

# **EXECUTIVE SUMMARY**

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## **ELK VALLEY RANCHERIA 203.5-ACRE FEE-TO-TRUST TRANSFER AND CASINO/RESORT PROJECT ENVIRONMENTAL IMPACT STATEMENT**

### **INTRODUCTION**

This Environmental Impact Statement (EIS) assesses the environmental consequences of the Elk Valley Rancheria's (Tribe) application to have the BIA take a parcel totaling approximately 203.5 acres into federal trust and to develop a destination resort having a hotel, conference center, casino, and parking facility. The project site, also known as the Martin Ranch site, is located approximately one mile southeast of the community of Crescent City in Del Norte County, California. Other development alternatives for the site include constructing a golf course with or without a casino. An additional alternative is the development of a conference center, hotel, and casino on a 22-acre parcel at Enderts Beach. The Enderts Beach site is located approximately ¼ mile south of the Martin Ranch site. The effects of these development alternatives, as well as the No Action alternative, are analyzed within this EIS.

### **PURPOSE AND NEED**

The purpose and need of the Tribe is as follows:

- Increased employment opportunities for Tribal members;
- Improvement of the socioeconomic status of the Tribe;
- Improvement of existing Tribal housing and construction of new Tribal housing;
- Increased funding for a variety of social, governmental, administrative, educational, health and welfare services to improve the quality of life of Tribal members;
- Capital for other economic development and investment opportunities;
- Restoration of a lost land base;

- Acquisition of land needed to exercise governmental powers; and
- Economic self-sufficiency, thereby eventually removing Tribal members from public-assistance programs.

## **ALTERNATIVES**

This document describes and analyzes four development alternatives plus the No Action alternative. Alternatives have been selected which meet the Purpose and Need of the Tribe. Alternative A – Casino, Hotel, Conference Center, and Parking Facility, is the Tribe’s Preferred Alternative. All four of the development alternatives include placing land into Federal trust. The alternatives are described in detail in **Section 2.0** and are summarized below.

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

Alternative A consists of placing a 203.5-acre property into federal trust status, and development of a destination resort. The Tribe proposes to develop the site for recreation/tourism by constructing a casino, hotel, conference facilities, and parking facility. 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.

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

Alternative B consists of placing the same 203.5-acre property into federal trust as discussed for Alternative A. This alternative differs from Alternative A in that the proposed casino would be eliminated from the 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 for the Proposed Action.

Under this alternative, an 18-hole golf course would surround the resort area of the site. This component of the project would also include a driving range, practice putting green, practice chipping green, and maintenance area. A 2,500 square foot clubhouse, a hotel, and conference facilities 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.

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

Alternative C would involve placing the same 203.5-acre property into federal trust as discussed for Alternative A. This alternative is a combination of Alternative A and Alternative B and includes a casino and golf course.

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

Alternative D would involve the BIA placing approximately 22 acres adjacent to the Pacific Ocean off Enderts Beach Road into federal trust for the purposes of constructing an approximately 40,000 square foot casino/bingo facility. 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 Enderts Beach Alternative would also include a 156-room hotel, including nine (9) detached fourplex bungalows. This alternative would not include a golf course.

### **ALTERNATIVE E – NO ACTION**

Under the No Action Alternative neither the 203.5-acre parcel nor the 22-acre property would be placed into Federal trust for the benefit of the Tribe, and they would not be developed as described under any of the alternatives identified. Land use jurisdiction of the properties would remain with Del Norte County. For the purposes of the environmental analysis in this EIS, it is assumed that the properties would continue to be utilized for rural residential and vacant/grazing purposes under this alternative. Under this alternative, the Tribe would not attain its basic objective of economic self-sufficiency.

## **AREAS OF CONTROVERSY AND CONCLUSIONS**

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

This alternative avoids several areas of controversy. The project buildings and parking would be located outside of the Coastal Zone and jurisdictional wetlands, although the existing access road to the property, which is partially in the Coastal Zone, would be upgraded and widened. Construction would occur within the watershed of the Crescent City Marsh; however, measures have been incorporated into the project to address potential impacts associated with stormwater runoff. Disturbance to the site would be minimal. Cultural resources and most biological resources would be avoided. From an environmental standpoint, Alternative A is second only to the No Action Alternative in that it avoids or minimizes all environmental impacts. Under

Alternative A, environmental impacts analyzed would be reduced to a less than significant level after mitigation (**Table ES-1**). Alternative D would result in significant and unavoidable impacts. The remaining alternatives, Alternatives B and C, would have larger impacts to biological and water resources.

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

This alternative is controversial in that it involves building a golf course in the Coastal Zone, and necessitates the fill of approximately 9.5 acres of wetlands. Grading for construction and operation of the golf course could also cause adverse water quality impacts downstream. Although the federally endangered western lily was not identified on site, concern was expressed that this alternative could affect the species.

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

This alternative has the same concerns as Alternative B, plus any issues associated with the casino. The casino was not identified as a project component that drew significant controversy or concern.

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

This alternative would result in significant impacts in several areas, including impacts to wetlands, other biological resources, and aesthetics. The site is located in the Coastal Zone and is adjacent to undeveloped, sensitive areas. From an environmental standpoint, this alternative is the least preferable.

### **ALTERNATIVE E – NO ACTION**

The No Action alternative would not cause any significant environmental impacts, but would not meet the purpose and need of the Tribe. Therefore, the No Action alternative is not recommended.

## **SUMMARY OF IMPACTS AND MITIGATION**

**Table ES-1** provides a summary of potential environmental effects with corresponding mitigation and levels of significance for each of the project alternatives. Effects are organized by issue and abbreviations for alternatives and significance levels can be found below the table.

**TABLE ES-1**  
SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS, MITIGATION MEASURES, AND SIGNIFICANCE

ENVIRONMENTAL EFFECT	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<b>4.2 LAND RESOURCES</b>			
<i>Topography</i>			
A Clearing and grading is needed to accommodate the construction of project components. The main topographic features of the site would be modified but on the whole preserved; therefore, cutting and filling of topographic features will be kept to a minimum. Operation of the site would not cause disturbance to topography.	S	<p>A geotechnical report for the project shall be prepared along with construction drawings. All recommendations of the report shall be adhered to. Furthermore, all site clearing, movement of unsuitable soil, proper moisture conditioning, review of fill material, fill placement, observation of foundation excavations, and other site grading shall be verified by a Registered Civil Engineer or Registered Geologist during construction.</p> <p>Unless otherwise specified by the Tribe's Memorandum of Understanding (MOU) with Del Norte County, all structures shall be inspected by Del Norte County and meet the UBC requirements for the site and type of land use.</p> <p>The final working design plans for the project shall utilize and incorporate existing site topography to the extent practicable rather than altering topography.</p> <p>A grading, drainage, and erosion control plan shall be prepared for the entire project by a qualified professional. All recommendations contained in the plan shall be adhered to during and after construction.</p>	LTS
B Clearing and grading is needed to accommodate the construction of project components and the extent of disturbance is somewhat more than for A. The main topographic features of the site would be modified but on the whole preserved; therefore, cutting and filling of topographic features will be kept to a minimum. Operation of the site would not cause disturbance to topography.	S	Same as A.	LTS

Less than Significant = LTS	Significant = S	Significant and Unavoidable = SU	No Effect = NE	Beneficial Effect = BE
Alternative A = A	Alternative B = B	Alternative C = C	Alternative D = D	Alternative E = E

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C Clearing and grading is needed to accommodate the construction of project components and the extent of disturbance is somewhat more than for A. The main topographic features of the site would be modified but on the whole preserved; therefore, cutting and filling of topographic features will be kept to a minimum. Operation of the site would not cause disturbance to topography.	S	Same as A.	LTS
D Development of the site for a hotel/casino would involve grading and other earthmoving activities requiring mitigation. However, it is not anticipated to result in slope instability or landform impacts as the site is relatively level and soils have low potential for erosion. Operation of the facilities would not result in any disturbance to topographical features.	S	Same as A.	LTS
E Existing topography would be retained.	NE	No mitigation is recommended.	NE
<b>Soils</b>			
A Commercial and industrial structures have been placed on similar soils in the project vicinity without problems such as subsidence and soil slope instability. Physical and chemical properties of soils sometimes require engineered foundations and grading plans for commercial structures.	S	A grading, drainage, and erosion control plan will be prepared for the project and followed.	LTS
B Same as A.	S	Same as A.	LTS
C Same as A.	S	Same as A.	LTS
D Same as A.	S	Same as A.	LTS
E There would be no change to the present soil conditions.	NE	No mitigation is recommended.	NE

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<b>Seismicity</b>				
A Construction of the proposed casino and associated facilities will not be affected by seismicity. Implementation of current design standards in the Uniform Building Code would minimize or prevent severe damage to the proposed project from seismic events.	LTS	As discussed for Topography section, unless otherwise specified by the Tribe's Memorandum of Understanding (MOU) with Del Norte County, all structures shall be inspected by Del Norte County and meet the UBC requirements for the site and type of land use.	LTS	
B Same as A.	LTS	Same as A.	LTS	
C Same as A.	LTS	Same as A.	LTS	
D Same as A.	LTS	Same as A.	LTS	
E Seismicity will not be affected under the No Action alternative	NE	No mitigation is recommended.	NE	
<b>Mineral Resources</b>				
A Construction and operation of the proposed project would not result in the loss of mineral resources.	NE	No mitigation is recommended.	NE	
B Same as A.	NE	No mitigation is recommended.	NE	
C Same as A.	NE	No mitigation is recommended.	NE	
D Same as A.	NE	No mitigation is recommended.	NE	
E Existing land uses would persist.	NE	No mitigation is recommended.	NE	
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<b>4.3 WATER RESOURCES</b>				
<i>Surface Water Hydrology</i>				
<p>A The project would increase impervious surfaces through the conversion of 9.3 acres of undeveloped land into buildings and parking lots, resulting in an impact to hydrology onsite and offsite. Hydrologic Sub-Basin Nos. 1, 2 and 3 would be impacted by the increase in impervious surfaces resulting from construction. Mitigation including vegetated swales and the Adaptive Management Plan (<b>Appendix X</b>) would reduce impacts with the goal of mimicking natural flow of runoff prior to development.</p> <p>Collection of water for the Crescent City water supply comes from groundwater aquifers which are recharged by infiltration of surface water. While the increased demand of the project would reduce river flows slightly, the increased demand of the project would come from the City's available water rights.</p>	S	<p>Vegetated detention swales shall be constructed according to the hydrologist's recommendations (<b>Appendix B</b>) and engineering specifications to mitigate for increased flows from Basins 1, 2, and 3. The suggested ratio is 500-ft of swale per acre of impervious surface. Suggested areas to mitigate for increased flows are within parking areas, south of parking areas and roadways, and along the western edge of the fill slope adjacent to the parking area. Other mitigation may include but is not limited to street cleaning/sweeping, signs discouraging dumping/littering, the use of native plants, and silt and oil traps in parking areas.</p> <p>The Tribe will implement an Adaptive Management Plan, included as <b>Appendix X</b> to ensure that the swale system functions as anticipated and that additions or improvements to the system would be made on an ongoing basis as indicated by the monitoring program.</p>	LTS	
<p>B The project would directly convert 103 acres of undeveloped land into buildings, parking lots, and an 18-hole golf course resulting in a greater impact to the hydrology than A. This alternative would increase impervious surfaces by approximately 10 acres. Increased runoff would affect primarily Sub-Basin 2. Runoff from the golf course would be offset by ponds and swales that would function as detention facilities.</p> <p>Impacts to river flows are similar to those discussed for Alternative A.</p>	S	Same as A.	LTS	
<p>C Overall ground disturbance, site coverage, and surface water runoff would be similar to those of B. This alternative would</p>	S	Same as A.	LTS	
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ENVIRONMENTAL EFFECT	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
increase impervious surfaces by approximately 14.1 acres.			
D The project would increase impervious surfaces through the conversion of 15 acres of undeveloped land into buildings and parking lots resulting in significant impacts to hydrology onsite and offsite. Filling of wetlands would alter existing drainage courses and potentially create new wetland areas on-site or off-site.	S	Potential impacts are considered significant. The small size of the Enderts Beach parcel, and its proximity to the Pacific Ocean indicates that potential impacts would be difficult to mitigate to less than significant levels.	SU
E No new development is proposed under Alternative E.	NE	No mitigation is recommended.	NE
<b>Flooding</b>			
A The site is located outside of the 100-year floodplain.	LTS	No mitigation is recommended.	LTS
B Same as A.	LTS	No mitigation is recommended.	LTS
C Same as A.	LTS	No mitigation is recommended.	LTS
D The site is located outside of the 100-year floodplain.	LTS	No mitigation is recommended.	LTS
E This alternative would not effect flooding.	NE	No mitigation is recommended.	NE
<b>Groundwater</b>			
A The Proposed Action would not result in significant groundwater withdrawals from the Smith River Plain Groundwater Basin.	LTS	No mitigation is recommended.	LTS
B Alternative B will not result in significant groundwater withdrawals. Potential impacts to regional groundwater resources exist due to the application of fertilizers and pesticides by the golf course operation.	LTS	Mitigation is discussed below under Water Quality.	LTS

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C Alternative C will not result in significant groundwater withdrawals. Potential impacts to regional groundwater resources exist due to the application of fertilizers and pesticides by the golf course operation.	LTS	Same as B.	LTS
D The Proposed Action would not result in significant groundwater withdrawals from the Smith River Plain Groundwater Basin.	LTS	No mitigation is recommended.	LTS
E This alternative would not affect groundwater resources.	NE	No mitigation is recommended.	NE
<b>Water Quality</b>			
A Potable water for the development would be treated by the City of Crescent City. The Crescent City water system is subject to local and federal drinking water standards.  Surface water runoff during construction and operation of the proposed project could transport pollutants into adjoining surface waters affecting surface water quality of local water bodies such as the nearby wetlands or the Pacific Ocean. Vegetated detention swales designed to treat the “first flush” are listed as mitigation under the discussion of surface water hydrology. Irrigation runoff would either be absorbed into the ground on site or flow off site through vegetated swales. The Tribe will also submit water quality and landscaping plans prior to construction to the Coastal Commission for review ( <b>Appendix Q</b> ).	S	The Tribe will prepare and implement the Best Management Practices and a Storm Water Pollution Prevention Plan and complete the mitigation measures outlined in <b>Section 5.0</b> under the category of “General Construction Activities” and “General Operational Measures.”	LTS
B Potable water for the development would be treated by the City of Crescent City. The Crescent City water system is subject to local and federal drinking water standards.  Surface water runoff during construction and operation of this alternative could transport pollutants into adjoining surface waters affecting surface water quality of local water bodies such	S	Same as A. In addition, the Tribe would implement the Golf Course Superintendents Association of America (GCSAA) Environmental Principles for Golf Courses in the United States for the construction and operation of the golf course ( <b>Appendix V</b> ). The US Army Corps of Engineers and the US Environmental Protection Agency would impose additional mitigation as conditions of approval of the project through issuance of Clean Water Act Section 401, 402, and 404	LTS

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as the nearby wetlands or the Pacific Ocean. Vegetated detention swales designed to treat the "first flush" are listed as mitigation under the discussion of surface water hydrology.		<p>permits.</p> <p>The following operational measures would be followed to prevent the leaching of chemicals from fertilizers and pesticides into groundwater:</p> <ul style="list-style-type: none"> <li>▪ Educate workers who handle fertilizers and pesticides in the proper handling, use, cleanup, and disposal of fertilizers and pesticides used during operation of the project.</li> <li>▪ Inspect labels for application instructions including rate of application, timing, and method.</li> <li>▪ During selection of fertilizers and pesticides inspect labels for statements that advise against the use of pesticides/fertilizers when certain soil, geologic, or climatic conditions are present.</li> </ul>	
C Potable water for the development would be treated by the City of Crescent City. The Crescent City water system is subject to local and federal drinking water standards.	S	Same as B.	LTS
Surface water runoff during construction and operation of this alternative could transport pollutants into adjoining surface waters affecting surface water quality of local water bodies such as the nearby wetlands or the Pacific Ocean. Vegetated detention swales designed to treat the "first flush" are listed as mitigation under the discussion of surface water hydrology.		Same as A.	SU
D Potable water for the development would be treated by the City of Crescent City. The Crescent City water system is subject to local and federal drinking water standards.	S	Same as A.	SU

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<p>Surface water runoff during construction and operation of this alternative could transport pollutants into adjoining surface waters affecting surface water quality of wetlands or the Pacific Ocean. Drainage channels at the Enderts Beach site would be altered. Reduced water quality due to project-related activities could impact sensitive species associated with aquatic habitats. Potential impacts include increases in water temperature, decreased available oxygen content, decreased visibility, and an increase in pollutants.</p>			
<p>E This alternative would not impact surface water hydrology, groundwater, or water quality, as the status quo would be maintained.</p>	NE	No mitigation is recommended.	NE
<b>Coastal Resources</b>			
<p>A An existing access road within the Coastal Zone would be widened from 16 feet to 24 feet. The Coastal Commission has found the project, including access road improvements, is consistent with the Coastal Act and local coastal policies (<b>Appendix Q</b>). The project would span creek or drainage channels with inverted "U" culverts or clear span bridges.</p>	LTS	No mitigation is recommended.	LTS
<p>As discussed under Surface Water Hydrology, off-site hydrology would be impacted including areas within the Coastal Zone. Mitigation including vegetated swales and the Adaptive Management Plan (<b>Appendix X</b>) would reduce impacts with the goal of mimicking natural flow of runoff prior to development.</p>			
<p>B Alternative B would impact coastal resources.</p>	S	<p>The Tribe will obtain approvals from the Coastal Commission, USACE, and USEPA for construction in wetlands and the coastal zone.</p>	LTS
<p>C Alternative C would impact coastal resources.</p>	S	<p>The Tribe will obtain approvals from the Coastal Commission, USACE, and USEPA for construction in wetlands and the coastal</p>	LTS

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		zone.	
D The Enderts Beach Alternative would impact coastal resources.	S	The project will obtain approvals from the Coastal Commission, USACE, and USEPA for construction in wetlands and the coastal zone.	LTS
E This alternative would not impact coastal resources.	NE	No mitigation is recommended.	NE
<b>4.4 AIR QUALITY</b>			
<b>Construction Emissions</b>			
A Implementation of Alternative A would generate air pollutants through the use of construction machinery (primarily diesel-operated), construction worker automobiles (primarily gasoline-operated), and physical land disturbance. With mitigation measures, construction of Alternative A would not exceed emissions threshold levels.	S	<p>To minimize the emission of pollutants and impacts to air quality during construction activities, the following measures shall be incorporated into construction of the proposed project:</p> <ul style="list-style-type: none"> <li>▪ Limit grading activities to 5 acres or less per day.</li> <li>▪ Water exposed surfaces and haul roads as necessary to control dust.</li> <li>▪ Properly maintain equipment.</li> <li>▪ Reduce speeds on unpaved roads to 15 mph or less.</li> <li>▪ Cover load of all haul trucks.</li> <li>▪ Hydroseed exposed soils.</li> <li>▪ Use low VOC paint coatings</li> </ul> <p>These measures would ensure that construction activities would not generate substantial amounts of PM<sub>10</sub>, NO<sub>x</sub>, and ROG emissions,</p>	LTS

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		thereby adjacent areas will not be adversely affected.	
B Implementation of the Non-Gaming Alternative would generate criteria air pollutants through the use of construction machinery (primarily diesel-operated), construction worker automobiles (primarily gasoline-operated), and physical land disturbance. Based on the emissions estimates for Alternative C, emission totals would not exceed any significance thresholds with mitigation incorporated.	S	Same as A.	LTS
C Implementation of Alternative C would generate criteria air pollutants through the use of construction machinery (primarily diesel-operated), construction worker automobiles (primarily gasoline-operated), and physical land disturbance. With mitigation, emission totals would not exceed any significance thresholds.	S	Same as A.	LTS
D Construction emissions would be less than those of A. Short-term construction activities would primarily result in the generation of PM <sub>10</sub> containing fugitive dust.	S	Same as A.	LTS
E Construction would not take place under the No Action alternative.	NE	No mitigation is recommended.	NE
<b>Operational Emissions</b>			
A The project will not inhibit local efforts to meet applicable air quality standards. Overall, the primary sources of air pollution resulting from the project would be CO in the form of vehicle emissions, which increases where there is traffic congestion. Mitigation has been incorporated into the project that would reduce delays and congestion and thus reduce potential impacts to insignificant levels.	LTS	To minimize the emission of pollutants and impacts to air quality during operation activities, the following measures shall be incorporated into operations policy for the proposed project: <ul style="list-style-type: none"> <li>▪ Provide bike lanes/paths connecting to bikeway system.</li> <li>▪ Provide secure bicycle parking.</li> </ul>	LTS

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<p>B Operational emissions resulting from Alternative B would be similar to those of Alternative C. Operational emissions would be comprised of indirect vehicular emissions associated with the hotel/convention center and golf course. No direct criteria air pollutant emissions can be attributed to these facilities. Based on the estimates summarized for Alternative C, emission totals would not exceed any significance thresholds. No mitigation measures would be necessary.</p>	LTS	Same as A.	LTS
<p>As with Alternative C, the Non-Gaming Alternative would not generate toxic air contaminants. The site is also relatively far from existing facilities in the area known to handle, store, and use bulk quantities of hazardous materials. Under normal operating conditions, emissions from these facilities would not pose a health risk to employees or patrons of the hotel/convention center or patrons of the golf course.</p>			
<p>C Overall, potential impacts to air quality from Alternative C would be greater than from the Proposed Action. Operational emissions would primarily be comprised of exhaust gases associated with visitor motor vehicle use. Area source emissions would be minimized due to the fact that the casino would not operate fireplaces or wood stoves. No direct criteria air pollutant emissions would be attributed to the project, with the possible exception of minor emissions from natural gas space heaters or water heating devices.</p>	LTS	Same as A.	LTS

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As with the Proposed Action, Alternative C would not generate significant toxic air contaminants. The site is relatively far from existing facilities in the area known to handle, store, and use bulk quantities of hazardous materials. Under normal operating conditions, emissions from these facilities would not pose a health risk to employees or patrons of the hotel/convention center or patrons of the casino.			
D Long-term operation of the project would result in motor vehicle use. Motor vehicle use would contribute to O <sub>3</sub> (the significance of which is determined through the generation of ROG and NO <sub>x</sub> ) and CO pollution.	LTS	Same as A.	LTS
E Operations would not take place under the No Action alternative.	NE	No mitigation is recommended.	NE

## 4.5 BIOLOGY

### *Effects to Wildlife and Habitats*

A The development of A would result in direct impacts to annual grassland/pasture habitats. The annual grassland/pasture habitat presents limited resources for wildlife and is currently subject to disturbance from cattle grazing. This is also an abundant habitat on a local and regional scale and is not considered a sensitive resource.

Stormwater runoff from most of the proposed development area eventually flows into the Crescent City Marsh. Development of 9.3 acres under Alternative A would represent a 0.8% increase in developed area within the Crescent City Marsh watershed. This impact is potentially significant.

S

A pre-construction tree survey shall be conducted by an ISA-Certified Arborist if any native trees are determined to be within one hundred feet (100') of any proposed construction and operation activities or ground disturbance. The survey shall identify all trees within the specified distance, to protect native trees identified for preservation.

Additional Mitigation is provided for stormwater under **Section 4.3**, Water Resources to further reduce less than significant impacts.

LTS

Less than Significant = LTS

Significant = S

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SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS, MITIGATION MEASURES, AND SIGNIFICANCE

ENVIRONMENTAL EFFECT	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>B The development of B would result in direct impacts to a portion of the Sitka spruce forest, red alder/mixed deciduous woodland, wetland prairie and annual grassland/pasture habitats. Impacts from tree and vegetation removal are discussed under the Federally Listed Species Section.</p>	S	<p>Same as A. In addition, removal of large Sitka spruce or grand fir trees, of approximately 36 inches in diameter at breast height (dbh) or greater, shall be avoided.</p> <p>A program for timber harvest shall be developed and implemented in accordance with BIA policy regarding the removal of forest products from Indian land. The program shall be prepared prior to any timber harvesting or other vegetation removal within the Sitka spruce forest and shall include measures to avoid or reduce degradation of this sensitive resource within the property. These measures may include, but are not limited to, restricting timber harvesting activities to the dry season, ensuring roads are designed and constructed to limit erosion, ensuring BMPs and erosion control measures are designed and implemented to adequately minimize potential impacts to water quality, installing temporary fencing around large trees and forest habitat that are outside the construction areas, locating fencing around avoidance areas as far as feasible from the tree drip-lines, requiring fencing to remain in place until all construction activities on the site have been completed, and requiring any temporarily disturbed areas of Sitka spruce forest habitat be restored to the degree feasible and revegetated with the appropriate species as soon as feasible after completion of construction activities.</p> <p>Removal of any coniferous trees that may occur within the red alder/mixed deciduous woodland shall be conducted according to a program prepared in accordance with BIA policy and guidelines regarding removal of forest products from Indian forest land.</p> <p>Measures to avoid or reduce degradation of red alder/mixed deciduous woodland habitat within the property shall include: installing temporary fencing around woodland habitat that is outside the construction areas, placing fencing around the avoidance areas as far as feasible from the tree drip-lines, requiring fencing to remain in place until all construction activities on the site have been</p>	LTS

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		completed, and requiring any temporarily disturbed areas of red alder/mixed deciduous woodland habitat be restored to the degree feasible and revegetated with the appropriate species as soon as feasible after completion of construction activities. Monitoring shall be required to ensure these measures are successfully implemented.	
C The development of C would result in direct impacts to a portion of the Sitka spruce forest, red alder/mixed deciduous woodland, wetland prairie and annual grassland/pasture habitats. Impacts from tree and vegetation removal are discussed under the Federally Listed Species Section.	S	Same as B.	LTS
D Development under the Enderts Beach Alternative has the potential to result in adverse impacts to sensitive biological resources, including palustrine emergent marsh wetland, palustrine scrub-shrub wetland, and palustrine forested wetland habitats. The site is currently designated a “resource conservation zone” by Del Norte County.	S	Mitigation is listed under Waters of the U.S., below <b>(Section 4.5)</b> .	SU
E This alternative proposes no change in current land use. Therefore, there would be no effect to significant biological resources.	NE	No mitigation is recommended.	NE
<b>Waters of the U.S.</b>			
A Alternative A proposes complete avoidance of wetland areas. Mitigation measures would help to prevent disturbance to wetlands on site.	S	Project site plans shall be modified to avoid or minimize impacts to jurisdictional waters of the U.S. and wetland habitats to the extent feasible. All proposed crossings of jurisdictional waters of the U.S. shall be constructed with clear span bridges or bottomless arched culverts and installed in a manner that does not impact the waters. The footings for the culverts and/or bridges shall be outside the jurisdictional boundaries and the open bottom design will ensure that there is no fill or other impact to the drainage of the jurisdictional waters. If the above measures are not feasible, then a Section 404	LTS
Also considered are non-jurisdictional wetlands as described by the USFWS classification system. The design features of the project combined (vegetative swales) with the monitoring and Adaptive Management Plan ( <b>Appendix X</b> ) which would be submitted to the Coastal Commission staff, per Coastal Zone			

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<p>Management Act review, would minimize the 0.31 acre impact of the project and would replace the functions of any wetlands that may be impacted on site.</p>		<p>permit from the USACE would be required for potential impacts to waters of the U.S.</p>	
<p>Without mitigation indirect impacts could occur, and therefore mitigation is required for jurisdictional waters of the U.S. Potential indirect impacts to jurisdictional waters of the U.S. include increased sedimentation and pollutants resulting from site runoff, inadvertent spills of fuel, lubricants, or other toxic materials, and location of construction staging areas. Reduced water quality due to project-related activities could impact sensitive species associated with aquatic habitats. Potential impacts include increases in water temperature, decreased available oxygen content, decreased visibility, and an increase in pollutants (e.g. fuel, oil, grease, suspended solids). These impacts are considered significant. Mitigation measures to reduce potential impacts to less than significant levels are identified in <b>Section 5.0</b>.</p>		<p>Construction activities in the vicinity of any jurisdictional features shall be conducted during the dry season to minimize erosion.</p> <p>Temporary fencing shall be installed around wetland and intermittent drainage features and associated riparian woodland that are outside of the construction area. Fencing shall be located as far as feasible from the edge of wetlands and riparian habitats and installed prior to any construction. The fencing shall remain in place until all construction activities on the site have been completed. Any temporarily disturbed areas of wetland, intermittent drainage or riparian habitat shall be restored to the degree feasible and revegetated with the appropriate species as soon as feasible after completion of construction activities.</p> <p>Staging areas shall be located away from the areas of wetland, intermittent drainage and riparian habitat that are fenced off. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. tarps, silt fences, straw bales).</p> <p>Standard precautions shall be employed by the construction contractor to prevent the accidental release of fuel, oil, lubricant, or other hazardous materials associated with construction activities into jurisdictional features. A contaminant containment program shall be developed and implemented in the event of release of hazardous materials.</p> <p>The Tribe has committed to work cooperatively with the Coastal Commission and other agencies to maintain the coastal portions of</p>	

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		the property and to prepare and submit the following plans to the California Coastal Commission: water quality and hydrology; water and sewer infrastructure; landscaping and vegetation or re-vegetation; building plans; road construction and maintenance; lighting; and signage ( <b>Appendix Q</b> and <b>Appendix Z</b> ). These plans may include limiting cattle grazing on the property, and control of invasive plant species. Such actions would enhance the on-site wetlands (both jurisdictional and single parameter) that would not be disturbed by the proposed project.	
B Development would affect more than 9.5 acres of jurisdictional "waters of the U.S." and would require a USACE Individual Permit.	S	Same as A. Additionally, a Department of the Army permit shall be obtained from the U.S. Army Corps of Engineers prior to the discharge of any dredged or fill material within jurisdictional wetlands and other waters of the U.S. In addition, Water Quality Certification shall be obtained from the U.S. Environmental Protection Agency pursuant to Section 401 of the Clean Water Act.	LTS
		Creating or restoring wetland habitats within the Martin Ranch property or at an appropriate off-site location shall mitigate unavoidable impacts to wetland habitats and other waters of the U.S. Compensatory mitigation shall occur at a minimum of 1:1 ratio and shall be approved by the USACE prior to any discharge into jurisdictional features.	
C Development would affect more than 9.5 acres of jurisdictional waters of the U.S. and would require a USACE Individual Permit.	S	Same as B	LTS
D Development of D at Enderts Beach would affect more than a dozen acres of jurisdictional waters of the U.S. and would require a USACE Individual Permit.	S	Same as B	LTS
E This alternative proposes no change in current land use. Therefore, there would be no significant effect to biological	NE	No mitigation is recommended.	NE

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resources.			
<b>Federally Listed Species</b>			
<p>A Implementation of A could result in disturbance of potential nesting habitat for Cooper’s hawk, ferruginous hawk, northern harrier, white-tailed kite, and other raptor species present on and within 500 feet of the proposed project site. A population of northern red-legged frog occurs in the wetlands of the site. Vegetation removal, culvert installation, and other construction activities associated with the proposed project development could result in adverse impacts to these species.</p>	S	<p>Removal of vegetation within the property should be minimized to a feasible degree, and conducted between mid-September and early April, which is outside of the peak nesting period for most migratory bird species.</p>	LTS
<p>The removal of woody and herbaceous vegetation within portions of the property would be required in order to implement the proposed project. This vegetation represents potential nesting habitat for migratory bird species. Impacts occurring to these habitats during the nesting season could potentially result in adverse impacts to these species.</p>		<p>If vegetation removal is to be conducted during the nesting period, a pre-construction survey for active bird nests shall be conducted by a qualified biologist. If vegetation removal activities are delayed or suspended for more than one month after the pre-construction survey, the areas should be resurveyed. If active bird nests are identified, vegetation removal in these areas shall be postponed until after the nesting season, or a qualified biologist has determined the young have fledged and are independent of the nest site. No known active nests shall be disturbed without a permit or other authorization from the U.S. Fish and Wildlife Service.</p>	
<p>Western lily has not been observed on the site although potential habitat is located in the northwest corner and within the large, central wetland of the property. Wetlands will be avoided and there will be no significant impacts to this potential habitat. Stormwater runoff from the proposed development area flows to Crescent City Marsh, which has known populations of western lily. Impacts would be reduced to less than significant by stormwater runoff mitigation including vegetated swales and an Adaptive Management Plan (<b>Appendix X</b>) in <b>Section 5.2.2</b>.</p>		<p>If construction activities are to occur during the nesting season (approximately February-September), pre-construction surveys for nesting Cooper’s hawk, ferruginous hawk, northern harrier, white-tailed kite, and other raptor species shall be conducted by a qualified biologist within 500 feet of the proposed construction areas. If active nests are identified in these areas, a qualified biologist shall be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. The population of northern red-legged frogs shall be avoided during construction. Avoidance measures may include the establishment of buffers, installation of protective fencing, and biological monitoring.</p>	
<p>The project site does not support populations of tidewater goby, nor does the Crescent City Marsh, due to the lack of brackish conditions within the Marsh. If goby were present in the Marsh, stormwater mitigation listed in <b>Section 5.2.2</b> would further</p>		<p>If active bird nests are identified, vegetation removal in these areas shall be postponed until after the nesting season, or a qualified</p>	

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<p>reduce the amount of drainage to the marsh, and would ensure that the water quality of the stormwater runoff is acceptable.</p> <p>No habitat for the northern spotted owl or marbled murrelet occurs on the Martin Ranch property. Due to the lack of habitat, the project would have no effect on spotted owl populations.</p>		<p>biologist has determined the young have fledged and are independent of the nest site. No known active nests shall be disturbed without a permit or other authorization from the USFWS.</p> <p>Stormwater mitigation is listed under <b>Section 4.3</b>, Water Resources.</p>	
<p>B Potential impacts to federally listed species would be similar but greater than those identified for Alternative A.</p>	S	Same as A.	LTS
<p>C Potential impacts to federally listed species would be similar but greater than those identified for Alternative A.</p>	S	Same as A.	LTS
<p>D Vegetation removal and other project related construction activities could potentially result in significant adverse impacts to federally listed species. Potential nesting habitat for raptor species is present on and within 500 feet of the site. Tree removal and other construction activities associated with project development could result in significant adverse impacts to these species. Mitigation measures, including pre-construction surveys for nesting raptors and federally listed species, would be necessary. Residual impacts would be significant and unavoidable (see <b>Section 4.14</b>).</p>	S	Same as A.	SU
<p>E This alternative proposes no change in current land use. Therefore, there would be no significant effect to biological resources.</p>	NE	No mitigation is recommended.	NE
<b>Migratory Birds</b>			
<p>A Potential adverse direct effects to migratory birds will be avoided or minimized by implementation of the mitigation measures listed for biological resources.</p>	S	Same as mitigation listed for Federally Listed Species section above.	LTS

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B Same as A.	S	Same as A.	LTS
C Same as A.	S	Same as A.	LTS
D Same as A.	S	Same as A.	LTS
E This alternative proposes no change in current land use. Therefore, there would be no significant effect to biological resources.	NE	No mitigation is recommended.	NE

**4.6 CULTURAL RESOURCES**

<p>A Development of the Proposed Project is located outside of the boundaries of the three identified cultural/historic sites. The State Historic Preservation Officer concurred with the BIA determination that the Proposed Project would not adversely affect historic properties (<b>Appendix W</b>).</p> <p>Development proposed under this alternative may adversely affect previously unknown subsurface prehistoric or historic archaeological resources.</p>	LTS	<p>The Tribe will implement all mitigation measures presented to and concurred upon by the State Historic Preservation Officer (SHPO) during the Section 106 consultation process. Measures may include, but are not limited to, the following:</p> <p>Prior to the start of construction, the Tribe shall ensure that temporary protective fencing be placed at a distance of no less than 50 feet from the outmost edge of the following sites: CA-DNO-214H (including the existing dairy barn); the northern terminus of the historic trail segment as it lies directly east of the proposed loop road; and the knoll on which the prehistoric component of CA-DNO-214H is located. This will ensure there are no adverse impacts to the sites during construction or associated staging activities.</p> <p>In the event of any inadvertent discovery, all such finds shall be subject to Section 106 of the National Historic Preservation Act as amended (36 CFR 800), the Native American Graves Protection and Repatriation Act (25 USC 3001 et seq.), and the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470 aa-mm). Specifically, procedures for post review discoveries without prior planning pursuant to 36 CFR 800.13 shall be followed. All work within 50 feet of the find shall be halted until a professional</p>	LTS
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		<p>archaeologist can assess the significance of the find. If any find is determined to be significant by the archaeologist, then representatives of the Tribe and the BIA shall meet with the archaeologist to determine the appropriate course of action, including the development of a Treatment Plan, if necessary. All significant cultural materials recovered shall be subject to scientific analysis, professional curation, and a report prepared by the professional archaeologist according to current professional standards.</p>		
		<p>If human remains are discovered during ground-disturbing activities on Tribal lands, pursuant to NAGPRA Section 10.4 Inadvertent Discoveries, the Tribal Official and BIA representative will be contacted immediately. No further disturbance shall occur until the Tribal Official and BIA representative have made the necessary findings as to the origin and disposition. If the remains are determined to be of Native American origin, the BIA representative will notify a Most Likely Descendant (MLD). The MLD is responsible for recommending the appropriate disposition of the remains and any grave goods.</p>		
		<p>If paleontological remains are uncovered during ground-disturbing activities, all work within 50 feet of the discovery shall be halted until a qualified paleontologist can assess the find. The paleontologist shall determine the procedures to be implemented before ground-disturbing activities can begin.</p>		
<p>B This alternative could impact historic components of CA-DNO-214H and parts of the Crescent City-Klamath Historic Trail. Development proposed under this alternative may also adversely affect previously unknown subsurface prehistoric or historic archaeological resources.</p>	S	Same as for A	LTS	
<p>C This alternative could impact historic components of CA-DNO-214H and parts of the Crescent City-Klamath Historic Trail.</p>	S	Same as for A	LTS	
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Development proposed under this alternative may also adversely affect previously unknown subsurface prehistoric or historic archaeological resources.			
D Ground disturbing activities have the potential to affect previously unknown and unrecorded cultural resources.	S	Prior to any federal action being conducted on the Enderts Beach site, a reconnaissance-level survey must be conducted by an archaeologist qualified to the professional standards of the Secretary of the Interior, in compliance with Section 106.	LTS
E This alternative proposes no change in current land use. Therefore, there would be no effect to significant cultural resources.	NE	No mitigation is recommended.	NE
<b>4.7 SOCIOECONOMIC CONDITIONS</b>			
A Operation of the destination resort is expected to create over 200 jobs. The estimated average hourly wage for entry-level positions at the Proposed Project is \$9.04, which exceeds both the federal hourly minimum wage, the California minimum wage, and the current average entry-level hourly wage for all jobs in Del Norte County. The County currently has a substantial available labor supply to fill the expected new jobs and current housing supply is adequate to absorb incoming workers. Increased school enrollment would be funded by incoming worker's property taxes and in-lieu payments to the County made by the Tribe as outlined in the Memorandum of Understanding ( <b>Appendix F</b> ). Given that the median entry-level wage is comparable to the per capita income for Del Norte County, a significant increase in persons requiring social services is not expected. Potential economic benefits are considered beneficial.	BE	<p>The Tribe will adopt a policy statement on problem gambling.</p> <p>The Tribe will contract with a gambling treatment professional to train management and staff to develop strategies for recognizing and addressing customers whose gambling behavior may strongly suggest they may be experiencing serious to severe difficulties.</p> <p>The Tribe will refuse service to any customer whose gambling behavior convincingly exhibits indications of problem or pathological gambling.</p> <p>The Tribe will respectfully and confidentially provide the customer (as described above) with written information that includes a list of professional gambling treatment programs and self-help groups.</p> <p>The Tribe will implement procedures to allow for voluntary self-exclusion, enabling gamblers to ban themselves from the gaming establishment for a specified period of time.</p>	BE
Potential impacts to problem and pathological gambling are not expected to be significant. Mitigation is provided to reduce			

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these impacts further.			
B Operation of Alternative B would create jobs, but fewer than A. Potential economic benefits are similar to those of Alternative A and considered beneficial.	BE	No mitigation is recommended.	BE
C Operation of Alternative C would create over 200 jobs. Potential economic benefits are similar to those of Alternative A and considered beneficial.	BE	Same as A.	BE
Potential impacts to problem and pathological gambling are not expected to be significant. Mitigation is provided to reduce these impacts further.			
D Operation of the destination resort is expected to create jobs, but fewer than A. Potential economic benefits are similar to those of Alternative A and considered beneficial.	BE	Same as A.	BE
Potential impacts to problem and pathological gambling are not expected to be significant. Mitigation is provided to reduce these impacts further.			
E The proposed trust parcels would not become part of the reservation and development of a destination resort would not occur. This would prevent the Tribe from reacquiring historic tribal lands, and benefiting from an increased revenue stream.	S	No mitigation is recommended.	SU
<b>4.8 RESOURCE USE PATTERNS</b>			
<b><i>Transportation</i></b>			
A The project is expected to have a less-than-significant impact on the local transportation network. The Tribe's MOU with Del Norte County includes mitigation measures, including any	LTS	No mitigation is recommended.	LTS

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necessary improvements to Highway 101 or County roads.			
B Same as A.	LTS	No mitigation is recommended.	LTS
C Same as A.	LTS	No mitigation is recommended.	LTS
D The US-101/Enderts Beach Road intersection (referred to as the US-101/Humboldt 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 US-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 US-101 onto Enderts Beach Road or turn right onto US-101 from northbound Enderts Beach Road because of this extreme alignment.	S	The existing shoulder on northbound Highway 101 shall be widened to provide a deceleration lane for vehicles turning left onto Enderts Beach Road. Directional signs shall be provided so that patrons use the Sandmine Road intersection when traveling to and from Highway 101 to the north, and Humboldt Road when traveling to and from Highway 101 to the south. The Tribe shall provide improvements to the intersection of Highway 101 and Enderts Beach/Humboldt Road according to current Caltrans and County construction and design standards and obtain Caltrans/County permits as appropriate. The Tribe shall provide improvements to the intersection of Highway 101 and Sandmine Road according to the current Caltrans and County construction and design standards, and require Caltrans and County permits, as appropriate. Improvements shall include sight distance improvements and signage.	LTS
E The traffic conditions under the No Action alternative would be as described for the baseline conditions for each target year.	NE	No mitigation is recommended.	NE
<b>Land Use</b>			
A The Proposed Action would be consistent with surrounding land uses. If accepted into trust, the property would not be subject to local land use regulations.	LTS	No mitigation is recommended.	LTS
The California Coastal Commission conditionally concurred with the Consistency Determination of the BIA ( <b>Appendix N</b> and <b>Appendix Q</b> ). 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			

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including water quality, hydrology, lighting, signs, roads, sewer and water infrastructure, landscaping and revegetation, and building plans as applicable ( <b>Appendix Q</b> and <b>Appendix Z</b> ).			
B 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. The project would include numerous mitigation measures and BMPs and would be consistent to the extent practicable with the enforceable policies of the Local Coastal Plan (LCP) and Coastal Zone Management Act. Mitigation is required for any deviation from the LCP.	S	Development of the golf course in the Coastal Zone would require approvals by the Coastal Commission, and permits from USACE and USEPA. Mitigation required by approvals and permits would be carried out. This would ensure compliance with Coastal Act policies and decrease impacts to coastal resources.	LTS
C Same as B.	S	Same as B.	LTS
D Development of the Enderts Beach site is severely restricted by existing land use regulations. The property is entirely within the Coastal Zone. The BIA's acquiring the subject property in trust would be an action that would require a consistency determination. If taken into trust, the Tribe would be exempt from complying with local land use regulations. 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. The project would include numerous mitigation measures and BMPs and would be consistent to the extent practicable with the enforceable policies of the Local Coastal Plan (LCP) and Coastal Zone Management Act. Mitigation is required for any deviation from the LCP.	S	Same as B.	LTS
E All current land uses would be retained.	NE	No mitigation is recommended.	NE
<b>Agriculture</b>			
A Current grazing use on the property is only marginally economical and may contribute to degradation of habitat and	LTS	No mitigation is recommended.	LTS

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wetlands should the grazing operation be intensified for increased viability. 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 ( <b>Appendix E</b> ). There are no issued or identified Williamson Act contracts.			
B Same as A.	LTS	No mitigation is recommended.	LTS
C Same as A.	LTS	No mitigation is recommended.	LTS
D 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.	LTS	No mitigation is recommended.	LTS
E Land zoned for agricultural uses would not be lost and grazing would continue.	NE	No mitigation is recommended.	NE
<b>4.9 PUBLIC SERVICES</b>			
<b><i>Water Supply</i></b>			
A The City of Crescent City and/or Bertsch-Oceanview Water District (BOVCSD) would provide potable water. The City and/or District obtains its water from the Smith River Plain Groundwater Basin, which has abundant resources and would not be significantly affected by the Project.	LTS	No mitigation is recommended.	LTS
B The City of Crescent City and/or Bertsch-Oceanview Water District (BOVCSD) would provide potable water. The only feasible supply of irrigation water is the use of recycled water from the City of Crescent City Wastewater Treatment Plant.	S	Irrigation of golf course facilities would require the use of recycled water from the City of Crescent City Treatment Plant, treated to meet Title 22 standards. The Tribe would form an agreement with the City to upgrade its facilities to produce reclaimed wastewater	LTS

Less than Significant = LTS

Significant = S

Significant and Unavoidable = SU

No Effect = NE

Beneficial Effect = BE

Alternative A = A

Alternative B = B

Alternative C = C

Alternative D = D

Alternative E = E

**TABLE ES-1**  
SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS, MITIGATION MEASURES, AND SIGNIFICANCE

ENVIRONMENTAL EFFECT	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
The City of Crescent City does not currently produce recycled water at the wastewater treatment plant.		and to build a pipeline to deliver service.		
C Same as A.	LTS	Same as B.	LTS	
D Water would be provided by the City of Crescent City's expansion of services to other customers in the area, including the Elk Valley Rancheria. As the City of Crescent City has excess capacity to furnish the resort with water there is a less than significant impact on local water supply.	LTS	No mitigation is recommended.	LTS	
E The No Action alternative does not require additional potable water.	NE	No mitigation is recommended.	NE	
<b>Wastewater</b>				
A With reduction in wastewater flows due to the construction of the Rumiano pretreatment unit, outfall project, and other improvements, the City of Crescent City projects that it will have the capacity to treat wastewater from the casino. The only obstacle is the number of hook-ups the city is allowed to have in connection with water quality regulations. It is expected that the number of allowable hook-ups will increase with the completion of the outfall project.	LTS	No mitigation is recommended.	LTS	
The Proposed Action would include construction of onsite 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. The City has offered to provide Title 22 recycled water to the Tribe to be used for irrigation of resort landscaping.				
B Same as A.	LTS	No mitigation is recommended.	LTS	
Less than Significant = LTS	Significant = S	Significant and Unavoidable = SU	No Effect = NE	Beneficial Effect = BE
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ENVIRONMENTAL EFFECT	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
C Same as A.	LTS	No mitigation is recommended.	LTS
D Same as A.	LTS	No mitigation is recommended.	LTS
E No increased development would take place under this alternative. Thus, the No Action alternative would not result in increased wastewater production.	NE	No mitigation is recommended.	NE
<b>Solid Waste</b>			
A Del Norte Coast Solid Waste Management Authority (DNCSWMA) is building a transfer station that would transport solid waste to the Dry Creek regional landfill located in White City in Jackson County, Oregon. No significant impacts to the regional landfill are anticipated.	LTS	No mitigation is recommended.	LTS
B Same as A.	LTS	No mitigation is recommended.	LTS
C Same as A.	LTS	No mitigation is recommended.	LTS
D Same as A.	LTS	No mitigation is recommended.	LTS
E No increased development would take place under this alternative. Thus, the No Action alternative would not result in increased solid waste production.	NE	No mitigation is recommended.	NE
<b>Electricity, Natural Gas, and Telecommunications</b>			
A Power lines currently exist on the subject property along the existing access road. There is no natural gas service available in this region of the coast. Verizon provides telephone service, which is available and operating on site. The installation of telephone facilities is governed by the Public Utility Commission (PUC) Tariff Rules Nos. 15 and 16. These rules specify that	LTS	No mitigation is recommended.	LTS

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Significant = S

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Alternative A = A

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ENVIRONMENTAL EFFECT	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
costs associated with facility installations shall be paid by the project developer. The Tribe's contractor would provide trench installation of conduit. No adverse impacts to existing utilities are anticipated.				
B Same as A.	LTS	No mitigation is recommended.	LTS	
C Same as A.	LTS	No mitigation is recommended.	LTS	
D A power line and pole, which served an abandoned home, currently exists on the subject property along the existing access road. There is no natural gas service available. Verizon provides telephone service, which is available and on site. No significant adverse impacts to existing utilities are anticipated.	LTS	No mitigation is recommended.	LTS	
E No increased development would take place under this alternative.	NE	No mitigation is recommended.	NE	
<b>Law Enforcement and Crime</b>				
A The operation of the gaming facilities may result in law enforcement demands on the Del Norte County Sheriff's Department which would be covered by the MOU and Sheriff/Coroner's letter of agreement with the Tribe.	LTS	No mitigation is recommended.	LTS	
B The operation of the gaming facilities may result in law enforcement demands on the Del Norte County Sheriff's Department but impacts are expected to be less than significant.	LTS	No mitigation is recommended.	LTS	
C Same as B.	LTS	No mitigation is recommended.	LTS	
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ENVIRONMENTAL EFFECT	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
D Same as B.	LTS	No mitigation is recommended.	LTS
E The No Action alternative would not result in additional effects to law enforcement.	NE	No mitigation is recommended.	NE
<b><i>Fire Protection and Emergency Medical Services</i></b>			
A Construction may introduce potential sources of fire to the project site.  The use of the proposed casino by patrons and employees will result in an increased demand for emergency medical services. The District has adequate equipment and staff to provide a response time of approximately 5 minutes to the site.	S	To avoid/reduce potential fire hazards during construction, construction equipment shall contain spark arrestors, as provided by the manufacturer. Frequent watering shall occur in and around areas where power tools or torches are used. Watering areas during construction helps prevent wildfires in grassland areas.	LTS
B Same as A.	S	Same as A.	LTS
C Same as A.	S	Same as A.	LTS
D Same as A.	S	Same as A.	LTS
E No increased development would take place under this alternative. Thus, an increased need for fire protection and emergency medical services would not result.	NE	No mitigation is recommended.	NE

**4.10 OTHER VALUES**

***Noise***

A Although construction activity can generate substantial levels of noise, the nearest sensitive receptors located to the north and south would not experience a significant increase in ambient noise level as a consequence. Potential transportation and	LTS	To reduce the impact of construction noise, noise generating activities during construction will be restricted to normal daylight hours, Monday through Saturday, for areas within 300 feet of an	LTS
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Less than Significant = LTS      Significant = S      Significant and Unavoidable = SU      No Effect = NE      Beneficial Effect = BE  
Alternative A = A      Alternative B = B      Alternative C = C      Alternative D = D      Alternative E = E

**TABLE ES-1**  
SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS, MITIGATION MEASURES, AND SIGNIFICANCE

ENVIRONMENTAL EFFECT	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION	
non-transportation noise is less than significant.		occupied residence.		
B Same as A.	LTS	Same as A.	LTS	
C Same as A.	LTS	Same as A.	LTS	
D Construction activities will be temporary in nature; the proximity of the hotel/casino construction to existing residential uses is not significant even during daytime hours.	LTS	No mitigation is recommended.	LTS	
E The No Action alternative would not increase the ambient noise environment through construction or operation of facilities.	NE	No mitigation is recommended.	NE	
<b><i>Hazardous Materials</i></b>				
A There is no reportable hazardous materials contamination in or near the project area. No significant quantities of hazardous materials will be used in the operation of the casino/hotel.	LTS	No mitigation is recommended.	LTS	
B There is no reportable hazardous materials contamination in or near the project area. Potentially hazardous chemicals, including herbicides and pesticides, would be used to maintain the golf course. These chemicals would be stored and applied pursuant to manufacturers' recommendations, and therefore no impacts would occur.	LTS	Same as A.	LTS	
C The effects of C are the same as those of B.	LTS	Same as A.	LTS	
D The site contains a pre-1978 construction house that was the subject of a limited asbestos and lead-based paint survey. Abatement, including removing the entire ceiling in large pieces would be required prior to demolition of this structure. No hazardous material releases are known to have occurred within 1 mile of the project site. No storage of hazardous materials is	LTS	Same as A.	LTS	
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ENVIRONMENTAL EFFECT	LEVEL OF SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF SIGNIFICANCE AFTER MITIGATION
<p>known to exist within 1 mile of the site. Due to the long-time human habitation and use of the property, the potential exists for previously unidentified soil and/or groundwater contamination to be encountered during site preparation and construction activities at the project site. Precautions have been written into the project description to address this issue.</p>			
<p>E No effects to hazardous materials would result from the No Action alternative.</p>	NE	No mitigation is recommended.	NE
<b>Visual Resources</b>			
<p>A The Proposed Action would have a significant impact on visual resources.</p>	S	<p>To reduce the impact of the resort buildings blocking views of Rellim Ridge from the housing subdivision along Roy Avenue, a row of native trees would be planted along the northern property line of the Martin Ranch property. The rear of the parking structure and resort buildings would incorporate native building materials and sensitive architecture and earth and forest tones of paint to blend with the landscape.</p>	LTS
<p>B Same as A.</p>	S	Same as A.	LTS
<p>C Same as A.</p>	S	Same as A.	LTS
<p>D Given the nearby commercial and industrial uses and advertising billboards, the scenic character of the area, including the Enderts Beach site, has already been somewhat diminished. The LCP does not strictly prohibit development projects within highly scenic areas. Instead it offers policies and guidelines for development, which address colors, materials, design, placement, utilities and architectural review. Compliance with Section V, Policies and Recommendations, of the Coastal Element (page 257-260) would ensure impacts to visual resources are reduced to the extent practicable.</p>	LTS	Same as A.	LTS

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E Under the No Action alternative, no impacts to visual resources would occur.	NE	No mitigation is recommended.	NE
<b>Night Lighting</b>			
A The Proposed Action would have a significant impact on the nighttime environment.	S	To reduce the amount of light and glare that would otherwise escape from the project site, the Tribe shall provide nighttime lighting for the parking areas that shine only on the parking areas and not surrounding areas. This can be achieved by employing down pointing lighting fixtures and low-pressure sodium bulbs.	LTS
B Same as A.	S	Same as A.	LTS
C Same as A.	S	Same as A.	LTS
D Same as A.	S	Same as A.	LTS
E Under the No Action alternative, none of the effects identified for the preferred alternative or other project alternatives would occur.	NE	No mitigation is recommended.	NE
<b>4.11 ENVIRONMENTAL JUSTICE</b>			
A With the exception of the Elk Valley Rancheria, there are no low-income or minority populations within the affected area. All of the geographic areas of measurement have higher household incomes and lower poverty rates than the county as a whole.	LTS	No mitigation is recommended.	LTS
B Same as A.	LTS	No mitigation is recommended.	LTS
C Same as A.	LTS	No mitigation is recommended.	LTS

Less than Significant = LTS	Significant = S	Significant and Unavoidable = SU	No Effect = NE	Beneficial Effect = BE
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D Same as A.	LTS	No mitigation is recommended.	LTS
E Under the No Action alternative, there would be no effect to low-income or minority communities.	NE	No mitigation is recommended.	NE

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