UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FEDERATED INDIANS OF GRATON RANCHERIA,

Plaintiff,

v.

DOUG BURGUM, in his official capacity as Secretary of the Interior, *et al.*,

Defendants.

FEDERATED INDIANS OF GRATON RANCHERIA,

Plaintiff,

v.

DOUG BURGUM, in his official capacity as Secretary of the Interior, *et al.*,

Defendants.

Consolidated Case Nos. 3:24-cv-8582-RFL, 3:25-cv-1640-RFL

DECLARATION OF JON DAVIS

I, Jon Davis, hereby declare as follows:

1. I am the Town Manager for the Town of Windsor. I have served in that capacity since August 15, 2022. As Town Manager, I serve as the Chief Executive Officer of the Town government. I am responsible for the day-to-day administration of the Town according to policies set by the five-member citizen-elected Town Council. My responsibilities include managing and directing staff, which includes the Community Development Department.

2. The Town of Windsor has been closely monitoring the Koi Nation Shiloh Resort and Casino Project ("Project") and has repeatedly expressed its concerns and opposition to the Project's proposed location. While the Project site is not within the Town of Windsor, the Town boundary is immediately adjacent to the north.

3. Under my direction and supervision, Patrick Streeter, the Town's Community Development Director, submitted several comment letters to the Bureau of Indian Affairs through the National Environmental Policy Act process for the Project's Environmental Assessment and Impact Study, expressing the many negative impacts the Project will have on the Town and its residents, which remain unmitigated and are unavoidable. The letters raised critical environmental concerns and also expressed the concerns of the Town's residents.

4. On April 20, 2022, the Windsor Town Council adopted a resolution in support of retaining the existing Sonoma County General Plan land use designation of "Land Intensive Agriculture" for the property located at 222 E. Shiloh Road, also identified as assessor's parcel number 059-300-003. I have attached to this Declaration a true and correct copy of the Resolution as Exhibit A.

5. The Town submitted a comment letter, dated June 23, 2022, to the Bureau of Indian Affairs in response to the Koi Nation Shiloh Resort and Casino Project Notice of Preparation of an Environmental Assessment/Tribal Environmental Impact Report. The letter expressed concerns related to water resources, biological resources, cultural resources, transportation and circulation, Shiloh Road corridor traffic, Old Redwood Highway traffic, vehicle miles traveled, evacuation routes, and Towns's General Plan. I have attached to this Declaration a true and correct copy of the June 23, 2022 letter as Exhibit B.

6. The Town submitted a comment letter, dated November 13, 2023, to the Bureau of Indian Affairs in response to the Environmental Assessment that was prepared for the Project. The Town expressed concerns with the Project and alternatives, water resources, air quality, cultural resources, socioeconomic conditions and environmental justice, transportation and circulation, land use, public services and utilities, noise, hazardous materials and hazards, and visual resources. The comment letter is also attached to the correspondence received up to and after the October 18, 2023 Town Council meeting. I have attached to this Declaration a true and correct copy of the November 13, 2023 letter and the public correspondence received related to the Environmental Assessment as Exhibit C.

7. I submitted a letter on behalf of the Mayor and Town Council dated January 16, 2024, to the Acting Deputy Secretary of the Interior, expressing the Town's strong opposition to the Project. The letter stated that "[w]hile the Town Council supports the Koi Nation's intent to develop a base for economic development to ensure the Koi Nation's financial future, the proposed location for the project is not appropriate for such an endeavor." The letter expressed concern for the Town's residents, stating that "[d]evelopment of the Koi Nation Resort and Casino Project at the current proposed location on East Shiloh Road will not enhance but will without question detract from the quality of life for every resident of the Town and County in proximity to the project." The letter provided a description of current uses and amenities surrounding the proposed Project site. The letter requests, on behalf of the 26,000 residents of the Town of Windsor, that the Town's concerns be taken into consideration and that a more suitable, alternative location be pursued by the Koi for their Resort and Casino Project. I have attached to this Declaration a true and correct copy of the January 16, 2024 letter as Exhibit D.

8. The Town submitted a comment letter, dated April 7, 2024, to the Bureau of Indian Affairs regarding the scoping of the Environmental Impact Statement for the Project. The comment letter reasserted its previous concerns from its November 13, 2023 letter that provided comments on the Environmental Assessment, finding it to be inadequate, particularly in failing to identify significant environmental impacts and in proposing mitigation that would not bring

impacts below the threshold of significance. I have attached to this Declaration a true and correct copy of the April 7, 2024 letter as Exhibit E.

9. The Town submitted a comment letter, dated May 2, 2024, to the Bureau of Indian Affairs relating to the Notice of Gaming Land Acquisition Application. The letter attached previous Town letters related to Project's Environmental Assessment and scooping of the Environmental Impact Statement. The letter stated that the "Town strongly believes that those comments not only address impacts to the environment, but also stress the impacts to the Town and its residents," and requested that the "BIA take those comments… into consideration in its determination whether to acquire this property 'in trust." I have attached to this Declaration a true and correct copy of the May 2, 2024 letter as Exhibit F.

10. The Town submitted a comment letter, dated August 25, 2024, to the Bureau of Indian Affairs submitted comprehensive comments on the Draft Environmental Impact Statement for the Project. The Town once again asserted that the analysis, as presented at that time, was inadequate in addressing numerous significant environmental and community impacts. The letter identified specific concerns that it had with the Draft Environmental Impact Statement. I have attached to this Declaration a true and correct copy of the August 25, 2024 letter and its attachments as Exhibit G.

11. It is critically important that these environmental and "taking land into trust" issues raised by the Town of Windsor over the past three years, which are present in this case, be subject to judicial review. The Final Environmental Impact Statement is inadequate and it is of vital public interest for these issues to be adjudicated. As we have repeatedly stated in written comments and letters, the proposed Project at this location will directly and adversely affect the quality of life for the 26,000 residents of Windsor and for County residents in proximity to the Project.

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration was executed on April 28, 2025, in Windsor, California.

JON DAVIS

Exhibit A

RESOLUTION NO. 3743-22

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR IN SUPPORT OF RETAINING THE EXISTING SONOMA COUNTY GENERAL PLAN LAND USE DESIGNATION OF LAND INTENSIVE AGRICULTURE FOR THE PROPERTY LOCATED AT 222 E. SHILOH ROAD, ALSO IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 059-300-003

WHEREAS, in September 2021, an application was submitted by a federally recognized tribe, the Koi Nation (formerly Lower Lake Rancheria), to the federal government requesting that the United States Department of the Interior accept a 68-acre parcel in unincorporated Sonoma County located at 222 E. Shiloh Road (Project Site) into trust for casino gaming and resort purposes under Part 151 of Title 25 of the Federal Code of Regulations; and

WHEREAS, while the Project Site is not within the Town of Windsor, the Town boundary is immediately adjacent to the north, the property to the west is within the Town's sphere of influence, and the Project Site is primarily accessed by Shiloh Road and Old Redwood Highway, portions of which are located wholly within the Town of Windsor; and

WHEREAS, the Sonoma County General Plan land use designation for the Project Site is Land Intensive Agriculture, the purpose of which is "to enhance and protect lands best suited for permanent agricultural use and capable of relatively high production per acre of land"; and

WHEREAS, the Project Site is within the Windsor/Larkfield/Santa Rosa Community Separator, the purpose of which is to maintain a greenbelt between the more densely developed areas of Sonoma County; and

WHEREAS, properties adjacent to the Project Site have been designated for Very Low Density Residential and Boulevard Mixed Use land uses in the Town of Windsor General Plan; and

WHEREAS, the Project Site is at the eastern boundary of the Shiloh Road Vision Plan, which envisions development of the corridor in such a way as to promote walking and biking; an

WHEREAS, the planning for the density and intensity of these land use designations and for Town infrastructure in the area was done with the assumption that the Project Site would continue to be used for agriculture; and

WHEREAS, in February 2022, the County of Sonoma Board of Supervisors received letters or tribal resolutions from the five federally recognized Sonoma County based tribes (Cloverdale Rancheria, Dry Creek Rancheria, Lytton Rancheria, Stewart's Point Rancheria, and the Federated Indians of the Graton Rancheria) expressing unanimous opposition to the Koi Nation's proposal that the Department of the Interior to accept the Project Site into trust for gaming purposes due to the Koi Nation's lack of significant historical connection to the Project Site; and

WHEREAS, on April 5, 2022, the Board of Supervisors of the County of Sonoma unanimously voted to adopt a resolution opposing the establishment of a casino by the Koi Nation within the County.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor supports retaining the existing Sonoma County General Plan land use designation of Land Intensive Agriculture for the property located at 222 E. Shiloh Road; and

BE IT FURTHER RESOLVED that we, the Town Council of the Town of Windsor, support the continued use of the land for agricultural purposes; and

BE IT FURTHER RESOLVED that we, the Town Council of the Town of Windsor, support the Board of Supervisors of the County of Sonoma in opposing the establishment of a casino on the project site.

PASSED, APPROVED, AND ADOPTED this 20th day of April 2022, by the following vote:

AYES:	**COUNCILMEMBERS FUDGE, REYNOZA, VICE MAYOR LEMUS AND MAYOR SALMON**
NOES:	**NONE**
ABSTAIN:	**NONE**
ABSENT:	**NONE**

SAM SALMON, MAYOR

ATTEST:

IRENE CAMACHO-WERBY, TOWN CLERK

Exhibit B

TOWN OF
WINDSOR

Town of Windsor
9291 Old Redwood Highway
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Mayor
Sam Salmon

Vice Mayor
Esther Lemus

Councilmember District 3
Debora Fudge

Councilmember
Rosa Reynoza

Councilmember
Mike Wall

Interim Town Manager
Mark Linder

Sent via Email
June 23, 2022

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

SUBJECT: Koi Nation Shiloh Resort and Casino Project
Town of Windsor Comments on Notice of Preparation of an Environmental Assessment/Tribal Environmental Impact Report

Dear Ms. Dutschke:

The Town of Windsor hereby submits comments in response to the Koi Nation Shiloh Resort and Casino Project Notice of Preparation of an Environmental Assessment/Tribal Environmental Impact Report (NOP). The comments that follow are organized according to the resource areas described for analysis in the NOP. It should be noted that the scope of the Environmental Assessment does not include analysis for potential environmental effects associated with paleontological resources. Additionally, if any part of the project is subject to the California Environmental Quality Act (CEQA), then analysis for wildfire and for energy impacts will be required.

Water Resources

- The Project proposes to construct wells on the property for potable water use. Be advised that the Town of Windsor has two wells at Esposti Park, north and across the street from the Project property. The Town is preparing a Groundwater Master Plan where one well may be permitted as a municipal well with an arsenic and manganese treatment system. The Project wells and Project wastewater treatment plant should not be constructed within the protection zone around the Town well. A well interference study should be completed as part of the Project to ensure proper placement in the southeastern portion of the Project property, the farthest location away from the Town wells. Hydrogeologic testing should be completed to ensure Project wells will not adversely affect the radius of influence nor the water quality of the Town well.

- Pruitt Creek recycled water discharges, and any storm drain system discharges, could cause erosion and increased sediment discharge into the creek that already appears to be showing signs of erosion. The discharge location should be designed to be protective of the creek and not cause any additional downstream erosion.

- Use of recycled water on landscaping should not be allowed within the protection zone of the Town well.

- The use of a detention basin should not be constructed within the protection zone of the Town well.

- With the proposed commercial activity, trash removal should be addressed along the creek corridor and storm drain system to keep trash from flowing

downstream and into the Town of Windsor, where compliance with the State Trash Amendment will be required. Mitigation should be added to keep the creek and drainage system free of trash.

- The 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).

- The Town of Windsor completed a Storm Drainage Master Plan where the 100-year flood zones were mapped. The Project location shows potential flooding during the 100-year floods. The Project will need to consider flood mitigations, so it does not affect the downstream neighborhoods with additional flooding or sediment transport.

Biological Resources

- Potential impacts to terrestrial biological resources, including wildlife habitat and wildlife corridors along Pruitt Creek should be analyzed.

Cultural Resources

- Cultural resources, including tribal cultural resources are often found along creeks and waterways throughout Sonoma County. Because archaeological resources have been recorded within ½ to ¼ mile of the site and because of the presence of Pruitt Creek through the site, impacts to cultural resources may not necessarily be minimal as described in the scope of the Environmental Assessment.

Transportation and Circulation

US 101/Shiloh Road Interchange

- Determine the roadway improvements that the project will be responsible for constructing in order to maintain traffic flow at the interchange and maintain consistency with the Town's LOS D traffic operation standard. Include a queueing analysis and identify the infrastructure improvements needed to ensure that traffic does not routinely back up into adjacent intersections (such as Shiloh Road/Hembree Lane) or onto the US 101 mainline.

- Analyze pedestrian and bicycle circulation in the interchange area, identifying infrastructure improvements needed to ensure that these non-auto users can traverse the interchange easily, safely, and conveniently.

Shiloh Road Corridor

- Analyze traffic operation along the Shiloh Road corridor between US 101 and the project site during weekday and weekend peak hours and identify improvements needed not only to maintain traffic flow, but to provide critical east-west connectivity for bicyclists, pedestrians, and transit along this corridor, the core of which is envisioned to become a mixed-use, pedestrian-oriented neighborhood.

- If casino operations have different peak hours due to the nature of their operations, those peak hours should also be analyzed along the Shiloh Road corridor.

- Establish a mechanism for the project to acquire land from individual property owners along the Shiloh Road corridor in order to accommodate the necessary

vehicle, bicycle, and pedestrian facilities needed to support the project within the public right of way.

- Determine the intersection modifications that the project will be responsible for constructing at Old Redwood Highway/Shiloh Road both under signalized and roundabout control options, including provisions to ensure convenient and safe access for pedestrians, bicyclists, and transit users. Confirm that these improvements will also be sufficient to accommodate traffic with the project under year 2040 conditions.

- Identify the infrastructure improvements necessary to maintain moderate-speed traffic flow that is compatible with non-auto modes, including arterial traffic calming strategies. Ensure that roadway design modifications do not encourage high vehicle speeds at any point along Shiloh Road between US 101 and the project site.

- Determine access and safety impacts to local streets and driveways on Shiloh Road near the project site and identify countermeasures that the project will implement to address these impacts.

Old Redwood Highway Corridor

- Analyze traffic operation and the project's contribution to traffic impacts at the Old Redwood Highway/US 101 interchange (near downtown Windsor).

- If an access to the project is to be established on Old Redwood Highway, determine the intersection geometry and control needed to both maintain acceptable traffic operation and ensure that adjacent intersections (including Old Redwood Highway/Shiloh Road) continue to function acceptably.

- Determine physical improvements to be made by the project that are needed to accommodate vehicle, pedestrian, bicycle, and transit modes along Old Redwood Highway within one-half mile in either direction of the proposed project's access point.

Vehicle Miles Traveled

- Determine the project's total increase in regional vehicle miles traveled (VMT) generated by both guests and employees, as well as the corresponding home-based VMT per employee performance metric.

- If subject to CEQA and in accordance with CEQA requirements, identify and implement strategies that will result in no net increase to total regional VMT, and that will allow the project to comply with employment VMT per employee significance thresholds.

Evacuation Routes

- Shiloh Road, East Shiloh Road, Old Redwood Highway and Highway 101 are all designated evacuation routes during an emergency event. The impact of casino customers and employees evacuating the project site at the same time as Town residents should be analyzed along the evacuation routes.

Transportation Demand Management

- Identify rigorous and comprehensive strategies that the project will implement to reduce auto-generated travel. Extensive Transportation Demand

Management (TDM) measures should be identified to address both employee and visitor travel, reducing local and regional impact to both traffic operation and VMT. Identify and implement measures that will maximize the use of transit, including both public transit and private buses/shuttles.

General Plan

- Project traffic impacts should be compared to the policies in the Windsor 2040 General Plan. The casino project was not a consideration when recommendations were developed for the General Plan. Shiloh Road, Old Redwood Highway and the Highway 101/Shiloh Road interchange were all analyzed for the General Plan and recommendations were developed absent this project as a major factor to be included in the analysis.

Land Use

- The town limits are immediately north of the project site, across Shiloh Road. Additionally, the properties to the west of the Project Site, across Old Redwood Highway are within the Town's sphere of influence and have therefore been assigned land use designations in the Town of Windsor General Plan. The Project Site is primarily accessed by Shiloh Road and Old Redwood Highway, portions of which are located wholly within the Town of Windsor. Potential environmental impacts that were not addressed in the Windsor General Plan Environmental Impact Report should be identified.

- The proposed project is outside and adjacent to the Town of Windsor Urban Growth Boundary. The Environmental Assessment/Tribal Environmental Impact Report should determine whether the proposed project could have growth-inducing impacts.

- The Town of Windsor General Plan land use diagram designates the properties to the north and west of the Project Site for Very Low Density Residential (three to six dwelling units per acre) development with Boulevard Mixed-Use (16 – 32 dwelling units per acre) to the west, fronting Shiloh Road. Additionally, the Town has adopted the Shiloh Road Vision Plan for the Shiloh Road Corridor west of the Project Site. The Shiloh Road Vision Plan envisions mixed use development that encourages walking and biking. The planning for the density and intensity of these land use designations and for Town infrastructure in the area was done with the assumption that the Project Site would continue to be used for agriculture. Impacts to the long-range vision of these planning documents should be analyzed.

- The land use designation for the Project Site in the Sonoma County General Plan is Land Intensive Agriculture, the stated purpose of which is to "enhance and protect lands best suited for permanent agricultural use and capable of relatively high production per acre of land." Permitted land uses include keeping of livestock, indoor or outdoor crop production, daycare facilities, telecommunications facilities, and seasonal farmworker housing. Hotels, restaurants, and gaming facilities are not listed as permitted uses with this designation. Potential environmental impacts that were not addressed in the Sonoma County General Plan Environmental Impact Report should be identified.

- The Project Site is part of the Windsor/Larkfield/Santa Rosa Community Separator. The purpose of community separators is to maintain greenbelt areas around and between Sonoma County's cities, towns, and more densely developed communities. The Project Site is currently developed with vineyards, meeting the spirit of the community separator designation. Potential impacts to the Windsor/Larkfield/Santa Rosa Community Separator should be analyzed.

Public Services

- The NOP does not include specific information on which jurisdiction will be providing public services. Information should be provided regarding whether services will be coming from Sonoma County, the Town of Windsor, or elsewhere.

- An analysis of the impact to response times, staffing, and equipment needs for public safety services, including Fire, Police, and Medical should be included in the Environmental Assessment.

If you have questions or need additional information, please contact me: Patrick Streeter, Community Development Director, at pstreeter@townofwindsor.com or at (707) 838-5313.

Sincerely,



Patrick N. Streeter, AICP
Community Development Director

cc: Chad Broussard, Environmental Protection Specialist
Mark Linder, Interim Town Manager

Exhibit C

TOWN OF
WINDSOR

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Mayor
Rosa Reynoza

Vice Mayor, District 2
Sam Salmon

Councilmember District 1
Mike Wall

Councilmember District 3
Debora Fudge

Councilmember District 4
Tanya Potter

Town Manager
Jon Davis

Sent via Email
November 13, 2023

Amy Dutschke, Regional Director
2800 Cottage Way
Sacramento, CA 95825

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

Dear Ms. Dutschke:

The Town of Windsor, which includes the Windsor Water District, hereby submits comments in response to the Environmental Assessment (EA) that was prepared for the Koi Nation Shiloh Resort and Casino Project. Unless otherwise indicated, all comments are in response to "Alternative A" which is identified as the Proposed Project.

Proposed Project and Alternatives

1. Reliance on the Best Management Practices (BMPs) in Table 2.1-3 is inadequate for environmental protection. The BMPs are not measurable or monitorable, described as, "when feasible" and "when practicable." Instead, the project description should be amended to incorporate measurable standards to address the relevant concerns. Without these standards there is potential for the project to have significant adverse impacts on the environment.

Water Resources

2. Between 6 and 17 acres of vineyards will remain for recycled water irrigation. At an average daily flow of .3 MGD (2.1.4), this equates to 110 MG / Yr. A 20-acre vineyard would be allocated 4.9 MG per year under current ETc requirements set for the Windsor Water District by the State. Although the project may be held to a lesser standard of environmental protection, the substantial differential in the application rate indicates that the proposed rate is unrealistic.
3. Proposed 12-16 MG reservoirs / tanks would equate to 40 to 50 days of storage. The EA proposes not discharging between May 15 and September 30 (138 days) – storage should be closer to 40 MG to meet that discharge target. As proposed, the storage capacity is likely too small and discharge events, that have not been considered in the EA, are likely to occur.
4. The State Division of Drinking Water (DDW) does not / has not approved all of the proposed recycled water uses in this configuration as described in the project description. For example, recycled water is not allowed inside any food service buildings.
5. 3-20 references Mark West Creek for flow monitoring during discharge, which is significantly downstream of the point of discharge on Pruitt Creek. Pruitt Creek is also ephemeral, meaning it does not flow year-round, discharging wastewater into a creek that does not flow year round will significantly affect surfaces in the area. Significant adverse impacts

due to erosion, loss of habitat, flooding, movement of sediment, and destabilizing of banks could occur. Monitoring should be required at the point of discharge on Pruitt Creek.

6. There are four existing wells on the Project site, the Project proposes to construct up to two additional wells on site for potable water use. The Town of Windsor has two wells at Esposti Park to the north and in close proximity to the Project property. One is used for irrigating Esposti Park, and the other will be used as a replacement municipal drinking water well. The Project well(s) and Project wastewater treatment plant should not be constructed within the zone of influence around the existing Town wells.
7. The reported peak-day pumping for the project is 402,000 gpd, which equals approximately 275 gpm (Table 2-2). If that pumping were to occur close to the Esposti Well, drawdown at the Town's Esposti drinking water well could be significant, which could significantly decrease the Esposti well output rate and possibly water quality. Prior testing of the Esposti drinking water well was over short durations and should not be used to extrapolate the level of impact from the proposed project wells without further testing. The potential impacts to the groundwater aquifer and groundwater wells have not been sufficiently evaluated. At a minimum, a well interference study should be completed as part of the Project to ensure proper placement of the proposed Project well(s) and Hydrogeologic testing should be completed to ensure Project well(s) will not adversely affect the groundwater levels nor the water quality of the existing Town wells or other domestic wells. Mitigation measures should be required for any impacts identified once sufficient analysis has been conducted. As currently proposed the Project may have a significant adverse impact to water resources.
8. As stated in the 2020 Urban Water Management Plan, the Town is moving toward installing arsenic and manganese treatment on the Esposti well in order to meet the drinking water demands. Any analysis of wells on the proposed project should consider increased future pumping from the Esposti well.
9. The project proposes to repurpose or install up to 4 groundwater wells and estimates 100-300 gpm groundwater flow for daily use. The report does not indicate how much the existing wells on-site are currently being used. The proposed mitigation measure for groundwater is insufficient to address the risk to drinking water supplies. The proposed mitigation measure to reimburse the owners of nearby wells that become unusable within five years of the onset of project pumping is not sufficient to mitigate the level of impact. Payment to owners of nearby wells does not increase the total available water supply in the area and the loss of function of existing wells will have significant effects to the area's water system as new sources of water supply will need to be developed.
10. The EA cites the 2017 aquifer test at the Esposti well as evidence that pumping from aquifers deeper than 300 feet would not affect water levels in shallow wells (less than 200 ft deep). No drawdown was observed in shallow wells during the Esposti test. However, that test lasted only 28 hours. The EA should consider the potential for sustained pumping (months) at the Esposti well and the Project supply wells that may lower water levels in the shallow aquifers and could potentially jeopardize output of nearby domestic and municipal drinking water wells.

11. The proposed design takes away from floodplain storage, an adequate amount of stormwater detention is not demonstrated by calculation to address the detraction of floodplain. Sub areas A,C, and E have footprints directly in the floodplain.
12. The Town of Windsor completed a Storm Drainage Master Plan where the 100-year flood zones were mapped. The Project location shows potential flooding during the 100-year floods. The Project will need to consider flood mitigations, so it does not affect the downstream neighborhoods with additional flooding or sediment transport.
13. Analysis is needed of the existing Pruitt Creek box culvert under Highway 101 to determine the ability to convey the anticipated storm flow from a full buildout condition and mitigation measure should be required for any negative impacts identified in the analysis.
14. The north bound offramp from Highway 101 is periodically closed due to flooding, and the analysis should determine if increased flows from the project negatively impact this condition. Several such closures occurred in December 2022 and January 2023.

Air Quality

15. The EA states that traffic volumes on a surface street would need to exceed 40,000 daily trips to exceed the significance threshold for cancer risk for hazardous air pollutants. It reasons that "these traffic levels do not exist on local roadways serving the Project Site, including Shiloh Road and Old Redwood Highway" and therefore impacts would not be significant. The project would include road widening and itself would generate between 11,213 and 15,779 daily trips. Significance should be determined in the future full build-out scenario, not based on existing conditions. As currently proposed the Project may have a significant adverse impact to air quality.
16. The air quality modeling as detailed in Appendix F-1 makes a number of inaccurate assumptions including that Windsor is located in Climate Zone 4, that the project is in a rural setting, and that the average trip length for non-work trips should be based on the distance from Santa Rosa. It is unlikely that there are no potential significant impacts for any air quality or green house gas emissions other than for CO. A peer review of the air quality study and modeling is recommended. According to the California Department of Energy, Windsor is in Climate Zone 2 and according to the Generation Housing State of Housing in Sonoma County Report, 31.4% of the local work force commutes from outside of Sonoma County.
17. To reduce potential air quality impacts, Tier IV construction equipment for equipment greater than 50 horsepower should be required, instead of Tier III as proposed.
18. "Clean fuel fleet vehicles" should be defined, and a standard should be set to determine when use of clean vehicles is impracticable. In this scenario, what is the alternative to address the potential air quality impacts?

Cultural Resources

19. Due to the presence of Pruitt Creek, the presence of scattered obsidian, and the and the results of Native American Consultation, the EA determined that there is a potential for significant subsurface cultural resources on the Project Site, however monitoring is only prescribed within 150 feet of Pruitt Creek. A qualified archaeologist and Native

American Tribal Monitor should be present for ground-disturbing activities across the entirety of the Project Site. As currently proposed the Project may have a significant adverse impact to cultural resources.

Socioeconomic Conditions and Environmental Justice

20. The growth-inducing effects section indicates that the project would result in pressure for new commercial development in the area, such as additional gas stations. Consider the gas station bans in the Town of Windsor and the County of Sonoma. This section concludes that indirect and induced demand for commercial growth would be diffused across the State and therefore there would be no significant regional commercial growth inducing impacts. Provide data to justify this conclusion, considering local growth management policies and urban growth boundaries.
21. The housing section assumes there would be no significant impact without sufficient local data. It assumes most employees will come from the existing pool of casino and hospitality workers, however due to housing costs, many of these workers are commuting to Sonoma County from other parts of the Bay Area.
    a. Provide temporary housing facilities on-site for the construction workers (2,196).
    b. Provide permanent affordable housing on-site for casino workers (1,571).
    c. Provide information about the median salary of the construction workers and the casino workers, so that the appropriate housing affordability can be determined.
    d. Project alternatives should be evaluated with on-site housing options.
22. The Socioeconomic Study was prepared by Global Market Advisors (GMA) for the Koi Nation of Northern California. As described on page 1, GMA is an international provider of consulting services to the gaming, entertainment, sports, and hospitality industries. The BIA should obtain a peer review of the Socioeconomic assessment by an independent consultant.
23. Page 5 of the study (Income) states that the Sonoma County Average Annual Household Income (AAHI) was $121,522 in 2021, which may be overstated. Information provided by the California Department of Housing and Community Development indicated that the Sonoma County Area Median Income (AMI) was $103,300 for a family of four in 2021. Most analyses of housing affordability refer to median income, because the average income is likely to be skewed by a small number of high-income households. The following section on Housing costs reflects median housing costs.
24. Page 6 of the study indicates that only 170 new homes were added to Sonoma County from 2010 to 2020. These data appear to be inaccurate and the statistic is misleading, since nearly 5,600 homes were destroyed in Sonoma County by the 2017 Tubbs Fire.
25. Page 40 of the study (Employment) indicates that construction and operation phases will have a positive effect on the local economy (thereby

reducing the unemployment level). This discussion does not recognize the local labor *shortage* in the area, which this project could exacerbate.

26. The section beginning on Page 40 of the study (Housing and Schools) does not recognize the local housing shortage and continuing recovery from the Tubbs Fire and other wildfire events. Also, as stated above, the assertion that Sonoma County has a sufficient labor force focused on the hospitality industry, and thus could easily absorb the new labor needed by the casino, is likely false. These concerns are supported by the Generation Housing State of Housing in Sonoma County Report, published in April 2023.

Transportation and Circulation

27. Based on reviews conducted for a casino in Rohnert Park, the weekday and Saturday daily trips may be 15 to 25 percent higher than those indicated on this project analysis. Review of the Rohnert Park facility also revealed that the highest daily and afternoon peak trip generation occurs on Sundays, not Saturdays. The project should analyze Sundays as well as Saturday, to ensure that worst-case traffic impacts have been captured.
28. The Traffic Impact Study (TIS) indicates that the project would be fully responsible for implementing the improvements needed under Existing plus Project and Opening Year 2028 plus Project. These minor mitigation efforts include:
    a. Shiloh Road/Old Redwood Highway: Restripe westbound approach with a 200' long left-turn lane and modify signal phasing. This is similar to previously-identified near-term improvements except with a longer turn lane.
    b. Shiloh Road/Hembree Lane: Optimize signal timing.
    c. Shiloh Road/US 101 North Off-Ramp: Restripe ramp to include triple right-turn lanes (the westernmost would be a shared left/right lane). The proposed mitigation is simply restriping.
    d. Signalize the project driveways on Shiloh Road and Old Redwood Highway. This is logical but has no broader benefit to the Town since the signals are only needed to accommodate resort traffic.
29. Objections to Existing plus Project and Opening Year 2028 plus Project Findings:
    a. Shiloh Road/Old Redwood Highway: For the queuing analysis the TIS relies on the Town to widen northbound ORH to include dual left-turns, stating that this improvement is included in the traffic impact fee. The north, west, and east legs of the intersection are within the Town of Windsor limits, but the project is not, and therefore no impact fee would be assessed by the Town and no funding would be afforded for this improvement. It is therefore unclear how the Town's impact fee program has any relation to mitigating the impact of the proposed project. The project would not make this improvement as currently proposed, so would not fully address the queuing issue. Note that the dual left-turn lanes also require widening of Shiloh Road to two westbound lanes. Widening of both Old Redwood Highway and Shiloh Road are needed to accommodate the traffic load generated by the project, and no mitigation is proposed for these impacts.

b. Shiloh Road/US 101 North Off-Ramp: The proposed mitigation is to restripe the ramp to include triple right-turn lanes (the westernmost would be a shared left/right lane). This modification is likely to perform poorly since it would "trap" two of the three right-turn lanes in the left-turn pockets at the adjacent Shiloh Road/Hembree Lane intersection. It would not function acceptably without widening Shiloh Road to two eastbound lanes through the Hembree intersection. The TIS's mitigated configuration also limits capacity for left-turn movements on the off-ramp which also have high volumes.

30. Objections to 2040 plus Project Findings:
    a. The TIS indicates Shiloh requires widening to four lanes from Caletti Avenue to the project driveway opposite Gridley Drive; it states that Shiloh widening is planned by the Town but this is incorrect. If traffic is increased by a proposed development, that development would be required to make the necessary improvements to mitigate the impact, including widening of Shiloh Road for additional lanes if needed. The Town does not have a capital project planned for widening Shiloh Road, nor is any proposed development planning to do so. The proposed casino project should be required to mitigate the impacts of the project as would any other development.
    b. Shiloh Road/Old Redwood Highway Intersection: In addition to Shiloh Road widening to four lanes and dual northbound left-turn lanes, the TIS indicates ORH requires two lanes in each direction and that existing northbound and southbound right-turn lanes need to be maintained. However, it does not mention that Shiloh Road would also need to include eastbound and westbound right-turn lanes.
    c. This configuration results in an extremely large intersection including five northbound approach lanes and four southbound, eastbound, and westbound approach lanes. Widening of ORH to two lanes in each direction is contrary to the General Plan and ORH Corridor Plan.
    d. The TIS indicates that the project would be responsible for 39.4% of the traffic growth which seems to imply that the project would not need to contribute funds since it addresses its impact under 2028+Project. Further, a contribution of 39.4% if made would still be illogical since the intersection would undergo far more widening (with associated cost) than the Town would ever have needed without the project.
    e. Shiloh Road/Hembree Lane: The TIS indicates that southbound Hembree Lane requires two additional lanes on the intersection approach. This degree of widening is infeasible (approach would include a left-turn lane, a through lane and two right-turn lanes and there is not sufficient right-of-way to support this configuration).
    f. The TIS indicates a fair share cost of 36.4 percent. This value is unreasonably low due to the fact that the Hembree widening would not have otherwise been needed without the project.

31. Objections to Roadway Segment Analysis
    a. The segment analysis is extremely high-level, particularly with its use of volume to capacity ratios that are based on weekday

Average Daily Traffic (ADT) volumes. The analysis also assumes Shiloh Road's capacities to be based on a 40 mph speed, which is inconsistent with the Town's vision for a "village" oriented walking and biking focused streetscape between Hembree Lane and Old Redwood Highway.

b. As noted above, the project's ADT trip generation may also be underestimated by 15 to 25 percent, so the project's actual share of roadway segment volumes is likely to be greater than assumed in the TIS.
c. The TIS shows that the project would cause (or significantly deteriorate) operation on Shiloh Road to LOS E/F levels under 2028 opening year conditions between Conde Lane and Old Redwood Highway. The TIS then indicates that with the proposed mitigations to be constructed by the project, capacities would increase from 22,000 to 30,000 vehicles per day, offsetting the project's impacts to roadway operation. These capacity increases are not in line with the very minor nature of the proposed mitigating improvements; further, the project's proposed mitigation of creating triple right-turn lanes on the US 101 northbound offramp would be likely to reduce rather than increase capacity between the freeway and Hembree Lane (due to two of the offramp right-turn lanes "trapping" vehicles onto Hembree rather than continuing east on Shiloh).
d. The addition of project traffic will severely degrade operation on Shiloh Road upon 2028 opening between the US 101 South Ramp and Old Redwood Highway (and possibly westward to Conde Lane) unless additional improvements are implemented in addition to the minor improvements currently proposed by the project.

32. The Town's General Plan includes the possibility of Shiloh Road expanding to 5 lanes, however widening of the roadway would not be constructed by the Town, but rather the developments that created the increased traffic would be required to fund the improvements to mitigate their impacts to the transportation network. Without a mechanism to ensure that the road widening is completed by the time the Project begins operation, it can be assumed that the Project will have a significant adverse impact to traffic and circulation.
33. The mitigation actions for the casino project proposed on Shiloh Road and the interchange are inadequate to avoid significant negative impacts to the transportation network on opening day of the proposed casino and should be required to be mitigated by the developer of the project.
34. The 2040 segment analysis capacities are shown to be 49,800 daily vehicles, which is highly unrealistic for an urban four-lane street (particularly in a lower-speed, multimodal environment as envisioned).
35. The TIS estimates a proportional share of 27.4 percent for the interchange but doesn't identify it as a project mitigation; there are also no fair share calculations for the remainder of the Shiloh Road widening (other than intersection improvements). If no mitigation is required for this improvement, the improvement will not be constructed and the project will have higher impacts than disclosed in the EA.
36. As noted above, Shiloh Road and interchange improvements should occur by 2028 opening of the facility and the project should be responsible for funding those improvements.

37. Objections to non-auto modes assessment
    a. The project would significantly increase volumes on Shiloh Road through the Shiloh Village area which the Town plans to be a mixed-use, pedestrian- and bicycle-oriented area. The added traffic from the project would drive the need for Shiloh Road to be widened to a higher-speed four-to-five lane arterial (recent analyses overseen by the Town have indicated that a lower-speed three-lane section would accommodate future growth planned in this area without the casino project).
    b. The project is currently proposing almost no offsite ped/bike improvements, instead relying on the Town to build facilities as widening on Shiloh and ORH occur through the traffic impact fee program. However, the casino project is not in the Town and no impact fees would be provided to the Town and so these improvements should be built and paid for by the project developer.
    c. The TIS recommends onsite sidewalk connections to the project driveways, and accessible paths between nearby transit stops and driveways.
    d. The project needs to construct facilities to accommodate multimodal circulation on Shiloh Road given its significant traffic increases on the corridor.
38. The proposal does not address full pedestrian and bicycle improvements, including Class IV bike routes, needed for the Shiloh area to align with The Old Redwood Highway Corridor Enhancement Plan and The Complete Streets Guidelines.
39. An evaluation of the feasibility of a roundabout has not been included, the Town has identified the roundabout as a preferred intersection type for this area.
40. The traffic analysis should consider the impacts of large events in addition to typical daily operations.
41. It is assumed that eminent domain will be utilized to acquire the necessary right-of-way to widen Shiloh Road. If this land acquisition is done by the Town, the Project should be responsible for all legal costs and land acquisition costs.
42. The traffic impact study considers employee vehicle miles traveled (VMT). Analysis of visitor VMT should also be included.
43. The Shiloh Road Village Vision Plan (SRVVP) outlines a grid street network in this area to disperse traffic volumes, provide for the safe movement of traffic, and minimize negative impacts on Shiloh Road. The traffic analysis for the Project should consider the impact to these east-west street connections between the Project Site and Highway 101 assuming full build-out of the SRVVP.

<u>Land Use</u>

44. The Town of Windsor General Plan land use diagram designates the properties to the north and west of the Project Site for Very Low Density Residential (three to six dwelling units per acre) development with Boulevard Mixed-Use (16 – 32 dwelling units per acre) to the west, fronting Shiloh Road. Additionally, the Town has adopted the Shiloh Road Vision Plan for the Shiloh Road Corridor west of the Project Site. The Shiloh Road

Vision Plan envisions mixed use development that encourages walking and biking. The planning for the density and intensity of these land use designations and for Town infrastructure in the area was done with the assumption that the Project Site would continue to be used for agriculture. The EA does not discuss impacts to the long-range vision of these planning documents particularly regarding circulation, safety, public amenities, and public services.

45. The land use designation for the Project Site in the Sonoma County General Plan is Land Intensive Agriculture, the stated purpose of which is to "enhance and protect lands best suited for permanent agricultural use and capable of relatively high production per acre of land." Permitted land uses include keeping of livestock, indoor or outdoor crop production, daycare facilities, telecommunications facilities, and seasonal farmworker housing. Hotels, restaurants, and gaming facilities are not listed as permitted uses with this designation. The EA states the transfer of the Project property into federal trust status would remove it from County land use jurisdiction, but does not resolve potential environmental impacts that were not addressed in the Sonoma County General Plan Environmental Impact Report.
46. The Project Site is part of the Windsor/Larkfield/Santa Rosa Community Separator. The purpose of community separators is to maintain greenbelt areas around and between Sonoma County's cities, towns, and more densely developed communities. The Project Site is currently developed with vineyards, meeting the spirit of the community separator designation. Potential impacts to the Windsor/Larkfield/Santa Rosa Community Separator should be analyzed.

<u>Public Services and Utilities</u>

47. Appendix F, page 8, indicates that the Tribe will use County waste disposal facilities, which are required to divert 50 percent of waste from landfills. In 2021, the County of Sonoma adopted a Zero Waste Resolution establishing a goal of zero waste by 2030, consistent with the Countywide Integrated Waste Management Plan and the Sonoma County Regional Climate Action Plan. The purpose of the zero waste goal is to reduce greenhouse gas emissions and conserve the remaining capacity at County landfills. Diversion rates in the future condition should be analyzed.
48. The EA notes that increases in crime and calls for service to public safety are associated with any population increase, not necessarily gaming specifically. Regardless of the cause, the Project Site currently generates virtually zero calls for service presently. Although the proposed Project is in County of Sonoma Jurisdiction, its proximity to the Town of Windsor will impact the Windsor Police Department through increased calls within Town limits and requests for assistance on the Project Site or within County jurisdiction. The Windsor Police Department anticipates an increase in calls related to:
    a. Traffic, noise, accidents, DUI's, loud exhaust, and speeding.
    b. Disturbing the peace/Public Intoxication
    c. Trespassing
    d. Property Crimes
    e. Prostitution
    f. Assaults

g. Drug activity
h. Human Trafficking
i. Violent Crime

A mechanism to mitigate the impact on Windsor Police Department resources should be developed.

49. The EA assumes that induced population growth and visitation by patrons of the Project would not be significant enough to require expansion of Esposti Park or Shiloh Ranch Regional Park. This may be true, but the EA does not consider the potential impact of visitation by patrons and employees of the Project on park resources including parking, restroom facilities, waste receptacles, and maintenance schedules.

Noise

50. Considering the proximity of sensitive receptors to the Project Site, Sundays should be excluded from construction hours to be consistent with the Town of Windsor Municipal Code.

Hazardous Materials and Hazards

51. The EA does not address post wildfire pollutant materials (such as ash) and their potential effects on Pruitt Creek. Mitigation should include on-site treatment of possible contamination and measures to prevent pollutants from continuing downstream.
52. Per the Town's Windsor Resiliency for Emergencies and Disasters Initiative (READII) Plan all transportation infrastructure investments should engage residents during the planning and design process. This plan considers two types of investments: 1) the development of new connections to open alternate routes during emergencies, and 2) the improvement of existing intersections, both for the purposes of improving daily traffic flows and reducing the risk of bottlenecks during evacuations. Old Redwood Highway (ORH), a two-lane roadway, runs parallel to and connects many local roads to US Highway 101, as well as providing a critical alternative route to the north and south when US Highway 101 is closed or temporarily congested. Old Redwood Highway can also serve as a secondary evacuation route if necessary. Windsor's current Local Hazard Mitigation Plan (LHMP) (2018) designates US Highway 101 as the primary evacuation route and Old Redwood Highway as the primary surface street to support evacuations routes and must be identified including "their capacity, safety, and viability under a range of emergency scenarios". If needed, redesign of street geometries, or evacuation signal timing should be considered as methods of increasing adaptive capacity.
53. In an effort to identify which specific neighborhoods and intersections might face the highest risks of bottleneck formation, the READII Plan team developed a "trafficsheds" approach. This approach looks at networks of residential and commercial streets, lanes, courts, other smaller roads that are linked to one another - and the various points at which these self-contained networks are connected to the major roadways and arteries throughout the Town. These points of connection between neighborhoods and the main road network are "exit nodes," also referred to in other state planning documents as "ingress/egress points" and, if unable to handle the traffic loads during evacuation events, have the potential to become severe bottlenecks. The trafficsheds method should be considered for evacuation

planning as traffic will be increased at the intersection of Shiloh Road and ORH.

54. The EA assumes that without the Project, it would take an estimated 4 to 6 hours to evacuate the Town of Windsor during a "No-Notice Event" and with the Project, the evacuation time could increase to 6 to 8 hours. The single mitigation measure related to evacuations offered in the EA is to "develop a project-specific evacuation plan" prior to occupancy. There is no way to ensure that this mitigation measure will adequately reduce the impact of impairment of evacuation plans. The loss of life experienced in recent fires in Paradise, CA and Lahaina, HI demonstrates the importance of impacts to evacuation plans.
55. The above evacuation time is taken from Appendix N Wildfire Evacuation Memorandum (Memo). The Memo does not consider that the mountainous areas (residences/properties such as Shiloh Estates and Mayacama) east of the Town, located in the Wildland-Urban Interface (WUI) area, only have two evacuation routes to US101 (through Pleasant Avenue and Shiloh Road) and has a high structure to exit ratio and could compound the issues at the intersection of Shiloh and ORH.
56. The comments from Losh and Associates found in Appendix N state that the State Responsibility Area (SRA) fire zone maps are out for review and should have been available to the public sometime in calendar year 2023. These updated maps should be evaluated if available.
57. The Project Site is currently developed with a vineyard. In recent wildfire events, vineyard sites have served as buffers to developed urban areas and have been used as staging areas for firefighting activities. The Proposed Project would replace a wildfire mitigating resource with a development of combustible materials (vehicles, structures, landscaping). Potential impacts of this land use change should be analyzed, and appropriate mitigation measures proposed.

<u>Visual Resources</u>

58. Due to the proximity of residential development the following changes should be made to the project:
    a. Reduce parking light pole height to a maximum of 20 feet, instead of the currently-proposed 25 feet.
    b. Outdoor lighting should be provided in a warm color range no greater than 3,000 Kelvin.
    c. Details should be provided on illumination of all outdoor signage and the impacts to sensitive receptors should be analyzed.
59. The Town of Windsor 2040 General Plan designates Highway 101 and Faught Road as scenic corridors. Impacts to these scenic corridors should be analyzed and mitigation measures proposed.

As described in the comments above, there exists the potential for significant adverse impacts in almost every resource area analyzed by the EA. The significant adverse impacts associated with the Project are either not identified in the EA or not adequately mitigated below the threshold of significance. Impacts in the areas of water, traffic, public services and utilities, and hazards may be unmitigable and would therefore be significant and unavoidable. Because of the potential for significant adverse impacts to the Town and the environment, the Town of Windsor is opposed to the Project and finds that only Alternative D, the No Action Alternative, can ensure that there will be no significant adverse

impacts associated with the Project. If the Project is to move forward with any alternative other than Alternative D, an Environmental Impact Statement must be prepared.

The Windsor Town Council considered the EA and received public comment at its October 18, 2023, meeting. Written correspondence received up to and after the meeting is attached hereto.

If you have questions or need additional information, please contact me: Patrick Streeter, Community Development Director, at pstreeter@townofwindsor.com or at (707) 838-5313.

Sincerely,



Patrick N. Streeter, AICP
Community Development Director

cc: Chad Broussard, Environmental Protection Specialist
Jon Davis, Windsor Town Manager

Attachment: Correspondence received related to the EA

Irene Camacho-Werby

From: BARBARA SACKETT <sackettbarbara@yahoo.com>
Sent: Thursday, January 27, 2022 9:52 AM
To: Town Council
Cc: Barbara Sackett
Subject: New Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to express my strongest opposition to the new casino being built in Windsor. Not only is it completely un-necessary, it will bring an untenable amount of traffic to our small town. It will ruin the quaint atmosphere of our area and will not add to the wholesome ambience of Windsor.

The site is surrounded by residential homes. These home owners do not deserve to have their area devastated by a development of this scope. Building a casino here will not be beneficial to the neighborhood. Instead , it will bring down home values and destroy the peacefulness of the entire area.

We hope that you will take action against using this site for a casino.

Thank You,
Barb and Chuck Sackett

Sent from my iPhone

From: Mark Linder
To: Abbie Williams; Town Council
Subject: RE: How dare you
Date: Friday, February 4, 2022 10:10:19 AM

Dear Abbie and Paul Williams,

The Town Council has not approved the proposed Koi casino. The location is not in the Town. It is in the County. Currently, the issue is with the Bureau of Indian Affairs. At some point the Bureau will be conducting community meetings where you will have an opportunity to express your opposition.

Thank you

Mark Linder
Interim Town Manager

-----Original Message-----
From: Abbie Williams <abbie.earthinfocus@gmail.com>
Sent: Friday, February 4, 2022 9:48 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: How dare you

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear town council, Windsor Ca,

I didn't capitalize town council cause you don't even deserve to be called anything like a council. That would infer that you actually are to be respected.

Correct me if I'm wrong but you've already approved this casino by the Koi tribe? A $600 million behemoth, similar or exactly like the one that has ruined Rohnert Park already. If you tried to do this in Healdsburg they run you out of town. But here in Windsor because you think of us as less educated, less hip, less cool small town vibe. And we have a mayor who is "build at all costs" greedy sycophant. You think we won't notice that you're building a $600 million behemoth it will be drugs alcohol prostitution and all sorts of other things to our small town? You don't give a damn about the people of Windsor at all. But you will find out that we are a force to be reckoned with us women.

I hope I've made myself super clear. But let me lay it out for you. There's about 400 of us women who've gotten together and we will protest. We will stand outside and we will scream about it. We will yell, we will protest in our own way with the protection that the first amendment gives us; (which you probably don't even believe in any way anymore). It is going to be very difficult for you to get through the moms that don't want this casino at all, on any level, and anywhere near our children.

So I am starting a coalition with other moms right now. We have about 400 women and families. We ARE A FORCE to be reckoned. This casino must not go through. The next step up is we have the governor's office. We will fight this with all we have.

Abbie and Paul Williams 1194 Eagle Dr., Windsor CA 95492.

Abbie Williams
415-531-7495

From: Al Storms
To: Town Council
Subject: No casino
Date: Monday, February 14, 2022 6:10:42 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

A casino will bring nothing good to the community but more traffic crime and violence. I vote no. If this happens i will sell and move shorty after its done

From: David C. Brayton <david.brayton@gmail.com>
Sent: Sunday, April 17, 2022 6:45:36 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: No Casino on Shiloh Road

Hello!

I am writing to encourage you to approve the resolution in opposition to the location of the Casino Resort on Shiloh.

The Casino does not belong anywhere in Windsor, let alone on Shiloh Road. Windsor is a bedroom community and Shiloh Road is simply the wrong place for it.

First, it is aesthetically awful. This is wine country, where agriculture defines the community, not Las Vegas. This Shiloh Road location places a huge, gaudy facility at the entrance to our beautiful town.

Second, the location is utterly wrong because it is surrounded by residential areas. Casinos operate 24 hours a day. Fine for Vegas or the remote hillside in Alexander Valley but the residents in this area need a good place to live. This will bring huge amounts of traffic, noise and bright lights.

Third, there simply isn't the infrastructure needed to support this monstrosity. To accommodate all the traffic, ORH and Shiloh will need to be five lanes. There simply isn't enough water left in the Russian River to support this facility.

The soul of Windsor is in the line. If this monstrosity is approved, the entire character of Windsor will be destroyed. The history of Windsor will be divided into two chapters. BC and AD--Before the Casino and After Development.

Don't let this happen. Vote to approve the resolution in opposition to the casino.

See you on Wednesday evening.

David Brayton

From: Carrie Marvin <caretoride@yahoo.com>
Sent: Saturday, April 16, 2022 7:08:43 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Wednesday's meeting

Please be aware that carrie, jon and theo Marvin of The Foothills in Windsoe would like the town council to vote aye in this matter. In that the Town of Windsor supports retaining the existing Sonoma County General Plan land use designation of Land Intensive Agriculture for the property located at 222 E. Shiloh Road; and that the Town Council of the Town of Windsor, support the continued use of the land for agricultural purposes; and that the Town Council of the Town of Windsor, SUPPORT the Board of Supervisors of the County of Sonoma in OPPOSING the establishment of the casino.
This land should not be used for a casino. And furthermore we have great concern about water and fire.
Please honor Windsor neighbors concerns about this parcel of land. No casinos in neighborhoods.
Thank you.
Carrie, Jon and Theo Marvin
[redacted]
windsor

Sent from my iPhone

From: Janice Sexton <janicesexton46@gmail.com>
Sent: Saturday, April 16, 2022 7:32:41 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed Casino at 222 E. Shiloh Rd.

To all members of the Town Council:

I strongly urge your adoption of the proposed Resolution opposing the Koi casino project, and I hope you will follow the lead of the Sonoma County Board of Supervisors in this matter.

Janice Sexton
[redacted]
Windsor, CA 95492

From: cd4ques@aim.com <cd4ques@aol.com>
Sent: Saturday, April 16, 2022 11:16:52 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: We are against the proposed Koi casino on East Shiloh Road and Old Redwood Hwy

It doesn't belong in this area and the small Band of Koi Indians have no rights here. Also, fire, water, sewer, traffic, etc. etc, are issues that make it a detriment to all of us. Please oppose it!!

Sent from the all new AOL app for iOS

From: Katherine Schram <schram@sonic.net>
Sent: Sunday, April 17, 2022 5:58:12 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: 222 E Shiloh Resolution

I would like to urge the Town Council to vote in favor of the Resolution to keep 222 E Shiloh Road as Intensive Agricultural Land and oppose the building of a casino.

Thank you,
Katherine Schram

From: Linda McBride <linda.mcbride@icloud.com>
Sent: Sunday, April 17, 2022 7:54:55 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed casino @ 222 E. Shiloh Road

Dear Council members,
As a long-term member of this community, I wholeheartedly support this resolution as written. Please come together to take a stand against the Koi nation building this casino in a well-established residential neighborhood, across from a park where our community gathers. In addition to the negative impact of a casino, our community has lived through a full-scale evacuation due to fire and the risk of that happening again is high in either Foothill Park or Shiloh Park. Adding that many casino guests and staff to an evacuation route that was already challenged would be irresponsible.
Thank you,
Linda McBride
[redacted]
Windsor, CA
[redacted]

From: Amy Hoover <amychoover@gmail.com>
Sent: Sunday, April 17, 2022 1:15:14 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Resolution regarding casino

Dear Mr Mayor and Town Council Members,

I am writing on behalf of our household in the Foothills area of Windsor. We are very much against the Koi Nation's intent to build a casino with restaurants and hotel on the property at Shiloh Road.

This is a heavily trafficked area, going into and out of Windsor. The idea of yet another casino is abhorrent to us. Our county has more than our share of casinos, we do not need anything more than the agriculture that this property has been zoned for.

Your Resolution is thorough and specific. We wholeheartedly support any and all actions on your part to keep this particular project away from that area. Thank you.

Amy and Chris Hoover
[redacted]
--
Sent from Gmail Mobile

From: jscoppedge@att.net <jscoppedge@att.net>
Sent: Sunday, April 17, 2022 3:55:10 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed Casino Site Location-Residential neighborhoods are inappropriate

Hello Windsor Council Members—

Please take a few moments to review the attached pertaining to the Proposed Casino Site on Shiloh Road. Our opposition is to the location of this Casino—in the middle of a residential neighborhood.

Thank you for your commitment to the safety and well-being of your residents and neighbors.

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you contact The Bureau of Indian Affairs at the following address and share with them the inappropriateness of this proposed location—and as such, this property should not move from fee to trust.

Darryl La Counte, Director of the Bureau; Bryan Newland, Assistant Secretary
Bureau of Indian Affairs
Depart of the Interior
1849 C Street, N.W. MS-4606
Washington, D. C. 20240
Phone: (202)208-5116

We appreciate your attention in this matter and sincerely hope that you and your fellow state, local and community leaders will do everything in your power to change the location of this proposed Casino site to a non-residential location.

Thank you,

Judith and John Coppedge

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

-10 acres
-baseball, soccer fields
-little league playing fields
-family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

-single family homes
-approx. 75 homes
-$740-$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

-private Country Club
-Jack Nicklaus golf course
-95+ single family, multi-million dollar homes



SHILOH RANCH REGIONAL PARK-Faught Rd.

-850 acres
-hiking trails, creeks & ponds
-horseback riding trails
-family picnic areas



FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?





TUBBS FIRE-2017

-deaths—22; size—36,800 acres

-buildings destroyed—5,640

-size—36,800 acres

-mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

-size—77,800 acres

-buildings destroyed—374; 90,000 structures threatened

-mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

-deaths—6; -size—363,200 acres

-buildings destroyed—1,490

-mandatory evacuations; loss of power, water and gas

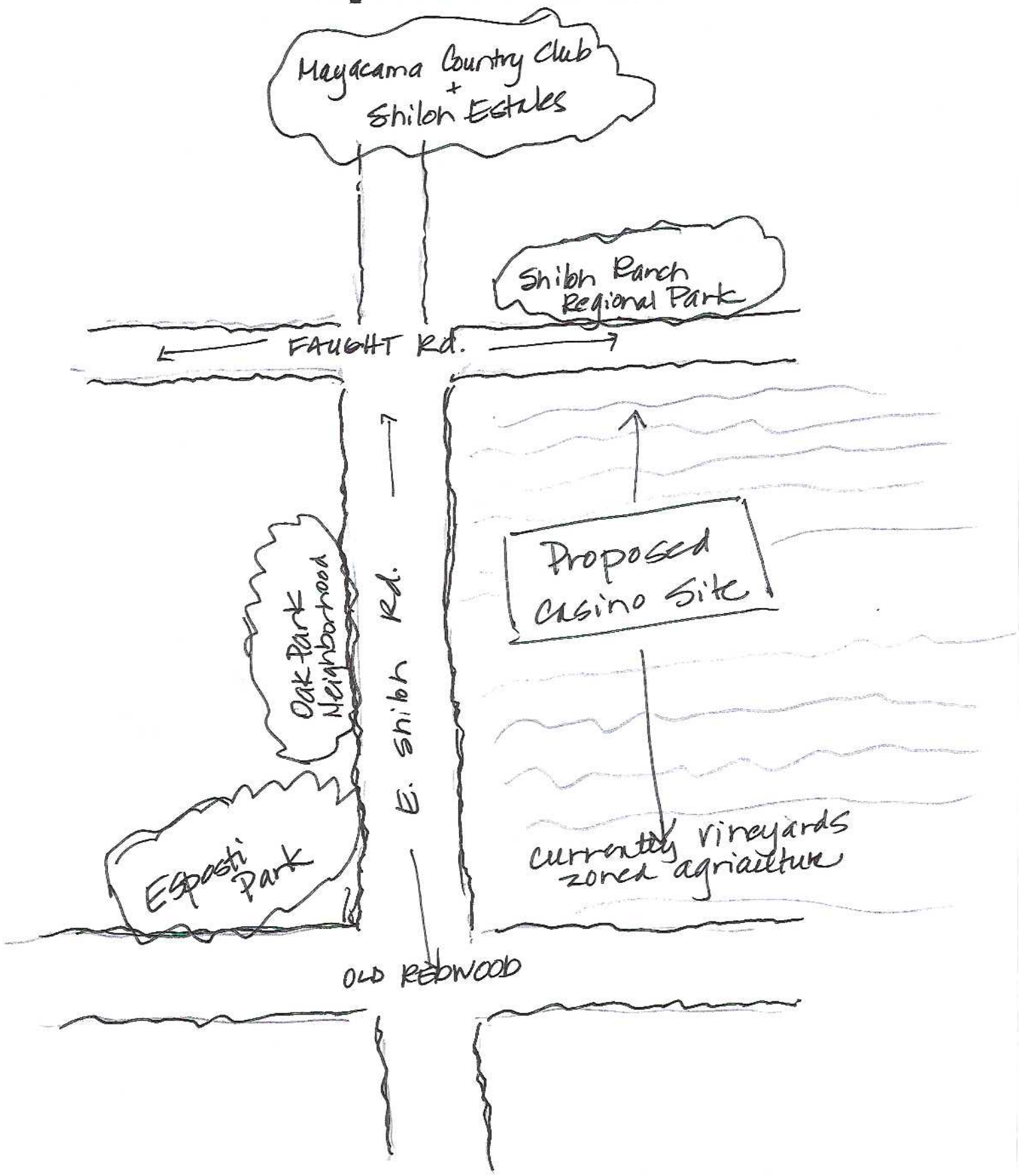
GLASS FIRE—2020

-size—67,500 acres

-buildings destroyed—1,555

-mandatory evacuations; loss of power, water and gas

Proposed Casino Site



From: Elizabeth Acosta [redacted]
Sent: Saturday, April 16, 2022 3:48:25 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: April 20, 2022, Town Council Agenda; item 12.4

Please redact our email address prior to publishing on the Town's website; please forward to Mayor Salmon, Vice Mayor Lemus, and Councilmember Reynoza all of whom currently represent District 4.

We support adoption of item 12.4; we encourage the Town Council to oppose development or uses that are inconsistent with the current land use designation of Land Intensive Agriculture on the property at 222 E. Shiloh Road. Further, we support the Town Council joining the Sonoma County Board of Supervisors in stating its opposition to establishment of a casino at the property named in the Resolution.

Thank you for considering our comments.

Stephen Rios & Elizabeth Acosta
Windsor Residents (D-4)

From: Barbara Collin <barbaramaecollin@gmail.com>
Sent: Monday, April 18, 2022 12:24 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Shiloh Casino

My husband and I live on Lea Street one block off east Shiloh. We are vehemently opposed to another casino being built in Sonoma County, ESPECIALLY in the middle of a residential area. This is a no brainer—traffic congestion and limited water during another historic drought alone makes this an incredibly short sighted project BUT in the middle of a residential area??? Absolutely NO MORE CASINOS here in Sonoma County. STOP THE GREED.

Barbara and Dave Collin
[redacted] Windsor, CA 95492
--

Be yourself, everyone else is taken.

From: Tayler Hockett <hocketttayler@yahoo.com>
Sent: Monday, April 18, 2022 11:09 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: proposed casino on Shilo rd

To whom it may concern,

I am writing to help inform and compel to make sure we do not build a casino on Shilo rd. As a counselor, I work with children and families; and encourage them regularly to get outside and exercise, often trying hiking and cycling. I generally encourage them to go to Shilo as it is often quieter, family-friendly and offers great trails and views. Now more than ever hiking, playing sports, and in general getting exercise and being outside is so important! Our kids and families need parks and outdoor activities made more accessible and friendly, not less. The rise in mental needs and increasing rates of obesity and off the charts since covid. A major deterrent to exercise is accessibility and getting to the parks. Increasing the traffic and likely hood of accidents on Shilo rd by building a casino will directly decrease the safe access and thereby use of the parks.

Secondly, as a cyclist and competitive triathlete I genuinely feel a connection to the trails at Shilo and though a casino would not remove it would greatly diminish the nature Shilo has to offer.

I completely understand it will bring in jobs and capital to the town of Windsor, and agree that is needed right now. However, it is clearly shown casinos increase rates of DUIs nearby, and Shilo rd already being a narrow road with l little to no shoulder it will greatly increase possibly and in all likely hood will increase auto, cyclist, and pedestrian accidents. This is a situation where common sense needs to supersede other motivations. Clearly, a casino will increase accidents and drastically change the nature and park dynamics close by, the most concerning factor is that Aposti park is where children, families, sports teams, etc meet and play. Another casino may have its place in Sonoma County (that of course is a matter of opinion), that place is simply not by the family park where children play and a county park where we as a community can enjoy nature.

I am happy to elaborate further about why Shilo in particular is a great park to use, and have stats relating to mental and exercise, rates of accidents near casinos, and more. Please feel free to reach out with any questions.

Sincerely,

Tayler Hockett, MA

-----Original Message-----
From: Lynn Darst <backpackers_darst@sprynet.com>
Sent: Monday, April 18, 2022 1:56 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Resolution to Oppose Casino Resort on E. Shiloh Road

WINDSOR TOWN COUNCIL MEMBERS:

My husband and I fully support a Resolution by the Windsor Town Council to oppose the Casino Resort on E. Shiloh Road.

E. Shiloh Road is surrounded by neighborhoods, churches schools and parks. Additionally with the multiple evacuations due to the fires/firestorms in our area, we have historical data that shows that the proposed site is in a key evacuation zone. Shiloh and Old Redwood Highway, along with Highway 101 was absolute gridlock. This type of business is an invitation to 20,000-50,000 people visiting per day. To allow this to happen is a disaster in the making - - certainly there would be deaths from the neighborhoods that surround the proposed project, and highly likely customers from the business in any future evacuations. Save lives!!!!

The proposed casino resort is an INAPPROPRIATE LOCATION!!!!!

Please follow the lead off the Sonoma County Board of Directors and sign the Resolution in Opposition,

Lynn Darst
[redacted]

Sent from my I-Pad

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you contact The Bureau of Indian Affairs at the following address and share with them the inappropriateness of this proposed location—and as such, this property should not move from fee to trust.

Darryl La Counte, Director of the Bureau; Bryan Newland, Assistant Secretary
Bureau of Indian Affairs
Depart of the Interior
1849 C Street, N.W. MS-4606
Washington, D. C. 20240
Phone: (202)208-5116

We appreciate your attention in this matter and sincerely hope that you and your fellow state, local and community leaders will do everything in your power to change the location of this proposed Casino site to a non-residential location.

Thank you,

Judith and John Coppedge

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

-10 acres
-baseball, soccer fields
-little league playing fields
-family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

-single family homes
-approx. 75 homes
-$740-$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

-private Country Club
-Jack Nicklaus golf course
-95+ single family, multi-million dollar homes



SHILOH RANCH REGIONAL PARK-Faught Rd.

-850 acres
-hiking trails, creeks & ponds
-horseback riding trails
-family picnic areas



FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?





TUBBS FIRE-2017

-deaths—22; size—36,800 acres

-buildings destroyed—5,640

-size—36,800 acres

-mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

-size—77,800 acres

-buildings destroyed—374; 90,000 structures threatened

-mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

-deaths—6; -size—363,200 acres

-buildings destroyed—1,490

-mandatory evacuations; loss of power, water and gas

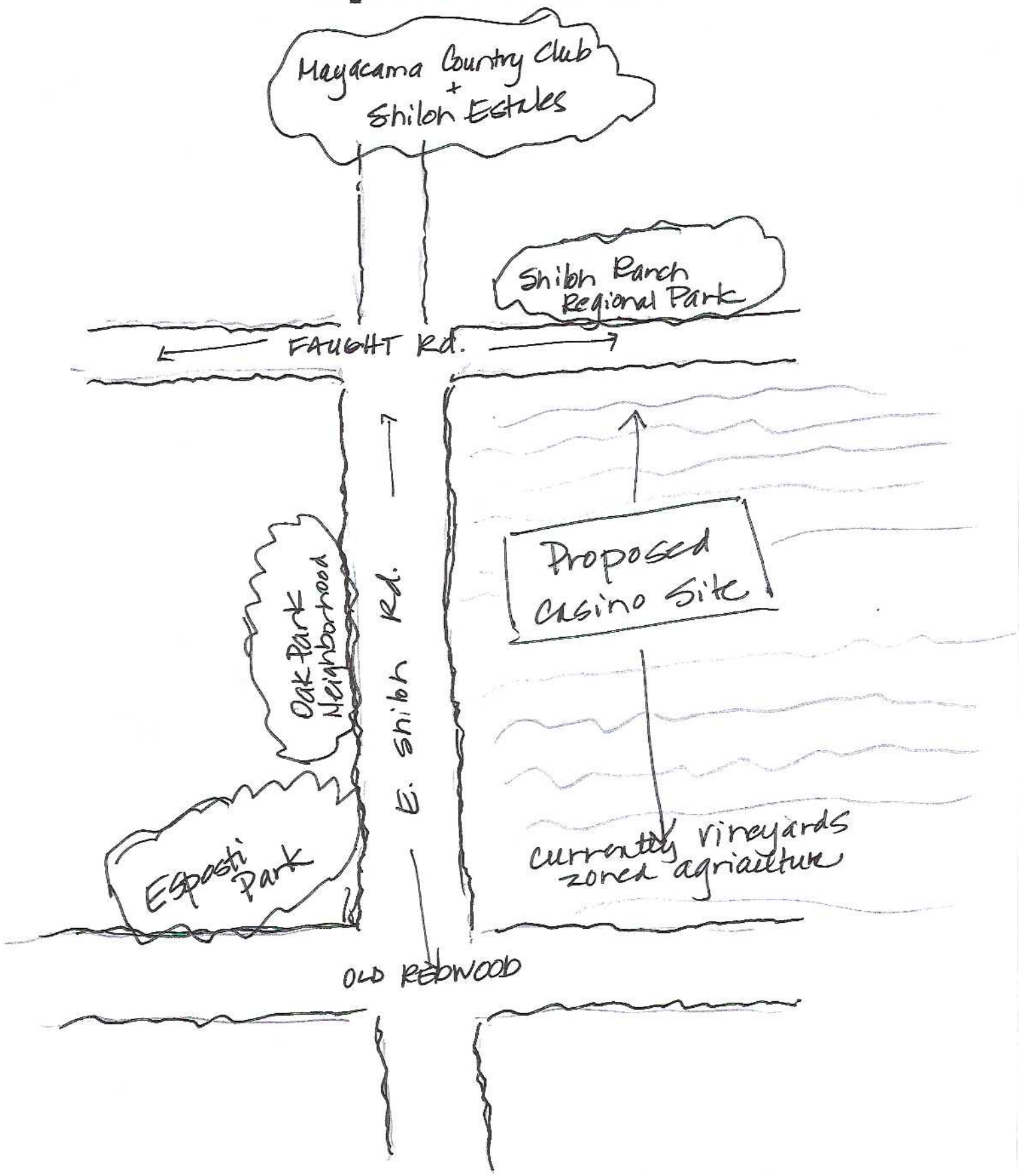
GLASS FIRE—2020

-size—67,500 acres

-buildings destroyed—1,555

-mandatory evacuations; loss of power, water and gas

Proposed Casino Site



Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Thursday, June 30, 2022 9:39 AM
To: Town Council; Mark Linder; Patrick Streeter
Cc: Irene Camacho-Werby
Subject: Re: Koi Nation Environmental Assessment Scoping -- Town of Windsor Public comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please provide a copy of the town official public comments submitted to the BIA. You said this would be done 10 days ago, it was due on Monday, and you did say you would post it to the website. A search today turns up nothing. Are you hiding something??

Betsy Mallace
betsymallace@yahoo.com
707-836-1576
847-971-0716 cell

On Monday, June 27, 2022 at 05:48:05 PM PDT, betsy mallace <betsymallace@yahoo.com> wrote:

Could you please direct me to the link to the town website posting the response? The search function comes up empty.

Thanks,

Betsy Mallace
betsymallace@yahoo.com
707-836-1576
847-971-0716 cell

On Tuesday, June 21, 2022 at 04:58:30 PM PDT, Mark Linder <mlinder@townofwindsor.com> wrote:

Thank you, Betsy. We have previous Council action plus our own technical review to guide us. We have developed a response and will be sending it to the appropriate parties tomorrow. I feel our responses incorporate the community issues that have been expressed. We will post our response on the Town's website.

Mark

From: betsy mallace <betsymallace@yahoo.com>
Sent: Tuesday, June 21, 2022 2:26 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Cc: Mark Linder <mlinder@townofwindsor.com>; Irene Camacho-Werby <iwerby@townofwindsor.com>
Subject: Koi Nation Environmental Assessment Scoping -- Public comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,

I am sorry I missed the last meeting, I was at the yearly Windsor Historical Museum meeting, both happening at the same time.

I just realized that the Towns public comment for the Koi Nation Environmental Assessment scoping was not publicly discussed/agendized. All comments are due to the BIA not later than 6/27/2022. There are no meetings scheduled between now and the due date.

Can you let me know where the town stands on their official public comments?? Will you ask for a 30 day extension so you can get community input? Since this is a scoping comment period, anything NOT mentioned will never be considered, so now is the time to let them know ANY/ALL our concerns.

Below are the links to the NOP and the EA. Looking forward to your reply. Many thanks,

https://www.shilohresortenvironmental.com/

https://www.shilohresortenvironmental.com/wp-content/uploads/2022/05/NOP_EA.TEIR_Koi-Nation-Shiloh-Resort-and-Casino-1.pdf

Betsy Mallace

betsymallace@yahoo.com

Irene Camacho-Werby

From: Deanna Williamson <Deanna.Williamson@jfwmail.com>
Sent: Wednesday, June 7, 2023 11:52 AM
To: Town Council
Cc: icarus062@yahoo.com; D Williamson
Subject: No on Windsor Casino

Dear Town Council,

We are vehemently opposed to a new casino in our small, charming, family-oriented town. I have witnessed firsthand how Graton Casino absolutely destroyed Rohnert Park and Cotati (my place of residence for 20 years.) In fact, it was a major decision to leave Cotati in 2017 after years of watching both neighboring cities change for the worse. Who wants to pay Sonoma County cost of living prices while being accosted weekly by drugged out or homeless people in the local Safeway parking lot?

I feel it will bring in the same devastating external influences that Rohnert Park has experienced such as increased crime, individuals with mental health issues, drug use and miserable traffic—the very things most Windsor residents have been fortunate to escape to this point. Why would you allow this business to strip away what is so very precious about our town?

Please let me know where else we can send our concerns. I am happy to message Senator McGuire and our local legislators as well.

Sincerely,

DEANNA WILLIAMSON | Event Coordinator

o: 707.576.3832| c: 707.331.2807
deanna.williamson@jfwmail.com
www.JacksonFamilyWines.com



Irene Camacho-Werby

From: Mark Linder
Sent: Monday, February 28, 2022 1:32 PM
To: Nina Cote; Town Council
Subject: RE: Towns Council Meeting March 2nd

Good afternoon, Nina.

As the casino location is not in the Town, we are trying to coordinate community meetings with the Bureau of Indian Affairs. The BIA has authority over what will happen with this project will be conducting community meetings on the project.. We are also in communication with the County as the land is in the County. We believe a community conversation about the impacts of this project is very important. We will work with your organization, the County and the BIA to be sure these conversations happen. When we get an idea of where, when, and how the BIA will be conducting community meetings we will let know.

Thank you.

Mark Linder
Interim Town Manager

-----Original Message-----
From: Nina Cote <nina.cote@sbcglobal.net>
Sent: Monday, February 28, 2022 12:00 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Cc: Nina Cote <nina.cote@sbcglobal.net>
Subject: Towns Council Meeting March 2nd

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Respectfully, I would like to request that the Opposition to the Location of the proposed casino on 222 East Shiloh Road be added to the agenda of the next town council meeting.

Thank you! Nina

Nina Cote'
Our Community Matters
707-293-4919
5828 Mathilde Drive
Nina.cote@sbcglobal.net
Our communitymatters2@gmail.com

Irene Camacho-Werby

From: Lynn Darst <backpackers_darst@sprynet.com>
Sent: Monday, April 18, 2022 1:56 PM
To: Town Council
Subject: Resolution to Oppose Casino Resort on E. Shiloh Road

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

WINDSOR TOWN COUNCIL MEMBERS:

My husband and I fully support a Resolution by the Windsor Town Council to oppose the Casino Resort on E. Shiloh Road.

E. Shiloh Road is surrounded by neighborhoods, churches schools and parks. Additionally with the multiple evacuations due to the fires/firestorms in our area, we have historical data that shows that the proposed site is in a key evacuation zone. Shiloh and Old Redwood Highway, along with Highway 101 was absolute gridlock. This type of business is an invitation to 20,000-50,000 people visiting per day. To allow this to happen is a disaster in the making - - certainly there would be deaths from the neighborhoods that surround the proposed project, and highly likely customers from the business in any future evacuations. Save lives!!!!

The proposed casino resort is an INAPPROPRIATE LOCATION!!!!!

Please follow the lead off the Sonoma County Board of Directors and sign the Resolution in Opposition,

Lynn Darst
707 318-9917

Sent from my I-Pad

Irene Camacho-Werby

From: Barbara Collin <barbaramaecollin@gmail.com>
Sent: Monday, April 18, 2022 12:24 PM
To: Town Council
Subject: Shiloh Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My husband and I live on Lea Street one block off east Shiloh. We are vehemently opposed to another casino being built in Sonoma County, ESPECIALLY in the middle of a residential area. This is a no brainer—traffic congestion and limited water during another historic drought alone makes this an incredibly short sighted project BUT in the middle of a residential area??? Absolutely NO MORE CASINOS here in Sonoma County. STOP THE GREED.

Barbara and Dave Collin
224 Lea St, Windsor, CA 95492
--

Be yourself, everyone else is taken.

Irene Camacho-Werby

From: Joan Chance <joanchance@comcast.net>
Sent: Tuesday, April 19, 2022 7:54 PM
To: Town Council
Subject: Opposition of Proposed Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attn: Windsor Town Council -

It was so encouraging to see that The Sonoma County Supervisors passed a Resolution opposing the Casino Resort along Shiloh Road. As a member of Our Community Matters, I highly encourage the Windsor Town Council pass the proposed resolution.
This is not an appropriate place for a casino resort. It is not only zoned for agricultural use, but why would anybody want to build a casino resort near elementary schools, churches, regional parks and established neighborhoods? Apparently the tribe that wants to build this is not even established in this area.

With the fires that have threatened this area in the past few years, evacuation would be impossible with the estimated 23,000 to 52,000 expected guests to attend this proposed resort. Not only that, Sonoma County wants to monitor residential wells. If the casino was built, they would use more water in one day than we would use in a year. The town of Windsor has made it very clear that we are in a severe drought. This is not the appropriate site for a casino resort. It would devastate our community.

Please seriously consider following the lead of the Santa Rosa Supervisors…

Sincerely, Joan Chance

Irene Camacho-Werby

From: suzibill <suzibill@sonic.net>
Sent: Tuesday, April 19, 2022 6:19 PM
To: Town Council
Subject: Proposed Casino Resort on Shiloh Rd.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Council Members,
I have read up on the proposal to build a casino resort, the largest in Sonoma County, at the site on Shiloh Rd and Old Redwood Hwy. I am convinced that such a business would be detrimental to the park and neighborhoods nearby as well as negatively impact our ground water supply and safe evacuation when (not if) it is needed. It's the wrong enterprise for this location.

I urge you all to show solidarity, follow the lead of the Sonoma County Board of Supervisors and put forth a Resolution opposing the Casino Resort. Please do not try to hedge or waffle on this issue-it is too important. Come forth clearly and strongly with a resolution of opposition.

Sincerely,
Suzi Malay
590 Leafhaven Ln. Windsor CA.

Irene Camacho-Werby

From: Laurie <meanlaureen@gmail.com>
Sent: Wednesday, April 20, 2022 9:03 AM
To: Town Council
Subject: Casino opposition

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor and Windsor Town Council,
I'd like to offer my support in the resolution as written to retain the existing Sonoma County General Plan Land Use Designation of Land Intensive Agriculture for the property located at 222 E. Shiloh Rd.
I OPPOSE the Casino Resort.
Sincerely,
Laureen Buettner
Occidental, Ca
Sent from Mail for Windows

Irene Camacho-Werby

From: Todd S <tlcl.sloan@gmail.com>
Sent: Wednesday, April 20, 2022 9:06 AM
To: Town Council
Subject: Resolution regarding Casino on Shiloh Rd.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings Town Council,
I am a nearby resident to the proposed Casino site in Windsor off Shiloh Rd.
Please add me the list of those who strongly oppose this development going forward.
I understand a tribe using a casino to create jobs and income for people, but I question how this development impacts the surrounding area.
Ground water usage, including sewage treatment, the impact on the roadways and nearby services and neighborhoods.
It is too much, and does not fit in with the what is already in place. Are there not zoned areas for something this size in another part of Windsor, i.e. a business park?
If these are your concerns, and you don't have concrete solutions to these issues you should vote no on this project.
There is also the concern about evacuation planning in the event of a wildfire.
The Board of Supervisors was unanimous in voting against this development, I hope your votes will be the same.
Thank you,
Todd Sloan

Sent from my iPad

Irene Camacho-Werby

From: Nina Cote <nina.cote@sbcglobal.net>
Sent: Wednesday, April 20, 2022 1:04 AM
To: Town Council
Subject: Resolution to Oppose Proposed Location for Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

On April 20th the Windsor Town Council will be voting on a resolution to oppose the proposed Koi casino resort at 222 E. Shiloh Road.

The proposed location is in the midst of residential neighborhoods, parks, churches, and schools. The estimated number of visitors to the casino is over 25,000 per day, which is equivalent to adding the population of Windsor into this area daily.

The location is currently vineyards that have protected this area from fire two times in the last several years. The thought of losing the fire break as well as trying to evacuate with this number of added people is frightening.

This is truly not an appropriate location for a casino resort for so many reasons.

All five of our local Sonoma County tribes unanimously oppose this as well as your Town of Windsor constituents.

Thank you for putting this resolution on your agenda and I appreciate that the Town of Windsor will be going on record in opposition.

Sincerely, Nina Cote'
Windsor Resident

Irene Camacho-Werby

From: carolmartin016@gmail.com
Sent: Wednesday, April 20, 2022 11:55 AM
To: Town Council
Subject: Strongly oppose Casino project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Town Council,
I am a resident of Oak Park (next door to the proposed casino site).
I actually like going to casinos, but I strongly oppose locating a casino in a residential neighborhood.
I urge you to pass a resolution opposing the Casino Resort.
Thank you for your service to our community.
Sincerely,
Carol Martin
707-403-8200
218 Lea Street
Windsor, CA 95492

Irene Camacho-Werby

From: Kathy Carey <kathy.r.carey@gmail.com>
Sent: Friday, October 1, 2021 6:27 PM
To: Town Council
Subject: Koi Nation Resort and Casino Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please do not allow this. Town of Windsor has a small town charm and this will no longer be the case if you allow this. Do not ruin this town with creed and kickbacks. The traffic in this area will be ridiculous. It will ruin my commute to work and the poor over 50 senior mobile home park across the street will suffer as well. For once, think of the town's residence and not your campaign kickbacks. If this is allowed, I swear I will make it my mission to see that you all are voted out of office. Don't sell us out!

Irene Camacho-Werby

From: Jeanne Powell <jeannehpowell@yahoo.com>
Sent: Tuesday, October 12, 2021 12:51 PM
To: Town Council
Subject: Windsor Casino-Please say No

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

10/12/2021

Jeanne Harris Powell

208 Johnson Street

Windsor, CA 95492

jeannehpowell@yahoo.com

707-548-4444

Dear Town Council Member of Windsor,

I am very fortunate to be a Windsor resident for over 30 years. I own 2 properties here, a home that my son, his wife and my two granddaughters live in and my condo in the Windsor Town Green. I am greatly concerned about the possibility of a casino coming to Windsor and would like to share those concerns.

Research has shown casinos lead to a plethora of social ills, including increased substance abuse, mental illness and suicide, violent crime, auto theft, larceny and bankruptcy. The latter three all increased by 10 percent in communities that allowed gambling. Casinos aren't even a particularly good source of tax revenue. Studies have found that Indian casinos cannibalize business at nearby restaurants and bars, and in so doing actually reduce state tax revenue.

As an RN who has worked at Providence Santa Rosa Memorial Hospital for over 27 years and have seen the repercussions of violent crime, mental illness and substance abuse please keep Windsor free from a casino.

Thank you,

Jeanne Harris Powell

Irene Camacho-Werby

From: Kim@kimedwards.com
Sent: Thursday, June 9, 2022 2:05 PM
To: Town Council
Subject: Koi Nation Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sonoma County is wine country not casino country. We already have 2 casinos which, fortunately, were not built in neighborhoods. We don't need a third. The disruption to the surrounding neighborhoods will include substantially increased traffic and associated accidents, elimination of a very popular bike route, negatively impacted real estate values, additional pressure on the limited water and power resources, and increased local crime.
Please stop this development
Kim Edwards
6238 Cottage Ridge Road
95403

Sent from my iPad

TO:
Chad Broussard @ BIA
Tribal Affairs, Sonoma County
Sn McGuire
City of Windsor Town Council

From: Bob and Nancy Jenkins
June 19, 2022

We were shocked and appalled at the prospect o a third casino in our county. We strongly oppose development of the proposed Koi Casino on East Shiloh Avenue in Santa Rosa, California for the following reasons:

The Sonoma County Board of Supervisors voted unanimously to oppose the proposed casino. The Board said in a statement that the Koi are a "non-Sonoma County tribe " The board said it came to the decision based on letters of **opposition from five other Sonoma County tribes: The Kashia Band of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Cloverdale Rancheria of Pomo Indians, Federated Indians of Graton Rancheria and Lytton Band of Pomo Indians.** All five federally recognized Sonoma County tribes and the County of Sonoma itself, have written letters in opposition to the Koi Nation's application to take lands into trust in Sonoma County, where they have no ancestral ties.

Sonoma County doesn't need another casino. The planned **casino** would sit only about 18 miles from the River Rock Casino and a mere 13 miles from the Graton Resort and Casino.

The casino will bring **traffic, pollution, crime and lowered property values** to a substantial area of northeast Sonoma County.

The surrounding neighborhoods have been evacuated multiple times each of the past four years. Those evacuations have resulted in total gridlock scenarios due to dense surrounding residential neighborhoods on East Shiloh Road and limited escape routes in the immediate area. Adding the casino users— hotel, spa, 6 restaurants and 2000 employees— would create a **death trap in a wildfire**.

This project will result in huge **water and sewer impacts**. The infrastructure which was not designed for this kind of Use. The area was designed to support residential and agricultural use, and that is how it is currently zoned.

We hope that you will deny this project and/or reconsider its location.

Sincerely,

Bob and Nancy Jenkins
Sebastopol, CA

Irene Camacho-Werby

From: Jeanne Powell <jeannehpowell@yahoo.com>
Sent: Tuesday, October 12, 2021 12:51 PM
To: Town Council
Subject: Windsor Casino-Please say No

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

10/12/2021

Jeanne Harris Powell

208 Johnson Street

Windsor, CA 95492

jeannehpowell@yahoo.com

707-548-4444

Dear Town Council Member of Windsor,

I am very fortunate to be a Windsor resident for over 30 years. I own 2 properties here, a home that my son, his wife and my two granddaughters live in and my condo in the Windsor Town Green. I am greatly concerned about the possibility of a casino coming to Windsor and would like to share those concerns.

Research has shown casinos lead to a plethora of social ills, including increased substance abuse, mental illness and suicide, violent crime, auto theft, larceny and bankruptcy. The latter three all increased by 10 percent in communities that allowed gambling. Casinos aren't even a particularly good source of tax revenue. Studies have found that Indian casinos cannibalize business at nearby restaurants and bars, and in so doing actually reduce state tax revenue.

As an RN who has worked at Providence Santa Rosa Memorial Hospital for over 27 years and have seen the repercussions of violent crime, mental illness and substance abuse please keep Windsor free from a casino.

Thank you,

Jeanne Harris Powell

Irene Camacho-Werby

From: Beverly Hong <bevhongwalsh@gmail.com>
Sent: Thursday, October 26, 2023 9:21 PM
To: singer@singersf.com
Cc: Town Council
Subject: Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern:

The Koi Nations casino will be a heartache for many.
1. The invasion by this new casino will create problems for the neighborhoods and kids involved. There are estabished neighborhoods
In the proposed location. Where as both River Rock and Graton are in more rural areas.
2. The Koi Nation is not even from Sonoma County. If this is allowed what would stop tribes from trying to set up where they are not from? This does not seem right.
3. This will cause much more traffic for this area.
4. Water use. How much water will be needed. We are still trying to recover from the drought.
5. With this, there will be much more in an area that has been quite and safe.
I believe if you asked, you would find many more people will oppose this rather than be for it.
Please reconsider this project and request other land which would be much more suitable.

Sincerely,
Beverly Hong-Walsh
70 Ellie Dr, Santa Rosa, CA 95403

Irene Camacho-Werby

From: Mary-Frances Makichen <mfmakichen@gmail.com>
Sent: Tuesday, September 6, 2022 8:39 AM
To: Kim Voge; Town Council
Subject: Bo Dean Asphalt/Koi Nation Shiloh Resort and Casino Project

I have this same question for town planners and city council that I've sent to the BIA.
Mary-Frances Makichen

> **From:** Mary-Frances Makichen <mfmakichen@gmail.com>
> **Date:** September 6, 2022 at 8:15:09 AM PDT
> **To:** Chad.broussard@bia.gov
> **Subject: Koi Nation Shiloh Resort and Casino Project**
>
> Hi Chad,
> Are you aware that the city of Windsor is now proposing an asphalt processing plant open near Shiloh road? It seems to me that the amount of trucks that would be going in and out of that plant would also impact the environmental review for the proposed casino. It does not seem like one can be considered without the other since neither would exist in a bubble.
>
> What can be done to take this new information into account?
>
> Thank you,
> Mary-Frances Makichen

Irene Camacho-Werby

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council
Subject: KOI shiloh casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sam and town council,

I live in the neighborhood across the street in Windsor that they are proposing this casino. I am completely appalled that this is something that could potentially go up where I live. I moved from San Francisco to Windsor last year to live in a peaceful rural neighborhood. I spent a lot of money to do this.

The neighborhood across the street all have open space easements on the property. I could not build a pool on part of my property for that reason , it is preserved as agricultural land. Now they are going to put a casino in across the street? That certainly is not preservation and does not align with what I was told by the city or county.

I need to know what we can do to make sure this does not happen, I need your support. I will fight and take this where I need to, to stop this. I know you don't control this but you need to ban together with local leaders and I NEED you to be VOCAL about this. I am reaching out to Newsom and Pelosi through personal relationships and I expect you to extend your rolodex as well.

This is my neighborhood, not some strip mall! I am so angry. Please ban together with your other leaders to oppose this. This same tribe dropped pursuing a casino in Oakland in 2005 when city/town and County leaders banned together to oppose this. If there are leaders that support this, I must know and we need to know publicly. This is a gross act upon our neighborhood and where our children sleep at night.

I expect a response and hopefully you are already working on this.

Best,
Kristine Hannigan
6166 Lockwood Dr
Windsor, Ca

Irene Camacho-Werby

From: Irene Camacho-Werby
Sent: Monday, September 20, 2021 9:50 AM
To: Sommer Hageman
Subject: FW: KOI shiloh casino

Sommer,

Please save to the file.

Thank you,
Irene

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: KOI shiloh casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sam and town council,

I live in the neighborhood across the street in Windsor that they are proposing this casino. I am completely appalled that this is something that could potentially go up where I live. I moved from San Francisco to Windsor last year to live in a peaceful rural neighborhood. I spent a lot of money to do this.

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Best,
Kristine Hannigan
6166 Lockwood Dr
Windsor, Ca

Irene Camacho-Werby

From: Arlene Santino <arlenesantino@yahoo.com>
Sent: Sunday, September 26, 2021 1:27 PM
To: Town Council
Subject: Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Windsor is a family town not Vegas do not allow this here in Windsor.

Sent from my iPhone

Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Thursday, September 28, 2023 5:17 PM
To: Town Council; Jon Davis
Subject: EA Comments, Koi Nation Shiloh Resort and Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

Thank you for all that participated last night in the BIA Zoom meeting. I presume the town will submit their comments regarding the significant impacts this project will have to Windsor. If you have not already, can you also request an additional 60 days to submit your comments? The BIA has historically agreed to additional time, and that way the town will not have to rush to get all the details compiled and submitted. I presume the town will publish and approve their letter before it is sent to the BIA. The impacts to the town of Windsor and its residents are so great, and it seems to me that the EA skipped over most of them. IE: evacuation, fire concerns, water, creek, wildlife, light pollution, noise pollution, traffic infrastructure, ect. ect, ect.

Many thanks for your attention to this ongoing matter.

Betsy Mallace
betsymallace@yahoo.com
707-836-1576
847-971-0716 cell

Irene Camacho-Werby

From: Kathy Carey <kathy.r.carey@gmail.com>
Sent: Friday, October 1, 2021 6:27 PM
To: Town Council
Subject: Koi Nation Resort and Casino Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please do not allow this. Town of Windsor has a small town charm and this will no longer be the case if you allow this. Do not ruin this town with creed and kickbacks. The traffic in this area will be ridiculous. It will ruin my commute to work and the poor over 50 senior mobile home park across the street will suffer as well. For once, think of the town's residence and not your campaign kickbacks. If this is allowed, I swear I will make it my mission to see that you all are voted out of office. Don't sell us out!

Irene Camacho-Werby

From: Casino Opposition - OurCommunityMatters <ourcommunitymatters2@gmail.com>
Sent: Sunday, October 9, 2022 10:13 AM
To: Town Council
Subject: Please Recind and Revise Proclaimation
Attachments: OCM Letter to Town Council regarding 10 5 22 proclamtion.docx.pdf

October 9, 2022
Windsor Town Council
9291 Old Redwood Highway #400
Windsor, CA 95492
Dear Honorable Members Windsor Town Council Members,
On April 5th, 2022, the Sonoma County Board of Supervisors unanimously passed a resolution opposing the Koi Tribes application to build a casino resort on the southeast corner of the intersection of Shiloh Rd and Old Redwood Highway. Their resolution was, in large part, based on the fact that the Koi tribe is not an indigenous, native Sonoma County tribe. Their decision was unanimously supported by the five local indigenous Sonoma County Pomo tribes who provided documentation in support of the Proclamation. Thereafter, the city of Windsor passed a like Resolution opposing the casino project and adopting the County ordinance. The
Resolution also reflected the overwhelming opposition of the neighboring community to the casino project.
On October 5th, 2022, the town of Windsor during a town council meeting issued a Proclamation declaring the month of October 2022 shall be Annual Pomo Honoring Month. The proclamation goes on to describe how it is honoring …" Native Pomo people" … who… "have historically occupied and/or had important relationships with lands of Sonoma County, including lands now occupied by the town of Windsor." The Proclamation goes on to mistakenly identify the Koi tribe as a local Sonoma County tribe. The inclusion of the Koi by name in this Proclamation actually harms the very tribes you are honoring, as well as the citizens of Windsor, in that it supports the Koi's claim of being an indigenous Sonoma County tribe.
Time is of the essence. The Proclamation in its current form does not reflect the town of Windsor's prior Resolution and is detrimental to efforts opposing the casino project. Please notify the Koi Tribe of the error and recall all copies of the Proclamation that have been distributed with appropriate language halting further use or publication. A new corrected Proclamation needs to be issued at your next meeting where you can publicly correct this error.
Best Regards,
Our Community Matters
P.O. Box 1421
Windsor, CA 95492
Ourcommunitymatters2@gmail.com

Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Thursday, September 28, 2023 5:17 PM
To: Town Council; Jon Davis
Subject: EA Comments, Koi Nation Shiloh Resort and Casino

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Hello,

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Many thanks for your attention to this ongoing matter.

Betsy Mallace
betsymallace@yahoo.com
707-836-1576
847-971-0716 cell

Irene Camacho-Werby

From: Marie Scherf <mscherf@bpm.com>
Sent: Saturday, November 4, 2023 7:16 PM
To: Town Council
Subject: Koi Nation Proposal

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Allowing a casino to be built on that site in Windsor would be disastrous for the neighborhood and for all the people who use Shiloh Park. It's such a beautiful area and the impact of a bustling casino would be so negative for pollution, traffic, etc. plus it would be a visual eyesore on a relatively pristine rural and agricultural landscape. According to my readings in the PD, the Koi Nation doesn't even have roots in this area, so I am astonished that this would be seriously considered.

Whatever else I can do to vote NO on this proposal, please let me know.

Marie Scherf
745 Jean Marie Drive
Santa Rosa, CA 95403
(707) 365-0011

NEW TAX LAWS
There have been many recent tax law changes. For more information about these new tax laws, please visit our website at www.bpm.com

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Irene Camacho-Werby

From: Patty Lundberg <p.lundberg@ymail.com>
Sent: Wednesday, November 17, 2021 8:33 PM
To: Kimberly Jordan
Cc: Irene Camacho-Werby
Subject: Re: New construction in Windsor - Shiloh Road, Mitchell Lane, and Possible Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Correction, Shiloh Crossing.

Patty

> On Nov 17, 2021, at 7:23 PM, Patty Lundberg <p.lundberg@ymail.com> wrote:
>
> It's Shiloh Apartments and yes it's "Affordable Housing." Not great if you are selling right around the corner.
>
> Patty
>
> > On Nov 17, 2021, at 6:44 PM, Kimberly Jordan <kjordan@townofwindsor.com> wrote:
> >
> > Hi Patty,
> > The Town does not have the information you are requesting. You would need to contact the developer identified for each of the projects to get the information requested.
> > Best Regards, Kim J
> >
> > **From:** Patty Lundberg <p.lundberg@ymail.com>
> > **Sent:** Wednesday, November 17, 2021 3:58 PM
> > **To:** Irene Camacho-Werby <iwerby@townofwindsor.com>
> > **Cc:** Kimberly Jordan <kjordan@townofwindsor.com>
> > **Subject:** Re: New construction in Windsor - Shiloh Road, Mitchell Lane, and Possible Casino
> >
> > CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.
> >
> > Thank you for this.
> > 1.) Do you know the names of the business that will be operating under the apartments on Shiloh?
> > 2.) Are any of these Section 8 or for the homeless? Do you know what will this be called?
> > 3.) Which types of homes and price points for Overlook division on Mitchell and Windsor River Road.
> > I am turning 60 in January and want to put my house on the market in Spring. I doubt these will bring home prices up in Windsor : (Distressing news.

Patty
Birdie Drive

On Nov 17, 2021, at 2:16 PM, Irene Camacho-Werby <iwerby@townofwindsor.com> wrote:

Hello Patty,

With regards to the inquiry regarding the proposed casino, the property the Koi Nation is proposing to develop a casino on is not within the Town's jurisdiction. There are federal and state approvals that must be secured by the Tribe before construction can proceed. At this time, we do not have a sense of the timing for federal and state review or for construction of the casino should the Tribe receive those approvals.

Sincerely,
Irene

Town Clerk|Town of Windsor
Office (707) 838-5315
iwerby@townofwindsor.com
Office Hours: Mon. – Thurs. 7:00 am to 6:00 pm

-----Original Message-----
From: Kimberly Jordan <kjordan@townofwindsor.com>
Sent: Wednesday, November 17, 2021 1:19 PM
To: Patty Lundberg <p.lundberg@ymail.com>
Cc: Irene Camacho-Werby <iwerby@townofwindsor.com>
Subject: RE: New construction in Windsor - Shiloh Road, Mitchell Lane, and Possible Casino

Good afternoon Patty,

Thank you for contacting the Town regarding the developments below. Attached is the Town's current Major Project List. The project at Mitchell Lane and Windsor Road is the Overlook project. The projects on Shiloh Road and Golf Course Drive are Shiloh Mixed-Use and Shiloh Apartments. Information regarding these projects can be found in the attached list, including the project planner who can answer any questions you may have regarding the individual developments.

I have copied the Town Clerk on this email, since I think questions regarding the possible development of a casino are being answered by the Town Manager's office, but am not sure.

Best Regards, Kim J

Kimberly Jordan | Planner III
Town of Windsor |9291 Old Redwood Highway Bldg. 400|Windsor, CA 95492
707-838-1000 Main via Text or Phone | 707-838-5331 Direct| 707 838-

7349 Fax| Monday – Thursday 7am - 6pm www.townofwindsor.com

Due to Public Health Orders, I am working remotely outside of Town offices to avoid person-to-person contact and help prevent the spread of the coronavirus. I am checking my email and voice messages regularly during my work hours, 7:00 a.m. to 6:00 p.m., Monday through Thursday, and will return all messages within one business day.

Your patience and understanding as we work together to keep our community safe is appreciated. Please visit www.townofwindsor.comfor more information.

-----Original Message-----
From: Patty Lundberg <p.lundberg@ymail.com>
Sent: Wednesday, November 17, 2021 12:38 PM
To: Kimberly Jordan <kjordan@townofwindsor.com>
Subject: New construction in Windsor

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

I live on Birdie Drive in Windsor. Could you please tell me what is being built on the 3 parcels below and estimate completion dates for each.

1.) North side of Shiloh Road at Golf Course Drive (both East AND West of of Golf Course.

2.) Mitchell Lane and Windsor Road

I also read about the casino coming to 222 E Shiloh Road. Do you know when that will be built and it's estimated completion date.

Are there any other approved construction going on in Windsor?

I couldn't find this information on the Town of Windsor site.

Thank you

Patty

Irene Camacho-Werby

From: Lisa Shatnawi <lisashatnawi@gmail.com>
Sent: Sunday, August 28, 2022 4:55 PM
To: Town Council
Subject: Asphalt plant/ casinos etc

Hi town council,

First of all thank you for all that you do for our town!
I just want to weigh in on the casino and asphalt plant possibilities.
No to both! Let's keep our little town small and a sanctuary for us residents!
Please no smelly asphalt plant and no casino!

Sent from my iPhone

Blessings to you and yours,

Lisa Shatnawi
lisashatnawi@gmail.com

Irene Camacho-Werby

From: walterbrusz@comcast.net
Sent: Wednesday, April 20, 2022 12:00 PM
To: Town Council
Subject: Attached public comment on Casino Resolution
Attachments: Windsor Town Council comment 042022.docx

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please find attached my public comment.
Walter Bruszewski

Irene Camacho-Werby

From: Mary-Frances Makichen <mfmakichen@gmail.com>
Sent: Tuesday, September 6, 2022 8:39 AM
To: Kim Voge; Town Council
Subject: Bo Dean Asphalt/Koi Nation Shiloh Resort and Casino Project

I have this same question for town planners and city council that I've sent to the BIA.
Mary-Frances Makichen

> **From:** Mary-Frances Makichen <mfmakichen@gmail.com>
> **Date:** September 6, 2022 at 8:15:09 AM PDT
> **To:** Chad.broussard@bia.gov
> **Subject: Koi Nation Shiloh Resort and Casino Project**
>
> Hi Chad,
> Are you aware that the city of Windsor is now proposing an asphalt processing plant open near Shiloh road? It seems to me that the amount of trucks that would be going in and out of that plant would also impact the environmental review for the proposed casino. It does not seem like one can be considered without the other since neither would exist in a bubble.
>
> What can be done to take this new information into account?
>
> Thank you,
> Mary-Frances Makichen

Irene Camacho-Werby

From: Arlene Santino <arlenesantino@yahoo.com>
Sent: Sunday, September 26, 2021 1:27 PM
To: Town Council
Subject: Casino

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Windsor is a family town not Vegas do not allow this here in Windsor.

Sent from my iPhone

W A L T E R B R U S Z E W S K I

2 1 9 L e a S t r e e t

W i n d s o r C A 9 5 4 9 2 U S A 7 0 7 . 2 3 9 . 4 0 5 4

April 20, 2022

The Windsor Town Council

My wife and I have lived in the Oak Park development in Windsor since 1998. Our back yard is directly adjacent to East Shiloh Rd. We can see the vineyard and oak trees from our kitchen and bedroom windows. We walk our dog in Esposti Park daily and hike in the Shiloh Ranch Regional Park about twice a week. We evacuated for both the Tubbs and the Kincaide fires. We are both retired and have hoped that we could live out our days where we are. If the proposed Koi Nation casino is developed on the parcel just behind our backyard, we will need to leave this neighborhood. Living next to 68 acres of parking lot, casinos and a 400-unit hotel is a miserable alternative which we will not entertain. We didn't come to Sonoma County for this.

I expect the Town of Windsor, on behalf of its citizens, to oppose the development using every means possible. The Koi nation has partnered with Global Gaming Solutions (GGS), a business which operates 23 casinos and is wholly owned by the Chickasaw Nation in Oklahoma. This organization, based in Oklahoma would operate the proposed casino. According to the Press Democrat, GGS "modeling shows this area is nowhere near saturation" and that "there is demand for a gambling facility of this size." We are members of Our Community Matters, a group which includes many more people than residents of Oak Park. None of us feels that a casino is needed here. In fact, we don't want it here!

We in California are facing what is essentially a permanent drought. The cause of the drought is Global Climate Change. I was trained to be an academic scientist and I continue to monitor scientific data which indicates that the Earth can tolerate no more heating. The wildfires, shortage of water, and disappearance of plant and animal species will only worsen. Everything about the casino will contribute to production of more greenhouse gasses and more drought. The casino project projects over 57,000 visitors a day. That means that the 68-acre parcel will be mostly parking lot and buildings. It is currently a vineyard with an established stream that drains the Mayacamas Mountains, a well-established riparian corridor and hundreds of old native California trees including oaks, buckeye, and laurels. This landscape consumes and stores greenhouse gasses and prevents warming. Asphalt, covered with thousands of cars adds to warming. Sonoma county, along with much of California is facing critically depleted aquifers. Aquifers are replenished when rain can be absorbed into the soil. Asphalt stops penetration and sends rainwater to the storm drains and into the sea. The water is lost.

If you visit the Graton Casino, you will get an idea of how much light and noise pollution will attend the proposed development, but the plan is for a casino twice the size of Graton. Now our neighborhood is dark at night and the soundscape is a subdued Coyote Symphony. If the project goes forward, the light pollution will be on the order of a large shopping mall.

This neighborhood has proven twice in recent times to be a high wildfire risk. As it is, a lot of people use East Shiloh as the evacuation route. Evacuation of thousands of people with their cars at the casino will endanger everyone.

I hope this letter helps clarify the threat that part of Windsor faces if casino development is not stopped.

With best regards,

Walter Bruszewski

Irene Camacho-Werby

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council
Subject: KOI shiloh casino

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Sam and town council,

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The neighborhood across the street all have open space easements on the property. I could not build a pool on part of my property for that reason , it is preserved as agricultural land. Now they are going to put a casino in across the street? That certainly is not preservation and does not align with what I was told by the city or county.

I need to know what we can do to make sure this does not happen, I need your support. I will fight and take this where I need to, to stop this. I know you don't control this but you need to ban together with local leaders and I NEED you to be VOCAL about this. I am reaching out to Newsom and Pelosi through personal relationships and I expect you to extend your rolodex as well.

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I expect a response and hopefully you are already working on this.

Best,
Kristine Hannigan
6166 Lockwood Dr
Windsor, Ca

Irene Camacho-Werby

From: Irene Camacho-Werby
Sent: Monday, September 20, 2021 9:50 AM
To: Sommer Hageman
Subject: FW: KOI shiloh casino

Sommer,

Please save to the file.

Thank you,
Irene

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: KOI shiloh casino

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Best,
Kristine Hannigan
6166 Lockwood Dr
Windsor, Ca

Irene Camacho-Werby

From: Kim@kimedwards.com
Sent: Thursday, June 9, 2022 2:05 PM
To: Town Council
Subject: Koi Nation Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sonoma County is wine country not casino country. We already have 2 casinos which, fortunately, were not built in neighborhoods. We don't need a third. The disruption to the surrounding neighborhoods will include substantially increased traffic and associated accidents, elimination of a very popular bike route, negatively impacted real estate values, additional pressure on the limited water and power resources, and increased local crime.
Please stop this development
Kim Edwards
6238 Cottage Ridge Road
95403

Sent from my iPad

Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Tuesday, June 21, 2022 2:26 PM
To: Town Council
Cc: Mark Linder; Irene Camacho-Werby
Subject: Koi Nation Environmental Assessment Scoping -- Public comments

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Hi,

I am sorry I missed the last meeting, I was at the yearly Windsor Historical Museum meeting, both happening at the same time.

I just realized that the Towns public comment for the Koi Nation Environmental Assessment scoping was not publicly discussed/agendized. All comments are due to the BIA not later than 6/27/2022. There are no meetings scheduled between now and the due date.

Can you let me know where the town stands on their official public comments?? Will you ask for a 30 day extension so you can get community input? Since this is a scoping comment period, anything NOT mentioned will never be considered, so now is the time to let them know ANY/ALL our concerns.

Below are the links to the NOP and the EA. Looking forward to your reply. Many thanks,

https://www.shilohresortenvironmental.com/

https://www.shilohresortenvironmental.com/wp-content/uploads/2022/05/NOP_EA.TEIR_Koi-Nation-Shiloh-Resort-and-Casino-1.pdf

Betsy Mallace
betsymallace@yahoo.com

Irene Camacho-Werby

From: Marie Scherf <mscherf@bpm.com>
Sent: Saturday, November 4, 2023 7:16 PM
To: Town Council
Subject: Koi Nation Proposal

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Allowing a casino to be built on that site in Windsor would be disastrous for the neighborhood and for all the people who use Shiloh Park. It's such a beautiful area and the impact of a bustling casino would be so negative for pollution, traffic, etc. plus it would be a visual eyesore on a relatively pristine rural and agricultural landscape. According to my readings in the PD, the Koi Nation doesn't even have roots in this area, so I am astonished that this would be seriously considered.

Whatever else I can do to vote NO on this proposal, please let me know.

Marie Scherf
745 Jean Marie Drive
Santa Rosa, CA 95403
(707) 365-0011

NEW TAX LAWS
There have been many recent tax law changes. For more information about these new tax laws, please visit our website at www.bpm.com

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Irene Camacho-Werby

From: Kathy Carey <kathy.r.carey@gmail.com>
Sent: Friday, October 1, 2021 6:27 PM
To: Town Council
Subject: Koi Nation Resort and Casino Project

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Please do not allow this. Town of Windsor has a small town charm and this will no longer be the case if you allow this. Do not ruin this town with creed and kickbacks. The traffic in this area will be ridiculous. It will ruin my commute to work and the poor over 50 senior mobile home park across the street will suffer as well. For once, think of the town's residence and not your campaign kickbacks. If this is allowed, I swear I will make it my mission to see that you all are voted out of office. Don't sell us out!

Our Community Matters
An Association of Neighbors in Sonoma County, CA

5828 Matilde Drive
Windsor, California 95492

Telephone: (707) 293-4919
Email: ourcommunitymatters2@gmail.com

October 30, 2021

Via U.S. Mail and Email

Email Address: IndianGaming@bia.gov

Paula Hart, Director
Office of Indian Gaming
U.S. Department of the Interior
1849 C Street, N.W.
MS-3543-MIB
Washington, D.C. 20240

Re: Request for Restored Lands Determination by Koi Nation

Dear Director Hart:

Our Community Matters, a neighborhood association of over 150 Sonoma County residents, submits this letter in opposition to the request for a "restored lands" determination sought by the Koi Nation of Northern California, previously called the Lower Lake Rancheria (the "Tribe"). The Tribe announced that it has recently purchased 68 acres of land in the unincorporated area of Sonoma County for the purpose of building a 1.2 million square foot casino calling for 2,500 slot and other gaming machines, a 200-room hotel, six restaurant and food service areas, a meeting center, and a spa. We understand the Tribe is seeking an exception to the prohibition of gaming on newly-acquired lands pursuant to the 1988 Indian Gaming Regulatory Act ("IGRA").

The subject property contains several vineyards and a single grand residence, located at 222 E. Shiloh Road, Santa Rosa, California (the "Shiloh Property"). Sonoma County records reveal that a California limited liability company named Sonoma Rose LLC purchased the Shiloh Property on September 1, 2021. (*See* Attachment 1.) The Tribe does not currently hold ownership of the land in its own name.

The Shiloh Property directly abuts the Southeast edge of the Town of Windsor (population 27,447) and lies at the corner of two main traffic arteries, Shiloh Road and Old Redwood Highway. Many houses are directly across the street from the property along East Shiloh as well as Old Redwood Highway, including homes in the Oak Park subdivision and the Colonial Park mobile home park.

Neighbors formed *Our Community Matters* for the sole purpose of opposing the Tribe's proposed mega-casino and resort on the Shiloh Property, as we are convinced the project would be devastating to our community, cause health and safety issues, and negatively impact the environment. Put simply, the location is inappropriate for the Tribe's proposed mega-casino and resort project.

For purposes of the Office of Indian Gaming Management's ("OIGM's") review, it is perhaps even more important that the Tribe has no historical connection to the Shiloh Property nor the surrounding community. The Tribe has simply gone shopping for a place to put a casino and, without consulting any neighbors or local government officials, has decided that our backyard is the best place for it. The location, however, is not well-chosen, and construction of the mega-casino and resort will likely have damaging consequences.

Below is a discussion of the issues and what we have discovered.

I. The Tribe's Request for Permission to Game on the Shiloh Property Should Be Denied Under IGRA

A. IGRA's Legal and Regulatory Framework

Indian tribes may operate casinos only on "Indian lands" that are eligible for gaming under the IGRA. To be deemed "Indian lands" per the IGRA (25 U.S.C. § 2703), the land must be located within the limits of a tribe's reservation, be held in trust by the United States for the benefit of the tribe or its members, or be land subject to restrictions against alienation by the United States for the benefit of the tribe or its members. Additionally,

the tribe must have jurisdiction and exercise governmental powers over the gaming site. If the land is not "Indian lands" and fails to meet these other requirements, then it is subject to state gambling laws.[1]

Importantly, the IGRA (25 U.S.C. § 2719 ("Section 2719")) contains a general prohibition against gaming on lands acquired into trust after October 17, 1988. Tribes may game on such after-acquired trust land only if the land meets one of the two exceptions listed in Section 2719:

1. If the Secretary, "after consultation with the Indian tribe and appropriate State and local officials, including officials of other nearby Indian tribes, determines that a gaming establishment on newly acquired lands would be in the best interest of the Indian tribe and its members, and would not be detrimental to the surrounding community, but only if the Governor of the State in which the gaming activity is to be conducted concurs in the Secretary's determination" (25 U.S.C. § 2719(b)(1)(A)); and

2. The lands are "taken into trust as part of— (i) a settlement of a land claim, (ii) the initial reservation of an Indian tribe acknowledged by the Secretary under the Federal acknowledgment process, or the restoration of lands for an Indian tribe that is restored to Federal recognition." (25 U.S.C. § 2719(b)(1)(B)(iii).)

Our Community Matters understands the Tribe is not seeking to utilize the first of these exceptions to obtain permission to build a casino on its newly-acquired land per 25 U.S.C. § 2719(b)(1)(A), as doing so would require it to consult with State and local officials and other nearby tribes. Rather than reaching out to these community groups and officials to gain support for its mega-casino project, the Tribe simply announced it via the press, to the surprise of Federal, State, and local officials.[2] The Tribe is seeking to circumvent this collaborative process most likely due to the fact that it has used it in the past to no avail: we understand the Tribe's previous requests to build casinos in Vallejo and Oakland were soundly rejected.

The Tribe is thus currently invoking the second exception, seeking to be deemed a "restored tribe" and for its purchase of the Shiloh Property to be considered a "restoration of lands" under Section 2719(b)(1)(B)(iii). While a District Court has determined the Tribe is a "restored tribe" under IGRA,[3] the Tribe's request for the Shiloh Property to be deemed a "restoration of lands" should be rejected.

Because the IGRA does not define the term "restoration of lands," and the language is susceptible to multiple meanings, it is subject to interpretation by the Department of Interior ("DOI") through regulation.[4] The DOI has adopted regulations to interpret the exception, as well as "[w]hat must be demonstrated to meet the 'restored lands' exception" found at 25 U.S.C. § 2719(b)(1)(B)(iii). (25 C.F.R. § 292.7; Gaming on Trust Lands Acquired After October 17, 1988, 73 Fed. Reg. 29,354 (May 20, 2008) ("Part 292").)

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[1] *See* National Indian Gaming Commission: Definitions Under the Indian Gaming Regulatory Act, 57 Fed. Reg. 12382, 12388 (1992).

[2] *See* https://www.pressdemocrat.com/article/north-bay/koi-indian-tribe-unveils-plans-for-600-million-casino-resort-in-sonoma-cou/.

[3] *See Koi Nation of N. California v. United States Dep't of Interior*, 361 F. Supp. 3d 14 (D.D.C. 2019), *amended sub nom. Koi Nation of N. California v. United States Dep't of the Interior*, No. CV 17-1718 (BAH), 2019 WL 11555042 (D.D.C. July 15, 2019), and *appeal dismissed sub nom. Koi Nation of N. California v. United States Dep't of the Interior*, No. 19-5069, 2019 WL 5394631 (D.C. Cir. Oct. 3, 2019). While there may be other challenges to the Tribe's status as a "restored tribe" under IGRA not addressed in that decision, *Our Community Matters* expresses no opinion on that issue.

[4] *See*, e.g., *Grand Traverse Band of Ottawa and Chippewa Indians v. U.S. Attorney for W. Dist. of Mich*., 198 F. Supp. 2d 920, 928 (W.D. Mich. 2002), aff'd 369 F.3d 960 (6th Cir. 2004); *Oregon v. Norton*, 271 F. Supp. 2d 1270, 1277 (D. Or. 2003).

Pursuant to Part 292, to show that lands qualify as "restored," a tribe must establish:

(a) a modern connection to the lands;

(b) a significant historical connection to the lands; and

(c) a temporal connection between the date of acquisition and the tribe's restoration.

(25 C.F.R. § 292.12 ("Section 292.12").)

To demonstrate a "significant historical connection" under Part 292, a tribe can either (a) show that "the land is located within the boundaries of the tribe's last reservation under a ratified or unratified treaty"; or (b) "demonstrate by historical documentation the existence of the tribe's villages, burial grounds, occupancy or subsistence use in the vicinity of the land." (25 C.F.R. § 292.2.) As the DOI explained in the preamble to Part 292, the word "significant" was used because it "reinforces the notion that the connection must be something more than 'any' connection." (73 Fed. Reg. at 29,366.)

Further, the structure of Section 292.12 indicates that the connection demonstrated must be to the newly-acquired land itself, not simply its surrounding area. As explained in the preamble to the final rule promulgating Part 292, what is required is "something more than evidence that a tribe merely passed through a particular area." (73 Fed. Reg at 29,366.)

B. The Shiloh Property is Not the Tribe's "Restored" Lands

The Tribe's request for the Shiloh Property to be deemed its "restored" lands does not meet Section 292.12's second requirement, that the Tribe have a "significant historical connection" to that land, for two reasons.

First, the Shiloh Property is not located within the boundaries of the Tribe's last reservation under a ratified or unratified treaty. (*See* 25 C.F.R. § 292.2.) The Tribe's last reservation was purchased by Congress in 1916: a 140-acre parcel in Lake County between the towns of Lower Lake and Clear Lake Heights known as Purvis Flat. Purvis Flat is approximately 49 miles from the Shiloh Property; the Shiloh Property simply does not fall within the reservation's boundaries. Further, on its website, the Tribe verifies that after the government sold Purvis Flat to Lake County for a municipal airport, the Tribe became landless.[5] Accordingly, the Tribe cannot reasonably claim the Shiloh Property is located within the boundaries of the Tribe's last reservation.

Second, research has revealed no evidence to demonstrate the existence of the Tribe's villages, burial grounds, occupancy or subsistence use in the vicinity of the Shiloh Property. (*See* 25 C.F.R. § 292.2.) In fact, the Tribe's ancestral home was on an island in Clear Lake in Lake County, approximately 55 miles North of the Shiloh Property.[6] The distance between the Shiloh Property and the Tribe's ancestral lands is just too great to demonstrate a "significant historical connection" between the two. In addition, the Tribe's lack of historical connection to the Shiloh Property area was also recently verified in a Cultural Resources Study focusing on property at the corner of Shiloh Road and Old Redwood Highway, presented to the Town of Windsor's Planning Commission regarding a proposed residential project at that corner.[7] While nine tribes were listed as possibly having a historical connection to the area, none of them were the Koi Tribe.

While the Tribe will likely argue that some of its members have resided in Sonoma County over the past hundred years or so, such a factor is insufficient to demonstrate a "significant historical connection" to the Shiloh Property. Indeed, while a tribe's activities in the vicinity of a property may be used to reasonably infer a

[5] *See* https://www.koinationsonoma.com/history/.

[6] *See* https://www.koinationsonoma.com/history/.

[7] *See* https://windsor-ca.granicus.com/MetaViewer.php?view_id=2&clip_id=1308&meta_id=81164, at pages 10, *et seq.,* and Attachment A.

tribe used the subject property for subsistence use, no such inference can be made by showing tribal members lived within a 10-20 mile radius of the property in modern times. Section 292.12 requires the Tribe to show a connection to the newly-acquired land *itself*, not just the surrounding area, as it provides that "[t]o establish a connection to the newly acquired lands [for the purposes of the restored lands exception] . . . [t]he tribe must demonstrate a significant historical connection *to the land*."(emphasis added). Research has revealed no evidence the Tribe or it members have had any connection to the Shiloh Property *itself*, and such a connection is highly unlikely due to the fact the property has been in private hands.

Moreover, the DOI's past "restored lands" decisions also demonstrate the Shiloh Property should not be declared a "restoration of lands" for the Tribe. For example, on February 7, 2019, the DOI denied a request by another Lake County Indian tribe, the Scotts Valley Band of Pomo Indians ("Scotts Valley"), for a "restored lands" determination for its newly-acquired parcel in the City of Vallejo, California.[8] In fact, Scotts Valley had a stronger case than the Tribe for a restored lands determination, as it claimed its ancestors collected provisions near the subject land, and that a tribal chief traveled in the region throughout his life, may have been baptized 17 miles from the land, and worked as a ranch hand and migrant laborer in the area of the land. Despite these ties, the DOI determined that Scotts Valley had failed to show a "significant historical connection" to the subject land because the intermittent presence of the Tribe's ancestors did not indicate a broader presence to the area as a whole, and there was no evidence of ancestral use of the subject land itself. Scotts Valley has sought to overturn that decision via judicial review, and the DOI's motion papers filed in the case on October 1, 2021, demonstrate its commitment to enforcing current DOI regulations and policies on those issues.[9]

Moreover, the Federated Indians of Graton Rancheria has gone on record opposing the Tribe's request for a "restored lands" determination for the Shiloh Property. Specifically, Chairman Greg Sarris stated in an article he authored: "This is an egregious attempt at reservation shopping outside the Koi Nation's traditional territory and within the territory of other federally recognized tribes."[10] *Our Community Matters* believes this is the heart of the issue, and that the Tribe's request for the Shiloh Property to be deemed its "restored" lands should be denied.

II. The Shiloh Property is an Inappropriate Location for a Casino and Resort

While not expressly part of the "restored lands" analysis, *Our Community Matters* believes it is also important to consider how inappropriate the Shiloh Property is for the location of a mega-casino and resort, as follows.

A. Proximity to Residences, Parks, and Elementary Schools

As shown on an aerial view of the Shiloh Property (*see* Attachment 2), it is located across the street from two housing areas on the North side and a mobile home park the West side (there is also a church on the West side). Esposti Park, which is a sports park utilized heavily by Little League teams, is located directly North across the street from the Shiloh Property at the corner of E. Shiloh Road and Old Redwood Highway.

In addition, the attached photo does not show the following: (1) Shiloh Park, a Sonoma County Regional Park which allows for nature-based hiking and horseback riding, is located just 0.4 miles to the West of the Shiloh Property; (2) San Miguel Elementary School, including its surrounding residential neighborhood, is located just 1.4 miles South of the Shiloh Property; (3) Mark West Union Elementary School, including its surrounding residential neighborhood, is located just 1.9 miles from the Shiloh Property; (4) Mattie Washburn Elementary

[8] *See* https://www.timesheraldonline.com/wp-content/uploads/2019/08/DOI-Letter-Scotts-Valley-Restored-Lands-Decision-re-Vallejo-2-7-2019-1.pdf

[9] *See Scotts Valley Band of Pomo Indians v. U.S. Dept. of the Interior*, U.S. Dist. Ct., District of Columbia, Case No. 1:19-CV-01544-ABJ, Memorandum in Support of Federal Defendants' Cross Motion for Summary Judgment and in Opposition to Plaintiff's Motion for Summary Judgment, Dkt. No. 55, Filed October 1, 2021.

[10] *See* https://www.pressdemocrat.com/article/news/graton-rancheria-statement-on-koi-nations-application-for-gaming-facility/.

School, including its surrounding residential neighborhood, is located just 2.1 miles away from the Shiloh Property; and (5) both Shiloh Road and Old Redwood Highway are major travel arteries for the community.

There is simply insufficient space between the Tribe's proposed mega-casino/resort and these residences, parks and schools to prevent negative effects from noise pollution, light pollution, car exhaust pollution, and traffic from impacting the community. The ecological effects alone in this relatively rural and bucolic area would be substantial. Moreover, the associated negative aspects that ride along with casinos, such as theft, vandalism, drug use, trespassing, etc., would have an overwhelmingly negative impact on our small community.

Further, we are experiencing extreme drought at this time,[11] which is expected to be the new normal due to climate change. The Tribe's proposed mega-casino and resort would put tremendous demands on our local resources, including our water table, which we expect will cause water and other conditions to worsen.

B. Lack of Sufficient Wildfire Evacuation Corridors

In the 2017 Tubbs wildfire, over 5,300 homes in Sonoma County burned to the ground. Many of those homes were located just a few minutes' drive to the South of the Shiloh Property. The wildfire came without warning in the night, and there were no emergency messages or evacuations. Since that time, local emergency services aim to provide sufficient warning of wildfires, to enable residents to evacuate with their lives, their pets, and some property.

Attachment 3 to this letter contains a map showing the number and locations of wildfires in the area since 2015 which have ravaged our landscape, both physical and emotional. *Our Community Matters* members have evacuated two to three times in the past four years due to wildfires. For example, in 2019, our members and 50,000 Sonoma County residents were ordered to evacuate to escape the Kincade Wildfire. Evacuating residents caused traffic jams at the corner of Old Redwood Highway and Shiloh Road, which became almost impassable. Highway 101, the primary North-South artery, was at a standstill Southbound, leading away from the fire.

The Tribe's proposal to develop a mega-casino and resort on the Shiloh Property could very well have life threatening consequences for our community members, as there are simply not enough evacuation routes for us let alone the tens of thousands of people the Tribe expects to host on the property. Further, removing the vast majority of the vineyards on the Shiloh Property will increase the fire threat to our community, as vineyards have proven to be a significant fire break.

C. Lack of Hospitality Workers

The Tribe has indicated it plans on hiring 1,100 employees to work the casino and resort. However, there is a shortage of hospitality workers in our area that has reached the critical stage. In fact, a local restaurant just down the street from the Shiloh Property recently announced it will have to close because it cannot find workers to staff it.[12]

The local newspaper, the Press Democrat, reported in a September 1, 2021, article that "[t]hroughout the country, restaurants are facing a critical shortage of workers… Locally, restaurants have even resorted to

[11] *See* https://www.drought.gov/states/California/county/Sonoma.

[12] *See* https://www.sonomamag.com/this-is-the-new-reality-popular-santa-rosa-creperie-closes-for-lack-of-staff/?gSlide=1.

closing on certain days, because of the staffing crunch."[13] The workforce shortage is due primarily to the "extremely high cost of living and a shortage of affordable, workforce housing" in our area.[14]

Our Community Matters is concerned about the Tribe's proposed mega-casino and resort taking employees away from our local businesses, causing more of them to close and further decreasing the unique and diverse aspects of our community.

III. Conclusion

Our Community Matters urges the OIGM to reject the Tribe's request for a "restored lands" exception to the prohibition of gaming on newly-acquired lands. We believe the Shiloh Property is not the Tribe's restored lands, and that the Tribe has no actual connection to that land from either a modern or historical perspective. Moreover, we believe that the Tribe's proposed mega-casino and resort would be simply devastating to our community.

We appreciate your consideration of these issues. Should you have any questions, or would like further information, please let me know.

Best regards,

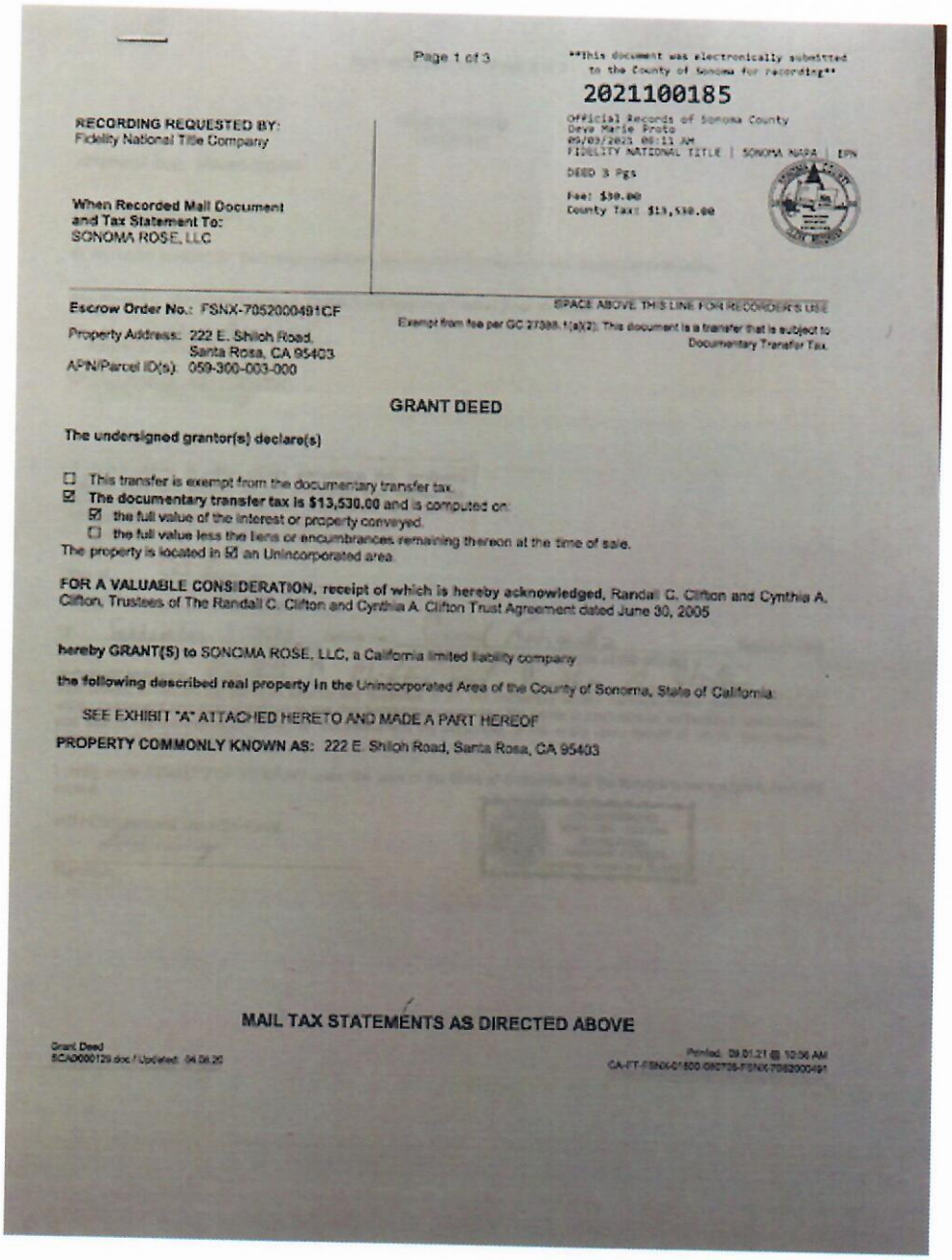
Nina Cote
Steering Committee Chair
Our Community Matters

cc: Robert Pittman, County Counsel, County of Sonoma – Email only: robert.pittman@sonoma-county.org
Jose Sanchez, City Attorney, Town of Windsor – Email only: jsanchez@meyersnave.com
Jared Huffman, U.S. Representative – Fax only: (202) 225-5163
Michael Thompson, U.S. Representative – Fax only: (202) 225-4335
Gavin Newsom, Governor of the State of California – Fax only: (916) 558-3160
Darryl LaCounte, Director of the Bureau of Indian Affairs, DOI

[13] *See* https://www.northbaybusinessjournal.com/article/news/starks-restaurant-group-in-sonoma-county-hosts-party-and-lottery-to-coax-wo/; *see also* https://www.pressdemocrat.com/article/news/sonoma-county-restaurants-still-struggling-in-2021/; *see also* https://www.pressdemocrat.com/article/business/sonoma-county-hospitality-sector-struggles-to-find-workers-despite-high-job/; *see also* https://www.sonomanews.com/article/news/help-wanted-sonoma-valley-businesses-struggle-to-hire/.

[14] *See* https://www.northbaybiz.com/2021/07/19/labor-shortages-in-a-post-pandemic-world/.

Attachment 1



Page 1 of 3

This document was electronically submitted to the County of Sonoma for recording

2021100185

Official Records of Sonoma County
Deva Marie Proto
09/03/2021 08:11 AM
FIDELITY NATIONAL TITLE | SONOMA NAPA | EPN

DEED 3 Pgs

Fee: $30.00
County Tax: $13,530.00

RECORDING REQUESTED BY:
Fidelity National Title Company

When Recorded Mail Document and Tax Statement To:
SONOMA ROSE, LLC

Escrow Order No.: FSNX-7052000491CF

Property Address: 222 E. Shiloh Road,
Santa Rosa, CA 95403
APN/Parcel ID(s): 059-300-003-000

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Exempt from fee per GC 27388.1(a)(2); This document is a transfer that is subject to Documentary Transfer Tax

GRANT DEED

The undersigned grantor(s) declare(s)

☐ This transfer is exempt from the documentary transfer tax.
☑ **The documentary transfer tax is $13,530.00** and is computed on:
  ☑ the full value of the interest or property conveyed.
  ☐ the full value less the liens or encumbrances remaining thereon at the time of sale.
The property is located in ☑ an Unincorporated area.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Randall C. Clifton and Cynthia A. Clifton, Trustees of The Randall C. Clifton and Cynthia A. Clifton Trust Agreement dated June 30, 2005

hereby GRANT(S) to SONOMA ROSE, LLC, a California limited liability company

the following described real property in the Unincorporated Area of the County of Sonoma, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

PROPERTY COMMONLY KNOWN AS: 222 E. Shiloh Road, Santa Rosa, CA 95403

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Grant Deed
SCA0000129.doc / Updated: 04.08.20

Printed: 09.01.21 @ 10:56 AM
CA-FT-FSNX-01600.080735-FSNX-7052000491

GRANT DEED
(continued)

APN/Parcel ID(s): 059-300-003-000

Dated: September 1, 2021

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

The Randall C. Clifton and Cynthia A. Clifton Trust Agreement dated June 30, 2005

BY: Randall C. Clifton
Randall C. Clifton, Trustee

BY: Cynthia A. Clifton
Cynthia A. Clifton, Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Sonoma

On September 1, 2021 before me, Conrad Fernandez (here insert name and title of the officer), Notary Public, personally appeared Randall C. Clifton and Cynthia A. Clifton who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

CONRAD FERNANDEZ
Notary Public - California
Sonoma County
Commission # 2356085
My Comm. Expires Mar 26, 2025

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 059-300-003-000

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF SONOMA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Being a tract of land in Section 20, Township 8 North, Range 8 West, M.D.B. and M. and beginning at a iron pin which marks the 1/4 section corner between Sections 19 and 20; thence East along the Northerly line of the Southwest 1/4 of said Section 20, a distance of 40.00 chains, more or less, to the center of Section 20; thence South, along the Easterly line of said Southwest 1/4, 17.01 chains, more or less, to the Northeast corner of a tract of land conveyed by Elisha C. Mayo to Charles T. Mathisen and Cynthia E. Mathisen, his wife, by Deed dated January 28, 1905 in Book 216 of Deeds at Page 298, Sonoma County Records; thence South 76° 15' West, along the Northerly boundary of said tract of land conveyed to said Mathison, 25.69 chains, more of less, to the center of the State Highway leading from Santa Rosa to Healdsburg; thence Northwesterly along the center of said State Highway, 26.85 chains, more or less, to the section line between Section 19 and 20; thence North along said section line, 1.62 chains, more or less, to the point of beginning.

Excepting thereform that portion thereof conveyed to the County of Sonoma by deed recorded April 25, 1950 in Book 955 at Page 376, Sonoma County Records.

Also excepting therefrom that portion conveyed to the County of Sonoma by Deed recorded October 27, 2006 as Instrument No. 2006132956, of Official Records.

Attachment 2

Aerial Photo of the site of the Casino and Resort proposed by the Tribe, located at 222 E. Shiloh Road, Santa Rosa, CA. The Casino and Resort project is outlined in blue; Esposti Park is outlined in green; the pink line shows the boundaries of the Town of Windsor to the North versus unincorporated Sonoma County to the South.

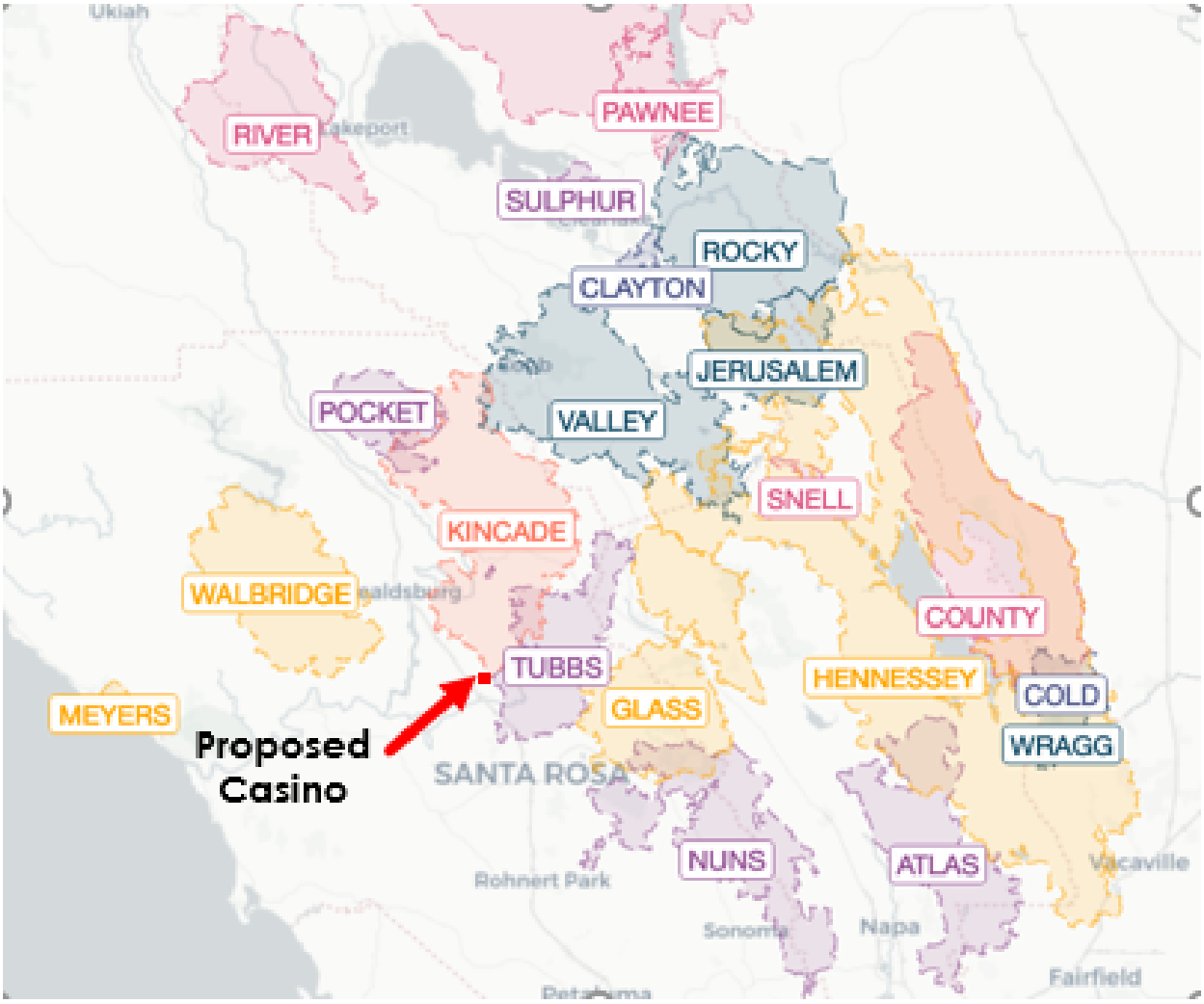
The proposed Casino and Resort is a 1.2 million-square-foot project calling for 2,500 slot and other gaming machines, a 200-room hotel, six restaurant and food service areas, a meeting center and a spa. It is expected to employ approximately 1,100 employees.



Photo obtained from the SoCoNews: https://soconews.org/scn_windsor/news/windsor-officials-clarify-town-not-involved-with-koi-nation-casino/article_0e7adef2-2871-11ec-93c3-536857a5e1cf.html and not verified by Our Community Matters.

Attachment 3

Locations of Recent Wildfires (Since 2015)



Our Community Matters
P.O. Box 1421
Windsor, CA 95492

February 16, 2022

Mayor Sam Salmon
Town of Windsor
9291 Old Redwood Highway Bldg. 400
Windsor, CA 95492

Dear Mayor Salmon:

Thank you for the opportunity to meet with you and Rosa Espinosa recently via Zoom. We were pleased that we were able to review our Power Point Presentation with you and to help clarify the application process through the BIA (Bureau of Indian Affairs). Upon the follow-up dialog, we were left with the impression you do not clearly understand the reasons for our strong opposition to the proposed Casino Resort. While this project is not in the town limits of Windsor, it does border our town. It is directly across the street, within 40 feet, to a Windsor residential neighborhood. Whatever happens at this location will have a direct impact on the Town of Windsor. As your constituents, we want to make the reason of our opposition 100% clear.

Our Community Matters is objecting to the **LOCATION** of the proposed Casino Resort! The top reasons include:

- Press Democrat Article 2/14/22: Drought Relief Hopes Fading
  Press Democrat Article 2/15/22: Drought Worst in 1200 Years

  Documents show six or seven wells that are currently located at 222 E Shiloh are dry and have been for several years. Think about it! How much water does a 200 room hotel, six restaurants, a casino, spa and conference center need? In a recent news release the plans have now changed to a 400 room hotel. How does that impact the rest of us, particularly those on wells?

  Drought worries immediately lead us to wildfire risk!

- Wildfire Risk!

  We do not have to guess what will happen. We already know! We have the experience of the Tubbs fire in 2017 in which 22 people perished and the 2019 Kinkaide fire which stopped directly across the street from the proposed casino location. As you know, the original prediction was that the entire Town of Windsor was in path of the fire. The evacuation in both cases resulted in gridlock along Shiloh/Old Redwood Highway, up to and along Highway 101.

WHY would anyone invite potentially 20,000 vehicles or over 50,000 people a day to an area surrounded by residential neighborhoods to a fire prone area, where evacuation gridlock is history? It doesn't make sense. The thought of 50,000 people evacuating, along with all the residential neighborhoods that surround 222 E. Shiloh, is chilling. How many people will die?.

Mayor Salmon, this is **NOT** an opportunity to seek economic expansion at the expense of safety. This is **NOT** an opportunity to negotiate with anyone relating to this property. This is an opportunity for you to take a stand on this matter! 222 E. Shiloh is the **WRONG LOCATION** for a commercial business that draws thousands of visitors and vehicles per day.

We are strongly urging you to place this important/critical matter on the Windsor Town Agenda immediately for discussion.

Sincerely,

L. R. Darst

Lynn R. Darst, Windsor Resident
Our Community Matters

Cc: Our Community Matters Members

From: Lynda Williams <misslyndalouu@gmail.com>
Sent: Saturday, October 14, 2023 5:56:03 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Comments on Letter RE: Koi Nation Shiloh Resort and Casino Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Honorable Town of Windsor Council Members,

I am writing to comment on the letter on the agenda for approval this Wednesday October 18, 2023, Town Council Meeting commenting on the Environmental Assessment (EA) of the proposed Koi Tribe Vegas Style Casino Resort Hotel.

While I thank you for taking the time to comment on the EA by the deadline, the proposed letter fails to address three critical issues on this matter. The first is Fire and evacuation routes. As you are aware, all evacuation routes out of the Town of Windsor are severely stressed and gridlocked in times of evacuation. As someone who lives directly across the street from this proposed project (less than 40 feet) and who has been evacuated, this issue must be addressed comprehensively in both your letter as well as a new Environmental Impact Statement. This issue risks the lives of residents who are citizens and taxpayers in the Town of Windsor. People like me and my neighbors whom you represent. Please add language addressing this issue.

The second issue is traffic impact, which your letter addresses but fails to tie to the fire and evacuation issue. Specifically, your letter fails to address the proposed traffic light and casino entrance at East Shiloh and Gridley. Gridley is a residential street used by most of the residents of Oak Park (77 homes). Putting a signal here with a casino entrance directly across from Gridley will back up traffic into Oak Park all day and night; it will back up traffic into the Redwood Highway and East Shiloh intersection; this will cause traffic to turn up East Shiloh and speed on Faught Road past San Miguel School; and it will cause traffic to cut through Oak Park to Mathilde backing up traffic at this intersection as well. This will put the life and safety of residents, children on bikes, pets and pedestrians at risk. If intoxicated casino goers become confused when they exit, they could end up roaming the streets of our neighborhood. Additionally, adding 15,000 additional vehicles a day to this area will increase carbon emissions by 25,185,000 metric tons per year (source EPA website). This additional pollution will flow into all our homes.

The third, and most important issue, is that your letter fails to take a stand on the fact that this is the wrong location for this project, for all of the environmental reasons, let alone the fire and evacuation hazard. I would like to see the Town of Windsor take the position that this is the wrong location and recommend that the BIA take plan D, no project and the land is not granted to the Koi. The issue here is not the tribe, it is the location. I personally wish them well and hope they can find an appropriate location for their Vegas Style Casino Hotel. But for the scope of this

EA and this BIA proposal, please support and recommend option D in your letter. Residential neighborhoods are not the place for casinos.

Thank you.

Warmest Regards,

Lynda Williams
[redacted]
Windsor, CA 95492

From: Eddie Flayer <eddie.flayer@att.net>
Sent: Saturday, October 14, 2023 6:12:47 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: I don't understand the legal jargon...

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I live in Santa Rosa but I love your town. Such a great job with building a downtown, and parks, green spaces. Why kill a fine rural vineyard neighborhood with ANOTHER gambling hall? Find some land close to Walmart on Shiloh near the freeway. Give it to the Indians and let the buses of hoards shop at Walmart...and smoke and play slot machines and smoke some more. Maybe they will even smoke a peace pipe since they can make lots of money to get paid back for what we did to them.

I would like to see the Town of Windsor oppose the location of this project and urge the BIA to support option D, not to grant the land to the Koi Tribe.

Thank you,
Eddie Flayer

From: Maisie McCarty <maisiemccarty@hotmail.com>
Sent: Sunday, October 15, 2023 8:14:02 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Nation Proposal for Casino Hotel, etc

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Council Members-
We strongly urge the Town of Windsor to oppose the proposed casino just south and east of our border in its comments to the BIA. It will, if accepted into trust by the BIA become a horrific blight causing traffic, noise and light disturbance to those Town of Windsor occupants living so close to its proposed location. In addition it would cause unlimited problems for those of us forced to evacuate due to fire or other natural disasters. The proposed casino's traffic study does not even take into account the new 300 + units being built at Old Redwood Highway and Shiloh Rd which will already cause increased traffic and parking problems so near to their proposed site.
In addition the Koi Nation's ancestral lands are in Lake County, NOT Sonoma County.
Please direct your comments to the BIA in strong opposition to placing this land into trust for the Koi Nation.

Very truly yours,
Mary M.McCarty
L.W. Harrison
[redacted]
Windsor,CA
Sent from my iPhone

From: Ginna Gillen <ginnagillen@sbcglobal.net>
Sent: Sunday, October 15, 2023 10:19:40 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Cc: Jim Gillen <jimgillen@sbcglobal.net>; Suzanne Jean Calloway <suzannecalloway@yahoo.com>; Our Community Matters <ourcommunitymatters2@gmail.com>
Subject: Please Oppose the Koi Casino

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As an almost 20 year resident of Windsor, I urge the Town Council to take a stronger position in opposition to the proposed Koi casino. Having read the Environmental Assessment, I agree that as your agenda states "... the Town finds that several potentially significant adverse impacts associated with the proposed project are not identified or not adequately mitigated below the threshold of significance".

My family was evacuated during the Tubbs Fire and the Kincade Fire and encountered terrifying traffic jams on the escape routes. This situation would become total gridlock if the casino were to be built to the south of us. The only way to mitigate this potential crisis is to prevent the building of this casino.

The Town Council represents the voices of your constituents and we urge you to take a strong stand to protect the lives of the citizens of Windsor!

James and Virginia Gillen
[redacted]
Windsor

From: Mary Ann Bainbridge-Krause <mary_ann_bainbridge_krause@yahoo.com>
Sent: Sunday, October 15, 2023 5:52:33 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Item number 12.2 town agenda

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Town Council: I'm writing concerning item # 12.2, submittal on the environmental assessment regarding Koi Nation Shiloh Road and Casino project. Even though you very carefully cover reasons why this should not proceed ,you never once in your letter state you are against this development.
I'm disappointed. Your concerns are the same as the citizens of Windsor and yet you fail to back us up. Why? I would really like to know.
Very disappointed
MaryAnn Bainbridge-Krause
[redacted],a 28 year member of the Windsor community.
Sent from my iPhone

From: Carrie Marvin <[redacted]>
Sent: Sunday, October 15, 2023 5:46:10 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: EA letter for KOI Casino

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Please make sure in the letter from the Town Council, to include how incredibly dangerous it would be for them to build a large casino and hotel and parking for thousands of cars when we have to evacuate. People living in Windsor could end up like citizens of Lahaina or the Camp Fire - being burned because there is not the ability to evacuate quickly. Both Tubbs fire (getting out of Coffey Park was difficult) and Kincaide Fire had lots of people driving for a very long time to get out (I heard stories of people in Windsor and Sebastopol) This is a very important point that needs to be stressed and to omit that is an issue.
Also, as a citizen of Windsor and of the state of CA, we have suffered for years with a long term drought. I have personally ripped out all my grass - and to think that this group can come in and use our local water for tourists and gamblers - while I shut the water off while I brush my teeth and take timed showers, seems nonsensical to me. Fire and Drought must be addressed in the letter.

Thank you.
Carrie Marvin
[redacted]

From: Debra <d_avanche@yahoo.com>
Sent: Sunday, October 15, 2023 5:33:33 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Nation proposed project at 222 E Shiloh Rd., Santa Rosa

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Windsor Town Council members,

I am writing to request that the Windsor Town Council go on record opposing the gaming project at Old Redwood Highway and E Shiloh Rd. by the Koi Nation and Oklahoma Gaming commission.

This property is just outside the Windsor town boundaries but will heavily impact Windsor residents and businesses. This location is designated rural residential agricultural and is **BORDERED BY** Esposti sports park, the Oak Park subdivision, a church, mobile home park for seniors, residences along E Shiloh Rd., The Sonoma County Regional Park at E. Shiloh Rd and Faught Rd and is close to San Miguel Elementary and Mark West Elementary Schools. It is a travesty that a gaming operation is being floated in the middle of this beautiful community.

The Koi Nation is pursuing sovereign status of this property so gambling and 24/7 hoopla can take place. The Koi Nation is from Lake County and should be pursuing their project in that county.

Windsor will not benefit from needing more housing for low paid workers, and will be harmed by plopping a hugh operation in an area that is wildfire prone. Serious evacuation problems are obvious. We are already experiencing parking and traffic issues with the new apartment complex that is in the works.

I urge the Council to go on record strongly opposing this operation and designate the land as off limits for this type of project. Its appalling and makes no sense. We have enough casinos already in Sonoma County. There is **NOTHING** to be gained. Please help stop this.

Thank you,

Debra Avanche

[redacted]
Santa Rosa, Ca 95403

From: Chris Thuestad <chris2esta@comcast.net>
Sent: Sunday, October 15, 2023 4:03:23 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Nation Casino Proposal

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I just received an email stating that the Town of Windsor is ready to approve the EA Comment Letter to the BIA regarding the Koi Nation's proposed casino. I'm deeply concerned about the casino for many of the same reasons you've already heard. The traffic on Shiloh Road is already problematic. I have had to sit through three turns of the light to try to get past the light near Home Depot. When we had to evacuate during the Kincade fire, my husband was at Home Depot -- it took him almost an hour to get back to our house which is just a mile away. According to MapQuest, it should only take 4 minutes! The traffic study submitted by the Koi Nation also didn't take into account all the high-density construction projects that are being built along Shiloh and Old Red. Heading south on Hwy 101 is a nightmare already. We've been told the Graton casino gets 20,000 guests a day. If the Koi casino is even larger, what will that do to the street traffic in Windsor and the freeway traffic heading south?

I'm also concerned about water usage. We've been told that droughts are going to continue to be more frequent and more severe. We were headed to a real disaster until the rains finally came last rainy season. I've heard that the proposed casino will put in a 700' well and pump out something like a quarter of a million gallons of water a day. Not only will all the existing wells in the area go dry in the next drought, there could be problems with ground subsidence. Once the land is taken into trust, there won't be anything anyone can do about that. We've already been told to replace our toilets, dish washers, washing machines. We've been asked to pull up all our water-intensive landscaping. We've been required to only water our lawns every other day, not to wash our cars in the driveway, and to cut our usage by as much as 20%. What's next? No showering? No yards at all? No drinking water? Does the Town of Windsor have a plan for this?

The Koi Nation is a Lake County tribe yet they bought land in Sonoma County just about half way between two existing casinos owned by Sonoma County tribes. How is it fair to the SoCo tribes to have the Koi Nation come in and cannibalize their business?

Finally, the additional traffic, crime, noise, and light pollution will ruin the property values of all Windsor residents, especially those near the casino. No one wants to live by a casino!!

I urge you to oppose the casino, support option D, and not allow the Koi Tribe to destroy the lives of so many people in Sonoma County.

Thank you,
Chris Thuestad

From: BELVA MITCHELL <mmitchellbc@aol.com>
Sent: Sunday, October 15, 2023 11:25:30 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Fwd: EA Comments,Koi Nation Shiloh Resort and Casino

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Sent from my iPad

Begin forwarded message:

From: BELVA MITCHELL <mmitchellbc@aol.com>
Date: October 11, 2023 at 10:42:09 AM PDT
To: chad.broussard@bia.gov
Subject: Re: EA Comments,Koi Nation Shiloh Resort and Casino

Sent from my iPad

On Sep 28, 2023, at 6:39 PM, BELVA MITCHELL <mmitchellbc@aol.com> wrote:

I am strongly opposed to the proposed Casino due to many factors.I live within [redacted] of the Shiloh road entrance/ exit as proposed.This surface street infrastructure at Old Redwood highway and at 101 experience heavy traffic volumes at peak travel times.This will only worsen in coming years due to more population resulting from projects under construction now. The Casino project is indicating some improvements to address infrastructure but I can't foresee this will address the highway 101 approaches and exit ramps.
All of the concerns do not begin to reflect an emergency evacuation situation. I see no indication that noise will be addressed once operations are underway and complete.Over the last several years commercial and private vehicles with loud exhaust systems create an extremely undesirable situation that continues into late at night. There does not seem to be any effort to patrol for this situation. There is also a great concern that safety will be compromised due to the influx of people that will be present and those looking for an opportunity to traffic drugs and sex if this project becomes a reality . Finally this is a residential community not a commercial or business location.

From: Tisha Zolnowsky <Tisha.Zolnowsky@kp.org>
Sent: Monday, October 16, 2023 7:22:01 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Windsor Town Council - Safety. - Please oppose!

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to provide comments on the proposed **Koi Nation Shiloh Resort and Casino** Project. **I can't believe this is even an option. Really, why is putting a GIANT casino in a neighborhood even an option! 50'** from backyards where families, animals, and children play.

That vineyard saved the surrounding neighborhoods by being a fire break. What about the flooding. What happens to the homes 50' away from a parking lot? Where will the water go? I cannot comprehend how anyone would think that adding a massive casino in a neighborhood is OK. Why are we even talking about this, it's absurd for so many reasons. **Why do us citizens continue to get pushed around by organizations that put their profit before population safety.** Sadly, politics and things like this are driven and bought by money. The little guy (residents) never seem to win against billionaires.

If this project goes through, will we look back and wonder how we got into a situation where the tiny town of Windsor burned up because the people were trapped by traffic? **Who will be blamed** for all the deaths by fire and because of the inability to evacuate? The last evacuation took me four hours to leave Windsor, CA. Windsor, CA, is the wrong location for a business that will add more traffic and people than the 26,000 residents. I am on the county line and it took 4 hours!

Seriously, I'm scared.

Yes, a massive project like the proposed casino will destroy the beauty and increase traffic, congestion, and crime in a residential area, but most of all, it will more than double the people in an area that is already challenged with the ability to evacuate in a safe, timely manner. No roads will be big enough.

There are areas in Sonoma County more appropriate for a high volume 24/7 business. This project will needlessly destroy and corrupt a family residential neighborhood to benefit a small number of individuals from another California region.

So sad ☹

Tisha Zolnowsky

No Casinos near homes, schools, churches,

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From: MEREDITH STROM <mandmstrom@comcast.net>
Sent: Monday, October 16, 2023 11:12 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Tribe request to build casino on East Shiloh Road in Windsor

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing with regard to your upcoming council agenda item regarding a request by the KOI Tribe to build a casino on East Shiloh Road in Windsor.

I live on [redacted] and this project would have an immediate and potential disastrous affect on my life. During the recent fires when I had to evacuate my home twice all roads getting out were blocked because of traffic, including Faught Rd., Old Redwood Highway and the 101 freeway. Adding the numbers of cars this project would involve would create a situation that could result in not only property losses but possibly lives, especially for seniors like myself who cannot evacuate easily. Just the increased daily traffic on these country roads will certainly complicate my life immensely.

The noise and parking are also definite concerns for me, especially weekends and evenings. Esposti Park is on the corner of Old Redwood Highway and East Shiloh Park. This is a very well used park during evenings and weekends for many youth athletic leagues with the parking lot full and overflowing onto side streets and neighborhoods. This situation will increase when the huge low income housing unit on the opposite corner is occupied which I fear does not allow enough parking for its projected occupancy. Numerous bike rides commence at this park contributing to traffic and parking issues almost daily during many months of the year.

This is not just a small neighborhood issue. Traffic on and off the freeway, noise, parking, huge increases in water and power usage will affect all Windsor residents.

I urge you to officially oppose this project and recommend the KOI Tribe be denied their request to build a casino at this site.

meredith strom
[redacted]
Windsor, CA

From: Joanne Hamilton <jahamil@pacbell.net>
Sent: Monday, October 16, 2023 10:28 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Casino item 12.2

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The Draft responds does a very good point by point assessment of the EA. However, IMO, I feel it could be strengthened with a strong opening that the Town is against this location for the Koi project. Also, perhaps, a strong close to the same affect.

JoAnn Hamilton

From: Judith Coppedge <judithcoppedge727@gmail.com>
Sent: Monday, October 16, 2023 4:52 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Comment for Proposed Koi Casino Mtg 10-18-23

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please see the attached documents for your upcoming Town Council Meeting on the Proposed Koi Nation Casino.

October 16,2023

TO: Town of Windsor, Town Council (for mtg 10/18)

Fr: J Coppedge, [redacted] Santa Rosa, CA 95403

Re: Proposed Koi Nation Casino

To Council Members,

After having read the pertinent documents related to the proposed Koi Nation Casino, there are a number of key issues that are missing from the Environmental Assessment, which must be strongly stated and prioritized to the BIA. They include:

1) **Ensure a full Environment Impact Study is conducted and a comprehensive Environment Impact Statement be prepared.**
2) **Ensure a non-tribal, non-gaming Environmental Organization be utilized to provide a full scope Environmental Assessment as a peer review to Acorn Environmental.** Acorn Environmental was utilized in the completion of the Environmental Assessment. Acorn specializes in tribal governments, fee to trust land, gaming and other closely related tribal and gaming issues.
3) **The existing Environmental Assessment completely ignores the number one issue with the location of the proposed Casino. FIRE, FIRE, FIRE, LOSS OF LIFE.** (pls see attached photos for an understanding of what the past number of years of FIRE have brought to this area).
4) **Recommend the BIA select Option "D" (no project alternative) and do not grant the fee to trust conversion.**

The proposed location for a Casino is inappropriate and dangerous in many ways.

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you review the attached documents and consider if this residential community is appropriate for a casino location. As we believe you will agree, this is not an appropriate site for a casino. As such, we request that this property not be converted from fee to trust.

We appreciate your time and attention in this matter.

Judith and John Coppedge

FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?





TUBBS FIRE-2017

-deaths—22; size—36,800 acres

-buildings destroyed—5,640

-size—36,800 acres

-mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

-size—77,800 acres

-buildings destroyed—374; 90,000 structures threatened

-mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

-deaths—6; -size—363,200 acres

-buildings destroyed—1,490

-mandatory evacuations; loss of power, water and gas

GLASS FIRE—2020

-size—67,500 acres

-buildings destroyed—1,555

-mandatory evacuations; loss of power, water and gas

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

-10 acres
-baseball, soccer fields
-little league playing fields
-family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

-single family homes
-approx. 75 homes
-$740-$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

-private Country Club
-Jack Nicklaus golf course
-95+ single family, multi-million dollar homes

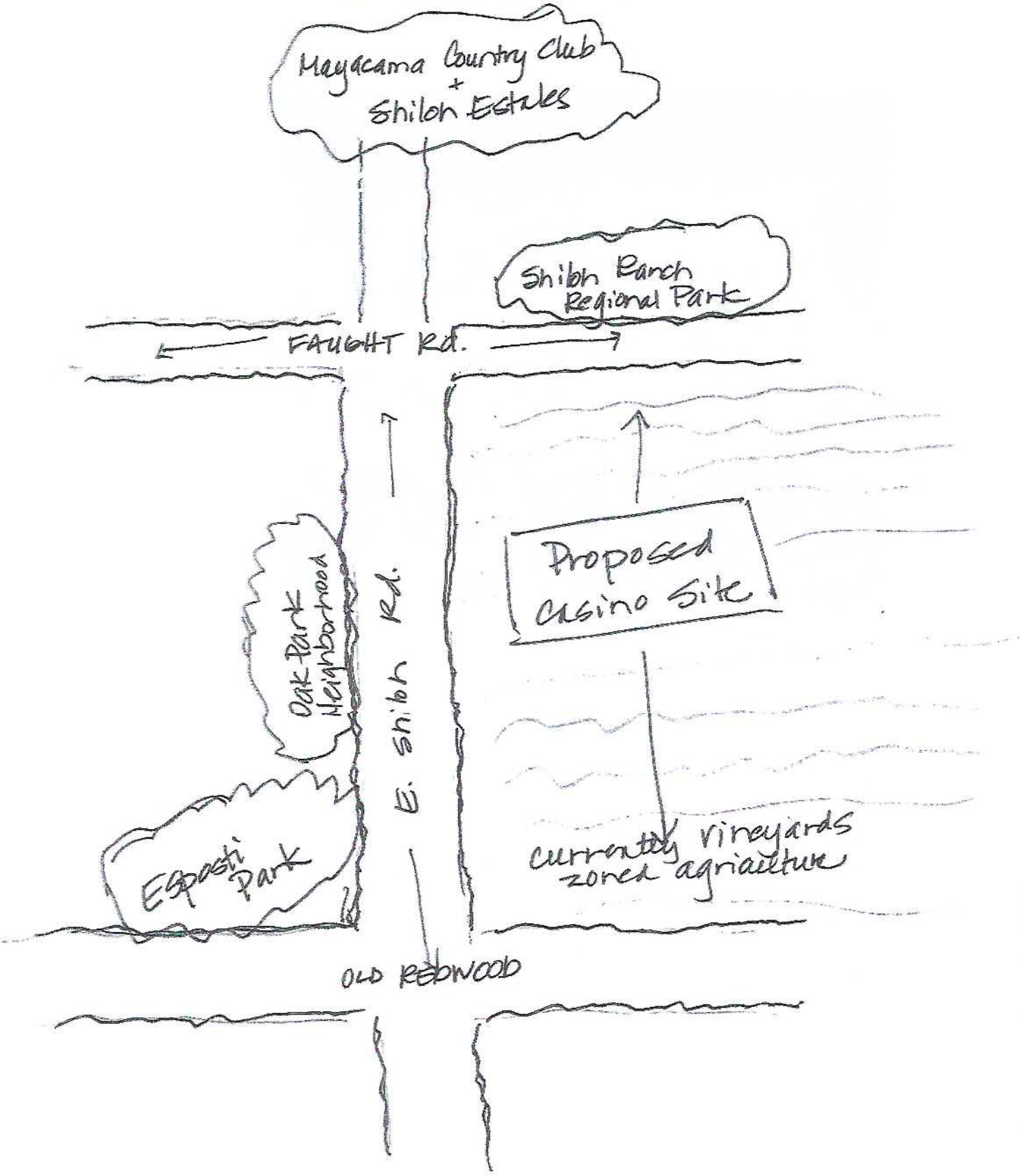


SHILOH RANCH REGIONAL PARK-Faught Rd.

-850 acres
-hiking trails, creeks & ponds
-horseback riding trails
-family picnic areas



Proposed Casino Site



From: C Plaxco <cplaxco143@gmail.com>
Sent: Monday, October 16, 2023 5:06:49 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: I do not want Shiloh Casino in my residential neighborhood

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I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD

- I have lived on [redacted] for 41.5 years. A casino does not belong where me and my neighbors live.
- Mitigations are just a bunch of words. Who is going to monitor what they promise? We just got a 300 apartment building at the corner of E. Shiloh & Old Redwood. More residents that will totally add to traffic. Traffic will be horrendous with a casino added!!!
- Urban Wildfire . It took my family 2 hours to get to Hwy 101 during one of our fire evacuations. That is 2 miles. Sounds so scary that we may not be able to evacuate and could get caught in a fire storm. So scary
- Water - I am on a well on [redacted] I have already had to get a new well because it went dry. Now you want to take my water away for a casino. I can't get Windsor sewer hook up.
- Noise 24/7- the casino would be so loud. Trash pickup, ventilation, AC, people, vehicles. Casino said they would give us new windows. Come on, that will not solve the problem. That shows you right there, they know it will be loud. Why do we, in a residential area, have to even be thinking about this!!! I sleep on the second floor and will hear it all.
- What about the drunk drivers that come and go to the casino. What about the crime it will bring. My neighbor is a cop and is constantly going to Graton Casino dealing with crime. So scary to think that a bad person can just walk across the road into my neighborhood. We don't have enough sheriffs and firemen to respond to casino and our town.
- Economy jobs - Windsor business already cannot find enough employees and businesses are closing

I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD

Christine & Richard Plaxco
[redacted]

From: Don Ziskin <donziskinlaw@comcast.net>
Sent: Tuesday, October 17, 2023 8:06 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Casino Environmental Statement

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Honorable Town of Windsor Council Members,

Thank you for the opportunity to comment on the letter from the City of Windsor to Amy Dutschke with the Bureau of Indian Affairs concerning the Environmental Statement. My (and my neighbors) chief concern is the impact the Koi Casino Resort will have during the next evacuation as well as on day-to-day life.

1. Transportation and Circulation/ Fire/Evacuation

My family and I are 31 years residents of [redacted], the development directly across the street from the proposed hotel/casino complex. We have been through the Tubbs and Kincaid fires and experienced gridlock during evacuations.

There is no information in the Environmental Statement referencing the results of the traffic study done over two wet, cold days in January 2022, nor was there any information concerning the basis for the estimated 11,213 to 15,579 trips a day to and from the casino. While their traffic study does acknowledge that the casino will cause a loss of services (LOS) they utilize a common phrase throughout the report. “Mitigation would reduce impacts to a less than significant level”. Changing lane striping and signal phasing is not going to alleviate the LOS. There is no information in the TIS on how signal installation will impact traffic. Conclusory statements at the end of the Transportation and Circulation section simply state that “mitigation would reduce impacts”. Further detailed analysis incorporating actual conditions is needed.

There is no substantive information on what their plan is or how their plan would impact the community in the event of an evacuation from fire or earthquake. The only time evacuation is mentioned is at the very end in Appendix N which calls for the Koi to coordinate with emergency evacuation and traffic experts to develop a project-specific evacuation plan. Nowhere in the bullet points do they reference the single lane exit routes or the other surrounding community members trying to evacuate. There is no substantive information on what their plan is or how their plan would impact the community.

How will 5,000+ vehicles leaving the casino at one time during an emergency impact resident in Oak Park and east of the casino Shiloh entrance trying to evacuate?

How will morning and evening commutes be impacted by people traveling to and from the casino?

How will traffic signals at Gridley and Shiloh casino entrance impact traffic congestion on East Shiloh?

How will Casino and residential evacuation impact responding emergency services?

2. Other Casinos in Residential Communities

In response to scoping concerns over casinos in residential areas, the Environmental Statement references three casinos in California that are in residential communities; however, there are significant differences between the Yaamava, Pechanga and San Pablo casinos in the ES and the proposed Koi Casino Resort.

None have housing as close to the casino as does the Koi Casino. All have material differences in ingress and egress. None share a common entry/exit with private residences.

Pechanga is separated from homes by a four-lane parkway and a nature trail. The casino is over ¼ mile from residences. It was built on historical lands belonging to the Pechanga tribe for over 10,000 years in Temecula.

Yaamava casino, like the Pechanga Casino is built on the San Miguel Band of Indians historical land in San Bernardino. It was designed so that the casino entry way faced an unoccupied hillside on their reservation lands. The homes in the area all face the unlit, backside of the casino and are separated by open space and a service road. Driveways and roadways entering and exiting the casino are removed from any residential areas.

Like Pechanga and Yaamava, San Pablo casino does not share a common entrance with any residential community. Like Yaamava, homes around San Pablo Casino only face the backside of the casino area and residences are separated by trees and a creek. Also, the general area is mostly industrial and retail.

The Koi Casino Shiloh entrance will share a common intersection with the residents of Oak Park. Homes will be located on the corner of the intersection of Gridley and the East Shiloh entrance.

3. Acorn Environmental Statement

The neutrality of the report prepared by Acorn should be challenged . Their website identifies Tribal Fee to Trust Applications as one of their specialties. Acorn Environmental provides environmental studies for Native American Indian tribes. Acorn Environmental has a vested interest in minimizing environmental impact for their clients. Their ES utilizes numerous technical standards and regulations but fails to provide factual or substantive information of the impact the casino will actually have on the environment and community. The concerns raised in the scoping questions and

addressed by Acorn were determined to be insignificant after evaluation. Examples of common conclusions are:

Groundwater- cumulative impacts to groundwater would be less than significant.

Carbon Monoxide Hot Spot Analysis - Cumulative impacts to CO levels resulting from Alternative A would be less than significant.

Transportation and Circulation. - Thus, mitigation would reduce cumulative impacts to a less-than-significant level.

Compensating someone with money over the loss of well water is not insignificant or an adequate remedy.

Lastly, while I appreciate the City of Windsor's thorough analysis of multiple topics in the comment letter, I feel it is important that the city take a stronger position concerning the project. There is no question that this project will materially change every aspect of this community. In lieu of suggesting "an alternative project be investigated; it is important to address the four alternatives in the ES. It is critical that alternatives A, B and C be rejected and that alternative D - No Action be adopted. This is not about the who, it is about the what! It will change from a residential, recreational community to a 24 hour a day commercial center.

Because the Environmental Assessment report is lacking any substantive detailed information on how the proposed casino project would impact the environment and local residents is imperative that a more detailed Environmental Impact Study be done unless Alternative D is adopted.

Thank you,

Donald Ziskin
[redacted]
Windsor, CA 95492
phone [redacted]

From: betsy mallace [redacted]
Sent: Tuesday, October 17, 2023 7:16:07 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: public comments on Koi EA #12.2

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you for the opportunity to give feedback on your very detailed comment letter to the BIA regarding the on the Koi Casino Project's EA.

I have found, in my personal experience, that comment letters to the BIA have to be very direct. I think most of the comments should be strengthen by specifically calling out every instance of significant adverse impact. Please consider the following suggestions to be added to the letter.

It should be stated clearly that the town only supports option D. Options A, B, and C could/would all create a SIGNIFICANT UN-MITIGATABLE ADVERSE IMPACTS to the town of Windsor. If they move forward with Option A, B, or C then the EA (as written) is incomplete/insufficient and an EIS must be required.

For the items you have stated are "inadequate", "unrealistic", "not-approve", "not-indicated" (missing), "not demonstrated", "could potential jeopardize", need "analysis", "inaccurate", "assume", "overstates", "misleading", "does not recognize", "not addressed" you need to clearly state that the EA as written has and/or could have a SIGNIFICANT ADVERSE IMPACT to the Town of Windor. They have not proven that there is **not** significant impact to the Town of Windsor.

Where you have listed "objections", you again need to clearly state that this is or could be SIGNIFICANT ADVERSE IMPACT to the Town of Windsor.

Where any cost, fee, fund or improvement that will and/or could be assigned to the town of Windor, it will create a SIGNIFICANT ADVERSE IMPACT to the town of Windor.

I am surprised that you barely mentioned evacuation issues, but where you have stated that evacuation times will increase you must also clearly state this is a SIGNIFICANT UN-MITIGATABLE ADVERSE IMPACT to the town of Windsor (and the entire community). Will any Windsor zones "safe route" be impacted by the proposed project? If so, please have this added to the comment letter.

Also, removing a natural fire break and replacing it with combustibles creates an UN-MITIGATABLE SIGNIFICANT ADVERSE IMPACT to the town of Windsor (and the entire community).

I hope you will consider my suggestions (bolding is mine, for emphasis only). Would you please remove all my contact information on this email, before you publish it?

Many thanks for your consideration,

Betsy Mallace

From: sandra george <bailey011@att.net>
Sent: Tuesday, October 17, 2023 8:00:31 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed Koi Nation Shiloh Resort and Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

October 17, 2023

Dear Honorable Mayor Reynoza, Vice Chair Salmon, Council members Wall, Fudge, And Potter,

We live across the street from the proposed casino, on Shiloh Road. We write to you to urge you at the extremist level. In your letter to the BIA, to OPPOSE the LOCATION of the proposed Koi Nation Shiloh Resort and Casino. To URGE the BIA to support option D, and not grant the land to the KOI Tribe.

In addition to all of your points of opposition in your letter. The proposed location is BORDERED ON 3 SIDES BY RESIDENTIAL HOUSING! In checking with our relator, we were advised that our property value would drop $200,000 if a Casino is built on the proposed site. This would lead to loss of home values that could be in the Hundreds of millions of dollars. This would not only be a loss to each homeowner. But reduce property taxes to the Cities and County.

Every Town, City, County, and State official that spoke to the proposed site, were in opposition.

The only support is by the Carpenters Union, who are looking at a short term gain in work, while the rest of the community suffers long term losses.

Dave and Sandra George
[redacted]

October 16,2023

TO: Town of Windsor, Town Council (for mtg 10/18)

Fr: J Coppedge, Shiloh Vista, Santa Rosa, CA 95403

Re: Proposed Koi Nation Casino

To Council Members,

After having read the pertinent documents related to the proposed Koi Nation Casino, there are a number of key issues that are missing from the Environmental Assessment, which must be strongly stated and prioritized to the BIA. They include:

1) **Ensure a full Environment Impact Study is conducted and a comprehensive Environment Impact Statement be prepared.**
2) **Ensure a non-tribal, non-gaming Environmental Organization be utilized to provide a full scope Environmental Assessment as a peer review to Acorn Environmental.** Acorn Environmental was utilized in the completion of the Environmental Assessment. Acorn specializes in tribal governments, fee to trust land, gaming and other closely related tribal and gaming issues.
3) **The existing Environmental Assessment completely ignores the number one issue with the location of the proposed Casino. FIRE, FIRE, FIRE, LOSS OF LIFE.** (pls see attached photos for an understanding of what the past number of years of FIRE have brought to this area).
4) **Recommend the BIA select Option "D" (no project alternative) and do not grant the fee to trust conversion.**

The proposed location for a Casino is inappropriate and dangerous in many ways.

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you review the attached documents and consider if this residential community is appropriate for a casino location. As we believe you will agree, this is not an appropriate site for a casino. As such, we request that this property not be converted from fee to trust.

We appreciate your time and attention in this matter.

Judith and John Coppedge

FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?





TUBBS FIRE-2017

-deaths—22; size—36,800 acres

-buildings destroyed—5,640

-size—36,800 acres

-mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

-size—77,800 acres

-buildings destroyed—374; 90,000 structures threatened

-mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

-deaths—6; -size—363,200 acres

-buildings destroyed—1,490

-mandatory evacuations; loss of power, water and gas

GLASS FIRE—2020

-size—67,500 acres

-buildings destroyed—1,555

-mandatory evacuations; loss of power, water and gas

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

-10 acres
-baseball, soccer fields
-little league playing fields
-family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

-single family homes
-approx. 75 homes
-$740-$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

-private Country Club
-Jack Nicklaus golf course
-95+ single family, multi-million dollar homes



SHILOH RANCH REGIONAL PARK-Faught Rd.

-850 acres
-hiking trails, creeks & ponds
-horseback riding trails
-family picnic areas



Proposed Casino Site

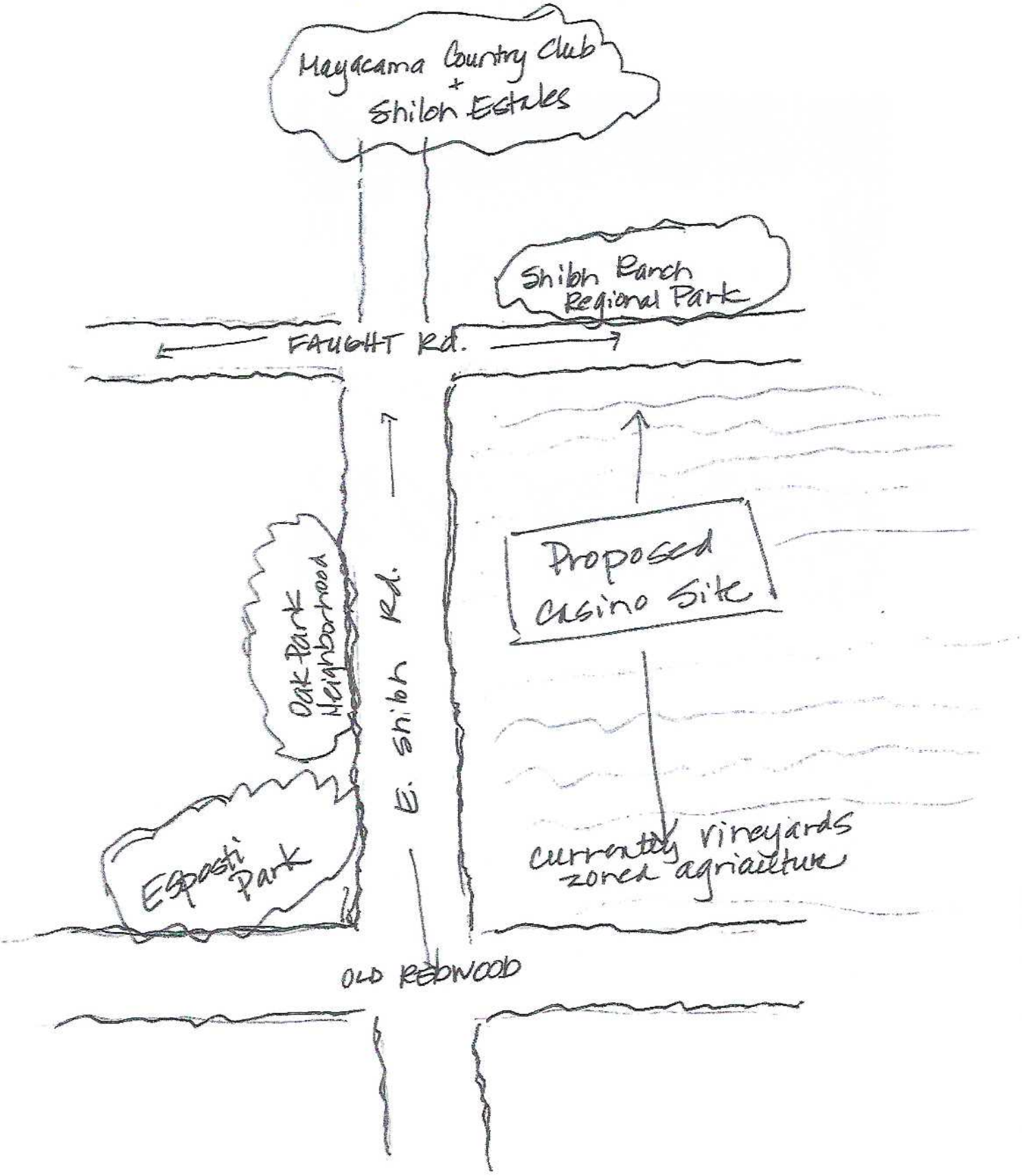


Exhibit D

TOWN OF
WINDSOR

Town of Windsor
9291 Old Redwood Highway
P.O. Box 100
Windsor, CA 95492-0100
Phone: (707) 838-1000
Fax: (707) 838-7349
www.townofwindsor.com

Mayor
Rosa Reynoza

Vice Mayor, District 4
Tanya Potter

Councilmember District 1
Mike Wall

Councilmember District 2
Sam Salmon

Councilmember District 3
Debora Fudge

Town Manager
Jon Davis

January 16, 2024

Laura Daniel-Davies
Acting Deputy Secretary of the Interior
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Wizipan Garriott
Principal Deputy Assistant Secretary Indian Affairs
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

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

RE: Statement of Opposition to the Koi Nation Shiloh Resort and Casino Project

Ms. Daniel-Davies, Mr. Garriott and Ms.Dutschke:

On behalf of Mayor Reynoza and the Town Council of the Town of Windsor, I am writing to express the Town's strong opposition to this project. While the Town Council supports the Koi Nation's intent to develop a base for economic development to ensure the Koi Nation's financial future, the proposed location for the project is not appropriate for such an endeavor.

As described in the Town of Windsor response comments submitted 11/13/23 (Attachment 1) to the Environmental Assessment (EA) that was prepared for the Koi Nation Shiloh Resort and Casino Project, there exists the potential for significant adverse and unmitigable impacts in almost every resource area analyzed by the EA. Impacts in the areas of water, traffic, public services and utilities, and hazards may be unmitigable and would therefore be significant and unavoidable. Town residents have also expressed concerns in each of these areas. Those public comments are included with the Towns response. Although the property is not located in the Town of Windsor, because of the scale and scope of the proposed land use and the proximity to Town limits and our residential neighborhoods, the negative impacts associated with the project will certainly be felt in the Town proper.

In February 2022, the Sonoma County Board of Supervisors received letters of tribal resolutions from the five federally recognized Sonoma County based tribes (Cloverdale Rancheria, Dry Creek Rancheria, Lytton Rancheria, Stewart's Point Rancheria, and the Federated Indians of the Graton Rancheria) expressing unanimous opposition to the Koi Nation's proposal that the Department of the Interior accept the Project Site into trust for gaming purposes. This opposition is primarily due to the Koi Nation's lack of significant historical connection to the proposed project location.

Printed on recycled paper

On April 5, 2022, the Sonoma County Board of Supervisors unanimously voted to adopt a resolution opposing the establishment of a casino by the Koi Nation within the County, citing the same reasons given by the five Sonoma County based tribes. (Attachment 2)

On April 20, 2022, The Town Council of the Town of Windsor unanimously adopted a resolution in support of retaining the existing Sonoma County General Plan Land Use Designation of Land Intensive Agriculture for the property located at 222 E. Shiloh Road. (Attachment 3)

Element Three of The Town of Windsor Strategic Plan is **Livability** and states the intent to: "Preserve community character by maximizing the use of existing amenities and creating future opportunities that enhance quality of life for all." Development of the Koi Nation Resort and Casino Project at the current proposed location on East Shiloh Road will not enhance but will without question detract from the quality of life for every resident of the Town and County in proximity to the project.

In conjunction with the extensive comments and concerns about the project expressed by the Town in the response to the EA, I felt it would be helpful to provide you with additional context as to the proposed location.

The project site is located at the southeast corner of the intersection of Shiloh Road and Old Redwood Highway. The Town limits are immediately north of the project site, across Shiloh Road as shown on the attached map. (Attachment 4) Immediately across the street is a residential neighborhood of 79 single family homes. Ingress and egress of this neighborhood is limited to two street connections on Shiloh Road fronting the project site. Less than 100 yards to the west on Shiloh Road stands Esposti Community Park. The park includes two youth baseball diamonds and a competition sized soccer field. These are highly utilized Town amenities serving hundreds of children and families in the community daily, if not weekly. To the east of the location is Shiloh Ranch Regional Park, operated by the County of Sonoma. The 850-acre park includes oak woodlands, forests of mixed evergreens, ridges with sweeping views of the Santa Rosa plain, canyons, rolling hills, a shaded creek, and a pond. This park is heavily used by Town and County residents daily. Additionally, the properties to the west of the Project Site, across Old Redwood Highway are within the Town's sphere of influence and are almost entirely residential in-land use. The project site is primarily accessed by Shiloh Road and Old Redwood Highway, portions of which are located wholly within the Town of Windsor.

For the litany of reasons outlined in the Town's response to the EA, as well as those additionally expressed here regarding the location, the Town Council affirms their opposition to this project.

As the BIA and Department of Interior review the Koi Nation proposal, on behalf of the 26,000 residents of the Town of Windsor, I ask that these earnest concerns be taken into consideration and that a more suitable, alternative location be pursued by the Koi for their Resort and Casino project.

Respectfully,

Jon Davis
Town Manager

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Exhibit E

Town of Windsor
CALIFORNIA

Town of Windsor
9291 Old Redwood Hwy
P.O. Box 100
Windsor, CA 95492

Mayor
Rosa Reynoza

Vice Mayor, District 4
Tanya Potter

Councilmember District 1
Mike Wall

Councilmember District 3
Debora Fudge

Councilmember District 2
Sam Salmon

Town Manager
Jon Davis

April 7, 2024

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

Chad Broussard (via email)
Environment Protection Specialist
Bureau of Indian Affairs, Pacific Region
chad.broussard@bia.gov

SUBJECT: Koi Nation Shiloh Resort and Casino Project - Town of Windsor Comments on Scoping of Environmental Impact Statement

Dear Ms. Dutschke and Mr. Broussard:

The Town of Windsor appreciates the opportunity to provide comments to the Bureau of Indian Affairs (BIA) on the preparation of an Environmental Impact Statement (EIS) for the proposed Koi Nation Shiloh Resort and Casino Project. As stated in the Town's previous letter dated November 13, 2023, providing comments on the Environmental Assessment (EA) for this project (attached), the Town found the EA to be inadequate, particularly in failing to identify significant environmental impacts and in proposing mitigations that would not bring impacts below the threshold of significance.

The preparation of an EIS is necessary to thoroughly evaluate the environmental impacts of the proposed casino resort project. Based on the Town's review of the EA, the Town strongly recommends that the EIS provide a comprehensive analysis that includes but is not limited to the following major resource areas and issues:

Water Resources
- Groundwater impacts, including well interference and water quality effects
- Stormwater drainage capacity and flooding risks, particularly resulting from changes to storm flow in Pruitt Creek to the east and west of Highway 101
- Recycled water use, storage needs, and permitting

Transportation & Circulation
- Traffic congestion and roadway/intersection capacity impacts
- Establishing the responsible party, financing, and the timing for widening Shiloh Road and improving the Shiloh Road/Old Redwood Highway intersection and Shiloh Road/Highway 101 interchange

- Emergency evacuation route capacity and evacuation modeling, specifically analyzing evacuations of the communities off of Gridley Drive and Mathilde Drive, Merner Drive, Tamara Way, and larger Town-wide and regional evacuation events.
- Pedestrian, bicycle, and public transit accessibility, including consistency with the Town's Complete Streets Guidelines, the Old Redwood Highway Corridor Enhancement Plan, and the Shiloh Road Village Vision Plan

Land Use and Planning
-The Shiloh Road Village Vision Plan (SRVVP) had been adopted for the lands west of the project site.
-The grid street network of the SRVVP and the anticipated east-west connections must be considered.
-The density and intensity of the Town's comprehensive planning documents anticipated the continued agricultural use of the project site.

Public Services & Utilities
- Increased demands on police, fire, parks, and public infrastructure
- Solid waste generation and landfill capacity

Air Quality & Greenhouse Gas Emissions
- Construction and operational air emissions, including health risk impacts
- Determination of threshold of significance for cancer risk for hazardous air pollutants based on future traffic volumes along Shiloh Road and Old Redwood Highway, not existing traffic volumes.
- Vehicle miles traveled (VMT) and greenhouse gas emissions

The list of resource areas and issues above is not exhaustive. The EIS must consider each of the concerns detailed in the Town's EA comment letter, dated November 13, 2023, as well as the public comments attached thereto. The Town is also in agreement with the issues and concerns raised in the EA comment letter submitted by the Sonoma County Counsel on behalf of the County of Sonoma, dated November 13, 2023. The Town strongly recommends that the issues and concerns outlined in the Sonoma County Counsel's letter be considered and analyzed in the EIS.

Sonoma County Counsel's letter also mentions that the EA inadequately considered impacts to other tribes. The Town shares these concerns not only regarding the continued economic viability of tribes with gaming facilities but also regarding fairness to all tribes with homeland in the area. In 2019, U.S. Senate Bill S.1790 was signed into law and includes provisions for taking approximately 511 acres of tribal land into trust as part of the reservation of the Lytton Rancheria of California. S.1790 also stipulates that no gaming shall be conducted on any lands taken into trust on behalf of the Tribe in Sonoma County

in perpetuity. The proposed Shiloh Resort and Casino project is located less than three miles from the established homeland of the Lytton Rancheria of California tribe.

The EIS should clearly identify impacts and provide appropriate, enforceable mitigation measures, including fair-share contributions to improvements necessitated by the project. The EIS analysis should also consider the timing of proposed mitigations, since the full magnitude of impacts will exist at the start of the project's operation. The conclusions in the EA regarding less-than-significant impacts in many of these areas were inaccurate or not adequately supported by evidence. The Town expects the EIS analysis to use up-to-date data, local policies/plans, reasonable assumptions, and technical best practices.

Importantly, the EIS must include a thorough evaluation of an alternative project location. One of the major concerns with the currently proposed location is its proximity to existing low-intensity residential neighborhoods in Windsor. An alternative location further removed from residential areas should be analyzed in the EIS. The proposed casino resort of this size and operational capacity would be incompatible with, and detrimental to, the quiet residential character of the surrounding neighborhoods at the current site. Potential land use conflicts and impacts to quality of life for residents should be avoided by considering an alternative site location that provides an appropriate separation from residential neighborhoods and pedestrian/bicycle-scale development. In addition to being more compatible with surrounding uses, an alternative location may reduce impacts related to traffic congestion, infrastructure demands, emergency evacuation routes, and other environmental issues of concern identified in the Town's previous EA comments. At this time, the Town is unable to identify an appropriate location in or around Windsor that would be suitable in this regard.

With the information and analysis currently available, the Town finds that only the no project alternative guarantees that no significant adverse impacts will occur. Beyond the proposed project and alternative location, the EIS must include the no project alternative in its analysis. Additionally, the Town recommends the EIS evaluate any other potentially feasible alternatives that could reduce the intensity and scale of the project to minimize environmental impacts and impacts to community character.

If you have questions or require additional information, please contact me: Patrick Streeter, Community Development Director, at pstreeter@townofwindsor.com or at (707) 838-5313.

Sincerely,



Patrick N. Streeter, AICP
Community Development Director

cc: Jon Davis, Windsor Town Manager;
Windsor Town Council

Enclosure: Town of Windsor Comments on Koi Nation Shiloh Resort and Casino Project EA, dated November 13, 2023

TOWN OF
WINDSOR

Town of Windsor
9291 Old Redwood Highway
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Vice Mayor, District 2
Sam Salmon

Councilmember District 1
Mike Wall

Councilmember District 3
Debora Fudge

Councilmember District 4
Tanya Potter

Town Manager
Jon Davis

Sent via Email
November 13, 2023

Amy Dutschke, Regional Director
2800 Cottage Way
Sacramento, CA 95825

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

Dear Ms. Dutschke:

The Town of Windsor, which includes the Windsor Water District, hereby submits comments in response to the Environmental Assessment (EA) that was prepared for the Koi Nation Shiloh Resort and Casino Project. Unless otherwise indicated, all comments are in response to "Alternative A" which is identified as the Proposed Project.

Proposed Project and Alternatives

1. Reliance on the Best Management Practices (BMPs) in Table 2.1-3 is inadequate for environmental protection. The BMPs are not measurable or monitorable, described as, "when feasible" and "when practicable." Instead, the project description should be amended to incorporate measurable standards to address the relevant concerns. Without these standards there is potential for the project to have significant adverse impacts on the environment.

Water Resources

2. Between 6 and 17 acres of vineyards will remain for recycled water irrigation. At an average daily flow of .3 MGD (2.1.4), this equates to 110 MG / Yr. A 20-acre vineyard would be allocated 4.9 MG per year under current ETc requirements set for the Windsor Water District by the State. Although the project may be held to a lesser standard of environmental protection, the substantial differential in the application rate indicates that the proposed rate is unrealistic.
3. Proposed 12-16 MG reservoirs / tanks would equate to 40 to 50 days of storage. The EA proposes not discharging between May 15 and September 30 (138 days) – storage should be closer to 40 MG to meet that discharge target. As proposed, the storage capacity is likely too small and discharge events, that have not been considered in the EA, are likely to occur.
4. The State Division of Drinking Water (DDW) does not / has not approved all of the proposed recycled water uses in this configuration as described in the project description. For example, recycled water is not allowed inside any food service buildings.
5. 3-20 references Mark West Creek for flow monitoring during discharge, which is significantly downstream of the point of discharge on Pruitt Creek. Pruitt Creek is also ephemeral, meaning it does not flow year-round, discharging wastewater into a creek that does not flow year round will significantly affect surfaces in the area. Significant adverse impacts

due to erosion, loss of habitat, flooding, movement of sediment, and destabilizing of banks could occur. Monitoring should be required at the point of discharge on Pruitt Creek.

6. There are four existing wells on the Project site, the Project proposes to construct up to two additional wells on site for potable water use. The Town of Windsor has two wells at Esposti Park to the north and in close proximity to the Project property. One is used for irrigating Esposti Park, and the other will be used as a replacement municipal drinking water well. The Project well(s) and Project wastewater treatment plant should not be constructed within the zone of influence around the existing Town wells.
7. The reported peak-day pumping for the project is 402,000 gpd, which equals approximately 275 gpm (Table 2-2). If that pumping were to occur close to the Esposti Well, drawdown at the Town's Esposti drinking water well could be significant, which could significantly decrease the Esposti well output rate and possibly water quality. Prior testing of the Esposti drinking water well was over short durations and should not be used to extrapolate the level of impact from the proposed project wells without further testing. The potential impacts to the groundwater aquifer and groundwater wells have not been sufficiently evaluated. At a minimum, a well interference study should be completed as part of the Project to ensure proper placement of the proposed Project well(s) and Hydrogeologic testing should be completed to ensure Project well(s) will not adversely affect the groundwater levels nor the water quality of the existing Town wells or other domestic wells. Mitigation measures should be required for any impacts identified once sufficient analysis has been conducted. As currently proposed the Project may have a significant adverse impact to water resources.
8. As stated in the 2020 Urban Water Management Plan, the Town is moving toward installing arsenic and manganese treatment on the Esposti well in order to meet the drinking water demands. Any analysis of wells on the proposed project should consider increased future pumping from the Esposti well.
9. The project proposes to repurpose or install up to 4 groundwater wells and estimates 100-300 gpm groundwater flow for daily use. The report does not indicate how much the existing wells on-site are currently being used. The proposed mitigation measure for groundwater is insufficient to address the risk to drinking water supplies. The proposed mitigation measure to reimburse the owners of nearby wells that become unusable within five years of the onset of project pumping is not sufficient to mitigate the level of impact. Payment to owners of nearby wells does not increase the total available water supply in the area and the loss of function of existing wells will have significant effects to the area's water system as new sources of water supply will need to be developed.
10. The EA cites the 2017 aquifer test at the Esposti well as evidence that pumping from aquifers deeper than 300 feet would not affect water levels in shallow wells (less than 200 ft deep). No drawdown was observed in shallow wells during the Esposti test. However, that test lasted only 28 hours. The EA should consider the potential for sustained pumping (months) at the Esposti well and the Project supply wells that may lower water levels in the shallow aquifers and could potentially jeopardize output of nearby domestic and municipal drinking water wells.

11. The proposed design takes away from floodplain storage, an adequate amount of stormwater detention is not demonstrated by calculation to address the detraction of floodplain. Sub areas A,C, and E have footprints directly in the floodplain.
12. The Town of Windsor completed a Storm Drainage Master Plan where the 100-year flood zones were mapped. The Project location shows potential flooding during the 100-year floods. The Project will need to consider flood mitigations, so it does not affect the downstream neighborhoods with additional flooding or sediment transport.
13. Analysis is needed of the existing Pruitt Creek box culvert under Highway 101 to determine the ability to convey the anticipated storm flow from a full buildout condition and mitigation measure should be required for any negative impacts identified in the analysis.
14. The north bound offramp from Highway 101 is periodically closed due to flooding, and the analysis should determine if increased flows from the project negatively impact this condition. Several such closures occurred in December 2022 and January 2023.

Air Quality

15. The EA states that traffic volumes on a surface street would need to exceed 40,000 daily trips to exceed the significance threshold for cancer risk for hazardous air pollutants. It reasons that "these traffic levels do not exist on local roadways serving the Project Site, including Shiloh Road and Old Redwood Highway" and therefore impacts would not be significant. The project would include road widening and itself would generate between 11,213 and 15,779 daily trips. Significance should be determined in the future full build-out scenario, not based on existing conditions. As currently proposed the Project may have a significant adverse impact to air quality.
16. The air quality modeling as detailed in Appendix F-1 makes a number of inaccurate assumptions including that Windsor is located in Climate Zone 4, that the project is in a rural setting, and that the average trip length for non-work trips should be based on the distance from Santa Rosa. It is unlikely that there are no potential significant impacts for any air quality or green house gas emissions other than for CO. A peer review of the air quality study and modeling is recommended. According to the California Department of Energy, Windsor is in Climate Zone 2 and according to the Generation Housing State of Housing in Sonoma County Report, 31.4% of the local work force commutes from outside of Sonoma County.
17. To reduce potential air quality impacts, Tier IV construction equipment for equipment greater than 50 horsepower should be required, instead of Tier III as proposed.
18. "Clean fuel fleet vehicles" should be defined, and a standard should be set to determine when use of clean vehicles is impracticable. In this scenario, what is the alternative to address the potential air quality impacts?

Cultural Resources

19. Due to the presence of Pruitt Creek, the presence of scattered obsidian, and the and the results of Native American Consultation, the EA determined that there is a potential for significant subsurface cultural resources on the Project Site, however monitoring is only prescribed within 150 feet of Pruitt Creek. A qualified archaeologist and Native

American Tribal Monitor should be present for ground-disturbing activities across the entirety of the Project Site. As currently proposed the Project may have a significant adverse impact to cultural resources.

Socioeconomic Conditions and Environmental Justice

20. The growth-inducing effects section indicates that the project would result in pressure for new commercial development in the area, such as additional gas stations. Consider the gas station bans in the Town of Windsor and the County of Sonoma. This section concludes that indirect and induced demand for commercial growth would be diffused across the State and therefore there would be no significant regional commercial growth inducing impacts. Provide data to justify this conclusion, considering local growth management policies and urban growth boundaries.
21. The housing section assumes there would be no significant impact without sufficient local data. It assumes most employees will come from the existing pool of casino and hospitality workers, however due to housing costs, many of these workers are commuting to Sonoma County from other parts of the Bay Area.
    a. Provide temporary housing facilities on-site for the construction workers (2,196).
    b. Provide permanent affordable housing on-site for casino workers (1,571).
    c. Provide information about the median salary of the construction workers and the casino workers, so that the appropriate housing affordability can be determined.
    d. Project alternatives should be evaluated with on-site housing options.
22. The Socioeconomic Study was prepared by Global Market Advisors (GMA) for the Koi Nation of Northern California. As described on page 1, GMA is an international provider of consulting services to the gaming, entertainment, sports, and hospitality industries. The BIA should obtain a peer review of the Socioeconomic assessment by an independent consultant.
23. Page 5 of the study (Income) states that the Sonoma County Average Annual Household Income (AAHI) was $121,522 in 2021, which may be overstated. Information provided by the California Department of Housing and Community Development indicated that the Sonoma County Area Median Income (AMI) was $103,300 for a family of four in 2021. Most analyses of housing affordability refer to median income, because the average income is likely to be skewed by a small number of high-income households. The following section on Housing costs reflects median housing costs.
24. Page 6 of the study indicates that only 170 new homes were added to Sonoma County from 2010 to 2020. These data appear to be inaccurate and the statistic is misleading, since nearly 5,600 homes were destroyed in Sonoma County by the 2017 Tubbs Fire.
25. Page 40 of the study (Employment) indicates that construction and operation phases will have a positive effect on the local economy (thereby

reducing the unemployment level). This discussion does not recognize the local labor *shortage* in the area, which this project could exacerbate.

26. The section beginning on Page 40 of the study (Housing and Schools) does not recognize the local housing shortage and continuing recovery from the Tubbs Fire and other wildfire events. Also, as stated above, the assertion that Sonoma County has a sufficient labor force focused on the hospitality industry, and thus could easily absorb the new labor needed by the casino, is likely false. These concerns are supported by the Generation Housing State of Housing in Sonoma County Report, published in April 2023.

Transportation and Circulation

27. Based on reviews conducted for a casino in Rohnert Park, the weekday and Saturday daily trips may be 15 to 25 percent higher than those indicated on this project analysis. Review of the Rohnert Park facility also revealed that the highest daily and afternoon peak trip generation occurs on Sundays, not Saturdays. The project should analyze Sundays as well as Saturday, to ensure that worst-case traffic impacts have been captured.
28. The Traffic Impact Study (TIS) indicates that the project would be fully responsible for implementing the improvements needed under Existing plus Project and Opening Year 2028 plus Project. These minor mitigation efforts include:
    a. Shiloh Road/Old Redwood Highway: Restripe westbound approach with a 200' long left-turn lane and modify signal phasing. This is similar to previously-identified near-term improvements except with a longer turn lane.
    b. Shiloh Road/Hembree Lane: Optimize signal timing.
    c. Shiloh Road/US 101 North Off-Ramp: Restripe ramp to include triple right-turn lanes (the westernmost would be a shared left/right lane). The proposed mitigation is simply restriping.
    d. Signalize the project driveways on Shiloh Road and Old Redwood Highway. This is logical but has no broader benefit to the Town since the signals are only needed to accommodate resort traffic.
29. Objections to Existing plus Project and Opening Year 2028 plus Project Findings:
    a. Shiloh Road/Old Redwood Highway: For the queuing analysis the TIS relies on the Town to widen northbound ORH to include dual left-turns, stating that this improvement is included in the traffic impact fee. The north, west, and east legs of the intersection are within the Town of Windsor limits, but the project is not, and therefore no impact fee would be assessed by the Town and no funding would be afforded for this improvement. It is therefore unclear how the Town's impact fee program has any relation to mitigating the impact of the proposed project. The project would not make this improvement as currently proposed, so would not fully address the queuing issue. Note that the dual left-turn lanes also require widening of Shiloh Road to two westbound lanes. Widening of both Old Redwood Highway and Shiloh Road are needed to accommodate the traffic load generated by the project, and no mitigation is proposed for these impacts.

b. Shiloh Road/US 101 North Off-Ramp: The proposed mitigation is to restripe the ramp to include triple right-turn lanes (the westernmost would be a shared left/right lane). This modification is likely to perform poorly since it would "trap" two of the three right-turn lanes in the left-turn pockets at the adjacent Shiloh Road/Hembree Lane intersection. It would not function acceptably without widening Shiloh Road to two eastbound lanes through the Hembree intersection. The TIS's mitigated configuration also limits capacity for left-turn movements on the off-ramp which also have high volumes.

30. Objections to 2040 plus Project Findings:
    a. The TIS indicates Shiloh requires widening to four lanes from Caletti Avenue to the project driveway opposite Gridley Drive; it states that Shiloh widening is planned by the Town but this is incorrect. If traffic is increased by a proposed development, that development would be required to make the necessary improvements to mitigate the impact, including widening of Shiloh Road for additional lanes if needed. The Town does not have a capital project planned for widening Shiloh Road, nor is any proposed development planning to do so. The proposed casino project should be required to mitigate the impacts of the project as would any other development.
    b. Shiloh Road/Old Redwood Highway Intersection: In addition to Shiloh Road widening to four lanes and dual northbound left-turn lanes, the TIS indicates ORH requires two lanes in each direction and that existing northbound and southbound right-turn lanes need to be maintained. However, it does not mention that Shiloh Road would also need to include eastbound and westbound right-turn lanes.
    c. This configuration results in an extremely large intersection including five northbound approach lanes and four southbound, eastbound, and westbound approach lanes. Widening of ORH to two lanes in each direction is contrary to the General Plan and ORH Corridor Plan.
    d. The TIS indicates that the project would be responsible for 39.4% of the traffic growth which seems to imply that the project would not need to contribute funds since it addresses its impact under 2028+Project. Further, a contribution of 39.4% if made would still be illogical since the intersection would undergo far more widening (with associated cost) than the Town would ever have needed without the project.
    e. Shiloh Road/Hembree Lane: The TIS indicates that southbound Hembree Lane requires two additional lanes on the intersection approach. This degree of widening is infeasible (approach would include a left-turn lane, a through lane and two right-turn lanes and there is not sufficient right-of-way to support this configuration).
    f. The TIS indicates a fair share cost of 36.4 percent. This value is unreasonably low due to the fact that the Hembree widening would not have otherwise been needed without the project.

31. Objections to Roadway Segment Analysis
    a. The segment analysis is extremely high-level, particularly with its use of volume to capacity ratios that are based on weekday

Average Daily Traffic (ADT) volumes. The analysis also assumes Shiloh Road's capacities to be based on a 40 mph speed, which is inconsistent with the Town's vision for a "village" oriented walking and biking focused streetscape between Hembree Lane and Old Redwood Highway.

b. As noted above, the project's ADT trip generation may also be underestimated by 15 to 25 percent, so the project's actual share of roadway segment volumes is likely to be greater than assumed in the TIS.
c. The TIS shows that the project would cause (or significantly deteriorate) operation on Shiloh Road to LOS E/F levels under 2028 opening year conditions between Conde Lane and Old Redwood Highway. The TIS then indicates that with the proposed mitigations to be constructed by the project, capacities would increase from 22,000 to 30,000 vehicles per day, offsetting the project's impacts to roadway operation. These capacity increases are not in line with the very minor nature of the proposed mitigating improvements; further, the project's proposed mitigation of creating triple right-turn lanes on the US 101 northbound offramp would be likely to reduce rather than increase capacity between the freeway and Hembree Lane (due to two of the offramp right-turn lanes "trapping" vehicles onto Hembree rather than continuing east on Shiloh).
d. The addition of project traffic will severely degrade operation on Shiloh Road upon 2028 opening between the US 101 South Ramp and Old Redwood Highway (and possibly westward to Conde Lane) unless additional improvements are implemented in addition to the minor improvements currently proposed by the project.

32. The Town's General Plan includes the possibility of Shiloh Road expanding to 5 lanes, however widening of the roadway would not be constructed by the Town, but rather the developments that created the increased traffic would be required to fund the improvements to mitigate their impacts to the transportation network. Without a mechanism to ensure that the road widening is completed by the time the Project begins operation, it can be assumed that the Project will have a significant adverse impact to traffic and circulation.
33. The mitigation actions for the casino project proposed on Shiloh Road and the interchange are inadequate to avoid significant negative impacts to the transportation network on opening day of the proposed casino and should be required to be mitigated by the developer of the project.
34. The 2040 segment analysis capacities are shown to be 49,800 daily vehicles, which is highly unrealistic for an urban four-lane street (particularly in a lower-speed, multimodal environment as envisioned).
35. The TIS estimates a proportional share of 27.4 percent for the interchange but doesn't identify it as a project mitigation; there are also no fair share calculations for the remainder of the Shiloh Road widening (other than intersection improvements). If no mitigation is required for this improvement, the improvement will not be constructed and the project will have higher impacts than disclosed in the EA.
36. As noted above, Shiloh Road and interchange improvements should occur by 2028 opening of the facility and the project should be responsible for funding those improvements.

37. Objections to non-auto modes assessment
    a. The project would significantly increase volumes on Shiloh Road through the Shiloh Village area which the Town plans to be a mixed-use, pedestrian- and bicycle-oriented area. The added traffic from the project would drive the need for Shiloh Road to be widened to a higher-speed four-to-five lane arterial (recent analyses overseen by the Town have indicated that a lower-speed three-lane section would accommodate future growth planned in this area without the casino project).
    b. The project is currently proposing almost no offsite ped/bike improvements, instead relying on the Town to build facilities as widening on Shiloh and ORH occur through the traffic impact fee program. However, the casino project is not in the Town and no impact fees would be provided to the Town and so these improvements should be built and paid for by the project developer.
    c. The TIS recommends onsite sidewalk connections to the project driveways, and accessible paths between nearby transit stops and driveways.
    d. The project needs to construct facilities to accommodate multimodal circulation on Shiloh Road given its significant traffic increases on the corridor.
38. The proposal does not address full pedestrian and bicycle improvements, including Class IV bike routes, needed for the Shiloh area to align with The Old Redwood Highway Corridor Enhancement Plan and The Complete Streets Guidelines.
39. An evaluation of the feasibility of a roundabout has not been included, the Town has identified the roundabout as a preferred intersection type for this area.
40. The traffic analysis should consider the impacts of large events in addition to typical daily operations.
41. It is assumed that eminent domain will be utilized to acquire the necessary right-of-way to widen Shiloh Road. If this land acquisition is done by the Town, the Project should be responsible for all legal costs and land acquisition costs.
42. The traffic impact study considers employee vehicle miles traveled (VMT). Analysis of visitor VMT should also be included.
43. The Shiloh Road Village Vision Plan (SRVVP) outlines a grid street network in this area to disperse traffic volumes, provide for the safe movement of traffic, and minimize negative impacts on Shiloh Road. The traffic analysis for the Project should consider the impact to these east-west street connections between the Project Site and Highway 101 assuming full build-out of the SRVVP.

<u>Land Use</u>

44. The Town of Windsor General Plan land use diagram designates the properties to the north and west of the Project Site for Very Low Density Residential (three to six dwelling units per acre) development with Boulevard Mixed-Use (16 – 32 dwelling units per acre) to the west, fronting Shiloh Road. Additionally, the Town has adopted the Shiloh Road Vision Plan for the Shiloh Road Corridor west of the Project Site. The Shiloh Road

Vision Plan envisions mixed use development that encourages walking and biking. The planning for the density and intensity of these land use designations and for Town infrastructure in the area was done with the assumption that the Project Site would continue to be used for agriculture. The EA does not discuss impacts to the long-range vision of these planning documents particularly regarding circulation, safety, public amenities, and public services.

45. The land use designation for the Project Site in the Sonoma County General Plan is Land Intensive Agriculture, the stated purpose of which is to "enhance and protect lands best suited for permanent agricultural use and capable of relatively high production per acre of land." Permitted land uses include keeping of livestock, indoor or outdoor crop production, daycare facilities, telecommunications facilities, and seasonal farmworker housing. Hotels, restaurants, and gaming facilities are not listed as permitted uses with this designation. The EA states the transfer of the Project property into federal trust status would remove it from County land use jurisdiction, but does not resolve potential environmental impacts that were not addressed in the Sonoma County General Plan Environmental Impact Report.
46. The Project Site is part of the Windsor/Larkfield/Santa Rosa Community Separator. The purpose of community separators is to maintain greenbelt areas around and between Sonoma County's cities, towns, and more densely developed communities. The Project Site is currently developed with vineyards, meeting the spirit of the community separator designation. Potential impacts to the Windsor/Larkfield/Santa Rosa Community Separator should be analyzed.

<u>Public Services and Utilities</u>

47. Appendix F, page 8, indicates that the Tribe will use County waste disposal facilities, which are required to divert 50 percent of waste from landfills. In 2021, the County of Sonoma adopted a Zero Waste Resolution establishing a goal of zero waste by 2030, consistent with the Countywide Integrated Waste Management Plan and the Sonoma County Regional Climate Action Plan. The purpose of the zero waste goal is to reduce greenhouse gas emissions and conserve the remaining capacity at County landfills. Diversion rates in the future condition should be analyzed.
48. The EA notes that increases in crime and calls for service to public safety are associated with any population increase, not necessarily gaming specifically. Regardless of the cause, the Project Site currently generates virtually zero calls for service presently. Although the proposed Project is in County of Sonoma Jurisdiction, its proximity to the Town of Windsor will impact the Windsor Police Department through increased calls within Town limits and requests for assistance on the Project Site or within County jurisdiction. The Windsor Police Department anticipates an increase in calls related to:
    a. Traffic, noise, accidents, DUI's, loud exhaust, and speeding.
    b. Disturbing the peace/Public Intoxication
    c. Trespassing
    d. Property Crimes
    e. Prostitution
    f. Assaults

g. Drug activity
h. Human Trafficking
i. Violent Crime

A mechanism to mitigate the impact on Windsor Police Department resources should be developed.

49. The EA assumes that induced population growth and visitation by patrons of the Project would not be significant enough to require expansion of Esposti Park or Shiloh Ranch Regional Park. This may be true, but the EA does not consider the potential impact of visitation by patrons and employees of the Project on park resources including parking, restroom facilities, waste receptacles, and maintenance schedules.

Noise

50. Considering the proximity of sensitive receptors to the Project Site, Sundays should be excluded from construction hours to be consistent with the Town of Windsor Municipal Code.

Hazardous Materials and Hazards

51. The EA does not address post wildfire pollutant materials (such as ash) and their potential effects on Pruitt Creek. Mitigation should include on-site treatment of possible contamination and measures to prevent pollutants from continuing downstream.
52. Per the Town's Windsor Resiliency for Emergencies and Disasters Initiative (READII) Plan all transportation infrastructure investments should engage residents during the planning and design process. This plan considers two types of investments: 1) the development of new connections to open alternate routes during emergencies, and 2) the improvement of existing intersections, both for the purposes of improving daily traffic flows and reducing the risk of bottlenecks during evacuations. Old Redwood Highway (ORH), a two-lane roadway, runs parallel to and connects many local roads to US Highway 101, as well as providing a critical alternative route to the north and south when US Highway 101 is closed or temporarily congested. Old Redwood Highway can also serve as a secondary evacuation route if necessary. Windsor's current Local Hazard Mitigation Plan (LHMP) (2018) designates US Highway 101 as the primary evacuation route and Old Redwood Highway as the primary surface street to support evacuations routes and must be identified including "their capacity, safety, and viability under a range of emergency scenarios". If needed, redesign of street geometries, or evacuation signal timing should be considered as methods of increasing adaptive capacity.
53. In an effort to identify which specific neighborhoods and intersections might face the highest risks of bottleneck formation, the READII Plan team developed a "trafficsheds" approach. This approach looks at networks of residential and commercial streets, lanes, courts, other smaller roads that are linked to one another - and the various points at which these self-contained networks are connected to the major roadways and arteries throughout the Town. These points of connection between neighborhoods and the main road network are "exit nodes," also referred to in other state planning documents as "ingress/egress points" and, if unable to handle the traffic loads during evacuation events, have the potential to become severe bottlenecks. The trafficsheds method should be considered for evacuation

planning as traffic will be increased at the intersection of Shiloh Road and ORH.

54. The EA assumes that without the Project, it would take an estimated 4 to 6 hours to evacuate the Town of Windsor during a "No-Notice Event" and with the Project, the evacuation time could increase to 6 to 8 hours. The single mitigation measure related to evacuations offered in the EA is to "develop a project-specific evacuation plan" prior to occupancy. There is no way to ensure that this mitigation measure will adequately reduce the impact of impairment of evacuation plans. The loss of life experienced in recent fires in Paradise, CA and Lahaina, HI demonstrates the importance of impacts to evacuation plans.
55. The above evacuation time is taken from Appendix N Wildfire Evacuation Memorandum (Memo). The Memo does not consider that the mountainous areas (residences/properties such as Shiloh Estates and Mayacama) east of the Town, located in the Wildland-Urban Interface (WUI) area, only have two evacuation routes to US101 (through Pleasant Avenue and Shiloh Road) and has a high structure to exit ratio and could compound the issues at the intersection of Shiloh and ORH.
56. The comments from Losh and Associates found in Appendix N state that the State Responsibility Area (SRA) fire zone maps are out for review and should have been available to the public sometime in calendar year 2023. These updated maps should be evaluated if available.
57. The Project Site is currently developed with a vineyard. In recent wildfire events, vineyard sites have served as buffers to developed urban areas and have been used as staging areas for firefighting activities. The Proposed Project would replace a wildfire mitigating resource with a development of combustible materials (vehicles, structures, landscaping). Potential impacts of this land use change should be analyzed, and appropriate mitigation measures proposed.

<u>Visual Resources</u>

58. Due to the proximity of residential development the following changes should be made to the project:
    a. Reduce parking light pole height to a maximum of 20 feet, instead of the currently-proposed 25 feet.
    b. Outdoor lighting should be provided in a warm color range no greater than 3,000 Kelvin.
    c. Details should be provided on illumination of all outdoor signage and the impacts to sensitive receptors should be analyzed.
59. The Town of Windsor 2040 General Plan designates Highway 101 and Faught Road as scenic corridors. Impacts to these scenic corridors should be analyzed and mitigation measures proposed.

As described in the comments above, there exists the potential for significant adverse impacts in almost every resource area analyzed by the EA. The significant adverse impacts associated with the Project are either not identified in the EA or not adequately mitigated below the threshold of significance. Impacts in the areas of water, traffic, public services and utilities, and hazards may be unmitigable and would therefore be significant and unavoidable. Because of the potential for significant adverse impacts to the Town and the environment, the Town of Windsor is opposed to the Project and finds that only Alternative D, the No Action Alternative, can ensure that there will be no significant adverse

impacts associated with the Project. If the Project is to move forward with any alternative other than Alternative D, an Environmental Impact Statement must be prepared.

The Windsor Town Council considered the EA and received public comment at its October 18, 2023, meeting. Written correspondence received up to and after the meeting is attached hereto.

If you have questions or need additional information, please contact me: Patrick Streeter, Community Development Director, at pstreeter@townofwindsor.com or at (707) 838-5313.

Sincerely,



Patrick N. Streeter, AICP
Community Development Director

cc: Chad Broussard, Environmental Protection Specialist
Jon Davis, Windsor Town Manager

Attachment: Correspondence received related to the EA

Irene Camacho-Werby

From: BARBARA SACKETT <sackettbarbara@yahoo.com>
Sent: Thursday, January 27, 2022 9:52 AM
To: Town Council
Cc: Barbara Sackett
Subject: New Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to express my strongest opposition to the new casino being built in Windsor. Not only is it completely un-necessary, it will bring an untenable amount of traffic to our small town. It will ruin the quaint atmosphere of our area and will not add to the wholesome ambience of Windsor.

The site is surrounded by residential homes. These home owners do not deserve to have their area devastated by a development of this scope. Building a casino here will not be beneficial to the neighborhood. Instead , it will bring down home values and destroy the peacefulness of the entire area.

We hope that you will take action against using this site for a casino.

Thank You,
Barb and Chuck Sackett

Sent from my iPhone

From: Mark Linder
To: Abbie Williams; Town Council
Subject: RE: How dare you
Date: Friday, February 4, 2022 10:10:19 AM

Dear Abbie and Paul Williams,

The Town Council has not approved the proposed Koi casino. The location is not in the Town. It is in the County. Currently, the issue is with the Bureau of Indian Affairs. At some point the Bureau will be conducting community meetings where you will have an opportunity to express your opposition.

Thank you

Mark Linder
Interim Town Manager

-----Original Message-----
From: Abbie Williams <abbie.earthinfocus@gmail.com>
Sent: Friday, February 4, 2022 9:48 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: How dare you

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear town council, Windsor Ca,

I didn't capitalize town council cause you don't even deserve to be called anything like a council. That would infer that you actually are to be respected.

Correct me if I'm wrong but you've already approved this casino by the Koi tribe? A $600 million behemoth, similar or exactly like the one that has ruined Rohnert Park already. If you tried to do this in Healdsburg they run you out of town. But here in Windsor because you think of us as less educated, less hip, less cool small town vibe. And we have a mayor who is "build at all costs" greedy sycophant. You think we won't notice that you're building a $600 million behemoth it will be drugs alcohol prostitution and all sorts of other things to our small town? You don't give a damn about the people of Windsor at all. But you will find out that we are a force to be reckoned with us women.

I hope I've made myself super clear. But let me lay it out for you. There's about 400 of us women who've gotten together and we will protest. We will stand outside and we will scream about it. We will yell, we will protest in our own way with the protection that the first amendment gives us; (which you probably don't even believe in any way anymore). It is going to be very difficult for you to get through the moms that don't want this casino at all, on any level, and anywhere near our children.

So I am starting a coalition with other moms right now. We have about 400 women and families. We ARE A FORCE to be reckoned. This casino must not go through. The next step up is we have the governor's office. We will fight this with all we have.

Abbie and Paul Williams 1194 Eagle Dr., Windsor CA 95492.

Abbie Williams
415-531-7495

From: Al Storms
To: Town Council
Subject: No casino
Date: Monday, February 14, 2022 6:10:42 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

A casino will bring nothing good to the community but more traffic crime and violence. I vote no. If this happens i will sell and move shorty after its done

From: David C. Brayton <david.brayton@gmail.com>
Sent: Sunday, April 17, 2022 6:45:36 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: No Casino on Shiloh Road

Hello!

I am writing to encourage you to approve the resolution in opposition to the location of the Casino Resort on Shiloh.

The Casino does not belong anywhere in Windsor, let alone on Shiloh Road. Windsor is a bedroom community and Shiloh Road is simply the wrong place for it.

First, it is aesthetically awful. This is wine country, where agriculture defines the community, not Las Vegas. This Shiloh Road location places a huge, gaudy facility at the entrance to our beautiful town.

Second, the location is utterly wrong because it is surrounded by residential areas. Casinos operate 24 hours a day. Fine for Vegas or the remote hillside in Alexander Valley but the residents in this area need a good place to live. This will bring huge amounts of traffic, noise and bright lights.

Third, there simply isn't the infrastructure needed to support this monstrosity. To accommodate all the traffic, ORH and Shiloh will need to be five lanes. There simply isn't enough water left in the Russian River to support this facility.

The soul of Windsor is in the line. If this monstrosity is approved, the entire character of Windsor will be destroyed. The history of Windsor will be divided into two chapters. BC and AD--Before the Casino and After Development.

Don't let this happen. Vote to approve the resolution in opposition to the casino.

See you on Wednesday evening.

David Brayton

From: Carrie Marvin <caretoride@yahoo.com>
Sent: Saturday, April 16, 2022 7:08:43 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Wednesday's meeting

Please be aware that carrie, jon and theo Marvin of The Foothills in Windsoe would like the town council to vote aye in this matter. In that the Town of Windsor supports retaining the existing Sonoma County General Plan land use designation of Land Intensive Agriculture for the property located at 222 E. Shiloh Road; and that the Town Council of the Town of Windsor, support the continued use of the land for agricultural purposes; and that the Town Council of the Town of Windsor, SUPPORT the Board of Supervisors of the County of Sonoma in OPPOSING the establishment of the casino.
This land should not be used for a casino. And furthermore we have great concern about water and fire.
Please honor Windsor neighbors concerns about this parcel of land. No casinos in neighborhoods.
Thank you.
Carrie, Jon and Theo Marvin
[redacted]
windsor

Sent from my iPhone

From: Janice Sexton <janicesexton46@gmail.com>
Sent: Saturday, April 16, 2022 7:32:41 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed Casino at 222 E. Shiloh Rd.

To all members of the Town Council:

I strongly urge your adoption of the proposed Resolution opposing the Koi casino project, and I hope you will follow the lead of the Sonoma County Board of Supervisors in this matter.

Janice Sexton
[redacted]
Windsor, CA 95492

From: cd4ques@aim.com <cd4ques@aol.com>
Sent: Saturday, April 16, 2022 11:16:52 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: We are against the proposed Koi casino on East Shiloh Road and Old Redwood Hwy

It doesn't belong in this area and the small Band of Koi Indians have no rights here. Also, fire, water, sewer, traffic, etc. etc, are issues that make it a detriment to all of us. Please oppose it!!

Sent from the all new AOL app for iOS

From: Katherine Schram <schram@sonic.net>
Sent: Sunday, April 17, 2022 5:58:12 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: 222 E Shiloh Resolution

I would like to urge the Town Council to vote in favor of the Resolution to keep 222 E Shiloh Road as Intensive Agricultural Land and oppose the building of a casino.

Thank you,
Katherine Schram

From: Linda McBride <linda.mcbride@icloud.com>
Sent: Sunday, April 17, 2022 7:54:55 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed casino @ 222 E. Shiloh Road

Dear Council members,
As a long-term member of this community, I wholeheartedly support this resolution as written. Please come together to take a stand against the Koi nation building this casino in a well-established residential neighborhood, across from a park where our community gathers. In addition to the negative impact of a casino, our community has lived through a full-scale evacuation due to fire and the risk of that happening again is high in either Foothill Park or Shiloh Park. Adding that many casino guests and staff to an evacuation route that was already challenged would be irresponsible.
Thank you,
Linda McBride
[redacted]
Windsor, CA
[redacted]

From: Amy Hoover <amychoover@gmail.com>
Sent: Sunday, April 17, 2022 1:15:14 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Resolution regarding casino

Dear Mr Mayor and Town Council Members,

I am writing on behalf of our household in the Foothills area of Windsor. We are very much against the Koi Nation's intent to build a casino with restaurants and hotel on the property at Shiloh Road.

This is a heavily trafficked area, going into and out of Windsor. The idea of yet another casino is abhorrent to us. Our county has more than our share of casinos, we do not need anything more than the agriculture that this property has been zoned for.

Your Resolution is thorough and specific. We wholeheartedly support any and all actions on your part to keep this particular project away from that area. Thank you.

Amy and Chris Hoover
[redacted]
--
Sent from Gmail Mobile

From: jscoppedge@att.net <jscoppedge@att.net>
Sent: Sunday, April 17, 2022 3:55:10 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed Casino Site Location-Residential neighborhoods are inappropriate

Hello Windsor Council Members—

Please take a few moments to review the attached pertaining to the Proposed Casino Site on Shiloh Road. Our opposition is to the location of this Casino—in the middle of a residential neighborhood.

Thank you for your commitment to the safety and well-being of your residents and neighbors.

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you contact The Bureau of Indian Affairs at the following address and share with them the inappropriateness of this proposed location—and as such, this property should not move from fee to trust.

Darryl La Counte, Director of the Bureau; Bryan Newland, Assistant Secretary
Bureau of Indian Affairs
Depart of the Interior
1849 C Street, N.W. MS-4606
Washington, D. C. 20240
Phone: (202)208-5116

We appreciate your attention in this matter and sincerely hope that you and your fellow state, local and community leaders will do everything in your power to change the location of this proposed Casino site to a non-residential location.

Thank you,

Judith and John Coppedge

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

-10 acres
-baseball, soccer fields
-little league playing fields
-family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

-single family homes
-approx. 75 homes
-$740-$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

-private Country Club
-Jack Nicklaus golf course
-95+ single family, multi-million dollar homes



SHILOH RANCH REGIONAL PARK-Faught Rd.

-850 acres
-hiking trails, creeks & ponds
-horseback riding trails
-family picnic areas



FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?





TUBBS FIRE-2017

-deaths—22; size—36,800 acres

-buildings destroyed—5,640

-size—36,800 acres

-mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

-size—77,800 acres

-buildings destroyed—374; 90,000 structures threatened

-mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

-deaths—6; -size—363,200 acres

-buildings destroyed—1,490

-mandatory evacuations; loss of power, water and gas

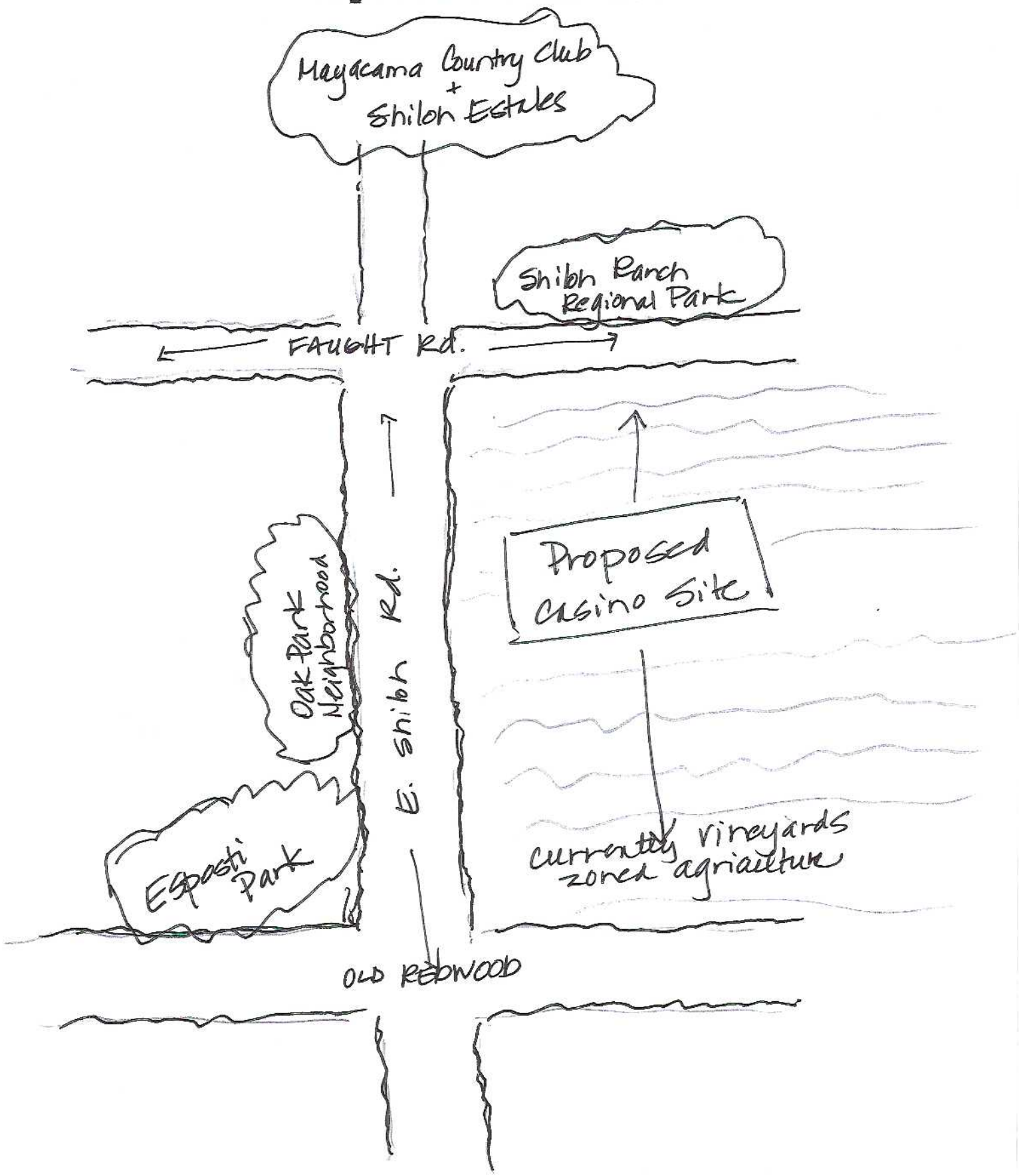
GLASS FIRE—2020

-size—67,500 acres

-buildings destroyed—1,555

-mandatory evacuations; loss of power, water and gas

Proposed Casino Site



From: Elizabeth Acosta [redacted]
Sent: Saturday, April 16, 2022 3:48:25 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: April 20, 2022, Town Council Agenda; item 12.4

Please redact our email address prior to publishing on the Town's website; please forward to Mayor Salmon, Vice Mayor Lemus, and Councilmember Reynoza all of whom currently represent District 4.

We support adoption of item 12.4; we encourage the Town Council to oppose development or uses that are inconsistent with the current land use designation of Land Intensive Agriculture on the property at 222 E. Shiloh Road. Further, we support the Town Council joining the Sonoma County Board of Supervisors in stating its opposition to establishment of a casino at the property named in the Resolution.

Thank you for considering our comments.

Stephen Rios & Elizabeth Acosta
Windsor Residents (D-4)

From: Barbara Collin <barbaramaecollin@gmail.com>
Sent: Monday, April 18, 2022 12:24 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Shiloh Casino

My husband and I live on Lea Street one block off east Shiloh. We are vehemently opposed to another casino being built in Sonoma County, ESPECIALLY in the middle of a residential area. This is a no brainer—traffic congestion and limited water during another historic drought alone makes this an incredibly short sighted project BUT in the middle of a residential area??? Absolutely NO MORE CASINOS here in Sonoma County. STOP THE GREED.

Barbara and Dave Collin
[redacted] Windsor, CA 95492
--

Be yourself, everyone else is taken.

From: Tayler Hockett <hocketttayler@yahoo.com>
Sent: Monday, April 18, 2022 11:09 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: proposed casino on Shilo rd

To whom it may concern,

I am writing to help inform and compel to make sure we do not build a casino on Shilo rd. As a counselor, I work with children and families; and encourage them regularly to get outside and exercise, often trying hiking and cycling. I generally encourage them to go to Shilo as it is often quieter, family-friendly and offers great trails and views. Now more than ever hiking, playing sports, and in general getting exercise and being outside is so important! Our kids and families need parks and outdoor activities made more accessible and friendly, not less. The rise in mental needs and increasing rates of obesity and off the charts since covid. A major deterrent to exercise is accessibility and getting to the parks. Increasing the traffic and likely hood of accidents on Shilo rd by building a casino will directly decrease the safe access and thereby use of the parks.

Secondly, as a cyclist and competitive triathlete I genuinely feel a connection to the trails at Shilo and though a casino would not remove it would greatly diminish the nature Shilo has to offer.

I completely understand it will bring in jobs and capital to the town of Windsor, and agree that is needed right now. However, it is clearly shown casinos increase rates of DUIs nearby, and Shilo rd already being a narrow road with l little to no shoulder it will greatly increase possibly and in all likely hood will increase auto, cyclist, and pedestrian accidents. This is a situation where common sense needs to supersede other motivations. Clearly, a casino will increase accidents and drastically change the nature and park dynamics close by, the most concerning factor is that Aposti park is where children, families, sports teams, etc meet and play. Another casino may have its place in Sonoma County (that of course is a matter of opinion), that place is simply not by the family park where children play and a county park where we as a community can enjoy nature.

I am happy to elaborate further about why Shilo in particular is a great park to use, and have stats relating to mental and exercise, rates of accidents near casinos, and more. Please feel free to reach out with any questions.

Sincerely,

Tayler Hockett, MA

-----Original Message-----
From: Lynn Darst <backpackers_darst@sprynet.com>
Sent: Monday, April 18, 2022 1:56 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Resolution to Oppose Casino Resort on E. Shiloh Road

WINDSOR TOWN COUNCIL MEMBERS:

My husband and I fully support a Resolution by the Windsor Town Council to oppose the Casino Resort on E. Shiloh Road.

E. Shiloh Road is surrounded by neighborhoods, churches schools and parks. Additionally with the multiple evacuations due to the fires/firestorms in our area, we have historical data that shows that the proposed site is in a key evacuation zone. Shiloh and Old Redwood Highway, along with Highway 101 was absolute gridlock. This type of business is an invitation to 20,000-50,000 people visiting per day. To allow this to happen is a disaster in the making - - certainly there would be deaths from the neighborhoods that surround the proposed project, and highly likely customers from the business in any future evacuations. Save lives!!!!

The proposed casino resort is an INAPPROPRIATE LOCATION!!!!!

Please follow the lead off the Sonoma County Board of Directors and sign the Resolution in Opposition,

Lynn Darst
[redacted]

Sent from my I-Pad

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you contact The Bureau of Indian Affairs at the following address and share with them the inappropriateness of this proposed location—and as such, this property should not move from fee to trust.

Darryl La Counte, Director of the Bureau; Bryan Newland, Assistant Secretary
Bureau of Indian Affairs
Depart of the Interior
1849 C Street, N.W. MS-4606
Washington, D. C. 20240
Phone: (202)208-5116

We appreciate your attention in this matter and sincerely hope that you and your fellow state, local and community leaders will do everything in your power to change the location of this proposed Casino site to a non-residential location.

Thank you,

Judith and John Coppedge

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

-10 acres
-baseball, soccer fields
-little league playing fields
-family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

-single family homes
-approx. 75 homes
-$740-$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

-private Country Club
-Jack Nicklaus golf course
-95+ single family, multi-million dollar homes



SHILOH RANCH REGIONAL PARK-Faught Rd.

-850 acres
-hiking trails, creeks & ponds
-horseback riding trails
-family picnic areas



FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?





TUBBS FIRE-2017

-deaths—22; size—36,800 acres

-buildings destroyed—5,640

-size—36,800 acres

-mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

-size—77,800 acres

-buildings destroyed—374; 90,000 structures threatened

-mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

-deaths—6; -size—363,200 acres

-buildings destroyed—1,490

-mandatory evacuations; loss of power, water and gas

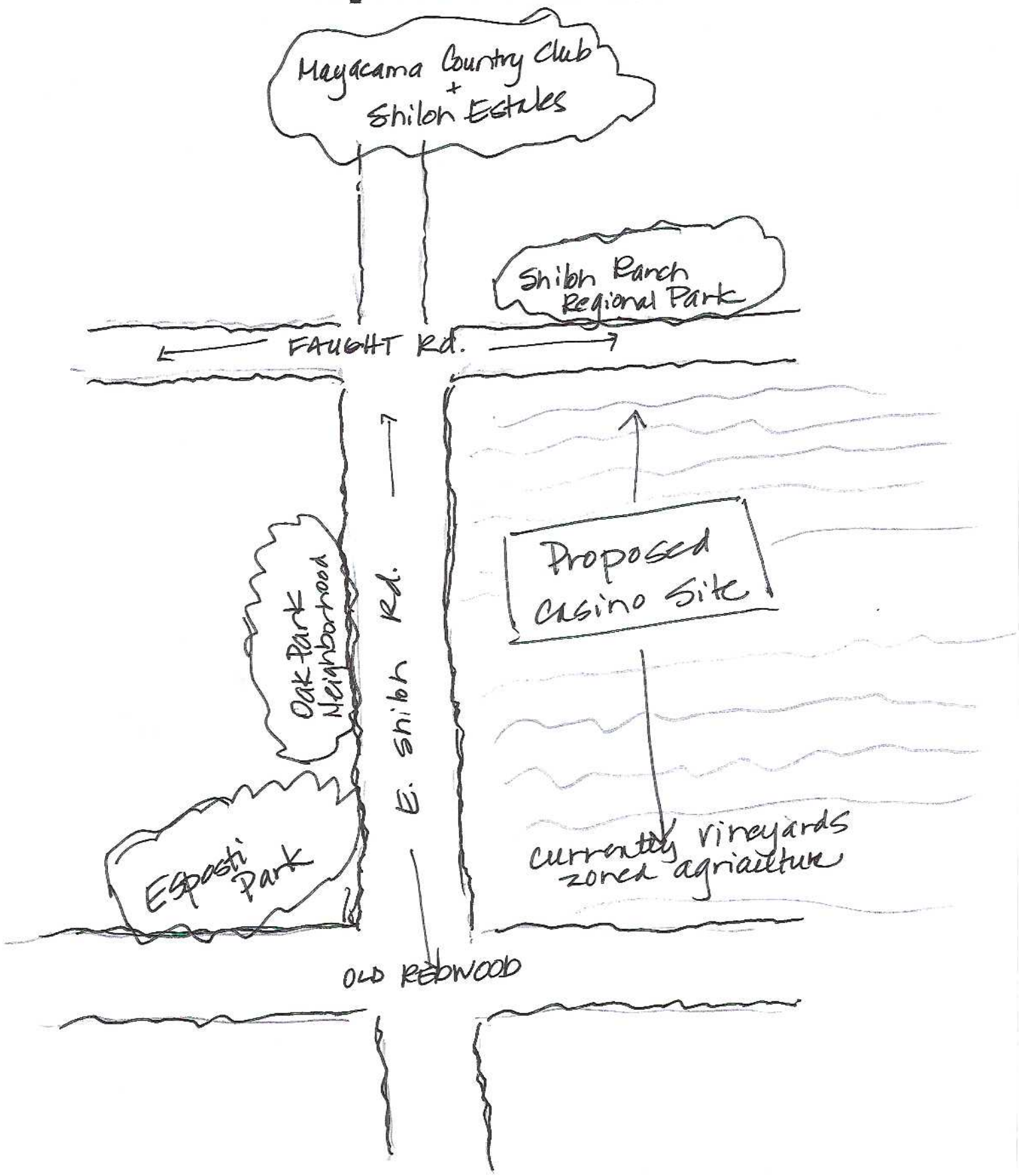
GLASS FIRE—2020

-size—67,500 acres

-buildings destroyed—1,555

-mandatory evacuations; loss of power, water and gas

Proposed Casino Site



Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Thursday, June 30, 2022 9:39 AM
To: Town Council; Mark Linder; Patrick Streeter
Cc: Irene Camacho-Werby
Subject: Re: Koi Nation Environmental Assessment Scoping -- Town of Windsor Public comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please provide a copy of the town official public comments submitted to the BIA. You said this would be done 10 days ago, it was due on Monday, and you did say you would post it to the website. A search today turns up nothing. Are you hiding something??

Betsy Mallace
betsymallace@yahoo.com
707-836-1576
847-971-0716 cell

On Monday, June 27, 2022 at 05:48:05 PM PDT, betsy mallace <betsymallace@yahoo.com> wrote:

Could you please direct me to the link to the town website posting the response? The search function comes up empty.

Thanks,

Betsy Mallace
betsymallace@yahoo.com
707-836-1576
847-971-0716 cell

On Tuesday, June 21, 2022 at 04:58:30 PM PDT, Mark Linder <mlinder@townofwindsor.com> wrote:

Thank you, Betsy. We have previous Council action plus our own technical review to guide us. We have developed a response and will be sending it to the appropriate parties tomorrow. I feel our responses incorporate the community issues that have been expressed. We will post our response on the Town's website.

Mark

From: betsy mallace <betsymallace@yahoo.com>
Sent: Tuesday, June 21, 2022 2:26 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Cc: Mark Linder <mlinder@townofwindsor.com>; Irene Camacho-Werby <iwerby@townofwindsor.com>
Subject: Koi Nation Environmental Assessment Scoping -- Public comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,

I am sorry I missed the last meeting, I was at the yearly Windsor Historical Museum meeting, both happening at the same time.

I just realized that the Towns public comment for the Koi Nation Environmental Assessment scoping was not publicly discussed/agendized. All comments are due to the BIA not later than 6/27/2022. There are no meetings scheduled between now and the due date.

Can you let me know where the town stands on their official public comments?? Will you ask for a 30 day extension so you can get community input? Since this is a scoping comment period, anything NOT mentioned will never be considered, so now is the time to let them know ANY/ALL our concerns.

Below are the links to the NOP and the EA. Looking forward to your reply. Many thanks,

https://www.shilohresortenvironmental.com/

https://www.shilohresortenvironmental.com/wp-content/uploads/2022/05/NOP_EA.TEIR_Koi-Nation-Shiloh-Resort-and-Casino-1.pdf

Betsy Mallace

betsymallace@yahoo.com

Irene Camacho-Werby

From: Deanna Williamson <Deanna.Williamson@jfwmail.com>
Sent: Wednesday, June 7, 2023 11:52 AM
To: Town Council
Cc: icarus062@yahoo.com; D Williamson
Subject: No on Windsor Casino

Dear Town Council,

We are vehemently opposed to a new casino in our small, charming, family-oriented town. I have witnessed firsthand how Graton Casino absolutely destroyed Rohnert Park and Cotati (my place of residence for 20 years.) In fact, it was a major decision to leave Cotati in 2017 after years of watching both neighboring cities change for the worse. Who wants to pay Sonoma County cost of living prices while being accosted weekly by drugged out or homeless people in the local Safeway parking lot?

I feel it will bring in the same devastating external influences that Rohnert Park has experienced such as increased crime, individuals with mental health issues, drug use and miserable traffic—the very things most Windsor residents have been fortunate to escape to this point. Why would you allow this business to strip away what is so very precious about our town?

Please let me know where else we can send our concerns. I am happy to message Senator McGuire and our local legislators as well.

Sincerely,

DEANNA WILLIAMSON | Event Coordinator

o: 707.576.3832| c: 707.331.2807
deanna.williamson@jfwmail.com
www.JacksonFamilyWines.com



Irene Camacho-Werby

From: Mark Linder
Sent: Monday, February 28, 2022 1:32 PM
To: Nina Cote; Town Council
Subject: RE: Towns Council Meeting March 2nd

Good afternoon, Nina.

As the casino location is not in the Town, we are trying to coordinate community meetings with the Bureau of Indian Affairs. The BIA has authority over what will happen with this project will be conducting community meetings on the project.. We are also in communication with the County as the land is in the County. We believe a community conversation about the impacts of this project is very important. We will work with your organization, the County and the BIA to be sure these conversations happen. When we get an idea of where, when, and how the BIA will be conducting community meetings we will let know.

Thank you.

Mark Linder
Interim Town Manager

-----Original Message-----
From: Nina Cote <nina.cote@sbcglobal.net>
Sent: Monday, February 28, 2022 12:00 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Cc: Nina Cote <nina.cote@sbcglobal.net>
Subject: Towns Council Meeting March 2nd

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Respectfully, I would like to request that the Opposition to the Location of the proposed casino on 222 East Shiloh Road be added to the agenda of the next town council meeting.

Thank you! Nina

Nina Cote'
Our Community Matters
707-293-4919
5828 Mathilde Drive
Nina.cote@sbcglobal.net
Our communitymatters2@gmail.com

Irene Camacho-Werby

From: Lynn Darst <backpackers_darst@sprynet.com>
Sent: Monday, April 18, 2022 1:56 PM
To: Town Council
Subject: Resolution to Oppose Casino Resort on E. Shiloh Road

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

WINDSOR TOWN COUNCIL MEMBERS:

My husband and I fully support a Resolution by the Windsor Town Council to oppose the Casino Resort on E. Shiloh Road.

E. Shiloh Road is surrounded by neighborhoods, churches schools and parks. Additionally with the multiple evacuations due to the fires/firestorms in our area, we have historical data that shows that the proposed site is in a key evacuation zone. Shiloh and Old Redwood Highway, along with Highway 101 was absolute gridlock. This type of business is an invitation to 20,000-50,000 people visiting per day. To allow this to happen is a disaster in the making - - certainly there would be deaths from the neighborhoods that surround the proposed project, and highly likely customers from the business in any future evacuations. Save lives!!!!

The proposed casino resort is an INAPPROPRIATE LOCATION!!!!!

Please follow the lead off the Sonoma County Board of Directors and sign the Resolution in Opposition,

Lynn Darst
707 318-9917

Sent from my I-Pad

Irene Camacho-Werby

From: Barbara Collin <barbaramaecollin@gmail.com>
Sent: Monday, April 18, 2022 12:24 PM
To: Town Council
Subject: Shiloh Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My husband and I live on Lea Street one block off east Shiloh. We are vehemently opposed to another casino being built in Sonoma County, ESPECIALLY in the middle of a residential area. This is a no brainer—traffic congestion and limited water during another historic drought alone makes this an incredibly short sighted project BUT in the middle of a residential area??? Absolutely NO MORE CASINOS here in Sonoma County. STOP THE GREED.

Barbara and Dave Collin
224 Lea St, Windsor, CA 95492
--

Be yourself, everyone else is taken.

Irene Camacho-Werby

From: Joan Chance <joanchance@comcast.net>
Sent: Tuesday, April 19, 2022 7:54 PM
To: Town Council
Subject: Opposition of Proposed Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attn: Windsor Town Council -

It was so encouraging to see that The Sonoma County Supervisors passed a Resolution opposing the Casino Resort along Shiloh Road. As a member of Our Community Matters, I highly encourage the Windsor Town Council pass the proposed resolution.
This is not an appropriate place for a casino resort. It is not only zoned for agricultural use, but why would anybody want to build a casino resort near elementary schools, churches, regional parks and established neighborhoods? Apparently the tribe that wants to build this is not even established in this area.

With the fires that have threatened this area in the past few years, evacuation would be impossible with the estimated 23,000 to 52,000 expected guests to attend this proposed resort. Not only that, Sonoma County wants to monitor residential wells. If the casino was built, they would use more water in one day than we would use in a year. The town of Windsor has made it very clear that we are in a severe drought. This is not the appropriate site for a casino resort. It would devastate our community.

Please seriously consider following the lead of the Santa Rosa Supervisors…

Sincerely, Joan Chance

Irene Camacho-Werby

From: suzibill <suzibill@sonic.net>
Sent: Tuesday, April 19, 2022 6:19 PM
To: Town Council
Subject: Proposed Casino Resort on Shiloh Rd.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Council Members,
I have read up on the proposal to build a casino resort, the largest in Sonoma County, at the site on Shiloh Rd and Old Redwood Hwy. I am convinced that such a business would be detrimental to the park and neighborhoods nearby as well as negatively impact our ground water supply and safe evacuation when (not if) it is needed. It's the wrong enterprise for this location.

I urge you all to show solidarity, follow the lead of the Sonoma County Board of Supervisors and put forth a Resolution opposing the Casino Resort. Please do not try to hedge or waffle on this issue-it is too important. Come forth clearly and strongly with a resolution of opposition.

Sincerely,
Suzi Malay
590 Leafhaven Ln. Windsor CA.

Irene Camacho-Werby

From: Laurie <meanlaureen@gmail.com>
Sent: Wednesday, April 20, 2022 9:03 AM
To: Town Council
Subject: Casino opposition

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mayor and Windsor Town Council,
I'd like to offer my support in the resolution as written to retain the existing Sonoma County General Plan Land Use Designation of Land Intensive Agriculture for the property located at 222 E. Shiloh Rd.
I OPPOSE the Casino Resort.
Sincerely,
Laureen Buettner
Occidental, Ca
Sent from Mail for Windows

Irene Camacho-Werby

From: Todd S <tlcl.sloan@gmail.com>
Sent: Wednesday, April 20, 2022 9:06 AM
To: Town Council
Subject: Resolution regarding Casino on Shiloh Rd.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings Town Council,
I am a nearby resident to the proposed Casino site in Windsor off Shiloh Rd.
Please add me the list of those who strongly oppose this development going forward.
I understand a tribe using a casino to create jobs and income for people, but I question how this development impacts the surrounding area.
Ground water usage, including sewage treatment, the impact on the roadways and nearby services and neighborhoods.
It is too much, and does not fit in with the what is already in place. Are there not zoned areas for something this size in another part of Windsor, i.e. a business park?
If these are your concerns, and you don't have concrete solutions to these issues you should vote no on this project.
There is also the concern about evacuation planning in the event of a wildfire.
The Board of Supervisors was unanimous in voting against this development, I hope your votes will be the same.
Thank you,
Todd Sloan

Sent from my iPad

Irene Camacho-Werby

From: Nina Cote <nina.cote@sbcglobal.net>
Sent: Wednesday, April 20, 2022 1:04 AM
To: Town Council
Subject: Resolution to Oppose Proposed Location for Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

On April 20th the Windsor Town Council will be voting on a resolution to oppose the proposed Koi casino resort at 222 E. Shiloh Road.

The proposed location is in the midst of residential neighborhoods, parks, churches, and schools. The estimated number of visitors to the casino is over 25,000 per day, which is equivalent to adding the population of Windsor into this area daily.

The location is currently vineyards that have protected this area from fire two times in the last several years. The thought of losing the fire break as well as trying to evacuate with this number of added people is frightening.

This is truly not an appropriate location for a casino resort for so many reasons.

All five of our local Sonoma County tribes unanimously oppose this as well as your Town of Windsor constituents.

Thank you for putting this resolution on your agenda and I appreciate that the Town of Windsor will be going on record in opposition.

Sincerely, Nina Cote'
Windsor Resident

Irene Camacho-Werby

From: carolmartin016@gmail.com
Sent: Wednesday, April 20, 2022 11:55 AM
To: Town Council
Subject: Strongly oppose Casino project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Town Council,
I am a resident of Oak Park (next door to the proposed casino site).
I actually like going to casinos, but I strongly oppose locating a casino in a residential neighborhood.
I urge you to pass a resolution opposing the Casino Resort.
Thank you for your service to our community.
Sincerely,
Carol Martin
707-403-8200
218 Lea Street
Windsor, CA 95492

Irene Camacho-Werby

From: Kathy Carey <kathy.r.carey@gmail.com>
Sent: Friday, October 1, 2021 6:27 PM
To: Town Council
Subject: Koi Nation Resort and Casino Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please do not allow this. Town of Windsor has a small town charm and this will no longer be the case if you allow this. Do not ruin this town with creed and kickbacks. The traffic in this area will be ridiculous. It will ruin my commute to work and the poor over 50 senior mobile home park across the street will suffer as well. For once, think of the town's residence and not your campaign kickbacks. If this is allowed, I swear I will make it my mission to see that you all are voted out of office. Don't sell us out!

Irene Camacho-Werby

From: Jeanne Powell <jeannehpowell@yahoo.com>
Sent: Tuesday, October 12, 2021 12:51 PM
To: Town Council
Subject: Windsor Casino-Please say No

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

10/12/2021

Jeanne Harris Powell

208 Johnson Street

Windsor, CA 95492

jeannehpowell@yahoo.com

707-548-4444

Dear Town Council Member of Windsor,

I am very fortunate to be a Windsor resident for over 30 years. I own 2 properties here, a home that my son, his wife and my two granddaughters live in and my condo in the Windsor Town Green. I am greatly concerned about the possibility of a casino coming to Windsor and would like to share those concerns.

Research has shown casinos lead to a plethora of social ills, including increased substance abuse, mental illness and suicide, violent crime, auto theft, larceny and bankruptcy. The latter three all increased by 10 percent in communities that allowed gambling. Casinos aren't even a particularly good source of tax revenue. Studies have found that Indian casinos cannibalize business at nearby restaurants and bars, and in so doing actually reduce state tax revenue.

As an RN who has worked at Providence Santa Rosa Memorial Hospital for over 27 years and have seen the repercussions of violent crime, mental illness and substance abuse please keep Windsor free from a casino.

Thank you,

Jeanne Harris Powell

Irene Camacho-Werby

From: Kim@kimedwards.com
Sent: Thursday, June 9, 2022 2:05 PM
To: Town Council
Subject: Koi Nation Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sonoma County is wine country not casino country. We already have 2 casinos which, fortunately, were not built in neighborhoods. We don't need a third. The disruption to the surrounding neighborhoods will include substantially increased traffic and associated accidents, elimination of a very popular bike route, negatively impacted real estate values, additional pressure on the limited water and power resources, and increased local crime.
Please stop this development
Kim Edwards
6238 Cottage Ridge Road
95403

Sent from my iPad

TO:
Chad Broussard @ BIA
Tribal Affairs, Sonoma County
Sn McGuire
City of Windsor Town Council

From: Bob and Nancy Jenkins
June 19, 2022

We were shocked and appalled at the prospect o a third casino in our county. We strongly oppose development of the proposed Koi Casino on East Shiloh Avenue in Santa Rosa, California for the following reasons:

The Sonoma County Board of Supervisors voted unanimously to oppose the proposed casino. The Board said in a statement that the Koi are a "non-Sonoma County tribe " The board said it came to the decision based on letters of **opposition from five other Sonoma County tribes: The Kashia Band of Pomo Indians, Dry Creek Rancheria Band of Pomo Indians, Cloverdale Rancheria of Pomo Indians, Federated Indians of Graton Rancheria and Lytton Band of Pomo Indians.** All five federally recognized Sonoma County tribes and the County of Sonoma itself, have written letters in opposition to the Koi Nation's application to take lands into trust in Sonoma County, where they have no ancestral ties.

Sonoma County doesn't need another casino. The planned **casino** would sit only about 18 miles from the River Rock Casino and a mere 13 miles from the Graton Resort and Casino.

The casino will bring **traffic, pollution, crime and lowered property values** to a substantial area of northeast Sonoma County.

The surrounding neighborhoods have been evacuated multiple times each of the past four years. Those evacuations have resulted in total gridlock scenarios due to dense surrounding residential neighborhoods on East Shiloh Road and limited escape routes in the immediate area. Adding the casino users— hotel, spa, 6 restaurants and 2000 employees— would create a **death trap in a wildfire**.

This project will result in huge **water and sewer impacts**. The infrastructure which was not designed for this kind of Use. The area was designed to support residential and agricultural use, and that is how it is currently zoned.

We hope that you will deny this project and/or reconsider its location.

Sincerely,

Bob and Nancy Jenkins
Sebastopol, CA

Irene Camacho-Werby

From: Jeanne Powell <jeannehpowell@yahoo.com>
Sent: Tuesday, October 12, 2021 12:51 PM
To: Town Council
Subject: Windsor Casino-Please say No

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

10/12/2021

Jeanne Harris Powell

208 Johnson Street

Windsor, CA 95492

jeannehpowell@yahoo.com

707-548-4444

Dear Town Council Member of Windsor,

I am very fortunate to be a Windsor resident for over 30 years. I own 2 properties here, a home that my son, his wife and my two granddaughters live in and my condo in the Windsor Town Green. I am greatly concerned about the possibility of a casino coming to Windsor and would like to share those concerns.

Research has shown casinos lead to a plethora of social ills, including increased substance abuse, mental illness and suicide, violent crime, auto theft, larceny and bankruptcy. The latter three all increased by 10 percent in communities that allowed gambling. Casinos aren't even a particularly good source of tax revenue. Studies have found that Indian casinos cannibalize business at nearby restaurants and bars, and in so doing actually reduce state tax revenue.

As an RN who has worked at Providence Santa Rosa Memorial Hospital for over 27 years and have seen the repercussions of violent crime, mental illness and substance abuse please keep Windsor free from a casino.

Thank you,

Jeanne Harris Powell

Irene Camacho-Werby

From: Beverly Hong <bevhongwalsh@gmail.com>
Sent: Thursday, October 26, 2023 9:21 PM
To: singer@singersf.com
Cc: Town Council
Subject: Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To whom it may concern:

The Koi Nations casino will be a heartache for many.
1. The invasion by this new casino will create problems for the neighborhoods and kids involved. There are estabished neighborhoods
In the proposed location. Where as both River Rock and Graton are in more rural areas.
2. The Koi Nation is not even from Sonoma County. If this is allowed what would stop tribes from trying to set up where they are not from? This does not seem right.
3. This will cause much more traffic for this area.
4. Water use. How much water will be needed. We are still trying to recover from the drought.
5. With this, there will be much more in an area that has been quite and safe.
I believe if you asked, you would find many more people will oppose this rather than be for it.
Please reconsider this project and request other land which would be much more suitable.

Sincerely,
Beverly Hong-Walsh
70 Ellie Dr, Santa Rosa, CA 95403

Irene Camacho-Werby

From: Mary-Frances Makichen <mfmakichen@gmail.com>
Sent: Tuesday, September 6, 2022 8:39 AM
To: Kim Voge; Town Council
Subject: Bo Dean Asphalt/Koi Nation Shiloh Resort and Casino Project

I have this same question for town planners and city council that I've sent to the BIA.
Mary-Frances Makichen

> **From:** Mary-Frances Makichen <mfmakichen@gmail.com>
> **Date:** September 6, 2022 at 8:15:09 AM PDT
> **To:** Chad.broussard@bia.gov
> **Subject: Koi Nation Shiloh Resort and Casino Project**
>
> Hi Chad,
> Are you aware that the city of Windsor is now proposing an asphalt processing plant open near Shiloh road? It seems to me that the amount of trucks that would be going in and out of that plant would also impact the environmental review for the proposed casino. It does not seem like one can be considered without the other since neither would exist in a bubble.
>
> What can be done to take this new information into account?
>
> Thank you,
> Mary-Frances Makichen

Irene Camacho-Werby

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council
Subject: KOI shiloh casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sam and town council,

I live in the neighborhood across the street in Windsor that they are proposing this casino. I am completely appalled that this is something that could potentially go up where I live. I moved from San Francisco to Windsor last year to live in a peaceful rural neighborhood. I spent a lot of money to do this.

The neighborhood across the street all have open space easements on the property. I could not build a pool on part of my property for that reason , it is preserved as agricultural land. Now they are going to put a casino in across the street? That certainly is not preservation and does not align with what I was told by the city or county.

I need to know what we can do to make sure this does not happen, I need your support. I will fight and take this where I need to, to stop this. I know you don't control this but you need to ban together with local leaders and I NEED you to be VOCAL about this. I am reaching out to Newsom and Pelosi through personal relationships and I expect you to extend your rolodex as well.

This is my neighborhood, not some strip mall! I am so angry. Please ban together with your other leaders to oppose this. This same tribe dropped pursuing a casino in Oakland in 2005 when city/town and County leaders banned together to oppose this. If there are leaders that support this, I must know and we need to know publicly. This is a gross act upon our neighborhood and where our children sleep at night.

I expect a response and hopefully you are already working on this.

Best,
Kristine Hannigan
6166 Lockwood Dr
Windsor, Ca

Irene Camacho-Werby

From: Irene Camacho-Werby
Sent: Monday, September 20, 2021 9:50 AM
To: Sommer Hageman
Subject: FW: KOI shiloh casino

Sommer,

Please save to the file.

Thank you,
Irene

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council <TownCouncil@Townofwindsor.com>
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Best,
Kristine Hannigan
6166 Lockwood Dr
Windsor, Ca

Irene Camacho-Werby

From: Arlene Santino <arlenesantino@yahoo.com>
Sent: Sunday, September 26, 2021 1:27 PM
To: Town Council
Subject: Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Windsor is a family town not Vegas do not allow this here in Windsor.

Sent from my iPhone

Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Thursday, September 28, 2023 5:17 PM
To: Town Council; Jon Davis
Subject: EA Comments, Koi Nation Shiloh Resort and Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

Thank you for all that participated last night in the BIA Zoom meeting. I presume the town will submit their comments regarding the significant impacts this project will have to Windsor. If you have not already, can you also request an additional 60 days to submit your comments? The BIA has historically agreed to additional time, and that way the town will not have to rush to get all the details compiled and submitted. I presume the town will publish and approve their letter before it is sent to the BIA. The impacts to the town of Windsor and its residents are so great, and it seems to me that the EA skipped over most of them. IE: evacuation, fire concerns, water, creek, wildlife, light pollution, noise pollution, traffic infrastructure, ect. ect, ect.

Many thanks for your attention to this ongoing matter.

Betsy Mallace
betsymallace@yahoo.com
707-836-1576
847-971-0716 cell

Irene Camacho-Werby

From: Kathy Carey <kathy.r.carey@gmail.com>
Sent: Friday, October 1, 2021 6:27 PM
To: Town Council
Subject: Koi Nation Resort and Casino Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please do not allow this. Town of Windsor has a small town charm and this will no longer be the case if you allow this. Do not ruin this town with creed and kickbacks. The traffic in this area will be ridiculous. It will ruin my commute to work and the poor over 50 senior mobile home park across the street will suffer as well. For once, think of the town's residence and not your campaign kickbacks. If this is allowed, I swear I will make it my mission to see that you all are voted out of office. Don't sell us out!

Irene Camacho-Werby

From: Casino Opposition - OurCommunityMatters <ourcommunitymatters2@gmail.com>
Sent: Sunday, October 9, 2022 10:13 AM
To: Town Council
Subject: Please Recind and Revise Proclaimation
Attachments: OCM Letter to Town Council regarding 10 5 22 proclamtion.docx.pdf

October 9, 2022
Windsor Town Council
9291 Old Redwood Highway #400
Windsor, CA 95492
Dear Honorable Members Windsor Town Council Members,
On April 5th, 2022, the Sonoma County Board of Supervisors unanimously passed a resolution opposing the Koi Tribes application to build a casino resort on the southeast corner of the intersection of Shiloh Rd and Old Redwood Highway. Their resolution was, in large part, based on the fact that the Koi tribe is not an indigenous, native Sonoma County tribe. Their decision was unanimously supported by the five local indigenous Sonoma County Pomo tribes who provided documentation in support of the Proclamation. Thereafter, the city of Windsor passed a like Resolution opposing the casino project and adopting the County ordinance. The
Resolution also reflected the overwhelming opposition of the neighboring community to the casino project.
On October 5th, 2022, the town of Windsor during a town council meeting issued a Proclamation declaring the month of October 2022 shall be Annual Pomo Honoring Month. The proclamation goes on to describe how it is honoring …" Native Pomo people" … who… "have historically occupied and/or had important relationships with lands of Sonoma County, including lands now occupied by the town of Windsor." The Proclamation goes on to mistakenly identify the Koi tribe as a local Sonoma County tribe. The inclusion of the Koi by name in this Proclamation actually harms the very tribes you are honoring, as well as the citizens of Windsor, in that it supports the Koi's claim of being an indigenous Sonoma County tribe.
Time is of the essence. The Proclamation in its current form does not reflect the town of Windsor's prior Resolution and is detrimental to efforts opposing the casino project. Please notify the Koi Tribe of the error and recall all copies of the Proclamation that have been distributed with appropriate language halting further use or publication. A new corrected Proclamation needs to be issued at your next meeting where you can publicly correct this error.
Best Regards,
Our Community Matters
P.O. Box 1421
Windsor, CA 95492
Ourcommunitymatters2@gmail.com

Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Thursday, September 28, 2023 5:17 PM
To: Town Council; Jon Davis
Subject: EA Comments, Koi Nation Shiloh Resort and Casino

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Many thanks for your attention to this ongoing matter.

Betsy Mallace
betsymallace@yahoo.com
707-836-1576
847-971-0716 cell

Irene Camacho-Werby

From: Marie Scherf <mscherf@bpm.com>
Sent: Saturday, November 4, 2023 7:16 PM
To: Town Council
Subject: Koi Nation Proposal

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Allowing a casino to be built on that site in Windsor would be disastrous for the neighborhood and for all the people who use Shiloh Park. It's such a beautiful area and the impact of a bustling casino would be so negative for pollution, traffic, etc. plus it would be a visual eyesore on a relatively pristine rural and agricultural landscape. According to my readings in the PD, the Koi Nation doesn't even have roots in this area, so I am astonished that this would be seriously considered.

Whatever else I can do to vote NO on this proposal, please let me know.

Marie Scherf
745 Jean Marie Drive
Santa Rosa, CA 95403
(707) 365-0011

NEW TAX LAWS
There have been many recent tax law changes. For more information about these new tax laws, please visit our website at www.bpm.com

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Irene Camacho-Werby

From: Patty Lundberg <p.lundberg@ymail.com>
Sent: Wednesday, November 17, 2021 8:33 PM
To: Kimberly Jordan
Cc: Irene Camacho-Werby
Subject: Re: New construction in Windsor - Shiloh Road, Mitchell Lane, and Possible Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Correction, Shiloh Crossing.

Patty

> On Nov 17, 2021, at 7:23 PM, Patty Lundberg <p.lundberg@ymail.com> wrote:
>
> It's Shiloh Apartments and yes it's "Affordable Housing." Not great if you are selling right around the corner.
>
> Patty
>
> > On Nov 17, 2021, at 6:44 PM, Kimberly Jordan <kjordan@townofwindsor.com> wrote:
> >
> > Hi Patty,
> > The Town does not have the information you are requesting. You would need to contact the developer identified for each of the projects to get the information requested.
> > Best Regards, Kim J
> >
> > **From:** Patty Lundberg <p.lundberg@ymail.com>
> > **Sent:** Wednesday, November 17, 2021 3:58 PM
> > **To:** Irene Camacho-Werby <iwerby@townofwindsor.com>
> > **Cc:** Kimberly Jordan <kjordan@townofwindsor.com>
> > **Subject:** Re: New construction in Windsor - Shiloh Road, Mitchell Lane, and Possible Casino
> >
> > CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.
> >
> > Thank you for this.
> > 1.) Do you know the names of the business that will be operating under the apartments on Shiloh?
> > 2.) Are any of these Section 8 or for the homeless? Do you know what will this be called?
> > 3.) Which types of homes and price points for Overlook division on Mitchell and Windsor River Road.
> > I am turning 60 in January and want to put my house on the market in Spring. I doubt these will bring home prices up in Windsor : (Distressing news.

Patty
Birdie Drive

On Nov 17, 2021, at 2:16 PM, Irene Camacho-Werby <iwerby@townofwindsor.com> wrote:

Hello Patty,

With regards to the inquiry regarding the proposed casino, the property the Koi Nation is proposing to develop a casino on is not within the Town's jurisdiction. There are federal and state approvals that must be secured by the Tribe before construction can proceed. At this time, we do not have a sense of the timing for federal and state review or for construction of the casino should the Tribe receive those approvals.

Sincerely,
Irene

Town Clerk|Town of Windsor
Office (707) 838-5315
iwerby@townofwindsor.com
Office Hours: Mon. – Thurs. 7:00 am to 6:00 pm

-----Original Message-----
From: Kimberly Jordan <kjordan@townofwindsor.com>
Sent: Wednesday, November 17, 2021 1:19 PM
To: Patty Lundberg <p.lundberg@ymail.com>
Cc: Irene Camacho-Werby <iwerby@townofwindsor.com>
Subject: RE: New construction in Windsor - Shiloh Road, Mitchell Lane, and Possible Casino

Good afternoon Patty,

Thank you for contacting the Town regarding the developments below. Attached is the Town's current Major Project List. The project at Mitchell Lane and Windsor Road is the Overlook project. The projects on Shiloh Road and Golf Course Drive are Shiloh Mixed-Use and Shiloh Apartments. Information regarding these projects can be found in the attached list, including the project planner who can answer any questions you may have regarding the individual developments.

I have copied the Town Clerk on this email, since I think questions regarding the possible development of a casino are being answered by the Town Manager's office, but am not sure.

Best Regards, Kim J

Kimberly Jordan | Planner III
Town of Windsor |9291 Old Redwood Highway Bldg. 400|Windsor, CA 95492
707-838-1000 Main via Text or Phone | 707-838-5331 Direct| 707 838-

7349 Fax| Monday – Thursday 7am - 6pm www.townofwindsor.com

Due to Public Health Orders, I am working remotely outside of Town offices to avoid person-to-person contact and help prevent the spread of the coronavirus. I am checking my email and voice messages regularly during my work hours, 7:00 a.m. to 6:00 p.m., Monday through Thursday, and will return all messages within one business day.

Your patience and understanding as we work together to keep our community safe is appreciated. Please visit www.townofwindsor.comfor more information.

-----Original Message-----
From: Patty Lundberg <p.lundberg@ymail.com>
Sent: Wednesday, November 17, 2021 12:38 PM
To: Kimberly Jordan <kjordan@townofwindsor.com>
Subject: New construction in Windsor

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

I live on Birdie Drive in Windsor. Could you please tell me what is being built on the 3 parcels below and estimate completion dates for each.

1.) North side of Shiloh Road at Golf Course Drive (both East AND West of of Golf Course.

2.) Mitchell Lane and Windsor Road

I also read about the casino coming to 222 E Shiloh Road. Do you know when that will be built and it's estimated completion date.

Are there any other approved construction going on in Windsor?

I couldn't find this information on the Town of Windsor site.

Thank you

Patty

Irene Camacho-Werby

From: Lisa Shatnawi <lisashatnawi@gmail.com>
Sent: Sunday, August 28, 2022 4:55 PM
To: Town Council
Subject: Asphalt plant/ casinos etc

Hi town council,

First of all thank you for all that you do for our town!
I just want to weigh in on the casino and asphalt plant possibilities.
No to both! Let's keep our little town small and a sanctuary for us residents!
Please no smelly asphalt plant and no casino!

Sent from my iPhone

Blessings to you and yours,

Lisa Shatnawi
lisashatnawi@gmail.com

Irene Camacho-Werby

From: walterbrusz@comcast.net
Sent: Wednesday, April 20, 2022 12:00 PM
To: Town Council
Subject: Attached public comment on Casino Resolution
Attachments: Windsor Town Council comment 042022.docx

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please find attached my public comment.
Walter Bruszewski

Irene Camacho-Werby

From: Mary-Frances Makichen <mfmakichen@gmail.com>
Sent: Tuesday, September 6, 2022 8:39 AM
To: Kim Voge; Town Council
Subject: Bo Dean Asphalt/Koi Nation Shiloh Resort and Casino Project

I have this same question for town planners and city council that I've sent to the BIA.
Mary-Frances Makichen

> **From:** Mary-Frances Makichen <mfmakichen@gmail.com>
> **Date:** September 6, 2022 at 8:15:09 AM PDT
> **To:** Chad.broussard@bia.gov
> **Subject: Koi Nation Shiloh Resort and Casino Project**
>
> Hi Chad,
> Are you aware that the city of Windsor is now proposing an asphalt processing plant open near Shiloh road? It seems to me that the amount of trucks that would be going in and out of that plant would also impact the environmental review for the proposed casino. It does not seem like one can be considered without the other since neither would exist in a bubble.
>
> What can be done to take this new information into account?
>
> Thank you,
> Mary-Frances Makichen

Irene Camacho-Werby

From: Arlene Santino <arlenesantino@yahoo.com>
Sent: Sunday, September 26, 2021 1:27 PM
To: Town Council
Subject: Casino

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Windsor is a family town not Vegas do not allow this here in Windsor.

Sent from my iPhone

W A L T E R B R U S Z E W S K I

2 1 9 L e a S t r e e t

W i n d s o r C A 9 5 4 9 2 U S A 7 0 7 . 2 3 9 . 4 0 5 4

April 20, 2022

The Windsor Town Council

My wife and I have lived in the Oak Park development in Windsor since 1998. Our back yard is directly adjacent to East Shiloh Rd. We can see the vineyard and oak trees from our kitchen and bedroom windows. We walk our dog in Esposti Park daily and hike in the Shiloh Ranch Regional Park about twice a week. We evacuated for both the Tubbs and the Kincaide fires. We are both retired and have hoped that we could live out our days where we are. If the proposed Koi Nation casino is developed on the parcel just behind our backyard, we will need to leave this neighborhood. Living next to 68 acres of parking lot, casinos and a 400-unit hotel is a miserable alternative which we will not entertain. We didn't come to Sonoma County for this.

I expect the Town of Windsor, on behalf of its citizens, to oppose the development using every means possible. The Koi nation has partnered with Global Gaming Solutions (GGS), a business which operates 23 casinos and is wholly owned by the Chickasaw Nation in Oklahoma. This organization, based in Oklahoma would operate the proposed casino. According to the Press Democrat, GGS "modeling shows this area is nowhere near saturation" and that "there is demand for a gambling facility of this size." We are members of Our Community Matters, a group which includes many more people than residents of Oak Park. None of us feels that a casino is needed here. In fact, we don't want it here!

We in California are facing what is essentially a permanent drought. The cause of the drought is Global Climate Change. I was trained to be an academic scientist and I continue to monitor scientific data which indicates that the Earth can tolerate no more heating. The wildfires, shortage of water, and disappearance of plant and animal species will only worsen. Everything about the casino will contribute to production of more greenhouse gasses and more drought. The casino project projects over 57,000 visitors a day. That means that the 68-acre parcel will be mostly parking lot and buildings. It is currently a vineyard with an established stream that drains the Mayacamas Mountains, a well-established riparian corridor and hundreds of old native California trees including oaks, buckeye, and laurels. This landscape consumes and stores greenhouse gasses and prevents warming. Asphalt, covered with thousands of cars adds to warming. Sonoma county, along with much of California is facing critically depleted aquifers. Aquifers are replenished when rain can be absorbed into the soil. Asphalt stops penetration and sends rainwater to the storm drains and into the sea. The water is lost.

If you visit the Graton Casino, you will get an idea of how much light and noise pollution will attend the proposed development, but the plan is for a casino twice the size of Graton. Now our neighborhood is dark at night and the soundscape is a subdued Coyote Symphony. If the project goes forward, the light pollution will be on the order of a large shopping mall.

This neighborhood has proven twice in recent times to be a high wildfire risk. As it is, a lot of people use East Shiloh as the evacuation route. Evacuation of thousands of people with their cars at the casino will endanger everyone.

I hope this letter helps clarify the threat that part of Windsor faces if casino development is not stopped.

With best regards,

Walter Bruszewski

Irene Camacho-Werby

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
To: Town Council
Subject: KOI shiloh casino

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I expect a response and hopefully you are already working on this.

Best,
Kristine Hannigan
6166 Lockwood Dr
Windsor, Ca

Irene Camacho-Werby

From: Irene Camacho-Werby
Sent: Monday, September 20, 2021 9:50 AM
To: Sommer Hageman
Subject: FW: KOI shiloh casino

Sommer,

Please save to the file.

Thank you,
Irene

From: Kristine Hannigan <kristine.hannigan@gmail.com>
Sent: Saturday, September 18, 2021 10:43 AM
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Best,
Kristine Hannigan
6166 Lockwood Dr
Windsor, Ca

Irene Camacho-Werby

From: Kim@kimedwards.com
Sent: Thursday, June 9, 2022 2:05 PM
To: Town Council
Subject: Koi Nation Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sonoma County is wine country not casino country. We already have 2 casinos which, fortunately, were not built in neighborhoods. We don't need a third. The disruption to the surrounding neighborhoods will include substantially increased traffic and associated accidents, elimination of a very popular bike route, negatively impacted real estate values, additional pressure on the limited water and power resources, and increased local crime.
Please stop this development
Kim Edwards
6238 Cottage Ridge Road
95403

Sent from my iPad

Irene Camacho-Werby

From: betsy mallace <betsymallace@yahoo.com>
Sent: Tuesday, June 21, 2022 2:26 PM
To: Town Council
Cc: Mark Linder; Irene Camacho-Werby
Subject: Koi Nation Environmental Assessment Scoping -- Public comments

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,

I am sorry I missed the last meeting, I was at the yearly Windsor Historical Museum meeting, both happening at the same time.

I just realized that the Towns public comment for the Koi Nation Environmental Assessment scoping was not publicly discussed/agendized. All comments are due to the BIA not later than 6/27/2022. There are no meetings scheduled between now and the due date.

Can you let me know where the town stands on their official public comments?? Will you ask for a 30 day extension so you can get community input? Since this is a scoping comment period, anything NOT mentioned will never be considered, so now is the time to let them know ANY/ALL our concerns.

Below are the links to the NOP and the EA. Looking forward to your reply. Many thanks,

https://www.shilohresortenvironmental.com/

https://www.shilohresortenvironmental.com/wp-content/uploads/2022/05/NOP_EA.TEIR_Koi-Nation-Shiloh-Resort-and-Casino-1.pdf

Betsy Mallace
betsymallace@yahoo.com

Irene Camacho-Werby

From: Marie Scherf <mscherf@bpm.com>
Sent: Saturday, November 4, 2023 7:16 PM
To: Town Council
Subject: Koi Nation Proposal

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Allowing a casino to be built on that site in Windsor would be disastrous for the neighborhood and for all the people who use Shiloh Park. It's such a beautiful area and the impact of a bustling casino would be so negative for pollution, traffic, etc. plus it would be a visual eyesore on a relatively pristine rural and agricultural landscape. According to my readings in the PD, the Koi Nation doesn't even have roots in this area, so I am astonished that this would be seriously considered.

Whatever else I can do to vote NO on this proposal, please let me know.

Marie Scherf
745 Jean Marie Drive
Santa Rosa, CA 95403
(707) 365-0011

NEW TAX LAWS
There have been many recent tax law changes. For more information about these new tax laws, please visit our website at www.bpm.com

CONFIDENTIALITY NOTICE: This email message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

Irene Camacho-Werby

From: Kathy Carey <kathy.r.carey@gmail.com>
Sent: Friday, October 1, 2021 6:27 PM
To: Town Council
Subject: Koi Nation Resort and Casino Project

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Please do not allow this. Town of Windsor has a small town charm and this will no longer be the case if you allow this. Do not ruin this town with creed and kickbacks. The traffic in this area will be ridiculous. It will ruin my commute to work and the poor over 50 senior mobile home park across the street will suffer as well. For once, think of the town's residence and not your campaign kickbacks. If this is allowed, I swear I will make it my mission to see that you all are voted out of office. Don't sell us out!

Our Community Matters
An Association of Neighbors in Sonoma County, CA

5828 Matilde Drive
Windsor, California 95492

Telephone: (707) 293-4919
Email: ourcommunitymatters2@gmail.com

October 30, 2021

Via U.S. Mail and Email

Email Address: IndianGaming@bia.gov

Paula Hart, Director
Office of Indian Gaming
U.S. Department of the Interior
1849 C Street, N.W.
MS-3543-MIB
Washington, D.C. 20240

Re: Request for Restored Lands Determination by Koi Nation

Dear Director Hart:

Our Community Matters, a neighborhood association of over 150 Sonoma County residents, submits this letter in opposition to the request for a "restored lands" determination sought by the Koi Nation of Northern California, previously called the Lower Lake Rancheria (the "Tribe"). The Tribe announced that it has recently purchased 68 acres of land in the unincorporated area of Sonoma County for the purpose of building a 1.2 million square foot casino calling for 2,500 slot and other gaming machines, a 200-room hotel, six restaurant and food service areas, a meeting center, and a spa. We understand the Tribe is seeking an exception to the prohibition of gaming on newly-acquired lands pursuant to the 1988 Indian Gaming Regulatory Act ("IGRA").

The subject property contains several vineyards and a single grand residence, located at 222 E. Shiloh Road, Santa Rosa, California (the "Shiloh Property"). Sonoma County records reveal that a California limited liability company named Sonoma Rose LLC purchased the Shiloh Property on September 1, 2021. (*See* Attachment 1.) The Tribe does not currently hold ownership of the land in its own name.

The Shiloh Property directly abuts the Southeast edge of the Town of Windsor (population 27,447) and lies at the corner of two main traffic arteries, Shiloh Road and Old Redwood Highway. Many houses are directly across the street from the property along East Shiloh as well as Old Redwood Highway, including homes in the Oak Park subdivision and the Colonial Park mobile home park.

Neighbors formed *Our Community Matters* for the sole purpose of opposing the Tribe's proposed mega-casino and resort on the Shiloh Property, as we are convinced the project would be devastating to our community, cause health and safety issues, and negatively impact the environment. Put simply, the location is inappropriate for the Tribe's proposed mega-casino and resort project.

For purposes of the Office of Indian Gaming Management's ("OIGM's") review, it is perhaps even more important that the Tribe has no historical connection to the Shiloh Property nor the surrounding community. The Tribe has simply gone shopping for a place to put a casino and, without consulting any neighbors or local government officials, has decided that our backyard is the best place for it. The location, however, is not well-chosen, and construction of the mega-casino and resort will likely have damaging consequences.

Below is a discussion of the issues and what we have discovered.

I. The Tribe's Request for Permission to Game on the Shiloh Property Should Be Denied Under IGRA

A. IGRA's Legal and Regulatory Framework

Indian tribes may operate casinos only on "Indian lands" that are eligible for gaming under the IGRA. To be deemed "Indian lands" per the IGRA (25 U.S.C. § 2703), the land must be located within the limits of a tribe's reservation, be held in trust by the United States for the benefit of the tribe or its members, or be land subject to restrictions against alienation by the United States for the benefit of the tribe or its members. Additionally,

the tribe must have jurisdiction and exercise governmental powers over the gaming site. If the land is not "Indian lands" and fails to meet these other requirements, then it is subject to state gambling laws.[1]

Importantly, the IGRA (25 U.S.C. § 2719 ("Section 2719")) contains a general prohibition against gaming on lands acquired into trust after October 17, 1988. Tribes may game on such after-acquired trust land only if the land meets one of the two exceptions listed in Section 2719:

1. If the Secretary, "after consultation with the Indian tribe and appropriate State and local officials, including officials of other nearby Indian tribes, determines that a gaming establishment on newly acquired lands would be in the best interest of the Indian tribe and its members, and would not be detrimental to the surrounding community, but only if the Governor of the State in which the gaming activity is to be conducted concurs in the Secretary's determination" (25 U.S.C. § 2719(b)(1)(A)); and

2. The lands are "taken into trust as part of— (i) a settlement of a land claim, (ii) the initial reservation of an Indian tribe acknowledged by the Secretary under the Federal acknowledgment process, or the restoration of lands for an Indian tribe that is restored to Federal recognition." (25 U.S.C. § 2719(b)(1)(B)(iii).)

Our Community Matters understands the Tribe is not seeking to utilize the first of these exceptions to obtain permission to build a casino on its newly-acquired land per 25 U.S.C. § 2719(b)(1)(A), as doing so would require it to consult with State and local officials and other nearby tribes. Rather than reaching out to these community groups and officials to gain support for its mega-casino project, the Tribe simply announced it via the press, to the surprise of Federal, State, and local officials.[2] The Tribe is seeking to circumvent this collaborative process most likely due to the fact that it has used it in the past to no avail: we understand the Tribe's previous requests to build casinos in Vallejo and Oakland were soundly rejected.

The Tribe is thus currently invoking the second exception, seeking to be deemed a "restored tribe" and for its purchase of the Shiloh Property to be considered a "restoration of lands" under Section 2719(b)(1)(B)(iii). While a District Court has determined the Tribe is a "restored tribe" under IGRA,[3] the Tribe's request for the Shiloh Property to be deemed a "restoration of lands" should be rejected.

Because the IGRA does not define the term "restoration of lands," and the language is susceptible to multiple meanings, it is subject to interpretation by the Department of Interior ("DOI") through regulation.[4] The DOI has adopted regulations to interpret the exception, as well as "[w]hat must be demonstrated to meet the 'restored lands' exception" found at 25 U.S.C. § 2719(b)(1)(B)(iii). (25 C.F.R. § 292.7; Gaming on Trust Lands Acquired After October 17, 1988, 73 Fed. Reg. 29,354 (May 20, 2008) ("Part 292").)

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[1] *See* National Indian Gaming Commission: Definitions Under the Indian Gaming Regulatory Act, 57 Fed. Reg. 12382, 12388 (1992).

[2] *See* https://www.pressdemocrat.com/article/north-bay/koi-indian-tribe-unveils-plans-for-600-million-casino-resort-in-sonoma-cou/.

[3] *See Koi Nation of N. California v. United States Dep't of Interior*, 361 F. Supp. 3d 14 (D.D.C. 2019), *amended sub nom. Koi Nation of N. California v. United States Dep't of the Interior*, No. CV 17-1718 (BAH), 2019 WL 11555042 (D.D.C. July 15, 2019), and *appeal dismissed sub nom. Koi Nation of N. California v. United States Dep't of the Interior*, No. 19-5069, 2019 WL 5394631 (D.C. Cir. Oct. 3, 2019). While there may be other challenges to the Tribe's status as a "restored tribe" under IGRA not addressed in that decision, *Our Community Matters* expresses no opinion on that issue.

[4] *See*, e.g., *Grand Traverse Band of Ottawa and Chippewa Indians v. U.S. Attorney for W. Dist. of Mich*., 198 F. Supp. 2d 920, 928 (W.D. Mich. 2002), aff'd 369 F.3d 960 (6th Cir. 2004); *Oregon v. Norton*, 271 F. Supp. 2d 1270, 1277 (D. Or. 2003).

Pursuant to Part 292, to show that lands qualify as "restored," a tribe must establish:

(a) a modern connection to the lands;

(b) a significant historical connection to the lands; and

(c) a temporal connection between the date of acquisition and the tribe's restoration.

(25 C.F.R. § 292.12 ("Section 292.12").)

To demonstrate a "significant historical connection" under Part 292, a tribe can either (a) show that "the land is located within the boundaries of the tribe's last reservation under a ratified or unratified treaty"; or (b) "demonstrate by historical documentation the existence of the tribe's villages, burial grounds, occupancy or subsistence use in the vicinity of the land." (25 C.F.R. § 292.2.) As the DOI explained in the preamble to Part 292, the word "significant" was used because it "reinforces the notion that the connection must be something more than 'any' connection." (73 Fed. Reg. at 29,366.)

Further, the structure of Section 292.12 indicates that the connection demonstrated must be to the newly-acquired land itself, not simply its surrounding area. As explained in the preamble to the final rule promulgating Part 292, what is required is "something more than evidence that a tribe merely passed through a particular area." (73 Fed. Reg at 29,366.)

B. The Shiloh Property is Not the Tribe's "Restored" Lands

The Tribe's request for the Shiloh Property to be deemed its "restored" lands does not meet Section 292.12's second requirement, that the Tribe have a "significant historical connection" to that land, for two reasons.

First, the Shiloh Property is not located within the boundaries of the Tribe's last reservation under a ratified or unratified treaty. (*See* 25 C.F.R. § 292.2.) The Tribe's last reservation was purchased by Congress in 1916: a 140-acre parcel in Lake County between the towns of Lower Lake and Clear Lake Heights known as Purvis Flat. Purvis Flat is approximately 49 miles from the Shiloh Property; the Shiloh Property simply does not fall within the reservation's boundaries. Further, on its website, the Tribe verifies that after the government sold Purvis Flat to Lake County for a municipal airport, the Tribe became landless.[5] Accordingly, the Tribe cannot reasonably claim the Shiloh Property is located within the boundaries of the Tribe's last reservation.

Second, research has revealed no evidence to demonstrate the existence of the Tribe's villages, burial grounds, occupancy or subsistence use in the vicinity of the Shiloh Property. (*See* 25 C.F.R. § 292.2.) In fact, the Tribe's ancestral home was on an island in Clear Lake in Lake County, approximately 55 miles North of the Shiloh Property.[6] The distance between the Shiloh Property and the Tribe's ancestral lands is just too great to demonstrate a "significant historical connection" between the two. In addition, the Tribe's lack of historical connection to the Shiloh Property area was also recently verified in a Cultural Resources Study focusing on property at the corner of Shiloh Road and Old Redwood Highway, presented to the Town of Windsor's Planning Commission regarding a proposed residential project at that corner.[7] While nine tribes were listed as possibly having a historical connection to the area, none of them were the Koi Tribe.

While the Tribe will likely argue that some of its members have resided in Sonoma County over the past hundred years or so, such a factor is insufficient to demonstrate a "significant historical connection" to the Shiloh Property. Indeed, while a tribe's activities in the vicinity of a property may be used to reasonably infer a

[5] *See* https://www.koinationsonoma.com/history/.

[6] *See* https://www.koinationsonoma.com/history/.

[7] *See* https://windsor-ca.granicus.com/MetaViewer.php?view_id=2&clip_id=1308&meta_id=81164, at pages 10, *et seq.,* and Attachment A.

tribe used the subject property for subsistence use, no such inference can be made by showing tribal members lived within a 10-20 mile radius of the property in modern times. Section 292.12 requires the Tribe to show a connection to the newly-acquired land *itself*, not just the surrounding area, as it provides that "[t]o establish a connection to the newly acquired lands [for the purposes of the restored lands exception] . . . [t]he tribe must demonstrate a significant historical connection *to the land*."(emphasis added). Research has revealed no evidence the Tribe or it members have had any connection to the Shiloh Property *itself*, and such a connection is highly unlikely due to the fact the property has been in private hands.

Moreover, the DOI's past "restored lands" decisions also demonstrate the Shiloh Property should not be declared a "restoration of lands" for the Tribe. For example, on February 7, 2019, the DOI denied a request by another Lake County Indian tribe, the Scotts Valley Band of Pomo Indians ("Scotts Valley"), for a "restored lands" determination for its newly-acquired parcel in the City of Vallejo, California.[8] In fact, Scotts Valley had a stronger case than the Tribe for a restored lands determination, as it claimed its ancestors collected provisions near the subject land, and that a tribal chief traveled in the region throughout his life, may have been baptized 17 miles from the land, and worked as a ranch hand and migrant laborer in the area of the land. Despite these ties, the DOI determined that Scotts Valley had failed to show a "significant historical connection" to the subject land because the intermittent presence of the Tribe's ancestors did not indicate a broader presence to the area as a whole, and there was no evidence of ancestral use of the subject land itself. Scotts Valley has sought to overturn that decision via judicial review, and the DOI's motion papers filed in the case on October 1, 2021, demonstrate its commitment to enforcing current DOI regulations and policies on those issues.[9]

Moreover, the Federated Indians of Graton Rancheria has gone on record opposing the Tribe's request for a "restored lands" determination for the Shiloh Property. Specifically, Chairman Greg Sarris stated in an article he authored: "This is an egregious attempt at reservation shopping outside the Koi Nation's traditional territory and within the territory of other federally recognized tribes."[10] *Our Community Matters* believes this is the heart of the issue, and that the Tribe's request for the Shiloh Property to be deemed its "restored" lands should be denied.

II. The Shiloh Property is an Inappropriate Location for a Casino and Resort

While not expressly part of the "restored lands" analysis, *Our Community Matters* believes it is also important to consider how inappropriate the Shiloh Property is for the location of a mega-casino and resort, as follows.

A. Proximity to Residences, Parks, and Elementary Schools

As shown on an aerial view of the Shiloh Property (*see* Attachment 2), it is located across the street from two housing areas on the North side and a mobile home park the West side (there is also a church on the West side). Esposti Park, which is a sports park utilized heavily by Little League teams, is located directly North across the street from the Shiloh Property at the corner of E. Shiloh Road and Old Redwood Highway.

In addition, the attached photo does not show the following: (1) Shiloh Park, a Sonoma County Regional Park which allows for nature-based hiking and horseback riding, is located just 0.4 miles to the West of the Shiloh Property; (2) San Miguel Elementary School, including its surrounding residential neighborhood, is located just 1.4 miles South of the Shiloh Property; (3) Mark West Union Elementary School, including its surrounding residential neighborhood, is located just 1.9 miles from the Shiloh Property; (4) Mattie Washburn Elementary

[8] *See* https://www.timesheraldonline.com/wp-content/uploads/2019/08/DOI-Letter-Scotts-Valley-Restored-Lands-Decision-re-Vallejo-2-7-2019-1.pdf

[9] *See Scotts Valley Band of Pomo Indians v. U.S. Dept. of the Interior*, U.S. Dist. Ct., District of Columbia, Case No. 1:19-CV-01544-ABJ, Memorandum in Support of Federal Defendants' Cross Motion for Summary Judgment and in Opposition to Plaintiff's Motion for Summary Judgment, Dkt. No. 55, Filed October 1, 2021.

[10] *See* https://www.pressdemocrat.com/article/news/graton-rancheria-statement-on-koi-nations-application-for-gaming-facility/.

School, including its surrounding residential neighborhood, is located just 2.1 miles away from the Shiloh Property; and (5) both Shiloh Road and Old Redwood Highway are major travel arteries for the community.

There is simply insufficient space between the Tribe's proposed mega-casino/resort and these residences, parks and schools to prevent negative effects from noise pollution, light pollution, car exhaust pollution, and traffic from impacting the community. The ecological effects alone in this relatively rural and bucolic area would be substantial. Moreover, the associated negative aspects that ride along with casinos, such as theft, vandalism, drug use, trespassing, etc., would have an overwhelmingly negative impact on our small community.

Further, we are experiencing extreme drought at this time,[11] which is expected to be the new normal due to climate change. The Tribe's proposed mega-casino and resort would put tremendous demands on our local resources, including our water table, which we expect will cause water and other conditions to worsen.

B. Lack of Sufficient Wildfire Evacuation Corridors

In the 2017 Tubbs wildfire, over 5,300 homes in Sonoma County burned to the ground. Many of those homes were located just a few minutes' drive to the South of the Shiloh Property. The wildfire came without warning in the night, and there were no emergency messages or evacuations. Since that time, local emergency services aim to provide sufficient warning of wildfires, to enable residents to evacuate with their lives, their pets, and some property.

Attachment 3 to this letter contains a map showing the number and locations of wildfires in the area since 2015 which have ravaged our landscape, both physical and emotional. *Our Community Matters* members have evacuated two to three times in the past four years due to wildfires. For example, in 2019, our members and 50,000 Sonoma County residents were ordered to evacuate to escape the Kincade Wildfire. Evacuating residents caused traffic jams at the corner of Old Redwood Highway and Shiloh Road, which became almost impassable. Highway 101, the primary North-South artery, was at a standstill Southbound, leading away from the fire.

The Tribe's proposal to develop a mega-casino and resort on the Shiloh Property could very well have life threatening consequences for our community members, as there are simply not enough evacuation routes for us let alone the tens of thousands of people the Tribe expects to host on the property. Further, removing the vast majority of the vineyards on the Shiloh Property will increase the fire threat to our community, as vineyards have proven to be a significant fire break.

C. Lack of Hospitality Workers

The Tribe has indicated it plans on hiring 1,100 employees to work the casino and resort. However, there is a shortage of hospitality workers in our area that has reached the critical stage. In fact, a local restaurant just down the street from the Shiloh Property recently announced it will have to close because it cannot find workers to staff it.[12]

The local newspaper, the Press Democrat, reported in a September 1, 2021, article that "[t]hroughout the country, restaurants are facing a critical shortage of workers… Locally, restaurants have even resorted to

[11] *See* https://www.drought.gov/states/California/county/Sonoma.

[12] *See* https://www.sonomamag.com/this-is-the-new-reality-popular-santa-rosa-creperie-closes-for-lack-of-staff/?gSlide=1.

closing on certain days, because of the staffing crunch."[13] The workforce shortage is due primarily to the "extremely high cost of living and a shortage of affordable, workforce housing" in our area.[14]

Our Community Matters is concerned about the Tribe's proposed mega-casino and resort taking employees away from our local businesses, causing more of them to close and further decreasing the unique and diverse aspects of our community.

III. Conclusion

Our Community Matters urges the OIGM to reject the Tribe's request for a "restored lands" exception to the prohibition of gaming on newly-acquired lands. We believe the Shiloh Property is not the Tribe's restored lands, and that the Tribe has no actual connection to that land from either a modern or historical perspective. Moreover, we believe that the Tribe's proposed mega-casino and resort would be simply devastating to our community.

We appreciate your consideration of these issues. Should you have any questions, or would like further information, please let me know.

Best regards,

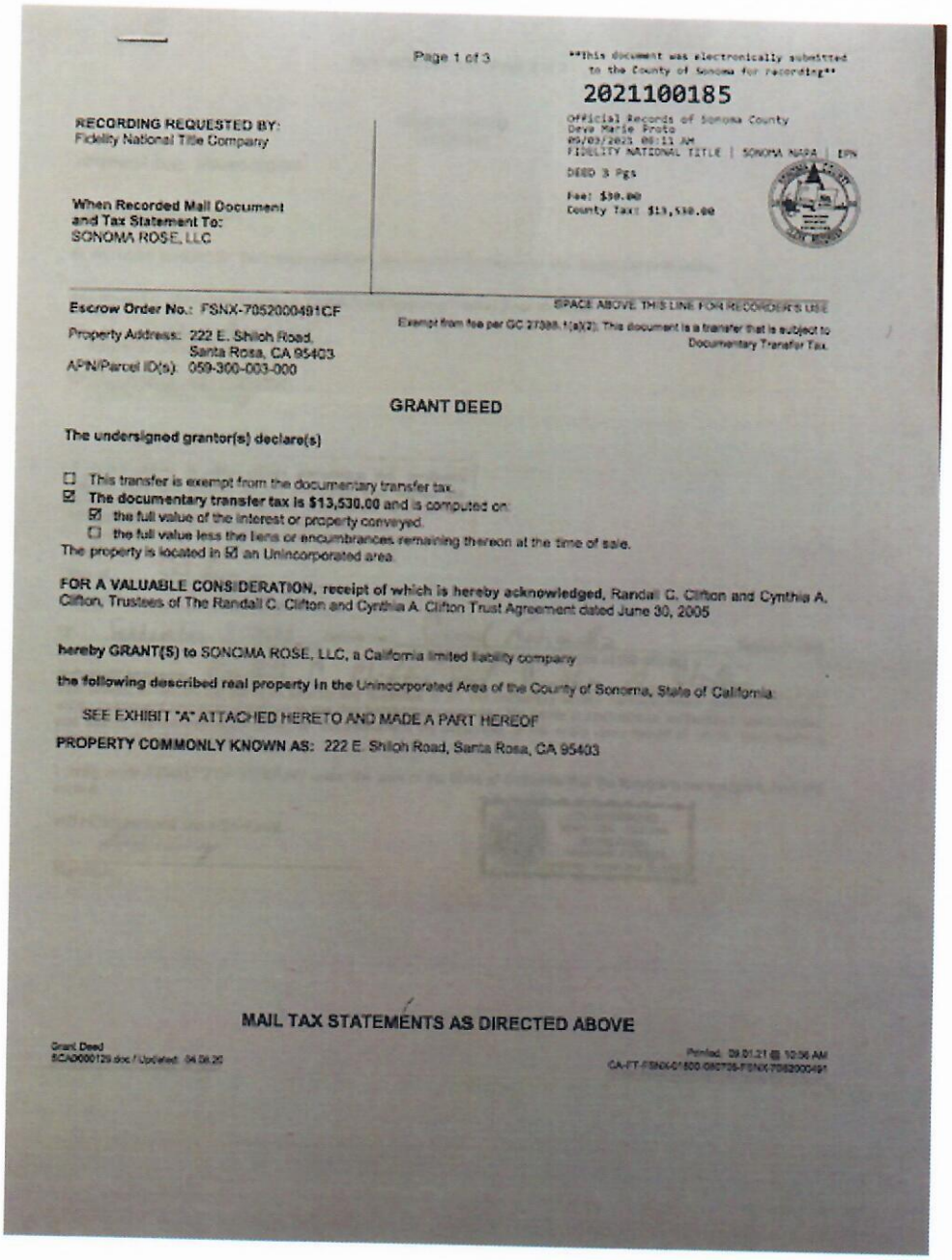
Nina Cote
Steering Committee Chair
Our Community Matters

cc: Robert Pittman, County Counsel, County of Sonoma – Email only: robert.pittman@sonoma-county.org
Jose Sanchez, City Attorney, Town of Windsor – Email only: jsanchez@meyersnave.com
Jared Huffman, U.S. Representative – Fax only: (202) 225-5163
Michael Thompson, U.S. Representative – Fax only: (202) 225-4335
Gavin Newsom, Governor of the State of California – Fax only: (916) 558-3160
Darryl LaCounte, Director of the Bureau of Indian Affairs, DOI

[13] *See* https://www.northbaybusinessjournal.com/article/news/starks-restaurant-group-in-sonoma-county-hosts-party-and-lottery-to-coax-wo/; *see also* https://www.pressdemocrat.com/article/news/sonoma-county-restaurants-still-struggling-in-2021/; *see also* https://www.pressdemocrat.com/article/business/sonoma-county-hospitality-sector-struggles-to-find-workers-despite-high-job/; *see also* https://www.sonomanews.com/article/news/help-wanted-sonoma-valley-businesses-struggle-to-hire/.

[14] *See* https://www.northbaybiz.com/2021/07/19/labor-shortages-in-a-post-pandemic-world/.

Attachment 1



Page 1 of 3

This document was electronically submitted to the County of Sonoma for recording

2021100185

Official Records of Sonoma County
Deva Marie Proto
09/03/2021 08:11 AM
FIDELITY NATIONAL TITLE | SONOMA NAPA | EPN

DEED 3 Pgs

Fee: $30.00
County Tax: $13,530.00

RECORDING REQUESTED BY:
Fidelity National Title Company

When Recorded Mail Document and Tax Statement To:
SONOMA ROSE, LLC

Escrow Order No.: FSNX-7052000491CF

Property Address: 222 E. Shiloh Road,
Santa Rosa, CA 95403
APN/Parcel ID(s): 059-300-003-000

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Exempt from fee per GC 27388.1(a)(2); This document is a transfer that is subject to Documentary Transfer Tax

GRANT DEED

The undersigned grantor(s) declare(s)

☐ This transfer is exempt from the documentary transfer tax.
☑ **The documentary transfer tax is $13,530.00** and is computed on:
  ☑ the full value of the interest or property conveyed.
  ☐ the full value less the liens or encumbrances remaining thereon at the time of sale.
The property is located in ☑ an Unincorporated area.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Randall C. Clifton and Cynthia A. Clifton, Trustees of The Randall C. Clifton and Cynthia A. Clifton Trust Agreement dated June 30, 2005

hereby GRANT(S) to SONOMA ROSE, LLC, a California limited liability company

the following described real property in the Unincorporated Area of the County of Sonoma, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

PROPERTY COMMONLY KNOWN AS: 222 E. Shiloh Road, Santa Rosa, CA 95403

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Grant Deed
SCA0000129.doc / Updated: 04.08.20

Printed: 09.01.21 @ 10:56 AM
CA-FT-FSNX-01600.080735-FSNX-7052000491

GRANT DEED
(continued)

APN/Parcel ID(s): 059-300-003-000

Dated: September 1, 2021

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

The Randall C. Clifton and Cynthia A. Clifton Trust Agreement dated June 30, 2005

BY: Randall C. Clifton
Randall C. Clifton, Trustee

BY: Cynthia A. Clifton
Cynthia A. Clifton, Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Sonoma

On September 1, 2021 before me, Conrad Fernandez (here insert name and title of the officer), Notary Public, personally appeared Randall C. Clifton and Cynthia A. Clifton who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

CONRAD FERNANDEZ
Notary Public - California
Sonoma County
Commission # 2356085
My Comm. Expires Mar 26, 2025

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 059-300-003-000

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF SONOMA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Being a tract of land in Section 20, Township 8 North, Range 8 West, M.D.B. and M. and beginning at a iron pin which marks the 1/4 section corner between Sections 19 and 20; thence East along the Northerly line of the Southwest 1/4 of said Section 20, a distance of 40.00 chains, more or less, to the center of Section 20; thence South, along the Easterly line of said Southwest 1/4, 17.01 chains, more or less, to the Northeast corner of a tract of land conveyed by Elisha C. Mayo to Charles T. Mathisen and Cynthia E. Mathisen, his wife, by Deed dated January 28, 1905 in Book 216 of Deeds at Page 298, Sonoma County Records; thence South 76° 15' West, along the Northerly boundary of said tract of land conveyed to said Mathison, 25.69 chains, more of less, to the center of the State Highway leading from Santa Rosa to Healdsburg; thence Northwesterly along the center of said State Highway, 26.85 chains, more or less, to the section line between Section 19 and 20; thence North along said section line, 1.62 chains, more or less, to the point of beginning.

Excepting thereform that portion thereof conveyed to the County of Sonoma by deed recorded April 25, 1950 in Book 955 at Page 376, Sonoma County Records.

Also excepting therefrom that portion conveyed to the County of Sonoma by Deed recorded October 27, 2006 as Instrument No. 2006132956, of Official Records.

Attachment 2

Aerial Photo of the site of the Casino and Resort proposed by the Tribe, located at 222 E. Shiloh Road, Santa Rosa, CA. The Casino and Resort project is outlined in blue; Esposti Park is outlined in green; the pink line shows the boundaries of the Town of Windsor to the North versus unincorporated Sonoma County to the South.

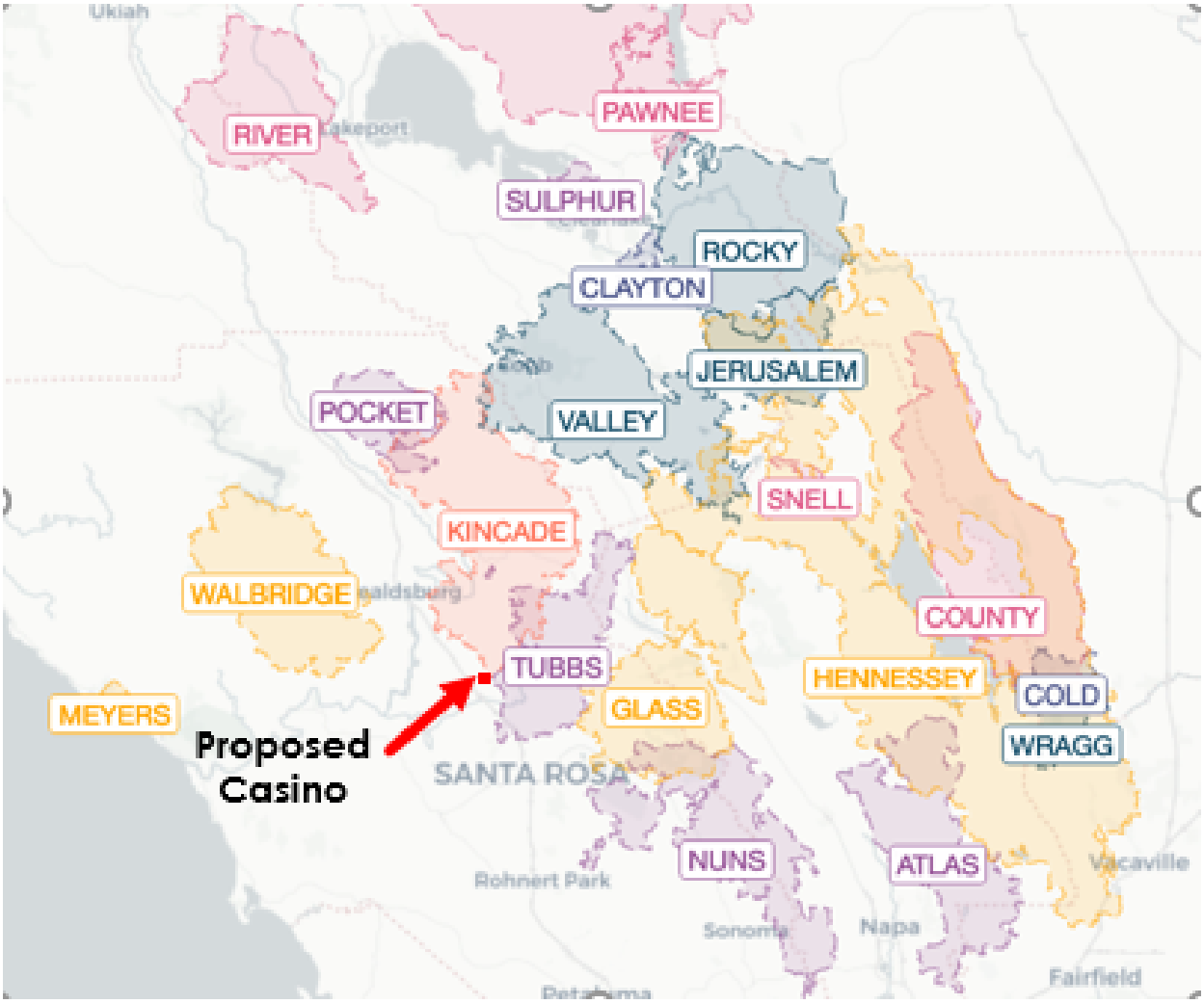
The proposed Casino and Resort is a 1.2 million-square-foot project calling for 2,500 slot and other gaming machines, a 200-room hotel, six restaurant and food service areas, a meeting center and a spa. It is expected to employ approximately 1,100 employees.



Photo obtained from the SoCoNews: https://soconews.org/scn_windsor/news/windsor-officials-clarify-town-not-involved-with-koi-nation-casino/article_0e7adef2-2871-11ec-93c3-536857a5e1cf.html and not verified by Our Community Matters.

Attachment 3

Locations of Recent Wildfires (Since 2015)



Our Community Matters
P.O. Box 1421
Windsor, CA 95492

February 16, 2022

Mayor Sam Salmon
Town of Windsor
9291 Old Redwood Highway Bldg. 400
Windsor, CA 95492

Dear Mayor Salmon:

Thank you for the opportunity to meet with you and Rosa Espinosa recently via Zoom. We were pleased that we were able to review our Power Point Presentation with you and to help clarify the application process through the BIA (Bureau of Indian Affairs). Upon the follow-up dialog, we were left with the impression you do not clearly understand the reasons for our strong opposition to the proposed Casino Resort. While this project is not in the town limits of Windsor, it does border our town. It is directly across the street, within 40 feet, to a Windsor residential neighborhood. Whatever happens at this location will have a direct impact on the Town of Windsor. As your constituents, we want to make the reason of our opposition 100% clear.

Our Community Matters is objecting to the **LOCATION** of the proposed Casino Resort! The top reasons include:

- Press Democrat Article 2/14/22: Drought Relief Hopes Fading
  Press Democrat Article 2/15/22: Drought Worst in 1200 Years

  Documents show six or seven wells that are currently located at 222 E Shiloh are dry and have been for several years. Think about it! How much water does a 200 room hotel, six restaurants, a casino, spa and conference center need? In a recent news release the plans have now changed to a 400 room hotel. How does that impact the rest of us, particularly those on wells?

  Drought worries immediately lead us to wildfire risk!

- Wildfire Risk!

  We do not have to guess what will happen. We already know! We have the experience of the Tubbs fire in 2017 in which 22 people perished and the 2019 Kinkaide fire which stopped directly across the street from the proposed casino location. As you know, the original prediction was that the entire Town of Windsor was in path of the fire. The evacuation in both cases resulted in gridlock along Shiloh/Old Redwood Highway, up to and along Highway 101.

WHY would anyone invite potentially 20,000 vehicles or over 50,000 people a day to an area surrounded by residential neighborhoods to a fire prone area, where evacuation gridlock is history? It doesn't make sense. The thought of 50,000 people evacuating, along with all the residential neighborhoods that surround 222 E. Shiloh, is chilling. How many people will die?.

Mayor Salmon, this is **NOT** an opportunity to seek economic expansion at the expense of safety. This is **NOT** an opportunity to negotiate with anyone relating to this property. This is an opportunity for you to take a stand on this matter! 222 E. Shiloh is the **WRONG LOCATION** for a commercial business that draws thousands of visitors and vehicles per day.

We are strongly urging you to place this important/critical matter on the Windsor Town Agenda immediately for discussion.

Sincerely,

L. R. Darst

Lynn R. Darst, Windsor Resident
Our Community Matters

Cc: Our Community Matters Members

From: Lynda Williams <misslyndalouu@gmail.com>
Sent: Saturday, October 14, 2023 5:56:03 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Comments on Letter RE: Koi Nation Shiloh Resort and Casino Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Honorable Town of Windsor Council Members,

I am writing to comment on the letter on the agenda for approval this Wednesday October 18, 2023, Town Council Meeting commenting on the Environmental Assessment (EA) of the proposed Koi Tribe Vegas Style Casino Resort Hotel.

While I thank you for taking the time to comment on the EA by the deadline, the proposed letter fails to address three critical issues on this matter. The first is Fire and evacuation routes. As you are aware, all evacuation routes out of the Town of Windsor are severely stressed and gridlocked in times of evacuation. As someone who lives directly across the street from this proposed project (less than 40 feet) and who has been evacuated, this issue must be addressed comprehensively in both your letter as well as a new Environmental Impact Statement. This issue risks the lives of residents who are citizens and taxpayers in the Town of Windsor. People like me and my neighbors whom you represent. Please add language addressing this issue.

The second issue is traffic impact, which your letter addresses but fails to tie to the fire and evacuation issue. Specifically, your letter fails to address the proposed traffic light and casino entrance at East Shiloh and Gridley. Gridley is a residential street used by most of the residents of Oak Park (77 homes). Putting a signal here with a casino entrance directly across from Gridley will back up traffic into Oak Park all day and night; it will back up traffic into the Redwood Highway and East Shiloh intersection; this will cause traffic to turn up East Shiloh and speed on Faught Road past San Miguel School; and it will cause traffic to cut through Oak Park to Mathilde backing up traffic at this intersection as well. This will put the life and safety of residents, children on bikes, pets and pedestrians at risk. If intoxicated casino goers become confused when they exit, they could end up roaming the streets of our neighborhood. Additionally, adding 15,000 additional vehicles a day to this area will increase carbon emissions by 25,185,000 metric tons per year (source EPA website). This additional pollution will flow into all our homes.

The third, and most important issue, is that your letter fails to take a stand on the fact that this is the wrong location for this project, for all of the environmental reasons, let alone the fire and evacuation hazard. I would like to see the Town of Windsor take the position that this is the wrong location and recommend that the BIA take plan D, no project and the land is not granted to the Koi. The issue here is not the tribe, it is the location. I personally wish them well and hope they can find an appropriate location for their Vegas Style Casino Hotel. But for the scope of this

EA and this BIA proposal, please support and recommend option D in your letter. Residential neighborhoods are not the place for casinos.

Thank you.

Warmest Regards,

Lynda Williams
[redacted]
Windsor, CA 95492

From: Eddie Flayer <eddie.flayer@att.net>
Sent: Saturday, October 14, 2023 6:12:47 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: I don't understand the legal jargon...

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I live in Santa Rosa but I love your town. Such a great job with building a downtown, and parks, green spaces. Why kill a fine rural vineyard neighborhood with ANOTHER gambling hall? Find some land close to Walmart on Shiloh near the freeway. Give it to the Indians and let the buses of hoards shop at Walmart...and smoke and play slot machines and smoke some more. Maybe they will even smoke a peace pipe since they can make lots of money to get paid back for what we did to them.

I would like to see the Town of Windsor oppose the location of this project and urge the BIA to support option D, not to grant the land to the Koi Tribe.

Thank you,
Eddie Flayer

From: Maisie McCarty <maisiemccarty@hotmail.com>
Sent: Sunday, October 15, 2023 8:14:02 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Nation Proposal for Casino Hotel, etc

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Council Members-
We strongly urge the Town of Windsor to oppose the proposed casino just south and east of our border in its comments to the BIA. It will, if accepted into trust by the BIA become a horrific blight causing traffic, noise and light disturbance to those Town of Windsor occupants living so close to its proposed location. In addition it would cause unlimited problems for those of us forced to evacuate due to fire or other natural disasters. The proposed casino's traffic study does not even take into account the new 300 + units being built at Old Redwood Highway and Shiloh Rd which will already cause increased traffic and parking problems so near to their proposed site.
In addition the Koi Nation's ancestral lands are in Lake County, NOT Sonoma County.
Please direct your comments to the BIA in strong opposition to placing this land into trust for the Koi Nation.

Very truly yours,
Mary M.McCarty
L.W. Harrison
[redacted]
Windsor,CA
Sent from my iPhone

From: Ginna Gillen <ginnagillen@sbcglobal.net>
Sent: Sunday, October 15, 2023 10:19:40 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Cc: Jim Gillen <jimgillen@sbcglobal.net>; Suzanne Jean Calloway <suzannecalloway@yahoo.com>; Our Community Matters <ourcommunitymatters2@gmail.com>
Subject: Please Oppose the Koi Casino

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As an almost 20 year resident of Windsor, I urge the Town Council to take a stronger position in opposition to the proposed Koi casino. Having read the Environmental Assessment, I agree that as your agenda states "... the Town finds that several potentially significant adverse impacts associated with the proposed project are not identified or not adequately mitigated below the threshold of significance".

My family was evacuated during the Tubbs Fire and the Kincade Fire and encountered terrifying traffic jams on the escape routes. This situation would become total gridlock if the casino were to be built to the south of us. The only way to mitigate this potential crisis is to prevent the building of this casino.

The Town Council represents the voices of your constituents and we urge you to take a strong stand to protect the lives of the citizens of Windsor!

James and Virginia Gillen
[redacted]
Windsor

From: Mary Ann Bainbridge-Krause <mary_ann_bainbridge_krause@yahoo.com>
Sent: Sunday, October 15, 2023 5:52:33 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Item number 12.2 town agenda

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Town Council: I'm writing concerning item # 12.2, submittal on the environmental assessment regarding Koi Nation Shiloh Road and Casino project. Even though you very carefully cover reasons why this should not proceed ,you never once in your letter state you are against this development.
I'm disappointed. Your concerns are the same as the citizens of Windsor and yet you fail to back us up. Why? I would really like to know.
Very disappointed
MaryAnn Bainbridge-Krause
[redacted],a 28 year member of the Windsor community.
Sent from my iPhone

From: Carrie Marvin <[redacted]>
Sent: Sunday, October 15, 2023 5:46:10 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: EA letter for KOI Casino

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Please make sure in the letter from the Town Council, to include how incredibly dangerous it would be for them to build a large casino and hotel and parking for thousands of cars when we have to evacuate. People living in Windsor could end up like citizens of Lahaina or the Camp Fire - being burned because there is not the ability to evacuate quickly. Both Tubbs fire (getting out of Coffey Park was difficult) and Kincaide Fire had lots of people driving for a very long time to get out (I heard stories of people in Windsor and Sebastopol) This is a very important point that needs to be stressed and to omit that is an issue.
Also, as a citizen of Windsor and of the state of CA, we have suffered for years with a long term drought. I have personally ripped out all my grass - and to think that this group can come in and use our local water for tourists and gamblers - while I shut the water off while I brush my teeth and take timed showers, seems nonsensical to me. Fire and Drought must be addressed in the letter.

Thank you.
Carrie Marvin
[redacted]

From: Debra <d_avanche@yahoo.com>
Sent: Sunday, October 15, 2023 5:33:33 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Nation proposed project at 222 E Shiloh Rd., Santa Rosa

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Windsor Town Council members,

I am writing to request that the Windsor Town Council go on record opposing the gaming project at Old Redwood Highway and E Shiloh Rd. by the Koi Nation and Oklahoma Gaming commission.

This property is just outside the Windsor town boundaries but will heavily impact Windsor residents and businesses. This location is designated rural residential agricultural and is **BORDERED BY** Esposti sports park, the Oak Park subdivision, a church, mobile home park for seniors, residences along E Shiloh Rd., The Sonoma County Regional Park at E. Shiloh Rd and Faught Rd and is close to San Miguel Elementary and Mark West Elementary Schools. It is a travesty that a gaming operation is being floated in the middle of this beautiful community.

The Koi Nation is pursuing sovereign status of this property so gambling and 24/7 hoopla can take place. The Koi Nation is from Lake County and should be pursuing their project in that county.

Windsor will not benefit from needing more housing for low paid workers, and will be harmed by plopping a hugh operation in an area that is wildfire prone. Serious evacuation problems are obvious. We are already experiencing parking and traffic issues with the new apartment complex that is in the works.

I urge the Council to go on record strongly opposing this operation and designate the land as off limits for this type of project. Its appalling and makes no sense. We have enough casinos already in Sonoma County. There is **NOTHING** to be gained. Please help stop this.

Thank you,

Debra Avanche

[redacted]
Santa Rosa, Ca 95403

From: Chris Thuestad <chris2esta@comcast.net>
Sent: Sunday, October 15, 2023 4:03:23 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Nation Casino Proposal

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I just received an email stating that the Town of Windsor is ready to approve the EA Comment Letter to the BIA regarding the Koi Nation's proposed casino. I'm deeply concerned about the casino for many of the same reasons you've already heard. The traffic on Shiloh Road is already problematic. I have had to sit through three turns of the light to try to get past the light near Home Depot. When we had to evacuate during the Kincade fire, my husband was at Home Depot -- it took him almost an hour to get back to our house which is just a mile away. According to MapQuest, it should only take 4 minutes! The traffic study submitted by the Koi Nation also didn't take into account all the high-density construction projects that are being built along Shiloh and Old Red. Heading south on Hwy 101 is a nightmare already. We've been told the Graton casino gets 20,000 guests a day. If the Koi casino is even larger, what will that do to the street traffic in Windsor and the freeway traffic heading south?

I'm also concerned about water usage. We've been told that droughts are going to continue to be more frequent and more severe. We were headed to a real disaster until the rains finally came last rainy season. I've heard that the proposed casino will put in a 700' well and pump out something like a quarter of a million gallons of water a day. Not only will all the existing wells in the area go dry in the next drought, there could be problems with ground subsidence. Once the land is taken into trust, there won't be anything anyone can do about that. We've already been told to replace our toilets, dish washers, washing machines. We've been asked to pull up all our water-intensive landscaping. We've been required to only water our lawns every other day, not to wash our cars in the driveway, and to cut our usage by as much as 20%. What's next? No showering? No yards at all? No drinking water? Does the Town of Windsor have a plan for this?

The Koi Nation is a Lake County tribe yet they bought land in Sonoma County just about half way between two existing casinos owned by Sonoma County tribes. How is it fair to the SoCo tribes to have the Koi Nation come in and cannibalize their business?

Finally, the additional traffic, crime, noise, and light pollution will ruin the property values of all Windsor residents, especially those near the casino. No one wants to live by a casino!!

I urge you to oppose the casino, support option D, and not allow the Koi Tribe to destroy the lives of so many people in Sonoma County.

Thank you,
Chris Thuestad

From: BELVA MITCHELL <mmitchellbc@aol.com>
Sent: Sunday, October 15, 2023 11:25:30 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Fwd: EA Comments,Koi Nation Shiloh Resort and Casino

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Sent from my iPad

Begin forwarded message:

From: BELVA MITCHELL <mmitchellbc@aol.com>
Date: October 11, 2023 at 10:42:09 AM PDT
To: chad.broussard@bia.gov
Subject: Re: EA Comments,Koi Nation Shiloh Resort and Casino

Sent from my iPad

On Sep 28, 2023, at 6:39 PM, BELVA MITCHELL <mmitchellbc@aol.com> wrote:

I am strongly opposed to the proposed Casino due to many factors.I live within [redacted] of the Shiloh road entrance/ exit as proposed.This surface street infrastructure at Old Redwood highway and at 101 experience heavy traffic volumes at peak travel times.This will only worsen in coming years due to more population resulting from projects under construction now. The Casino project is indicating some improvements to address infrastructure but I can't foresee this will address the highway 101 approaches and exit ramps.
All of the concerns do not begin to reflect an emergency evacuation situation. I see no indication that noise will be addressed once operations are underway and complete.Over the last several years commercial and private vehicles with loud exhaust systems create an extremely undesirable situation that continues into late at night. There does not seem to be any effort to patrol for this situation. There is also a great concern that safety will be compromised due to the influx of people that will be present and those looking for an opportunity to traffic drugs and sex if this project becomes a reality . Finally this is a residential community not a commercial or business location.

From: Tisha Zolnowsky <Tisha.Zolnowsky@kp.org>
Sent: Monday, October 16, 2023 7:22:01 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Windsor Town Council - Safety. - Please oppose!

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing to provide comments on the proposed **Koi Nation Shiloh Resort and Casino** Project. **I can't believe this is even an option. Really, why is putting a GIANT casino in a neighborhood even an option! 50'** from backyards where families, animals, and children play.

That vineyard saved the surrounding neighborhoods by being a fire break. What about the flooding. What happens to the homes 50' away from a parking lot? Where will the water go? I cannot comprehend how anyone would think that adding a massive casino in a neighborhood is OK. Why are we even talking about this, it's absurd for so many reasons. **Why do us citizens continue to get pushed around by organizations that put their profit before population safety.** Sadly, politics and things like this are driven and bought by money. The little guy (residents) never seem to win against billionaires.

If this project goes through, will we look back and wonder how we got into a situation where the tiny town of Windsor burned up because the people were trapped by traffic? **Who will be blamed** for all the deaths by fire and because of the inability to evacuate? The last evacuation took me four hours to leave Windsor, CA. Windsor, CA, is the wrong location for a business that will add more traffic and people than the 26,000 residents. I am on the county line and it took 4 hours!

Seriously, I'm scared.

Yes, a massive project like the proposed casino will destroy the beauty and increase traffic, congestion, and crime in a residential area, but most of all, it will more than double the people in an area that is already challenged with the ability to evacuate in a safe, timely manner. No roads will be big enough.

There are areas in Sonoma County more appropriate for a high volume 24/7 business. This project will needlessly destroy and corrupt a family residential neighborhood to benefit a small number of individuals from another California region.

So sad ☹

Tisha Zolnowsky

No Casinos near homes, schools, churches,

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From: MEREDITH STROM <mandmstrom@comcast.net>
Sent: Monday, October 16, 2023 11:12 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Tribe request to build casino on East Shiloh Road in Windsor

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am writing with regard to your upcoming council agenda item regarding a request by the KOI Tribe to build a casino on East Shiloh Road in Windsor.

I live on [redacted] and this project would have an immediate and potential disastrous affect on my life. During the recent fires when I had to evacuate my home twice all roads getting out were blocked because of traffic, including Faught Rd., Old Redwood Highway and the 101 freeway. Adding the numbers of cars this project would involve would create a situation that could result in not only property losses but possibly lives, especially for seniors like myself who cannot evacuate easily. Just the increased daily traffic on these country roads will certainly complicate my life immensely.

The noise and parking are also definite concerns for me, especially weekends and evenings. Esposti Park is on the corner of Old Redwood Highway and East Shiloh Park. This is a very well used park during evenings and weekends for many youth athletic leagues with the parking lot full and overflowing onto side streets and neighborhoods. This situation will increase when the huge low income housing unit on the opposite corner is occupied which I fear does not allow enough parking for its projected occupancy. Numerous bike rides commence at this park contributing to traffic and parking issues almost daily during many months of the year.

This is not just a small neighborhood issue. Traffic on and off the freeway, noise, parking, huge increases in water and power usage will affect all Windsor residents.

I urge you to officially oppose this project and recommend the KOI Tribe be denied their request to build a casino at this site.

meredith strom
[redacted]
Windsor, CA

From: Joanne Hamilton <jahamil@pacbell.net>
Sent: Monday, October 16, 2023 10:28 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Casino item 12.2

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The Draft responds does a very good point by point assessment of the EA. However, IMO, I feel it could be strengthened with a strong opening that the Town is against this location for the Koi project. Also, perhaps, a strong close to the same affect.

JoAnn Hamilton

From: Judith Coppedge <judithcoppedge727@gmail.com>
Sent: Monday, October 16, 2023 4:52 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Comment for Proposed Koi Casino Mtg 10-18-23

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please see the attached documents for your upcoming Town Council Meeting on the Proposed Koi Nation Casino.

October 16,2023

TO: Town of Windsor, Town Council (for mtg 10/18)

Fr: J Coppedge, [redacted] Santa Rosa, CA 95403

Re: Proposed Koi Nation Casino

To Council Members,

After having read the pertinent documents related to the proposed Koi Nation Casino, there are a number of key issues that are missing from the Environmental Assessment, which must be strongly stated and prioritized to the BIA. They include:

1) **Ensure a full Environment Impact Study is conducted and a comprehensive Environment Impact Statement be prepared.**
2) **Ensure a non-tribal, non-gaming Environmental Organization be utilized to provide a full scope Environmental Assessment as a peer review to Acorn Environmental.** Acorn Environmental was utilized in the completion of the Environmental Assessment. Acorn specializes in tribal governments, fee to trust land, gaming and other closely related tribal and gaming issues.
3) **The existing Environmental Assessment completely ignores the number one issue with the location of the proposed Casino. FIRE, FIRE, FIRE, LOSS OF LIFE.** (pls see attached photos for an understanding of what the past number of years of FIRE have brought to this area).
4) **Recommend the BIA select Option "D" (no project alternative) and do not grant the fee to trust conversion.**

The proposed location for a Casino is inappropriate and dangerous in many ways.

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you review the attached documents and consider if this residential community is appropriate for a casino location. As we believe you will agree, this is not an appropriate site for a casino. As such, we request that this property not be converted from fee to trust.

We appreciate your time and attention in this matter.

Judith and John Coppedge

FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?





TUBBS FIRE-2017

-deaths—22; size—36,800 acres

-buildings destroyed—5,640

-size—36,800 acres

-mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

-size—77,800 acres

-buildings destroyed—374; 90,000 structures threatened

-mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

-deaths—6; -size—363,200 acres

-buildings destroyed—1,490

-mandatory evacuations; loss of power, water and gas

GLASS FIRE—2020

-size—67,500 acres

-buildings destroyed—1,555

-mandatory evacuations; loss of power, water and gas

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

-10 acres
-baseball, soccer fields
-little league playing fields
-family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

-single family homes
-approx. 75 homes
-$740-$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

-private Country Club
-Jack Nicklaus golf course
-95+ single family, multi-million dollar homes

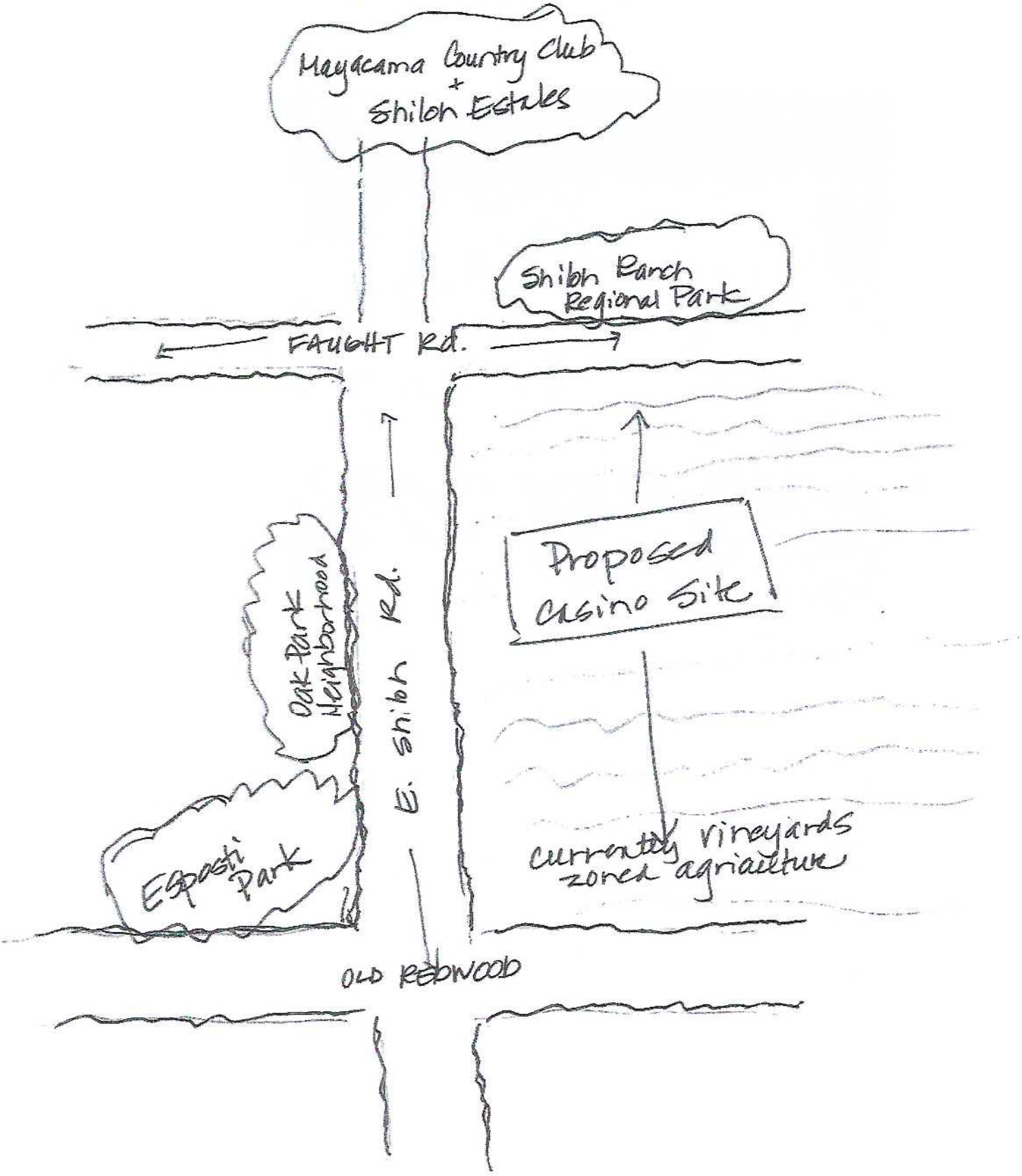


SHILOH RANCH REGIONAL PARK-Faught Rd.

-850 acres
-hiking trails, creeks & ponds
-horseback riding trails
-family picnic areas



Proposed Casino Site



From: C Plaxco <cplaxco143@gmail.com>
Sent: Monday, October 16, 2023 5:06:49 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: I do not want Shiloh Casino in my residential neighborhood

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I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD

- I have lived on [redacted] for 41.5 years. A casino does not belong where me and my neighbors live.
- Mitigations are just a bunch of words. Who is going to monitor what they promise? We just got a 300 apartment building at the corner of E. Shiloh & Old Redwood. More residents that will totally add to traffic. Traffic will be horrendous with a casino added!!!
- Urban Wildfire . It took my family 2 hours to get to Hwy 101 during one of our fire evacuations. That is 2 miles. Sounds so scary that we may not be able to evacuate and could get caught in a fire storm. So scary
- Water - I am on a well on [redacted] I have already had to get a new well because it went dry. Now you want to take my water away for a casino. I can't get Windsor sewer hook up.
- Noise 24/7- the casino would be so loud. Trash pickup, ventilation, AC, people, vehicles. Casino said they would give us new windows. Come on, that will not solve the problem. That shows you right there, they know it will be loud. Why do we, in a residential area, have to even be thinking about this!!! I sleep on the second floor and will hear it all.
- What about the drunk drivers that come and go to the casino. What about the crime it will bring. My neighbor is a cop and is constantly going to Graton Casino dealing with crime. So scary to think that a bad person can just walk across the road into my neighborhood. We don't have enough sheriffs and firemen to respond to casino and our town.
- Economy jobs - Windsor business already cannot find enough employees and businesses are closing

I DO NOT WANT A CASINO IN MY RESIDENTIAL NEIGHBORHOOD

Christine & Richard Plaxco
[redacted]

From: Don Ziskin <donziskinlaw@comcast.net>
Sent: Tuesday, October 17, 2023 8:06 AM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Koi Casino Environmental Statement

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Honorable Town of Windsor Council Members,

Thank you for the opportunity to comment on the letter from the City of Windsor to Amy Dutschke with the Bureau of Indian Affairs concerning the Environmental Statement. My (and my neighbors) chief concern is the impact the Koi Casino Resort will have during the next evacuation as well as on day-to-day life.

1. Transportation and Circulation/ Fire/Evacuation

My family and I are 31 years residents of [redacted], the development directly across the street from the proposed hotel/casino complex. We have been through the Tubbs and Kincaid fires and experienced gridlock during evacuations.

There is no information in the Environmental Statement referencing the results of the traffic study done over two wet, cold days in January 2022, nor was there any information concerning the basis for the estimated 11,213 to 15,579 trips a day to and from the casino. While their traffic study does acknowledge that the casino will cause a loss of services (LOS) they utilize a common phrase throughout the report. “Mitigation would reduce impacts to a less than significant level”. Changing lane striping and signal phasing is not going to alleviate the LOS. There is no information in the TIS on how signal installation will impact traffic. Conclusory statements at the end of the Transportation and Circulation section simply state that “mitigation would reduce impacts”. Further detailed analysis incorporating actual conditions is needed.

There is no substantive information on what their plan is or how their plan would impact the community in the event of an evacuation from fire or earthquake. The only time evacuation is mentioned is at the very end in Appendix N which calls for the Koi to coordinate with emergency evacuation and traffic experts to develop a project-specific evacuation plan. Nowhere in the bullet points do they reference the single lane exit routes or the other surrounding community members trying to evacuate. There is no substantive information on what their plan is or how their plan would impact the community.

How will 5,000+ vehicles leaving the casino at one time during an emergency impact resident in Oak Park and east of the casino Shiloh entrance trying to evacuate?

How will morning and evening commutes be impacted by people traveling to and from the casino?

How will traffic signals at Gridley and Shiloh casino entrance impact traffic congestion on East Shiloh?

How will Casino and residential evacuation impact responding emergency services?

2. Other Casinos in Residential Communities

In response to scoping concerns over casinos in residential areas, the Environmental Statement references three casinos in California that are in residential communities; however, there are significant differences between the Yaamava, Pechanga and San Pablo casinos in the ES and the proposed Koi Casino Resort.

None have housing as close to the casino as does the Koi Casino. All have material differences in ingress and egress. None share a common entry/exit with private residences.

Pechanga is separated from homes by a four-lane parkway and a nature trail. The casino is over ¼ mile from residences. It was built on historical lands belonging to the Pechanga tribe for over 10,000 years in Temecula.

Yaamava casino, like the Pechanga Casino is built on the San Miguel Band of Indians historical land in San Bernardino. It was designed so that the casino entry way faced an unoccupied hillside on their reservation lands. The homes in the area all face the unlit, backside of the casino and are separated by open space and a service road. Driveways and roadways entering and exiting the casino are removed from any residential areas.

Like Pechanga and Yaamava, San Pablo casino does not share a common entrance with any residential community. Like Yaamava, homes around San Pablo Casino only face the backside of the casino area and residences are separated by trees and a creek. Also, the general area is mostly industrial and retail.

The Koi Casino Shiloh entrance will share a common intersection with the residents of Oak Park. Homes will be located on the corner of the intersection of Gridley and the East Shiloh entrance.

3. Acorn Environmental Statement

The neutrality of the report prepared by Acorn should be challenged . Their website identifies Tribal Fee to Trust Applications as one of their specialties. Acorn Environmental provides environmental studies for Native American Indian tribes. Acorn Environmental has a vested interest in minimizing environmental impact for their clients. Their ES utilizes numerous technical standards and regulations but fails to provide factual or substantive information of the impact the casino will actually have on the environment and community. The concerns raised in the scoping questions and

addressed by Acorn were determined to be insignificant after evaluation. Examples of common conclusions are:

Groundwater- cumulative impacts to groundwater would be less than significant.

Carbon Monoxide Hot Spot Analysis - Cumulative impacts to CO levels resulting from Alternative A would be less than significant.

Transportation and Circulation. - Thus, mitigation would reduce cumulative impacts to a less-than-significant level.

Compensating someone with money over the loss of well water is not insignificant or an adequate remedy.

Lastly, while I appreciate the City of Windsor's thorough analysis of multiple topics in the comment letter, I feel it is important that the city take a stronger position concerning the project. There is no question that this project will materially change every aspect of this community. In lieu of suggesting "an alternative project be investigated; it is important to address the four alternatives in the ES. It is critical that alternatives A, B and C be rejected and that alternative D - No Action be adopted. This is not about the who, it is about the what! It will change from a residential, recreational community to a 24 hour a day commercial center.

Because the Environmental Assessment report is lacking any substantive detailed information on how the proposed casino project would impact the environment and local residents is imperative that a more detailed Environmental Impact Study be done unless Alternative D is adopted.

Thank you,

Donald Ziskin
[redacted]
Windsor, CA 95492
phone [redacted]

From: betsy mallace [redacted]
Sent: Tuesday, October 17, 2023 7:16:07 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: public comments on Koi EA #12.2

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thank you for the opportunity to give feedback on your very detailed comment letter to the BIA regarding the on the Koi Casino Project's EA.

I have found, in my personal experience, that comment letters to the BIA have to be very direct. I think most of the comments should be strengthen by specifically calling out every instance of significant adverse impact. Please consider the following suggestions to be added to the letter.

It should be stated clearly that the town only supports option D. Options A, B, and C could/would all create a SIGNIFICANT UN-MITIGATABLE ADVERSE IMPACTS to the town of Windsor. If they move forward with Option A, B, or C then the EA (as written) is incomplete/insufficient and an EIS must be required.

For the items you have stated are "inadequate", "unrealistic", "not-approve", "not-indicated" (missing), "not demonstrated", "could potential jeopardize", need "analysis", "inaccurate", "assume", "overstates", "misleading", "does not recognize", "not addressed" you need to clearly state that the EA as written has and/or could have a SIGNIFICANT ADVERSE IMPACT to the Town of Windor. They have not proven that there is **not** significant impact to the Town of Windsor.

Where you have listed "objections", you again need to clearly state that this is or could be SIGNIFICANT ADVERSE IMPACT to the Town of Windsor.

Where any cost, fee, fund or improvement that will and/or could be assigned to the town of Windor, it will create a SIGNIFICANT ADVERSE IMPACT to the town of Windor.

I am surprised that you barely mentioned evacuation issues, but where you have stated that evacuation times will increase you must also clearly state this is a SIGNIFICANT UN-MITIGATABLE ADVERSE IMPACT to the town of Windsor (and the entire community). Will any Windsor zones "safe route" be impacted by the proposed project? If so, please have this added to the comment letter.

Also, removing a natural fire break and replacing it with combustibles creates an UN-MITIGATABLE SIGNIFICANT ADVERSE IMPACT to the town of Windsor (and the entire community).

I hope you will consider my suggestions (bolding is mine, for emphasis only). Would you please remove all my contact information on this email, before you publish it?

Many thanks for your consideration,

Betsy Mallace

From: sandra george <bailey011@att.net>
Sent: Tuesday, October 17, 2023 8:00:31 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: Proposed Koi Nation Shiloh Resort and Casino

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

October 17, 2023

Dear Honorable Mayor Reynoza, Vice Chair Salmon, Council members Wall, Fudge, And Potter,

We live across the street from the proposed casino, on Shiloh Road. We write to you to urge you at the extremist level. In your letter to the BIA, to OPPOSE the LOCATION of the proposed Koi Nation Shiloh Resort and Casino. To URGE the BIA to support option D, and not grant the land to the KOI Tribe.

In addition to all of your points of opposition in your letter. The proposed location is BORDERED ON 3 SIDES BY RESIDENTIAL HOUSING! In checking with our relator, we were advised that our property value would drop $200,000 if a Casino is built on the proposed site. This would lead to loss of home values that could be in the Hundreds of millions of dollars. This would not only be a loss to each homeowner. But reduce property taxes to the Cities and County.

Every Town, City, County, and State official that spoke to the proposed site, were in opposition.

The only support is by the Carpenters Union, who are looking at a short term gain in work, while the rest of the community suffers long term losses.

Dave and Sandra George
[redacted]

October 16,2023

TO: Town of Windsor, Town Council (for mtg 10/18)

Fr: J Coppedge, Shiloh Vista, Santa Rosa, CA 95403

Re: Proposed Koi Nation Casino

To Council Members,

After having read the pertinent documents related to the proposed Koi Nation Casino, there are a number of key issues that are missing from the Environmental Assessment, which must be strongly stated and prioritized to the BIA. They include:

1) **Ensure a full Environment Impact Study is conducted and a comprehensive Environment Impact Statement be prepared.**
2) **Ensure a non-tribal, non-gaming Environmental Organization be utilized to provide a full scope Environmental Assessment as a peer review to Acorn Environmental.** Acorn Environmental was utilized in the completion of the Environmental Assessment. Acorn specializes in tribal governments, fee to trust land, gaming and other closely related tribal and gaming issues.
3) **The existing Environmental Assessment completely ignores the number one issue with the location of the proposed Casino. FIRE, FIRE, FIRE, LOSS OF LIFE.** (pls see attached photos for an understanding of what the past number of years of FIRE have brought to this area).
4) **Recommend the BIA select Option "D" (no project alternative) and do not grant the fee to trust conversion.**

The proposed location for a Casino is inappropriate and dangerous in many ways.

Does a Casino Belong Here?

We moved to Sonoma County after 45 years in Hawaii. We purchased seven acres and built our home here in 2012. After several years of evaluating locations, we chose this area for its beauty, safety and feeling of community.

We are very concerned and disturbed by the proposed Koi Casino Site which is located at the bottom of our hill in a residential area. Please take a moment to scan the attached photos and map highlighting the inappropriateness of this proposed location.

We are particularly concerned about:

--Potential harm and safety to families; potential loss of life

--Fires—we have been severely impacted with fires in 2017, 2018, 2019, and 2020; we have had to evacuate multiple times—each time has been a dangerous and frightening experience due to the difficulty in egress and ingress in this area

--Lack of water—many wells in our area have gone dry; with drought expected to worsen, water is a huge concern

--Crime—facts show that theft, vandalism, drugs and prostitution significantly increase in and around casinos—they are never located in a residential area

--Environmental impact—to include the abundant wildlife; the removal of vineyards which have served as our firebreak, water and sewer

Our ask is that you review the attached documents and consider if this residential community is appropriate for a casino location. As we believe you will agree, this is not an appropriate site for a casino. As such, we request that this property not be converted from fee to trust.

We appreciate your time and attention in this matter.

Judith and John Coppedge

FIRE DANGER—LOCATION SHILOH RD AT FAUGHT RD

DOES A CASINO BELONG HERE?





TUBBS FIRE-2017

-deaths—22; size—36,800 acres

-buildings destroyed—5,640

-size—36,800 acres

-mandatory evacuations; loss of power, water and gas

KINCADE FIRE-2018-19

-size—77,800 acres

-buildings destroyed—374; 90,000 structures threatened

-mandatory evacuations; loss of power, water and gas

WALBRIDGE FIRE-2020

-deaths—6; -size—363,200 acres

-buildings destroyed—1,490

-mandatory evacuations; loss of power, water and gas

GLASS FIRE—2020

-size—67,500 acres

-buildings destroyed—1,555

-mandatory evacuations; loss of power, water and gas

Does a Casino Belong Here?



ESPOSTI PARK-E. Shiloh Rd.

-10 acres
-baseball, soccer fields
-little league playing fields
-family picnic areas



OAK PARK NEIGHBORHOOD-E. Shiloh Rd.

-single family homes
-approx. 75 homes
-$740-$1.35M price range

MAYACAMA COUNTRY CLUB and SHILOH ESTATES-E. Shiloh and Faught Rds.

-private Country Club
-Jack Nicklaus golf course
-95+ single family, multi-million dollar homes



SHILOH RANCH REGIONAL PARK-Faught Rd.

-850 acres
-hiking trails, creeks & ponds
-horseback riding trails
-family picnic areas



Proposed Casino Site

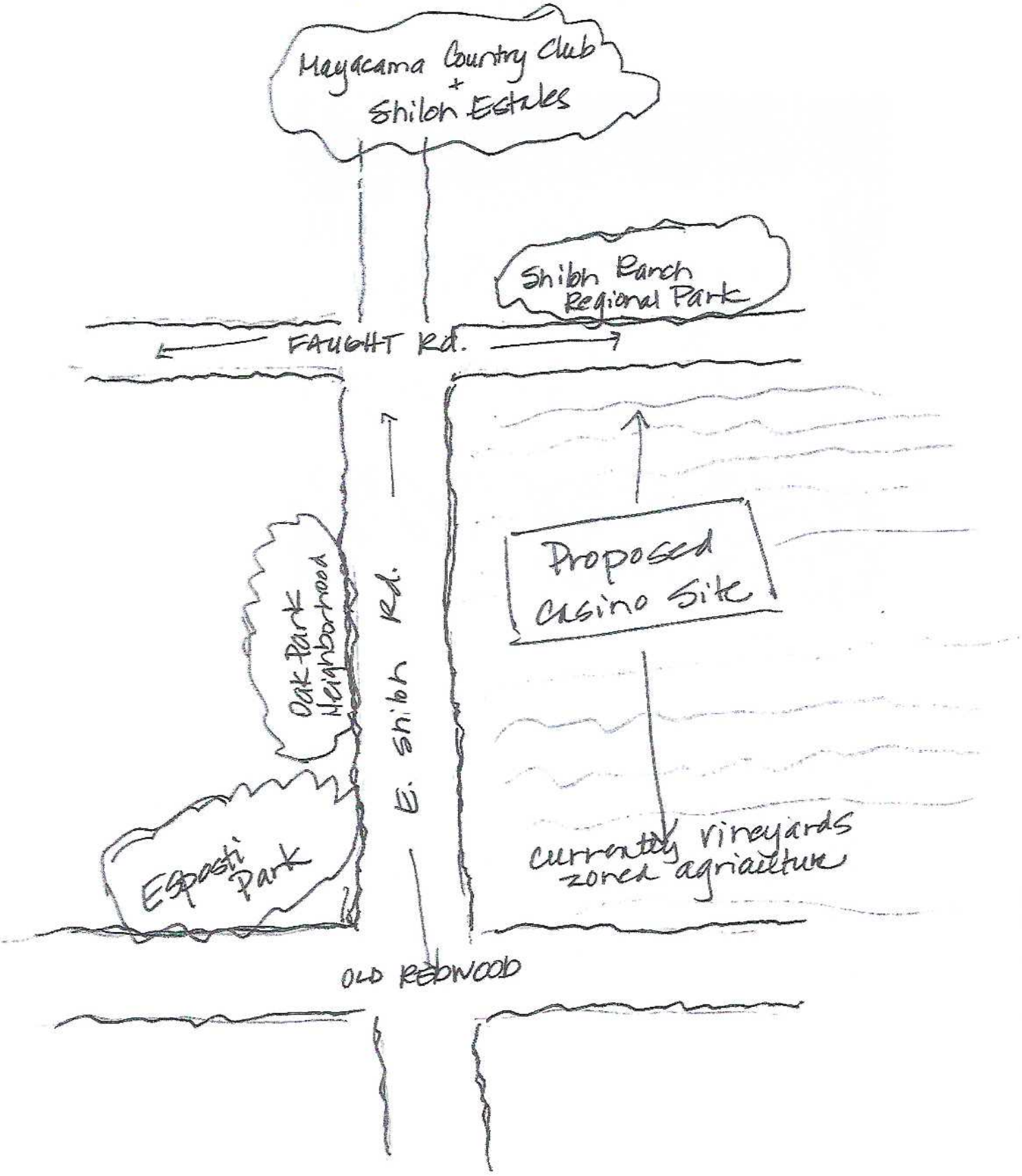


Exhibit F

Town of Windsor
CALIFORNIA

Town of Windsor
9291 Old Redwood Hwy
P.O. Box 100
Windsor, CA 95492

Mayor
Rosa Reynoza

Vice Mayor, District 4
Tanya Potter

Councilmember District 1
Mike Wall

Councilmember District 3
Debora Fudge

Councilmember District 2
Sam Salmon

Town Manager
Jon Davis

May 2, 2024

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

Chad Broussard (via email)
Environment Protection Specialist
Bureau of Indian Affairs, Pacific Region
chad.broussard@bia.gov

SUBJECT: Real Estate Services, TR-4609-P5, Case File #33760 (Gaming Land Acquisition Application – Koi Nation of Northern California)

Dear Ms. Dutschke and Mr. Broussard:

As a direct neighbor (land bordering) to the gaming land acquisition proposed by the Koi Nation of Northern California (the Project), the Town of Windsor (the Town) appreciates the opportunity to provide comments related to the Notice of Gaming Land Acquisition Application that was distributed by your office. It is critical that the Bureau of Indian Affairs (BIA) take the Town's comment into consideration given the direct impacts the proposed Koi Nation Shiloh Resort and Casino Project (Proposed Project) will cause on the Town and its residents.

The Town has previously expressed its concerns in its comments to the Proposed Project's Environmental Assessment and comments on scoping of the Environmental Impact Statement. The Town strongly believes that those comments not only address impacts to the environment, but also stress the impacts to the Town and its residents. The Town requests that the BIA take those comments (attached to this letter) into consideration in its determination whether to acquire this property "in trust."

The Notice also requested information related to the following:

(1) *If known, the annual amount of property taxes currently levied on the subject property allocated to your organization.*
The Town has no comments on this topic currently.

(2) *Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization.*
The Town has no comment on this topic currently.

(3) *Any government services that are currently provided to the property by your organization.*

The Town of Windsor contracts with the Sonoma County Sheriff's Office for police services. Through those services, the Windsor Police Department regularly participates in mutual aid requests in unincorporated Sonoma County. The Project Site currently generates virtually zero calls for service. Although the property in question is in County of Sonoma jurisdiction, its proximity to the Town of Windsor will impact the Windsor Police Department through increased calls within Town limits and requests for assistance on the Project Site or within County jurisdiction. The Windsor Police Department anticipates an increase in calls related, but not limited to, the following:

a. Traffic, noise, accidents, DUI's, loud exhaust, and speeding
b. Disturbing the peace/Public intoxication
c. Trespassing
d. Property crimes
e. Prostitution
f. Assaults
g. Drug activity

(4) *If subject to zoning, how the intended use is consistent, or inconsistent, with current zoning.*

The land use designation and zoning for the subject property, as shown in the Sonoma County General Plan, is Land Intensive Agriculture. The stated purpose of this designation is to "enhance and protect lands best suited for permanent agricultural use and capable of relatively high production per acre of land." Permitted land uses include keeping of livestock, indoor or outdoor crop production, telecommunications facilities, seasonal farmworker housing, and daycare facilities. Hotels, restaurants, and gaming facilities are not listed as permitted uses with this designation.

The Town of Windsor General Plan land use diagram designates the properties to the north and west of the Project Site for Very Low Density Residential (three to six dwelling units per acre) development with Boulevard Mixed-Use (16 – 32 dwelling units per acre) to the west, fronting Shiloh Road. Additionally, the Town has adopted the Shiloh Road Vision Plan for the Shiloh Road Corridor west of the subject property. The Shiloh Road Vision Plan envisions mixed use development that encourages walking and biking. It should be noted that the planning for the density and intensity of these land use designations and for Town infrastructure in the area was done with the assumption that the Project

Site would continue to be used for agriculture. The intended use for gaming is inconsistent with Sonoma County and Town of Windsor zoning.

The Town of Windsor was not included on the Distribution List for the Notice of Gaming Land Acquisition Application. The Notice was received by the Town on April 12, 2024, after being shared by a party other than the Bureau of Indian Affairs (BIA). The Town has separately contacted the BIA with a request to be included in all future noticing related to the Proposed Project.

Thank you for allowing the Town of Windsor to comment on this proposed project. If you have questions or require additional information, please contact me: Patrick Streeter, Community Development Director, at pstreeter@townofwindsor.com or at (707) 838-5313.

Sincerely,

Patrick N. Streeter, AICP
Community Development Director

cc: Jon Davis, Windsor Town Manager;
Windsor Town Council

Enclosure:

- Town of Windsor Comments on Koi Nation Shiloh Resort and Casino Project EA, dated November 13, 2023
- Town of Windsor Comments on Koi Nation Shiloh Resort and Casino Project NOI, dated April 7, 2024

TOWN OF
WINDSOR

Town of Windsor
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Mayor
Rosa Reynoza

Vice Mayor, District 2
Sam Salmon

Councilmember District 1
Mike Wall

Councilmember District 3
Debora Fudge

Councilmember District 4
Tanya Potter

Town Manager
Jon Davis

Sent via Email
November 13, 2023

Amy Dutschke, Regional Director
2800 Cottage Way
Sacramento, CA 95825

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

Dear Ms. Dutschke:

The Town of Windsor, which includes the Windsor Water District, hereby submits comments in response to the Environmental Assessment (EA) that was prepared for the Koi Nation Shiloh Resort and Casino Project. Unless otherwise indicated, all comments are in response to "Alternative A" which is identified as the Proposed Project.

Proposed Project and Alternatives

1. Reliance on the Best Management Practices (BMPs) in Table 2.1-3 is inadequate for environmental protection. The BMPs are not measurable or monitorable, described as, "when feasible" and "when practicable." Instead, the project description should be amended to incorporate measurable standards to address the relevant concerns. Without these standards there is potential for the project to have significant adverse impacts on the environment.

Water Resources

2. Between 6 and 17 acres of vineyards will remain for recycled water irrigation. At an average daily flow of .3 MGD (2.1.4), this equates to 110 MG / Yr. A 20-acre vineyard would be allocated 4.9 MG per year under current ETc requirements set for the Windsor Water District by the State. Although the project may be held to a lesser standard of environmental protection, the substantial differential in the application rate indicates that the proposed rate is unrealistic.
3. Proposed 12-16 MG reservoirs / tanks would equate to 40 to 50 days of storage. The EA proposes not discharging between May 15 and September 30 (138 days) – storage should be closer to 40 MG to meet that discharge target. As proposed, the storage capacity is likely too small and discharge events, that have not been considered in the EA, are likely to occur.
4. The State Division of Drinking Water (DDW) does not / has not approved all of the proposed recycled water uses in this configuration as described in the project description. For example, recycled water is not allowed inside any food service buildings.
5. 3-20 references Mark West Creek for flow monitoring during discharge, which is significantly downstream of the point of discharge on Pruitt

Creek. Pruitt Creek is also ephemeral, meaning it does not flow year-round, discharging wastewater into a creek that does not flow year round will significantly affect surfaces in the area. Significant adverse impacts due to erosion, loss of habitat, flooding, movement of sediment, and destabilizing of banks could occur. Monitoring should be required at the point of discharge on Pruitt Creek.

6. There are four existing wells on the Project site, the Project proposes to construct up to two additional wells on site for potable water use. The Town of Windsor has two wells at Esposti Park to the north and in close proximity to the Project property. One is used for irrigating Esposti Park, and the other will be used as a replacement municipal drinking water well. The Project well(s) and Project wastewater treatment plant should not be constructed within the zone of influence around the existing Town wells.
7. The reported peak-day pumping for the project is 402,000 gpd, which equals approximately 275 gpm (Table 2-2). If that pumping were to occur close to the Esposti Well, drawdown at the Town's Esposti drinking water well could be significant, which could significantly decrease the Esposti well output rate and possibly water quality. Prior testing of the Esposti drinking water well was over short durations and should not be used to extrapolate the level of impact from the proposed project wells without further testing. The potential impacts to the groundwater aquifer and groundwater wells have not been sufficiently evaluated. At a minimum, a well interference study should be completed as part of the Project to ensure proper placement of the proposed Project well(s) and Hydrogeologic testing should be completed to ensure Project well(s) will not adversely affect the groundwater levels nor the water quality of the existing Town wells or other domestic wells. Mitigation measures should be required for any impacts identified once sufficient analysis has been conducted. As currently proposed the Project may have a significant adverse impact to water resources.
8. As stated in the 2020 Urban Water Management Plan, the Town is moving toward installing arsenic and manganese treatment on the Esposti well in order to meet the drinking water demands. Any analysis of wells on the proposed project should consider increased future pumping from the Esposti well.
9. The project proposes to repurpose or install up to 4 groundwater wells and estimates 100-300 gpm groundwater flow for daily use. The report does not indicate how much the existing wells on-site are currently being used. The proposed mitigation measure for groundwater is insufficient to address the risk to drinking water supplies. The proposed mitigation measure to reimburse the owners of nearby wells that become unusable within five years of the onset of project pumping is not sufficient to mitigate the level of impact. Payment to owners of nearby wells does not increase the total available water supply in the area and the loss of function of existing wells will have significant effects to the area's water system as new sources of water supply will need to be developed.
10. The EA cites the 2017 aquifer test at the Esposti well as evidence that pumping from aquifers deeper than 300 feet would not affect water levels

in shallow wells (less than 200 ft deep). No drawdown was observed in shallow wells during the Esposti test. However, that test lasted only 28 hours. The EA should consider the potential for sustained pumping (months) at the Esposti well and the Project supply wells that may lower water levels in the shallow aquifers and could potentially jeopardize output of nearby domestic and municipal drinking water wells.

11. The proposed design takes away from floodplain storage, an adequate amount of stormwater detention is not demonstrated by calculation to address the detraction of floodplain. Sub areas A,C, and E have footprints directly in the floodplain.
12. The Town of Windsor completed a Storm Drainage Master Plan where the 100-year flood zones were mapped. The Project location shows potential flooding during the 100-year floods. The Project will need to consider flood mitigations, so it does not affect the downstream neighborhoods with additional flooding or sediment transport.
13. Analysis is needed of the existing Pruitt Creek box culvert under Highway 101 to determine the ability to convey the anticipated storm flow from a full buildout condition and mitigation measure should be required for any negative impacts identified in the analysis.
14. The north bound offramp from Highway 101 is periodically closed due to flooding, and the analysis should determine if increased flows from the project negatively impact this condition. Several such closures occurred in December 2022 and January 2023.

Air Quality

15. The EA states that traffic volumes on a surface street would need to exceed 40,000 daily trips to exceed the significance threshold for cancer risk for hazardous air pollutants. It reasons that "these traffic levels do not exist on local roadways serving the Project Site, including Shiloh Road and Old Redwood Highway" and therefore impacts would not be significant. The project would include road widening and itself would generate between 11,213 and 15,779 daily trips. Significance should be determined in the future full build-out scenario, not based on existing conditions. As currently proposed the Project may have a significant adverse impact to air quality.
16. The air quality modeling as detailed in Appendix F-1 makes a number of inaccurate assumptions including that Windsor is located in Climate Zone 4, that the project is in a rural setting, and that the average trip length for non-work trips should be based on the distance from Santa Rosa. It is unlikely that there are no potential significant impacts for any air quality or green house gas emissions other than for CO. A peer review of the air quality study and modeling is recommended. According to the California Department of Energy, Windsor is in Climate Zone 2 and according to the Generation Housing State of Housing in Sonoma County Report, 31.4% of the local work force commutes from outside of Sonoma County.
17. To reduce potential air quality impacts, Tier IV construction equipment for equipment greater than 50 horsepower should be required, instead of Tier III as proposed.

18. "Clean fuel fleet vehicles" should be defined, and a standard should be set to determine when use of clean vehicles is impracticable. In this scenario, what is the alternative to address the potential air quality impacts?

Cultural Resources

19. Due to the presence of Pruitt Creek, the presence of scattered obsidian, and the and the results of Native American Consultation, the EA determined that there is a potential for significant subsurface cultural resources on the Project Site, however monitoring is only prescribed within 150 feet of Pruitt Creek. A qualified archaeologist and Native American Tribal Monitor should be present for ground-disturbing activities across the entirety of the Project Site. As currently proposed the Project may have a significant adverse impact to cultural resources.

Socioeconomic Conditions and Environmental Justice

20. The growth-inducing effects section indicates that the project would result in pressure for new commercial development in the area, such as additional gas stations. Consider the gas station bans in the Town of Windsor and the County of Sonoma. This section concludes that indirect and induced demand for commercial growth would be diffused across the State and therefore there would be no significant regional commercial growth inducing impacts. Provide data to justify this conclusion, considering local growth management policies and urban growth boundaries.
21. The housing section assumes there would be no significant impact without sufficient local data. It assumes most employees will come from the existing pool of casino and hospitality workers, however due to housing costs, many of these workers are commuting to Sonoma County from other parts of the Bay Area.
    a. Provide temporary housing facilities on-site for the construction workers (2,196).
    b. Provide permanent affordable housing on-site for casino workers (1,571).
    c. Provide information about the median salary of the construction workers and the casino workers, so that the appropriate housing affordability can be determined.
    d. Project alternatives should be evaluated with on-site housing options.
22. The Socioeconomic Study was prepared by Global Market Advisors (GMA) for the Koi Nation of Northern California. As described on page 1, GMA is an international provider of consulting services to the gaming, entertainment, sports, and hospitality industries. The BIA should obtain a peer review of the Socioeconomic assessment by an independent consultant.
23. Page 5 of the study (Income) states that the Sonoma County Average Annual Household Income (AAHI) was $121,522 in 2021, which may be overstated. Information provided by the California Department of Housing

and Community Development indicated that the Sonoma County Area Median Income (AMI) was $103,300 for a family of four in 2021. Most analyses of housing affordability refer to median income, because the average income is likely to be skewed by a small number of high-income households. The following section on Housing costs reflects median housing costs.

24. Page 6 of the study indicates that only 170 new homes were added to Sonoma County from 2010 to 2020. These data appear to be inaccurate and the statistic is misleading, since nearly 5,600 homes were destroyed in Sonoma County by the 2017 Tubbs Fire.
25. Page 40 of the study (Employment) indicates that construction and operation phases will have a positive effect on the local economy (thereby reducing the unemployment level). This discussion does not recognize the local labor *shortage* in the area, which this project could exacerbate.
26. The section beginning on Page 40 of the study (Housing and Schools) does not recognize the local housing shortage and continuing recovery from the Tubbs Fire and other wildfire events. Also, as stated above, the assertion that Sonoma County has a sufficient labor force focused on the hospitality industry, and thus could easily absorb the new labor needed by the casino, is likely false. These concerns are supported by the Generation Housing State of Housing in Sonoma County Report, published in April 2023.

Transportation and Circulation

27. Based on reviews conducted for a casino in Rohnert Park, the weekday and Saturday daily trips may be 15 to 25 percent higher than those indicated on this project analysis. Review of the Rohnert Park facility also revealed that the highest daily and afternoon peak trip generation occurs on Sundays, not Saturdays. The project should analyze Sundays as well as Saturday, to ensure that worst-case traffic impacts have been captured.
28. The Traffic Impact Study (TIS) indicates that the project would be fully responsible for implementing the improvements needed under Existing plus Project and Opening Year 2028 plus Project. These minor mitigation efforts include:
    a. Shiloh Road/Old Redwood Highway: Restripe westbound approach with a 200' long left-turn lane and modify signal phasing. This is similar to previously-identified near-term improvements except with a longer turn lane.
    b. Shiloh Road/Hembree Lane: Optimize signal timing.
    c. Shiloh Road/US 101 North Off-Ramp: Restripe ramp to include triple right-turn lanes (the westernmost would be a shared left/right lane). The proposed mitigation is simply restriping.
    d. Signalize the project driveways on Shiloh Road and Old Redwood Highway. This is logical but has no broader benefit to the Town since the signals are only needed to accommodate resort traffic.
29. Objections to Existing plus Project and Opening Year 2028 plus Project Findings:

a. Shiloh Road/Old Redwood Highway: For the queuing analysis the TIS relies on the Town to widen northbound ORH to include dual left-turns, stating that this improvement is included in the traffic impact fee. The north, west, and east legs of the intersection are within the Town of Windsor limits, but the project is not, and therefore no impact fee would be assessed by the Town and no funding would be afforded for this improvement. It is therefore unclear how the Town's impact fee program has any relation to mitigating the impact of the proposed project. The project would not make this improvement as currently proposed, so would not fully address the queuing issue. Note that the dual left-turn lanes also require widening of Shiloh Road to two westbound lanes. Widening of both Old Redwood Highway and Shiloh Road are needed to accommodate the traffic load generated by the project, and no mitigation is proposed for these impacts.
b. Shiloh Road/US 101 North Off-Ramp: The proposed mitigation is to restripe the ramp to include triple right-turn lanes (the westernmost would be a shared left/right lane). This modification is likely to perform poorly since it would "trap" two of the three right-turn lanes in the left-turn pockets at the adjacent Shiloh Road/Hembree Lane intersection. It would not function acceptably without widening Shiloh Road to two eastbound lanes through the Hembree intersection. The TIS's mitigated configuration also limits capacity for left-turn movements on the off-ramp which also have high volumes.

30. Objections to 2040 plus Project Findings:
    a. The TIS indicates Shiloh requires widening to four lanes from Caletti Avenue to the project driveway opposite Gridley Drive; it states that Shiloh widening is planned by the Town but this is incorrect. If traffic is increased by a proposed development, that development would be required to make the necessary improvements to mitigate the impact, including widening of Shiloh Road for additional lanes if needed. The Town does not have a capital project planned for widening Shiloh Road, nor is any proposed development planning to do so. The proposed casino project should be required to mitigate the impacts of the project as would any other development.
    b. Shiloh Road/Old Redwood Highway Intersection: In addition to Shiloh Road widening to four lanes and dual northbound left-turn lanes, the TIS indicates ORH requires two lanes in each direction and that existing northbound and southbound right-turn lanes need to be maintained. However, it does not mention that Shiloh Road would also need to include eastbound and westbound right-turn lanes.
    c. This configuration results in an extremely large intersection including five northbound approach lanes and four southbound, eastbound, and westbound approach lanes. Widening of ORH to

two lanes in each direction is contrary to the General Plan and ORH Corridor Plan.

d. The TIS indicates that the project would be responsible for 39.4% of the traffic growth which seems to imply that the project would not need to contribute funds since it addresses its impact under 2028+Project. Further, a contribution of 39.4% if made would still be illogical since the intersection would undergo far more widening (with associated cost) than the Town would ever have needed without the project.
e. Shiloh Road/Hembree Lane: The TIS indicates that southbound Hembree Lane requires two additional lanes on the intersection approach. This degree of widening is infeasible (approach would include a left-turn lane, a through lane and two right-turn lanes and there is not sufficient right-of-way to support this configuration).
f. The TIS indicates a fair share cost of 36.4 percent. This value is unreasonably low due to the fact that the Hembree widening would not have otherwise been needed without the project.

31. Objections to Roadway Segment Analysis
    a. The segment analysis is extremely high-level, particularly with its use of volume to capacity ratios that are based on weekday Average Daily Traffic (ADT) volumes. The analysis also assumes Shiloh Road's capacities to be based on a 40 mph speed, which is inconsistent with the Town's vision for a "village" oriented walking and biking focused streetscape between Hembree Lane and Old Redwood Highway.
    b. As noted above, the project's ADT trip generation may also be underestimated by 15 to 25 percent, so the project's actual share of roadway segment volumes is likely to be greater than assumed in the TIS.
    c. The TIS shows that the project would cause (or significantly deteriorate) operation on Shiloh Road to LOS E/F levels under 2028 opening year conditions between Conde Lane and Old Redwood Highway. The TIS then indicates that with the proposed mitigations to be constructed by the project, capacities would increase from 22,000 to 30,000 vehicles per day, offsetting the project's impacts to roadway operation. These capacity increases are not in line with the very minor nature of the proposed mitigating improvements; further, the project's proposed mitigation of creating triple right-turn lanes on the US 101 northbound offramp would be likely to reduce rather than increase capacity between the freeway and Hembree Lane (due to two of the offramp right-turn lanes "trapping" vehicles onto Hembree rather than continuing east on Shiloh).
    d. The addition of project traffic will severely degrade operation on Shiloh Road upon 2028 opening between the US 101 South Ramp and Old Redwood Highway (and possibly westward to Conde Lane) unless additional improvements are implemented in addition to the minor improvements currently proposed by the project.

32. The Town's General Plan includes the possibility of Shiloh Road expanding to 5 lanes, however widening of the roadway would not be constructed by the Town, but rather the developments that created the increased traffic would be required to fund the improvements to mitigate their impacts to the transportation network. Without a mechanism to ensure that the road widening is completed by the time the Project begins operation, it can be assumed that the Project will have a significant adverse impact to traffic and circulation.
33. The mitigation actions for the casino project proposed on Shiloh Road and the interchange are inadequate to avoid significant negative impacts to the transportation network on opening day of the proposed casino and should be required to be mitigated by the developer of the project.
34. The 2040 segment analysis capacities are shown to be 49,800 daily vehicles, which is highly unrealistic for an urban four-lane street (particularly in a lower-speed, multimodal environment as envisioned).
35. The TIS estimates a proportional share of 27.4 percent for the interchange but doesn't identify it as a project mitigation; there are also no fair share calculations for the remainder of the Shiloh Road widening (other than intersection improvements). If no mitigation is required for this improvement, the improvement will not be constructed and the project will have higher impacts than disclosed in the EA.
36. As noted above, Shiloh Road and interchange improvements should occur by 2028 opening of the facility and the project should be responsible for funding those improvements.
37. Objections to non-auto modes assessment
    a. The project would significantly increase volumes on Shiloh Road through the Shiloh Village area which the Town plans to be a mixed-use, pedestrian- and bicycle-oriented area. The added traffic from the project would drive the need for Shiloh Road to be widened to a higher-speed four-to-five lane arterial (recent analyses overseen by the Town have indicated that a lower-speed three-lane section would accommodate future growth planned in this area without the casino project).
    b. The project is currently proposing almost no offsite ped/bike improvements, instead relying on the Town to build facilities as widening on Shiloh and ORH occur through the traffic impact fee program. However, the casino project is not in the Town and no impact fees would be provided to the Town and so these improvements should be built and paid for by the project developer.
    c. The TIS recommends onsite sidewalk connections to the project driveways, and accessible paths between nearby transit stops and driveways.
    d. The project needs to construct facilities to accommodate multimodal circulation on Shiloh Road given its significant traffic increases on the corridor.
38. The proposal does not address full pedestrian and bicycle improvements, including Class IV bike routes, needed for the Shiloh area to align with

The Old Redwood Highway Corridor Enhancement Plan and The Complete Streets Guidelines.

39. An evaluation of the feasibility of a roundabout has not been included, the Town has identified the roundabout as a preferred intersection type for this area.
40. The traffic analysis should consider the impacts of large events in addition to typical daily operations.
41. It is assumed that eminent domain will be utilized to acquire the necessary right-of-way to widen Shiloh Road. If this land acquisition is done by the Town, the Project should be responsible for all legal costs and land acquisition costs.
42. The traffic impact study considers employee vehicle miles traveled (VMT). Analysis of visitor VMT should also be included.
43. The Shiloh Road Village Vision Plan (SRVVP) outlines a grid street network in this area to disperse traffic volumes, provide for the safe movement of traffic, and minimize negative impacts on Shiloh Road. The traffic analysis for the Project should consider the impact to these east-west street connections between the Project Site and Highway 101 assuming full build-out of the SRVVP.

Land Use

44. The Town of Windsor General Plan land use diagram designates the properties to the north and west of the Project Site for Very Low Density Residential (three to six dwelling units per acre) development with Boulevard Mixed-Use (16 – 32 dwelling units per acre) to the west, fronting Shiloh Road. Additionally, the Town has adopted the Shiloh Road Vision Plan for the Shiloh Road Corridor west of the Project Site. The Shiloh Road Vision Plan envisions mixed use development that encourages walking and biking. The planning for the density and intensity of these land use designations and for Town infrastructure in the area was done with the assumption that the Project Site would continue to be used for agriculture. The EA does not discuss impacts to the long-range vision of these planning documents particularly regarding circulation, safety, public amenities, and public services.
45. The land use designation for the Project Site in the Sonoma County General Plan is Land Intensive Agriculture, the stated purpose of which is to "enhance and protect lands best suited for permanent agricultural use and capable of relatively high production per acre of land." Permitted land uses include keeping of livestock, indoor or outdoor crop production, daycare facilities, telecommunications facilities, and seasonal farmworker housing. Hotels, restaurants, and gaming facilities are not listed as permitted uses with this designation. The EA states the transfer of the Project property into federal trust status would remove it from County land use jurisdiction, but does not resolve potential environmental impacts that were not addressed in the Sonoma County General Plan Environmental Impact Report.
46. The Project Site is part of the Windsor/Larkfield/Santa Rosa Community Separator. The purpose of community separators is to maintain greenbelt areas around and between Sonoma County's cities, towns, and more densely

developed communities. The Project Site is currently developed with vineyards, meeting the spirit of the community separator designation. Potential impacts to the Windsor/Larkfield/Santa Rosa Community Separator should be analyzed.

Public Services and Utilities

47. Appendix F, page 8, indicates that the Tribe will use County waste disposal facilities, which are required to divert 50 percent of waste from landfills. In 2021, the County of Sonoma adopted a Zero Waste Resolution establishing a goal of zero waste by 2030, consistent with the Countywide Integrated Waste Management Plan and the Sonoma County Regional Climate Action Plan. The purpose of the zero waste goal is to reduce greenhouse gas emissions and conserve the remaining capacity at County landfills. Diversion rates in the future condition should be analyzed.
48. The EA notes that increases in crime and calls for service to public safety are associated with any population increase, not necessarily gaming specifically. Regardless of the cause, the Project Site currently generates virtually zero calls for service presently. Although the proposed Project is in County of Sonoma Jurisdiction, its proximity to the Town of Windsor will impact the Windsor Police Department through increased calls within Town limits and requests for assistance on the Project Site or within County jurisdiction. The Windsor Police Department anticipates an increase in calls related to:
    a. Traffic, noise, accidents, DUI's, loud exhaust, and speeding.
    b. Disturbing the peace/Public Intoxication
    c. Trespassing
    d. Property Crimes
    e. Prostitution
    f. Assaults
    g. Drug activity
    h. Human Trafficking
    i. Violent Crime

    A mechanism to mitigate the impact on Windsor Police Department resources should be developed.
49. The EA assumes that induced population growth and visitation by patrons of the Project would not be significant enough to require expansion of Esposti Park or Shiloh Ranch Regional Park. This may be true, but the EA does not consider the potential impact of visitation by patrons and employees of the Project on park resources including parking, restroom facilities, waste receptacles, and maintenance schedules.

Noise

50. Considering the proximity of sensitive receptors to the Project Site, Sundays should be excluded from construction hours to be consistent with the Town of Windsor Municipal Code.

Hazardous Materials and Hazards

51. The EA does not address post wildfire pollutant materials (such as ash) and their potential effects on Pruitt Creek. Mitigation should include on-site treatment of possible contamination and measures to prevent pollutants from continuing downstream.
52. Per the Town's Windsor Resiliency for Emergencies and Disasters Initiative (READII) Plan all transportation infrastructure investments should engage residents during the planning and design process. This plan considers two types of investments: 1) the development of new connections to open alternate routes during emergencies, and 2) the improvement of existing intersections, both for the purposes of improving daily traffic flows and reducing the risk of bottlenecks during evacuations. Old Redwood Highway (ORH), a two-lane roadway, runs parallel to and connects many local roads to US Highway 101, as well as providing a critical alternative route to the north and south when US Highway 101 is closed or temporarily congested. Old Redwood Highway can also serve as a secondary evacuation route if necessary. Windsor's current Local Hazard Mitigation Plan (LHMP) (2018) designates US Highway 101 as the primary evacuation route and Old Redwood Highway as the primary surface street to support evacuations routes and must be identified including "their capacity, safety, and viability under a range of emergency scenarios". If needed, redesign of street geometries, or evacuation signal timing should be considered as methods of increasing adaptive capacity.
53. In an effort to identify which specific neighborhoods and intersections might face the highest risks of bottleneck formation, the READII Plan team developed a "trafficsheds" approach. This approach looks at networks of residential and commercial streets, lanes, courts, other smaller roads that are linked to one another - and the various points at which these self-contained networks are connected to the major roadways and arteries throughout the Town. These points of connection between neighborhoods and the main road network are "exit nodes," also referred to in other state planning documents as "ingress/egress points" and, if unable to handle the traffic loads during evacuation events, have the potential to become severe bottlenecks. The trafficsheds method should be considered for evacuation planning as traffic will be increased at the intersection of Shiloh Road and ORH.
54. The EA assumes that without the Project, it would take an estimated 4 to 6 hours to evacuate the Town of Windsor during a "No-Notice Event" and with the Project, the evacuation time could increase to 6 to 8 hours. The single mitigation measure related to evacuations offered in the EA is to "develop a project-specific evacuation plan" prior to occupancy. There is no way to ensure that this mitigation measure will adequately reduce the impact of impairment of evacuation plans. The loss of life experienced in recent fires in Paradise, CA and Lahaina, HI demonstrates the importance of impacts to evacuation plans.
55. The above evacuation time is taken from Appendix N Wildfire Evacuation Memorandum (Memo). The Memo does not consider that the mountainous areas (residences/properties such as Shiloh Estates and Mayacama) east of

the Town, located in the Wildland-Urban Interface (WUI) area, only have two evacuation routes to US101 (through Pleasant Avenue and Shiloh Road) and has a high structure to exit ratio and could compound the issues at the intersection of Shiloh and ORH.

56. The comments from Losh and Associates found in Appendix N state that the State Responsibility Area (SRA) fire zone maps are out for review and should have been available to the public sometime in calendar year 2023. These updated maps should be evaluated if available.
57. The Project Site is currently developed with a vineyard. In recent wildfire events, vineyard sites have served as buffers to developed urban areas and have been used as staging areas for firefighting activities. The Proposed Project would replace a wildfire mitigating resource with a development of combustible materials (vehicles, structures, landscaping). Potential impacts of this land use change should be analyzed, and appropriate mitigation measures proposed.

Visual Resources

58. Due to the proximity of residential development the following changes should be made to the project:
    a. Reduce parking light pole height to a maximum of 20 feet, instead of the currently-proposed 25 feet.
    b. Outdoor lighting should be provided in a warm color range no greater than 3,000 Kelvin.
    c. Details should be provided on illumination of all outdoor signage and the impacts to sensitive receptors should be analyzed.
59. The Town of Windsor 2040 General Plan designates Highway 101 and Faught Road as scenic corridors. Impacts to these scenic corridors should be analyzed and mitigation measures proposed.

As described in the comments above, there exists the potential for significant adverse impacts in almost every resource area analyzed by the EA. The significant adverse impacts associated with the Project are either not identified in the EA or not adequately mitigated below the threshold of significance. Impacts in the areas of water, traffic, public services and utilities, and hazards may be unmitigable and would therefore be significant and unavoidable. Because of the potential for significant adverse impacts to the Town and the environment, the Town of Windsor is opposed to the Project and finds that only Alternative D, the No Action Alternative, can ensure that there will be no significant adverse impacts associated with the Project. If the Project is to move forward with any alternative other than Alternative D, an Environmental Impact Statement must be prepared.

The Windsor Town Council considered the EA and received public comment at its October 18, 2023, meeting. Written correspondence received up to and after the meeting is attached hereto.

If you have questions or need additional information, please contact me: Patrick Streeter, Community Development Director, at pstreeter@townofwindsor.com or at (707) 838-5313.

Sincerely,

Patrick N. Streeter, AICP
Community Development Director

cc: Chad Broussard, Environmental Protection Specialist
Jon Davis, Windsor Town Manager

Transmitted separately, electronically: Correspondence received related to the EA

Town of Windsor
CALIFORNIA

Town of Windsor
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Windsor, CA 95492

Mayor
Rosa Reynoza

Vice Mayor, District 4
Tanya Potter

Councilmember District 1
Mike Wall

Councilmember District 3
Debora Fudge

Councilmember District 2
Sam Salmon

Town Manager
Jon Davis

April 7, 2024

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

Chad Broussard (via email)
Environment Protection Specialist
Bureau of Indian Affairs, Pacific Region
chad.broussard@bia.gov

SUBJECT: Koi Nation Shiloh Resort and Casino Project - Town of Windsor Comments on Scoping of Environmental Impact Statement

Dear Ms. Dutschke and Mr. Broussard:

The Town of Windsor appreciates the opportunity to provide comments to the Bureau of Indian Affairs (BIA) on the preparation of an Environmental Impact Statement (EIS) for the proposed Koi Nation Shiloh Resort and Casino Project. As stated in the Town's previous letter dated November 13, 2023, providing comments on the Environmental Assessment (EA) for this project (attached), the Town found the EA to be inadequate, particularly in failing to identify significant environmental impacts and in proposing mitigations that would not bring impacts below the threshold of significance.

The preparation of an EIS is necessary to thoroughly evaluate the environmental impacts of the proposed casino resort project. Based on the Town's review of the EA, the Town strongly recommends that the EIS provide a comprehensive analysis that includes but is not limited to the following major resource areas and issues:

Water Resources
- Groundwater impacts, including well interference and water quality effects
- Stormwater drainage capacity and flooding risks, particularly resulting from changes to storm flow in Pruitt Creek to the east and west of Highway 101
- Recycled water use, storage needs, and permitting

Transportation & Circulation
- Traffic congestion and roadway/intersection capacity impacts
- Establishing the responsible party, financing, and the timing for widening Shiloh Road and improving the Shiloh Road/Old Redwood Highway intersection and Shiloh Road/Highway 101 interchange

- Emergency evacuation route capacity and evacuation modeling, specifically analyzing evacuations of the communities off of Gridley Drive and Mathilde Drive, Merner Drive, Tamara Way, and larger Town-wide and regional evacuation events.
- Pedestrian, bicycle, and public transit accessibility, including consistency with the Town's Complete Streets Guidelines, the Old Redwood Highway Corridor Enhancement Plan, and the Shiloh Road Village Vision Plan

Land Use and Planning
-The Shiloh Road Village Vision Plan (SRVVP) had been adopted for the lands west of the project site.
-The grid street network of the SRVVP and the anticipated east-west connections must be considered.
-The density and intensity of the Town's comprehensive planning documents anticipated the continued agricultural use of the project site.

Public Services & Utilities
- Increased demands on police, fire, parks, and public infrastructure
- Solid waste generation and landfill capacity

Air Quality & Greenhouse Gas Emissions
- Construction and operational air emissions, including health risk impacts
- Determination of threshold of significance for cancer risk for hazardous air pollutants based on future traffic volumes along Shiloh Road and Old Redwood Highway, not existing traffic volumes.
- Vehicle miles traveled (VMT) and greenhouse gas emissions

The list of resource areas and issues above is not exhaustive. The EIS must consider each of the concerns detailed in the Town's EA comment letter, dated November 13, 2023, as well as the public comments attached thereto. The Town is also in agreement with the issues and concerns raised in the EA comment letter submitted by the Sonoma County Counsel on behalf of the County of Sonoma, dated November 13, 2023. The Town strongly recommends that the issues and concerns outlined in the Sonoma County Counsel's letter be considered and analyzed in the EIS.

Sonoma County Counsel's letter also mentions that the EA inadequately considered impacts to other tribes. The Town shares these concerns not only regarding the continued economic viability of tribes with gaming facilities but also regarding fairness to all tribes with homeland in the area. In 2019, U.S. Senate Bill S.1790 was signed into law and includes provisions for taking approximately 511 acres of tribal land into trust as part of the reservation of the Lytton Rancheria of California. S.1790 also stipulates that no gaming shall be conducted on any lands taken into trust on behalf of the Tribe in Sonoma County

in perpetuity. The proposed Shiloh Resort and Casino project is located less than three miles from the established homeland of the Lytton Rancheria of California tribe.

The EIS should clearly identify impacts and provide appropriate, enforceable mitigation measures, including fair-share contributions to improvements necessitated by the project. The EIS analysis should also consider the timing of proposed mitigations, since the full magnitude of impacts will exist at the start of the project's operation. The conclusions in the EA regarding less-than-significant impacts in many of these areas were inaccurate or not adequately supported by evidence. The Town expects the EIS analysis to use up-to-date data, local policies/plans, reasonable assumptions, and technical best practices.

Importantly, the EIS must include a thorough evaluation of an alternative project location. One of the major concerns with the currently proposed location is its proximity to existing low-intensity residential neighborhoods in Windsor. An alternative location further removed from residential areas should be analyzed in the EIS. The proposed casino resort of this size and operational capacity would be incompatible with, and detrimental to, the quiet residential character of the surrounding neighborhoods at the current site. Potential land use conflicts and impacts to quality of life for residents should be avoided by considering an alternative site location that provides an appropriate separation from residential neighborhoods and pedestrian/bicycle-scale development. In addition to being more compatible with surrounding uses, an alternative location may reduce impacts related to traffic congestion, infrastructure demands, emergency evacuation routes, and other environmental issues of concern identified in the Town's previous EA comments. At this time, the Town is unable to identify an appropriate location in or around Windsor that would be suitable in this regard.

With the information and analysis currently available, the Town finds that only the no project alternative guarantees that no significant adverse impacts will occur. Beyond the proposed project and alternative location, the EIS must include the no project alternative in its analysis. Additionally, the Town recommends the EIS evaluate any other potentially feasible alternatives that could reduce the intensity and scale of the project to minimize environmental impacts and impacts to community character.

If you have questions or require additional information, please contact me: Patrick Streeter, Community Development Director, at pstreeter@townofwindsor.com or at (707) 838-5313.

Sincerely,

Patrick N. Streeter, AICP
Community Development Director

cc: Jon Davis, Windsor Town Manager;
Windsor Town Council

Transmitted Electronically: Town of Windsor Comments on Koi Nation Shiloh Resort and Casino Project EA, dated November 13, 2023

Exhibit G

Town of Windsor
CALIFORNIA

Town of Windsor
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Mayor
Rosa Reynoza

Vice Mayor, District 4
Tanya Potter

Councilmember District 1
Mike Wall

Councilmember District 3
Debora Fudge

Councilmember District 2
Sam Salmon

Town Manager
Jon Davis

Sent via Email
August 25, 2024

Amy Dutschke, Regional Director
2800 Cottage Way
Sacramento, CA 95825

SUBJECT: EIS Comments Koi Nation Shiloh Resort and Casino Project
Town of Windsor Comments on Draft Environmental Impact Statement, Released July 2024

Dear Ms. Dutschke:

The Town of Windsor, which includes the Windsor Water District, hereby submits comprehensive comments on the Draft Environmental Impact Statement (DEIS) for the Koi Nation Shiloh Resort and Casino Project. The Town's analysis reveals that the DEIS, as currently presented, is inadequate in addressing numerous significant environmental and community impacts. Many of these impacts were noted in the Town's response to the Environmental Assessment, dated October 19, 2023, and remain either unmitigated or insufficiently mitigated, resulting in potentially severe consequences for the environment and the residents of Windsor. Consequently, the Town strongly urges the Bureau of Indian Affairs to reconsider the project and endorse the "no project" alternative. Specific concerns that the Town has with the DEIS are detailed as follows:

1. Water Resources

The following comments are provided by Windsor Water District staff who have knowledge and expertise regarding the Town's and the region's water and sewer supply, infrastructure, and long-range planning. The DEIS presents significant shortcomings in addressing the potential impacts of the Project on water resources, including groundwater, surface water, and floodplain management. The Town of Windsor has identified numerous critical deficiencies that, if left unaddressed, could lead to severe and unmitigated adverse impacts on the region's water resources, with potentially long-lasting consequences.

Groundwater Resources

Groundwater resources are particularly vulnerable to the impacts of this large-scale development, and the DEIS does not adequately protect these resources.

- **Groundwater Extraction and Well Interference:**
  - The DEIS proposes extracting significant amounts of groundwater to meet the water demands of the resort and casino. However, it fails to thoroughly analyze the potential for well interference with existing wells, including the Town of Windsor's Esposti Supply well. The Esposti well is a potable supply well, and any reduction in its yield or quality due to the project's groundwater pumping could severely impact the Town's public drinking water supply. The Town would like to emphasize that this is not agricultural irrigation or a business's water supply where the value of the water can be quantified. Reduction of yield or quality of potable drinking

water supply will have significant adverse health impacts to surrounding residents.
    - The DEIS's proposed mitigation, which involves compensating owners of nearby wells that become unusable within five years of project pumping, is entirely inadequate. Compensation does not prevent the harm to the availability and quality of public drinking water, and it fails to address the immediate and long-term availability of groundwater resources. The Town insists that a comprehensive well interference study be conducted before any groundwater extraction begins, and that stronger mitigation measures be put in place, such as limiting groundwater extraction rates or finding alternative water sources.
- **Monitoring and Reporting:**
    - The DEIS suggests a Groundwater Dependent Ecosystem (GDE) Verification Monitoring Workplan, which is a positive step. However, the annual monitoring report should not be limited to submission to the Bureau of Indian Affairs (BIA) alone. It is critical that these reports also be submitted to the Groundwater Sustainability Agency (GSA) and the Town of Windsor to ensure all stakeholders have access to the data and can respond to any emerging issues.
- **Sustainability and Financial Contributions:**
    - The DEIS does not address whether the project plans to financially contribute to the regional Groundwater Sustainability Agency. The GSA is responsible for ensuring groundwater is managed sustainably, and all significant extractors should contribute to the regional efforts. The Town of Windsor insists that the project must contribute financially to the GSA at the regional standard rate for extracted groundwater to ensure the long-term sustainability of the region’s water resources.

Surface Water Resources
The DEIS inadequately addresses the impacts on surface water resources, particularly concerning recycled water use, surface water discharge, and stormwater management.

- **Recycled Water Use and Title 22 Compliance:**
    - The DEIS proposes using recycled water for various purposes, including irrigation. However, it fails to address the restrictions imposed by Title 22 of the California Code of Regulations, which prohibits the use of recycled water in buildings where food preparation occurs. This significant oversight could lead to violations of state regulations and potential public health risks.
    - Additionally, the DEIS does not adequately consider the feasibility of using recycled water to provide offside irrigation using the Town’s recycled water infrastructure. Such a collaboration could reduce the project's demand on local water supplies and offer a more sustainable solution. The Town recommends that the DEIS be revised to explore this option thoroughly.
- **Surface Water Discharge and Monitoring:**
    - The DEIS proposes monitoring surface water flows at Mark West Creek, a location significantly downstream from the point of discharge on Pruitt Creek. This approach is flawed because it does

not accurately reflect the conditions at the actual discharge location and discounts the actual impacts the project will have on local waterways. Pruitt Creek, Pool Creek, and Windsor Creek are closer to the project site and more directly affected by the discharge. The Town insists that flow monitoring and discharge controls be implemented at the point of discharge on Pruitt Creek, rather than relying on data from Mark West Creek, to ensure that any impacts are identified and mitigated at the source.
    - The DEIS's proposal to discharge surface water seasonally is also problematic. The calculation that 1% of Mark West Creek's flow would represent the allowable discharge rate does not accurately reflect the project's impacts on local waterways, as the planned discharge would constitute a much higher percentage of the flow in the upstream tributaries closer to the discharge point. The Town insists that the DEIS provide a more accurate and location-specific analysis of discharge impacts.
- **Beneficial Uses of Local Creeks:**
    - The DEIS fails to mention the beneficial uses of nearby creeks, including Pruitt Creek, Pool Creek, and Windsor Creek, all of which are closer to the site and proposed discharge location. These creeks are vital for local ecosystems, agriculture, and potentially even drinking water supplies. The DEIS must include a thorough analysis of how the proposed discharges could impact these beneficial uses, with appropriate mitigation measures to protect them.

Floodplain Management and Stormwater

The DEIS inadequately addresses floodplain management and stormwater impacts, particularly in light of recent updates to FEMA Flood Insurance Rate Maps (FIRM) and the unique challenges posed by the site's location.

- **Updated FEMA FIRM Maps:**
    - The FEMA Flood Insurance Rate Maps (FIRM) were recently updated, with new maps effective as of July 31, 2024. The DEIS relies on outdated floodplain information, which significantly undermines the accuracy of its flood risk assessments. The Town of Windsor insists that the DEIS be revised to incorporate the newest FEMA flood tiles and to re-evaluate flood risks based on the updated maps. This will ensure that floodplain elevations and the associated risks are correctly accounted for, thereby protecting both the project site and downstream areas from potential flooding.
- **Seasonal Storage Ponds or Tanks:**
    - The DEIS proposes large seasonal storage ponds or tanks to manage wastewater and stormwater. However, these structures are described as being very large and tall, which could create visual nuisances, particularly from Shiloh Road. Additionally, the DEIS does not adequately address the potential failure of these storage systems during extreme weather events, which could lead to overflows and subsequent flooding.
    - The Town insists that the DEIS include a detailed structural analysis of these storage tanks, consider their placement to minimize visual impact, and provide contingency plans for overflow scenarios to prevent downstream flooding.

- **Stormwater Management and Low Impact Development (LID):**
    - The DEIS mentions the use of bioswales as a stormwater management measure under Low Impact Development (LID) principles. However, bioswales alone are not sufficient to manage peak runoff during large storms, especially in a flood-prone area. The DEIS must clarify that bioswales will be designed with sufficient capacity and function to handle significant stormwater volumes, beyond their LID role, to prevent localized flooding and erosion.
    - Additionally, the DEIS must address the potential for reclaimed water to sheet flow across roads during heavy storm events, particularly in areas where Pool Creek already surcharges across Windsor Road. Uncontrolled runoff could exacerbate flooding and create hazardous driving conditions. The DEIS must include specific measures to prevent reclaimed water from flowing across roadways, particularly in vulnerable areas.

Wastewater Collection and Disposal

The DEIS does not adequately address the long-term sustainability and environmental impacts of the proposed wastewater collection and disposal methods.

- **Sewer Placement and Maintenance:**
    - The DEIS suggests placing sewer lines beneath a creek, which could complicate long-term monitoring and maintenance. The DEIS must explore alternative placements, such as over a pedestrian bridge, to facilitate easier monitoring and reduce the risk of contamination from potential leaks or breaks in the sewer lines.
- Biosolids Management:
    - The DEIS proposed that biosolids will be dewatered on site and then hauled off to an approved disposal or treatment facility. This is completely contrary to the Town's Net Zero efforts as they relate to wastewater.
    - The DEIS does not identify this facility or even whether adequate facilities exist, nor does it account for the increased emissions, traffic, or wear on road infrastructure from these truck trips.
    - The DEIS must include analysis that identifies the frequency of trips, likely truck routes, and proposed mitigation measures to address the impacts.
- **Water Supply for Non-Gaming Alternatives:**
    - In the discussion of Alternative C (Non-Gaming Alternative), the DEIS does not mention the potential use of treated recycled water or reverse osmosis-treated water for winery operations. This omission represents a missed opportunity to reduce the environmental impact of the project and to promote water conservation. The Town recommends that the DEIS be revised to include the use of treated recycled water in non-gaming alternatives to further reduce the project's demand on local water supplies.

2. Air Quality

The DEIS's analysis of air quality impacts underestimates the potential adverse effects on local air quality, particularly during construction and operation phases.

- **Construction Emissions:** The DEIS proposes the use of Tier 3 engines for construction equipment, which is an outdated standard. The Town recommends the requirement of CARB-rated Tier 4 engines for all construction equipment over 50 horsepower to minimize emissions. Additionally, the DEIS fails to provide enforceable measures to limit idling times for construction vehicles, which could result in significant emissions near residential areas.
- **Operational Emissions:** The traffic-related air quality impacts are understated, particularly given the project's potential to increase traffic volumes by 15-25% more than estimated in the DEIS, as identified by the Town's traffic and transportation consulting expert, W-Trans, Inc. The analysis does not adequately address the cumulative impact of these emissions on local air quality, nor does it consider the potential for increased cancer risks due to elevated levels of hazardous air pollutants (HAPs).

3. Biological Resources

The following comments are based on review of the DEIS by the Town of Windsor Planning Division, which has expertise in National Environmental Policy Act (NEPA) proceedings as well as the unique biological characteristics of the project site and its surroundings. The DEIS's assessment of biological resources is inadequate and fails to provide sufficient protections for the sensitive habitats and species that are likely to be impacted by the Koi Nation Shiloh Resort and Casino Project. The Town of Windsor has identified several critical deficiencies in the DEIS's approach to assessing and mitigating impacts on biological resources, particularly concerning wetlands, riparian areas, wildlife corridors, and sensitive species. Additionally, the project is currently designated as a Community Separator. The loss of this mandatory low intensity land use designation for the high intensity Project has potential for serious disruption of biological resources.

Wetlands and Riparian Areas

The project site includes important wetland and riparian habitats, particularly along Pruitt Creek, which are vital for maintaining local biodiversity, water quality, and ecosystem services. The DEIS does not adequately address the potential impacts on these areas, nor does it propose sufficient mitigation measures to protect them.

- **Wetland Impact and Mitigation:**
    - The DEIS acknowledges the presence of wetlands on the project site but fails to provide a comprehensive assessment of the extent of these wetlands or the full range of functions they provide. Wetlands play a critical role in flood attenuation, water filtration, and providing habitat for a variety of species, including some that are protected under state and federal law.
    - The proposed mitigation measures, which include wetland creation or enhancement off-site, are insufficient to compensate for the loss of wetlands on-site. Off-site mitigation often fails to replicate the complex functions of natural wetlands, particularly in terms of supporting local biodiversity and maintaining hydrological

connectivity. The Town insists that the DEIS be revised to include a more robust on-site wetland mitigation strategy that prioritizes the preservation and enhancement of existing wetlands rather than relying on off-site mitigation.

- **Riparian Buffer Zones:**
  - The DEIS proposes the establishment of riparian buffer zones along Pruitt Creek. However, the proposed buffer widths are minimal and may not be sufficient to protect the creek from the impacts of stormwater runoff, sedimentation, and pollution associated with the project. Riparian areas are crucial for maintaining water quality, providing habitat for wildlife, and supporting the overall health of aquatic ecosystems.
  - The DEIS must be revised to increase the width of riparian buffers, based on the best available science, to ensure that these areas can continue to function effectively as protective buffers. Additionally, the DEIS must include detailed management plans for these buffers, specifying how they will be maintained and monitored over the long term to prevent degradation.

Wildlife Corridors and Habitat Connectivity

The project site is located in an area that is part of a larger network of wildlife corridors, which are essential for the movement and survival of various species. The DEIS does not adequately address the potential disruption of these corridors and the resulting fragmentation of habitats.

- **Impact on Wildlife Corridors:**
  - The construction and operation of the resort and casino have the potential to disrupt key wildlife corridors that connect habitats across the region. These corridors are critical for the movement of species such as deer, bobcats, and various bird species, allowing them to access food, water, and breeding sites. The disruption of these corridors could lead to increased wildlife-vehicle collisions, reduced genetic diversity, and the eventual decline of local populations.
  - The DEIS does not provide sufficient analysis of the specific locations of these corridors or the potential impacts of the project on wildlife movement. The Town finds that the DEIS must include a detailed study of local wildlife corridors and propose mitigation measures such as wildlife crossings, habitat restoration, and the preservation of continuous natural areas to maintain connectivity.
- **Species-Specific Impacts:**
  - The DEIS fails to adequately assess the potential impacts on sensitive species known to inhabit the project area, such as the California red-legged frog, Western pond turtle, and various bird species protected under the Migratory Bird Treaty Act. The DEIS's reliance on generalized mitigation measures, such as seasonal construction restrictions and habitat avoidance, does not provide the level of protection needed for these species.
  - The DEIS must be revised to include species-specific impact assessments and mitigation plans, developed in consultation with wildlife experts and regulatory agencies. These plans should include measures such as creating or enhancing breeding habitats,

implementing predator control programs, and conducting ongoing monitoring to ensure the effectiveness of mitigation efforts.

Cumulative Impacts on Biological Resources
The DEIS inadequately addresses the cumulative impacts of the project on biological resources, particularly when considered in the context of other ongoing and planned developments in the region.

- **Cumulative Habitat Loss:**
  - The project's impact on biological resources cannot be viewed in isolation. The cumulative effects of habitat loss, fragmentation, and degradation due to multiple developments in the region could have significant adverse impacts on local wildlife populations and ecosystem health. The DEIS's cumulative impact analysis is superficial and does not account for the broader context of regional biodiversity loss.
  - The Town asserts that the DEIS be revised to include a more comprehensive cumulative impact analysis, taking into account other developments in the area and their combined effects on biological resources. This analysis should lead to the identification of additional mitigation measures or project alternatives that could reduce the overall impact on the region's ecosystems.
- **Long-Term Monitoring and Adaptive Management:**
  - The DEIS does not provide a clear plan for long-term monitoring of the project's impacts on biological resources or for the adaptive management of mitigation measures. Monitoring is essential to ensure that mitigation efforts are effective and to make adjustments if they are not meeting their goals.
  - The Town finds that the DEIS must include a detailed long-term monitoring plan, with specific metrics for success, regular reporting requirements, and provisions for adaptive management. This plan must be developed in consultation with relevant agencies and stakeholders to ensure that it is robust and comprehensive.

4. Cultural Resources

The DEIS underestimates the potential impacts on cultural and paleontological resources on the project site. The Town of Windsor is particularly concerned about the potential adverse effects on tribal cultural resources, especially given the reported inadequacies in consultation with local tribes during the preparation of the DEIS.

Inadequate Tribal Consultation
At the Bureau of Indian Affairs (BIA) hearing on July 30, 2024, representatives from several Sonoma County tribes expressed significant concerns about the lack of adequate consultation during the DEIS process. Tribal representatives emphasized that their input was either not sought or inadequately considered, particularly regarding the identification and protection of cultural resources. This lack of meaningful consultation raises serious concerns about the potential for significant adverse impacts to tribal cultural resources that have not been adequately identified or mitigated.

- **Lack of Thorough Identification and Assessment:**

- The DEIS does not appear to have thoroughly identified all tribal cultural resources on the project site, nor has it assessed the potential impacts to these resources in sufficient detail. Tribal cultural resources, including sacred sites, burial grounds, and areas of cultural significance, may be present on or near the project site, and their disturbance could have profound and irreversible impacts on the cultural heritage of local tribes.
- The Town of Windsor supports the concerns raised by tribal representatives and urges the BIA to engage in a more thorough consultation process with the affected tribes. This process should include site visits with tribal representatives, the integration of tribal knowledge into the cultural resource assessments, and the development of culturally appropriate mitigation measures.

Potential Impacts on Archaeological Resources
The DEIS acknowledges the presence of cultural resources near Pruitt Creek but limits monitoring to a 150-foot buffer around the creek. This approach is inadequate for ensuring the protection of potentially significant subsurface resources that may exist across the entire project site.

- **Expanded Monitoring and Mitigation:**
  - The DEIS must be revised to expand the monitoring area beyond the 150-foot buffer to cover the entire project site. This expanded monitoring shall include the presence of a qualified archaeologist and tribal monitors during all ground-disturbing activities to ensure that any cultural resources encountered are properly identified, assessed, and treated according to tribal preferences.
  - In addition to expanding the monitoring area, the DEIS must include specific mitigation measures for the inadvertent discovery of cultural resources. These measures shall include immediate cessation of work, notification of the relevant tribal authorities, and the development of a treatment plan that respects the cultural significance of the resources.

Paleontological Sensitivity
The western portion of the project site is near areas designated as having high paleontological sensitivity. The DEIS does not include adequate mitigation measures in case paleontological resources are encountered.

- **On-Site Paleontological Monitoring:**
  - The Town recommends that a qualified paleontologist be present during all ground-disturbing activities in areas of high paleontological sensitivity. This monitoring is crucial to ensure that any paleontological resources encountered are properly documented and preserved.
  - The DEIS must also include a contingency plan for the preservation of paleontological resources, including procedures for the temporary halting of construction activities, the proper excavation and documentation of finds, and the storage or display of significant specimens in consultation with appropriate scientific institutions.

5. Socioeconomic Conditions and Environmental Justice

The socioeconomic analysis in the DEIS is flawed and relies on assumptions that do not reflect the local realities of Windsor and Sonoma County.

- **Housing Impacts:** The DEIS assumes that the project will have minimal impact on local housing markets, despite acknowledging the existing housing shortage exacerbated by recent wildfires. The Town disputes the DEIS's finding of "Less Than Significant Impact" and recommends that the DEIS be revised to include realistic assessments of housing needs, including the provision of on-site affordable housing for casino workers.
- **Economic Displacement:** The DEIS downplays the potential for economic displacement, particularly for small businesses and lower-income residents. The project could lead to increased property values and rents, pushing out existing residents and businesses. The Town recommends a more detailed analysis of these impacts and the inclusion of mitigation measures to protect vulnerable populations.
- **Public Services and Infrastructure:** The DEIS does not adequately account for the increased demand on public services, particularly law enforcement, fire protection, and emergency medical services. The proposed mitigation measures, such as service agreements with local agencies, are vague and unenforceable. The Town insists on clear, enforceable commitments from the project proponents to fund and support necessary service expansions.

6. Transportation and Circulation

The following comments are from Windsor Public Works Department staff who have knowledge and expertise regarding the Town's street infrastructure, plans for improving that infrastructure, and the evaluation and mitigation of the impacts from new development on that infrastructure as well as traffic engineering consultants, W-Trans, which peer reviewed the Traffic Impact Study (TIS) referenced by the DEIS. The DEIS's analysis of transportation impacts is incomplete and underestimates the project's effects on local traffic conditions.

Traffic Impact Study
The Town of Windsor has significant concerns regarding the methodology and conclusions of the Traffic Impact Study used in the DEIS.

- **Trip Generation and Traffic Analysis Scenarios:**
    - The TIS does not analyze Sunday peak hour conditions, which, as noted in the Town's 2023 comments on the EA, may constitute the highest hourly trip generation of the week for a casino resort. This oversight is critical because Sunday traffic volumes could represent the worst-case scenario for the project, particularly when considering the weekend visitor influx.
    - Furthermore, the estimated daily and Saturday 24-hour trip generation estimates used in the DEIS may be 15 to 25 percent too low. This underestimation could lead to an inaccurate representation of the project's impact on local traffic, resulting in inadequate mitigation measures.
- **Adverse Level of Service (LOS) and Queuing at Shiloh Road/US 101 North Ramps:**
    - The 2023 EA and TIS identified adverse LOS and queuing issues at Shiloh Road/US 101 North Ramps for 2028 plus Project

scenarios, which required mitigation. However, the current TIS no longer identifies this impact, which is a significant concern for the Town. The Town requests a detailed explanation for this change, as the area between the US 101 North Ramps and Hembree Lane is likely to encounter major traffic impacts due to added project traffic.
    - The existing lane utilization patterns will create safety concerns, particularly with the right-turn queues on the northbound off-ramp. Traffic destined for the casino would realistically only be able to use the outer right-turn lane that continues east on Shiloh Road, leading to longer-than-reported queues that could potentially extend onto the mainline freeway. This scenario represents a significant safety hazard that has not been adequately addressed in the DEIS.
- **Shiloh Road Widening and Intersection Mitigations:**
    - The DEIS indicates that the project would make a 100% contribution to address queuing issues at the Old Redwood Highway/Shiloh Road intersection, including the construction of a second northbound left-turn lane and westbound receiving lane. While this revision is appropriate, a similar approach must be taken for the widening of Shiloh Road to two lanes in each direction between US 101 and Old Redwood Highway before the project opens.
    - The proposed mitigation for the Shiloh Road/Hembree Lane intersection, which involves restriping the southbound approach to become a four-lane configuration, is likely infeasible given the geometry of the approach and right-of-way acquisition needs. The Town asserts that the project must be responsible for identifying and implementing feasible mitigation measures, rather than relying on simplistic or unrealistic solutions.
    - The road widening and intersection improvements discussed in the DEIS are not envisioned in the Town of Windsor's or the County of Sonoma's planning documents or capital improvement programs and not enough right-of-way is under public control to accommodate these improvements. The DEIS does not explain how traffic impacts would be mitigated below the threshold of significance if property owners are unwilling to sell the land needed for public right-of-way.
- **Old Redwood Highway/Shiloh Road Cumulative Mitigation:**
    - The DEIS continues to use a 39.4 percent fair share contribution for the Old Redwood Highway/Shiloh Road intersection improvements. However, as stated in the Town's 2023 comments on the EA, this contribution is illogical. The intersection requires far more extensive widening to accommodate the project than envisioned by the Town at buildout. Additionally, Table 33 in the TIS suggests that the project would be responsible for no further long-range (2040) improvements to Shiloh Road/Old Redwood Highway beyond those constructed by the project for the opening year 2028. This conclusion is inappropriate, as the long-range improvements needed with the casino project are significantly greater than anticipated by the Town without the casino project. As noted above, some of the land needed for these improvements is

privately owned and the DEIS does not offer an alternative for mitigation if the necessary right-of-way remains out of public control.

- **Roadway Segment Analysis:**
  - The DEIS's roadway segment analysis, as noted in the 2023 comments on the EA, uses very high-level capacity assumptions based on weekday volumes. This approach fails to capture the worst-case traffic conditions, particularly during peak hours on weekends when the project's traffic volumes are highest. The reliance on weekday volume-based capacity assumptions is inadequate, providing an inaccurate representation of the project's traffic impacts on Shiloh Road.
  - The applied daily roadway capacity assumptions in the analysis are also unrealistic. For example, the 2028 roadway capacity increases with the implementation of intersection mitigation measures are claimed to be 35 percent. However, this increase is attributed to extended signal green times, which is incongruent with the types of mitigations being implemented and the lack of added lane capacity on Shiloh Road in 2028. The Town of Windsor finds these assumptions to be overly optimistic and not reflective of likely real-world conditions.
- **Project Responsibility for Widening Shiloh Road:**
  - The DEIS does not adequately identify the need for the project to construct or contribute funds to the widening of Shiloh Road, other than at select intersections. Given the anticipated traffic impacts, the Town believes that the 2028 plus Project mitigations must include widening Shiloh Road to two lanes in each direction between US 101 and Old Redwood Highway. The project should be responsible for ensuring these improvements are completed before the casino opens to avoid significant traffic congestion and safety hazards.
- **Multimodal Transportation and Pedestrian/Bicycle Facilities:**
  - The DEIS concludes that the project "would not adversely impact existing local bicycle and pedestrian facilities which are generally lacking adjacent to the project site," based on the proposed sidewalks or trails between the site and the Shiloh Road/Old Redwood Highway intersection. However, the Town disagrees with this conclusion, as the project would significantly affect pedestrian and bicyclist circulation both in the immediate area and along the Old Redwood Highway and Shiloh Road corridors.
  - The project does not adequately address the pedestrian and bicycle improvements needed to align with the Old Redwood Highway Corridor Enhancement Plan and the Town's Complete Streets Guidelines. Moreover, the DEIS relies on the Town to build these facilities through the traffic impact fee program, despite the fact that the casino project is not within the Town's jurisdiction and would not contribute to these fees. The project must fully fund and construct the necessary multimodal transportation facilities to accommodate the significant traffic volume increases it will create.
  - The DEIS ignores the fact that Shiloh Road, Old Redwood Highway, and Faught Road are important regional connectors utilized by thousands of recreational bicycle riders and utilized in

several major bike-riding events each year. The analysis must be updated to consider these important users of the roadways surrounding the project site and the DEIS must propose mitigation measures to address any potential impacts.

Old Redwood Highway/Shiloh Road Roundabout

The DEIS fails to adequately consider the implications of the proposed Koi Nation Shiloh Resort and Casino Project on the planned roundabout at the Old Redwood Highway/Shiloh Road intersection. The Town of Windsor's Old Redwood Highway Corridor Enhancement Plan (2022) includes a future single-lane roundabout at this intersection, and a feasibility study conducted by the Town in 2020 determined that this configuration would be sufficient to accommodate future buildout traffic volumes at Level of Service (LOS) C or better. However, the traffic volumes anticipated from the Koi Nation project significantly exceed those considered in the Town's General Plan and feasibility study, necessitating a much larger and more complex roundabout design.

- Impact of Increased Traffic Volumes:
    - The traffic impact study (TIS) for the project indicates that the traffic volumes at the Old Redwood Highway/Shiloh Road intersection will be dramatically higher than those anticipated under the Town's General Plan buildout. To accommodate these increased volumes, a roundabout at this location would need to be considerably larger, potentially requiring a combination of dual and triple entering and circulating lanes, as well as dual travel lanes in each direction on both Old Redwood Highway and Shiloh Road. This significantly exceeds the scope of the single-lane roundabout envisioned in the Town's plans.
- Right-of-Way Acquisition and Design Challenges:
    - The expanded roundabout design necessary to handle the increased traffic from the project would require substantial right-of-way acquisition on all four corners of the intersection. This expansion could have significant impacts on adjacent properties, including existing developments and future projects that have already been planned with the original roundabout configuration in mind.
    - Additionally, the larger roundabout would pose design and safety challenges, particularly for non-motorized users. Multi-lane roundabouts are generally more difficult for pedestrians and bicyclists to navigate compared to single-lane roundabouts. Ensuring safe crossings might necessitate the installation of robust treatments, such as parallel path systems or Pedestrian Hybrid Beacons, to manage pedestrian traffic safely. These considerations are critical, as the safety benefits of a larger, multi-lane roundabout are typically less than those provided by a single-lane roundabout.
- Cost Implications:
    - The cost of designing, constructing, and acquiring the land necessary for a roundabout of this scale is substantial. Estimates suggest that the enhanced roundabout could cost between five to ten million dollars or more, a significant increase over the cost of the single-lane roundabout originally planned by the Town. This raises concerns about the financial burden on the Town and the potential need for additional funding sources, particularly if the

project proceeds without adequate contribution from the project proponents.

- Need for Revised Traffic Impact Study (TIS):
    - The DEIS must be revised to include an updated analysis of the proposed roundabout, taking into account the increased traffic volumes associated with the project. This analysis must include a detailed examination of the required roundabout geometry, right-of-way impacts, and the feasibility of implementing necessary safety measures for pedestrians and bicyclists. The Town also asserts that the project proponents be required to contribute to the costs associated with these necessary upgrades, ensuring that the intersection can handle the increased traffic safely and efficiently.

Coordination with CalTrans on Shiloh Road/Highway 101 Interchange
The DEIS does not adequately address the necessary coordination with the California Department of Transportation (CalTrans) regarding the critical upgrades required for the Shiloh Road/Highway 101 interchange. Given the significant increase in traffic volumes that the Koi Nation Shiloh Resort and Casino Project is expected to generate, the current interchange infrastructure will likely be insufficient to handle the added demand, leading to severe congestion, safety concerns, and potential bottlenecks, especially during peak travel times.

- **Need for Interchange Upgrades:**
    - The Shiloh Road/Highway 101 interchange is a vital access point for both local and regional traffic. The increased traffic resulting from the project will exacerbate existing issues at this interchange, potentially leading to longer delays, higher accident rates, and overall reduced safety and efficiency. The DEIS must include a detailed analysis of the interchange's current capacity and the impact of additional traffic, along with a discussion of the specific upgrades required to accommodate the project.
    - The Town of Windsor strongly recommends that the DEIS be revised to include a comprehensive plan for working with CalTrans to identify, design, fund, and implement the necessary upgrades to the Shiloh Road/Highway 101 interchange. This plan should ensure that all improvements are completed prior to the opening of the resort and casino to prevent the interchange from becoming a significant traffic bottleneck.
- **Lack of Coordination and Mitigation Planning:**
    - The absence of a coordinated approach with CalTrans in the DEIS is a significant oversight that undermines the overall traffic impact analysis. Without clear commitments and detailed plans for interchange improvements, the project risks causing long-term detrimental effects on the regional transportation network.
    - The Town urges the Bureau of Indian Affairs to require the project proponents to engage directly with CalTrans as part of the environmental review process. This coordination should include the development of a Memorandum of Understanding (MOU) or similar agreement to ensure that both parties are aligned on the scope, funding, and timeline for the necessary interchange upgrades.

7. Public Services and Utilities

The DEIS inadequately assesses the significant impact that the Koi Nation Shiloh Resort and Casino Project will have on public services and utilities in the Town of Windsor and the surrounding areas. The increased demand for law enforcement, fire protection, emergency medical services, and utilities, combined with the environmental impacts such as the heat island effect, poses substantial challenges that the current DEIS fails to address adequately.

Heat Island Effect
The DEIS overlooks the potential for the project to contribute to the heat island effect, which can have far-reaching impacts on public services, utilities, and public health.

- **Increased Energy Demand:**
  - The development of large paved areas, parking lots, and extensive building footprints associated with the resort and casino will contribute to the heat island effect, where these surfaces absorb and re-radiate heat, leading to higher temperatures in the immediate area. This localized warming can significantly increase the demand for cooling, particularly during the summer months, leading to higher energy consumption and placing additional strain on the local power grid.
  - The Town of Windsor is concerned that the DEIS does not propose sufficient mitigation measures to counteract the heat island effect, such as increasing green space, implementing reflective or green roofing materials, and incorporating shade trees in parking lots. Without these measures, the project could contribute to increased energy costs, higher emissions from power generation, and reduced air quality.
- **Impact on Public Health:**
  - The heat island effect can exacerbate health issues, particularly for vulnerable populations such as the elderly and those with pre-existing health conditions. Higher temperatures can lead to increased instances of heat-related illnesses, putting additional strain on local healthcare services and emergency medical responders.
  - The DEIS must be revised to include a comprehensive analysis of the heat island effect and propose mitigation strategies that can reduce its impact on the community and public services.

Increases in Drunk Driving and Related Crimes
The DEIS does not sufficiently consider the potential increase in drunk driving incidents and related crimes that could result from the operation of the casino and resort.

- **Impact on Traffic Safety:**
  - Casinos are associated with increased alcohol consumption, leading to a higher risk of drunk driving incidents. The Town of Windsor is concerned that the increased traffic from the casino, combined with the potential for more intoxicated drivers on the roads, could lead to a significant rise in traffic accidents, injuries, and fatalities.
  - The DEIS does not include adequate mitigation measures to address this risk. The Town insists that the DEIS be revised to

include specific strategies to reduce drunk driving, such as increasing the availability of public transportation and ride-sharing options, implementing strict enforcement of DUI laws, and coordinating with local law enforcement agencies to increase patrols during peak casino hours.

- **Coordination with California Highway Patrol (CHP):**
  - The increase in traffic, especially on Highway 101 and surrounding roads, necessitates close coordination with the California Highway Patrol (CHP) to manage traffic safety effectively. The DEIS does not detail any coordination efforts with the CHP, which is a significant oversight given the expected rise in traffic volume and the associated risks.
  - The Town urges the BIA to work closely with the CHP to develop a traffic management plan that includes enhanced DUI enforcement, traffic flow monitoring, and rapid response strategies for accidents and incidents on Highway 101 and regional roads.

Mail Theft and Identity Theft

The DEIS does not adequately address the potential for increases in mail theft and identity theft, crimes that are often associated with large developments that attract significant numbers of visitors and employees. The Town of Windsor is particularly concerned about the risk of these crimes spilling over into the nearby residential neighborhoods, threatening the safety and security of local residents.

- **Increased Risk to Residential Areas:**
  - The influx of visitors and employees to the casino and resort could lead to an increase in mail theft and identity theft in the surrounding areas, including nearby residential neighborhoods. These crimes often target large, transient populations, but the presence of such a development, particularly one where gambling is taking place, also increases the likelihood of these criminal activities affecting local residents. The concentration of people, the transient nature of casino visitors, and the desperation that can accompany gambling addiction pose a significant risk of criminal activity to the surrounding community.
  - Residential neighborhoods near the project site may experience a rise in these crimes as criminals exploit the increased activity and traffic to blend in and target homes for mail theft, identity theft, and other crimes. This can lead to significant financial and personal hardships for local residents.
- **Preventive Measures:**
  - The DEIS currently does not propose sufficient mitigation measures to address these risks. The Town insists that the DEIS be revised to include strategies to protect nearby residential neighborhoods from the spillover of these crimes.

Calls for Mutual Aid

The DEIS fails to adequately consider the impact of the project on the demand for mutual aid from surrounding jurisdictions, particularly in the context of fire protection and emergency medical services.

- **Strain on Local Resources:**
  - The significant increase in visitors to the area, combined with the potential for large-scale emergencies, could lead to an increased

demand for mutual aid from surrounding fire districts and emergency medical services. This could strain the resources of neighboring jurisdictions, reducing their ability to respond to emergencies in their own communities.
    - The DEIS must include a detailed analysis of the expected increase in mutual aid requests and propose mitigation measures to ensure that the project does not unduly burden neighboring communities. This could include commitments to fund additional fire and EMS resources, training for mutual aid partners, and the establishment of agreements with neighboring jurisdictions to ensure adequate coverage.

Impacts to Esposti Park

While the DEIS acknowledges the potential noise impacts on Esposti Park, it fails to consider the broader implications of increased visitation by patrons and employees of the Koi Nation Shiloh Resort and Casino Project on the park's resources. This omission is particularly concerning given the park's proximity to the project site and the likelihood that it will experience a significant increase in use.

- **Increased Visitation and Strain on Park Resources:**
    - Esposti Park is a valued community resource that provides recreational opportunities for Windsor residents and visitors alike. The anticipated influx of patrons and employees to the nearby casino and resort will likely lead to increased use of the park's facilities, including its parking areas, restroom facilities, and waste receptacles. The DEIS does not adequately address how this increased visitation will impact the park's resources, potentially leading to overcrowding, increased wear and tear, and a greater need for maintenance and waste management services.
    - The Town of Windsor previously raised this concern in its response to the Environmental Assessment (EA), noting the need for a thorough analysis of how the project might affect Esposti Park's capacity to serve the community. Unfortunately, the DEIS has not addressed these concerns, leaving a critical gap in the assessment of public services and utilities.
- **Need for Enhanced Maintenance and Management:**
    - The increased use of Esposti Park by project-related visitors and employees will likely necessitate more frequent maintenance and upkeep to ensure the park remains a clean, safe, and enjoyable space for the community. This includes more regular servicing of restroom facilities, increased waste collection, and potentially expanded parking capacity to accommodate the additional demand. The DEIS must be revised to include a detailed analysis of these potential impacts, along with proposed mitigation measures to support the park's ongoing maintenance and management.
    - Possible mitigation measures could include, but are not limited to, financial contributions from the project proponents to fund the increased maintenance needs, installation of additional waste receptacles and restroom facilities, and the implementation of measures to manage parking demand during peak usage times.

General Impacts on Public Services

The DEIS's overall assessment of the impact on public services is inadequate and fails to provide detailed mitigation measures that address the full scope of the project's impact.

- **Law Enforcement:**
    - The DEIS underestimates the additional demand that the casino will place on local law enforcement. The increase in visitors, traffic, and potential for crimes such as drunk driving, theft, and disorderly conduct will require a significant increase in police presence and resources. The DEIS must include detailed plans for increasing local law enforcement capacity, including funding for additional officers, equipment, and training.
- **Fire Protection and Emergency Medical Services:**
    - The project's potential to increase the frequency and severity of emergencies, from accidents to health crises, necessitates a more robust approach to fire protection and emergency medical services. The DEIS must include specific commitments from the project proponents to enhance these services, such as funding for additional personnel, vehicles, and facilities to ensure timely and effective responses.

8. Noise

The DEIS underestimates the potential noise impacts during both construction and operation phases.

- **Construction Noise:** The DEIS's proposed construction hours, including allowing work on Sundays, do not align with the Town's municipal code. The Town insists that construction be prohibited on Sundays to minimize noise impacts on nearby residential areas.
- **Operational Noise:** The DEIS does not adequately assess the long-term noise impacts associated with increased traffic and the operation of the casino. More stringent noise mitigation measures, including the use of sound barriers and restrictions on nighttime operations are required.
- **Event-Related Noise:** The DEIS does not account for noise impacts from large events hosted at the casino, which could significantly disturb nearby residents. The DEIS must include an analysis of noise generated by events and propose mitigation measures, such as soundproofing and restrictions on event timing.

Inadequacy of Proposed Noise Mitigations

The DEIS proposes mitigations such as the use of quiet pavement and offering to pay for the installation of double-pane windows for nearby residents upon request. However, these measures are insufficient to prevent a significant adverse impact from the noise generated by the Koi Nation Shiloh Resort and Casino Project.

- Limitations of Quiet Pavement:
    - While quiet pavement can reduce some of the noise generated by vehicles on roadways, it is not a comprehensive solution, especially given the expected increase in traffic volumes and the continuous nature of traffic associated with a large-scale development like the casino. Quiet pavement primarily reduces tire noise, but it does little to mitigate other sources of traffic noise, such as engine noise, acceleration, braking, and the overall increase in traffic density. Furthermore, the effectiveness of quiet

pavement diminishes over time due to wear and tear, which means that the noise reduction benefits may be short-lived unless the pavement is regularly maintained and replaced. The DEIS includes no proposed maintenance program of long term funding mechanism.

- Inadequacy of Double-Pane Windows:
    - Offering to pay for the installation of double-pane windows for nearby residents, while helpful in reducing indoor noise levels, is a reactive measure that does not address the root cause of the noise problem. Additionally, this mitigation is only effective for indoor environments, leaving outdoor spaces such as yards, patios, and public areas unprotected from increased noise levels. Moreover, relying on residents to request this mitigation is inherently flawed, as many may be unaware of the option or may not realize the impact until it has already affected their quality of life. The burden should not be on residents to initiate noise mitigation; instead, the DEIS must proactively identify and implement measures that prevent significant noise impacts in the first place.
- Cumulative Noise Impact:
    - The DEIS does not adequately consider the cumulative noise impact from the project, including construction noise, operational noise, and increased traffic noise. Even with the proposed mitigations, the cumulative effect of these noise sources is likely to result in a significant adverse impact on the surrounding community. The Town of Windsor is concerned that the proposed measures are not robust enough to protect residents from the long-term, continuous noise exposure that is expected to result from the project.

9. Hazardous Materials and Hazards

The DEIS fails to adequately address the significant risks associated with hazardous materials and evacuation impacts, particularly in relation to wildfire hazards. The Town of Windsor has identified several critical deficiencies in the DEIS's approach to managing these risks, which could lead to severe consequences, including the potential for loss of life during emergency evacuations.

Wildfire Evacuation:
The Town of Windsor is particularly concerned about the DEIS's treatment of wildfire evacuation planning. Given the project's location in a Wildland-Urban Interface (WUI) area—a region with a high risk of wildfires—comprehensive and effective evacuation planning is not just necessary, it is critical to public safety. The DEIS's analysis of evacuation times, potential bottlenecks, and mitigation measures is severely insufficient, raising serious concerns about the safety of both residents and visitors in the event of a wildfire.

- **Evacuation Time Estimates:**
    - The DEIS estimates that evacuation times for the Town of Windsor during a "No-Notice Event" (such as a rapidly spreading wildfire) could increase from 4-6 hours without the project to 6-8 hours with the project. This increase in evacuation time is unacceptable, especially considering the history of devastating wildfires in California. The DEIS fails to recognize that wildfire hazards seen

recently in Sonoma County, including dry lightning strikes and windborne ember cast, dramatically increase the likelihood of a "No-Notice Event". The DEIS does not provide sufficient analysis of how these extended evacuation times could impact the safety of residents, particularly those living in the more vulnerable areas to the east of the project site, such as Shiloh Estates and Mayacama, which have limited evacuation routes.

- **Traffic Bottlenecks and Critical Intersections:**
  - The DEIS does not adequately address the potential for severe traffic bottlenecks at critical intersections, particularly Shiloh Road and Old Redwood Highway, which are key evacuation routes. The increased traffic volumes due to the project will exacerbate existing congestion, creating dangerous delays during an evacuation. The DEIS's reliance on minor roadway improvements, such as restriping and signal timing adjustments, is grossly insufficient to mitigate these risks. In a wildfire emergency, these bottlenecks could lead to a catastrophic situation where residents and visitors are trapped, unable to evacuate in time.
- **Inadequate Mitigation Measures:**
  - The primary mitigation measure proposed in the DEIS to address evacuation impacts is the development of a project-specific evacuation plan prior to occupancy. However, the DEIS provides no details on the content or effectiveness of this plan. There is no assurance that this plan will be capable of reducing evacuation times or preventing bottlenecks, nor does it account for the unique challenges posed by a rapidly spreading wildfire. The DEIS fails to outline any concrete actions or infrastructure improvements that would ensure a safe and timely evacuation for all affected populations.
  - The DEIS also overlooks the need for enhanced public communication systems, such as early warning systems and real-time traffic management tools, which are essential in managing evacuations during fast-moving disasters. Without these systems, the risk of confusion, panic, and gridlock during an evacuation is significantly heightened.

Post-Wildfire Contamination:
The DEIS does not address the potential for post-wildfire pollutant materials, such as ash and debris, to contaminate local waterways, including Pruitt Creek, Pool Creek, and Windsor Creek. Wildfires often leave behind hazardous materials that can be washed into water systems by subsequent rainfall, leading to significant environmental and public health risks.

- **Contamination Risks:**
  - The potential for ash and other post-fire contaminants to enter local water bodies is particularly concerning given the proximity of the project site to these creeks. Contaminants from the project site could exacerbate the already vulnerable conditions of these waterways, leading to degraded water quality, harm to aquatic ecosystems, and increased treatment costs for drinking water supplies.
- **Inadequate Mitigation for Water Contamination:**

- The DEIS lacks specific measures to prevent or manage post-wildfire contamination. There is no mention of on-site treatment facilities, containment strategies, or emergency response plans to address contamination risks. The absence of these critical components in the DEIS represents a significant oversight, leaving the community at risk of exposure to harmful pollutants.

Hazardous Materials Management:
The DEIS also fails to provide a comprehensive plan for managing hazardous materials during construction and operation of the casino resort. The handling, storage, and disposal of hazardous materials such as fuel, chemicals, and construction debris pose significant risks to both workers and the surrounding community.

- **Construction-Related Hazards:**
  - The DEIS provides only general guidelines for hazardous materials management during construction, lacking detailed protocols and specific mitigation measures. This lack of specificity increases the risk of accidental spills, leaks, or improper disposal of hazardous materials, which could contaminate soil, groundwater, and surface water bodies.
  - The proximity of construction activities to sensitive areas such as Pruitt Creek heightens the risk of environmental contamination. The DEIS must include detailed hazardous materials management plans that outline specific procedures for handling, containment, and emergency response.
- **Operational Hazards:**
  - During operation, the casino resort will generate various forms of hazardous waste, including those from vehicle maintenance, cleaning operations, and potential fuel storage. The DEIS does not adequately address how these wastes will be managed to prevent environmental contamination or public health risks.
  - The Town insists that the DEIS include stringent requirements for hazardous waste storage, regular inspections, and emergency response protocols to manage any accidental releases effectively.

Wildfire Hazard Mitigation:
The DEIS's proposed wildfire hazard mitigation measures are fundamentally inadequate given the high-risk nature of the project location. While the DEIS acknowledges that official maps depict the nearest extent of recent wildfires at approximately 0.3 miles from the project site, the reality is that firefighting activities related to embercast and spot fires took place on or near the project site, which as a vineyard, served as a critical firebreak during these fires. The replacement of an irrigated vineyard with flammable buildings will exacerbate the dangers caused by future wildifires.

- **Vegetation Management and Firebreaks:**
  - The DEIS lacks detail on vegetation management practices and the establishment of firebreaks to prevent the spread of wildfires. These measures are crucial for protecting both the project site and the surrounding areas from the rapid spread of wildfire. Without clear guidelines and enforceable standards for vegetation management, the risk of a catastrophic wildfire impacting the project and surrounding areas remains high.

- **Emergency Services and Infrastructure:**
    - The DEIS does not adequately address the need for additional emergency services infrastructure, such as dedicated fire access roads, water supply for firefighting, and strategically placed fire hydrants. The absence of these critical infrastructure components could severely hinder firefighting efforts and exacerbate the risk of loss of life and property during a wildfire.
    - The DEIS also fails to propose any funding mechanisms or commitments from the project proponents to support the expansion of local firefighting and emergency response capabilities, which will be essential in managing the increased risks posed by the project.

Seismic Risks and Natural Disasters:
The DEIS fails to adequately consider the significant risks associated with the project's location on the Rogers fault, as well as the broader risks related to natural disasters such as earthquakes, floods, fires, and extended power loss. The Town of Windsor is deeply concerned that the DEIS does not propose any meaningful plans or mitigation measures to address these critical hazards, which could have catastrophic consequences for both the project site and the surrounding community.

- Rogers Fault and Seismic Risks:
    - The project site is located near the Rogers fault, a known seismic feature that poses a significant earthquake risk. Despite this, the DEIS lacks a comprehensive seismic hazard analysis and does not include detailed plans for ensuring the structural integrity of the proposed buildings in the event of an earthquake.
    - The DEIS must be revised to include a thorough seismic risk assessment, taking into account the potential for ground shaking, surface rupture, liquefaction, and landslides. This assessment must be conducted by qualified geotechnical engineers and seismologists, and the findings should inform the design and construction of all project structures to ensure they meet or exceed current seismic safety standards.
    - Additionally, the DEIS must include detailed emergency response plans specifically addressing earthquake scenarios, including evacuation routes, emergency shelter locations, and protocols for coordinating with local emergency services.
- Flood Risks:
    - The project's proximity to Pruitt Creek and other local waterways also raises concerns about flood risks, particularly in the context of increasingly severe weather events due to climate change. The DEIS does not provide sufficient analysis of flood risks, nor does it propose robust flood mitigation measures.
    - The DEIS must be revised to incorporate the latest floodplain data, including updated FEMA Flood Insurance Rate Maps (FIRM). The project should be designed with flood-resistant features, such as elevated foundations, flood barriers, and enhanced stormwater management systems. The DEIS must also include a detailed flood emergency plan, outlining specific actions to protect life and property in the event of a flood.
- Extended Power Loss and Resiliency Planning:

- The DEIS does not adequately address the potential for extended power loss, which could occur as a result of an earthquake, flood, fire, Public Safety Power Shutoff (PSPS) events, or other natural disasters. Extended power outages pose significant risks to the operation of critical systems, such as emergency lighting, fire suppression, and wastewater management, all of which are essential for the safety of the project site and the surrounding community.
- The Town insists that the DEIS include a comprehensive resiliency plan that addresses the potential for extended power loss. This plan should include the installation of backup generators with sufficient capacity to power essential systems for an extended period, the use of renewable energy sources such as solar panels with battery storage, and the development of contingency plans for maintaining operations and ensuring public safety during prolonged outages.

10. Visual Resources

The DEIS fails to adequately assess the visual impacts of the project, particularly from key vantage points.

- **Scenic Corridors:** The project site is visible from Highway 101 and Faught Road, both of which are designated scenic corridors in the Town's General Plan. The DEIS does not provide sufficient analysis of the project's impact on these scenic corridors, nor does it propose adequate mitigation to preserve the visual character of these areas. The Town recommends reducing the height of parking light poles, using lower color temperature lighting (no greater than 3,000 Kelvin), and reevaluating the placement of structures to minimize visual impacts from these corridors.

11. Land Use

The DEIS does not adequately consider the project's compatibility with existing land use plans and policies.

- **Consistency with General Plan:** The project conflicts with the Town's General Plan, which designates the area for agricultural use. The DEIS fails to adequately address the impacts of converting agricultural land to a commercial gaming facility, which is inconsistent with the County's Land Intensive Agriculture designation. Additionally, the project does not align with the Shiloh Road Vision Plan, which envisions a mixed-use, pedestrian-oriented corridor. The Town strongly urges reconsideration of the project in light of these conflicts, and recommends either significant redesign or adoption of the "no project" alternative.
- **Community Separator:** The project site is part of the Windsor/Larkfield/Santa Rosa Community Separator, intended to maintain greenbelt areas between developed communities. The DEIS does not sufficiently analyze the impact of the project on this community separator, potentially undermining the Town's long-term growth management policies.

12. Growth-Inducing Effects

The DEIS underestimates the potential growth-inducing effects of the project.

- **Induced Development:** The project is likely to induce additional commercial and residential development in the surrounding area, contrary to the Town's growth management policies. The DEIS's conclusion that these impacts would be "diffused across the State" is unsupported by data. The Town insists that the DEIS be revised to include a more localized analysis of induced development and its impacts, particularly in relation to traffic, housing, and public services.

13. Cumulative Effects

The cumulative effects analysis in the DEIS is insufficient and does not fully account for the combined impacts of the project alongside other planned developments in the region.

- **Cumulative Water Demand:** The DEIS does not adequately address the cumulative impact on regional water supplies, particularly following multi-year drought conditions in the region and other large developments in the area. A more thorough analysis of cumulative water demand and its potential impacts on local groundwater levels and surface water flows must be conducted.
- **Cumulative Traffic Impacts:** The DEIS's analysis of cumulative traffic impacts is flawed, particularly in its assumption that future road improvements will align with the project's needs. The Town insists that the DEIS include a realistic assessment of traffic conditions based on existing and reasonably foreseeable developments, rather than relying on optimistic assumptions about future infrastructure projects.
- **Cumulative Impacts to Residential Development:** The DEIS fails to include several major residential developments in its analysis, including Windsor Gardens, Old Redwood Highway Villages, Shiloh Apartments, and Shiloh Mixed Use. Information on these projects is easily found on the Town of Windsor's website. The DEIS must be updated to include these projects in its analysis to ensure that the potential cumulative impacts on traffic, housing, and other community resources are fully considered and appropriately mitigated.
- **Cumulative Impact on Fossil Fuel Infrastructure:** The DEIS does not consider the Town of Windsor's ordinance passed in 2022, which bans the construction or expansion of gas stations within Town limits. This ordinance is part of a broader movement across Sonoma County, with several other jurisdictions adopting similar bans in response to growing concerns over fossil fuel reliance, climate change, and public health. The ban on new gas stations means that the existing stations in and around Windsor will face increased demand from the additional traffic generated by the casino and resort. This could lead to longer wait times, increased congestion around existing gas stations, and higher fuel prices, which may disproportionately affect residents and visitors who rely on gasoline-powered vehicles. It also conflicts with regional sustainability planning and air quality goals. The analysis must be updated to consider these cumulative effects and to propose meaningful mitigation measures.

In summary, the Town of Windsor finds the DEIS to be fundamentally inadequate. The document fails to sufficiently demonstrate mitigation of the significant adverse impacts that the Koi Nation Shiloh Resort and Casino Project would have on the environment and the Town of Windsor. The deficiencies

identified in this letter clearly demonstrate that in order to avoid these impacts, the project would need to be redesigned so extensively that it would no longer resemble the project currently described in the DEIS. Given the scale of the necessary changes, it is evident that the "no project" alternative is the only viable option that aligns with the Town's commitment to protecting its environment and community.

The Town of Windsor respectfully urges the Bureau of Indian Affairs to require the adoption of the "no project" alternative, as it is the only option that ensures the protection of the Town's environmental resources, public safety, community character, and quality of life.

On August 14, 2024, a joint meeting of the Town of Windsor Planning Commission and Town Council was held, during which members of the public as well as elected and appointed officials provided comment on the DEIS. A recording of that meeting is available here: https://windsor-ca.granicus.com/player/clip/1665 and the Town incorporates those comments herein by reference. Additionally, written correspondence related to the DEIS that has been received by the Town during the public comment period is attached to this letter.

If you have questions or need additional information, please contact me: Patrick Streeter, Community Development Director, at pstreeter@townofwindsor.com or at (707) 838-5313.

Sincerely,



Patrick N. Streeter, AICP
Community Development Director

cc: Chad Broussard, Environmental Protection Specialist
Jon Davis, Windsor Town Manager
Windsor Town Council
Windsor Planning Commission

Attachment
Comments related to the Draft Environmental Impact Statement for the Koi Nation Shiloh Resort and Casino Project

Harold Minkin
[redacted]
Windsor, CA 95492
[redacted]

Received as Additional Correspondence for the Joint Town Council & Planning Commission Meeting on August 14, 2024
RE: Item 6.1

August 8, 2024

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

Regarding: **"DEIS Comments, Shiloh Resort and Casino Project"**

I am writing to you as I am a citizen of Windsor, California. I participated on the zoom call on July 30, 2024 at 6 PM. A majority of the people who were on the call were against having a casino built at the proposed location. Both Town Council of Windsor and Santa Rosa are against having a casino built

Here are the many issues brought up:
The Koi Nation is from Clear Lake, CA not from Santa Rosa, CA. They are 60 miles from their native lands. No casino has been built in California farther than 15 miles from their native lands.

The land has always been for Residential, agricultural and limited commercial use as mentioned in your EA report. It has Pruitt Creek that runs through the property and floods every year.
The road is only a two lane road and would cause extreme problems for the citizens who live nearby if and when they have a fire, earthquake or other natural disaster. The proposed casino stated in their Environmental Impact report expects to have approximately 2,000 to 5,000 people traveling on Shiloh Road each day. This could be the equivalent of 2500 cars each day.

The U.S Fish and Wildlife Service has stated the endangered Tiger Salamander, Red Legged Frog, potential issues to coho salmon that can be found throughout Windsor, CA. This was in an article on August 31, 2011 from Patch.com. Measure L mentions this in your report, my question is how do you control habitat needs? What measures are to be taken?

It has been proven that where there is a casino an increase in crime, drunk driving, accidents and more have substantially increased. Currently Santa Rosa and Windsor police forces are understaffed as well as the Sonoma County Sheriff's Department. In your EIS report you mention having best management practices to solve these issues and shall "make best efforts to enter service agreements with the Sheriff and Fire Departments, again there are no guarantees which could result in an increase

The casino will also increase noise, air, lighting and groundwater pollution. This is addressed as only an LS (less than significant) issue. It is very much a *huge* concern to homes and businesses in the surrounding area.

During the proposed construction phase lasting from 2023 until the opening date of 2028, the large construction trucks and workers building from 7 am until 5 pm will create a lot of noise, traffic congestion and increase smog in the area.

The casino will affect local businesses and adjacent casino's. In your report you state there will be an overlap of potential market area and project site. **Four casino's affected will be: Graton Resort and Casino, Cache Creek Casino Resort, River Rock Casino and San Pablo Lytton Casino.**

Secondary markets that will also be affected are: Twin Pine Casino and Hotel, Coyote Valley Casino and Hotel, Robinson Rancheria Resort and Casino, Konocti Vista Casino Resort and Sherwood Valley Casino.

Regarding housing, property values, schools and businesses near the proposed casino in your, "sensitive receptors" section you state only LS. Growth Inducing Effects as stated in your report state it will have a negative effect on roadways infrastructure,sewer and water services.

It is known that property values go ***DOWN between 2-10% near a casino!***
They will also be affected by construction noise, night lighting issues, air pollution from all the vehicles, etc.

The needed water of 170,000 gallons per day of potable water and 108,000 gdp of recycled water. Potable water supply would be provided via on-site wells, and recycled water (tertiary treated effluent) would be provided from the on-site wastewater treatment facilities (see Section 2.1.4). Recycled water would be used for toilet and urinal flushing, on-site landscape irrigation, on-site vineyard irrigation, and cooling tower makeup. Fire flow requirements for Alternative A are anticipated to be 2,000 gallons per minute for 4 hours assuming the use of automatic fire sprinklers consistent with applicable requirements of the Tribe's Building and Safety Code of 2023, which are consistent with the California Building Code (CBC, Appendix D-1). as mentioned in 2.1.3 in the report would require several wells at a depth of 700 ft. Currently the surrounding wells on homeowners properties, according to those who spoke on the zoom video, are drying up or are not usable. This brings up many issues, one is where will the casino get water if the wells cannot produce enough to support the casino, hotel and pool? This will impede growth for needed housing, agriculture and other businesses that depend on water.

Another item mentioned in the report is that the casino would be located in a "high fire zone". I did not find where the Koi Nation would be building a fire station nearby. Other major concerns are how to get all the people safely evacuated. Regarding emergencies it is stated you will ONLY have three employees trained as a firefighter and EMT. ***This will NOT be enough workers to assist in case of an emergency***

Both the council members of Sonoma County, including Santa Rosa and Windsor are opposed to having this casino built. The Graton and Dry Creek Pomo tribes have also stated they are against the casino. Many callers from union construction companies that were told they would be hired by the Koi Nation were the very few in favor of the casino.

I am hoping the Koi Nation decides to do 3.13.3.5 Alternative D: No Action Alternative

Regards,
Harold Minkin

CC: Amy Dutschke, Pacific Regional Director
Chad Broussard, Environmental Protection Specialist, Deb Haaland, Secretary of the Interior

From: catherine dodd <catherine.dodd@gmail.com>
Sent: Tuesday, August 13, 2024 1:02 PM
To: Patrick Streeter <pstreeter@townofwindsor.com>; D Fudge <dlfudge@comcast.net>
Cc: Keith.Roberts@sonoma.county.org
Subject: Windsor Draft comments on DEIS for Koi Casino suggestions

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Councilmember Fudge and Peter Streeter,
Councilwoman, you may remember me I walked for you with dear Joan Galindo some years ago.

Thank you for leading the evaluation of the Chickasaw/Koi Casino project.

I thoroughly read the DRAFT comments which will be considered at tomorrow night's meeting thank you again for providing leadership and voice to so many concerns. I have some suggestions below. I live in Wikiup and have been a lone voice organizing the neighborhood. I will be at the meeting although it's at the same time as the Mark West Area Municipal Advisory Council meeting where I have asked that the Casino Project remain as a standing item on the agenda. The Council does not take positions so I may just provide a written update.

First, the 2022 Notice covers 2 different requirements which are unaddressed. 1) the EIS and 2) **"off-reservation" environmental impacts of he Proposed Project required by a "future Tribal-Sate Compact between the State of California and the Koi Nation"** A Tribal Environmental Impact Report or TEIR.
The notice says: "to reduce paperwork and eliminate redundancy, **the TEIR will be prepared in coordination with the EA resulting in a joint "EA/TEIR"** (herein referred to as an "EA")." The Town and SoCo should be requesting the state to evaluate the proposal. Perhaps Sup Gore who is on several tribal committees can assist, I have cc'd his staff Keith Roberts on this email.

I hope you will consider these suggestions to make the Windsor comments (which are good) stronger.
Throughout the document the grammar needs to be stronger, it uses the word "recommends" where it should say say "insists", or the phrase "does not" where it should say "fails to", and "should" where it should ay "must". Comments that are "opinions" are not considered. Please do not let great points made in the document as "recommendations" and "does not" or

"should" be considered "opinions" rather than conditions that must be addressed. I suggest a "search and replace for these words/phrases."
Other issues that could be strengthened or added
p.2 re: proposed mitigation to compensate owners whose wells become unusable - should include monitoring of water quality before they become unusable. and "The town "recommends" (should be insists) that a comprehensive well interference study be conducted "before any groundwater extraction begins" should say that it should be included in the EIS along with monitoring plans reporting to the BIA and local and county water agencies.
p.3 include the aesthetics: while the word aesthetic is used only once in the document to introduce the Visual Resources section it is an important issue. CA Supreme Ct decision overturned the placement of telecom antennas based on ruining the aesthetic charm of neighborhoods in NEPA evaluation. Large wastewater storage units (and generators) are very unattractive and will change the aesthetics of the area. Their size will allow them to be seen from Shiloh, the Park and Old Redwood.
p. 5 emissions - should add "and other illnesses" to cancer. Dementia is not associated with poor air quality. Further we have only studied effects of 2.5mcg particles - research is now looking at smaller particles.
Their measurements do not include the impact of daily diesel trips for supplies and waste removal nor stalled traffic on Old Redwood.
p. 5 wetlands are essential for humidity which helps prevent fires
p.7 cumulative habitat loss does not take into account the effect of the urban heat island that will be created by **34 acres** of built environment. Daniel Swain PhD UCLA Climate Scientist who specializes in fire risk describes the the fore heat island effect which increases fire risk when temperatures are over 85 and winds above 20miles/hour. Heat islands are produced by buildings/pavement that collects and give off heat 24/7. The night air loses it's humidity. So replacing vineyards which absorb heat (and CO2) with heat emitting buildings will change the immediate temperatures affecting habitat and increase fire risk.
This heat island will affect the health of the low income seniors who live in the two trailer parks. Heat illness had been recognized by the CDC as deadly.
p. 8 Potential Impacts on Archeological Resources - thank you for including these comments. This comment should also speak to the "trust" land transfer itself - there is no documentation that the Koi tribe has ancestral ties to this location, an argument can be made that there has been a community in Sebastopol but the Koi remain active in preserving their ancestral connections to Lake County as evidenced by their leadership and connection to the Anderson Marsh Historic State Park on the Lake see the state park brochures and the PBS special A Walk through time on the

park website. Making this point is important because this is the second objective of the public comment period.
p.9 Housing needs to add over 1000 workers and lack of affordable housing stock not only in Windsor but in Wikiup. There is only one house for rent at this time in Wikiup. Home sales are only on the market for a week and are selling for $890 up. Homeowners cannot get insurance because of fire risk which as worsened the real estate market. Property values will decrease, people move to Windsor for it's small town aesthetics.
Low wage casino workers will be sleeping in their cars.
p. 9 transportation and Circulation "impacts are incomplete" as is the resulting climate impact analysis. Please see "heat island" comments above. The addition of traffic will exacerbate the heat island effect.
p. 10 traffic will avoid Shiloh and drive up to Faught road, a much windier two lane road with deep trenches, and then on through neighborhoods passed San Miguel school to reach the HWY 101 at Airport Blvd.
p. 10 Shiloh should not be widened, it will change the aesthetic character of the area.
p. 11 Faught is also a bicycle corridor which will be endangered by more cars.
p. 12 Waste management unacceptable to add 5tons/day to waste stream when we are working so hard to reach Zero Waste. Suggestion to avoid polystyrene needs to include all plastic items and any items with PFAS including flooring, carpeting, uniforms etc. The DEIS merely states the capacity of SoCo landfill. It fails to recognize the Methane emissions from Landfill, the SoCo Local Solid Waste task for reported last week that the goal for methane collection is 30% over the next 10 years.
p. 12 Emergency service estimates need to be based on each quarter in 2023 calls for Emergency response to Graton and since this will be bigger than Graton adjusted accordingly (Hwy patrol, Rohnert Park police, SoCo sheriff, SoCo Social Services (children locked in cars, domestic violence), ambulance, and local and county fire).
p. 12 Noise traffic calming essential. 24 hour noise will be aesthetically unpleasant and residents should be able to sit outside in peace and sleep with their windows open.
p. 13 Wild fire 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 (Half the population of Windsor and twice the population of Wikiup) squeezed into 34 acres between 2 neighborhoods will inevitably end up with an accidental cigarette but or car spark and fires.
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.

p. 15 Wildfire mitigation - this removes a valuable firebreak, and and completely neglects the importance of prevention. The new description relies on the County's warning systems which are untested in PANIC situations where people do not obey the traffic laws.

p. 15 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 telescopic lens which makes the monolith look farther away and much smaller. Hikers will not appreciate the removal of the beautiful view. The other photos make it look like a compound.
Thank you for including the "scenic corridors in the Windsor General Plan" it is important protect the **quaint country aesthetic of the neighborhood** and Alternatives A,B and C will harm that.

Aesthetics is more than visual. Aesthetics include neighborhood quality: fresh air and quiet. The traffic alone 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 as will the sirens from law enforcement, emergency medicine, fire. Neighbors should be able to sit outside and sleep with their windows open to wake up to birds. Also, widening Shiloh will change the aesthetic quaintness of the area where bike riders and walkers enjoy being outdoors.
From the surrounding areas (e.g. Wikiup) noise is also an issue from increased traffic and sirens on HWY 101 and Old Redwood.
p. 16 recommends redesign....*really do you think that's possible - your recommendation is D - so why even suggest redesign.*
The Windsor draft does not comment on the "drunk driving" section which states that there is no mitigation required.
Given that areas around the Casino on Shiloh and Old Redwood have no sidewalks and Esposito park is across at a major intersection, it seems that more than "responsible alcohol beverage policy" should be required (what ever that is). Pedestrian and bicycle safety are paramount.
Perhaps a drink limit or signs posted at the garage and parking areas that driving while inebriated is prohibited and the facility reserves the right to require breathalizer testing prior to leaving the grounds - and then enforce it. Further an analysis of drunk driving arrests within 25 miles of the Graton casino prior to its opening and during 2023 would shed some light on this danger.

I hope you will consider some of these suggestions. Windsor's statement is the most important. Thank you for making this heroic effort.

In gratitude,
Catherine Dodd PhD, RN she/her [redacted]
linked in
Board Member Commonweal
Board Member National Committee to Preserve Social Security & Medicare Join TODAY
Advisor, Families Advocating for Chemical and Toxic Safety FACTS
Nurses for America Core Team 🌴🥥UM

From: Carrie Marvin
To: Town Council; Carrie Marvin
Subject: MEETING ON KOI CASINO
Date: Friday, August 9, 2024 2:52:29 PM

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Unfortunately I am out of town so I ask that this be submitted into the record.

I have so many reasons that I am concerned about this casino going in to our local neighborhood, across from the park. But something I just think they keep missing - or they don't understand because they don't live here - is how terrifying it is to have to evacuate quickly due to fire. The thought of another 5,000 plus cars trying to leave Windsor and get on the freeway is just unimaginable. When I spoke on the call to the BIA, I tried to explain that this is very serious and that we are screaming about this. If people are stuck in cars with fire raining down - and we have seen that happen - I would think they would have a serious lawsuit on their hands. Because we are telling them this is our reality. And they are not understanding this. Please do what you can to make this clearer to them. The Tubbs fire spread across a 6 lane freeway. It burned down KMART and everything in that parking lot. You wouldn't even think that was possible. We have videos of what happens in these fires - people in their cars - stories of people dying because they cannot get out to escape the fires. This is a very real concern. And I feel like they are not understanding the reality.
Am I concerned about them having 7 wells on their property and building a waste system and knowing how that area floods and concerned about our local animals - of course I am concerned. I can't believe this is still progressing. We must do what we can to stop this.
The other native tribes clearly don't want the KOI - who we KNOW are not native to this location - who will just pilfer off the 2 casinos 15 minutes north and south of us. It just seems like the KOI and the BIA don't care at all about those tribes or the fact that they would be building this in an actual neighborhood. Or for the real human lives who will be lost WHEN (not if) another fire occurs. Everyone in Windsor should be concerned.
Carrie Marvin
Windsor CA

Received as Additional Correspondence for the Joint Town Council & Planning Commission Meeting on August 14, 2024
RE: Item 6.1

From: Carrie Marvin
To: Town Council
Subject: What 1600 Spots looks like
Date: Wednesday, August 14, 2024 6:14:12 AM

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Look at the enormity of this structure. Now times that by MORE than 3 and that would give you 5,000 spots. It is humungous. This in a neighborhood. How is this even possible? How will this affect our traffic?
New 5-Story Parking Structure Unveiled At Graton Resort & Casino



New 5-Story Parking Structure Unveiled At Graton Resort & Casino

The garage marks the first completed project of a multi-year, $1 billion expansion of the casino resort.

Carrie Marvin
Windsor

Received as Additional Correspondence for the Joint Town Council & Planning Commission Meeting on August 14, 2024
RE: Item 6.1

From: Carrie Marvin
To: Town Council
Subject: Articles to be entered in the record
Date: Wednesday, August 14, 2024 4:33:29 AM
Attachments: 75.png

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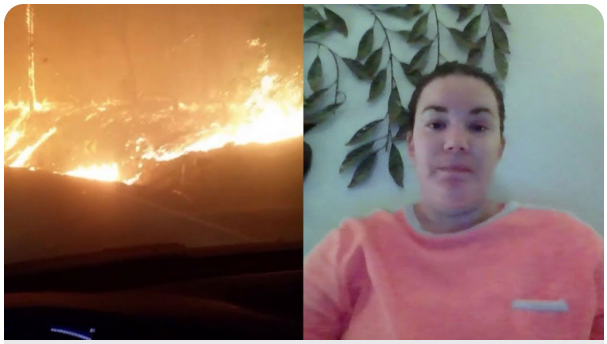
CNN headline today 8/14 about Athens fire- " the fire moved faster than the cars"

"Lahaina's front street filled with burned cars abandoned by drivers"



Five people found dead in cars caught up in California wildfires
independent.co.uk

"Five people found dead in cars caught up in California wildfires" (paradise fire)



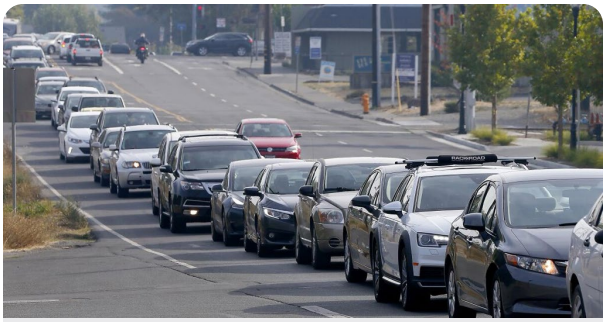
'The car's on fire, I'm not going to make it': Nurse recounts escape from California fire
youtube.com

The car's on fire. I'm not going to make it"

"Forced out by deadly fires. Then trapped in Traffic.

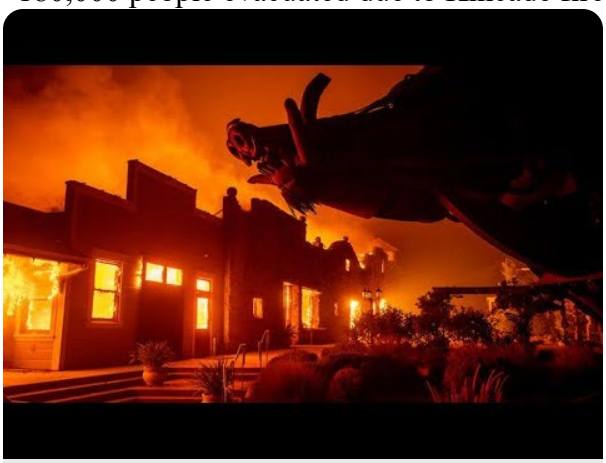


Forced Out by Deadly Fires, Then Trapped in Traffic (Published 2018)
nytimes.com



Thousands fleeing Kincade fire face heavy traffic and long gas station lines
latimes.com

“Thousands fleeing Kincade fire face heavy traffic and long gas lines”
“180,000 people evacuated due to Kincade fire. largest evacuation in Sonoma County History”



180,000 People Evacuated Due to Kincade Fire; Largest Evacuation in Sonoma County History
youtube.com

vcstar.com

https://www.vcstar.com/in-depth/news/local/2019/04/25/california-wildfire-evacuation-routes-traffic-jams/3238313002/

This is a very good article. Doesn't list sonoma county as one of the worst but does mention the Tubbs fire.
"California wildfire evacuations are becoming deadly traffic jams"

BIA should be required to read and watch videos about the Tubbs and Kincade fires. There are lots of them.
Articles like this which describe the fire activity



Sonoma County under siege: Kincade Fire forces 90,000 evacuations
sfchronicle.com

cnn.com

Sent from my iPhone

Received as Additional Correspondence for the Joint Town Council & Planning Commission Meeting on August 14, 2024
RE: Item 6.1

From: Jonathan Marvin
To: ourcommunitymatters2@gmail.com; Town Council
Cc: Carrie Marvin
Subject: Fwd: THE KOI CASINO IN THE WINDSOR NEIGHBORHOOD
Date: Wednesday, August 14, 2024 12:17:08 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am following up on comments made by my wife, Carrie Marvin and I hope to be at the hearing this afternoon. This email was sent to the Chad Broussard at the BIA, but I received an automatic reply that he was out of the office until Friday. Ironically, my conclusion is that I fully support the recommendation of the EIS, that the Environmentally Preferable Alternative is Alternative D.

Begin forwarded message:

From: Jonathan Marvin <jpmarv@me.com>
Subject: THE KOI CASINO IN THE WINDSOR NEIGHBORHOOD
Date: August 14, 2024 at 12:11:35 PM PDT
To: chad.broussard@bia.gov

Mr. Broussard:

By way of introduction, I am a resident of Windsor and my wife has been a vocal advocate opposing the approval by the BIA of the proposed Casino by the Koi Tribe of the Pomo Indians in Windsor I am sure you are aware is most definitely not their tribal homeland - but I leave that to others to discuss. My wife and others who as Windsor residents (particularly those most affected on the east side of Highway 101) have spent hundreds of hours working to impress upon the BIA the dangers that would be presented by this project to those thousand upon thousands of residents in Windsor and northern Santa Rosa. I have finally had a chance to read some - but not all of the EIS - and I believe most of these potential impacts are raised and acknowledged to be true environmental impacts by the authors of the EIS. Originally my biggest concern about the EIS process was that the EIS was drafted by a company that apparently has significant past ties (and potential future business) with the Chickasaw Nation regarding that tribe's efforts to increase the number of Casinos across the country. And I still believe that the majority of impacts identified in the EIS have been classified by Acorn Engineering as not having Significant Impact, without much consideration given to the real life ramifications of the impacts on the community (as opposed to the impacts on the Casino site itself). But Ultimately, what is most significant is the final conclusion of the EIS as to the "Environmentally Preferable Alternative" project for the site under the Code of Federal Regulations (40 CFR 1502.14(f)). I am sure you fully understand this provision of the Code which requires the author of the EIS to make a recommendation based on comparison of the environmental impacts identified for the various alternatives. As set forth in the Code:

The alternatives section is the heart of the environmental impact statement. The

alternatives section should identify the reasonably foreseeable environmental effects of the proposed action and the alternatives in comparative form based on the information and analysis presented in the sections on the affected environment (§ 1502.15) and the environmental consequences (§ 1502.16). In doing so, the analysis should sharply define the issues for the decision maker and the public and provide a clear basis for choice among options. In this section, agencies shall:

* * *

(f) Identify the environmentally preferable alternative or alternatives amongst the alternatives considered in the environmental impact statement. The environmentally preferable alternative will best promote the national environmental policy expressed in section 101 of NEPA by maximizing environmental benefits, such as addressing climate change-related effects or disproportionate and adverse effects on communities with environmental justice concerns; protecting, preserving, or enhancing historic, cultural, Tribal, and natural resources, including rights of Tribal Nations that have been reserved through treaties, statutes, or Executive Orders; or causing the least damage to the biological and physical environment. The environmentally preferable alternative may be the proposed action, the no action alternative, or a reasonable alternative.

It is worth noting that there were only two "beneficial impacts" identified by the EIS, one being the Effects to the Tribe, which they note "would allow the Tribe to generate revenues to fund tribal services." There is no indication or evidence of what services the Koi nation provides to its fewer than 100 members. And the completely speculative Economy/Employment benefit to an amorphous community (in no way discussing how the affected location would benefit), in which "construction and 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 rates." Based on comments raised at the Zoom meeting, primarily by members of the Northern California Carpenters Union, presumably there would be some number of jobs for union members during construction (in those comments, none of those union members claimed to be residents of Windsor and only one identified his home as unincorporated Santa Rosa. And presumably there would be other jobs available but no indication of evidence that any of those jobs would be taken by Windsor or even Sonoma County residents where the biggest employment issue for many small businesses is finding people to fill job openings. Compare that with more than 80 negative impacts, whether deigned by Acorn Environmental to be Less than Significant (without other than speculative explanation) or Significant (with speculative analysis of the mitigation that could render them **potentially** less significant.

I urge you to take the recommendation of the EIS and find for Alternative D as identified by the EIS.

From:	RICHANDSHERYL LAWTON
To:	Town Council
Subject:	Koi Nation Casino Project
Date:	Wednesday, August 14, 2024 1:33:49 PM

Received as Additional Correspondence for the Joint Town Council & Planning Commission Meeting on August 14, 2024 RE: Item 6.1

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,
I have previously submitted the following concerns directly to BIA via Chad Broussard, but feel it is important to restate them as I don't want any of these concerns to be minimized or overlooked. The proposed project would be extremely detrimental to Sonoma County , specifically the northern section of Santa Rosa and the Town of Windsor.

1. Traffic- the corner of Shiloh Road and Old Redwood Highway is already heavily used and has seen recent housing and other projects currently under construction.Addition traffic on these two lane roads will cause significant backups leading to numerous negative impacts such as noise and air pollution, accidents, soil and water contamination, etc.

2. Evacuation routes for emergency response fall into this proposed area. Current roadways, freeway access, and the surrounding areas can not accommodate the additional projected number of visitors.

3. Water usage- water is already a limited resource within our community. The current sanitation and water systems would be overloaded with the estimated increase usages.

4. Flooding potential- Poole creek often floods during the rainy season. Additional conversion of land available for water absorption to building development will increase the amount of runoff and erosion.

5. Wildlife corridors currently exist on the proposed property. Development will displace these important corridors and thereby negatively impact the population of endangered species.

6. Gaming opportunities already exist with the county and meet the demands of visitors. There isn't a need for further options.

7. The proposed project is immediately adjacent to existing neighborhoods, town park, and large apartment complex. Residents, specifically children, would be exposed to negative social behaviors that are associated with casinos (smoking, drinking, gambling, use of addictive substances, etc.)

I support rejecting the proposed project. I support not developing this 68.60 acre parcel.

Thank you
Sheryl Lawton

Sent from my iPhone

From: Harold <haroldminkin6@gmail.com>
Sent: Sunday, August 18, 2024 9:54:43 AM
To: Jon Davis <jdavis@townofwindsor.com>
Cc: Harold Minkin <haroldminkin6@gmail.com>
Subject: Letters sent to Biden and Harris

Hi Jon,

Hopefully these letters can be included in with the other information to be sent to the BIA.

Let me know!

Regards,

Harold

Harold Minkin
[redacted]
Windsor, CA 95492
[redacted]
haroldminkin6@gmail.com

August 18, 2024

Vice President Kamala Harris
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Regarding: **Shiloh Resort and Casino Project in Windsor, CA**

Dear Vice President Harris,

I am hoping you and President Biden persuade Deb Haalland, Secretary of the Interior to prevent the Koi Nation from building a casino, as described in my letter In our town of Windsor, California.

I am writing to you as I am a citizen of Windsor, California. I participated on the zoom call on July 30, 2024 at 6 PM. A majority of the people who were on the call were against having a casino built at the proposed location. Both the Town Council of Windsor and Santa Rosa are against having a casino built.

Here are the many issues brought up:
The Koi Nation is from Clear Lake, CA not from Santa Rosa, CA. They are 60 miles from their native lands. No casino has been built in California farther than 15 miles from their native lands.

The land has always been for Residential, agricultural and limited commercial use as mentioned in your EA report. It has Pruitt Creek that runs through the property and floods every year.
The road is only a two lane road and would cause extreme problems for the citizens who live nearby if and when they have a fire, earthquake or other natural disaster. The proposed casino stated in their Environmental Impact report expects to have approximately 2,000 to 5,000 people traveling on Shiloh Road each day. This could be the equivalent of 2500 cars each day.

The U.S Fish and Wildlife Service has stated the endangered Tiger Salamander, Red Legged Frog, potential issues to coho salmon that can be found throughout Windsor, CA. This was in an article on August 31, 2011 from Patch.com. Measure L mentions this in your report, my question is how do you control habitat needs? What measures are to be taken?

It has been proven that where there is a casino an increase in crime, drunk driving, accidents and more have substantially increased. Currently Santa Rosa and Windsor police forces are understaffed as well as the Sonoma County Sheriff's Department. In your EIS report you mention having best management practices to solve these issues and shall “make best efforts to enter service agreements with the Sheriff and Fire Departments, again there are no guarantees which could result in an increase

The casino will also increase noise, air, lighting and groundwater pollution. This is addressed as only an LS (less than significant) issue. It is very much a *huge* concern to homes and businesses in the surrounding area.

During the proposed construction phase lasting from 2023 until the opening date of 2028, the large construction trucks and workers building from 7 am until 5 pm will create a lot of noise, traffic congestion and increase smog in the area.

The casino will affect local businesses and adjacent casino's. In your report you state there will be an overlap of potential market area and project site. **Four casino's affected will be: Graton Resort and Casino, Cache Creek Casino Resort, River Rock Casino and San Pablo Lytton Casino.**

Secondary markets that will also be affected are: Twin Pine Casino and Hotel, Coyote Valley Casino and Hotel, Robinson Rancheria Resort and Casino, Konocti Vista Casino Resort and Sherwood Valley Casino.

Regarding housing, property values, schools and businesses near the proposed casino in your, "sensitive receptors" section you state only LS. Growth Inducing Effects as stated in your report state it will have a negative effect on roadways infrastructure,sewer and water services.

It is known that property values go ***DOWN between 2-10% near a casino!***
They will also be affected by construction noise, night lighting issues, air pollution from all the vehicles, etc.

The needed water of 170,000 gallons per day of potable water and 108,000 gdp of recycled water. Potable water supply would be provided via on-site wells, and recycled water (tertiary treated effluent) would be provided from the on-site wastewater treatment facilities (see Section 2.1.4). Recycled water would be used for toilet and urinal flushing, on-site landscape irrigation, on-site vineyard irrigation, and cooling tower makeup. Fire flow requirements for Alternative A are anticipated to be 2,000 gallons per minute for 4 hours assuming the use of automatic fire sprinklers consistent with applicable requirements of the Tribe's Building and Safety Code of 2023, which are consistent with the California Building Code (CBC, Appendix D-1). as mentioned in 2.1.3 in the report would require several wells at a depth of 700 ft. Currently the surrounding wells on homeowners properties, according to those who spoke on the zoom video, are drying up or are not usable. This brings up many issues, one is where will the casino get water if the wells cannot produce enough to support the casino, hotel and pool? This will impede growth for needed housing, agriculture and other businesses that depend on water.

Another item mentioned in the report is that the casino would be located in a "high fire zone". I did not find where the Koi Nation would be building a fire station nearby. Other major concerns are how to get all the people safely evacuated. Regarding emergencies it is stated you will ONLY have three employees trained as a firefighter and EMT. ***This will NOT be enough workers to assist in case of an emergency***

Both the council members of Sonoma County, including Santa Rosa and Windsor are opposed to having this casino built. The Graton and Dry Creek Pomo tribes have also stated they are against the casino. Many callers from union construction companies that were told they would be hired by the Koi Nation were the very few in favor of the casino.

I am hoping the Koi Nation decides to do 3.13.3.5 Alternative D: No Action Alternative

Regards,

Harold Minkin

CC: President Joe Biden
Amy Dutschke, Pacific Regional Director
Chad Broussard, Environmental Protection Specialist, Deb Haaland, Secretary of the Interior

Harold Minkin
[redacted]
Windsor, CA 95492
[redacted]
haroldminkin6@gmail.com

August 18, 2024

President Joe Biden
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Regarding: **Shiloh Resort and Casino Project in Windsor, CA**

Dear President Biden,

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Regards,

Harold Minkin

CC: Vice President Kamala Harris
Amy Dutschke, Pacific Regional Director
Chad Broussard, Environmental Protection Specialist, Deb Haaland, Secretary of the Interior

From: RICHARD BOYD <richard11boyde@comcast.net>
Sent: Sunday, August 18, 2024 7:37:17 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: comments on Koi Shiloh casino

Please see the attached letter.

August 19, 2024

Windsor Town Council Members
Towncouncil@townofwindsor.com

Subject: EIS Comments, Koi Nation Shiloh Resort and Casino

Dear Windsor Town Council Members:

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 environmental impact statement (EIS) released on July 8, 2024, contains so many vague assessments that one wonders how the BIA could even make a judgement about allowing the Koi Nation to take the land in question into trust. My objections to the EIS are far too numerous to discuss, but I will specify a few to document my objections.

My primary issue is with respect to the partnership between the Koi and the Chickasaw tribes. The Koi number less than 100, so there's no way they could run a casino of the size they are proposing. The Chickasaw certainly do know how to run a casino, and they are apparently trying to tap into the profit potential of California by their attempt to merge with a local tribe to create a new casino. The locals are pawns in the Chickasaw's effort to circumvent the fact that the proposed casinos are 1500 miles from their homeland. Furthermore, it would deliberately compromise the lives and livelihood of the local Indigenous tribes.

Sonoma County and the Town of Windsor have raised numerous concerns related to water supply; wastewater; traffic; air, noise, and light pollution; wildfire risk and evacuation routes; law enforcement and public safety; housing value degradation; 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 even when those are spelled out there is little assurance that they will occur. And the actual mitigation is rarely adequate.

For example, a huge concern of many of the local residents is how fire evacuation will occur. The EIS claims this will be solved by expanding Shiloh Rd. and Old Redwood Highway. But there is scant recognition that there are already more people who will need to be evacuated from the two new apartment complexes than were in the past two evacuations. The Shiloh-Old Redwood and Shiloh-101 intersections were clogged the last time we were evacuated. Adding all the residents from the two new apartment complexes and several thousand more from the proposed casino to this will be catastrophic. The EIS proposes that the thousands of occupants of the casino-hotel would be given an hour's advance notice of an evacuation order, so they could get out first. This isn't much solace to the occupants of Windsor who would need to evacuate along Shiloh Road, since the casino complex evacuees would surely be clogging Shiloh Road as well as the subsequent intersections.

The EIS claims that fires like the last two disastrous ones that occurred in Sonoma County in the past few years won't create another emergency situation because of better advanced warning systems. However, I note that, in some cases, a fire might not give much of a head start. This would be the case of a "dry lightning" storm. One such storm occurred several years ago, and it started nineteen fires in this area. With no warning! It's clear why the EIS doesn't offer any real mitigation

strategies for this situation. It can't be mitigated when the thousands of cars from the casino/hotel are added to our already expanded numbers.

There are so many other problems that are "solved" in the EIS by BMP, but often the solutions are not with the Koi's jurisdiction. In some cases, the EIS states that committees will be set up to study the problem, or an expert biologist will be hired to assess the situation. But those aren't solutions, they merely kick the can down the road.

In another section, it is stated that very little home devaluation occurs as a result of a casino. And the EIS refers to data for homes within a five-mile radius. That is a long way from the casino. It would be much more relevant to discuss home prices within a one-mile radius. Since there will be 25 times as many homes within a five-mile radius as within 1 mile, the number of homes at larger radius will dominate the statistics. This is semantic trickery.

For me the final blow in this EIS comes in section 3.14, where it is stated "**Future development along with project alternatives may cumulatively impact land resources, including topographic changes, soil loss, and seismic risk.** If this EIS is approved for any of the options A, B, or C, the wording of this statement is sufficiently vague that the Chickasaw would apparently have carte blanche to ultimately build whatever they want. irrespective of the many unmitigable environmental impacts.

I should note that I strongly support the efforts of local, indigenous tribes. However, the level of dishonesty and deceit in this EIS troubles me greatly. And the effort of the Chickasaw to establish a casino 1500 miles from their home may well be illegal. Authorizing even one instance of such casino shopping would set a terrible legal precedent.

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 and avoid compromising the lives of the rightful local Indigenous people is for the Bureau of Indian Affairs to approve Option D, the environmentally preferred "no project" alternative in the EIS.

Sincerely,
Richard N. Boyd, Ph.D.
[redacted]
Windsor, CA 95492

From: Sidnee Cox <sidnee@sonic.net>
Sent: Monday, August 19, 2024 10:36 AM
To: chad.broussard@bia.gov; Town Council <TownCouncil@Townofwindsor.com>
Subject: Re: EIS Comments, KOI Nation Shiloh Resort & Casino, Windsor

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

Amy Dutschke, Regional Director
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 Project

Dear Mr. Broussard and Ms. Dutschke,

Thank you for this opportunity to submit public comment regarding the Environmental Impact Statement for the proposed Koi Nation Shiloh Resort and Casino Project. I've read the 278 pages of the EIS, as well as most of the supplemental attachments. I oppose this project for the reasons discussed below.

I understand that in 2019, the Koi Nation became a federally recognized tribe, and in 2021 they purchased the 68 acre vineyard adjacent to Windsor, CA. The Koi Nation intends to establish this site as their sovereign land.

The problem? They don't plan on living there according to the EIS. They plan on building a massive casino complex that will bring thousands of daily visitors, gamblers, vacationers, partiers, and concertgoers, (requiring over a thousand employees), to an agricultural property that contains a vineyard with seasonal waterway (Pruitt Creek, a tributary to the Russian River), as well as several federally protected species. The site is also next to neighborhoods with many homes, as well as apartments filled with families and kids. A county regional park (Shiloh, Regional Park) frequented by hikers, cyclists, and equestrians, and a family friendly park (Esposti Park) with two baseball fields for Little Leaguers and sports teams is right across the street. On an average weekend, the Esposti parking lot can be full.

We understand the Koi lost their homeland in Clear Lake generations ago and have been residing in other areas such as Sebastopol and Santa Rosa. They want a place to call home. Of course that is understandable.

But a home is NOT a 68 acre casino complex that consists of a 400 (or 200) room hotel, multiple restaurants, gaming facilities, spa, entertainment theater, parking garage for thousands of cars, waste water treatment plant, etc.. The Koi resort project will be a cooperative business venture with the Chickasaw from Oklahoma. The Chickasaw will be financing, building, and operating this

project.

This planned resort, which is supposed to reclaim a sovereign place for the Koi to call home, is not only going to cause profound harm to the land and environment, it will also put the surrounding roadways, neighborhoods and recreational parks at risk. The EIS is required to delve deeply into these risks and determine the extent of the harm and explore possible mitigation strategies. Reading through this extensive report, it is obvious that there are too many sources of harm to be mitigated. ("Best Management Practices" are not mitigation and will not render the impacts "less than significant.")

This proposed Koi project will significantly impact air quality, water resources (i.e. well water depletion), crime rates, Pruitt Creek contamination, traffic circulation, fire evacuation, public services, and cause noise and light pollution. No amount of mitigation will change these facts.

A massive casino complex must not be erected on this site (identified as Alternative A and B). Neither should Alternative C- "the non-gaming alternative" which consists of a 200 room hotel with 20,000 sq ft. winery, 5,000 sq ft. visitor's center, spa, restaurant, water and wastewater treatment facility, parking lots, etc. And since the Koi will partnering with the Chickasaw, who own and operate 23 casinos in Oklahoma, including the largest casino in the U.S., how long will it be before Alternative C is turned into Alternative A or B?

Option D, "No action alternatives" would allow the land to remain in its existing condition and not taken into trust "for the foreseeable future." No environmental effects would occur. Pursuant to 40 CRF section 1502.14 (f), Alternative D was determined to be the environmentally preferred alternative.

It is imperative that the Koi procure an alternative site to pursue their business objectives "in order to best meet the tribe's objectives and provide the greatest socioeconomic benefit to the Tribe and the surrounding community."

I have lived in Windsor since 1987. When our town was incorporated in 1992, a community separator and Urban Growth Boundary was established to provide critical open space directly south of town (now the location of the proposed casino project). This open space proved to be a vital firebreak during the Kincade fire in 2019 that threatened to destroy most of Windsor. The flames came within a half mile of our neighborhood on East Shiloh.

It is my prayer and fervent intention that objective logic and clear vision will prevail, and the BIA will not allow this land to be taken into trust for these project alternatives.

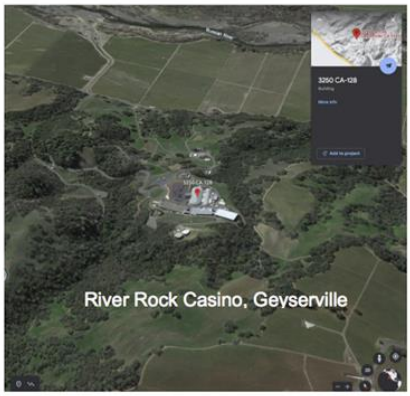
The neighbors of southeast Windsor are exercising our rights as property owners, voters, taxpayers, and stewards of our land. We remain firmly dedicated to opposing this development so we may continue to enjoy a safe and peaceful environment for our families, our community, and our longtime neighbors.

We support the Federated Indians of Graton Rancheria and the Dry Creek Rancheria of Pomo Indians that own and operate the Graton Casino and River Rock Casino, respectively, in Sonoma County.

Some final questions:

- What federal, state or local protections will the environment have if this land is taken into trust?
- Who would monitor the environmental impact on an ongoing basis?
- What steps can be taken by any jurisdiction if environmental requirements are not followed?
- What sort of precedent will be set if the Chickasaw Nation is allowed to get a foothold into the gaming industry in Sonoma County and California?







Above left, Graton Casino, Rohnert Park, is in an industrial and business zone. Above, River Rock Casino, Geyserville, is in a rural area, distant from any developments.

Below, left, the proposed Koi Casino will be located at Windsor's southern boundary. It will be adjacent to residential neighborhoods. The two new apartment complexes impacting evacuation routes are shown in orange.

The proposed Koi project alternatives A, B and C will have significant environmental impact on water resources, traffic, air quality, public services, evacuation planning in emergencies, and more. The most recent EIS does not reduce these impacts to "less than significant."

Thank you for your time on this critical matter.

Sincerely,
Sidnee Cox
[redacted]
Windsor, CA 95492

Sidnee Cox • [redacted] Windsor, CA 95492

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

Amy Dutschke, Regional Director
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 Project

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- What sort of precedent will be set if the Chickasaw Nation is allowed to get a foothold into the gaming industry in Sonoma County and California?







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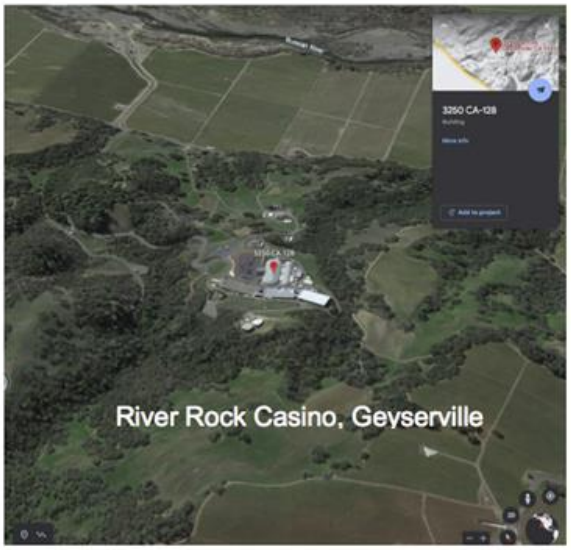
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The proposed Koi project alternatives A, B and C will have significant environmental impact on water resources, traffic, air quality, public services, evacuation planning in emergencies, and more. The most recent EIS does not reduce these impacts to "less than significant."

Sincerely,

Sidnee Cox







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From: betsy mallace <[redacted]>
Sent: Monday, August 19, 2024 12:01 PM
To: Town Council <TownCouncil@Townofwindsor.com>
Subject: MORE SUPPORT AGAINST CASINO FIGHT!! Gov Newsom ltr

Hi,

Just want to be sure you have seen this.

Thanks,

Betsy Mallace

[redacted]

[redacted]

[redacted]

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, 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 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.*

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,

Matthew Lee
Senior Advisor for Tribal Negotiations &
Deputy Legal Affairs Secretary
Office of Governor Gavin Newsom

Cc: Amy Dutschke, Regional Director for the Pacific Region, Bureau of Indian Affairs

From: Nina Cote <nina.cote@sbcglobal.net>
Sent: Saturday, August 17, 2024 9:41 AM
To: Rosa Reynoza <rreynoza@townofwindsor.com>; Nina Cote <nina.cote@sbcglobal.net>
Subject: COMMENTS Regarding - Proposed Koi Mega Casino Resort Location

Hi Rosa,

First, I'd like to thank the Town of Windsor for listening to and supporting their constituents in strong opposition to the proposed casino.

These short comments were written with the intention of being spoken within the three minutes allotted to speakers at this week's special Town Council Meeting. Because many of these topics were touched on at the meeting by other speakers, I made the decision to email them to the council.

I can't reiterate enough times that the proposed casino site is next to the Kincade and Tubbs fire boundaries against the fire prone Mayacamas Mountains.

Per Cal Fire, the **2024 California wildfire season** states Year-to-date, the number of wildfires and the number of acres burned are higher than the five-year average.

The population of Windsor is approximately 26,000 people and Wikiup, Larkfield and Fulton combined have an approximate population of 50,000 people.

The estimated number of people visiting the proposed casino would bring in daily what would amount to another town of Windsor into this small area. An area intended and currently zoned as a land separator between SR and Windsor, agricultural, a scenic route, flood plan and flood way.

This week there was an emergency event on the corner of Shiloh and Old Redwood Highway. Shiloh Road had to be closed between Hembree Lane and Shiloh due to a gas leak and residents were ordered to shelter in place. As this was announced I thought about what it would be like with cars streaming from the freeway to the proposed casino. It would have increased an already complicated situation with cars backing up from 101, and people unfamiliar with the area trying to find alternate routes to the casino.

The proposed location is NOT appropriate for any large business.

The proposed mitigations and best management practice measures proposed by Acorn in the DEIS are invalid in all categories.

Here is an example of mitigation for Noise – installing window assemblies – dual pane windows. Most houses already have dual pane windows, and these don't have the ability to block out the increase in noise. We also don't live with our windows closed, meaning the significant increase in noise will be detrimental to the health and wellbeing of everyone who lives in the surrounding area to the proposed site.

I strongly oppose the proposed casino site and only support the option for no action.

Sincerely, Nina

Nina Cote'

[redacted]

Windsor

From: Sidnee Cox <sidnee@sonic.net>
Sent: Tuesday, August 20, 2024 2:15 PM
To: chad.broussard@bia.gov; Town Council <TownCouncil@Townofwindsor.com>
Subject: Re: EIS Comments revised 8-20-24: KOI Nation Shiloh Resort & Casino, Windsor

Hello,

Please see the revised letter below and attached dated Aug. 20, 2024 regarding my EIS Comments, Koi Nation Shiloh Resort and Casino, Windsor. Also attached is the Aug. 16th letter from Gov. Newsom's office.

Thank you,
Sidnee Cox

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

Amy Dutschke, Regional Director
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 Project

Dear Mr. Broussard and Ms. Dutschke,

Thank you for this opportunity to submit public comment regarding the Environmental Impact Statement for the proposed Koi Nation Shiloh Resort and Casino Project. I've read the 278 pages of the EIS, as well as most of the supplemental attachments. I oppose this project for the reasons discussed below.

I understand that in 2019, the Koi Nation became a federally recognized tribe, and in 2021 they purchased the 68 acre vineyard adjacent to Windsor, CA. The Koi Nation intends to establish this site as their sovereign land.

The problem? They don't plan on living there according to the EIS. They plan on building a massive casino complex that will bring thousands of daily visitors, gamblers, vacationers, partiers, and concertgoers, (requiring over a thousand employees), to an agricultural property that contains a vineyard with seasonal waterway (Pruitt Creek, a tributary to the Russian River). The site is also next to neighborhoods with many homes, and in close proximity to apartments with families and kids. A county regional park (Shiloh, Regional Park) frequented by hikers, cyclists, and equestrians, and a family friendly park (Esposti Park) with two baseball fields for Little Leaguers and sports teams are right across the street. On an average weekend, the Esposti parking lot can be full.

We understand the Koi Tribe lost their homeland in Clear Lake generations ago and many tribe members have been residing in other areas such as Sebastopol and Santa Rosa. They want a place to call home. Of course that is understandable.

But a home is NOT a 68 acre casino complex that consists of a 400 (or 200) room hotel, multiple restaurants, gaming facilities, spa, entertainment theater, parking garage for

thousands of cars, with a waste water treatment plant, etc.. The Koi resort project will be a cooperative business venture with the Chickasaw from Oklahoma.

This planned resort, which is supposed to reclaim a sovereign place for the Koi to call home, is not only going to cause profound harm to the land and environment, it will also put the surrounding roadways, neighborhoods and recreational parks at risk. The EIS is required to delve deeply into these risks and determine the extent of the harm and explore possible mitigation strategies. Reading through this extensive report, it is obvious that there are too many sources of harm to be mitigated. ("Best Management Practices" are not mitigation and will not render the impacts "less than significant.")

This proposed Koi project will significantly impact air quality, water resources (i.e. well water depletion), crime rates, Pruitt Creek contamination, traffic circulation, fire evacuation, public services, and cause noise and light pollution. No amount of mitigation will change these facts.

A massive casino complex must not be erected on this site (identified as Alternative A and B). Neither should Alternative C - "the non-gaming alternative" which consists of a 200 room hotel with 20,000 sq ft. winery, 5,000 sq ft. visitors' center, spa, restaurant, water purification and wastewater treatment facility, and parking lots. And since the Koi will be partnering with the Chickasaw, who own and operate 23 casinos in Oklahoma, including WinStar World Casino and Resort in Thackerville, Oklahoma (perhaps the largest casino in the world), how long will it be before Alternative C is turned into Alternative A or B?

A strong indication that Alternative A or B is the plan of the Chickasaw can be seen in their business model and simply by following the money. For the Koi Nation (a small Pomo band of 90 members) to purchase a 68-acre vineyard in Windsor created some questions at the outset. In January 2022, Koi leaders revealed a pre-development agreement with the Chickasaw Nation whereby Global Gaming Solutions– a wholly owned Chickasaw business– would partner with the Koi to construct a $600 million dollar casino resort and also manage and operate the facility.

Chickasaw Nation Governor, Bill Anoatubby, commented:

"The Chickasaw Nation is pleased to play a role in this project, and we look forward to a successful collaboration…. The prosperity of our citizens and a commitment to working together with our partners in the Koi Nation as well as local, state, and community officials are key components to our mission. We look forward to witnessing new jobs, additional businesses, and increased tourism to this region." ***https://sbcamericas.com/2022/01/25/koi-nation-partners-with-chickasaw-nation-for-planned-shiloh-casino-in-california/***

Additional businesses? Increased tourism? New jobs to the area? What about everything that comes with that? Is this what we want for our town? This project will catapult the Town of Windsor into something unrecognizable and unnecessary, environmentally harmful, and potentially dangerous, especially when we have another evacuation.

This project is opposed by all our Windsor Town Council members, Sonoma County Supervisors James Gore and Lynda Hopkins, State Senator Mike McGuire, U.S. Rep, Jared Huffman, and most recently, Governor Gavin Newsom (see attached letter dated August 16th, released from Gov. Newsom's office).

Option D, "No action alternatives" would allow the land to remain in its existing condition and not taken into trust "for the foreseeable future." No environmental effects would occur. Pursuant to the National Environmental Policy Act's 40 CFR section 1502.14[f], Alternative D was determined to be the environmentally preferred alternative.

It is imperative that the Koi procure an alternative site to pursue their business objectives "in order to best meet the tribe's objectives and provide the greatest socioeconomic benefit to the Tribe and the surrounding community." ***(quote from EIS Section 2- Comparison to the Alternatives 2.5 p. 2-28)***

I have lived in Windsor since 1987. When our town was incorporated in 1992, a community separator and Urban Growth Boundary was established to provide critical open space directly south of town (now the location of the proposed casino project). This open space proved to be a vital firebreak during the Kincade fire in 2019 that threatened to destroy most of Windsor. The flames came within a half mile of our neighborhood on East Shiloh.

It is my prayer and fervent intention that objective logic and clear vision will prevail, and the BIA will not allow this land to be taken into trust for these project alternatives.

The neighbors of southeast Windsor are exercising our rights as property owners, voters, taxpayers, and stewards of our land. We remain firmly dedicated to opposing this development so we may continue to enjoy a safe and peaceful environment for our families, our community, and our longtime neighbors.

We support the Federated Indians of Graton Rancheria and the Dry Creek Rancheria of Pomo Indians that own and operate the Graton Casino and River Rock Casino, respectively, in Sonoma County.

Some final questions:

- **What federal, state or local protections will the environment have if this land is taken into trust?**
- **Who would monitor the environmental impact on an ongoing basis?**
- **What steps can be taken by any jurisdiction if environmental requirements are not followed?**
- **What sort of legal precedent will be set if the Chickasaw Nation is allowed to get a foothold into the gaming industry in Sonoma County and California?**

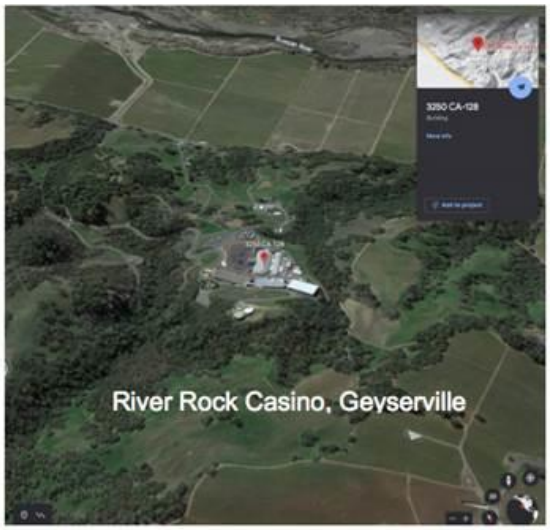
Thank you for your time on this critical matter.

Sincerely,

Sidnee Cox
[redacted]
Windsor, CA 95492

Comparisons between Graton Resort and Casino in Rohnert Park (currently being expanded), River Rock Casino (expansion plans in the works), and the proposed Koi Shiloh Resort and Casino adjacent to Windsor in Sonoma County.





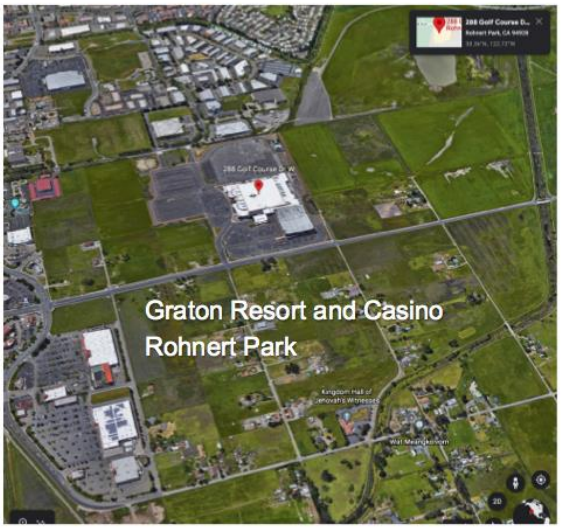


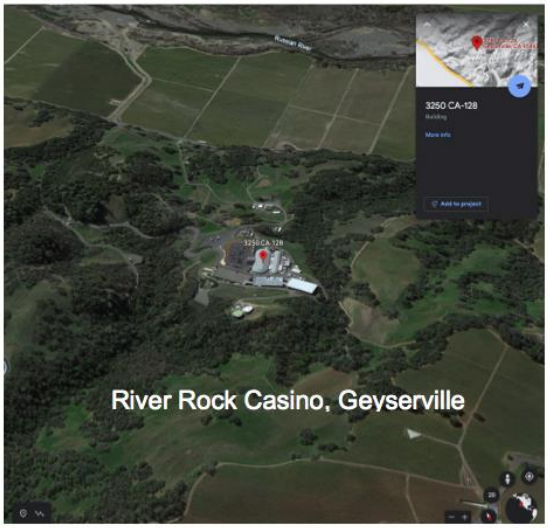
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ATTACHMENT







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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:

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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, 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 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.*

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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,

Matthew Lee
Senior Advisor for Tribal Negotiations &
Deputy Legal Affairs Secretary
Office of Governor Gavin Newsom

Cc: Amy Dutschke, Regional Director for the Pacific Region, Bureau of Indian Affairs

Sidnee Cox • [redacted], Windsor, CA 95492

August 20, 2024

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

Amy Dutschke, Regional Director
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 Project

Dear Mr. Broussard and Ms. Dutschke,

Thank you for this opportunity to submit public comment regarding the Environmental Impact Statement for the proposed Koi Nation Shiloh Resort and Casino Project. I've read the 278 pages of the EIS, as well as most of the supplemental attachments. I oppose this project for the reasons discussed below.

I understand that in 2019, the Koi Nation became a federally recognized tribe, and in 2021 they purchased the 68 acre vineyard adjacent to Windsor, CA. The Koi Nation intends to establish this site as their sovereign land.

The problem? They don't plan on living there according to the EIS. They plan on building a massive casino complex that will bring thousands of daily visitors, gamblers, vacationers, partiers, and concertgoers, (requiring over a thousand employees), to an agricultural property that contains a vineyard with seasonal waterway (Pruitt Creek, a tributary to the Russian River). The site is also next to neighborhoods with many homes, and in close proximity to apartments with families and kids. A county regional park (Shiloh, Regional Park) frequented by hikers, cyclists, and equestrians, and a family friendly park (Esposti Park) with two baseball fields for Little Leaguers and sports teams are right across the street. On an average weekend, the Esposti parking lot can be full.

We understand the Koi Tribe lost their homeland in Clear Lake generations ago and many tribe members have been residing in other areas such as Sebastopol and Santa Rosa. They want a place to call home. Of course that is understandable.

But a home is NOT a 68 acre casino complex that consists of a 400 (or 200) room hotel, multiple restaurants, gaming facilities, spa, entertainment theater, parking garage for thousands of cars, with a waste water treatment plant, etc.. The Koi resort project will be a cooperative business venture with the Chickasaw from Oklahoma.

This planned resort, which is supposed to reclaim a sovereign place for the Koi to call home, is not only going to cause profound harm to the land and environment, it will also put the surrounding roadways, neighborhoods and recreational parks at risk. The EIS is required to delve deeply into these risks and determine the extent of the harm and explore possible mitigation strategies. Reading through this extensive report, it is obvious that there are too many sources of harm to be mitigated. ("Best Management Practices" are not mitigation and will not render the impacts "less than significant.")

This proposed Koi project will significantly impact air quality, water resources (i.e. well water depletion), crime rates, Pruitt Creek contamination, traffic circulation, fire evacuation, public services, and cause noise and light pollution. No amount of mitigation will change these facts.

A massive casino complex must not be erected on this site (identified as Alternative A and B). Neither should Alternative C - "the non-gaming alternative" which consists of a 200 room hotel with 20,000 sq ft. winery, 5,000 sq ft. visitors' center, spa, restaurant, water purification and wastewater treatment facility, and parking lots. And since the Koi will be partnering with the Chickasaw, who own and operate 23 casinos in Oklahoma, including WinStar World Casino and Resort in Thackerville, Oklahoma (perhaps the largest casino in the world), how long will it be before Alternative C is turned into Alternative A or B?

A strong indication that Alternative A or B is the plan of the Chickasaw can be seen in their business model and simply by following the money. For the Koi Nation (a small Pomo band of 90 members) to purchase a 68-acre vineyard in Windsor created some questions at the outset. In January 2022, Koi leaders revealed a pre-development agreement with the Chickasaw Nation whereby Global Gaming Solutions– a wholly owned Chickasaw business– would partner with the Koi to construct a $600 million dollar casino resort and also manage and operate the facility.

Chickasaw Nation Governor, Bill Anoatubby, commented:
"The Chickasaw Nation is pleased to play a role in this project, and we look forward to a successful collaboration…. The prosperity of our citizens and a commitment to working together with our partners in the Koi Nation as well as local, state, and community officials are key components to our mission. We look forward to witnessing new jobs, additional businesses, and increased tourism to this region."
https://sbcamericas.com/2022/01/25/koi-nation-partners-with-chickasaw-nation-for-planned-shiloh-casino-in-california/

Additional businesses? Increased tourism? New jobs to the area? What about everything that comes with that? Is this what we want for our town? This project will catapult the Town of Windsor into something unrecognizable and unnecessary, environmentally harmful, and potentially dangerous, especially when we have another evacuation.

This project is opposed by all our Windsor Town Council members, Sonoma County Supervisors James Gore and Lynda Hopkins, State Senator Mike McGuire, U.S. Rep, Jared Huffman, and most recently, Governor Gavin Newsom (see attached letter dated August 16th, released from Gov. Newsom's office).

Option D, "No action alternatives" would allow the land to remain in its existing condition and not taken into trust "for the foreseeable future." No environmental effects would occur. Pursuant to the National Environmental Policy Act's 40 CFR section 1502.14[f], Alternative D was determined to be the environmentally preferred alternative.

It is imperative that the Koi procure an alternative site to pursue their business objectives "in order to best meet the tribe's objectives and provide the greatest socioeconomic benefit to the Tribe and the surrounding community." *(quote from EIS Section 2- Comparison to the Alternatives 2.5 p. 2-28)*

I have lived in Windsor since 1987. When our town was incorporated in 1992, a community separator and Urban Growth Boundary was established to provide critical open space directly south of town (now the location of the proposed casino project). This open space proved to be a vital firebreak during the Kincade fire in 2019 that threatened to destroy most of Windsor. The flames came within a half mile of our neighborhood on East Shiloh.

It is my prayer and fervent intention that objective logic and clear vision will prevail, and the BIA will not allow this land to be taken into trust for these project alternatives.

The neighbors of southeast Windsor are exercising our rights as property owners, voters, taxpayers, and stewards of our land. We remain firmly dedicated to opposing this development so we may continue to enjoy a safe and peaceful environment for our families, our community, and our longtime neighbors.

We support the Federated Indians of Graton Rancheria and the Dry Creek Rancheria of Pomo Indians that own and operate the Graton Casino and River Rock Casino, respectively, in Sonoma County.

Some final questions:

- What federal, state or local protections will the environment have if this land is taken into trust?
- Who would monitor the environmental impact on an ongoing basis?
- What steps can be taken by any jurisdiction if environmental requirements are not followed?
- What sort of legal precedent will be set if the Chickasaw Nation is allowed to get a foothold into the gaming industry in Sonoma County and California?

Thank you for your time on this critical matter.

Sincerely,

Sidnee Cox

Sidnee Cox

Comparisons between Graton Resort and Casino in Rohnert Park (currently being expanded), River Rock Casino (expansion plans in the works), and the proposed Koi Shiloh Resort and Casino adjacent to Windsor in Sonoma County.







Above left, Graton Casino, Rohnert Park, is in an industrial and business zone. Above, River Rock Casino, Geyserville, is in an agricultural/rural area, not near any housing developments.

Below, left, the proposed Koi Casino will be located at Windsor's southern boundary.
It will be adjacent to residential neighborhoods.
The two new apartment complexes impacting evacuation routes are shown in orange.

The proposed Koi project alternatives A, B and C will have significant environmental impact on water resources, traffic, air quality, public services, evacuation planning in emergencies and more. The most recent EIS does not reduce these impacts to "less than significant."

To the Town of Winsor,

I would like to add some comments to the meeting about casino, I was at meeting last week .

My very smart neghbors covered the bias and very sloopy envirermental report, and the fire danger to all of us. I agree with all that was said.

I live at [redacted], 30 feet from road edge on Pruit creek,due to setback regulation I can not drill another well on my property and the city of Winsor has a moratoriam on hooking up to the pipe in street. My well is shallow.

The night of the Tubbs fire my dinner guest started home about 10ish and called to warn us that fields were burning at Shiloh and 101. Then as she traveled south on 101 large lite cinders were crossing freeway, I am sure there are records of when 101 closed, the main escape route. From my porch we watched as Larkfield burn fast with propane tanks sending colloms of flames into air. With escape blocked south with only a north 101 evacuation and many thousands more cars then we had then ,because of new apartments, events and hotel- casino. There are many ways to loss life with these conditions.

Thank you for this space to speak.

Richard Kluck, 43 year here.

[redacted]

Sam Salmon, Windsor Town Councilmember since 1994
956 Milsom Place, Windsor, Ca. 95492

August , 2024

Amy Dutschke
Regional Director of Indian Affairs, Pacific Region
2800 Cottage Way
Sacramento, Ca. 95825

Dear Director Dutschke;

I am writing to voice my concern and objection to the findings in the Draft EIS for the Koi Nation Casino Project. It is my conclusion, supported by the technical evaluation provided by the Town of Windsor, that the Draft fails to accurately reflect the impacts of the project alternatives as to traffic congestion and safety of pedestrians and bicyclists with the dramatic increases of unplanned vehicles usage of Shiloh Road and the Old Redwood Hwy 101 intersections, emergency evacuation route capacity in times of fire, ground water capacity and the effect on the Town's and Town's adjacent neighbors with the projected needs of the Koi Casino project alternatives, aas well as flooding potential and waste water processing.

I would also like to relay my concern with the inadequacy of the July 30, 2024 public comment forum via zoom put forth by your office. I raised my hand at 6 pm sharp and for the waited for the next 3 hours to be called upon before giving up. At my mid-point in waiting I also raised my hand via the telephone, and again was not called. The inability to testify was noted by many community members.

I think it is important to state some of the historically significant of the Shiloh Road corridor between Old Redwood Hwy. and the Hwy. 101 interchange. Approximately 15 years ago the Town of Windsor established specific zoning and design guidelines for this area and documented the effort in the adoption of the Shiloh Vision Plan. The Town acknowledged this corridor would become a major neighborhood with multi-family housing and varied retail and commercial establishments. We wanted to plan for a walkable, bikeable, attractive mixed use neighborhood. Accommodation of the project's traffic will render our efforts impossible with the congestion generated by the project. Since the Koi Casino project is of a like size as the existing Graton

Resort Casino, 15 miles to the south comparisons can be made as to impacts in real time. The Graton Casino (Graton) is directly off Hwy 101, in a zoned commercial area of Rohnert Park. The land surrounding is commercial and to the west, non-intensive agriculture being grassland and owned by Graton as opposed to the Koi's project being almost a mile off Hwy. 101 and adjacent to homes and within a community separator and more importantly within an area directly threatened by past wildfires.

Here in Sonoma County, we have experience three devastating wildland fires, two, the Tubbs and Kincaid Fires, directly threated the project area necessitating evacuations. To understand the enormity of the threat of wildfire to the project area, visualize the October 2019 Tubes Fire devastating Santa Rosa's hillside community of Fountain Grove, then only to witness the fire sweep through a mobile home park on the east side of Highway 101, jump five lanes of highway, a median and shoulders on both sides to the west of Hwy 101, ultimately destroying the Kmart shopping center and 1300 structures in the residential neighborhood of Coffey Park, the vast majority single family homes. The storyline at Tubbs Fire- Wikipedia provides a shocking description of the devastation and the loss of 22 lives. It is imperative to assert that the Department's EIS for this project did not begin to assess the impacts of potential wildfires and the necessary evacuation procedures. These impacts remain non-mitigable.

Groundwater is another source of concern and inadequately addressed in the EIS. I sit on the Santa Rosa Plain Groundwater Sustainability Agency which was formed at the mandate of the State of California to protect and manage the groundwater supplies in the basin in which the project resides. The Project will not meet the standards being set by this agency and the EIS provides no meaning mitigation.

I have reviewed dozens of letters provided to the Town of Windsor that are being or have been provided to the Bureau. The Town has prepared a very technical assessment of the EIS finding it wholly unacceptable with inadequate study and wrong conclusions. I am hopeful the Bureau will deny the KOI's application in the location they have chosen.

Respectively submitted,

Sam Salmon, Member, Windsor Town Council since 1994