

# SECTION 2.0

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## ALTERNATIVES

### 2.1 INTRODUCTION

This section describes the alternatives analyzed within this EIS. These alternatives include four development alternatives as well as the No Action alternative. Consistent with CEQ guidelines (Section 1502.14), this section includes a detailed discussion and comparison of the alternatives analyzed in this EIS.

Alternatives have been selected which could meet the purpose and need as described in **Section 1.0**. Each of the four development alternatives, if chosen, would be developed on the proposed fee-to-trust parcels. All four of the development alternatives include placing the respective parcels into federal trust status. The following alternatives were evaluated in this EIS:

### 2.2 ALTERNATIVES

#### 2.2.1 ALTERNATIVE A – PREFERRED ALTERNATIVE: CASINO, HOTEL, CONFERENCE CENTER, AND PARKING FACILITY

The proposed project consists of placing a 203.5-acre property into federal trust status, and development of a destination resort. Development of the proposed project would disturb approximately 9.3 acres of the property. The Martin Ranch site is currently undeveloped with the exception of a single-family residence, associated outbuildings, and barn. The Tribe proposes to develop the site for recreation/tourism by constructing a hotel, conference center, parking facilities, and casino. The Tribe's existing gaming facility will be closed upon completion of the project, with gaming operations moving to the new site, approximately 1 mile south. **Figure 2-1**, **Figure 2-2**, and **Figure 2-3** show the conceptual site plan, conceptual floor plan, and architectural rendering of the proposed development. The new casino and all support facilities would be constructed consistent with the State of California building codes which include electrical, mechanical, plumbing, energy, fire protection, seismic, and other standards. It would include an indoor sprinkler system and existing shade trees would be preserved to the extent possible for air quality, noise, and aesthetic considerations. The existing residence, barn, and associated facilities may be utilized during the construction phase. Continued agricultural use of the Coastal Zone portion of the property would not be precluded.

**Insert Figure 2-1- Conceptual Site Plan**

**Figure 2-2- Conceptual Floor Plan**

**Insert Figure 2-3- Conceptual Elevations**

Alternative A would create 200 jobs; the remainder of employees would be relocated from the Tribe's existing casino. Both the casino and hotel would be open 24 hours a day. Approximately 581,000 to 628,000 visitors are expected per year. Alternative A is expected to generate approximately 3,442 trips per day, which includes trips in and trips out of the facilities. Alternative A is described in more detail below.

#### ***LAND TRUST ACTION***

As part of Alternative A, a 203.5-acre property currently owned in fee title would be placed into federal trust status for the Tribe. The fee-to-trust acquisition would be made in accordance with the procedures set forth in 25 CFR §151. The Tribe's fee-to-trust application provides detailed information on the land being taken into trust. The regulations in 25 CFR §151 implement Section 5 of the Indian Reorganization Act (IRA), codified at 25 USC §465. Section 5 of the IRA is the basic statute that provides the Secretary of the Interior with authority to acquire lands in trust status for tribes and individual Indians. Section 20 of the Indian Gaming Regulatory Act (IGRA), codified at 25 USC §2719, does not provide the Secretary with authority to acquire land in trust; rather, it allows gaming on Tribal lands acquired after passage of the statute provided certain conditions enumerated in Section 20 are present. If a tribe is seeking to acquire off-reservation land in trust for gaming purposes, it must make an application to the BIA under the 25 CFR Part 151 regulations and must comply with IGRA. The Tribe's existing gaming facility, which consists of a 26,500 square foot casino with approximately 300 paved and unpaved parking spaces, will be closed upon completion of the project, with gaming operations moving to the new site, approximately 1 mile south.

#### ***PROPOSED GAMING FACILITY***

An approximately 40,000 square foot casino/bingo facility is proposed, including approximately 400 slot machines and 60 gaming tables, a 500-seat bingo/multi-function facility, restaurant and administrative/support space. The restaurant would be situated to conveniently serve the casino, hotel and conference patrons. The bingo facility would be convertible to meeting/conference space to serve larger group needs and also to serve as an entertainment venue for the resort. The proposed facility components are shown in **Table 2-1**.

#### ***HOTEL***

A 156-room hotel is proposed in conjunction with the conference center and casino. It would be located near the back of the site to avoid wetlands and coastal resources and to maximize the ocean view. The facility would be three stories with all rooms having an ocean view.

#### ***CONFERENCE CENTER***

A 20,000 square foot conference center is proposed between the casino and hotel. The space would be flexible to serve both large and small groups and would feature non-fixed seating.

**TABLE 2-1**  
**PROPOSED FACILITY COMPONENTS**

COMPONENT	SQUARE FOOTAGE
<b>Casino/Bingo Facility</b>	<b>40,000</b>
Gaming Floor	7,876
Gaming Floor	1,500
Bingo (500 seats)	10,000
Dining (Buffet - service area and 135 seats)	3,000
Dining (Steak House - 65 seats)	1,350
Lounge (60 seats)	900
Gifts	650
Kitchen	2,200
Cage	1,200
Entry	1,000
Restrooms	1,500
General Circulation	9,574
<b>Total:</b>	<b>40,000</b>
<b>Convention Center (non-fixed seating):</b>	<b>20,000</b>

SOURCE: Group West Associates LLC, 2005.

### ***PARKING FACILITY***

Approximately 1,250 parking spaces would be provided for the project in surface parking lots and a parking structure located below the events center.

### ***WATER SUPPLY***

Domestic water for the project would be provided by the City of Crescent City and/or the Bertsch Ocean View Community Services District (BOVCSD) as described in the Tribe's Memorandum of Understanding (MOU) with Del Norte County (**Appendix F**), and in a letter from the City of Crescent City (**Appendix I**). The BOVCSD serves a small outlying area just east of Crescent City. The District contracts with the City for its water service. The resort would connect to the BOVCSD water main or a new main connection to City water, at the Rancheria's property line. The average daily potable water demand is estimated to be 154,000 gallons per day. Major components of the water supply system within the property would include:

- 3-inch or 4-inch pipeline connection at the property line;
- 3-inch or 4-inch polyvinyl chloride (PVC) pipeline from connection to on-site storage reservoir;
- 500,000 to 700,000-gallon buried storage tank or one at-grade reservoir;
- 200-gpm potable booster pump station (10 horsepower [Hp]) and 2,000-gpm fire booster pump station (100 Hp);
- Electrical service to operate on-site pump stations – connected load = 125 Hp;
- Emergency diesel generator for power outages.

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### ***WASTEWATER TREATMENT AND DISPOSAL***

Eight alternatives and several wastewater flow scenarios have been evaluated (MWH America, Inc., 2004b; **Appendix M**). The alternatives are summarized in **Section 4.9.1**. The estimated average daily wastewater flow from the proposed project would be 100,000 gallons per day with a peak flow of 150,000 gallons per day. Alternative A includes construction of on-site wastewater pretreatment and pumping facilities so that flows could be pumped to the City system. This will require the installation of a grease trap, pH control system, flow measurement device, pump station, and force main by the Tribe to connect with the City's sewer main at the Rancheria's property line (see MWH, America, Inc., 2004b; **Appendix M**).

### ***GRADING AND DRAINAGE***

The proposed project would involve grading and excavation for building pads and parking lots. Cuts and fills will be balanced such that there is no significant import or export of fill from the site.

### ***ROADWAY IMPROVEMENTS***

The Tribe would provide frontage improvements at the intersection of Humboldt Road, Sandmine Road and the Tribe's project driveway. The access road on the Martin Ranch site would be widened from 16 feet to 24 feet, providing two 12-foot lanes. Where the access road meets Humboldt Road, acceleration and deceleration lanes would be added. Pursuant to the MOU (**Appendix F**), the County would perform a final inspection of road improvements to verify construction according to County approved permits. The County would be responsible for the balance of the project costs beyond amounts to be paid by the Tribe under the MOU. Where new road construction is required the proposed project would span several creek and/or drainage channels by using either inverted "U" culverts or clear span bridges.

### ***PROJECT CONSTRUCTION***

The proposed project would be constructed after the 203.5-acre property has been placed into federal trust. Construction would involve earthwork, placement of concrete foundations, steel and wood structural framing, masonry, electrical and mechanical work, building finishing, and paving, among other construction trades.

### ***BUILDING AND SAFETY STANDARDS***

The Tribal-State Compact between the Tribe and the State of California excludes persons under the age of 21 from Class III gaming areas and areas where alcoholic beverages may be consumed, to the extent required by the state Department of Alcoholic Beverage Control. It also requires compliance with building and safety codes that are at least as stringent as those of Del Norte County or the Uniform Building Code, including all uniform fire, plumbing, electrical,

mechanical, and related codes in effect. The County would assist the Tribe in implementing the subject building standards by assigning a building inspector as needed on site to conduct inspections on a timely basis. Pursuant to Section 10.8 of the Compact, the Tribe adopted an *Off-Reservation Impact Ordinance (Appendix J)* that addresses the process for reviewing any off-reservation environmental impacts of the project. In accordance with that Ordinance and the National Environmental Policy Act, this environmental document is being prepared and circulated to various state and local governmental agencies. The Tribe will consider all the comments received from the circulation of this document.

### ***PUBLIC SERVICES***

#### ***Law Enforcement***

To avoid/reduce potential impacts to law enforcement services, the following operational measures are incorporated into the project and are covered by a Memorandum of Understanding with the County of Del Norte as restated in a letter from the Office of the Sheriff-Coroner (**Appendix F** and **Appendix Y**):

- The Tribe will provide trained security staff to handle security issues within the gaming facility during operating hours. All security guards will carry two-way radios so as to respond to back-up and emergency related calls. This will aid in the prevention of criminal activity within the gaming facilities.
- The Tribe will engage the Office of the Sheriff-Coroner to implement a cross-deputization agreement.
- All parking areas will be well lit and monitored by parking, and/or roving security guards at all times during operation. This will aid in the prevention of auto theft and other related criminal activity.
- Areas surrounding the gaming facilities will have “No Loitering” signs in place, will be well lit and will be patrolled regularly by roving security guards. This will aid in the prevention of illegal loitering and all crimes that relate to illegal loitering.
- The Tribe will provide traffic control with appropriate signage and the presence of peak-hour traffic control staff. This will aid in the prevention of off-site parking, which could create security issues.

### ***HAZARDOUS WASTES***

The Tribe will include the following requirement in construction contract specifications for construction activities associated with the Martin Ranch site: “If contaminated soil and/or

groundwater is encountered or if suspected contamination is encountered during project construction, work shall be halted in the area, and the type and extent of the contamination shall be determined. A qualified environmental professional, in consultation with appropriate regulatory agencies, shall then develop an appropriate method to remediate the contamination.” If necessary, the Tribe will implement a remediation plan in conjunction with continued construction.

### **2.2.2 ALTERNATIVE B – GOLF COURSE, HOTEL, CONFERENCE CENTER, AND PARKING FACILITY (NON-GAMING ALTERNATIVE)**

This alternative differs from Alternative A in that the casino would be eliminated from the proposed project, and an 18-hole golf course and maintenance facility would be added. The hotel and conference facilities would be sited higher on the hill and farther south than under Alternative A. A conceptual site plan of the non-gaming alternative is provided in **Figure 2-4**. This alternative would require the disturbance of 103 acres of land and the fill of 9.5 acres of wetlands.

Alternative B would require installation of an irrigation system to provide water for the golf course. The system could include on-site wells, a water reservoir, or a recycled water system to supplement potable water supplies. The existing residence, barn, and associated facilities may be utilized during the construction phase.

#### ***GOLF COURSE***

An 18-hole golf course is proposed that would surround the hotel and conference facilities. The golf course would include multiple tees, greens, fairways, sand traps, cart paths, a driving range, practice putting green, practice chipping green, and maintenance area. A 2,500 square foot clubhouse would also be built as part of this development. The layout of the golf course would, to the greatest extent possible, avoid and protect the wetlands on the site.

#### ***Golf Course Construction and Design Components***

- The course would be configured to avoid or minimize disturbance to wetlands, perennial and intermittent streams, slopes, forest stands and habitat features. Long, broad fairways would be discouraged.
- No more than two fairway crossings would be allowed for each 1,000 feet of stream or drainage length. These crossings must be perpendicular to the stream. If forests or wetlands are present at the crossing, this zone would be managed as unplayable rough and remain undisturbed as early successional forest or wetland.

**Insert Figure 2-4- No Casino Alternative**

- Cartways and footpaths that cross the stream corridor would be narrow and constructed of timber on wooden pilings.
- All necessary permits and approvals would be obtained from the USACE, USEPA, and California Coastal Commission (CCC). Permits may include a Section 404 Permit for filling waters of the United States, a Section 401 Water Quality Certification, and Biological Opinion and Incidental Take Statement from the USFWS.
- No more than 25 percent of the pre-existing forest cover would be removed during course construction.
- Constructed ponds would not be allowed in streams.
- A series of vegetative filtering mechanisms such as swales, forest buffers, and infiltration trenches would be provided around greens and tees where nutrient and pesticide application is greatest.

### ***Golf Course Operations***

- An integrated pest management (IPM) program would be used to reduce chemical applications to greens, tees, and fairways. The IPM plan would emphasize the selection of drought and disease-resistant turf that requires less maintenance, utilizes biological controls rather than chemicals, and carefully regulates the selection and application of pesticides. The use of slow-release fertilizers would also be encouraged to minimize the leaching of nitrates into groundwater.
- The irrigation system would be designed to consider the water supply, need for reuse, drainage requirements and water quality issues.
- Fertilizer application would be based on soil or vegetation tests to avoid over-application. Soil testing would include direct observation, excavated pits or borings, sampling and review of soil surveys. Diagnosis would also include irrigation water sampling to test salinity levels, soil sampling to test for nematode infestation, or tissue sampling to evaluate disease levels.
- Proper clipping management and disposal techniques would be employed to prevent pollution, drainage clogs, odor, or pest problems.

- Soluble fertilizers would be applied in split applications, rather than one large application to allow the turf the time to take up fertilizer and limit the presence of excess that may move to water resources.
- The Tribe would use slow-release sources of fertilizers around sensitive water areas, in sandy soils, or when long-term turf maintenance is all that is needed.
- Over-irrigation would be avoided to reduce leaching of fertilizers through the root zone.
- All storage areas at the pesticide storage facility would be kept locked. Keys would be provided only to those individuals with a pesticide applicator's permit. Proper labeling would be in place, including warning signs and signs designating the location of safety showers and eyewashes. Proper lighting and ventilation would be provided.
- Material Safety Data Sheets would be up-to-date and in properly labeled racks or holding areas.
- Absorbent, to help absorb any spills, would be stored in a clearly labeled container.
- Buffer strip areas would be used around water zones by leaving turf. Pesticides would not be applied in those areas.
- Problem weeds would be spot sprayed to reduce pesticide application. Scouting and mapping would be used to control pest and weed problems and efforts would be concentrated on problem areas. Backpack sprayers rather than mass applications would be utilized.
- Pesticide application would be avoided if heavy rainfall is expected or if heavy irrigation is planned.
- Employees would read labels, know soils, and inspect sprayers. All nozzles would be checked for signs of wear or incorrect spray pattern, and would be changed as needed. Sprayers would be checked to make sure they are calibrated correctly, and that the correct volume of spray is being delivered. Low-volume sprayers or mist sprayers would be considered to improve accuracy and deliver pesticides at a low volume.
- Employees would spray early in the morning or late in the day to avoid windy conditions. Spraying would not be conducted on days when drift could harm surrounding water sources or non-target vegetation.

- ID manuals, county agents, state specialists, and other sources would be used to identify weeds, diseases, insects, and nematodes.
- Pest control alternatives like biocontrol products, biopesticides, and other products would be considered that might provide pest control with limited secondary environmental impact.

Certified pesticide applicators would be trained in all areas of pesticide safety. This should include proper sprayer calibration, sprayer use, pesticide mixing, pesticide storage, and pesticide disposal.

### ***IRRIGATION SYSTEM***

Major components of the water supply system within the property would include:

- 3-inch or 4-inch pipeline connection at the property line;
- 12-inch reclaimed water pipeline connection at the property line;
- 3-inch or 4-inch PVC pipeline from connection to on-site storage reservoir;
- 12-inch reclaimed water PVC pipeline from on-site connection to an on-site reclaimed water storage reservoir;
- 7 million gallon lined and uncovered irrigation reservoir;
- 500,000 to 700,000-gallon buried storage tank or one at-grade reservoir;
- 200-gpm potable booster pump station (10 Hp) and 2,000 gpm fire booster pump station (100 Hp);
- Irrigation system booster pumps;
- Electrical service to operate on-site pump stations – connected load = 125 Hp;
- Emergency diesel generator for power outages.

### **2.2.3 ALTERNATIVE C – CASINO, HOTEL, CONFERENCE CENTER, GOLF COURSE, AND PARKING FACILITY**

This alternative is similar to Alternative B except that the casino would be included as part of the project. A conceptual site plan is provided in **Figure 2-5**. As with Alternative B, Alternative C would require the disturbance of 103 acres of land and the fill of 9.5 acres of wetlands.

An 18-hole golf course is proposed to surround the casino/resort area of the site including multiple tees, greens, fairways, sand traps, and cart paths. This component of the project would also include a driving range, practice putting green, practice chipping green, and maintenance

**Insert Figure 2-5 – Alternative C**

area. A 2,500 square foot clubhouse would also be built as part of this development. The layout of the golf course would, to the greatest extent possible, avoid and protect the wetlands on the site. The golf course construction, design, and operational components would be the same as for Alternative B.

Alternative C would require installation of irrigation water infrastructure to provide water for the golf course, including on-site wells, a water reservoir, or a recycled water system to supplement potable water supplies. The existing residence, barn, and associated facilities may be utilized during the construction phase.

#### **2.2.4 ALTERNATIVE D – ENDERTS BEACH DEVELOPMENT**

Under this alternative, the BIA would place approximately 22 acres adjacent to the Pacific Ocean off Enderts Beach Road (**Figure 2-6**) into federal trust for the purposes of constructing an approximately 40,000 square foot casino/bingo facility, which would include slot machines and table games, a 500-seat bingo/multi-function facility, restaurant and administrative/support space. The bingo facility would be convertible to meeting/conference space to serve larger group needs and also to serve as an additional entertainment venue for the resort. A 20,000 square foot meeting/convention center would also be included. The proposed facility components would be the same as those described for the Proposed Action. The Enderts Beach Alternative would also include a 156-room hotel, including nine (9) detached fourplex bungalows. This alternative would not include a golf course. A conceptual site plan of the Enderts Beach Alternative is shown in **Figure 2-7**.

#### **2.2.5 ALTERNATIVE E – NO ACTION**

Under the No Action alternative, the Martin Ranch property would not be placed into federal trust for the benefit of the Tribe, and would not be developed as described under the development alternatives. Land use jurisdiction of the property would remain with Del Norte County. The site would continue to be used for ranching and open space in the short term, but could ultimately be developed consistent with county regulations. Under this alternative, the Tribe would not attain its basic objectives of promoting economic development, self-sufficiency, and a strong Tribal government and of constructing a casino/resort for the employment, use and overall benefit of the Tribe.

The No Action alternative would avoid the environmental effects associated with implementation of the Proposed Action. However, the No Action alternative would be less preferable than the Proposed Action since no added benefit to the Tribe or nearby communities would occur.

**Insert Figure 2-6- Enderts Beach Aerial**

**Insert Figure 2-7- Enderts Beach Casino Conceptual Site Plan**

### **2.3 ALTERNATIVES ELIMINATED FROM FURTHER CONSIDERATION**

The Tribe has considered developing and expanding its current gaming operation, which is currently located in the southeastern portion of the Rancheria and is on an individual trust allotment. The current site is fully developed. Any expansion of the casino would require the use of off-reservation land for parking. Also, off-reservation land would be needed for a hotel, conference facilities, and golf course. The location of the Rancheria and adjacent areas is not appropriate for further development of these types of facilities. The economic viability of gaming is much greater if it is located off Highway 101 where the facilities have superior access to customers (Miller, pers. comm., 2006). The existing Elk Valley Casino is not visible or readily accessible to Highway 101. Howland Hill Road is the only access to the site. This road would not be adequate to accommodate traffic generated by an expanded casino and hotel. Development of the project adjacent to the current Rancheria would not be compatible with the surrounding land uses. Furthermore, the Tribe's lease of individual trust land for gaming is set to expire in 2006 and there is no assurance that the lessor would renew the existing lease. Therefore, the expansion of the existing casino is not a viable alternative. The existing market would not support a factory retail outlet (Miller, pers. comm., 2006). This alternative has been eliminated from further consideration.

Several locations on the Martin Ranch property were considered for siting of the project. The location for Alternative A was chosen based on site constraints including the Coastal Zone, forested habitat, and segments of a historic trail. The proposed location for Alternative A was the only location avoiding these areas and sized to meet the economic needs of the Tribe. Other locations for the Proposed Project on the Martin Ranch site were eliminated from further consideration.

### **2.4 COMPARISON OF ALTERNATIVES**

#### ***ALTERNATIVE A – PREFERRED ALTERNATIVE: CASINO, HOTEL, CONFERENCE CENTER, AND PARKING FACILITY***

Alternative A differs from two of the three other action alternatives in that a golf course would not be built. Unlike Alternatives B and C, the Preferred Alternative would be built on the north end of the property. While the revenue stream would be less than that of a resort with a golf course, the Tribe selected Alternative A since it is a more environmentally sensitive alternative than an alternative having a golf course. With no golf course there would be less potential impact to wetlands, woodlands, and water quality.

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***ALTERNATIVE B – GOLF COURSE, HOTEL, CONFERENCE CENTER, AND PARKING FACILITY  
(NON-GAMING ALTERNATIVE)***

Alternative B differs from Alternative A and the Enderts Beach Casino Alternative in that a golf course, clubhouse, and maintenance facility would be included in the project; however, unlike Alternatives A, C, and D, a casino would not be built, and the Tribe would continue to operate its existing casino on Howland Hill Road. This alternative would cause greater wetland and woodland impacts than Alternative A.

***ALTERNATIVE C – CASINO, HOTEL, CONFERENCE CENTER, GOLF COURSE, AND PARKING FACILITY***

This alternative is similar to Alternative B. As with Alternative B, the hotel, conference facilities, and golf course (including the clubhouse, and maintenance facility) would be located farther south than under Alternative A. A casino gaming facility would be added to the project. This alternative would generate the greatest amount of traffic and air emissions, and would also impact wetlands and other habitats through more intensive land development.

***ALTERNATIVE D – ENDERTS BEACH DEVELOPMENT***

Implementation of the Enderts Beach Casino Alternative would result in significant environmental impacts on water resources, biological resources, cultural resources, and land use due to its proximity to the Pacific Ocean and its sensitive habitats. The site would be much smaller than the Martin Ranch alternatives (A, B, and C), and a golf course would not be included. Alternative D would also entail the building of new infrastructure (principally wastewater and potable water pipelines along Highway 101), further degrading the sensitive habitats along the highway. This alternative would have the greatest impact on the Coastal Zone.

***ALTERNATIVE E – NO ACTION***

The No Action alternative would avoid all environmental effects associated with the implementation of the development alternatives. However, the No Action Alternative would not meet the purpose and need of the Tribe, as no economic benefit to the Tribal Government, Tribal members, or the adjoining communities would occur.

**2.5 SELECTION OF ALTERNATIVE A – PREFERRED  
ALTERNATIVE: CASINO, HOTEL, CONFERENCE CENTER,  
AND PARKING FACILITY**

Of the alternatives evaluated within this EIS, Alternative A would best meet the purpose and need of the Tribe. Alternative A would provide the Tribe with the best opportunity of securing a viable means of attracting and maintaining a long-term, sustainable revenue stream, and protect the wetlands and woodlands of the site.

Alternatives B and C, while attracting destination resort visitors by virtue of the golf course, would require more than 9 acres of wetland fill to properly configure the fairways, tees, and greens. Alternative B does not contain the proposed gaming facility, and thus an important stream of revenue would not be realized. Therefore, Alternative A has been designated as the Preferred Alternative.

## **2.6 REGULATORY REQUIREMENTS, PERMITS AND APPROVALS**

Implementation of the Proposed Action will require Tribal, federal, and state permits and approvals. **Table 2-2** identifies each responsible agency and the potential permit or approval required. Upon the transfer of the land into trust, local land use jurisdiction will shift from Del Norte County to the Tribe and the BIA. There will be no change in the authority of the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service in enforcing the Clean Water Act and the Endangered Species Act, respectively, after the land is in trust. Similarly, the EPA will retain all its authorities under a variety of federal laws (such as the Clean Air Act and the Safe Drinking Water Act) after the land is in trust. The Coastal Zone Management Act would still be applicable to any future action that would otherwise be subject to federal action. The findings of the California Coastal Commission consistency determination are included as **Appendix Q** and discussed further in **Section 4.8**.

**TABLE 2-2**  
**POTENTIAL PERMITS AND APPROVALS REQUIRED**

<b>Agency</b>	<b>Permit or Approval</b>	<b>Alternative</b>
<b>Federal</b>		
Secretary of the Interior	Transfer of the project/alternative area into federal trust status for the Tribal Government.	A, B, C, D
	Section 20 Determination "Indian lands eligible for Gaming" (Indian Gaming Regulatory Act)	A, C, D
U.S. Environmental Protection Agency	National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges From Construction Activities as required by the Clean Water Act.	A, B, C, D
	Water Quality Certification under Section 401 of the Clean Water Act if wetlands are directly impacted.	A, B, C, D
U.S. Army Corps of Engineers	Approval of permit(s) under Section 404 of the Clean Water Act for the filling of jurisdictional wetlands/waters.	B, C, D
U.S. Fish and Wildlife Service	Section 7 Consultation under the Federal Endangered Species Act if endangered species may be affected by the project.	A, B, C, D
Bureau of Indian Affairs	Coastal Zone Management Act Federal Consistency Determination.	A, B, C, D
U.S. Department of Housing and Urban Development	Approval of Funding for Infrastructure.	A, B, C, D
<b>State</b>		
California Coastal Commission	Concurrence with Consistency Determination.	A
	Approval of water quality, hydrology, lighting, signs, roads, sewer and water infrastructure, landscaping and revegetation, and building plans as applicable and listed in the Coastal Commission Findings ( <b>Appendix Q</b> ).	A
	Approval of a Coastal Zone Permit.	B, C, D
California State Historic Preservation Office	Consultation under Section 106 of the National Historic Preservation Act.	A, B, C, D
<b>County</b>		
Del Norte County Department of Public Works	Approval of an Encroachment Permit to permit the construction of improvements along the property frontage with Humboldt (or alternatively, Enderts Beach) Road.	A, B, C, D

Alternative A – Casino, Hotel, Conference Center, and Parking Facility

Alternative B – Golf Course, Hotel, Conference Center, and Parking Facility (Non-Gaming Alternative)

Alternative C – Casino, Hotel, Conference Center, Golf Course and Parking Facility

Alternative D – Enderts Beach Development

Alternative E – No Action

SOURCE: AES, 2005.