TOWN OF WINDSOR
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MAY 31 2022

NOTICE OF PREPARATION OF AN ENVIRONMENTAL ASSESSMENT / TRIBAL ENVIRONMENTAL IMPACT REPORT

PROJECT TITLE: Koi Nation of Northern California Shiloh Resort and Casino Project

NEPA LEAD AGENCY: Bureau of Indian Affairs, Department of the Interior

TRIBAL LEAD AGENCY: Koi Nation of Northern California

SCOPING COMMENT PERIOD: Friday, May 27 – Monday, June 27, 2022.

SUMMARY: The Koi Nation of Northern California (Koi Nation) proposes to build a resort and casino on land that it owns in unincorporated Sonoma County, California adjacent to the Town of Windsor (Proposed Project). As part of the Proposed Project, an application has been filed with the Bureau of Indian Affairs (BIA) to take approximately 68.6 acres of land into trust on behalf of the Koi Nation for gaming purposes. The federal actions necessary to implement the Proposed Project trigger the requirements of the National Environmental Policy Act (NEPA). This notice advises the public that the BIA, as NEPA lead agency, intends to gather information necessary for preparing an Environmental Assessment (EA) pursuant to NEPA in connection with the Proposed Project. This notice also announces and opens the public scoping process. Interested parties are invited to submit comments identifying potential environmental issues, concerns, reasonable mitigation measures, and alternatives to be considered in the EA. Additionally, based on the anticipated requirements of a future Tribal-State Compact between the State of California and the Koi Nation, a Tribal Environmental Impact Report (TEIR) will be required to analyze the potential off-reservation environmental impacts of the Proposed Project. To reduce paperwork and eliminate redundancy, the TEIR will be prepared in coordination with the Environmental Assessment EA, resulting in a joint "EA/TEIR" (herein referred to as an "EA"). Thus, this notice is also intended to fulfill the anticipated requirements of the Tribal-State Compact to provide interested parties with information describing the Proposed Project and its

potential significant effects and the opportunity to provide comments related to the scope and alternatives to be addressed within the environmental document. Information is available online at shilohresortenvironmental.com.

DATES: Written comments on the scope of the EA should be sent as soon as possible and no later than Monday, June 27, 2022 (30 days after publication of this notice in The Press Democrat). (An additional comment period for the draft EA will be announced at a later date through the publication of a Notice of Availability.)

ADDRESSES: You may mail or hand-deliver written comments to Amy Dutschke, Regional Director, Bureau of Indian Affairs, Pacific Region, 2800 Cottage Way, Sacramento, CA 95825. Please include your name, return address, and "Koi Nation Shiloh Resort and Casino Project" on the first page of your written comments. You may also submit comments through email to Chad Broussard, Environmental Protection Specialist, Bureau of Indian Affairs, at chad.broussard@bia.gov. If emailing comments, please use "Koi Nation Shiloh Resort and Casino Project" as the subject of your email.

FOR FURTHER INFORMATION CONTACT: Chad Broussard, Environmental Protection Specialist, Bureau of Indian Affairs, Pacific Regional Office, 2800 Cottage Way, Room W–2820, Sacramento, CA 95825; telephone: (916) 978–6165; e-mail: chad.broussard@bia.gov. Information is also available online at shilohresortenvironmental.com.

SUPPLEMENTARY INFORMATION:

Project Description and Location: The Koi Nation submitted an application to the BIA on September 15, 2021 requesting that the Secretary of the Interior take title to approximately 68.6 acres of fee land (project site) in unincorporated Sonoma County, California, in trust for the Tribe, pursuant to Section 5 of the Indian Reorganization Act, 25 U.S.C. § 5108, and its

implementing regulations (Proposed Action). The project site is located outside of, but contiguous to, the Town of Windsor (**Figure 1** and **Figure 2**), and approximately 12 miles from the Koi Nation's tribal headquarters in Santa Rosa, California. The project site is bordered by Shiloh Road and residential parcels to the north, Old Redwood Highway and residential parcels to the west, and agricultural and commercial parcels in unincorporated Sonoma County to the south and east (**Figure 3**). Existing land uses on the project site consist of a residence and operating vineyard; Pruitt Creek bisects the central portion of the site.

The Proposed Project includes the development of a casino, hotel, conference/event center, restaurant/bars, and supporting parking and infrastructure within the project site. The riparian areas of Pruitt Creek will be primarily avoided by the proposed development. The portions of the project site outside of the riparian area and building footprint would be landscaped with existing vineyard areas maintained around the perimeter of the site to the extent feasible. Water supply to serve the project is proposed through the use of on-site wells, and wastewater would be treated via a proposed on-site tertiary wastewater treatment plant (WWTP). Recycled water generated by the proposed on-site WWTP would be reused for toilet/urinal flushing, cooling systems, and for irrigation of the vineyards and landscaping; thereby reducing the potable water demands of the Proposed Project. During dry periods, excess recycled water would either be stored on-site in detention basin(s) or could be utilized to irrigate nearby agricultural fields and parks; during the rainy season, the tertiary treated effluent would be discharged to Pruitt Creek in accordance with a National Pollutant Discharge Elimination System (NPDES) permit from the U.S. Environmental Protection Agency (EPA). Access to the site may be provided through new driveways on Shiloh Road and Old Redwood Highway. The Koi Nation has indicated in its application that the BIA's acquisition of the project site for gaming purposes will establish: (i)

the first trust property for the Koi Nation on its restored lands in accordance with the Indian Gaming Regulatory Act (IGRA); and (ii) its economic land base in order to promote the general welfare of the Koi Nation and its members, raise governmental revenues, and create jobs for its members.

Alternatives: The Proposed Action encompasses the various federal approvals that may be required to implement the Proposed Project, including the placement of the site into federal trust for the Koi Nation for gaming purposes. The EA will identify and evaluate issues related to these approvals, and it will also evaluate a range of reasonable alternatives. Possible alternatives currently under consideration include: (i) the Proposed Project as described above; (ii) a reduced-intensity alternative; (iii) a non-gaming alternative; and (iv) a no action alternative. The range of alternatives to be addressed in the EA may be expanded or reduced during the scoping process.

Scope of the EA and Potential Environmental Effects: Issue areas identified for analysis in the EA include land resources/geology and soils; water resources; air quality/greenhouse gases; biological resources; cultural resources; socioeconomic conditions/environmental justice; transportation and circulation; land use; public services and utilities; noise; hazardous materials; aesthetics; and cumulative, indirect, and growth-inducing effects. The range of issues to be addressed in the EA may be expanded or reduced during the scoping process.

This section of this notice briefly discusses, based on current knowledge without the benefit of the environmental analysis that will be performed as part of the EA process, possible areas in which potential environmental impacts, including off-reservation impacts, attributable to the Proposed Project may occur. As noted above, the EA will include analysis of the Proposed Project's environmental impacts associated with the following resource areas:

- Land Resources/Geology and Soils – The Proposed Project would be constructed on the project site and will be built to applicable federal and state building code standards, including all applicable earthquake safety standards. It is therefore not anticipated that any people or structures would be subjected to adverse effects from earthquakes, ground shaking, seismic ground failure, landslides, or erosion as a result of the Proposed Project.
- Water Resources – The Proposed Project would be provided water supply and wastewater services through existing and proposed on-site wells and proposed on-site wastewater treatment and disposal systems. Recycled water generated by the proposed on-site WWTP would be used toilet/urinal flushing, cooling systems, and for irrigation of the vineyards and landscaping; thereby reducing the potable water demands of the Proposed Project. During the dry months of the year, excess recycled water would either be stored on-site in detention basin(s), or could be utilized to irrigate nearby agricultural fields and parks; during the rainy season, the tertiary treated effluent would be discharged to Pruitt Creek in accordance with an NPDES permit from the EPA and associated waste discharge requirements established to attain and maintain applicable water quality criteria to protect habitat and the designated beneficial uses of the creek. Construction of the Proposed Project could increase the potential for stormwater erosion and direct or indirect discharge of sediment and other materials into Pruitt Creek, which bisects the project site, and off-reservation drainages near the project site.
- Air Quality/Greenhouse Gases – The Proposed Project would generate short-term emissions, including dust, during the construction phase and long-term emissions from vehicle traffic, both of which could contribute to existing or projected air quality issues. Additionally, the Proposed Project would result in short-term emissions of greenhouse gas (GHG) associated

with construction and long-term GHG emissions primarily associated with vehicle traffic and energy usage, which could contribute to cumulative effects associated with climate change.

- Biological Resources – Construction activities for the Proposed Project would be on land that has already been disturbed with prior grading and development and is surrounded on all sides by development and agriculture. Accordingly, impacts to terrestrial biological resources would likely be minimal. Pruitt Creek, which bisects the site, is designated as critical habitat (pursuant to the federal Endangered Species Act), designated as essential fish habitat (pursuant to the Magnuson-Stevens Fishery Conservation and Management Act), and provides potential habitat for several federally-listed salmonids. To the extent feasible, the Proposed Project would avoid development within Pruitt Creek and associated riparian corridor. As described above, excess recycled water could be discharged to Pruitt Creek during the winter months under a NPDES permit from the EPA and associated waste discharge requirements established to attain and maintain applicable water quality criteria to protect habitat and the designated beneficial uses of the creek. Therefore, impacts to aquatic resources and fish species would likely be minimal.

- Cultural Resources – Construction activities for the Proposed Project would be on land that has already been disturbed with prior grading and development and is surrounded on all sides by development and agriculture. The nearest recorded archaeological resource is a lithic scatter approximately ¼ to ½ mile east of the Project site. Based on historic aerial review and the reconnaissance surveys, existing on-site structures were constructed after 1998 and thus do not meet the age eligibility of a historic resource (generally defined as 50 years or older). Accordingly, impacts to cultural resources would likely be minimal.

- Socioeconomics/Environmental Justice – The existing house on the project site is owned by the Koi Nation and not currently occupied; therefore, the Proposed Project would not displace any existing housing. The Proposed Project would provide new employment opportunities that could have an impact on housing availability. The Proposed Project will generate economic output and could result in substitution effects, fiscal effects, and social effects.
- Transportation and Circulation – The Proposed Project would generate additional vehicular use of certain public roads, contributing to increased traffic volumes and possible deterioration of levels of service.
- Land Use –The Proposed Project would be constructed on the project site after it is taken into federal trust, and it is therefore not anticipated that any off-reservation land use plan, policy, habitat conservation plan, or natural community conservation plan would apply to the Proposed Project. While project site is located near a large commercial center, the Proposed Project would maintain existing vineyard areas around the site perimeter to reduce the potential for land use conflicts with adjacent residential and agricultural uses.
- Public Services– It is anticipated that police and fire protection services would be provided to the Proposed Project by local jurisdictions. The Proposed Project would employ additional employees and attract additional patrons that could use public services and facilities. The Proposed Project would be provided water supply and wastewater services through existing and proposed on-site wells and proposed on-site wastewater treatment and disposal systems; therefore, no off-reservation extension or expansion of the Town of Windsor's infrastructure would be needed to service the Proposed Project.
- Noise – Construction and operation of the Proposed Project could increase noise levels and vibration in areas near the Proposed Project.

- Hazardous Materials – Certain hazardous materials would be used in the construction and in the operation of the Proposed Project. Misuse of these materials or encounters with previously unknown contamination on the project site could occur.
- Aesthetics – The Proposed Project would change the visual character of the project site by introducing high intensity urban uses within the project site currently developed with vineyards and a rural residence. Additionally, the Proposed Project will introduce a new source of light and glare to the project area.

PUBLIC COMMENT AVAILABILITY: Comments, including names and addresses of respondents, will be available for public review at the BIA address shown in the ADDRESSES section, during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Before including your address, telephone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask in your comment that your personal identifying information be withheld from public review, the BIA cannot guarantee that this will occur.

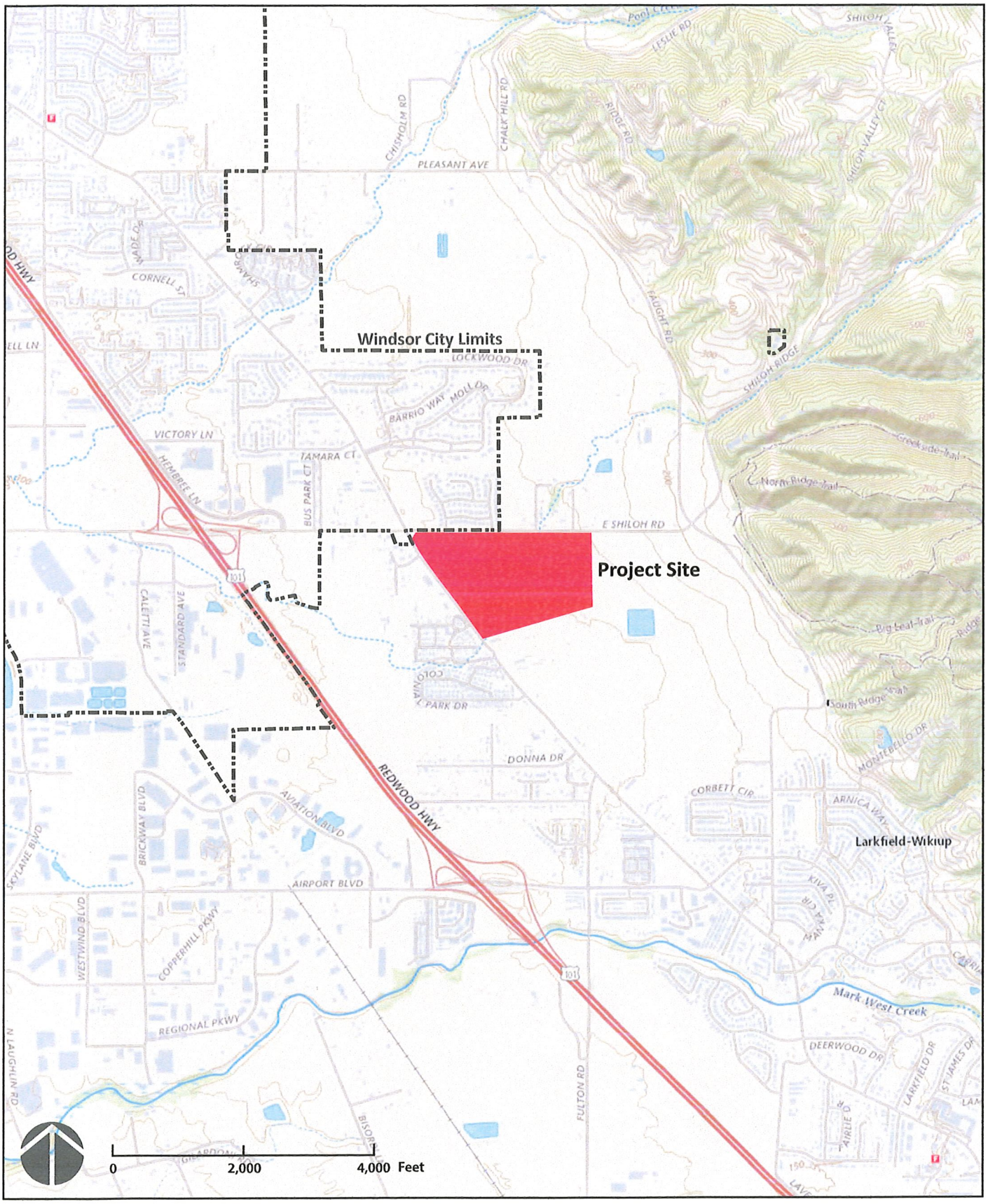
Dated: May 27, 2022



Source: Maxar imagery (4/16/2021)

FIGURE 1

REGIONAL LOCATION MAP



Source: USGS The National Map (June 2020)

FIGURE 2

VICINITY MAP



Source: Maxar imagery (4/16/2021)

FIGURE 3

PROJECT SITE