

SHERWOOD VALLEY RANCHERIA



190 Sherwood Hill Drive  
Willits, California 95490

Notice of Intent: Preparation  
of a Tribal Environmental Impact Statement

Sherwood Valley Rancheria Casino Relocation and Expansion Project

TO: Responsible and Trustee Agencies, and Interested Parties

FROM: Tribal Council - Sherwood Valley Rancheria of Pomo Indians of California  
(Sherwood Valley Rancheria)

SUBJECT: Notice of Intent for the preparation of the Draft Tribal Environmental Impact Statement (Draft TEIS) for the Sherwood Valley Rancheria Casino Relocation and Expansion Project. The Draft TEIS will be conducted in accordance with the requirements of the Sherwood Valley Rancheria Environmental Ordinance, the Compact between the Tribe and the State of California ("Compact") and the National Environmental Policy Act (NEPA).

LEAD AGENCY: Sherwood Valley Rancheria (Tribe)

PROJECT TITLE: Sherwood Valley Rancheria Casino Relocation and Expansion Project

PUBLIC SCOPING MEETING: A public scoping meeting will be held on Thursday, December 13, 2007 at 6:30 pm at the City of Willits Conference Room, 111 E. Commercial St., Willits, Ca. Information on the Sherwood Valley Rancheria Casino Relocation and Expansion Project will be presented and comments on the scope of the Draft TEIS will be accepted. Announcement of the meeting will be made in the local newspaper, the Willits News, the Ukiah Daily Journal, by letter to adjacent landowners and interested parties, and posted on the Project website at <http://www.qfirst.net>.

NOTICE OF PREPARATION COMMENT PERIOD: This Notice of Intent (NOI) for the Project initiates the NEPA scoping process and establishes the initial public review period. This thirty day (30) period extends from December 13, 2007 to January 14, 2008. The purpose of this review period is to provide involved agencies and the public with an opportunity to learn about the Project and to solicit comments to assist the Tribe in identifying the range of actions, alternatives, mitigation measures, and environmental effects to be analyzed in the Draft TEIS. The Tribe will use this Draft TEIS when considering discretionary authorizations, permits, and/or other approvals for the Project.

Public and agency comments must be received no later than 5:00 p.m. on January 14, 2008.

PLEASE ADDRESS COMMENTS, QUESTIONS, AND RESPONSES TO:

Tribal Chairman - Sherwood Valley Rancheria  
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Willits, CA

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Approximately 1 month after close of the public review period for the scoping process, the Tribe will complete the Draft TEIR and will provide potential responsible and trustee agencies, interested parties and members of the public an opportunity to review and provide comments on the document.

PROJECT PROPONENT:           Sherwood Valley Rancheria  
  190 Sherwood Hill Drive  
  Willits, CA 95490

#### BACKGROUND:

The current trust land base of the Sherwood Valley Rancheria is comprised of several separate parcels located in and around the city of Willits, California, in Mendocino County. The original Rancheria is located about 12 miles west of Willits on Sherwood Road. The land for the original Rancheria was purchased by the United States Government under Secretarial order in 1909 and 1913, for the benefit of homeless Indians. The title was vested to the United States of America for the Tribe.

The original Rancheria was inadequate to meet the needs of the Tribe. As a result, in 1987, the Tribe purchased a 58-acre parcel situated directly adjacent to the City of Willits southwestern boundary. The parcel is referred to as the Sherwood Valley Rancheria-Willits. This parcel is roughly rectangular in shape, and is served by two access points. There are 35 housing units located on the eastern boundary of the Rancheria, a Community Center and a casino. Drinking water, solid waste and sewer services are provided by the city of Willits. The Tribe has an additional 160-acre parcel that is located 2 miles to the east, on the other side of Little Lake Valley. This parcel, purchased with HUD ICDBG funds, is presently being developed for additional Tribal housing.

The existing Black Bart Casino was constructed in 2001, and is located near the center of the 58 acre parcel. Consisting of 250 slot machines, a small restaurant, and parking lot with RV access, the casino presently employs 95 people. Access to the casino is via either of 2 routes: 1) directly from State Hwy 20 south along Blosser Lane or 2) from Hwy 101 in downtown Willits west from Holly or Walnut Streets along Della Lane. To get to and from the casino, traffic travels through: 1) industrial, residential areas and past Blosser Elementary School (1 mile), or 2) residential neighborhoods (1 mile). These same routes are also presently used for access to the Tribal Community Center and governmental offices.

#### PROJECT DESCRIPTION:

The Project consists of a new casino structure located within the jurisdiction of the Tribe on land held in trust by the U.S. Government. The proposed relocation of the gaming site is from its present location at 100 Kawi Place to approximately seven (7) acres, on top of a knoll near the western border of the rancheria. The planned new facility would be a 35,000± square foot building with upgraded food and beverage facilities and parking for 500 vehicles. Also included in the proposal are improvements in roads and access to the new facility, with casino traffic routed through commercial and industrial areas, using Croypley Lane and/or Blosser Lane. An important goal is to reduce or eliminate casino traffic through the residential areas of the City of Willits.

POTENTIAL ENVIRONMENTAL EFFECTS: The Draft TEIS is being prepared to evaluate potential impacts to the environment and their levels of significance, if any. According to the SVR Environmental Ordinance the TEIS shall contain in detail the following information and analysis:

- a. the off reservation environmental impact of the proposed action;
- b. any adverse off-reservation environmental effects which cannot be avoided should the proposed Project be implemented;
- c. an analysis of the relationship between the local short-term uses of the environment and the maintenance and enhancement of the long-term productivity; and

- d. any irreversible and irretrievable commitments of off-reservation resources which would be involved in the proposed Project should it be implemented.

The following section provides a brief discussion of the environmental factors and anticipated impacts that will be addressed in the Draft TEIS.

**Air Quality.** The Draft TEIS will address regional air quality conditions in Mendocino County and the air quality impacts resulting from the actions incorporated into this Project. Air quality will be examined to determine if the Project would result in a conflict with the Mendocino County Air Pollution Control District regional air quality plan. The Willits Basin is in moderate "non-attainment" of state PM10 standards. Vehicle exhaust and fugitive dust from construction activities on and adjacent to the site, as well as transport of excess material offsite will be considered. Any anticipated operational air quality impacts after construction has been completed will be addressed.

**Noise.** Potential noise impacts associated with Project construction, as well as during operation in the near and distant future, will be assessed in the Draft TEIS. Noise levels will be evaluated for consistency with the Willits Community Plan, the Mendocino County General Plan and Zoning Ordinance, and state and federal standards and guidelines regulating noise on public and private lands.

**Geology and Soils.** Geological and seismic safety and soils stability will be addressed in the Draft TEIS. The Project will require a geotechnical study prior to construction, in order to meet applicable seismic and construction standards. Cut and fill operations will be in conformance with design specifications and recommendations of the geotechnical study.

**Hydrology, Water Quality, and Floodplains.** The Draft TEIS will address any hydrology, water quality, and floodplain impacts that may occur as a result of the Project. The construction phase of the Project will have the potential to temporarily increase sedimentation levels downstream of the Project sites. The increase in paved parking and building areas may increase the rate and quality of water leaving the site and entering downstream creeks and waters of the U.S. While the Project is not within a floodplain, it may affect flood levels in the City of Willits.

**Biological Resources.** Existing biological conditions within the area surrounding the Project site will be described, and potential impacts on wildlife will be assessed. The Draft TEIS will evaluate the likelihood for any construction-related or ongoing significant biological impacts, including effects on endangered or special status plant and animal species, and wetland/special aquatic resources.

Habitat within the Project sites has the potential to support some special-status species (listed and non-listed). Although there is not suitable habitat for anadromous fish species within the Project site, steehead/salmon habitat exists in nearby Broaddus & Baechtal Creeks. Impacts from construction and operation of the new facilities will be addressed. Other special-status and listed species that could occur within the Project boundary include the Northern spotted owl, marbled murrelet, American peregrine falcon, bald eagle, willow flycatcher, and plants Milo Baker's lupine and Baker's navarretia.

Because there are no known listed riparian and terrestrial species under the jurisdiction of U.S. Fish and Wildlife Service within the Project boundary, a Biological Assessment is not expected to be required based on the scope of the Project pursuant to Section 7 of the Federal Endangered Species Act (ESA).

The Project will not encroach upon wetlands. Construction and operational activities associated with the Project could result in temporary and/or permanent impacts to nearby wetlands or waters of the U.S.

features, so a stormwater pollution prevention plan will be developed in accordance with the U.S. EPA Construction General Permit.

**Cultural Resources.** The Project is to be conducted within the ancestral territory of the Sherwood Valley Rancheria. During land acquisition of the project site and surrounding Tribally-owned parcels, several cultural resources record searches and surveys were conducted. The Tribe will notify other local Tribes and the State Historical Preservation Office of the Project to request comments. The TEIS will address impacts to cultural resources, including historical and archaeological, and will have Tribal Monitors available during construction.

**Hazards.** Several environmental assessments and inspections have been conducted in the Project area. The TEIS will evaluate the presence or absence of environmental hazardous likely to exist or be discovered on the project site. The use of any hazardous materials during construction and operation will also be evaluated, along with potential for exposure of the public to significant hazard. The Project is located in the Wildland-Urban Interface; relationships and fire management will be addressed.

**Land Use.** The Project is consistent with Mendocino County's General Plan and Tribal policies. Growth-inducing impacts are not expected to occur as a result of the Project, but will be examined. The Project is not in Prime Farmland nor Timber Reserve areas.

**Socioeconomic/Displacements/Environmental Justice.** There will be no displacement of residences during the Project construction, nor for the proposed relocation and rehabilitation of access roads. Right-of-way acquisition, business impacts and neighborhood traffic patterns will be addressed in the TEIS. Increased employment from the Project may result in beneficial effects to the Native American and local Willits community.

**Public Services/Utilities.** Increased use of public services (police, fire) and utilities may be associated with the Project. Analysis of impacts to the local community and evaluation with already projected expansion of City and County services will be included in the Draft TEIS.

**Visual Resources.** A Visual Impact Analysis will be included in the Draft TEIS describing the existing visual characteristics within and adjacent to the Project boundary and analyzing any potential visual impacts.

**Transportation and Circulation.** Transportation and circulation impacts associated with the Project will be analyzed, including access during construction, and any impacts to traffic on public roads, including State Highway 20, Copley Lane, Blosser Lane, Main Street/ U.S. Highway 101, and city streets. In addition, future interactions between the Project and the U.S. 101-Willits by-pass will be addressed. Activities within existing Right-of-Ways for public roads may require issuance of encroachment permit(s) from the responsible public agency.

**Construction Impacts.** The Draft TEIS will identify and analyze any further short-term construction impacts associated with air quality, noise, water quality, traffic congestion and detours, safety, visual, business access, community facilities, etc.

**Cumulative Impacts.** The Draft TEIS will identify and analyze long term impacts from potential changes in the environment that result from the incremental impact of the proposed project when added to other closely related past, present, and reasonably foreseeable future projects.