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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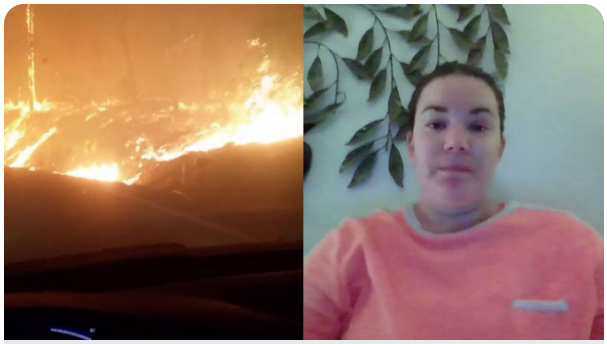
CNN headline today 8/14 about Athens fire- " the fire moved faster than the cars"

"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)



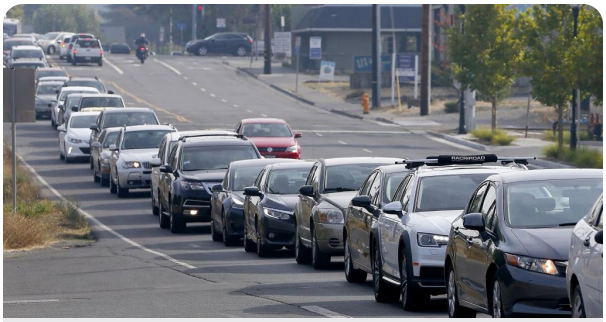
'The car's on fire, I'm not going to make it': Nurse recounts escape from California fire
youtube.com

The car's on fire. I'm not going to make it"

"Forced out by deadly fires. Then trapped in Traffic.

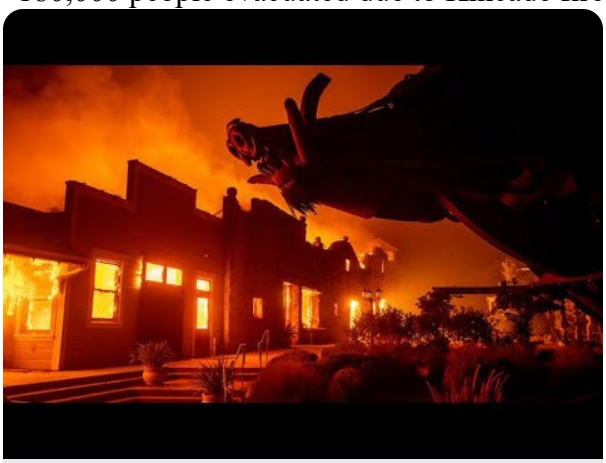


Forced Out by Deadly Fires, Then Trapped in Traffic (Published 2018)
nytimes.com



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

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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.**

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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,

I am hoping you can 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.

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I am hoping the Koi Nation decides to do 3.13.3.5 Alternative D: No Action Alternative

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.

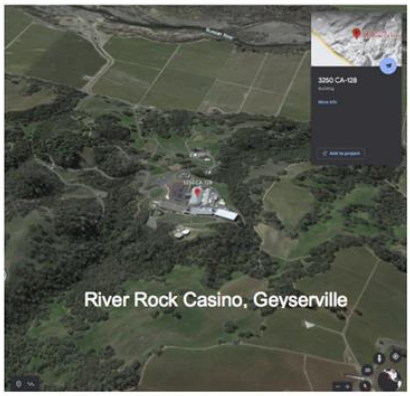
The neighbors of southeast Windsor are exercising our rights as property owners, voters, taxpayers, and stewards of our land. We remain firmly dedicated to opposing this development so we may continue to enjoy a safe and peaceful environment for our families, our community, and our longtime neighbors.

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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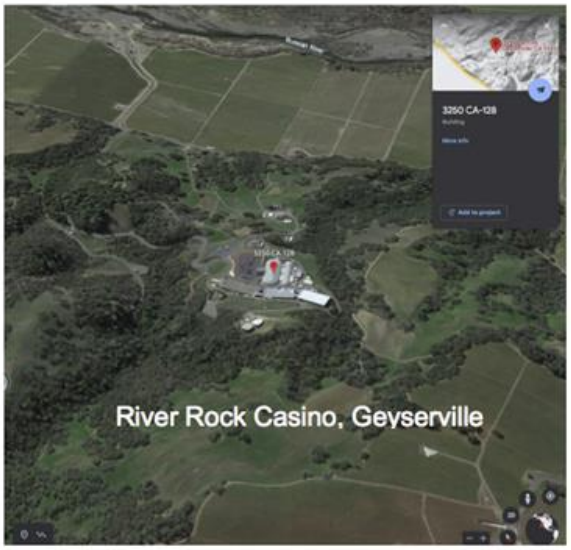
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Sincerely,

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?**

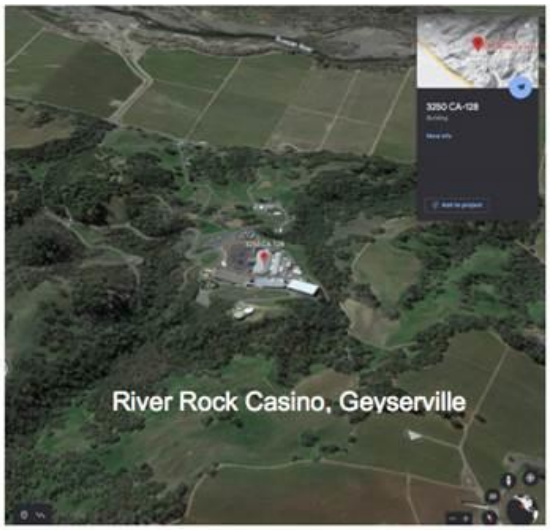
Thank you for your time on this critical matter.

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.





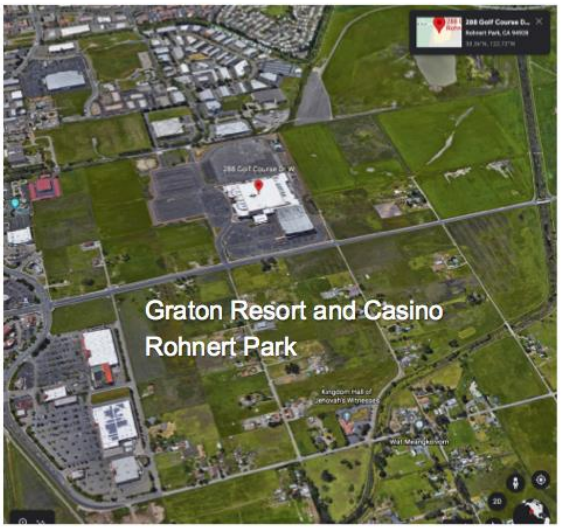


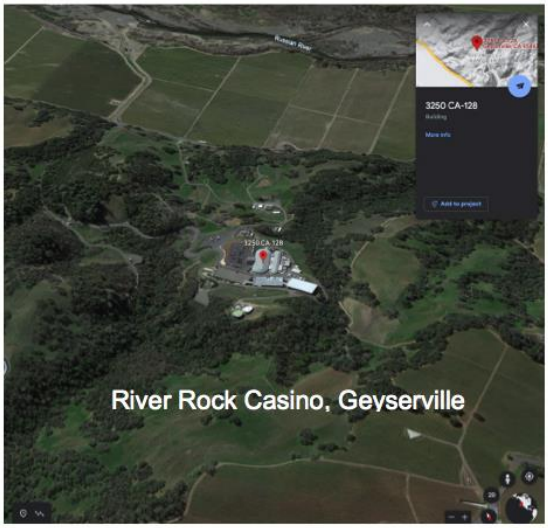
Above left, Graton Casino, Rohnert Park, is in an industrial and business zone. Above, River Rock Casino, Geyserville, is in an agricultural/rural area, not near any housing developments.

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."

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:

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.

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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).

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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

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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.

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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.

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"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