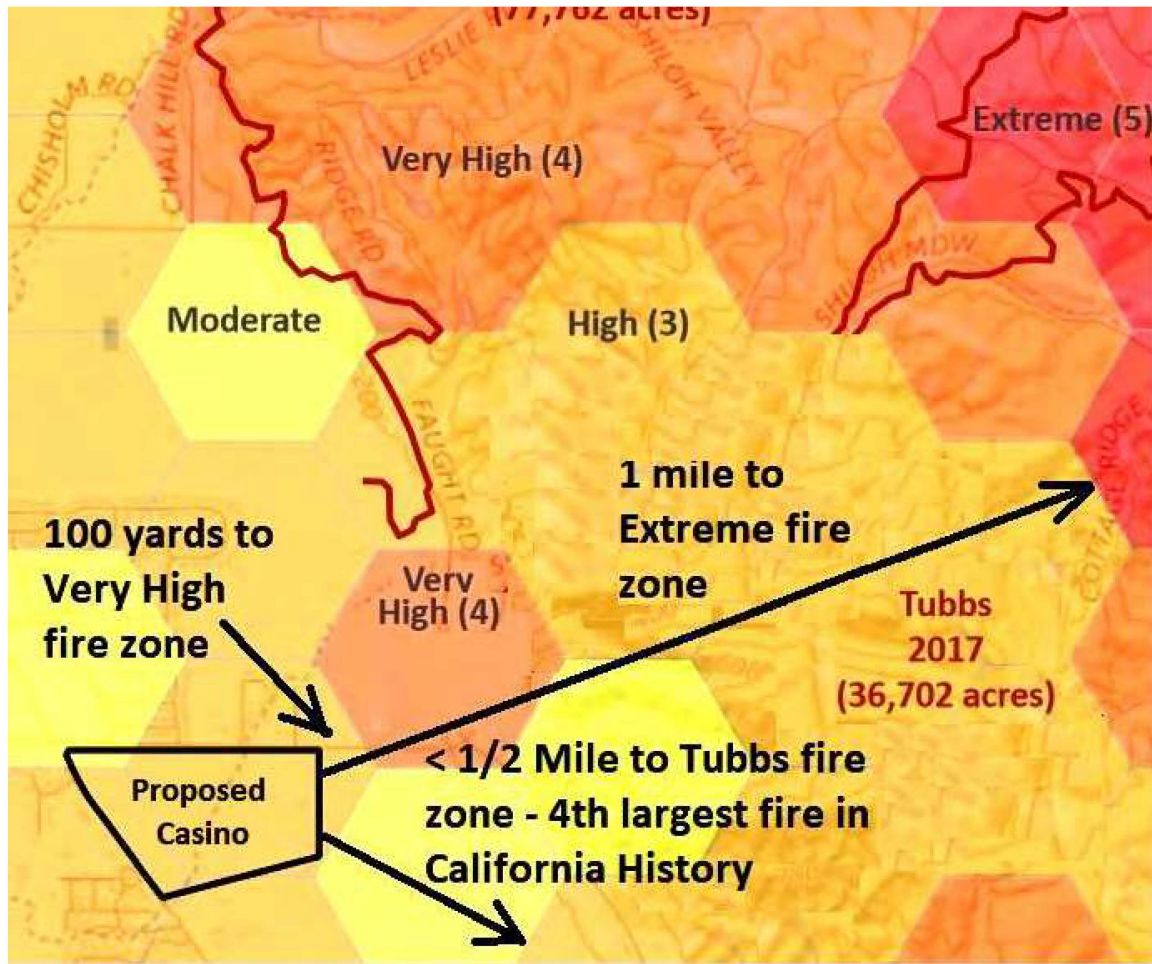
Again the use of Best Management Practices is a ridiculous defense as no best management practice can ever impact this positively. Instead of “No mitigation required” it should say, “Sorry, nothing we can do about that and we don’t care anyway!”



#### 14. 3.12.2 Environmental Setting, Wildfire

##### Evacuation Impacts Due to Wildfire

There are many meaningless words used in this entry that clearly show that the author of the EIS does not have a clue about wildfire evacuation. This lack of any articulate response to this extremely urgent matter once again shows how seriously flawed the EIS is. FIGURE 3.12-2 map shows this.



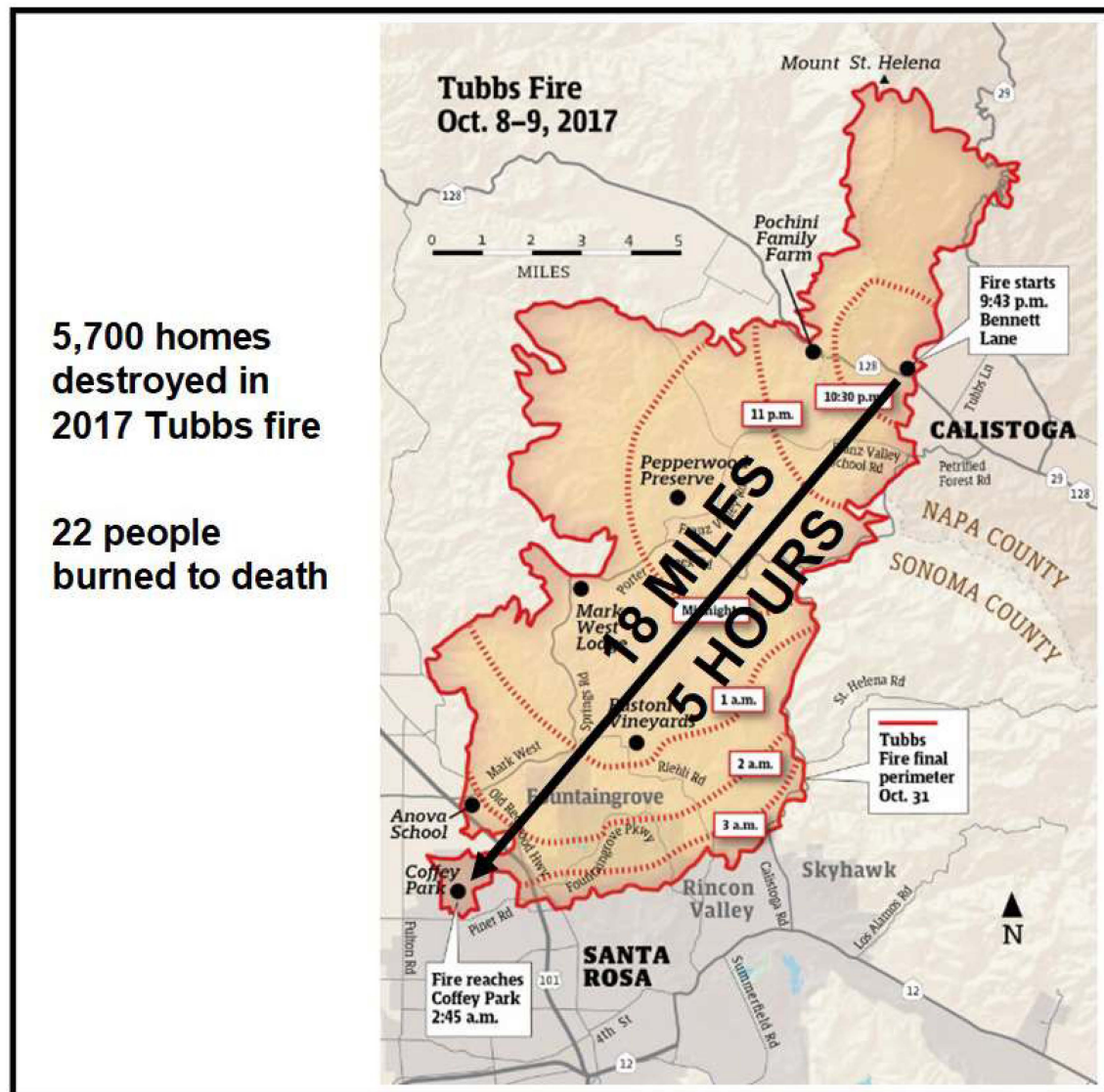
Using the EIS's own maps we can clearly see the reality of wild fires for this proposed casino. That site is only 100 yards from a Very High fire zone. It is only 1 mile to an Extreme fire zone. And it is less than one-half mile from the Tubbs fire zone – **the fourth largest fire in California history!**

This map shows the Tubbs zone as High Fire zone when the Tubbs Fire zone contained the **fourth largest fire in California history! That is not a High Fire zone, it is an Extreme fire zone – it contained the Tubbs fire!** This is yet another attempt by this flawed EIS to delude us.



This map shows the path of the Tubbs fire in 2017. The enormous swath covered a width of 8 miles and length of 25 miles in total including the fire that burned away from the direction of Santa Rosa. This fire destroyed 5,700 homes. Huge neighborhoods were destroyed. 22 people were destroyed as they were burned alive – the most horrible death imaginable!

***ALL IN 5 HOURS.***



If you have never had a wildfire barreling down the mountainside heading toward your home you have no idea of the **panic, terror and helplessness** that overwhelms you.

In 1997 the Tubbs fire, which originated in Napa county, 18 miles away and over a mountain range away destroyed 5,643 buildings including entire very large neighborhoods less than three miles south from this site in five hours.

That fire originated 18 miles away, came over a ridge with Mount Saint Helena, elevation 4,342 feet, barreled down the mountain's west side taking out whole

neighborhoods, jumping a 200-foot wide freeway to destroy a large K-Mart store, Applebees, a Chevron gas station and over 1,500 more homes. People died with 22 people burned to death, some in their cars. **Make no mistake, those 22 people died the most excruciating death possible – burned alive!**

A total of 5,700 homes were lost in the Tubbs fire. The city of Santa Rosa, located 60 miles north of San Francisco lost 1,600 homes in Fountain Grove, over 1,500 homes in the Coffey Park area and 600 homes in Lakfield-Wikiup. Santa Rosa lost 5% of its homes in only a couple hours.

The only thing that saved our home from that fire was the miraculous shift in winds that blew the fire away from us, although homes a few hundred yards away went up in flames. If the wind had not suddenly shifted our homes would have also been destroyed. We experienced horror as the Tubbs fire came within a few hundred yards of our home. Standing on Shiloh Road, a road that borders the proposed casino, watching a wall of flame careening down the mountain, so close we could feel the heat on our faces.

**The Tubbs fire was the fourth largest wildfire in California history.**

In 1999 the Kincade fire destroyed 374 structures and thankfully there were no fatalities. That fire originated nearly 10 miles north of the site and came within hundreds of yards of the proposed Koi development. Both the Tubbs fire and the Kincade fire clearly threatened this site.

***THE OCCURRENCE OF ANOTHER DEVASTATING WILDFIRE IS NOT IF, BUT WHEN.***

The EIS says that in the event of a fire those approximately 4,310 vehicles would have to be evacuated taking 2.5 hours to do so.

Understand that during the wildfires of 2017 and 2019 a sheriff's deputy knocked on our door and told us we had **5 minutes to leave! That was 5 minutes, not 2.5 hours!**

We live only one mile from Highway 101, yet during the fires of 2017 and 2019 it took us nearly one hour to reach the freeway with only the population we have now.

**In the fires of 2017 and 2019 we had five minutes to leave.** The EIS described how twelve attendants would evacuate 4,310 vehicles which is assumed would be a smooth operation with no panic, no accidents, people not following directions with people looking in their rear-view mirrors at flames careening down the mountain to destroy them – so they can be burned alive. That the attendants would not be panicked and not flee themselves is ludicrous. “No minimum wage job is worth my life!”

**In addition to us trying to flee from our homes, those 4,310 vehicles would have no place to go creating an enormous traffic jam blocking us, the residents living next to this proposed casino. We would have no escape.**

**WE WILL DIE!**

Remember that it took nearly an hour to reach Highway 101, only one mile away, during the Tubbs and Kincade fires with only the traffic we had then. **Evacuation in such a situation would be impossible.**

In the Tubbs fire, 22 people burned to death suffering the most horrible deaths imaginable.

Tubbs fire, 22 people? If this casino is allowed to be built **hundreds or thousands of people would suffer the most horrible death as they are burned alive. Many in their cars.**

There is no “Special Management Practice” that can save those lives. There is no “mitigation” that can save those lives.

This is a huge deficiency in this EIS that attempts to fool us into believing that there is any way this can be solved. There is no way any EIS can solve this. Nothing can solve this!

**When (not if) a wildfire comes and many lives are lost because the BIA approved this horribly flawed casino project THE BIA WOULD BE HISTORY.**

There are many Federal agencies that can manage the tribes without the bias the BIA shows toward the tribes in what should be management of the tribes within the boundaries of the positive general public good. That is clearly not the case here.

The EIS plan for evacuation is downright fraudulent and cannot be fixed in any new version try as hard as they might. The reality is deadly wildfires and the excruciating deaths they cause can never be fixed with words.

**You cannot “fix” wildfires with words. You cannot “fix” wildfires with a horribly written EIS that makes promises it cannot deliver.**

This applies to all proposed alternatives for this development. No development would be exempt from wildfire risk. **NONE!**

**This EIS must be rejected and this casino project must be rejected.**

***THERE IS TOO MUCH TO LOSE!***

## **15. Section 3.14. Cumulative Effects: Groundwater Resources**

I have already covered this in my response #10. This table entry again contains lots of meaningless words that don’t get to the point that the planned water extraction **would impact** surrounding residences. To go over this point yet one more time in this EIS is an attempt to dilute this message of impacts to the local neighbors who have wells. Another sign of this EIS shortcomings.

## 16. Air Quality

“CO emissions from operational emissions were deemed to be less significant with cumulative development as were hazardous air pollutants and GHG emissions from project operations. The use of BMPs will minimize air quality and climate change impacts from operations. No mitigation required.”

This is only worth showing because once again the EIS uses “Best Management Practices” for something that they cannot control. And once again uses “No mitigation required” when it should say “No mitigation will have any effect.”

One more example of this horribly written EIS and yet one more reason why the BIA should disregard this EIS and deny this entire project.

## 17. Transportation/Circulation

Once again we are treated to the convoluted explanation of how the surrounding roads would be affected as provided previously. This repetition is unwarranted and can only have been put here to confuse the reader. Another example of this poorly written EIS.

## 18. Land Use

“The Project Site would not be subject to local jurisdiction if taken into trust and although the land uses under operation would be inconsistent with existing zoning, cumulatively significant cumulatively significant impacts would not occur.”

To say, “cumulatively significant cumulatively significant impacts would not occur” is to completely ignore nearly everything I have written in this response. **Of course impacts would occur!** Once again, a shortcoming of the EIS to even make such a statement and a clear demonstration ignoring the devastating impacts on the community and of the BIA’s extreme bias toward the Tribe. This trite disregard is insulting.

## **19. Response to other specific language in the EIS**

### **Section 1 | Introduction**

#### **1.1 SUMMARY OF THE PROPOSED ACTION AND ENVIRONMENTAL REVIEW PROCESS**

#### **1.3 BACKGROUND**

This background describes the Koi Nation claim to a homeland in Sonoma County. This is not true.

The Koi have repeatedly sued the City of Clearlake (the City) over claims that it violated their sacred lands.

Those lawsuits are summarized below and clearly show the Koi homeland is in Lake County, not Sonoma County.

#### **LAWSUITS DECLARING LAKE COUNTY AS KOI HOMELAND**

A statement in a letter to the BIA stated this clearly: “In order for the Department to approve this application, the purpose of which is to conduct gaming, the Department must make a determination pursuant to the Indian Gaming Regulatory Act (IGRA) restored lands exemption. The restored lands exemption requires the applicant tribe, here the Koi Nation, to have a ‘significant historical connection’ with the proposed gaming parcel, such that the Department’s acquisition of the land in trust for the Koi Nation would constitute a ‘restoration’ of the Koi Nation’s tribal lands.”

Further definition states, “Significant historical connection” as “the land is located within the boundaries of the tribe's last reservation or a tribe can demonstrate by historical documentation the existence of the tribe's villages, burial grounds, occupancy or subsistence use in the vicinity of the land.” The concept of “significant historical connection is intrinsically wrapped into the concept of cultural affiliation that is, a tribe’s subsistence methods, cultural practices, belief systems, and traditional ecological knowledge are rooted in the geographic area where a tribe was historically located.”

Cultural affiliation must be established by the preponderance of the evidence based on “geographical, kinship, biological, archeological, anthropological, linguistic, folklore, oral tradition, historical evidence, or other information.” Again, none of that exists for the Koi in Sonoma County. Koi Nation meets none of the requirements for exemption of homelands declaration.

This attachment clearly shows in the Koi’s own words that the Koi Nation’s homeland is in Lake County, 50 miles from the proposed project.

The Koi Nation sued the City of Clearlake three times to date. Those lawsuits are explained below along with excerpts from those lawsuits that clearly profess that Lake County is the Koi homeland.

## **Lawsuit March 3, 2023**

This lawsuit filed on March 3, 2023 by the Tribe against the City of Clearlake (the City) alleges the City was planning to build a hotel and extension of 18<sup>th</sup> Street (the Project).

The following are excerpts from those lawsuits. Those lawsuits declare that Lake County is the Tribe's homeland in the Koi's own words.

The following are excerpts from the three lawsuits filed by the Koi against the city of Clearlake.

### **Lawsuit Section: Preamble**

Here, the requested exception is the restored lands exception that allows gaming on land acquired in trust after 1988 if the lands are taken in trust as part of "the restoration of lands for an Indian tribe that is restored to Federal recognition." *This shows that restored land is in Lake County, the new land in Sonoma County of course is not. This land is a new acquisition and not subject to any exemption.*

### **Section: Background**

"For most of its history the Koi people traveled throughout the Russian River Valley [not specifically through Windsor], primarily living at Clear Lake in what is now Lake County, California." *"Traveled though" is not lived in and this states their primary homeland as Lake County.*

### **Section: Location and Setting**

The Tribe has declared, "The Project Site is located outside of, but contiguous to, the Town of Windsor and approximately 12 miles from the Koi Nation's tribal headquarters in Santa Rosa." *The claim of the Koi Nation's tribal headquarters was "made up" for the sake of this project to meet the "main office" definition to be within 25 miles of the site. Their tribal headquarters is in Lake County, 50 miles away. As these lawsuits show, the Koi have no claim to Santa Rosa as their headquarters or any other place in Sonoma County.*

### **Other content of lawsuit**

Paragraph 2: "The City seeks to allow the Project to proceed within its municipal boundaries and the within the aboriginal territories of the Tribe." *This statement clearly shows the contested land is within the Tribe Lake County homeland.*



Paragraph 5: “The Tribe has already lost many important sacred sites and suffered culturally from the City’s pattern and proactive permitting development without taking into account the impacts of the Tribe’s ancestors, their cultural items, the tribal cultural landscape.” ***This clearly represents “possession” of sites located within the City stating existence of their Lake County homeland.***

Paragraph 7: “The Tribe is traditionally and culturally affiliated with the Project area.” *Showing possession of Lake County homeland.*

Paragraph 15: “The Tribe has standing...” ***That it has claim to its Lake County homeland.***

Paragraph 16: “The Project is within the aboriginal territories of the Tribe, and the area of traditional and cultural affiliation of the Tribe, and the Tribe has a cultural interest and authority in the proposed Project area.” ***This effectively confirms that the Tribe has authority over land in Lake County, their homeland.***

Paragraph 26: “Representatives of the Koi Nation expressed concern regarding a home that was historically occupied by a tribal member within the project vicinity.” *However, the home was located approximately 0.2-mile south of the project area. This indicates the triviality of some claims made by the Tribe.*

Paragraph 53: “The spoils [leftovers from construction of the airport or other areas] ... contain extensive archeological materials from prehistoric site ... Fragmentary human remains are also likely to be contained in the deposits.” ***This says that their ancestors were buried here as should be for a claim of their Lake County homeland.***

Paragraph 63: “...the Project site contains stands of blue oak trees which are known and well-documented Indigenous food source and significant plants for the Tribes’ ancestors...” ***Laying claim to the trees as a historical resources for their Lake County homeland.***

Paragraph 97: “The City is located within the aboriginal territory and area of traditional and cultural affiliation of the Tribe, and it contains numerous documented and undocumented sites used and inhabited by Ancestors Tribal members.” ***Yet another statement laying claim to their Lake County homeland.***

Paragraph 102: “Sites within the City include sacred sites, village sites, burial grounds, dance pits, ceremonial sites, tool and trade blank making sites, currency making sites, hunting and gathering areas, fishing areas, gathering areas for plants, medicines, ceremonial plants, food, fiber, or basketry materials, ... cultural landscapes, and the original location of the Lower Lake Rancheria.” ***This detailed list of materials and activities clearly show the activities and materials necessary for the maintenance and growth of the Koi’s Lake County homeland.***

Paragraph 106: “The Tribe told the City that it had a very high likelihood of encountering ... and intact village site that is many thousands of years old.” ***Laying claim on behalf of ancestors who were on their homeland. Another claim to Lake County as their homeland.***

Paragraph 109: “The Tribe has lost many important sacred sites and suffered culturally from the City’s development...” ***Another claim to Lake County homeland.***

### **Lawsuit July 14, 2023**

Paragraph 88: “The City is located within the aboriginal territory and area of traditional and cultural affiliation of the Tribe, and it contains numerous documented and undocumented sites used and inhabited by Ancestors of Tribal members. Some of these sites are the oldest in California, many over 10,000 years old.” ***This shows a deep history in Lake County as it lays claim to homeland.***

Paragraph 108: “The Tribe has already lost many important sacred sites and suffered culturally from the City’s development occurring without taking into account the impacts on Ancestors...”  
***Laying claim to their Lake County homeland on the part of Ancestors.***

Paragraph 110: “This is also a religious freedom issue. Ancestor reverence is a part of the Tribe’s religion, so desecration or re-desecration of a site of cultural significance to Tribal Ancestors represents a religious harm.” ***Claims on behalf of Ancestors in their Lake County homeland.***

### **Lawsuit June 14, 2024**

Paragraph 3: “Construction of the Project will involve earth disturbing activities that will significantly impact tribal Cultural Resources (“TCR”), and irreparably harm the Koi Nation, its Ancestors, and their cultural items.” ***Declaring harm to their Lake County homeland.***

Paragraph 8: “The Koi Nation is traditionally and culturally affiliated with the Project area.” ***This is clearly a claim to Lake County homeland.***

Paragraph 15: “The Koi Nation has standing in this action...” ***They have standing to defend their Lake County homeland.***

Paragraph 16: “The Project is within the aboriginal territories of the Koi Nation, and the area of traditional and cultural affiliation of the Koi nation, and the Koi Nation has a cultural interest and authority in the proposed Project area including a clear, present, and beneficial right...” ***Claiming interest and authority demonstrates their rights over their Lake County homeland.***

### **Conclusion to this clear statement of Koi Lake County homeland**

If the BIA elects that the Koi Tribe has a “significant historical connection” with some or all of Sonoma County, it opens the door for any tribe anywhere in the United States to simply purchase property, declare it as their homeland and effectively invade the rights of local tribes as well as raining destruction upon the local community.

This is a disaster waiting to happen that is obviously being highly promoted and being rushed to approval by the BIA for reasons unknown. **This precedent would be horribly destructive for the entire country and for every person in the United States.**

**Lake County is clearly the Koi homeland.**

The Koi have no “significant historical connection” to claim the property in Sonoma County and their claim **for the proposed development as homeland is absurd and this development absolutely should not be allowed to proceed, and that decision should be made with permanent prejudice and never considered again.**

**THIS WOULD BE A TERRIBLE PRECEDENT!**

## RELEVANT TO NO HOMELAND: CASINO SHOPPING

### Koi history of casino shopping

As shown in the previous attachment about the declarations of Lake County as the Koi homeland, it seems a bit odd that they are so anxious to find another “homeland” and their determined fashion in doing so.

The Koi have now declared that Sonoma County as their homeland.

That is not true.

It can't be true.

In fact the Koi have been casino shopping since 2005 – *nearly 20 years!*

Before declaring Sonoma County its homeland they declared Oakland, California their homeland. Then they declared Vallejo, California their homeland. How do we know? Because they attempted to build casinos in Oakland in 2005 then Vallejo in 2014. And now they have declared Sonoma County their homeland.

Was Oakland their homeland? **NO!**

Was Vallejo their homeland? **NO!**

**Is Sonoma County their homeland? NO!**

This clearly shows the insincerity of the Tribe and the desperation of the Tribe to build a casino anywhere. ANYWHERE! **The question is: If they don't get their casino in Sonoma County, where will their next homeland be?**

We will now describe their efforts to build a casino in Oakland, their homeland, and then in Vallejo, their other homeland. And of course, their new homeland in Sonoma County.

## **2005 Oakland, California, Koi homeland on the bay**

In 2005, the Koi Tribe officially announced its plans to build a world-class tribal gaming facility, resort and spa near the Oakland International Airport. The Tribe's Crystal Bay Casino, Resort and Spa project was planned to create an estimated 4,400 new jobs, 2,299 directly with an annual payroll approaching \$80 million and \$1 billion in overall annual economic activity for the local area. The Tribe also began talks with the city to explore potential benefits the project could bring to the local economy. Discussions included a proposal for annual payment from the Tribe to mitigate impacts on city services, including funding for additional police and fire protection, reimbursement for lost property taxes and parking revenue, and road and traffic improvements. The proposal was funded by Florida Real Estate developer Alan Ginsburg. Facing strong community opposition, the Tribe dropped its plans.

## **Vallejo, California, the *other* Koi homeland on the other side of the bay**

In late 2014 the Tribe was one of eight applicants for the development of a site in Vallejo, California, which had been part of the Mare Island Naval Shipyard. Four applications involved Indian gaming. The Tribe partnered with developer Cardish Company for a proposed \$850 million project, promising to pay the city between \$10 million and \$20 million a year, along with generating thousand of jobs. In January 2015 the Vallejo City Council voted to reject all gaming proposals and to concentrate solely on industrial proposals for the site.

## **And now we arrive at Sonoma County, the so-called new Koi homeland!**

In September 2021 the Tribe announced that it had purchased a 68 acre parcel vineyard site on unincorporated land in Sonoma County on the southeast border of Windsor, California for \$12.3 million which was twice the value of the property. They announced plans to develop a \$600 million casino resort.

Like the Koi's other "homeland" proposals it is also backed by deep pockets. This time by the Chickasaw Nation in Okalahoma which owns 23 casinos in that state. They also own and operate the Winstar Casino, **the largest casino in the world!** The agreement calls for Global Gaming Solutions, a wholly-owned Chickasaw business to manage and operate the proposed Koi casino. This is an incredibly deep pocket that would end up being the true owner of this proposed casino – not the Koi. The arrangement calls for the two tribes to be joint owners. This is nonsense. Chickasaw money would be the entire source of funding and despite what may be on paper the Chickasaw would be the true owner of the proposed casino and as the owner can do whatever they want and run the casino any way they want and there is nothing the BIA can do about it.

This means a huge out-of-state casino would have invaded California as the owner of the proposed largest casino in California, violated the sacred homeland of legitimate local tribe and may effectively destroy those tribes financially. The Chickasaw as outsiders would likely have no concern whatsoever about destroying the local community. The Koi obviously does not care.

#### **20. 2.1.3 Water Supply**

I covered this very thoroughly in my response #10. Section 3.10. Public Services: Water Supply.

#### **21. 2.1.6 Roadway Access and Circulation**

I have covered this previously in my response #10.

#### **23. 3.12.2 Environmental Setting, Wildfire**

The subject of wildfire was covered previously in my response #14

#### **Irrigation**

This was covered in this response #10.

#### **25. Transportation/Circulation**

This was thoroughly covered in my response #8 although I will mention again the statement in this section that said “No significant impact.”

**No significant impacts other than many people losing their homes!**



## **26. Section 4 | Mitigation Measures Transportation and Circulation Opening Year 2028**

Once again we are treated to a “word salad” of description for proposed road configurations that doesn’t answer two very simple questions:

How many lanes would Old Redwood Highway be? How many lanes would Shiloh Road be?

These attempts to delude us with lots of words that don’t answer these simple questions clearly show the deficiency in this EIS and its attempts to hide key elements of this proposed development. To fool us.

**These are simple questions that the EIS couldn’t answer simply.** Another serious flaw in this EIS

## **27. Hazardous Materials and Hazards, Wildfire Hazards**

*I covered this thoroughly in my response #14.*

## THREADED THROUGHOUT THIS EIS...

### CORRUPTION: DID THE BIA BREAK THE LAW?

Laws create regulations. Therefore, regulations are laws. To ignore a regulation is to ignore the law. To not conduct a regulation as required by regulations is to break the law. **For the BIA to knowingly break the law under the color of authority is corruption as it violates the trust of the American people.**

Under this definition, the BIA broke the law repeatedly during their consideration for approving the proposed casino under the name of corruption **which is a criminal offense.** There is no question here.

**The BIA actively ignoring the law to benefit the Koi is corruption in its purest definition. The BIA has committed criminal offenses time and time again.**

The BIA should already have known to kill this project as it was met with the enormous number of negative responses received to the Environmental Assessment published last year. Those responses stated many, many reasons clearly why this project should already have been killed. **There were over 1,200 pages of negative responses from community members and government officials opposing this project.** Those government officials included the Town of Windsor, Sonoma County government, California congressional representative, California State Senators and Gavin Newsom, Governor of the State of California. **All opposing this project!**

Here are the ways the BIA broke the law.

#### 1. Why the hurry?

Why the hurry? This has taken only three years to come to this point.

The River Rock Casino, located 20 miles north and located in back country with virtually no opposition took 8 years for approval to take the land into trust.

The Graton Casino located only 14 miles away to the south took 5 years with minimal opposition. That casino was built on bare land more that 2 miles from neighborhoods. **This proposed development is *across the street from homes!***

**This development has been met with a tsunami of opposition for violation of native tribes' rights and destruction of the community.** This clearly demonstrates that the BIA is rushing this approval based on the timelines of other casinos in the county. While there are no specific BIA regulations governing the timeline for approval. **The apparent rush to approval here is highly suspicious.**

Those two casinos located so closely to this proposed casino is yet another reason why this project should be killed. How many casinos does our county need?

## 2. Lack of Tribal consultations

The BIA requirement to consult with local indigenous tribes was not conducted. There are regulations (law) requiring such consultation. The local tribes have complained to the BIA that they were not consulted. The regulation (law) was not adhered to by the BIA and thus the law was broken. The local tribes' complaints were clear:

- Contrary to what the EA states (released in 2023), meaningful and complete tribal consultation was not conducted prior to the publication of the EA.
- Tribal cultural resources on the property have not been properly analyzed.
- The proposed mitigation measures were designed without the input of the culturally affiliated tribes and are woefully inadequate for protecting other tribes' cultural resources. Most of the mitigations are meaningless.
- The BIA did not properly consult with the Tribe pursuant to the National Historic Preservation Act (NHPA) Section 106.

The regulations (law) covering this:

Document: Tribal Consultations

VII. Consultation Guidelines

“A. Initiating Consultation.

When considering a Commission Action with Tribal Implications, the Commission will notify the appropriate Indian Tribe(s) of the opportunity to consult pursuant to this Policy. The Commission will strive to ensure that a notice is given at least 30-days prior to scheduling a consultation. If exceptional circumstances prevent notice within 30-days of the consultation, an explanation for the abbreviated notification will be provided in the invitation letter. An Indian tribe may request an extension for timelines associated with this Policy.”

“D. Stages of Consultation

The Commission will carry out the consultation stages described below for a Commission Action with Tribal Implications. The Commission will solicit the views of affected Indian tribes regarding the process timeline to consult on a Commission Action with Tribal Implications. The Commission will work with Indian tribes to structure a process, to the extent feasible, that considers specific Indian tribal structures, traditional needs, and schedules of the Indian tribes. The Commission will make all reasonable efforts to comply with the expressed views of the affected Indian tribes regarding the process timeline at this Stage, taking into account the level of impact, the scope, and the complexity of the issues involved in the Commission Action with Tribal Implications, along with the other factors driving the schedule. The process will be open and transparent. The Commission will then proceed with the expectation that interested Indian tribes will respond within a reasonable time period.”

This BIA did not conduct these consultations. **This clearly demonstrates the BIA deliberately broke the law.**

### **3. Requests for information not responded to or within timely manner**

The regulations (laws) require expeditious responses to requests for information from the tribes. The tribes have made this complaint:

It took almost 9 months for BIA to share various reports with the tribes (the law requires 15 days!). The BIA failed to respond in writing to meeting requests until September 2023 after repeated meeting requests, in writing, in August 2023. At the time of submitting these comments, the BIA has yet to meet with the tribes. Also, the BIA published the draft EA, including its conclusions of less-than-significant impacts to cultural resources, despite the fact that it had not properly consulted with the tribes pursuant to the National Historic Preservation Act (NHPA) Section 106.

Other regulations (law) governing communication include:

#### **Appeals From Administrative Actions**

Posted by the Bureau of Indian Affairs on Nov 30, 2022

Subpart F Appealing Inaction of an Agency Official

“§ 2.601

When must a decision-maker respond to a request to act?

A decision-maker receiving a request as specified in § 2.600 has **15 days from receiving the request to issue a written response**. The response may be a communication response, a decision, a procedural order that will further the decision-making process, or a written notice that a decision will be rendered by a date no later than 60 days from the date of the request.”

**15 DAYS! To take more than 90 days to respond clearly broke the law.**

“§ 2.605

If the official fails to timely direct the decision-maker to respond to the request for decision, or if the decision-maker fails to respond within the time frame identified by the official pursuant to § 2.604, you may appeal the continued inaction by either agency official to the next highest officer in the chain of command above both agency officials.”

These regulations clearly specify a timeline for responses. **BIA’s failure to adhere to these timelines show the regulations (law) were deliberately broken. The BIA knew these timeline requirements yet chose to break the law by not responding in a timely manner.**

## **CONCLUSION**

As shown in this letter the Koi must **not be allowed to proceed** with this development for all the reasons stated. **This project was ill conceived and based purely on greed** despite the fact that the Koi has received \$24 million in Casino Trust funds. **The BIA is showing no regard for the well-being of the local indigenous tribes or the community this project would destroy.**

The BIA seems determined to approve this proposed development on a fast-track basis having deliberately bypassed the steps required by law to consult with local tribes long before this stage of this particular proposed project was reached and to disregard the surrounding community well-being. The BIA has broken the law by not following the law and defied common practices that have been in place for over a century.

**Has the BIA stooped to corruption to move this project forward as quickly as possible?**

**Does BIA's deliberate disregard for the law and its clear favoring of the Koi amount to corruption? In my opinion this is a big fat YES!**

Unless the BIA wishes for the public to learn about the extreme corruption of the BIA, they will take the enormous push-back to heart and will heed the writing contained here and the thousands of other pages showing the enormous push-back from the community that clearly shows the Koi does not belong in Sonoma County among the other concerns raised here.

**Their homeland is Lake County.**

If the BIA permits this project it would allow any tribe anywhere to purchase property, declare it their homeland and build a casino no matter how badly it would threaten the lives of innocent people, destroy a community and have no concern for how it impacts native tribes who have the right to their homeland. They would be free to disregard the laws and build a casino on every corner in America.

**Your next door neighbor could be a casino next year!**

**THIS IS AN EXTREMELY DANGEROUS PRECEDENT THAT WILL THREATEN EVERY COMMUNITY EVERYWHERE IN THE UNITED STATES, EVERY CITIZEN IN THE UNITED STATES!**

**THIS IS AN EXTREMELY DANGEROUS PRECEDENT!**

**THERE ARE FOUR SPECIFIC REASONS WHY THIS CASINO PROJECT MUST BE REJECTED:**

**WILDFIRES, NOT KOI HOMELAND, DANGEROUS PRECEDENT**

**THIS PROJECT MUST BE REJECTED NOW!**



## **Attachments**

**Letter from Gavin Newsom, Governor of California in  
opposition**

**Letter from California Congressmen Jared Huffman  
and Mike Thompson in opposition**

# LETTER IN OPPOSITION FROM CALIFORNIA GOVERNOR GAVIN NEWSOM



## OFFICE OF THE GOVERNOR

August 16, 2024

Bryan Newland  
Assistant Secretary – Indian Affairs  
U.S. Department of the Interior 1849 C  
Street, N.W., MS-4660-MIB Washington,  
D.C. 20240

Re: Shiloh Resort and Casino Project (Koi Nation of Northern California) Scotts Valley  
Casino and Tribal Housing Project (Scotts Valley Band of Pomo Indians)

Dear Assistant Secretary Newland:

On behalf of Governor Gavin Newsom, I write to urge the U.S. Department of the Interior not to move forward with the Shiloh Resort and Casino Project in Sonoma County and the Scotts Valley Casino and Tribal Housing Project in Solano County.

Governor Newsom and his Administration are grateful for the opportunity to share our perspective on these projects, as we are grateful to the Department for its thoughtful and constructive engagement in a wide range of other contexts. Our concerns about these specific projects, and their specific procedural pathway, should not be understood as a criticism of the Department's broader practice of taking land into trust for tribal governments—including, in appropriate cases, the Department's practice of (and time-tested procedures for) taking land into trust for gaming. The Governor recognizes the important role that this practice can play in supporting tribes' political sovereignty and economic self-sufficiency.

At the same time, however, caution is warranted when considering the potential expansion of gaming to land that is not currently eligible for gaming. This is particularly true in California, where the voters who legalized tribal gaming were promised that such gaming would remain geographically limited. This historical context underscores the importance of striking a careful balance between the potential benefits of expanded tribal gaming and its potential impacts on surrounding communities.

Federal law contains important safeguards that have previously helped the Department strike this delicate balance. As a starting point, federal law generally prohibits gaming on new land taken into trust for a tribe, unless the land is linked to the tribe's preexisting reservation. 25 U.S.C. § 2719(a). The principal exception to this rule carefully safeguards local interests (including the interests of local tribes), allowing gaming only where the Department has determined not only that such gaming would be in the best interest of the gaming tribe, but also that it "would not be detrimental to the surrounding community"—and only where the relevant state's governor concurs in that determination. 25 U.S.C. § 2719(b)(1)(A). Governor Newsom discharges this responsibility with the utmost care, and has previously exercised this power in a manner that supports both tribal self-sufficiency and the interests of surrounding communities. See, e.g., Letter from Governor Gavin Newsom to Bryan Newland, Assistant Secretary – Indian Affairs (June 13, 2022). The Governor appreciates the opportunity to engage in this important process, which appropriately balances the sovereign interests of states and tribes.

Here, however, the Governor is concerned that the Department might depart from this familiar procedure and its important safeguards. In their current form control over its aboriginal homeland. Care must be taken, however, to ensure that this "restored lands" exception—like all exceptions—remains within appropriate limits. The "restored lands" exception must not be construed so broadly as to "give restored tribes an open-ended license to game on newly acquired lands." *Redding Rancheria v. Jewell*, 776 F.3d 706, 711 (9th Cir. 2015). On the contrary: "In administering the restored lands exception, the Secretary needs to ensure that tribes do not take advantage of the exception to expand gaming operations unduly and to the detriment of other tribes' gaming operations." *Id.* these two projects propose to rely on a different statutory provision that allows gaming on land taken into trust—without a two-part determination or the Governor's concurrence—as part of "the restoration of lands for an Indian tribe that is restored to Federal recognition." 25 U.S.C. § 2719(b)(1)(B)(iii). Make no mistake: the Governor recognizes the profound moral value of restoring a tribe's.

As explained below, neither of these two proposed projects fits within the limits of the "restored lands" exception.

As to the Shiloh Resort and Casino Project, the Koi Nation of Northern California lacks sufficient historical connection to the Windsor parcel to support the "restored lands" exception. The Windsor parcel does not fall within the Koi Nation's aboriginal homeland: it lies approximately fifty miles, over winding mountain roads, from the Lake County region where (as the Koi Nation acknowledges) "the Koi Nation's ancestors had villages and sacred sites along the shores of Clearlake since time immemorial." Koi Nation's Opening Brief at 11, *Koi Nation of Northern California v. City of Clearlake*, No. A169438 (Cal. Ct. App. Apr. 30, 2024). The assertion that the Koi Nation sometimes used trade routes or otherwise obtained resources near modern-day Windsor cannot change this basic fact: such transient uses do not show the kind of sustained, durable presence that would be necessary to support the view that the proposed project represents a "restoration." Nor can it matter that individual members of the Koi Nation voluntarily resided in Sonoma County during the twentieth century. If the presence of individual members in modern times were conflated with a tribe's control over its aboriginal homeland, for purposes of the "restored lands" exception, the exception could swallow the rule—which, as the Ninth Circuit has warned, it must not do. See *Redding Rancheria*, 776 F.3d at 711.

The Scotts Valley Casino and Tribal Housing Project raises similar concerns.

Like the Koi Nation, the Scotts Valley Band has its aboriginal homeland in modern-day Lake County. Like the Koi Nation, the Scotts Valley Band lacks the deep and enduring connection to the relevant territory (here, the Vallejo parcel) necessary to invoke the “restored lands” exception. And here again, the nearby presence of specific individuals, late in history, must not be conflated with the Tribe’s collective control over its aboriginal homeland. Nor can an 1851 treaty—apparently purporting to cede a vast swath of the North Bay, Sacramento Valley, and Clear Lake regions—produce a different result. *Cf.*

*Scotts Valley Band of Pomo Indians v. Dep’t of the Interior*, 633 F. Supp. 3d 132, 168 (D.D.C. 2022). Nineteenth-century treaties were hardly models of respect for tribal sovereignty, and one cannot safely assume that they accurately reflect the boundaries of tribes’ aboriginal homelands.

The Department’s interpretation of the “restored lands” exception further counsels against applying that exception to the Scotts Valley project. The Department has construed the “restored lands” exception to require one or more “modern connections” between the tribe and the land. 25 C.F.R. § 292.12(a). In the context of the Scotts Valley project, no such modern connection is apparent. On the contrary, the Environmental Assessment appears to recognize that the Scotts Valley Band has no presence in Solano County: the Environmental Assessment notes that the Band’s members “span[] across Alameda, Contra Costa, Lake, Mendocino, and Sonoma Counties,” while omitting any reference to Solano. *Envtl. Assessment* at 1-2. Under the Department’s view of the “restored lands” exception, embodied in its regulations, this lack of “modern connections” provides an additional reason not to use the exception to proceed with the Scotts Valley project.

Nor can the so-called “Indian canon” stretch the limits of the “restored lands” exception to encompass these two projects. *Cf. Scotts Valley Band*, 633 F. Supp. 3d at 166–68. Although that canon sometimes allows statutory ambiguity to be resolved in favor of tribal sovereignty, it has no application where—as here—“all tribal interests are not aligned.” *Redding Rancheria*, 776 F.3d at 713. “An interpretation of the restored lands exception that would benefit [a] particular tribe, by allowing unlimited use of restored land for gaming purposes, would not necessarily benefit other tribes also engaged in gaming.” *Id.* Here, other local tribes—tribes who truly have called the relevant lands home since time immemorial—are steadfast in their opposition to these projects. “The canon should not apply in such circumstances.” *Id.*

Finally, misplaced reliance on the “restored lands” exception, in the context of these two projects, also risks leading the Department astray under the National Environmental Policy Act. As explained above, the Windsor parcel and the Vallejo parcel fall far outside the aboriginal homelands of the Koi Nation and the Scotts Valley Band, respectively. In focusing on those two parcels, the Department has thus far failed to consider whether the purposes of the proposed projects could be served by sites within the Tribes’ aboriginal homelands—which is to say that the Department has, thus far, failed to adequately consider reasonable geographic alternatives as required by NEPA. See *Ilio’ulaokalani Coal. v. Rumsfeld*, 464 F.3d 1083, 1097–1101 (9th Cir. 2006).

Governor Newsom has deep respect for tribal sovereignty, and he has been proud to restore tribes' control over lands from which they have been dispossessed. Here, however, he is concerned by the prospect that the Department might invoke the "restored lands" exception to support projects that are focused less on restoring the relevant tribes' aboriginal homelands, and more on creating new gaming operations in desirable markets. If the Department were to embrace this view of the "restored lands" exception, it is far from obvious that the "exception" would retain a clear and durable limiting principle. This prospect is particularly troubling in California, where the voters who approved tribal gaming were promised that such gaming would remain carefully limited—including by federal law and its geographic restrictions on the categories of land open to gaming.

Governor Newsom is committed to working with tribal governments, and the Department, to support tribes' self-determination and economic development. In appropriate cases, the Governor stands ready to exercise his authority, under federal law, to concur in the Department's decision to take land into trust for gaming. Here, however, he is concerned that these specific projects are proceeding in a manner that would sidestep the State, ignore the concerns of tribal governments and other local communities, and stretch the "restored lands" exception beyond its legal limits—while failing to adequately consider whether there might be a better way. On behalf of the Governor, I urge the Department not to move forward with these proposed projects.

Sincerely,

A handwritten signature in black ink that reads "Matthew Lee". The signature is fluid and cursive, with the first name "Matthew" and last name "Lee" clearly distinguishable.

Matthew Lee  
Senior Advisor for Tribal Negotiations & Deputy  
Legal Affairs Secretary  
Office of Governor Gavin Newsom

# LETTER IN OPPOSITION FROM CALIFORNIA CONGRESSMEN JARED HUFFMAN AND MIKE THOMPSON

*Congress of the United States*  
*Washington, DC 20515*

June 30, 2022

Chad Broussard  
Environmental Protection Specialist  
Bureau of Indian Affairs  
Pacific Regional Office  
2800 Cottage Way, Room W-2820  
Sacramento, California 95825

Dear Mr. Broussard:

As the Bureau of Indian Affairs (the Bureau) prepares its Environmental Assessment and Tribal Environmental Impact Report for the Koi Nation's application to acquire 68 acres of land into trust for a casino in Sonoma County in the Second District of California, we write to you to voice concern and our opposition to the project. While we remain champions for tribal interests, we would like to bring to your attention serious concerns raised by both the tribes with ancestral ties to the land and the neighboring constituents that render the proposed plans inappropriate for the area.

Federal law requires that a restored tribe have a "significant historical connection" to the land where it proposes to game, but the land in question is over 50 miles from the Koi Nation's ancestral land in the Lower Lake area of Lake County. The Koi Nation lacks evidence of a historical connection such as ancestral villages, burial sites, or subsistence use of the land.

Further, the tribes that are indigenous to Sonoma County including the Federated Indians of Graton Rancheria, Dry Creek Rancheria Band of Pomo Indians, Cloverdale Rancheria, Kashia Band of Pomo Indians of the Stewarts Point Rancheria, and Lytton Rancheria oppose both the proposed project and the Koi Nation's ancestral claims to the land. These tribes that have documented historical connections to the area will also have cultural and archeological concerns about the proposal that the Bureau must address. The Sonoma County Board of Supervisors also shares concern and passed a resolution opposing the establishment of this casino within the County.

In addition, we have heard from worried constituents in the area about the intended use of the land for a casino. The proposed project would be located in a residential area with elementary schools, parks and religious centers in close proximity. The anticipated traffic and construction from a casino would create unwanted noise and pose a danger to these residents – not to mention its associated air quality and climate impacts. Increased traffic also poses a serious concern when considering wildfire evacuation routes and the thousands of vehicles that could be added to the road from the project.

We also cannot ignore the obvious environmental pressure this project will create. A new casino of this magnitude, and its construction, will increase water pressure on the Russian River, as well as generate possible runoff and groundwater impacts from converting what is currently open space into impermeable surfaces.



Finally, we would like to request that the comment period for this public scoping process be extended. With multiple Federal holidays in the past month and the level of community interest, it seems appropriate that your agency extend the deadline for public comment beyond 30 days.

Thank you for your full, fair and serious consideration of our request for you to reject the Koi Nation's application to acquire this land in trust and the proposed casino.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Huffman", with a long horizontal flourish extending to the right.

Jared Huffman  
Member of Congress

A handwritten signature in blue ink, appearing to read "Mike Thompson", with a long horizontal flourish extending to the right.

Mike Thompson  
Member of Congress

**Brook Family  
6157 Wright Way  
Windsor, CA 95492**

PACIFIC REGIONAL OFFICE  
2024 AUG 29 AM 11:26  
BUREAU OF INDIAN AFFAIRS

August 25, 2024

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: EIS Comments, Koi Nation Shiloh Resort and Casino  
Comment on the Draft Environmental Impact Statement ("DEIS")  
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.  
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/hotel for many reasons. Many of these reasons, and deficiencies in the DEIS, are very well explained in the letter being submitted by the Town of Windsor. Fundamental policy reasons against the Koi Nation establishing a casino/hotel so far from their ancestral lands are addressed by the other local tribes, such as the Federated Indians of Graton Rancheria and the Lytton Rancheria Tribe of California, the August 16, 2024 letter from the Governor's Office to Assistant Secretary Bryan Newland, statements by the academic experts, such as Professor Peter Nelson of UC Berkeley, at the virtual public hearing on July 30, 2024, and the Editorial in the Press Democrat, Sunday, August 25, 2024, "Windsor is wrong spot for Koi casino."

As local residents, issues that stand out against the casino/hotel most immediately and which are inadequately addressed in the DEIS include:

1. The proposed Project is across the street from a residential area. We have been unable to find another casino in such close proximity to a residential neighborhood in

the State. As disclosed by a real estate professional at the Town of Windsor Town Hall meeting on August 14, 2024, even the possibility of a casino across the street is having an adverse effect on property values and sales. Traffic, light and noise pollution are bound to impact these neighborhoods. Reputable studies do also indicate an increase in crime contrary to the DEIS. i.e. CASINOS, CRIME, AND COMMUNITY COSTS by Earl L. Grinols and David B. Mustard

2. The proposed Project is across the street from a public park, Esposti Park. Esposti Park is where the initial levels of Little League baseball and softball occur as well as other 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.
3. The wildfire concern is multi-faceted.
  - a. Increased Fire Risk to Residential Neighborhoods: This 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). 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 site (as is) is in a high wildfire risk area. 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.

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.) The DEIS is also misleading in stating that “The Tubbs and Kincade fires burned northeast and east of the Project Site, with the closest reaches extending just east of the intersection of E. Shiloh Road and Faught Road, approximately 0.3 miles east of the Project Site. (Figure 3.12-2, Appendix N-1.)” (Section 3.12.2, p.3-120, Regional Wildfire History, final sentence.) The fire came beyond this: fire embers flew from Shiloh Ridge (more than 0.3 miles away) over the grapes and impacted houses on the perimeters of our neighborhood, Oak Creek (which is just north of Oak Park, the neighborhood across the street from the Project site.). 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 proposed Project would remove the protection from the grape fields. Instead, the proposed Project would create a wildfire refueling station and heat island at this location, threatening the Windsor neighborhoods and the housing and mobile home park across Old Redwood Highway to the south and west.

- b. Evacuation: As the Town of Windsor points out, even the DEIS posits that the presence of a casino/hotel will increase evacuation times by two hours. Clearly, this is unacceptable.

Moreover, in addition to the deficiencies in the traffic study in the DEIS, it does not consider the impact of alcohol on the thousands of people evacuating from the Project in the stress of an evacuation because of impending fire. Obviously, this is not a negligible factor and one which should have been addressed.

Shiloh 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 (many of whom will have been drinking) again on the evacuation routes is easily imagined.

We are also concerned that the DEIS is authored by an advocacy firm for the Koi Nation, Acorn Environmental. Acorn Environmental's website touts that "Acorn Environmental staff specialize in supporting Tribal Governments with their fee-to-trust and environmental compliance needs." (<https://www.acorn-env.com/our-services/>) The lead author of the DEIS, Ryan Sawyer, a Principal of Acorn Engineering, similarly promotes her expertise: "*Ms. Sawyer specializes in the preparation of environmental studies for Native American tribal governments, and in particular, the preparation of NEPA compliance documents for fee-to-trust economic development projects.*" (Global Gaming Business Magazine, April 2023.) Surely, the purpose of an EIS under NEPA is not as an advocacy piece by the applicant.

The Town of Windsor and the other local tribes have pointed out many of the deficiencies of the resulting DEIS, and its apparent bias. We also point out to those not familiar with the local geography that the statement in the DEIS, Section 1.3 Background: "For most of its history the Koi people traveled throughout the Russian River Valley, primarily living at Clear Lake in what is now Lake County California" is, at best, (unnecessarily) ambiguous; Clear Lake is not in the Russian River Valley, but separated from it by a mountain range.

In summary, the site and the factors that render it unsuitable for a casino/hotel existed before the Koi Nation chose to purchase the site in 2021. The Koi Nation may find a site for a

casino/hotel project that does not have the multiple issues associated with it that that this one does, but for this site the only reasonable result is Alternative D - No Action Alternative.

Respectfully yours,

A handwritten signature in black ink that reads "V. Sue and Michael Brook". The signature is written in a cursive, flowing style.

V. Sue and Michael Brook

August 25, 2024

(Electronic copy sent to [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov))

**Chad Broussard**

Environmental Protection Specialist  
Bureau of Indian Affairs, Pacific Region

PACIFIC REGIONAL OFFICE  
2024 AUG 29 AM 11:23  
BUREAU OF INDIAN AFFAIRS

(Hard copy sent via USPS)

**Amy Dutschke**

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

Re: Environmental Impact Statement (EIS) comments, Proposed Koi Nation Shiloh Resort and Casino

I am submitting comments and concerns as a tribal member of the Federated Indians of Graton Rancheria (FIGR) regarding the Draft Environmental Impact Statement (EIS) for the proposed Koi Nation Shiloh Resort and casino. The Federated Indians of Graton Rancheria is made up of Coast Miwok and Southern Pomo people, with our ancestral homelands extending through Marin and Sonoma Counties. As a federally recognized tribe with vested interests in our ancestral lands and the well-being of our community, we have significant concerns about the potential fire and evacuation impacts, socioeconomic impacts of the proposed project, as well as the broader implications for tribal sovereignty.

### **Background**

On December 27, 2000, President Clinton signed the Graton Rancheria Restoration Act into law, which restored federal recognition to the Federated Indians of Graton Rancheria and returned a portion of our land. In 1958, the federal government terminated the tribe under the California Rancheria Termination Act, which ended their trust responsibility with the Graton tribe and over 40 tribes in California. The tribe began the process to regain federal recognition in 1992, and the federal government acknowledged that the termination was illegal when Clinton signed the Graton Rancheria Restoration Act into law. The legislation also allowed the tribe to apply for land into trust, and in 2008 we acquired 254 acres in Rohnert Park, Sonoma County, about seven miles from our original reservation in Graton.

### **Violation of Tribal Sovereignty**

The Federated Indians of Graton Rancheria (FIGR) have a long and proud history of self-governance and have made significant progress in restoring our sovereignty and cultural heritage. The proposed Koi Nation Shiloh Resort and Casino raises serious concerns about the violation of our tribal sovereignty.

It is essential to recognize that tribal sovereignty is not merely a legal concept but a fundamental aspect of our identity and existence as a people. The placement of a competing tribal resort within our ancestral territory undermines our sovereignty and diminishes our ability to control our own destiny.

We are particularly concerned that the EIS does not adequately consider the cumulative impacts of multiple tribal gaming operations in close proximity. The potential for increased tension between tribes over territorial and economic disputes is a real and pressing issue. The Koi Nation's decision to pursue this



project in a region where our tribe already operates a successful resort raises questions about the potential for conflict and the erosion of intertribal relations.

### **Hazardous Materials and Hazards**

Section 3.12 of the Environmental Impact Statement (EIS) attempts to address the significant risks associated with fire and evacuation. The Evacuation Travel Time Assessment (ETTA) conducted in this section utilizes overly optimistic assumptions about the notice and timing of a wildfire event, thereby underestimating the potential evacuation challenges. The assessment is based on a "No Notice Scenario" and a "With Notice Scenario," yet it assumes the project site would have an hour to evacuate ahead of neighboring zones. This assumption does not account for the possibility of simultaneous evacuation orders across multiple zones, which would likely lead to traffic congestion and significantly extend evacuation times. The EIS fails to provide a comprehensive analysis of worst-case scenarios, such as high-wind conditions that could accelerate fire spread and necessitate more urgent evacuations. By not rigorously evaluating these scenarios, the EIS underrepresents the project's potential impacts on community safety during a wildfire emergency.

Moreover, the EIS's mitigation strategies, including the creation of a pre-determined evacuation zone specific to the project site, are insufficiently detailed and fail to address the broader evacuation challenges posed by a large-scale wildfire. While the document suggests that early evacuation could mitigate some risks, it does not consider the practical challenges of coordinating such an evacuation with the existing community and infrastructure. The reliance on speculative evacuation modeling does not substitute for a robust analysis of the project's impact on emergency response capabilities and the safety of residents. The potential for increased traffic and road congestion, combined with the limitations of existing infrastructure, raises significant concerns about the feasibility of timely evacuations. Therefore, the insufficient evaluation of these critical issues necessitates a more comprehensive and realistic assessment to ensure community safety and adequately address the fire and evacuation impacts posed by the development.

### **Socioeconomic Impacts**

Based on the details provided in the Global Market Advisors (GMA) impact study for the Shiloh Resort and Casino in Sonoma County, the following provides a critical evaluation as it pertains to the National Environmental Policy Act (NEPA).

The construction and operation of the Koi Nation Shiloh Resort will have far-reaching socioeconomic consequences for our tribe. The Federated Indians of Graton Rancheria have worked diligently to establish a sustainable economic foundation for our community, primarily through the operation of our own resort and gaming facility. The introduction of a competing resort by the Koi Nation within our region threatens to undermine the economic stability we have fought to achieve.

The EIS does not adequately address the potential for economic displacement or the direct competition that this project will create on our tribe and the surrounding non-tribal communities. The increased competition for limited regional resources, including gaming revenues and tourism, will lead to reduced economic opportunities for our tribe, resulting in job losses, decreased funding for social programs, and long-term harm to our community's well-being.

Additionally, the influx of new visitors to the region, as anticipated by the Koi Nation Shiloh Resort, could strain local infrastructure and public services. This strain could exacerbate existing challenges in our

community, including housing affordability, traffic congestion, and environmental degradation. The EIS fails to provide sufficient mitigation measures to address these concerns, further compounding the potential negative impacts on our tribe.

Federal law has established crucial safeguards that have historically enabled the Department of the Interior to maintain a balance between the benefits of expanded tribal gaming and impacts on other gaming tribes. As a foundational principle, federal law typically prohibits gaming on newly acquired land placed into trust for a tribe, unless that land is associated with the tribe's existing reservation (25 U.S.C. § 2719(a)). The main exception to this rule is carefully designed to protect local interests, including those of neighboring tribes, by permitting gaming only when the Department has determined that it is in the best interest of the gaming tribe and that it "would not be detrimental to the surrounding community."

I strongly urge the Department of Interior to consider the severe socioeconomic impacts that this project will have on the Federated Indians of Graton Rancheria and the broader violation of tribal sovereignty it represents. The Koi Nation should be encouraged to pursue economic development opportunities within their true homeland in Lake County, where they have a legitimate claim. If this project is allowed to proceed in its current location, it would undermine the sovereignty, identity, and cultural rights of the federally recognized tribes in Sonoma County.

As a member of the Federated Indians of Graton Rancheria, I acknowledge the significant moral importance of restoring a tribe's control over its ancestral homeland. Our ability to obtain, restore and protect our own right of self-determination and economic equality is essential to tribal autonomy. However, it is essential to ensure that the "restored lands" exception that is proposed by the Department of the Interior apply within appropriate boundaries. The "restored lands" exception should not be interpreted so broadly as to effectively grant restored tribes unrestricted rights to conduct gaming on newly acquired lands (*Redding Rancheria v. Jewell*, 776 F.3d 706, 711 (9th Cir. 2015)). On the contrary, in administering the restored lands exception, the Secretary must ensure that tribes do not misuse this provision to excessively expand gaming operations to the detriment of other tribes (*Id.*).

The Environmental Impact Statement Land Use Section erroneously neglects to identify these critical statutes and further neglects to evaluate the impacts of the proposed project on the FIGR historic tribal lands. This failure to consider the significant impacts of the proposed project leaves an insufficient evaluation of the project's land use impacts on the existing environment.

The statutory authority for acquiring lands in trust status for Indian tribes is provided in the Indian Reorganization Act of 1934 (25 United States Code [USC] § 5108) with regulations codified as 25 Code of Federal Regulations (CFR) Part 151. The Indian Gaming Regulatory Act (IGRA) was enacted in 1988 to regulate the conduct of Indian gaming and to promote tribal economic development, self-sufficiency, and strong tribal governments. IGRA generally prohibits gaming on lands acquired in trust after 1988, unless certain exceptions found in Section 20 of IGRA, 25 USC § 2719, are met. In this instance, the requested exception is the restored lands exception that allows gaming on land acquired in trust after 1988 if the lands are taken in trust as part of "the restoration of lands for an Indian tribe that is restored to Federal recognition" (25 USC § 2719 (b)(1)(B)(ii) and (iii)). The Section 20 exceptions are implemented through regulations found in 25 CFR Part 292.

As explained below, the proposed project does not align with the intended limits of the "restored lands" exception. Regarding the Shiloh Resort and Casino Project, the Koi Nation of Northern California does not

have a sufficient historical connection to the Windsor parcel to justify the use of the “restored lands” exception. The Windsor parcel is not within the Koi Nation’s ancestral homeland; it is located approximately fifty miles away from the proposed casino site. It is located in an area of Lake County where the Koi Nation’s ancestors have had villages and sacred sites along the shores of Clearlake since time immemorial (*Koi Nation’s Opening Brief at 11, Koi Nation of Northern California v. City of Clearlake, No. A169438 (Cal. Ct. App. Apr. 30, 2024)*). Claims that the Koi Nation occasionally used trade routes near modern-day Windsor do not alter this fundamental fact: Such occasional uses do not demonstrate the sustained, significant presence required to support the notion that the proposed project constitutes a “restoration.” Nor is the presence of individual Koi Nation members in Sonoma County during the twentieth century sufficient. If modern residency by individual members were equated with a tribe’s control over its ancestral homeland for the purposes of the “restored lands” exception, the exception could undermine the rule itself, which, as the Ninth Circuit has warned, must not happen (*Redding Rancheria, 776 F.3d at 711*).

Additionally, the so-called “Indian canon” should not be used to expand the “restored lands” exception to include the proposed project. While this canon sometimes allows for statutory ambiguities to be resolved in favor of tribal sovereignty, it does not apply when “all tribal interests are not aligned” (*Redding Rancheria, 776 F.3d at 713*). An interpretation of the restored lands exception that benefits one tribe by allowing unrestricted use of restored land for gaming could disadvantage other tribes also involved in gaming (*Id.*). Here, the tribe with a true, enduring connection to the lands in question—the FIGR – are firmly opposed to this project.

Finally, an inappropriate dependence on the “restored lands” exception in this proposed Koi Nation project misrepresents the fundamental goals of the National Environmental Policy Act (NEPA). As noted above, the Windsor parcel lies far outside the ancestral homelands of the Koi Nation and within the homelands of the Federated Indians of Graton Rancheria. By focusing on the project parcels, the Department must consider whether the objectives of the proposed project could be achieved at sites within the Tribes’ ancestral homelands. This means the Department has not sufficiently considered reasonable geographic alternatives, as required by NEPA (*‘Ilio’ulaokalani Coal. v. Rumsfeld, 464 F.3d 1083, 1097–1101 (9th Cir. 2006)*).

Department might use the “restored lands” exception to justify projects that are more focused on establishing new gaming operations in attractive markets than on genuinely restoring tribes’ ancestral homelands. If the Department were to adopt such an interpretation of the “restored lands” exception, it is unclear whether the “exception” would maintain a clear and consistent limiting principle. It would also create a precedent for similar attempts in the future and essentially nullify the concept of sovereign lands. This is particularly concerning in California, where voters who approved tribal gaming were assured that it would remain carefully regulated, including by federal laws that impose geographic restrictions on the types of land eligible for gaming.

## **Conclusion**

In conclusion, the Federated Indians of Graton Rancheria respectfully request that the EIS for the proposed Koi Nation Shiloh Resort be revised to more thoroughly assess the socioeconomic impacts on our tribe and to fully consider the implications for tribal sovereignty. We urge the decision-makers to engage in meaningful consultation with our tribe and to take our concerns into account in the final decision on this project.

In conclusion, any development within our ancestral lands must respect our rights, preserve our sovereignty, and promote the long-term well-being of our community. The proposed Koi Nation casino site threatens to violate each of these.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrea Ouse', with a long horizontal stroke extending to the right.

**Andrea Ouse, AICP**

Tribal Member, Federated Indians of Graton Rancheria

3015 Parella Court

West Sacramento, CA 95691

[Andrea.ouse@gmail.com](mailto:Andrea.ouse@gmail.com)

650.333.3973

Cc: Greg Sarris, Tribal Chairman – Federated Indians of Graton Rancheria ([info@gratonrancheria.com](mailto:info@gratonrancheria.com))  
Tribal Board – Federated Indians of Graton Rancheria

PACIFIC REGIONAL OFFICE

1701 AUG 22 AM 11:53

BUREAU OF INDIAN AFFAIRS

August 18, 2024

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

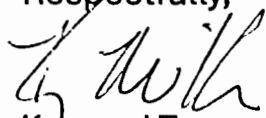
Dear Ms. Dutschke

We are California natives and longtime Sonoma County residents. It is our opinion and desire that no additional casinos or gaming establishments are needed or necessary in the region.

This opinion extends to Native American, Corporate and any other entity that would want to build, own or operate such a business in Sonoma County. It simply is not needed and would most certainly no enhance the quality of life here in the area.

Thank you for considering our feelings on this matter.

Respectfully,



Ken and Teresa Miller  
629 Jean Marie Dr.  
Sants Rosa CA 95403

707-478-2294

8-22-24

Amy Dutschke

Reg. Director

Bureau of Indian Affairs

Regarding the plan for a new  
Casino on Old Redwood Hwy at Shiloh  
Road, in Windsor:

There is not enough fresh water  
available in the coming decades for it.

There is not enough Road  
space for additional traffic at all  
near the Old Redwood Hwy Site.

That is a rural residential  
neighborhood and cannot  
possibly accomodate the traffic  
and volume of water needed for  
such a huge development.

Thank you. Alyn May

ALYN MAY

8173 Willow St.

Windsor, Ca. 95492

August 21, 2024

PACIFIC REGIONAL OFFICE  
10:14 AUG 21 PM 3:56  
BUREAU OF INDIAN AFFAIRS

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

Subject: EIS Comments, Koi Nation

Dear Regional Director Dutschke,

I am writing to oppose the Koi Nation Tribe of Mendocino/Lake County from building a casino in Sonoma County.

I live in a senior mobile park right across from the area they are contemplating. In this area there are 3 Senior Mobile Parks within a half mile range. This would be a total disaster as far as traffic in the case of an emergency. We are constantly having EMT's, Fire Trucks, and delivery trucks running through the trailer parks daily. Seniors are in need of medical and supplies daily. I beg of you to please take this into consideration.

Furthermore, if there was ever another fire nearby it would be perilous for Senior Citizens to get out. Regarding the Coffey Park Fire (Tubbs Fire) we were on evacuation alert, it was bad enough trying to exit the park. The exit there is only one road which connects to Old Redwood Hwy and Shiloh Road. It's already disastrous to try to get out of these parks.

Please, I beg of you to take my letter seriously, I am concerned for myself and friends regarding the traffic situation.

Thank you for your attention.

Sincerely,



Betty Molina  
Mobile Home Estates  
5760 Mobile Drive  
Santa Rosa, CA 95403



PACIFIC REGIONAL OFFICE

JUN 25 PM 4:25

To whom it may concern.

My name is Dave Alton Morales.

I am a proud Tribal Citizen of the Federated Indians of Graton Rancheria and the purpose of this letter is to express my opposition to the Koi Nation of Northern California's project to establish trust land for gaming in Sonoma County, Ca.

The Koi Nation, AKA Lower Lake Rancheria, submitted a restored lands gaming application to the U.S. Department of the Interior (DOI) for a parcel located outside the Town of Windsor, in Sonoma County. The proposed project location is over 50-mile drive from the Koi Nation's ancestral and cultural roots/land in the Lower Lake area of Lake County, where its historic rancheria was located.

I was born on the kitchen table in my grandmother's ranch house in Windsor, CA.

Since I was a little boy, my grandmother, Angelina Frease-Meloy, and my mother, Nelle Meloy-Morales, have been telling me about our tribe's history, folklore, language, and people who helped and supported our way to independence.

I remember going to pick blackberries with my grandmother and listening to her stories about different Native Americans Tribes: Coastal Miwoks (which we are), Pomos, Olones.

I remember my grandaunts, Mercy and Helen, coming to our house and spending a lot of time making baskets and talking about "old days" and how Indians were treated and how they wished we, Indians, would be treated. They taught me Miwok language, songs, traditions, and principles.

My great grandfather, Angelo Frease, buried at Miwok Cemetery in Reynolds, Marin County, CA.

As you can see, I'm a "deep rooted" Native American/Indian man.

I'm proud of our people/our Tribe to be able accomplish what we accomplished with the lead of our Tribal Chairman, Graig Sarris, and our Tribal Councils. It was a long and not easy road, but we made it. We build our casino on our land, - the land that proved to belong to Citizens of Graton Rancheria, and we, Citizens of Graton Rancheria, expect DOI to protect our Land and our rights.

DOI is supposed to protect tribal sovereignty and if Koi Nation will be allowed to use another tribe's territory, that precedent *undoing* tribal sovereignty.

DOI should consider an alternative location for the Koi Nation in their **true homeland** in Lake County. Koi Nation's application is simply a novel approach on their previous attempt to acquire gaming sites **outside** of their ancestral land by trying to demonstrate

a significant historical connection to our Southern Pomo territory based on trade routes and/or one family moving to our territory for whatever reasons they had at that time.

I support the rights of all tribes to restore their homelands and pursue gaming on those lands. I cannot, however, support the project that undermines tribal sovereignty and would be to the detriment of the identity, sovereignty, and cultural rights of the federally recognized tribes in Sonoma County, and/or in California, and/or any other USA territory.

Please, take in consideration the possibility of other locations for the Koi Nation casino in their ancestral territory/land in Lake County.

Thank you for your time and consideration.

Respectfully, 

Dave A. Morales  
520 8<sup>th</sup> Ave, Apt # 4  
San Francisco, CA 94118  
(415) 752-5917  
ylevina13@gmail.com

August 21, 2024

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

PACIFIC REGIONAL OFFICE  
21 AUG 25 PM 3:57  
BUREAU OF INDIAN AFFAIRS

Dear Ms Amy Dutschke,

I am writing to again express my complete opposition to the proposed Shiloh Resort and Casino being considered by the Bureau of Indian Affairs. I am very disheartened that this is still being considered by your agency and the US Department of the Interior.

In previous correspondence and zoom meetings I have noted my alarm about placing a casino with lots of cars, people, huge footprint impact to what is **designated** as "Rural, Residential, Agricultural, and Open Space corridor in this unincorporated area of Sonoma County. Much has been said about the inappropriate idea of picking this 68 acre vineyard for a concrete behemoth with a waste water treatment plant and paved parking area for thousands of vehicles to park and mess up our **"carefully planned carbon emission reduction goals"**. Windsor has carefully designed and installed miles of bicycle lanes to get residents out of their cars. The construction phase alone will have a huge environmental impact on the area and neighborhoods beyond acceptable limits. Air quality, water resource depletion, riparian corridor disruption and most of these concerns seem to be "mitigated" by suggestions and the honor system by the Koi to follow through. The EIS was lengthy but not a document to hold in high regard for concise and thorough reporting on such an important matter.

I won't belabor all the other issues that have been raised before, but I will ask if you have been able to come here in person to view what it is you are considering? It seems like a fair question.

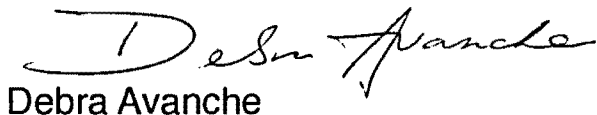
This whole land grab is wrong on so many levels. The Koi Nation deserves compensation for past treatment regarding their ancestral lands in Lake County. But shopping outside their own homelands is wrong, particularly if

they will ruin an existing safe, peaceful, healthy community to do it, which is the case here. We lose everything and gain nothing!

Lastly, in 1999, the people of California, my husband and I included, voted to allow Native Americans the chance to develop casinos in their ancestral homelands. Its my understanding that the law authorizing this is clear about the parameters and guidelines which must be adhered to if and when they decide to pursue such a venture. It seems clear that the Oklahoma-based Chickasaw Nation and the Koi Nation of Lake County are trying to usurp the intent of the measure and are in violation of trying to fit a square peg into a round hole, specifically, they have no claim to this property and our community will be negatively affected on a large scale. This is not hyperbole.

**Please, please, please do not approve this project.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Debra Avanche". The signature is fluid and elegant, with a large initial "D" and a long, sweeping underline.

Debra Avanche

127 E Shiloh Rd.  
Santa Rosa, CA 95403

PACIFIC REGIONAL OFFICE

Donald Ziskin  
5862 Leona Court  
Windsor, CA. 95492  
donziskinlaw@comcast.net

2024 AUG 23 PM 3:54

BUREAU OF INDIAN AFFAIRS

August 23, 2024

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

**Subject: EIS Comments, Koi Nation Shiloh Resort and Casino**

Dear Regional Director Dutschke:

My family and I have lived in Oak Park, the neighborhood directly across the street from the proposed hotel/casino complex for 33 years. This project is completely surrounded by single family homes, two senior mobile home parks, high-density low-income housing, a church and a park. I cannot imagine a more inappropriate site. My neighbor's homes will be within 200 unobstructed feet of the grand entrance to the casino. Ultimately thousands of people will be adversely affected.

Before making specific comments I would like to make some general comments. The Draft Environmental Impact Statement (DEIS) released on July 12, 2024, contains complex, technical information and is virtually impossible for a layperson to understand or comment on. It is over 6000 pages including Appendices. It was drafted by a company specializing in fee-to-trust applications for Indian tribes. As a retired trial attorney, it is understandable Acorn Environmental was retained based on their history of supporting fee-to-trust applications. Moreover, it does not adequately address the significant impacts this project will have on the surrounding community and Sonoma County if it is approved.

The number of people and cars visiting the site on a daily basis will have a significant adverse impact on the environment and surrounding community. Solutions to these impacts in the DEIS described as mitigation efforts are vague and frequently pushed off to future planning or adoption of undefined Best Management Practices. Saying they will come up with a plan is not adequate! The DEIS repeatedly fails to provide specific information to back up conclusions based on undefined mitigation efforts.

Allowing the Koi to purchase land in Sonoma County (a county outside their historical lands) and build a casino complex in a residential neighborhood in direct conflict with city and county planning sets a dangerous precedent. It is opening the door for casino developments at any location in the country. The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative in the DEIS.

## **Comments**

### **Transportation and Circulation-**

TJKM was retained to prepare a Traffic Impact Statement (TIS) on the impact the three proposed alternatives, A, B and C, would have on transportation and circulation services in the area. TJKM prepared the TIS with minimal inadequate data. The only actual data related to this project was collected from traffic monitors set up between 7-9 a.m. and 2-4 p.m. on January 22 (Thursday) and 28 (Sunday), 2022, and on July 28, 2022 (Thursday). The weather is cold and wet in January and the data collected would be significantly different from that gathered over spring and summer when baseball leagues are active, and people are using the two neighborhood parks. The volume of people using Shiloh Regional Park and Esposti Park is minimal compared to summer months. During Spring and Summer, the parking lot is full with overflow parking on Old Redwood Highway and E. Shiloh Road. The park is used daily by boys' baseball and girls' softball. One Sunday morning study from 7-9 a.m. does not reflect actual usage. During the days the parking lot is full with adult and youth baseball.

The DEIS references seven Cumulative Projects in section 3.14.1 (page 3-145) that are either in construction or the Planning and Development stage, four of which are within one-quarter mile of the proposed project. They will bring in approximately 480 new residential households making multiple daily trips within ½ mile of the proposed Casino/hotel complex. While generally referencing in the study that the cumulative projects will have an impact on Transportation and Circulation, there is no specific information in the report or Appendices on how the cumulative projects will impact traffic conditions and loss of services.

Appendix I to the DEIS estimates there will be 11,213 daily trips and 15,799 Saturday trips to and from the Koi Casino complex. There are estimates of as many as 1340 hourly trips... or 22 cars per minute. On evenings when there is a concert in the 2,800-person Event Center, events in the ballrooms as well as patrons of the casino and restaurants... there will be two or three times as many cars per hour going to the complex... all on single lane roads. The Traffic Impact Study does not address specific situations such as this.

The Traffic Impact Study confirms that this traffic increase will have a substantial impact on the roadways and intersection that rise to a level of unacceptable Loss of Services (LOS). The TIS then cites mitigation efforts that will make the LOS acceptable without providing any substantive information how. It does not offer any concrete information on how the mitigation efforts will improve conditions or any guarantees that they would be effective. All three Alternatives will undoubtedly cause loss of services. For example, cars traveling on east/west Shiloh road at Gridley Avenue currently have no waiting time between Faight Road and Old Redwood Highway. Cars on southbound Gridley have minimal if any wait time to enter Shiloh Road. Signalizing this intersection will cause delays in all directions; especially following any special events. Waiting for exiting casino/hotel traffic and then traffic on Shiloh road would force significant delays

## **Water resources –**

**Potable water-** The EIS projects that Alternative A would pump between an average of 170,000 gallons per day (gpd) per day to a daily peak of 294,000 gpd from onsite wells. The new well(s) will require a water treatment plant to remove arsenic and magnesium and a large storage tank to hold the treated water. Water from the treatment plant would be sent to a one-million-gallon storage tank and then to pumping station for distribution to the facility. Between 1,250,300 to 2,005,800 gallons per week. The drawdown on existing wells is a very real likelihood. Global warming, drought and water rights issues are all discounted or ignored factors in the evaluation. The DEIS indicates that the onsite wells would be deep wells (700 feet) and that the shallow wells belonging to nearby residents are at most risk. The report then discounts the risk, cost and impact of reduced or inadequate water supplies to local residents based on projections. It also fails to provide adequate remedies to neighboring homeowners who do lose access to well water.

**Wastewater-** The DEIS calls for the construction of a Wastewater Treatment Plant (WWTP) to treat the estimated average of 232,000-335,000 gallons of wastewater discharged each day (1,624,000 to 2,345,000 in an average week). WWTP are designed to reduce wastewater and environmental pollution, but the raw materials, energy consumption and emissions from the WWTP subsequently result in different environmental impacts. The process emissions from wastewater treatments account for two thirds of the total greenhouse gases generated by the water and sewage companies. The operation of a wastewater treatment plant involves a range of direct and indirect emissions. These are called the social cost of greenhouse gases (SC-GHG). These are dismissed in the DEIS as less than significant. The report also fails to provide adequate information on what would occur in the event of a system failure.

Figure 2.5 in Appendix D is a diagram of the Project Water and Wastewater Feasibility Study Wastewater Treatment Process Flow. Estimating its size (using the truck as a gauge), the system will be over 500 feet long x 300 feet wide and up to three stories high. There will be hundreds of families living ¼ mile to several hundred yards away who are subject to these emissions. There is also the strong possibility of odor emanating from the plant.

**Groundwater Discharge-** The project site is currently a 68-acre vineyard. As farmland, the landscape is permeable, allowing for water to permeate the soil. The proposed project will result in over 35 acres of this land being paved and developed, significantly altering groundwater conditions. In addition to the loss of permeable land there is significant risk of pollutants entering Pruitt Creek despite “best management practices”. The EIS calls for use of bioswales which may keep debris from entering Pruitt Creek but may allow other pollutants through. This was determined to be less than significant!

## **Evacuation**

The proposed Alternatives A, B and to a lesser extent C will attract a large volume of patrons and increase the total number of people onsite that will need to be evacuated during a wildfire event. The facility will have parking for over 5,000 cars and will accommodate more people than



cars. There will also be people using rideshare and public transportation and any evacuation plans will need to account for this group.

The Project Site has access to two major emergency routes identified by the Town of Windsor, Shiloh Road and Old Redwood Highway (Town of Windsor, 2021). The DEIS confirms that an increase in vehicles on emergency evacuation routes during a wildfire would 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. These are single lane roads which will not only be accessed by casino patrons but also used by evacuating neighborhoods.

I have been evacuated twice in the past seven years. Past evacuations during the Tubbs and Kincaid fires resulting in stopped traffic and dangerous conditions on both of these roads with embers landing around homes and cars. Old Redwood Highway and Shiloh Road cannot handle the addition of thousands of more cars and people.

The DEIS recommendations include following best management practices and training employees on evacuating guest in the event of a fire. A consulting fire expert stated, “A comprehensive evacuation plan is critical for life safety”. While the report discusses recent fire detection advances and strategies for evacuations, it fails to come up with substantive information on how 5,000 cars and more people will access and manage the roads in an emergency setting. One accident at the intersection of Old Redwood Highway and Shiloh road would be devastating to an evacuation. Situations like this are not incorporated.

### **Socioeconomic Conditions-**

**Property values-** The DEIS cites other casinos in California that have had minimal impact on property values within a five-mile radius. In fact, the EIS states that values increased between the years 2000 and 2021. This general statement does not provide any substantive information. Property values throughout California, and in these particular areas, all increased during the years 2000 through 2021. There is no information on what the increased values were and how they compared to neighboring communities. There has been three houses for sale in my neighborhood for the past three to five months. There has not been one offer on any of the houses, with one owner reporting no viewings. Extremely uncharacteristic for our neighborhood and Sonoma county. One of the brokers advised me the unknown nature of the development property values are down 20%.

**Crime-** The DEIS and Appendix B-1 do not provide any substantive information other than the fact that law enforcement received 1,700 calls and made 39 arrests at the Graton Rancheria in its first year of operation. After a comparison of the Graton Rancheria Casino and the proposed Alternative A, the EIS concludes “As a result of this quantitative and qualitative analysis, GMA finds that the negative impacts on community services in areas in which a casino has opened are generally minimal.”. The report does not include any “quantitative and qualitative” information other than from the 2014.

Drunk Driving- The EIS states "The proposed project intends to serve alcohol consistent with a liquor license, which could result in an increase in drunk driving incidents." It then say "Drunk driving prevalence is not anticipated to increase significantly as a result of the proposed casino resort...". The only mitigation offered is the implementation of a "Responsible Alcoholic Beverage Policy". The conclusion of little impact is not supported by any substantive information.

Site visit- The proposed hotel/casino complex will have a significant physical, emotional and psychological impact on the surrounding community. It will forever alter it from a quiet area that shuts down at dark to a 24 hour a day entertainment center with cars coming and going. Sound will carry through to neighboring homes on what are now silent nights. The report does not contain any specific information on what sound levels will travel to neighboring homes.

I do not begrudge the Koi developing a casino/hotel complex in a more appropriate location, more central to their historical lands and in a location more conducive to a commercial venture. This is the wrong project at the wrong location.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald Ziskin', written in a cursive style.

Donald Ziskin  
5862 Leona Court  
Windsor, CA.95492

PACIFIC REGIONAL OFFICE

JUN 23 PM 4:07

INDIAN AFFAIRS

Dear Amy Dutschke,

I am writing to express my concerns regarding the Koi Nation's application to take land into trust in Sonoma County for the purpose of establishing a reservation and casino. While I respect the Koi Nation's right to self-governance and economic development, this proposal undermines the sovereignty of local tribes whose ancestral lands are within the proposed site.

#### Historical Context and Sovereignty Concerns

The Koi Nation's historical lands are located approximately 50 miles away in Lake County. The proposed site in Sonoma County falls within the traditional territories of other federally recognized tribes. By establishing a reservation within these boundaries, the Koi Nation's proposal risks infringing upon the sovereignty and self-determination of these local tribes. Sovereignty is a fundamental principle that allows tribes to govern themselves and manage their own affairs without external interference. The imposition of another tribe's reservation within their ancestral lands could lead to conflicts over jurisdiction, resources and cultural heritage.

#### Impact on Local Tribes

The local tribes have a deep, historical connection to the land in Sonoma County. We have managed and protected these lands for generations, maintaining our cultural practices and traditions. The introduction of a new reservation and casino by the Koi Nation could disrupt these practices and lead to significant cultural and environmental impacts. Additionally, the economic benefits promised by the Koi Nation's casino may not be equitably shared with the local tribes, potentially leading to economic disparities and tensions.

#### Legal and Ethical Concerns

While the Indian Gaming Regulatory Act (IGRA) provides a framework for tribes to establish gaming operations, it is crucial to consider the broader implications of such developments. The Department of the Interior has a responsibility to ensure that the rights and sovereignty of all tribes are respected. Approving the Koi Nation's land - into - trust without thorough consultation with the affected local tribes could set a concerning precedent for future land disputes and undermine the principles of tribal sovereignty.

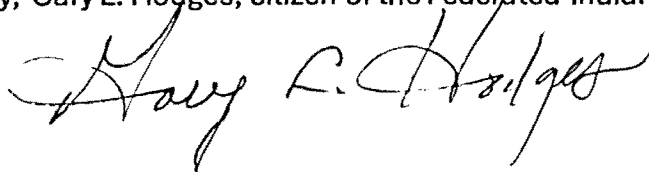
#### Conclusion

In Conclusion, I urge the Department of the Interior to carefully consider the implications of the Koi Nation's land - into - trust application. It is essential to engage in meaningful

consultation with the local tribes and ensure that their sovereignty and rights are not compromised. By doing so, we can uphold the principles of fairness, respect, and self-determination that are foundational to tribal sovereignty.

Thank you for your attention to this matter.

Sincerely, Gary L. Hodges, citizen of the Federated Indians of the Graton Rancheria

A handwritten signature in black ink, reading "Gary L. Hodges". The signature is written in a cursive style with a large, stylized "G" and "H".

Nelson Pinola  
513 Poplar Way  
Windsor, CA 95492



I377

August 21, 2024

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

PACIFIC REGIONAL OFFICE  
AUG 23 PM 10:00  
BUREAU OF INDIAN AFFAIRS

RE: EIS Comments, Koi Nation Shiloh Resort and Casino

I submit this letter to strongly oppose the approval of the Koi Nation application method and manner to place land into trust for the purpose of building a casino resort project in Windsor, California. I am a resident of Sonoma County, and a tribal member of the Manchester Band of Pomo Indians in Point Arena, which is in Mendocino County. Members of my family, and other members my tribe, are also closely connected as descendent of the Kashia Band of Pomo Indians in Sonoma County, and the Big Valley Band of Pomo Indians in Lake County.

I served as tribal chairman of my tribe at several periods, totaling over 20 years, and usually support other tribes, however, the Koi Nation in this instance is doing something extremely concerning and never seen by California tribes. Approval of the Koi Nation application would be a travesty to all the tribes who have followed the rules and regulations, especially those tribes who have worked hard and assumed economic burdens to pursue economic development in their own historical tribal lands and territories.

The Graton tribe, and the other Sonoma County tribes and tribal members, including my family, have ties to these lands and territory for thousands of years of significant cultural and spiritual history. The spurious claims by the Koi Nation act to diminish historical precedents by the Sonoma County tribes.

I do not doubt that the Koi leadership is trying to do the best they can for their tribe. I assert however, that they should do so in their own historical tribal area, which we all know to be in Lake County. Customs, language, tradition, history, family, marriage, and tribal relations, clearly tie them directly to the other six tribes located around Clear Lake. Yes, Koi Nation has support from those six tribes to seek land in Sonoma County. The six tribes should encourage Koi Nation to build a casino in Lake County, even if it would place Koi Nation in direct competition with their own casinos. I assert that no market analysis would lead Koi Nation to construct a casino of the magnitude they propose here in Windsor.

The Koi Nation project will have a devastating impact on the casino tribes here in Sonoma County and to the other non-gaming tribes and Indian organization with whom they provide financial support. This economic stream passes through local governments who also provide services to tribal members.

I urge the BIA to consider alternative project sites that comport with the spirit and letter of the law, and continue to protect the trust responsibility and relationship with the true Sonoma County tribes. Our cultural, history and tribal sovereignty rests with your action.

Thank you for your consideration in this matter.

Sincerely,

  
Nelson Pinola

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

PACIFIC REGIONAL OFFICE  
 2/24/2013 05:55 PM  
 BUREAU OF INDIAN AFFAIRS

According to Zillow, there are several 50+ acre parcels for sale in Santa Rosa and many throughout Sonoma County. It doesn't make any sense to build a casino in a residential neighborhood. There are several new apartment complexes that have been built on the corner of Old Redwood Highway & Shiloh and more in the process. During the dry years, water is in demand. It was stated in the EIS that the casino could be using up to 400,000 gallons of water a day. What will the casino do for Windsor and the immediate neighbors when the wells dry up. There was mention that this would be solved by BMP's. This is not a plan or solution. This will not only affect humans, but the wildlife as well.

What will happen when fire rages through this area as its done in the past? The roads and freeways will be gridlocked and there will be no escape. The infrastructure cannot support an emergency evacuation now. What is going to happen if there are 5,000 extra vehicles trying to leave at once? Widening the roads will not help if we can't get on the freeway similar to what happened during the recent evacuations. During these horrific fires, there is not always time to plan an orderly evacuation. This is not an exaggeration, but fact. Shiloh road residents were bumper to bumper until we reached safety after 2 hours.

Our family oriented community will be inundated by traffic, drunk driving, public safety and continual noise and light pollution which according to the economic impact report will be handled by BMPs. This is not a plan or solution. Shiloh Regional Park that is visited by many hikers, bikers, and equestrians would likely have the pleasure of smelling fumes from the sewer system that is proposed to be built close to that area. Why would a sewer system be built so close to Pruitt Creek? The many kids and adults that are welcomed to Esposti Park to play baseball and soccer will also be affected by the problems that the proposed casino will bring to our area. THIS IS NOT A AN INDUSTRIAL OR COMMERCIAL AREA AND NOT A PLACE TO BUILD A CASINO...

Joan Charol  
 141 E. Shiloh Road  
 Santa Rosa, CA 95403

Koi Nation Shiloh Casino  
DEIS comments

PACIFIC REGIONAL OFFICE

2024 AUG 26 AM 9:38

Dear Amy Dutschke;

BUREAU OF INDIAN AFFAIRS

The DEIS report has numerous errors and under states the harmful effect on the community and the environment. **Alternative D (agriculture/vineyard) is the best choice for the land and community.** Listed below are a few of many items that are problems that have not been adequately addressed.

**CRIME:** Crime will increase and using a percentage of crimes per 1000 people is wrong. The larger number of people there are the result of the casino bringing in more people. The actual number of crimes will increase. Trafficking, assaults, theft and drunken driving will increase. Drunken driving is rated as LS (lightly significant) until someone dies. The mitigation suggested is inadequate. This casino would be horrible for the neighborhood across the street.

**PROPERTY VALUES:** The negative effect on property values is highly significant. The comparisons to a casino in Richmond (urban) and two casinos in Southern California (inland, one with a golf course) doesn't really give an indication of reality. The subdivisions near Shiloh are in Wine Country and have different valuations. The report on Page 149 uses studies with a 5 mile radius. What about a 1 mile radius? The DEIS does not have adequate mitigation or realistic analysis of the true effects on property values on nearby neighborhoods. A call to a local real estate agent trying to sell homes across the street will show the actual negative effect, NOT the contrived report on property values in the DEIS.

**TRAFFIC;** The traffic study examined two dates of 1/30/22 and 7/28/22. Traffic has increased dramatically since then as more people are going into work as the post pandemic era proceeds. Also with all the new projects underway traffic will be much worse. The mitigation recommendations will not solve the traffic problem the casino will bring. Adding a couple of turn lanes and re-striping is not nearly enough.

**NOISE:** The event center alone will create highly significant noise pollution to the nearby neighborhoods besides increased traffic. Amplified music will carry through to other neighborhoods. The noise from people arriving and leaving will be substantial. Noise carries a long way at night. The traffic noise alone will not be mitigated properly by asphalt changes. Compensating neighbors directing across the street with new windows if necessary doesn't help all the other nearby neighbors. And this doesn't have to be done until 2040, 15 years after the problem starts. Construction noise is a huge issue that, once again, is being sugar coated. Backup warning beeps on equipment carries for miles. 18 to 24 months to build will more likely be ~36 months.

**ENVIRONMENTAL ISSUES;** Storm water runoff with thousands of cars rated LS (lightly significant). With thousands of cars a day the run off of gas, oil and rubber is a



is highly significant and the mitigation of more monitoring with the Town of Windsor after the fact is glossing over the problem. Monitoring of a problem does not solve or mitigate a problem. The waste water plan of putting tertiary treated waste water into Pruitt Creek is a bad idea.

There are many reasons that the Koi casino proposal is soundly rejected by the Governor of California, the Sonoma County Board of Supervisors, the Windsor Town Council and numerous other public officials. **The DEIS report of a positive economic benefit to the community is wrong.** Maybe positive \$\$\$ for the Koi and Chickasaw. The report is biased and basically **TRASH**. The ratings of different issues with LS and anemic mitigation recommendations do not properly reflect the overall harm to the community. The constant use of BMP's (best management practices) does not solve problems. **This project would be detrimental to the surrounding community.**

This proposal **DOES NOT** meet the "restored lands" exception and is not within Koi Nation's aboriginal homeland. This is a Lake County tribe trying to poach on Sonoma County tribal lands. This proposal would set a bad precedent that would allow reservation cherry picking that violates the intention of Federal law and the California proposition that allowed Native American gambling. Please reject this proposal and stay with Alternative D.

Thank you,  
Kevin Warren  
6181 Lockwood Drive  
Windsor, CA  
cajunce@comcast.net

Aug. 24, 2024

Madam Dutschke,

Please don't allow the Koi Nation to build a casino complex in Sonoma Co.

My concern is entrapment during a wildfire. We lost our house in the 2017 Tubbs fire, bought one in Ukiah afterwards. I have had to be evacuated twice since moving here. There is a long, repeated history of fires here, just south of the area planned for a casino. I have seen both 1964 and 2017.

A casino near here is not a good idea.

Thank you for your time.

Marta Starr

5255 Carriage Lane

Santa Rosa, CA 95403

PACIFIC REGIONAL OFFICE

To: [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov)

2024 AUG 22 AM 11: 52

From: Mary Euphrat, [euphrat@sonic.net](mailto:euphrat@sonic.net); 6203 Lockwood Drive, Windsor, CA 95492

RE: Comments on the Environmental Impact Statement published on July 12, 2024 for the proposed Koi Nation Casino site on Shiloh Road and Old Redwood Highway

Dear Administrator:

This letter is in response to the Environmental Impact Statement published on July 12, 2024 concerning the proposed Casino and development on the southeast corner of Old Redwood Highway and E. Shiloh Road.

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. The Koi have never resided in Sonoma County and should not have precedence over local tribes.

TJKM prepared a traffic impact statement on the impact of the three proposed alternatives on traffic and circulation. Their statement is based on minimal data and data that was collected on two winter dates and one summer date. Both the Shiloh Regional Park and Esposti Park border the proposed Casino and are very busy with hikers, soccer, baseball, and softball players and bicyclists along with equestrians. The number of cars in those areas during the busy fall, spring, and summer months are not reflected in this report. With the addition of a new apartment complex ready to open within the next few months, parking is very limited in front of Esposti Park. There is no reference to these additional cumulative projects and their impact on traffic conditions or delay or loss of services based on traffic. There is no information on how the mitigation efforts that were mentioned in the traffic study will improve conditions or guarantees that the mitigation would be effective.

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. The EIS indicates that the onsite wells would be deep wells and that the shallow wells belonging to nearby residents are at most risk. The report discounts the risk, cost and impact of reduced or inadequate water supplies to local residents.

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. The Casino patrons would increase the amount of people to evacuate which would increase the risk of loss, injury, or God forbid, death involving a wildland fire. This property is not where a Casino should be built.

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 black ink that reads "Mary Euphrat". The signature is written in a cursive, flowing style.

**EIS Coments, Koi Nation Shiloh Resort and Casino**

1 message

Nancy Kern <nanker64@gmail.com>  
To: chad.broussand@bia.gov

Tue, Aug 20, 2024 at 4:42 PM

Dear sir, this will be brief. As an elder of the Federated Indians of Graton Rancheria, if the Koi Band of Indians is allowed this misinterpreted right to be in Windsor, CA, they will open the floodgates to any tribe moving to any land. They have no connection to this land, other than a Koi person had a brief affair with someone in our territory. You have 2 insertive members on your board that definitely have a conflict of interest, in that they're lobbying for Koi.. sounds a lot like big government doing things that just aren't fair or right. It's real simple. Now it's going to happen to the sovereignty of native people. These people are over 50 miles from their territory. Isn't that alone against the rules. The calming period was decreased to 30 day, instead of the 60. Trying to rush? Why? In summary, I plead with this board to not allow this travesty. Those 2 inserts are Loretta Tule, Atty and Holly Vacara, lobbyists. Thank you for your attention to this Nancy R Kern 3rd generation Coastal Miwok. Please feel free to contact me with any questions or concerns.

Thank you  
Nancy R. Kern  
1870 Tonja Way  
Santa Rosa, Ca 95401  
707-849-3690  
nanker64@gmail.com

PACIFIC REGIONAL OFFICE

2024 AUG 26 AM 9:37

BUREAU OF INDIAN AFFAIRS

August 23, 2024

PACIFIC REGIONAL OFFICE  
 2024 AUG 26 PM 4:26  
 BUREAU OF INDIAN AFFAIRS

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

**Subject: EIS Comments, Koi Nation Shiloh Resort and Casino**

I have been a Sonoma County resident of Windsor in walking distance of the proposed casino for 40 years. I oppose the Koi Nation's proposed fee-to-trust transfer of the unincorporated land adjacent to the Town of Windsor for a hotel and casino gaming project.

I have numerous concerns.

- Open space preserve and wetlands to prevent disastrous fires and preserve wildlife habitats
- Evacuation routes- only 2, Shiloh & Faught Rd (sub-standard roads)
- Law enforcement and public safety issues
- Climate change with traffic emissions and environmental smoke pollutions from casino
- 5 tons of waste water use deposited into Pruitt Creek daily during winter
- Noise and light pollution at all hours miles around casino
- Human trafficking as noted by the Santa Rosa Police Dept.
- Drunk driving
- Property values will decrease
- Pedestrian and Bike safety
- School bus pickup & drop-off to local neighborhoods (Oak Park & Oak Creek) off Shiloh and Old Redwood Hwy, San Miguel Elementary School off Faught Rd-kids walk home.
- Children & Adult baseball/soccer park (Esposti Park) located at the corner of Shiloh & Old Redwood Hwy used all year round across from casino
- Traffic on sub-standard 2 lane Shiloh Rd & Faught Rd.
- Large Senior mobile home park (Colonial Park)  
 ¼ of a mile away without a left hand turn lane, which is very dangerous as traffic speed will increase on Old Redwood Hwy


- Shiloh Neighborhood Church (5901 Old Redwood Hwy) across from casino is a Food Bank Pick-up
- Christ Evangelical Lutheran Church (125 Shiloh Rd) also used as a polling site to vote
- Cove Church (5146 Old Redwood Hwy) bordering Faught Rd, extra traffic from casino will speed down this very narrow road past the church
- Emergency Services need to be increased as to all above points

Major building has been approved for the City of Windsor, which will impact the traffic flow off Shiloh Rd. and escape routes to Hwy 101, eminent deaths will occur due to guests and staff trying to evacuate and all this new construction as well as our neighborhoods. This could be disastrous like the Paradise fire in Butte County. People died in their cars trying to escape down a narrow road.

Please view the Town of Windsor's Major Development & Construction Project List <https://www.townofwindsor.ca.gov/1450/Major-Development-Construction-Project-1>

14 Major building projects will be funneled onto East & West Shiloh Rd

This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, whose homeland is in Lake County. The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "No Project" alternative in the DEIS.

Sincerely,   
 Pat Warren  
 6181 Lockwood Dr. Windsor, CA 95492



PACIFIC REGIONAL OFFICE

2024 AUG 26 PM 3:46

BUREAU OF INDIAN AFFAIRS  
PACIFIC REGIONAL OFFICE

To: Amy Dutschke, Regional Director Bureau of Indian Affairs  
 2800 Cottage Way, Room W-2820  
 Sacramento, Ca. 95825

From: Claudia Abend  
 5925 Old redwood Hwy  
 Santa Rosa, Ca. 95403

"EIS Comments, KOI Nation Shiloh Resort and Casino"

My husband and I have lived in Sonoma County for 39 years and across the street from this horrible proposed project for 37 years where we have raised our family. We now ,regularly have our grandchildren at this same home for visits and child care.

The most important missing element of this very bias DEIS is the negative impact it will have on our community of residential /school/church/recreational parks,rural wildlife parks with creeks that stretch into the agriculture and creeks on this property ! Our community neighborhood cannot tolerate a big influx of population in and out of 12 to 15 thousand or more . This will bring bottle neck traffic /noise to an all ready impacted road . The DEIS report is inadequate with addressing this. With this Casio/hotel (Las Vegas mini city )there will undoubtedly be increased violence, crime /drugs/DUI's and individual bad behavior of prostitution/sex trafficking from visiting people that don't care about our community's quality of life. This is not even addressed as a real problem and minimized in the DEIS. The DEIS is still not accurately addressing flooding,polluting of creeks and depleting area wells with the supposed self water recycling system . There is no solution for a project of this size ... it just doesn't belong. The water source is for the vineyard use and area residential active wells. This DEIS does not actually address the real possibility of depleted ground water for the multiple residents in the area and on my home road with the use of this projecting at least 40 million gallons per day . That would be from visiting people that don't realize or care about water conservation for our community. We all depend on our own private wells.

Having been here during the fires of 2017 and 2019 it has been a reality that things can happen very fast with a wild fire . Any added population to our roads will inhibit safe evacuation and ER service's for all . This DEIS minimizes this fact as not a real problem and inaccurate ,unrealistic with any preparation to safe guard the population .

This casino project would be a negative impact with increase noise,lighting , poor air quality, at risk

safety to the multiple bikers and walking/jogging pedestrians in our peaceful beautiful community . This would cause irreparable abusive change and damage to the whole area.

The recent mapping in the DEIS is inaccurate with its label of mix use /industrial/ commercial in a lot of areas that are actually residential, schools,churches,recreational parks and rural wildlife parks.

Example : recent apartment structures x2 on Shiloh road ! A big population addition of low income / senior memory care housing coming soon to the main in and out of our area. In fact the reality is that any traffic back up or blockage on 101 already overflows to Old Redwood Hwy off of the exits from SR to Windsor and beyond . It's obvious when I start to exit my residence . This has been a problem for years and will be even worse with the new high density structures populated! There is no room for a added casino/hotel/resort/convention center population!

This DEIS does not address the aesthetic change that would be forced on this area. A big high rise project like this would erase views of the beautiful mountains and skylines and would decrease property values because it just doesn't fit into the community character. This can not be mitigated!

Seems there is a lot of support for this project from people and groups that don't live here and some from out of state that are relating it to our improved economy and are apart of big money themselves.

Whose economy are they really talking about ? Not our community.

After construction union builder workers leave projects it's on to something else! Sonoma Co. has a lot of other projects happening . We do not want to be left with this negative project . The negative out weights the benifents for our community neighborhood!

Enough! Stop this project now! If the Koi tribe really cares about the land and community neighborhood they would find another more appropiate place for this project in Lake County as Sonoma County has enough Casinos! Our community neighborhood does not deserve this abuse and needs to be protected for our children and grandchildren . Option D no project, is the only realistic choice.

Thank you ,Respectfully,

Claudia Abend

PACIFIC REGIONAL OFFICE

2024 AUG 26 PM 3:46

BUREAU OF INDIAN AFFAIRS

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Thank you ,Respectfully,  
Richard Abend

**I386**

## EIS Comments/ KOI nation Shiloh Resort and Casino

chad.broussard@bia.gov <chad.broussard@bia.gov>

PACIFIC REGIONAL OFFICE

22AUG25 PM 3:55

BUREAU OF INDIAN AFFAIRS

Amy & Chad

We are writing about the proposed KOI Nation Resort & Casino that we oppose the project as this is not the place for this type of development.

We have lived in Sonoma County for over 60 years and over 40 years in Windsor CA. We have a raised a family and been part of Town of Windsor and active community family.

We totally agree that it will impact every aspect of our life here in Windsor.

Our concerns that we agree with the Environmental Impact Statement 100 percent. And have it attached in our letter.

**PLEASE DO NOT DESTROY OUR TOWN OF WINDSOR  
SONOMA COUNTY**

Steve & Leslie Lazzini  
201 Callahan Lane  
Windsor, CA 95492  
[lazzini@comcast.net](mailto:lazzini@comcast.net)

This letter is in response to the Environmental Impact Statement published on July 12, 2024 concerning the fee-to-trust application and proposed development of the 68 acre property located on the southeast corner of Old Redwood Highway and E. Shiloh Road by the Koi Tribe.

The Koi tribe was originally located in Lake County before they lost their ancestral lands. They are currently a tribe with 89 members, 42 of whom live in Sonoma County. The land purchased by the Koi and Chickasaw Tribes in Sonoma County is bordered by E. Shiloh Road which includes a 77 home residential neighborhood and Esposti Park to the north; residential neighborhoods and vineyards to the east; residential to the south; and Old Redwood Highway, residential and Shiloh Neighborhood Church, to the west.

As I read through the EIS and Appendices it strikes me as to how out of place alternatives A and B are, and to a lesser extent, Alternative C. The size and scope of the proposed hotel/casino/entertainment center requires a water treatment facility and a wastewater treatment facility. Between the 5119 parking spaces, a five story 400 room hotel, a casino with 2,900 gaming tables and a 2,800-person entertainment/ballroom venue, the facility will be a city within a city! This is a strictly residential, recreational and agricultural area. Placing a 24 hour a day entertainment complex in the middle of these neighborhoods will unquestionably cause significant safety, traffic, noise and social impacts on every household.

Transportation and Circulation-

TJKM was retained to prepare a Traffic Impact Statement (TIS) on the impact the three proposed alternatives, A, B and C, would have on transportation and circulation services in the area. TJKM prepared the TIS with minimal data. The only actual data related to this project comes from traffic monitors set up between 7-9 a.m. and 2-4 p.m. on January 22 (Thursday) and 28 (Sunday), 2022, and on July 28, 2022 (Thursday). The weather is cold and wet in January and the data collected would be significantly different from that gathered over spring and summer when baseball leagues are active, and people are using the two neighborhood parks. The volume of people using Shiloh Regional Park and Esposti Park is minimal compared to summer months. During Spring and Summer, the parking lot is full with overflow parking on Old Redwood Highway and E. Shiloh Road. The park is used daily by boys' baseball and girls' softball.

The EIS references seven Cumulative Projects in section 3.14.1 (page 3-145) that are either in construction or the Planning and Development stage, four of which are within one-quarter mile of the proposed project. They will bring in approximately 480 new residential households making multiple daily trips within 1/2 mile of the proposed Casino/hotel complex. While generally referencing in the study that the cumulative projects will have an impact on Transportation and Circulation, there is no specific information in the report or Appendices on how the cumulative projects will impact traffic conditions and loss of services.

Appendix I to the EIS estimates there will be 11,213 daily trips and 15,799 Saturday trips to and from the Koi Casino complex. There are estimates of as many as 1340 hourly trips... or 22 cars per minute. The Traffic Impact Study (TIS) confirms that this traffic increase will have a

substantial impact on the roadways and intersection that rise to a level of unacceptable Loss of Services (LOS). The TIS then cites mitigation efforts that will make the LOS acceptable without providing any substantive information how. It does not offer any concrete information on how the mitigation efforts will improve conditions or any guarantees that they would be effective. The Alternatives will undoubtedly cause loss of services. For example, cars traveling on east/west Shiloh road at Gridley Avenue currently have no waiting time. Cars on southbound Gridley have minimal if any wait time to enter Shiloh Road. Signalizing this intersection will cause delays.

#### Water resources –

Potable water- The EIS projects that Alternative A would pump between an average of 170,000 gallons per day (gpd) per day to a daily peak of 294,000 gpd from onsite wells. The new well(s) will require a water treatment plant to remove arsenic and magnesium and a large storage tank to hold the treated water. Water from the treatment plant would be sent to a one-million-gallon storage tank and then to pumping station for distribution to the facility. Between 1,250,300 gallons to 2,005,800 per week. The drawdown on existing wells is a very real likelihood. Global warming, drought and water rights issues are all discounted or ignored factors in the evaluation. The EIS indicates that the onsite wells would be deep wells (700 feet) and that the shallow wells belonging to nearby residents are at most risk. The report discounts the risk, cost and impact of reduced or inadequate water supplies to local residents.

Wastewater- The EIS calls for the construction of a Wastewater Treatment Plant (WWTP) to treat the estimated average of 232,000-335,000 gallons of wastewater discharged each day, or 1,624,000 on an average day and up to 2,345,000 on peak days.

Figure 2.5 in Appendix D is a diagram of the Project Water and Wastewater Feasibility Study

Wastewater Treatment Process Flow. Estimating its size (using the truck as a gauge), the system will be over 500 feet long x 300 feet wide and up to three stories high.

Groundwater Discharge- The project site is currently a 68-acre vineyard. As farmland, the landscape is permeable, allowing for water to permeate the soil. The proposed project will result in over 35 acres of this land being paved and developed, significantly altering groundwater conditions. In addition to the loss of permeable land there is significant risk of pollutants entering Pruitt Creek despite "best management practices". The EIS calls for use of bioswales which may

Wastewater treatment plants

(WWTP) are designed to reduce wastewater and environmental pollution, but the raw materials,

energy consumption and emissions from the WWTP subsequently result in different

environmental impacts. The process emissions from wastewater treatments account for two

thirds of the total greenhouse gases generated by the water and sewage companies. The operation

of a wastewater treatment plant involves a range of direct and indirect emissions. These are called

the social cost of greenhouse gases (SC-GHG). These are dismissed in the EIS as less than

significant.

families living 1/4 mile to several hundred yards away who are subject to these emissions. There

There will be hundreds of

is also the strong possibility of odor emanating from the plant.

keep debris from entering Pruitt Creek but may allow other pollutants through. This was determined to be less than significant!

Evacuation

The proposed Alternatives A, B and to a lesser extent C will attract a large volume of patrons and increase the total number of people onsite that will need to be evacuated during a wildfire event. The facility will have parking for over 5,000 cars and will accommodate more people than cars. There will also be people using rideshare and public transportation and any evacuation plans will need to account for this group.

The Project Site has access to two major emergency routes identified by the Town of Windsor, Shiloh Road and Old Redwood Highway (Town of Windsor, 2021). The EIOs confirms that 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. These are single lane roads which will not only be casino patrons but also used by evacuating neighborhoods. Past evacuations during the Tubbs and Kincaid fires resulting in stopped traffic and dangerous conditions on both of these roads with embers landing around cars. Old Redwood Highway and Shiloh Road cannot handle the addition of



thousands of more cars and people.

The EIS recommendations include following best management practices and training employees on evacuating guest in the event of a fire.

#### Socioeconomic conditions-

Property values- The EIS cites other casinos in California that have had minimal impact on property values within a five mile radius. In fact, the EIS states that values increased between the years 2000 and 2021. This general statement does not provide any substantive information. Property values throughout California, and in these particular areas, all increased during the years 2000 through 2021. There is no information on what the increased values were and how they compared to neighboring communities.



Crime- The EIS and Appendix B-1 do not provide any substantive information other than the fact that law enforcement received 1,700 calls and made 39 arrests at the Graton Rancheria in its first year of operation. After a comparison of the Graton Rancheria Casino and the proposed Alternative A, the EIS concludes "As a result of this quantitative and qualitative analysis, GMA finds that the negative impacts on community services in areas in which a casino has opened are generally minimal." The report does not include any "quantitative and qualitative" information other than from the 2014.

Drunk Driving- The EIS states "The proposed project intends to serve alcohol consistent with a liquor license, which could result in an increase in drunk driving incidents." It then say "Drunk driving prevalence is not anticipated to increase significantly as a result of the proposed casino resort...". The only mitigation offered is the implementation of a "Responsible Alcoholic

Beverage Policy". The conclusion of little impact is not supported by any substantive information.

PLEASE DO NOT DESTROY OUR TOWN OF WINDSOR

The Lazzini's

 707-695-3215  


August 22, 2024

PACIFIC REGIONAL OFFICE  
AUG 26 PM 3:56  
BUREAU OF INDIAN AFFAIRS

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

Subject: EIS Comments, Koi Nation Shiloh Resort and Casino

Dear Regional Director Dutschke:

I am writing to express my absolute opposition to the Koi Nation's proposed project to establish trust land in Windsor, California with the purpose of building a casino resort. I am a Sonoma County Indian and resident, and an enrolled member of the Cloverdale Rancheria Tribe. Sonoma County has been home to my people for generations.

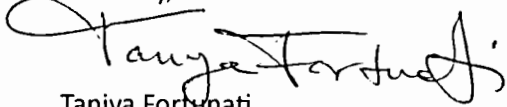
The Koi Nation has every right to assert their legal rights as an indigenous tribe within their own territory in Lake County. However, their attempt to establish trust land in Sonoma County is deeply concerning. Our tribal lands hold immense cultural and historical significance. Sonoma County Tribes have protected and preserved these lands for countless generations. The Bureau of Indian Affairs (BIA) should consider another location for this project in the Koi Nation's ancestral territory.

BIA must adhere to established rules regarding restored lands. Ignoring our sovereignty and lands given to us by the Federal Government under the 1910 California Rancheria Act and allowing the Koi Nation to encroach upon our territory disrespects our heritage and our rights as Federally recognized tribes. The BIA would be taking away the very sovereignty that they are charged with protecting.

The Koi Nation's historical and cultural connections are rooted in Lake County, NOT Sonoma County. Their customs, language, and traditions are distinct from those of the Southern Pomo tribes like my own. The Koi Nation's claim of historic connections based on trading interactions are flawed. Trading goods with another tribe does not grant territorial rights. Such interactions were common among tribes but does not imply ownership or rights to the land.

This project would have significant effects on the sovereignty of my Tribe and our cultural resources. I urge the BIA to consider alternative project sites for the Koi Nation that do not infringe upon the cultural and sovereign lands of other tribes. Protecting tribal sovereignty and cultural resources is not just a legal obligation, but a moral one.

Sincerely,



Taniya Fortunati

1200 Hidden Creek Pl. #A  
Santa Rosa, Ca. 95409

Happy to email this to you so you can cut and paste: catherine.dodd@gmail.com let me know if you will distribute in your neighborhood

# LAST chance to STOP the CASINO

## Comments must be received by August 26

Take 20 minutes -Pick from Suggestions below make them personal:

Even if you have written before, this is a New Draft EIS

<https://www.shilohresortenvironmental.com/>

**and we must raise issues that the Koi/Chickasaw must address**

If they are not addressed the project cannot go forward

Send comments by US Mail for receipt by August 26 to

Amy Dutschke, Regional Director

Bureau of Indian Affairs, Pacific Regional Office

2800 Cottage Way, Room W-2820

Sacramento, CA 95825

Or

You may email comments to Amy Dutschke by August 26

c/o: [chad.broussard@bia.gov](mailto:chad.broussard@bia.gov)

Include: Subject: EIS Comments, Koi Nation Shiloh Resort and Casino *and* on the TEIR (Tribal Environmental Impact Report) on "off-reservation" environmental impacts)

**Include your name and address**

Sample comments to consider: please pick your priorities & reword and add your concerns/experiences

Dear Regional Director Dutschke:

I live in the Wikiup/Larkfield neighborhood which was not even mentioned in the DEIS and I oppose the Koi Nation's proposed fee-to-trust transfer of unincorporated land where our neighborhood is located and adjacent to the Town of Windsor for a hotel and casino gaming project funded and managed by the Chickasaw Nation. I support the local, indigenous tribes. This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, who's ancestral is in Lake County. This DEIS does not adequately address the significant impacts this proposed project will have on the "off reservation" surrounding community and Sonoma County if it is approved. Throughout the DEIS different issues are determined to have "No Impact" or be "Less Significant" or "mitigated" through unproven suggestions that ONLY refer to mitigation on the casino site. These are "opinions, hopeful suggestions, nothing more."

**The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative D in the DEIS.**

This agricultural land is available because voters set the Windsor border next to it as a community separator in the Sonoma Countywide plan and the Larkfield-Wikiup 1980 specific plan. It is in the urban Growth Boundary of Windsor. Converting this area to a commercial development will have

PACIFIC REGIONAL OFFICE

2024 AUG 26 AM 9:37

BUREAU OF INDIAN AFFAIRS

VS

significant environmental impacts among them, water supply and wastewater, the aesthetic nature of rural/suburban neighborhoods, open space and views from Shiloh Regional Park, land fill (5 tons/day garbage), traffic and traffic noise (from 9,000 – 11,000 car trips/day, refuse and delivery trucks and sirens), law enforcement, drunk driving – (pedestrian and bicycle safety) crime and public safety, housing and wildfire risk and evacuation routes. Lastly, there are currently 30 hotels approved for Sonoma County nine in Santa Rosa; six in Healdsburg; three in Petaluma; three in Rohnert Park; three in Sonoma; one in Geyserville; one in Guerneville; one in Kenwood; one in Sea Ranch; one in Sebastopol; one in Windsor we do not need any more.

I want to emphasize a few areas important to me and my family. First we moved here north of Rohnert Park and even Petaluma because it is aesthetically beautiful we love the rural nature of the neighborhoods, we can sleep with the windows open and enjoy the fresh air and the sound of the breeze and the birds (although the noise from Hwy 101 is also present and hopefully will not get worsened by the casino's 11,000 car trips/day), the proximity to Shiloh Regional Park makes for nice hiking, and horseback riding and the lack of traffic and walkable, bikeable two lane roads. The photo renderings in the DEIS use a misleading lens from Shiloh Park (less than half mile away) that makes the "casino compound" look much farther away. Placing a 200 -400 room hotel and casino or winery one mile away from our neighborhood and school will change the aesthetics of our community.

In addition, we are concerned about:

**Water supply & Wastewater** – water conservation is not just a requirement for this area, it is a way of life. Our water comes from wells and is the most expensive water in the state. The proposal states that new well(s) will be drilled for anticipated use of 170,000 gallons per day (gpd) of potable water and 108,000 gpd of recycled water and if the wells run dry they will drill new wells greatly affecting nearby residents. The water supply is not endless and continued drought as temperatures rise make it even more precious. Placing alternative A,B or C on this rural area will jeopardize our water supply over time. The wastewater proposal for up to 400,000 gallons/day to be treated onsite will create an eyesore from Shiloh park and odors in the area, and overflow into Pruitt Creek is likely unfeasible and hence, unacceptable.

**Wildfire mitigation and Evacuation** are serious concerns. The DEIS acknowledges that Cal Fire has designated this area as #3 High and #4 Very High Fire just north east of the casino. That alone should be reason not to add 34.4 acres of a commercial operation to the location. The DEIS speaks only to mitigating wildfire risk *on the site itself and to evacuation of guests and staff. It fails to acknowledge the surrounding residents.* It mentions coordinating plans with SoCo and the town of Windsor and says nothing about our neighborhoods. Wikiup is in the SON 3C2 which the DEIS lists evacuation routes for the casino. Adding up to 5,000+ cars on to Shiloh, Old Redwood Highway (ORH) and HWY 101 will add to gridlock traffic (despite traffic signs and lights) and prevent the evacuation of Windsor residents to the north and Wikiup/Larkfield residents to the South. Many guests unable to turn onto Shiloh and ORH are likely to turn East toward Faught Rd through our neighborhoods toward Airport Blvd or Mark West and HWY 101 again creating gridlock. If it is during a school day students will be being evacuated San Miguel and Rieble schools in Wikiup/Larkfield. The residents of the mobile home parks on ORH will not be able to get out – similar to the experience of the "Journey's End" mobile home park next to Hwy101 where people and in mobile homes burned to death because they couldn't get onto ORH and Hwy101 during the Tubbs fire. The unlikelihood that posting 6 casino traffic attendants will save lives is slim -in the Tubbs fire, dedicated health attendants abandoned patients in a long-term care facility when the fire was upon them which will be the case for Casino traffic attendants.

Mitigation efforts for vegetation on site are appropriate. Outdoor cigarette smoking was not mentioned. What about mitigation efforts for smokers leaving the casino and tossing a cigarette butt out of their car or driving a truck with a chain sparking. Up to 11,000+ car trips/day how many irresponsible smokers are in those cars.

The Park Fire California's largest current blaze at 429,388 acres as of Aug 19 started by a drunk who pushed his car off a cliff and then moved so rapidly that towns had to be evacuated. Here in Sonoma County, we get notifications about fires every day and it increases our stress levels. Adding this mega complex where people drink (and the DEIS drinking "best management practice of implementing responsible drinking practices" is unfounded) and drive a 11000+ trips/day and smoke (off reservation), puts our homes, our families and our lives in danger. The vineyards were a firebreak in the Kincadee fire, and for our safety should remain one.

Many of us have had our homeowner's insurance cancelled because of fire, some property sales have failed because buyers could not get insurance. This casino will increase fire risk making insurance more difficult and more expensive and it will drive property values in our quiet neighborhoods down.

**Crime** is another concern. The DEIS is very misleading-when it says crime is not necessarily linked to casinos. Prior to the opening of the casino in Rohnert Park there were only 2 calls for service to the area, in 2013 the opening year there were 1,757 calls in the area (the number used in the DEIS), in 22/23 there were 6,680 calls (529 generated by the casino) and the rest: for assaults, trespassing, thefts, stolen vehicles, public intoxication and drug activity in the area. This will be a larger facility and will generate more calls into and through our neighborhoods, with sirens blaring. Mitigation of "cameras" on site and possible security guards is not going to mitigate crime in the surrounding area and the nerve-racking sirens day and night.

#### **Climate Change, GreenHouse Gases, the Electric Grid, Traffic, Noise,**

The DEIS refers to "Climate change is a global phenomenon. [In which Certain gases in the atmosphere, classified as GHGs, play a critical role in determining the surface temperature of the earth.] It the GHG contributions are In 2018, the primary sources of GHG emissions in the County were transportation (60%), building energy (21%), livestock (11%), solid waste (6%), and water/wastewater (1%). The County emitted approximately 3.41 million metric tons carbon dioxide equivalent (MT CO<sub>2</sub>e) in 2018.

The charts in section 3.4 reveal that Alternative A would generate total GHGs tons/year of 420.96 tons/year and B would generate 341 total GHG tons/year.

The DEIS states that the GHG emissions are below levels for several Air Quality Board guidelines. (which differ from the CA Air Resources Board scoping goals that are reset every 5 years).

Somehow at time when we have just had the hottest July in history and in order to meet the Paris climate agreement target of limiting warming this century to less than 2.7 degrees Fahrenheit on average above pre-industrial temperatures, the world must slash carbon dioxide emissions in half by 2030 and reach net zero emissions by 2050, it is ludicrous to approve a commercial development which emits hundreds of tons of GHGs in an area where agriculture currently sequesters CO<sub>2</sub>. Further, the "heat island effect" of 34.4 acres of buildings and asphalt that will absorb heat *and* remit it creating both a surface and atmospheric "heat island" where the temperatures vary from 1.8 to 21 degrees higher over the built environment and near by and drying out the atmosphere creating a perfect storm for wildfire was not even mentioned in the DEIS.

Nearby neighbors should not suffer higher temperatures so Casino guests can play in airconditioned buildings which further put strain on the electric grid.

The electric grid according to the DEIS "PG&E has planned electrical and natural gas infrastructure projects which will increase capacity near the Project Site prior to 2028". These are upgrades we have been paying for in our outrageous PG&E bill because we frequently have "brown outs" and fire safety shut offs. The DEIS proposes four onsite diesel generators for their guests which will further add GHGs while the residents sit in the dark because the Casino overloaded the grid. The electric grid should not have to bear a 24/7 365 electricity guzzling operation – it's not good for the environment and it will increase power failures and drive-up resident electricity costs.

**Solid Waste** Sonoma County and all of the residents are working toward ZERO waste. The DEIS describes SoCo solid waste facilities and capacities and then says it will increase solid waste by 1% of the total county waste. The DEIS projects

Alternative A will produce in excess of 10,000+ pounds of waste per person/day, B will produce 6,943 pounds/day (why not just say 7,000 – where are these precise numbers from anyway?) and C will produce 729 pounds/day (or almost half a ton). We don't need more garbage in our landfill. We don't need more plastic and PFAS in our landfill. SoCo landfills hope to capture 30% of methane GHG emissions produced in landfill by 2035 – we have been paying for this upgrade for years. This project will make it difficult to meet that goal and the casino has not been paying for the upgrades.

**Traffic** (the largest contributor to GHGs) are estimated with GHGs being measured in Sebastopol (an area much more coastal and breezy). The DEIS GHG estimate contributions to developing cancer use an CA OEHHA report from 2009 that refers to exposure over 70 years. That statistic is no longer used and demonstrates the intent of the DEIS to mislead the public and decision makers.

The Vehicle Miles Traveled (VMT) estimates are not justifiable for visitors or the 1,600+ employees and the vehicle trips/day vary in the document from Alternative A 11,213 M-F and 15,779 S and Alternative B 8,410-11,834 and Alternative C 2,078 – 2,704. How do they come up with these precise estimates and how do they determine that the GHGs are insignificant for air quality and contributions to climate change.

That many additional cars on the road will increase noise well beyond the boundaries and immediate vicinity of the casino. In Wikiup we can hear Hwy 101 and we don't want an additional 15,799 cars 24/7 not to mention trucks and emergency vehicles.

Sonoma County Tribes have also highlighted the impacts on them and their cultural resources. I agree with Gov Newsom who stated he is "concerned that these specific projects [Koi and Scotts Valley] are proceeding in a manner that would sidestep the State, ignore the concerns of tribal governments and other local communities, and **stretch the "restored lands" exception beyond its legal limits** – while failing to adequately consider whether there might be a better way." I am also very concerned that the Bureau of Indian Affairs is rushing this process, has not adequately considered the local environmental impacts, and addressed every one of the concerns raised and cannot prove the "limited significance measures" or guarantee and/or enforce the mitigations that is proposed.

I support the local, indigenous tribes. This project is not right for Sonoma County and will do nothing to restore lands to the Koi Nation, whose homeland is in Lake County.

**The only way to avoid significant environmental impacts is for the Bureau of Indian Affairs to approve the environmentally preferred "no project" alternative D in the DEIS.**

Sincerely, name & address

*Uckie L. Shaw  
Donald W. Shaw (489) 95403  
444 Landlight Dr. Santa Rosa, CA*

Amy Dutschke  
Regional Director  
Bureau of Indian Affairs  
Pacific Region

Seriously!!! How can you think that it is wise to put a major gaming resort with an estimation of up to 55,000 daily visitors along two rural roads where the homeowners in the neighborhoods bordering these roads are having their insurance policies cancelled because of the risks posed by fires and evacuations?

It makes no sense to see this area as one that should support a project of the magnitude you are proposing!

Back to the drawing board. Find a safer place for this project.

Sincerely, Marci Cook

15375 Pozzan Rd

Healdsburg, Ca. 95448

(on behalf of the wildlife & people living  
in the Shiloh & Mayacama area)



Attachment 3  
Alternatives Evaluation

# ALTERNATIVES EVALUATION

## **Koi Nation of Northern California Shiloh Resort and Casino Project**

Sonoma County, California

Lead Agency:

**Bureau of Indian Affairs**

Pacific Regional Office  
2800 Cottage Way  
Sacramento, CA 95825

September 2022

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# Section 1 | Introduction

The Koi Nation of Northern California (Koi Nation; Tribe) has submitted an application to the Bureau of Indian Affairs (BIA) for the transfer of approximately 68.6 acres of land in unincorporated Sonoma County, California, into federal trust for gaming purposes (Proposed Action). The Proposed Project includes the development of a casino, hotel, conference/event center, restaurant/bars, spa, and supporting parking and infrastructure. The purpose of the Proposed Action is to facilitate tribal self-sufficiency, self-determination, and economic development, thus satisfying both the Department of the Interior's (Department) land acquisition policy as articulated in the Department's trust land regulations at 25 Code of Federal Regulations (CFR) Part 151, and the principal goal of the Indian Gaming Regulatory Act (IGRA) as articulated in 25 U.S. Code (USC) § 2701. The need for the Department to act on the Tribe's application is established by the Department's regulations at 25 CFR §§ 151.10(h) and 151.12. The transfer of land into federal trust is a federal action that triggers the requirements of the National Environmental Policy Act (NEPA). The BIA will serve as the Lead Agency for compliance with NEPA, which includes the preparation of an Environmental Assessment (EA).

IGRA generally prohibits gaming on lands acquired in trust after 1988, unless certain exceptions found in Section 20 of IGRA, 25 USC § 2719, are met. Here, the relevant exception being requested is the restored lands exception that allows gaming on land acquired in trust after 1988 if the lands are taken in trust as part of "the restoration of lands for an Indian tribe that is restored to Federal recognition" (25 USC § 2719 (b)(1)(B)(ii) and (iii)). The Section 20 exceptions are implemented through regulations found in 25 CFR Part 292. In addition to its fee-to-trust application under 25 CFR Part 151, the Tribe submitted a request under 25 CFR Part 292 for a restored lands determination.

In anticipation of future environmental policies that the Tribe may adopt, the Tribe has requested that a Tribal Environmental Impact Report (TEIR) be prepared to analyze the potential off-reservation environmental impacts of the Proposed Project. To reduce paperwork and eliminate redundancy, the TEIR will be prepared in coordination with the NEPA EA, resulting in a joint "EA/TEIR." The Koi Nation will serve as the Lead Agency for the TEIR.

This Alternatives Evaluation has been prepared to assist the BIA and Tribe in the identification of a reasonable range of alternatives to the Proposed Action for consideration in the EA/TEIR.

## Section 2 | Summary of the Proposed Action

The Koi Nation submitted an application to the BIA on September 15, 2021 requesting that the Secretary of the Interior take approximately 68.6 acres of fee land (Project Site) in unincorporated Sonoma County, California, into trust for the benefit of the Tribe, pursuant to Section 5 of the Indian Reorganization Act, 25 U.S.C. § 5108 and its implementing regulations. The Project Site is located outside of, but contiguous to, the Town of Windsor (**Figure 1** and **Figure 2**), and approximately 12 miles from the Koi Nation's tribal headquarters in Santa Rosa, California. The Project Site is bordered by Shiloh Road and residential parcels to the north, Old Redwood Highway and residential parcels to the west, and agricultural and commercial parcels in unincorporated Sonoma County to the south and east (**Figure 3**). Existing land uses on the Project Site consist of a residence and operating vineyard; Pruitt Creek bisects the central portion of the site.

The Koi Nation's Proposed Project consists of the development of a resort facility within the Project Site that includes a three-story casino with 2,750 gaming devices, 105 table games, a food court, five restaurants, and four service bars; a five-story, 400-room hotel with spa; approximately 74,000 square feet of ballrooms/meeting space; and a 2,800-seat event center. Parking for the resort facility would be provided on the ground floor of the casino facility (800 spaces); in a four-story parking garage (3,692 spaces); and on a paved surface parking lot (618 spaces). Other supporting infrastructure, including the proposed water treatment and wastewater treatment facilities, would be located on the southeastern portion of the Project Site. The riparian areas of Pruitt Creek would be primarily avoided by the proposed development. The portions of the Project Site outside of the riparian area and building footprint would be landscaped, with existing vineyard areas maintained around the perimeter of the site to the extent feasible. A conceptual site plan for the Proposed Project is included as **Figure 4**.

Water supply to serve the Proposed Project is proposed through the use of on-site wells, and wastewater would be treated via a proposed on-site tertiary wastewater treatment plant (WWTP). Recycled water generated by the proposed on-site WWTP would be reused for toilet/urinal flushing, cooling systems, and for irrigation of the vineyards and landscaping, thereby reducing the potable water demands of the Proposed Project. During dry periods, excess recycled water would either be stored on-site in detention basin(s) or could be utilized to irrigate nearby agricultural fields and parks; during the rainy season, the tertiary treated effluent would be discharged to Pruitt Creek in accordance with a National Pollutant Discharge Elimination System permit from the U.S. Environmental Protection Agency. Access to the site may be provided through new driveways on Shiloh Road and Old Redwood Highway.

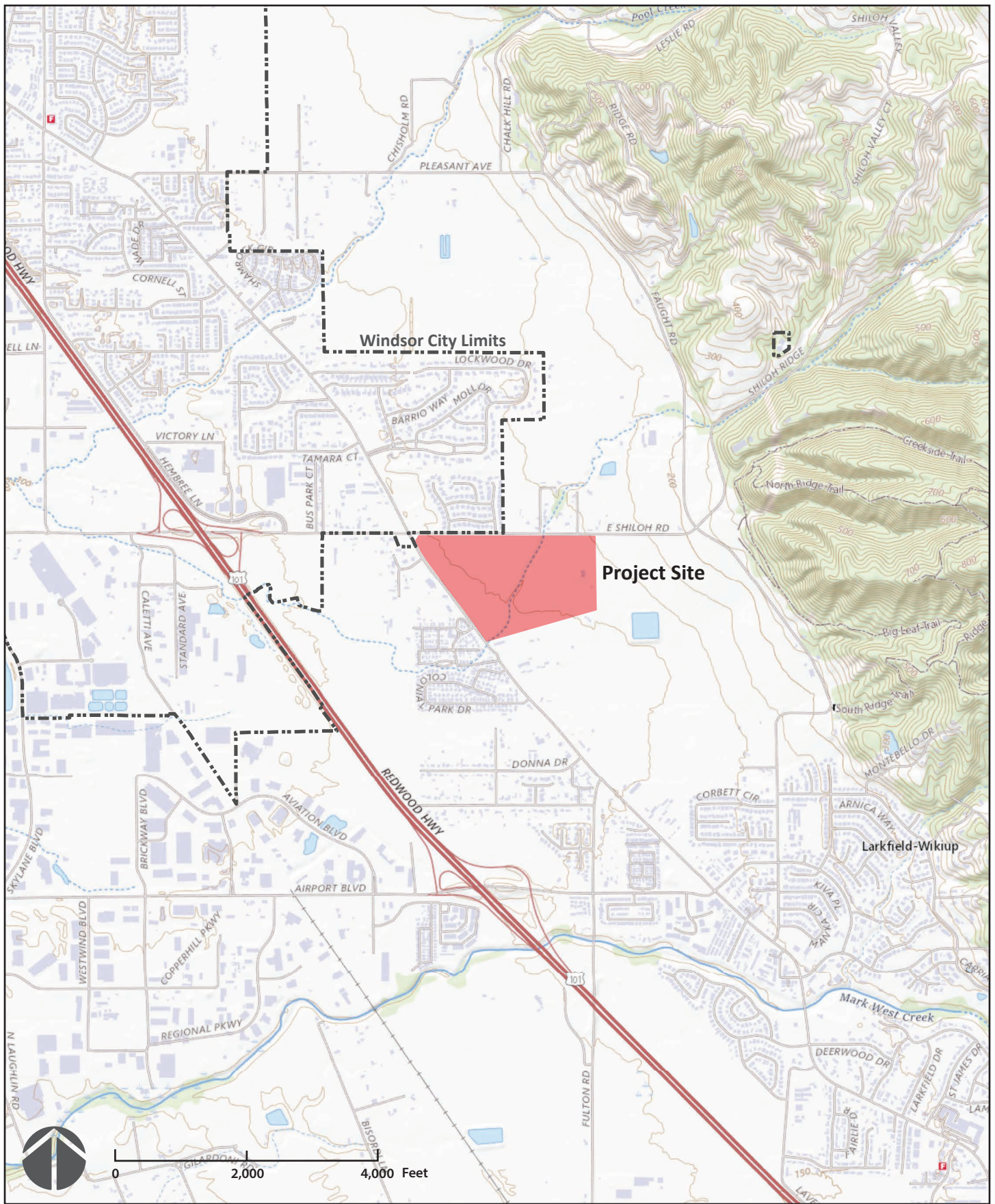




Source: Maxar imagery (4/16/2021)

**FIGURE 1**  
REGIONAL LOCATION MAP





Source: USGS The National Map (June 2020)

**FIGURE 2**  
VICINITY MAP





Source: Maxar imagery (4/16/2021)

**FIGURE 3**  
PROJECT SITE





Source: Dale Partners

**FIGURE 4**  
PROPOSED PROJECT SITE PLAN



# Section 3 | Methodology and Screening Criteria

During the NEPA process, federal agencies are required to “study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources” (NEPA Section 102(2)(E)). The Council on Environmental Quality (CEQ) indicates that what constitutes a “reasonable range” of alternatives depends on the nature of the proposal and the facts in each case (CEQ, 1986), and that “[r]easonable alternatives means a reasonable range of alternatives that are technically and economically feasible, and meet the purpose and need for the proposed action” (1508.1(z)). In many cases the number of viable alternatives and variations approaches an infinite number. Accordingly, the federal agency is not obligated to analyze all viable alternatives, but instead must analyze an adequate range of alternatives. The BIA has considered alternatives in a manner that promotes informed public participation and informed decision-making. Several critical factors were considered in determining which alternatives should be subjected to detailed analysis and review.

Alternatives were screened using five criteria:

- ability to meet the purpose and need for the Proposed Action;
- feasibility, from a technical and economic standpoint;
- feasibility, from a regulatory standpoint, including ability to meet the requirements for establishing connections to newly acquired lands for the purposes of the “restored lands” exception set forth in 25 CFR § 292.12, which includes, but is not limited to, requiring that the land be within a 25-mile radius of the Tribe’s headquarters in Santa Rosa, California (25 CFR Section 292.12(2)) or where a significant number of tribal members reside (25 CFR Section 292.12(3));
- ability to avoid or minimize adverse environmental impacts of the Proposed Action; and
- ability to contribute towards a reasonable range of alternatives.

This report addresses alternatives raised during the scoping process as well as other reasonable alternatives identified using the criteria described above. Alternatives considered included alternate uses and configurations within the Project Site (described in **Section 5**), as well as numerous “off-site” locations (described in **Section 6**). The following factors were used to assist in narrowing the range of locations considered:

- size of site (more than 50 acres);
- accessibility, proximity to freeway or major roadway;
- topography;
- access to public services (law enforcement, fire, emergency medical);
- access to public or private utilities (water, wastewater, solid waste, energy);
- environmental constraints (e.g., likely presence of endangered species, wetlands, agricultural/open space easements); and
- availability for purchase.

# Section 4 | Summary of Alternatives Raised During Scoping

**Table 1** summarizes comments from the scoping period related to selection and analysis of project alternatives to be considered in the EA/TEIR, as well as where in this Alternatives Evaluation the relevant alternative is presented.

**Table 1: Alternatives Raised During Scoping**

Alternative	Location in Alternatives Evaluation	Notes
<b>On-Site Alternatives</b>		
A smaller/reduced intensity alternative	<b>Section 5.1.1</b>	Recommended for full consideration in the EA/TEIR as the Reduced Intensity Alternative
A non-gaming alternative	<b>Section 5.1.2</b>	Recommended for full consideration in the EA/TEIR as the Non-Gaming Alternative
An on-site alternative that utilizes public water and/or wastewater	<b>Section 5.2.1</b>	Eliminated from further consideration
An alternative that would develop housing	<b>Section 5.2.2</b>	Eliminated from further consideration
Alternative configurations of the Proposed Project	<b>Section 5.2.3</b>	Eliminated from further consideration. During the environmental review process, project design changes and/or mitigation will be considered to avoid or reduce impacts.
A no-action alternative or continued use of the Project Site as a vineyard	<b>Section 5.1.3</b>	Recommended for full consideration in the EA/TEIR as the No Action Alternative
<b>Off-Site Alternatives</b>		
An alternative in an industrial or commercial area	<b>Section 6.1 (Table 2, Alternative Site 1) and Section 6.2.1</b>	Eliminated from further consideration
An alternative located outside of Sonoma County	<b>Section 6.2.2</b>	Eliminated from further consideration
An alternative located on a site immediately off Highway 101 on Shiloh Road on a parcel that has had a development sign for years	<b>Section 6.2.1</b>	Eliminated from further consideration

Alternative	Location in Alternatives Evaluation	Notes
An alternative near the light rail line	<b>Section 6.1 (Table 2, Alternative Site 1)</b>	Alternative Site 1 is located approximately 0.5 miles from the Santa Rosa Airport light rail station and was eliminated from further consideration
An alternative located closer to the Santa Rosa airport	<b>Section 6.1 (Table 2, Alternative Site 1)</b>	The Project Site is approximately 1.75 miles from the Santa Rosa airport. Alternative Site 1 is located approximately 1 mile from the Santa Rosa airport and was eliminated from further consideration.
An alternative located within the Tribe's former Rancheria/aboriginal territory in Lake County should be considered.	<b>Section 6.2.3</b>	Eliminated from further consideration

# Section 5 | On-Site Alternatives

## 5.1 On-Site Alternatives Recommended for Full Consideration

### 5.1.1 Reduced Intensity Alternative

As with the Proposed Project, the Reduced Intensity Alternative would involve the fee-to-trust transfer of the Project Site and subsequent development of a resort and casino facility; however, under the Reduced Intensity Alternative the intensity of the development would be reduced compared to the Proposed Project. The Reduced Intensity Alternative would include the development of a casino as proposed in the Proposed Project; a three-story, 200-room hotel with spa (half the number of rooms planned under the Proposed Project); approximately 33,000 square feet of ballrooms/meeting space (approximately 41,000-square-feet less than the Proposed Project); a four-story parking garage (3,692 spaces); and associated infrastructure (**Figure 5**). The Reduced Intensity Alternative would not include the development of the 2,800-seat event center and surface parking lot planned under the Proposed Project.

### 5.1.2 Non-Gaming Alternative

The Non-Gaming Alternative would involve the fee-to-trust transfer of the Project Site and subsequent development of a winery and hotel that would include a visitor center, a 200-room hotel with spa, a restaurant, and associated parking and infrastructure (**Figure 6**).

### 5.1.3 No Action Alternative

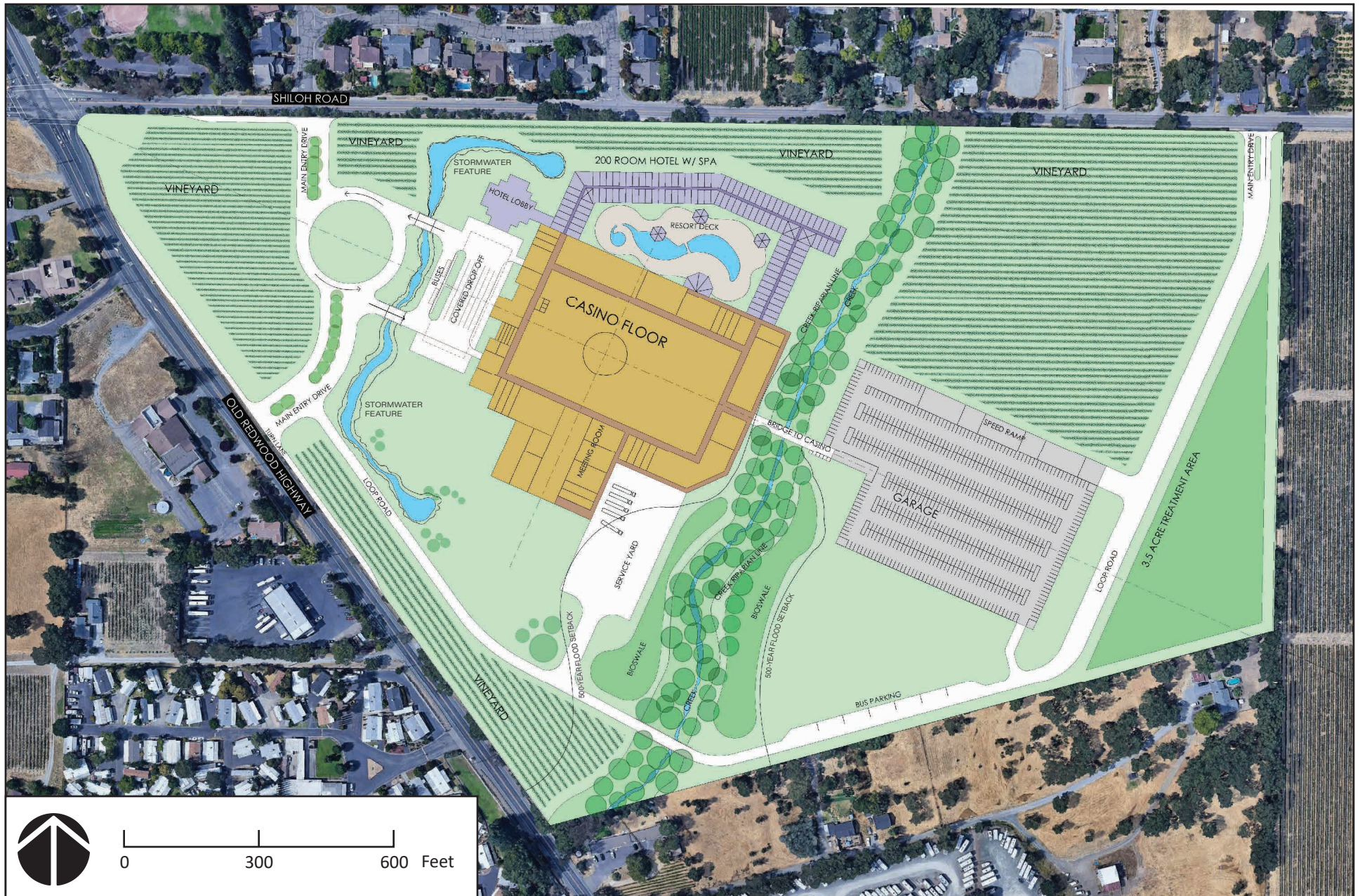
NEPA Section 1502.14(d) requires analysis of the No Action Alternative. Under the No Action Alternative, none of the development alternatives considered within the EA/TEIR would be implemented. The No Action Alternative assumes that the Project Site would not be taken into trust and the existing land uses on the Project Site would remain unchanged, including continued operation of the vineyard.

## 5.2 On-Site Alternatives Eliminated from Further Consideration

### 5.2.1 On-Site Alternative with a Public Water and/or Wastewater Connection

The Project Site is outside of the Town of Windsor's Urban Growth Boundary. Policy LU-7.10 of the Town of Windsor's 2040 General Plan states that sewer, water, and other Town services shall not be extended to new development outside the Urban Growth Boundary nor shall service to existing development outside the Urban Growth Boundary be expanded unless the Town Council makes a number of findings in





Source: Dale Partners

**FIGURE 5**  
REDUCED INTENSITY RESORT AND CASINO PROJECT





Source: Dale Partners

**FIGURE 6**  
NON-GAMING SITE PLAN



regard to the Proposed Project. The Town's letter submitted during the scoping period stated that "[t]he subject property is not within the Town of Windsor or the Windsor Water District boundaries and is therefore not available to be served by the Town of Windsor or Windsor Water District services (supply or reclamation)." Therefore, this alternative was eliminated from further consideration based on the criteria listed in **Section 3**, as it was found to be technically infeasible.

### 5.2.2 Housing Alternative

The Tribe has requested that the BIA acquire the Project Site into trust for gaming and economic development so that it may establish its economic land base in order to promote the general welfare of the Koi Nation and its members, raise governmental revenues, and create jobs for its members. The Tribe does not currently have sources for governmental revenues that would be sufficient to finance the construction of tribal housing on this Project Site and it would be speculative to assume that the Tribe could establish sufficient revenue in the near future without the development of an economic development project at another site (see **Section 6** regarding the consideration of off-site alternatives). Consequently, this alternative was eliminated from further consideration based on the criteria listed in **Section 3**, as it does not meet the purpose and need and is infeasible from an economic standpoint.

### 5.2.3 Other Configurations of the Proposed Project

As shown in the site plan for the Proposed Project (**Figure 4**), the casino-resort building, parking garage, and surface parking area are located outside of the riparian corridor of Pruitt Creek and the 500-year floodplain. The central location of these facilities within the Project Site allows for a buffer area of vineyards between the proposed development and existing uses to the north and east of the Project Site. The "Treatment Area," which would contain the water and wastewater treatment, storage, and associated infrastructure, is located in the southeastern corner of the Project Site, the furthest point on the Project Site from the majority of the residential uses in the vicinity.

Alternative configurations of the Proposed Project that would be located outside of the riparian corridor of Pruitt Creek and the 500-year floodplain, and maintain distance from the majority of sensitive receptors, would be generally in the same building footprint shown on **Figure 4**; therefore, an alternative configuration is likely to have substantially similar environmental impacts in comparison to the Proposed Project. If there is a significant impact from the Proposed Project, project design changes and/or mitigation will be considered to avoid or reduce the impact. Consequently, this alternative was eliminated from further consideration based on the criteria listed in **Section 3**, as it would not avoid or minimize environmental impacts or contribute to a reasonable range. A reduced intensity alternative and a non-gaming alternative have been recommended for full consideration to examine a reduced level of on-site development.

# Section 6 | Off-Site Alternatives

## 6.1 Alternative Sites Considered by the Tribe

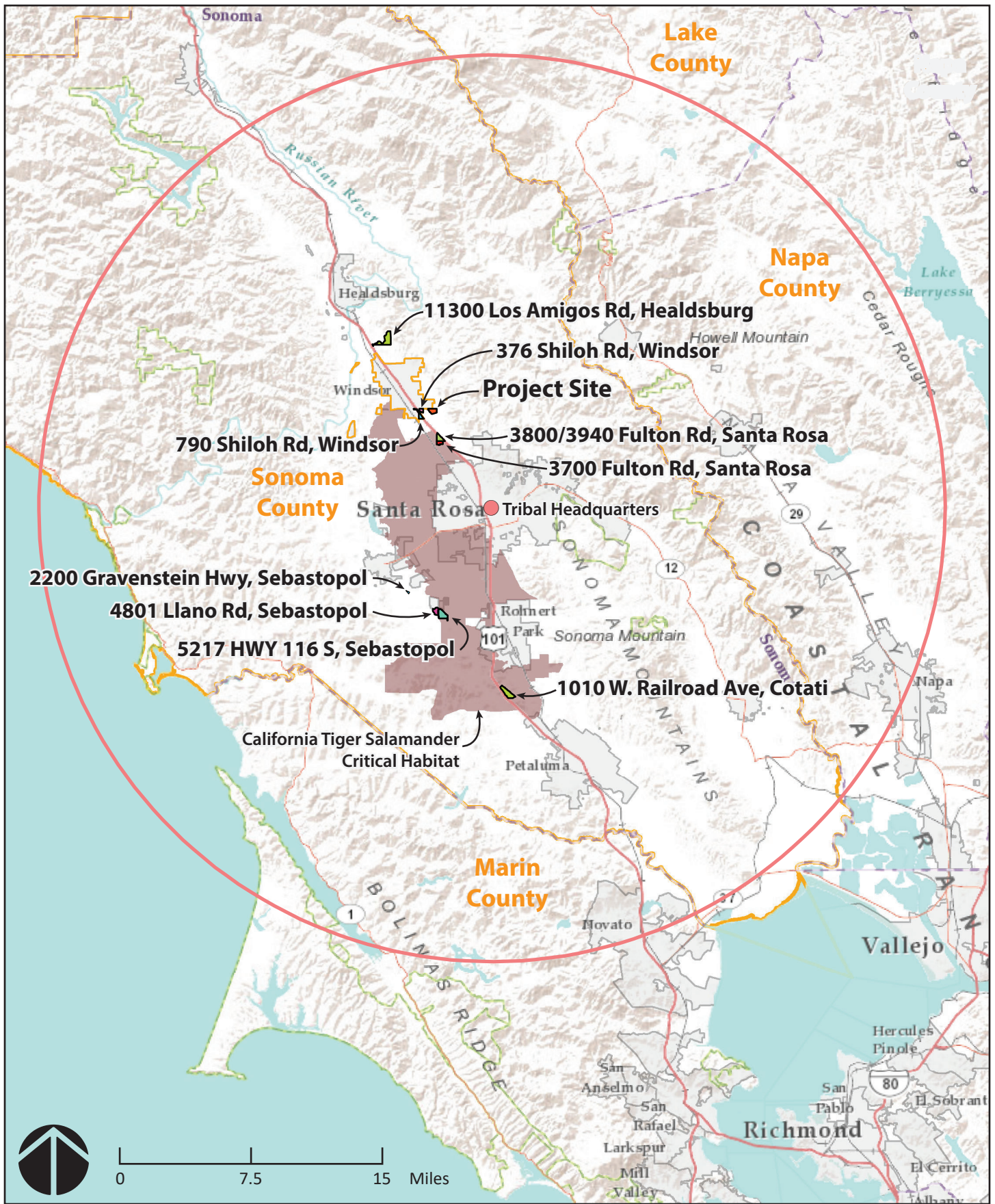
Following the determination by the United States District Court for the District of Columbia in 2019 that the Tribe had been “restored to Federal recognition” for purposes of IGRA (*Koi v Zinke*, 361 F. Supp. 3d 14), the Tribe engaged a local real estate broker to locate land eligible for developing a tribal gaming facility under 25 CFR Section 292.12. As a “restored tribe” seeking a “restored lands” determination, the Tribe limited its search to land that was near where a significant number of tribal members reside (25 CFR Section 292.12(2)), that being Sonoma County, or situated within a 25-mile radius from the Tribe’s headquarters (25 CFR Section 292.12(3)), located in downtown Santa Rosa. Over the course of the following two years, the Tribe considered numerous sites. Some sites were unavailable for purchase or were discovered in escrow late and the Tribe was unable to persuade the seller to break escrow. Other sites that were eligible for purchase were ultimately rejected for a variety of reasons including, but not limited to, property size, topography, road access, or environmental constraints (e.g., California tiger salamander critical habitat).

As part of this Alternatives Evaluation, a selection of the sites that were considered by the Tribe, but ultimately not purchased, were independently reviewed and compared to the screening criteria outlined in **Section 3**. All of these sites were eliminated due to one or more factors. **Table 2** lists the alternative sites considered for development and describes the reasons for their elimination. A figure showing the regional location of off-site alternatives listed in **Table 2** is provided as **Figure 7**.

**Table 2: Alternative Sites Evaluation**

Site Number	Location/Jurisdiction	Acreage	Description	Tribe's Reason for Elimination	Environmental Constraints	Recommendation
1	790 Shiloh Road, Windsor, Sonoma County	45.09	The site contains one 45,200 square foot manufacturing building and the remainder of the site is undeveloped. This site is located less than two miles from the Sonoma County Airport.	Development of the site could require a referendum due to the site's proximity to a school.	Development of the site would be restricted in the northern portion by the narrow shape of the site. Development on the eastern edge of the site near Redwood Highway would be restricted by a drainage connected to Pruitt Creek and associated riparian habitat. <sup>3</sup> The remaining usable portion of the site is approximately 30 acres which is less than what would be required to meet the purpose and need and be economically feasible.  The site is just within the Traffic Pattern Zone of the Sonoma County Airport where high intensity uses are discouraged. <sup>4</sup> Location within this zone could create a potential hazard for the project (increased risk to patrons and employees from airplane accidents) and for air traffic (increased risk to aircraft from the height of buildings, bird attractants and new sources of light).	<b>Eliminate from Detailed Consideration:</b> The size of the site would not meet the purpose and need and would not be feasible from an economic standpoint. The location within an Airport Safety Zone presents the potential for hazards both to the project and to air traffic.
2	11300 Los Amigos Road, Healdsburg, Sonoma County	192.68	The site is developed with agricultural uses and several residential and supporting buildings.	The property was not for sale and the seller was uninterested in selling.	Not identified as the site was not available.	<b>Eliminate from Detailed Consideration:</b> The site is not available.
3	4801 Llano Road, Sebastopol, Sonoma County	57.74	Approximately 5 acres of the site are developed with a dog boarding facility and residential and supporting buildings. The remainder of the site is undeveloped with a tributary to the Laguna de Santa Rosa bisecting the parcel.	Over 50% of the site is located within the 100-year floodplain. The presence of floodplain and riparian habitat make the property unsuitable for development.	Over 50% of this site is located within the 100-year floodplain. <sup>1</sup> A tributary to the Laguna de Santa Rosa and associated riparian habitat bisects the parcel. The northern half and western half of the parcel are shown as freshwater emergent wetland and freshwater forested/shrub wetland in the National Wetlands Inventory. <sup>3</sup> Only 15 acres of the site are not constrained by location within the 100-year floodplain, potential wetlands, and riparian habitat.  The site is adjacent to CTS critical habitat (see <b>Figure 7</b> ); however, suitable CTS habitat may be present on site as large portions are undeveloped. <sup>2</sup>  Two federally-endangered plant species have been recorded on the property, Sebastopol meadowfoam and Sonoma alopecurus. <sup>2</sup>	<b>Eliminate from Detailed Consideration:</b> There is an increased potential for environmental impacts due to 1) on-site floodplain, 2) on-site wetlands/riparian habitat, 3) potential for impacts to special status species.
4	5217 Highway 116 S, Sebastopol, Sonoma County	104.21	The site is developed with agricultural uses and several residential and supporting buildings.	The presence of floodplain and riparian habitat would make the property unsuitable for development.	The northern portion of the site is located within the 100-year floodplain associated with the Laguna de Santa Rosa. <sup>1</sup> Multiple wetlands and riparian habitat are located within the site. <sup>2</sup>  The site is within critical habitat for CTS (see <b>Figure 7</b> ), suitable habitat is present on site and there are multiple recorded occurrences on nearby properties. <sup>2</sup>  A federally-endangered plant species has been recorded on the property, Sonoma alopecurus. <sup>2</sup>	<b>Eliminate from Detailed Consideration:</b> There is an increased potential for environmental impacts due to 1) on-site floodplain, 2) on-site wetlands/riparian habitat, 3) potential for and recorded presence of special status species.
5	3700, 3800 & 3940 Fulton Road, Santa Rosa, Sonoma County	105.26	The site is developed with a church, agricultural uses and supporting buildings. This site is located 0.2 miles from a bus stop, and less than 3 miles from the Santa Rosa Airport.	The site has development constraints associated with California tiger salamander (3700 Fulton) and is under a Williamson Act contract (3800 and 3940 Fulton).	The site is within critical habitat for CTS (see <b>Figure 7</b> ) and the site appears to contain potential habitat.	<b>Eliminate from Detailed Consideration:</b> There is an increased potential for environmental impacts due to on-site special-status species habitat.
6	2200 Gravenstein Highway, Sebastopol, Sonoma County	17.85	This property is developed with infrastructure to	The site was not large enough to satisfy preferred	Not identified.	<b>Eliminate from Detailed Consideration:</b> The size of the site would not meet the purpose and

Site Number	Location/Jurisdiction	Acreage	Description	Tribe's Reason for Elimination	Environmental Constraints	Recommendation
			support a long-running local flea market.	development requirements.		need and would not be feasible from an economic standpoint.
7	1010 W. Railroad Avenue, Cotati, Sonoma County	144.63	The site is developed with agricultural uses and several residential and supporting buildings.	The site is not suitable for development due to rocky hillside.	<p>The site's topography is not conducive to large-scale commercial development.</p> <p>The site is within critical habitat for CTS (see <b>Figure 7</b>), suitable habitat appears present in the southern majority of the parcel, and there are recorded occurrences in the vicinity.<sup>2</sup></p> <p>The site may contain wetlands and a small portion of an unnamed tributary to Lichau Creek and associated riparian habitat.<sup>2</sup></p>	<b>Eliminate from Detailed Consideration:</b> There is increased potential for environmental impacts due to on-site special-status species habitat. The variable topography of the site is not conducive to large-scale commercial development and thus development on this site would not meet the purpose and need and would not be feasible from an economic standpoint.
<p>Notes:</p> <ol style="list-style-type: none"><li>1. FEMA, 2012. Flood Insurance Rate Map 06097C0857F. Revised October 16, 2012.</li><li>2. ESA, 2021. Environmental Review of Sonoma County Properties.</li><li>3. USFWS, 2022. National Wetlands Inventory Wetland Mapper. Available online at: <a href="https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper">https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper</a>. Accessed August 16, 2022 and August 23, 2022.</li><li>4. Sonoma County, 2016. Comprehensive Airport Land Use Plan, Exhibit C4 Charles M. Schulz Sonoma County Airport Safety Zones. Adopted March 14, 2016.</li></ol>						



Source: ESRI, USGS, NOAA

**FIGURE 7**

ALTERNATIVE SITES (within 25-mile radius from Tribal Headquarters)



## 6.2 Alternative Sites Identified by the Public

### 6.2.1 Undeveloped Site on Shiloh Road near Highway 101

During the public scoping period, commenters suggested an alternative located on a site immediately off Highway 101 on Shiloh Road on a parcel that “has had a development sign for the last five years”. Although no specific address was provided, it was determined based on the location information and review of the area that commenters were likely referring to the property at 376 Shiloh Road in Windsor or 790 Shiloh Road in Windsor. The property at 790 Shiloh Road was evaluated as Alternative Site 1 (Table 2) and eliminated from further consideration.

The property at 376 Shiloh Road is approximately 25 acres and is bordered by Shiloh Road to the North and Highway 101 to the west (see **Figure 7**). This site is currently under consideration for the Clearwater at Windsor Project, which includes: approximately 30,000 square feet of commercial space, located in four buildings along Shiloh Road and one building south of the buildings on Shiloh Road; 10 apartments located above ground floor commercial space on Shiloh Road; 34 memory care, 71 assisted living, and 141 independent living senior units in a building located on the eastern part of the parcel; and associated parking, landscaping and site improvements. Approximately half of the site is constrained by wetlands and rare plant habitat. In order to avoid and reduce impacts to these areas, development of the site is primarily located on the east of the site.<sup>1</sup>

This site was eliminated from further consideration as a potential off-site alternative as it is currently in the process of obtaining approvals for the Clearwater at Windsor Project. Further, the site is only 25 acres, half of which is constrained by wetlands and rare plant habitat; therefore, the site developable portions of the site would be too small to accommodate a resort and casino facility. Consequently, this alternative was eliminated from further consideration based on the criteria listed in **Section 3**, as it would not meet the purpose and need or be economically feasible.

### 6.2.2 Alternative Site Outside of Sonoma County

As described in **Section 3**, one of the screening criteria is the site’s “ability to meet the requirements for establishing connections to newly acquired lands for the purposes of the “restored lands” exception set forth in 25 CFR §292.12, which includes, but is not limited to, requiring that the land be within a 25-mile radius of the Tribe’s headquarters in Santa Rosa, California (25 CFR Section 292.12(2)) or where a significant number of tribal members reside (25 CFR Section 292.12(3)).” The tribal headquarters for the Koi Nation has been located in Santa Rosa for over 20 years. As shown in **Figure 7**, the 25-mile radius from the tribal headquarters consists primarily of land in Sonoma County, with parts of Lake County, Napa County, and Marin County included as well. Of these counties, the highest concentration of tribal members is in Sonoma County with approximately 52% of the Tribe’s total membership (27% of tribal members residing within 2.5 miles of the Project Site). Approximately 25% of tribal members live in Lake County (outside of the 25-mile radius) and none live within Napa County and Marin County. Therefore, sites outside of Sonoma County are not likely to meet the requirements for the “restored lands” exception set forth in 25 CFR §292.12.

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<sup>1</sup> <https://www.townofwindsor.com/1343/Clearwater-at-Windsor>



### 6.2.3 Alternative Site within the Tribe's former Rancheria in Lake County

On January 25, 1916, the BIA purchased a 141-acre tract of land in Lake County, California ("Lower Lake Rancheria"), for use by the Tribe; however, many tribal members found the Lower Lake Rancheria to be uninhabitable and refused to relocate there, instead settling in Sonoma County between Sebastopol and Santa Rosa. The former Lower Lake Rancheria was located between the towns of Lower Lake and Clearlake Highlands (now incorporated into the City of Clearlake). As shown on **Figure 8**, the former Lower Lake Rancheria is over 25 miles from the Tribe's headquarters in the City of Santa Rosa and is outside of Sonoma County, where approximately 52% of the Tribe's total membership reside; therefore, this site may not meet the requirements for the "restored lands" exception set forth in 25 CFR §292.12. Further, in 1956 Congress passed legislation to sell the majority of Lower Lake Rancheria to Lake County. The County developed the property and opened Pearce Airport in 1957. For various reasons, Lake County closed the airport in 1992 and sold part of the land in 1995 to the Clearlake Redevelopment Corporation. Therefore, it is speculative whether the Tribe could acquire any of the former Lower Lake Rancheria.

## 6.3 Consideration of Additional Off-Site Alternatives

The Tribe has submitted substantial evidence to the BIA regarding its lengthy and thorough evaluation of alternative sites that ended with the purchase of the Project Site. While a "Restored Lands" opinion has not yet been issued by the BIA, the Tribe's proposed Project Site appears to meet certain regulatory requirements for "restored lands" in that it is within 25 miles of the Tribe's headquarters as well as where a significant number of residents reside. It was also determined to be a suitable size for development and was otherwise unencumbered by designated critical habitat and Williamson Act constraints. The Tribe does not own, nor does it have an option to own, an off-site property that would be suitable for the proposed development.

Consideration of a highly speculative circumstance under which the Tribe would be able to purchase an alternative site that could be developed with an economic enterprise with which to fund the tribal government would not aid in expanding the range of alternatives in a manner that promotes informed decision-making. Consideration of such an alternative would speculate that the Tribe would be able to purchase said site, and that the financial benefits of developing such a site would accomplish the purpose and need for the Proposed Action.

Therefore, consideration of an alternative site was rejected from full analysis as it would not meet the definition of a reasonable alternative that is feasible from an economic and technical standpoint, and thus would not accomplish the purpose and need for the Proposed Action.



Source: USGS

**FIGURE 8**  
FORMER RANCHERIA LOCATION MAP

# Section 7 | Summary and Conclusion

Based on the environmental setting and analysis presented in the above sections, the following alternatives have been selected for full analysis in the EA/TEIR based on the criteria defined in **Section 3**:

- Proposed Project Alternative
- Reduced Intensity Alternative
- Non-Gaming Alternative
- No-Action Alternative