TOWN OF WINDSOR
AGENDA REPORT

Joint Windsor Town Council, Windsor Redevelopment Successor Agency and Windsor Water District Meeting Date: October 18, 2023

To: Mayor and Town Council
From: Patrick Streeter, Community Development Director
Subject: Submittal of Town Comments on the Environmental Assessment for the Koi Nation Shiloh Resort and Casino Project

Recommendation to Council:
By motion, authorize the Town Manager to submit a comment letter to the Bureau of Indian Affairs (BIA) on behalf of the Town, in response to the Environmental Assessment for the Koi Nation Shiloh Resort and Casino Project.

Strategic Plan Element:
The recommended action supports the goals of Infrastructure and Livability. Goal Statement: Through a lens of sustainability and innovation, invest in the Town's infrastructure and public facilities to meet the needs of future generations. Goal Statement: Preserve community character by maximizing the use of existing amenities and creating future opportunities that enhance quality of life for all.

Background:
The Koi Nation, one of the state's federally recognized Native American tribes, announced on September 15, 2021, that it intends to build a resort and casino that includes a 2,500 Class III gaming machine facility, a 200-room hotel, and six restaurant and food service areas (Project) on a 68-acre vineyard site, 222 E. Shiloh Road, adjacent to town limits, in unincorporated Sonoma County, west of the U.S. Highway 101 exit to Shiloh Road (Project Site).

A Notice of Preparation (NOP) for the Proposed Project was issued on May 27, 2022. The NOP described the Proposed Action and announced the initiation of the 30-day public scoping comment period, which ended on June 27, 2022. The purpose of the public scoping process was to identify potential environmental issues, concerns, reasonable mitigation measures, and alternatives to be considered in the Environmental Assessment (EA) being prepared for the project. The Town of Windsor submitted comments to the BIA in response to the NOP. The BIA published a "Scoping Report" summarizing the results of the public scoping process in September of 2022.

A Notice of Availability for the EA was issued on September 12, 2023, initiating a 45-day public review period. A virtual public hearing was held on September 27, 2023, that included an overview of the environmental review process, description of Proposed Action and Alternatives, summary of the contents of the EA, and an opportunity for the public to submit verbal comments on the EA. Following the hearing, the BIA extended the public review and comment period 15 days, to November 13, 2023. Town staff has prepared written comments on the EA for the Council's consideration.

Discussion:
The draft letter contains comments related to the proposed project and alternatives as described in the EA, water resources, air quality, cultural resources, socioeconomic conditions and environmental

justice, transportation and circulation, land use, public services and utilities, noise, hazardous materials and hazards (including wildfire and evacuations), and visual resources. In reviewing the EA, the Town finds that several potentially significant adverse impacts associated with the proposed project are not identified or not adequately mitigated below the threshold of significance. The Town recommends that an alternative project is selected and appropriately analyzed or that an Environmental Impact Statement is prepared. It should be noted that the EA includes a "no project" alternative.

Fiscal Impact:
This action will not have an impact on the General Fund.

Environmental Review:
There is no environmental review required as a result of this action. The recommended action is not in-and-of-itself a “project” pursuant to CEQA Guidelines Section 15378 since it does not result in a physical change in the environment.

Attachment(s):
1. Koi Nation Shiloh Resort and Casino Project - Town of Windsor Comments on EA
12.2 Correspondence Received (Distributed 2023-10-16)
12.2 Correspondence Received (Distributed 2023-10-17)
12.2 PowerPoint (Distributed 2023-10-18)
12.2 Correspondence Received (Distributed 2023-10-18)

Prepared by:
Patrick Streeter
Community Development Director

Recommended by:
Jon Davis
Town Manager