



FINAL ENVIRONMENTAL IMPACT STATEMENT

REDDING RANCHERIA FEE-TO-TRUST AND CASINO PROJECT

VOLUME I - RESPONSE TO COMMENTS

FEBRUARY 2024

LEAD AGENCY:

U.S. Department of the Interior
Bureau of Indian Affairs
Pacific Region Office
2800 Cottage Way # W2820
Sacramento, CA 95825



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- Attachment A Draft EIS: Comments
- Attachment B Draft EIS: Notices of Availability

SECTION 1.0

INTRODUCTION

The Notice of Availability (NOA) of the Draft Environmental Impact Statement (EIS), available in **Attachment B**, for the proposed Redding Rancheria Fee-To-Trust And Casino Project (Proposed Project) was published by the Bureau of Indian Affairs (BIA) in the Federal Register on April 10, 2019, and the EPA subsequently published a Notice of Availability in Federal Register on April 19, 2019, which provided a 45-day comment period ending on June 3, 2019. This comment period was extended two weeks to June 17, 2019. On May 20, 2019, a public hearing was held at the Redding Memorial Veterans Hall, during which verbal and written comments on the Draft EIS were received. In total, the BIA received 201 comment letters and 47 verbal public hearing comments during the comment period for the Draft EIS.

This Final EIS has been prepared according to the requirements of the National Environmental Policy Act (NEPA), which state that the lead agency shall consider and respond to all “*substantive comments*” on the Draft EIS which were timely submitted during the public comment period (40 Code of Federal Regulations [CFR] § 1503.4).

The Final EIS is organized into two volumes:

- Volume I contains this introduction chapter, all comments received on the Draft EIS (listed in **Section 2.0** and reproduced in **Attachment A**), general responses to frequently submitted comments (**Section 3.0**), and responses to substantive comments raised in the individual comment letters (**Section 4.0**). If any comment required revisions or clarifications to the Draft EIS text, corresponding text changes to the EIS are noted within the responses to comments.
- Volume II is composed of the revised text of the EIS and provides new and supplementary appendices that were not included in the Draft EIS.

The response to comments provided herein, along with the revised EIS text, will be considered by the BIA prior to issuing a decision on the Proposed Action. Following the 30-day waiting period for this Final EIS, the BIA may decide on the Proposed Action. At the time the BIA makes its decision, a concise public Record of Decision (ROD) will be prepared that states: what the decision is, identifies all the alternatives considered in reaching the decision, and discusses preferences among alternatives based on relevant factors including economic and technical considerations and the BIA’s statutory mission (40 C.F.R § 1505.2). The ROD will also identify and discuss all factors that were considered in making the decision and discuss whether all practicable mitigation measures have been adopted to minimize environmental effects. If all practicable measures are not adopted, the BIA must state why such measures were not adopted. The Council of Environmental Quality (CEQ) requires that, “Mitigation and other conditions established in the EIS or

during its review and committed as part of the decision shall be implemented by the lead agency or other appropriate consenting agency” (40 C.F.R. § 1505.3). Specific details of any adopted mitigation measures shall be included as appropriate conditions in the ROD by the lead agency.

SECTION 2.0

COMMENT LETTERS

This section lists all of the comments received by the U.S. Department of the Interior Bureau of Indian Affairs (BIA) on the Draft Environmental Impact Statement (EIS) during the comment period. The comments presented herein were submitted to the BIA by way of letter, email, written comment cards, and verbally at the public hearing held for the Draft EIS. All received comments are indexed in **Table 2-1** and presented in their entirety in **Attachment A**. Comments are organized into five categories: those submitted in writing by public agencies and other governmental entities (A); those submitted in writing by tribal governments (T); those submitted in writing by individual private citizens and/or organizations, including comment cards received at the May 20, 2019, public hearing (I); those given orally during the public hearing as recorded on the official public hearing transcript (PH); and those submitted using a form sponsored by Speak Up Shasta (F). In addition to category, each comment letter is assigned a unique number (e.g. A1), and then individual comments within the letters have been bracketed into specific substantive comments, which are then numbered (e.g., A1-1) for ease of reference. **Section 3.0** contains general responses to issues raised in the letters, and **Section 4.0** contains responses which correspond to the numbered comments in **Attachment A**.

TABLE 2-1
COMMENT INDEX

GOVERNMENT AGENCIES (A)			
Number	Agency	Name	Date
A1	Central Valley Flood Protection Board	Andrea Buckley, Environmental Services and Land Management Branch Chief	4/16/2019
A2	State Board of Equalization	Sen. Ted Gaines (Ret.)	5/20/2019
A3	Congress of the United States, Washington, DC	Doug LaMalfa, Member of Congress	5/10/2019
A4	City of Redding, CA	Julie Winter, Mayor	5/22/2019
A5	U.S. Environmental Protection Agency	Connell Dunning, Acting Manager Environmental Review Branch	6/3/2019
A6	Shasta County	Leonard Moty, Chairman	6/11/2019
A7	Shasta Regional Transportation Agency	Daniel S.Little, AICP Executive Director	6/17/2019
A8	California Department of Transportation	Marcelino Gonzalez	6/17/2019
A9	California Department of Fish & Wildlife	Tina Bartlett, Regional Manager	6/17/2019
A10	California State Lands Commission	Eric Gillies, Acting Chief	6/17/2019
A11	Central Valley Regional Water Quality Control Board	Clint E. Snyder, Assistant Executive Officer	6/17/2019

2.0 Comment Letters

I30	Wendalyn Jesson		5/20/2019
I31	Wendy Foooh		5/20/2019
I32	*no name*		5/20/2019
I33	Debe Hopkins		5/20/2019
I34	Michael Crook		5/22/2019
I35	Savanna Edwards		5/23/2019
I36	Daniel McGann & Blossom Hamusek		5/23/2019
I37	Don Barich		5/23/2019
I38	Michael Middendorp		5/24/2019
I39	Hazel Hughes		5/25/2019
I40	Shelly Hutchinson		5/26/2019
I41	Kathy Grissom		5/26/2019
I42	Lang M. Dayton, Chair.	Trails & Bikeways Council of Greater Redding	5/29/2019
I43	Paul Hughes		5/29/2019
I44	Trish Stoffers		5/30/2019
I45	Edmond Brewer		6/1/2019
I46	Cheryl Schmit, Director	Stand Up For California	6/3/2019
I47	Bob Madgic		6/5/2019
I48	Dale Widner		6/6/2019
I49	L.M.		5/31/2019
I50	J. Scott Foott		6/11/2019
I51	Jacquelyn Jansen		6/11/2019
I52	Kathyrn Patterson		6/11/2019
I53	Lynn Clevenger		6/11/2019
I54	Robert Fuller		6/11/2019
I55	Cathy Wheeler		6/12/2019
I56	Dennis Daniel		6/12/2019
I57	Irene Jackson		6/12/2019
I58	Christine Miille		6/12/2019
I59	Kimberly Mare & David Bailey		6/12/2019
I60	Denal & John Jurin		6/12/2019
I61	Marjorie Riffel		6/12/2019
I62	Mimi Ramsey		6/12/2019
I63	Anne Wallach Thomas, Director	Shasta Living Streets	6/13/2019
I64	Mary Ocasion		6/13/2019
I65	Mimi Moseley		6/13/2019
I66	Rick Ramos		6/13/2019
I67	Tom Reemts	Churn Creek Bottom: Home Owners and Friends Org.	6/13/2019
I68	Annette Littier		6/14/2019
I69	Gary Bossuot		6/14/2019
I70	Glen Harmer		6/14/2019

2.0 Comment Letters

PH4	Susan Jensen	Executive Director	CA Nations Indian Gaming Association
PH5	Esteban Pizano		
PH6	Joanne McCorley		Shining Care
PH7	Maria Orozco		Redding Rancheria
PH8	Diane Kinyon		
PH9	Craig A. Wages Jr.		
PH10	Tom Reeits		
PH11	Frank Treadway		
PH12	Joe Furnari		
PH13	Michael Burke		Non-Project Management
PH14	Linda L. Mitchell		
PH15	Garth Sundberg		Trinidad Rancheria
PH16	Sean Murillo		
PH17	Robb Korinke		Speak Up Shasta
PH18	Alan Hill		
PH19	Christ Hues		Win - River Casino
PH20	Jim Morrow		
PH21	Dan Frost		
PH22	Nick Gardner		
PH23	John Livingston		Sierra Club
PH24	Mike Schraner		
PH25	Cameron G. Frank		
PH26	Pam Hughes		
PH27	Julie Buick		
PH28	Tom Sanchez		
PH29	Lane Rickard		
PH30	Cindy Lamkin		
PH31	Agnes Gonzalez		Pit River Tribe
PH32	Margo Wilson		
PH33	Kay Wilson		
PH34	Anne Bonacci		
PH35	Danielle Brewster		Women's Health Specialists & Northern Women's Health Network
PH36	Kristyn Kuroki		
PH37	Ken Murray		
PH38	Todd Giles		
PH39	Shannon Giles		

2.0 Comment Letters

F32	Sarah Wickenheiser		6/12/2019
F33	Tami Dwinell-Nisbet		6/12/2019
F34	Van Williams		6/12/2019
F35	Mikayla Loucks		6/12/2019
F36	Kile McClure		6/13/2019
F37	Fran Mazet		6/14/2019
F38	George Boreham		6/14/2019
F39	Glen Harmer		6/14/2019
F40	Gordon Woodman		6/14/2019
F41	Joan Gillette		6/14/2019
F42	Joslyn Mitchell		6/14/2019
F43	Joyce Cannon		6/14/2019
F44	Lance Smith		6/14/2019
F45	Marilyn Selke		6/14/2019
F46	Michael Mitchell		6/14/2019
F47	Nick & Jackie Shidlovsky		6/14/2019
F48	Penny Woodmansee		6/14/2019
F49	Phyllis Schwerin		6/14/2019
F50	Robbin Borden		6/14/2019
F51	Stan Bridges		6/14/2019
F52	Steven Anderson		6/14/2019
F53	Brent Collins		6/15/2019
F54	Brian Rice		6/15/2019
F55	Brian White		6/15/2019
F56	Crystal Wadzeck		6/15/2019
F57	Diana Gifford-Tuggle		6/15/2019
F58	Jan Clark		6/15/2019
F59	Jan Garner		6/15/2019
F60	Jeanette M Bell		6/15/2019
F61	Jen Skelton		6/15/2019
F62	Jonni-Lynn Malley		6/15/2019
F63	Kristi Schafer		6/15/2019
F64	Melody Fowler		6/15/2019
F65	Phyllis Lawler		6/15/2019
F66	Ross Jones		6/15/2019
F67	Willene v. L. Pursell, Ph. D.		6/15/2019
F68	Monty Apple		6/16/2019
F69	Stephen Pursell		6/16/2019
F70	Tammy Cole		6/16/2019
F71	Brenda Wilson		6/17/2019
F72	Janet Londagin		6/17/2019
F73	Jean Murillo		6/17/2019
F74	Joyce Hankin		6/17/2019

2.0 Comment Letters

F75	Julia Screechfield		6/17/2019
F76	Leslie Eddleman		6/17/2019
F77	Nick Gardner		6/17/2019
F78	Norman Brewer		6/17/2019
F79	Richard Fyten		6/17/2019
F80	Shaun Vega Sanchez		6/17/2019

SECTION 3.0

GENERAL RESPONSE TO COMMENTS

This section contains responses to comments that were received during the public comment period on the Draft EIS and listed in **Section 2.0**. Comments may be addressed with a general response in this **Section 3.0**, individually in **Section 4.0**, or by reference to a specific response. This format eliminates redundancy where multiple comments have been submitted on the same issue. Based on the comments received for the Draft EIS, revisions have been made in the Final EIS (Volume II) to improve language, enhance data, and provide clarification. The location of the changes to the Draft EIS are identified in the applicable responses and are consistent with the CEQ Regulation 40 CFR § 1503.4 and the BIA NEPA Guidebook (59 IAM 3-H), Section 8.5.3.

3.1 NEPA PROCEDURAL ISSUES

3.1.1 EXTENSION OF THE COMMENT PERIOD

Summary of Comments: The Bureau of Indian Affairs (BIA) received several comments requesting an extension of the original comment period on the Draft EIS

Response: The comment period for the Draft EIS is stipulated by the National Environmental Policy Act (NEPA), 40 CFR §1506 which states that, subject to certain exceptions, agencies shall allow not less than 45 days for comments on draft EISs. The BIA announced the publication of the Draft EIS in the Federal Register with publication of the Notice of Availability (NOA) on April 10, 2019 (Federal Register Volume 84, page 14391). This announcement was also published in the Sacramento Bee on April 14, 2019, and in the Record Searchlight on April 14, 2019. On April 19, 2019, the EPA published an NOA in the Federal Register (Federal Register Volume 84, page 16485). In response to public requests, the original comment period was extended by the BIA for an additional two weeks to June 17, 2019. The BIA announced this notice of comment period extension in the Federal Register on June 6, 2019 (Federal Register Volume 84, page 26440). This announcement was previously published in the Sacramento Bee on May 20, 2019, and in the Record Searchlight on May 19, 2019. In total, the comment period for the Draft EIS was 68 days, or 23 days more than is required under NEPA. Thus, the Draft EIS comment period and the comment period extension are consistent with 40 CFR §1506.

3.1.2 COMPLETENESS OF THE DRAFT EIS

Summary of Comments: Some comments received were expressions of opinions that the Draft EIS was incomplete without citation of factual evidence or comments on substantive environmental issues. One commenter stated that the Draft EIS should have considered the 2003 disenrollment of a number of individuals from Redding Rancheria.

Response: As stated in Draft EIS, Section 1.1, the Draft EIS was “prepared pursuant to the National Environmental Policy Act (NEPA) to assess the environmental impacts of proposed federal actions

intended to improve the long-term economic vitality and self-governance of the Redding Rancheria (Tribe). . . .” As stated in Draft EIS, Section 1.4 “NEPA requires that an EIS be prepared for major federal actions that could significantly affect the quality of the human environment. This document was completed in accordance with applicable requirements, including those set out in NEPA (42 USC § 4321 *et seq.*); the Council on Environmental Quality (CEQ) Regulations for Implementing NEPA (40 CFR § 1500 – 1508); and the BIA’s NEPA Guidebook (59 IAM 3-H).”

As set forth in 40 CFR § 1500.1, NEPA “is a procedural statute intended to ensure federal agencies consider the environmental impacts of *their actions* in the decision-making process.” (*emphasis added*). The determination of membership status is an action carried out by the Redding Rancheria Tribal Council as a sovereign nation and is not a federal action carried out by the BIA. Therefore, the disenrollment of individuals in 2003 is separate and independent from the fee-to-trust acquisition that requires discretionary approval by the BIA. As the disenrollment of individuals has already occurred and is therefore not a reasonably foreseeable direct or indirect consequence of the Proposed Action, an analysis of the effects of disenrollment on those individuals from the disenrollment is not warranted in the EIS. Similarly, as the Proposed Action would not result in any changes to the membership status of those individuals or others, cumulative effects associated with Tribal membership would not occur.

Some comments on the Draft EIS made constructive suggestions regarding instances in which the text could be clarified or changed to include additional details. Text in the Final EIS was modified to incorporate such information.

3.1.3 SUPPLEMENTAL EIS OR RECIRCULATION OF DRAFT EIS

Summary of Comments: Some comments state that the Draft EIS omitted or overlooked important facts. Some commenters state that a supplemental EIS should be prepared or the Draft EIS should be recirculated.

Response: Neither the implementing regulations for NEPA (40 CFR §1500 – 1508) or the BIA’s NEPA Guidebook (59 IAM 3-H), includes any procedures or requirements for recirculation of a Draft EIS by the original Lead Agency. However, 40 CFR §1502.9(d) provides guidance on circumstances under which a lead agency should prepare and publish a Supplemental Draft EIS. These regulations provide that the agency should prepare a supplement to the Draft EIS if the agency makes substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. The agency may also prepare supplements when the agency determines that the purposes of NEPA will be furthered by doing so.

Substantial changes relevant to environmental concerns in the Proposed Action have not been made, nor has a new alternative been introduced as the Proposed Action. Similarly, there are no significant new circumstances or information relevant to environmental concerns and bearing on the Proposed Action or its impacts. In response to comments received on the Draft EIS, text and analyses contained in the EIS have been supplemented, modified, updated, improved, and factual corrections have been made. While new information has been presented, the information has not resulted in substantial changes in the EIS’s

conclusions regarding the environmental impacts of the Proposed Action or the identification of any new significant impacts. The level of analysis presented in the EIS constitutes the ‘hard look’ required by NEPA, as described in the *Robertson v. Methow Valley Citizens Council* ruling.¹ For these reasons, a supplemental EIS is not warranted.

3.2 NON-NEPA ISSUES

3.2.1 EXPRESSIONS OF OPINION AND NON-SUBSTANTIVE COMMENTS

Summary of Comments: Some of the comments received were expressions of opinion either for or against the Proposed Project. These included statements that the Tribe is undeserving of the economic benefits of the Proposed Project. Other comments summarized the alternatives and/or findings of the Draft EIS. Additional comments did not raise any substantive environmental issue.

Response: Federal agencies must follow the requirements in the CEQ NEPA Regulations, 40 CFR § 1500, when responding to comments. As set forth in 40 CFR § 1503.4, “[a]n agency preparing a final environmental impact statement shall consider *substantive comments* timely submitted during the public comment period. The agency may respond to individual comments or groups of comments.” (*emphasis added*) Comments are generally considered “substantive” if they: 1) Relate to inadequacies or inaccuracies in the analysis or methodologies used; 2) Identify new impacts or recommend reasonable new alternatives or mitigation measures; 3) Involve substantive disagreements on interpretations of significance and scientific or technical conclusions. According to 40 CFR §1500.1, the goal of NEPA is to ensure that relevant environmental information is identified and considered early in the process in order to ensure informed decision making by federal agencies and that the public has been informed regarding the decision-making process. Comments received that further NEPA’s purposes are included and responded to within this Final EIS. Responses are not required for comments that do not raise a substantive environmental issue, such as comments merely expressing an opinion. However, such comments have been included within the administrative record and thus will be considered by the BIA in its decision on the project.

3.2.2 COMPLIANCE WITH GAMING REGULATIONS AND LEGISLATION (MATTERS BEYOND THE SCOPE OF THE EIS)

Summary of Comments: A number of comments raised concerns regarding the legality of gaming on the project site, and whether the circumstances of the Redding Rancheria (Tribe) warrants an exception to the requirements of federal Indian law including the Indian Gaming Regulatory Act (IGRA). Other comments question the Tribe’s historical connection to the Strawberry Fields Site, and how such a connection or lack thereof would affect the Tribe’s standing under IGRA.

Response: **General Response 3.2.1** (above) explains that NEPA does not require an EIS to provide detailed responses to comments that fail to raise substantive environmental issues. Comments addressing gaming eligibility under IGRA do not raise substantive environmental issues; therefore, no response is

¹ Source: FindLaw website, accessed October 4, 2019 at: <https://caselaw.findlaw.com/us-supreme-court/490/332.html>

required. For avoidance of doubt, however, all relevant and timely comments – whether or not raising substantive environmental issues, and whether or not the subject of a detailed environmental response in this EIS - have been (and will be) carefully considered as part of applicable agency decision-making on the Proposed Action.

3.3 PURPOSE AND NEED

Summary of Comments: Several comments were received regarding the purpose and need of the Proposed Project. Some comments state that the purpose and need is overly focused on economic considerations. Others state that the Draft EIS purpose and need is not sufficiently specific, or that there is not a persuasive connection between the purpose and need and the Proposed Action.

Response: Pursuant to 42 U.S.C. § 4336a and 40 CFR § 1502.13, an EIS must state the underlying purpose and need for the proposed agency action. Draft EIS Section 1.2 describes the purpose and need for the Proposed Action, which is to “facilitate Tribal self-sufficiency, self-determination, and economic development” consistent with “both the Department’s land acquisition policy as articulated in...25 C.F.R. Part 151 and the principal goal of IGRA as articulated in 25 U.S.C. § 2701.” This would allow the Tribe to use its limited Rancheria lands for Tribal government and services for its citizens. Section 1.2 further explains the Department’s need, pursuant to 25 C.F.R. §§ 151.10 and 151.12, to act on the Tribe’s fee-to-trust application for the Strawberry Fields site.

This statement of purpose and need properly addresses multiple factors, including the Tribe’s objectives; relevant federal law, regulations, and policy; and the Department’s need to act on a properly filed application. It is broad enough to allow the Department to consider a range of reasonable alternatives, such as alternative development types, alternative development locations, and alternative development intensities, and it is reasonable in light of the factual background presented in Draft EIS Section 1.3. The purpose and need statement therefore satisfies applicable requirements.

An Economic Analysis was prepared by Pro Forma Advisors LLC and included as Appendix A to the Draft EIS. As described in Section 2.0 of the Draft EIS, all impacts discussed under Alternatives A, B, C, and E were described as a net change assuming the closure of the existing Win-River Casino; while Alternatives D, F, and G assume that the existing Win-River Casino would remain open. The Pro Forma Advisors analysis found that while the existing Win-River Casino provides the Tribe with socioeconomic benefits, the Proposed Project (i.e., Alternative A) would best facilitate Tribal self-sufficiency, self-determination, and economic development.

3.4 PROJECT DESIGN

Summary of Comments: Some comments state that the project design for Alternative A is not attractive and that it resembles Las Vegas style facilities. Many comments voice disapproval for the location of the casino and amphitheater.

Response: As discussed in Section 2.11.2 of the Draft EIS, Alternative A would result in increased employment, economic growth, and would result in increased demand for goods and services. Of the

alternatives evaluated in the Draft EIS, Alternative A would provide the best opportunity for the Tribe to secure a reliable and sustainable revenue stream (see **General Response 3.3**). As described in Draft EIS Section 2.3.2 (see *Renovation of Existing Casino for Tribal Governmental Uses*), Alternative A includes the closure of the existing Win-River Casino and the conversion of that facility into tribal services and housing uses. The environmental effects of renovating the existing Casino are addressed Draft EIS Section 4.0 under each respective issue area. The amphitheater described in Draft EIS Section 2.0 has been removed as a project component. Also, subsequent to the publication of the Draft EIS, a Public Safety Building has been included as an option to provide police, fire and emergency medical response services to the Strawberry Fields Site. See Final EIS Volume II, Section 2.3.2 for a description of this option, as well as an enhanced description of the architectural features of Alternative A. For additional information regarding project alternative sites, see **General Response 3.5** below.

See **General Response 3.2.1** regarding expressions of opinion. Whether a building is attractive or not is subjective. The EIS objectively analyzes the aesthetic impacts of the project alternatives in Section 4.13. As discussed therein, Alternative A is consistent with typical roadside development adjacent to I-5, which includes large-scale, freeway-facing commercial uses bordering the Strawberry Fields Site to the east and north (i.e. Mt. Shasta Mall, the multi-story Hilton Garden Inn, the FedEx freight distribution center, Costco, and Hilltop Mall). Also see **General Response 3.13** regarding the aesthetics of the project alternatives.

3.5 ALTERNATIVES

Summary of Comments: Several comments were received concerning the alternatives addressed in the Draft EIS. Generally these comments were directed to the following areas: 1) the Alternatives Analysis fails to evaluate the Redding Rancheria’s need to generate governmental revenues; 2) the elimination of alternatives to relocate the Tribe’s existing casino was unsupported; 3) some alternatives addressed were opined as unviable, specifically Alternative A, B, and C; 4) a modified Alternative F alternative should have been addressed; and 5) a number of specific additional alternatives were recommended. Comments made on the Draft EIS indicated that expansion of the existing casino was preferred over relocation of the Win-River Casino.

Response: Pursuant to 42 U.S.C. § 4332 and 40 C.F.R. § 1502.14, an EIS must address a reasonable range of alternatives to the Proposed Action. In this context, “reasonable alternatives” include options that are technically and economically feasible and meet the purpose and need for the proposed action. An EIS must also evaluate a “no action” alternative. The primary purpose of an alternatives analysis is to inform reasoned decision-making and public participation. Consistent with that purpose, an EIS must consider enough alternatives to permit a reasoned choice but need not present in-depth analysis of every conceivable option. CEQ’s NEPA regulations direct lead agencies to limit their consideration to a reasonable number of options. For alternatives eliminated from detailed study, an EIS should provide a “brief discussion” of the reasons for elimination.

3.5.1 PURPOSE AND NEED

Please refer to **General Response 3.3** regarding the Proposed Action’s purpose and need and the Tribe’s

revenue generation. The purpose is to “facilitate Tribal self-sufficiency, self-determination, and economic development” consistent with “both the Department’s land acquisition policy as articulated in...25 C.F.R. Part 151 and the principal goal of IGRA as articulated in 25 U.S.C. § 2701.” The EIS contains a reasonable range of alternatives to meet this purpose and need, including different development types, different development locations, and different development intensities. As explained in the EIS and supporting studies, some of the alternatives evaluated in detail were more effective at addressing the purpose and need than others.

3.5.2 RANGE OF ALTERNATIVES

The EIS provides a detailed evaluation of a reasonable range of alternatives to the Proposed Action (A) Proposed Project, (B) Proposed Project with No Retail Alternative, (C) Reduced Intensity Alternative, (D) Non-Gaming Alternative, (E) Anderson Site Alternative, (F) Expansion of Existing Casino Alternative, and (G) the No Action Alternative. As noted above, these alternatives involve multiple development types (including both gaming and non-gaming development), multiple development intensities, multiple development sites, and the option of taking no action at all.

Pursuant to 40 CFR §1502.14, Section 2.4 of the Draft EIS provided a discussion of alternatives that were considered but eliminated from further study and the reasons for them having been eliminated. Some would not reasonably accomplish the purpose and need of the Proposed Action. Others would not significantly differ (environmentally or otherwise) from alternatives that were evaluated in detail and were therefore determined not essential to permit a reasoned choice.

In theory, the range of alternatives could be infinitely expanded to address slight variations in square footage, land-use, location, site planning, and other variables. But NEPA does not require consideration of every conceivable option or combination of options. The range of alternatives considered in the EIS highlights relevant tradeoffs, facilitates a reasoned choice among key issues, and provides the interested public with information about the comparative merits of different options. Therefore, the range of alternatives satisfies NEPA’s “rule of reason.”

Numerous comments proposed specific new alternative sites, or changes to the alternatives listed in the Draft EIS. These comments are addressed below and are grouped by alternative site or area of commenter concern.

3.5.3 VIABILITY OF ALTERNATIVES A, B AND C

The economic viability of Alternatives A, B and C was analyzed in a report titled Redding Rancheria Strawberry Fields EIS Economic Analysis that was prepared by Pro Forma Advisors and included in the Draft EIS as **Appendix A**. Further analysis by Pro Forma Advisors is included in the Final EIS as **Appendix L**. Taken together, these expert technical analyses confirm the economic viability of Alternatives A, B, and C. Among other things, they explain effects on patronage and revenue, including the importance of the Strawberry Fields Site’s location adjacent to Interstate 5. They also evaluate the economic viability of each of the alternatives addressed in detail in the EIS.

A few commenters disagreed with Pro Forma Advisors’ analysis. A substantial portion of the disagreement appears to center on the level of importance ascribed to location – in particular, proximity to Interstate 5. It should be noted that at least one of the commenters expressing disagreement with the Pro Forma Advisors analysis has itself decided to develop – and, subsequently, expand – a gaming facility adjacent to Interstate 5. Please see **Appendix L** for more information.

It is also worth noting that the primary purpose of an EIS is to address environmental factors. And while NEPA’s definition of “environment” is broad enough to encompass socioeconomic factors, the EIS process is not intended to serve as a vehicle for suppressing economic competition. Here, it appears that the vast majority of comments expressing concern about the viability of Alternatives A, B, and C were submitted by the Tribe’s economic competitors – and, further, there is a concern that many of the comments could allow those competitors to obtain the Tribe’s confidential business information and strategic analyses. This is not an appropriate use of the EIS process. The information provided in the EIS and its appendices is sufficient to facilitate informed public engagement and agency decision-making, consistent with NEPA’s purposes.

3.5.4 OTHER ALTERNATIVES

Alternative Sites

One of the criteria relevant to the feasibility of any project or alternative is site ownership. Sites not within the Tribe’s ownership or control are not reasonably feasible alternatives for this Proposed Action (though the mere fact of Tribal ownership is not necessarily enough to establish feasibility either). The following table is presented to show sites owned by the Tribe. Parcels that comprise the Strawberry Fields Site, the Anderson Site, and the Win-River Casino Site are shaded in gray.

Parcel Number(s)	Description	Acres	Title	Comments
048-400-005	River Tsalmi Course Pioneer Ln.	30.41	Fee	1/2 mile northwest of Strawberry Fields Site. Donut shaped parcel comprised of green belt
048-540-036	River Tsalmi Golf Course Idianwood Dr.	1.93	Fee	1/2 mile northwest of Strawberry Fields Site
049-390-036	Parking "K" / Creekside	7.69	Fee	Adjacent to and north of Win-River Site
049-390-039	18083 Clear Creek Road	5.00	Fee	Adjacent to and north of Win-River Site
049-400-003	Parking "B" (NE)	0.90	Fee	Win-River Casino Site
049-400-015	Parking "G" (SW)	1.30	Fee	Win-River Casino Site
049-400-019	Parking "J" (SE)	0.90	Fee	Win-River Casino Site
050-010-001	Eastside Road #1	4.90	Fee	East of Win-River Site
050-010-004	8039 Eastside Road	5.90	Fee	East of Win-River Site
050-010-011	8041 Eastside Road	0.95	Fee	East of Win-River Site
050-010-012	8043 Eastside Road	11.19	Fee	East of Win-River Site
055-010-011	I-5 Property	50.10	Fee	Strawberry Fields Site
055-010-012	I-5 Property	30.00	Fee	Strawberry Fields Site
055-010-014	I-5 Property	15.80	Fee	Strawberry Fields Site
055-010-015	I-5 Property	30.89	Fee	Strawberry Fields Site
055-020-001	I-5 Property	25.10	Fee	Strawberry Fields Site
055-020-004	I-5 Property	75.00	Fee	Strawberry Fields Site
055-030-020	Adra Lane Property	3.00	Fee	Adjacent to and south of Strawberry Fields Site
055-210-011	Knighton Road	38.60	Fee	Knighton Road Site
055-270-003	Knighton Road (7579 Riverland Dr.)	6.20	Fee	Knighton Road Site

068-020-064	Churn Creek Health Clinic	0.69	Fee	2 miles north of Strawberry Fields Site
068-020-065	Churn Creek Health Clinic	0.93	Fee	2 miles north of Strawberry Fields Site
101-040-039	Liberty Street Health Center	2.00	Fee	4 miles north of Strawberry Fields Site
201-720-004	Anderson Land	24.50	Fee	Anderson Site
201-720-006	Anderson - Bingham	1.00	Fee	Adjacent to and south of Anderson Site
201-720-013	Anderson Land	17.26	Fee	Anderson Site
201-720-014	Anderson Land	11.02	Fee	Anderson Site
201-730-001	Anderson Land	2.50	Fee	Anderson Site
049-370-005	Redding - Pierce	2.00	Trust	North of Win-River Casino Site
049-380-012	Redding - Lowery	0.22	Trust	North of Win-River Casino Site
049-390-037	Redding - Lowery	63.89	Trust	Adjacent to and north of Win-River Casino Site
049-390-038	Clear Creek Property (Swarts)	5.00	Trust	Adjacent to and north of Win-River Casino Site
049-390-040	Clear Creek Property (Swarts)	15.77	Trust	Adjacent to and north of Win-River Casino Site
049-400-002	Parking "A" (NE)	0.70	Trust	Win-River Casino Site
049-400-004	Parking "C" (NE)	1.00	Trust	Win-River Casino Site
049-400-005	Parking "D" (NE)	1.09	Trust	Win-River Casino Site
049-400-006	Casino	1.21	Trust	Win-River Casino Site
049-400-007	Admin/Community Center	1.60	Trust	Win-River Casino Site
049-400-014	Parking "F" (SW)	1.63	Trust	Win-River Casino Site
049-400-016	Parking "H" (SE)	1.30	Trust	Win-River Casino Site
049-400-017	Parking "I" (SE)	1.00	Trust	Win-River Casino Site
049-400-023	Parking "E" (NW)	1.00	Trust	Win-River Casino Site
049-400-027	Headstart	1.06	Trust	Win-River Casino Site

Source: Redding Rancheria ²

Note that those parcels that comprise Alternatives A through F are shaded in gray.

The parcels listed in the table above fall into four broad categories, which are:

1. Parcels that comprise Alternative A through F that are shaded in Gray. Because these alternatives are already evaluated in the Draft EIS, they are not potentially new project alternative sites.
2. Relatively small or irregularly shaped parcels that are not conducive for large scale commercial development, and thus are not appropriate sites for project alternatives.
3. The Clear Creek properties (see below), which include Clear Creek and its banks, extensive wetlands, and irregular topography. They also lie within the 100-year floodplain.
4. The Knighton Road and Lowery sites. Please see below for discussion of these sites.

Alternative F Variant – Larger Expansion of the Existing Casino

At least one comment (**Comment T6-17**) proposed a variant of Alternative F that would be comprised of a larger buildout and a slightly different configuration of the project components. This option is a variation on Alternative F, but it does not present a materially different set of environmental considerations, impacts, or conclusions. To the extent this variant differs from Alternative F, it is in the commenter’s assessment of financial viability. As noted above, this disagreement appears to stem from a difference of opinion regarding the importance of proximity to Interstate 5. Pro Forma Advisors found that projected annual revenue at the Strawberry Fields site was more than twenty times projected annual revenue of Alternative F. Even the somewhat larger expansion contemplated in this Alternative F variant would not result in a materially different conclusion. And the additional square footage would make it more difficult for the Tribe to use limited Rancheria lands to meet the needs of its growing population.

² Source: Spreadsheet provided by Redding Rancheria, November 2019.

Please see the Final EIS Volume II, **Appendix L** prepared by Pro Forma Advisors, for more information on the Alternative F variant.

Alternative F Variant – Expansion of the Existing Casino Operations onto the Lowery Site

One comment (**Comment T6-15**) states that an adjacent 63-acre parcel to the north of the existing Win-River Casino Site should have been considered. This comment appears to be essentially a second variant of Alternative F.

As explained in the EIS and supporting appendices (including analysis by Pro Forma Advisors), Alternative F has limited revenue generation potential because it is not proximate to (nor visible from) Interstate 5, an issue that would apply equally if Alternative F operations extended onto the Lowery Site. Please see above and Appendix L for additional information. In addition, Alternative F has been carefully designed to fit on the existing Win-River Casino site; it is not necessary to move it to a different location.

It is also worth noting that the Lowery Site is separated from the Alternative F site by Clear Creek and its 100-year floodplain. Thus, use of the Lowery Site to accommodate some or all of an Alternative F variant would present similar environmental issues to those already considered in the context of the Strawberry Fields site and the Anderson Site – i.e., development along a fish-bearing waterway – but without (a) the same ability to address purpose and need (as compared to Strawberry Fields Site and the Anderson Site) or (b) the potential benefits of re-using the existing Win-River Casino site (as compared to the version of Alternative F presented in the EIS).

Please see the Final EIS Volume II Section 2.10.8 for more information.

No Action Alternative

Some comments (e.g. **Comment T6-15**) state that the Draft EIS did not consider the alternative of the Tribe continuing to operate its existing Win-River Casino on an “as is” basis. Such comments are not correct. Alternative G, the No Action Alternative, specifically addresses the alternative of continuing to operate the Tribe’s existing casino. Draft EIS Section 2.11.2 compares Alternative G to the other alternatives, including Alternative A, the Proposed Project.

Tribal Services and Housing Elements of Project Alternatives

Some commenters questioned the reasons for the Tribe’s plans to provide tribal services and housing on its Rancheria lands; please see Section 1.3 for more information. The Tribe already provides tribal services in facilities located on the Win-River Casino Site. Under the gaming alternatives, the existing casino on the Win-River Casino Site would no longer host gaming operations, and thus would be available to facilitate an expansion of the Tribe’s existing governmental services. The existing hotel would be compatible with residential/housing uses, and thus can be utilized for these purposes without the need for substantive external improvements. For these reasons, improvements at the existing Win-River

Casino Site for tribal services and housing would not have significant environmental impacts, as any improvements would occur within the footprint of the casino and hotel structures. Final EIS Section 2.3.2 has been updated to clarify the reason for any internal improvements. Additionally, to account for the traffic generated by the increase in Tribal services from the re-purposing of the existing casino, the Traffic Impact Study conservatively assumed that the 1/3 of the existing traffic generated by the Win-River site would continue to occur (see Final EIS **Appendix Q**, page 79).

Vineyard Alternative and other Agricultural Alternatives

At least one commenter (e.g., **Comment I90-12**) stated that the Vineyard Alternative, which was eliminated from further study in Draft EIS Section 2.10, should be subject to further consideration. As described in Draft EIS Section 2.10.2, the Vineyard Alternative was eliminated from further study for a number of reasons, including that it is unlikely that this alternative would be economically feasible and thus would not meet the purpose and need of the Proposed Action as described in Draft EIS Section 1.2 to promote economic development opportunities and the self-sufficiency of the Tribe. As described therein, the relative lack of other vineyard developments in the region is sufficient basis for concluding that the economic prospects of such a development are not substantial for purposes of achieving the purpose and need. Consequently, a detailed financial feasibility analysis is not warranted.

Other commenters suggested agricultural alternatives such as vegetables or establishing a nursery. Similar to the Vineyard Alternative, these alternatives would not meet the purpose and need of the Proposed Action to promote economic development opportunities for the Tribe.

Knighton Road Site

At least one comment suggested that the Knighton Road site be evaluated in the EIS as an alternative location. This site, between 40 and 45 acres in size, is located approximately 1.5 miles south of the Strawberry Fields Site, west of Interstate 5 and on the north side of Knighton Road. Site constraints render this alternative location infeasible. The property is smaller than both the Strawberry Fields Site and the Anderson Site and it includes a seasonal creek and drainage feature significantly limiting both buildable area and ingress and egress routes. Please see the Final EIS Volume II Section 2.10 for more information.

Anderson Mill Site

One commenter (**Comment I99-12**) suggested consideration of a former wood products processing facility in the City of Anderson as an alternative location. Although not specifically identified, it appears the referenced site is a former Shasta Paper Company mill. This site is not a reasonable alternative and including it in the EIS is not necessary to facilitate reasoned decision-making. It is not owned by the Tribe, has a history of contamination, and is subject to various liens and abatement orders³. Further, this site is not located in close proximity to Interstate 5, limiting the potential for additional revenue generation necessary to offset the foregoing or accomplish the purpose and need for the Proposed Action.

³ Source: Record Searchlight website, accessed September 10, 2019 at <https://www.redding.com/story/money/business/2017/03/20/officials-frustrated-lack-cleanup-former-mill/99431730/>

Clear Creek Site

The same comment (**Comment I99-12**) also recommended consideration of a location along Clear Creek. Although the commenter did not identify specific parcels, the proposed area appears to be west of both South Market Street and the existing Win-River Casino site. This site is not a reasonable alternative and including it in the EIS is not necessary to facilitate reasoned decision-making. It is not owned by the Tribe. Although the specific parcel or parcels were not identified by the commenter, this area consists of a significant number of wetlands and floodplains. Moreover, this location presents environmental issues and feasibility challenges very similar to those already evaluated in connection with Alternative F and variants thereof.

Water and Wastewater Combinations

At least one comment (**Comment T-24**) states that the alternatives analyzed in the EIS do not properly reflect the various combinations of different water supply and wastewater disposal options. This is not correct. Each water supply option and wastewater treatment and disposal option has been analyzed within the EIS for each alternative. The water supply source would have no bearing on the treatment and disposal of effluent, with the exception of siting consideration to achieve minimum buffer requirements between the wastewater disposal systems and drinking water wells. As described in the EIS, with either the off-site or on-site water supply option, wastewater would be treated on-site to meet disinfected tertiary recycled water standards under Title 22 of the California Code of Regulations or treated by the City of Redding's wastewater treatment plant. Sections 4.3, 4.10, and 4.14 of the EIS address the potential environmental effects of water supply and wastewater treatment and disposal. It is not necessary or warranted to devote a separate alternative for each combination of water / wastewater improvements as such variations on infrastructure combinations would have very limited differences in environmental effects. Circumstances in which other environmental elements are affected by water / wastewater options are analyzed in those EIS sections that analyze the affected environmental study area.

3.6 SOCIOECONOMIC CONDITIONS

3.6.1 GAMING SUBSTITUTION EFFECTS

Summary of Comments: Some comments state that the Draft EIS did not adequately assess substitution effects to competing gaming businesses, including tribal casinos. Other comments state that the Draft EIS incorrectly concluded that such substitution effects would be less than significant. At least one comment states that the Draft EIS did not provide evidence that substitution or competitive effects typically dissipate with the passage of time.

Response: As a practical matter, most proposed projects that involve substantial economic development will compete at some level with existing businesses, including tribal businesses. The issue for consideration under NEPA is whether competitive effects will result in significant environmental consequences. This issue of competitive or substitution effects are fully evaluated in Draft EIS Section 4.7 and in Draft EIS Appendix A. As stated in Draft EIS Section 4.7, the largest Alternative A substitution effects to a gaming facility is anticipated to occur with the Pit River Casino, and such effects

would be less than significant.

Alternative A substitution effects to other competing casinos are anticipated to be less than the 7.2 percent substitution effect on the Pit River Casino, and thus would also be less than significant. For example, substitution effects in the first full year of Alternative A operations are projected at approximately 5.8 percent of the Paskenta Band's Rolling Hills Casino revenues. The Paskenta Band engaged the services of GMA Advisors, which estimated that the substitution effect from Alternative A would reduce the Rolling Hills Casino earnings before interest, taxes, depreciation, and amortization (EBITDA) by between 35 percent and 38 percent (see **Comment T6-01**). EBITDA is a measure of cash flows, and is approximately equal to net revenues less operating expenses. GMA Advisor's EBITDA estimate is not corroborated by Pro Forma Advisors. As described in Final EIS Appendix L, Pro Forma Advisors estimates that Alternative A would reduce the Rolling Hills Casino EBITDA by approximately 7.7 percent during the first full year of Alternative A's operations. As described in Final EIS Appendix L (see Paskenta T-6.1), GMA Advisor's estimate of declining EBITDA at the Rolling Hills Casino is unrealistic because the model used by GMA underestimates the level of market growth at 0.8% despite other developments, resulting in an overestimate of substitution effects, and the use of an unrealistic assumption of how much of a decline in revenue would translate into EBITDA.

As stated in Draft EIS Section 4.7, competitive effects are likely to diminish after the first year of the Preferred Alternative's operation and once local residents experience the casino and return to more typical spending patterns. This statement is supported by evidence included in Draft EIS Appendix A. Specifically, the quantitative analysis performed by Pro Forma Advisors (Draft EIS Appendix A) estimated that it would take approximately eight years for substitution effects to the Pit River Casino decline to zero under Alternative A.

3.6.2 NON-GAMING SUBSTITUTION EFFECTS – IMPACTS TO LOCAL BUSINESSES

Summary of Comments: Commenters expressed concerns that the Proposed Project would result in loss of patronage to local restaurants, theaters, and other businesses.

Response: Impacts to local businesses were addressed within Section 4.7 Socioeconomic Conditions of the Draft EIS. As concluded in this section, there would be no significant non-gaming substitution effects as a result of operation of the project alternatives, including the gaming alternatives. In fact, as described in Final EIS Appendix L casinos can have a positive impact on local businesses, because:

1. Casino visitors stop at local retail outlets and restaurants.
2. Long-distance patrons stay at area hotels; even in markets with casino hotels, non-casino hotels enjoy boosts in occupancy.
3. Casino expenditures on local goods and services put more money into the local economy.

It is the case that the operation of the Proposed Project (Alternative A) is projected to cause the sales of sporting goods retailers located in the City of Redding to decline by approximately 24.1 percent during the first established year of Alternative A operations. As described in Draft EIS Appendix A, there is one large-scale competitive outdoor retailer within the 120-mile market radius (Dick's Sporting Goods).

Additionally, there are a number of other smaller competitive sporting stores (i.e. Sports Ltd, Big 5, Sportsman's Warehouse, etc.) and other national chains such as Target, Walmart, etc. that also sell similar products.

It was estimated that the City of Redding had \$34.8 million in retail sales associated with sporting goods stores. The two largest sports retailers, Dick's Sporting Goods and Big 5 Sporting Goods, likely represent nearly half of all sales in the City of Redding (47 percent). As such, the remaining 24 sporting goods stores would potentially represent the remaining decline of 14.3 percent of sales or hypothetically less than one percent per store if each store had equal sales, which would not result in store closures. The large-scale sports retailers would be more directly competitive of the proposed sporting good store. These retailers (Dick's Sporting Goods and Big 5 Sporting Goods) are national sporting goods retailers already in many markets with a comparable regional sports retailer. Specifically, most of the competitive large-scale outdoor sports stores are located over two-hours south of the alternative sites where there is a significantly larger number of available population within comparable market sheds. Therefore, these large corporations have experience and strategies for adjusting to new competition in their market area. Final EIS Section 4.7 has been revised to include this clarification.

3.6.3 LOCAL SOCIOECONOMIC EFFECTS

Summary of Comments: Several comments state that the relocated Win-River Casino would increase gambling addiction, crime, homelessness and other undesirable outcomes.

Response:

Problem Gambling

As described in Draft EIS Section 4.7.1, the existing Win-River Casino is located less than two miles from the Strawberry Fields Site. Thus, the relocation of the existing casino under Alternative A would not increase the availability of gaming venues to persons who are at risk of problem gambling. The Tribe also contributes funds to the State of California to fund programs designed to address problem gambling. These payments are made pursuant to the Tribal- State Gaming Compact between California and the Tribe (see Final EIS, Volume II, Section 1.5.1). For these reasons, and as described in Draft EIS Section 4.7.1, the effects of Alternative A on problem gambling would be less than significant. Additionally, as described in Draft EIS Section 4.7.1, mitigation described in Draft EIS **Section 5.7**, would further reduce this less-than-significant impact.

Homelessness

Homelessness and the presence of homeless persons can affect any parcel of land. There is nothing unique about the parcels that comprise the project alternatives that would make them more or less attractive to homeless persons. Development of the parcels would, if anything, render such parcels less attractive to transient persons desiring to establish tents and sleeping spaces on the parcels. Related thereto, the operation of the project alternatives will have a less than significant effect on the incidence of homelessness in the surrounding community. Please see Final EIS Appendix L, prepared by Pro Forma Advisors, for more information on the affects to homelessness.

Substance Abuse, Mental Health, Prostitution and Human Trafficking

Undesirable social outcomes such as substance abuse, other unhealthy consequences, and crime, are potential negative outcomes associated with problem and pathological gambling. Because the increase in the incidence of problem gambling would be less than significant, increases in substance abuse and similar outcomes would be less than significant, and would be further mitigated through the measures described in the Final EIS, Volume II, Section 5.7. The conclusions rendered in this Final EIS are based upon the analyses in Draft EIS Appendix A, and also Final EIS Appendix L, Responses A-6.10.

Property Values

As stated in section 4.7 of the Draft EIS, the construction of a casino resort may result in changes to local property values and housing values, which could impact local tax assessor rolls and local property tax revenues. Changes in appreciation rates of adjacent properties could also impact future property tax revenues. Changes in property value can be affected by number of factors, including the proximity of the casino to other properties in the vicinity, the mix of properties surrounding the casino, whether the casino stimulates additional development and whether or not the casino is located in an urban area. Impacts to surrounding commercial and industrial uses would probably be neutral to positive because a casino development would bring increased economic activity and because such a project may stimulate additional commercial development in the vicinity of the site. While the Strawberry Fields Site itself is zoned for agricultural uses, there are residences located near the site. However, as stated in Appendix A of the Draft EIS, there is no anticipated impact on residential home values because of the existing operation of the Win-River Casino in the larger market area, the location of the Strawberry Fields Site near Interstate 5 and other commercial areas. Consequently, it is reasonable to conclude that the development of Alternative A would have a less-than-significant impact on surrounding housing property values (Draft EIS Section 4.7, Appendix A and Appendix L).

Crime and the Provision of Law Enforcement, Fire and EMS

As discussed in Draft EIS Section 4.7, Alternative A would result in an increased number of patrons and employees traveling/commuting into the area on a daily basis. As a result, under Alternative A, criminal incidents would likely increase in the vicinity of the Strawberry Fields Site, as would be expected with any type of large commercial development. As described in both Draft EIS Section 4.7.1, the level of criminal incidents that occur at casinos and other gaming venues are similar to those of other commercial venues. The number of people traveling to the existing Win-River Casino would decrease substantially under Alternative A, and thus the rate of criminal incidents in the vicinity of the existing Win-River Casino Site would be expected to experience a corresponding decline. On a net basis, the increase in customers under Alternative A is expected to increase the number of service calls to local law enforcement by 169 calls per year, an increase of approximately 52% above calls for service at the existing casino. This information, as well as the causes and effects of crime and criminal behavior, are further analyzed in the recent report from Pro Forma Advisors, located at Final EIS Appendix L, Responses A-6.03 and A-6.10.

Potential impacts to law enforcement, fire, and Emergency Medical Services (EMS) were addressed in Section 4.10 of the Draft EIS. Fiscal costs of a potential increase in calls for service during operation of

Alternative A at the Strawberry Fields Site would be offset by increases in local governmental revenues (Final EIS, Volume II, Appendix L), payments to the Impact Mitigation Fund under the Compact (see Final EIS Section 1.5.1), and payments from the Tribe to the County under the Intergovernmental Agreement (IGA; see Final EIS Section 1.5.4 and Appendix R).

Some commenters noted a discrepancy in the number of documented calls for law enforcement services at the existing casino. The Tribe suggested that this discrepancy could be the result of the definition of what constitutes a call for service (CFS). For example, as described in Comments A6-03 and A6-14, there were approximately 1,351 law enforcement incidents at the Win-River Casino during a period from January 1, 2017 to October 10, 2018. According to the Tribe, this level of CFS is higher than previous trends reported by the Tribe, likely because it appears to also encompass incidents occurring offsite, but where the suspect was identified and/or reported by Redding security officials to located within the Win-River property. Regardless, to provide a conservative estimate of impacts, the data provided in Comments A6-03 and A6-14 related to CFS and crimes was factored into the recent Pro Forma Advisors estimate of fiscal effects from Alternative A. This analysis is included as Final EIS Appendix L. Subsequent to the publication of the Draft EIS, the Tribe and the County entered into an IGA that includes stipulations regarding payments to the County for the provision of law enforcement and fire/emergency service (see Final EIS Section 1.5.4 and Appendix R). Additionally, if the existing County IGA is terminated and a new agreement cannot be reached, Tribe has agreed to commit to a separate option to fund police, fire and EMS services. Specifically, under this “Option 2”, the Tribe would fund the construction and operation of a Public Safety Building on the Strawberry Fields Site. The Public Safety Building would be comprised of a police substation and fire and emergency services personnel. Services provided by either the County or the option of the Public Safety Building, combined with on-site security measures, and the mitigation and BMPs described in Final EIS Sections 2.3.2 and 5.10, would reduce impacts to law enforcement, fire, and EMS. Fiscal impacts from the provision of law enforcement services, fire, and EMS were addressed in Draft EIS Sections 4.7 and 4.10. This analysis has been further refined in the Final EIS, Volume II, Sections 4.7 and 4.10 and Appendix L, as described below in **General Response 3.6.4**.

3.6.4 FISCAL EFFECTS

Summary of Comments: Several comments state that the socioeconomic analysis in the Draft EIS was incomplete in that it did not thoroughly analyze the net fiscal effects to local governments, including the County. Other comments state that transient occupancy taxes that would occur if Alternative A was developed in fee, should be considered an impact.

Response: Appendix A of the Draft EIS addresses fiscal effects under “Option 1”, which assumes that law enforcement, fire and emergency medical services are provided by some combination of the City, County and CalFIRE. Specifically, fiscal effects are analyzed beginning on page 55 of that report, which was prepared by Pro Forma Advisors. Subsequent to the preparation of the Draft EIS, Pro Forma Advisors further refined its fiscal analysis, which is included in Final EIS Appendix L. Section 4.7.1 of the Final EIS was updated to clarify the distinction between “direct” versus “indirect and induced” fiscal effects. Final EIS Section 4.7.1 was also supplemented with more detailed analysis of the direct fiscal impacts regarding the provision of police, fire, and emergency services. A quantitative summary of net

fiscal impacts is contained in Final EIS Appendix L and summarized in Final EIS Table 4.7-5a and 4.7-5b.

The law enforcement and fire/EMS direct costs described above assumes that the Public Safety Building described in **General Response 3.6.3** would not be constructed. Because the operation of the Public Safety Building (Option 2) would address the issue of law enforcement, fire, and EMS under Alternatives A through C, and because the need for police, fire and EMS would decline at the existing Win-River Site once it ceases gaming operations, net fiscal effects under the Public Safety Building Option 2 would likely be either less-than-significant or net positive. Mitigation measures in Final EIS Section 5.10 have been revised to indicate that if the existing County IGA is terminated and a new agreement cannot be reached, then the Tribe shall implement Public Safety Option 2 to construct and staff the proposed Public Safety Building to provide police, fire and emergency medical response services to the Strawberry Fields Site.

Regarding the specific effect of property taxes under either Option 1 or Option 2, the fiscal effects of removing lands from property tax rolls was specifically analyzed in Draft EIS Section 4.7, and has been further updated in Final EIS Sections 1.5.4, 4.7, 4.10 and **Appendix L**.

As noted by one commenter, one of the purposes of a transient occupancy tax is to compensate the County for services provided to visitors to the area. It is acknowledged that the County may provide public services related to the operation of the hotel and that in the absence of tax revenue, impacts associated with public services may occur; these effects are addressed in **General Response 3.6.3** and Final EIS, Volume II, Sections 1.5.4, 4.7, and 4.10. As discussed therein, fiscal costs of a potential increase in calls for service during operation of a hotel at the Strawberry Fields Site would be offset by increases in local governmental revenues (Final EIS, Volume II, **Appendix L**), payments to the Impact Mitigation Fund under the Compact (see Final EIS, Volume II, Section 1.5.1), and payments from the Tribe to the County under the Intergovernmental Agreement (IGA; see Final EIS, Volume II, Section 1.5.4 and **Appendix R**). Further, as part of the IGA between the Tribe and the County, the Tribe has agreed to levy a tribal transient occupancy tax following the opening of a hotel at the Strawberry Fields Site in the same manner and at the same rate as the County transient occupancy tax. The Tribe shall collect and deposit proceeds from the tribal transient occupancy tax in a tribal tax fund.

3.7 PUBLIC SERVICES

3.7.1 LAW ENFORCEMENT, FIRE, AND EMS

Summary of Comments: Numerous comments were received regarding a concern for adequate law enforcement, fire and emergency medical response (EMS) and the adequacy of funding related thereto.

Response: See **General Responses 3.6.3** and **3.6.4**. Subsequent to the publication of the Draft EIS, the Tribe and the County entered into an IGA that includes stipulations regarding payments to the County for the provision of law enforcement and fire/emergency service (see Final EIS, Volume II, Section 1.5.4 and Appendix R). The recurring payments for law enforcement services is in consideration of the Shasta County Sheriff's Office providing law enforcement services to the Strawberry Fields Site, and the

potential for related impacts to the District Attorney, Public Defender, and Probation. Additionally, Alternative A has been revised to include a new option for law enforcement and fire protection services (Option 2) that would include the construction and operation of a Public Safety Building within the Strawberry Fields Site. Under this option, law enforcement, fire and EMS services at the Strawberry Fields Site would be provided through this facility. A description of this option is provided in the Final EIS, Volume II, Section 2.3.2, and the Final EIS, Volume II, Section 4.10 has been revised to include an analysis of this alternative. Mitigation measures in the Final EIS, Volume II, Section 5.10 have been revised to indicate that if the existing County IGA is terminated and a new agreement cannot be reached under Public Safety Option 1, then the Tribe shall implement Public Safety Option 2 to construct and staff a Public Safety Building that will provide police, fire and emergency medical response services to the Strawberry Fields Site.

3.7.2 UTILITIES

Summary of Comments: Some comments were received regarding utility providers and utility infrastructure.

Response:

Electricity and Natural Gas

As stated in Section 4.10 of the Draft EIS, electrical service is not currently available at the Strawberry Fields Site. Electrical service to the Strawberry Fields Site would be provided by Redding Rancheria Utility Corporation (RRUCO), which currently receives electricity for the Win-River Casino via a contract with Redding Electric Utility (REU), as described in Draft EIS Section 2.3. It is anticipated that RRUCO would obtain electricity for the Strawberry Fields Site pursuant to a contract with either REU or Pacific Gas and Electric Company (PG&E). Final EIS Sections 2.0, 3.10, 4.10, and 4.14 have been updated to include the option of obtaining electricity from PG&E. As stated in Draft EIS Section 4.10, the expected utility demand load for the proposed project is 2,840 kilovolt amperes (KVA) with a probable annual electrical consumption of 15,465,000 kilowatt hours (kWh) per year. A description of existing facilities and possible improvements are included in Final EIS Section 4.14.2.

Natural gas service is not currently available at the site. As described in Section 3.10.6 of the Draft EIS, the Tribe would contract with PG&E to extend natural gas service to the Strawberry Fields Site. A PG&E natural gas mainline pipeline exists approximately 1,100 feet north of the Strawberry Fields Site at the southern edge of the Hilton Garden Inn parking lot. A description of existing facilities and possible improvements are included in Draft EIS Section 4.14.2.

Water Supply

The projected average daily potable water demand for the development of the Strawberry Fields Site would be approximately 210,400 gallons per day (gpd) with maximum weekend demand estimated at 315,000 gpd and an average daily landscape irrigation demand of approximately 10,919 gpd; see Appendix B of the Draft EIS. Two water supply options were described in Section 2.3.2 of the Draft EIS.

Under Water Supply Option 1, the City of Redding's (City's) water supply system would be extended to the Strawberry Fields Site to serve Alternative A. Connecting the City's water system would require construction of approximately 777 linear feet of piping from the casino to the connection point at the intersection of Bechelli Lane and the driveway leading west to 5170 Bechelli Lane. At this location, the new pipeline would connect to the City's existing 24-inch water line. The City's water system would also provide required fire protection flows. There is sufficient capacity in the transmission line to serve Alternative A Water Supply Option 1; see Appendix B of the Draft EIS. Due to the current magnitude of the surplus within the City's water supply and due to the relatively small amount of demand that Water Supply Option 1 would add compared to the existing baseline, Alternative A Water Supply Option 1 would not require the City to substantively alter their current surface water diversion practices or seek an additional surface water source.

Additionally, the City's Foothill Water Treatment Plant (WTP) has a treatment capacity of 24 million gallons per day (MGD) with expansion possibilities of up to 42 MGD and the Buckeye WTP has a capacity of 14 MGD (City of Redding, 2017e). The WTPs have sufficient capacity and Alternative A Water Supply Option 1 would not require the City to substantively alter their treatment facilities. Thus, Alternative A would not have a significant impact on the City's water supply system, and no mitigation is necessary. Mitigation measures related to cumulative impacts associated with water supply services were provided in Section 5.10.1 of the Draft EIS to further reduce potential effects by requiring the Tribe to enter into a service agreement with the City for connection and monthly service charges consistent with rates paid by other commercial users within the City.

Under Water Supply Option 2, water for domestic use, emergency supply, and fire protection would be provided by groundwater wells on the Strawberry Fields Site. Recycled water from on-site wastewater treatment would be reused for indoor non-potable uses (such as toilet flushing) and for landscape irrigation. Water Supply Option 2 involves no connections from the Strawberry Fields Site to the municipal water supply system or any off-site water supply infrastructure. Therefore, Water Supply Option 2 will have no impact on the City's water supply services and no mitigation measures are necessary. Potential impacts to groundwater and water resources from the construction and use of groundwater wells are discussed in Section 4.3 of the Draft EIS.

Wastewater Service

The projected average daily wastewater flow for Alternative A would be approximately 200,300 gpd with peak weekend flows estimated at 289,600 gpd. See Table 33 in Appendix B of the Draft EIS for details. Two wastewater treatment and disposal options were described in Section 2.3.2 of the Draft EIS.

Under Wastewater Option 1, wastewater treatment would be provided by the City via a connection to the City's conveyance system and wastewater treatment plant (WWTP). Connection to the City's existing collection system would require the installation of a sewer lift station on the Strawberry Fields Site, and approximately 702 linear feet of sewer forcemain pipelines between the new on-site lift station located northwest of the casino and the existing City-operated Sunnyhill Lift Station, located at 5100 Bechelli Lane. From the Sunnyhill Lift Station, wastewater from Alternative A would be conveyed to the City's Clear Creek WWTP for treatment and disposal. A detailed description of the proposed wastewater

conveyance facilities and connection to the City's system is provided in Appendix B of the Draft EIS. Alternative A would have a less-than-significant impact on the City's sewer system and WWTP as there is sufficient capacity in the Sunnyhill Lift Station, conveyance pipelines, and Clear Creek WWTP to provide services for Alternative A. Additionally, mitigation measures related to cumulative impacts associated with wastewater treatment services were provided in Section 5.10.1 of the Draft EIS that would further reduce potential effects by requiring the Tribe to enter into a service agreement with the City. Environmental impacts of the construction of off-site pipelines were analyzed in Section 4.14.

Under Wastewater Option 2, wastewater would be treated by an on-site WWTP, located immediately south of the casino and hotel structures; see Figure 2-8.1 of the Final EIS. Tertiary treated reclaimed water from the on-site WWTP would be utilized for casino toilet flushing and landscape irrigation. Wastewater Option 2 involves no connections of the Strawberry Fields Site to the municipal wastewater system and will have no impact on the City's wastewater services; therefore, mitigation measures are not necessary. Potential impacts to groundwater resources from operation of the on-site WWTP and leachfield under Wastewater Option 2 were discussed in Section 4.3 of the Draft EIS.

3.8 LAND USE

3.8.1 CONSISTENCY WITH LOCAL ZONING CODES

Summary of Comments: A number of commenters indicated that the Proposed Project was not in compliance with various codes adopted by local jurisdictions, including the compliance with the County's or City's general plans. Commenters stated that the Strawberry Field site is zoned for residential use. Some comments opined the construction of a casino as an unapproved land use.

Response: As indicated in section 3.9.2 of the Draft EIS, the Strawberry Fields Site is located outside the incorporated boundaries of the City as well as its primary and secondary growth areas, in addition to being located outside City's Sphere of Influence. However, as described in **Comment A4-03**, the Strawberry Fields Site is located within the City's General Plan Area. The Strawberry Fields Site is identified in both the Shasta County (County) and the City's General Plan. Consequently, Section 4.9 of the Final EIS has been revised to incorporate the City of Redding's (City) 2000-2020 General Plan-Use.

As discussed in Section 3.9 of the Draft EIS, local land use policies do not apply to lands taken into federal trust and, therefore, the project is not subject to state or local land use regulations. The Tribe and BIA have jurisdictional authority over land use matters on the federal trust lands held on the Tribe's behalf. The Tribal Council desires to work cooperatively with local and state authorities on land use matters.

As stated in Section 4.9.1 of the Draft EIS, although the proposed uses on the Strawberry Fields Site are not consistent with allowable uses under existing zoning, they are compatible with surrounding land uses along the Interstate 5 (I-5) corridor. Therefore, this inconsistency with existing zoning would not result in significant adverse land use effects.

3.8.2 USE OF AGRICULTURAL LAND

Summary of Comments: Several comments state that the Strawberry Field site is located on prime farmland, or prime agricultural land. Some comments are concerned that Alternative A will cause the loss of agricultural land, which in turn risks changing the rural nature of Shasta County.

Response: As indicated in section 4.9.1 of the Draft EIS, the majority of the Strawberry Fields Site is zoned by the County as Limited Agriculture (A-1), with a small sliver adjacent to the Sacramento River zoned as Designated Floodway (F-1). However, as described below in **General Response 3.11**, no substantial development would occur in the F-1 zoned area. The Strawberry Fields Site is not actively cultivated for crops, however, it is utilized by the Tribe for seasonal cattle grazing. As stated in Section 3.9.3 of the Draft EIS, the Strawberry Fields Sited does not contain any Farmland Mapping and Monitoring Program (FMMP) designated prime farmland, unique farmland, or farmland of local importance. The site received a Farmland Conversion Impact Rating (FCIR) score of 95, which is under the 160-point threshold for evaluation of alternative sites (Appendix J of the Draft EIS). As stated in Section 3.9.3 of the Draft EIS, there are 2,462,080 acres of farmland in Shasta County. Alternative A, which would convert 37 acres of grazing land to commercial use, would result in a conversion of less than 0.002 percent of the farmland in the County. This represents a negligible conversion of farmland, and would be a less-than-significant impact.

3.9 WATER RESOURCES

Summary of Comments: Multiple comments were received concerning potential impacts to water supply from groundwater pumping, and bank stabilization of the Sacramento River.

Response:

Groundwater Pumping

As stated in the Draft EIS, section 4.3, there are two water supply options for Alternative A: off-site water supply and on-site water supply. Both options are described in more detail in Appendix B of the Draft EIS and were determined to have less-than-significant impacts on surface water supply and regional groundwater levels.

As described in Final EIS Appendix M, Section 4.2.1 the optional on-site groundwater well at either the Strawberry Fields or Anderson site would draw on the Redding Groundwater Basin, which is not in overdraft. Based on well completion reports from local wells, the depth to groundwater aquifer ranges from approximately 20-to 300-feet below ground surface. It is assumed that a well drilled 300-to 600-feet deep should produce enough water quantity and quality to supply the proposed development. A well drawing from a deeper confined aquifer should not affect the shallower local residential wells due to confining geologic layers which act as a barrier between the upper and lower water bearing strata. Accordingly, use of groundwater to provide the water supply of Alternatives A through E does not have the potential to significantly impact groundwater levels or surface water levels and aquatic habitat within the Sacramento River.

The Strawberry Fields and Anderson sites are within the Anderson and Enterprise Subbasins and currently under the jurisdiction of the Enterprise Anderson Groundwater Sustainability Agency (EAGSA). If a site is taken into trust, the land will no longer be within the jurisdiction of the EAGSA and will not be subject to the groundwater sustainability plans that were released in January 2022. The Enterprise Subbasin Groundwater Sustainability Plan⁴ states the following regarding the sustainable yield of the Enterprise Subbasin:

Projections for the historical, current, and projected periods all indicate that undesirable results are unlikely. An additional projection simulation, which incorporates future water demands beyond those that are reasonably anticipated due to population growth and climate change, was performed to aid in estimating a sustainable yield. The average projected groundwater pumping in the Enterprise Subbasin under this increased water demand projection is 75 [thousand acre-feet per year] TAFY, as compared to an estimate of 30 TAFY of groundwater pumping needed to accommodate anticipated population growth and current climate change models. Based on the locally defined SMC, this extreme pumping condition is not projected to produce undesirable results in the subbasin. As such, the sustainable yield for the Enterprise Subbasin is estimated to be at least 75 TAFY.”

Based on the findings of the Enterprise Subbasin Groundwater Sustainability Plan, the findings of the Draft EIS remain accurate, and the Proposed Project would have a less-than-significant impact on regional groundwater levels. Final EIS Sections 3.3 and 4.3 have been updated to include information from the January 2022 Enterprise Subbasin Groundwater Sustainability Plan and January 2022 Anderson Subbasin Groundwater Sustainability Plan.

Water conservation has been incorporated into the design of Alternatives A – D. Under the on-site wastewater treatment and disposal option, reclaimed water from the on-site WWTP would be utilized for casino toilet flushing and landscape irrigation.

Sacramento River Streambank Stabilization and Vegetative Buffer

Final EIS, Volume II, Section 2.0 has been updated to include a revised description of the stream stabilization and vegetative buffering, inclusive of a 150-foot setback from the Sacramento River and vegetative buffering. As a result, the streambank stabilization and vegetative buffering is now 150 feet across and thus is substantially wider than the streambank stabilization and buffering described in the Draft EIS. Figure 2-8.2 has been added to Final EIS Section 2.0 to depict the cross section of these measures. Please also see **General Response 3.11** below for further information and Final EIS Section 4.3 for impacts on water and Section 4.5 for impacts to biological resources.

3.10 WASTEWATER

Summary of Comments: Several comments were received concerning potential impacts to wastewater management and implementation of the proposed leach field under Wastewater Option 2 at the

⁴ Enterprise Anderson Groundwater Sustainability Agency, 2022. Enterprise Subbasin Groundwater Sustainability Plan. Dated January 2022. Available online at <https://eagsa-redding.hub.arcgis.com/>.

Strawberry Fields Site (i.e., Alternatives A through D). Some commenters opined that wastewater treatment onsite would or could be detrimental to wildlife and water quality in the Sacramento River.

Response: Potential impacts to water quality, and specifically related to wastewater that would flow to the project leach field under Option 2, On-site Treatment and Disposal, were analyzed in Draft EIS Section 4.3 and in the Water and Wastewater Feasibility Study (Draft EIS Appendix B). As described in Final EIS Section 4.3, wastewater under Option 2 would be treated to a tertiary level and “discharged into a leach field complex located south of the casino and hotel on the Strawberry Fields Site. The Strawberry Fields Site could accommodate a leach field area as large as 48 acres. A leach field complex of approximately 33 acres would accommodate a rate of flow equal to double the projected average daily flow to avoid impacts associated with a failure of all or portions of the leach field; a 20 percent contingency has also been factored into the sizing of the leach field to avoid oversaturation of the soil and to account for prolonged periods of peak hourly flow.” Commenters are correct that proper utilization of the leach field is contingent upon the affected soils evidencing sufficient absorption properties. Subsequent to the publication of the Draft EIS, an Updated Water and Wastewater Feasibility Study (Final EIS Appendix M) was prepared. Among other things, the updated study included the results of percolation tests at the Strawberry Fields Site. The tests were performed using the method described in Shasta County Onsite Wastewater Treatment System Technical Guidance Manual. The percolation tests conclude that only two of the fifteen test locations fall outside the standard range for “usable disposal material” according to the Underground Injection Control (UIC) Program. Furthermore, Shasta County’s LAMP for OWTS specifies a minimum depth to groundwater based on percolation rates. Based on the demonstrated percolation results, the required minimum depth to groundwater is 5 feet. As provided by test pit logs, the average depth to groundwater is more than 12 feet, which complies with Shasta County Standards. (Final EIS Appendix M, including its appendices). The sizing of the proposed leach field area accounts for the site exploration results and is designed to comply with Shasta County standards for leach field design. As described in Section 5.2.2 Final EIS and Appendix M, “A final design by a licensed engineer will be necessary to determine actual size and placement [of the leach field].” The disposal of wastewater on site via subsurface drainage would be regulated by the USEPA within the UIC program in compliance with the Safe Drinking Water Act (SDWA) to ensure the protection of groundwater quality.

3.11 FLOODING AND FLOODPLAIN

Summary of Comments: Multiple comments were received concerning potential impacts to flooding of the Strawberry Field Site. Some comments stated that the project does not adequately identify which facilities will be located within the floodplain. Several comments were received concerning flooding of the Sacramento River, runoff, and impacts on the streambank caused by construction activities. Other comments state that the location of the Alternative A improvements is too close to the banks of the Sacramento River, and thus the setback should be increased to a minimum of 150 feet from the top of bank to mitigate the risk of flooding. At least one comment stated that it was difficult to ascertain the distances of the Strawberry Fields setbacks described and illustrated in the Draft EIS. One comment stated that the Draft EIS does not comply with Executive Order 11988 Floodplain Management.

Response: As stated in Draft EIS Section 4.3.1, no significant flooding impacts would occur as a result of Alternative A. Mitigation measures such as consultation with FEMA and the United States Army Corps

of Engineers (USACE) and adherence to conditions of applicable permits related to streambank stabilization measures along the Sacramento River, if any, would further reduce potential impacts as a result of construction within the 500-year floodplains.

As described in Draft EIS Section 3.3, the east bank of the Sacramento River in the vicinity of the Strawberry Fields Site actively erodes during periods of very high flow. Streambank stabilization measures, described in detail in Section 2.3.2 and Appendix C of the Draft EIS would slow the rate of erosion and reduce sedimentation. Subsequent to the publication of the Draft EIS, an Updated Grading and Drainage was prepared, and this is included as Final EIS Appendix N. As described therein and in Final EIS Section 2.3.2, the streambank stabilization measures proposed in the Draft EIS have been modified to include a 150' setback from the top of bank, an emphasis on live native vegetation, and use of existing native materials in place of riprap/boulders. Figure 2-8.2 has been added to Final EIS Section 2.0 to depict the cross section of these measures and Figures 2-8.1, 2-10, 2-12, and 2-14 have been revised to show the 150-foot buffer from top of bank in relation to the proposed development and the area for vegetative streambank stabilization for Alternatives A, B, C, and D. Thus, vegetative streambank stabilization measures and 150-foot setback would reduce erosion of the eastern bank of the Sacramento River during periods of high-water flow, and not only during flooding events. Mitigation Measures identified in Draft EIS Section 5.5.3 would further minimize or avoid potential impacts to wetlands and Waters of the U.S.

A 150-foot setback from top of bank for project improvements (with the exception of streambank stabilization) was determined to be sufficient for several reasons. First, there are no federal setback requirements and the City of Redding's setback requirements are 100 feet from the Sacramento River and 75 feet from riparian vegetation. Therefore, although local setbacks do not apply to the Proposed Project, given Federal jurisdiction for land in trust, the 150-foot setback from top of bank is generally consistent with the local setback requirements. A description of the local setback requirements and their applicability to Federal trust lands is provided in the updated Final EIS, Volume II, Section 3.3. Second, although some of the Strawberry Field's Site does lie within the 100-year floodplain, with the exception of the riverbank stabilization and wet pond improvements, none of the improvements would occur within the 100-year floodplain. Third, as described in Draft EIS Section 2.3.2, the risk of flooding to project improvements would be further reduced because much of the land on which the improvements will be sited on will be elevated approximately 3 feet above the 100-year floodplain. Finally, the 150-foot setback from top of bank meets the minimum recommendations provided by the USEPA, which recommended against a setback less than 150 feet from the top of bank (see **Comment A5-03**). For these reasons, the risks of flooding at the Strawberry Fields Site and potential water quality issues associated with potential flooding would not increase as a result of the Proposed Project.

Although previous hydraulic modeling of Churn Creek in the 100-year Churn Creek flood event identified a potential for Churn Creek to overtop I-5 and cause shallow overflow across the Strawberry Fields Site (see Draft EIS Section 2.3.2), Caltrans has no record of I-5 overtopping in this area in the 50 years of I-5's existence. As described in Section 4.1 of Appendix N, this lack of observed overtopping of I-5 during known extreme flooding of Churn Creek is likely due to the elevation of the agricultural field and Smith Road compared to I-5. It is more likely that the bulk of the estimated 700 cfs spill-over actually flows south to Smith Road and beyond – well away from the Strawberry Fields Site. Regardless of the lack of

actual occurrences of this phenomenon, the proposed vegetated swale that would run along the easterly project boundary has been conservatively designed to provide emergency conveyance of possible storm water overflow from Churn Creek east of I-5.

Regarding Executive Order 11988 Floodplain Management (EO 11988), as discussed in Section 4.3.1 and Figures 2-8.1 and 3.3-1 of the Draft EIS, Alternative A was designed to avoid development within the 100-year floodplain. With the exception of an infiltration wet pond proposed under Alternatives A – D and the installation of bank stabilization vegetation along the Sacramento River, the proposed development footprint of Alternative A, including all structures and infrastructure (including wastewater leach fields proposed under Wastewater Option 2), would be located entirely outside the FEMA designated 100-year floodplain. The infiltration wet pond has not been designed to mitigate storm water quantity of runoff, but is rather an infiltration wet pond used to attenuate rare-event potential flood flows resulting from Churn Creek overtopping Interstate 5 and to improve storm water quality. The infiltration wet pond would be excavated from the upland portion of the floodplain and removing soil from the floodplain is not expected to adversely impact drainage patterns or increase flood risks. There is no proposal to place fill within the 100-year floodplain on the Strawberry Fields Site.

The majority of the Anderson Site is located within the 100-year floodplain of the Tormey Drain. However, for the reasons described in Draft EIS Section 4.3.5, Alternative E would be EO 11988 compliant provided that the “Letter of Map Revision – Fill” is filed with FEMA.

As described in Draft EIS Section 3.3.2 and Figure 3.3-3, most of the Alternative F Win-River Casino Site is located outside of the 100-year floodplain. The small northwestern portion of the Win-River Casino Site along Clear Creek is within the FEMA 100-year floodplain (Draft EIS Section 4.3.6). However, the proposed development footprint of Alternative F is located entirely outside the FEMA 100-year and 500-year floodplains. No associated structures, utility, wastewater treatment and disposal systems, or storage areas are proposed for development within the 100-year and 500-year floodplains on the site. No significant flooding impacts would occur as a result of Alternative F, and no development is proposed within the floodplain. Therefore, Alternative F is in compliance with EO 11988.

3.12 BIOLOGY

3.12.1 SPECIAL-STATUS SPECIES

Summary of Comments: A majority of the biological comments received express a concern for potential impacts to special-status species such as bald eagles, salmon, and steelhead.

Response: Biological resource surveys and focused botanical surveys of the Strawberry Fields Site were conducted on April 25, 2007, May 3, 2007, May 9, 2007, June 27, 2007, May 16, 2016, March 13, 2017, and May 21, 2019. Analysis was performed to determine which special-status species have the potential to occur within the Strawberry Fields Site. Habitat requirements for each species were assessed and compared to the type and quality of habitats observed during the biological surveys. Several regionally occurring species were eliminated due to a lack of suitable habitat, elevation range, lack of suitable substrate/soils, and/or geographic distribution.

As discussed in Section 3.5.2 of the Draft EIS, the Strawberry Fields Site may provide habitat for seven federally-listed or protected species including bald eagles, Chinook salmon and Steelhead. Potential adverse effects to species would be avoided or minimized to less-than-significant levels with implementation of the mitigation measures identified in Section 5.5.1, 5.5.2, and 5.5.3 of the Draft EIS, which include preconstruction surveys, avoidance buffers, and silt fencing. Therefore, impacts to special-status species would be mitigated to less-than-significant levels. On February 20, 2020, the USFWS concurred with the Biological Assessment that the project may affect but is not likely to adversely affect federally listed species, and no further consultation is needed. The National Marine Fisheries Service (NMFS) also issued a concurrence letter on May 7, 2019 concluding the same regarding federally listed aquatic species. All consultation correspondence is included in the Final EIS Appendix O.

3.12.2 POTENTIAL EFFECTS TO HABITATS

Summary of Comments: Multiple comments were received concerning potential impacts to biological resources such as loss of habitat for bald eagles and bank swallows. Many commenters were concerned about project impacts on salmon and steelhead habitat. Other comments inquired about the impacts of streambank armoring and the leach field location on the Sacramento River.

Response: As stated in the Final EIS, approximately 36 acres of non-native annual grassland would be directly impacted by the development of a casino-resort, retail facilities, parking areas, and related infrastructure under Alternative A. An additional 36 acres consisting of non-native annual grassland and small areas of valley foothill riparian and valley oak woodland habitat would be impacted by the development of water supply and wastewater facilities if Option 2 for both Water Supply / Wastewater and Public Safety is implemented. The remaining habitat on the site (196 acres under Option 1 for Water Supply and Wastewater and 160 acres under Option 2 for both Water Supply / Wastewater and Public Safety) would be avoided through project design and remain as undeveloped open space.

Although the grassland habitat and valley foothill riverine habitats within the Strawberry Fields site may be suitable for several federal and state special-status species, they are not, in and of themselves, listed as critical or sensitive under federal designation. Wildlife movement would not be significantly restricted, as the majority of the Strawberry Fields Site would remain undeveloped.

As described in Section 2.3.2 Alternative A Project Components, the proposed leach field under “On-site Treatment and Disposal (Option 2)” would be approximately 33 acres, located in the southeast of the Strawberry Fields site (Figure 2-8.1). The leach field would remain as open space for wildlife. Impacts from this proposed option would be less than significant and no mitigation is required (Section 4.3.1 of the Draft EIS).

As identified in Section 3.5 of the Draft EIS, the USFWS designated critical habitat for steelhead (Northern California Distinct Population Segment) and Chinook salmon (Central Valley Spring-Run and Winter-Run) occurs in the Sacramento River adjacent to the Strawberry Fields site and in the riverine habitat on site (USFWS, 2017b). Segments of the Sacramento River are designated as essential fish habitat (EFH) for Chinook salmon and are protected under the Magnuson-Stevens Fishery Conservation

and Management Act (MSMA). Designated critical habitat and EFH does not occur within the area of impact, and adjacent critical habitat and EFH would not be impacted.

As part of the Proposed Project, the upper loam portion of the riverbank would be stabilized through the implementation of a vegetative buffer (see General Response 3.11). Construction of the Proposed Project, including streambank stabilization, was evaluated for potential impacts to listed fish species and critical habitat in consultation with the National Marine Fisheries Service (NMFS) (Draft EIS Appendix D). NMFS reviewed the project under ESA Section 7(a)(2) and MSMA in a concurrence letter (May 7, 2019) and determined the proposed actions were not likely to affect listed fish species with the inclusion of mitigation measures listed in Draft EIS Appendix D. Furthermore, a Stormwater Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs) would be implemented to further reduce potential runoff impacts to critical habitat (Section 5.2 of the Final EIS). Therefore, impacts to aquatic wildlife habitat resulting from development of the Casino are less than significant and no mitigation is required.

Regarding potential effects to bird species, refer to Mitigation Measures **5.5.1**, **5.5.2**, and **5.5.3**, which include preconstruction surveys, avoidance buffers, and silt fencing for special-status species. Mitigation Measure **5.5.2 (P)** has been revised to clarify that should nesting migratory birds, including bank swallow, be observed in the area of impact, consultation with the USFWS would occur to confirm the appropriate course of action. As described in **General Response 3.9** and **3.11**, the streambank stabilization measures proposed in the Draft EIS have been modified to include a 150' setback from the top of bank, an emphasis on live native vegetation, and use of existing native materials in place of riprap/boulders. Alternative A has been revised to provide a 150-foot setback from the top of the bank of the Sacramento River. The proposed streambank stabilization would not disturb the existing vertical loam bank and would include establishing riparian trees in the setback area between the existing riverbank and the hardscape features of the development. This would stabilize and reduce the meander potential within the mantle of loamy soil while preserving the existing cut bank and natural river processes as described in Bank Swallow Conservation Strategy for the Sacramento River Watershed, California Bank Swallow Technical Advisory Committee, June 2013. Additionally, the proposed streambank stabilization will extend approximately 1,000 feet from the northern boundary of the project area, leaving approximately 4,300 feet (more than 76 percent) of potential bank swallow habitat on the project site undisturbed. As described in Draft EIS Section 4.5, suitable nesting habitat for bald eagle is absent on the Strawberry Fields Site, although potential foraging areas occur throughout the site.

3.13 AESTHETICS

3.13.1 VIEWPOINTS

Summary of Comments: A number of comments were received concerning the aesthetics of the project alternatives and how such alternatives would appear from the perspective of persons in the vicinity (i.e., viewpoints). Commenters also expressed concern regarding how development of the Strawberry Field Site would affect the views of the “gateway” to the City of Redding.

Response: As stated in section 4.13.1 of the Draft EIS, the Proposed Project would change the existing views of the northern portion of the Strawberry Fields Site from open fields to a casino, resort and retail

complex. However, the central and southern portions of the site would remain as undeveloped open space. The Proposed Project would not be out of character with typical roadside development adjacent to I-5 (such as large commercial developments, including the Mt. Shasta Mall, located along I-5 within the City of Redding), nor would it impede views of scenic resources (with the obvious exception of persons working at or visiting the resort). Additionally, Alternative A would not result in the removal of any mature trees and the majority of the site (approximately 80 percent), would remain relatively undeveloped. For example, the leach field proposed under Wastewater Option 2 would not be visible. By clustering the Proposed Project in the north portion of the Strawberry Fields Site, which is closer to existing commercial development within the City, the visual effects of the Proposed Project would be mitigated. For these reasons, and those stated within Draft EIS Section 4.13, Alternative A would have a less-than-significant aesthetic impact.

Individual viewpoints were also analyzed in Draft EIS Section 4.13.1. Specifically, viewpoints A through E were further examined in section 4.13.1 of the Draft EIS and were determined to have less-than-significant impacts. Additionally, as stated in section 4.13.1 of the Draft EIS, the architectural design of the project would be enhanced by landscaping through the use of drought tolerant plants native to the region. This includes the incorporation of landscape amenities to complement buildings and parking areas by means of setbacks, raised landscaped berms and plantings of trees and shrubs. Screening features and natural elements will be integrated into the landscaping design of the project to impede the view of the facilities from directly adjacent existing residences and enhance the overall appearance of the casino.

Regarding the heights of the various Alternative A structures, please see the updated Final EIS Section 2.3.2, which now lists the heights of the various building components.

Regarding viewpoints from persons on the Sacramento River, note that these are depicted in Figures 4.13-4 and 4.13-5 of Draft EIS Section 4.13.1. Figure 4.13-4 depicts the viewshed experienced by residences bordering the western bank of the Sacramento River (Viewpoint D). Figure 4.13-5 depicts the viewshed experienced by the motorists traveling along South Bonnyview Road, north of the Strawberry Fields Site (Viewpoint E). Both of these viewpoints are at or above the banks of the Sacramento River. Thus, improvements feature more prominently in these viewpoints than would be the case from the perspective of a person at river level, such as someone in a boat. As described in Draft EIS Section 4.13.1, less-than-significant impacts would occur for Alternative A from these viewpoints.

Final EIS Section 4.13 has been updated to include two new perspectives, one from Viewpoint F (Figure 4.13-6) and a second from Viewpoint G (Figure 4.13-7). Viewpoints F and G were included to specifically illustrate the perspective of someone in a boat on the Sacramento River. As stated in Final EIS Section 4.13.1, a less-than-significant impact would also occur from Viewpoints F and G.

Please see **General Response 3.4** for more information on project design.

3.13.2 LIGHTING AND GLARE

Summary of Comments: Some comments stated concerns of general lighting and glare associated with the construction and operation of the project alternatives.

Response: Potential effects associated with lighting and glare were analyzed in Section 4.13.1 of the Draft EIS. Design features included in Section 2.0 of the Draft EIS would further reduce aesthetic impacts from implementation of the project alternatives. For example, Alternative A components are described in Draft EIS Section 2.3.2 under “Architecture, Signage, Lighting, and Landscaping,” detailing the type of glass and lighting to be used. Draft EIS Section 4.13.1 addresses impacts from light and glare. The exterior lighting of the project would be designed in accordance with Unified Facilities Criteria (UFC) 3-530-01, so as not to cast light or glare off site. Such design features would include the use of pole-mounted lights with downcast illumination and the utilization of shielding. Additionally, no strobe lights, spot lights, or flood lights would be used and shielding will be used in accordance with (UFC) 3-530-01. All exterior glass would be non-reflective low-glare glass. All project designs were evaluated in consultation with the USFWS and NMFS (Draft EIS Appendix D and Final EIS Appendix O-1). As described in the Draft EIS, project activities were determined to be unlikely to affect wildlife (including listed fish species), with the inclusion of the design features described above. Therefore, no significant impacts associated with lighting or glare would occur.

3.13.3 LIGHT POLLUTION

Summary of Comments: A number of comments emphasized a concern for light pollution caused by the casino.

Response: The International Dark-Sky Association’s (IDA) Model Lighting Ordinance describes light pollution as an inappropriate or excessive use of artificial light⁵. The IDA identifies glare, skyglow, clutter, and light trespass as the primary components of light pollution. Glare is defined as “excessive brightness that causes visual discomfort”. Skyglow refers to “brightening of the night sky over inhabited areas”. Clutter is regarded as “bright, confusing, and excessive groupings of light sources”. Light trespass describes the light falling in unintended or unnecessary areas. Sources of light pollution include exterior and interior building lighting, advertising, commercial properties, factories, offices, illuminated sporting venues, and streetlights

The Unified Facilities criteria (UFC) system provides planning, design, construction, sustainment, restoration, and modernization criteria for all Department of Defense projects and other agencies where appropriate⁶. Section 3-530-01 of the UFC provides guidance for the design of exterior and interior lighting systems including direct glare, surface luminance, and uniformity⁷. Design features described in

⁵ Source: International Dark Sky Association (IDA). Light Pollution. Available electronically at: <https://www.darksky.org/light-pollution/>. Accessed July 29, 2019.

⁶ Source: Whole Building Design Guide (WBDG). May 29, 2002. Unified Facilities Criteria. Available electronically at: <https://www.wbdg.org/ffc/dod/unified-facilities-criteria-ufc>. Accessed on July 29, 2019.

⁷ Source: Department of Defense (DOD). December 10, 2010. Unified Facilities Criteria (UFC): Design: Interior, Exterior Lighting and Controls. UFC 3-530-01. This UFC was accessed on July 29, 2019 at: <https://www.wbdg.org/ffc/dod/unified-facilities-criteria-ufc/ufc-3-530-01>

Draft EIS Section 2.3.2 would reduce potential light pollution impacts to a less-than-significant level via IDA and UFC compliance.

3.13.4 ELECTRONIC SIGNAGE

Summary of Comments: A number of comments were received concerning the use of electronic signage at the proposed casino.

Response: Electronic signs are banned in the City of Redding⁸. However, as described in **General Response 3.8.1** and Section 3.9.2 of the Draft EIS, the Strawberry Fields Site is located outside the incorporated boundaries of the City as well as its primary and secondary growth areas, in addition to being located outside City's Sphere of Influence. However, as described in **Comment A4-03**, the Strawberry Fields Site is located within the City's General Plan Area. Shasta County's Zoning Code Sections 17.84.061 through 17.84.069 address the placement of signs⁹. As described in Section 17.84.064, electronic signs are typically prohibited, unless the content of such signs remains unchanged during a 24-hour period.

As described in **General Response 3.8.1** and Section 3.9 of the Draft EIS, local land use policies do not apply to lands taken into federal trust and, therefore, the project is not subject to state or local land use regulations. The Tribe and BIA have jurisdictional authority over land use matters on the federal trust lands held on the Tribe's behalf. The Tribal Council desires to work cooperatively with local and state authorities on land use matters and the BIA aims to comport with both city and county regulations where feasible. Although implementation of electronic signage would generally be consistent with Chapter 18.40.090, of the City of Redding's Zoning Ordinance for Lighting and with 18.42.030 for Sign Standards¹⁰, it would not be compliance with the prohibition on electronic signs. Similarly, the project would generally comply with Shasta County's Zoning Code Sections 17.84.061 through 17.84.069 concerning signs¹¹, although it would not be compliance with the electronic sign prohibition. Project signage would be utilized to communicate messages to viewers, promote attractive appearances, promote commerce, promote identification of land uses without confusion or hazard, and promote free expression of the Tribe. This is consistent with subsections C through G of chapter 17.84.061 in the Shasta County Zoning Codes. No lighting shall be of the type or in a location such that constitutes a hazard to vehicular

⁸ Source: City of Redding, 2018. August 21, 2018. Redding Zoning Ordinance, *D. Electronic Message Board Signs*. Available electronically at: <https://www.cityofredding.org/home/showdocument?id=23061>. Accessed on November 2019.

⁹.Source: Shasta County, CA Code of Ordinances. Chapter 17.84 General Development Standards. Available online at: https://library.municode.com/ca/shasta_county/codes/code_of_ordinances?nodeId=CD_ORD_TIT17ZO_CH17.84G_EDEST_17.84.061PUSIOR. Accessed on January 21, 2020.

¹⁰ Source: City of Redding, Zoning Ordinance. Available online at: <https://www.cityofredding.org/departments/development-services/planning/zoning-ordinance>. Accessed on January 21, 2020.

¹¹.Source: Shasta County, CA Code of Ordinances. Chapter 17.84 General Development Standards. Available online at: https://library.municode.com/ca/shasta_county/codes/code_of_ordinances?nodeId=CD_ORD_TIT17ZO_CH17.84G_EDEST_17.84.061PUSIOR. Accessed on January 21, 2020.

traffic, either on private property or on abutting streets”¹².

Finally, Section 2.0 of Volume II of the Final EIS has been updated to include a description of the proposed project signage, including placement, design elements and the height of the proposed signs, and Section 5.0 of Volume II of the Final EIS has been revised to include a mitigation measure to ensure that the placement of the electronic signage is designed so that it is not facing residential areas with direct line of site. Please see the Final EIS, Volume II, Section 2.0 and 5.0.

3.14 TRAFFIC

Summary of Comments: Several comments were received concerning potential impacts to traffic and circulation. Some comments state that the Proposed Project would have significant impacts on traffic. Other comments stated that existing traffic conditions are already unacceptable. For example, a number of traffic comments stated that the Proposed Project would worsen traffic congestion at interchange located at South Bonnyview Road and Interstate I-5. A number of comments stated that the Traffic Impact Study (TIS) included as Draft EIS Appendix F did not analyze traffic impacts during the peak rush hour, and thus the results from the TIS are unreliable.

Response: Traffic impacts were thoroughly analyzed in Draft EIS Sections 4.8, 4.14 and 4.15, as well as the traffic impact study (TIS) in Draft EIS Appendix F. Subsequent to the publication of the Draft EIS, the TIS was updated to include analyses of additional intersections and roadways, to consider the completion of recently constructed transportation improvements associated with the River Crossing Marketplace Specific Plan, and to consider additional reasonably foreseeable projects. The Updated TIS is included as Final EIS Appendix Q. As stated in these sections and reports, traffic impacts would be reduced to less than significant levels with the implementation of the measures described in Draft EIS Section 5.8, and as further updated in Final EIS Section 5.8. Impacts at the interchange located at South Bonnyview Road and Interstate I-5 were extensively analyzed in the Draft EIS and mitigation was proposed in Draft EIS Section 5.8.2. Mitigation includes funding for new improvements at this interchange. Since the time of preparation of the Draft EIS and original TIS, the River Crossing Marketplace Specific Plan Traffic Impact Analysis Report and certain related offsite mitigation improvements have been constructed, including improvements at the South Bonnyview Road / Bechelli Lane intersection. These improvements were identified by the City to mitigate the operational conditions of this intersection under cumulative conditions, including operation of Alternative A¹³. Therefore, previously recommended mitigation at the South Bonnyview Road / Bechelli Lane intersection is no longer required and has been removed from the Final EIS (see Final EIS Appendix Q for additional details).

¹² Source: Shasta County, CA Code of Ordinances. Chapter 17.84.050 Lighting. Available online at: https://library.municode.com/ca/shasta_county/codes/code_of_ordinances?nodeId=CD_ORD_TIT17ZO_CH17.84GEDEST_17.84.050LI. Accessed on January 21, 2020.

¹³ *Recirculated Draft Environmental Impact Report, State Clearinghouse No. 2017052030, River Crossing Marketplace Specific Plan*, Pages 4.12-43 through 4.12-49, PlaceWorks, December 2019.

Regarding the methodology employed by Kimley-Horn in Draft EIS Appendix F to analyze traffic impacts, patronage visits and thus traffic generated from casino projects tend to occur at times that are different from most commercial developments. Specifically, as described in Draft EIS Appendix F:

“Based on existing traffic volume information and expected trip generation from the Project, it was determined that the Friday and Saturday evening peak periods represent the worst case periods to evaluate.”

Thus, the TIS (Draft EIS Appendix F) and Updated TIS (Final EIS Appendix Q) estimated traffic impacts during these times. This is why the TIS and Updated TIS did not evaluate traffic impacts during weekday morning rush hour traffic. The methodology employed in the traffic impact studies is consistent with many traffic studies related to proposed gaming projects, and is discussed at length in the Updated TIS.

Please also see individual responses to comments, where specific traffic related comments are addressed.

3.15 NOISE

Summary of Comments: Several commenters were concerned that noise associated with the amphitheater would negatively impact nearby residents. Other commenters opined that the Sacramento River would intensify any sounds projected from the amphitheater. Multiple comments were received concerning operational noise impacts from the project due to increased traffic. Comments were also received regarding vibration from construction activities and operations.

Response: The proposed amphitheater has been removed from the project alternatives. Therefore, no significant noise impacts would occur in connection with the amphitheater.

As discussed in section 4.11.1 of the Draft EIS, traffic noise associated with operational uses of Alternative A were evaluated using the volume and speed of traffic as well as the number of trucks in the flow of traffic. Average vehicle speeds were not anticipated to change in the vicinity of the Strawberry Fields Site nor were the mix of trucks in the traffic flow expected to change during the operational phase. However, implementation of Alternative A would increase traffic volumes due to the addition of patron and employee vehicle trips. Baseline noise level measurements were collected along representative off-site roadways that would experience an increase in traffic as result of Alternative A. For a significant impact to occur, the traffic increase due to Alternative A would need to cause ambient noise levels to reach or exceed significance thresholds of 67.0 dBA Leq, or in areas where the threshold is already exceeded, cause a perceivable difference in the ambient noise environment at 3 dBA Leq or more. Both Site Access Options 1 and 2 were analyzed and results tabulated in Table 4.11-3 of the Draft EIS. As shown in Table 4.11-3, all study roadway segments for Alternative A are below the 67 dBA threshold, and therefore a significant impact would occur if the ambient noise levels were raised to 67 dBA Leq or higher. With operation of Alternative A, site access Option 2 would result in a change greater than 3.0 dBA Leq for Churn Creek Road (between Smith Road and Knighton Road) and for Smith Road (between Churn Creek road and Adra Way). This means an audible difference in the environment would be perceivable with the addition traffic. However, both Alternative A site access Option 1 and 2 ambient noise levels were not raised to 67.0 dBA Leq or greater. Even with the perceivable increases at Churn

Creek Road (between Smith Road and Knighton Road) and Smith Road (between Churn Creek road & Adra Way) under site access Option 2, the ambient noise levels would be 65.7 and 66.6 dBA Leq, respectively, and would therefore not exceed the 67 dBA Leq threshold. Hence, traffic-associated noise impacts were determined to be less than significant.

Vibration levels were analyzed extensively in Draft EIS Section 4.11 and most of these effects would relate to temporary construction activities. As stated therein, vibration would be reduced to less-than-significant levels with the implementation of BMPs described in Section 2.3.2.

3.16 AIR QUALITY AND CLIMATE CHANGE

Summary of Comments: Some comments were received concerning impacts associated with global climate change or global warming. One commenter opined that the increase of pavement on agricultural land would cause more heat to radiate and effects of the vehicles on the pavement would increase carbon levels.

Response: The Draft EIS Section 4.15 provided discussion and analysis of cumulative impacts relating to climate change. For example, as stated in Section 4.15 of the Draft EIS:

“Climate change is a global issue that is not being caused by any single development project, but by global cumulative increases in atmospheric greenhouse gas (GHG) concentrations. Thus, global warming is most effectively addressed on a global or regional level. California’s global warming policies and legislation (most notably Executive Order [EO] S-3-05 and AB 32) are intended to be regional approaches to ensure that statewide emissions are reduced substantially in the future (to levels much lower than existing levels).”

California continues to adopt new policies and legislation with the focus of addressing climate change at the state level, most recently issuing EO N-79-20 and adopting AB 1279. EO N-79-20 bans the sale of new gas-powered cars and trucks by 2035, and AB 1279, the California Climate Crisis Act, establishes the state policy of achieving net zero greenhouse gas emissions as soon as possible, but no later than 2045.

The Final EIS includes quantification of GHG emissions resulting from the project alternatives (in carbon dioxide equivalents [CO₂e]), an estimate of the social cost of GHG emissions (i.e., the monetary estimate of the economic impacts associated with emitting an additional ton of that GHG in a given year), and discussion of reduction measures to address comments received during scoping and from cooperating agencies. See Final EIS Sections 4.4 and 4.15 for these analyses. The federal government has enacted measures that would reduce GHG emissions from mobile sources, some of which have been accounted for in the air quality model used to estimate mobile emissions. BMPs were provided in Section 2.3.2 of the Draft EIS to reduce project-related GHG emissions. Construction BMPs include reduced idling of heavy equipment, thereby, reducing CO₂ during the construction or the Proposed Project. Operational BMPs would reduce indirect GHG emissions from electricity use, water and wastewater transport, and waste transport through the installation of energy efficient lighting, heating and cooling systems, low-

flow appliances, drought resistant landscaping, and recycling receptacles. The BMP to plant trees and vegetation on site would result in additional benefits by providing shade to the buildings and parking lot and cooling through evapotranspiration. Operational BMPs would also reduce indirect mobile GHG emissions by requiring adequate ingress and egress to minimize vehicle idling and preferential parking for vanpools and carpools to reduce project-related trips. Therefore, with the implementation of all feasible BMPs provided in Section 2.3.2 of the Draft EIS, Alternative A would not result in a significant adverse cumulative impact associated with climate change.

As discussed on page 4.15-14 of the Draft EIS, characteristics of Alternative A are not unique or specifically vulnerable to the impacts of climate change. The effects of increasing temperatures and frequency of extreme heat days or extreme weather conditions would be dampened by the use of on-site HVAC units. The Strawberry Fields Site is located in a predominantly urban area, adequately served by emergency services including the proposed Public Safety Building, and would not be significantly at risk to wildfires or extreme weather conditions as a result of climate change.

3.17 MITIGATION MEASURES AND BEST MANAGEMENT PRACTICES (BMPS)

Summary of Comments: A number of commenters question the commitment, enforceability and specificity of the proposed mitigation measures. Several comments state that the Draft EIS mitigation measures are inadequate or deficient. Some comments indicate the Draft EIS relies improperly on the agreements between the Redding Rancheria, the City of Redding, and Shasta County to ensure that mitigation is conducted and enforced. Other comments question the distinction between mitigation measures and BMPs.

Response: Mitigation measures for the project alternatives are listed in Section 5.0 of the Draft EIS. As stated in Section 5.0 of the Draft EIS, mitigation measures were developed in accordance with the Council on Environmental Quality (CEQ) National Environmental Policy Act (NEPA) regulations. CEQ regulations require mitigation measures to be developed for all of a proposed action's effects on the environment where feasible (40 CFR §1502.14(e) and 1502.16(a)). The NEPA regulations states that mitigation includes:

“...avoiding the impact altogether by not taking a certain action or parts of an action; minimizing impacts by limiting the degree or magnitude of the action and its implementation; rectifying the impact by repairing, rehabilitating, or restoring the affected environment; reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; compensating for the impact by replacing or providing substitute resources or environments” (40 CFR §1508.1). (Section 5.2 of the Draft EIS).

Regarding enforcement, the EIS is not the document that commits the agency to mitigation. Rather, it is the Record of Decision (ROD) that does so. As required by 40 CFR §1505, the BIA or other appropriate consenting agency shall be responsible for ensuring that mitigation adopted within the ROD is implemented. 40 CFR §1505.2 states, where applicable, a Mitigation Monitoring and Enforcement Plan

(MMEP) shall be adopted and summarized within the ROD. Mitigation enforceable by parties other than the BIA, e.g. permits (i.e. the National Pollutant Discharge Elimination System [NPDES] permit) or enforceable agreements (i.e. an agreement between the Tribe and local governments and/or a Tribal-State Compact), may not require a monitoring and enforcement program. All listed mitigation measures and BMPs listed in Final EIS Section 5.0 are enforceable because they are: 1) inherent to the project design, and/or 2) required through federal or tribal laws, regulations, and ordinances, where applicable.

As detailed within Section 5.0 of the Draft EIS, one mitigation measure is enforceable through the terms of the Compact. Please See Draft EIS Section 1.5.1 for more information concerning the Compact. In regard to the ability of the respective parties to renegotiate the terms of the Compact, this does not weaken the Compact's enforcement mechanism as all of the respective parties must agree to any amendments; thus, ensuring that any one party cannot unilaterally alter the agreement in its favor.

Regarding specific mitigation measures that may be affected by an agreement between the Tribe and the City and County, such mitigation measures listed in Section 5 of the Draft EIS and Final EIS can be amended, as applicable, if intergovernmental agreements are reached prior to their inclusion in the MMEP, which is part of the ROD (see discussion above). Accordingly, mitigation measures in the Final EIS, Volume II, Section 5.10 have been revised to reflect the IGA between the Tribe and the County that was entered into subsequent to the release of the Draft EIS. However, as described above, the mitigation measures contained in the MMEP / ROD are enforceable, even in the absence of an agreement between the Tribe and the City and/or County. The only exceptions are those Mitigation Measures described in Section 5.10 that are for the provision of law enforcement, fire, and EMS services. As described in **General Response 3.6.3**, subsequent to the publication of the Draft EIS, in the event the existing County IGA is terminated and a new agreement cannot be reached, the Tribe would fund the construction and operation of a Public Safety Building on the Strawberry Fields Site. This is described as police, fire and EMS Option 2 in Final EIS, Volume 2, Section 4.10.

Regarding the connection between mitigation measures and BMPs, it should be noted that these are related yet separate concepts. This is the case, notwithstanding that BMPs are listed in Draft EIS Section 5.0 that is titled "Mitigation Measures". This distinction is explained in Section 6.4.6 of the of the 2012 BIA NEPA Guidebook:

"Measures or practices will only be termed mitigation measures if they have not been incorporated into the proposed action or alternatives. If mitigation measures are incorporated into the proposed action or alternatives, they are design elements, not mitigation measures. Design elements are those specific means, measures or practices that make up the proposed action and alternatives. Standard operating procedures, stipulations, and best management practices are usually considered design elements (43 CFR §46.130(b))."¹⁴

Thus, unlike mitigation measures, BMPs are integral elements of project design and therefore serve as an

¹⁴ Source: Indian Affairs National Environmental Policy Act (NEPA) Guidebook, 59 IAM 3-H, dated August 2012, accessed online October 2, 2019 at:

https://www.bia.gov/sites/bia.gov/files/assets/public/raca/handbook/pdf/59_IAM_3-H_v1.1_508_OIMT.pdf

underlying assumption within environmental analysis of the EIS. Changes to or elimination of the assumed BMPs could constitute a substantive change to the project that could trigger the need for supplemental NEPA review. In a letter dated June 17, 2019 (Comment Letter T5), the Tribe expressed its commitment to implementing BMPs and mitigation measures specified in the ROD should the project be approved.

SECTION 4.0

INDIVIDUAL RESPONSE TO COMMENTS

This section contains responses to comments that were received during the public comment period on the Draft EIS and included in **Section 2.0**. Comments may be addressed with an individual response in this Section 4.0, with a general response in **Section 3.0**, or by reference to a specific response. Based on the comments received for the Draft EIS, revisions have been made in the Final EIS (Volume II) to improve language, enhance data, and provide clarification consistent with the President's CEQ Regulation 40 CFR § 1503.4 and the BIA NEPA Guidebook (59 IAM 3-H), Section 8.5.3. The location of the changes to the Draft EIS are identified in the applicable responses.

COMMENT LETTER A1: CENTRAL VALLEY FLOOD PROTECTION BOARD

Response to Comment A1-01

Draft EIS Section 3.3.2 identified the Central Valley Flood Protection Board's jurisdiction in relation to the alternative project sites. With regard to Alternatives A through D, which would occur on the proposed Strawberry Fields Site as identified in the Draft EIS Section 3.3.2, the Board currently has jurisdiction of the Sacramento River within the designated floodway which follows the boundary line of the FEMA 100-year floodplain or is located west of the FEMA 100-year floodplain boundary line as shown in Figure 3.3-1. For Alternatives A through D, the only development within the floodway would be the planting of native willow, oak, cottonwood, and sycamore trees to stabilize the streambank and excavation for the proposed infiltration wet pond.

With regard to Alternative E, the Anderson Site is not located near a Board-regulated stream or designated floodway. Alternative E proposes no construction within a Board-designated floodway.

With regard to Alternative F, the existing Win-River Casino Site is located partly within the Board designated floodway of Clear Creek. Alternative F proposes no construction within a Board-designated floodway. The construction of the proposed event center and parking garage under Alternative F would occur outside of the designated floodway.

In summary, only Alternatives A through D proposed any development within a Board-designated floodway. While the Board has jurisdiction of the Sacramento River, the proposed fee-to-trust transfer of the Strawberry Fields Site would remove the site from the State of California's jurisdiction. Once in federal trust, Board regulations would not apply to activities on the site as the Board's oversight does not apply to the activities of the United States or its agencies (Title 23 California Code of Regulations, Section 2(d)). The Environmental Protection Agency and U.S. Army Corps of Engineers would still retain jurisdiction under the Clean Water Act.

COMMENT LETTER A2: STATE BOARD OF EQUALIZATION**Response to Comment A2-01**

Comment noted; commenter expresses support for the Proposed Project. Refer to **General Response 3.2.1** regarding expressions of opinion.

COMMENT LETTER A3: CONGRESS OF THE UNITED STATES, WASHINGTON, DC**Response to Comment A3-01**

Comment noted; commenter expresses support for the Proposed Project. Refer to **General Response 3.2.1** regarding expressions of opinion.

COMMENT LETTER A4: MAYOR JULIE WINTER, CITY OF REDDING, CA**Response to Comment A4-01**

Please see **General Response 3.6.2** regarding substitution effects to local businesses, and sporting goods retailers in particular. Regarding potential effects to the Civic Auditorium, please note that Alternative A has been modified to remove the amphitheater component. Please see revised text in Final EIS Section 2.7.1. Also note that the conference center and event center still remain as Alternative A components. Removal of the amphitheater component would reduce competitive effects to the City Auditorium. Also, it should be noted that some of conference center and event center events would not occur in the city, if not for the gaming element of Alternative A. Consequently, such events would not occur at the City's Civic Auditorium in the absence of Alternative A, and thus would not result in substitution effects. However, the Alternative A event center would likely compete with the Civic Auditorium to some extent. The new entertainment venue would increase the capacity of the Tribe's current entertainment venue at the existing Win-River Casino, which would be closed under Alternative A, by 800 seats. As stated in Final EIS Volume II, Appendix L, Response A-4.1, the entertainment content for both the Redding Civic Auditorium and Cascade Theater was analyzed, and it was determined that most of the entertainment at these venues (which included symphony, performing arts, community events, holiday shows, etc.) would not be hosted by the proposed new conference center and event center under Alternative A. Therefore, the project alternatives would not cause the Civic Auditorium to experience significant competitive or substitution effects. Please refer to **General Response 3.6.4** regarding fiscal effects to local governments.

Response to Comment A4-02

The overall traffic study methodology was coordinated comprehensively with the City prior to the preparation of the TIS (Draft EIS Appendix F). City staff were integral to the process of defining development assumptions for the analysis scenarios, preferred mitigation geometrics (Interstate-5/South Bonnyview interchange) and ensuring consistency with other concurrent development projects and Capital Improvement Program (CIP) projects. This level of coordination with the City was warranted for a number of reasons, including the close proximity of the Strawberry Fields Site to City limits, the fact that the site is within the City's sphere of influence, and the scope of the Proposed Project.

Since these prior coordination efforts, the City proceeded with a concurrent transportation impact study and Final Environmental Impact Report (EIR) for a nearby development known as the River Crossing Marketplace. As per the *River Crossing Marketplace Specific Plan EIR*¹, “Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer].” The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps^{2,3}, the combination of which are understood to be representative of the aforementioned “TRANS-1.1.” These improvements have been fully constructed and the facilities were opened to traffic in November 2022. This constructed mitigation was specifically noted as accommodating the cumulative “Year 2040 with Rancheria plus Project” conditions, which included regional growth in the Shasta County Regional Transportation Model, as well as the known projects in the project vicinity, including but not limited to the Redding Rancheria Casino Project Alternative A, which was described as “a new casino and resort, an approximately 69,515-square-foot casino, a 250-room hotel, an event- convention center, and a retail center, as well as associated parking and infrastructure”⁴. Because year 2040 conditions would have higher volumes than Opening Year conditions, this noted improvement is considered to have adequately mitigated the significant impact of Alternative A at the South Bonnyview Road/Bechelli Lane intersection. Accordingly, the Proposed Project has no mitigation responsibility at this intersection and the Updated TIS reflects these changes.

It is important to note that the November 17, 2017, Omni-Means/GHD memorandum preceded the June 2018 traffic impact study (the traffic impact study incorporated in the Draft EIS, also referred to herein as the TIS or Draft EIS Appendix F) in which the majority of the comments were specifically addressed. Kimley-Horn previously prepared comprehensive responses to Omni-Means’/GHD’s November 17, 2017, comments in a memorandum dated June 11, 2018. These prior responses are summarized and further supported by the enhanced “Project Trip Generation” Section contained in the Updated TIS. No further changes are warranted.

Peak-hour. Due to the unique trip generation characteristics of tribal gaming facilities, it was determined that the Friday and Saturday PM peak-periods represent the worst-case periods during which to evaluate the Proposed Project. It is during these periods that the combination of background traffic and casino traffic are anticipated to be at the highest levels. As a result, it can be concluded that the peak-hours of the project (i.e., the “peak-hour of generator”) were used to analyze the effects of the Proposed Project on the surrounding transportation network. Please see the “Project Trip Generation” Section contained the Updated TIS for additional information (Final EIS, Appendix Q). The expanded discussion includes details pertaining to the use of similar methodology in numerous other tribal gaming facility EIS traffic studies, and data supporting the use of Friday and Saturday evenings as the peak-hours for this study.

¹ *Final Environmental Impact Report, State Clearinghouse No. 2017052030, River Crossing Marketplace Specific Plan, Pages 7-7 and 7-8, PlaceWorks, March 2020.*

² *Project Plans for the Construction of S. Bonnyview Rd/I-5 Phase II Improvements Bechelli Ln Roundabout, GHD, October 2021.*

³ *Project Plans for Construction on State Highway in Shasta County in and Near Redding From 0.4 Miles South to 0.5 miles north of Churn Creek Road Overcrossing, GHD, October 2021.*

⁴ *Recirculated Draft Environmental Impact Report, State Clearinghouse No. 2017052030, River Crossing Marketplace Specific Plan, Pages 4.12-43 through 4.12-49, PlaceWorks, December 2019.*

Hotel Trip General Rates. Additional detail has also been provided in the Updated TIS related to the use of project trip internalization, including the reduction applied to the hotel use's trip numbers (see page 59 of Final EIS Appendix Q). As discussed therein, Trip generation for the hotel use proposed in Alternatives A, B, and C was calculated based on data from the ITE Trip Generation Manual, 9th Edition, but was also adjusted with the assumption that most guests at the hotel would also be guests of the casino. Typically, casinos with on-site hotel facilities implement a pricing structure for the rooms that favors casino guests. Therefore, the ITE hotel trip generation rate was reduced by 75 percent to account for internal capture to and from the casino. Reducing the base hotel rate by 75 percent is based on professional judgment and is generally consistent with the hotel trip generation adjustments demonstrated in the traffic studies for other northern California gaming facilities.

The TIS and Updated TIS model Opening Year (2025) plus Proposed Project Conditions are the most comprehensive snapshot of realistic conditions anticipated to be realized upon opening of the project. Unlike "Existing plus Proposed Project" conditions, the use of "Opening Year" allows for comprehensive consideration of background traffic growth, traffic from known development activity, and the full effect of the Proposed Project.

According to the City's *Traffic Impact Analysis Guidelines* (Section 3.1 (B)), the following scenarios are defined as "cumulative":

- "Existing plus Approved/Pending Projects List
- Existing plus Approved/Pending Projects List plus Proposed Project
- 2030 Shasta County Travel Demand Model (SCTDM) without Proposed Project
- 2030 SCTDM plus Proposed Project"

Accordingly, the TIS' inclusion of both "Opening Year (2025) Conditions," conditions representative of Existing plus Approved/Pending Projects, and "Cumulative (2040) Conditions" satisfy the City's requirement for comprehensive "cumulative" analyses. It was our understanding that this approach, the inclusion of "Opening Year (2025) Conditions" analyses, is consistent with the guidance received from local and state agencies during the traffic study planning process, which occurred during 2016. At this juncture, the consensus was that there were various development projects that were likely to be completed prior to 2025. Because some of these projects were relatively large, it was proposed that a 2025 analysis that included them would render a more accurate impact analysis than a simpler approach that focused only on the impacts of the Proposed Project. For this reason, Kimley-Horn projected the Year 2025 plus Proposed Project Conditions traffic in such a way that other development projects were included, which resulted in what is effectively a cumulative analysis. Consistent with a cumulative analysis, fair share percentages were applied. As required by the City's *Guidelines*, the fair share mitigations identified for Opening Year (2025) and Cumulative (2040) Conditions were calculated based the methodology as provided in Caltrans' *Guide for the Preparation of Traffic Impact Studies* (Caltrans, December 2002).

In the course of updating the traffic analysis as documented in the "Proposed Project Mitigations" Section of the Updated TIS, Kimley-Horn updated the methodology used to calculate the project's fair share responsibilities. This change in methodology generally resulted in different, but typically higher fair share

percentages for the project alternatives. In all cases, fair share percentages were calculated for the appropriate peak-hour during which a subject impact was triggered. When an impact was triggered in both Friday and Saturday peak-hours, the higher (worse) resulting LOS and fair share percentage were used to define the impacts. A summary of the fair share percentages has been prepared and is included as part of Appendix J of the Updated TIS, which is provided as Final EIS Appendix Q.

Response to Comment A4-03

Please see **General Response 3.8.1** regarding zoning and the consistency of project alternatives with the City and County general plans.

Response to Comment A4-04

The commenter is correct that delivery of electricity by REU is at the discretion of the City. Final EIS Sections 2.0 and 4.10 have been updated to state that electricity will be delivered by either REU or PG&E. See the revised text in these sections.

Response to Comment A4-05

As identified in Section 2 of the Draft EIS, two water supply options are identified for Alternatives A through D. Option 1 is connection to the City of Redding's municipal water supply infrastructure. Option 2 is the development of groundwater wells on the project site. The City's comments are directed to Option 1. The City's water supply is a combination of surface water supplied under two U.S. Bureau of Reclamation (USBR) contracts and a contract with the Anderson-Cottonwood Irrigation District, and groundwater from wells within the City. The Strawberry Fields Site is adjacent to, but not within, the City Limit and the service area of the City's Sacramento River USBR contracts. As the City states, currently the project cannot be served by surface water provided under the USBR contracts because the place of use is restricted to the existing service area. However, the contracts provide for changing the place of use by inclusion upon the USBR's written consent. As identified in the Draft EIS Appendix M (Section 4.3.1), for the City to change its water service area, Local Agency Formation Commission (LAFCO) review may also be required. Regardless of whether the City provides groundwater or a blend of groundwater and surface water under Option 1, Sections 4.3, 4.10, and 4.14 of the Draft EIS address the potential environmental effects of this supply option.

Response to Comment A4-06

The Draft EIS identifies two wastewater service options for Alternatives A through D. Option 1 is connection to the City's wastewater conveyance and treatment system. Option 2 is development of an on-site wastewater treatment plant. Under Option 1, the Draft EIS Section 4.10.1 identifies that the City's Westside Interceptor is currently at capacity and experiences localized overflows during storm events. Draft EIS Section 4.10 also states that with the City's proposed improvements to the interceptor in 2022, the facility would have sufficient capacity to serve Alternatives A through D. The City's comments confirm that the specific improvement project is the Westside Interceptor Phase III Pipeline and it is scheduled to be completed by 2025 per the City's 2022-2027 Capital Improvement Plan.

The City's suggested correction to Section 4.3.1 of the Draft EIS has been made; the word "wastewater" was replaced with the word "water." The conclusions of the section have not changed.

Regarding the City's request for additional details on the infiltration capacity of the proposed vegetated swale under Alternative D, as described in Draft EIS Section 2.3, the site plans for Alternatives A through D incorporate a 2,730-foot long (approximately one-half mile), 20-foot wide, 5-foot deep vegetated swale running north to south between the access road and Interstate-5. The vegetated swale would convey project runoff, provide stormwater filtration and infiltration, and provide a bypass channel for 600-700 cubic feet per second (cfs) of stormflows that could overflow from Churn Creek during extreme rain events. The vegetated swale would pass through a large box culvert under the access road and to a 60,000-square-foot vegetated stormwater infiltration area (approximately 1.4 acres) of infiltration area. The soil profile in the area of the swale and infiltration area is characterized by the geotechnical investigation performed by Mid Pacific Engineers (MPE) in January of 2020. Percolation testing was performed on-site by Blackburn Consulting (BC) in November of 2019. The northern 1,020 ft (20,400 sq. ft.) of the swale would have a finished bottom in Silty Sand (SM) per MPE's TP-11. BC completed 11 percolation tests in SM with an average percolation rate of 8.38 min/in or $K = 0.00505$ cm/s. The assimilative capacity of this area is 3.3 ft³/s. The middle 920 ft (18,400 sq. ft.) of the swale would have a finished bottom in Low Plasticity Silt (ML) per MPE's TP-32 & TP-36. BC has no percolation tests in ML. Spangler & Handy's middle value for silt is $K=10-4$ cm/s. The assimilative capacity of this area is 0.6 ft³/s. The southern 790 ft of the swale and the 340 ft. X 130 ft. vegetated infiltration area (combined 60,000 sq. ft.) would have a finished bottom in Poorly Graded Sand (SP) per MPE's TP-37. BC has no percolation tests in SP. Spangler & Handy's middle value for Graded Sand / Fine Sand is $K=10-2$ cm/s. The assimilative capacity of this area is 196.9 ft³/s. The cumulative total assimilative capacity of the vegetated swale and terminal infiltration area is 200 ft³/s. This is in addition to the 38 ft³/s provided by infiltration trenches that make up the onsite storm drainage system.

Response to Comment A4-07

Although the proposed 9-story hotel and 5-story parking garage may be taller than any other existing, approved, or proposed building adjacent to I-5 within the City, they would not significantly impede views of scenic resources and would not be uncharacteristic of the area as a whole due to other commercial developments, such as Mt. Shasta Mall, multi-story office buildings, the multi-story Hilton Garden Inn, the FedEx freight distribution center, Costco, and Hilltop Mall. The commenter is correct that the view from the perspective of Viewpoint B would be altered, as shown in Draft EIS Figure 4.13-2. Specifically, as described in Draft EIS Section 4.13.1 and depicted in Figure 4.13-2: "While the casino and hotel development would represent a major alteration, travelers would only experience the altered view for a short time due to high motorist speeds." In other words, although the hotel component would partially obscure the view of the mountains, this would occur for a relatively small portion of the mountain view, and the effect would be temporary from the perspective of a highway motorist. Consequently, the aesthetic effect is less than significant. Nonetheless, the opinion of the commenter is acknowledged. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements.

Response to Comment A4-08

Refer to **Response to Comment A4-02**. The Updated TIS (Final EIS Appendix Q, Page 20) includes additional detail pertaining to the adjustment factors that were applied to the July traffic counts to increase the volumes to reflect the observed seasonal variation.

Response to Comment A4-09

Refer to **Response to Comment A4-02**. Please see the “Project Trip Generation” discussion contained in the Updated TIS (Final EIS Appendix Q). The expanded discussion includes details pertaining to the use of similar methodology in numerous other tribal gaming facility EIS traffic studies, and data supporting the use of Friday and Saturday evenings as the peak-hours for this study. As a result, while the stated differences between the Costco TIAR “weekday” and this study’s Friday traffic volumes are noted, because it is considered to be more appropriate to analyze the Friday PM peak-hour, the relationship between the two days’ volumes is considered to be irrelevant.

Response to Comment A4-10

Refer to **Response to Comment A4-02** regarding most methodological questions included in the comment. Please note that this traffic study evaluated an Opening Year condition as year 2025, further defined as assuming existing roadway geometry/traffic control. While the Updated TIS (Final EIS Appendix Q, Page 36) does describe the application of linear interpretation, it goes on to clarify that “Opening Year (2025) traffic volumes assume the full buildout of the River Crossing Marketplace, including a 152,101-square foot Costco, located in the northwest quadrant of the South Bonnyview Road/I-5 interchange.” Furthermore, because the Opening Year (2025) traffic volumes for Intersections #1-9 were taken directly from the River Crossing Marketplace traffic study, consistent with this City-led project, identical traffic forecasting methodologies and assumptions for the level of development associated with known development projects east of I-5 are included in the volumes used in this study.

Level of Service (LOS) worksheets for Opening Year (2025) Conditions are provided in Appendix E of the Updated TIS (Final EIS Appendix Q).

The direct comparison of peak-hour traffic volumes for different days of the week and different hours of the day is reasonably expected to reveal differences. The commenter suggests that they are directly comparing Tuesday-Thursday PM peak-hour to this study’s Friday PM peak-hour, and the Saturday mid-day peak-hour to this study’s Saturday PM peak-hour. Please see the “Baseline Conditions” discussion contained in the Updated TIS on Page 36 in which it is clarified that this study’s Friday PM peak-hour volumes, because they were obtained directly from the River Crossing Marketplace study, are weekday (Tuesday-Thursday) PM peak-hour volumes. This clarification explains why the weekday volumes are similar between the two studies. The expanded discussion also includes details pertaining to the use of similar methodology in numerous other tribal gaming facility EIS traffic studies, and data supporting the use of Friday and Saturday evenings as the peak-hours for this study. As noted above, because the primary source of Year 2025 volumes is from the subject “Costco” traffic study, the noted differences in intersection volumes is reasonably anticipated to be due to the difference in the specific peak-hour of analysis (Saturday mid-day vs. Saturday PM).

Response to Comment A4-11

Refer to **Response to Comment A4-02** regarding the sequencing of comments and traffic study iterations. Please note that the TIS and Updated TIS evaluate a Cumulative Condition as year 2040, further defined as assuming existing roadway geometry/traffic control. The use of year 2040 allowed for consistency between this study and the *River Crossing Marketplace Specific Plan Traffic Impact Analysis Report* which also used year 2040 for Cumulative Conditions. As noted, the traffic volumes used in these studies are higher than the referenced volumes from the South Bonnyview/I-5 Interchange PSR, which implies that the analysis and conclusions are conservative. Regardless of the “no project” operations, the TIS and Updated TIS comprehensively evaluate the effect of the addition of the Proposed Project. Per the City’s direction, the TIS and Updated TIS have inherent assumptions of the level of development and the interchange area’s forecasted traffic volumes.

Table 11 of the Updated TIS summarizes the Cumulative Year (2040) Conditions intersection levels of service. As shown, the Interstate-5/South Bonnyview Interchange area intersections (Intersections #3-7) are shown to operate from LOS A to LOS F. Contrary to the commenter’s assessment, the addition of the Proposed Project is shown to result in significant impacts (LOS F) at all five of the interchange area intersections under Cumulative (2040) Conditions (Final EIS Appendix Q, Table 28). As a result, the documented future operations are considered to be consistent with other studies and, therefore, the impacts revealed are appropriately isolated and allocated to the Proposed Project. As per the *River Crossing Marketplace Specific Plan EIR*, “Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer].” The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are understood to be representative of the aforementioned “TRANS-1.1.” These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Accordingly, the project has no mitigation responsibility at this intersection and the Updated TIS reflects these changes (Final EIS Appendix Q). Please see **Response to Comment A4-02** for further information.

Response to Comment A4-12

A year 2045 Cumulative Conditions analysis is not included in the TIS or Updated TIS. Nevertheless, please note that references to a “diverging diamond interchange” are made in response to the City’s direction as documented in Omni-Means’ technical memoranda sourced throughout the TIS and Updated TIS. Regardless of the current funding situation, the impacts of the addition of the Proposed Project (on existing geometric conditions) under Cumulative (2040) Conditions are thoroughly documented, and the project’s fair share responsibility of implementing the long-term desired configuration (diverging diamond interchange) have been calculated in a manner consistent with the City’s traffic study *Guidelines* (see Appendix J of the Updated TIS, provided as Final EIS Appendix Q).

Response to Comment A4-13

Refer to **Response to Comments A4-02** and **A4-10** regarding why Friday pm and Saturday pm were identified as peak hours.

Response to Comment A4-14

Comment noted.

Response to Comment A4-15

Comment noted.

Response to Comment A4-16

Refer to **Response to Comments A4-02** and **A4-10** regarding why Friday pm and Saturday pm were identified as peak hours.

Response to Comment A4-17

A summary of the technical analysis parameters used in this study are provided in the Updated TIS (see (Final Appendix Q, Page 9)).

Response to Comment A4-18

Refer to **Response to Comment A4-02**.

Response to Comment A4-19

Refer to **Response to Comment A4-10**. It is typical for traffic counts performed for the purposes of different traffic studies, and therefore collected at different times on different days of the week, to result in different operations results. In this instance, the Draft TIS and the *River Crossing Marketplace Specific Plan Final Environmental Impact Report* document peak hour traffic counts at the overlapping South Bonnyview Road intersections in the vicinity of the Interstate-5 interchange.

The Draft TIS used counts collected in July 2016, adjusted to represent September 2016, to establish the existing intersection levels of service (Friday 5:00 PM to 7:00 PM, and Saturday 5:00 PM to 7:00 PM). Conversely, the *River Crossing Marketplace* study, while it also used September 2016 counts for its existing conditions, analyzed intersection levels of service during different periods (Tuesday/Wednesday 4:00 PM to 6:00 PM, and Saturday 11:00 AM to 1:00 PM). We noted that the differences in volumes (due to different days of the week and respective peak-hours) range from zero to approximately 200 peak-hour vehicles for the various movements. This range of difference is to be expected given the differences in methodology concerning days of the week and peak-hours.

Response to Comment A4-20

Refer to **Response to Comment A4-02**, specifically as it pertains to the identification of analysis peak-periods. Fair share percentages were calculated for the appropriate peak-hour during which a subject impact was triggered. When an impact was triggered in both Friday and Saturday peak-hours, the higher (worse) resulting LOS and fair share percentage were used to define the impacts. Fair share percentages are presented in the “Proposed Project Mitigations” Section and Appendix J of the Updated TIS (Final EIS Appendix Q).

It should also be noted that a more conservative methodology was employed to calculate the “fair share” percentages listed in the Updated TIS. Specifically, the fair share percentages provided in the Updated TIS are generally higher than the Original TIS.

For Opening Year (2025) Conditions, the fair share percentages are based on 2025 background traffic volumes. For Cumulative (2040) Conditions, the fair share percentages are based on 2040 background traffic volumes. However, if a Cumulative (2040) Conditions mitigation measure was determined to be the same as the respective Opening Year (2025) Conditions mitigation measure, then the fair share calculation refers back to the Opening Year (2025) Conditions fair share calculation. See Page 151 in the Updated TIS for a comprehensive description of this methodology.

Response to Comment A4-21

A comprehensive summary of anticipated intersection queues for the Cumulative (2040) Conditions is provided in Appendix D of the Updated TIS (Final EIS Appendix Q). These are considered to be the worst-case conditions under which to evaluate intersection queuing because the background traffic volumes are highest under Cumulative (2040) Conditions and the resulting operations (queuing in particular) are anticipated to be the worst. The queue results are provided for Access Option 1 and Access Option 3, in which the most concentrated queues are anticipated. As documented therein, the addition of the Proposed Project does not contribute a substantial amount of additional queuing to any of the subject intersecting turning movements.

The majority of the movements do not have queues that exceed the available storage. While the Proposed Project adds additional queuing, the mitigation improvements required to achieve acceptable levels of service are shown to result in queues that are contained within the storage provided, with the exception of Intersection #3 (South Bonnyview Road/Bechelli Lane). The northbound right and the westbound left movements of Intersection #3 contain queues that are reported to exceed the available storage under Mitigated plus Project conditions as shown in Appendix D of the Updated TIS. However, the available storage was measured based on existing (2016) geometry. It should be noted that the intersection geometry may change if the mitigation improvements proposed for Opening Year (2025) are implemented. As per the *River Crossing Marketplace Specific Plan EIR*, “Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer].” The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are

understood to be representative of the aforementioned “TRANS-1.1.” These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Accordingly, the project has no mitigation responsibility at this intersection and the Updated TIS reflects these changes. Please see **Response to Comment A4-02** for further information.

Response to Comment A4-22

The discussion on Page 178 of the Updated TIS pertaining to alternate travel modes has been updated to address impacts of the 2019 Shasta County *Go Shasta Regional Active Transportation Plan*.

Response to Comment A4-23

In concert with the TIS (Draft EIS Appendix F), Kimley-Horn completed a detailed preliminary engineering assessment of the various project access conditions. These engineering efforts, combined with the “Bonnyview Interchange (Exit 675) Improvements Project Study Report – Project Development Support” (PSR_PDS Preferred Alternative 4B) prepared by the City for Caltrans, comprehensively detail the footprint of the various improvements, some of which are mitigations, along the South Bonnyview Road corridor in the vicinity of I-5. As a result, it is reasonable to assume that the proposed mitigation improvements are feasible. As per the *River Crossing Marketplace Specific Plan EIR*, “Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer].” The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are understood to be representative of the aforementioned “TRANS-1.1.” These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Please see **Response to Comment A4-02** for further information.

The commenter is correct that the design elements of these proposed mitigation improvements are at a preliminary stage, and that elements of the mitigation features may be refined prior to their construction. Each of the proposed traffic improvements will be designed and constructed to comply with applicable federal, state, and local regulations. Because the Tribe does not have jurisdiction over any of the off-reservation proposed mitigation, it will not directly implement the traffic improvements. Rather, implementation of traffic mitigation will be under the purview of the applicable jurisdictional agency. As stated in Draft EIS Section 5.8, the Tribe proposes “fair share contributions” which will be applied towards implementation of traffic mitigation measures. The level of detail of these future improvements described in the Update Traffic Study is appropriate for this stage of the planning and evaluation process. It is possible that one or more of the traffic improvements described in the Updated Traffic Study will ultimately be determined to be infeasible, in which case equivalent traffic improvements may be implemented provided that the jurisdictional agencies and Tribe agree regarding the efficacy of such alternative improvements.

Response to Comment A4-24

While the commenter alludes to physical constraints, the City's construction of the River Crossing Marketplace Specific Plan EIR Mitigation Measure Trans-1.1 is understood to fully mitigate the subject intersection's operations. As such, the noted "physical constraints" are moot as the previously identified mitigation is not necessary as the City as fully mitigated by constructing the roundabout improvements at this location.

Response to Comment A4-25

In regard to the southbound right-turn lane at the South Bonnyview Road and Interstate 5 southbound off-ramp terminus and mitigation of southbound off-ramp queuing onto the mainline Interstate 5, please see **Response to Comments A4-21** and **A4-23**. The improved efficiency achieved by the change in operation of the southbound right-turn lane, in conjunction with other mitigations along the corridor, are documented to improve the conditions to which the commenter refers (queuing onto mainline I-5 during peak periods). This queue is confirmed to be contained within the southbound off-ramp.

The "yield control" used to describe the ramp terminus should not be mistaken with "free control". The described "yield control" would minimize the downstream weaving operation as noted by the commenter by essentially "metering" the flow of traffic exiting southbound I-5 with destinations to the west (including to southbound Bechelli Lane). Furthermore, the "weave" condition mentioned by the commenter would only be applicable to the subset of vehicles which are destined for southbound Bechelli Lane.

Under Opening Year (2025) Friday PM Conditions, 26 percent of vehicles making a southbound right from the I-5 southbound off-ramp are destined for southbound Bechelli Lane. Under Opening Year (2025) Saturday PM Conditions, 39 percent of vehicles making a southbound right from the I-5 southbound off-ramp are destined for southbound Bechelli Lane. As stated above, the yield control will minimize the likelihood of these vehicles "weaving" as they approach Bechelli Lane. Figure 10 and Figure 36 in the Updated TIS include the volumes used to calculate the aforementioned percentages.

COMMENT LETTER A5: ENVIRONMENTAL PROTECTION AGENCY

Response to Comment A5-01

The commenter's preference for Alternative B is acknowledged. Please also see **General Response 3.11** regarding issues related to flooding and floodplains.

Response to Comment A5-02

The hydrology calculations in Draft EIS Appendix C and cited in the Draft EIS were prepared using engineering industry standard methodology (Rational Method) and the on-site storm drain conveyance system has been designed using local jurisdiction requirements for storm events. Rainfall estimates are discussed in detail within the City of Redding Department of Public Works Hydrology Manual. The on-site storm drain infrastructure (inlets, pipes, etc.) was sized using the 10-year design storm in accordance with the Recurrence Interval Requirements from the City of Redding Construction Standards. The peak

flows for the 2-, 10-, and 100-year storm event for a 24-hour period were estimated to ensure that post-developed flows leaving the site do not exceed the existing conditions. An excerpt from the manual discussing the calculation of Redding Area design storms can be found in Appendix A of Final EIS Appendix N.

To accommodate potential increased future peak flows, the on-site storm drain system will operate between 60 and 70 percent capacity under current conditions, leaving additional capacity to accommodate increased flows to at least 140 percent of current design flows. Additionally, Alternatives A through D have been revised to provide a 150-foot setback from the Sacramento River and the finished floor elevations of all structures (there will be no basements) would be approximately 3 feet above the FEMA 100-year water surface elevation, thereby providing additional buffer from the 100-year floodplain. This provides additional protection for potential increased storm water flows in the absence of any industry standard methodology to quantify the increase or decrease of intensity, duration, and frequency of precipitation as a result of climate change.

The commenter's preference for Alternative B is acknowledged.

Response to Comment A5-03

Please see **General Response 3.9** regarding Sacramento River streambank stabilization and vegetative buffer and **General Response 3.11** regarding issues related to flooding and floodplains. As described in Section 6.2.1 of Final EIS Appendix N and Final EIS Section 2.3.2, Alternative A has been revised to provide a 150-foot setback from the top of the bank of the Sacramento River. The Proposed Project would not disturb the existing vertical loam bank and would include establishing riparian trees in the setback area between the existing riverbank and the hardscape features of the Proposed Project. This would stabilize and reduce the meander potential within the mantle of loamy soil while preserving the existing cut bank and natural river processes as described in Bank Swallow Conservation Strategy for the Sacramento River Watershed, California Bank Swallow Technical Advisory Committee, June 2013.

Response to Comment A5-04

As described in Final EIS Appendix M, Section 3.3.2, after publication of the Draft EIS, site-specific geotechnical exploration and testing was completed at the site of Alternatives A-D by Blackburn Consulting (included as an appendix to Final EIS Appendix M). Percolation tests were performed in several locations across the proposed leach field area and were used to determine the average hydraulic loading rate. The percolation tests conclude that only two of the fifteen test locations fall outside the standard range for "usable disposal material" according to the UIC Program. Furthermore, Shasta County's LAMP for OWTS specifies a minimum depth to groundwater based on percolation rates. Based on the demonstrated percolation results, the required minimum depth to groundwater is 5 feet. As provided by Blackburn's test pit logs, the average depth to groundwater is more than 12 feet, which complies with Shasta County Standards. The sizing of the proposed leach field area accounts for Blackburn's site exploration results and is designed to comply with both Shasta County and USEPA's standards for leach field design. A discussion of the percolation tests has been added to Final EIS Section 4.3.

According to Shasta County’s LAMP for OWTS, the required horizontal setback distance between a leach field and perennial stream is 100-feet “to be measured from the 10-year flood line or top of bank or other evident high water-line or the expected 10-year flood line.” Given this Shasta County standard requiring a setback from the 10-year flood line, the proposed leach field design offers a large factor of safety in the event the Sacramento River floods, as the proposed leach field is located outside the 100-year floodplain.

As described in Draft EIS Section 2.10.5 (Final EIS Section 2.10.6), the use of sprayfields was eliminated as a disposal option, and the associated seasonal storage pond referenced by the commenter would not be required for operation of the leach fields. The updated Wastewater Management and Drinking Water Feasibility Study is included as Final EIS Appendix M.

Response to Comment A5-05

The Westside Interceptor Phase III project is described in Section 5.3.1 of Final EIS Appendix M. The City anticipates having the interceptor go to construction in 2025. If the proposed development occurs before the Westside Interceptor Phase III project is complete, using flow equalization storage on site until the downstream conveyance system is complete would mitigate the possibility of the project contributing to overflows or spills as a result of flows exceeding the capacity of the pipe system. Connection to the City of Redding’s system would be subject to the City’s approval.

Response to Comment A5-06

As described in Draft EIS Section 2.3.2, “finished floor elevations (there will be no basements) will be approximately 3 feet above the Federal Emergency Management Agency (FEMA) 100-year floodplain.” As no basements are proposed, no hazardous materials will be stored in basements as recommended by the Commenter. Although no roadways are within the 100-year floodplain, Final EIS Section 2.3.2 has been clarified to note that all access routes from the building sites to the main access road will be elevated above the FEMA 100-year floodplain to provide safe access to/from the site during flood events, which is consistent with the language in Draft EIS Appendix C noted by the commenter. Please also see **General Response 3.11** regarding issues related to flooding and floodplains.

Response to Comment A5-07

Please see **General Response 3.13** regarding viewpoints from the perspective of persons on the Sacramento River.

COMMENT LETTER A6: SHASTA COUNTY, CHAIRMAN LEONARD MOTY

Response to Comment A6-01

The County was invited to participate as a cooperating agency in the EIS process. In a letter dated December 16, 2016, the County accepted the invitation to participate as a cooperating agency. In a letter dated December 28, 2016, the County provided substantive comments on the Notice of Intent and also

confirmed its acceptance of the invitation to participate as a cooperating agency. Substantial changes were made to the then internal version of the Draft EIS so as to address the County's comments on the Notice of Intent. In a letter dated October 20, 2017, the Administrative Draft EIS was transmitted to the County. In that letter, the BIA respectfully requested that the County send its comments on the Administrative Draft EIS to the BIA by November 20, 2017. As of November 20, 2017, the BIA had no record of having received comments from the County. In order to confirm the County's status, on November 29, 2017 the BIA sent an email to the County to determine if the County had prepared comments on the Administrative Draft EIS. On December 4, 2017 the BIA received an email from the County stating that it had no comments on the Administrative Draft EIS.

In a letter dated March 15, 2019 addressed to the BIA, the County stated or requested that: 1) it was then in the process of preparing a response to the Administrative Draft EIS, and anticipated providing comments to the BIA on or about April 8, 2019, 2) it was then in the process of negotiating an Intergovernmental Mitigation Agreement with the Tribe, 3) requested that the BIA respond to the County's comments on the Administrative Draft prior to releasing the Draft EIS for public comment, and 4) requested that the BIA delay the release of the Draft EIS until after the County and the Tribe had negotiated the Intergovernmental Mitigation Agreement. The Notice of Availability (NOA), which indicated the public release of the Draft EIS, was published on April 19, 2019.

The County's procedural requests are acknowledged. It should be noted that, as described above, the County initially indicated that it did not intend to provide comments on the Administrative Draft EIS. In its March 15, 2019 letter, the County altered its stance and stated that it did intend to provide comments, which would be forthcoming on or around April 8, 2019. But the County also requested that the release of the Draft EIS to the public occur after the negotiation of an Intergovernmental Mitigation Agreement, the occurrence of which was then unknown to the BIA. The BIA proceeded with publication of the Draft EIS on April 19, 2019, which was eleven days after the County's April 8 stated objective for delivery of comments. It should also be noted that, as described in **General Response 3.1.1**, the BIA extended the comment period on the Draft EIS by an additional two weeks. Please see **General Response 3.1.1** for more information regarding the comment period.

On August 15, 2023, the Tribe and the County entered into an Intergovernmental Agreement (IGA), which is included in Final EIS, Volume II, **Appendix R** and incorporated as appropriate throughout the Final EIS. In the IGA, the Tribe and the County acknowledge that each have an interest in ensuring adequate public services and public safety and law enforcement at the Strawberry Fields Site if it is accepted into trust by the federal government and outline payments that would be made to the County to mitigate the potential financial burdens of providing these services to the Strawberry Fields Site.

Response to Comment A6-02

Please refer to **General Response 3.17** regarding enforcement of mitigation and best management practices (BMPs). On August 15, 2023, the Tribe and the County entered into an IGA, which is included in Final EIS, Volume II, **Appendix R** and incorporated as appropriate throughout the Final EIS. In the IGA, the Tribe and the County acknowledge that each have an interest in ensuring adequate public services and public safety and law enforcement at the Strawberry Fields Site if it is accepted into trust by

the federal government and outline payments that would be made to the County to mitigate the potential financial burdens of providing these services to the Strawberry Fields Site.

Response to Comment A6-03

Please see Final EIS Appendix L, which was prepared by Pro Forma Advisors. The data provided in this comment related to recent and more conservative estimates of CFS has been factored into an updated estimate of calls for services and associated fiscal effects from Alternative A provided in Appendix L, and incorporated into Sections 4.7 and 4.10 of the Final EIS. As described in **General Response 3.6.3**, subsequent to the publication of the Draft EIS, the Tribe and the County entered into an IGA that includes stipulations regarding payments to the County for the provision of law enforcement (see Final EIS Section 1.5.4 and **Appendix R**). The recurring payments for law enforcement services is in consideration of the Shasta County Sheriff's Office providing law enforcement services to the Strawberry Fields Site, and the potential for related impacts to the District Attorney, Public Defender, and Probation. Additionally, if the existing County IGA is terminated and a new agreement cannot be reached, the Tribe has put forth an option to fund the construction and operation of a Public Safety Building on the Strawberry Fields Site. The Public Safety Building would be comprised of a police substation and fire and emergency services personnel. If implemented, the services provided at this facility would offset the increase in law enforcement, fire and EMS incidences on the Strawberry Fields Site. In addition, the occurrence of similar incidents at the Tribe's existing Win-River Casino Site should decline dramatically once gaming operations there cease. Please see **General Response 3.6.4** for a more detailed discussion of fiscal effects.

Response to Comment A6-04

Please refer to **General Response 3.17** regarding mitigation enforcement. As described in **General Response 3.6.3**, subsequent to the publication of the Draft EIS, the Tribe and the County entered into an IGA that includes stipulations regarding payments to the County for the provision of fire/emergency service (see Final EIS Section 1.5.4 and **Appendix R**). Additionally, if the existing County IGA is terminated and a new agreement cannot be reached, the Tribe has put forth an option to fund the construction and operation of a Public Safety Building on the Strawberry Fields Site.

Response to Comment A6-05

The footnote to which the commenter is referring (Draft EIS, Page 4.8-2) notes that "the majority of event trips are anticipated to occur outside the PM peak traffic period (4:00 PM to 6:00 PM), as events typically have a start time between 7:00 PM and 8:00 PM." Please note that the 7:00-8:00 timeframe was incorrectly stated as "PM" when "AM" was intended (typical start times between 7:00 AM and 8:00 AM, on both Fridays and Saturdays). With this clarification, the following additional explanation of these facilities' trip generation characteristics still apply. Final EIS Section 4.8 has been updated to reflect this correction.

See the "Event Center Trip Generation" Section of the Updated Traffic Study for additional information on the methodology employed to estimate trips for the event center.

Response to Comment A6-06

The following additional facilities noted have been incorporated and thoroughly evaluated in the Updated TIS:

- Churn Creek Road/Commercial Way intersection
- North and south access on Churn Creek Road south of Smith Road
- Churn Creek/Knighton Road and Knighton Road/Interstate 5 ramp intersection
- Churn Creek Road between Knighton Road and Smith Road
- Knighton Road between interstate 5 and Churn Creek Road

Note that the evaluation of the Churn Creek Road intersection with Commercial Way (Intersection #104 in the Updated TIS) allows for the evaluation of the Churn Creek Bridge as characterized by the commenter. The commenter states that the addition of the project would necessitate a left turn lane into Commercial Way and a right turn out of Commercial Way. The Updated TIS additional analyses show that the addition of the project does not create a significant impact at this intersection when the existing lane configuration is maintained. Regarding the physical integrity of the bridge itself, the County is responsible for the maintenance of this public roadway structure regardless if the project is constructed.

Please note that the segment of Smith Road, from the new road to Churn Creek Road, was previously included in the TIS (Draft EIS Appendix F) and is referred to as Roadway Segment #4.

Response to Comment A6-07

County road maintenance is funded primarily through the accrual of excise tax on gasoline and bonds approved by State voters. Trucks and other vehicles driving to and from the Project Site would contribute to County roadway maintenance funds when purchasing gasoline within the County, which would be similar to other developments in the region. Therefore, while operation of the Proposed Project would generate new traffic that would increase the rate of roadway deterioration, these vehicles and trucks would purchase gasoline within County and thus contribute to County's road maintenance through the excise tax on the gasoline. Additionally, the IGA between the Tribe and the County includes recurring payments to the County in the amount of \$50,000 per year to maintain the County's roads and traffic controls. The County will have sole discretion in determining what improvements are necessary for the roadway systems in order to serve all its users, including ensuring that access to the Strawberry Fields Site is secured and maintained for commercial and business traffic.

Response to Comment A6-08

Runoff from the Strawberry Fields Site (Alternatives A-D) will be infiltrated as described in the response to comment A4-6 and within perforated on-site storm drainage pipes in gravel filled trenches that extend into the underlying sandy gravel stratum prior to reaching the 100-year floodplain of the Sacramento River. The vegetated swale that runs along the easterly project boundary is designed to provide emergency conveyance of possible storm water overflow from Churn Creek east of Interstate 5 (Caltrans has no record of Interstate 5 overtopping in this area in the 50 years of I-5's existence) to the Sacramento River west of the project as well as filter/infiltrate project runoff (see **General Response 3.11**). The

vegetated swale ends in a wet pond that is designed to attenuate, infiltrate and treat storm water in excess of 100-year flows (i.e. the potential Churn Creek overflow) and recharge the local groundwater. The wet pond is intended to promote increased water quality, not mitigate the quantity of storm water runoff from the site. The stormwater system is designed to infiltrate all project site runoff within the vegetated swale, which would be outside of the 100-year floodplain.

Shasta County standards will not apply to this project if it is placed in trust. However, the stormwater collection, conveyance and infiltration system would be designed to capture and control the 100-year runoff on site by infiltration - the method recently employed on the Shasta County Juvenile Detention Facility expansion. Even though the project will not be subject to the Shasta County Standards, the 100-year recurrence interval used in the analysis exceeds the 25-year design storm required by Shasta County, resulting in a more conservative design.

The base flood in the Sacramento River at the project location is entirely regulated by maximum regulatory release from Shasta Dam which is triggered by unusually high rainfall in the roughly 6,500 square mile tributary basin over the course of weeks or months during the wet season combined with high carryover storage from the previous dry season. No individual storm directly and independently affects flooding on the Sacramento River between Shasta Dam and Clear Creek. Stormwater runoff at the project site is produced by short duration (less than one hour) cloud bursts falling on the site itself. Flooding in Churn Creek results from high precipitation in the entire Churn Creek Basin, roughly 33 square miles, over the course of many hours, also referred to as a stationary convergence event. As described in the “Churn Creek Bottom Flood Risk Reduction Reconnaissance Study, Shasta County” provided by Shasta County, flooding flows in Churn Creek generally occur at times of low flow in the Sacramento River (p.7). There is a vanishingly small probability that 100-year return interval conditions will occur simultaneously at the project site, Churn Creek Bottom, and the Sacramento River adjacent to the project site. Perhaps once in 100,000 years (.01 x .01 x 0.1). So, the effect of Churn Creek overtopping I-5 during 100-year runoff at the project site while the Sacramento River is flooding was not quantitatively considered. Please refer to **Response to Comment A6-17** regarding the “Churn Creek Bottom Flood Risk Reduction Reconnaissance Study, March 7, 2019”.

Regarding Section 5.4; The Anderson Site (Alternative E) would require placement of substantial fill in the floodplain of the Tormey Drain and would also be required to detain or retain storm water to maintain Pre-Development flooding conditions downstream of the project. On-site stormwater management would be provided as it was on the adjacent residential development on Oak Street. Flood storage volume lost by placement of engineered fill within the existing floodplain would be offset by equal or greater volume of excavation at the same elevations adjacent to the Tormey Drain. The Anderson site is hydrologically inferior to the Strawberry Fields Site because it is actually in the floodplain while the Strawberry Fields Site is adjacent to and above the floodplain. However, if the Anderson site ultimately becomes the preferred site for other reasons, the grading and drainage system would be designed incorporating a combination of infiltration trenches, infiltration/detention basins and numerous other storm water quality BMPs to encourage groundwater infiltration in order to mitigate storm water runoff levels due to the increased impervious areas while maintaining or increasing the existing surface flood storage volume without increasing downstream flood risk.

Response to Comment A6-09

Please see **General Response 3.6.4** regarding fiscal impacts to local governments.

Response to Comment A6-10

The issue of housing and housing availability was addressed in Draft EIS Section 4.7, and Draft EIS Appendix A. As described therein, the various project alternatives would not have a significant effect on the housing market or housing availability. These analyses have been further fortified by Final EIS Appendix L. Please see Response A-6.10 in Final EIS Appendix L, which specifically addresses the issue of the Carr Fire and the Camp Fire. As described therein, the occurrence of these fires does not alter the less-than-significant impact described in Draft EIS Section 4.7. Please refer to **General Response 3.6.3** regarding the issue of problem gambling.

Response to Comment A6-11

Please see **General Response 3.6.3** regarding the issue of homelessness.

Response to Comment A6-12

Shasta County state attainment status is not relevant to the Proposed Project as the Subject Property would not be subject to state attainment standards once taken into trust. Regardless, analysis of potential emissions of ozone precursors, including nitrogen oxides (NO_x) and reactive organic gases (ROGs), from the Proposed Project can be found in Section 4.4 of the Draft EIS. While the emissions resulting from off-site improvements were quantified and presented in the Draft EIS (see Draft EIS Table 4.4-1), the Draft EIS did not compare these emissions to the Shasta County AQMD air quality thresholds. A discussion of Shasta County AQMD air quality thresholds has been added to the Final EIS, Volume II, Section 3.4, and a comparison of the emission of off-site improvements to the Shasta County AQMD air quality thresholds has been added to the Final EIS, Volume II, Section 4.4. As discussed therein, emissions from construction of the proposed off-site improvements would be well below the Shasta County AQMD thresholds of significance.

Response to Comment A6-13

As noted throughout the Draft EIS, once the Strawberry Fields Site is taken into trust, the property would no longer be subject to City and County rules and regulations. Accordingly, compliance with SHAQMD rules is not required. Nevertheless, the Air Quality Best Management Practices, provided in Table 2-2 of the Draft EIS, would be implemented by the Tribe to eliminate or substantially reduce potential air quality impacts from construction and operation of the Proposed Project. No changes to the Draft EIS are warranted.

Response to Comment A6-14

Please see **General Response 3.6.4** regarding fiscal effects and **General Response 3.7.1** pertaining to law enforcement, fire, and EMS. The commenter's statement regarding the subjectivity of crime statistics is acknowledged.

Regarding the risk of drowning for persons walking near the Sacramento River, as depicted in Final EIS Figure 2-8.1, a 150-foot setback is proposed between the Alternative A project improvements and the riverbank. See Final EIS Section 2.0 for further details regarding this setback. Because of the setback element, Alternative A does not contemplate project patrons walking along or near the edge of the river. Consequently, the risk of drowning for casino patrons is much less than it would be in the absence of this setback. Although it would be possible for a casino patron to drown in the context of Alternative A, such risks would not be any greater than, and may be less than, risks at many other locations along the Sacramento River that are potentially accessible. Regardless, a BMP has been added to Final EIS Volume II Table 2-2 that states: “Signage shall be installed noting that the areas near the Sacramento River are off limits due to falling and drowning hazards.”

Response to Comment A6-15

Comment noted. Changes have been made to Section 4.10.1, Fire Protection and Emergency Medical Services - Operation.

Response to Comment A6-16

Please see **General Response 3.6.3** regarding local socioeconomic effects, including crime, problem gambling and addiction. Subsequent to the publication of the Draft EIS, the Tribe and the County entered into an IGA that includes stipulations regarding payments to the County for the provision of law enforcement (see Final EIS Section 1.5.4 and **Appendix R**). The recurring payments for law enforcement services is in consideration of the Shasta County Sheriff’s Office providing law enforcement services to the Strawberry Fields Site, and the potential for related impacts to the District Attorney, Public Defender, and Probation.

Response to Comment A6-17

The list of potential solutions to perennial Churn Creek Bottom flooding as described in “Churn Creek Bottom Flood Risk Reduction Reconnaissance Study, March 7, 2019” (the Study) includes development of a bypass structure from Churn Creek to the Sacramento River that would cross the Strawberry Fields Site. The bypass structure is one of five alternatives addressed in the Reconnaissance Study.

The bypass structure, if ever implemented, would not be precluded by the construction of Alternatives A-D. If the proposed bypass structure project ever moves forward, Shasta County staff would need to come to terms with the owner of the Strawberry Fields property in order to install bypass infrastructure across their project site, just as they would need to do with Caltrans and all other private property owners that would be impacted by a bypass structure. All the project alternatives on the Strawberry Fields Site could accommodate bypass infrastructure south of the proposed development.

COMMENT LETTER A7: SHASTA REGIONAL TRANSPORTATION AGENCY

Response to Comment A7-01

Comment noted. The SRTA's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) is available and provides a 20-year vision of transportation improvements.

Response to Comment A7-02

Please see TIS Page 5 (Study Methodology) and Page 36 (Baseline Conditions), for a thorough explanation of the analysis scenarios' data sources. As noted under the Cumulative (2040) Conditions, volumes for the intersections that do not overlap with the 2017 *River Crossing Marketplace Specific Plan Traffic Impact Analysis Report* "were developed using the Shasta County Regional Travel Demand Model (SCRTDM)." As documented therein, Version 1.1 of the SCRTDM was employed. As further noted in the accompanying footnote, and as agreed upon by the City, these volumes from the SCRTDM were obtained from the Omni-Means Interstate-5/South Bonnyview Interchange PSR. The commenter is directed to the City's Interstate-5/South Bonnyview Interchange PSR documentation for additional information.

Response to Comment A7-03

Please see **Response to Comment A4-22** regarding the Shasta County *Go Shasta Regional Active Transportation Plan*.

COMMENT LETTER A8: DEPARTMENT OF TRANSPORTATION

Response to Comment A8-01

Regarding the commenter's statement regarding future improvements, it is important to note that the Bonnyview Interchange (Exit 675) Improvements Project Study Report – Project Development Support (PSR-PDS) Preferred Alternative (diverging diamond interchange with roundabouts) was identified early in the TIS scoping process and was used as the ultimate configuration at the South Bonnyview/Churn Creek Road/Interstate 5 interchange. As a result, the Year 2025 and Cumulative mitigation improvements are incremental components of this longer-term geometric solution. Thus, all future improvements are consistent with the PSR-PDS. As per the *River Crossing Marketplace Specific Plan EIR*, "Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer]." The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are understood to be representative of the aforementioned "TRANS-1.1." These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Accordingly, the project has no mitigation responsibility at this intersection and the Updated TIS reflects these changes. Please see **Response to Comment A4-02** for further information.

Response to Comment A8-02

Please note that the Existing (2016) Conditions evaluated as part of the TIS (Draft EIS Appendix F) and the Updated TIS represent current traffic counts, existing roadway geometry/traffic control, and existing development conditions at the time of data collection. These two Caltrans projects (widening Interstate-5 to 6-lanes and widening the northbound on-ramp at the South Bonnyview Road interchange) have been recently completed, with completion years of 2022 and 2019, respectively. Consequently, it was not appropriate to include them in the 2016 baseline conditions. Nevertheless, these improvements are reflected in the future years' analysis scenarios of 2025 and 2040 that are documented in the Updated TIS. As per the *River Crossing Marketplace Specific Plan EIR*, "Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer]." The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are understood to be representative of the aforementioned "TRANS-1.1." These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Please see **Response to Comment A4-02** for further information.

Response to Comment A8-03

As the commenter notes, the proposed improvements to Bechelli Lane and new access roadways would include sidewalks and/or shoulders with adequate width to accommodate bicyclists. In addition, as described in Final EIS Section 2.3.2, the Tribe would implement Best Management Practices (BMPs), such as carpools, to reduce employee and patron automobile trips. The Tribe's commitment to working with local transportation agencies to facilitate mass transit is also acknowledged.

Response to Comment A8-04

The outdoor amphitheater has been removed from the Proposed Project description included in the Draft EIS. Also, the Final EIS has been updated to include the option (Onsite Services Option 2) of a Public Safety Building on the Strawberry Fields Site. The Public Safety Building would be comprised of a police substation and fire and emergency services, and is anticipated to employ approximately seven persons, who would staff the facility at staggered times each day. Due to its limited, focused operations, any trips generated by this facility are anticipated to be nominal and dispersed throughout the day, rather than concentrated during one of the peak-hours.

As noted in Table 2-1 of the Draft EIS, the Proposed Project includes an 1,800-seat Event Center. Trip generation rates for the proposed event center were based on a previous study of a similar facility at the Cache Creek Casino. Although the location of the gaming facility influences the trip generation characteristics, the interaction between the casino and the event facilities at the Cache Creek Casino and the Proposed Project is reasonably anticipated to be consistent. This is considered to be an accurate approach to approximating the interaction of facility uses as it is based on actual patron data at a similar facility.

The previous Cache Creek Casino study considered the top sixteen drawing events which occurred on Fridays or Saturdays over the course of a twelve-month period. Ticket counts for each event, along with person counts via automatic counters at the multiple entrances to the event facility, were used to estimate the proportion of patrons arriving from outside and within the casino resort. More specifically, for each day included in the sample, daily patron counts from the automatic counters were used to calculate an average total daily patron count on event days. Of the sixteen samples, the average number of attendees at the event center was then compared to the average facility patron count from a sampling of the most recent non-event days. If people attending the events did not participate in gaming activities during their same visit, the increase in the daily patron count on event days would be equal to the average attendance at the events considered. However, the actual difference in person counts visiting the facility as a whole on event days versus non-event days was several hundred people. Using this data, it was possible to reasonably conclude that approximately 70-percent of the event center would have visited the facility even without an event. As a result, the remaining 30-percent of the patrons represents new trips that would not be expected to occur without the event venue.

See the “Event Center Trip Generation” Section of the Updated Traffic Study for additional information.

Response to Comment A8-05

As documented, the TIS (Draft EIS Appendix F) and the Updated TIS (Final EIS Appendix Q) estimated Existing (2016), Opening Year (2025), and Cumulative (2040) Conditions. Consistent with Comment A8-1, “the current and future needs of the transportation system and the affected Interstate-5 freeway interchange are addressed in the ‘Bonnyview Interchange (Exit 675) Improvements Project Study Report – Project Development Support’ (PSR_PDS Preferred Alternative 4B) prepared by the City for Caltrans...All future improvements to the interchange must be consistent with the study unless demonstrated to be equivalent or superior to the study results.” Consistent with this expectation, as noted on TIS Page 5 (Study Methodology) and Page 36 (Baseline Conditions), the Cumulative (2040) Conditions volumes for the intersections that do not overlap with the 2017 River Crossing Marketplace Specific Plan Traffic Impact Analysis Report “were developed using the Shasta County Regional Travel Demand Model (SCRTDM).” As further noted in the accompanying footnote, and as agreed upon by the City, these volumes from the SCRTDM were obtained from the Omni-Means Interstate-5/South Bonnyview Interchange PSR. In summary, the TIS methodology to forecasting traffic volumes is consistent with the City’s expectation that the study methodology be consistent with the interchange PSR.

Response to Comment A8-06

Comment noted. It is not uncommon for the details of the Proposed Project to differ from the macroscopic estimates commonly prepared for programmatic or high-level planning purposes. There are numerous reasons that traffic flow estimates in traffic impact studies may differ, including the use of different models, slightly different base period assumptions and various assumptions regarding the distribution of trips during each day. There are additional factors that can lead to different estimates.

Response to Comment A8-07

A significant factor that contributed to the assignment of trips in the TIS and Updated TIS to the “northern” and “southern” access points under Site Access Option 2 (North and South Access) was the visibility of the project site from the perspective of patrons travelling on Interstate 5. While the assignment of these trips in the TIS is somewhat subjective, it is reasonable to anticipate that the majority of the patrons, both through the use of personal navigation systems and purely drive-by visibility, would exit Interstate-5 at the location closest to the project site. This reasonable logic is supportive of the trip assignment assumptions included in the TIS and Updated TIS, in which the proportion of the northbound site trips that use South Bonnyview Road is greater than the proportion suggested by the commenter. We respectfully suggest that the commenter may not have fully considered this factor, which is especially relevant for non-local patrons who are not familiar with the local roadways. This logic is also consistent with the trip assignment used under Site Access Option 3 (South Access Only) under which all site traffic is routed through the Smith Road interchange. Also, it is important to note that “northbound State Route-273” traffic is consistent across the three access conditions. These patrons are assumed to be unaffected by the various access conditions along Interstate-5 and are assumed to access the site via South Bonnyview Road.

Response to Comment A8-08

The additional facilities noted have been incorporated and are thoroughly evaluated in the Updated Traffic Study. Please see **Response to Comment A6-06** regarding the additional facilities analyzed in the Updated Traffic Study.

Response to Comment A8-09

Comment noted. The majority of the property required to achieve the suggested frontage road system along the west side of Interstate 5 connecting from Knighton Road to South Bonnyview Road is private and, therefore, not within the Tribe’s control. Because of the lack of certainty regarding feasibility, this access option was not evaluated in the TIS or Updated TIS. Please see **Response to Comment A4-23** for additional information regarding the implementation of off-site mitigation improvements.

Response to Comment A8-10

Our understanding is that, due to right-of-way constraints, the proposed I-5 interchange with Smith Road is a Type L-2 (Spread Diamond) on the eastern side and a Type L-7 (NB Loop On- Ramp) on the western side. The proximity of existing properties in the southwestern quadrant of the proposed Smith Road interchange is the primary limiting factor precluding the construction of diamond ramps in all four quadrants. As a result, the turning movements reflected throughout the TIS (Draft EIS Appendix F) and the Updated TIS for Intersection #25 have been confirmed to be both appropriate and accurate. For example, the anticipated traffic flows are depicted in Figure 25 of the Updated TIS.

Response to Comment A8-11

As noted by the commenter, the project site includes on-site parking for RVs. In addition to these vehicles and separate from construction activities, occasional large trucks are reasonably anticipated to serve the variety of events. The analysis of the Bonnyview Road area (Intersections #3-#7) has thoroughly accounted for the forecasted volumes, both passenger vehicles and RVs/trucks, added to both the existing geometrics and the future interchange layout. Access to the project site, regardless which of the three access options are selected, is reasonably anticipated to be designed and constructed in a manner consistent with geometric standards. As such, all site access facilities will be able to accommodate the anticipated vehicles. Please see **Response to Comment A4-23** for additional information regarding the implementation of off-site mitigation improvements.

Section 4.8.2 of the Draft and Final EIS includes a discussion pertaining to construction activities. As described therein, construction trips would primarily utilize I-5 as a regional route to access South Bonnyview Avenue, from which traffic would turn onto Bechelli Lane. Because these roadway segments are all expected to operate at acceptable LOS during the buildout year with project traffic (refer to analysis in Final EIS Section 4.8.2), the addition of traffic associated with the construction of Alternative A would not result in significant impacts. However, preparation of a traffic management plan is included in Final EIS Section 5.8 to further ensure trips associated with construction do not contribute to unacceptable roadway conditions.

Response to Comment A8-12

Comment noted. Traffic volume adjustments were made to account for the changes to years of assessment in the Updated TIS (Final EIS Appendix Q).

The full development of the California Gold project site was accounted for in the development of the 2040 volumes. Since 2025 volumes were linearly interpolated using the 2040 volumes, partial development of the California Gold project site is inherently included in the 2025 volumes. Thus the volumes associated with the California Gold project site were not excluded from the 2025 (Te) volume used in the fair share percentage calculations.

Please see **Response to Comment A8-04** regarding amphitheater traffic volume.

TIS Table 16, note 5 explains that the 672 people is “based on an average of 15 SF per attendee, which is consistent with industry best practices for conference/event space planning (10,080 SF / 15 = 672 people).” Please see **Response to Comment A4-02**, and the Updated TIS, for additional explanation of the trip generation calculations and assumptions.

A fair share percentage calculation summary has been prepared and is included as part of Appendix J of the Updated TIS (Final EIS Appendix Q).

Cumulative (2040) Conditions for the Bonnyview Road interchange area (Intersections #3-7) were analyzed using Vissim rather than Synchro. The associated Vissim output information is provided in Appendix E (baseline) and Appendix I (plus project) of the Updated TIS (Final EIS Appendix Q).

The omission of a roundabout option for mitigation at the intersection of North Street and Oak Street at the Anderson Site was a typographical error in the Draft EIS. See updated text in Final EIS Section 5.8, which now includes the roundabout option.

COMMENT LETTER A9: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Response to Comment A9-01

Comment noted. Please refer to **Response to Comments A9-02** through **A9-12** below.

Response to Comment A9-02

The project site would be acquired in federal trust for the Tribe prior to construction of the Project, and therefore revegetation would not be directly subject to state regulation or review; however, as stated in Mitigation Measure 5.2A, the Tribe will be required to complete revegetation as a condition of the NPDES General Construction Permit that would be obtained from the EPA. Although not required, the Tribe may voluntarily elect to provide a copy of the revegetation plan to the CDFW for review.

Response to Comment A9-03

The recommendation of conducting nesting bird surveys 7 days instead of 14 days prior to the start of construction has been incorporated into Final EIS Mitigation Measure 5.5.2 N.

Response to Comment A9-04

Mitigation Measure 5.5.2 O. was revised to clarify "...and in consultation with the USFWS." As the project site would be held in federal trust prior to initiating construction, nesting bird buffers would be implemented pursuant to federal agency recommendations.

Response to Comment A9-05

As described in **General Response 3.11** and the updated text in Final EIS Section 2.3.2, the streambank stabilization measures have been revised from those described in the Draft EIS, and now emphasize live native vegetation and existing native materials, in lieu of the importation and placement of boulders described in the Draft EIS. Because this revised technique will rely upon native material and not alter the topography of the existing riverbank, it would have a reduced potential impact on animal species (including bank swallows and fish species) than the stabilization measures described in the Draft EIS. Also see **General Response 3.12.1** and **3.12.2** regarding potential effects to special-status species and habitat, including bank swallows and certain fish species.

Response to Comment A9-06

The project area is located adjacent to a densely populated city and is bordered by rural residential development to the north and south, a major highway to the east, and the Sacramento River to the west. These features currently limit wildlife movement through the project site. The recommended wildlife

movement study using cameras would be unlikely to capture movement of smaller wildlife species of concern identified for the area, particularly amphibian species. However, it is acknowledged that some movement of wildlife occurs through the site. The majority of the project site's habitat (196 acres under Option 1 for both Water Supply /Wastewater and Public Safety and 160 acres under Option 2 for Water Supply / Wastewater and Public Safety) would be avoided through project design and left available for wildlife movement. Please also refer to **Response to Comment A9-02** and **General Response 3.12.2** for more information on potential effects to habitats and wildlife.

Response to Comment A9-07

Please see **Response to Comment A9-05** regarding revisions to the streambank stabilization measures to reduce potential impacts. Please also see **General Response 3.12.1** and **3.12.2** regarding potential effects to special-status species and habitat, including bank swallows and certain fish species.

Response to Comment A9-08

Red Bluff dwarf rush was not been observed on the Strawberry Fields Site during multiple surveys conducted in the months of March, April, May, and June, which comprise the entire bloom season for the species. Surveys have not identified the species on the project site during any month of its bloom season; therefore, it does not have the potential to occur on the project site, and the Final EIS has been revised accordingly. Additionally, because the project site would be held in federal trust at the time of preconstruction surveys, state and local agencies and regulations would no longer apply to the proposed project and project site.

Response to Comment A9-09

The western spadefoot toad is a State-listed species of special concern. The EIS was prepared pursuant to NEPA, and the project site would be held in federal trust prior to initiating construction of the Proposed Project. Therefore, surveys and mitigation would be implemented pursuant to federal agency requirements; CEQA requirements, state and local agency requirements, and state and local conservancies and easements would not apply. Mitigation Measure **5.5.1 I** has been revised to clarify that additional exclusionary silt fencing will be installed around the perimeter of construction after surveys have been completed to further protect the species from construction impacts, should it be present.

Response to Comment A9-10

According to CNDDDB, the nearest record for pallid bat was identified in 1927 approximately 6.8 miles east of the Anderson Site. The Biological Resource Assessment (Final EIS Appendix O-3) evaluated the project site for suitable habitat that could support pallid bat, and concluded that while suitable foraging habitat for pallid bat may be present, suitable roosting habitat for the species does not occur. Additionally, Mitigation Measure **5.5.1 M** includes additional updated surveys that would also identify whether suitable roosting habitat for any tree-roosting bats is present on site.

Response to Comment A9-11

Please see **Response to Comment A9-06**.

Response to Comment A9-12

Please refer to **General Response 3.13.2** regarding lighting and glare. As noted therein, all project designs were evaluated in consultation with the USFWS and NMFS (Draft EIS Appendix D and Final EIS Appendix O-1). As described in the Draft EIS, project activities were determined to be unlikely to affect wildlife (including listed fish species), with the inclusion of the design features described in Draft EIS Section 2.3.2 under “Architecture, Signage, Lighting, and Landscaping,” detailing the type of glass and lighting to be used.

COMMENT LETTER A10: CALIFORNIA STATE LANDS COMMISSION

Response to Comment A10-01

The Commission’s statements regarding its jurisdiction are noted.

Response to Comment A10-02

See **Response to Comment A10-03** regarding the revised streambank stabilization measures. As described in the updated Final EIS Section 2.3.2, bio-technical stabilization would be implemented within the cobbly portion of the riverbank and would include establishment of willows from above the ordinary high-water line inland to the toe of the nearly vertical loam bank. As all work, including the plantings of willows and other native trees for streambank stabilization, would occur above the ordinary high-water mark of the Sacramento, it would also be outside of the ordinary low-water mark and, therefore, outside of the jurisdiction of the State Lands Commission.

Response to Comment A10-03

As described in **General Response 3.11** and the updated text in Final EIS Section 2.3.2, the streambank stabilization measures have been revised from those described in the Draft EIS, and now emphasize live native vegetation and existing native materials, in lieu of the importation and placement of boulders described in the Draft EIS. The project would not disturb the existing vertical loam bank and would include establishing riparian trees in the setback area between the existing riverbank and the proposed hardscape features of the project. This would stabilize and reduce the meander potential within the mantle of loamy soil while preserving the existing cut bank and natural river processes.

Response to Comment A10-04

Comment noted. The BIA will send copies of future project-related documents, including electronic copies of the Final EIS, Mitigation Monitoring and Reporting Program, and Record of Decision to the Commission once they become available.

COMMENT LETTER A11: CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD**Response to Comment A11-01**

Comment noted. The Central Valley Water Board has provided comments on the Draft EIS.

Response to Comment A11-02

The comment is noted. While records indicate that the Clear Creek Wastewater Treatment Plant has available capacity to serve the proposed development, connection to the City of Redding's system would be subject to the ability of the system to accommodate the additional flows and continue to meet Waste Discharge Requirements and National Pollution Discharge Elimination System (NPDES) Permit conditions. Additionally, as noted in Draft EIS Table 1-1, the City of Redding would have approval over connection to its wastewater system.

Response to Comment A11-03

The comment is noted. While records indicate that the Anderson Water Pollution Control Plant has available capacity to serve the proposed development, connection to the City of Anderson's system would be subject to the ability of the system to accommodate the additional flows and continue to meet Waste Discharge Requirements and NPDES Permit conditions. Additionally, as noted in Draft EIS Table 1-1, the City of Anderson would have approval over connection to its wastewater system.

Response to Comment A11-04

Section 5.3.1 of Final EIS Appendix M identifies the expected effluent constituent levels. The proposed MBR facility is expected to produce an effluent with a total nitrogen concentration less than 10 mg/L, which is the Safe Drinking Water Act maximum contaminant level for nitrate (as nitrogen). Disposal of the highly treated effluent is not expected to result in groundwater exceeding primary drinking water standards.

As described in Final EIS Appendix M, Section 3.3.2, after publication of the Draft EIS, site specific geotechnical exploration and testing was completed at the site of Alternatives A-D by Blackburn Consulting (included in Final EIS Appendix M). Percolation tests were performed in several locations across the proposed leach field area and were used to determine the average hydraulic loading rate. The percolation tests conclude that only two of the fifteen test locations fall outside the standard range for "usable disposal material" according to the UIC Program. Furthermore, Shasta County's LAMP for OWTS specifies a minimum depth to groundwater based on percolation rates. Based on the demonstrated percolation results, the required minimum depth to groundwater is 5 feet. As provided by Blackburn's test pit logs, the average depth to groundwater is more than 12 feet, which complies with Shasta County Standards. The sizing of the proposed leach field area accounts for Blackburn's site exploration results and is designed to comply with both Shasta County and USEPA's standards for leach field design.

Response to Comment A11-05

The Wastewater Management and Drinking Water Feasibility Study included as Final EIS Appendix M has been updated to address and ensure compliance with the Shasta County's 2018 Local Agency Management Program (LAMP) for Onsite Wastewater Treatment Systems (OWTS).

Response to Comment A11-06

As identified in Section 5.2 of the EIS, construction of the proposed facilities would be required to comply with NPDES General Construction Permit. A Stormwater Pollution Prevention Plan would be implemented throughout the construction process.

As described in Section 4.3.1 of the EIS, low impact design BMPs have been incorporated into the site plan. All stormwater runoff from the development area would be infiltrated on the site and would not discharge to the Sacramento River. As described in Final EIS Appendix N, the development would use catch basin filters, infiltration trenches and vegetated swales to filter stormwater and remove sediment and contaminants.

Response to Comment A11-07

Please see **General Response 3.11** regarding impacts to waters of the U.S., as well as **General Response 3.12.2** regarding potential effects to habitat.

COMMENT LETTER T1: PASKENTA BAND OF NOMLAKI INDIANS

Response to Comment T1-01

Please refer to **General Response 3.1.1** regarding extension of the Draft EIS comment period. In addition, it is noted that the Paskenta Band subsequently submitted a substantive and extensive comment letter dated June 17, 2019, which is included herein and labelled as Comment Letter T6. Please see **Response to Comments T6-01** through **T6-101** for responses to the Paskenta Band's comment letter dated June 17, 2019.

COMMENT LETTER T2: WINTU TRIBE OF NORTHERN CALIFORNIA

Response to Comment T2-01

Please refer to **General Response 3.1.1** regarding extension of the Draft EIS comment period. In addition, it is noted that the Wintu Tribe of Northern California subsequently submitted a comment letter dated June 17, 2019, which is included herein and labelled as Comment Letter T4. Please see **Response to Comments T4-01** through **T4-03** for responses to the Wintu Tribe of Northern California's comment letter dated June 17, 2019.

COMMENT LETTER T3: NOR REL MUK WINTU NATION

Response to Comment T3-01

Please refer to **General Response 3.1.1** regarding extension of the Draft EIS comment period.

COMMENT LETTER T4: WINTU TRIBE OF NORTHERN CALIFORNIA

Response to Comment T4-01

Archaeological investigations at CA-SHA-266, the ethnographic village of *Yonotumnosona*, have been ongoing since the 1940s as part of more than ten amateur, commercial construction, and roadway projects. The most recent formal investigation by Vaughan (2000) suggested that further work analyzing the cultural deposits is unnecessary as all excavations have clearly indicated that CA-SHA-266 is associated with the Shasta Complex, the most recent and most well understood cultural association in the Redding region. However, in 2002, Vaughan was again involved at CA-SHA-266 when five burials were discovered during construction of the Hilton Garden Inn parking lot. Mitigation Measure 5.6 C. requires that a team of archaeologists and Native Americans monitor any ground-disturbing activities within soils that have the potential to yield cultural resources; the monitoring team will also provide construction worker awareness training.

In a 2019 report, Theodoratus and McBride present information regarding a series of six village sites along the eastern bank of the Sacramento River; the northernmost village is *Yonotumnosona*, or CA-SHA-266. Theodoratus and McBride suggest that the next two villages to the south are located within the APE; these are *Ke nkodi* and *Nosono*. Examination of the site record form for the first village, *Ke nkodi* (CA-SHA-268), indicates that the site is located north of the Proposed Project construction footprint; further, the Extended Phase I trenching program, which included the northern end of Strawberry Fields, failed to uncover archaeological resources at the north end of the property, indicating that CA-SHA-268 would remain unaffected by project construction. In the event that elements of CA-SHA-268 are uncovered during construction, Mitigation Measure 5.6 D. would be implemented.

The second site that Theodoratus and McBride identify as within the APE is *Nosono* (no site number). Their map indicating site locations is very rough, making it difficult to confirm. *Nosono* may be in the project footprint or may be located west of any potential construction impacts. Again, if elements of any archaeological site are uncovered by construction, mitigation measures in the Final EIS would dictate identification, assessment, and treatment methods.

The archaeological investigation, both an Expanded Phase I backhoe trenching program and a Phase II testing and evaluation program focused on the potential archaeological sites within the Proposed Project construction footprint. Mitigation measures have been added to the Final EIS that include construction monitoring by a team of archaeologists and Native Americans (Mitigation Measure 5.6 C.) and the preparation of an Unanticipated Discoveries Plan to address discoveries made during construction, including new archaeological sites, features or burials associated with known archaeological sites (Mitigation Measure 5.6 A.).

Response to Comment T4-02

The commenter is correct in that SHPO consultation is required for compliance with Section 106 of the NHPA. Section 4.6 of the Final EIS has been updated to summarize the results of consultation. As stated therein, in a letter dated May 9, 2023, the SHPO concurred with the BIA's finding that the Proposed

Action will result in “no historic properties affected” (refer to Final EIS Appendix P). The BIA also invited the Paskenta Band to participate in a consultation process, but did not receive a response.

Requests from the Wintu Tribe to monitor the Phase II testing and evaluation program, were received. However the Phase II excavation had been completed by the time such requests were received. See Draft EIS Appendix E – Cultural Resources Consultation.

The Redding Rancheria monitors did not dismiss CA-SHA-4413’s cultural significance. Rather, the consultation was regarding NRHP eligibility, a determination which was made based on all eligibility criteria (refer to Draft EIS, Section 3.6.1), including the extent to which the resource had yielded or would likely yield information important in history or prehistory (Criterion D). Consultation between Redding Rancheria and the BIA led to the conclusion that CA-SHA-4413 did not include data values which would make it eligible for the NRHP, as the identified features are duplicated at nearby sites; those nearby sites include additional site components such as midden (while CA-SHA-4413 does not). Further, all evidence recovered from CA-SHA-4413 so far indicates that the site dates to the Shasta Complex, which is the most common archaeological manifestation in the region; the data from CA-SHA-4413 does not appear to contain new information that can be used to reinterpret Shasta Complex chronology, technology, or subsistence practices. SHPO concurred with the finding that CA-SHA-1433 was not eligible for the NRHP in its letter dated May 9, 2023 (refer to Final EIS Appendix P). However, to allow for the possibility that this could change, Draft EIS Mitigation Measure 5.6 A. (renumbered as Final EIS Mitigation Measure 5.6 D.) contains provisions for a reassessment of CA-SHA-4413 eligibility should additional features be discovered during construction.

Response to Comment T4-03

Mitigation measures have been added (see Final EIS Mitigation Measures 5.6 A, B, and C) requiring development of a Treatment Plan, for archaeological and tribal monitors to be present during earth-moving activities where there is potential to uncover cultural resources, and for a worker awareness training program.

Project consultation is under the purview of the BIA; the BIA is in receipt of the Wintu Tribe’s comments regarding the Proposed Project’s need for consultation, however the BIA only consults with federally recognized tribes when fulfilling the requirements of NHPA.

COMMENT LETTER T5: REDDING RANCHERIA

Response to Comment T5-01

The Commenter expresses support for the Proposed Project, provides clarifications regarding certain analyses in the Draft EIS and makes recommendations for edits to some sections of the Draft EIS.

Response to Comment T5-02

The Tribe’s commitment to best management practices (BMPs) and mitigation measures is acknowledged.

Response to Comment T5-03

The Tribe's commitment to working with the County and the City is acknowledged.

Response to Comment T5-04

The Tribe's commitment to working with the County Sheriff's Office is acknowledged. The Tribe's statements regarding the source of law enforcement calls for service are also acknowledged. Please see **General Response 3.6.3** regarding law enforcement and **Response to Comment A6-03** regarding fiscal effects.

Response to Comment T5-05

Please see **General Response 3.5** regarding the range of alternatives analyzed in the Draft EIS. A table within **General Response 3.5.4** includes a list of parcels owned by the Tribe, including which parcels are owned in fee and which are held in trust. This table clarifies the status of the various parcels that comprise Alternative F, as well as parcels owned by the Tribe that are adjacent to or in the vicinity of Alternative F.

Response to Comment T5-06

The commenter is correct that the "cumulative" climate change impacts analyzed in the Draft EIS are intended to include "direct and "indirect" effects, and not only the incremental cumulative effects that are in addition to such direct and indirect impacts.

Response to Comment T5-07

Comment noted, this is consistent with the Final EIS Section 4.4.1. Consideration of the applicability of Tribal New Source Review permitting was based on estimated project related emissions from stationary sources rather than other source categories. It should be noted that while the Final EIS estimated the actual emissions from stationary sources, including emergency diesel generators, the Tribe will be required by the Clean Air Act to consult with the USEPA to determine whether NSR permits may be needed based on regulatory procedures for hypothetical usage and associated emissions.

Response to Comment T5-08

The historical, cultural and paleontological information provided by the Tribe is acknowledged.

Response to Comment T5-09

The Tribe's commitment to the community, to the environment and its efforts to foster positive intertribal relations with its tribal neighbors are acknowledged.

Response to Comment T5-10

Please see **Response to Comment T4-01** regarding the archaeological site known as CA-SHA-268.

Response to Comment T5-11

Please see **Response to Comment T5-08**.

Response to Comment T5-12

See **Response to Comment T5-09**.

COMMENT LETTER T6: PASKENTA BAND OF NOMLAKI INDIANS

Response to Comment T6-01

Please see **General Response 3.6.1** regarding the anticipated competitive effects on the Paskenta Band's Rolling Hills Casino EBITDA (earnings before interest, taxes and depreciation) margin. Also see Final EIS **Appendix L**.

Response to Comment T6-02

Archaeological site CA-SHA-4413 was evaluated for the four criteria of eligibility and was recommended to be ineligible for listing on the National Register of Historic Places. Because the physical site could not be linked to specific events or individuals significant in the past (Criteria A and B), it does not include distinguishable architectural values (Criterion C), and the data available did not appear to include new information that would change current understanding of that period in history (Criterion D). No data recovered from CA-SHA-4413 appears to be associated specifically with the 1846 massacre. The dates associated with the site, as determined by radiocarbon dating and projectile point typology, point to a period of occupation from approximately 750 A.D. to 1060 A.D., long before the 1846 massacre.

Response to Comment T6-03

Comment acknowledged. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS.

Response to Comment T6-04

Please refer to **General Response 3.1.1** regarding extension of the Draft EIS comment period.

Response to Comment T6-05

NEPA does not require that an EIS “summarize” the information described in 40 CFR §1502.16 and Section 8.4.8 of the 2012 BIA NEPA Guidebook.⁵ 40 CFR §1502.10 provides a “recommended format” for agencies to use when they prepare an EIS, “unless the agency determines that there is a more effective format for communication”. 40 CFR §1502.11 through 1502.19 then describes the contents of each paragraph in the recommended format. 40 CFR §1502.16 and Section 8.4.8 of the 2012 BIA NEPA Guidebook outline information that should be discussed within the environmental consequences section of an EIS. The following response addresses the commenter’s requests. Responses use the same numbering sequence that was used by the commenter:

1. While the EIS discusses in detail the environmental consequences of the project alternatives, no adverse effects that cannot be avoided were identified, as evidenced in the discussion in Section 4.0 of the Draft EIS, as well as the Executive Summary. The mitigation measures listed in Draft EIS Section 5.0 would reduce significant impacts to less than significant levels.
2. The relationship between short-term uses of the human environment and the maintenance and enhancement of long-term productivity are analyzed in Draft EIS Section 4.0 in the context of those environmental areas that are affected. For example, short-term socioeconomic impacts arising from the construction of project improvements are analyzed in the context of longer-term operational effects. Additionally, Section 2.11.2 of the Draft EIS, Comparison of Environmental and Economic Consequences, discussed the long-term benefits of the project alternatives in light of the short-term environmental consequences associated with construction activities. 40 CFR 1502.16 notes that the discussion in the environmental consequences section of an EIS should not duplicate discussions in the alternatives chapter. The BIA has determined that the current format of the EIS is the most effective means of communication of these issues.
3. Irreversible and irretrievable commitments of resources are analyzed in Draft EIS Section 4.0 in the context of those environmental areas that are affected. For example, the Draft EIS describes the permanent conversion of habitat types (Draft EIS Section 4.5), conversion of farmland (Draft EIS Section 4.9), waste generated during construction and operation (Draft EIS Section 4.10), energy usage (Draft EIS Section 4.10), and the cumulative effects associated with climate change as a result of energy consumption and vehicle travel (Draft EIS Section 4.15).
4. Possible conflicts in land use are analyzed in Draft EIS Section 4.9 and, as warranted, elsewhere in Draft EIS Section 4.0.
5. Energy requirements are analyzed in Draft EIS Section 4.10 in terms of effects to public services, and the effects associated with climate change from energy usage are analyzed in the Draft EIS Section 4.15. Conservation and mitigation measures are described in Draft EIS Sections 2.3.2 and 5.10.5.

⁵ Source: Indian Affairs National Environmental Policy Act (NEPA) Guidebook, 59 IAM 3-H, dated August 2012, accessed online October 1, 2019 at:

https://www.bia.gov/sites/bia.gov/files/assets/public/raca/handbook/pdf/59_IAM_3-H_v1.1_508_OIMT.pdf

6. Natural or depletable resource requirements and conservation potential of alternatives and mitigation measures are analyzed in Draft EIS Section 4.0 in the context of those environmental areas that are affected. For example, the Draft EIS describes both the conversion and conservation of various habitat types from the project alternatives (Draft EIS Section 4.5), and conversion of farmland (Draft EIS Section 4.9).
7. The design of the built (manmade infrastructure) environment is described and analyzed in Draft EIS Sections 2.0, 4.9, 4.10 and 4.13. The reuse and conservation potential of alternatives and mitigation measures are analyzed in Draft EIS Sections 4.0 and 5.0 in the context of those environmental areas that are affected. For example, the Draft EIS describes both the conversion and conservation of various habitat types from the project alternatives (Draft EIS Section 4.5), and conversion of farmland (Draft EIS Section 4.9).

Response to Comment T6-06

40 CFR §1502.10 provides a “recommended format” for agencies to use when they prepare an EIS, “unless the agency determines that there is a more effective format for communication”. 40 CFR §1502.11 then describes the recommended EIS cover sheet. The Draft EIS Notice of Availability (NOA) included all of the elements of the recommended cover sheet described in 40 CFR §1502.11, with the exception of the cost of the EIS which was printed on the Draft EIS cover page. The NOA was determined by the BIA to be the most effective format for communication of the information outlined in 40 CFR §1502.11.

Response to Comment T6-07

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance.

Response to Comment T6-08

See **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS, including the Tribe’s temporal connection to the Strawberry Fields Site.

Response to Comment T6-09

The issue of the Tribe’s legitimacy and connection to the vicinity are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS.

As described in Draft EIS Section 1.3, the Tribe’s recognition was restored on June 11, 1984. Also, the commenter’s statement that the Strawberry Fields Site is not “in the vicinity” of the Tribe’s current reservation does not seem reasonable, given that the two sites are approximately two miles apart as the crow flies.

Response to Comment T6-10

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0.

Response to Comment T6-11

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. At this time, the BIA has not received a fee-to-trust application from the Tribe for the Anderson Site.

Response to Comment T6-12

Please see **General Responses 3.2.2 and 3.5.4** and Final EIS Section 2.10.8 for more information on the Lowery Site. The specific regulation cited by the commenter appears to address Indian Reorganization Act procedures rather than NEPA.

Response to Comment T6-13

Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see **General Response 3.5.3** regarding a substantive discussion of project alternatives. As described therein, Alternative A represents the most economically viable alternative. It is not uncommon for federally recognized tribes to update or expand their gaming activities as their populations (and the needs of their populations) grow and market dynamics change.

Regarding per capita distributions, please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. Calculations of estimated per capita payments were not included as part of the scope of the socioeconomic studies prepared in connection with the Draft EIS and Final EIS (EIS Appendices A and L).

Response to Comment T6-14

Please see **General Response 3.3** regarding the purpose and need for the Proposed Action, **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS, **General Response 3.5.4** regarding alternatives, and **Response to Comment T6-09**. As required by NEPA, each of the alternatives included in the EIS was extensively evaluated to a similar level. The Final EIS, Volume II, Section 1.3 has been clarified to state that “the Proposed Action *would* assist the Tribe” in meeting its objectives, versus “the Proposed Action is *needed* to assist the Tribe” in meeting its objectives.

Response to Comment T6-15

Please see **General Response 3.5.2** regarding consideration of alternatives and information regarding tribal services and housing. The Final EIS, Volume II, Section 1.3 has been clarified to state that “the

Proposed Action *would* assist the Tribe” in meeting its objectives, versus “the Proposed Action is *needed* to assist the Tribe” in meeting its objectives. Please see **General Response 3.5.4** and Final EIS Section 2.10.8 for more information on the Lowery Site.

Response to Comment T6-16

Please see **Response to Comment T6-13**, and **General Response 3.5.3**, and Final EIS **Appendix L** regarding the issue of economic viability of the project alternatives.

Response to Comment T6-17

Please see **General Response 3.5.4** and Final EIS **Appendix L** regarding the Alternative F project components and layout and tribal services and housing.

Response to Comment T6-18

Please see **General Response 3.5.4** and Final EIS Section 2.10.8 for more information on the Lowery Site. The Final EIS has also been updated to address the acquisition of the Lowery Site in trust for the Tribe.

Response to Comment T6-19

Alternative A has been modified to remove the outdoor amphitheater component. Please see revised text in Final EIS Volume II Section 2.7.1.

Response to Comment T6-20

Refer to **General Response 3.11** impacts associated with the floodplain and flooding. Regarding how the stormwater pond and bank stabilization were identified in Draft EIS, Section 2.3.2, which provides the description of Alternative A, provides a reference to Figure A4 in the Grading and Drainage Analysis Report. Figure 2-8 of the EIS has been updated to show an increased setback from the Sacramento River. The updated figure also shows the location of the stormwater pond and bank stabilization in relation to the FEMA-designated 100-year floodplain. In addition, Sections 2.3.2, 4.3.1, and 4.3.3 of the EIS have been revised to clarify that the stormwater pond and bank stabilization would be developed in the 100-year floodplain.

The potential impacts of developing the proposed stormwater pond and bank stabilization have been fully addressed through the EIS. With regard to flooding, the proposed storm water detention pond has not been designed to mitigate storm water quantity of runoff, but rather is an infiltration wet pond used to attenuate rare-event potential flood flows resulting from Churn Creek overtopping I-5 and improve storm water quality. The pond will be entirely excavated from the upland portion of the floodplain and there is no proposal to place fill in the floodplain. Removing soil from the floodplain would not increase flooding risks. Likewise, the proposed streambank stabilization measures within the floodplain would involve balanced removal and replacement of material within the floodplain.

Response to Comment T6-21

As described in **General Response 3.11** and the updated text in Final EIS Section 2.3.2, the streambank stabilization measures have been revised from those described in the Draft EIS, and now emphasize live native vegetation and existing native materials, in lieu of the importation and placement of boulders described in the Draft EIS. The project would not disturb the existing vertical loam bank and would include establishing riparian trees in the setback area between the existing riverbank and the proposed hardscape features of the project. This would stabilize and reduce the meander potential within the mantle of loamy soil while preserving the existing cut bank and natural river processes. Figure 2-8.2 has been added to Final EIS Section 2.0 to depict the cross section of these measures and Figures 2-8.1, 2-10, 2-12, and 2-14 have been revised to show the 150-foot buffer from top of bank in relation to the proposed development and the extent of the area for vegetative streambank stabilization for Alternatives A, B, C, and D.

Response to Comment T6-22

Please see **General Response 3.9** regarding water supply. The water supply well that would be utilized under Option 1 for water supply have not been designed or developed on the Strawberry Fields Site at this time. The assessment of the groundwater quality and quantity is based on documented wells and groundwater conditions in the vicinity of the site.

Response to Comment T6-23

The proposed locations of the connections to off-site water and wastewater lines are described in the Alternatives Section of the EIS with references to **Figure 4.14-2** which depicts their location.

Response to Comment T6-24

Please see **General Response 3.5.4** regarding the appropriate range of alternatives to analyze related to issues of water supply and wastewater disposal.

Response to Comment T6-25

The proposed lift station was illustrated in Draft EIS Appendix B, Exhibit 3. Both the Events Center and proposed lift station are now illustrated on the updated Figure 2-8.1 in the Final EIS.

As noted in the comment, the height of the most visually dominant feature of Alternative A, the hotel tower, was noted in the Draft EIS. Regarding the heights of the other various Alternative A structures, please see the updated Final EIS Section 2.3.2, which now lists the heights of the various building components.

The offsite improvements required for access to the site, including the potential widening of the bridge on Bechelli Lane over the canal just north of the site, were described in the Draft EIS Section 2.3.2, and analyzed throughout the Section 4.0 of the Draft EIS. The potential environmental consequences of the off-site improvements were often specifically described under the subheading of “Offsite Improvements”.

From the context of the comment in the fourth bullet point, it appears that the commenter is referring to Draft EIS Figure 2-16 (for the Anderson Site). Information regarding the detention basins and drainage are described in Draft EIS Section 4.3.5. In addition to that text, a figure of the features requested by the commenter is included at Draft EIS Appendix C, Figure E4. Final EIS Figure 2-16 has been updated to include the proposed detention basins. Because of the fine level of detail of the drainage features in Draft EIS Appendix C, Figure E4, these features have not been incorporated into Final EIS Figure 2-16. Please see Draft EIS Appendix C, Figure E4 for an illustration of these drainage features.

Response to Comment T6-26

As a practical matter, the process of forecasting the precise date of construction and completion of the project alternatives is inherently uncertain. The projects' scale, need for a federal action and public review all contribute to this uncertainty. Although it is true that the degree of uncertainty decreases as time passes and the regulatory process unfolds, it would be unreasonable to constantly update project related analyses and timelines. Preparation of revised analyses to evaluate effects caused by the passage of time, or other factors (e.g., changes in the competitive environment) would be a constantly changing process, and would delay the Proposed Project for no viable reason. Furthermore, preparation of subsequent analyses can merely perpetuate a continual cycle of document revisions, followed by new commenter assertions that fresher data, or a more recent baseline, is still required. Such repetitious exercises are not generally beneficial or required. As stated by the U.S. Court of Appeals for the District of Columbia Circuit:

“However desirable it may be for agencies to use the most current and comprehensive data available when making decisions, the FAA has expressed its professional judgment that the later data would not alter its conclusions in the EIS or the approval of Alternative C, and it is reasonably concerned that an unyielding avalanche of information might overwhelm an agency’s ability to reach a final decision. [Citation omitted] The method that the FAA chose, creating its models with the best information available when it began its analysis and then checking the assumptions of those models as new information became available, was a reasonable means of balancing those competing considerations, particularly given the many months required to conduct full modeling with new data.”⁶

The Final EIS has been updated to reflect the new anticipated date for construction of 2024, with a operation potentially commencing in 2026. The following explanation has also been added as a footnote in Section 2.3.2:

“It should be noted that the technical analyses related to traffic, noise and air quality modeling assumed that construction would commence during an earlier year, and would continue over a number of years, with full buildout being achieved in 2025. Assuming earlier construction and operational years for the air quality and GHG modeling yields a

⁶ Source: Village of Bensenville v. FAA, 457 F.3d 52, 71-72 (D.C. Cir. 2006). Available at Legal.com and accessed October 2, 2019 at <https://www.leagle.com/decision/2006509457f3d521504>

conservative result, as emissions in future years tend to have lower emission factors due to improvements in emissions technology and more stringent regulatory standards. With respect to traffic and noise, baseline opening year traffic volumes were estimated based on pre-pandemic counts/traffic projections; thus this would offset the expected increase in traffic resulting from a later opening year condition.”

Response to Comment T6-27

Please see **General Response 3.17** regarding the distinction between BMPs and mitigation measures, and whether enforcement of BMPs is warranted.

Response to Comment T6-28

Please see **General Response 3.5.4** regarding tribal services and housing elements of project alternatives.

Response to Comment T6-29

Please see **General Response 3.11** regarding compliance with Executive Order 11988 Floodplain Management.

Response to Comment T6-30

The BIA as Lead Agency, has consulted with various federal, State, and local agencies as appropriate throughout the NEPA process and included discussion of relevant consultation in various sections of the Draft EIS. The Final EIS Section 6.0 has been updated to reflect the comprehensive list of these consultations. Additionally, federal, State, and local agencies were provided the opportunity to comment on the Draft EIS during the public comment period. Please see below regarding the BIA’s consultation with the agencies specifically noted by the commenter.

- U.S. Fish and Wildlife Service (USFWS) – Refer to **General Response 3.12.1, Response to Comment T6-31**, and Final EIS Section 6.3.
- National Marine Fisheries Services (NMFS) – Refer to **General Response 3.12.1, Response to Comment T6-31**, and Final EIS Section 6.3.
- Advisory Council on Historic Preservation (ACHP) – Please refer to Final EIS Section 4.6.1 regarding the status of consultation under Section 106 of the National Historic Preservation Act (NHPA).
- State Historic Preservation Office (SHPO) – Refer to **Response to Comment T4-02** and Final EIS Section 4.6.1, and Final EIS Section 6.4.
- California Department of Water Resources (DWR) – Refer to Final EIS Sections 3.3, 4.3 and 8.0 regarding various DWR reports and documents that were reviewed and referenced. The NOA for the Draft EIS was sent to DWR; however, no comment letter was received.
- Central Valley Flood Protection Board – Refer to **Responses to Comment Letter A1 and Response to Comment T6-32**.
- Federal Emergency Management Agency (FEMA) – Refer to **General Response 3.11**.

- California State Lands Commission – Refer to **Responses to Comment Letter A10** and **Response to Comment T6-32**.
- California Department of Fish and Wildlife (CDFW) – As described in Draft EIS Section 3.5.2, a query of CDFW’s California Natural Diversity Database (CNDDB) for special-status species known to occur on the Enterprise USGS 7.5 minute topographic quad was conducted to inform the analysis of the Draft EIS and was included in Draft EIS Appendix D-5. Comments provided by CDFW during the scoping period were considered during preparation of the EIS. Additionally, refer to **Responses to Comment Letter A9**.

Response to Comment T6-31

Refer to **General Response 3.12.1**. A Biological Assessment was sent to the USFWS in July 2018 (Draft EIS Appendix D-1). On February 20, 2020, the USFWS concurred with the Biological Assessment that the project may affect but is not likely to adversely affect federally listed species, and no further consultation is needed. The Proposed Project was evaluated for potential impacts to listed fish species and Critical Habitat in consultation with the National Marine Fisheries Service (NMFS; Draft EIS Appendix D-2). NMFS reviewed the project under ESA Section 7(a)(2) and MSMA in a concurrence letter (May 7, 2019) and determined the proposed actions were not likely to affect listed fish species with the inclusion of mitigation measures listed in Draft EIS Appendix D-2 (see **General Response 3.12.2**). All consultation correspondence is included in Final EIS Appendix O. Therefore, impacts to special-status species would be mitigated to a less-than-significant level.

Please see **Response to Comment A9-05** regarding revisions to the streambank stabilization measures to reduce potential impacts. Please also see **General Response 3.12.1** and **3.12.2** regarding potential effects to special-status species and habitat, including bank swallows and certain fish species.

Response to Comment T6-32

The relationships of the proposed developments are shown in relation to the Sacramento River in EIS Figures 2-8, 2-10, 2-12, 2-14, and numerous other exhibits in the EIS. Development of Alternatives A through D would comply with all applicable federal regulations.

As identified in Draft EIS Section 3.3.2, the Central Valley Flood Protection Board has jurisdiction over the Sacramento River within the designated floodway which follows the boundary line of the FEMA 100-year floodplain or is located west of the FEMA 100-year floodplain boundary line adjacent to the Strawberry Fields Site as shown in Figure 3.3-1. Please refer to the **Response A1-01** regarding permitting with the Central Valley Flood Protection Board.

As identified in Draft EIS Section 3.3.2, the California State Lands Commission has jurisdiction over submerged lands and the beds of navigable lakes and waterways. Along the Sacramento River, this jurisdiction extends to the ordinary high-water mark. Please refer to the **Response A1-02**. As described therein, all work, including the planting of willows and other native trees for streambank stabilization (see **General Response 3.11**), would occur above the ordinary high-water mark of the Sacramento River and therefore outside of the State Lands Commission’s jurisdiction.

The California Department of Fish and Wildlife has jurisdiction through the State's Fish and Game Code Section 1602 of the bed, channel and bank of any river, stream or lake within the State. All development would occur once the Strawberry Fields Site has been taken into trust and would therefore be outside of the jurisdiction of CDFW.

Response to Comment T6-33

Please see **General Response 3.11** regarding issues related to flooding and floodplains.

The proposed development as described in the report avoids filling within the Regulatory Floodway of the Sacramento River or the FEMA 100-year floodplain. None of the work including the Streambank Stabilization component would alter the drainage course or the base flood elevation of the AE 100-year floodplain. Section 6.2.1 of the Grading & Drainage Study recommends bio-technical stabilization methods to stabilize the east bank of the Sacramento River adjacent to the project. Bio-technical stabilization includes re-establishing native vegetation within the 150-foot building setback to mechanically stabilize the bank and reduce erosion caused by high Sacramento River flows. As detailed in Section 6.2.1 of the Grading & Drainage Study (Final EIS Appendix N), bio-technical stabilization does not include fill within the Regulatory Floodway or the FEMA 100-year floodplain, nor does it result in a change to the channel characteristics of the Sacramento River that would require a Letter of Map Revision to be processed through FEMA. Therefore, even if the site were subject to the National Flood Insurance Act, the project alternatives would not require a Floodplain Development Permit. The stormwater pipes were designed to convey a 10-year event without surcharge. The 100-year storm was used for detention in accordance with the City of Redding Construction Standards, which were determined applicable due to the project being surrounded by the City of Redding. These standards were applied to Win River which is similar to the proposed development. All surface improvements are outside of the 100-year floodplain; however, stormwater disposal is within the 100-year floodplain.

Response to Comment T6-34

As described in Section 3.3.2 of the Draft EIS, the project site is located within the Sacramento-Lower Cow-Lower Clear Watershed within the Sacramento River Basin. The Sacramento River is approximately 327 miles long and drains approximately 27,000 square miles. A figure showing this area is not needed to evaluate the impacts to this basin. Within this general setting, the assessment of the on-site water supply option is focused on the specific factors of the project area. Please see **General Response 3.9** regarding water supply. Mitigation measures such as 5.5.3 Wetlands and Waters of the U.S. and 5.2 (A) Geology and Soils would reduce potential impacts from water supply and wastewater disposal to less-than-significant levels.

Disposal of treated effluent would not adversely impact water quality or aquatic habitat within the Sacramento River. Disposal would occur through landscape irrigation and percolation in leach fields and would not be discharged into the river. Effluent would be treated to meet disinfected tertiary recycled water standards under Title 22 of the California Code of Regulations. Effluent would be of high quality and would not have the potential to significantly degrade surface water or groundwater quality. Section

4.3, 4.10 of the EIS addresses the potential environmental effects of water supply and wastewater treatment and disposal.

Regarding the seasonal wetlands and ponds, water supply would be sourced through either a municipal connection or through use of a groundwater well. The seasonal wetlands are small (combined less than half of one tenth of an acre) and do not rely on groundwater and therefore would not be impacted by water use. Similarly, the individual ponds are small features and likely do not rely on groundwater and rather express water through collection of surface runoff. As discussed in Section 4.3 of the Draft EIS, significant impacts to groundwater levels would not occur. Under all alternatives and wastewater treatment options, the ponds and seasonal wetlands are set back from the leach field, with the nearest feature being the southerly pond located nearly 400 feet from the leach field. Even with seasonal variations in the size of the seasonal wetlands and ponds, these features would be well outside of the leach fields and would not be impacted by the wastewater treatment system.

Please see **Response to Comment T6-31** and **General Response 3.12** regarding impacts to listed fish species and Critical Habitat. As described therein, NMFS reviewed the project under ESA Section 7(a)(2) and MSMA in a concurrence letter (May 7, 2019) and determined the proposed actions were not likely to affect listed fish species with the inclusion of mitigation measures listed in Draft EIS Appendix D-2 (see **General Response 3.12.2**). Therefore, impacts to Special-status species would be mitigated to a less-than-significant levels.

Response to Comment T6-35

Please see **Response to Comment T6-34** regarding the potential impacts to seasonal wetlands and ponds from the proposed on-site water supply or wastewater disposal options. Pursuant to consultation with the USFWS, CRLF has been removed as a federally-listed or projected species that may occur on the project sites, due to the project's location outside of the current range of the species (Final EIS Appendix O-3). These changes have been incorporated into Final EIS, Volume II, Section 4.5. Therefore, no impacts to listed amphibians would occur from operation of onsite water and wastewater systems.

Response to Comment T6-36

Please see **General Response 3.9** regarding water supply.

Response to Comment T6-37

Please see **Response to Comments T6-34** through **T6-36** regarding ground water. Also see **General Response 3.5.4** regarding the appropriate range of alternatives to analyze related to issues of water supply and wastewater disposal.

Response to Comment T6-38

Please see **General Response 3.11** regarding issues related to flooding and floodplains. The statement(s) regarding a balance cut and fill on the site are regarding assessment of the possibility of temporary construction traffic due to the potential of hauling excess material off site. All earth disturbed on-site

would be placed as engineered fill on-site outside of the regulatory floodplain and would thus not generate any traffic on nearby public roads.

Response to Comment T6-39

Please see **General Response 3.9** regarding Sacramento River streambank stabilization and vegetative buffer and **General Response 3.11** regarding issues related to flooding and floodplains. As described in Final EIS Appendix N and Final EIS Section 2.3.2, Alternative A has been revised to provide a 150-foot setback from the top of the bank of the Sacramento River. The Proposed Project would not disturb the existing vertical loam bank and would include establishing riparian trees in the setback area between the existing riverbank and the hardscape features of the Proposed Project. This would stabilize and reduce the meander potential within the mantle of loamy soil while preserving the existing cut bank and natural river processes as described in Bank Swallow Conservation Strategy for the Sacramento River Watershed, California Bank Swallow Technical Advisory Committee, June 2013.

Please see **Response to Comment T6-31** and **General Response 3.12** regarding impacts to listed fish species and Critical Habitat. As described therein, NMFS reviewed the project under ESA Section 7(a)(2) and MSMA in a concurrence letter (May 7, 2019) and determined the proposed actions were not likely to affect listed fish species with the inclusion of mitigation measures listed in Draft EIS Appendix D-2 (see **General Response 3.12.2**). Therefore, impacts to Special-status species would be mitigated to a less-than-significant levels.

Response to Comment T6-40

A planning-level hydrology study for Alternative E (Anderson Site Alternative) has been prepared as a part of the EIS and is included as Draft EIS Appendix C. With this planning-level study, the design proposes equal volumes of fill material to be placed within and cut material to be removed from the FEMA 100-year floodplain, maintaining the same (or greater) total volume of flood storage on the site. This level of detail is typically required at this early planning stage of the project to determine if the project is feasible, and a more in-depth hydrology report would be prepared during the detailed design of Alternative E prior to construction. A CLOMR would be processed through FEMA prior to construction and a LOMR would be processed through FEMA after project construction. Draft EIS Section 4.3.5 presents an analysis on potential impacts related to flooding that could occur as a result of Alternative E. As discussed therein, because 36 af of the approximately 58 af of existing storage within the 100-year floodplain on the Anderson Site would be filled as a result of the grading activities, a “Letter of Map Revision – Fill” would have to be issued by FEMA (Draft EIS Appendix C); the preparation and submission of a letter request is included as Mitigation Measure A in Draft EIS Section 5.3. This storage would be relocated to the southern portion of the Anderson Site in the form of detention ponds, as described below. Therefore, the impacts of Alternative E to the floodplain would be less than significant, and, provided that the “Letter of Map Revision – Fill” is filed with FEMA, Alternative E would be in compliance with EO 11988.

The drainage system for the Anderson Site would be designed incorporating a combination of infiltration trenches, infiltration/detention basins and numerous other storm water quality and quantity BMPs to

encourage groundwater infiltration in order to mitigate storm water runoff levels due to the increase of impervious areas. Regarding consultation with FEMA, the Draft EIS Section 5.5.3, identifies mitigation whereby the Tribe shall consult with FEMA regarding the need for FEMA review of potential floodplain impacts. If applicable, the Tribe shall adhere to all conditions of the permits to ensure the protection of the floodplain and water quality during construction activities.

Response to Comment T6-41

The commenter quotes 42 U.S.C. § 4101 (e) "...the Administrator shall assess the *need* [emphasis added] to revise and update all floodplain areas ... based on an analysis of all natural hazards affecting flood risks." The commenter then goes on to state that the FIRM was last updated in 2011 and therefore FEMA must re-calculate the BFE and reassess the flood zones for the Strawberry Fields Site. In response, 42 U.S.C. as quoted by the commenter does not require that FEMA must re-calculate the BFE and flood zones every 5 years. It clearly states that the Administrator shall assess the need to do so based on the natural hazards affecting flood risk.

The commenter has not presented any evidence that the Administrator has not assessed the need to revise and update the floodplain areas. Nor have they shown any evidence that any of the natural hazards affecting flood risks at the subject site has changed in any quantifiable way since 2011.

The Strawberry Fields Site is located immediately adjacent to the Sacramento River, approximately ten river-miles below the Shasta Dam/Keswick Dam couplet and two river-miles upstream of Clear Creek, which is the nearest tributary capable of increasing the flow rate of the river to a measurable degree. The flow in this stretch of river is tightly regulated by releases through Shasta and Keswick Dams. Per the Flood Insurance Study for Shasta County, the 10-year, 50 year, and 100-year recurrence interval peak flows in the Sacramento River all coincide at 79,000 cfs. This is based on the maximum release allowed by regulation from Shasta and Keswick Dams.

This level has been approached or exceeded 5 times since Shasta Dam began impounding water in 1944. Per the USGS streamflow gauge on the Sacramento River at Keswick, peak flows were:

- 78,900 cfs January 24, 1970
- 81,400 cfs April 1, 1974
- 76,900 cfs February 19, 1986
- 79,200 cfs January 4, 1997
- 83,000 cfs February 14, 2017

It is evident that the base flood occurs on average about once every 12 years and has not been significantly exceeded in 74 years. This is consistent with the 10-year, 50-year and 100-year designation for 79,000 cfs in the flood insurance study. The flood elevation and extent are also well known and documented in this area due to the 5 full-scale modeling events that have occurred since 1944. The on-site flooding condition of February 2017 was closely observed and documented to be contained within the riverbank on the northern portion of the Strawberry Fields Site, west of the proposed development. The

Flood Insurance Rate Map is the best available mapping, and there is no doubt that the proposed improvements are outside of the regulatory 100-year floodplain also known as Zone AE.

Response to Comment T6-42

As described in Section 4.3 of the Draft EIS, the on-site infiltration wet pond is sized to accommodate twice the runoff volume of the 85th percentile storm and would allow for infiltration of stormwater into the native soil. Stormwater runoff from the development area would be infiltrated on the site and would not discharge to the Sacramento River; therefore, there would be no impacts to water quality and aquatic habitats of the Sacramento River. There would be no loss of riparian vegetation along the Sacramento River due to the 150-foot setback incorporated into the Alternative A. The proposed planting of willows along the river to stabilize the bank would increase riparian vegetation, improving the quality of aquatic habitat.

Response to Comment T6-43

Please see **Response to Comment A6-12** regarding State attainment status.

A discussion of Shasta County AQMD air quality thresholds has been added to Sections 3.4 and 4.4 of the Final EIS. Shasta County AQMD thresholds would only pertain to the construction of off-site improvement areas within the City and County boundaries and would be subject to City and County approvals.

Draft EIS Section 4.4.2 discloses that “emissions from construction equipment have the potential to increase the concentration of DPM in the close vicinity (within approximately 500 feet) of the construction site, if control measures are not implemented... To reduce project-related construction fugitive dust and DPM emissions, Best Management Practices (BMPs) are provided in Section 2.3.2. BMPs provided in Section 2.3.2 would reduce DPM emissions from construction equipment by approximately 70 percent, avoiding potentially adverse effects to nearby sensitive receptors.” Therefore, the Draft EIS does analyze the potential for impacts from DPM emissions. BMPs provided in Section 2.3.2 to reduce DPM include but are not limited to using newer, more efficient tier engines, reducing on-site idling, equipping engines with diesel particulate filters, and staging construction equipment far from sensitive receptors as possible. These methods are consistent with California Air Resource Basin (CARB) strategies to reduce DPM from construction activities. Further, DPM emissions are of greater concern in high-density regions with elevated ambient pollutant concentrations. Therefore, construction BMPs, coupled with the rural nature of the project, would ensure that sensitive receptors are insulated from DPM impacts.

Version 2016.3.1 of CalEEMod rather than Versions 2016.3.2 was used to estimate the construction and operational emissions of the project alternatives. According to the South Coast Air Quality Management District (SCAQMD) website, updates in Version 2016.3.2 of CalEEMod fixed minor software bugs, improved user experience, added 2016 Title 24 building efficiency reductions, and fixed miscalculations that overestimated the annual fugitive dust emissions for PM₁₀ and PM_{2.5}. Therefore, project alternative emission estimates are conservatively overestimated, and no revisions are needed.

In regards to whether the 30 percent reduction in the trip generation rate for the event and conference centers that was incorporated in the CalEEMod air quality model is consistent with the traffic analysis, the traffic analysis is based on peak daily trips and, therefore, assumed that events would be occurring at the event and conference center when calculating peak daily trips generated by the project alternatives; while the air quality analysis is based on annual emissions and, therefore, includes the annual emissions from operation of the event and conference center. As described in Draft EIS Section 4.4.1, these facilities would be used approximately 256 days annually; therefore, assuming trips associated with the event and conference center would occur all year round (365 days) would be overly conservative. The 30 percent reduction is based on 365 days/256 days multiplied by 100 equals 30 percent. The assumptions used in the air quality and traffic analysis are appropriate to analyze impacts in their respective issue areas.

The Tribal Minor New Source Review Permit (Tribal NSR Permit) is designed to ensure that air quality is not significantly degraded from the addition of new and modified sources such as factories, generators, industrial boilers, and power plants. Threshold limits for select regulated emissions in the Tribal NSR Permit are based on the attainment status of the County in which the stationary source would be located. Shasta County is attainment or unclassified for all criteria emissions. Because Shasta County is in attainment for reactive organic gases (ROG), the emission threshold is five tons per year (tpy) rather than two tpy if it were in nonattainment. Final EIS Section 4.4 Air has been updated to reflect the five tpy ROG threshold limit. No Tribal Minor NSR permit is expected to be needed for any of the project alternatives.

Response to Comment T6-44

Regarding the inclusion of parking areas in the analysis of construction impacts, the commenter is incorrect. As shown in the CalEEMod inputs and outputs provided in Draft EIS Appendix I, and as specifically noted in Section 4.4.1 of the Draft EIS, emissions estimates from construction of the Proposed Project include parking areas. The CalEEMod default equipment inventory was deemed appropriate based on similar projects. No changes to the equipment inventory are warranted.

Response to Comment T6-45

The USFWS species, California Native Plant Society (CNPS) rare plant, and California Natural Diversity Database (CNDDDB) lists have been updated in the Final EIS. No additional species have been added to these lists. The CNDDDB query utilized a single quad search, where data is returned within the bounds of a single U.S. Geological Service 7.5' quadrangle (quad). A single quad ranges in size from 49 to 71 square miles⁷. A nine quad search is not required by CEQA or NEPA and often lists species with habitat and range far outside of the focused project area due to the large size of the quads. Consultation for species listed with NMFS and USFWS was completed in 2019 and 2020, respectively, based upon updates species lists. USFWS and NMFS concurrence, as well as updated species lists, are provided in Final EIS Appendix O.

⁷ Pennsylvania State University, n.d.. Legacy Data: USGS Topographic Maps. Available online at: <https://www.e-education.psu.edu/natureofgeoinfo/book/export/html/1808>. Accessed May 2023.

Response to Comment T6-46

As described in Draft EIS Section 3.5.2, a wetland delineation was verified by the USACE in March 2017 and was included in Draft EIS Appendix D-4. Refer to **Response to comment T6-32** regarding agency jurisdiction associated with the proposed streambank improvements.

Response to Comment T6-47

Impact acreages by habitat type for Alternatives A through D have been generated in Geographic Information System (GIS) software by overlaying the site plans presented in Figures 2-8.1, 2-10, 2-12, and 2-14 of Volume II of this Final EIS with the habitat map presented in Figure 3.5-1 of the Draft EIS. Impacts would be limited to annual grasslands, with the exception of the stormwater swale and infiltration wet pond and the wastewater Option 2 leach field considered under Alternatives A through C. Wastewater Option 2 of Alternatives A through C encompass 1.0 acres of riparian vegetation. Additionally, a small area of Valley oak woodland (less than 0.1 acre) overlaps with this area and the stormwater infrastructure under Alternatives A and C. While this would not result in a loss of oak woodland, minimal individual oaks could be impacted. Section 4.5 of the EIS has been revised to specify this area. Alternative D fully avoids both oak woodland and riparian habitats. Although the riparian and Valley oak woodland habitat may support special-status species, these habitats are not identified as sensitive or limited in distribution under federal designations and are not provided formal protections at the federal level.

Refer to **General Response 3.9** and **3.11** and Final EIS Section 2.3.2 regarding the streambank stabilization approach. As described therein, the streambank stabilization measures proposed in the Draft EIS have been modified to include a 150-foot setback from the top of bank, an emphasis on live native vegetation, and use of existing native materials in place of riprap/boulders.

Response to Comment T6-48

Refer to **General Response 3.9** and **3.11** and Final EIS Section 2.3.2 regarding the streambank stabilization approach. As described therein, the streambank stabilization measures proposed in the Draft EIS have been modified to include a 150-foot setback from the top of bank, an emphasis on live native vegetation, and use of existing native materials in place of riprap/boulders. Therefore, comments regarding the windrow rock slope protection method are no longer relevant.

As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives; therefore, no significant noise impacts would occur in connection with the amphitheater.

Please see **Response to Comment T6-31** and **General Response 3.12** regarding impacts to listed fish species and Critical Habitat. Sections 3.12 and 4.12 of the EIS list and evaluate the potential for hazardous materials to occur onsite.

Response to Comment T6-49

Please see **General Response 3.12.1** and **3.12.2** regarding potential effects to special-status species and habitat, including bank swallows.

Response to Comment T6-50

As discussed in Draft EIS Section 3.5, “Biological resource surveys and focused botanical surveys of the Strawberry Fields Site were conducted on April 25, 2007, May 3, 2007, May 9, 2007, June 27, 2007, May 16, 2016, and March 13, 2017.” Additional VELB surveys for elderberry shrub were conducted on May 21, 2019. On February 20, 2020, the USFWS concurred with the Biological Assessment that the project may affect but is not likely to adversely affect federally listed species, and no further consultation is needed.

Response to Comment T6-51

Pursuant to consultation with the USFWS, CRLF has been removed as a federally-listed or projected species that may occur on the project sites, due to the project’s location outside of the current range of the species (Final EIS Appendix O-3). These changes have been incorporated into Final EIS, Volume II, Section 4.5.

Pre-construction surveys for listed species would be implemented pursuant to federal agency regulations. Please see **General Response 3.12** regarding the potential impacts to listed species. Mitigation measures such as **5.5.3 Wetlands and Waters of the U.S.** and **5.2 (A) Geology and Soils** would reduce potential impacts from onsite water supply and wastewater options to less-than-significant levels.

Response to Comment T6-52

A VELB-focused survey was conducted on May 21, 2019 in accordance with *Conservation Guidelines for the Valley Elderberry Longhorn Beetle* (USFWS, 1999), and results have been incorporated into the Final EIS. The 2019 survey identified an additional three elderberry shrubs along the Sacramento River and within close proximity (<20 ft.) to the location of the singular elderberry shrub identified in the 2016–2017 surveys. Diameters of stems at ground level were 1–3 in. with the exception of four being >3 in. but <5 in. No indicators or boreholes for VELB were observed in these three elderberry shrubs. See Updated Biological Assessment for the USFWS (Final EIS **Appendix O-3**). On February 20, 2020, the USFWS concurred with the Biological Assessment that the project may affect but is not likely to adversely affect federally listed species, and no further consultation is needed.

Response to Comment T6-53

Refer to **Response to Comment T6-51**.

Response to Comment T6-54

Mitigation Measure 5.5.3.Q.3 has been updated to clarify that standard precautions include measures identified in Mitigation Measures 5.2.A (Best Management Practices to be included in the Stormwater Pollution Prevention Plan).

Response to Comment T6-55

Please refer to **Response to Comment T4-02** regarding consultation with SHPO.

Response to Comment T6-56

The area of potential effect (APE) is specifically defined in Draft EIS Section 3.6.3 for Strawberry Fields, the northern access area, the southern access area, and the Anderson site. These areas are clearly illustrated in Draft EIS **Figures 2-8** and **2-16**. Those figures have been updated in the Final EIS, with additional detail regarding the elements that comprise the Proposed Project. The APE for the off-site traffic mitigation improvements and utility/infrastructure connections are described in Draft EIS Sections 4.14.1 and 4.14.2, respectively.

Please see **Response to Comment T4-02** regarding SHPO consultation.

Response to Comment T6-57

Comment acknowledged. Mitigation Measure 5.6 C has been added to the Final EIS requiring construction worker awareness training and construction monitoring by a team of archaeologists and Native Americans.

Response to Comment T6-58

Mitigation measures have been added in Final EIS Section 5.6 requiring preparation of an Unanticipated Discoveries Plan prior to ground-disturbing activities and the language in the mitigation measures has been strengthened.

Response to Comment T6-59

A Memorandum of Agreement is not warranted unless adverse effects to resources are expected (36 CFR Section 800.6). As discussed in Final EIS Section 4.6, no significant impacts are anticipated to occur with the implementation of recommended mitigation and, in a letter dated May 9, 2023, the SHPO concurred with the BIA's finding (refer to Final EIS Appendix P); therefore, a Memorandum of Agreement is not warranted for the Proposed Action.

Response to Comment T6-60

Discussion in Final EIS Volume II, Sections 3.6 and 3.6.3 were expanded to include additional discussion and conclusions of the Anderson cultural study and related citations.

Response to Comment T6-61

The Extended Phase I and Phase II Testing reports were submitted to the NEIC in March 2017. The Anderson Site, Off-Site Improvements reports, and updated Extended Phase I and Phase II Testing reports were submitted in April 2023.

Response to Comment T6-62

Background context information referred to by the commenter is solely located in the cultural reports which form Draft EIS Appendix E. The background reports and the results as reported in the Draft EIS emphasize the presence of buried cultural resources and acknowledge the potential environmental effects of the action. It is understood that multiple tribes may have used the Strawberry Fields Site.

Response to Comment T6-63

Comment noted. Please refer to **Response to Comment T4-01** regarding site CA-SHA-266. Site surveys and testing programs have thus far failed to identify any cultural resources that would be affected by the South Access Road or Wastewater leach field improvements. The monitoring program included in Mitigation Measure 5.6 C. would ensure that if these project components are constructed and if they encounter archaeological resources, then the finds would be treated in accordance with the Unanticipated Discoveries Plan developed as part of Mitigation Measure 5.6 A.

Response to Comment T6-64

Because the Draft EIS proceeded through various drafts circulated prior to its publication, it is possible that the census data included in Draft EIS Section 3.7 was not the latest available at the time of its publication. Please see **Response to Comment T6-26** regarding why it is not appropriate or desirable to continually update EIS analyses so that they include the most recent data. Nevertheless, Final EIS, Volume II, Section 3.7 has been revised to include the updated census data. Specifically, Tables 3.7-1 through 3.7-5 and 3.7-8 have been updated to reflect more recent data. The text in Final EIS Section 3.7 has also been updated as necessary, to reflect the more recent data. Please see Final EIS Section 3.7.

Response to Comment T6-65

The commenter states that the Draft EIS “incorrectly concludes that there are no low-income populations in the study area.” The analyses included in Draft EIS Section 3.7 are based on the census data that was then available. Final EIS Section 3.7 has been updated with revised census data. As depicted therein, some of the census tracts in the vicinity of the project sites have changed subsequent to the publication of the Draft EIS, such that the percentage of minority households in some of the tracts has increased substantially. The poverty threshold for a family of three has also increased, from \$20,090 to \$24,860. In addition, both the CEQ and USEPA have updated their environmental justice screening tools. In April of 2023 the White House issued Executive Order 14096, which expands the definition of potentially disadvantaged communities. Final EIS Section 3.7 has been updated to incorporate recent census data, changes in the poverty threshold, and revised definitions per EO 14096. Final EIS Section 3.7 also uses the more recent CEQ and USEPA environmental justice screening tools, and includes details regarding how the minority population and household income data were analyzed.

In the process of updating the census tables in Final EIS Section 3.7, data from U.S. Census Bureau Table DP03 was used as the source. This Census Bureau table was one of the information sources suggested by the commenter. It should also be noted that the analyses in Final EIS Section 3.7 were supplemented by

census data from the block level, which are more granular and detailed than information aggregated at the census tract level.

As a result of these updates, Final EIS Section 3.7 now identifies a number of low-income and minority communities in the vicinity of the project sites. Potential disproportionate and adverse effects to these communities are analyzed in Final EIS Section 4.7.

The commenter's statement about substitution or competitive effects to local sporting goods stores under Alternative A is acknowledged. However, the commenter does not explain why this could be a disproportionate and adverse effect to low-income and minority communities.

Response to Comment T6-66

Senate Bill (SB) 743 (Steinberg, 2013) required the Governor's Office of Planning and Research to amend the California Environmental Quality Act (CEQA) Guidelines to provide an alternative to Level of Service (LOS) for evaluating transportation impacts. In December 2018 the California Natural Resources Agency certified and adopted the CEQA Guidelines update package, including the Guidelines section implementing SB 743. Beginning on July 1, 2020, the provisions of SB 743 are required to be adopted by lead agencies statewide.

This federal environmental review is not subject to California SB 743. At the time of scoping and initial preparation of the (Transportation Impact Study (TIS) for the Draft EIS during 2016, the proposed revisions to the CEQA Guidelines implementing SB 743 were in preliminary form with a substantial degree of speculation and uncertainty surrounding its implementation.

Although a Vehicle Miles Traveled (VMT) analysis is not warranted based on the timing of the project development efforts, qualitatively it is reasonable to expect that the Proposed Project site (adjacent to Interstate-5) would likely reduce VMT when compared to the characteristics of the existing Win-River Casino site along SR-273. As reflected in Figure 29 of the TIS, over half of the existing site's trips were documented to originate from or be destined for the I-5 interchange at South Bonnyview Road. These "existing" trips would have significantly shorter trips to reach the Proposed Project site when compared to the existing Win-River Casino site.

The resulting environmental consequences of VMT as they related to air pollution (Draft EIS Section 4.4), climate change (Draft EIS Section 4.14) and vehicular noise (Draft EIS Section 4.11) have been analyzed in the respective sections of the Draft EIS.

Response to Comment T6-67

Comment noted. Please see **Response to Comment T6-101**.

Response to Comment T6-68

Please see **Response to Comment T6-101**.

Response to Comment T6-69

Please see **Response to Comment T6-101**.

Response to Comment T6-70

Please see **Response to Comment T6-101**.

Response to Comment T6-71

Please see **Response to Comment T6-101**. Also see **General Response 3.1.3** regarding the concept of a supplemental EIS.

Response to Comment T6-72

Final EIS Section 3.9.1 has been revised to state that issues of compliance with local ordinances are addressed in sections other than EIS Section 3.9. Specifically, information regarding compliance with local noise and scenic resources ordinances are addressed in Draft EIS Sections 3.11 and 3.13, respectively.

Response to Comment T6-73

County Objectives AG-3 through AG-6 were not included in Draft EIS Table 3.9-1 because these objectives do not apply specifically to zoning classification A-cg. However, they have been added to revised Table 3.9-1 in the Final EIS to reflect potential applicability to all zoning classifications..

Response to Comment T6-74

Final EIS Section 3.9 has been revised to clarify that these particular C-M zoned parcels are located east of I-5.

Response to Comment T6-75

Please refer to **General Response 3.8.2** regarding the use of agricultural land and **General Response 3.11** pertaining to facilities and the floodplain. The City includes the Strawberry Fields Site location in the City's General Plan. However, the parcel is currently under the jurisdiction of Shasta County. Please see **Response to Comment A4-03** for more information. The fact that the Strawberry Fields Site is located outside of City limits has limited bearing on its development potential. Because of its location, development of the Strawberry Fields site is compatible with surrounding land uses along the I-5 corridor.

Response to Comment T6-76

Although Alternative E is not consistent with allowable uses under existing zoning of the City of Anderson General Plan, it is compatible with surrounding land uses along the I-5 corridor. Land uses in the vicinity include residential subdivisions and commercial developments. Although Alternative E would differ from the surrounding rural and agricultural land uses, it would not disrupt neighboring land

uses, prohibit access to neighboring parcels, or otherwise conflict with neighboring land uses. Thus, while the proposed uses on the Anderson Site are not consistent with allowable uses under existing zoning, this inconsistency with existing zoning would not result in significant adverse land use effects.

Response to Comment T6-77

Please see **Response to Comment T6-26** regarding why it is not appropriate or desirable to continually update EIS analyses so that they include the most recent data. Nevertheless, Final EIS, Volume 2, Section 3.9.3 has been revised to reflect the 2017 Census of Agriculture Crop Report data.

Response to Comment T6-78

Project consistency with local zoning ordinances, land uses, land use ordinances is addressed in **General Response 3.8.1** and Response to Comments T6-76 and T6-77. Final EIS Section 4.9 has been updated to include additional information regarding consistency with local land use policies. This Final EIS Section 4.9 information is in text format, not a table.

Response to Comment T6-79

Although the Draft EIS uses reference to the hotel, motel, gas station, and fast food chains, it is also noted that “These land uses would represent a significant change from the current undeveloped conditions on the site, and would differ from adjacent land uses” (page 4.9-1). Please also refer to **General Response 3.8.1** pertaining to consistency with local zoning codes and **General Response 3.8.2** regarding the use of agricultural land.

Response to Comment T6-80

The commenter is correct that the reference in Draft EIS Section 4.15 should refer to the County’s land use code, not the City’s. Final EIS Section 4.15 has been updated to correct this. The commenter is not correct that Draft EIS Section 4.15 does not evaluate cumulative land use impacts. The text error notwithstanding, Draft EIS Section 4.15 does evaluate impacts, and concludes that there would be no cumulative impacts to land use.

Response to Comment T6-81

Please see **Response to Comment T6-26**. As described in Final EIS Appendix M, Section 4.3.1, in a letter to the Bureau of Indian Affairs on May 22, 2019 the City has stated that the City of Redding’s water supply has the ability to provide water to the Strawberry Fields Site. Although this option is feasible, the connection to City water in any case is dependent on the discretion of the City of Redding City Council. In 2015, which was the second year in which the state was under an emergency drought declaration by the Governor, the average daily demand was approximately 18.9 MGD, with the peak demand being 41.6 MGD. The Foothills water treatment plant has the capacity to provide 44 MGD to the City. With the peak demand for these Alternatives being approximately 0.55 MGD, the City appears to have sufficient capacity in drought years, as well as non-drought years.

Response to Comment T6-82

As described in the City of Redding 2012 Wastewater Utility Master Plan, Sunnyhill Lift Station has an approximate peak wet weather flow of 17.21 MGD. As illustrated in Table 5.4 of the 2012 plan, the projected flows into the Sunnyhill Lift Station in 2020 and 2030 were estimated at 10.76 MGD and 10.78 MGD, respectively. The City of Redding updated its Wastewater Utility Master Plan in 2022. According to the 2022 Master Plan, the Sunnyhill Lift Station has an approximate firm capacity of 13.0 MGD.⁸ Firm capacity is defined as “the lift station capacity with the largest pump out of service”; therefore, this capacity is conservative compared to the peak wet weather flow provided in the 2012 Plan. Projected flows into the Sunnyhill Lift Station in 2022 and 2032 have been revised to an estimated 12.44 MGD and 12.57 MGD, respectively. The 2022 Master Plan identifies four lift stations that are at or close to capacity and recommends upgrades and other improvements to these lift stations (Westside Lift Station, Mary Street Lift Station, North Market Street Lift Station and Hartnell Lift Stations). Sunnyhill Lift Station is not on this list. The peak flow from the Proposed Project is projected to be 0.501 MGD. The 2022 Master Plan does not state if the Proposed Project is included in the projected flow estimates described above. Under the conservative assumption that the Proposed Project is not included, the Sunnyhill Lift Station would be approximately at firm capacity once the project becomes operational. Thus, the Sunnyhill Lift Station has sufficient existing capacity to accommodate flows from the proposed development according to the City of Redding 2022 Wastewater Utility Wastewater Master Plan.

The Clear Creek Wastewater Treatment Plant currently has a design capacity of 8.8 MGD average dry weather flow and 16.2 MGD of peak hour wet weather flow.⁹ The 2022 Master Plan states that capital improvements were recently completed which expanded the capacity of Clear Creek Wastewater Treatment Plant peak wet weather flow to approximately 40 MGD. The maximum wet weather flow shown in the Master Plan is about 35 MGD¹⁰. With a peak flow of 0.501 MGD, the existing WWTP is confirmed to have sufficient current capacity to treat the peak flow generated by the Proposed Project.

Response to Comment T6-83

Please see **General Response 3.6.3** and **Response to Comment A6-03** regarding impacts to law enforcement, fire and EMS. Please also see **General Response 3.6.4** regarding fiscal impacts to local governments.

Response to Comment T6-84

Please see **Response to Comment A6-03** regarding impacts to law enforcement, fire and EMS. Please also see **General Response 3.6.4** regarding fiscal impacts to local governments. Law enforcement calls for service at the existing Win-River Casino are described in the Draft EIS Economic Impact Study (Draft EIS Appendix A), beginning with Figure 50. As described therein, impacts are calculated on a net basis, or the difference between calls for service from the project alternatives, less calls for service from the

⁸ Table 6.4.2 of the City of Redding Wastewater Utility Master Plan – July 2022. Prepared by City of Redding Public Works Department. Available online at:

<https://www.cityofredding.org/home/showpublisheddocument/28362/638030694865370000>

⁹ Section 6.1.3 of the City of Redding Wastewater Utility Master Plan – July 2022.

¹⁰ Final EIS Appendix M.

existing facility. Please see Draft EIS Appendix A for a detailed discussion of the methodology and analyses.

Neither Draft EIS Appendix A nor the fiscal effects analysis in Final EIS Appendix L analyzed impacts from the two fire/EMS options (Option 1 and Option 2) because: i). The fiscal impacts are smaller than those for law enforcement, and thus are not material to the calculation included in Final EIS Appendix L, Table 1, which would be positive under any reasonable set of assumptions and, ii). the fiscal impacts associated with fire and EMS services are not applicable under fire/EMS Option 2, whereby the Tribe would provide such services.

Response to Comment T6-85

Impacts cannot typically be “deferred.” Rather, they occur as a consequence of a change in the environment, such as the construction or operation of a project. The commenter may have intended to state that mitigation would be deferred. If that is the intended meaning of the comment, it should be noted that mitigation would not be deferred. Draft EIS Section 5.0 describes the timing of individual mitigation measures. In the case of law enforcement, Final EIS Mitigation Measure 5.10.3 E. states: “*Prior to operation* [emphasis added] the Tribe shall enter into a service agreement to reimburse the Shasta County Sheriff’s Office (SCSO) or another qualified agency for quantifiable direct and indirect costs incurred in conjunction with providing law enforcement services. Payments made in accordance with this agreement may be contributed, at least in part, through the Impact Mitigation Fund pursuant to Section 11 of the Tribal-State Compact. It should be noted that the existing County IGA described in Section 1.5.4 would fulfill this mitigation requirement. If the existing County IGA is terminated and a new agreement cannot be reached, the Tribe shall implement Public Safety Option 2 to construct and staff a Public Safety Building that will provide police, fire and emergency medical response services to the Strawberry Fields Site.” Thus, in this case mitigation would occur prior to the operation of Alternatives A through D; therefore, no unmitigated impact would occur.

Please also see **General Response 3.6.3**, where the option (Option 2) of a Tribally constructed and funded Public Safety Building on the Strawberry Fields Site is described.

Response to Comment T6-86

As stated in Section 2.3.2 of the Draft EIS, there are no existing natural gas service lines connecting to the Strawberry Fields Site¹¹. A description of existing facilities and possible improvements are included in Final EIS Section 4.14.2. The location of natural gas pipeline extensions would be determined closer to implementation of the project and prior to ground disturbing activities related to construction. Please refer to **General Response 3.7.2** pertaining to utilities and the anticipated providers. The Tribe shall contact the Utility Notification Center, which notifies utility service providers to mark or stake the horizontal path of underground facilities, provide information about the facilities, and/or give clearance to

¹¹ Source: PG&E, 2019. Gas Transmission Pipeline Map. Available electronically at: https://www.pge.com/en_US/safety/how-the-system-works/natural-gas-system-overview/gas-transmission-pipeline/gas-transmission-pipelines.page. Accessed on September 4, 2019.

dig. As discussed in Draft EIS and Final EIS Section 4.14.2, utility line extensions are not anticipated to result in adverse environmental effects.

Response to Comment T6-87

The equalization basin would be located within the area designated for Option 2 Water and Wastewater Facilities in Final EIS Figure 2.8-1. The environmental impacts from construction and operation of the optional wastewater treatment plant have been analyzed throughout the EIS.

Response to Comment T6-88

Draft EIS Table 3.11-7 has been revised to present noise levels from long term noise measurements in day-night (Ldn) noise descriptor values. All noise values can be found in Draft EIS Appendix G.

Response to Comment T6-89

The construction noise analysis in Final EIS Section 4.11 has been revised to address noise impacts from simultaneous operation of multiple pieces of construction equipment as outlined in the FTA Transit Noise and Vibration Impact Assessment Manual.¹²

Response to Comment T6-90

Draft EIS Section 4.11.1, subheader “Construction Vibration” does include evidence in the form of calculated vibration levels. Furthermore, Draft EIS Section 4.11.1 describes BMPs, including limiting construction to daytime hours to minimize sleep disturbance, that would reduce impacts to less-than-significant levels.

Response to Comment T6-91

As described in Draft EIS Section 4.11, noise impacts associated with increased traffic volumes on Bechelli Lane and on Adra Way were evaluated based on the roadway improvement project noise standards described in the Noise Elements of the City of Redding General Plan and the Shasta County General Plan. A description of these standards is provided in Draft EIS Table 3.11-6.

As described in Draft EIS Section 2.2.2, Bechelli Lane and Adra Way are the only roadway segments within the Off-site Access Improvement Areas. Therefore, Bechelli Lane and Adra Way were the only roadway segments evaluated using the City of Redding General Plan and the Shasta County General Plan roadway improvement project noise standards. Noise impacts associated with increased traffic volumes on all other road segments were evaluated based on the FHWA NAC standards presented in Draft EIS Table 3.11-4.

¹² Transit Noise and Vibration Impact Assessment, September 2018. Available online at: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf

Draft EIS Table 4.1 1-3 predicts that traffic noise levels along Churn Creek Road between Smith Road and Knighton Road and along Smith Road between Churn Creek Road and Adra Way would result in an audible increase in traffic noise levels under Site Access Option 2. However, resulting ambient noise levels on these two road segments would not exceed the FHWA NAC threshold of 67.0 dBA Leq for residential sensitive receptors. Therefore, noise impacts associated with increased traffic volumes under Site Access Option 2 would not have a significant impact on sensitive receptors in the vicinity of these roadways. No changes to this determination within the Draft EIS are warranted.

Response to Comment T6-92

As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives.

Response to Comment T6-93

Please see **Response to Comment T6-31** and **General Response 3.12** regarding impacts to listed fish species and Critical Habitat.

Response to Comment T6-94

Please see the revised text in Final EIS Section 2.3.2, which now lists the heights of the various building components.

Response to Comment T6-95

Please see **General Response 3.13.1** regarding viewpoints from the perspective of persons on the Sacramento River.

Response to Comment T6-96

Please see **General Response 3.1.3** regarding why a supplemental EIS is not warranted. Contrary to the commenter's statements, baseline information, disclosure of potential impacts, and consideration of alternatives have all been extensively analyzed in the Draft EIS. These responses to comments and the Final EIS further clarify the information included in the Draft EIS.

Response to Comment T6-97

Please see **Response to Comments T6-08, T6-13, T6-16** and **T6-17** regarding the opinions rendered by GMA Advisors.

Response to Comment T6-98

Please see **Response to Comment T6-09** regarding the opinions rendered in this report.

Response to Comment T6-99

Please see **Response to Comments T6-08, T6-13, T6-16 and T6-17** regarding the opinions rendered by GMA Advisors.

Response to Comment T6-100

Please see **General Response 3.5.4** regarding the consideration of a modified Alternative F for a Larger Expansion of the Existing Casino.

Response to Comment T6-101.1

Comment noted.

Response to Comment T6-101.2

Please see **Response to Comment A4-02** regarding the methodology employed in the TIS (Draft EIS Appendix F) and the Updated TIS (Final EIS Appendix Q) to estimate peak traffic flows.

Response to Comment T6-101.3

Please see **Response to Comment A4-17**. Consistent with the City's Guidelines, a 2-percent heavy vehicle percentage was assumed at most of the study facilities, the majority of which are "non-state facilities." It is important to note that 5-percent was used at the Interstate-5/South Bonnyview interchange for the Cumulative (2040) Conditions' analysis which includes the consideration of a diverging diamond interchange (DDI). As such, the analysis is considered to be appropriate in that it conservatively assumes a higher percentage under the critical 2040 interchange reconfiguration conditions.

Response to Comment T6-101.4

Please see **Response to Comment A4-02**. The *City of Redding Traffic Impact Analysis Guidelines* do not contemplate the development of gaming venues, which, as described in **Response to Comment A4-02**, generate traffic flows that peak at times that are different from most other commercial businesses. As described in **Response to Comment A4-02**, the methodology employed in the TIS and Updated TIS were designed to accurately model the traffic flows of the Proposed Project, which is a casino resort.

Response to Comment T6-101.5

Please see **Response to Comments A4-02 and T6-101.4**.

Response to Comment T6-101.6

Please see **Response to Comments A4-02 and T6-101.4**.

Response to Comment T6-101.7

At the time of scoping and initial preparation of the TIS (Draft EIS Appendix F for the Proposed Project (early-2016), the Highway Capacity Manual 2010 was the published standard from the Transportation Research Board. The 6th Edition was not released until October 2016 and was, therefore, not available for use in the TIS. Characterized as more of an “update” rather than a significant overhaul, the changes included in the 6th Edition would not significantly change the technical analyses completed as part of the TIS or Updated TIS

Response to Comment T6-101.8

Please note that the interpolation of volumes to establish Opening Year (2025) volumes was only employed for a subset of the study facilities. As noted on Page 5 in the Updated TIS (Final EIS Appendix Q), “Volumes for Intersections #10-23 were developed by linearly interpolating between existing and 2040 traffic volumes. Opening Year (2025) traffic volumes assume the full building of the River Crossing Marketplace, including a 152,101-square foot Costco, located in the northwest quadrant of the South Bonnyview Road/Interstate-5 interchange.” These study intersections (#10-23) are located in the vicinity of the Win-River Casino site area and the Anderson site area, neither of which are the focus of the commenter’s statements regarding the Proposed Project at the Strawberry Fields Site (please see **Response to Comment A4-02**). Nevertheless, it is important to note that the effect of known development activity is broadly understood to be focused on the South Bonnyview Road/Interstate-5 interchange area and is therefore captured in the methodology employed to establish Opening Year (2025) volumes. These development projects are not anticipated to have a meaningful effect on the traffic flows in the Win-River Casino and Anderson site areas. As a result, the application of linear interpolation considered to be the appropriate methodology for volume forecasting as it conservatively accounts for background traffic growth in the absence of known development activity. In other words, if the TIS or Updated TIS restricted Opening Year (2025) forecasts to only known development projects, it is likely that the resulting volumes would have been less than those developed using interpolation. Accordingly, the application of linear interpolation in the TIS and Updated TIS is conservative and appropriate in these circumstances. No further responses or actions are warranted.

As directed by the City, all 2040 volumes were obtained from Omni-Means’ documentation, either the River Crossing Marketplace Specific Plan or the SCRTDM containing modifications (prepared by Omni-Means) to address specific impacts of development proposals within the vicinity of the Strawberry Fields site. These documents included the Omni-Means Interstate-5/South Bonnyview Interchange PSR Technical Memoranda 1-14 (May 6, 2016 – April 28, 2017), which was provided by the City.

All TIS forecast Saturday peak-hour volumes were established by applying a factor to the forecast weekday (Friday) PM peak-hour volumes. These factors were established based on the existing relationship between weekday (Friday) PM peak-hour and Saturday PM peak-hour. Traffic counts were collected in 2016 during Friday and Saturday PM peak-hours. A relative change calculation was performed for all movements at each study intersection to determine the appropriate factor for projecting Saturday forecast volumes from the weekday (Friday) forecast volumes. Please see the discussion on Page 37 of the Updated TIS (Final EIS Appendix Q) for additional information.

Response to Comment T6-101.9

Please see **Response to Comment T6-101.8** regarding how the Year 2040 Saturday volumes were developed.

Response to Comment T6-101.10

Consideration of Opening Year (2025) plus Proposed Project Conditions is considered to be the most comprehensive snapshot of realistic conditions anticipated to be realized upon opening of the project. Unlike “Existing plus Proposed Project” conditions, the use of “Opening Year” allows for comprehensive consideration of background traffic growth, traffic from known development activity, and the full effect of the Proposed Project.

Response to Comment T6-101.11

The following are responses to the suggested additional study intersections, organized by intersection location. No further responses or actions are warranted.

- Knighton Road Intersections, 3 – These additional facilities have been incorporated and are thoroughly evaluated in the Updated TIS (Final EIS Appendix Q).
- State Route-273/Market Street Intersections, 3 – As depicted in TIS and Updated TIS Figures 16 and 17, the addition of the Proposed Project is anticipated to add approximately 190 peak-hour trips to the network, north of South Bonnyview Road. While the three intersections suggested by the commenter (Kenyon, Breslauer, and Buenaventura) are all located along this stretch of State Route-273/Market Street, they are located 1-2 miles north of study intersection #1 (State Route-273/Bonnyview Road). As such, it is reasonable to anticipate that these trips will dissipate with the actual number of project trips along State Route-273/Market Street through this area to be much less than the volumes experienced at Intersection #1 (State Route-273/South Bonnyview Road) and the study facilities located south and east of these locations. In addition, project trips through this area are reasonably anticipated to be through trips, thereby minimizing their effect on these intersections’ operations. Please note that the scope of the TIS (Draft EIS Appendix F), including the identification of study facilities, was coordinated during 2016 with the City and other stakeholders. The facilities included in the TIS are consistent with their input received during this consultative process. Please see **Response to Comment A4-02** for additional information on the consultative process.
- State Route-273/Market Street Intersections (Anderson), 4 – As depicted in TIS Figures 32 and 33, the addition of the Proposed Project is anticipated to add approximately 270 peak-hour trips to the network, north of North Street. While the four intersections suggested by the commenter (Briggs, 3rd, Ox Yoke, and Spring Gulch) are all located along this stretch of State Route-273/Market Street, they are located one-half to 1.5-miles north of study intersection #17 (State Route-273/North Street). As such, it is reasonable to anticipate that these trips will dissipate with the actual number of project trips along State Route-273/Market Street through this area to be much less than the volumes experienced at Intersection #17 (State Route-273/North Street) and the study facilities located east of these locations. In addition, any remaining project trips are

reasonably anticipated to be through trips, thereby minimizing their effect on these intersections' operations. As described above, please note that the scope of the TIS, including the identification of study facilities, was coordinated during 2016 with the City and other stakeholders. The facilities included in the TIS are consistent with their input received during this consultative process. Please see **Response to Comment A4-02** for additional information on the consultative process.

Response to Comment T6-101.12

Please see **Response to Comment A4-21** regarding intersection and freeway off-ramp queuing.

Response to Comment T6-101.13

Please see **Response to Comments A8-11** and **T6-101.03** regarding truck volumes.

Response to Comment T6-101.14

Please see **Response to Comment A4-02** regarding the consultation with the City when developing the scope of work for the TIS.

Response to Comment T6-101.15

Preparation of the TIS was initiated in 2016. As such, the Existing Conditions are representative of the conditions at that time (2016).

Response to Comment T6-101.16

Please see **Response to Comment A4-02** regarding the methodology used to estimate peak hour traffic generation.

Response to Comment T6-101.17

A scope of work was submitted to AES, the consulting firm that prepared the Draft EIS and Final EIS. However, the methodology used in the TIS and Updated TIS were developed through consultation with appropriate agencies, including the City. Please see **Response to Comment A4-02** regarding this consultative process. The scope of work is summarized in the TIS, the Updated TIS and these responses to comments.

Response to Comment T6-101.18

1. Please see **Response to Comment T6-101.7** regarding why it is not necessary to utilize the Highway Capacity Manual 6th Edition (2016).
2. Roadway segment counts, in addition to the intersection counts, were collected in July and September 2016 for the purpose of contributing to the understanding of the relationship between these sets of volumes. However, the roadway segment counts were not directly used in the TIS.

Rather, consistent with the state of the traffic engineering practice, peak-hour intersection turning movement counts were used to generate corresponding roadway segment volumes. For this reason, roadway segment traffic count sheets have been removed from the Updated TIS Appendix (Final EIS Appendix Q).

Please see **Response to Comment A4-02** regarding the methodology used to estimate peak hour traffic generation and adjustments made to 2016 traffic count data.

Please see **Response to Comments A8-11** and **T6-101.3** above regarding traffic count methodology for truck traffic.

3. The presence of Amtrak services in the general project vicinity is not relevant to the scope of the EIS traffic studies. As such, no additional response or actions are warranted.
4. The commenter is correct that some of the geometry in TIS Figure 4 was not correct. Figure 4 has been revised in the Updated TIS (Final EIS Appendix Q) to reflect the correct Synchro intersection geometry.
5. Intersection #19 (Interstate 5 southbound off-ramp at North Street) on Updated TIS, Figure 5 (Final EIS Appendix Q) has been updated accordingly to show “all way stop.”

Intersection #20 (McMurray Drive/Interstate 5 Northbound On-Ramp at North Street) has been coded with geometry that is different from the existing (2016) geometry due to coding preferences. However, Kimley-Horn has confirmed that the level of service results are equivalent.

Intersection #21 (Oak Street at Balls Ferry Road) has been coded with geometry that is different from the existing (2016) geometry due to coding preferences. However, Kimley-Horn has confirmed that the level of service results are equivalent.

6. Intersection #13 (State Route 273 (Market Street) at Westside Road/Girvan Road) has been coded with geometry that is different from the existing (2016) geometry due to coding preferences. However, Kimley-Horn has confirmed that the level of service results are equivalent. Updated TIS Figure 6 has been revised to reflect the correct intersection geometry (Final EIS Appendix Q).

Intersection #16 (State Route 273 (Market Street) at Happy Valley Road) was correctly coded in Synchro in the analysis. Please see Appendix B of Final EIS Appendix Q for Synchro output sheets. Updated TIS Figure 6 has been revised to reflect the correct intersection geometry (Final EIS Appendix Q).

7. Consistent with the City’s Traffic Impact Analysis Guidelines, and in a manner consistent with other recently completed traffic studies, Level of Service D was applied to the south Bonnyview Road corridor as it is considered to be a “river-crossing street corridor” as specified in **Section**

4.4 of the City’s Guidelines. Please see TIS and Updated TIS, Table 5 for additional information (Final EIS Appendix Q).

8. Signal warrant worksheets for Existing, Opening Year, and Cumulative Conditions have been included in Appendix C of the Updated TIS (Final EIS Appendix Q).
9. Updating “Church Creek Road west of Alrose Lane” to “Church Creek Road east of Alrose Lane” has been incorporated in the Updated TIS where appropriate (Final EIS Appendix Q).
10. Updating the Peak-Hour Columns to show “FRI” and “SAT” as opposed to “AM” and “PM” has been incorporated in the Updated TIS where appropriate (Final EIS Appendix Q).
11. Please see **Response to Comment T6-101.8** above regarding the source of Opening Year 2025 volumes. Please see Page 36 of the Updated TIS for more information on the representation of projects in the area. As described therein, the cumulative 2040 traffic volumes were sourced directly from the *2017 River Crossing Marketplace Specific Plan Traffic Impact Analysis Report* and the Shasta County Regional Travel Demand Model (SCRTDM), assuming the full buildout of the River Crossing Marketplace.
12. Cumulative (2040) Conditions reflect the findings of the “Bonnyview Interchange (Exit 675) Improvements Project Study Report – Project Development Support” (PSR_PDS Preferred Alternative 4B) prepared by the City for Caltrans. As such, the subject intersections’ operations are shown to improve between 2025 and 2040 as a result of this revised interchange configuration in which a diverging diamond interchange with roundabouts is assumed to be constructed. This preferred alternative’s geometrics greatly improves the operations for all left-turn movements through the interchange area, including Intersection #4 (Bonnyview Road at Interstate-5 SB Ramps) and Intersection #6 (South Bonnyview Road at Churn Creek Road). Please see Appendix E of the Updated TIS (Final EIS Appendix Q) for geometry of the diverging diamond interchange. As per the *River Crossing Marketplace Specific Plan EIR*, “Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer].” The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are understood to be representative of the aforementioned “TRANS-1.1.” These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Accordingly, the Proposed Project has no mitigation responsibility at this intersection and the Updated TIS reflects these changes (Final EIS Appendix Q). Please see **Response to Comment A4-02** for further information.
13. Please see **Response to Comment T6-101.14**. Due to the complexity of the planned Interstate-5/South Bonnyview Road interchange configuration (diverging diamond with roundabouts), it was collectively agreed to with the City that VISSIM is the appropriate analysis tool for the operations analysis. The TIS and Updated TIS employed VISSIM in a manner consistent with the

City’s methodology, as employed by its consultant in the preparation of the Project Study Report (PSR) that was reviewed and approved by Caltrans. Please see Response to Comment A4-02 for additional information regarding the interagency collaborative process.

14. Regarding the comparative operation of the baseline freeway facilities documented in Table 15 of the Updated TIS, the Cumulative (2040) conditions’ results reflect anticipated improvements through the study area. Please note that Caltrans is planning to widen I-5 through this area to three lanes in each direction by 2040. (Source: Caltrans, Redding to Anderson Six Lanes – RASL, accessed online at: <https://dot.ca.gov/caltrans-near-me/district-2/d2-projects/d2-redding-to-anderson-six-lanes-rasl>).
15. In an effort to be conservative, the TIS analysis assumes that the addition of the Interstate-5 interchange at Smith Road does not include a shift of background traffic. This approach is conservative because the lack of shift assumption implies that the well-established congestion at the South Bonnyview Road interchange is not alleviated by the new interchange. In addition, due to the isolated location of the new interchange and the fact that Smith Road has limited connectivity, because it only extends from just west of Interstate-5 to Churn Creek Road. Thus, it is anticipated that a less-than-discernable amount of background traffic would use this route.
16. Please see **Response to Comment A4-02** regarding the methodology employed in the TIS (Draft EIS Appendix F) and the Updated TIS (Final EIS Appendix Q) to estimate peak traffic flows.
17. Please refer to **Response to Comment A4-02** regarding casino trip rates and auto occupancy assumptions. Please see the “Project Trip Generation” discussion contained in the Updated TIS on Page 54. Daily rates are provided in Table 16 of the Updated TIS.
18. Please refer to **Response to Comment T6-101.11**. Comment noted as duplicate of **Comment T6-101.11**.
19. In all cases, “Weekday” refers to Friday.
20. Please see **Response to Comment A4-23** regarding the implementation of off-site mitigation improvements.
21. A fair share percentage calculation summary has been prepared and is included as part of Appendix J of the Updated TIS (Final EIS Appendix Q).
22. Comment noted.
23. In regard to the commenter’s statement about the reported level of service for two-way stop-controlled intersections, the “correct” LOS is displayed. Consistent with the *City’s Traffic Impact Analysis Guidelines*, the worse minor-street movement’s LOS was reported for the two-way stop-controlled intersections.

24. Comment noted. As of the date of the commenter's June 17, 2019 comment letter, the commenter had not provided any supporting data.
25. Comment noted. As of the date of the commenter's June 17, 2019 comment letter, the commenter had not provided any supporting data.
26. Comment noted regarding the impacts of the Proposed Project on intersections 2, 3, 27, and 32. As of the date of the commenter's June 17, 2019 comment letter, the commenter had not provided any supporting data. Please also see **Response to Comment T6-101.11** regarding additional intersections that were analyzed in the Updated TIS.
27. Comment noted regarding future impacts of the Proposed Project on intersections 6 and 7. As of the date of the commenter's June 17, 2019 comment letter, the commenter had not provided any supporting data.
28. Comment noted for comparison between Existing (2019) intersection level of service analysis prepared by Linscott, Law & Greenspan and the Existing (2016) intersection level of service analysis prepared by Kimley-Horn. As of the date of the commenter's June 17, 2019 comment letter, the commenter had not provided any supporting data.
29. Please see **Response to Comment T6-101.14** for application of minimum level of service on intersections 2, 3, 6, and 29.
30. Comment noted regarding Linscott, Law & Greenspan's assessment of Kimley-Horn's traffic study. As of the date of the commenter's June 17, 2019 comment letter, the commenter had not provided any supporting data.
31. Comment noted regarding review of the daily roadway segment counts from Appendix A. As of the date of the commenter's June 17, 2019 comment letter, the commenter had not provided any supporting data.

COMMENT LETTER T7: NOR REL MUK WINTU NATION

Response to Comment T7-01

Please refer to **Response to Comment T4-01** and **T6-63** regarding site CA-SHA-266.

Response to Comment T7-02

Comment noted. Please refer to **Response to Comments T4-02** regarding the SHPO consultation process. Response to Comment T4-02 addresses issues related to assessment of cultural significance of CA-SHA-4413.

Response to Comment T7-03

Comment noted. Please refer to **Response to Comments T7-01, T7-02, T4-03**, and responses to comments from the Paskenta Band of Nomlaki Indians (Comment Letter T6).

COMMENT LETTER I1: SEAN BEAM, FREDERICKS PEEBLES & MORGAN LLP

Response to Comment I1-01

Comment noted. The letter attached by the commenter was submitted as Comment Letter I1. Please see **Responses to Comments I1-02 through I1-05**.

Response to Comment I1-02

Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS.

Response to Comment I1-03

Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS.

Response to Comment I1-04

Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS.

Response to Comment I1-05

Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. It is noted that the commenter requests a meeting with Kevin Washburn, Amy Dutschke, Dr. Virgil Akins, and Joseph La Perle.

COMMENT LETTER I2: JIM MORROW

Response to Comment I2-01

Please refer to **General Response 3.1.1** regarding the Draft EIS comment period.

COMMENT LETTER I3: BUCK & SUE LANG

Response to Comment I3-01

The Draft EIS, Final EIS and these Responses to Comments address the environmental subject areas listed by the commenter. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments. Please refer to **General Response 3.8.2** regarding agricultural land.

Response to Comment I3-02

Please refer to **General Response 3.12.1** and **3.12.2** pertaining to impacts to special-status species and effects to habitats.

COMMENT LETTER I4: ALAN HILL

Response to Comment I4-01

Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments and **General Response 3.6.3** regarding crime and the provision of law enforcement, fire and EMS .

COMMENT LETTER I5: AMBAR MOLTAMMEO

Response to Comment I5-01

Commenter expresses support for the Proposed Project. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I6: BONNIE HURLHEY

Response to Comment I6-01

Commenter expresses support for the Proposed Project. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I7: BRYAN CRUM

Response to Comment I7-01

Please see **General Response 3.6.3** regarding crime, homelessness and other undesirable outcomes. Please see **General Response 3.6.2** regarding substitution effects to local businesses. Please see **General Response 3.6.3** regarding potential effects to property values.

COMMENT LETTER I8: DALE SMITH

Response to Comment I8-01

Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments and **General Response 3.13** regarding aesthetics.

COMMENT LETTER I9: DANIKA ADAMS

Response to Comment I9-01

Please refer to **General Responses 3.14** regarding traffic, **General Response 3.12.1** regarding special-status species and **General Response 3.8.2** regarding agricultural land.

COMMENT LETTER I10: DENNIS GRADY

Response to Comment I10-01

Please refer to **General Response 3.5.4** regarding project alternatives, including alternate sites. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I11: DEVIN RYAN

Response to Comment I11-01

Commenter expresses support for the Proposed Project. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I12: DIANA KIRSCHMAN

Response to Comment I12-01

Please refer to **General Response 3.14** regarding traffic and **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services.

COMMENT LETTER I13: DONNA BUCHANAN

Response to Comment I13-01

Commenter expresses support for the Proposed Project and notes their opinion that all the environmental impacts have been addressed. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I14: DONNA FITZPATRICK

Response to Comment I14-01

Commenter expresses support for the Proposed Project. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I15: ED & CAROLYN SHAW

Response to Comment I15-01

Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. Please see **General Response 3.15** regarding noise from the amphitheater. Please refer to **General Responses 3.12.1** and **3.12.2** concerning impacts to special-status species and habitats.

COMMENT LETTER I16: GARY MORRIS

Response to Comment I16-01

Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I17: JASMINE ROMERO

Response to Comment I17-01

Commenter expresses support for the Proposed Project. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I18: JEAN FELLMAN

Response to Comment I18-01

Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, and signage elements. Please see **General Responses 3.15** regarding traffic noise and noise from the proposed amphitheater.

COMMENT LETTER I19: JEANNIE WINSTEAD

Response to Comment I19-01

Please see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. Please refer to **General Response 3.14** regarding traffic. Please also refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

Response to Comment I19-02

Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see **General Response 3.5.2** regarding the range of alternatives. Please see **General Response 3.6.3** regarding crime, substance abuse, and homelessness. Please see **General Response 3.8.2** regarding agricultural land. Please also refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I20: JENNI PATTERSON

Response to Comment I20-01

Commenter expresses support for the Propose Project. Please see **General Response 3.1.2** regarding the thoroughness and completeness of the Draft EIS. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I21: KAREN BITHER

Response to Comment I21-01

Please refer to **General Response 3.13.2** regarding lighting and glare. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I22: KIANNA BENNER

Response to Comment I22-01

Commenter expresses support for the Proposed Project. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I23: LARRY FULTZ

Response to Comment I23-01

Commenter expresses support for the Proposed Project. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I24: MAE GUTHRIE

Response to Comment I24-01

See **General Response 3.14** regarding the interchange at Interstate-5 and Bonnyview Road.

COMMENT LETTER I25: MICHAEL SCHRANER

Response to Comment I25-01

Please refer to **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime, and the provision of law enforcement services. Please refer to **General Response 3.6.4** regarding taxes and fiscal effects. Please refer to **General Response 3.13** regarding aesthetic impacts.

COMMENT LETTER I26: PATRICIA FURNARI

Response to Comment I26-01

Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I27: RICH TODD

Response to Comment I27-01

Please refer to **General Response 3.14** regarding traffic. Roadway access points to the Strawberry Fields Site are discussed and analyzed in Draft and Final EIS Sections 2.2, 2.3 and 4.8, as well as the TIS (Draft EIS, Appendix F) and Updated TIS (Final EIS Appendix Q).

COMMENT LETTER I28: TOM KIRSCHMAN

Response to Comment I28-01

Please refer to **General Response 3.14** regarding traffic. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I29: VICKI KILLION

Response to Comment I29-01

Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I30: WENDALYN JESSON

Response to Comment I30-01

Please refer to **General Response 3.8.2** regarding use of agricultural land. Please see **General Responses 3.5.2** and **3.5.4** regarding the range of alternatives analyzed, including the various project sites.

COMMENT LETTER I31: WENDY FOOH

Response to Comment I31-01

Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I32: UNKNOWN

Response to Comment I32-01

Please refer to **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services.

COMMENT LETTER I33: DEBE HOPKINS

Response to Comment I33-01

Commenter expresses support for the Proposed Project. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I34: MICHAEL CROOK**Response to Comment I34-01**

Commenter expresses support for the Proposed Project. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please see **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Please see **Response to Comment A4-01** regarding the Civic Auditorium.

COMMENT LETTER I35: SAVANNA EDWARDS**Response to Comment I35-01**

Commenter expresses support for the Proposed Project. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please also refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I36: DANIEL MCGANN & BLOSSOM HAMUSEK**Response to Comment I36-01**

Commenter expresses support for the Proposed Project. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I37: DON BARICH**Response to Comment I37-01**

Please see **General Response 3.15** regarding noise from the amphitheater, **General Response 3.14** regarding traffic, and **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services.

COMMENT LETTER I38: MICHAEL MIDDENDORP**Response to Comment I38-01**

Commenter expresses support for the Proposed Project. Please see **General Response 3.14** regarding traffic. Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I39: HAZEL HUGHES

Response to Comment I39-01

Please refer to **General Response 3.14** pertaining to traffic, **General Response 3.15** regarding traffic and amphitheater noise, **General Response 3.12.1** and **3.12.2** for comments regarding eagles, salmon, and other wildlife/habitats. Please also refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, and signage elements.

COMMENT LETTER I40: SHELLY HUTCHINSON

Response to Comment I40-01

Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please see **Response to Comment A4-01** regarding the Civic Auditorium.

Response to Comment I40-02

Please see **Response to Comment A4-01** regarding the Civic Auditorium. Please see **General Response 3.5** regarding the range of alternatives analyzed.

COMMENT LETTER I41: KATHY GRISSOM

Response to Comment I41-01

Please refer to **General Response 3.8.2** pertaining to use of agricultural land and **General Response 3.12.2** regarding wildlife habitats. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please see **General Response 3.16** regarding air quality and climate change. Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Also refer to **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services.

COMMENT LETTER I42: LANG M. DAYTON, CHAIRMAN, TRAILS & BIKEWAYS COUNCIL OF GREATER REDDING

Response to Comment I42-01

Please refer to **General Response 3.1.1** regarding the Draft EIS comment period.

COMMENT LETTER I43: PAM HUGHES

Response to Comment I43-01

Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS.

COMMENT LETTER I44: TRISH STOFFERS**Response to Comment I44-01**

Commenter expresses support for the Proposed Project. Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please refer to **General Response 3.2.1** regarding expressions of opinion.

COMMENT LETTER I45: EDMOND BREWER**Response to Comment I45-01**

Commenter expresses support for the Proposed Project. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I46: CHERYL SCHMIT, DIRECTOR, STAND UP FOR CALIFORNIA**Response to Comment I46-01**

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance.

Response to Comment I46-02

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance.

Response to Comment I46-03

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS.

Response to Comment I46-04

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS.

Response to Comment I46-05

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance.

Response to Comment I46-06

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance. As described therein, the Proposed Project would occur on land held in trust by the federal government (i.e., tribal land).

COMMENT LETTER I47: BOB MADGIC

Response to Comment I47-01

Comment noted. Please refer to **General Response 3.12.1** and **3.12.2** pertaining to impacts to special-status fish species and habitats. Construction of the Proposed Project, including streambank stabilization, was evaluated for potential impacts to listed fish species and critical habitat in consultation with the National Marine Fisheries Service (NMFS; Draft EIS Appendix D-2). NMFS reviewed the project under ESA Section 7(a)(2) and MSMA in a concurrence letter (May 7, 2019) and determined the proposed actions were not likely to affect listed fish species with the inclusion of mitigation measures listed in Final EIS Appendix O-3. Subsequently, the streambank stabilization methods were refined to further lessen their potential impact on the streambank and Waters of the U.S. Please see **General Response 3.11** regarding streambank stabilization.

COMMENT LETTER I48: DALE WIDNER

Response to Comment I48-01

Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see **General Response 3.5.4** regarding the range of alternatives analyzed in the Draft EIS, and why the Knighton Road site was not one of the alternatives analyzed.

Response to Comment I48-02

Please see **General Response 3.5.4** regarding the range of alternatives analyzed in the Draft EIS, and why the Knighton Road site was not one of the alternatives analyzed.

Response to Comment I48-03

Please see **General Response 3.5.4** regarding the range of alternatives analyzed in the Draft EIS, and why the Knighton Road site was not one of the alternatives analyzed. Comment noted. Please see **Response to Comment I48-01** above.

COMMENT LETTER I49: L.M.

Response to Comment I49-01

Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I50: J. SCOTT FOOTT

Response to Comment I50-01

Please see **General Response 3.14** regarding traffic and **General Response 3.15** regarding noise from traffic and the proposed amphitheater. Please see **Response to Comment A4-24** regarding potential feasibility issues associated with the construction of traffic mitigation improvements, including construction of a second westbound left turn lane at this intersection.

Response to Comment I50-02

Please see **General Response 3.15** regarding noise from the proposed amphitheater. As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives.

Response to Comment I50-03

As described in Draft EIS Section 2.3.2, one option for wastewater treatment and disposal is connection to the City of Redding conveyance system and wastewater treatment plant. As identified in Final EIS Appendix M, Section 5.3, the Westside Interceptor currently exceeds its capacity during storm events. The Westside Interceptor Phase III project is planned to expand the facility's capacity. Connection to the City's system would be subject to the City's approval and payment of connection and service fees.

Response to Comment I50-04

Treated effluent would not adversely impact water quality or aquatic habitat within the Sacramento River. Disposal would occur through landscape irrigation and percolation in leach fields and would not be discharged into the river. Effluent would be treated to meet disinfected tertiary recycled water standards under Title 22 of the California Code of Regulations. Effluent would be of high quality and would not have the potential to significantly degrade surface water or groundwater quality. As described in Final EIS Appendix M, Section 5.1.3, total nitrogen levels in effluent would be less than 10 milligrams per liter, which is the Safe Drinking Water Act maximum contaminant level for nitrate (as nitrogen). The leach fields would be at least 0.4 mile from the Sacramento River. This distance would ensure a buffer exists between the leach fields and the river.

Response to Comment I50-05

Subsequent to the publication of the Draft EIS, percolation tests were performed at the project site. Results from these tests are included in Final EIS Appendix M. As described therein, most of the leach field area is soil that falls within the standard range for suitable percolation conditions.

Response to Comment I50-06

As identified in Section 2 of the EIS, the optional leach fields under Alternatives A – D at the Strawberry Fields site would be located outside of the 100-year floodplain. Shasta County’s 2018 Local Agency Management Program for Onsite Wastewater Treatment Systems was used as a basis of conceptual design. Alternative E (Anderson Site) would be served by the City of Anderson’s sewer system rather than an on-site wastewater treatment and disposal system.

COMMENT LETTER I51: JACQUELYN JANSEN

Response to Comment I51-01

Please refer to **General Response 3.14** regarding traffic. Please see **General Responses 3.12.1** and **3.12.2** regarding special status-species and potential effects on habitat. Please refer to **General Response 3.16** regarding air quality and climate change, **General Response 3.15** regarding noise from traffic and the proposed amphitheater, **General Response 3.9** pertaining to impacts to water supply, **General Response 3.13.3** regarding light pollution, and **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. Please also see **General Response 3.6.2** concerning substitution effects to local businesses.

COMMENT LETTER I52: KATHYRN PATTERSON

Response to Comment I52-01

Please refer to **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. Please refer to **General Response 3.8.2** pertaining to use of agricultural land and **General Response 3.12.2** regarding wildlife habitats. Please see **General Response 3.14** pertaining to traffic and **Response to Comment A6-10** regarding the Carr Fire and its potential effects on housing. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I53: LYNN CLEVINGER

Response to Comment I53-01

Commenter expresses support for the Proposed Project, but with reservations regarding traffic issues. Please refer to **General Response 3.14** regarding traffic. Please see **Response to Comment A4-23** regarding how specific traffic improvements would be implemented and constructed. Although the Tribe would provide funding, actual construction of the improvements is the purview of the local transportation agencies.

COMMENT LETTER I54: ROBERT FULLER**Response to Comment I54-01**

Please refer to **General Response 3.14** regarding traffic. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please see **General Response 3.6.2** regarding substitution effects to local businesses. The commenter is correct that the Proposed Project is anticipated to be profitable, which is consistent with most commercial projects. Please refer to **General Response 3.6.4** regarding taxes and fiscal effects. Please also see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services.

COMMENT LETTER I55: CATHY WHEELER**Response to Comment I55-01**

Please see **General Response 3.15** regarding noise from the proposed amphitheater. As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives.

COMMENT LETTER I56: DENNIS DANIEL**Response to Comment I56-01**

Commenter expresses support for the Proposed Project. Please refer to **General Response 3.14** regarding traffic impacts. Please also see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I57: IRENE JACKSON**Response to Comment I57-01**

Please refer to **General Response 3.14** regarding traffic. Traffic impacts would be less than significant with the implementation of mitigation measures identified in Draft and Final EIS Section 5.8.

COMMENT LETTER I58: CHRISTINE MIILLE**Response to Comment I58-01**

Please see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. Please see **General Response 3.6.2** regarding substitution effects to local businesses. Please refer to **General Response 3.8.2** pertaining to the use of agricultural land

COMMENT LETTER I59: KIMBERLY MARE & DAVID BAILEY**Response to Comment I59-01**

Please refer to **General Response 3.14** pertaining to traffic impacts. Please see **General Response 3.15** regarding noise from the proposed amphitheater. As described in **Response to Comment A4-01**, the

amphitheater is no longer part of any of the project alternatives. Please refer to **General Responses 3.5.2** and **3.5.4** regarding the range of alternatives and alternative locations analyzed in the Draft EIS.

COMMENT LETTER I60: DENAL & JOHN JURIN

Response to Comment I60-01

Commenter expresses support for the Proposed Project. As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives. Please see **General Response 3.14** pertaining to traffic impacts. Please also see **General Response 3.6** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services.

COMMENT LETTER I61: MARJORIE RIFFEL

Response to Comment I61-01

Please refer to **General Response 3.13.1** regarding project impacts on aesthetics and visibility at S. Bonnyview (Viewshed E).

Response to Comment I61-02

Please refer to **General Response 3.14** regarding traffic.

Response to Comment I61-03

Please refer to **General Response 3.12.1** and **3.12.2** regarding impacts to special-status species and habitats. Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please also see **General Response 3.5.4** regarding the range of alternative locations analyzed in the Draft EIS.

COMMENT LETTER I62: MIMI RAMSEY

Response to Comment I62-01

The commenter seems to suggest a modified system of southbound Interstate-5 ramps to access the project site. The commenter specifically recommends a roadway to be located under the existing Bonnyview Road overcrossing intersecting with Bechelli Lane in the vicinity of SunnyHill Lane (and thereby providing access to the Bechelli Lane businesses and to Bonnyview Road). The second component of the commenter recommendation involves access to the project site from the southbound Interstate-5 on-ramp. Notwithstanding the engineering feasibility of constructing such a system of ramps (note that, as suggested, these two ramps would be required to cross each other thereby introducing the need for grade separation using a bridge structure), the additional cost associated with these ramps would be excessive because, as documented in the Updated TIS, the existing roadway network would provide access to both the Proposed Project and the surrounding uses with acceptable levels of service and traffic operations. Furthermore, such a combination of ramps appears to be inconsistent with Caltrans' published design standards for freeway interchanges (i.e., ramp configurations would be inconsistent with driver expectation). Please see **Response to Comment A8-09** regarding the feasibility of a more comprehensive

frontage road system to access the project site. Please also see **Response to Comment A4-23** regarding the implementation of off-site mitigation improvements.

Response to Comment I62-02

General Response 3.15 regarding noise from traffic and the proposed amphitheater. As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives.

COMMENT LETTER I63: ANNE WALLACH THOMAS, DIRECTOR, SHASTA LIVING STREETS

Response to Comment I63-01

Comment noted. Please refer to **Response to Comments I63-02** through **I63-08** below.

Response to Comment I63-02

Comment noted. Please see **Response to Comment I63-04** below for further discussion.

Response to Comment I63-03

Comment noted. Please refer to **General Response 3.14** pertaining to traffic. Also, as stated in the Draft EIS, section 4.8.2, Alternative A would not hinder roadway improvements or the existing transit services in the vicinity of the Strawberry Fields Site. Implementation of project improvements include development of sidewalks and shoulders with adequate widths to accommodate bicyclists along Bechelli Lane. Although Alternative A would generate increased traffic, mitigation measures identified in Section 5.8 of the Draft EIS and Final EIS would result in less-than-significant impacts to traffic. The proposed project would not create major safety, health, or equity issues for residents or visitors biking and walking.

Response to Comment I63-04

It is important to note that the Proposed Project, while somewhat larger, would replace the existing Win-River Casino. As a result, it is reasonable to conclude that a large portion of the project's trips are already on the surrounding roadway contributing to the safety of those walking, biking, and crossing busy intersections. The concentration of project trips along Bechelli Lane and in the immediate vicinity of I-5 would be accompanied by appropriate mitigations to alleviate traffic congestion, all of which are anticipated to be designed and constructed in a manner consistent with City, Shasta County, and Caltrans' standards. These standards include provisions for pedestrian and bicycle access, circulation, and safety including sidewalks, crosswalks and signal timing strategies, and signing/lighting. Specifically, Bechelli Lane extension and improvements would include these provisions thereby providing a viable route to connect the project site to South Bonnyview Road for all travel modes.

Please also see **Response to Comment A4-22** regarding consistency with the 2019 Shasta County *Go Shasta Regional Active Transportation Plan*, and **Response to Comment A8-03** regarding bicycle-oriented improvements

Response to Comment I63-05

Please see Draft and Final EIS Sections 4.7 for analyses on the impact of low-income and disadvantaged members of the community.

Response to Comment I63-06

Refer to **Response to Comment A8-9** regarding the feasibility of a more comprehensive frontage road system to access the project site. Please see **Response to Comment I63-04** regarding provisions for pedestrian and bicycle access, circulation, and safety.

The discussion on Page 178 of the Updated TIS (Final EIS, **Appendix Q**) pertaining to alternate travel modes has been updated to address impacts of the 2019 Shasta County *Go Shasta Regional Active Transportation Plan*. The commenter is correct that page 62 of the Go Shasta Regional Active Transportation Plan (accessed online February 6, 2020 at: https://www.srta.ca.gov/DocumentCenter/View/4772/GoShasta_Regional_ATP_no_appendices_8-2019) illustrates a bike path (specifically the Regional Active Transportation Network – Recommended Bikeway Network) that is recommended to run (from north to south) from Bonnyview Road south along the western edge of the Sacramento River. In the vicinity of the island located west of the Strawberry Fields Site, the path would turn east, first crossing over the river channel to the island, and then from the island across the main Sacramento River channel to the east bank of the Sacramento River. The path would then turn and proceed south along the east bank of the river. The Bikeway Network map is not detailed enough to determine exactly where the recommended path would land on the Strawberry Fields Site, but it appears to be towards the southern-most location of project improvements and approximately several hundred feet to the west. As described in the Go Shasta Regional Active Transportation Plan, these are recommended bicycle path improvements, subject to change due to various factors, including feasibility. Elements of the recommended bikeway network will likely change and evolve prior to their construction. This particular alignment of the Recommended Bikeway Network would be more challenging and complex than most, due to the two proposed river crossings.

Similarly, the commenter is correct that Page 16 of the City of Redding's *Active Transportation Plan* (accessed online February 10, 2020 at: <https://www.dropbox.com/s/mqf1lbu1tdak5bu/2018%20City%20of%20Redding%20ATP.pdf?dl=0>) describes a shared use path that is recommended to run along South Bonnyview Road. Furthermore, Page 24 of the City of Redding's *Active Transportation Plan* illustrates a planned bicycle network north of the Strawberry Fields Site. The *Plan* (specifically the Planned Bikeway Network) illustrates buffered bike lanes recommended on Bechelli Lane (north of South Bonnyview Road) and buffered bike lanes and a shared use path recommended along South Bonnyview Road (west of Bechelli Lane to Churn Creek Road). The Planned Bikeway Network does not show the recommended bicycle path improvements intersecting with the Strawberry Fields Site. The proposed Strawberry Fields site does not preclude the recommended improvements from occurring.

Additionally, the commenter is correct that the *Go Shasta Regional Active Transportation Plan* (accessed online February 10, 2020 at: https://www.srta.ca.gov/DocumentCenter/View/4772/GoShasta_Regional_ATP_no_appendices_8-2019)

indicates bicycle and pedestrian improvements along North Street in the vicinity of the Anderson Site. Specifically, Page 62, illustrates a separated bikeway that is recommended to run along North Street, between McMurry Drive and SR 273. An additional bike lane is recommended on Balls Ferry Road and on McMurry Drive in the vicinity of the I-5 interchange. Page 63 depicts recommendations to the pedestrian network, including a recommendation for a Commercial/Civic Corridor along North Street. Page 63 also includes recommendations for intersection improvements at the intersection of Market Street with SR 273 and interchange improvements at the southbound and northbound I-5 interchanges on North Street and Balls Ferry Road. The Recommended Bikeway Network and the Recommended Pedestrian Network maps do not show the recommended improvements intersecting with the Anderson Site. The proposed Anderson site does not preclude the recommended improvements from occurring.

As with all improvements proposed by local agencies, the Tribe is committed to working with the City and County regarding projects that would be beneficial to the community (see Comment Letter T5, comment T5-03). Such projects include the Recommended Bikeway and Pedestrian Network.

Please note that the Cumulative (2040) Conditions reflect the findings of the “Bonnyview Interchange (Exit 675) Improvements Project Study Report – Project Development Support” (PSR_PDS Preferred Alternative 4B) prepared by the City for Caltrans. As such, the City’s envisioned South Bonnyview Road/I-5 interchange improvements have been comprehensively included in the TIS and Updated TIS and the noted multi-modal enhancements are therefore incorporated as well. As per the *River Crossing Marketplace Specific Plan EIR*, “Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer].” The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are understood to be representative of the aforementioned “TRANS-1.1.” These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Please see **Response to Comment A4-02** for further information.

As described in **Response to Comment A4-23**, all proposed mitigation improvements would be constructed in a manner consistent with the applicable agencies’ approved standards and adopted plans.

Response to Comment I63-07

Please see **Responses to Comments I63-4 and I63-6** regarding bicycle networks and pedestrian routes.

Response to Comment I63-08

Commenter’s inclusion of materials from its business materials and brochures is noted.

COMMENT LETTER I64: MARY OCASION**Response to Comment I64-01**

As described in Draft EIS Section 2.3.2, one option for wastewater treatment is an on-site wastewater treatment plant. Effluent would be treated to meet disinfected tertiary recycled water standards under Title 22 of the California Code of Regulations. Effluent would be used for landscape irrigation and the remainder would be disposed in a leach field. For Alternative A, approximately 33 acres of leach field would be required. This includes 100 percent replacement area and 20 percent redundancy in compliance with County standards. Effluent would be of high quality and would not have the potential to significantly degrade surface water or groundwater quality. Please see **General Response 3.10** regarding wastewater treatment and disposal.

Response to Comment I64-02

As described in Section 4.3 of the Draft EIS, all stormwater runoff from the development area would be infiltrated on the site and would not discharge to the Sacramento River or Anderson Cottonwood Irrigation District facilities. As described in Final EIS Appendix N, the development would use catch basin filters, infiltration trenches and vegetated swales to filter stormwater and remove sediment and contaminants. Stormwater runoff would not cause pollution of the Sacramento River or add storm flows to the river.

Response to Comment I64-03

Please refer to **General Response 3.8.2** pertaining to the use of agricultural land.

Response to Comment I64-04

Please see **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please refer to **General Response 3.8.1** and **3.8.2** for comments regarding zoning and farmland and **General Response 3.15** for comments concerning amphitheater noise.

Response to Comment I64-05

Please see **General Response 3.9** regarding water supply. As described in Final EIS Section 4.3, the use of groundwater to provide the water supply of Alternatives A through D does not have the potential to significantly impact wells in the Churn Creek Bottom or the Sacramento River.

Response to Comment I64-06

Please refer to **General Response 3.16** regarding air quality, including the potential effects of climate change.

Response to Comment I64-07

Please refer to **General Response 3.14** regarding traffic.

COMMENT LETTER I65: MIMI MOSELEY**Response to Comment I65-01**

Commenter expresses support for the Proposed Project. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please see Response to **Comment A4-01** regarding the event center and conference center.

COMMENT LETTER I66: RICK RAMOS**Response to Comment I66-01**

Commenter expresses support for the Proposed Project. Refer to **General Response 3.2.1** regarding expressions of opinion.

COMMENT LETTER I67: TOM REEMTS, CHURN CREEK BOTTOM: HOME OWNERS AND FRIENDS ORG.**Response to Comment I67-01**

Please refer to **General Response 3.8.2** regarding the use of agricultural land and **General Response 3.4** concerning project design and architectural style. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please see **General Response 3.16** regarding air quality and climate change. Please see **General Response 3.11** regarding issues related to flooding, the floodplain, setbacks from the Sacramento River, and water quality. Please refer to **General Response 3.10** concerning wastewater. Please see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. Please refer to **General Response 3.14** regarding traffic. Please also refer to **Response to Comments I93-01 through I93-13** regarding Speak Up Shasta comments.

COMMENT LETTER I68: ANNETTE LITTIER**Response to Comment I68-01**

Please refer to **General Response 3.8.1** pertaining to consistency with local zoning codes. Please see **General Response 3.8.2** regarding the use of agricultural land. The Strawberry Fields Site is predominantly zoned as Limited Agriculture and not “prime agricultural” as suggested by the commenter.

Response to Comment I68-02

Please see **General Response 3.11** regarding issues related to flooding, the floodplain, setbacks from the Sacramento River, and water quality. See **General Response 3.10** regarding waste water and leach field location. As described in Section 2.3.2, one option for wastewater treatment is an on-site wastewater treatment plant. Effluent would be treated to meet disinfected tertiary recycled water standards under Title 22 of the California Code of Regulations. Effluent would be of high quality and would not have the potential to significantly degrade surface water or groundwater quality. The other option for wastewater treatment is connection to the City of Redding's sewer system for treatment at the City's wastewater treatment plant.

All stormwater runoff from the development area would be infiltrated on the site and would not discharge to the Sacramento River. As described in Final EIS Appendix N, the development would use catch basin filters, infiltration trenches and vegetated swales to filter stormwater and remove sediment and contaminants.

Response to Comment I68-03

Please see **General Response 3.15** regarding noise from traffic and the proposed amphitheater. As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives.

Response to Comment I68-04

Please see **General Response 3.13** for more information regarding light, light pollution, glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements.

Response to Comment I68-05

Please refer to **General Response 3.14** and **Response to Comment A4-23** regarding traffic and access points. Roadway access points to the Strawberry Fields Site are discussed and analyzed in Draft and Final EIS Sections 2.2, 2.3 and 4.8, as well as the TIS (Draft EIS Appendix F) and Updated TIS (Final EIS Appendix Q).

Response to Comment I68-06

Please see **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Please see **Response to Comment A4-01** regarding the Civic Auditorium.

Response to Comment I68-07

Please see **General Response 3.6.3** regarding how the project alternatives will affect the incidence of human trafficking, prostitution and other undesirable outcomes. Please also refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I69: GARY BOSSUOT**Response to Comment I69-01**

Please refer to **General Response 3.8.1** pertaining to consistency with local zoning codes and **General Response 3.8.2** regarding the use of agricultural land. Please also see **General Response 3.6.3** concerning local socioeconomic effects such as property values. There are no mitigation measures associated with property values for the development of Alternative A because the project would have a less-than-significant impact on property values.

Response to Comment I69-02

Please see **Response to Comment I63-04** regarding the anticipated mitigations along Bechelli Lane. Please see **Response to Comment A4-23** regarding the implementation of off-site mitigation improvements. As described in **Response to Comment A4-23**, all proposed mitigation improvements would be constructed in a manner consistent with the applicable agencies' approved standards and adopted plans. Refer to **Response to Comment A4-24** regarding an assessment of private property impacts along Bechelli Lane.

Please also see **Response to Comment A8-05** and **A8-11** regarding traffic flows at the South Bonnyview Road and Bechelli Lane intersection.

Response to Comment I69-03

Please refer to **General Response 3.13** regarding lighting and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please see **General Response 3.15** regarding noise from traffic and the proposed amphitheater. As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives.

Response to Comment I69-04

Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Regarding the commenter's statements about the methods and options of conducting tribal gaming and land-in-trust, please see Section 1.0 of the Draft EIS and Final EIS, which describe BIA authority and procedures for the Proposed Action.

Response to Comment I69-05

The commenter provides no evidence that the Tribe's existing Win-River Casino is a magnet to criminal behavior. Please see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. As described therein, the level of criminal incidents that occur at casinos and other gaming venues are similar to those of other commercial venues.

Response to Comment I69-06

Please refer to **General Response 3.7.2** pertaining to project utilities such as water supply and wastewater services. One of the primary purposes of an EIS prepared pursuant to NEPA is to evaluate environmental impacts. Although it would be helpful for such an analysis, it is not necessary for an MOU to exist in order to assess environmental impacts.

Response to Comment I69-07

Please refer to **General Response 3.8.1** pertaining to consistency with local zoning codes. Please see **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Please refer to **General Response 3.6.4** regarding taxes and fiscal effects. Please refer to **General Response 3.12.2** regarding potential effects to habitat. Please see **General Response 3.17** regarding enforcement of mitigation and best management practices (BMPs). Please see **General Response 3.1.2** regarding the thoroughness and completeness of the Draft EIS.

COMMENT LETTER I70: GLEN HARMER

Response to Comment I70-01

Please refer to **General Response 3.13** regarding lighting and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please refer to **General Response 3.12.2** regarding potential effects to habitat. Please see **General Response 3.14** concerning traffic. Please refer to **General Response 3.9** regarding impacts to water supply. Please see **General Response 3.10** regarding wastewater and leach field location. Please see Draft and Final EIS Section 2.0 and **General Response 3.5.4** regarding the range of alternatives analyzed in the EIS, including the option of expanding the existing Win-River Casino (i.e., Alternative F). Please see **General Response 3.6.4** regarding fiscal impacts to local governments.

COMMENT LETTER I71: MARK COULTER

Response to Comment I71-01

Comment noted. Please see **General Response 3.15** regarding noise from traffic and the proposed amphitheater. As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives. Please also refer to **Response to Comments I71-02** through **I71-06** below.

Response to Comment I71-02

Comment Noted. Impacts regarding traffic and associated noise and air quality impacts are addressed throughout the EIS.

Response to Comment I71-03

Please see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services.

Response to Comment I71-04

Please see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, homelessness, crime and the provision of law enforcement services.

Response to Comment I71-05

Please see **General Response 3.6.3** and Final EIS **Appendix L** regarding potential effects on property and housing values. As described therein and in Draft and Final EIS Section 4.7, the project alternatives are anticipated to have a less-than-significant effect on property and housing values.

Response to Comment I71-06

Please see **General Response 3.15** regarding noise from traffic and the proposed amphitheater. As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives. Please see **General Response 3.16** regarding air quality and climate change. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, and signage elements.

Response to Comment I71-07

As discussed in section 2.3 of the Draft EIS, the project includes closure of the existing Win-River Casino. Thus, only one casino would be open. As stated in the Draft EIS Section 1.0, this EIS has been prepared pursuant to the NEPA, a federal law, to assess the environmental impacts of proposed federal actions intended to improve the long-term economic vitality and self-governance of the Tribe by taking the approximately 232-acre Strawberry Fields Site into federal trust status for the Tribe for gaming purposes.

Please refer to **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need.

The Tribe does not have shareholders. Rather, it is a governmental entity.

Please refer to **General Response 3.6.4** regarding taxes and fiscal effects.

Regarding the commenter's statement regarding increased income, it is true that the Proposed Project would provide socioeconomic benefits to the Tribe and its members and families. It is also true that the Proposed Project would provide benefits to local residents in the form of new jobs and increased economic activity. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I72: MARYLIN MEISSNER**Response to Comment I72-01**

Please see **General Response 3.2.1** regarding expressions of opinion and non-substantive comments. Please refer to **General Response 3.12.2** regarding potential effects to habitats. Please also see **General Response 3.5** regarding the range of alternatives analyzed in the Draft EIS.

COMMENT LETTER I73: NOAH MEGILL**Response to Comment I73-01**

Please see **General Response 3.2.1** regarding expressions of opinion and non-substantive comments. Please refer to **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see **General Response 3.13.1** regarding project viewpoints. Please refer to **General Response 3.6.2** regarding substitution effects to local businesses. Please refer to **General Responses 3.12.1** and **3.12.2** concerning impacts to special-status species and habitats. Socioeconomic effects of the Proposed Project are not anticipated to benefit the Tribe at the expense of other local residents. Rather, socioeconomic effects are anticipated to be either positive or less-than-significant to the vast majority of local residents. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I74: PAM HARMER**Response to Comment I74-01**

Regarding the commenter's statement of costs and benefits, it should be noted that the EIS does not conclude that the project's environmental impacts outweigh the benefits. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. As described therein, the level of criminal incidents that occur at casinos and other gaming venues are similar to those of other commercial venues. Please see **General Response 3.14** regarding traffic. Please see **General Response 3.15** regarding noise from traffic and the proposed amphitheater. As described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please see **General Response 3.6.3** regarding potential effects on property and housing values. As described therein and in Draft and Final EIS Section 4.7, the project alternatives are anticipated to have a less-than-significant effect on property and housing values.

Please also see **General Response 3.8.1** pertaining to consistency with local zoning codes. Please refer to **General Responses 3.12.1** and **3.12.2** concerning impacts to special-status species and habitats. Please refer to **General Response 3.11** regarding issues related to flooding and floodplains. Please see **General Response 3.6.2** regarding the anticipated effects to local businesses. Please see **General Response 3.6.4** regarding taxes and fiscal effects.

Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see Draft and Final EIS Section 2.0 and **General Response 3.5.4** regarding the range of alternatives analyzed in the EIS, including the option of expanding the existing Win-River Casino (i.e., Alternative F).

COMMENT LETTER I75: ROD DOLE, HARRISONS MARINE AND RV

Response to Comment I75-01

Please see **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Note that the sale of boats would likely comprise a relatively small portion of the sporting goods element of the project alternatives.

COMMENT LETTER I76: WALTER COLE

Response to Comment I76-01

Please refer to **General Response 3.14** regarding traffic. Traffic impacts from the Interstate-5 / South Bonnyview Interchange were analyzed extensively in the TIS, Updated TIS and Draft and Final EIS Section 4.8.

COMMENT LETTER I77: BRUCE ARMSTRONG

Response to Comment I77-01

Please refer to **General Response 3.14** regarding traffic. Please see **General Response 3.1.2** regarding the thoroughness and completeness of the Draft EIS as it addresses environmental issues. Please refer to **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. Please also see **General Response 3.6.4** regarding taxes and fiscal effects.

COMMENT LETTER I78: CADE WRIGHT

Response to Comment I78-01

Comment noted; commenter expresses support for the Proposed Project. Please also see **General Response 3.6.4** regarding taxes and fiscal effects.

COMMENT LETTER I79: HANNAH LITTIER

Response to Comment I79-01

Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements.

Response to Comment I79-02

Please see **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. **Response to Comment A6-10** regarding the Carr Fire and its potential effects on housing. It should be noted that the that the Proposed Project would provide benefits to local residents in the form of new jobs and increased economic activity. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

Response to Comment I79-03

Please refer to **General Response 3.14** regarding traffic. Please see **General Response 3.16** regarding air quality and climate change. Please refer to **General Response 3.13.3** concerning light pollution. Please also refer to **General Responses 3.12.1** and **3.12.2** concerning impacts to special-status species and habitats.

COMMENT LETTER I80: JODY CLARK

Response to Comment I80-01

See **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see Draft and Final EIS Section 2.0 and **General Response 3.5.4** regarding the range of alternatives analyzed in the EIS, including the option of expanding the existing Win-River Casino (i.e., Alternative F). Please see **General Response 3.15** regarding noise. Please see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. Please also see **General Response 3.6.4** regarding taxes and fiscal effects, including funding for law enforcement, fire and emergency medical services. It should be noted that the that the Proposed Project would provide benefits to local residents in the form of new jobs and increased economic activity. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I81: JOHN DONOGHUE

Response to Comment I81-01

Please refer to **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, homelessness, prostitution, crime and the provision of law enforcement services. It should be noted that the that the Proposed Project would provide benefits to local residents in the form of new jobs and increased economic activity. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I82: MARY O'GRADY**Response to Comment I82-01**

Commenter expresses support for the Proposed Project. Please see **General Response 3.5.4** regarding the alternative locations analyzed in the Draft EIS.

COMMENT LETTER I83: PAUL & CONNI KERR**Response to Comment I83-01**

Please refer to **General Response 3.8.2** regarding the use of agricultural land. See **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see Draft and Final EIS Section 2.0 and **General Responses 3.5.2** and **3.5.4** regarding the range of alternatives analyzed in the EIS, including issues associated with many alternative sites and locations.

COMMENT LETTER I84: TIM BROWN**Response to Comment I84-01**

Comment noted; commenter expresses support for the Proposed Project. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please also see **General Response 3.2.1** regarding expressions of opinion.

COMMENT LETTER I85: DAVID & DONNA WILLIAMSON**Response to Comment I85-01**

Please refer to **General Response 3.13.1** regarding aesthetics and project viewpoints. Please refer to **General Responses 3.12.1** and **3.12.2** concerning impacts to special-status species and habitats. Please refer to **General Response 3.14** concerning traffic. Please see Draft and Final EIS Section 2.0 and **General Responses 3.5.2** and **3.5.4** regarding the range of alternatives analyzed in the EIS, including the option of expanding the existing Win-River Casino (i.e., Alternative F). Please refer to **General Response 3.1.2** regarding the thoroughness and completeness of the Draft EIS. It should be noted that the NEPA EIS process was initiated during 2016.

COMMENT LETTER I86: DOUG WENHAM**Response to Comment I86-01**

See **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please also see **General Response 3.6.4** regarding taxes and fiscal effects, including funding for local governmental services. It should be noted that the that the Proposed Project would provide benefits to local residents in the form of new jobs and increased economic activity. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. As described in Draft and Final EIS Section 2.3.2, the Proposed Project would be constructed to meet International Building Code (IBC) requirements. Please refer to **General Response 3.8.1** pertaining to consistency with local zoning codes.

COMMENT LETTER I87: TAMMY COLE**Response to Comment I87-01**

Commenter's statement regarding spotlights at the existing Win-River Casino are acknowledged. The BIA does not know the details regarding the occurrence described by the commenter, or if it took place. Please see **General Response 3.4** concerning project design and architectural style. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints and signage elements. Please refer to **General Response 3.8.2** relating to us of agricultural land. Please note that, as described in Draft and Final EIS Section 2.0, most of the Strawberry Fields site will remain undeveloped. Project improvements would comprise less than half of the site. Please see **General Response 3.15** regarding noise. Please see **General Response 3.6.3** regarding potential effects to property values. Please refer to **General Responses 3.12.1** and **3.12.2** concerning impacts to special-status species and habitats. Please see **General Response 3.14** regarding traffic. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed.

COMMENT LETTER I88: CANDIE SULLIVAN**Response to Comment I88-01**

Please refer to **General Responses 3.12.1** and **3.12.2** concerning impacts to special-status species and habitats. Please refer to **General Response 3.14** relating to traffic. Please see **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, property values, crime and the provision of law enforcement services. Please see **General Response 3.8.2** concerning the use of agricultural land. Please see **General Response 3.4** pertaining to project design and architectural style. Please also refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, and signage elements.

COMMENT LETTER I89: DAVID LEDGER**Response to Comment I89-01**

Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, and signage elements.

Response to Comment I89-02

Please see **General Response 3.11** regarding Sacramento River Streambank Stabilization.

Response to Comment I89-03

Please see **General Response 3.12.1** and **3.12.2** regarding potential effects to special-status species and habitat, including bank swallows and certain fish species.

Response to Comment I89-04

Comment noted. A VELB-focused survey was conducted on May 21, 2019 in accordance with *Conservation Guidelines for the Valley Elderberry Longhorn Beetle* (USFWS, 1999), and the results will be incorporated into the Final EIS. The 2019 survey identified an additional three elderberry shrubs outside of the development footprint along the Sacramento River and within close proximity (<20 ft.) to the location of the singular elderberry shrub identified in the 2016–2017 surveys. Diameters of stems at ground level were 1–3 in. with the exception of four being >3 in. but <5 in. No indicators or boreholes for VELB were observed in these three elderberry shrubs. See revised Biological Assessment for the USFWS (Final EIS Appendix O-3).

COMMENT LETTER I90: JAMES M. LYNCH, K&L GATES LLP

Response to Comment I90-01

Comment noted. Please see **General Response 3.2.1** regarding expressions of opinion. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. Please see **General Response 3.1.3** regarding how the EIS analyses constitute a “hard look” required by NEPA. Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see Draft and Final EIS Section 2.0 and **General Responses 3.5.2** and **3.5.4** regarding the range of alternatives analyzed in the EIS, including the option of expanding the existing Win-River Casino (i.e., Alternative F). Also see **Response to Comments I90-02** through **I90-40** below for more information.

Response to Comment I90-02

The procedural requirements of 25 CFR Part 151 are beyond the scope of this EIS. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. Please see Draft EIS Sections 1.1, 1.2 and 1.3 for a discussion of the Proposed Action, the purpose and need and background, respectively. Please see **General Response 3.3** regarding the adequacy of the purpose and need statement and why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need.

Response to Comment I90-03

The purpose and need statement included in Final EIS Section 1.2 includes a reference to the “trust land regulations at 25 CFR Part 151” and therefore generally includes the subsections reference by the commenter. The evaluation criteria and procedural requirements of 25 CFR Part 151 must be satisfied prior to land being taken into trust; however, this is separate from the NEPA process and therefore the consideration of these criteria are beyond the scope of this EIS. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS.

Response to Comment I90-04

Alternatives and potential alternatives were indeed extensively analyzed in the Draft EIS. Please see Draft and Final EIS Section 2.0 and **General Responses 3.5.2** and **3.5.4** regarding the range of

alternatives analyzed in the Draft EIS. These analyses were also not included in the purpose and need discussion (Draft EIS Section 1.2) because to do so would be unnecessarily duplicative. Please see **General Response 3.1.3** regarding how the EIS analyses constitute a “hard look” required by NEPA and why the preparation of a supplemental EIS is unwarranted.

Response to Comment I90-05

The Draft EIS includes an appropriate and reasonable detailed description of project components to facilitate the analysis of potential environmental impacts. Also, Draft EIS figures do indeed label project components. There is an inherent trade-off between the level of labelling detail. Too many labels can obscure the image and interpretation of the project features. Too few labels can make it difficult to understand the project components. Due to specific comments received on the Draft EIS, including this comment, additional labels have been included in the project figures, including Figure 2-8.1, to depict physical components to a greater level of detail. It should also be noted that the Draft EIS and Final EIS include additional figures in Sections 3.0 and 4.0 as well as in the appendices. These figures typically include additional levels of detail regarding the attributes that relate to the specific area of study for each EIS section and appendix. For example, the Wastewater Management & Drinking Water Feasibility Study (i.e., Draft EIS Appendix B) includes descriptions and figures of water infrastructure that is more detailed than that included in Draft EIS Section 2.0.

The commenter is also correct that the architectural renderings included in the Draft EIS (e.g., Figure 2-9) do not include labels. It is atypical for architectural renderings to include labels, although renderings for some projects do include labels. Labels are intentionally omitted from the EIS architectural renderings because labels would clutter the renderings and thus potentially interfere with a person’s perception of how each project would appear in the real world if actually constructed. In addition, if a reader has questions about the project components that are illustrated in the EIS architectural renderings (e.g., Figure 2-9), she or he can simply refer to the site plans in the EIS (e.g., Figure 2-8.1) which are labelled.

Regarding the project components, note that some of the Draft EIS figures have been updated in the Final EIS to include additional detail. This includes Figure 2-8.1, which depicts Alternative A. Also note that, as described in **Response to Comment A4-01**, the amphitheater is no longer part of any of the project alternatives.

Please also see **General Response 3.4** regarding project design and **General Response 3.13** regarding the aesthetics of the project alternatives. In addition, the text of EIS Section 2.3.2 has been updated in the Final EIS to include additional information regarding the project components and aesthetics, such as the heights of the buildings and location of proposed electronic signs. The five tall elements depicted on the architectural renderings for Alternatives A, B, and C (Draft EIS Figures 2-9, 2-11 and 2-13) are design elements on the proposed parking garage intended to provide visual interest; these elements are not proposed to be electronic signs. Additionally, the architectural renderings depict the parking garage façade as being decorated with a landscape mural, which may have been mistaken by the commenter as the actual landscape of the project site.

Response to Comment I90-06

As described above, Final EIS Section 2.3.2 has been updated to include the proposed structure heights, as well as additional details regarding the visible project improvements, including signage. The two towers referenced in this comment as being depicted on either side of the parking lot are actually abutments to the proposed parking garage, which would be 5 stories high.

The architectural style described in Section 2.0 of the Final EIS refers to the designed elements of the project alternatives. Please also see **General Response 3.4** concerning project design and architectural style. Regarding signage, please refer to **General Response 3.13**.

The proposed landscape design, planting materials and selections for screening, or maturation time have not yet been established, as that is typically a construction-level detailed plan that is developed once a project has been approved. But the landscaping plan would be designed to complement the regionally-inspired design aesthetic, as well as create a harmonious and contemporary resort design for the property with the surrounding natural beauty at the edge of the Sacramento River.

Response to Comment I90-07

Please see **General Response 3.11** regarding proposed development within the 100-year floodplain and the potential for flooding from Churn Creek. As discussed therein, although previous hydraulic modeling of Churn Creek in the 100-year Churn Creek flood event identified a potential for Churn Creek to overtop I-5 and cause shallow overflow across the Strawberry Fields Site (see Draft EIS Section 2.3.2), Caltrans has no record of I-5 overtopping in this area in the 50 years of I-5's existence. As described in Section 4.1 of Appendix N, this lack of observed overtopping of I-5 during known extreme flooding of Churn Creek is likely due to the elevation of the agricultural field and Smith Road compared to I-5. It is more likely that the bulk of the estimated 700 cfs spill-over actually flows south to Smith Road and beyond – well away from the Strawberry Fields Site. Regardless of the lack of actual occurrences of this phenomenon, the proposed vegetated swale that would run along the easterly project boundary has been conservatively designed to provide emergency conveyance of possible storm water overflow from Churn Creek east of I-5.

The Grading and Drainage Report was developed to inform the design of the project alternatives and has been incorporated into the EIS. The Grading and Drainage Report describes the proposed grading and drainage features of the project alternatives. The updated Grading and Drainage Report is provided as Final EIS Appendix N.

Response to Comment I90-08

The infiltration wet pond has been incorporated into revised EIS Figure 2-8.1. As this feature is described in the updated Grading and Drainage Report, wet ponds (a.k.a. stormwater ponds, retention ponds, wet extended detention ponds) are constructed basins that have a permanent pool of water throughout the year (or at least throughout the wet season) and differ from constructed wetlands primarily in having a greater average depth.

Response to Comment I90-09

The Grading and Drainage Report was developed to inform the design of the project alternatives and has been incorporated into the EIS. The Grading and Drainage Report describes the proposed grading and drainage features of the project alternatives. The Report describes stormwater facilities necessary to manage stormwater flows and protect water quality. The updated Grading and Drainage Report is provided as Final EIS Appendix N. The EIS as a whole provides a detailed description and evaluation of environmental effects of the Proposed Action in compliance with NEPA.

Response to Comment I90-10

Please see **General Response 3.11** regarding Sacramento River Streambank Stabilization. As described in EIS Section 2.3.2, bank stabilization would occur along the western site boundary, extending approximately 1,000 feet south of the northern project site boundary. As described in Section 6.2 of Final EIS Appendix N, all plantings would be done above the ordinary high-water mark and would not require work in the Sacramento River. Willows would be planted in the riverbank by hand. Native trees would be planted between 15 and 50 feet from the top of the bank. These native trees would be planted by hand and construction equipment such as a power auger, backhoe or small excavator.

Response to Comment I90-11

Proposed facilities discussed on page 2-20 of the Draft EIS are described in Table 2-1 in section 2.0 of the Draft Environmental Impact Statement. Each alternative including new facilities, square footage of each area, locations, access improvements, figures, water supply, architecture, signing, lighting, landscaping, security, law enforcement, grading and drainage, energy, and construction are included in this table.

Response to Comment I90-12

Please see **General Responses 3.5.2** and **3.5.4** regarding the range of alternatives analyzed in the Draft EIS.

Response to Comment I90-13

See **General Response 3.3** regarding why Alternative A best satisfies the purpose and need. Please see **Response to Comment A6-09** regarding fiscal effects. Contrary to the commenter's statements, the Draft EIS does indeed address the areas of environmental concern described by the commenter. However, these analyses are to be found in Draft EIS Section 4.0, not in the description of the purpose and need (Draft EIS Section 1.0) or in the description of project alternatives (Draft EIS Section 2.0). Including a comprehensive analysis of potential impacts in Draft EIS Sections 1.0 and 2.0 would be unnecessarily duplicative.

Response to Comment I90-14

Please see **Response to Comment A4-23** and **A8-11** regarding site access. The TIS (Draft EIS Appendix F) and Updated TIS specifically incorporated the City's planned diverging diamond interchange with roundabouts, and comprehensively evaluated Bechelli Lane's operations and ability to accommodate the projected peak traffic demands associated with the Proposed Project. As per the *River Crossing*

Marketplace Specific Plan EIR, “Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer].” The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are understood to be representative of the aforementioned “TRANS-1.1.” These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Accordingly, the project has no mitigation responsibility at this intersection and the Updated TIS reflects these changes. Please see **Response to Comment A4-02** for further information.

Emergency access to the project site would be ensured through the incorporation of development standards as specified by local agencies, including Shasta County and the City, as applicable. Emergency services are included in the review and conditioning of all construction projects. Such a review and assessment would ensure conditions that facilitate adequate emergency access. As described in **Response to Comment A4-23**, all proposed mitigation improvements would be constructed in a manner consistent with the applicable agencies’ approved standards and adopted plans. The commenter seems to suggest that the project site will have pronounced peak traffic periods, in particular patrons “will leave at the same time” and be counter flow to entering emergency vehicles. However, the daily patron profile of tribal gaming facilities depicts more uniform and even peak travel periods. Also, in the event of an emergency evacuation, the public roadway (Bechelli Lane) would be under the control of Shasta County and the City.

Response to Comment I90-15

Please see **Response to Comment A4-02** regarding the methodology employed in the TIS and Updated TIS.

Response to Comment I90-16

The TIS and Updated TIS evaluate the appropriate facilities and absolutely estimate traffic Impacts from the Proposed Project. Estimation of impacts is one of the primary purposes of the TIS and Updated TIS. Please see **Response to Comment A4-2** regarding the methodology employed in the TIS and Updated TIS and **Response to Comment A4-21** regarding intersection and freeway off-ramp queuing. Please also see **Response to Comment T6-101.11** regarding additional intersections that were analyzed in the Updated TIS.

Response to Comment I90-17

Please **Response to Comments A4-02** and **A6-05** regarding the methodology employed in the TIS and Updated TIS, including the methods used to estimate trips for the Event Center and Conference Center. Please see **Response to Comments I90-14** through **I90-17** regarding Attachment B to Comment Letter I90 (i.e. translations, inc. letter dated June 17, 2019).

Response to Comment I90-18

The Sacramento River Designated Floodway is shown in the Draft EIS Appendix B (Exhibit 2A). Alternative A is designed to lie outside of the FEMA 100-year floodplain; therefore, it is outside of the Floodway as well. All development, with the exception of the excavated wet pond would be constructed outside both the FEMA 100-year floodplain and the Sacramento River Designated Floodway.

The flood elevation and extent are well known and documented on this site based on close observation and surveying performed during the February 2017 flood event. There is no doubt that the proposed improvements are outside of the regulatory 100-year floodplain also known as Zone AE which corresponds with the regulatory floodway at this location.

As shown on Figures A3, B3, C3, and D3 of Draft EIS Appendix C, the grading scheme for all the alternatives will be to direct all runoff to the easterly parking areas and access roads where it will be collected and conveyed in the project's storm drain system. The on-site stormwater piping system will consist of perforated pipes and bottomless catch basins in gravel-filled trenches that would extend through the loam and into the underlying sandy gravel stratum to promote infiltration to the maximum practical extent. The storm drain system would implement numerous storm water quality Best Management Practices (BMPs) to improve water quality of the runoff, including but not limited to catch basin filters, infiltration trenches, vegetated swales, wet ponds, and potential use of pervious pavement/concrete.

Any stormwater that does not percolate in the thousands of linear feet of gravel-filled trenches would be conveyed to the vegetated swale on the eastern boundary of the project. The sandy-gravel bottom of this wide swale would be capable of infiltrating at least 182 cfs (the entire estimated 100-year runoff of the proposed development) over its entire area prior to reaching the edge of the regulatory floodplain at a point approximately 0.5 miles from the ordinary edge of the river. All the onsite drainage would pass through numerous water quality BMPs before being discharged into the vegetated swale, going well beyond current water quality standards in today's land development industry. The on-site infiltration system is designed to entirely infiltrate the on-site stormwater prior to reaching the edge of the floodplain, so there will be no contact between the on-site runoff and Sacramento River flood water. There is a one in one thousand-year probability of on-site 100-year stormwater runoff coinciding in time with flooding flow in the Sacramento River.

The infiltration and bio-swale along the east boundary is also designed to provide conveyance of 700 cfs storm water overflow from Churn Creek east of Interstate 5 to the Sacramento River. This overflow that is predicted by hydraulic modeling of Churn Creek in the 100-year Churn Creek flood event is a condition that exists independently of the proposed Strawberry Fields development. Caltrans has no record of floodwater overtopping at this location in the 50 years that I-5 has existed. If this occurs, it is not controllable by the project proponent, and the Churn Creek flood water will be going to the Sacramento River at this location or another whether the Strawberry Fields project is developed or not.

The wet pond shown on Alternatives A-D is designed to attenuate and treat the erosive capacity of the 700 cfs uncontrolled flow from Churn Creek by slowing, spreading, and infiltrating prior to flowing in a southwesterly direction to the river approximately 0.5 flow-miles downstream. The chance of this flow

coinciding with flood flow in the river is again about one in one thousand-years, and there would be no additional harm on flooding if it did so. It would be entirely excavated in the upland area (i.e. not in a recognized wetland feature) of the floodplain, so there will be no effect on the flood elevation of the Sacramento River.

With regards to potential flooding of the leach fields in the event of a storm larger than the 100-year flood, the project has been designed according to Shasta County's 2018 Local Agency Management Program (LAMP) for Onsite Wastewater Treatment Systems (OWTS). According to Shasta County's LAMP for OWTS, the required horizontal setback distance between a leach field and perennial stream is 100-feet "to be measured from the 10-year flood line or top of bank or other evident high water-line or the expected 10-year flood line." Given this Shasta County standard requiring a setback from the 10-year flood line, the proposed leach field design offers a large factor of safety in the event the Sacramento River floods, as the proposed leach field is located outside the 100-year flood line. It should also be noted that before effluent is disposed in the proposed leach field it would be treated to meet disinfected tertiary recycled water standards under Title 22 of the California Code of Regulations. Effluent would be of high quality and would not have the potential to significantly degrade surface water or groundwater quality.

As identified in Draft EIS Section 1.6, the USEPA would review the project to determine compliance under applicable provisions of the Clean Water Act, including the NPDES program.

Response to Comment I90-19

Please see **General Response 3.11** regarding Sacramento River Streambank Stabilization. Section 3 of the EIS includes a description of the Sacramento River and associated floodway and floodplain (Section 3.3), and associated habitat and wildlife species (Section 3.5). Section 4 of the EIS provides a comprehensive evaluation of potential impacts of streambank stabilization activities.

Response to Comment I90-20

The amphitheater is no longer part of the Proposed Project. Therefore, this comment is no longer applicable.

Response to Comment I90-21

The amphitheater is no longer part of the Proposed Project. Therefore, this comment is no longer applicable.

Response to Comment I90-22

A revised construction noise analysis was performed for the Proposed Project and can be seen in **Section 4.11-1**. As seen within the revised analysis for construction, while a significant impact would occur, the impact would be temporary in nature rather than a permanent feature. The BMPs identified are standard construction practices to reduce noise and would be implemented consistently throughout the construction phase of the Proposed Project. For the construction BMP that the commenter identified as conditional, the BMP states that if the preferred method of using hydraulically or electrically powered equipment cannot be implemented, then mufflers would be used on the compressed air exhaust of the equipment that is

used, which would similarly reduce the potential for noise impacts to occur. Therefore, this BMP would be consistently used to reduce construction noise and not be conditional. For the second BMP under operation that was identified as conditional, the positioning of the HVACs away from sensitive receptors whenever possible, this would be done when feasible to help reduce noise, but as described in **Section 4.11-1**, HVAC systems were identified to have a less than significant impact without mitigation. Therefore, this BMP would merely reduce this less-than-significant impacts further and is not required to reduce a significant impact. Since the BMPs are sufficient to reduce potential noise impacts identified in **Section 4.11**, no additional edits are required.

Response to Comment I90-23

Please see **General Response 3.6.1** regarding substitution effects to competing gaming businesses.

Response to Comment I90-24

Please see **General Response 3.6.1** for evidence that supports the diminishing of substitution effects over time.

Response to Comment I90-25

The commenter is correct that there is a link between problem gambling and other undesirable outcomes. Please see **General Response 3.6.3** regarding negative social outcomes such as substance abuse, mental health, prostitution and human trafficking.

Response to Comment I90-26

Please see **General Response 3.6.3** and Final EIS **Appendix L** regarding local socioeconomic effects, including crime, problem gambling and addiction.

Response to Comment I90-27

Please see **General Response 3.6.3** regarding how the County defined calls for service (CFS) and how this effects the crime and fiscal analyses included in the EIS.

Response to Comment I90-28

The commenter is correct that cooperating agencies can be federal, state or tribal entities. The commenter is also correct that cooperating agencies should be identified early on the scoping process, as was the case here (see Draft EIS Section 6.2 and **Response to Comment T6-30**). Off-site improvements occurring off of trust land may be subject to discretionary approvals from the City, County, and/or other location agency that could be subject to CEQA. Anticipated approvals from state and local agencies are listed in the Final EIS, Volume II, Section 1.6. Much of the design of these improvements has not yet occurred, so it would be speculative to state whether analyses in the EIS are CEQA compliant. However, efforts were made in the EIS to analyze and address the environmental effects of off-site improvements (refer to the Final EIS, Volume II, Section 4.14). Thus, much and possibly most of the analysis of offsite

improvements in the EIS is likely to be sufficient to support CEQA compliance, although this will ultimately be at the discretion of approving agencies to determine, and cannot be confirmed until the details of such improvements and associated approvals are more fully developed. It should be noted that the Tribe and State of California entered in a new Tribal-State Compact in 2023; the new Compact does not contain any references to CEQA and does not that require that the Tribe conduct environmental analysis or implement environmental mitigation. It does however require that the Tribe establish an Impact Mitigation Fund for the for purposes of providing assistance to non-tribal law enforcement, emergency services, and service agencies with demonstrated impacts from the Gaming Facilities (see discussion of the new Tribal State Compact in the Final EIS, Volume II, Section 1.5.1).

Response to Comment I90-29

Please see **Response to Comment I90-28** regarding applicability of CEQA. The specific commenter statement that the BIA “ignored Caltrans’ assumption that “there will be a corresponding or joint California Environmental Quality Act (CEQA) document that will address the CEQA required mitigation and requirements...”” is inaccurate. The BIA has not “ignored” CalTrans. CalTrans is entitled to make comments, which BIA has considered (and will continue to consider). Every cooperating agency statement does not engender a formal response. The commenter is also incorrect regarding the need for the County and Tribe enter into a binding legal agreement prior to assessing environmental impacts. See **Response to Comment A6-01** where this subject is addressed.

Please see **Response to Comments A4-04** and **A4-05** that acknowledge that the delivery of water and electricity is at the discretion of certain local agencies, including the City. The commenter’s accusations that the BIA rebuffed the assistance of cooperating agencies are inaccurate and unsubstantiated.

Response to Comment I90-30

Please see **Response to Comments I90-01** through **I90-27** regarding NEPA compliance. See **Response to Comments I90-28** and **I90-29** regarding the issue of CEQA compliance. See **Response to Comments I90-18** and **I90-19** regarding water and wastewater. Please see **Response to Comment A6-01** regarding whether it is necessary for the County and Tribe enter into a binding legal agreement prior to assessing environmental impacts.

Response to Comment I90-31

See **Response to Comments I90-28** and **I90-29** regarding the issue of CEQA compliance. Please see **General Response 3.1.3** regarding how the EIS analyses constitute a “hard look” required by NEPA. The EIS analyses the fee-to-trust action as well as the development of the alternatives that would result from the action through out Final EIS Section 4.0, including the indirect impacts from implementation of recommended mitigation in Final EIS Section 4.14.

Response to Comment I90-32

Please see **General Response 3.1.3** regarding why the preparation of a supplemental EIS is unwarranted.

Response to Comment I90-33

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance.

Response to Comment I90-34

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2**.

Response to Comment I90-35

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance.

Response to Comment I90-36

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance.

Response to Comment I90-37

Comment noted.

Response to Comment I90-38

Regarding per capita distributions, please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. Calculations of estimated per capita payments were not included as part of the scope of the socioeconomic studies prepared in connection with the Draft EIS and Final EIS (EIS Appendices A and L). The commenter may be correct that Tribal families receive per capita payments that exceed the Shasta County average. Please also refer to **Response to Comments I90-1** through **I90-4** regarding the purpose and need.

Response to Comment I90-39

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope

of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance.

Response to Comment I90-40

Issues regarding IGRA and statutory authority related thereto are beyond the scope of NEPA. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. However, the subject of IGRA is addressed in Draft EIS Section 1.0. See **General Response 3.2.2** regarding why the BIA has the statutory authority to take lands into trust in this circumstance.

COMMENT LETTER I91: JOHN DUNLAP, CONSULTING ENGINEER

Response to Comment I91-01

As described in Section 2.3.2, one option for wastewater treatment is an on-site wastewater treatment plant. Disposal would occur through landscape irrigation and percolation in leach fields. Before effluent is disposed in the proposed leach field it would be treated to meet disinfected tertiary recycled water standards as defined under Title 22 of the California Code of Regulations. Accordingly, additional filtration in the leach fields would not be needed as the effluent entering the leach fields would be of high quality and would not have the potential to significantly degrade surface water or groundwater quality. The leach fields would be located outside of the 100-year floodplain.

The Wastewater Management and Drinking Water Feasibility Study included as Appendix B of the Draft EIS included a seasonal storage pond. This pond was associated with the potential use of sprayfields. However, as described in Section 2.10.6 of the Draft EIS, the use of sprayfields was eliminated as an option, and a seasonal storage pond is not proposed. The updated Wastewater Management and Drinking Water Feasibility Study is included as Final EIS Appendix M.

Response to Comment I91-02

As described in Section 2.3.2, one option for wastewater treatment is an on-site wastewater treatment plant. Section 4.3, 4.10 of the EIS addresses the potential environmental effects of water supply and wastewater treatment and disposal. Effluent would be treated to meet disinfected tertiary recycled water standards under Title 22 of the California Code of Regulations. Disinfected tertiary recycled water is approved for the irrigation of food crops, parks and playgrounds, and residential landscaping by the State of California, as well as for any other irrigation use not specified or prohibited in the CCR. The reclaimed water produced by the proposed immersed membrane bioreactor (MBR) treatment system would be of high quality and would not have the potential to significantly degrade surface water or groundwater quality. Further, the treated effluent would be disposed of through a leach field and the quality of the recycled water applied at the surface would further improve by the time it percolates to the underlying aquifer due to the filtering effect of soils.

Response to Comment I91-03

As described in Draft EIS Section 2.3.2, on-site leach fields would be used to dispose of excess treated wastewater effluent by distributing it underground through a network of perforated pipes or infiltration chambers; therefore an underground disposal injection system is not proposed. As noted, before effluent is disposed in the leach fields it would be treated to meet disinfected tertiary recycled water standards as defined under Title 22 of the California Code of Regulations. Effluent would be of high quality and would not have the potential to significantly degrade surface water or groundwater quality. The disposal of reclaimed water within the leach fields would be regulated by the USEPA within the Underground Injection Control (UIC) program. Monitoring and reporting requirements of the UIC program ensure that the USEPA has the ability to protect water quality. Please see **General Response 3.10** regarding potential impacts to wastewater management and implementation of the proposed leach field under Wastewater Option 2 at the Strawberry Fields Site (i.e., Alternatives A through D).

COMMENT LETTER I92: MELINDA BROWN

Response to Comment I92-01

Please refer to **General Response 3.14** regarding traffic. Roadway access points to the Strawberry Fields Site are discussed and analyzed in Draft and Final EIS Sections 2.2, 2.3 and 4.8, as well as the TIS (Draft EIS Appendix F) and Updated TIS (Final EIS, Appendix Q).

Response to Comment I92-02

Please see **Response to Comment I90-14** regarding emergency access.

Response to Comment I92-03

Please see **Response to Comment A4-02** regarding the methodology employed in the TIS and Updated TIS.

Response to Comment I92-04

The commenter's statement regarding existing traffic conditions is acknowledged. Please refer to **General Response 3.14** regarding traffic.

Response to Comment I92-05

See **General Response 3.3** regarding why Alternative A best satisfies the purpose and need. Please see **General Response 3.5.3** regarding alternatives and financial feasibility. Please see **General Response 3.17** regarding the subject of mitigation and best management practices (BMPs). Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I93: RANDY CARTER, SPEAK UP SHASTA ASSOCIATION**Response to Comment I93-01**

The commenter's stated opinion regarding the level of opposition to the Proposed Project is noted. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments. Please refer to **General Response 3.1.1** regarding the Draft EIS comment period.

Response to Comment I93-02

Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, and signage elements. Please refer to **General Response 3.8.2** pertaining to use of agricultural land and **General Response 3.12.2** regarding wildlife habitats. Please see **General Response 3.11** regarding streambank stabilization.

Please see **General Response 3.12.1** and **3.12.2** regarding potential effects to special-status species and habitat, including bank swallows and certain fish species.

Response to Comment I93-03

Comment noted. Please see **General Response 3.11.1, 3.12.1, and 3.12.2** regarding the impacts to the Sacramento River and listed fish species. See also see **General Response 3.12.2** regarding potential impacts to bank swallows.

Development of the Proposed Project, including streambank stabilization and other construction activities, was evaluated for potential impacts to listed fish species and Critical Habitat in consultation with the National Marine Fisheries Service (NMFS; Final EIS Appendix O-3). NMFS reviewed the project under ESA Section 7(a)(2) and MSMA in a concurrence letter (May 7, 2019) and determined the proposed actions were not likely to affect listed fish species with the inclusion of mitigation measures listed in Final EIS Appendix O-3.

Response to Comment I93-04

Comment noted. Please see **General Response 3.12.1, and 3.12.2** regarding the impacts to listed wildlife species and habitats. Please see Mitigation Measure **5.5.3** Wetlands and Waters of the U.S. concerning impacts to ponds and wetlands from wastewater disposal.

Response to Comment I93-05

Please see **General Response 3.9** regarding water supply. Each water supply option and wastewater treatment and disposal option has been analyzed within the EIS for each alternative. Sections 4.3, 4.10, and 4.14 of the EIS address the potential environmental effects of water supply and wastewater treatment and disposal.

Response to Comment I93-06

Please see **Response to Comment A4-02** regarding the methodology employed in the TIS (Draft EIS Appendix F) and the Updated TIS. Please see **Response to Comment T6-66** regarding why the TIS and Updated TIS did not use the VMT methodology suggested by the commenter.

Response to Comment I93-07

Section 4.14 of the Draft EIS describes the indirect environmental effects from implementation of off-site traffic mitigation measures for Alternatives A through F. Please see **Response to Comment T6-66** regarding why the TIS and Updated TIS did not use the VMT methodology suggested by the commenter. Please see **General Response 3.16** regarding climate change.

Response to Comment I93-08

Noise, vibration, and light are analyzed extensively in the Draft EIS. Please see **General Response 3.15** regarding noise and vibration. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light, and signage elements.

Response to Comment I93-09

Please see **General Response 3.11** regarding flooding hazards. As described in Section 4.3.1 of the EIS, development of Alternatives A – E would not reduce floodplain capacity of the respective project sites and therefore would not increase flooding off site.

Response to Comment I93-10

Potential impacts to cultural resources were analyzed extensively in Draft EIS Section 4.6. Please also see Responses to Comments **T4-01**, **T4-02**, **T4-03**, **T6-62** and **T6-63** regarding cultural resources.

Response to Comment I93-11

Potential socioeconomic impacts were analyzed extensively in Draft EIS Section 4.7. Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Also refer to **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. Please see **Responses to Comments T6-64** and **T6-65** regarding the use of census data to estimate the existing socioeconomic environment in the vicinity of the project sites.

Response to Comment I93-12

Please refer to **General Response 3.7.2** pertaining to utilities. Please see **Response to Comments A4-04** and **A4-05** that acknowledge that the delivery of water and electricity is at the discretion of certain local agencies, including the City. Please see **General Response 3.7.1** regarding the provision of other public services including law enforcement, fire, and EMS.

Response to Comment I93-13

Comment noted. Please refer to **Response to Comments I93-01** through **I93-12** above. Please see **General Response 3.1.3** regarding why the preparation of a supplemental EIS is unwarranted.

COMMENT LETTER I94: RED EMMERSON

Response to Comment I94-01

Comment noted. The letter attached by the commenter was submitted as Comment Letter I94.

Response to Comment I94-02

Comment noted. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

Response to Comment I94-03

Please refer to **General Response 3.8.2** regarding the use of agricultural land. Please refer to **General Responses 3.14** regarding traffic. Please see **General Response 3.15** regarding noise. Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light and signage elements. Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses, and effects to local property values. Please refer to **General Response 3.6.4** regarding taxes and fiscal effects.

The commenter's statement that the Proposed Project would produce no benefits is not correct. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need.

Response to Comment I94-04

Please see **General Response 3.11** regarding issues related to flooding, the floodplain, setbacks from the Sacramento River, and water quality. See **General Response 3.10** regarding wastewater and leach field location.

As described in Section 2.3.2, one option for wastewater treatment is an on-site wastewater treatment plant. Disposal would occur through landscape irrigation and percolation in leach fields. Before effluent is disposed in the proposed leach field it would be treated to meet disinfected tertiary recycled water standards as defined under Title 22 of the California Code of Regulations. Effluent would be of high quality and would not have the potential to significantly degrade surface water or groundwater quality.

Response to Comment I94-05

Neither the TIS (Draft EIS Appendix F) nor the Updated TIS state that estimated traffic flows operate at acceptable levels. To the contrary, both the TIS and Updated TIS identify traffic facilities that are

anticipated to operate at unacceptable levels and propose mitigation to address these cases. Please see **Response to Comment A4-02** for additional discussion of the methodology employed in the traffic studies. In addition, it should be noted that both the TIS and Updated TIS include estimated traffic impacts from the operation of the Costco facility.

Response to Comment I94-06

Comment noted. Please refer to **Response to Comments I94-01** through **I94-05** above. Please see **General Response 3.17** regarding the subject of mitigation and best management practices (BMPs).

COMMENT LETTER I95: ROBBIE WHARTON

Response to Comment I95-01

Comment noted. The letter attached by the commenter was submitted as Comment Letter I95. Please see **Responses to Comments I95-02** through **I95-09**.

Response to Comment I95-02

Please see **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light and signage elements. Please see **General Response 3.12.1** concerning special-status species and **General Response 3.12.2** regarding wildlife habitats. Please also refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments. Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Please also refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments. Please see **Response to Comment A4-01** regarding the Civic Auditorium. Please see **General Response 3.14** regarding traffic. Please refer to **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services.

COMMENT LETTER I96: MARGARET WOOD

Response to Comment I96-01

Please refer to **General Response 3.12.2** pertaining to potential effects to habitats, **General Response 3.14** regarding traffic and **General Response 3.15** concerning noise. Please also refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light and signage elements.

COMMENT LETTER I97: DAVID HARVEY

Response to Comment I97-01

Please refer to **General Response 3.14** regarding traffic. Please see **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light and signage elements. As described in Draft EIS Section 2.3.2, the Proposed Project does not include the operation of a second casino. Rather, gaming would be

relocated to the Strawberry Fields Site, at which point gaming operations would cease at the Tribe's existing Win-River casino.

COMMENT LETTER I98: AL SHUFELBERGER

Response to Comment I98-01

The commenter's concerns regarding a roundabout are acknowledged. As described in **Response to Comment A4-23** and **A8-11**, all proposed mitigation improvements would be constructed in a manner consistent with the applicable agencies' approved standards and adopted plans.

COMMENT LETTER I99: JOHN LIVINGSTON, SHASTA GROUP OF THE SIERRA CLUB

Response to Comment I99-01

Comment noted. Please see **Responses to Comments I99-02** through **I99-13** below.

Response to Comment I99-02

Please see **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light and signage elements. The NEPA process encourages input from all interested parties, including local residents. The EIS provides information about project alternatives and environment effects to facilitate informed decision making.

Response to Comment I99-03

The Draft EIS includes extensive information and analysis of impacts to the local economy, infrastructure and the environment. Potential socioeconomic impacts were analyzed in Draft EIS Section 4.7. Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City. Also refer to **General Response 3.6.3** regarding local socioeconomic effects, including problem gambling, addiction, crime and the provision of law enforcement services. Project infrastructure specifications were identified in Volume I, section 2.0 of the Draft EIS and include descriptions of proposed project alternatives such as new facilities, square footages of each area, locations, access improvements, figures, water supply, architecture, signing, lighting, landscaping, security, law enforcement, grading & drainage, energy, and construction. Offsite improvements are addressed in the Draft EIS in the various sections in which improvements would occur (e.g., utilities, traffic, etc.). Environmental effects are addressed in many sections of the Draft EIS.

Response to Comment I99-04

As stated on page 4.13-2 of the Draft EIS, Alternative A would not result in the removal of any mature trees. Similarly, Alternatives B through D and F do not include the removal of any mature trees. Alternative E (Anderson Site) may result in the removal of several trees in the vicinity of the Tormey Drain. However, native mature trees would be retained to the extent feasible. Habitats on this site, including oak woodland, are highly fragmented and disturbed by adjacent highway and development on

all sides. All tree planting would follow the Shasta County Zoning Code 17.84.040 for landscaping as described in Section 3.13.2 of the Draft EIS.

Response to Comment I99-05

The TIS and Updated TIS do indeed specify the sources of the traffic that would be generated by the project alternatives. Please also see **Responses to Comments A4-2 and T6-101.8**, regarding the methodology employed in the TIS (Draft EIS Appendix F) and the Updated TIS (Final EIS Appendix Q). **Response to Comment T6-101.8** also addresses the data from the Costco River Marketplace project.

Response to Comment I99-06

Please see **Response to Comment A4-23** and **A8-11** regarding site access. The TIS (Draft EIS Appendix F) and Updated TIS specifically incorporate the City’s planned diverging diamond interchange with roundabouts, and comprehensively evaluated Bechelli Lane’s operations and ability to accommodate the projected peak traffic demands associated with the Proposed Project. As per the *River Crossing Marketplace Specific Plan EIR*, “Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer].” The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are understood to be representative of the aforementioned “TRANS-1.1.” These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Accordingly, the project has no mitigation responsibility at this intersection and the Updated TIS reflects these changes. Please see **Response to Comment A4-02** for further information.

Response to Comment I99-07

The analysis of construction jobs is only one element of the Draft EIS analyses of jobs, wages, economic growth, and other socioeconomic effects. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses, including hotels and sporting goods retailers located in the City.

Response to Comment I99-08

Please refer to **General Response 3.8.1** pertaining to consistency with local zoning codes and **General Response 3.8.2** regarding the use of agricultural land. Please see **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light, and signage elements.

Response to Comment I99-09

Comment noted. Please see **General Response 3.11.1, 3.12.1, and 3.12.2** regarding impacts to listed fish species and the Sacramento River. See **General Response 3.13.2, 3.13.3, and 3.15** regarding impacts from lighting and noise. Please see **General Response 3.9** regarding streambank stabilization measures. All project designs were evaluated in consultation with the National Marine Fisheries Service (NMFS, Final EIS Appendix O-1). NMFS reviewed the project under ESA Section 7(a)(2) and MSMA in a concurrence letter (May 7, 2019) and determined the proposed actions were not likely to affect listed fish species with the inclusion of mitigation measures listed in Draft EIS Appendix D.

Response to Comment I99-10

Please see **General Response 3.15** regarding noise. As described therein, the Proposed Project no longer includes an amphitheater.

Response to Comment I99-11

The commenter's statement that light is a significant unavoidable impact is incorrect. Please see **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light and signage elements.

Response to Comment I99-12

Neither the former Anderson wood products site nor the site on Clear Creek are feasible project site locations. Please see **General Response 3.5.4** regarding the feasibility of the sites described by the commenter.

Response to Comment I99-13

Please refer to **General Response 3.12** regarding potential impacts to special-status species, including bald eagle. Please also see **General Responses 3.5.2 and 3.5.4** regarding the range of project site alternatives evaluated in the Draft EIS.

COMMENT LETTER I100: LINDA PERKINS

Response to Comment I100-01

Please see **General Response 3.14** regarding traffic.

Response to Comment I100-02

Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, and signage elements. Please see **General Response 3.12.2** regarding wildlife habitats.

COMMENT LETTER I101: DAVE COX, KIXE TV

Response to Comment I101-01

Commenter expresses support for the Proposed Project. Please see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Please also refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I102: KAREN BITHER

Response to Comment I102-01

Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

Response to Comment I102-02

Please see **General Response 3.9** regarding water supply.

Response to Comment I102-03

Please see **General Response 3.14** regarding traffic. Please also refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

Response to Comment I102-04

Comment noted. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

Response to Comment I102-05

Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, and signage elements. Please see **General Response 3.12.2** regarding wildlife habitats. Please also refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

Response to Comment I102-06

Please refer to **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, and signage elements. Please see **General Response 3.8.2** regarding the use of agricultural land.

Response to Comment I102-07

Please refer to **General Response 3.14** regarding traffic.

Response to Comment I102-08

Comment noted. Please refer to **General Response 3.2.1** regarding expressions of opinion and non-substantive comments.

COMMENT LETTER I103: ROYAL MANNION

Response to Comment I103-01

Please see **Responses to Comments I103-02** through **I103-6** below.

Response to Comment I103-02

Please see **Response to Comment A8-05**, **A8-11** and **I63-04** regarding traffic flows at the South Bonnyview Road and Bechelli Lane intersection. Please see **Response to Comment A4-02** regarding the methodology employed in the TIS (Draft EIS Appendix F) and the Updated TIS. Please see **Response to Comment A4-23** and **A8-11** regarding site access. Preliminary engineering assessments were completed for the various project access conditions. This engineering assessment notes impacts to the Hilton Garden Inn parking lot and acknowledges that the loss of parking would need to be mitigated. At this stage in the design of Bechelli Lane improvements, the specifics of this mitigation have not been identified although the mitigation to the parking impacts are anticipated to be accommodated onsite. As per the *River Crossing Marketplace Specific Plan EIR*, “Under the Year 2040 with Rancheria plus Project scenario...cumulative impacts at intersection #5 [South Bonnyview Road/Bechelli Lane] would be mitigated with implementation of Mitigation Measure TRANS-1.1 [Reconstruct the intersection and approaches into a four-leg, two-lane roundabout in accordance with the specifications of the City Engineer].” The City provided improvement plans for the construction of South Bonnyview Road improvements at Bechelli Lane and the I-5 interchange ramps, the combination of which are understood to be representative of the aforementioned “TRANS-1.1.” These improvements have been fully constructed and the facilities were opened to traffic in November 2022. Accordingly, the project has no mitigation responsibility at this intersection and the Updated TIS reflects these changes. Please see **Response to Comment A4-02** for further information.

The Bechelli Lane intersection with Sunnyhill Lane has been incorporated in the Updated TIS. This intersection, denoted as Intersection #105, is shown to operate acceptably under all conditions (see Tables 23, 24, 28, and 29). While the traffic volumes through this area are anticipated to increase with the addition of the Proposed Project (Site Access Options 1 and 2 only), the improvements proposed widening of Bechelli Lane will increase its capacity and, as documented, serve to minimize the amount of additional delay experienced at the Sunnyhill Lane intersection.

Please also see **Response to Comment A4-23** regarding the implementation of off-site mitigation improvements. As described in **Response to Comment A4-23**, all proposed mitigation improvements would be constructed in a manner consistent with the applicable agencies’ approved standards and adopted plans. Refer to **Response to Comment A4-24** regarding an assessment of private property impacts along Bechelli Lane

Response to Comment I103-03

Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses. Please see **General Response 3.6.3** regarding potential effects to local property values. Please refer to **General Response 3.6.4** regarding taxes and fiscal effects.

Response to Comment I103-04

Please see **General Response 3.15** regarding noise. As described therein, the Proposed Project no longer includes an amphitheater.

Response to Comment I103-05

The commenter's question regarding the fee-to-trust process is acknowledged. Please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. As described therein, the fee-to-trust process is not arbitrary.

Response to Comment I103-06

Please refer to **General Response 3.7.1** concerning law enforcement and **General Response 3.6.4** regarding the funding for law enforcement. It is common for crimes to occur in one location, but for suspects to be apprehended at a different location. These locational differences tend to be negated in the aggregate, as criminal suspects will tend to travel in both directions, i.e., towards and away from the Proposed Project site.

Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see **General Response 3.5.4** regarding a substantive discussion of project alternatives.

PUBLIC HEARING SPEAKERS PH1 THROUGH PH47

A transcript of the oral comments provided during the public hearing held on May 20, 2019 is provided in **Attachment A**. Verbal comments submitted during the public hearing did not raise any new substantive environmental issues beyond those contained in the written comment letters that have been responded to throughout this chapter and **Section 3.0**. Therefore, no additional responses are required.

GENERAL NOTE REGARDING COMMENT LETTERS F1 THROUGH F80

The text of comment letters F1 through F80 are highly similar. Consequently, each of the comments included in Comment Letter F1 are responded to below. For subsequent letters F2 through F80, only those comments that are unique have resulted in a response.

COMMENT LETTER F1: BRADFORD EVANS

Response to Comment F1-01

Please refer to **General Response 3.6.3** regarding local socioeconomic effects, including property values, crime, homelessness, problem gambling and addiction. Please see **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light, and signage elements. Please refer to **General Response 3.14** pertaining to traffic. Please see **General Response 3.12.1** and **General Response 3.12.2** pertaining to special-status species and potential effects to habitat. Refer to **General Response 3.16** for a discussion of air quality. Please refer to **General Response 3.8.1** pertaining to consistency with local zoning codes and **General Response 3.8.2** regarding the use of agricultural land. Please see **General Response 3.3** regarding why Alternative A is described as the Proposed Project and why it best satisfies the purpose and need. Please see **General Response 3.5** regarding a substantive discussion of project alternatives. Refer to **General Response 3.2.1** regarding expressions of opinion.

Please also see **Response to Comments F1-02** through **F1-08** below.

Response to Comment F1-02

Please see **Responses to Comments I90-14 and I98-1**.

Response to Comment F1-03

Please refer to **General Response 3.8.1** regarding consistency with local zoning codes and **General Response 3.8.2** pertaining to the use of agricultural land. Please see **General Response 3.13** for more information regarding light and glare and the aesthetics of the Proposed Project, such as the heights of the various design components, viewpoints, light and signage elements.

Response to Comment F1-04

Please refer to **General Responses 3.12.1** and **3.12.2** pertaining to impacts on special-status species and effects on habitats.

Response to Comment F1-05

Please refer to **General Responses 3.12.1** and **3.12.2** pertaining to impacts on special-status species and effects on habitats.

Response to Comment F1-06

Please see **General Response 3.15** regarding noise. As described therein, the Proposed Project no longer includes an amphitheater.

Response to Comment F1-07

Please refer to **General Response 3.6.2** regarding the anticipated effects to local businesses, including sporting goods retailers located in the City.

Response to Comment F1-08

The Draft EIS includes extensive analyses of job creation, labor income, and economic output, for not only construction activities but also the long-term operation of each alternative. Competitive effects, fiscal impacts and other socioeconomic issues, such as problem gambling and minority populations, are also analyzed in detail. Please see Draft EIS Sections 3.7 and 4.7 where these issues are addressed. Please also refer to **General Responses 3.6.1** regarding economic competition and effects to existing commercial businesses, and **General Response 3.6.2** concerning non-gaming substitution effects and the impacts to local businesses.

Response to Comment F1-09

Please refer to **Response to Comments F1-02** through **F1-08** above.

COMMENT LETTER F2: AUDREY LOCKER

Response to Comment F2-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F3: BRYAN DOAN

Response to Comment F3-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F4: CATHY MAYER

Response to Comment F4-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F5: CHARLE HAZLEHURST

Response to Comment F5-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F6: CHARLOTTE BAILEY

Response to Comment F6-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F7: CHRISTIE BOVEE

Response to Comment F7-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F8: CORRIE MILLER

Response to Comment F8-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F9: DANNY CANNON

Response to Comment F9-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F10: DARREL KELLEY

Response to Comment F10-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F11: DENISE BOEHLE

Response to Comment F11-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F12: GENE CROW

Response to Comment F12-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F13: GREG BOEHLE

Response to Comment F13-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F14: HEIDI PRICE

Response to Comment F14-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F15: JEAN RUSSELL

Response to Comment F15-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F16: JOE VANENKENVORT

Response to Comment F16-01

Please see **Response to Comments F1-01** through **F1-08**. Please see also see **General Response 3.15** regarding noise from the amphitheater. As described therein, the Proposed Project no longer includes an amphitheater.

COMMENT LETTER F17: KATHRYN PATTERSON

Response to Comment F17-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F18: KAYLA BROWN

Response to Comment F18-01

Please see **Response to Comments F1-01** through **F1-08**. Please also see **General Response 3.6.4** regarding fiscal effects and **General Response 3.7.1** pertaining to law enforcement, fire, and EMS.

COMMENT LETTER F19: LEANN OWENS

Response to Comment F19-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F20: MARSHA NELSON

Response to Comment F20-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F21: NANCY EDMONDS

Response to Comment F21-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F22: PATRICIA SOILEAU

Response to Comment F22-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F23: PATRICK CROWLEY

Response to Comment F23-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F24: RAE DEAN BIBLE

Response to Comment F24-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F25: REAGAN LOCKER

Response to Comment F25-01

Please see **Response to Comments F1-01** through **F1-08**. Additionally, as discussed in Draft EIS Section 2.3, the Proposed Project includes closure of the existing Win-River Casino. Thus, only one casino would be in operation.

COMMENT LETTER F26: RICHARD JOHNSON

Response to Comment F26-01

Please see **Response to Comments F1-01** through **F1-08**. Additionally, as discussed in Draft EIS Section 2.3, the Proposed Project includes closure of the existing Win-River Casino. Thus, only one casino would be in operation.

COMMENT LETTER F27: ROBERT SMART

Response to Comment F27-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F28: SHIRLEY GOLDSTEIN

Response to Comment F28-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F29: SUSAN CROWLEY

Response to Comment F29-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F30: TERRY COWAN

Response to Comment F30-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F31: LINDA GEBAUER

Response to Comment F31-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F32: SARAH WICKENHEISER

Response to Comment F32-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F33: TAMI DWINELL-NISBET

Response to Comment F33-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F34: VAN WILLIAMS

Response to Comment F34-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F35: MIKAYLA LOUCKS

Response to Comment F35-01

Please see **Response to Comments F1-01** through **F1-08**. Please also see **General Response 3.10** concerning wastewater, **General Response 3.11** regarding flooding and **General Response 3.15** pertaining to noise from the amphitheater. As described therein, the Proposed Project no longer includes an amphitheater.

COMMENT LETTER F36: KILE MCCLURE

Response to Comment F36-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F37: FRAN MAZET

Response to Comment F37-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F38: GEORGE BOREHAM

Response to Comment F38-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F39: GLEN HARMER

Response to Comment F39-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F40: GORDON WOODMAN

Response to Comment F40-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F41: JOAN GILLETTE

Response to Comment F41-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F42: JOSLYN MITCHELL

Response to Comment F42-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F43: JOYCE CANNON

Response to Comment F43-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F44: LANCE SMITH

Response to Comment F44-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F45: MARILYN SELKE

Response to Comment F45-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F46: MICHAEL MITCHELL

Response to Comment F46-01

Please see **Response to Comments F1-01** through **F1-08**.

COMMENT LETTER F47: NICK & JACKIE SHIDLOVSKY

Response to Comment F47-01

Please see **Response to Comments F1-01 through F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01 through I93-13**.

COMMENT LETTER F48: PENNY WOODMANSEE

Response to Comment F48-01

Please see **Response to Comments F1-01 through F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01 through I93-13**.

COMMENT LETTER F49: PHYLLIS SCHWERIN

Response to Comment F49-01

Please see **Response to Comments F1-01 through F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01 through I93-13**.

COMMENT LETTER F50: ROBBIN BORDEN

Response to Comment F50-01

Please see **Response to Comments F1-01 through F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01 through I93-13**.

COMMENT LETTER F51: STAN BRIDGES

Response to Comment F51-01

Please see **Response to Comments F1-01 through F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01 through I93-13**.

COMMENT LETTER F52: STEVEN ANDERSON

Response to Comment F52-01

Please see **Response to Comments F1-01 through F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01 through I93-13**.

COMMENT LETTER F53: BRENT COLLINS

Response to Comment F53-01

Please see **Response to Comments F1-01 through F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01 through I93-13**.

COMMENT LETTER F54: BRIAN RICE

Response to Comment F54-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F55: BRIAN WHITE

Response to Comment F55-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F56: CRYSTAL WADZECK

Response to Comment F56-01

Commenter's desire for construction of a boys and girls club is noted. Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**. Please refer to **Response to Comments F1-02** through **F1-08** above. For comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-013**.

COMMENT LETTER F57: DIANA GIFFORD-TUGGLE

Response to Comment F57-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F58: JAN CLARK

Response to Comment F58-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F59: JAN GARNER

Response to Comment F59-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F60: JEANETTE M BELL

Response to Comment F60-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F61: JEN SKELTON

Response to Comment F61-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F62: JONNI-LYNN MALLEY

Response to Comment F62-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F63: KRISTI SCHAFER

Response to Comment F63-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F64: MELODY FOWLER

Response to Comment F64-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F65: PHYLLIS LAWLER

Response to Comment F65-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F66: ROSS JONES

Response to Comment F66-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F67: WILLENE V. L. PURSELL, PH. D.

Response to Comment F67-01

Please see **Response to Comments F1-01** through **F1-08**. For comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-013**. Additionally, as discussed in Draft EIS Section 2.3, the Proposed Project includes closure of the existing Win-River Casino. Thus, only one casino would be in operation.

COMMENT LETTER F68: MONTY APPLE

Response to Comment F68-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F69: STEPHEN PURSELL

Response to Comment F69-01

Please see **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**. Additionally, as discussed in Draft EIS Section 2.3, the Proposed Project includes closure of the existing Win-River Casino. Thus, only one casino would be in operation.

COMMENT LETTER F70: TAMMY COLE

Response to Comment F70-01

Please refer to **Response to Comments F1-01** through **F1-08**. Regarding the commenter's concerns regarding traffic effects of the Proposed Project in combination with other development projects, note that the analysis of traffic impacts in Draft EIS Section 4.8 and the accompanying Traffic Impact Study (Draft EIS Appendix F) include the estimated traffic impacts for these projects. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F71: BRENDA WILSON

Response to Comment F71-01

Please refer to **Response to Comments F1-01** through **F1-08**. Regarding the commenter's concerns regarding traffic effects of the Proposed Project in combination with other development projects, note that the analysis of traffic impacts in Draft EIS Section 4.8 and the accompanying Traffic Impact Study (Draft EIS Appendix F) include the estimated traffic impacts for these projects. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F72: JANET LONDAGIN

Response to Comment F72-01

Please refer to **Response to Comments F1-01** through **F1-08**. Regarding the commenter's concerns regarding cumulative noise effects, please see Draft EIS Section 4.15 where this issue was analyzed. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F73: JEAN MURILLO

Response to Comment F73-01

Please refer to **Response to Comments F1-01** through **F1-08**. Regarding gaming issues that were subject to voter referendum, please see **General Response 3.2.2** regarding gaming regulations and legislative matters that are beyond the scope of the EIS. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F74: JOYCE HANKIN

Response to Comment F74-01

Please refer to **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F75: JULIA SCREECHFIELD

Response to Comment F75-01

Please refer to **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F76: LESLIE EDDLEMAN

Response to Comment F76-01

Please refer to **Response to Comments F1-01** through **F1-08**. Please see **General Response 3.15** pertaining to noise from the amphitheater. As described therein, the Proposed Project no longer includes an amphitheater. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F77: NICK GARDNER

Response to Comment F77-01

Please refer to **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F78: NORMAN BREWER

Response to Comment F78-01

Please refer to **Response to Comments F1-01** through **F1-08**. Also, in response to comment #3, please note that under law enforcement Option #1, the Shasta County Sheriff's Office would have the authority to enforce all non-gaming and state criminal laws on the proposed trust lands. Please see Final EIS, Volume 2, Section 4.10 for more information. Regarding the commenter's statements regarding accountability, please see **General Response 3.17** regarding mitigation and best management practices (BMPs) and **General Response 3.2.2** regarding gaming regulations and legislative matters that are

beyond the scope of the EIS. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F79: RICHARD FYTEN

Response to Comment F79-01

Please refer to **Response to Comments F1-01** through **F1-08**. Please also see Draft EIS Section 4.7 where socioeconomic effects of the project alternatives, including the creation of jobs and economic growth, are analyzed. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

COMMENT LETTER F80: SHAUN VEGA SANCHEZ

Response to Comment F80-01

Please refer to **Response to Comments F1-01** through **F1-08**. Regarding comments referencing Speak Up Shasta, see **Response to Comments I93-01** through **I93-13**.

ATTACHMENTS

LIST OF ATTACHMENTS

ATTACHMENT A

DRAFT EIS: COMMENTS

ATTACHMENT B

DRAFT EIS: NOTICES OF AVAILABILITY

ATTACHMENT A

DRAFT EIS: COMMENTS