

## 4.8 RESOURCE USE PATTERNS

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

#### *TRANSPORTATION NETWORKS*

The Proposed Action would result in the construction of a casino/resort project near the intersection of Humboldt Road and Highway 101. The project would result in impacts to local roadways and area intersections due to the introduction of project traffic. Whitlock & Weinberger Transportation, Inc. (W-Trans) conducted traffic studies for the project from 2002 to 2006. The results of the 2006 impact analysis are summarized below and presented in **Appendix C**.

#### *Project Trip Generation*

Trip generation estimates relate land uses to the number of persons or vehicles entering or exiting a project site and the rates of inbound/outbound directional splits for given projects, including support facilities. The number of vehicular trips to and from the proposed project was calculated for weekday PM peak hour conditions.

The proposed project is expected to generate a total of 3,442 trips per day. Of these, approximately 314 trips are projected during the PM peak hour on typical days. Approximately 148 of these trips would be inbound trips and approximately 166 would be outbound trips. There would be an incremental increase in the number of trips to Redwood National Park and Jedediah Smith Redwoods State Park.

**Table 4-13** provides a summary of trips that are projected to be generated from the proposed project.

**TABLE 4-13**  
PROJECT TRIP GENERATION SUMMARY

Land Use	Daily		Weekday P.M. Peak Hour			
	Rate	Total Trips	Rate	Total Trips	Trips In	Trips Out
Casino (40.0 ksf)	51.26	2,050	5.13	205	94	111
Hotel (156 occupied rooms)	8.92	1,392	0.70	109	54	55
<b>Total</b>		3,442		314	148	166

NOTES: ksf = thousand square feet.

SOURCE: Whitlock & Weinberger Transportation, Inc. 2006.

### ***Project Trip Distribution & Assignment***

Trip distribution characteristics were based on market research conducted for the Elk Valley Rancheria. The market study includes information regarding the likely proportion of local versus tourist patrons and their origins. The circular “capture area” analyzed by the study is defined as a 100-mile radius from downtown Crescent City.

Based on these criteria, trip distribution to the proposed project was assumed to generally be as follows:

- 71% will be oriented to and from Highway 101 north of the site.
- 25% to and from Highway 101 south of the site.
- 4% to and from Humboldt Road and the Elk Valley Rancheria to the north.

### ***Existing Plus Project Conditions***

Traffic impacts are evaluated by comparing existing traffic conditions with estimated existing plus project conditions. The addition of project traffic is expected to slightly raise average vehicle delays at most of the study intersections, but is not expected to result in substandard operating conditions (Whitlock & Weinberger Transportation, Inc., 2006; **Appendix C**).

### ***Intersection Volumes***

Project trips for the proposed project were added to existing (no project) intersection volumes for weekday PM peak hour, and are depicted in **Figure 3** of **Appendix C**.

### ***Intersection Operations***

As stated in **Section 3.0**, the study intersections near the project area are currently operating at a LOS of C or better. Intersection levels of service for existing conditions, and existing plus project conditions were calculated for each study intersection, and are summarized in **Table 4-14**.

Under existing conditions, and with the addition of project-related traffic, all study intersections are projected to continue operating within acceptable limits. Operating conditions of LOS C or better are anticipated at all of the study intersections (Whitlock & Weinberger Transportation, Inc., 2006; **Appendix C**).

The intersection of Humboldt Road/Sandmine Road is projected to operate acceptably upon the addition of an improved east leg driveway to the proposed project (Whitlock & Weinberger Transportation, Inc., 2006; **Appendix C**).

**TABLE 4-14**  
EXISTING PLUS PROJECT INTERSECTION LEVEL OF SERVICE

Intersection Approach	Existing Conditions		Existing Plus Project	
	Delay	LOS	Delay	LOS
<b>Highway 101/Elk Valley Road</b>	25.1	C	25.0*	C
<b>Highway 101/Sandmine Road</b>				
<i>WB (Sandmine Rd) approach</i>	10.2	B	11.4	B
<i>SB (Highway 101) left-turn</i>	8.1	A	8.4	A
<b>Highway 101/Humboldt Road</b>				
<i>EB (Humboldt Rd) approach</i>	11.9	B	12.1	B
<i>WB (Enderts Beach Rd) approach</i>	12.0	B	13.6	B
<b>Humboldt Road/Sandmine Rd</b>				
<i>EB (Project Access) approach</i>	9.6	A	13.2	B
<i>WB (Sandmine Rd) approach</i>	--	--	11.5	B

NOTES: LOS = Level of Service.

\*The weighted average delay for this intersection as a whole decreases with the addition of project traffic. The assignment of the project trips results in increased volumes on movements that have average delays below the overall intersection average. Because this increases the weighting of these below-average movements, the overall average is thereby reduced.

Delay is measured in average seconds per vehicle.

SOURCE: Whitlock & Weinberger Transportation, Inc. 2006.

### *Roadway Operations*

All roadways expected to serve the project are well below capacity. For example, Highway 101 from Requa Road to Sandmine Road is currently only at 25% capacity. Highway 101 from Sandmine Road to Crescent City Limits is only at 20% capacity. Humboldt Road from Highway 101 to Howland Hill Road is only at 11% capacity. Intersection operations are also an indicator of roadway performance. As stated above, all project intersections are expected to perform at acceptable levels of service with the addition of project traffic.

A queuing analysis was performed at the intersection of U.S. 101/Sandmine Road, as the majority of project traffic would be expected to turn left at this intersection from northbound Highway 101. Existing storage can accommodate approximately 5 vehicles and with project traffic the maximum queue would be 6 vehicles. As intersections would continue to operate at an acceptable level of service this impact is considered less than significant. It is recommended that the storage be lengthened as a non-project approval as discussed below.

While intersections will operate at an acceptable level of service the traffic study and commenters recommend several measures to improve the roadways and intersections for project traffic. These measures include:

- The addition of right-turn overlap phasing on the westbound approach of the intersection of U.S. 101 and Elk Valley Road;

- Installation of a roundabout at the intersection of Humboldt Road and Sandmine Road;
- Widening of the shoulder on northbound U.S. 101 to provide a deceleration lane for vehicles turning right onto Humboldt Road;
- Placement of directional signs directing patrons to use Sandmine Road intersection when traveling to and from U.S. 101 north of the site, and Humboldt Road when traveling to and from U.S. 101 south of the site;
- Providing manual traffic control in the study area for special events in the convention center;
- Providing fixed-route service to the proposed project through Redwood Coast Transit;
- Lengthening of the southbound left-turn lane storage on U.S. 101 at Sandmine Road from 125 feet to 300 feet in order to accommodate increased traffic to the project.

As discussed above, the project is expected to have a less than significant impact on the local transportation network; therefore, these recommendations are not required as mitigation but should be taken into consideration for potential non-project improvements. The Memorandum of Understanding (MOU) with Del Norte County addresses potential future non-project improvements subject to the County and Caltrans permit process (**Appendix F**). These include improvements to: the intersection of U.S. 101 and Humboldt Road; the intersection of U.S. 101 and Sandmine Road; and frontage improvements at the intersection of Humboldt Road, Sandmine Road and the Tribe's project driveway. The existing storage at the U.S. 101/Sandmine Road is considered inadequate with the addition of project traffic and this impact is considered significant. Mitigation is listed in **Section 5.2.7** to increase storage length to accommodate project traffic.

#### **LAND USE**

The site lies within the City of Crescent City's Planning Area, but outside of its City Limits, Urban Boundary, or Sphere of Influence. Surrounding land uses include agricultural, residential, commercial and open space uses on non-tribal public and private lands. If the BIA takes the subject property into federal trust, the Tribe would be exempt from complying with Del Norte County land use regulations and the proposed casino/hotel/conference center would introduce new commercial development within Del Norte County. However, the Tribe desires to work cooperatively with local and state authorities on matters related to land use, including any necessary improvements to area roadways, public safety issues, and other developmental policies. The Tribe would be subject to the Federal Clean Water Act and Endangered Species Act. As good neighbors and stewards of tribal land, the Tribe would employ Best Management Practices in its land management operations.

Although no local land use policies or regulations would apply to the property under the Proposed Action, the Del Norte County Coastal Element (1983 LCP) specifically allows development of

public or quasi-public uses, such as a community education center on the subject property. Additionally, the Tribe's MOU with Del Norte County (**Appendix F**) states that on or before the effective date of the MOU, the Tribe shall zone the property Planned Unit Development under its Zoning Ordinance. The Tribe shall give thirty (30) days public notice to the County of the meeting/hearing at which the Tribal Council acting as the Tribal Planning Commission would consider adoption of a specific plan for development of the property. The County shall have the right to review and comment on the Plan and to be present at and submit documents and testimony to the Tribal Planning Commission on the Plan at the hearing. The Tribal Planning Commission shall, in good faith, consider the County's comments and shall make reasonable effort to incorporate the County's comments or recommendations into the Plan. The Plan adopted by the Tribal Planning Commission shall be reasonably consistent with the County's General Land Use Plan subject to the Tribe's purposes in entering into the MOU.

Due to the unique legal and regulatory framework applicable to the Proposed Action, the mixed use nature of the project vicinity, urban uses allowed by existing land use regulations and the fact that the Tribe and the County will work cooperatively to address potential issues related to land use, potential impacts related to land use consistency or compatibility are considered insignificant. No mitigation is required.

#### ***Consistency with Federally Approved Coastal Management Program***

The State of California's federally approved coastal management program is carried out through local governments. Implementation is accomplished primarily through the preparation of Local Coastal Programs (LCP's) to be completed by each of the 15 counties and 59 cities located in whole or in part in the coastal zone. Local coastal programs are certified by the California Coastal Commission (CCC), one of two designated coastal management agencies for the purpose of administering the Federal Coastal Zone Management Act (CZMA) in California. After certification of an LCP, coastal development permit authority is delegated to the appropriate local government, with the exception of certain specified lands (such as tidelands and public trust lands). The CCC has appellate authority over development approved by local governments in specified geographic areas as well as certain other developments. The Del Norte County LCP was certified by the CCC in October of 1983 and the County assumed permitting authority in February of 1984. In December 2000, the County received a grant to update its LCP. Although underway, this process has not been completed.

The Proposed Action would be undertaken in a manner that is consistent to the maximum extent practicable with the policies of this program. The proposed land uses included within the Proposed Action include low-density commercial outdoor recreation and entertainment. The site layout preserves considerable open space and has undergone numerous design changes to avoid sensitive habitats and surface waters identified in the initial environmental evaluation of the

project. Numerous mitigation measures and Best Management Practices (BMPs) would be implemented to address potential adverse impacts to water quality, drainage facilities, special-status species, etc. The enforceable policies of the LCP are reflected in the applicable coastal general plan and zoning designations, which specify the planned land uses and the types of land uses allowed in each zoning district. The Coastal Zone portion of the site contains land designated Agriculture General and Resource Conservation Area (RCA). Relevant policies allow for the creation of new five-acre parcels in the coastal zone and the construction of single-family dwellings on each parcel created.

Additional parcels could be created in the non-coastal portion of the Martin Ranch property. Agriculture including row crops and agricultural structures are also allowed. Additional dwellings are allowed with a Use Permit. The coastal portion of the site contains A-5 zoning, which would allow for dairies, orchards, and multi-unit greenhouses. The proposed casino/hotel/conference center facility would be located east (outside) of the coastal zone boundary. The wetland areas designated RCA allow for wetland restoration, recreational trails, hunting and fishing, wells, agriculture, maintenance, etc. The BIA's Consistency Determination is included in the EIS as **Appendix N**. The findings of the California Coastal Commission consistency determination are included as **Appendix Q**. The Commission conditionally concurred with the Consistency Determination of the BIA. As a condition of the Coastal Commission's concurrence, the Tribe agreed to enact a Tribal Ordinance that would obligate the Tribe to provide certain design plans and specifications to the Coastal Commission for review and agreement in accordance with a Tribal Ordinance. A Tribal Ordinance was adopted October 12, 2005 and revised November 9, 2005 to comply with the BIA's consistency determination and the Coastal Commission's conditional concurrence and is included in the EIS as **Appendix Z**. Pursuant to the findings of the California Coastal Commission and the resulting Tribal Ordinance, the Tribe will submit detailed project plans for review to the Commission including water quality, hydrology, lighting, signs, roads, sewer and water infrastructure, landscaping and revegetation, and building plans as applicable (**Appendix Q** and **Appendix Z**).

The Land Use section of the Del Norte County LCP, under the heading of "Specific Area Recommendations," contains the only reference to the Martin Ranch property. It states that the parcel shall be identified for agricultural use as an interim use, but that low intensive uses related to public or quasi-public use, such as a community education center, can be developed. The Proposed Action would be comparable, in terms of impacts to coastal resources to these uses.

The Proposed Action would be consistent with surrounding land uses, which include a large residential subdivision, a motel, and rural residential and agricultural uses. If accepted into trust, the property would not be subject to local land use regulations.

***AGRICULTURE***

The site is currently used for grazing and residential purposes. There are no crops cultivated on the site. It is estimated that the project would convert approximately 9.3 acres directly or indirectly on the 203-acre site from pasture to commercial use. Construction of the proposed resort complex would provide the economic means to support the implementation of a resource management program designed to control weeds and invasive non-native vegetation. The resource management program would also protect existing wetlands and foreground views to the ocean from the proposed resort. The current grazing use on the property is only marginally economical and may contribute to degradation of habitat and wetlands should the grazing operation be intensified for increased viability.

On the Coastal Zone portion of the property, no development other than proposed access road improvements is proposed. Continued agricultural use of the Coastal Zone portion of the property would not be precluded. The Coastal Act land use hierarchy, Section 30222, gives higher priority to agricultural and coastal dependent uses. Visitor-serving uses are given less priority, although none are proposed in the Coastal Zone.

According to the NRCS District Conservationist, the site contains approximately 96 acres of prime or unique farmland and zero (0) acres of statewide important and local important farmland. The relative value of this farmland assigned by NRCS is 85 on a scale of 0 to 100 points. The percentage of overall farmland in the county to be converted is less than 1%, as there are 8,130 acres of farmable land in Del Norte County. Using the site assessment criteria contained in 7 CFR 658.5(b) for farmland conversion impact ratings, the site received 149 of a possible 260 points, which is considered less than significant (**Appendix E**). Due to the combined score assigned to the site, which includes the relative value of farmland that would be converted and site assessment criteria analysis, no further consideration for protection is warranted and no additional sites need be considered pursuant to 7 CFR § 658.4(c)(2). There are no land conservation contracts on the subject property. Impacts to agricultural resources are expected to be insignificant. No mitigation is required.

***COASTAL ZONE***

Since a portion of the site is in this zone and the project can reasonably be expected to affect coastal resources, the CZMA is applicable. The CZMA states that each federal activity within or outside the coastal zone that affects any land or water use or natural resource of the coastal zone shall be carried out in a manner that is consistent to the maximum extent practicable with the enforceable policies of approved state management programs. The term “maximum extent practicable” means federal activities, including development projects directly affecting the coastal zone of states with approved management programs, must be fully consistent with such programs unless compliance is prohibited due to the requirements of existing law applicable to the agency’s

fundamental operations. Alternative A would impact only small portions of the Coastal Zone, specifically the entrance road. Utility line connections to existing or proposed infrastructure (electricity, potable water, and wastewater) would be outside of the coastal zone on the north side of the Martin Ranch property.

The BIA has determined that the transfer of jurisdiction to the Elk Valley Rancheria and removing the property from the Coastal Zone would be consistent with the Coastal Act Policies (**Appendix N**). The Coastal Commission concurred with the determination of the BIA that the project is consistent with the California Coastal Management Program. The Coastal Commission consistency determination findings are included as **Appendix Q**. The Tribe's development and implementation of a proactive natural resources protection plan under tribal ordinance would serve to protect the interests of the Commission, Tribe, and the human environment. These impacts are less than significant. Mitigation is not required.

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

##### ***TRANSPORTATION NETWORKS***

The Non-Gaming Alternative includes a 156-room hotel and associated convention center and 18-hole golf course located off Humboldt Road near Highway 101. Access would be provided via a relocated road near the Sandmine Road/Humboldt Road intersection.

##### ***Project Trip Generation***

**Appendix C** provides a comparison of daily and weekday PM peak hour trip generation for various potential land uses under the Non-Gaming Alternative. Trip generation rates were obtained from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 6<sup>th</sup> Edition*.

The Non-Gaming Alternative would generate a total of 2,035 trips during a typical weekday, of which 185 would occur during the PM peak hour. This is less than the Proposed Action, which is estimated to generate approximately 3,442 trips per day (Whitlock & Weinberger Transportation, Inc., 2003; **Appendix C**).

##### ***Existing Plus Project Conditions***

As with the Proposed Action, all existing study intersections and area roadways are projected to operate acceptably under existing plus project conditions. The Traffic study has recommended several measures for the Proposed Project, which should be taken under consideration for this alternative; however, they are not required as the project is expected to have a less-than-

significant impact on the local transportation network (Whitlock & Weinberger Transportation, Inc., 2003; **Appendix C**). No mitigation is required.

***Cumulative Plus Project Conditions***

As with the Proposed Action, all study intersections and roadways are expected to operate acceptably under cumulative plus project conditions. No mitigation is required.

***LAND USE***

Surrounding land uses include agricultural, residential, open space, roadways, and a motel. As with the Proposed Action, the Non-Gaming Alternative would introduce new commercial development within Del Norte County, but would not result in significant land use conflicts. If taken into trust for the Tribe, the property would not be subject to county land use jurisdiction. The project would include numerous mitigation measures and BMPs and would be consistent to the extent practicable with the enforceable policies of the LCP. No mitigation measures with regard to land use would be required.

***Consistency With Federally Approved Coastal Management Program***

Alternative B would be undertaken in a manner that is consistent to the maximum extent practicable with the enforceable CCC and LCP policies of the program. Please refer to **Section 4.8.1**.

***AGRICULTURE***

As with the Proposed Action, the Non-Gaming Alternative would be located on farmland. It is estimated that the project would directly convert approximately 80 acres, compared to 16 for the Proposed Action. According to the NRCS District Conservationist, the site contains approximately 96 acres of prime or unique farmland and zero (0) acres of statewide important and local important farmland. However, due to the combined Farmland Conversion Impact Rating score assigned to the site for the Proposed Action, which includes the relative value of farmland that would be converted and site assessment criteria analysis, no further consideration for protection would be warranted and no additional sites would need to be considered pursuant to 7 CFR § 658.4(c)(2). There are no land conservation contracts on the subject property. No mitigation would be required.

***COASTAL ZONE***

Since a portion of the site is currently in this zone and the project may affect coastal resources, the CZMA is applicable (**Section 4.8.1**). Impacts to the Coastal Zone may be significant, depending upon the final site design. Mitigation is required for any deviation from the LCP.

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

#### TRANSPORTATION NETWORKS

Alternative C includes a 156-room hotel, golf course, and associated convention center and casino located off Humboldt Road near Highway 101. Access would be provided via a relocated road near the Sandmine Road/Humboldt Road intersection.

#### Project Trip Generation

Alternative C would generate more trips (4,085 trips) than the Non-Gaming Alternative (see previous section). This is more than the Proposed Action, which is estimated to generate approximately 3,442 trips per day.

**Table 4-15** provides a summary of trips that are projected to be generated from Alternative C.

**TABLE 4-15**  
PROJECT TRIP GENERATION SUMMARY – ALTERNATIVE C

Land Use	Daily		Weekday P.M. Peak Hour			
	Rate	Total Trips	Rate	Total Trips	Trips In	Trips Out
Casino (40.0 ksf)	51.26	2,050	5.13	205	94	111
Hotel (156 occupied rooms)	8.92	1,392	0.71	111	54	57
Golf Course (18 holes)	35.74	643	4.11	74	33	41
<b>Total</b>		4,085		390	181	209

NOTES: ksf = thousand square feet.

SOURCE: Whitlock & Weinberger Transportation, Inc. 2003.

#### Existing Plus Project Conditions

As with the Proposed Action, all existing study intersections and area roadways are projected to operate acceptably under existing plus project conditions (Whitlock & Weinberger Transportation, Inc., 2003; **Appendix C**). The traffic study has recommended several measures for the Proposed Project, which should be taken under consideration for this alternative; however, they are not required as the impact to roadways is less than significant. No mitigation is required.

#### Cumulative Plus Project Conditions

As with the Proposed Action, all study intersections and roadways are expected to operate acceptably under cumulative plus project conditions. No mitigation is required.

#### LAND USE

Surrounding land uses include agricultural, residential, open space, roadways, and a motel. As with the Proposed Action, the golf course would introduce new commercial development within

Del Norte County, but would not result in significant land use conflicts. If taken into trust for the Tribe, the property would not be subject to county land use jurisdiction. The project would include numerous mitigation measures and BMPs and would be consistent to the extent practicable with the enforceable policies of the LCP. No mitigation measures with regard to land use would be required.

#### ***COASTAL ZONE***

Since a portion of the site is currently in this zone and the project may affect coastal resources, the CZMA is applicable (**Section 4.8.1**). Impacts to the Coastal Zone may be significant, depending upon the final site design. Mitigation is required for any deviation from the LCP.

#### ***AGRICULTURE***

According to the NRCS District Conservationist, the site contains approximately 96 acres of prime or unique farmland and zero (0) acres of statewide important and local important farmland. However, due to the combined Farmland Conversion Impact Rating score assigned to the site for the Proposed Action, which includes the relative value of farmland that would be converted and site assessment criteria analysis, no further consideration for protection would be warranted and no additional sites would need to be considered pursuant to 7 CFR § 658.4(c)(2). There are no land conservation contracts on the subject property. No mitigation would be required.

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

#### ***TRANSPORTATION NETWORKS***

The Enderts Beach Alternative would result in the construction of a casino/resort project off Enderts Beach Road south of its intersection with Highway 101. As with the Proposed Project, this alternative would result in adverse impacts to local roadways and area intersections due to the introduction of project traffic. Based on the traffic study conducted for the Proposed Action (**Appendix C**), it is expected that approximately 3,442 vehicle trips per day would be generated. Of these, approximately 314 trips are projected during the PM peak hour on typical days. Approximately 148 of these trips would be inbound trips and approximately 166 would be outbound trips. **Table 4-16** provides a summary of trips to be generated from the Enderts Beach Alternative.

#### ***Project Trip Distribution & Assignment***

Based on the trip distribution estimates contained in the traffic study for the Proposed Action, traffic would be expected to come primarily from the north of the site as follows:

- 71% will be oriented to and from Highway 101 north of the site.

- 25% to and from Highway 101 south of the site.
- 4% to and from Humboldt Road and the Elk Valley Rancheria to the north.

**TABLE 4-16**  
PROJECT TRIP GENERATION ENDERTS BEACH ALTERNATIVE

Land Use	Daily		Weekday P.M. Peak Hour			
	Rate	Total Trips	Rate	Total Trips	Trips In	Trips Out
Casino (40.0 ksf)	51.26	2,050	5.13	205	94	111
Hotel (156 occupied rooms)	8.92	1,392	0.70	109	54	55
<b>Total</b>		3,442		314	148	166

NOTES: ksf = thousand square feet.

SOURCE: Whitlock & Weinberger Transportation, Inc. 2006; **Appendix C**.

### *Existing Plus Project Conditions*

The intersection of Highway 101/Enderts Beach Road was analyzed to establish potential impacts associated with the alternative in which the casino and hotel project is constructed south of Highway 101 along Enderts Beach Road. Traffic impacts were evaluated by comparing existing traffic conditions with estimated existing plus project conditions. With the addition of project traffic, the intersection is expected to operate acceptably at LOS D or better for all but the most extreme of Saturday peak hour conditions. However, because of the addition of project traffic at the intersection, and safety issues relating to the extreme alignment of the intersection, mitigation measures would be necessary (Whitlock & Weinberger Transportation, Inc., 2002; **Appendix C**). This is a significant impact of the project on existing conditions. Mitigation is discussed in **Section 5.0**.

### *Intersection Operations*

As described in the October 2002 traffic study for the Proposed Action, the Highway 101/Enderts Beach Road intersection (referred to as the Highway 101/Humbolt intersection) is an unsignalized 4-legged intersection with stop controls on the minor approaches of Enderts Beach Road. Enderts Beach Road runs in a predominately north-south alignment at this intersection while Highway 101 runs in a northwesterly-southeasterly alignment, with the two roadways creating acute angles on the north and south sides of the intersection. Few drivers currently turn left from northbound Highway 101 onto Enderts Beach Road or turn right onto Highway 101 from northbound Enderts Beach Road because of this extreme alignment (Whitlock & Weinberger Transportation, Inc., 2006; **Appendix C**).

Whereas vehicles traveling south on Enderts Beach Road have the option of using the shortcut to northbound Highway 101 provided via Sandmine Road, no shortcut is available for vehicles traveling north on Enderts Beach Road. Although few vehicles currently negotiate this latter movement, the volume would be significantly increased by project traffic associated with this

alternative. Saturday peak hour conditions were analyzed for this alternative assuming a range of potential project trips, which were established based on observations at other California casinos (Whitlock & Weinberger Transportation, Inc., 2002; **Appendix C**).

**Table 4-17** provides a summary of levels of service that would be experienced for existing and cumulative conditions for this alternative for weekday PM peak hour and a range of Saturday peak hour conditions.

**TABLE 4-17**  
INTERSECTION OPERATIONS (ENDERTS BEACH ALTERNATIVE)

SCENARIO	Average LOS (LOS along worst movement)		
	Existing Geometry	Improved Geometry	Signalization Improved Geometry
Existing (No Project)	A (B)	----	----
Existing + Project (Weekday PM Pk Hr)	A (C)	A (B)	C
Existing + Project (Saturday Pk Hr #1)	A (C)	A (C)	C
Existing + Project (Saturday Pk Hr #2)	<b>C (F*)</b>	<b>B (E*)</b>	C
Cumulative (No Project)	A (B)	----	----
Cumulative + Project (Weekday PM Pk Hr)	A (C)	A (C)	C
Cumulative + Project (Saturday Pk Hr #1)	A (D)	A (C)	C
Cumulative + Project (Saturday Pk Hr #2)	<b>B (F*)</b>	<b>B (F*)</b>	C

NOTES: LOS for unsignalized intersection given for overall average and along worst movement. LOS for signalized intersection is for overall operation. Caltrans intersection level of service standard is LOS D, LOS (D)(E\*)(F\*) all along NB Enderts Beach approach - all other approaches at LOS C or better.

Saturday Peak Hour #1 = probable Saturday peak hour = (Weekday PM peak hour + 35%),

Saturday Peak Hour #2 = maximum Saturday peak hour = (Weekday PM peak hour x 2),

Improved Geometry = exclusive lefts on both 101 approaches = channelized exclusive right along NB Enderts Beach approach (plus combined through-left),

Signalization w/Improved Geometry = Signal + improved geometry (as described above).

SOURCE: Whitlock & Weinberger Transportation, Inc. 2002.

As **Table 4-17** shows, the intersection would operate acceptably at LOS D or better for all but the most extreme of Saturday peak hour conditions. However, because of the addition of project traffic at the intersection, and safety issues relating to the extreme alignment of the intersection, mitigation is required (Whitlock & Weinberger Transportation, Inc., 2002; **Appendix C**). This is a significant impact of the project on intersection operations. Mitigation is discussed in **Section 5.0**.

**LAND USE**

The site lies within the City of Crescent City's Planning Area, but outside of its City Limits, Urban Boundary, or Sphere of Influence. Surrounding land uses include a single residential unit immediately north of the site and open space uses on non-tribal public and private lands. Redwood State and National Park is immediately south of the property. The Pacific Ocean is located on the western property boundary. An abandoned house, individual well, "Wisconsin Mound" septic system, and pump house are located along a narrow access road, which connects to Enderts Beach Road. Currently, development of the site is severely restricted by existing land use regulations. The majority of the site is a designated Resource Conservation Zone. The property is identified by the Local Coastal Element as part of the South Beach Tidal Flat natural area and is located within a potential public access area and sensitive natural area. The property is entirely within the Coastal Zone. Section 304(a) of the CZMA, as amended, states that "excluded from the coastal zone are lands the use of which is by law subject solely to the discretion of or which is held in trust by the federal government, its officers or agents." However, the BIA acquiring the subject property in trust would be an action that would require a consistency determination, as is required for the Proposed Action. If taken into trust, the Tribe would be exempt from complying with local land use regulations and the proposed casino/hotel would introduce new commercial development within Del Norte County.

The Tribe desires to work cooperatively with local and state authorities on matters related to land use, including any necessary improvements to area roadways, public safety issues, and other developmental policies. As with the Proposed Action, the Tribe would seek to develop an MOU or amend the existing MOU with the County to address issues related to land use compatibility.

Due to the unique legal and regulatory framework applicable to this alternative and the fact that the Tribe and the County would work cooperatively to address potential issues related to land use, potential impacts related to land use consistency or compatibility are considered less than significant. No mitigation would be required.

**COASTAL ZONE**

Since the Enderts Beach site is in this zone and the project can reasonably be expected to affect coastal resources, the CZMA is applicable. The CZMA states that each federal activity within or outside the coastal zone that affects any land or water use or natural resource of the coastal zone shall be carried out in a manner that is consistent to the maximum extent practicable with the enforceable policies of approved state management programs. The term "maximum extent practicable" means federal activities, including development projects directly affecting the coastal zone of states with approved management programs, must be fully consistent with such programs unless compliance is prohibited due to the requirements of existing law applicable to the agency's

fundamental operations. Impacts to the Coastal Zone may be significant, depending upon the final site design. Mitigation is required for any deviation from the LCP.

#### ***Consistency With Federally Approved Coastal Management Program***

The State of California's federally approved coastal management program is carried out through local governments. Implementation is accomplished primarily through the preparation of LCPs. The CCC certifies local coastal programs. After certification of an LCP, coastal development permit authority is delegated to the appropriate local government, with the exception of certain specified lands (such as tidelands and public trust lands). The CCC has appellate authority over development approved by local governments in specified geographic areas as well as certain other developments.

The Enderts Beach site layout would preserve open space and avoid wetlands to the extent practicable. Numerous mitigation measures and BMPs would be implemented to address potential adverse impacts to water quality, drainage facilities, special-status species, etc. The enforceable policies of the LCP are reflected in the applicable coastal general plan and zoning designations, which specify the planned land uses and the types of land uses allowed in each zoning district. The site contains land designated Agricultural General, Five-Acre Minimum and RCA. Pursuant to Section 307(C) of the CZMA, the BIA would be required to provide a consistency determination to the CCC no later than 90 days before final approval of the trust acquisition.

#### ***AGRICULTURE***

The site is currently unused. There are no crops. Although the Del Norte County LCP places the site within a bulb production area with regard to agriculture and Forest Resources, no existing agricultural lands would be converted. There are no land conservation contracts on the subject property. Impacts to agricultural resources are expected to be less than significant. No mitigation would be required.

### **4.8.5 ALTERNATIVE E – NO ACTION**

#### ***TRANSPORTATION NETWORKS***

Given the lack of development at each site under the No-Action Alternative, no additional traffic would be generated. No impacts would result.

#### ***LAND USE***

Under the No-Action Alternative, each site would remain under the jurisdiction of Del Norte County. Land use consistency or compatibility issues related to future projects would be evaluated by Del Norte County under this alternative.

***COASTAL ZONE***

The No-Action Alternative would not result in any changes to the existing site conditions, including those portions of the site located within the Coastal Zone. No mitigation is required.

***AGRICULTURE***

Each site would remain undeveloped for an unknown period under this alternative and no loss of agricultural soil or land use conflicts would occur in the short term. Each site could be used for agriculture and/or intensive agriculture consistent with county zoning.