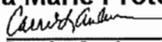


This notice was posted on 03/03/2023
and will remain posted for a period of thirty days
through 04/03/2023

Deva Marie Proto, County Clerk

BY: 
Carrie Anderson, Deputy Clerk



Doc No.49-03032023-059 NOTICE OF CATEGORICAL EXEMPTION

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, CA 95403

(707) 565-1900

Fax (707) 565-1103

Pursuant to Section 23A of the Sonoma County Code, it has been determined that the activity does not constitute a project or is otherwise exempt from the requirements of the California Environmental Quality Act (CEQA):

Project Title: Dry Creek Rancheria, Band of Pomo Indians Memorandum of Agreement

Public Agency: County of Sonoma

Project Applicant: County of Sonoma

Applicant Address: 575 Administration Drive, Santa Rosa, CA

Project Location: N/A

Date of Approval: February 28, 2023

To:

County Clerk- Recorder Office Office of Planning and Research

585 Fiscal Drive, Room 103

Santa Rosa, CA 95403

P.O. Box 3044, Room 113

Sacramento, CA 95812-3044

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF THE PROJECT:

The County of Sonoma has approved an amended and restated memorandum of agreement ("Amended MOA") between the Dry Creek Rancheria, Band of Pomo Indians ("Tribe") and the County. The Amended MOA was updated to accurately reflect the current relationship between the parties, to reflect the Tribe's intent to reduce the scope of its casino and resort development project on land held in trust by the federal government for the benefit of the Tribe, to provide funding to the County for environmental mitigation and social programs, to provide a limitation on future casino development on lands owned by the Tribe that the federal government might take into trust in southern Sonoma County for the benefit of the Tribe, and for clarity and ease of administration.

EXEMPT STATUS:

California Government Code Section 12012.92(b)(1)(C).

CEQA Guidelines at California Code of Regulations, Title 14, Sections 15060(c), 15061(b)(3), 15378(a), and 15378(b)(4).

REASON WHY THIS PROJECT IS EXEMPT:

Approval of the Amended MOA is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to California Government Code Section 12012.92(b)(1)(C) because it is the execution of an intergovernmental agreement between the Tribe and the County negotiated pursuant to the express authority of, or as expressly referenced in, the Tribe's tribal-state gaming compact and is thus not a project for purposes of CEQA. Alternatively or additionally, the activity is not subject CEQA to pursuant to CEQA Guidelines Section 15060(c) and is not a project pursuant to Section 15378(a), because approving the Amended MOA will not result in a direct or reasonably foreseeable indirect physical change in the environment, and the County has not committed to any public improvement, has not agreed to provide assistance to the Tribe for its development activities, nor issued any type of entitlement as the County does not have jurisdiction over development on tribal lands. Further, pursuant to Section 15378(b)(4), approval of the MOA is not a project because it establishes a funding mechanism by which the Tribe makes mitigation payments to the County to use for environmental mitigation and social programs and the County retains full discretion to modify or elect not to approve or implement any specific future activity. Additionally or alternatively, the activity is exempt under CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) because it can be seen with certainty there will be no significant impacts caused by the Tribe agreeing to reduce its potential casino and resort development

project from an 88,000 sf casino and 600-room hotel with facilities to a limited 60,000 sf casino and 300-room hotel with facilities while agreeing to environmental review, mitigation measures, and various other limitations, including limitations on pursuing a casino on lands near the City of Petaluma, in southern Sonoma County, which might be taken into trust by the federal government for the benefit of the Tribe.

This Notice of Exemption is filed pursuant to the provisions of Section 15062 of the State CEQA Guidelines.

Lead Agency Contact Person:

Jennifer C. Klein

Jennifer C. Klein, Chief Deputy County Counsel

County of Sonoma

(707)565-2421



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

RECEIPT NUMBER:
49-03032023-059

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY COUNTY OF SONOMA	LEAD AGENCY EMAIL	DATE 03/03/2023
COUNTY/STATE AGENCY OF FILING SONOMA	DOCUMENT NUMBER 23-0303-01	

PROJECT TITLE
 DRY CREEK RANCHERIA, BAND OF POMO INDIANS MEMORANDUM OF AGREEMENT

PROJECT APPLICANT NAME COUNTY OF SONOMA	PROJECT APPLICANT EMAIL	PHONE NUMBER (707) 565-2421
PROJECT APPLICANT ADDRESS 575 ADMINISTRATION DRIVE	CITY SANTA ROSA	STATE CA
		ZIP CODE 95403

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | |
|---|------------|----------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,839.25 | \$ _____ |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,764.00 | \$ _____ |
| <input type="checkbox"/> Certified Regulatory Program (GRP) document - payment due directly to CDFW | \$1,305.25 | \$ _____ |

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

- | | | |
|---|----------|------------------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ _____ |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ _____ \$50.00 |
| <input type="checkbox"/> Other | | \$ _____ |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ _____ \$50.00

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE Carrie Anderson, Deputy County Clerk-Recorder
---------------	--