

# **APPENDIX CC**

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*Comment Letters from Individuals and Post Comment Period  
Comments*

## *Individual Comments*

**Marilee Montgomery**

152 Wilfred Avenue  
Santa Rosa, CA 95407

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**URGENT FAX**

Please route to recipient immediately

If you have trouble with this transmission, please call 707-588-9926

**DATE:** March 20, 2006

**TO:** Mr. Bradley Mehaffy  
NEPA Compliance Officer, National Indian Gaming Commission

**FROM:** M. Montgomery  
Telephone: 707-588-9926  
Email: donegal@sonic.net

**re:** Scoping Report, Graton Rancheria Casino/Resort Project LETTER  
**Page One of FOUR**



**Marilee Taylor Montgomery**  
152 Wilfred Avenue ~ Santa Rosa, California 95407

March 20, 2006

Mr. Bradley Mehaffy  
NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, 9th Floor  
Washington, DC 20005

re: Scoping Report, Graton Rancheria Casino/Resort Project

Dear Mr. Mehaffy:

A preliminary review of the Graton Rancheria Casino/Resort Project Scoping Report brings reveals some serious shortcomings, as follows:

- 1) The number and scope of "cooperating agencies" involved at this front end of the process is woefully inadequate, and,
- 2) The "Alternative Site" section has been trivialized, or what Oregon's Congressman Wu calls "customized", to ONLY address acceptable options of the tribe, or a No-Build Option.

There are special circumstances surrounding the property in question. It is a Community Separator, a flood plain, a home to several endangered species, and a vernal wetlands. It is adjacent to residential neighborhoods, with over 600 residences with yards of the project. There are groundwater overdraft conditions at the site. There are plans to locate a sewage plant near residences. There is a critical lack of municipal sewage capacity and Sonoma County is experiencing a water crisis.

The very size of the project, even the "smaller" size, would guarantee serious impacts on this region. Large tribal casinos across the country have created critical problems with traffic and the net impact on the region's judicial system, and have had serious impacts on the host communities' schools and community and social services. There is no reason to think that this casino would not create the same, significant impacts.

Because of these circumstances, and because of the net cumulative impact such tribal casino projects are now known to have on both the host community and the surrounding communities, this project calls for a broader involvement of local, state and federal

agencies. Additionally, the tribe has got to put forward some real alternate sites, not the several pro-forma sites it has suggested in this last Scoping Report .

Therefore, I strongly urge the NIGC to remedy these deficiencies by immediately taking the following action:

1) Include more local and state agencies, including, but not limited to, the following:

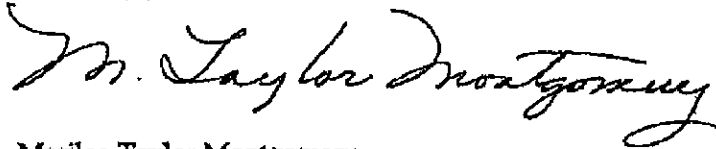
North Coast Regional Water Quality Control Board  
 Sonoma County Water Agency  
 Santa Rosa Board of Public Utilities  
 Sonoma County Transportation Authority  
 Sonoma County Sheriff's Department  
 Sonoma County Health Department  
 Sonoma County Department of Agriculture  
 Sonoma County Department of Toxic Substances  
 Sonoma County Agricultural Preservation & Open Space District  
 Sonoma County Local Agency Formation Commission (LAFCO)  
 Sonoma County Office of Education  
 Sonoma County Community Development Commission  
 The City of Cotati  
 The City of Santa Rosa  
 The City of Petaluma  
 The City of Sebastopol  
 Bay Area Air Quality Management District  
 California Department of Transportation  
 California Air Resources Board  
 California Department of Conservation  
 California Department of Fish and Game  
 California Department of Pesticide Regulation  
 California Department of Toxic Substances Control  
 California Department of Water Resources  
 California Environmental Protection Agency  
 California Environmental Resources Evaluation System (CERES)  
 California Integrated Waste Management Board  
 California Resources Agency  
 Governor's Office of Planning and Research (OPR)  
 Office of Environmental Health Hazard Assessment  
 State Water Resources Control Board

2) Replacing the alternate sites on and adjacent to the property under study, which all flooded on December 31, 2005, with bona fide alternate sites in Sonoma and Marin County.

Should the NIGC choose to perform a classic bureaucratic, boiler-plate approach to this project's DEIS, rather than one that is truly site specific and incisive, and which addresses

the numerous concerns on the site, then please be advised that this community will take all appropriate legal action.

Very truly yours,

A handwritten signature in cursive script that reads "Marilee Taylor Montgomery". The signature is written in black ink and is positioned above the printed name.

Marilee Taylor Montgomery

/mm

cc The Honorable Lynn Woolsey  
Stephan Volker, Attorney at Law

-----Original Message-----

From: hank lautrup [mailto:hclautrup@yahoo.com]

Sent: Wednesday, March 07, 2007 7:11 PM

To: Support

Subject: An unwanted casino

When we voted some years ago, we thought we were helping the Indians use their own lands for casinos. Now in Northern California there is a casino built or proposed in every small town. We were deceived by vague, and deliberately mis-leading initiative language. Had the vote said the Tribes would buy land, and build where ever they wished, The vote would have a denial vote. Now our town leaders are , and have denied us a voice on this issue. The tribe now has a second parcel selected for a huge casino, restaurant. Too much in too small an access area. We don't want this gambling mecca in Rohnert Park. If a vote were legally taken in town. this casino would be , by a wide margin defeated. Take gambling to a town that wants it.

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-----Original Message-----

From: Linda Long [mailto:walkalong@pacbell.net]  
Sent: Monday, March 05, 2007 2:16 PM  
To: bradley\_mehaffy@nigc.gov  
Subject: EIS Graton tribe

Mr. Mehaffy, I respectfully demand that the response period after the April public hearings regarding the Draft Environmental Impact Statement be extended to a 6 month period. This is a reasonable request since we have been waiting three years for the research and completion of the Draft Environmental Impact Statement submitted by the Graton Tribe. Thank you, Linda M. Long

Linda M. Long

944 Helene Ct.

Rohnert Park, CA 94928



March 30, 2007

Mr. Bradley Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW  
Suite 9100  
Washington, DC 20005

Re: Graton Casino/Hotel Project DEIS  
Request for extended response period

Dear Mr. Mehaffy,

This letter is a request for additional response time to the Graton DEIS.

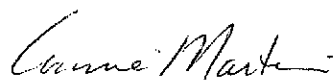
As a rural resident of Santa Rosa, within 2 miles of the proposed Graton casino, and in a direct unobstructed visual line with it (I live on a hill to the southwest) I believe that the DEIS is very shallow in its presentation of facts.

There are subjects, such as light pollution, that are not mentioned and other subjects, such as rural water wells that are not addressed properly.

More time is needed for preparation of a response, and I request that you grant an extension.

Thank you for your consideration.

Sincerely,



Connie Martin  
5375 Stony Point Rd.  
Santa Rosa, CA. 95407  
707-795-2772

April 3, 2007

National Indian Gaming Commission  
Attn: Brad Mehaffy, NEAPA Compliance Office  
RE: Federated Indians of Graton Rancheria  
1441 L Street NW - Suite 9100  
Washington, DC 20005

Dear Mr. Mehaffy,

We attended the SCOPING hearing you conducted here in Rohnert Park, CA on October 19. We found this to be very fair and professional. However, we were concerned that there is still not enough input from concerned citizens and ask that another be held. Citizens of nearby communities, such as Santa Rosa, Petaluma, Sebastopol and also West and North County communities are not fully aware of the impacts on them. Basically, they are thinking this is a "Rohnert Park Only" problem. If there is a casino built here, they will be up in arms and complaining vigorously that they did not receive enough notice and advance information.

We would suggest that a county facility be used for the next SCOPING hearing, such as the Luther Burbank Center for the Arts, in Santa Rosa. This is a larger and well known facility to all Sonoma County residents and adequate publicity would be given we are sure.

We would also like to report on some recent events and thoughts since the Oct. hearing:

#### CRIME, PROSTITUTION AND GANG ACTIVITY

The area of Santa Rosa Avenue, north of Wilfred Ave is a notorious area of active prostitution. There are a number of motels who cater to prostitutes, pimps and sex clients. One of these was sued and the managers arrested, Please see the enclosed SANTA ROSA PRESS DEMOCRAT article dated Oct 29. These operations are very close to the proposed casino and will proliferate when it is built. There will be no stopping this expansion inasmuch as the casino's clients will be solicited and consume their services very heavily,

Two major Latino gangs, the Norternos and the Surenos have been causing major crime problems in southern Santa Rosa for a number of years and it's getting worse. There have been numerous shootings, some drive by, beatings and a number of actual murders. This is not teenage kid stuff, it's serious. Much of this violence has been attributed to turf battles. Much of this has to do with the drug business in Sonoma county which along with Mendocino County is a major producer of illegal marijuana, meth and ecstasy. The casino will provide a greater opportunity for these gangs to prosper further and the turf wars will move further south to Rohnert Park. You can count on more hardened criminals getting into the honey pot.

## DETERIORATION OF ROHNERT PARK SURROUNDING SCHOOLS

Declining enrollment and financial difficulties is already a serious problem in Rohnert Park with one elementary school closed last year and another possibly in 2006. Please see the enclosed SANTA ROSA PRESS DEMOCRAT story, dated Oct. 28 on this subject.

It's very likely that the casino will exacerbate this decline. When the casino is built, families will leave, not being willing to expose their children to the crime and decline in lifestyles. It's not likely that casino new casino workers will bring children since they will work at all hours, including night. The lower paying jobs might bring some children but they are likely to be at or below poverty level (see below), not be able to pay taxes and demanding services everyone else will have to pay. The casino is not going to pay taxes. It's a lose/lose proposition for BOTH public and private schools.

## CASINO ECONOMICS

The trade union and contractors made a big deal out of job creation. First of all, the casino construction is a one shot deal and most of the jobs will come from other areas.

Recently, a Rohnert Park resident wrote the enclosed letter to the editor of the PRESS DEMOCRAT on this subject. Using the casino proponent's own figures, he shows that the average job will be \$30,000 per year. Not enough to buy a house here and pay taxes.

## LOCAL TRAFFIC

Much is made of 24,000 cars a day on highway 101. In frustration, drivers will use local Rohnert Park streets to bypass the freeway messes. Golf Course Drive, Fairway Drive (our street) will become big time short cuts. Snyder Lane and Petaluma Hill Road (already used as bypasses) will be as bad as the freeway. Kids will be unsafe to ride bikes or walk to schools (2) See map with the locations. The real estate values of homes in these areas will go downhill real fast.

## CONCLUSION

The idea of locating a major Las Vegas style casino/hotel/resort in a heavily populated suburban area is a very bad idea. Now, we are sure that the Tribe wants to be as close to San Francisco as possible and to short-circuit the Casinos already established north of here, but the price to this community isn't worth it. The Tribe needs to go some other place, less damaging.

Thank you, sincerely,

*Robert Aherne* *Arilla W. Aherne*  
 Robert and Arilla Aherne, 4575 Fairway Dr, Rohnert Park, CA 94928

TEL: (707) 206-9495

e mail: baherne@sonic.net

cc: Tim Smith, Supervisor

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## **SR OFFICIALS CALL LLANO MOTEL A HOUSE OF PROSTITUTION: CITY SUES OWNERS, SEEKS TO SHUT BUSINESS**

Published on October 29, 2005

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**Correction:** Unpublished Correction: The original article gave an incorrect number of prostitutes that had been arrested in an October raid; the correct number is 12. The error has been corrected.

BYLINE: MARY CALLAHAN

THE PRESS DEMOCRAT

PAGE: A1

Taking a new approach to combating prostitution and drug dealing, the city of Santa Rosa is seeking to shut down a Santa Rosa Avenue motel identified as a hub of illegal activity.

The Llano Motel's father-daughter management team has been arrested on suspicion of running a house of prostitution at the 20-room motel.

And, after a 5 1/2 -month undercover investigation, a lawsuit was filed Wednesday against the motel's owners, another father-daughter team. City officials said the action signals their interest in a comprehensive solution to a long-running problem.

"We hope that it sends a message to any other motels that may be operating this way," Assistant City Attorney Mike Casey said.

The lawsuit says police gathered evidence -- including statements from the managers -- that the motel's owners knew what was going on and participated in setting inflated room prices and "house rules" for hookers.

Attorneys for Raman Patel and his daughter, Rita Patel, who are partners in the motel, said they had seen no evidence to support the city's claims.

The lawyers said the Patels left motel operations to on-site managers and could not be expected to know what goes on in each room.

"We'll find out whether or not they can establish any of this is actually true," said L. Stephen Turer, who represents Rita Patel. "It's very easy to accuse. It's harder to prove. And you know it's all very anonymous, which is all very disturbing."

Authorities said even if the owners weren't aware of illicit activity, the city must prove only that it existed in order for the motel to be declared a public nuisance and the Patels held responsible for fixing the problem, up to and including closing the motel for a year.

"I think the evidence is pretty overwhelming," said Casey, who filed the suit under the state's red light abatement law.

The case might be summed up by the scene after a raid at the motel last weekend, when police turned out 12 admitted hookers, found one nude customer hiding in a shower and questioned three others who were outside awaiting their turns, authorities said.

Condom wrappers and used condoms were found in the waste cans of at least three rooms the women were using, testifying to the type of activity that had been occurring inside the motel, which is just south of the Santa Rosa Marketplace shopping center.

The lawsuit was based largely on information gathered during a police investigation that included undercover operations, surveillance and interviews with suspects, sex workers and their customers.

Police also monitored online message boards used by sex providers to advertise and by customers to compare notes on hot spots, specific women, law enforcement and other topics, including the "action" at the Llano Motel, or "L."

Police say undercover officers have been solicited by women staying at the motel, and have observed women standing in open doorways and contacting potential customers in the parking lot.

"It's blatant," said Sgt. Steve Fraga, who runs the unit leading the investigation. "They're out there. They're hawking."

Police say they have identified three men believed at various times to have been running women and drugs out of rooms at the motel. All three have been arrested, though some of the charges aren't related to this investigation.

At least three juvenile prostitutes have been linked to the motel, and police believe a woman who faked abdominal injury to get to a hospital had been kidnapped and forced into prostitution by a man who threatened her and her mother's life. That man is awaiting trial.

"It's not just a victimless crime," Police Sgt. Paul Henry said, noting the still-unsolved slaying of a prostitute in another motel 2 1/2 years ago.

Detectives also cataloged conversations in and outside the presence of the motel's primary manager, Kellie Richardson, in which they say it was clear she was aware of prostitution and drug dealing, and even served as a lookout.

Working undercover, detectives said they documented continually increasing rates charged the hookers above the standard \$54.50 a night, saying by this month they were paying \$150 per person even if three or four shared a single room.

Santa Rosa Avenue has long been the city's unofficial red light district, where prostitution

has survived despite occasional sting operations and other enforcement efforts.

In recent years, authorities say there has been an increase in out-of-town women working the area, typically for several days at a time. They say the area has a reputation for prostitution and lax enforcement among those in the sex trade and their customers.

At the same time, retail and housing development has brought more people into the area and forced business owners and citizens to confront solicitation and loitering, police said.

More recently, authorities have observed that the trade is moving behind closed doors, with prostitutes and pimps using cell phones and Internet sites to generate business and make deals without having to walk the streets.

The Llano Motel became the focus of the investigation because of its central role in the action on the avenue, said Henry, who supervises police patrols of the neighborhood and asked detectives to step in.

Once they did, it was "like shooting fish in a barrel," Fraga said, alluding to the high volume of criminal traffic.

Police say the motel has proved a safe, convenient location for hookers to work in part because the view into its L-shaped parking lot is mostly blocked by neighboring businesses, but primarily because of the acquiescence of its managers.

Police said Richardson, 32, her father, co-manager Arthur Savano, 57, and Richardson's husband, Steve Richardson, conceded as much when they were arrested on suspicion of running a house of prostitution during the Oct. 22 raid.

Though farmworkers and others stay at the motel, the lawsuit says a manager told police the majority of its business came from prostitution.

Managers also told detectives about "house rules" set by the owners that include prohibitions on walking the avenue in front of the motel and wearing short skirts or skimpy clothes -- a frequent complaint from potential customers who use online chat rooms about prostitution in the area.

Both Richardsons declined to be interviewed. Savano was unavailable for comment.

Chris Andrian, an attorney representing motel co-owner Raman Patel, said he can't understand why the issue of prostitution on Santa Rosa Avenue is "lying at my people's doorstep."

Andrian expressed doubt about attempts to "regulate the world's oldest profession" and said the case against Patel appeared to be based entirely on hearsay. He also questioned the city's expenditure of time and resources investigating prostitution on Santa Rosa Avenue, where its presence has long been acknowledged.

"I look at this thing and I think, 'Wait a minute. If everybody in Santa Rosa knows, haven't we acquiesced to this? Haven't we really?'"

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## **PARENTS, TEACHERS CRITICAL OF POSSIBLE RP SCHOOL CLOSURE**

Published on October 26, 2005  
© 2005- The Press Democrat

BYLINE: ROBERT DIGITALE

THE PRESS DEMOCRAT

PAGE: B1

As the Cotati-Rohnert Park School District began coping with a dismal enrollment forecast, parents and teachers voiced concerns Tuesday that closing another elementary school would hurt students and damage the district's reputation.

"It's not a good image to have schools closing in a community," parent Megan Smith said.

Smith's children attend an elementary school in Santa Rosa's Rincon Valley district, but she is considering moving them back to a Rohnert Park campus.

Rohnert Park school officials closed a campus in 2002, but the audience of about 35 people at Mountain Shadows Middle School showed little support for the prospect of shutting another elementary school.

"How many closures do I have to go through?" parent Evette Earle asked.

She lives near Richard Crane Elementary School, which the school board closed three years ago as officials struggled to overcome a \$2.2 million budget deficit partly related to declining enrollment.

Tuesday's gathering provided the first chance for the community to react to the prospect of a possible school closure.

People can comment again at 6:30 tonight at Creekside Middle School, then at gatherings at each of the district's 13 campuses during November.

The school board has appointed an advisory committee to examine whether a school should be closed, but not to recommend a particular campus for closure. By next spring, the board members are expected to decide whether to shut a school and, if so, which campus.

A district consultant has said that by the 2010-11 school year the district's enrollment could

drop to 6,200 students from about 7,000 today.

Possible explanations for the drop include high housing costs and job losses in the area, according to the chairman of a district advisory committee. Some parents suggested students were being lured to other districts with special programs.

New home construction isn't likely to change the equation, advisory committee Chairman Chris Borr said.

The district's consultant also projected that the number of "empty" classrooms could climb during the next five years to 92 from 54 today. That would include 39 empty elementary classes, more rooms than needed for an average school.

Based on those projections, Borr told the audience that "there appears to be (enough) room that one elementary school may be considered surplus."

But parents and teachers argued that those classrooms are heavily used even if a class and a teacher aren't assigned to them. Many argued against closing any school.

"You have to take into account the human cost, too," said Ellen Rai, a parent at Gold Ridge Elementary School.

As an alternative, speakers said the district should start a marketing campaign to draw more students into the community's schools. Some noted a recent publication from Santa Rosa City Schools that detailed the magnet programs and career pathways available at that city's five high schools.

"We should be copying that idea," Gold Ridge teacher Nancy Aiona said. "We should be learning from the people who are taking our kids."

You can reach Staff Writer Robert Digitale at 521-5285 or [rdigitale@pressdemocrat.com](mailto:rdigitale@pressdemocrat.com).

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## CASINO ECONOMICS

Published on October 26, 2005  
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BYLINE: ANTHONY MORENO JR., Rohnert Park

PAGE: B6

COLUMN: LET THE PUBLIC SPEAK

EDITOR: On Oct. 19, the National Indian Gaming Commission conducted a scoping hearing on the proposed **casino** to be placed next to the Wal-Mart shopping center. A raging debate within the hearing was over the economic impact the **casino** would have on Rohnert Park. The proponents of the **casino** argued that the **casino** would furnish Rohnert Park with 2,500 jobs and an annual payroll of \$75 million. When you calculate the average salary (divide the payroll by the number of jobs) we find that the **casino** would add jobs that pay an average of \$30,000 a year.

According to the U.S. Census Bureau, the median average income in Sonoma County was about \$53,000. The supporters of the **casino** act like the **casino** will solve Rohnert Park's economic situation, but in reality all it will do is add a few more low-paying jobs. We must judge whether the economic benefits of the **casino** outweigh the economic and social disadvantages of the **casino**. Traffic, crime, water, sewage, electricity, pollution and other things will cause the **casino** to ruin our family-friendly city. The **casino's** minuscule economic benefits do not outweigh the adverse economic, social and environmental effects the **casino** will have on our community.

ANTHONY MORENO JR.

Rohnert Park

Keywords: LETTER

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# Steve Carroll

National Indian Gaming Commission  
 1441 L Street NW, Suite 9100  
 Washington, DC 20005

Attn.: Brad Mehaffy

April 3, 2007

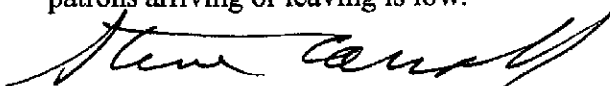
Sirs:

Thank you for the time and thorough work you have devoted to this project. Your diligence affords us all a strong degree of comfort with the results you will attain.

Traffic congestion is always a concern to all of us who live in Sonoma County. The Federated Indians of the Graton Rancheria have agreed to traffic mitigations that embrace my concerns and are more than fair to all of us who live here. Time is short and the list is long. I will use bullet-points.

To mitigate traffic the Tribe will:

- Prepare a traffic management plan containing standards recommended or required by the US Department of Transportation.
- Prior to construction, work closely with local emergency services providers to avoid obstructing emergency response services.
- Schedule importation of construction materials to the site outside of peak traffic hours.
- Limit any lane closures or obstruction associated with construction to off-peak hours to reduce traffic congestion and delays.
- Prior to construction, notify all potentially affected parties in the area regarding construction schedules, location of construction activities, and alternative access routes.
- Coordinate with the Green Music Center during events that will generate high-traffic levels and provide funding for special events traffic monitoring at the Rohnert Park Expressway interchange.
- Monitor debris along construction vehicle routes daily during construction and clean roadways when needed.
- When the hotel and casino are open, promote and encourage ridesharing by employees and provide patrons with preferential carpool or vanpool spaces at the Project.
- Sponsor chartered buses from destinations such as Marin County and the south Bay.
- Provide a shuttle between the casino and Rohnert Park transit hubs on half-hour rotational bases during busy hours and on-call when frequency of employees and patrons arriving or leaving is low.



2063 Stonefield Lane, Santa Rosa, CA. 95403-0952  
 Phone: (707) 568-3784 FAX (707) 568-3784 Email: a1stevocarroll@comcast.net

## Chuck Maisel

Very few Sonoma County citizens actually know that this EIS was voluntarily requested by the Tribe. The Tribe did this precisely because they wanted negative impacts of their project to be pinpointed up front. They then can take practical steps to mitigate impacts – again voluntarily.

For example, the Tribe has thoughtfully prepared for many traffic improvements. I've jotted down a few examples:

- \*Help implementation of Caltrans HOV projects between Old Redwood Highway and Wilfred Avenue.

- \*Help pay for construction of a Wilfred Avenue Interchange Project, including an HOV lane, ramp metering, and auxiliary lanes.

- \*Help pay for additional south-bound and north-bound traffic lanes between Santa Rosa Avenue and Highway 116.

- \*Help pay or pay in full for impacts at intersections.

Historically traffic mitigation was not required of the other developments adjacent to the proposed project. If those had agreed voluntarily to mitigate impacts, traffic now would be far less of a problem. However, Home Depot, Cosco, Walmart, Loews, Pacific Theaters, Office Depot, furniture stores, and many others in this commercially zoned area left the responsibility for handling traffic to city, county, state, and federal funding.

The Tribe earnestly desires to be a responsible and trusted member of this community. Their request for this Environmental Impact Study is but one more example of a group that has pledged more benefits to the environment and to the citizens of Sonoma County than any single organization in county history.

### WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

**IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.**

(Please write legibly)

Name: Cathy Cunningham Organization/Tribe/Agency: \_\_\_\_\_

Address: 6706 Manning Ave, Searsville, CA 95478

Phone/Email: 707/528-7832

Comment: Trying to get the casino project at Graton and Searsville is unacceptable.

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 144 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project"

### WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE  
April 4<sup>th</sup>, 2007

**IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.**

(Please write legibly)

Name: Roger A. Klein and Orthogonistic Program Organization/Tribal Agency: Surgeon C. S. Memorial

Address: 1111 Sonoma Ave #106, Santa Rosa, CA 95405

Phone/Email:

Comment: A Casino in Colusa Park will suck essentail money away from local businesses. Slight health by business growth and station huge funding out of indigent class or reduced households and transfer to wealthy out of state corporations. This location project will syphon business away from Colusa up north, leaving other Indian groups already dependent on existing income from parent casinos. Hoffman owns, water & sewer plants are severe.

Please give to attendant drop in Written Comment Box, or mail to: Brad Melaffy, NEBA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER -- 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.

(Please write legibly)

Name: TOM ROBERTS Organization/Tribe/Agency: INDIV

Address: 4649 POWDELL AVE, SANTA ROSA, CA. 95407

Phone/Email: (707) 486-9381

Comment: IN FAVOR OF DEVELOPMENT. AREA WAS IN SPHERE OF INFLUENCE FOR COMMERCIAL, INDUSTRIAL & HOUSING.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehafty, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

*Spreckels Performing Arts Center*  
**WRITTEN COMMENT CARD**

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING 1-11  
FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT  
SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE  
April 4<sup>th</sup>, 2007

**IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.**

(Please write legibly)

Name: Sue Dewey Organization/Tribe/Agency: Citizen  
Address: 915 Santa Donata Cir. R.F. CA 94925

Phone/Email: Suedewey@comcast.net

Comment: As a retired school teacher I have always  
taught my second graders to let Indians speak  
Mother Earth speak, care for. You'd see the  
Caribe hillbillie Indian history? Could another  
option be something to do with history, agriculture  
(Mother Earth speak) I hope we can have a space  
to help develop it. Observation - We could draw

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*People from around the world*

# WRITTEN COMMENT CARD

I-12

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

**IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDEE OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.**

(Please write legibly)

Name: Connie Martin Organization/Tribal Agency: Resident

Address: 5375 Stony Pt. Rd., Santa Rosa 95707

Phone/Email: 207-795-2772 / bkrmartin@spcglobal.net

Comment: Concern about Lebach Ave. between Robert Clark Expressway + Business Park Dr. - width of road, intersection of Menten Ave. + Lebach (both north end + south end), curve in Lebach at both Menten Ave. intersections, parking along Lebach by industrial job businesses.

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### WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

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April 4<sup>th</sup>, 2007

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(Please write legibly)

Name: Connie Martin Organization/Tribe/Agency: Resident

Address: 5375 Stony Pt Rd SR 95409

Phone/Email: 702-2795-2792 / bkrmarketing@sbnglobal.net

Comment: Concern about "Light Pollution" to western neighbors & all the rural area adjoining casino

② Concern regarding Calt: Teresa Salamander & case of 2003-4 study & mitigation numbers. A current study & the use of May 2006 mitigation areas should be required. Also new discussion between IT's action should be considered.

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WRITTEN COMMENT CARD

I-14

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

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(Please write legibly)

Name: WENDELL MCCREA Organization/Tribe/Agency: Home owner

Address: 5763 GRAVENSTEIN SO SEBASTOPOL CA 95472

Phone/Email: 795-7936

Comment: When the County of Sonoma is facing a water shortage from over building of wells a well to monitor the well, of existing farms and some wells - How can they get provided with the same large wells deep into the ground for a large development like a casino? - Also traffic on four roads are to be crowded and the costs will bring another 15000 auto a day - not a

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Good  
idea

**WRITTEN COMMENT CARD**

1-15

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

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April 4<sup>th</sup>, 2007

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(Please write legibly)

Name: SD HEINZ Organization/Tribe/Agency \_\_\_\_\_

Address: 498 Phillips Dr. Penngrave CA

Phone/Email: hein2.edward@gmail.com

Comment: Please keep the casino out of here. I am raising my family here for its low crime and low traffic existence. I have sent 7 children in Bohemiet Park schools. ITS simple - Money is not more important than quality of life and moral living.

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WRITTEN COMMENT CARD

I-16

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

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(Please write legibly)

Name: BARBARA McLENDIE Organization/Tribe/Agency: CITIZEN

Address: 1536 GLADSTONE WAY KOHLERT PARK CA 950894428

Phone/Email: SANTABFM@AOL.COM

Comment: THE SIZE + SCOPE OF THIS PROJECT ARE OUTRAGEOUS FOR THE SITE! THE MASSIVE "FILL" REQUIRED BECAUSE THE LAND IS ON A FLOOD PLAIN IS A CLEAR MESSAGE ABOUT THE MISMATCH OF SIZE + PROJECT. THE TRAFFIC PROBLEMS + IMPACT CANNOT BE MITIGATED! THE WATER WORKS AND SEWERAGE PROBLEMS WILL DEAN THE AQUIFER UNDER SOURCE PROBLEMS

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehafty, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

~~PLEASE GIVE TO ATTENDANT AT THE HEARING TO BE HELD TO DISCUSS THIS PROJECT~~  
~~IF THIS CARD WOULD NOT BE USED TO TEST AS A IS A TRAVESTY!!~~

WRITTEN COMMENT CARD

1-17

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

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(Please write legibly)

Name: Amelia Miller Organization/Tribe/Agency: \_\_\_\_\_

Address: 4306 Primrose Ave Santa Rosa (PO Box 7203 Santa Rosa)

Phone/Email: (707) 217 7383

Comment: IS LIVE RIGHT DOWN THE STREET FROM THE PROPOSED WILFRED AVE SITE (3 HOURS FOR 24 YEARS) - WE HAVE A SERIOUS ANNUAL FLOODING PROBLEM - WHAT WILL YOU DO WITH THE DISPLACED FLOOD WATER FROM BUILDING UP THE CASINO SITE? HOW WILL YOU DEAL WITH THE "URBAN HEAT ISLAND" EFFECT? THE IMPACTS FROM TRAFFIC FLOODING, AIR POLLUTION, WATER TABLE DEPLETION, & CRIME, MAKE THIS DEVELOPMENT INAPPROPRIATE FOR MY NEIGHBORHOOD - BUILD IT ON LAKEVILLE

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project"

5

WRITTEN COMMENT CARD

I-18

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

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April 4<sup>th</sup>, 2007

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(Please write legibly)

Name: LINDA HILL Organization/Tribel/Agency: PRIVATE CITIZEN

Address: 1223 MOSS ROCK COURT SANTA ROSA CA 95404

Phone/Email: 707 579-9075

Comment: THE WILFRED / STONEY POINT SITE IS WRONG FOR THIS CASINO. BOTH PROPERTIES ARE IN A FLOOD/WATER SHED DESIGNATION - EVIDENT WHEN 5 FEET OF FILL NEEDS TO BE BROUGHT IN FOR 6647-AC. (NOT TO MENTION FUTURE EXPANSION) WITH THIS NEW 66 ACRES - OF "HAWAIIAN" WATER RUN OFF WIND LANE/DATE SURROUNDING PROPERTIES AND CAUSE SERIOUS FLOODING - CASINO WILL USE UP DOMESTIC WATER THAT IS BECOMING SCARCER AND THE COUNTY WILL HAVE "NO" CONTROL FOR CASINO USAGE.

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project"

THE LAKEVILLE SITE SEEMS TO BE A BETTER LOCATION FOR THIS DEVELOPMENT

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

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(Please write legibly)

Name: MAGGIE HARRYMAN Organization/Tribe/Agency: \_\_\_\_\_

Address: 4646 Laboth Ave, Suite 400 (across from proposed casino!)

Phone/Email: maggiehpacball.net

Comment: Our home sits directly adjacent to the Casino. I have 2 children and I'm concerned for their safety w/ so much increased traffic.

Please address this issue of 192 trucks per day on Laboth.

Maggie Harryman

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WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRAYTON RANCHERIA - CASINO/HOTEL PROJECT

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(Please write legibly)

Name: Sue Dewey Organization/Tribe/Agency: Resident

Address: 915 Santa Monica Ave. R.P. CA 94928

Phone/Email: suedew@comcast.net

Comment: Air quality - My concern is the impact of traffic in the neighborhood. I feel there are many trees along the parking building & more trees should be planted along the parking building. The trees will help with the air quality. I feel the air quality will be better if there are more trees. I feel the air quality will be better if there are more trees. I feel the air quality will be better if there are more trees.

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stricter doesn't mean that you'll have permission  
to add the casino <sup>(or quality)</sup> burden to RP & CA air quality  
standards.

Another option to bring the Indian  
tribes into CA to have jobs, Education, RESPECT.

The casino doesn't tribal historical beliefs -

You're killing the best to <sup>many</sup> respect by  
using casinos as a tool to improve their

lives! How many Indians have gone to  
College, started own business, Stopped also -

And drug use & have (gained) their respect.

The casino won't do it. Money talks!!

You're missing the point.

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

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(Please write legibly)

Name: Joanne Bean Organization/Tribe/Agency: Citizen of Lak

Address: 5308 Daniel Drive

Phone/Email: 707-585-3127

Comment: If we don't have enough water/sewer capacity for 30M why or how can we add a casino to this? How will we improve roads (if we can't get property to widen existing roads? What will the air pollution on Golf Course Drive do to our kids at park pool and Home School? Our kids already suffer from asthma allergies from "seed farm" environment - Please let us keep our city

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Why would the Casino choose a site that takes 200 trucks a day for 4-5 weeks to prepare the lot with soil? Isn't there another site 'away' from a city, that is ready to build?

How much \$ was spent to send us these "experts" in suits to answer questions with this Environmental impact statement? I can think of better use of money.

WRITTEN COMMENT CARD

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(Please write legibly)

Name: Cheyl Fonseca Organization/Tribe/Agency: \_\_\_\_\_

Address: 7761 Montro Dr \_\_\_\_\_

Phone/Email: 795-6979 \_\_\_\_\_

Comment: We live in one of the most expensive places on earth - in order to maintain our lifestyle we are very busy with work and/or raising children. I fear that the average citizen is not represented here. It is not just they but we, it's not they are overwhelmingly Native. It hurts my heart to know that we beloved Sonoma County will forever more be spoiled if a Vegas style casino gets plopped here. Add here's nothing I can do to change that.

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(Please write legibly)

Name: Bonita Cole Organization/Tribe/Agency: Local citizen

Address: Cotati

Phone/Email: dbcolepoetside@hotmail.com

Comment: I support Native American tribes having a right to choose and use land. But I am concerned about a major environmental impact in this area and think that the Las Vegas casino interests are not concerned and that drilling deep wells for water to supply this area is unwise. Please reconsider for the sake of our future generations of people, wild animals, birds et al. I just hope we

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WRITTEN COMMENT CARD

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(Please write legibly)

Name: Jim Angelo Organization/Tribe/Agency: \_\_\_\_\_

Address: 5785 Dolores Dr. Robert Park

Phone/Email: JAngelo05@gmail.com

Comment: First of all I do not have a problem with Native Americans having a source of income that would allow them and future generations of their offspring to have financial security. My concern is that the same financial security could have been achieved by building a housing project, shopping center, etc. The impacts of these type of facilities would not have the potential of destroying the area with increased traffic, crime, pollution, etc.

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IT IS DIFFICULT FOR ME TO BELIEVE THAT SUCH AN ALTERNATIVE ~~WAS~~  
NOT BE POSSIBLE. IF HALF THE ENERGY WAS PLACED INTO THAT TRY, ~~IT~~  
OF PROJECT IT WOULD HAPPEN.

WHAT THIS PROJECT IS GOING TO BRING THE CITY IS AN ONGOING ~~DAY TO DAY~~  
NEGATIVE IMPACTS.

Very Disappointed and Very Much Offense to the Casino.

Jack Doyle

### WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

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(Please write legibly)

Name: Erin Armstrong Organization/Tribe/Agency: \_\_\_\_\_

Address: 840 Lanewood CE RR 94938

Phone/Email: 793.2456

Comment: I DO NOT WANT A CASINO IN MY HOMETOWN!!

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".



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(Please write legibly)

Name: Timothy Evans Organization/Tribe/Agency: None

Address: 31 Dupree Ct, Petaluma CA 94954

Phone/Email: \_\_\_\_\_

Comment: Appendix N on page 8 talks of Harvard study on socioeconomic impact of Indian gaming  
Answer: (1) What gaming commissioned study (2) which casino's in study were comparative to Phoenix Park experience.

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WRITTEN COMMENT CARD

1-27

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(Please write legibly)

Name: Robert Smith Organization/Tribe/Agency: \_\_\_\_\_

Address: 5799 Laurel Ct Costa, Cal 94031

Phone/Email: \_\_\_\_\_

Comment: We are opposed to another casino in our area. We would be affected in many ways - more traffic - longer commutes, possible well water affected more could and we don't need another one

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(Please write legibly)

Name: M. Froesechels Organization/Tribe/Agency: Edy Fair Regional

Address: 242 ALDEN AV, BARBERT PARK, CA 94988

Phone/Email: 707-745-5466 - MO.FRED@AOC.COM

Comment: Water - Station Casinos is to compensate the Highflow of Wells go  
and by contributing to the cost of improving the High Wells -  
I WHAT if the improvements don't work - I could find  
no answer for an alternate source of water.  
I think - How long will the stock level have to be on  
101 South to accommodate the left turn onto Golf Course?

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(Please write legibly)

Name: Elaine McHugh Organization/Tribe/Agency: \_\_\_\_\_

Address: Penngrave CA \_\_\_\_\_

Phone/Email: \_\_\_\_\_

Comment: We need less traffic, pollution, water use in this area, not more! More open space, fields, etc, not more buildings, concrete, roads, etc. Please do not allow this casino to be built. It will affect our quality of life here in Sonoma Co. in a very negative way.

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project"

WRITTEN COMMENT CARD

1-30

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

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(Please write legibly)

Name: CHUCK THAYER Organization/Tribe/Agency: \_\_\_\_\_

Address: 2146 BARBER Ln. ROBERT PARK

Phone/Email: Cfthayer@yahoo.com

Comment: ROBERT PARK HAS ALREADY OUTFRIPPED OUR WATER CAPACITIES AND SEWAGE CAPACITIES. TRAFFIC IS HORRENDOUS. WE DON'T A CASINO TO MAKE MATTERS WORSE. "INDIAN CASINO" HOW ABOUT A LAS VEGAS WEB USING THE INDIANS TO GET THEIR CASINO IN HERE?

NO CASINO!!!

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 I Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project"

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.

(Please write legibly)

Name: Alex Sabazar Organization/Tribe/Agency: Self-Employed

Address: 2943 Mark West stolon Rd. Windsor, CA

Phone/Email: (707) 403-4960

Comment: I have worked for FIBR (the tribe) as an Independent contractor. They are wonderful people to work with.

You can contact me any time

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project"

# WRITTEN COMMENT CARD

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(Please write legibly)

Name: Betty J. Langford Organization/Tribe/Agency: \_\_\_\_\_

Address: 4260 Hargrave Lane \_\_\_\_\_

Phone/Email: 584-8902 \_\_\_\_\_

Comment: \_\_\_\_\_

NE Casino \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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Keith Walker  
6450 Stone Bridge Road  
Santa Rosa, Ca., 95409  
(707) 538-5018

Author and former  
newspaper reporter

A gigantic casino and 300-room giant hotel and entertainment center at the very heart of Sonoma County would impose untold problems that would change the nature of our scenic community forever.

Not only would it cause physical maladies but also social problems that are just as much a part of the environment--and just as detrimental to our way of life.

The casino is proposed to be built on land that is not suitable for the purpose. It is near the Laguna de Santa Rosa, and on property that is often flooded in winter. Raising the site with five feet of fill material won't solve the problem, only transfer it to areas around it.

Water supplies are already hard pressed to meet the demand, and it may not be wise to share our already desperate needs with a gigantic business venture such as this one. Sewage disposal would be difficult to provide without placing a blot on the local environment, close to wetlands and urban areas.

Traffic, already crowded, would be adversely affected by adding many more pollution-causing cars to the freeways and highways.



But, in addition to this, a casino would draw criminal elements and people exhibiting unlawful and undesirable behavior--such as drinking drivers, thieves, drug users, and others with unsavory practices that do not contribute to the good of the community environment.

The impact on families--of new gambling addicts spawned from facilities conveniently close at hand--would lead to social problems, domestic violence, broken marriages, greater poverty and personal economic difficulties that would strain the social services environment of Sonoma County.

The casino operators, who stand to garner millions in profits from this huge undertaking, have promised to pay for mitigating provisions, such as a freeway interchange, their own sewage disposal plant, shuttle buses to Rohnert Park, etc.

But it is questionable whether these mitigating provisions would be sufficient to offset the projected harm to our environment.

Wouldn't be better to have no casino at all--and avoid all harm on a 100% basis?

WRITTEN COMMENT CARD

I-34

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road  
April 5<sup>th</sup>, 2007

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(Please write legibly)

Name: Darla Froom Organization/Tribe/Agency: Home owner

Address: 4223 Langner Ave Santa Rosa, CA 95407

Phone/Email:

Comment: This is not a Indian Reservation it is  
an neighborhood. No Casino

Please give to attendant, drop in Written Comment Box, or mail to: Brad McFarly, NEPA Compliance Officer, National Indian Gaming Commission, 1441 J Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road  
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(Please write legibly)

Name: Leslie Nelson Organization/Tribe/Agency: \_\_\_\_\_

Address: 861 Wilfred Ave

Phone/Email: 707.584-7333

Comment: I have great reservations about the water use. I have lived at my home for 27 yrs. I have gardens, small vineyard, orchards and I've never run out of water.

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

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NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING  
FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road  
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(Please write legibly)

Name: Leslie Nelson Organization/Tribe/Agency: \_\_\_\_\_

Address: 861 Wilfred Ave \_\_\_\_\_

Phone/Email: 707 584-7333 \_\_\_\_\_

Comment: To reduce emissions all Casino Buses should be clean air buses

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road

April 5<sup>th</sup>, 2007

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(Please write legibly)

Name: THEODOR LASHLEY Organization/Tribe/Agency: RETIRED & PRIVATE CITIZEN

Address: 893 MIDDLE RINCON ROAD SANTA ROSA

Phone/Email: 0

Comment: I STRONGLY ENDORSE ACT:G NO ACTION! THERE IS NO NEED OR WISH TO INCREASE TOURISM AND CONFUSION AMONG WE SONOMA COUNTY RESIDENTS. TAKE THIS PROPOSAL AWAY FROM OUR SIMPLE & SERENE HOME REGION - LEAVE US TO PEACE WITHOUT AN ANGRY RESIDENT TOWARD GAMBLERS AND NATIVE AMERICANS. WE VEHMENTLY OPPOSE THESE CASINO PLANS

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffey, NIGA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

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(Please write legibly)

Name: Sally Davis Organization/Tribe/Agency: Friends House (Quaker)

Address: 684 Bonica Ave

Phone/Email: 707 5766632 sally@friendshouse

Comment: Please monitor the water availability in the Humboldt Area and  
ensure the casino to reduce their use when neighboring wells are dry and  
to share their water

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

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FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

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(Please write legibly)

Name: Donna Warren Organization/Tribe/Agency: \_\_\_\_\_

Address: 1846 Happy Valley Rd Santa Rosa CA 95409

Phone/Email: (707) 292-0563

Comment: I am opposed to the Hotel & Casino Resort Project. It will have a negative effect on businesses in our county. It is not reasonable to enrich local citizens (Graton Rancheria) at a cost to thousands of citizens & businesses. I am a native American myself & feel this is disgusting & find Mr. Sarris' remarks offensive. He has stated Back to the people being against this proposition. This is ridiculous.

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

I believe he is an opportunist, using the race card to incite.

Also, the plans for a theater will undermine

our own Performing Arts Center @ the

Wells Fargo Center for Arts, which has been

operating for 25 years as a non-profit.

What are the plans for Speckles & Wells Fargo

Center for the Arts?



WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

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(Please write legibly)

Name: TOM LUDOVISE Organization/Tribe/Agency: \_\_\_\_\_

Address: 4823 PLEASANT HILL AV SEBRISTOPOL CA 95172

Phone/Email: \_\_\_\_\_

Comment: GAMBLING BREEDS CRIME POVERTY AND RUINS  
LIVES + COMMUNITIES, AND WILL DAMAGE THE LAND.  
WE DON'T WANT YOUR DRAIN CASINO IN OUR COUNTY!  
THERE IS NO REDEEMING VALUE TO A GAMBLING CENTRAL  
AND IT WILL DO IS MAKE A FEW DOLLARS WORTH AT  
THE EXPENSE OF AN ENTIRE COUNTY. TAKE IT SOME-  
WHERE ELSE!

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHatfy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project"

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

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(Please write legibly)

Name: Kathy Pooler Organization/Tribel/Agency: Resident

Address: Mailing P.O. Box 4295 Santa Rosa, CA 95402 961 Kenmore Lane Santa Rosa, CA 95407

Phone/Email: 707-579-3674 kathylovestedance@earthlink.net

Comment: The site chosen I believe is inappropriate for this project because of the location in a community near homes, schools, etc. <sup>with</sup> cause of the nature of the land - prone to flooding low water table, which will severely impact neighboring properties - those with basements and flooding issues

I believe the impact to the traffic congestion will be very significant both to 101 and to Stony Road. I live 1/2 mile off of Stony Rd and Sebastopol Rd and am very concerned already about the increase of traffic from the housing going on in W. Sebastopol. The shopping center had probable Mail Mart at Seb. + Stony Rd. had to be already failed construction. Stony Rd is the alternative to build up on 101 - what will be the alternative to building on 101? Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

WRITTEN COMMENT CARD

I-42

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road

April 5<sup>th</sup>, 2007

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(Please write legibly)

Name: Matt Berens Organization/Tribe/Agency: Society Beale Productions

Address: 7514 Casino Legend

Phone/Email: (707) 360-8513 / matt-beale@earthlink.com

Comment: Speaking as a 24 year old life time resident of Lake and Siskiyou Counties, I support Graton Rancheria 100%. I remember Lake County before the Casinos, and I remember the poverty and shame the kids from the "Rez" lived with. Over ten years later tribal members are not rich but living. Crime in the community is no higher and the parking lots aren't dangerous. Let's not forget that this is owed to the Native People!! EIR members can tell you the names of people relatives who were murdered. The people who oppose can give you the names  
Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffey, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project"

WRITTEN COMMENT CARD

1-43

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road  
April 5<sup>th</sup>, 2007

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(Please write legibly)

Name: Nancy Lashley Organization/Tribe/Agency: Private citizen

Address: 893 Middle Rincon Rd. SR 95409

Phone/Email: 907-538-1635

Comment: Sonoma county does not need a second Casino. The damage to the habitat and the increased traffic & pollution do not protect the environment. Native Americans are not for paying homage to mother earth. They need to look back at their people beliefs rather than being bombarded by Las Vegas money hungry fast talking charlatans.

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WRITTEN COMMENT CARD

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FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road

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(Please write legibly)

Name: Frane Collins Organization/Tribe/Agency: \_\_\_\_\_

Address: 750 King Rd. Pocatuma 84952

Phone/Email: 707 795 3831

Comment: 1) This a county not in Robert Park issue, as incorporated areas probably most affected

2) Aqueduct is finite - drop or shallow wells will cause to same

3) Coverity land - there could be drilling in a third-gon area.

Probably 100 days - but what about putting in convention

land to manage health - lots of technology invested in mine

Don't manage health sustain they allow state of airport to

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\* How will you mitigate

reduce traffic

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(Please write legibly)

Name: Barbara Madson Organization/Tribe/Agency:

Address: Stromma County

Phone/Email:

Comment: You three should have approved me every amount! Contract amount the gambling money to be approved build a casino in the white place. I will

Got 7 hours away from home

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHenry, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington, DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project."

Persons that have an addictive personality  
Shame.

Why for Tim and Doty they have to money  
to back the projects from the grand ~~to~~  
Mafia

If you have to build some  
road thru Lakewood. Anybody  
shame.

No amount of money are it  
shame they can't find a better way  
to raise money!

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

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(Please write legibly)

Name: Serenor Tufan Embree Organization/Tribe/Agency: →  
Address: 1949 Montecito Ave, Santa Rosa, CA 95404

Phone/Email:

Comment: Can't I be against the casino without being against Native Americans? It is difficult to sit here and listen to all the vitriol expended against people who are against the casino. I AM VERY MUCH AGAINST THE CASINO FOR ALL THE REASONS STATED. I AM VERY MUCH OF A SUPPORTER OF THE NATIVE AMERICAN PEOPLE & BELIEVE

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their land was stolen. I would be very happy to give them one million dollars each, but I DO



WRITTEN COMMENT CARD

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(Please write legibly)

Name: \_\_\_\_\_ Organization/Tribel/Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Phone/Email: \_\_\_\_\_

Comment: *Why stop at just this Green? There are 1000 members in this tribe and they will have a 400,000 square foot Casino. I'm sure other tribes will want that same Economic opportunity as this tribe has. Job Build a Casino - Entertainment site in each town. The economic benefits of unearned money on the answer to each town's financial need.*

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehatfy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

From: Terry Marshall [mailto:terrymarshall@hotmail.com]  
Sent: Wednesday, March 28, 2007 1:33 PM  
To: graton\_eis@nigc.gov  
Subject: Request for extension of community response due to unaddressed concerns

Dear Mr. Mehaffy:

I would like to request that the proposed Graton casino project response from the community be given more than 74 days. Since the DEIS has had about

3 years for preparation, I would ask that the community be given a similar timetable.

I am concerned about the issues of gambling addiction and crime that have not been addressed. I work with families who are dealing with addiction and

recovery. Since the proliferation of casinos in our area, I have heard stories from clients that include losing rent money and therefore losing their family's housing. I believe we need to consider the financial burden on community resources due to gambling addiction.

Additionally, I am concerned with crime, and the DEIS does not even include figures for anticipated increased crime.

Therefore, so that the people may have the time needed to review and respond

to the DEIS, we request that we be given at least one year in which to respond. Community members opposed to this project have a clear disadvantage. We do not have funding resources from out of state casino corporations who stand to make millions at our expense.

Thank you for your prompt attention to this matter.

Terry Marshall  
6048 Diane Court  
Rohnert Park, CA 94928  
707-584-1814

From: Christie Stucker <sshayco@yahoo.com>  
To: graton\_eis@nigc.gov <graton\_eis@nigc.gov>  
Sent: Wed Mar 28 14:12:32 2007  
Subject: Graton Casino/Hotel project DEIS-Request for extended response period

Dear Mr. Mehaffy,

The proposed Graton casino project is and continues to be a source of concern for our community. There will be significant negative impacts to our regional resources. It took three years for the DEIS to be released; 74 days is not enough time to respond.

We are also asking for an extension because there are salient areas that have not been addressed in the DEIS: (1) traffic study is not complete; (2) water and sewer plan is unrealistic; (3) no figures for anticipated increased crime are included.

Therefore, so that we as a community may have the time needed to review and respond to the DEIS, we request that we be given six months in which to respond.

Thank you for your prompt attention to the matter.

Sincerely, Christie Stucker, property owner  
875 Millbrae Ave, Santa Rosa, CA 95407

From: Brian Petro <brian@bpwebdesign.com>  
To: graton\_eis@nigc.gov <graton\_eis@nigc.gov>  
Sent: Thu Mar 29 23:04:53 2007  
Subject: against Rohnert Park casino

My family is strongly against opening a casino in Rohnert Park. It's negative impact will include:

More traffic and accidents  
More crime (theft, drunk driving, prostitution)  
Loss of income to local families  
Increases in use of alcohol and drugs

Brian Petro  
<http://www.bpwebdesign.com>  
707-585-2088 fax 707-585-0958

-----  
Subscribe to our newsletter at: <http://www.bpwebdesign.com/resources.shtml>

From: Laurel McCarthy [mailto:zekemccarthy@yahoo.com]  
Sent: Saturday, March 31, 2007 5:50 PM  
To: graton\_eis@nigc.gov  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

To: Brad Mehaffy

I am very concerned about the impact of the proposed casino in Rohnert Park. I have been a home owner in Rohnert Park since 1986 and have welcomed appropriate development in the city. However, I feel that a casino in a college town with an inadequate infrastructure would be disasterous. I respectfully request that you not allow this travisty to happen.

Thank you,  
Laurel McCarthy  
4315 Grove Ct.  
Rohnert Park, CA 94928

----- Original Message -----

From: Joe Masters <joe-m@pacbell.net>  
To: graton\_eis@nigc.gov <graton\_eis@nigc.gov>  
Sent: Tue Apr 03 01:49:23 2007  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

To:  
Brad Mehaffy  
NEPA Compliance Officer  
NIGC, 1441 L St., #9100  
Washington, D.C., 20005

Dear Mr. Mehaffy,

I am writing to express my strong opposition to the Graton Rancheria Casino and Hotel Project. The Draft Environmental Impact Statement points to several serious areas of concern:

Traffic congestion, not completely addressed by the coincident planned expansion of Highway 101 at Wilfred Avenue.

Existing water supply, where few if any real options would be available to residents should aquifers run dry because of the casino and hotel operations.

Urban blight – possibly the most serious and difficult to quantify problem. There are good reasons for having these types of casinos far away from more urban areas.

Our family home backs up against Golf Course Drive. When the Highway 101 expansion at Wilfred Avenue is complete, Golf Course Drive and Wilfred Avenue will be one long boulevard. This makes it a straight trip for habitual gamblers to see my home as a potential target for robbery to support their habit. If this project is approved, I will probably be one of those to lower property values by moving out, assuming they're not already lowered just from the fact that a casino will be a 15-20 minute walk away.

Thanks for counting my opinion.

Joe Masters  
434 Floral Way  
Rohnert Park, CA 94928

From: Linda Long <walkalong@pacbell.net>  
To: graton\_eis@nigc.gov <graton\_eis@nigc.gov>  
Sent: Tue Apr 03 10:38:00 2007  
Subject: "DEIS Comments, Graton Rancheria Project"

I respectfully request an extension of the comments period to a 6 month period due to the volumes of information that must be analyzed and responded to, and the significant impact of the project. Thank You, Linda M. Long  
944 Helene Ct. Rohnert Park, CA 94928

From: smatthewman [mailto:smatthewman@sbcglobal.net]  
Sent: Wednesday, April 04, 2007 8:28 PM  
To: graton\_eis@nigc.gov  
Subject: more time needed to evaluate the environmental impact report

I just came back from Spreckels Auditorium where there were several tables set up and various copies of the preliminary EIS for the Graton Rancheria's plans for a casino.

If I understand correctly, we residents/opponents/ambivalents/etc., are being given only a minimum amount of time to digest and respond to this EIS.

Do you have any idea how big a document it is? It is huge !!!! There is no way even a literate, educated, motivated person can absorb all of its details in such a short time.

Please extend the period of time for our response to this important document.

Susan Matthewman  
4347 Langner Avenue  
Santa Rosa, CA 95407



From: Judi Limberg [mailto:judi\_limberg@yahoo.com]  
Sent: Wednesday, April 04, 2007 9:14 PM  
To: graton\_eis@nigc.gov  
Subject: Graton Casino DEIS extension request

Dear Mr. Mehaffy,

My husband and I have lived in Rohnert Park for the past 7 years. We are requesting on behalf of ourselves and the community that we be given more time to review the Draft Environmental Impact Report for the Graton Casino. Personally, being 8 months pregnant has not given me the time to sufficiently review such a report and the impact it will have on the community I will be raising my son in. Please consider carefully the impact a casino will have on my neighbors and I in Rohnert Park.

Sincerely,

Judi Limberg

From: Larry Resnick [mailto:nsubre@juno.com]  
Sent: Thursday, April 05, 2007 12:12 PM  
To: graton\_eis@nigc.gov  
Subject: Response time for DEIS and request for Appendix W to review.

Brad,

I am requesting more time to review the DEIS regarding the FIGR proposed casino adjacent to Rohnert Park. I will require more time craft a competent response to the DEIS, as well as time necessary to review appendix W mentioned below, which I have not yet seen.

Further, in the draft EIS you sent me you neglected to address many of the concerns I listed in my first letter reply to your request. I trust the responses will be forthcoming.

And, additionally, on the CD I received from you, I cannot access the appendix W, which has the modeling information you cite, and I need to review this information to determine its applicability.

I will forward my response to the DEIS in writing, as three minutes I was allowed on April 4 was insufficient to enumerate all of my concerns.

Larry Resnick.  
7956 Becky Court  
Rohnert Park, CA 94928

-----Original Message-----

From: kelgena@comcast.net [mailto:kelgena@comcast.net]

Sent: Wednesday, April 04, 2007 2:09 PM

To: graton\_eis@nigc.gov

Subject: FIGR Casino

I have been a resident of Rohnert Park for twenty-five years. I vehemently oppose the proposed FIGR CASINO which brings with it broad, negative consequences to our city and the surrounding area. Among them, traffic congestion, water supply depletion, and urban defacement.

I support the six month extension to the public comment period on the Draft Environmental Impact Statement (DEIS) for the Graton Casino "Project" planned in Sonoma County, California.

Careful consideration of these concerns is appreciated.

Glorianne Naughton

From: Judith Redding [mailto:jredding@investrmi.com]  
Sent: Thursday, April 05, 2007 11:00 AM  
To: graton\_eis@nigc.gov  
Subject: FW: DEIS Comments, Graton Rancheria Casino and Hotel Project

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From: Judith Redding [mailto:jredding@investrmi.com]  
Sent: Thursday, April 05, 2007 7:56 AM  
To: 'eis@nigc.gov'  
Subject: FW: DEIS Comments, Graton Rancheria Casino and Hotel Project

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From: Judith Redding [mailto:jredding@investrmi.com]  
Sent: Thursday, April 05, 2007 6:38 AM  
To: 'graton'  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

Dear Sir,

This is to inform you that I oppose the proposed FIGR casino planned for Rohnert Park. I am extremely concerned about the

impact of water, sewage, traffic, noise, and increased crime this huge project will bring.

Regards,

judith redding  
Resident of Rohnert Park  
707-585-1118

From: Tereasa Canada [mailto:TCANADA@sonoma-county.org]  
 Sent: Thursday, April 05, 2007 2:55 PM  
 To: graton\_eis@nigc.gov  
 Subject: Graton Indian Casino

Below is my letter in opposition of the Graton Indian Casino proposed for Rohnert Park, CA. If you have any questions please feel free to e-mail me at gssinfo@sbcglobal.net

April 5, 2007

To whom it may concern,

This letter is to voice my opposition to the proposed Indian Casino in Rohnert Park.

I live on Scenic Ave, between Langner Ave and South Moorland, in the unincorporated area of Santa Rosa. In the 14 years I have been living here I have seen many changes. When I first moved to Scenic Ave. I remember feeling safe riding my horse down the road to the canals and then riding all the way to Cotati and coming back along Old redwood Hwy with a stop at Taco Bell on the way home. Now I don't even feel safe riding or walking on the road to get to my neighbors house or across the street. I remember having to endure the 101widening project, which caused traffic to be detoured right past our house. I remember feeling safe leaving my vehicle unlocked at night. I remember all of our animals that have been killed in front of our house. I remember my husband being able to take his dogs and run them at the canal near Rohnert Park Expwy. I also remember he and his friends being able to hunt for birds on the property at the corner of Rohnert Park Expwy and Stony Point. I remember not having arsenic in our well water. I remember when the Sheriff dispatcher didn't receive phone calls reporting, parties, gun shots, cock fighting, abandoned vehicles, speeding vehicles, etc.. I remember not having to deal with drug deals happening across the street. I remember not having the road blocked off so the swat team could raid the house next door. I remember 6 motor vehicle accidents that have happened on the road within our property lines. Often times these accidents incurred property damage, the most recent of which was on June 30, 2006 when a repeat offender drunk driver passed out, ran thru 3 fences, hit our house and bounced off, ending up in our front yard. This driver caused \$18,000 worth of damage and of course was uninsured. We are still fighting to obtain some money from the vehicle owner and the driver in order to fix what was destroyed.

All of these things have happened without the Casino being in place. I can only imagine that if the Casino goes thru I will have an increasing number of bad memories to add to this list!

When looking at all of the additional revenue that Rohnert Park will receive if the Casino project goes thru, keep in mind that the residents of the unincorporated area of Santa Rosa will gain nothing except more bad memories, drugs, accidents, lost animals, property damage, dried up wells, flooding, reductions in property values, theft, vandalism, etc...

This casino project is devised to give jobs to a tribe with fewer than 1000 members but will negatively impact 10 times that many residents. Somehow helping 1 percent of the people (who aren't residents and will most likely not ever be residents!) by negatively impacting the other 99 percent of the people doesn't seem like a smart decision.

Sincerely,

Tereasa Canada  
 277 Scenic Ave  
 Santa Rosa CA 95407

Cc: Press Democrat

From: geraldine duncann [mailto:gduncann@yahoo.com]  
Sent: Thursday, April 05, 2007 2:59 PM  
To: graton\_eis@nigc.gov  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

To:  
Brad Mehaffy  
NEPA Compliance Officer  
NIGC, 1441 L. St., #9100  
Washington, D.C., 20005

Re: "DEIS Comments, Graton Rancheria Casino and Hotel Project"

Dear Sir,

I cannot state strongly enough my opposition to this project. Beyond the obvious detriments; the increased traffic, sound and light pollution, it is my opinion that to allow this huge, Las Vegas type casino to invade our community can do nothing but detract from our present comfortable balance of agricultural, business and residences. Our county is one of the few remaining regions in the State that maintains an agricultural community that is within easy access to a major urban center; ie. the San Francisco Bay Area. We enjoy the benefits of a rural/agricultural community that at presents lives in harmony with and provides for the needs of the residential and business community as well. This is a fragile balance to maintain and allowing the Graton Rancheria Casino and Hotel Project to go forward can only destroy that balance.

Sonoma county is a very special place. It was here that Agoston Haraszthy came to found his Buena Vista winery and launch California's premium wine industry. It was here that Luther Burbank chose to found his experimental gardens and it was here that Jack London chose to build his Wolf House. Please don't let this travesty destroy our treasure trove of heritage. This county deserves to remain the haven of vineyards, olive groves, history and culture that has maintained for well over a decade.

The Nevada gambling cartels have been trying to get their hooks into California for decades and now, through the thinly veiled sham of Indian gambling they have found a way to slide in. It must be stopped.

And please, do not think that by voicing my opposition to the project that I am in any way anti Native American; after all I am part Piute.

Thank you for your efforts to stop this travesty.

Geraldine Duncann  
75 Verde Circle  
Rohnert Park, California 94928

From: Mojica, Rosemary [mailto:RMojica@allstate.com]  
Sent: Thursday, April 05, 2007 11:24 PM  
To: graton\_eis@nigc.gov  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project.

I cannot understand how you can allow a Casino to be built in an area where no one in the community wants it. It seems like Las Vegas is bullying Sonoma County in the pretext of helping the Graton Rancheria tribe. I urge you to give our community 120 days to review the EIS study, the deadline of May 14 is hardly enough time for the community to review and address their concerns.

Rosemary Mojica

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From: Paul Hornback [mailto:paulhornback@sbcglobal.net]  
Sent: Saturday, April 07, 2007 1:29 AM  
To: graton\_eis@nigc.gov  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

<graton\_eis@nigc.gov>

ATTN: Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L ST, # 9100  
Washington, D.C. 20005

RE: Federated Indians of Graton Rancheria Casino and Hotel Project

Dear Brad Mehaffy,

My name is Paul Hornback. I am 43 years old, married and father of two of the greatest children anywhere.

I am writing to you today with the utmost respect for the office you hold. I have Native American blood in my veins and I have an empathetic heart for all struggling Native Americans. While I was born in California, I grew up in the state of Kansas, very close to the state of Oklahoma. Needless to say, Native Americans were a part of the landscape and the life I knew as a child.

I am writing to you today to ask that you do all in your power to STOP this PROPOSED casino and Hotel project put forth by Station Casinos of Las Vegas and the Graton Rancheria tribe of native Indians. I along with countless others in this area are STRONGLY OPPOSED to to the very idea of a casino here and in particular this PROPOSED casino project.

I cannot begin to tell you how STRONGLY WE OPPOSE THIS.

Gambling, by it's very nature plays upon the weakness and vulnerability of the human character. It is not an uplifting business. Rather, it is a game of chance where a select few profit at the very harmful expense of the rest of the community. The odds of winning in gambling are lopsided and stacked completely against the player and in favor of the greedy few (-the casino owners) wishing to exploit the local population. In this case, the Graton Rancheria tribe and the rest of the good citizens of Rohnert Park and Cotati.

The approach to this PROPOSAL is flawed at its very foundation. Quite contrary to its stated reasoning, it is not the ONLY way to lift a tribe out of poverty. In fact, it is just the opposite. There are countless ways to build up community, build LEGITIMATE businesses, schools, factories, manufacturing plants, research and development, high tech schools, vocational schools, etc.

Whenever the question is posed: "Why a casino?" The only answer that is given is "the money". Money to fund police task forces, development of sewer systems, schools and to create jobs. But the money is not the only thing to look for. A person with a balanced conscience, can easily see that the source of that money is not good-not legitimate. Prostitution and drug rings



earn money as well. They bring in enormous amounts of profit. But these-even though they are likely results of casinos-are no more legitimate than gambling itself.

And why Rohnert Park? Those PROPOSING this massive blight to the landscape of Sonoma County would not think of proposing to build it off the highway—5 or 10 miles AWAY from the highway. With all the opposition, one wonders why? Why couldn't they just build it on \$100 million worth of open pasture? That would buy many more acres than what it bought in Rohnert Park. Besides, the PROPOSAL states that the main customers would come from the immediate Bay area cities. 5 or 10 miles more on the bus would not hurt anyone traveling that far to begin with. No, there is a reason they didn't propose an off-highway site. That reason is that they found some city leaders—most of whom have been replaced— who cut deals behind closed doors and shafted the people of Rohnert Park and Cotati by not informing us of their back room meetings and not disclosing to us what their intentions were until we found out on our own very late in the process. Station Casinos and the Graton Rancheria along with Greg Sarris know very well that a casino will thrive only if it has available resources nearby. Those resources, overburdened already, are what they and their customers would use. The PROPOSED casino would act as a PARASITE on the city of Rohnert Park, sucking continuously on the resources of the city. The Police dept, the Fire dept, the city Public Works dept, medical clinics and surrounding community hospitals, garbage waste by the truckloads, etc. This would be an absolute nightmare!

Water! There is NO water here! We are at capacity for water. County water cost rates are constant and rising while actual water levels are being drained and not replenished. This alone should send up warning flags to any developer in the area. And the magnitude of this PROPOSAL is off the charts. The LARGEST in the state of California!!

If the PROPOSAL were to ever materialize it would be greatly impact in a NEGATIVE way all the following:

- WATER
- FAMILIES (most of Rohnert Park is made up of families!!!!)
- SOCIAL PROBLEMS
- CRIME
- TRAFFIC
- SEWER
- AIR POLLUTION
- LOCAL BUSINESSES
- NEIGHBORHOODS

to name a few.

This PROPOSED casino project is detrimental to ALL the following communities within Sonoma County, California:

- \* Annapolis
- \* Bodega
- \* Bodega Bay
- \* Boyes Hot Springs
- \* Camp Meeker
- \* Cazadero

- \* Cloverdale
- \* Cotati
- \* Duncans Mills
- \* El Verano
- \* Eldridge
- \* Forestville
- \* Freestone
- \* Fulton
- \* Geyserville
- \* Glen Ellen
- \* Graton
- \* Gualala
- \* Guerneville
- \* Healdsburg
- \* Jenner
- \* Kenwood
- \* Monte Rio
- \* Occidental
- \* Pengrove
- \* Petaluma
- \* Rio Nido
- \* Rohnert Park
- \* Santa Rosa
- \* Sebastopol
- \* Sheridan
- \* Sonoma
- \* Stewarts Point
- \* The Sea Ranch
- \* Valley Ford
- \* Villa Grande
- \* Vineburg
- \* Windsor

and is MOST ESPECIALLY harmful to the cities of Rohnert Park and Cotati.

While I respect the tribe's ambition to become prosperous and financially stable, I can only imagine how well they would be doing if they put this much effort into legitimate businesses that do not have more negative impacts than positive.

Please listen to the good citizens of Rohnert Park and heed our call to STOP this massively foolish and misdirected and mistaken idea. The PROPOSAL is just that-a PROPOSAL. You sir, have the power to correct this mistake. Please keep in mind that you would not have this power were it not given to you from above. And please reflect on this while you make your decisions.

Again, I urge your consideration and thank you.

Sincerely,  
Paul Hornback

From: Bill Weagle [mailto:wcw1121@msn.com]  
Sent: Saturday, April 07, 2007 3:58 PM  
To: graton\_eis@nigc.gov  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

April 7, 2007

Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street, NW, Suite 9100  
Washington D.C. 20005

Re: Draft EIS Comments, Graton Rancheria Casino and Hotel Project

Dear Mr. Mehaffy:

I am attaching two documents representing the full text of my comments presented at the NIGC Public Scoping Meetings held

April 4, 2007 and April 5, 2007 respectively. Note that a different issue was addressed at each hearing. Please include both in

your record of comments.

Thank you for your kind consideration.

Sincerely,

William C. Weagle  
425 Christopher Way  
Windsor, CA 95492  
wcw1121@msn.com

attachments

**Comments on Draft EIS (re: April 4, 2007 Rohnert Park Public Hearing)  
Federated Indians of Graton Rancheria's Casino and Hotel Project**

My name is Bill Weagle. I am a businessman and 26 year resident of Sonoma County. I fully understand that in a project of this scope, there is inherent concern as to the potential impact to our existing water management system. In that regard, I would like to address those concerns by first expressing my appreciation for the Tribe's demonstrated commitment to mitigate project impacts and provide substantial benefits to the community and our environment.

For instance, with respect to Water Conservation and Water Quality, the Tribe proposes to treat and use recycled water to significantly reduce water demands for the project. If an onsite wastewater treatment plant is constructed, water recycled from such a plant would be used as landscape and pastureland irrigation.

The EIS proposes several additional water conservation measures to further reduce water usage for the Project, including:

- Use of low-flow faucets in the casino and hotel and limiting boiler flowdowns
- Use pressure washers in water rooms instead of hoses for cleaning.
- Incorporate a re-circulating cooling loop for cold water refrigeration and ice machines
- Serve water to customers only on request
- Request voluntary towel use by guests

The Tribe is committed to maintaining and meeting water quality standards and responsible management of water resources. Mitigation here will reduce any potential impacts of the construction activities on surface water to a less than significant level. The Tribe will also employ the following measures:

- Use Best Management Practices in addressing any impacts to the quality of surface waters during both the construction and operational phases of the Project.
- Include Best Management Practices in the Stormwater Pollution Plan filed with the EPA or the Regional Water Quality Control Board.
- Implement a water sampling and monitoring program during construction to maintain the quality of surface water entering and leaving the development site.

(SEE PAGE 2)

After reviewing these measures, I have every confidence that it is the Tribe's sincere intention to do whatever possible to protect and serve the community's best interest as it relates to intelligent water management.

Thank you for your time and consideration.

Respectfully submitted for your review,

William C. Weagle  
425 Christopher Way  
Windsor, CA 95492  
26-year Resident and Businessman  
Sonoma County

**Comments on Draft EIS (re: April 5, 2007 Santa Rosa Public Hearing)  
Federated Indians of Graton Rancheria's Casino and Hotel Project**

Good evening everyone. My name is Bill Weagle (WEAGLE). I am a local businessman and for 26 years, a resident of Sonoma County. I am here tonight to support the Tribe's Casino and Hotel Project.

In the short time allotted, I would like to first address one specific area of noted concern and then conclude with a general observation.

At last night's public hearing in Rohnert Park there were many comments regarding the issue of Wastewater Mitigation. It is my understanding that this specific challenge has in fact been thoroughly researched and presents two viable options for the treatment of wastewater generated from the Project facilities.

- The first option is to utilize the existing wastewater treatment plant outside of the Project site. If wastewater is discharged off-site, the impact would be minimal since the wastewater generated by the project will comprise only a small fraction of the wastewater currently processed at the Laguna Treatment Plant. Should this option be adopted, the Tribe would then:
  - Pay the fair share cost of future expansion or improvements to increase wastewater capacity of the Laguna Wastewater Treatment Plant.
  
- The other option is for treating wastewater onsite through an onsite treatment plant constructed and operated under strict compliance with applicable Federal and State regulations. If the onsite wastewater treatment option is chosen, the Tribe will:
  - Treat wastewater to a quality level that meets California Title 22 standards for unrestricted irrigation water.
  - Additionally, discharged treated wastewater would either be stored and dissipated on site or discharged seasonally under the terms of an NPDES permit.
  - During periods when discharge into the Laguna is prohibited, treated wastewater will be discharged through spray fields for irrigations purposes.

(SEE PAGE 2)

General Observation:

These public hearings have served as an effective platform for all of us to vent our pros and cons over this project. And as was demonstrated last night there is certainly no shortage of issues, some legitimate, some sorely ill-perceived, some almost frivolous but most truly passionate and sincere.

However, it appears to me, that many of those throwing stones, have lost sight of the fact that these concerns are shared concerns. Shared also by the Tribe, the very people that voluntarily look to us all for constructive feedback so that solutions that benefit all may in fact be found.

IS IT unreasonable to think that increased traffic volume, water and sewage demands, potential flooding issues, public image perception, are not all areas that are also of equal concern to those charged with the success of this project?.. Of course they are concerned. Without viable solutions, their business venture will fail. They know that! And they not only have the resources but the sincere resolve as a people to mitigate those impacts.

It is my confident believe that the Tribe's demonstrated resolve in identifying and addressing these problems and the mitigation of these impacts to the satisfaction of the community is KEY to the very success of this project.

Ironically, the application of Tribal resources, both human and financial, resulting from this project, will provide solutions to many of the problems that already plague our community and have gone unsolved for years previous.

It is human nature to raise our shackles when confronted with change. But when has progress ever not required change? Granted, change is seldom a good idea when implemented purely for the sake of it. But when the journey towards a common goal is tempered with mutual input and respect for all involved in the process, change results in progress which benefits all.

In support of this endeavor, I am proud to consider myself a Friend of the Federated Indians of Graton Rancheria. .

Respectfully submitted for your review,

William C. Weagle  
425 Christopher Way  
Windsor, CA 95492  
Resident, Sonoma County, 26yrs  
Insurance Broker

From: Hensleywilma@aol.com <Hensleywilma@aol.com>  
To: graton\_eis@nigc.gov <graton\_eis@nigc.gov>  
Sent: Tue Apr 10 12:45:18 2007  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project.

Brad Mehaffy, NEPA Compliance Officer  
NIGC

Sir, my husband and I are so totally against having this casino come into our community it is not even funny. It is not the environmental issue that has turned us against it. It is the consequences to our community. We are ready to sell and leave this county.

Please, you must not allow this atrocity to invade our lives.

Wilma and Peter Cullen  
52 Circulo Puerto  
Rohnert Park, CA 94928  
707.586.7916

---

See what's free at AOL.com.



From: Don Allcock <donso4@sbcglobal.net>  
 To: bradley\_mehaffy@nigc.gov <bradley\_mehaffy@nigc.gov>; graton\_eis@nigc.gov  
 <graton\_eis@nigc.gov>; letters@pressdemocrat.com  
 <letters@pressdemocrat.com>; donso4@sbcglobal.net <donso4@sbcglobal.net>  
 Sent: Thu Apr 05 00:01:26 2007  
 Subject: DEIS Comments, Graton Rancheria, Casino and Hotel Project

1. Mr. Mehaffy,

First of, thank you for co-hosting the forum on Tuesday night, April 4, 2007 at Spreckel's Theater.

Most importantly, it is not that we don't want the casino in Rohnert Park. We don't want the casino in Rohnert Park because we don't need it. We don't need it for the following reasons;

1. Traffic - Peak times increase. This will invariably result in an increase in accidents requiring an increase in police presence for which we are not funded. And, to that end the figures of a 18-24,000 car increase would appear to be woefully understated considering the revenue projections and the ability of the casino to be profitable. The current 101 widening will marginally improve the already seriously impacted traffic conditions in the area. Adding more cars is an obvious malignant intrusion.

2. Crime - The added congestion will invariably negatively impact a police force struggling with current conditions. An increase in cars and people will bring an increase in assaults, thefts, prostitution(?), and God knows what other serious crimes. This congestion will impact the police force, fire department and/or paramedic's ability to access the crime scene.

3. Water - The projections are either to dig more wells where initial drillings fail or to tap into the city's water supply, draining the supply for residents of the city that have paid taxes and found a safe haven for their homes. The water supply at present prevents residents from the neighborhood from adding on to their homes due to the negative impact it will have on the water supply. What are we missing here? Building the casino and hotel won't? The 2005 flood already illustrated the issues we have in this area.

4. SSU Students - The casino and hotel means the university will not be able to add extra housing for students as there is no more capacity. The impact to a student body tempted with gambling, alcohol and God forbid prostitution seriously impacts that student body.

We seriously do not see how the import of an industry that brings crime, societal and family abuse and threatens a seriously impacted traffic problem can have ANY upside. Granted, the casino and hotel will bring revenue to the city, but just how much will it cost to have them as residents of the city and County of Sonoma? Additionally, how does gambling raise people out of poverty? Seriously? The rather obvious inverse is categorically staring all of us in the face.

**WE DO NOT WANT THE CASINO IN ROHNERT PARK OR ANYWHERE IN SONOMA COUNTY.  
 WE DO NOT NEED THE CASINO IN ROHNERT PARK OR ANYWHERE IN SONOMA COUNTY.**

S \_\_\_\_\_  
 Donald & Babette Allcock  
 3720 Yorkton Way  
 Santa Rosa, CA 95404  
 cc: Governor Arnold Schwarzenegger

From: timlb@pacbell.net  
Sent: Sunday, April 29, 2007 3:31 PM  
To: Graton\_eis@nigc.gov  
Subject: "DEIS Comments, Graton Rancheria Casino and Hotel Project"

April 28, 2007

Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington DC 20005  
Graton\_eis@nigc.gov  
Fax: 202-632-7066

Re: "DEIS Comments, Graton Rancheria Casino and Hotel Project"

Dear Mr. Mehaffy:

I am requesting a six-month extension for the public on the comment period of the Draft Environmental Impact Statement (DEIS) for the Graton Casino Project. The time limit that has been allotted is not possible to thoroughly analyze read all the information in the report.

I attended the public hearings that were held on April 4 & 5 and below you will find one of the many issues that I am concerned about.

This casino, if built, has negative consequences for the city of Rohnert Park and Sonoma County. In Sonoma County and the state of CA we are facing significant water problems. The residents in the surrounding area are on wells. If the proposed casino were to come in and dig wells, it would deplete the water needed at the surrounding homes. Why should the residents need to be put at risk for this development?

Please take serious consideration of my request for an extension and concern regarding this proposed casino location.

Sincerely,

Lisa Bagwell  
1158 Santa Cruz Way  
Rohnert Park, CA 94928

Paul D. Stutrud  
 P. O. Box 2205  
 \Rohnert Park CA 94927-2205

14 March 2007

Brad Mehaffy, NEPA Compliance Officer  
 National Indian Gaming Commission  
 1441 L Street, NW, Suite 9100  
 Washington DC 20005

RE: DEIS Comments, Graton Rancheria Casino and Hotel Project

Re: Response date to Draft EIS and Conformity Determination

Dear Mr. Mehaffy:

Today, 14 March 2007 I received a second CD in the mail that alleges to have the above information in its contents. I had received a previous copy and tried it and had no luck reading it on my computer. I have a fairly recent computer that has Windows XP installed. And try as I may, I cannot access the contents of the CD.

I had already written a letter to AES in Sacramento and made a telephone call to obtain the written version of the EIS to replace the second CD. I am asking you to send me a copy of the written draft EIS on paper version.

I am also stating that the given date of 4 April 2007 is too soon after receiving the massive amount of data that is in the EIS report. I have friends who have already obtained their written copy of the EIS report and are diligently working their way through the report and writing comments. They are both very educated people who have vast career experience in dealing with large reports. I am also aware of several other members of our community who are trying to work their way through the CD version and they have commented on the amount of time it is taking.

Please postpone the public hearing date from 4 April 2007 to early June.

Thank you,



Paul D. Stutrud

RECEIVED  
 NATIONAL INDIAN  
 GAMING COMMISSION  
 2007 MAR 16 PM 3:45

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR -6 PM 3:01

April 2, 2007

Beverley B. Leach  
6070 Donna Ct.  
Rohnert Park, CA. 94928

Brad Mehaffy  
NEPA Compliance Officer  
NIGC, 1441 L ST., #9100  
Washington, D.C. 20005

RE: DEIS Comments, Graton Rancheria Casino and Hotel  
Project.

Dear Sir:

I strongly oppose the building of a Casino in Rohnert  
Park, California for all the following reasons plus the  
devaluation of our property which is sure to follow:  
traffic, water, crime, tax increase, societal problems  
flooding and sewage.

This is a family oriented community and no place for a  
Casino and the type of humanity it could draw.

Sincerely,

*Beverley B Leach*  
Beverley B. Leach

April 2, 2007

attention:

Mr. Brad Melobby

DEIS Comments

Graton Rancheria Casino +  
Hotel Project

We, the undersigned are  
opposed to the Rohnert Park  
project.

Sincerely,

Carrie Muesbauer Truog

Nick Truog

T Nick & Carrie Truog  
5748 Davis Circle  
Rohnert Park  
CA 94928

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR -6 PM 3:01

1-70

DEIS Comments  
Graton Rancheria  
Casino & Hotel Project

I adamantly oppose  
a resource sucking,  
polluting project  
like this in my  
lovely community.

Please stop this  
monstrosity.

J. Johnson  
4-3-07

REGULATORY COMMISSION  
APR 3 2007 3:01 PM

**Judith Johnson**  
4591 Heath Cir.  
Rohnert Park, CA 94928-5615

To: Mr. Brad McHaffey,  
N.E.P.A Compliance Officer  
1441-L St. No: 9/86  
Washington, D.C. 20005

From: Barnett & Hansen  
W. Williamson  
7192 Almg Ave  
Robert Park, Calif.  
94928-3795

April 3rd 2007

Dear Sir:  
In regard to the National Indian Gaming  
Commission, on Gambling in our area, re-  
-use to allow any or all gambling in our  
-little town of Robert Park, will totally disrupt  
all nature & such, will totally disrupt  
and tear down the beauty of our place &

- living.
- Meaning: Employment!!!
- Traffic Congestion: Estimated over 30,000 auto trips
- Per Day: Abuses, air pollution, accidents, +
- Water Consumption: We are at Capasities even now
- Crime: Means more crime besides the now face.
- Tax Increase: add to high taxes we now face.
- Social Problems: Gambling, Alcohol abuse, drugs,
- Family Income loss, College students down grade
- Plus Robert Park School student down grade!!!
- Flooding: The Casino site is on our Robert Park
- Urban Wood Plain: The massive Casino, and
- Hotel Complex would impact surrounding areas
- Sewage: Our sewage would pollute the Laguna de Santa Fe
- Casino: over 100 would pollute the Laguna de Santa Fe
- It is crucial you make your voice heard in this
- Matter: We by a 34 years home owner and asking
- you to help us put a stop to this nonsense!!!

Thank you!!!  
Barnett & Hansen  
W. Williamson

(707) 795-6444

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR -6 PM 3:02

Mr. Mehaffy,

It is immoral to force this on the people of Sonoma County.

Diane Randozzi,  
Santa Rosa, California

RECEIVED  
NATIONAL INDIAN  
GAMES COMMISSION  
2007 APR -5 PM 3:31



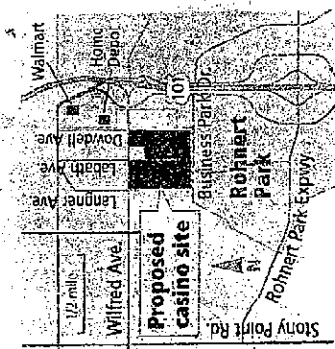
# The Press Democrat

MONDAY, APRIL 2, 2007 • SANTA ROSA, CALIFORNIA



**SUNNY & MILD**  
 Santa Rosa High: 70, Low: 44  
 Petaluma High: 68, Low: 39  
 Sonoma High: 70, Low: 39  
 Details, Page B8

# Hearings this week for RP casino's impact rep



**Study expects Graton Rancheria's proposed site will bring traffic, construction woes, crime**

By PAUL PAYNE

THE PRESS DEMOCRAT

A \$450 million casino resort near Rohnert Park could bring jobs and prosperity to the 1,076 members of the Federated Indians of the Graton Rancheria.

But it also poses risks for the environ-

ment, according to a study that will be the subject of two public hearings this week.

The casino, which would be the closest to major Bay Area population centers, could put 18,000 more cars on Highway 101 and local roads each day, the study said.

It could draw up to a quarter-million gallons of water daily from wells and possibly would pump treated sewage into Laguna de Santa Rosa, the study said.

Construction alone would require 22,917 truckloads of fill to raise the 66-acre casino complex five feet above flood level, the

study said. That's 192 trucks a day, six days a week for at least five months — about one-fifth of the total construction time.

Tribal leaders say a casino is the only way to lift their members out of poverty, but the proposal has spawned angry opposition in the community.

"It's insanity," said Gerard Giudice, a Rohnert Park caterer who makes a living delivering food to offices along the freeway. "Why are we inviting this monster into our town?"

TURN TO CASINO, PAGE A7

**CASINO HEARINGS**  
**Wednes** Performin Snyder Le  
**Thursda** Center fo 50 Mark Santa Ro  
**Both da** workshop hearing

## CASINO: Annual revenue estimated at \$533 million

CONTINUED FROM PAGE A1

Details of the 2,000-slot machine casino and 300-room hotel are contained in the voluminous draft environmental report released last month. Experts and neighbors alike have been poring over the report in advance of the hearings Wednesday in Rohnert Park and Thursday in Santa Rosa.

As part of a lengthy pre-construction approval process, National Indian Gaming Commission officials will take comments on the report and consider alternatives before deciding whether the casino project can go forward.

Certification of the report is a key requirement of a contract between the tribe and a casino management company and is a prerequisite for putting the land into federal trust. The tribe also must secure a gambling compact from the state.

Experts and advocates differ on whether an outpouring of criticism could stop the casino or force the tribe to change its plans. Rohnert Park signed a pact with the tribe that will bring the city \$200 million over 20 years, in part because officials believed the casino is inevitable.

"People realize this project is becoming real," said Rohnert Park Mayor Vicki Vidak-Martinez, who called the environmental report "a big milestone."

The Graton Rancheria has been working toward this point for some time.

The Coast Miwok and Pomo Indian group, along with its partner, Station Casinos of Las Vegas, bought the land near the freeway in 2005 for \$100 million, shortly after plans for a casino on Highway 37 near Sears Point fell through.

The tribe first announced it

### GRATON RANCHERIA TRIBE

A section of the more than 600-page environmental report describing economic conditions said:

- 10 percent of tribal households in 2004 had incomes of less than \$10,000.
- About half had incomes less than \$30,000 and two-thirds do not own a home.
- About 28 percent are on unemployment, Social Security or disability insurance.
- Just 38 percent of tribal members live in Sonoma County, the report said.

was pursuing a casino about three years after a 2000 congressional act restored its official status, allowing it to build on ancestral lands.

After resisting for several years, Tribal Chairman Greg Sarris said, a casino was the only way members of his historically impoverished tribe could become self-sufficient.

Sarris did not return calls seeking comment on the report and the upcoming hearings.

Annual revenue from gambling, the hotel and a 1,500-seat entertainment center is estimated at \$533 million, more than four times the amount generated at River Rock Casino in Alexander Valley, which is owned by the Dry Creek Band of Pomo Indians.

The Graton tribe's share — 78 percent of profits for the first seven years — would be dispersed to individual members and would pay for programs and other tribal business ventures, the report said.

Tribal members also would benefit from the creation of about 2,400 union jobs, the report said.

However, a casino would have significant environmental costs, the report said.

A rush of gamblers from across the Bay Area would add to freeway congestion, while a pair of 600-foot-deep wells for the casino would deplete water levels in neighboring wells.

About 350,000 gallons a day of wastewater would either be pumped to the regional treatment plant or processed through an independent system with holding ponds that the tribe would build. One option has the system running to a creek that feeds the lagoon.

Societal effects, such as problem gambling and crime, also are expected.

The first impacts would come with construction.

Up to 800 workers would converge each day on the Wilfred Avenue site, running heavy equipment and transporting material over 27 months.

Because the location is within a 100-year flood plain, it would have to be built up with 275,000 cubic yards of fill, taken from local quarries, possibly west of Rohnert Park.

To complete this task, 24 trucks an hour would need to run eight hours a day.

If the casino opens, most traffic would come from the freeway, entering a parking lot on Labath Avenue.

Congestion at freeway on-ramps and exits and at intersections would reach unacceptable levels, as defined by consultants. For example, the delay at Wilfred Avenue and Stony Point Road would reach 12 minutes.

The report anticipates the

tribe would pay for road improvements, in addition to contributions to public safety.

Industry experts said the tribe could be forced to scale down the casino or consider a different spot, but they believe it will be built.

Political sentiment appears to be turning away new tribal bids, but the Graton Rancheria project already is in the pipeline — and has the backing of a congressional act.

"I don't think that this location is necessarily a done deal," said Howard Dickstein, a Sacramento lawyer who has represented dozens of tribes, including the United Auburn Indian Community, which opened Thunder Valley casino in Lincoln in 2003. "But whether it is there or elsewhere, Graton will have one of the last off-reservation casinos in the state."

Casino opponents, however, said enough protest over environmental effects is sure to get the attention of decision-makers in Washington and Sacramento.

The Rev. Chip Worthington of Rohnert Park, who leads the anti-casino group Stop the Casino 101, said the report fails to address dozens of issues. He is among many interested parties, including those in county and city governments, who are asking for an extension of the time to review the document.

"It took Graton three years to produce their environmental report, but our community has been given only 2½ months to respond to it," he said. "Graton is trying to short-circuit due process and is trying to deny us our civil rights."

You can reach Staff Writer Paul Payne at 521-5250 or paul.payne@pressdemocrat.com.

April 5, 2007

(Letter is about the "DEIS Comments, Graton Rancheria Casino and Hotel Project")

Dear Mr. Mchaffy,

This is my written comments on having another casino going in, in Sonoma County. Personally, I believe one is too many. I am so tired of hearing and seeing all their ads on the television and radio. Our town is a family community. Usually they put these things away from children and families.

As far as environmental impact, what do they plan to do with their waste?. Immediately under them would be a large aquifer. We live in the county on a well. Already we have had to dig a deeper well because of Rohnert Park. It is their plan to have 2 ,1, 000 ft. wells? We would all be dry. There will be lawsuits.

We also live in the green zone and have livestock. We chose to live in the green zone. Isn't the casino planning to use green zone land? Green zone is agriculture as I am sure you know.

I have also found salamanders near my home in this zone, which are protected. From all we have read and heard, that crime gets worse in the radius of a casino. We are about to have a new driver in our house. We surely don't want drivers leaving drunk on Stony Point Rd., 2 miles from our house. That is the road we mainly use to leave, when we go anywhere.

To top all of this off, when the issue came up for a vote, we were **excluded!** Only Rohnert Park was allowed to vote. We live even close than they do!!!

Thank you,  
Robert Smith  
5799 Lowell Ct.  
Cotati, CA. 94931

2007 APR 10 PM 1:56

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION

7726 Blair Avenue  
Rohnert Park, CA 94928  
April 5, 2007

Brad Mehaffy  
NEPA Compliance Officer  
NIGC  
1441 L Street, #9100  
Washington, D.C. 20005

Dear Mr. Mehaffy:

I'm not one to being known as an activist but I must let you know how very much my family and I are against the proposed FIGR casino in Rohnert Park, CA. My family have been residents of Rohnert Park for over 35 years. When we purchased our homes, we were told we would never have metered water and this past year we now have water meters on our home due to a water shortage our area is suffering. Our water bills are outrageously high. Allowing this casino to be built in Rohnert Park, will not only cause more of a water shortage but traffic congestion will be increased, our property values will decrease and I fear the rate of crime will rise.

Please consider the residents of Rohnert Park's wishes in making your decision. We are hard-working people trying to raise our families in a safe, healthy environment. Please say no to this casino.

Thanks very much!

Paula/Fred Helberg

Brad MeHaffy, NEPA Compliance Officer, NIGC  
 1441 L Street, #9100  
 Washington, D.C. 20005

Dear Mr. Mehaffy,

I would like to join the other members in my community that are opposed to the building of a casino in Rohnert Park, CA.

we moved here because we wanted to spend our senior years in a smaller area with less crowding.

Now the powers that be have decided our area would be a good site for a \$450 million dollar casino , hotel resort.

My objections are as follows:

1. We are a college town. Sonoma State University is located on the other end of town from the proposed casino site.

Young college students do not need to be so close to the temptations a casino will provide.

2. Our roads and highways are already crowded at all times of the day. Adding another 30,000 automobiles daily to them will only make it a bigger problem. The roads are full of potholes and in disrepair, more traffic will only make them deteriorate faster.

3. Our water supply is limited and our rainfall was low this year. I can only imagine the impact the casino would have in the event we continue to have less rainfall in the future.

3. Our emergency services are limited as the men and women who serve us are expected to fight fires, take care of criminal actions and render 911 emergency aid. On top if that we are now experiencing gang activity. I can only think that the added burden of the casino will make our neighborhoods more in danger.

I could go on about Tax Increase, societal impact, flooding danger, and sewage. But I am sure you are tired of reading if indeed you have gone this far.

Are legislatures seem to have decided that the casino is a go, in spite of all the people that object and the problems I have mentioned. They seem to only see the money given by the casino people and do not realize that in the future the community will need much more to survive as a family town.

Thank you for letting me have my say.

Sincerely,

Elaine McDowell  
 36 Chestnut Court  
 Rohnert Park, CA

2007 APR -6 PM 3:02

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 NATURAL INDIAN  
 RATION COMMISSION

# WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING  
FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE  
April 4<sup>th</sup>, 2007

IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDEE OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.

(Please write legibly)

Name: Kevin Moore Organization/Tribe/Agency: Friends of the Graton Rancheria  
Address: 3759 Leboldbourne Place Santa Rosa Ca 95403  
Phone/Email: 707 538 1832 a2@bcglobal.net

Comment: see attached page  
Draft EIS Comments Graton Rancheria Casino and Hotel Project

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffey, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

## FIRE PROTECTION/EMERGENCY MEDICAL SERVICES

The Environmental Impact Study shows the this tribal facility will have protection from fire and will be well-served by emergence, fire, and medical services.

- ✦ During construction: all equipment will have spark arresters & all dry vegetation and other combustible materials will be cleared
- ✦ Fire-resistant construction materials will be used, & all enclosed buildings will have automatic sprinkler systems that exceed Federal standards
- ✦ The casino will be equipped with early protection systems that assure the initial response time to any fire alarm will be three minutes
- ✦ Before opening the casino, the Tribe will enter into an agreement with fire services and emergency medical providers to provide primary fire protection and emergency medical services
- ✦ The casino will adhere to all local fire codes and be subject to regular fire inspections by an independent expert accompanied by a representative of the State Gaming Agency

*Susan Moore  
3739 Woodbourne Pl.  
Santa Rosa, Ca. 95403*

## PUBLIC HEALTH AND SAFETY

The Tribe's contributions to numerous local public safety projects under Rohnert Park MOU will improve and enhance the City's ability to provide health and safety services.

- ✦ Over \$2 million for a new fire station building on the west side of town
- ✦ \$350,000 for a new fire engine
- ✦ \$410,000 for additional public safety vehicles

Under the new Tribal-State compacts, the Tribe resort must be:

- ✦ built in compliance with local building & fire codes
- ✦ subject to routine inspections for compliance with state and federal standards related to food and beverage service, water quality, workplace and occupational safety, building and fire codes, and other public health and safety standards

*Susan Moore*  
*3739 Woodbourne Pl.*  
*Santa Rosa, Ca. 95403*

RECEIVED  
NATIONAL INDIAN  
GAMES COMMISSION  
2007 APR 10 PM 1:56



## CRIME & LAW ENFORCEMENT

As detailed in the EIS, studies conducted in cooperation with law enforcement and social service agencies on five California communities with large Indian gaming facilities do not show a definitive link between crime rates and the presence of casinos.

- ✦ The increased concentration of people within the local area led to a slight increase in crime, the increase was less than what might be expected from the opening of a Walmart or shopping mall
- ✦ The total number of additional crimes in these areas was minimal in comparison to the overall number of crimes in the surrounding communities
- ✦ In terms of crime rates overall, three of the local jurisdictions experienced lower crime rates, one experienced comparable crime rates with the surrounding area, and one jurisdiction experienced greater crime rates
- ✦ None of these communities received as much funding for law enforcement as provided by the Graton Rancheria under its MOU with Rohnert Park
- ✦ As a result of the \$1.7 million in advance payment under the MOU provided by the Tribe to Rohnert Park for a special enforcement unit to prevent gangs, drugs and repeat offenders in Rohnert Park:
  - ❖ Burglary in Rohnert Park went down 7.5% at the end of 2004 and another 31% decrease in 2005
  - ❖ Motor vehicle theft decreased by 18.5% by 2004, with another 38.3% decrease in 2005
  - ❖ Theft from vehicles decreased 13.5% by the end of 2004, with another 11% decrease in 2005
  - ❖ DUI/DWI convictions increased 11.7% by the end of 2004, with another 53.1% increase in 2005

As a result of the Tribe's contribution, the crime rates in Rohnert Park have decreased dramatically.

*Susan Moore  
3739 Woodbourne Pl  
Santa Rosa, Ca. 95403*

From: donegal@sonic.net  
Sent: Tuesday, April 17, 2007 10:29 AM  
To: graton\_eis@nigc.gov  
Subject: request for six month comment period

Dear Sirs:

I herein request a six month comment period for the Graton Hotel/Casino Project DEIS. This request is not only reasonable, but it necessary to ensure that the citizens of Sonoma and Marin counties have the opportunity to develop a meaningful response to the complex issues surrounding this project and the Wilfred Avenue site.

We are particularly concerned that the DEIS is so very inadequate. For example:

-The lack of mention of the 12/31/2005 flood event, which exceeded even the 500 year flood plain in what was not a major rain event, is unconscionable.

-We are also concerned that the grading and flood control proposed for this Urban Flood Plain is sure to cause flooding up-gradient, and may well interfere with the engineered ditches in this area.

We also believe that the "case-by-case" permission for a six month response period proposed at the April 4 and 6 Hearings is unfair, and will disenfranchise the many Sonoma County citizens who have serious concerns about this project's net cumulative impact on the entire Sonoma-Marin region.

Very truly yours,

Marilee Montgomery  
152 Wilfred Ave  
Santa Rosa, CA 95407

From: donegal@sonic.net  
Sent: Tuesday, April 17, 2007 10:36 AM  
To: graton\_eis@nigc.gov  
Subject: request for six month comment period

Dear Sirs:

I herein request a six month comment period for the Graton Hotel/Casino Project DEIS. This request is not only reasonable, but it necessary to ensure that the citizens of Sonoma and Marin counties have the opportunity to develop a meaningful response to the complex issues surrounding this project and the Wilfred Avenue site.

The DEIS is inadequate. For example:

- Traffic study is incomplete.
- Information on problem gambling is outdated.
- Water information is outdated
- sewer information is outdated

The proposed "case-by-case" permission for a six month response period is unfair, and precedent has already been set in the Cowlitz casino DEIS.

I further would like to remind the NIGC that it is a federal agency, and as such, it has a duty to the American people as a whole, not just casino developers like Station Casinos. Denying the people of this region a reasonable comment period for the Graton DEIS will be a violation of that duty.

Peter Jackson  
152 Wilfred Ave  
Santa Rosa, CA 95407

From: donso4@sbcglobal.net  
 Sent: Wednesday, April 04, 2007 10:01 PM  
 To: bradley\_mehaffy@nigc.gov; graton\_eis@nigc.gov; letters@pressdemocrat.com; donso4@sbcglobal.net  
 Subject: DEIS Comments, Graton Rancheria, Casino and Hotel Project

1.. Mr. Mehaffy,

First of, thank you for co-hosting the forum on Tuesday night, April 4, 2007 at Spreckel's Theater.

Most importantly, it is not that we don't want the casino in Rohnert Park. We don't want the casino in Rohnert Park because we don't need it. We don't need it for the following reasons;

1.. Traffic - Peak times increase. This will invariably result in an increase in accidents requiring an increase in police presence for which we are not funded. And, to that end the figures of a 18-24,000 car increase would appear to be woefully understated considering the revenue projections and the ability of the casino to be profitable. The current 101 widening will marginally improve the already seriously impacted traffic conditions in the area. Adding more cars is an obvious malignant intrusion.

2.. Crime - The added congestion will invariably negatively impact a police force struggling with current conditions. An increase in cars and people will bring an increase in assaults, thefts, prostitution(?), and God knows what other serious crimes. This congestion will impact the police force, fire department and/or paramedic's ability to access the crime scene.

3.. Water - The projections are either to dig more wells where initial drillings fail or to tap into the city's water supply, draining the supply for residents of the city that have paid taxes and found a safe haven for their homes. The water supply at present prevents residents from the neighborhood from adding on to their homes due to the negative impact it will have on the water supply. What are we missing here? Building the casino and hotel won't? The 2005 flood already illustrated the issues we have in this area.

4.. SSU Students - The casino and hotel means the university will not be able to add extra housing for students as there is no more capacity. The impact to a student body tempted with gambling, alcohol and God forbid prostitution seriously impacts that student body.

We seriously do not see how the import of an industry that brings crime, societal and family abuse and threatens a seriously impacted traffic problem can have ANY upside. Granted, the casino and hotel will bring revenue to the city, but just how much will it cost to have them as residents of the city and County of Sonoma? Additionally, how does gambling raise people out of poverty? Seriously? The rather obvious inverse is categorically staring all of us in the face.

WE DO NOT WANT THE CASINO IN ROHNERT PARK OR ANYWHERE IN SONOMA COUNTY.

WE DO NOT NEED THE CASINO IN ROHNERT PARK OR ANYWHERE IN SONOMA COUNTY.

S \_\_\_\_\_  
 Donald & Babette Allcock  
 3720 Yorkton Way  
 Santa Rosa, CA 95404

cc: Governor Arnold Schwarzenegger

MessageFrom: westie@sonic.net  
Sent: Monday, April 23, 2007 5:05 PM  
To: graton\_eis@nigc.gov  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

Regarding: DEIS Comments, Graton Rancheria Casino and Hotel Project

April 21,2007

Dear Brad Mchaffy,

The "2006 California Gambling Prevalence Study" by Rachel Volberg states that nearly 1 million Californians-one in every 28 adults-have developed "significant, lifetime problems related to gambling." To prevent compulsive gambling problems from worsening, it would be best for everyone to stop the Graton Rancheria Casino and Hotel Project.

A copy of the "2006 California Gambling Prevalence Study" by Rachel Volberg can be found on the internet at:

[http://www.problemgambling.ca.gov/pdf/CA\\_Problem\\_Gambling\\_Prevalence\\_Survey-Final\\_Report.pdf](http://www.problemgambling.ca.gov/pdf/CA_Problem_Gambling_Prevalence_Survey-Final_Report.pdf)

Thank you,

Crystal Brody

1889 Bennett Meadows Lane

Santa Rosa, CA 95405

westie@sonic.net

From: foxybug@sbcglobal.net  
Sent: Wednesday, April 25, 2007 12:45 PM  
To: graton\_eis@nigc.gov  
Subject: casino

I would like it noted that I am against the Indian Casino in Rohnert Park. We do not need the congestion, corruption or any of

the other bad influence's it will bring along with it.

Thank you for your time,

Debra Rossotti  
4455 Hillview Way  
Rohnert Park, Ca. 94928  
(707)585-8433

From: garate@napanet.net  
 Sent: Wednesday, April 25, 2007 9:40 PM  
 To: graton\_eis@nigc.gov  
 Subject: FIGR casino

From: Jon Garate

PO Box 701 St.  
 Helena, CA 94574  
 707-967-9177

DEIS Comments, Graton Rancheria Casino and Hotel Project  
 To Mr. Brad Mehaffy, NEPA Compliance Officer  
 NIGC  
 1441 L St., #9100  
 Washington DC 20005

Dear MR Mehaffy:

I wish to stand opposed to the proposed FIGR Casino, and request a minimum of 6 months extension to further study the EIR.

1. I am outraged at the expansion of Indian gambling on lands other than Indian reservations. Once land is taken into trust, apparently it becomes like a reservation in that the laws of the United States no longer apply to anything that goes on there, in the same way they apply in the rest of the country. I have a very close friend whose daughter worked recently in an Indian Casino, until she became injured on the job. So far it appears that she has no right to Workers Comp, and has simply been terminated from her job without recourse.
2. I have worked in the casino industry myself, and seen first hand the destruction of individuals addicted to gambling, and the associated devastation of their families. I have worked in social services in a gambling community, and the social and economic impact on a community where gambling casinos operate is not measurable in facts and figures. A great deal of the social services provided to gambling addicts and their families falls outside of government jurisdiction - for example churches and other charitable organizations. The impact on a gambling community in regards to employment and the work force also carries much negative impact.
3. On a much more specific note, I am concerned about the FIGR casino impact on traffic and road conditions in the area. I live in Napa county which is adjacent to Sonoma County, and the roads between the two counties are already under-maintained, and over crowded. We already have two Indian casinos just to the north of us in Lake County. Please! No more!
4. The negative impact of gambling could easily take up as many pages as the EIR for this project, but for the interest of time and space, and in the interest of simplicity I conclude at this point, hoping that we will be given a 6 month extension to further provide information.

Jon Garate  
 garate@napanet.net

June 3, 2007

Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington DC 20005  
Graton\_eis@nigc.gov  
Fax: 202-632-7066

Re: "DEIS Comments, Graton Rancheria Casino and Hotel Project"

Dear Mr. Mehaffy:

I attended the public hearings that were held on April 4 & 5 and wanted to make known that I believe the FIGR Casino is not appropriate for Rohnert Park or the surrounding areas.

This casino, if built, has negative consequences for the city of Rohnert Park and Sonoma County. In Sonoma County and the state of CA we are facing significant water problems. The residents in the surrounding area are on wells. If the proposed casino were to come in and dig wells, it would deplete the water needed at the surrounding homes. Why should the residents need to be put at risk for this development?

The traffic on Hwy 101, streets of Rohnert Park and surrounding area are already a concern without the additional cars because of a casino. Have all areas of concern accurately been analyzed for impacts?

Please take serious consideration of all concerns regarding this proposed casino location.

Sincerely,

*Lisa Bagwell*  
Lisa Bagwell  
1158 Santa Cruz Way  
Rohnert Park, CA 94928

cc: Gov. Arnold Schwarzenegger  
Senator Byron L. Dorgan  
Dirk Kempthorne, Secretary of the Interior  
Senator Dianne Feinstein  
U.S. Rep. Lynn Woolsey  
Jared Huffman, State Assembly  
Noreen Evans, State Assembly

RECEIVED  
NATIONAL INDIAN GAMING  
COMMISSION  
JUN 11 AM 9:57

11-60119



From: marcseeley@juno.com  
Sent: Monday, April 16, 2007 1:55 PM  
To: graton\_eis@nigc.gov  
Subject: Rhonert Park Casino DEIS Extension Request

Bradley Mehaffy - As a Sonoma County resident and an environmental professional I respectfully request that you grant at least a 6-month extension to allow a meaningful review / comment period of the Graton Casino/Hotel Project's DEIS. The comment period should be at least up to and including August 31, 2007, so that impacted citizens can have the time to prepare a meaningful response.

From what I know about the project, the site geology and soils, and from what I have seen of the DEIS it has major errors and inaccuracies in a number of areas. In my opinion the document has many critical flaws that must be corrected. These include but are not limited to:

Water / Groundwater: incomplete and out of date information

Flooding: The flood of December 31, 2005 is not included. The impacts of filling of the wetland area on peak storm runoff and flooding not properly addressed.

Hazardous Materials / Contamination: There is a plume of contaminated groundwater in the area that is not properly addressed. The impacts of prior military operations and potential contamination are not well addressed. The California EPA (DTSC) issues regarding contamination are not addressed.

Traffic: Inadequate and incomplete information. (Have you driven on 101 through Sonoam County?)

Given the magnitude of the proposed project and its manifold impacts on the community it is imperative that you provide an adequate and reasonable period of time for DEIS review.

Sincerely,  
Marc Seeley, PG, REA-II  
California Professional Geologist #6824  
California Registered Environmental Assessor #20157  
Oregon Registered Engineering Geologist #089  
Nevada Certified Environmental Manager #1268

From: tristateland@cox.net  
Sent: Monday, April 16, 2007 2:57 PM  
To: graton\_eis@nigc.gov  
Subject: LOCATION OF PROPOSED CASINO

To Whom It May Concern:

Is the location of the Casino on the north or south side of Wilfred Avenue?

Is the location east or west of Labath Street?

Will it occupy both sides of Wilfred Avenue?

Thank You for your assistance.....Gus Magee, Area Property Owner

From: walkalong@pacbell.net  
Sent: Monday, April 16, 2007 4:36 PM  
To: graton\_eis@nigc.gov  
Subject: Six month extension Draft EIS Graton Tribe

Dear Brad Mehaffy, I respectfully request a 6 month extension of the comment period on the Graton Draft Environmental

Impact Statement (DEIS) for the following reasons:

The DEIS is seriously flawed in the following areas:

- 1) The traffic data in the DEIS is inadequate and incomplete.
- 2) The water component of the DEIS is based on outdated information.
- 3) The information in the DEIS about the toxic plume in the ground water is insufficient.
- 4) The crime statistic comparisons is based on faulty information.

Thank you for your consideration.

Linda M. Long  
944 Helene Ct.  
Rohnert Park, CA 94928  
(707) 5841098

DEIS for Graton Casino/Hotel proposal  
From: zeno@sonic.net  
Sent: Tuesday, April 17, 2007 1:01 PM  
To: graton\_eis@nigc.gov  
Subject: DEIS for Graton Casino/Hotel proposal

I am a 40 year property owner and resident of the Cotati and Penngrove area in Sonoma County. As a retired professor from Sonoma State University I know this area very well. I have seen the Environmental Impact Statement concerning the proposed Graton Casino/Hotel and believe it to be seriously flawed and skewed and generally inadequate. This DEIS is problematic concerning the impact of traffic, is unrealistic and incorrect regarding the information used on water usage and its consequences, and the problems of flooding in regards to sewer treatment is based on outdated information. These are just some of the many problems I see with this report. We need at least a 6 month period, up to an including August 31, 2007 to review and make comment on the serious shortcomings of this DEIS .

Myron Ort

zeno@sonic.net

--

DEIS Comments, Graton Rancheria Casino & Hotel Project  
From: psychhux@hotmail.com  
Sent: Saturday, April 21, 2007 10:43 AM  
To: graton\_eis@nigc.gov  
Subject: DEIS Comments, Graton Rancheria Casino & Hotel Project

April 4, 2007

Brad Mehaffy  
NEPA Compliance Officer  
NIGC  
1441 L St. #9100  
Washington, D.C., 20005

Re: DEIS Comments, Graton Rancheria Casino and Hotel Project

To Whom It May Concern:

I am writing this letter to let you know that we adamantly oppose the Casino/Hotel Project proposed for Rohnert Park, CA. My husband and I bought our first home in Rohnert Park a year and a half ago with the idea of raising our young son in a wholesome and family oriented community. As of today Rohnert Park is just that.

We have great concerns over the impact the Casino/Hotel project would have on our community. Contrary to the proponents of this project we whole-heartedly believe this project would be extremely detrimental to our local community. We are very concerned about the increased traffic a casino/hotel would produce on a daily basis. Traffic is already an issue in Sonoma County and this would only act to exacerbate the situation. Water is a limited resource in Rohnert Park. We are very concerned about the impact of such a project on our water source and the great possibility it would limit the availability of water for all of the families that are proud to make Rohnert Park their home. We are also concerned about increased crime rates, including; theft, violent crimes and property damage. We are concerned about our sewage treatment plant and the limited capacity to manage the additional sewage demands of such a large project. There are many issues that we believe to be of great detriment to our community.

We would like the National Indian Gaming Commission and NEPA to acknowledge the huge impact this project would have on our local, family community. This project would be a detriment to our community. We DO NOT want this Casino/Hotel in our community.

Sincerely,

Gil and Dana Zapanta  
4452 Graywhaler Lane  
Rohnert Park, CA 94928

MessageFrom: westie@sonic.net  
 Sent: Sunday, April 22, 2007 4:25 PM  
 To: graton\_eis@nigc.gov  
 Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

April 21, 2007

To: Brad Mehaffy  
 NEPA Compliance Officer  
 National Indian Gaming Commission  
 1441 L Street, NW, Suite 9100  
 Washington, DC 20005  
 mail to: graton-eis@nigc.gov

From: Crystal Brody  
 1889 Bennett Meadows Lane  
 Santa Rosa, CA 95405

"DEIS Comments, Graton Rancheria Casino and Hotel Project"

I am opposed to the Graton Rancheria Casino and Hotel Project.

The DEIS is lacking in it's study of Compulsive Gambling.

According to the "2006 California Gambling Prevalence Study" by Rachel Volberg, "the life time prevalence of pathological gambling in California is 1.5% and the lifetime prevalence of problem gambling is 2.2%. The prevalence of lifetime at-risk gambling in California is 9.5%. The overall lifetime prevalence rate of problem and pathological gambling in California (3.7%) is at the higher end of the range of prevalence rates identified using this screen in other states and nationally."

In other words, "nearly 1 million Californians-one in every 28 adults-have developed 'significant, lifetime problems related to gambling.' according to a new study of compulsive gambling in the state."

Compulsive Gambling results in serious and profound social, family, and economical problems. Indian Casino's do not have enough money to resolve these serious problems. These serious problems can be lessened by stopping the development of the Graton Rancheria Casino and Hotel Project further. And, by stopping further development of Casinos in California.

The DEIS is lacking in it's study of conservation of energy. There needs to be a study of the benefits of Solar Power.

The DEIS is lacking in it's study of conservation of water. There needs to be a study of the benefits of using low flow toilet, low flow sink and shower heads, limit laundry of linen, and etc. There needs to be a study of the benefits of landscaping by using drought resistant plants and trees and using drip irrigation.

The DEIS is lacking in it's study of conservation of toxic chemical cleaners and toxic garden care products. There needs to a list of non-toxic chemical cleaners and non-toxic garden care products.

The DEIS is lacking in it's study alternatives to traffic congestion. There needs to be a study of the benefit of either developing a mass transit system or locating the Casino near a mass transit system.

The DEIS is lacking in it's study of smoking. Primary and secondary smoking leads to emphysema and lung Cancer. These long term and costly illness can be avoided by not building smoking in building. Since Indian groups are exempted from local and state governments rules, smoking might be allowed in Casinos which is

physically and socially harmful. This is an avoidable problems.

The DEIS is lacking in it's study of the dangers of alcohol consumption especially at night when one is naturally more vulnerable to sleepiness and slowed reactions and auto accident. Indian Casino's do not have enough money to compensate for drinking and driving accidents and deaths.

Sonoma County already has an Indian Casino. We do not need another one!!!

Because of these concerns, it would be best for everyone that the Graton Rancheria Casino and Hotel Project not be built. And, it would be best for everyone that no further Casino's be built in California.

Thank you,  
Crystal Brody

From: grantbmiller@gmail.com  
 Sent: Wednesday, April 11, 2007 1:57 PM  
 To: graton\_eis@nigc.gov  
 Subject: Letter to EIS concerning Graton Rancheria Resort/Casino  
 Dear Mr. Mehaffy,

As a member of this community for 33 years, I would like to express my support for this project. I truly appreciate the tribe's commitment to mitigate all impacts and provide substantial benefits to the community and our environment.

The project is located adjacent to a regional commercial area along US 101. The view for commuters would be at least consistent, if not much better than, the commerce already in place along the freeway around the vicinity of Wilfred Avenue and Business Park Drive. While visual impact would be minimal, the tribe will still take measures to mitigate, such as:

1. The tribe will incorporate design elements into the project to minimize the impact of buildings and parking lots on the view.
2. The tribe will design landscaping that complements the buildings and parking areas, including the planting of trees and shrubs and the use of earth tone paints and natural building materials such as stone.
3. The tribe will also minimize the impact of light and glare by placing flood lights on buildings in a manner so as not to shed trespassing light off site, as happens with many of the big box stores and industrial sites in the area.
4. It is important to keep in mind that the project area is located within the city's sphere of influence and is already slated for intensive development. The tribe's multimillion dollar project will be an impressive, high end structure, and will be far more interesting and attractive than the industries and residences that would otherwise be built on the site.
5. The resort will not look like a Las Vegas type venue but be a more appealing structure that fits beautifully into the wine country style.

As far as noise impacts go, some of the measures the tribe has identified to reduce noise are as follows:

1. The shielding of the HVAC equipment to reduce noise and placing them at a significant distance from neighboring houses in the area.
2. Supplementing the cost to nearby neighbors of installing dual-pane windows to minimize traffic noise effects
3. Supplementing the cost for construction of raised landscaped berms or concrete block walls along Wilfred Avenue.
4. Preventing vehicle noise from loading dock operations between the hours of 10 p.m. and 7 a.m.
5. Respecting neighbors by holding off construction activities prior to 7 a.m. or after 10 p.m.

In summary, as a long term Sonoma County resident, I feel this project will enhance many facets of our community, far surpassing that which would be built there otherwise.

Grant B Miller  
 1118 C Slater Street  
 Santa Rosa CA 95403  
 (707)291-8343 ph.  
 (707)723-0318 fax



From: donso4@sbcglobal.net  
Sent: Wednesday, April 11, 2007 7:10 PM  
To: Bradley\_Mehaffy@nigc.gov  
Subject: Re: DEIS Comments, Graton Rancheria, Casino and Hotel Project

Mr Mehaffy,

Long since deleted. The essence was, with all things being equal we really don't see why we need a casino in the area. Increased revenues? At what cost? Increased traffic with an infrastructure inadequate to handle it?

If you're really of a mindset and have the financial means to fight the unorganized landowners then establish that infrastructure BEFORE you bring in the casino. A police and fire dept adequate to handle the increased crime, accidents, injuries, etc. Medical personnel to handle those same injuries, gambling addiction, spousal abuse from alcohol abuse. Establish the land and water table to be able to handle the increased number of residents, workers and infrastructure personnel. You're telling us this will be done, but do it before the casino comes. The area needs these items. You'd be doing some good regardless of the outcome. Isn't that what we're all her for? To help one another.

Me personally, I really don't see how the average homeowner, Rohnert Park resident benefits from a casino. Surely the Indian population has the means to contribute to society other than by undermining what's already there.

Bradley\_Mehaffy@nigc.gov wrote:

Dear Mr. Allcock,

There was a problem opening your comment email. Can you please resend your comments?

Brad Mehaffy, REM  
NEPA Compliance Officer  
National Indian Gaming Commission  
202-632-7003 (office)  
202-213-4919 (cell)  
bradley\_mehaffy@nigc.gov

Children  
Less than half our population...  
100% of our future.  
Don

From: Joe@Gvalley.com  
Sent: Thursday, April 12, 2007 12:07 PM  
To: graton\_eis@nigc.gov  
Subject: Comments on Draft EIS

I was not able to attend the two public hearings you held in Sonoma County, but I would like to add my views on this project.

I am sure that you heard plenty at the public hearings from the opponents to the project. When you hold a hearing on a controversial project, the opponents are the ones who are highly motivated to attend. Those of us who favor, or are neutral on, the project, are not motivated to make our views known. That, however, does not discredit our views.

The opponents of the project have been conjuring up dire consequences ever since the project first made the papers. Very little of their doom-and-gloom scenarios are based on actual studies. For instance, they were projecting massive traffic jams before any definitive traffic study was done, and they have never abandoned that position. I have corresponded in the past with the Stop The Casino 101 group, but I gave up because I could see that their emotional position on the project was never going to change.

As a 20+ year resident of Rohnert Park, I would like you to know that I do not oppose the project, and I know many people who feel the same way. Gambling is a passive vice: people self-select to participate. In fact, many residents of Rohnert Park travel to other gambling outlets in California, or even drive 4 1/2 hours to Reno to gamble. It is easy to see that the current opposition to the Graton proposal is purely a case of NIMBYism.

I personally look forward to the entertainment and dining opportunities that the Casino would bring to Rohnert Park. I don't gamble, mostly because I understand that the odds are not in my favor. But I would enjoy going out to dinner and a show, or recommending the hotel to visitors when they come to Rohnert Park. These are recreation opportunities that don't currently exist in my city.

I can understand how some people would take a position opposing the casino based on their own moral judgments. I ask you to respect those moral judgments, but not allow them to dictate to the rest of us.

Thank you for your time.

Joe Gaffney  
7498 Burton Ave  
Rohnert Park, CA 94928

From: drkelly5@comcast.net  
Sent: Sunday, April 15, 2007 8:23 AM  
To: graton\_eis@nigc.gov  
Cc: Assemblymember.Huffman@assembly.ca.gov; Senator.Migden@senate.ca.gov; webteam@ios.doi.gov; paul.payne@pressdemocrat.com; senator@boxer.senate.gov; senator@feinstein.senate.gov  
Subject: Graton Rancheria Casino Hotel

I am writing regarding the EIS for the subject project. This project has the potential to have significant impact on not only Rohnert Park, but Sonoma County. Allowing the public an adequate opportunity for public review of the EIS is critical in providing those affected with a legitimate chance to understand and comment.

In order to facilitate public review, I have two requests:

- 1.. Post the EIS in on the your web page as single non-password protected downloadable pdf file. As it is currently posted, one must download 264 individual files in order to download the entire document. While this may be useful for those who only intend to review a single issue, the whole document should also be posted. The individual files are all password protected. This is a public document and password protecting it serves no reasonable purpose while inhibiting review. Please remove the password protection to allow reviews to extract sections for commenting purposes.
- 2.. Extend the comment period by six months to allow the public a reasonable opportunity for comment.

Dennis Kelly  
107 Lassen Place  
Petaluma, CA

From: susan@snurse.net  
Sent: Monday, April 16, 2007 7:52 AM  
To: graton\_eis@nigc.gov  
Subject: Graton Casino Hotel Project DEIS - extension needed

A 6-month comment period is both warranted and needed on the Graton Casino and hotel project's DEIS. The comment period is requested to be through August 31, 2007. This time is needed for preparation of thorough response to seriously flawed areas of the DEIS. In particular, detailed response is needed on the traffic data in the DEIS, which is inadequate and incomplete, and the water component, which is based on outdated information.

I trust that an initiative as important and with such far-reaching impact as the Graton Casino and Hotel proposal will receive the proper consideration due, which in this case makes the comment period extension essential.

Sincerely  
Susan Nurse  
concerned citizen

-----Original Message-----

From: chris hall [mailto:mahall@sonic.net]

Sent: Wednesday, May 02, 2007 6:17 PM

To: graton\_eis@nigc.gov

Subject: graton casino

Dear NIGC,

My husband and I attended the EIS overview meeting at the Wells Fargo Center. We have lived in Sonoma County for 30 years, and our children are raising their families here. We want to let you know that we do NOT want this huge casino built in Sonoma county. We are concerned about the environmental and societal impacts on our county. We are concerned that the Tribe does not have to follow state and federal regulations. We are concerned about the impact on the freeway and transportation system. We are among the many citizens of Sonoma county that do NOT want this casino built.

Thank you for listening, Peter and Elizabeth Meirik emeirik@hotmail.com

From: anderssh@sonoma.edu [mailto:anderssh@sonoma.edu] On Behalf Of Sherri Anderson  
Sent: Thursday, May 10, 2007 7:16 PM  
To: graton\_eis  
Subject: DEIS Comments, Graton Rancheria Casin and Hotel Project

Brad Mehaffy  
NEPA Compliance Officer  
NIGC  
1441 L St. #9100  
Washinton, D.C. 20005

Dear Mr. Mehaffy,

I have had a chance to review a portion of the Graton Rancheria Casino and Hotel Draft Environmental Impact Statement and I have a few questions.

On page 4.7-3 there is a detailed discussion of Indirect and Induced Economic Effect. The IMPLAN model that is used relates to revenue. No where in this discussion did I find any mention of indirect cost? Were these considered? Is this revenue net of those cost?

On page 4.7-7 when discussing substitution effects the following statement is made , "Given that the hotel/casino resort would be located in an urban setting these effects would not apply." Was any consideration of the size of the proposed casino operation and the ability to generate marketing for the casino considered? I don't understand how that statement can be made given the size and economic power differential that will exist between the casino and local restaurants and businesses. Also, was any consideration given to the financial impact to existing entertainment venues, such as Sprekels concert hall and the currently under construction Green Music Center? How will the casino effect their attendance?

On the next page 4.7-8 the report states that "As the casino/hotel resort would draw non-residents to the area, the associated increase in new visitor demand for offsite entertainment venues, restaurants, and bars would make up for some area residents choosing to eat within the proposed casino hotel, rather than at existing eateries." Have other urban casinos had this effect? What are they basing this comment on? Is it possible that most casino/hotels are destination sites and very little roaming offsite occurs. Is it possible that people come to gamble and then leave having used resources of the community without any direct benefit to that community? What studies have been done to support this statement?

Pages 4.7-18 & 19 address the issue of problem and pathological gambling. Nowhere in the report does it talk about the cost to families. Was this considered? Pathological gambling ruins marriages and breaks up families. Is any money set aside for families that cannot pay their bills because all of the assets have been gambled away? What about counseling for family members whose lives have been ruined by a spouse or parents problem?

On page 4.7-27 the report states "Development on the site would increase land values, thereby increasing property tax revenue to local government." What evidence supports that statement? Has this occurred in other urban locations? How big is the effect? Does this just apply to the immediate vicinity or to the County as a whole?

Thank you for your attention to these questions. I would appreciate a brief response indicating that you received this e-mail in a timely manner.

Sincerely,  
Sherri Anderson

-----Original Message-----

From: marcseeley@juno.com [mailto:marcseeley@juno.com]

Sent: Thursday, May 10, 2007 3:08 AM

To: graton\_eis

Subject: Rhonert Park - Graton Ranchria Casino Project

Gentlemen - As a 20-year resident of Sonoma County I am writing to express my strong opposition to the proposed casino project. There are many reasons for my objections. Some are very obvious and some are based on my review of the DEIS. The problems with this project that are either not addressed or not adequately addressed include: unmitagatable traffic impacts, unmitagatable flooding impacts, impacts of contamination of the Laguna de Santa Rosa, depletion of groundwater resources, adverse and inadequately mitigated waste water impacts, adverse and inadequately mitigated air quality impacts. The social impacts of the casino on a residential community are totally ignored and dismissed. Furthermore, based on recent information it appears that the Graton band of Indians does not actually qualify under current law to be eligible to establish a casino. I would like to hear a response to my concerns. Better yet I would like to see the casino proposal denied.

Respectfully,

Marc W. Seeley

----- Original Message -----

From: jeito500@aol.com <jeito500@aol.com>

To: graton\_eis

Sent: Sun May 13 22:24:23 2007

Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

Please accept that attached file as my comments on the Graton Rancheria DEIS. Please send a return e-mail that you have received the file and it is readable.

Sincerely,

Thomas Scott



To: Brad Mehaffy  
Compliance Officer, NIGC

From: Thomas W. Scott  
5130 Gilchrist Road  
Sebastopol, CA 95472

Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

Dear Mr. Mehaffy:

All of the following comments are directed at Alternatives A & B.

### **Design of the Project**

Leadership of the Graton Rancheria announced with great fanfare in the Press Democrat that they intended to include a 50 acre luxury shopping center in this project. They said that they intended to have high-end designer shops and even mentioned stores they would use to anchor such a luxury mall. There was obviously a lot of time and attention that have been put into the concept. Now it is mysteriously missing from the final design concept.

1. What happened to the 50 acre designer mall?
2. Why does it not appear in a description of the project?
3. When is it envisioned for the project?
4. Where will it be placed?
5. Why did the tribe not announce that were not including the designer mall, when they made a big issue of announcing it in the first place?

### **Photographs, Maps, and Illustrations**

It appears that many of the visual and graphic presentations in the DEIS have been purposefully presented to mask or minimize how close the proposed casino project is to existing housing and developed communities. Aerial photos are taken from an altitude that obscures residential development or are cropped to remove pictures of houses. In other cases housing has been obscured through color choices. This appears to be a deliberate attempt to influence distant decision makers who do not know the local community and will not realize that the photographs and have been manipulated. This manipulation must be corrected in the final report; otherwise it will provide a rich ground for contesting that document.

**Figure 1-3**

Cropped close to the right edge to cut out residential housing in Rohnert Park. Shot from too high an altitude to pick up detached single dwellings along Wilfred and adjacent areas to the west.

**Figure 1-4**

Same as Figure 1-3

**Figure 1-6**

Same as Figure 1-3

**Figure 1-7**

Same as Figure 1-3

**Figure 2-1**

Presented as if proposed development existed without existing structures around it.

**Figure 2-8**

Same as Figure 2.1

**Figure 2-9**

Shows only 1 structure, a barn. This photo purposefully does not show that there numerous other buildings, businesses and residences on either side of the barn and on hills behind it. This proposed site will negatively affect all of them.

**Figure 2-11**

Crops out homes and businesses on left and bottom edges of photo.

**Figure 2-16**

Same as Figure 2-11

**Figure 2-32**

Same as 1-3. In addition, desaturated colors mask houses in the north. Color overlays mask buildings.

**Figure 2-33**

Same as Figure 2-32.

**Figure 3.5-5**

Same as Figure 1-3

**Figure 3.8-9**

Desaturated color used to deemphasized large tracts of Rohnert Park residential housing east of proposed casino as well as and numerous houses and buildings west and north of site.

**Figure 3.8-18**

Same as Figure 1-3

**Figure 3.9-2**

Same as Figure 1-3

**Figure 3.10-1**

Same as Figure 1-3

**Figures 3.10-6 to 3.10-11**

All of these photographs taken from angles to emphasize undeveloped land. This is a community separator, of course, it is going to be empty land. The final report should contain photos taken from the exact locations and then at 90 degree angles for 360 degrees from where the photographer stood to take the first photographs. Houses, outbuildings and other business will be readily apparent as adjacent to this site.

**Figure 4.12-3**

Same as Figure 3.8-9. This is a very blatant attempt to disguise how close this project is to residential housing. Sites north and west of the proposed casino are dismissively labeled private homes and small farms to make them sound sparsely populated. While to the east large residential tracts are not labeled at all. This is outrageous.

The DEIS identifies the location of some commercial business that might be affected by the development, but makes not effort to locate how close it is to other institutions that it might impact. Given that there should be an intense examination of all of the social impacts, the final report should located on a map how close the following entities will be from the location of the casino project:

How many schools? What kind of schools? Elementary? Middle? High?

How many churches or places of worship?

How many parks where children play?

How many hospitals?

How many police stations?

How many fire stations? How many are full time firefighters? How many are voluntary?

How many daycare centers?

How many institutions of higher learning?

How many youth centers? After-school centers?

How many recreational centers?

**Section 4.7.1**

## **Construction Phase of the Project**

Early in this section the DEIS states that construction would "...generate substantial economic activity within Sonoma County and the larger 9-county Bay Area Region..." The paragraph goes on to read "...it is assumed that all the expenditures would occur locally, as the physical building would be located in the local economy and all workers would need to be in the local economy...?"

What is the definition of local economy?

Does it just mean Sonoma County?

Is it intended to include all 9 Bay Region counties in which there will be "substantial economic activity?"

If the former is the meaning intended (just Sonoma County), then the report displays a shocking ignorance of how many construction workers behave. The fact is that many construction workers travel to distant work sites and do not move close to where they are working. They will not be "located in the local economy" as stated They will leave early in the morning to arrive at the work site, and return home at the end of the day. Most of their earnings will not be spent in Sonoma County, but rather close to their primary residences. The final report must take into consideration the latest finding and statistics regarding travel patterns of construction workers in Northern California.

What do the relevant unions say about the travel patterns of their workers?

What major studies have been done about the commute patterns of construction/manual laborers?

Where was each major study published:

Academic journal? Peer reviewed?

Trade publication?

Government document?

Business publication?

Newspaper?

Magazine?

Self-published?

.When was the study published?

What was the conclusion of each major study?

What are the credentials of the author(s) of each study?

Who funded each study?

Was each study specifically challenged or refuted by a subsequent study with an opposing view?

What was the methodology of each study?

If the latter is intended that workers will be drawn from neighboring counties, or perhaps from all 9 counties mentioned, then in which measure is each county expected to benefit? Please explain in detail:

1. If the other counties benefit, why are they not expected to contribute to defray costs in an equal measure to the benefits they receive?
2. Why is only Sonoma County expected to should the burden and absorb costs for a project that benefits the entire region?

How will the travel patterns of workers on this site affect local traffic patterns/congestion?

The report gives a specified time for construction when everyday projects take much longer than anticipated.

1. How will the Graton Rancheria assure that construction meets this timetable?
2. What will it do if the project runs over and inconveniences the County and public longer and causes greater hardship than anticipated?

#### **Table 4.7-10**

This table gives the local population as 42,000 that is suspiciously close to the population of just Rohnert Park.

1. How was this figure determined?
2. What geographic area does it include?
3. How was population figures for other casinos in the table calculated?

The effects of the casino will not just be unidirectional, that is, it will not just be east, or southeast and only affect Rohnert Park. The affected areas will include unincorporated communities, as well as areas of Cotati, Santa Rosa, and Sebastopol. The population number in table 4.7-10 must be calculated on a radial, concentric measurement with the proposed casino as its epicenter and spreading out equidistant in all directions. If the current measurement encompassed all/or most of Rohnert Park the revised, measurement must include the areas that extend the same distance in all directions.

How many people are contained in that measurement?

### **Graton Rancheria/Rohnert Park MOU**

The MOU is superannuated. Promises made by the tribe to give money to Rohnert Park as a share the expenses of infrastructure improvements were based on construction costs that are now wildly underestimated. On December 16, 2003, a month after the MOU was signed, the Press Democrat published that the average gas price in Sonoma County was \$1.62. That price is now a wistful memory. The May 3<sup>rd</sup> edition of that same newspaper in 2007 describes the steep rise in the cost of construction materials in the following quote. "Escalating material costs continue to present a challenge to commercial builders. Sharp rises in the price of concrete and steel in particular, have been driving up construction costs."

The MOU was signed 3 1/2 years ago. Since that time, 1) the site of the proposed casino has been relocated; 2) the cost of fuel has doubled 3) the price of construction materials has risen steeply; 4) war has drained off federal resources; 5) global climate change has been recognized by the U.S government. All of these factors are deep-rooted and will soon likely lead to a host of increasing costs, regulations and restrictions. In the face of these dramatic developments, many of the promises made by the tribe in the MOU are grossly insufficient.

Instead of constantly referring to an out-of-date document as a sign of willingness to be fair with the county and the surrounding communities, the tribe should, in good faith, immediately negotiate a new memorandum updating cost estimates and projects based on current and foreseeable conditions.

How will: a) increased fuel costs, b) higher materials costs for construction, c) the possibility of limited federal dollars (i.e. for highway construction), d) limitations on carbon emissions and greenhouse gases, e) other possible climate change restrictions each affect the following?

- 1, How will they affect the construction costs?
2. How will they affect the timetable for construction?
3. How will increased construction costs affect promised outlays by the tribe to Rohnert Park?
4. How will delays in construction affect promised outlays by the tribe to Rohnert Park?
5. Will they specifically increase? decrease? or not change?:
  - a) Development fee contributions?
  - b) Traffic contributions?
  - c) Fire & emergency service contributions?
  - d) Law enforcement contributions?

- e) Problem gambling contributions?
  - f) Community contribution and investments?
  - g) Waterway contributions?
  - h) Open space contributions
  - i) Mobile home park contributions?
  - j) Supplemental contributions?
5. How much more will the tribe pay for highway and infrastructure development costs because of increased construction costs, environmental costs, loss of federal dollars, environmental restrictions, etc? Bearing in mind this construction directly benefits the tribe and the proposed casino. In point of fact, without this infrastructure the construction and operation of the casino would be impossible.

### **Crime**

The data used to support the discussion on increases in crime rate arising from casino operation are paltry and inadequate. The study analyzes only 5 California casinos; four of which are less than half the size of the proposed Graton Rancheria project. Furthermore, the number of crimes committed at the casino site were conspicuously absent from two casinos that showed a significantly high crime rate compared to nearby areas with much higher population densities.

The final report must compare apples to apples and have a large enough sample to make statistically meaningful statements. The proposed Graton Rancheria casino must to be compared with similar-sized casinos nationwide, not just a few cherry-picked sites in California.

On page 56 of Appendix N, the EIS states "...there is currently no agreement in the literature as to whether casino gambling increases or decreases local crime rates." This is the same argument that entrenched interests used to obfuscate discussion and acceptance of the nature of climate change. It is meaningless statement, unless it is backed up by analysis. Since the literature search has already been done, it will not be difficult to provide this added analysis in the final report.

1. Name the major studies of casino crime.
2. Where was each major study published:
  - Academic journal? Peer reviewed?
  - Trade publication?
  - Government document?
  - Business publication?
  - Newspaper?
  - Magazine?
  - Self-published?
3. When was the study published?

4. What was the conclusion of each major study?
5. What are the credentials of the author(s) of each study?
6. Who funded each study?
7. Was each study specifically challenged or refuted by a subsequent study with an opposing view?
8. What was the methodology of each study?
9. Were there different conclusions based on methodology?
10. How many of the studies were sponsored by the gambling industry?

### **GANG ACTIVITY**

The Graton Rancheria has with some fanfare donated \$700,000 to the Rohnert Park Police Department, specifically earmarked to fight the proliferation of gangs. The publicity around this donation leads one to believe that gangs are a special concern to the proposed casino and should be discussed in the final report.

1. What gang activity has been associated with casinos in California, nationwide?
2. What crimes committed by gangs are of a particular concern to the tribe/proposed casino?
3. How do gangs interact with the influx of customers to a casino?
4. Are gangs implicated in crimes surrounding casinos?
5. Are gangs suppliers of drugs in the areas of casinos?
6. What special dangers do gangs in the neighborhood of a casino pose (i.e. attacking casino patrons for wearing gang colors)?
7. Are there Indian gangs? If so, how many? Where are they located? California? nationwide?
8. Is/are a particular ethnic gang(s) more of a concern than others to the Graton Rancheria/proposed casino? Indian? Black? Caucasian? Asian? Latino? If so what is the nature of this special concern?
9. What information sources were used to answer the above questions?



10. If published studies were used to answer these questions, name the study.
11. Where was each major study published:
  - Academic journal? Peer reviewed?
  - Trade publication?
  - Government document?
  - Business publication?
  - Newspaper?
  - Magazine?
  - Self-published?
12. When was the study published?
13. What was the conclusion of each major study?
14. What are the credentials of the author(s) of each study?
15. Who funded each study?
16. Was each study specifically challenged or refuted by a subsequent study with an opposing view?
17. What was the methodology of each study?
18. Were there different conclusions based on methodology?

## **SEISMIC ANALYSIS**

The section that treats seismic analysis and the threat that earthquakes pose to this project is incomplete and inadequate. In August 2006, a 4.4 earthquake occurred on a previously unknown fault near Glen Ellen running perpendicular to the Rodgers Creek Fault. Leading experts, at the time, to speculate that there might be a series of unknown faults running east to west that might trigger a larger quake on the Rodgers Creek Fault which runs north to south. In the EIS there is no mention of the Glen Ellen quake or the web of perpendicular faults.

Experts have further opined that a 6.7 earthquake along the Rodgers Creek Fault ranks number 1 on a list of 10 major Bay Area quakes likely to happen in the next 25 years. It is astounding that the EIS attempts to downplay danger of an earthquake along the Rodgers Creek fault by specifically omitting information about periodicity of earthquakes and the factors leading experts to expect potentially devastating tremors along this fault, including newly discovered faults.

It is unconscionable to attempt to lure tens of thousands of people on a daily basis to a site that holds tremendous risk to their lives and property, without forthrightly stating

what those risks are. If the final report does not specifically address the following questions it leaves itself open to legal and moral challenge.

1. Why was there no mention of the perpendicular faults from an earthquake that shook Rohnert Park months before the EIS was released?
2. What is the latest assessment of these faults?
3. How many of them have been identified?
4. What is the current assessment of the risk they pose for larger quakes on adjacent faults?
5. On what faults do the largest risks lay?
6. How does periodicity in earthquakes affect the likelihood a major quake on faults near the proposed casino?
7. Describe the scenario of a 6.7 quake on the Rodgers fault. What would be the extent of the damage? What roads are vulnerable? How will it affect traffic along the 101 corridor?
8. Given the grave nature of the predictions what specific steps is the casino taking to protect patrons and their property from an earthquake along the Rodgers Creek Fault?
9. Given the fact that roads to hospitals will likely be impassable, what medical facilities does the casino plan onsite to treat the injured and dying.
10. Will the casino specifically notify every patron that by entering tribal property that are entering a jurisdiction where civil law does not apply and injuries and damages from earthquakes are at their own personal risk?

----- Original Message -----

From: Tiffany Renee <tiff@designmotif.com>  
To: graton\_eis  
Sent: Mon May 14 08:19:17 2007  
Subject: Graton Casino/Hotel project DEIS Comments

Mr. Bradley Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW  
Suite 9100  
Washington, DC 20005

Dear Mr. Mehaffy,

I am writing regarding the Casino project's lack of examination of the effect of the increased air pollution on asthma, either in the low-income families that live in the vicinity of the casino, or the area at large. As an asthma sufferer I find that the increased development around Sonoma County is not adequately mitigating the impacts of air quality, let alone reducing airborne particulate matter to reduce pollution, green house gases and decrease the rate of new asthma cases. The addition of another casino in the North Bay will only exacerbate this issue further. And a lack of mitigating measures will mean the residents, especially the children of low income families without health care will bare the brunt if these polluting affects.

Attached are my comments regarding Petaluma's General Plan significant impacts of air pollution. Included is information regarding new studies that show smog increasing asthma in children that live near freeways. All the additional traffic that will come up the 101 will impact the children living and playing near Highway 101. Please consider these comments carefully.

Thank you,  
Tiffany Renée  
843 B Street  
Petaluma, CA 94952

Tiffany Renée

843 B Street Petaluma, CA 94952

To: City Council, City of Petaluma  
Pamela Tuft, General Plan Administrator  
11 English St.  
Petaluma, CA 94952

Public comments on the draft General Plan and General Plan DEIR:

Please find additional comments to the General Plan 2025 and DEIR.

1. **8-P-4 A & 8-P-4 B** are insufficient mitigations for balancing development with demand. Proposed development and subsequent water demand can be almost guaranteed based on the Proposed Plan, however the water supply is based on paper and a high level of resident participation in conservation. It's paper water. An annual water budget must be balanced against Best Management Practices for proposed water conservation and recycled water programs. Should the proposed Water Conservation Plan not be met, development plans must be placed on hold until conservation can meet demand for future growth.
2. With the amount of water coming through the Petaluma watershed and the vast areas of open and agricultural space, is there an Urban Water Management Plan that includes plans to store water?
3. **Impact 3.10-1.** Particulate matter is life-threatening to asthma sufferers and is known to cause cancer. Winter particulate matter from wood-burning fireplaces can be so pervasive that those susceptible to poor air quality have a significant reduction in their quality of life, making pedestrian activity difficult and causing further automobile dependence. The American Lung Association "recommends that individuals avoid burning wood in homes where less polluting heating alternatives are available. The use of the least-polluting alternative heating methods and cleaner technologies should be promoted to provide useful heat, while minimizing any adverse health effects."<sup>1</sup>

There are also a variety of environmental factors in Sonoma County that can make asthma worse, including high pollen counts, mold and fungus, **use of wood-burning stoves and fireplaces** [*emphasis ours*], agricultural burning, and high pesticide use.

While ozone air pollution declined 11 percent in the rest of the country between 1982 and 2001, ozone levels in Sonoma County do not show a decreasing trend. In fact, current ozone and particulate matter levels are already near the maximum allowable standards to protect the health of sensitive members of the population, including those with asthma. The growing number of cars, buses and trucks in Sonoma County will continue to add to the air pollution problem.

"Even small amounts of air pollution can irritate the lungs," said Dr. Martin. "Studies have linked premature death as well as increased hospital admissions, emergency room visits and asthma episodes with

---

1

**exposure to particulate matter air pollution and diesel exhaust.**  
[emphasis ours] We must look at the connection between the environment and lung health here in Sonoma County."<sup>2</sup>

Given the significant impact to air quality in the form of high particulate matter in the proposed General Plan, the City should include a stronger ordinance or policy that bans all new fireplaces that produce polluting air particulates and implement Best Management Practices that pay residents to close up existing fireplaces and/or remove wood stoves and inserts that burn materials that produce particulate matter. All existing home sales should be encouraged to remove non-compliant wood-burning stoves and/or retrofit to new least-polluting stoves and/or close fireplaces. As well rebates for converting to manual push or electric lawn mowers should be offered to residents and landscape businesses.

Automobile pollution from HWY 101 and local traffic congestion should also be addressed. User fees for gross and high polluting vehicles should be considered, with money going to an asthma inhaler rebate for children. As well, land use next to freeways (500 meters) should be restricted from new housing and youth-oriented outdoor activities until such time as highway emissions can be deemed safe for children.

Children who live near a major highway are not only more likely to develop asthma or other respiratory diseases, but their lung development may also be stunted.

According to a study that will appear in the February 17 issue of The Lancet and now available online, researchers at the Keck School of Medicine of the University of Southern California (USC) found that children who lived within 500 meters of a freeway, or approximately a third of a mile, since age 10 had substantial deficits in lung function by the age of 18 years, compared to children living at least 1500 meters, or approximately one mile, away.

"Someone suffering a pollution-related deficit in lung function as a child will probably have less than healthy lungs all of his or her life," says lead author W. James Gauderman, Ph.D., associate professor of preventive medicine at the Keck School of Medicine of USC. "And poor lung function in later adult life is known to be a major risk factor for respiratory and cardiovascular diseases."

The study draws upon data from the Children's Health Study (CHS), a longitudinal study of respiratory health among children in 12 southern California communities. More than 3,600 children around the age of 10 years were evaluated over a period of eight years, through high-school graduation. Lung function tests were taken during annual school visits, and the study team determined how far each child lived from freeways and other major roads.

"Otherwise-healthy children who were non-asthmatic and non-smokers also experienced a significant decrease in lung function from traffic pollution," continues Gauderman. "This suggests that all children, not just susceptible subgroups, are potentially affected by traffic exposure".

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<sup>2</sup> [http://www.lungusa2.org/redwoodempire/news\\_110103a.html](http://www.lungusa2.org/redwoodempire/news_110103a.html)

Lung function is a measure of lung health based on how much air a person can exhale after taking a deep breath, and how quickly that air can be exhaled. Children's lung function develops rapidly during adolescence until they reach their late teens or early 20s. A deficit in lung development during childhood is likely to translate into reduced function for the remainder of life.

"This study shows there are health effects from childhood exposure to traffic exhaust that can last a lifetime," says David A. Schwartz, M.D., Director of the National Institute of Environmental Health Sciences (NIEHS). "The NIEHS is committed to supporting research to understand the relationship between environmental exposures and diseases, and to identify ways to reduce harmful exposures to all populations, especially children so they can realize their full potential for healthy and productive lives."

Previous studies have demonstrated links between lung function growth and regional air quality. The findings in this study add to that result, demonstrating that both regional air pollution and local exposure to traffic pollution affect lung development.

"This study provides further proof that regional air quality regulations may need to be adjusted based on local factors, including traffic volume," says Gauderman. "This is important because in areas where the population continues to grow, more and more children are living or attending school near busy roadways. This may be harmful in the long run." Gauderman adds that community leaders, school districts, and developers should consider these results when developing new schools or homes.<sup>3</sup>

4. With the increased use of energy from residential and commercial build out why hasn't a larger plan to deal with renewable sources of energy been adopted in the General Plan? If Petaluma is to reach its commitment to the County on Climate Protection and green house gas reductions we must increase our energy mix. A plan to convert to a Consumer Choice Aggregate for the city or a stronger policy on renewable energy production should be implemented by residential and commercial builders, 5% is not enough to offset our GHG emissions. We need to consider 100% renewable energy production for Petaluma, all of Petaluma if we plan to live here in the century.

990 Echo Ct.  
Rohnert Park, Ca 94928

April 16, 2007

Mr. Bradley Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 91000  
Washington, DC 200005  
Fax 202.632.7066

Dear Mr. Mehaffy            Re: Draft Environmental Impact Statement Feb. 2007

Why is a casino in Rohnert Park being considered a destination casino not an urban Casino?<sup>2</sup> Rohnert Park was a planned city incorporated in 1963 with parks, schools, Churches and Sonoma State University. Our population is approximately 42,000. Your report makes it look as though the casino is in open space and did not include thousands of home, apartments or business. Why were homes omitted in your draft?

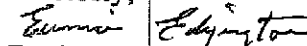
Traffic on 101 is a disaster, some of my friends do not want to visit us because they say it is not safe to drive here. You have the Wilfred Ave/Golf Course 101 Interchange dividing our city East to West because you know highway 101 cannot handle thousands of cars 24/7. The Wilfred Avenue/Golf Course 101 interchange was never intended to accommodate future commercial development, but to relieve existing congestion. Pollution is a significant factor and investigation has substantiated this. Water is an ever-increasing "gold" for California. Wells on that site would cause a ripple effect on neighboring wells in Rohnert Park, Sebastopol and Santa Rosa. resulting in dried up wells.

The sewer component of the DEIS is based on outdated information. The concerns of Cal/EPA, Department of Toxic Substances Control, are not addressed in the DEIS.

I ask that you extend the comments time to August 31, 2007.

**There never was a tribe of Graton Rancheria . I submit to you to check out the sources for the truth behind this purposed development.**

Sincerely,

  
Eunice Edgington

Brad Mehaffy  
NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street, NW, Suite 9100  
Washington DC 20005

Dear Sir,

Concerning the proposed casino in Rohnert Park, CA we wish to state that we think it is a very bad idea. Even though we are Station Casinos stockholders and know that Station Casinos does a very good job of operating casinos and will undoubtedly make a lot of money in Rohnert Park, as Sonoma County residents of some 25 years we are very sorry that a mega casino is even being considered for this area.

Our local paper, the Santa Rosa Press Democrat ran a story this week about an impending water crisis in this area, and the demand for water that this project will create alone should be an unacceptable environmental impact. We are also spending hundreds of millions of taxpayer dollars to try and mitigate serious traffic congestion on Highway 101 in Sonoma County (with resulting poor air quality) and the DEIR speaks of another 18,000 cars on 101 daily due to the casino- this is insane! How can anyone in your position or agency sign-off on a project that is so obviously detrimental to the environment?

There are other Indian casinos in more rural areas within a short distance for hard core gamblers to go to- this project is not needed or wanted by most of our local population, and its proposed location is totally inappropriate. We hope the NIGC will not "rubber-stamp" approval of the EIR for this sorry proposal.

Sincerely,

*Chris D. Cameron*  
*Silvey S. Cameron*  
Chris and Silvey Cameron  
1012 Lisa Court  
Windsor CA 95492

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 18 PM 2:41



Re - DEIS Comments, Graton Rancheria  
Casino and Hotel Project

4/14/07

Dear Mr. Brad McHaffy, I-102

I am writing to ask <sup>that</sup> the pro-  
posed casino in Rehnert Park be  
denied. I'm part Native American  
and I want financial abundance  
for the Graton tribe — but not  
through a casino.

Where I live - near highway  
116 west, between Stony Point  
Rd. and Hwy. 101 - there is al-  
ready a constant (24/7) roar  
from 101 and 116. Also, our  
well is going dry slowly. Also,  
getting safely from Madrone  
Ave. onto 116 is difficult because  
of the increase in traffic in the  
last five years.

2007 APR 18 PM 2:41

Many peoples wells in Sonoma  
County have dried up or are in the  
process of drying up.

21

Please - <sup>also</sup> for the emotional health of the people in Sonoma / Marin and Surrounding Counties, do not allow this casino. I've been to casinos. Like drug pushers feeding drug addicts, the casinos provide a loud, smoke filled, booze soaked place for desperate people, often old retired, poor people, to stare like robots into the eyes of the "one armed bandit" for hours and are truly robbed of much more than their money.

Thankyou, Betty G Ledonne

707-792-2753

7695 Derby Ln.

Unit A

Cotati CA 94931

-9703

April 6, 2007

Brad Mehaffy,  
NEPA Compliance Officer,  
National Indian Gaming Commission,  
1441 L Street, NW., Suite 9100,  
Washington DC 20005.

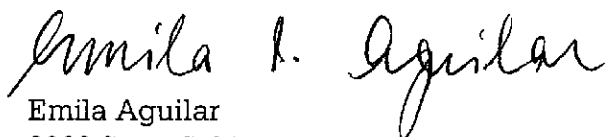
Dear Mr. Mehaffy:

Re: EIS Scoping Comments, Graton Rancheria  
Casino and Hotel Project

Attached is the full text of the remarks I wished to make to the NIGC Public Scoping Meeting on April 4, 2007. Please include them in your record of comments.

Thank you very much.

Sincerely,



Emila Aguilar  
2000 Stonefield Lane  
Santa Rosa, CA 95403

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GAMING COMMISSION  
2007 APR 17 PM 2:15

## **EIS Scoping Comments, Graton Rancheria Casino and Hotel Project**

My name is Emila Aguilar. I am a member of the Filipino-American Community of Sonoma County. I serve on the Board of California Human Development Corporation and I am also a Trustee of the Roseland University Prep. I was the Chief Financial Officer of the United Way of Sonoma-Mendocino and Lake counties, a Trustee of the Sonoma County Museum and have been involved with several community-based organizations in various capacities. Professionally, I am the Chief Financial Officer of Primrose Alzheimer's Living, Inc.

As a member of this community, I want to express my support for this Project and address the **Solid Waste Disposal** issue. The Project's solid waste generation will NOT significantly decrease the life expectancy of the Redwood landfill.

- The Redwood landfill is permitted to receive a maximum of 2300 tons per day.
- The project-generated waste represents approximately .5% or ½ of 1% of the Redwood landfill's permitted daily intake.
- Nonetheless, the Tribe will take steps to minimize the amount of solid waste generated by its project, including the following:
  - During construction, any construction waste will be recycled to the fullest extent practicable by diverting green waste and recyclable building materials away from solid waste streams.
  - The Tribe will use environmentally preferable materials to the extent practicable for construction of facilities.
  - The Tribe will install trash compactors for cardboard and paper products and recycling bins for glass, cans, and paper products throughout the hotel and casino facilities.
  - The Tribe will place decorative trash and recycling receptacles throughout the area to encourage people not to litter.
  - The Tribe will train security guards to discourage littering.

Based on the commitment to the community and responsibility to the environment exhibited, I believe that the Tribe will deliver all of the above. I thank you for your time and for the opportunity to speak before you in support for the Tribe.

**Marilee Montgomery**

132 Wilfred Avenue  
Santa Rosa, CA 95407

**URGENT FAX**

Please route to recipient immediately

If you have trouble with this transmission, please call 707-588-9926

**DATE:** May 2, 2007

**TO:** Phillip Hogen, Chairman, National Indian Gaming Commission  
Bradley Mehaffy, NEPA Coordinator, NIGC

**FROM:** Marilee Montgomery  
Home Telephone: 707-588-9926  
Personal Email: donegal@sonic.net

**re: REQUEST FOR EXTENSION OF DEIS COMMENT PERIOD  
DUE TO DISABILITY**

Page One of One

I am a disabled person who suffers from a chronic debilitating condition that affects my ability to function in a normal fashion, and which often sends me to bed for days at a time. On a "good" day, I may be well enough to function normally for only two or three hours at the most.

Among other things, my condition causes me to suffer periods of cognitive dysfunction, making thinking difficult. I also suffer from bouts of blurred vision and dizziness that make reading impossible. I am housebound and largely bedridden. I no longer drive because of my condition, and even normal day-to-day tasks, such as brushing my teeth, can sometimes be impossible for me.

While I am a very intelligent person with a broad business background, the fact is that I require more time than the average person might need to prepare a response to the DEIS. I find in general that everything I do that used to be so easy for me, including writing which has always been my specialty, takes three or four times longer than it did before. For instance, this brief fax took me more than 25 minutes to compose. I also make more mistakes than I used to when I was well.

As a disabled member of this community, I request that I be allowed a Comment period, if not to a full six months, then at the very least to the 90 or 120 days from March 1, 2007, requested by the County of Sonoma.

I also hope the NIGC will consider extending this same courtesy to any Sonoma County disabled person who might have difficulty responding to the DEIS in the relatively short time frame that has been given.

April 30, 2007

RE: "DEIS Comments, Graton Rancheria Casino and Hotel Project"

FIGR Casino

I-105

To: Brad Mehaffy

NEPA Compliance Officer, NIGC  
(National Indian Gaming Commission)

I urge you, not to allow a Las Vegas gambling casino to invade my hometown of Robnett Park, California.

I know that more increased traffic congestion will make it even worse than it is now, to get out on Robnett Expressway, for us residents of 20 years, to be able to get to our market places.

There will be big concerns of gambling & alcohol abuse, a huge decrease in our water supply, crimes & theft of our property, sewage problems, and pollution from cars & busses that will bring in "out-of-town-transients" by the thousands.

A casino will injure the value of our homes and property.

OE: b. 113 11-11-1102

I fear for my own security if this monstrous casino proposal is not stopped. Please help the residents of Robnett Park, California.

Signed: Elaine L. Matheny

April 18, 2007

Brad Mehaffy, NEPA Compliance Officer  
 National Indian Gaming Commission  
 1441 L Street N.W. Suite 9100  
 Washington, D.C. 20005

Dear Mr. Mehaffy:

Subject: Draft EIS Comments, Graton Rancheria  
 Casino and Hotel Project

This letter is being written to endorse the Graton  
 Casino project in Ukiah, CA and to request  
 that there not be a delay in the public comment  
 period at all.

The draft report started in March 2003.  
 Four years is ample time for comments and  
 concerns.

Sincerely, Nicholas M. Keck

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 NATIONAL INDIAN  
 GAMING COMMISSION  
 2007 APR 20 PM 3:13

April 30, 2007

I-107

To:

Brad Mehauffy  
NEPA Compliance Officer

DEIS Comments

Graton Rancheria Casino and Hotel Project

The following is in opposition to the proposed casino and hotel in Rohnert Park.

When CA voters voted to allow Indian tribes in CA to operate Casinos, it was expected the Casinos would be built on already existing reservations. Voters did not expect tribes would be able to set up Casinos in metropolitan areas.

Voters in CA did not expect gambling interest in Nevada to be using the Indians as a front to promote their own interests.

The lottery in CA has not benefited our schools or teachers to any great extent.

If gambling is such a boon to an area, why does most of Nevada look so dilapidated and impoverished. Even Reno looks like it's been forgotten.

Sonoma County is not able to treat and dispose of the sewage already generated



page 2 of 2

There does not seem to be enough water available to the current population.

The roads are not able to handle the traffic already generated.

When you go to Casinos already operating in Redwood Valley, Hopland, Geyserville, Upper Lake, Middletown the majority of workers do not appear to be American Indian and the men that appear to be in charge, dark suits and gold chains, appear to be Caucasian.

The whole ploy does not benefit the American Indians or the people that live in Rohnert Park. It benefits the gambling interests in Nevada and whoever is behind them.

If the casino, hotel is built in Rohnert Park what will happen to the alone Casinos?

Judith Ann Toder  
Charles M Toder

4623 Sunland Ave  
Santa Rosa, CA, 95407

4/15/07

## DEIS Comments

I-108

### Graton Rancheria Casino and Hotel Project -

I live in the rural neighborhood northwest of the proposed casino property in Rohnert Park. I oppose this casino for many reasons. I think that the environmental impacts of such a large project are too high. I am very concerned about the increase in traffic and crime, but my biggest concern is WATER.

My home ~~is~~ has a private well. I fear that it could go dry if a large casino with 600 foot deep wells comes to my neighborhood. This would be a major financial crisis to me, I could lose my home. This is not a rich neighborhood, others could lose their homes over this, too.

Flooding would probably be worse on our local roads, with so much fill needed for a large project. Local roads are already dangerous during floods!

Please don't let this huge project to harm our peaceful neighborhood!

This proposed Casino would  
have too high an impact  
on Rohnert Park and me  
in nearby unincorporated  
Santa Rosa.

Sincerely,

Carrie Crandall

Carrie K. Crandall  
4301 Primrose Ave.  
Santa Rosa, Ca.  
95407

April 18, 2007

Brad Mehaffy, NEPA Compliance Officer  
 National Indian Gaming Commission  
 1441 L. Street N.W. Suite 9100  
 Washington, D.C. 20005

Dear Mr. Mehaffy;

Subject: Draft EIS Comments, Graton Rancheria  
 Casino and Hotel Project

This letter is being written to endorse the  
 Graton Casino project in Rohnert Park, CA and  
 to request that there not be a delay  
 in the public comment period at all.

The draft report started in March 2003.  
 Four years is ample time for comments  
 and concerns.

Sincerely,

Lucia Kreck  
 1250 Lytton Spring Rd  
 Healdsburg, CA 95448

RECEIVED  
 NATIONAL INDIAN  
 GAMING COMMISSION  
 2007 APR 20 PM 3:13

*From the Desk of Angela Penland*

Wednesday, April 18, 2007

National Indian Gaming Commission  
144 "I" Street, NW  
Suite 9100  
Washington, D.C. 20005

RE: FIGR Draft EIS Workshop and Public Hearing

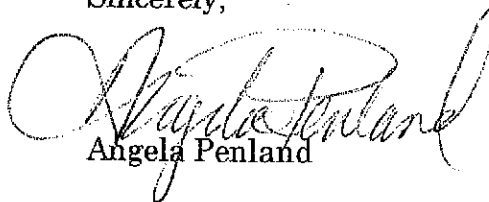
I am writing to encourage your rejection of a 60-day extension of time for local public officials to read our tribe's Draft EIS. The issues raised in this request for more time have already been addressed in the several-year review process and numerous public hearings.

It is my understanding that, as a sovereign tribe, we were not required to involve public input – we did this only out of uncommon courtesy. Instead of using this opportunity in a business-like manner to voice concerns exclusively on our economic venture, our tribal members have been, instead, subject to racial slurs, written threats and verbal attacks based on our ethnicity.

It is clear that further time would not be used in a constructive manner and would directly affect the tribal members by causing additional financial hardship. Each of us, individually, are ultimately the ones who will be paying for this project, incurred interest and community relations grants thus far.

I respectfully ask that you think of the hardships and time delays that our tribe has already endured during this process and every day wasted incurs more financial burden on each tribal member. As a single mom raising two school-aged daughters and living in subsidized housing, this concerns me and our future greatly.

Sincerely,



Angela Penland

P. O. BOX 131, WINDSOR, CA 95492 · [ADPENLAND@YAHOO.COM](mailto:ADPENLAND@YAHOO.COM) (707) 975-5842

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 20 PM 3:13

WRITTEN COMMENT CARD

I-111

NATIONAL INDIAN GAMING COMMISSION - DRAFTS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.

(Please write legibly)

Name: JIM P. BELL

Organization/Tribal Agency: N/A

Address: ALL FATHERS DR. ROHNERT PARK, CA. 94928

Phone/E-mail: 707-588-1263

Comment: PLEASE DO NOT LET THEM BUILD A CASINO IN ROHNERT PARK BECAUSE IT WILL BRING CRIME + TRAFFIC + OTHER PROBLEMS IN TO OUR TOWN. WE ARE ALSO HAVING WATER ISSUES PLEASE READ THE INCLOSED ARTICLE.

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: Drafts Comments, Graton Rancheria Casino and Hotel Project.

**CONSERVE**

**SAVE H<sub>2</sub>O**

**DRY SPRING CONDITIONS EXIST IN ROHNERT PARK. PLEASE REDUCE WATER USAGE BY 10% - 15%.**

This year's rainfall is significantly below normal. Water storage in Lake Mendocino and the Russian River is projected to reach its lowest level since the late 1970's and the Sonoma County Water Agency has asked for voluntary water conservation efforts.

#### Take Advantage of these Existing Programs:

- Call the Water Smart Home Program at (707) 547-1910 to schedule a FREE water use survey of your home and garden.
- Look into replacing your high-flush toilets with High Efficiency Toilets (HETs) that use 1.28 gallons per flush or less. The City of Rohnert Park offers rebates up to \$150 per toilet.
- Replace your high-flow showerhead and faucet aerators with FREE low-flow models. They are available at the City of Rohnert Park Finance Department.
- New High-Efficiency washing machines are available that use up to 50% less than older models. Consider purchasing one now while rebates are available.

#### Here are the Top 10 Tips for Saving Water in your home and landscape:

1. **Learn how to read your water meter.** It is an important conservation tool. It not only measures the amount of water you use, but can also tell you if you have a leak.
2. **Check for leaks.** Once found, repair them quickly.
3. **Don't let water run!** Turn it off while shaving, brushing teeth or rinsing dishes.
4. **Use the broom instead of a hose.** Sweep debris away from your driveway or decked areas.
5. **Use a bucket and a hose with an automatic shut-off nozzle** when you wash your car, or better yet, take your car to a carwash that recycles water.
6. **Keep it under cover.** Cover your swimming pool and hot tub to cut evaporation loss. Postpone any non-essential repairs if they require draining and refilling.
7. **Inspect your sprinkler systems.** Even at a glance, sprinkler problems may be discovered.
8. **Irrigate early.** Run your irrigation system early in the morning during pre-dawn hours, avoid watering during the heat of the day when water evaporates more quickly, or when it's windy. Set automatic timers to water before 6 a.m.
9. **Plant in the Fall.** Defer new landscape planting until fall when planting conditions are more favorable.
10. **Water in two short cycles.** Irrigate your lawn this way, rather than one long cycle. By splitting your watering time in half and repeating it about one hour later, you will reduce water runoff and water more deeply. This encourages deeper, healthier root development. It also allows the turf to go without water for longer periods of time.

Contact the City of Rohnert Park's water conservation line at (707) 547-1906 for more information, water saving TIPS and REBATE information.



WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.

(Please write legibly)

Name: Amber R Park Organization/Trade/Agency: Citizens

Address: 1265 Camino Coronado Robert Park CA949528

Phone/Email: 707 795 9945 parkrps@sbcsd.net

Comment: Environment Report to be reviewed which require further study. Please accept this report for a fix upon the last done next before allowing forward with this last study submitted to project.

All registered voters R.P. Amber R. Park  
Jeannie E. Park

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffey, NEPA Compliance Officer, National Indian Gaming Commission, 1441 J Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the Casino / Draft EIS Comments, Graton Rancheria Casino and Hotel Project.

Meredith Munday



4-9-07

To: Mr. Bradley Mehaffy, NEPA Compliance Officer  
 National Indian Gaming Commission  
 1441 L Street NW  
 Suite 9100  
 Washington DC 20005

From: Diane Nelson  
 6044 Dawn Dr.  
 Rohnert Park, CA 94928

Re: Graton Casino/Hotel project DEIS

Dear Mr. Mehaffy:

"I am herein requesting that the deadline for response for the Graton DEIS be extended from the current seventy-five days to six months, and that responses be accepted up to and including Friday August 31, 2007.

As part of my comments, I would like to remind Graton and the representatives from the NIGC that even Graton's special statutory privilege for taking land into trust does not guarantee that it will have a casino on the Rohnert Park site or any other site. ( See attached letter from Congressman Miller.) If the property in question is taken into trust, it will merely allow Graton to attempt to negotiate a gambling compact with the Governor of the State of California. It will not guarantee Graton a casino of any size, nor will it obligate the Governor to approve a casino of any size, because, according to an interview with George Skibine conducted just last month, the federal government cannot force a governor to sign a compact.

In moving the casino site one mile closer to the City of Rohnert Park, Graton Rancheria has moved one mile closer to a potential toxic hazard. I would like to draw your attention to two letters (enclosed) from Cal/EPA's Department of Toxic Substances Control, or "DTSC", that indicates the new casino site may be affected by toxic waste from a former military installation, as it is now located immediately adjacent to the former military facility known as Outer Landing Field Cotati. These letters were sent to the U.S. Army Corps of Engineers in response to a whitewash report prepared by the USACE in 2004. The DTSC identified several areas of concern that were not adequately addressed by either the USACE's 1991 report or its 2004 report. Those areas included lead contamination, fuel and PCB contamination, and waste and ordnance possibly dumped on the casino site itself, which could only be determined by ground-penetrating radar.

2007 MAY -2 PM 3: 37  
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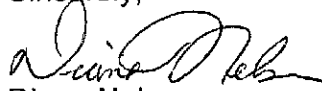
50207-11

Also in question is contamination from fuel dumping when the site was used as a drag strip for several years, and when the firing range, located where Rancho Verde Mobile Home Park is now located, was used as a firing range for eight years by the Sonoma County Peace Officers Association. There is no paper trail for the removal of the soil from the firing range, and the possibility exists that it could have been used for fill on the property comprising the casino site, as fill was brought in by area farmers regularly. The DTSC asked the USACE for further study both in June, 2004, and again in February, 2005. To the best of my knowledge, the USACE, which has admitted they lack funds for cleanup, has not addressed any of the concerns expressed by the DTSC.

This information of potential toxic waste contamination and the possibility of unexploded ordnance lying under some six to eight feet of fill on the footprint site itself should be considered in conjunction with the contaminated well information contained in Appendix Y of the DEIS. Local wells are shallow, but Graton's plans to sink deep wells has the potential to draw out of containment any toxic plumes that may exist from military activities or from the contamination identified two blocks away from the site at Wilfred Avenue and Redwood Drive. Only the right kinds of tests will determine what may or may not be found on the casino site. I urge the NIGC to work in conjunction with the DTSC on this issue.

In conclusion, I would like to say that this project would bring with it more negative impacts than positive. I will be providing further comment on other concerns in writing in the future."

Sincerely,



Diane Nelson

**GEORGE MILLER**

7TH DISTRICT, CALIFORNIA

2205 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-0607  
(202) 225-2095

www.house.gov/georgemiller

DANIEL WEISS  
CHIEF OF STAFF

COMMITTEE ON EDUCATION  
AND THE WORKFORCE  
SENIOR DEMOCRAT

COMMITTEE ON RESOURCES

DEMOCRATIC POLICY COMMITTEE  
CHAIRMAN

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-0507

BARBARA JOHNSON  
DISTRICT DIRECTOR

1333 WILLOW PASS ROAD  
SUITE 203  
CONCORD, CA 94520  
(925) 602-1880

3220 BLUME DRIVE  
SUITE 281  
RICHMOND, CA 94806  
(510) 262-8500

375 G STREET  
SUITE #1  
VALLEJO, CA 94592  
(707) 645-1888

TTY (202) 225-1904

March 11, 2005

Senate President pro Tem Don Perata  
State Capitol  
Sacramento, CA 95814

Assembly Speaker Fabian Nunez  
State Capitol  
Sacramento, CA 94249

Dear Mr. President and Mr. Speaker

I am writing to express my views about the gaming compact between the State of California and the Lytton Band of Pomo Indians under consideration by the legislature. I recognize that gaming compacts are a state matter. But I feel strongly that, before the Senate and Assembly give final consideration to the compact, I take this opportunity to clearly express my concerns.

As you know, I authored and Congress approved legislation in 2000 to transfer into trust the local card club known as Casino San Pablo and its surrounding land on behalf of the Lytton Band of Pomo Indians, a process that is allowed under federal law. The Lytton Band was a federally recognized tribe that had its land and tribal status unfairly taken away in the 1950s. A federal court restored the tribal status and also granted the tribe the right to pursue land acquisition for housing and for economic development in areas outside of its original native lands, which are no longer under its control.

After being approached by the City of San Pablo about this project, and after carefully investigating the project proposal, I believed, and continue to believe, that it was appropriate for Congress to transfer the land into trust. The proposal shown to me would have benefitted the tribe and the residents of San Pablo, a small city in need of economic development.

I continue to support Indian tribes' right to pursue gaming, and I continue to support the right of the City of San Pablo to make a Lytton casino part of its economic development program.

But somewhere between when Congress approved the land transfer and today, the project that was originally brought to me and to the Congress by the city and the tribe changed dramatically. What was then described as a modest casino with approximately 1,000 slot machines, to be developed within the context of the existing card room facility, instead was turned into a proposal for 5,000 slot machines and a hotel and entertainment center that would make Casino San Pablo one of the three largest casinos in the nation.

The revised project came as a surprise to many of us and understandably caused great concern throughout the community about traffic congestion and other economic and quality of life issues. I went to Sacramento and voiced my opposition to the senate leadership. In response to

Senate President pro Tem Don Perata  
Assembly Speaker Fabian Nunez  
March 11, 2005  
Page 2

my and others' concerns, the proposal was revised down to 2,500 slot machines.

Let me be clear that I have very strong reservations about even this newly revised compact and urge you to carefully consider whether the pending compact is appropriate for the local community. I believe that the current proposal is inappropriately sized for the local community and far exceeds what was originally proposed and what was originally expected by all parties involved. I believe the concerns of the local community must be respected and I applaud the efforts of Senator Torlakson and Assemblywoman Hancock to closely examine those concerns.

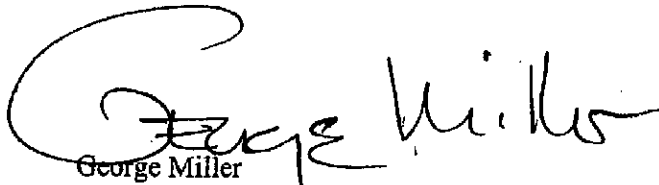
Unless all of the funds and other resources needed to mitigate the impacts of a casino project in San Pablo can be fully guaranteed in the compact, this compact should not be approved. And I believe that there is little confidence that such a guarantee can be achieved for the 2,500 slot machine proposal that is now under consideration. If the compact remains in its current form it should be rejected by the legislature.

The process for considering what was once an appropriate proposal has been grossly distorted by those who have sought to use the casino to achieve their own goals rather than the goals of the local community. Governor Schwarzenegger in particular clearly believed that he could ameliorate his serious state budget deficit problems by approving a mega-casino from which the state would be granted 25 percent of the profits.

Congress approved the right of the Lytton Band of Pomo Indians to negotiate a compact in good faith with the State of California. Its approval does not guarantee the tribe a casino of any size nor does it obligate the governor to approve a casino of any size. The responsibility for negotiating a reasonable compact lies with the governor. But now its approval rests with you.

Again, I respectfully understand that this is now before the legislature and how difficult this issue is. I appreciate the time both the Senate and the Assembly are giving toward its consideration and I appreciate the opportunity to express my views to you.

Sincerely,

  
George Miller  
Member of Congress, 7<sup>th</sup> District of California

D. Diebert



## Department of Toxic Substances Control

Edwin F. Lowry, Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



Arnold Schwarzenegger  
Governor



Terry Tamminen  
Agency Secretary  
Cal/EPA

June 17, 2004

Mr. Jerry Vincent  
Senior Program Manager, FUDS  
U.S. Army Corps of Engineers  
Sacramento District  
1325 J Street  
Sacramento, California 95814-2922

### REVIEW OF THE DRAFT FINAL RECORDS RESEARCH REPORT FOR THE FORMER NAVAL AIR STATION OUTER LANDING FIELD COTATI, CALIFORNIA

Dear Mr. Vincent:

The Department of Toxic Substances Control (DTSC) has reviewed the "Draft Final Records Research Report for the Former Naval Air Station Outer Landing Field Cotati, California" prepared for the United States Army Corps of Engineers (USACE). The site apparently was used from 1942 through 1945 by the Department of Defense and closed in 1947. It is apparent that most visual signs of this Formerly Used Defense Site (FUDS) have been removed in the processes of redevelopment. The report appears to provide ample records to sufficiently locate and evaluate several areas of concern. Based on the information presented, DTSC suggests the following actions for the areas of potential concern:

- For the machine gun firing range - The report lacks evidence of the extent of use and of the status of the back stop soils. Further information and field work should be initiated to determine if the current trailer park could or is being impacted from the possible lead contamination in this area. A sampling plan for the field sampling and analysis of soils within the trailer park should be initiated unless documentation is presented identifying where the back stop soils were moved.
- For the two 25,000 gallon underground storage tanks - There is no record of removal or reuse. Further information and field work should be initiated to determine the fate or current status of these storage tanks.

#### **Additional Information Requested**

- Photos in the report seem to indicate an electrical distribution system which would necessitate the use of transformers. It seems likely that transformers in this area would contain polychlorinated biphenyls (PCBs). Please provide additional information on the transformer locations, removal and disposal.

Mr. Jerry Vincent  
June 17, 2004  
Page 2

- It is unclear to what extent the oil storage shed was operated; further information is needed to eliminate this item as a potential concern.
- Also, it is unclear from the aerial photographs or text whether there was a fire training area at this facility. Additional information is needed.
- Although the number of staff always present onsite appeared to be quite small, it is unclear the type and quantity of wastes generated, and the handling of these wastes (disposal, treatment, recycling or other approach).
- The use of the small arms magazines identified for this site is unclear. Was the machine gun range also used as a side arm/rifle range during down times at the facility, was there another location where small arms practice could have occurred, or were there no other firing activities other than at the aircraft machine gun backstop?
- Ground scarring adjacent to Cotati – Ms. Marilee Taylor Montgomery has identified ground scarring adjacent to the Cotati property. As has been found at several FUDS properties, it is not unheard of to have adjacent property used as needed for military purposes. Although DTSC has not seen the pictures, Ms. Montgomery believes these locations are adjacent to Cotati. These areas, if adjacent to the site and identified in the pictures, at a minimum, should be evaluated to determine what caused the ground scarring.

DTSC appreciates the opportunity to review the subject document and looks forward to working with the Corps in the future to address these concerns. If you have questions or concerns please do not hesitate to contact me at (916) 255-4988

Sincerely,



Ed Walker  
Hazardous Substances Engineer  
Office of Military Facilities



Alan C. Lloyd, Ph.D.  
Agency Secretary  
Cal/EPA



## Department of Toxic Substances Control

8800 Cal Center Drive  
Sacramento, California 95826-3200



Arnold Schwarzenegger  
Governor

E. Walker

February 14, 2005

Mr. Jerry Vincent  
Senior Program Manager, FUDS  
U.S. Army Corps of Engineers  
Sacramento District  
1325 J Street  
Sacramento, California 95814-2922

Dear Mr. Vincent:

The Department of Toxic Substances Control (DTSC) received the attached letter from Ms. Marilee Taylor Montgomery on January 3, 2005. The letter outlines several areas of concern related to the Former Naval Air Station Outer Landing Field Cotati. DTSC also received an email with the names of people to contact within the community that could provide further information on the topics within Ms. Taylor Montgomery's letter. The United States Army Corps of Engineers (USACE) indicated in the public meeting you were open to reviewing and investigating any new information presented.

The letter identifies a person who has found machine gun rounds on his property. Through discussions with him it appears his property is off of the Former Outer Landing Field Cotati property, but does appear to provide support to the allegations that items were hauled off site for disposal.

**Recommendation:** Field work should be initiated to determine if this newly identified area was a disposal area for alleged dumping of ordnance from the former backstop operations and if the soils in the current trailer park area are contaminated with possible lead contamination. The Corps should follow-up with this gentleman to determine if this area has been impacted by ordnance. A sampling plan for the analysis of soils within the trailer park unless documentation is presented identifying where the back stop soils were moved.

The letter also provides additional information and contacts for alleged findings of ordnance and explosives contamination in areas adjacent to Former Naval Air Station Outer Landing Field Cotati. These allegations of munitions and explosive contamination need to be investigated by the USACE.

Mr. Jerry Vincent  
February 14, 2005  
Page 2

Mentioned in the letter is alleged disposal of gasoline during racing activities. After reviewing the Records Research Report for the Former Naval Air Station Outer Landing Field Cotati, it appears that the Department of Defense owned the property during some of the racing activities and would be responsible for illegal fuel disposals that occurred during Department of Defense ownership.

We are also forwarding this letter to the Sonoma County Environmental Health and the Regional Water Quality Control Board for their follow-up on the underground tanks, and the alleged fuel disposal activities. Both of these agencies are the primary contacts for the tank closure activities.

DTSC would like to work cooperatively with USACE to closeout this matter to the satisfaction of both our agencies. If you have any questions, please contact me at (916) 255-4988.

Sincerely,



Ed Walker  
Hazardous Substances Engineer  
Office of Military Facilities

Attachment

cc: Mr. Vince Del Greco  
DERP-FUDS Program Manager  
CESPD-MT-M  
333 Market Street  
San Francisco, California 94105-2195

Mr. Dave Evans  
Regional Water Quality Control Board  
North Coast Division  
5550 Skylane Boulevard, Suite A  
Santa Rosa, California 95403

Mr. Cliff Ives  
Sonoma County Health Department  
475 Aviation Boulevard, Suite 220  
Santa Rosa, California 95403

Ms. Joan Hayes  
City of Cotati Water Department  
201 West Sierra Avenue  
Cotati, California 94931



Connie L. Garate  
 625 Mund Road Space 13  
 Saint Helena, CA 94574  
 (707) 967-9255  
[hakala2@juno.com](mailto:hakala2@juno.com)

April 25, 2007

DEIS Comments, Graton Rancheria Casino and Hotel Project  
 Mr. Brad Mehaffy, NEPA Compliance Officer  
 NIGC  
 1441 L Street # 9100  
 Washington DC 20005

Dear Mr Mehaffy:

I am outraged at the plan for a casino in the Rohnert Park, Sonoma County, California, USA area! The preliminary reports are complicated and hard to understand, I would like to request a 6 month extension to give interested parties time to read the 3000 page document and have lawyers analyze and interpret its content. There are many reasons that this project should not be in this area.

First, the Sonoma County traffic is already horrible, and we can't keep up with the needed road repairs and the improvements already necessary for the current population and growth. It took 10 years to widen Highway 101!!

Second, Sonoma County is encountering problems with its water supply at this date. Due to the current water shortage, the general plan is discussing taking individual property wells and capping them, or metering them, or charging for the water which is flowing through property,. How can this limited resource be increased to supply this kind of project.

Third, this proposed project site is presently a slough. Even with packed dirt four to eight feet, this area will be very vulnerable to lawsuits when (not if) we have a large earthquake, due to the possibility of sand liquefaction. From historical documents, Sonoma County encountered more damage than San Francisco in the 1906 earthquake. Many birds flock to this area, what will happen to them. (I have heard that it is the intent of the proposed casino to turn off outside lights at certain times, then where is one's safety in a unlit, lawless place.)

Fourth, casino property when "In Trust" will not be governed like other businesses. I am aware of a young women who worked at a casino in Susanville. She hurt her back on the job and was not able to lift. She not only had no insurance, and was terminated without recourse. Workman's compensation was not an option, since the reservations do not pay into the system. The American Constitution is not recognized on reservations. They and the casinos are self governing and not liable to the usual governing rules of American citizens.

Fifth, gambling affects society in a very negative way. Gambling will impact families negatively, especially older citizens who are on limited incomes as well as others hoping for that "one big break", often leading to financial ruin, devistasion in families, not to mention the people who will wander the streets after they have lost their last dime. Communities that have legalized gambling have a higher rates of addicts, broken families, and suicide rates are above the national normal. Families of problem gamblers also suffer greatly from physical and psychological abuse; harassment and threats from bill collectors and creditors: increased stress stemming from neglect and divorce; and the extra financial burden placed on them to repay debts.

quoted from: [http://www.ncpgambling.org/resources/resources\\_residential.asp](http://www.ncpgambling.org/resources/resources_residential.asp).

There are too many casinos in California already. There is one casino in Alexander Valley. That is already one too many for Sonoma County. We don't need them, nor do we want them. NO MORE CASINOS !!!

Thank you for you time and consideration.

Sincerely,

*Connie Garate*  
 RECEIVED  
 NATIONAL INDIAN  
 GAMING COMMISSION  
 2007 MAY -1 PM 2:18

Connie Garate

Bradley Mehaffy, NEPA Compliance Officer,  
National Gaming Commission  
1441 L Street N. W. Suite 91000  
Washington D. C. 200005

Dear Mr. Mehaffy:

As a resident of Sebastopol, California, I am distressed at the prospect of a Casino in my neighboring community, Rohnert Park. We already have significant traffic problems; a casino would bring thousands more cars to our overloaded roads. A casino would bring more crime and totally change the character of Sonoma County, which has been my home for 34 years.

I am firmly opposed to the planned casino, and I fail to see why the opinion of the citizens of Sonoma County has so little effect on the actions of the federal government.

Another issue that makes the casino an outrageous prospect is that it will make our wells go dry. Current local officials are ignoring the fact that we **DO NOT HAVE ENOUGH WATER** for further major development. If a casino is approved, it will have priority for what water we do have, and the rest of us can just go climb a rock.

I respectfully ask for the six-month extension I have heard discussed so that these concerns can be further explored.

Sincerely,

*Marian King*

Marian King

7327 Baker Lane

Sebastopol, CA 95472

*April 26, 2007*

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 30 PM 5:04

To: Brad Mehaffy, NEPA Compliance Officer

NIGC 1441-L St., #9100

Washington, D.C., 20005

**Six Months Extension Request** on the Proposed FIGR Casino, Rohnert Park, CA

Three Points in Opposition to the Proposed Casino

1. A six months extension is requested to read the Environmental Statement and respond to the problems therein.
  - a. As a retired teacher from the Rohnert Park area, I would like to have an opportunity to respond to the impact this would have on the financial status of the students in the area. Much of the money which the casino plans to make will come from clothing, grocery and medical funds of the families in the area, thus impacting the students. This is not money which is not being spent now, but it is money which will be diverted from a need (of a family) to an addiction. This will also impact the businesses in Rohnert Park.
  - b. Sonoma County is already impacted with too many venues which sell alcohol (wineries) and this has had an impact on the drunken driving deaths in the county. A study needs to be made on the impact this would have on the out of control deaths on our roadways. We do not need to bring in more people to add to the problem.
  - c. The water crisis we have been facing in Sonoma County is going to be negatively impacted by a development of this size. This needs to be studied in more depth.
2. An existing Casino nearby (River Rock) has not abided by the regulations which protect the patrons, environment, or community from crime, drunk driving nor fire protection. They serve alcohol but do not have a license to do so. They have never had an inspection by a fire marshal. This type of lawlessness cannot be allowed to swallow up our county. I don't believe they even have a building permit for their buildings. This is totally unacceptable.
3. The citizens of Sonoma County have **not been** allowed to vote on their opposition of this proposed casino. It appears that the money from Las Vegas gambling interests has gone into the pockets of some local politicians, denying us the vote on this issue.

Respectfully Submitted,

Caroline S. Nielsen

2218 Oak Hill Drive

Santa Rosa, CA 95404

*Caroline S. Nielsen*  
4/25/07

2007 APR 30 PM 5:04  
RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION

From: Jon Garate  
PO Box 701 St.  
Helena, CA 94574  
707-967-9177  
April 25, 2007

DEIS Comments, Graton Rancheria Casino and Hotel Project  
To Mr. Brad Mehaffy, NEPA Compliance Officer  
NIGC  
1441 L St., #9100  
Washington DC 20005

Dear MR Mehaffy:

I wish to stand opposed to the proposed FIGR Casino, and request a minimum of 6 months extension to further study the EIR.

1. I am outraged at the expansion of Indian gambling on lands other than Indian reservations. Once land is taken into trust, apparently it becomes like a reservation in that the laws of the United States no longer apply to anything that goes on there, in the same way they apply in the rest of the country. I have a very close friend whose daughter worked recently in an Indian Casino, until she became injured on the job. So far it appears that she has no right to Workers Comp, and has simply been terminated from her job without recourse.
2. I have worked in the casino industry myself, and seen first hand the destruction of individuals addicted to gambling, and the associated devastation of their families. I have worked in social services in a gambling community, and the social and economic impact on a community where gambling casinos operate is not measurable in facts and figures. A great deal of the social services provided to gambling addicts and their families falls outside of government jurisdiction - for example churches and other charitable organizations. The impact on a gambling community in regards to employment and the work force also carries much negative impact.
3. On a much more specific note, I am concerned about the FIGR casino impact on traffic and road conditions in the area. I live in Napa county which is adjacent to Sonoma County, and the roads between the two counties are already under-maintained, and over crowded. We already have two Indian casinos just to the north of us in Lake County. Please! No more!
4. The negative impact of gambling could easily take up as many pages as the EIR for this project, but for the interest of time and space, and in the interest of simplicity I conclude at this point, hoping that we will be given a 6 month extension to further provide information.

Sincerely,

Jon Garate

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 30 PM 5:04

Lloyd B. Christiansen  
825 Wilfred Ave.  
Santa Rosa, CA 95407-8435

To: Brad Mehaffy  
NEPA Compliance Officer, NIGC  
1441 L St. #9100  
Washington, D.C. 20005

In regards to "Deis Comments, Graton Rancheria Casino and Hotel Project."

My opposition to the proposed Native American gambling casino next to Rohnert Park, CA. is aside from causing an increase in traffic, pollution, and crime, is that there are enough of these so called gaming establishments locally draining family income.

Sincerely



April 25, 2007

Brad Mehaffy, NEPA Compliance Officer  
NIGC  
1441 L ST., #9100  
Washington, C.D., 20005

Dear Mr. Mehaffy

I want you to know that I am outraged at the possibility of an Indian Casino being built in Rohnert Park California! It will bring a high rate of crime to our area and will also be a bad influence on our youth. It will bring congested traffic to our area and also we do not have water for a big casino.

I would like you to do a six month extension as soon as you possible if you can, please!

This casino would do bad things to our environment like think of the tiger salamander also we do not have the water for it. This casino will be as huge as our downtown Plaza here in Santa Rosa. Also when they build this Casino, they say, they will turn out the parking lights so the birds will be able to fly over the parking lot undisturbed at night time. This will be dangerous for people out in the parking lot because thugs will not be seen when the lights are off and it will make it easier to rob people with their money. So again please put a stop to this madness!

Sincerely



Jennifer Delany  
3481 Idaho Dr.  
Santa Rosa, CA 95405

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 30 AM 9:30

### WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road  
April 5<sup>th</sup>, 2007

**IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.**

(Please write legibly)

Name: SUZANNE PLISMA Organization/Tribe/Agency: \_\_\_\_\_

Address: 10 MORNING SUN DRIVE PETAJUMA CA

Phone/Email: (916) 713-5444

Comment: It is difficult to understand why such a dramatic change is allowed in our community. The area for the proposed casino is adjacent to residential development. The size of the proposed casino and adjacent casino developments is incompatible to fit in to the family oriented community in which it is placed. These developments and uses are not appropriate for the area.

RECEIVED 8:00 AM 4/5/07

Please give to attendant drop in Written Comment Box, or mail to: Brad McHaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption "Draft EIS Comments, Graton Rancheria Casino and Hotel Project"

Darlana Hardin  
2006 Ludwig Ave.  
Santa Rosa, CA 95407  
(707) 528-2980

April 20, 2007

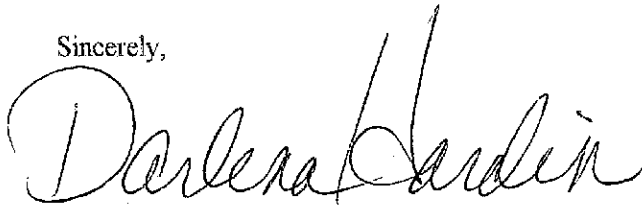
Mr. Brad Mehasfi  
1441 L St. Northwest, Suite 9100  
Washington, D.C. 2005

RE: Graton Rancheria Casino Project

Dear Mr. Mehasfi,

I am writing this letter asking that you please not delay the public hearings for the comment period regarding the Graton casino project located in Rohnert Park, California.

Sincerely,



Darlana Hardin  
Draft #EIS

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 24 PM 3:04



Elizabeth Hardin Papera  
P.O. Box 2302  
Menlo Park, CA 94026  
(650)556-0643  
Paperaerp@aol.com

April 20, 2007

Mr. Brad Mehasfi  
1441 L St. Northwest, Suite 9100  
Washington, D.C. 2005

RE: Graton Rancheria Casino Project

Dear Mr. Mehasfi,

I am writing this letter asking that you please not delay the public hearings for the comment period regarding the Graton casino project located in Rohnert Park, California.

Sincerely,



Elizabeth Hardin Papera  
Draft #EIS

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 24 PM 3:04

5555 Montgomery Drive, C-207  
Santa Rosa, CA 95409  
April 17, 2007

National Indian Gaming Commission  
1441 L Street North West, Suite 9100  
Washington D. C., 20005

Attn: Brad Mehaffy

Subject: Graton Rancheria Casino/Hotel

The photograph appearing on the gratoneis.com web site would have anyone viewing same believe the surrounding area is nothing but wide open space. Any one of the proposed areas are adjacent to residential areas and Highway 101. Some areas of 101 are currently limited to two lanes in each direction, possibly to be increased, but no date has been set. Persons living in the Santa Rosa/Rohnert Park area can attest to the fact Why 101 is simply a huge traffic mess and our cities at this time do plan on expanding. Expansion is not what we need in this area nor a casino consuming our resources, which are already limited, straining our infrastructure, and adding to the traffic congestion. There is a casino just a few miles north just off Why 101 near Healdsburg that is enough for this area. The traffic is horrible, pollution is ever increasing, and as always the weather is again giving us serious drought conditions. At this time we are being asked to consume less water, soon it will be rationing. This happens on a periodic basis, always has, always will. How can anyone believe it would be okay to drain our resources for this project? Drilling for wells for the proposed project is not the solution, it would be part of the problem. Underground aquifers need adequate rainfall to exist.

Please do not make our lives anymore difficult by allowing this proposed casino to go forward. We all moved to this area because of the bucolic, beautiful setting. We prefer to keep it that way.

Sincerely,



Joyce L. Bowen

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 24 PM 3:04

April 11/07

I-124

Dear Mr. McChaffy:

I am writing to express my  
opposition to the proposed  
F1GR Casino.

What annoys me is that  
for many years we have been  
concerned about our water  
problem - now it appears  
it is not going to be considered  
if you allow the Casino to be  
built - on these 2 sets of rules  
how? - Not considering the  
impact the Casino would have  
on our water problem - There are  
other reasons of opposition, too,  
but that one stands out. Please  
accept my opposition to F1GR Casino.

Bruce M. Schubert  
948 Hudis St.  
Rohnert Park, Ca  
94928

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
APR 16 PM 4:52

WRITTEN COMMENT CARD

I-125

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE  
April 4<sup>th</sup>, 2007

IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.

(Please write legibly)

Name: Richard & Jo Caull

Organization/Tribel/Agency:

Address: 6054 DOONA CT. ROBERT PARK, Ca 94928

Phone/Email:

Comment: DRAFT EIS COMMENTS, GRATON RANCHERIA CASINO & HOTEL PROJECT. Water Shortage, Sewage disposal, TRAFFIC congestion, LAS VEGAS COUNTY SUPERVISORS! Please explain how these problems will be fixed. The only winners in this game will be Las Vegas Humany indusgual.

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

WRITTEN COMMENT CARD

I-126

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup> 2007

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(Please write legibly)

Name: Jo Caalk Organization/Tribe/Agency: Santa Rosa Jr. College

Address: 6054 Donna CT Robert Park CA 94928

Phone/Email: 707 584 4864

Comment: We do not want a casino in Robert Park due to our water shortage and sewer problem. There are already casinos in the area and no more are needed or wanted.

Go to Alaska Nat Robert Park, CA

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 J. Street, NW, Suite 9100, Washington DC, 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project."

GLORIA A. RAPP  
4460 Fairway Dr.  
Rohnert Park, Cal 94928

April 11, 2007

Mr. Bradley Mehaffy, NEPA Compliance officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington, DC 20005

Re: Federated Indians of Graton Rancheria  
Casino and Hotel Project DEIS

Dear Mr. Mahaffy:

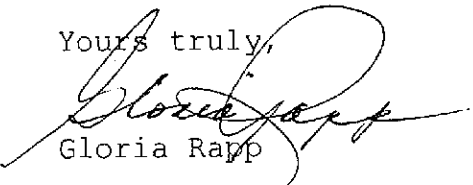
As a resident of Rohnert Park for the past 22 years, I am writing to you to express my strong support for a six month extension to the public comment period on the DEIS for the above named project, planned for Sonoma County, Ca.

The project, if built will have far-reaching negative consequences to our community and entire region. Our concerns include, **traffic congestion, water supply scarcity, urban blight, crime, tax increase, societal problems, flooding, sewage overflow pollution.**

It would be a great injustice to put our area residents at risk for this development.

I urge you to please give this matter careful consideration and request that the deadline for response for the Graton DEIS be extended from the current seventy-five days, to six months and that responses be accepted up to and including Friday, August 31, 2007.

Yours truly,

  
Gloria Rapp

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 16 PM 4:51

Dear Sirs, Madames

I'm against construction of a major hotel and casino as it threatens the quality of life here in the north bay. We should give protection to the open spaces while they exist, for once they're gone they are gone forever. If progress means drugs, traffic, gambling addiction, pollution: noise, air, water, rise in crime, I don't want it, don't need it. Gambling does not a quality of life make.

Thank you for reconsidering  
James Aviles  
4/8/07

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 APR 16 AM 11:23

April 9, 2007

Andrew Craig  
1320 Garmont Ct  
Rohnert Park, CA 94928

Brad Mehaffy, NEPA Compliance Officer  
NIGC  
1441 L St. #9100  
Washington, DC 20005

Re: DEIS Comments, Graton Rancheria Casino & Hotel Project

Dear Mr. Mehaffy,

I am a resident located in 'G' section in Rohnert Park CA. I live less than three miles from the site of the proposed Graton Rancheria Casino and Hotel Project. The reason that I am writing you today is to tell you that I am opposed to this project and I believe that it will severely negatively impact the City of Rohnert Park and it's neighboring communities.

Traffic at the intersections of Commerce Drive & Expressway Bl & Golf Course Drive & Redwood Bl at Expressway Dr & Commerce Dr already are at or exceed capacity at times. These intersection will be swamped by the extra traffic from a busy Casino & Hotel. Expanding the local interchanges will not solve the traffic congestion problems. Traffic will only dump onto local frontage roads (i.e. Stony Point Rd) and Hwy 116.

The City of Rohnert Park seems hasn't confirmed wether or not they will provide water and sanitary sewer connections to the project & yet the groundwater in the surrounding area is already inadequate supply for city connections. Where will this extra water be allocated from?

Most importantly however is the fact that Rohnert Park is a bedroom commmunity. Our city logo states 'Rohnert Park- The Friendly City.' We are proud of our California Distinguished Schools, meticulously maintained City parks, and a safe community. Can you guarantee that our city will not be negatively impacted by extra traffic, DUI's, crime, pollution, and gambling diseases? If you can't, then I urge you to reject the DEIS for this project.

Please call me or provide a written reply to this request. Thank you.

Sincerely,

Andrew Craig

Andrew Craig  
1320 Garmont Ct  
Rohnert Park, Ca 94928  
707-481-2103  
afcraig@sonic.net

1-202140

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
07 APR 12 PM 4:55



Peter Z Jackson

TIME-SENSITIVE

152 Wilfred Avenue  
Santa Rosa, California 95407

May 3, 2007

Mr. Bradley Mchaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW  
Suite 9100  
Washington, DC 20005

↓  
152 WILFRED A. E  
SANTA ROSA, CA  
95407

re: Graton Casino/Hotel project DEIS

Dear Mr. Mehaffy:

Could you please provide me with a list of all federal, state and local agencies and governments that received Notice of the Graton Casino/Hotel project DEIS? I would also appreciate a list of those agencies from which a permit must be obtained for the Graton Project.

This information will prove helpful in preparing my comments on the DEIS, so time is of the essence. Your prompt response will be very much appreciated.

Please call me if you have any questions. I can be reached at 707-548-4756.

Very truly yours,



Peter Z. Jackson

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.

(Please write legibly)

Name: Kathleen Sanchez Coast Organization/Tribe/Agency: Miwok (Pomo)

Address: 164 Eddy Dr. SR CA 95407

Phone/E-mail:

Comment: Want This Casino For Jobs For  
People & our low poverty people  
I think it's good for all people

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffey, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

### WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE  
April 4<sup>th</sup>, 2007

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(Please write legibly)

Name: Joy Nevarez Organization/Tribe/Agency: Coast Miwok (Pomo)

Address: 906 Edwards Ave. Apt. R. SR. Ca. 95401

Phone/Email:

Comment: WANT TO SEE THIS CASINO BUILT

FOR OUR LOW POVERTY PEOPLE,

IF I SEE IT COULD FOR ALL

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffty, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comment - Graton Rancheria Casino and Hotel Project".

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road

April 5<sup>th</sup>, 2007

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(Please write legibly)

Name: Danna Norrell Organization/Tribe/Agency: Cherokee

Address: 18416 Happy Valley Rd Santa Rosa 95409

Phone/Email: 566-0949

Comment: I have listened to all arguments, many uninformed or religious based. But the fact remains that most citizens are against this project & it does not belong in the center of Sonoma County. The water impact seems the most legitimate argument - lack of water & lack of disposal - it's the history of Sonoma Co. I think, believe, the premises the tribe has made to many agencies have not been written as

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments Graton Rancheria Casino and Hotel Project"

contracted agreements & being falsely stated. Please don't approve.

WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

WELLS FARGO CENTER FOR THE ARTS - 50 Mark West Springs Road  
April 5<sup>th</sup>, 2007

IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDEE OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.

(Please write legibly)

Name: Rita Carli LLO Organization/Tribe/Agency: COAST MIWOK TRIBES

Address: 429

Phone/Email: 707-527-0195

Comment: These "white" organizations don't need 6 months to read the NIGCA report.

This is just to hold the casino back.

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mettaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

## WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP &amp; PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

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(Please write legibly)

Name: Kenneth Yonts Organization/Tribe/Agency: \_\_\_\_\_Address: 565 Millbrae Ave. Santa Rosa, CA 95407Phone/Email: (707) 588-0480

Comment: IF the Graton Rancheria Casino is built it will have major negative impacts on the Sonoma County environment, including adding about 18,000 cars <sup>per day</sup> to an already congested Highway 101 and 350,000 gallons of sewage daily to treatment plants already operating at near capacity. Yet, being a homeowner living on a mile from the proposed casino sight, my biggest concern is water. The casino plans to drill two 600-foot deep wells and pump up to a quarter-million gallons of water daily. This would deplete water levels of the surrounding wells, which are mostly only about 100 feet deep.

Please give to attendant, drop in Written Comment Box, or mail to: Brad McHaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

# WRITTEN COMMENT CARD

I-136

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.

(Please write legibly)

Name: Julie Yontz Organization/Tribe/Agency: Home owner

Address: 565 Millbrae Ave, Santa Rosa, CA 95407

Phone/Email: (707) 588-0480

Comment: Please extend the public comment period for the Draft EIS for the Graton Casino project. The issues we are concerned about are: water supply depletion, traffic congestion, "urban blight" + destruction of natural habitat. Our house is within 1 mile of this casino/hotel project.

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION  
2007 MAR 11 PM

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

" DEIS Comments,  
Groton Rancheria  
Casino and Hotel  
Project "

ELAINE WEBER  
4591 HEATH CIR.  
ROHNERT PARK CA  
94928

Brad McKeffery: 1-137

For not letting  
the proposed  
FIGR casino  
be built and  
take away our  
water - the  
one thing their  
money can not  
buy.



May 9, 2007

Brad Mehaffy  
NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street, NW, Suite 9100  
Washington, DC 20005

DEIS COMMENTS, GRATON RANCHERIA CASINO AND HOTEL PROJECT

Dear Mr. Mehaffy,

I live in the area adjacent to the proposed casino project. After reading the DEIS, I would like to voice my concerns.

First and foremost is the problem of adequate water supply. Already in the county there isn't enough water to go around. Articles are constantly in the paper about water shortages, local fights to get more water from the rivers etc.

1. The DEIS states that the Graton Rancheria shall work with the local agencies to find and deliver more water. How are they going to get more water when no one else can?
2. The DEIS states the tribe shall reimburse owners of wells who start having water problems for a "portion" of the cost. If our wells have been working properly for years, why should we have to foot any part of the bill? If all of a sudden we need deeper wells due to the draw down from the casino, why do we have to pay? They are liable for them.

It mentions that the tribe wants us to give them documentation about the condition of our wells to show they are in good working order. That said, anything that changes our wells gpm output should be their liability.

3. The DEIS also mentions the tribe shall take into consideration the other nearby operators of high capacity wells when our wells run dry. Is this their way of saying "prove it" to anyone that has a well problem and asks them to fix it? Is this their way of saying they are not responsible?
4. There should be a list prepared of any and all high capacity users in the Santa Rosa Plain. Their usage per day should also be documented. How many years have the high capacity users been pumping.
5. What studies have been completed to show without a doubt, that there is ample water for all?

The USGS and SCWA are doing a 5 year study of the Santa Rosa Valley groundwater basin. Wouldn't it be in the best interest of all to wait until the findings are in? Let's determine first if there is enough water to support us all.

6. The DEIS states that the tribe at its discretion may provide the well owner with a connection to local private or public water.

Where are they going to find this water? I can't image the City of Rohnert Park would go along with this as they have already been sued (and lost) for overdrawing the aquifer.

Even if they did agree and hooked us all up to city water, the question remains, where is the water going to come from? There is only so much.

Will these settlements be in a timely fashion? We need water daily for our livestock and us to survive.

7. The tribe proposes a water conservation measure for patrons of the casino, i.e., no daily change of sheets, towels, limited glasses of water. My question is how are they going to enforce this policy? If a guest wants clean sheets daily, my guess is that they will be provided with whatever they want.

8. What water rights will the local residents have? As the "reservation" is really a commercial venture, will the Federal Government step in and give the residents in the area priority for water usage over a casino?

The proposals they have come up for dealing with loss of well water are NOT satisfactory. The compensation is not adequate and assuming water can be found elsewhere is very irresponsible on their part.

### LAND

If the proposed project is built on Alternative A, what becomes of the other alternative sites in the surrounding area? Will these be left as open space? Will they be built on?

What guarantee do we have that 66 acres is all they are going to build on? The DEIS says the rest of the site would remain undeveloped and used for open space, pasture, biological habitat etc. What guarantees will be in place to keep these lands undeveloped and natural. After all they are a sovereign nation and can do whatever they feel like, regardless of what promises are made on paper.

The DEIS shows that this entire area is sensitive and there would be a severe environmental impact if developed. This area, even though some of it is used for hay, is an oasis that needs to be preserved. Plus it is our water recharge area; we need it to remain open and undeveloped.

The wildlife in our area doesn't have very many places to live; can't we keep this area open for them?

Site A is in Rohnert Park's general plan as someday being developed but as the DEIS stated, that is only after it has been proved that there is sufficient water. This being the case, how can the largest proposed casino in northern California even be considered for this area?

I feel that any development the city may someday put in would not cause as much environmental impacts as a casino. There wouldn't be 1000's of people coming and going 24 hrs a day, not as much water would be used, the sewers would be provided by the city, not spray fields.

### FLOODING

When 5 feet of fill is brought in to site A, what is going to be done to ensure the surrounding residents aren't underwater in the winter? The DEIS says Site A is outside the floodplain, but any runoff would flow into the floodplain.

The rains in 05 completely flooded the other proposed sites along with Wilfred Avenue, and the surrounding area. It will be worse if land fill is brought in. The flooding in this area is not a once in 20 year occurrence. It happens with any normal rain fall.

What does the project propose to do about the flooding they cause?

What is the flood footprint today and what is the flood footprint going to be if the proposed project goes in?

### WASTE

The tribe is proposing waste water be treated and sprayed into the fields. What tests will be done to ensure the groundwater will be safe to drink?

What long term studies have been done on drinking treated wastewater?

### SOCIAL-ECONOMIC IMPACT

What consideration has there been given to the local business in the community? If this project goes in, are the guests going to frequent the local restaurants and shops? Most likely not, as this gigantic project will have restaurants, shops etc.

I feel overlooking non-tribal competition is discrimination. This project is giving nothing to the community other than crowds, smog, traffic jams, water loss, increased crime, litter and the prospect of urban blight, to name a few. There is nothing positive to be gained by having a casino in the area.

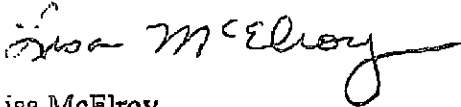
What happens when another tribe builds a bigger and better attraction? What is the life span of a project like this? What socio-economic impact will it have in 2 years? Five years? 8 years?

In closing, Station Casinos and the Graton Rancheria make all sorts of promises that look good on paper. There is nothing in place to make sure they follow through with all the promises. How can a sovereign nation be held to its promises? How can any violations be enforced?

I have not covered all the concerns I have on this project. Your DEIS points out many valid reasons that this is an inappropriate location. I hope the people in charge of reviewing this issue seriously study the EIS to see all the negative impacts. Please request they move elsewhere.

I am very opposed to this project. A casino does not belong in or near our community. One of this magnitude would ruin Rohnert Park, the surrounding area and the reasons we like to live here. Casinos are supposed to be several miles away from any city. The only one that fits that parameter is the Lakeville site.

Sincerely,



Lisa McElroy  
4327 Primrose Avenue  
Santa Rosa, CA 95407

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION

May 9, 2007

2007 MAY 14 PM 5:12

Mr. Bradley Mehaffy,  
NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW  
Suite 9100  
Washington DC 20005

Dear Mr. Mehaffy,

Subject: Graton Casino/Hotel Project DEIS

We have attended all of the hearings conducted by your agency on the subject and as residents of Rohnert Park; we would like to make these written comments.

The project is unsuitable for this urban location and we urge your disapproval and instead to make a recommendation to the interested developers to seek another location that is less harmful. There are many harmful consequences we could list, but we would like to focus on crime.

Sonoma and bordering Mendocino County have become central in the growth of the Northern California illegal drug business in terms of production and distribution. This thriving business has attracted criminal elements; most notably, gangs. We believe the Casino will grow the problem by attracting new customers and criminal providers. We also fear there will be increased violence and turf wars when the new honey pot begins to operate.

We think the casino would be better located in an area that does not have established gang activity. That could better be a more rural location. Sonoma County is not Las Vegas. Thank you for your consideration,

Sincerely,



Robert and Arilla Aheme  
4575 Fairway Drive  
Rohnert Park, CA 94928  
TEL: (707) 206-9495  
Email: [baherne@sonic.net](mailto:baherne@sonic.net)

cc: Assemblyman Jared Huffman  
Congresswoman Lynn Woolsey  
Senator Dianne Feinstein  
Secretary Dirk Kempthorne

# Christian Science Monitor The gambling scam on America's poor

By MARK LANGE

SAN FRANCISCO

5/2/07

SOME SCANDALS don't involve illegal activity - they're just outrageous and unjust. Take gambling in America. Abetted by Congress, legislatures from 48 states now sponsor gambling operations and lottery monopolies to balance their budgets on the backs of their poorest and most vulnerable citizens - while basking in the virtue of fighting tax increases.

Three decades ago, there were no casinos outside Nevada, and only 13 states ran lotteries. Today 19 states support commercial gambling in densely populated markets near interstates, 28 states host Indian casinos, 41 run lotteries, and 43 allow track-side betting. Even so-called riverboat casinos have expanded rapidly as states lift wager limits to permit casinos they couldn't sanction on solid ground. Only Utah and Hawaii still ban gambling.

States have stretched legal loopholes to ludicrous lengths for the same reason Jack Abramoff wielded his influence: They want the money, and the money is there for the taking. US gambling interests have seen an eightfold increase in revenues since 1982. Last year, Americans legally wagered more than \$1.1 trillion. Along the way they lost more than they spent on movie tickets, recorded music, spectator sports, video games, and theme parks combined.

Clearly, America's appetite for what industry officials benignly call "gaming" has grown. It's all legal, so what's the big deal? Here's the scandal: In 1999, the bipartisan National Gambling Impact Commission found that 80 percent of gambling revenue comes from households with incomes of less than \$50,000 a year.

More remarkably, players with annual incomes of less than \$10,000 spent almost three times as much on gambling - in aggregate, real dollars - as those with incomes of more than \$50,000. With the aggressive encouragement of state governments, US gamblers - most of them scraping by on limited incomes - had to lose \$84 billion last year in casinos and lotteries for the states to raise \$24 billion in new revenues.

Consider Massachusetts, a typical example of a state under pressure to legalize casinos. With 16 percent of adults leaving the state to gamble in the past year, advocates argue that legalization would "recapture" lost revenue from these gamblers and generate \$350 million in income to the state from slots alone.

On the surface, that appears to represent only a \$475 annual loss per player. But indus-

try executives will tell you that 85 percent of their revenue comes from 20 percent of the players. So I called a Massachusetts state legislator's office that is fighting the introduction of casinos in the state to help me with the math.

"For the state to make its \$350 million on slots after payouts," an aide told me, "147,000 gamblers - about 3 percent of the entire adult population - have to lose a total of \$496 million. That's an average annual loss of \$3,374 apiece." Incredible, perhaps, until you've seen the transfixed expression on the face of a "player" at one of these machines.

Adding slots to Massachusetts' revenue mix is equal to raising taxes on the average player by 62 percent. Legislators wouldn't try that with the folks at home, but it's easy when pitched as entertainment.

Of the many ways government can raise money, gambling is the worst. It's regressive. And it can ruin lives.

To be sure, most states gain political support for their lotteries by earmarking them for appealing causes such as education, schools, roads, and parks. But there is no practical way to prevent a legislature from allocating these revenues to other reelection-prompting purposes - and most do.

Anyone comforted by the idea that gambling is voluntary should spend a day with the casino staffs that segment local markets, track prospects and players, observed worth, define their predicted value, and systematically maximize individual "share of wallet" through targeted and customized promotional messages, limited-time cash offers, and carefully tracked time-to-response and spending analysis.

This is highly sophisticated and systematic coercion - and it works. At casinos such as Pechanga in Los Angeles, demand for drive-in slots has become so great that the parking lot is jammed on weekdays and two-hour lines often form on the weekends. State lotteries are among the largest buyers of radio advertising in their metro markets. What kind of government spends millions of taxpayer dollars peddling false hope to confiscate cash from its poorest citizens to fatten state coffers? The same government that spends more taxpayer money on ads offering help for addicted gamblers.

In the next election, consider asking your state legislators whether their mandate is to serve or to swindle the people. No government should be running soak-the-weak scams.

Mark Lange is a former presidential speechwriter.

*This article supports the reasons Kadner Park should not be the site of the proposed FIGR Casino. Thank you for your consideration.*

*DEIS Comments  
Judith Ann Nader  
4623 Seagland Ave  
Santa Rosa CA 95407  
Quadon Ponderosa Casino  
and Hotel Project*

RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION

2007 MAY 14 PM 5:03

May 9, 2007

**TO:**

Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington, D.C. 20005

**FROM:**

Elizabeth Perry  
Homeowner/Sonoma County Native  
4517 Langner Avenue  
Santa Rosa, CA 95407

**RE:** "DEIS Comments, Graton Rancheria Casino and Hotel Project".

Dear Mr. Mehaffy,

Nearly seven years ago I finally realized the American Dream and purchased an "As Is" home to call my own in a county I have been a part of all my life. It wasn't much but is all we could afford and barely at that. Taking on two and then three jobs to hold onto it was a tiring way to live but the sacrifice I thought in the long run would be worth it. My fiancé and I lived in mostly unbearable conditions with no heat, cracked walls that let in pests of all varieties and much more. But, again, we thought our suffering would be worthwhile, that it would count for something. That in the end we would have something to be proud of and share with our family.

We had a fire breakout a year after we moved in and were forced to enter into a remodel project that we were financially ill prepared for. After eighteen months of living in a 20' foot trailer with my fiancé, two cats and a dog we finally were approved by the County of Sonoma to move into our completely rebuilt house. Most of the work done by ourselves and a dear friend who is quite handy. During this laborious, exhausting, financially draining process we learned of the proposed casino. I can't tell you how devastated I was then and still am today.

With the knowledge I have now over this time of meetings and research I can't imagine how anyone would approve such a project in our county. It is well documented that we are in a water crisis as is most of California. Home developments are being put on hold because of water shortage concerns. We ourselves live very conservatively on our land. We catch all the water we use to flush our water heater and reuse it for landscape or household chores. When I clean my horse trough I catch all that water and distribute it in the same manner. We don't wash clothes and do dishes and have a shower on the same day. We have to choose which is more important and wait for the next day. We are mindful everyday of our water usage because we don't want to deplete our well and now we find out that the proposed casino will dry up every well, including ours, within a 1.5-mile radius! I wonder how this can be "mitigated" when our own water agency and county supervisors can't even figure out what to do about the water shortage. My parents

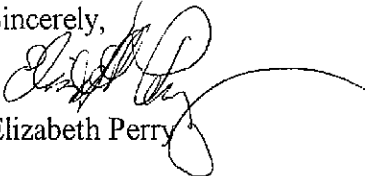
live just minutes away and already have one well nearly gone and the other ailing. They say that when Rohnert Park utilizes their ancillary wells that they nearly have no water flow at all. The county by the way has put strict regulations in place regarding the drilling of new wells so we can't even think of that. How indeed would our dried up well be mitigated?

The casino is not a welcome addition to our community not because of the tribe but because of it's impacts which are numerous in the DEIS. I was born and raised here and taught to hold tribal members in the highest regard by my grandfather. I am saddened to see they have such a poor choice to better themselves. I was raised to work hard, be responsible and take hold of my own future and not be dependent. I should think the tribe members have that same opportunity and wonder why they have not taken it. Is being dependent and in debt to Station Casino as well as numerous others really in their best interest? I would happily contribute to the tribe in any way I could if it were for a project more beneficial to them, their community, my community, all of us who consider Sonoma County our home.

It is my hope, my prayer that all factors and people be considered. The environmental, economic and social aspects as well as the lives of those who will be so profoundly impacted by such a negative project. Based upon all information at hand I can't understand how an approval of the gaming management contract could even be considered.

I thank you for your time invested in reading this letter and am most agreeable to any further dialogue which might be helpful in understanding the plight of this community.

Sincerely,



Elizabeth Perry

cc: Board of Supervisors County of Sonoma, California Senator Barbara Boxer, California Congresswoman Sixth District Lynn Woolsey, California Governor Arnold Schwarzenegger, Sonoma County Water Agency General Manager Randy D. Poole, Secretary of Interior Dirk Kempthorne, Assistant Secretary Bureau of Indian Affairs Carl J. Artman.



### WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING  
 FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT  
 SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE  
 April 4<sup>th</sup>, 2007

**IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.**

(Please write legibly)

Name: Mary Abbitt Organization/Tribe/Agency: Self

Address: 1670 Bloomfield Rd. Sebastopol, CA. 95472

Phone: \_\_\_\_\_ Email: 7078237203 / mba53@yahoo.com

Comment: I am in full support of this project.

DATE RECEIVED: \_\_\_\_\_

TIME RECEIVED: \_\_\_\_\_

BY: \_\_\_\_\_

MAIL ROOM: \_\_\_\_\_

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

Patricia Pendleton  
981 Wilfred Ave.  
Santa Rosa CA 95407

Mr. Bradley Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington DC 20005

Re: Graton Rancheria proposed casino in Rohnert Park

Dear Mr. Mehaffy,

I live at the west end of Wilfred Ave. one and a half miles from the proposed casino and hotel etc. complex. I have attended many of the meetings and read much of the printed information both pro and con. As a resident of the area I am appalled that this behemoth is even being considered. The objections being raised by the community as well as various experts overwhelmingly make it obvious what a spectacularly BAD idea this is. Anyone with eyes and half a brain could spend a couple of hours checking out the multitude of negatives for themselves ie, traffic, unsuitable location, and ongoing shortage of water articles in local paper, just to mention a few considerations. There are plenty more all of which have been brought to your attention by others. Please do not allow this blight to happen here!

Sincerely,  
Patricia Pendleton  
May 14, 2007

May 14, 2007

National Indian Gaming Commission  
 Attention: Brad Mehaffy  
 1441 L Street NW  
 Suite 9100  
 Washington, D.C. 20005

Subject: Draft Environmental Impact Statement (DEIS) Response

Dear Mr. Mehaffy,

Thank you for the time and energy it must be taking to weed through the many notebooks it took for this DEIS. So, I will be brief. I served on the Rohnert Park City Council years '92 to '96. I was very clear then as I am now, that if a sustainable very slow rate of growth with an enormous amount of resource conservation does not occur there will be NO basic quality of life for anyone in Sonoma County. Even 15 years ago, Rohnert Park began its road to being in massive overdraft of its existing wells. The city manager then begged for any extra water from Petaluma and North Marin Watersheds.

Today, our county is in a state Regulatory Drought. There is no water for a Casino anywhere in the County. I agree with Rohnert Park City Manager Stephen Donley and Ron Bendorff and city council comment letter on the DEIS (of 24 pages).

And as one fourth Cherokee, I sincerely resent the "lollywood" prof appearance of using Native American Indian for organized gambling by Las Vegas based. We should be finding a more legal way to help my fellow Indians.

Sincerely,  
 Dawn DeLaghe  
 P.O. Box 1003  
 Rohnert Park, Ca 94927

May 8, 2007

I-145

Michael + Faye Martin  
7323 Baker Ln.  
Sebastopol CA 95472

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NATIONAL INDIAN  
GAMING COMMISSION  
2007 MAY 15 AM 11:52

Brad Mehaffy NEPA Compliance Officer  
NIGC  
1441 L St. #1900  
Washington D.C. 20005

RE: DEIS Comments, Graton  
Rancheria Casino + Hotel Proj

Dear Brad Mehaffy,

We want to state our objection to Graton Rancheria  
Casino and Hotel Project. Our objection is that this  
Project and Casino's like it are large users of water.  
There has been on going meetings at the County to  
control water use, including putting meters on  
our wells. This was not enacted, but meters  
will probably be installed on all new wells. It  
makes no sense to build this project when there is  
already an existing water problem. We sincerely  
hope that your Commission does not allow this  
Project to proceed. Please do the right thing.

Sincerely  
Michael Martin: Faye Martin

**WRITTEN COMMENT CARD**

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup>, 2007

**IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDANT OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.**

(Please write legibly)

Name: Roberta Walker Organization/Tribe/Agency:

Address: 470 Floral Way, Rohnert Pk Ca 94928

Phone/Email: roberta@walkerpa.com

Comment: Please read my attached comments against this project.

Please give to attendant, drop in Written Comment Box, or mail to: Brad Mehaffy, NEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments, Graton Rancheria Casino and Hotel Project".

Roberta Walker  
470 Floral Way  
Rohnert Park, CA 94928  
707-585-3996

RE: Draft EIS Comments, Graton Rancheria Casino and Hotel Project

May 11, 2007

Dear Mr. Mehaffy,

I am appalled at the attempt to place a casino adjacent to my neighborhood, in Rohnert Park. This is a family oriented town that I have called home for 26 years. It is bizarre to think that the residents of this community want this monstrosity adjacent to our homes. This type of project belongs in Las Vegas where the financial backers of this project are located, and not on land that was recently "traded" to become so-called "Indian Land". This is a nonsense transaction, and it is not what the voters of our state expected would be allowed when they voted to allow Indian Gaming. The Press Democrat, our local newspaper, stated in an article on April 2, 2007 that just 38% of this tribe actually lives in Sonoma County. This calculates to 408 individuals out of a total tribe of 1,076 that are on the verge of trashing the way of life that our 40,000 Rohnert Park residents have worked hard for.

The casino will attract more crime and unsavory individuals that will spill over into our community. **There is no satisfactory mitigation for that.** Our community cannot afford additional public safety officers, nor should we have to be burdened with the future costs (pension, health) of an increase in this department. Any so-called contribution by the tribe will not cover the costs – financially or socially. We do not want to attract additional crime into our area. **Any increase in crime is not acceptable.**

The casino will increase alcohol related incidents on our roads. **There is no satisfactory mitigation for that. Any increase in alcohol related accidents and deaths is not acceptable on our roads.**

The casino will reduce the property values of our 40,000 residents. This has not been addressed at all and it is a serious concern to all of the homeowners in the area. **There is no mitigation for that. Any future economic losses suffered by our residents is not acceptable.**

The tribe estimates 18,000 more cars on Highway 101 and local roads *each day*. The traffic in our immediate area, as well as the surrounding communities is at beyond capacity. This area cannot handle this kind of increase in traffic – this increase alone will cause gridlock, and it is ridiculous to think otherwise. The 18,000 number is an average calculation - you know that there will be peak days and peak hours where there will be continual gridlock, no matter what so-called mitigation is done. Our workday commutes have increased steadily over the years with increased traffic which the roads cannot

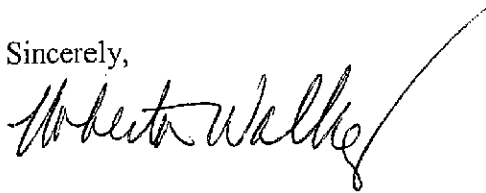
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MAY 11 2007

handle. Why must our 40,000 residents and surrounding communities suffer with additional hours of our lives to be wasted in our cars on a daily basis, for a small group of people backed by a Las Vegas gambling operation? **There is no satisfactory mitigation for that. The additional traffic to be suffered by us is not acceptable and will ruin our quality of life.**

Our town and surrounding communities have water issues. Our natural resources should not be compromised on this project. **There is no satisfactory mitigation for that. Gambling away our future resources is not acceptable.**

Our town, as well as our entire county is being compromised for the benefit of a select few. There is no measurable benefit to our community, only extreme detriments. **This proposed project is intolerable and must be stopped. I strongly hope you reconsider the damage that this proposed project will do to our community and disallow this project.**

Sincerely,

A handwritten signature in black ink, appearing to read "Roberto Walker". The signature is written in a cursive style with a long, sweeping flourish extending upwards and to the right.

Brad Mehaffy  
 NEPA Compliance Officer  
 National Indian Gaming Commission  
 1441 L Street, NW, Suite 9100  
 Washington, DC 20005

Dear Mr. Mehaffy,

May 11, 2007

This letter is in response to the Draft Environmental Impact Report (DEIS) regarding the hotel and casino proposed by the Federated Indians of the Graton Rancheria (FIGR).

I have read the DEIS, and find it did not address many of the issues of which I have concerns and that were listed in my previous letter to you, requesting comments. By law you are required to respond to all of those comments. I expect these concerns to be addressed in the final EIS that you will issue as a result of our comments.

Of the items addressed, I find significant shortcomings in both the methodology and conclusions the DEIS presented. The conclusions presented do not reflect the findings in the report. I can only conclude that the many impacts were not properly addressed, and that proper consideration of these numerous impacts would make the recommendations of the report far different than those presented. Since many of the impacts cannot be mitigated, contrary to the conclusions presented in the DEIS, none of which can be substantiated, this suggests that a casino not be built on any of the proposed sites; the only conclusion that a report relevant to the impacts can recommend is alternative F, that no casino be constructed.

Specifically, I have comments on the following topics.

#### Water supply

The map of the affected zone presented in the DEIS shows an area immediately surrounding the proposed casino locations. It has been ruled in the courts, the OWL Foundation suits among others, that the entire Santa Rosa Plain is in serious overdraft, as defined by the water table dropping rapidly over the last 15 years. The proposed source of water for the casino will impact the entire Santa Rosa Plain, not just the area immediately surrounding the casino.

Sonoma County has reached the place in its water supply where the Sonoma County Water Agency is no longer able to supply additional demand for water. The current supply is entirely committed for present users. The county has just instituted voluntary water rationing, and mandatory rationing is soon to follow. And with the curtailment of diverted water from the Eel River to the Russian River in the summer, the current water supply may be insufficient to even supply present demand.

The proposed casino will make significant demand for water, and with no supply, where is this water to come from? Further draw down of the water table will acerbate the existing serious overdraft condition. And any condition that will make the overdraft worse will impact those users who cannot replace their supply. Once the tribe has achieved

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 MAY 11 2007



sovereignty, they will not allow their demand for water to be reduced, further worsening the supply situation for everyone else. Will the tribe waive their sovereign status to equitably resolve this issue? And if not, the outcome would be a grave impact on the entire surrounding community. This impact cannot be mitigated.

Since the casino was proposed, the California legislature has passed Senate Bill 610. This legislation requires that any significant development have a reliable and guaranteed 20 year supply of water. The casino proposed here should comply with this legislation, as any new development must.

And when the shortage of water affects everyone, will the tribe waive their sovereign status so as to compete equally and equitably with the remainder of the water users? Especially those who were here before the casino was built? The water supply is an essential part of living in this county. Gambling is not. Anyone who wishes to gamble can now go to any of the numerous Indian casinos locally, or anywhere in the state of Nevada.

Additionally, as the demand for water exceeds the supply, the cost of available water will increase. Were the proposed casino to be built, with an infinite source of income, the casino will have an economic advantage over everyone else on securing additional supplies of more expensive water, such as reverse osmosis, currently being considered in Marin County, while the rest of us will be at an economic disadvantage. And the root cause of this disadvantage will be the demand for water caused by the casino itself. How can this issue be resolved equitably, when it is the presence of the casino that caused it? Will the tribe waive their sovereignty to allow the remainder of us to obtain redress in the courts if this becomes necessary?

#### Waste water

The DEIS proposes that casino waste water be discharged to the Laguna de Santa Rosa, which will add to the waste water stream the entire county is dealing with by, in part, transporting treated waste water to the Geysers for steam field injection. The cost of this casino waste water disposal system has been financed by current users. There is no proposal in the DEIS to compensate those who have paid for this system by adding the waste water flow from the casino to the system, currently close to capacity. If the additional casino waste water discharge will cause the capacity of the present system used for waste water disposal to be exceeded, who will pay for additional capacity? Will the tribe waive their sovereign status to fairly pay for this resource?

#### Air pollution.

The DEIS has found that the operation of the casino will add significantly to the emission inventory of both NOx and Hydrocarbons (HC), yet the model that is used by AES suggests that there is no impact on air quality due to these emissions. Bay Area Air Quality Management District (BAAQMD) data for oxidant for recent years shows levels just below the 8 hour limit, 80 parts per billion, which is the first stage alert level for this pollutant. And the BAAQMD model for ambient air quality, the CAMx model, shows an influence coefficient for NOx adversely affecting air quality. There is no way for these two positions to be resolved by just saying that there is no impact on the air quality. A more

knowledgeable use of this model will provide more realistic results. Either the emissions have been grossly underestimated or their affect on air quality has been determined by unrealistic means. And a realistic air quality models prediction of an increase in the oxidant levels will cause ambient air quality reading to exceed the 80 ppb, causing a violation of the Clean Air Act first stage level for oxidant. This is a significant impact; one which cannot be mitigated. Although both HC and NOx emissions have been declining in the area of interest in recent years, the addition of significant amounts of both of these pollutants caused, known to be precursors to ambient air oxidant, by casino operations will raise the oxidant levels much closer to or above the first stage level. Further population increases in the surrounding area will add to the emission inventory, offsetting the decline experienced, further worsening air quality.

Further, the DEIS states that the emissions caused by casino operations will be mitigated, yet no suggestion as to how these emissions are to be mitigated is presented. The emission increase proposed by the casino should be used for any model prediction of air quality, not the mitigated emissions.

I am now in the process of downloading the CAMx model, and will attempt to become conversant with it so as to use it to predict the impacts of the emission estimates due to casino operations. It may not be possible for me to accomplish this task in the time remaining from your first hearing until the May 14 deadline to submit comments. How can this be resolved to my satisfaction? And, more importantly, if the projected impact on the ambient air quality suggested in the DEIS is inaccurate, and grossly underestimated, how will the proper impact of these emissions be considered in the decision as to where to build a casino, or whether to build it or not?

Data from the California Highway Patrol inspection of River Rock casino tour buses has found that a significant proportion of these buses, used to transport gamblers from the populous communities to the south to the River Rock casino, had safety violations. The cause of these violations is attributed to the lack of preventive maintenance on the fleet of buses. It is also true that when heavy duty vehicles, including these tour buses, are not maintained, their emissions also increase. And as the fleet of buses is made more current, the effect of a lack of maintenance causes the emissions to increase further. This is well documented in the Coordinating Research Council, Inc. report: E-55/59-1.5, dated August 20, 2004. Based on the above observation, it can be assumed that the buses that will be used to transport FIGR casino patrons will experience similar maintenance, so the emissions from these buses should be estimated accordingly. And if the buses that will be used by the proposed casino are not maintained properly, will the tribe waive their sovereign status to require proper maintenance? And how will this be enforced?

Further, there is no realistic estimate of the emissions the buses will cause in their operations. I have personally witnessed more than 30 tour buses parked at the River Rock casino on a typical August afternoon, running their engines to operate the vehicle air conditioners while awaiting passengers. This was observed by me to go on all afternoon, not just in the time immediately before passengers board these buses to return home. The impact of this condition will produce a significant emission of NOx. Each bus has an air conditioner rated at 20 tons of air conditioning capacity, or more. The power necessary to drive these air conditioners is estimated at 35 HP per bus. The emission factor for heavy

duty diesel vehicles is 2.5 grams of NOx per HP per hour. And this emission of NOx will occur during the worst time of both day and year, coinciding with those days that have the potential for the highest levels of oxidant. Further, the air quality data shows a steady increase in the oxidant concentrations for the community. With the constant increase in human activity of all kinds, the trend is for the oxidant data to increase with this trend. Since the BAAQMD data shows we are very close to the first stage alert level of 80 parts per billion, any significant increase in NOx emissions will further hasten this accomplishment. Still further, there is no way for this emission source to be mitigated.

The DEIS mentions that any passenger bus not be idled for more than 5 minutes while waiting for passengers. With the possibility of the tour buses running their engines to keep the bus interiors cool, while waiting for passengers, how is this 5 minute limit to be enforced? Will the tribe waive their sovereignty to ensure this condition is enforced? And who will be responsible for the enforcement?

### Social Environment

I have seen no response in the DEIS for any considerations of the effect of the proposed casino on the social environment. Nowhere is the issue of tribal competition mentioned. The Dry Creek band of Pomo Indians has purchased a parcel of land south of Petaluma, fronting on Highway 101, with both railroad and river frontages. They bought this land to retain the option of building their second casino to the south of the casino proposed in the DEIS, and if that casino is built, the second Dry Creek casino will be built to retain their market share, or perhaps attempt to increase their market share. It is entirely likely that this second Dry Creek casino will be built to offer capacity greater than the Graton Rancheria casino, once the market has been developed.

I had mentioned in my previous letter that the economic life of gambling casinos is of the order of ten years. There is no mention of what would become of the casino proposed in the DEIS, if the second Dry Creek casino is opened, making the Graton Rancheria casino obsolete. At that time, there would be a round of casino upmanship, with the real possibility of an additional wave of casino construction to serve the market of the population centers to the south. The effect of this would be further negative impacts on the surrounding community; and the littering of the area with obsolete casinos. There must be a means to include the cost of casino removal and the possibility of redress to waive tribal sovereignty for the surrounding communities to attempt to return to conditions that existed before these casinos were forced upon us, once the FIGR casino becomes economically obsolete.

I have heard Greg Sarris say, many times, that they want to do the "right thing", as casino operators. Land use laundering, casino shopping, misrepresenting the desire of the so-called Graton Rancheria's 'need for a reservation but not a casino', are some issues that cannot be resolved were the tribe's stated goal to do the "right thing". If the final EIS is accepted, are we to expect this behavior to continue? And how would we obtain redress, in the courts, if necessary, if the "right things" were not done. And who shall determine what the "right thing" is? Saying it and doing it are two far different things.


Rohnert Park is a relatively new community. It was not settled years ago, around an infrastructure that was already present. There is almost no industry locally. The tax base is comprised almost entirely of single family housing units and apartments, and the infrastructure necessary only to support this housing. Imposing a casino on this community will have an adverse effect on everything. And if the effect of this casino on this community follows that of virtually every other casino on their surrounding communities, the negative impacts of this casino will affect this community for the foreseeable future, with no redress to offset the negative impacts on the tax base, the schools, the reduced value of the housing stock, traffic, noise, water and water supply, air pollution, crime, and every other negative impact. Will the tribe waive their sovereign status to allow the surrounding community to enforce any means of redress? And how will those people and communities adversely affected be compensated?

The City of Rohnert Park has entered into a Memorandum of Understanding (MOU) with the FIGR, to partly compensate the city for a fraction of the negative impacts imposed by the proposed casino. The details allow the tribe to cancel the MOU if the revenue generated by the casino is deemed to be 'below the expectations of the tribe'. It will become apparent to the tribe, once the casino is operating, that the revenue will surely be below their expectations, so the city will receive no mitigation payments. Yet the negative impacts of the casino will remain. How is this injustice to be remedied? Will the tribe relinquish their sovereignty so the city can obtain redress in the courts? And if not, how will these impacts be mitigated?

And what about impacts that have not yet been identified, let alone considered?

Some of my comments above were submitted in my last letter to you. I trust that you will provide comments to both those and the additional comments I have listed above.

Sincerely,



Larry Resnick  
7956 Becky Court  
Rohnert Park, CA 94928

Edward Emmons  
4517 Langner Avenue  
Santa Rosa, CA 95407

May 13, 2007

Brad Mehaffy  
NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington, DC 20005

RE: DEIS Comments, Graton Rancheria Casino and Hotel Project

Dear Mr. Mehaffy:

I am a long-time resident of Sonoma County, and I am writing to express my concern about the Draft Environmental Impact Study (DEIS) and the National Indian Gaming Commission's pending recommendation regarding the proposed Graton Rancheria Casino and Hotel Project. While I appreciate the time and effort that went into preparing this document I feel that there are several issues that this study does not adequately address. I also want to voice my disappointment over the fact that the National Indian Gaming Commission (NIGC) has refused to extend the deadline for public input beyond 60 days. Given the massive volume of the DEIS (over 600 pages), I am at a loss to understand why the NIGC would ignore the formal requests of local, state and federal officials to allow sufficient time for public review. All things considered, it does not seem unreasonable to allow a 180 day review period for a report that took over three years to prepare and details impacts of a project that will forever alter the quality of life in Sonoma County. Despite the fact that the NIGC has chosen to ignore these formal requests for an extension, I hope that your agency will at least consider the input that has been provided within the allotted time frame and I look forward to your response.

The most significant flaw in the DEIS is the fact that assumptions regarding the impact of the casino upon local groundwater supplies are based upon the 2005 Water Supply Assessment commissioned by the City of Rohnert Park. As acknowledged within the pages of the DEIS, this groundwater study was ruled inadequate in the Superior Court of Sonoma County. Currently, the US Geological Survey (UGS) in conjunction with the Sonoma County Water Agency (SCWA) is conducting a more comprehensive five-year study. The general plans of Sonoma County and communities therein are all potentially impacted by the findings of this study. A 762,000 square foot casino/hotel featuring two 600 foot wells pumping over 200 gallons per minute, 24 hours a day would obviously be a factor to consider. It seems highly unlikely that any environmental study based upon a flawed water supply report could accurately estimate the deleterious effects such a project would have upon existing groundwater supplies. Mr. Mehaffy, when you and I discussed this fact in person, you suggested that at some point, the NIGC would have to make its

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May 13, 2007

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recommendation based upon the best information available at the time and that it would be unfair to the members of the Federated Indians of the Graton Rancheria (FIGRC) for the NIGC to further delay the final DEIS to allow consideration of the UGS/SCWA study. With all due respect, I would suggest that it is also unfair to all members of our community to consider a major project that was conceived under false pretense. For this reason I urge the NIGC to consider additional resources in the evaluation of groundwater issues surrounding the proposed casino.

Putting the issue of flawed assumptions aside, I feel it is also necessary to point out some of the inadequacies in the proposed mitigation of groundwater issues. To wit:

- The DEIS does not provide an adequate assessment of existing wells within the 2 mile radius most likely to be impacted. This puts the onus on the effected party to prove that their well even existed to begin with.
- Compensation to well owners is at sole discretion of the tribe and does not offer to mitigate impact to new wells drilled post project.
- The DEIS recommends that Sonoma County bear the burden of overseeing any mitigation program for impacted wells. There are no mitigation proposals for offsetting the additional costs to taxpayers that such a program would incur.

It is also worth noting that there is no language in the DEIS suggesting that any of the mitigation clauses for all potential environmental impacts be made binding. All mitigations within the DEIS are presented as proposals. None of these measures are required to be implemented as a contingency towards approval of the casino project. The NIGC should consider making such mitigations a requirement before recommending that the land be taken into trust for purposes of building the casino. This is especially important in light of the fact that it is Station Casinos and not the Tribe that will be managing the casino. Without such contingencies in place there would be no check and balance to insure that Station Casinos would be willing to mitigate any and all environmental impacts on behalf of the Tribe.

Quite honestly Mr. Mehaffy, I am sure that a document addressing all of the issues not sufficiently covered by the DEIS would rival the DEIS in scope and length. However, I do not have the resources of the National Indian Gaming Commission, the Federated Indians of the Graton Rancheria, and Station Casinos at hand. Nor, as previously noted, am I afforded the luxury of three years, or even 180 days, in which to prepare such a report. However there are a few additional items that should be factored into NIGC's final draft of the study:

- The DEIS does not address possible impacts do to expansion of the casino over time. Assuming the project is profitable it is reasonable to assume that the tribe would want to expand the enterprise. This is a possibility that the DEIS should acknowledge.

- The DEIS does not present a clear plan for mitigating traffic impacts during the construction phase of the project. All traffic studies included in the report refer to impact after the casino is built. Suggestions for offsetting all the impacts of constructing the casino should be provided.
- There are several inaccuracies and inefficiencies in the DEIS. Developed suburban communities are identified as being uninhabited. Aerial photos improperly identify the location of the Wilfred site. Several of the charts and subdocuments will not properly display on conventional web browsers. Many of the links in the documents are inactive. These issues should be addressed and/or corrected before the final draft is submitted. Additional time for public review should be allowed in light of these oversights.
- The DEIS purports that the casino is consistent with the Rohnert Park Northwest Specific Plan and suggests that the impact to the area viewshed is less than significant. Obviously a 24/7 casino has significantly more impact than a planned regional commercial element. There is considerable difference between what would be the largest Las Vegas style gaming facility in all of California and the light industrial complex(s) proposed in the Northwest Specific Plan. The NIGC should revise the estimated impact.
- Residences along Langner Avenue, Hargrave, Primrose and Dowdell are not specifically acknowledged as being subjected to noise generated by the casino. Mitigation proposals for noise are primarily limited to: 1) Shielding the HVAC systems from Whistler and LaBath Avenues, and 2) Not allowing shuttle buses to sit and idle. No mention is made of the fact that the project as proposed includes an entertainment venue that would most likely subject local residents to additional noise. Other mitigation proposals need to be included that specifically identify impacted residential districts and provide solutions for dealing with all sources of noise specific to the project.
- Overall, the proposals for mitigating traffic do not completely address the issue of Loss of Service (LOS). In many instances the report acknowledges intersections where there would be a LOS that could not be mitigated. Furthermore, the primary mitigation measures center on the widening of Wilfred Avenue. The LOS to residents who live upon the neighboring side streets that patrons of the casino would undoubtedly use to access the casino during peak traffic times are not even mentioned in the DEIS.

It would seem that the proposed casino project would bring increased growth, and thus a better economy, to our county. However, given the negative impacts this project and the associated considerations required to offset these impacts I would suggest that full time consideration of another endeavor might be in order. Groundwater, traffic, noise, general planning and long term impacts will reduce quality of life in the region and on the whole will decrease surrounding property values. Not to mention the impact of said

[Recipient Name]

May 13, 2007

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casino to nearby schools, universities, monasteries and churches. Are these tradeoffs that we really want to make?

Thank you in advance for your time and consideration. I look forward to your response. The favor of a personal reply is requested.

Sincerely,



Edward Emmons

Cc:

Board of Supervisors of Sonoma County

Rohnert Park City Council

Santa Rosa City Council

Petaluma City Council

Sebastopol City Council

Cotati City Council

Penngrove City Council

Santa Rosa Press Democrat

Sonoma County Water Association

Owl Foundation (Attn: H.R. Downs)

Stop the Casino 101 (Attn: Chip Worthington)

California Sate Senator Carol Migden – Senate District 03

California Assembly Member Jared Huffinan – 6<sup>th</sup> Assembly District

California Congresswoman Lynn Woolsey – 6<sup>th</sup> District

California Governor Arnold Schwarzenegger

Secretary of U.S. Department of the Interior Dirk Kempthorne

Assistant Secretary U.S. Department of the Interior – Indian Affairs Carl J. Artman

U.S. Senator Barbara Boxer

U.S. Senator Diane Feinstein

U.S. Senator John McCain

Vice President Richard B. Cheney

President George W. Bush



Mr. Brad Mehaffy  
 NEPA Compliance Officer  
 National Indian Gaming Commission  
 1441 L Street, NW  
 Washington DC

Suite 9100

Re: Proposed RP Gaming Casino

Dear Mr. Mehaffy,

I am a resident in the immediate vicinity of the proposed Rohnert Park Gaming Casino. I should like to state very simply that I totally oppose another Gaming Casino in Sonoma County or the state of California. I oppose the proposed casino because of the magnitude of the proposal and the water needs of such a venture.

California is a semi arid state in which water has historically been a critical issue. Wars were fought over water rights and people have died over the issue of water. **Water is blue gold.** Indians have sovereignty over the water rights, which means that those of us whose wells will go dry because of the demand of the proposed Casino Complex will have no recourse but to buy water from another source.

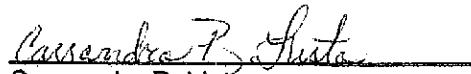
Buying water or attempting to drill deeper wells are not viable alternatives because of the prohibitive cost of such ventures. Many of us living in this area are retired and live on fixed incomes. If the proposal for a casino did not involve a hotel and restaurants as well as stores, the water demand would not be outrage-ous, and I might not oppose it.

I am truly sorry that some of the materials the NIGC has used involved blatantly inaccurate and outdated information. Years ago, I voted in favor of allowing Indian Gaming, never did I dream of the vile distortions and dishonesty that would be involved in the attempts to set up casinos. Nor did I dream about the environmental consequences.

I firmly believe in the rights of Native Americans to self-determination and all the rights guaranteed to Americans under the U.S. Constitution, but I do not believe that anyone has the right to steal from anyone else. Allowing and pushing for such a mega complex with its horrendously greedy usurpation of water is stealing.

Please do not build this mega casino complex in Rohnert Park or anywhere else in California. Along with the existing water problems in California, the existence of Global Climate Change is going to exacerbate the water issues.

Sincerely,

  
 Cassandra B. Lista  
 4120 Whistler Avenue  
 Santa Rosa, CA 9a5407-7710

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 NATIONAL INDIAN  
 GAMING COMMISSION

Paul D. Stutrud  
P. O. Box 2205  
Rohnert Park CA 94927-2205

3 April 2007 – 8 May 2007

Mr. Bradley Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington CA 20005  
FAX: 202.632.7006

Re: Graton Rancheria proposed casino and hotel project DEIS

Dear Mr. Mehaffy:

I want to convey to you that I am very serious in my opposition to the proposed casino and hotel for the area next to the city of Rohnert Park and for any of the other sites chosen as potentials for a gambling casino and hotel. This is because of the lack of adherence by the "casino people" to the California Government Codes, the state constitution, the tax and revenue codes, the Public Resources Code, the Water Code and various laws and policies that we have developed in over one hundred years of legislation.

I see what has been presented on behalf of the Graton Rancheria Indian tribe and their sponsors, the Stations Casino corporation. The proposal ignores a number of serious and ongoing problems we have suffered with for years. Flooding, a declining water table and serious traffic impacts have been before the Sonoma County Board of Supervisors, the Sonoma County Water Agency and the Citizens Advisory Committee for the Sonoma County General Plan and the Planning Commission for the County of Sonoma in a process that has taken the last couple of years.

We have had hours and hours of meetings and testimony on these topics, of which I have made hundreds of hours of videotapes. And then to have the Graton Rancheria Indians essentially appear out of no where with a proposal that gives no consideration to any serious concern to the current problems listed above as well as other problems is completely irrational.

It appears that the real bottom line scheme is that money can buy anything. However, there is one thing that it cannot buy and that is more potable water and all that money will not make the flooding conditions disappear.

I will discuss this in the next several pages and I will recite from my experiences of more than 30 years in General Plan efforts. I will include documentation, which I expect that you will read, or have your staff read.

Several weeks before the two public hearings, on the 4<sup>th</sup> and 5<sup>th</sup> of April, I received the EIS CD in the mail, tried it and found that it wouldn't work on my E-machine computer with Microsoft Windows XP. I sent a letter to your office in Washington DC and asked for the printed edition and a week or so later I received another CD. I tried the second CD in my computer and it would

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not work either.

I know that I can read CD's on my computer because I do it all the time with other recorded minutes and hearings of various agencies that I attend. Luckily, a friend let me borrow a some of the written material your company in Sacramento had sent.

However, even if I had received the printed copies when I first made the request, I believe it would have been impossible for the ordinary citizen to read all of the manuals before the hearing dates of the 4<sup>th</sup> and the 5<sup>th</sup> of April 2007. Having to read these documents while carrying on a regular job and other responsibilities is beyond what ordinary interested people should have to attain.

The date of the two hearings came and I attended and asked on of the clerks at the 4 April meeting if I could get a printed copy of the EIS. Two days after submitting my request, I finally received the two banker's boxes containing the huge volumes of printed material.

Looking at the huge volume of printed material to read, I am requesting that a six months extension be made to allow those people, like me, who are reading the entire documentation a chance to do just that.

This proposed project should have never been brought forth in view of California State planning law, the Sonoma County General Plan, the Rohnert Park General Plan and the Environmental Impact Report (EIR) being prepared for the Sonoma County Water Agency, the EIR for the Sonoma County General Plan and the EIR for Rohnert Park.

The city of Rohnert Park is currently in litigation and is being sued by the O.W.L. Foundation, a 501(c)(3) non-profit corporation because the EIR for the Rohnert Park General Plan in not in compliance with CEQA and the EIR also does not meet the requirements of Senate Bill 610.

I am also involved as a plaintiff in another lawsuit against the City of Rohnert Park on an issue of the city not being in compliance with the provisions of Article XIII D of the California State Constitution, which describes quite clearly the process to be used by any city or county in California for raising sewer water, garbage and other property-related taxes or assessments. This change in the State Constitution came about in 1996 when Proposition 218 was passed by a strong majority of California citizens.

As it happened, in 1996, Proposition 218 was on the same ballot as Measure M, a city sponsored measure to increase the assessments against property owners for a fire protection measure. The fire protection measure was not well thought out and barely got a 50 percent vote in favor of it. However, Proposition 218's language made Measure M's low majority unlawful.

Early in 1997, the City of Rohnert Park filed a lawsuit against its citizens to try to impose Measure M by a move through the superior court. I filed an answer and a cross-complaint to the city's lawsuit against its citizens and I won at the Appellate level. The city had to refund the taxes they had already begun to collect from its property owning citizens. The judge I had at the

trial court took a retirement as did the city attorney for Rohnert Park.

In the year 2006, apparently the city fathers of Rohnert Park thought that they could again get away with not following the mandates of Proposition 218 and the city council enacted an act to raise the sewer rates without following the laws and process spelled out in Article XIII D of the state constitution. I filed a lawsuit and again won in the Appellate Court. The matter has been turned back to the trial court to resolve the issues of tax refunds, etc. that the city will have to comply with.

The City of Rohnert Park has a relatively short history and in its relatively short "corporate" life the city council and city staff have not followed the laws of the state. For most of its short life of just over 40 years there has been a corrupt city council that does the bidding of what one Jimmie Rogers, a real estate broker who has profited from his cronies on the city council.

The name Jimmie Rogers should be familiar with the Graton Rancheria tribe and their partners because Jimmie Rogers has been involved in the real estate transactions for the casino. In earlier times, Jimmie Rogers was appointed to the Rohnert Park city council and he managed to even serve as mayor until a Grand Jury report made him remove himself from the city council because of "conflicts of interest."

Jimmie Rogers is not a scrupulous real estate agent. Rogers "always gets his ten percent" on any project that goes before the city council. According to a later mentioned FBI report, Jimmie Rogers received cash payments, parcels of land or required developers to buy into his race horses, among other things. Rogers managed to forgo the law in acquiring at least two pieces of Permanent Public Open Space land for his own use. The first piece of property was acquired to build a so-called "wine tasting center" which was to provide customer traffic to the nearby Red Lion/Doubletree boutique shopping area owned by Jimmie Rogers.

To top off Rogers' acquisition of this open space land, a contract was drawn up between Jimmie Rogers and his partners and the City of Rohnert Park to have the City of Rohnert Park pay \$10,000 a month to the Sonoma County Wineries Association to occupy the wine tasting center.

There were some other discrepancies regarding the lawful operation of a "wine business" that was giving samples of wine outside of a legitimate winery. But political connections made it all possible to happen. The wine tasting center was open for more than ten years but did very little business. The building was re-sold to Jimmie Rogers and converted to a restaurant. It was not until the use of the building was changed that the issue of the building being on Permanent Public Open Space land was sort-of resolved when the site of the wine tasting center building was separated from the Permanent Public Open Space land designation. Why didn't some one at the County do anything? I will get further into this question later.

However, in terms of dealing with the Open Space designation, there is still another issue. And that is the legal process to take land out of its Permanent Public Open Space designation, as it is stated in the Government Codes, Revenue and Tax Codes and the state Constitution. It requires that the county tax assessor make an assessment of the property as Permanent Public Open Space

land and another assessment of the property in its new proposed land use designation. This data is then put into a ballot measure and the citizens of the Open Space District (the citizens of Rohnert Park) then vote. A two-thirds majority is required to approve the change out of the designation of Permanent Public Open Space to the new designation. If a two-thirds majority vote is not obtained, the land stays in its Open Space designation.

This was not done with the wine tasting center land and it was not done in the next example..

Jimmie Rogers also bought another piece of Permanent Public Open Space land that was a small park in 'D' Section on Santa Doratea Way. This small park was an access to the south golf course. There were large trees and a park bench. After Rogers "acquired" the Open Space land he had the site completely cleared off and had a huge house built on the property. Just before the house ready for occupancy it was burned down, under mysterious circumstances.

It has been speculated that Jimmie Rogers was supposed to have gotten a \$5 million "commission" for the sale of some of the land west of Rohnert Park to the Graton Rancheria Indians for one of their "sites" for a casino. However, three men who Rogers thought he was in partners with in the land dealings, bought another piece of land without Rogers being involved and sold it (according to the Santa Rosa Press Democrat) to the Graton Rancheria Indians for \$100,000,000. That is, one hundred million dollars!

Here is the story from the Press Democrat.

#### ROHNERT PARK CASINO

Anatomy of a \$100 million deal 3 prominent businessmen paid \$11.4 million for 279 acres before selling to tribe for huge profit

By CLARK MASON  
THE PRESS DEMOCRAT

The three businessmen who sold land next to Rohnert Park for an Indian casino appear to have made a profit of \$90 million, almost nine times what they paid for the property. The trio paid a total of \$11.4 million for 279 acres, according to Sonoma County property records. They assembled the land in separate, sometimes last-minute transactions, before turning around and selling almost all of it to the tribe for \$100 million. The top dollar paid and the profit involved astounded real estate experts.

"It's one of those deals you do once and then retire - you were too lucky," said Joan Woodard, president of Simons & Brecht, an architectural, development and management firm in Santa Rosa. "I would say it's one of the best returns on investments I've ever heard."

The businessmen who benefited from the sale are James Ratto, Dennis Hunter and Clem Carinalli, partners in North Bay Corp., a company that

controls much of the garbage business in Sonoma County.

Ratto, who started out as a San Francisco garbage collector a half-century ago, worked his way up to become owner of a small empire that at its height encompassed 20 garbage companies in Northern California and Nevada.

Hunter, who has developed shopping centers and other commercial properties, is manager of Redwood Equities, a corporation founded by Ratto that is involved in commercial projects proposed for northwest Rohnert Park, including redevelopment of the old Crushers Stadium site.

Hunter is a founding director of Sonoma National Bank, along with Carinalli, a Sonoma County native, longtime real estate investor and one of the largest landowners in the county.

As proponents of several big commercial and residential projects - either together or individually - Ratto, Hunter and Carinalli have been accumulating property in and around Rohnert Park for their projects.

In August, they sold two of those swaths to the Federated Indians of Graton Rancheria, who plan to establish a reservation with a casino, luxury hotel and performing arts center.

How the businessmen negotiated the final purchase price with the tribe and Station Casinos of Las Vegas, its partner in the project, has not been revealed.

Hunter and Ratto did not return phone calls, and Carinalli said he is uncertain which side initiated the talks about buying land closer to Rohnert Park than an earlier casino site to the west.

But when the tribe ran into environmental hurdles with a site it had optioned to buy in 2003, nearer to Stony Point Road and the Laguna de Santa Rosa, the land closer to Rohnert Park became attractive.

After being chased away from the land they initially wanted near San Pablo Bay and after looking at dozens of other locations, tribal leaders said they believed they had little choice but to buy the 273 acres within the ultimate boundary of Rohnert Park.

The \$100 million purchase price, which came from Station Casinos and which the tribe must pay back if the project eventually is approved by federal and state officials, demonstrates the Las Vegas gambling company's resolve in seeing the controversial project through.

It also reflects the serious money involved in tribal gaming in California.

The property still needs to be placed into federal trust for a reservation and the tribe must obtain a gaming compact from the governor.

But casino executives express confidence that federal legislation authored by Sen. Barbara Boxer, D-Calif., which restored the previously dissolved Graton Rancheria in 2000, makes it a virtual certainty they can gain the approvals necessary to open for business, despite continuing opposition from many Rohnert Park residents.

For the investors who sold the land, the most profitable part of the deal appears to have been the sale of 91 acres west of Dowdell Avenue, along the south side of Wilfred Avenue.

Most of it had been bought in 1997 by Redwood Equities, an investment firm in which Ratto and Hunter are the major players.

Redwood Equities had planned to develop the land for a shopping center, industrial and office space and to build hundreds of homes.

The development company paid \$2.5 million for 75 acres and gradually added smaller parcels in 2001, 2002 and as late as last August, in one case on the same day it was sold to the tribe.

In addition to the land owned by Redwood Equities, Ratto and Hunter bought smaller parcels individually as part of their overall plan to develop the area. That brought their total tab to \$7.1 million for 97 acres.

Along the way they sold off six acres to a storage company for \$1.4 million, so that by the time the tribe bought it, it was 91 acres.

In the end, they made more than a tenfold profit on the land when they sold it for \$76 million to Station Casinos' subsidiary, SC Sonoma.

It is unclear from public records what portion of the \$70.3 million profit each partner in Redwood Equities received, but one thing seems certain.

"It's a record," Al Coppin, president of Keegan & Coppin, the North Bay's largest commercial real estate company, said of the price paid.

"That's a horrendous value for 90 acres," he said.

Redwood Equities also was involved in the sale of a much larger tract of land to the tribe, but the principal player in that transaction was Carinalli.

Carinalli bought the land for \$4.25 million in 2003, intending to develop a "bank" that developers could buy into to offset the loss of wetlands caused

by their projects elsewhere in the county.

Instead, Carinalli sold the property to Station Casinos for \$24 million as part of the same transaction as the highly profitable Redwood Equities sale.

Carinalli said, and public records confirm, that by the time of the sale he owned only one-third of the property, having signed over two-thirds of the land to Redwood Equities because he needed help from the partners to close the deal.

Carinalli said he made about \$3 million profit on his portion of the sale.

From the tribe's point of view, the purchase of the 273 acres was the result of a lengthy process in which it was pressured to abandon its two previous casino sites in the face of public opposition and environmental constraints.

Greg Sarris, tribal chairman of the Graton Rancheria, said the tribe believed that relocating again was the only way to minimize that opposition.

"We're willing to pay the outrageous price because we feel we have no alternative," he said.

But it also is true that the casino company and tribe could recoup their investment relatively quickly.

Thunder Valley, a tribal casino built by Station Casinos east of Sacramento, raked in an estimated \$280 million in revenues in its first year of operation.

"Clearly when someone pays that kind of money, they expect there will be a return on that money," said Keith Foley, a casino analyst with Moody's Investors Service. "Tribal gaming casinos in general tend to generate a lot of revenue, have higher (profit) margins and very often are located in areas with favorable demographics and limited competition."

He noted Station Casinos has had "a lot of success" in developing casino projects in Las Vegas, as well as Thunder Valley in Lincoln.

Even though the tribe and Station Casinos were willing to pay a premium for the land, the deal already is having a ripple effect on some adjacent property just east of Dowdell Avenue.

Allison Dowdy, a real estate agent who represents property owners with 16 acres behind Levitz Furniture, Scandia Center and Tesoro gas station, said interest from potential buyers escalated with the publicity over the \$100 million casino deal.



She said the listing for the commercial land was for \$10 million. But that changed almost overnight with news of the casino land deal. "It's way over \$13 million now," she said.

The \$5 million dollars that Jimmie Rogers had expected to receive in the Graton Rancheria tribal land sale was allegedly to pay for his new house. Whatever happened, after the fire Rogers had the land where the burned down house was, cleared off and immediately started construction on a second house. That house is complete and it is assume that Rogers and his wife are living in it.

Was there a fire investigation? I was one of several people who were furnished as someone who might be knowledgeable as to who could have started the fire. I gave the fire insurance investigator a long list of names and information about people that Jimmie Rogers had poor relationships with. Whatever happened, Jimmie Rogers didn't wait. He had his construction company grading the fire sight and preparing to build again in a couple of days.

I also recall that there has been a few other fire-related building burn-downs that had something to do with Jimmie Rogers. The city-owned Mountain Shadows Golf Course club house burned down while the city was in negotiations for a possible remodel. Jimmie Rogers showed up with a complete ready-to-go set of plans for a new golf club house. Of course, the old-boy city council approved the plans and the structure was built.

Rogers built a previous house on 80 acres of land that belonged to Art Condiotti. The 80 acres was acquired from a Mrs. Equii. Mrs. Equii had "suddenly" sold her land that she had been interviewed in the newspapers just a month or so earlier proudly stating how her husband had set up a trust so she could always live on the land that she loved. And, interestingly enough, her home burned to the ground.

Condiotti went before the Rohnert Park city council with plans to build a track of houses on the 80 acres. 540 homes were to be built but there were some complications. The 80 acres was protected by the Williamson Act, there was not enough sewage treating capacity to accommodate 540 houses and there was not enough water. In 1992, there was a change in the majority make up of the Rohnert Park City Council. The pro-development majority had been overturned and the new majority on the city council were not listening to the demands of Jimmie Rogers.

Condiotti came before the city council and withdrew his request for annexation saying he would be back. Apparently, Jimmie Rogers thought Condiotti would be back because he had a house built on the 80 acres. It wasn't until at least a couple years later that Rogers filed the "Lease option to buy" on the house. He never bought the land upon which he built his house.

Why am I writing this material about Jimmie Rogers? Rogers has used the City of Rohnert Park as his personal means to achieve things that he wanted, regardless of what the citizens of Rohnert Park wanted. This proposal for a casino is also a Jimmie Rogers project. At least it was until Rogers got involved with three other men who have similar ambitions for making money, at any cost.

I moved to Rohnert Park in 1985 after spending ten years in Novato, Marin County. While living in Marin County, specifically the City of Novato, in 1980, I filed and won a lawsuit against the City of Novato in regards to the City of Novato's non-complying General Plan. As a result of the lawsuit, the city of Novato had to operate under a court order to overhaul and update the General Plan.

I also had a second lawsuit in Novato, against Condiotti Enterprises, for shoddy workmanship and Building Code violations. I learned that every tract that Condiotti, or his other-named companies, were also shoddily built. Condiotti also had an action against him by the State Attorney General's office.

I essentially won the lawsuit against Condiotti when I settled in a bench-bar settlement in which the Condiotti bought my house back at a cost of more than double than what I had originally paid for. The builder also gave me \$10,000 for my legal costs. .

I did not move to Rohnert Park with the expectations of getting into government and politics but I did subscribe to the local newspaper and began reading about the corruption of the Rohnert Park city council. I wrote extensively in the local newspaper, the Rohnert Park Courier and finally go to the point after several years that I filed a complaint with the Sonoma County Grand Jury.

This was in 1992. The complaint was investigated and a report was released in January of 1993. **(I am enclosing a copy of the 1992 Sonoma County Grand Jury final report on the Rohnert Park Annexation Process indicated as Item #1 in the index, for your reading.)** There are a lot of points made in that Grand Jury report that still apply today and certainly are comparable to this process we are going through with the Graton Rancheria Casino / Hotel proposal.

I also filed a complaint with the FBI about the allegations of corruption in Rohnert Park. A twenty four person investigation by the FBI was commenced and we were told that we could expect "Christmas in November" in terms of indictments that were expected to be handed out.

And then in October of 1993 Polly Klaas was kidnaped and found murdered. The FBI was pulled off the Rohnert Park investigation and did not resume their investigation after the Polly Klaas case was resolved. We did obtain a Freedom of Information Act report on the FBI Rohnert Park investigation. If you want a copy, I will send it to you.

There was only a couple of arrests made during the FBI investigation. I only had a minimal contact with the FBI after I filed the complaint except one meeting to confirm some information I had originally presented to the FBI. I did get involved in one incident that eventually got Michael P. Rosen arrested.

Betty Brooks, an old time Rohnert Park political activist called me one evening and asked me if we could have a three-way conversation with her and Dawna Gallagher, who was a city council person at that time. I said, "Sure. I have no problems with that."

As it turned out. Michael Rosen was sentenced to serve time in both state and federal lockups. He served time in San Quinten and a couple other state prisons and eventually ended up in the federal prison in Las Vegas, Nevada. This is a low key lockup that has minimal security.

Rosen served his time and was released from custody. He now lives in southern California.

Rosen should have been arrested in a previous crime involving the savings and loan companies. His cronies in the political world were able to keep him out of court but Rosen's two brothers-in-law were caught and convicted and served time in prison.

There was a book written in the 1980's about the savings and loan scandal that affected Sonoma County called **"Inside Job: The Looting of America's Savings and Loans"** (ISBN: 0070502307)

The book was written by Mary Fricker, Steven Pizzo and Paul Muaolo. I met Mary Fricker at the Press Democrat. The book is an account of a \$500 billion scam that far exceeded the cost of rebuilding all of Western Europe after the Second World War plus ten years of air, land, and sea warfare during the Vietnam conflict. It dwarfed the Enron bankruptcy as huge as it was. This savings and loan scandal of the 1980s remains the worst collapse of a financial institution in American history.

In the book "Inside Job", Pizzo, Fricker and Mualo reveal the relationship between S&L ripoffs and covert CIA operations; between junk bonds promoted by so-called distinguished brokerage houses and the plundering of the life savings of trusting investors; between shady felons and winking politicians right up to president Ronald Reagan.

I have had more than 30 years of experience in dealing with California laws and policies by cities and counties. I am not an attorney although I have taken the Paralegal Certification program at the Sonoma State University. I am an electrician and have an electrical contractors license. I have also worked as an expert witness in construction defect litigation against certain contractors and developers.

I have taken many classes and have attended seminars on matters related to land use planning. After winning a lawsuit against the City of Novato in 1980 about their General Plan not being in compliance with state law I enrolled in the upper division at the University of San Francisco and earned a Bachelor's Degree in Public Administration. I had planned to on to law school but I had another lawsuit in progress. After about five years in litigation, the developer, Condiotti Enterprises, pressed for a settlement and after three bench-bar hearings I agreed to settle. The contractor bought the litigated house back. I had lived in the house for ten years and was paid more than double its original cost and through in another \$10,000 for legal costs. The settlement conferences were held at the time I was supposed to start law school.

Since there is a Paralegal Certification program at nearby Sonoma State University, I decided to take classes in the paralegal program until I was able to get back to law school. In 1990, I was consulted about the law suit against the City of Rohnert Park and its lack of compliance with

state law, similar to my lawsuit in Novato. The City of Rohnert Park lost the law suit and had to overhaul and update the General Plan.

There have been several lawsuits, several Grand Jury investigations and a large-scale FBI investigation against the City of Rohnert Park for allegations of corruption and mal-practice by city officials.

One such lawsuit was filed by Keith Hallock in Federal Court against the City of Rohnert Park, Jimmie Rogers and a list of other defendants. I am enclosing a copy of the first Amended Complaint to give you an idea of how corrupt things are in and around Rohnert Park. This is item number 2 in the index. If you read this Amended Complaint you will see the kind of lawlessness that has been going on here in Sonoma County.

I could submit copies of several other lawsuits against the City of Rohnert Park that are all demonstrations of this City's not legal or the City's mis-interpretation of the law. There are two lawsuits that are going to trial in the next couple of months.

We will file another lawsuit if it is necessary in regards to the Stations Casino attempt to make Rohnert Park into an Indian Gambling Casino site.

We do not have the water, sewage treating capacity and infrastructure to handle a gambling casino. The majority of the citizens of Rohnert Park and the neighboring communities do not want a gambling casino. It is very clear mandate. Please honor it.

Yours truly,

Paul D. Stutrud

cc: Governor Arnold Schwarzenegger  
Attorney General Jerry Brown

ITEM ONE

ITEM ONE

ITEM ONE

## THE CITY OF ROHNERT PARK ANNEXATION PROCESS

### REASON FOR INVESTIGATION:

In April 1992, the Sonoma County Grand Jury received a complaint from a resident of Sonoma County. The thrust of the complaint concerned the way the business of Rohnert Park is run and has been run. The resident further indicated that one developer receives preferential treatment to the detriment of other developers and the citizens of Rohnert Park. The complainant made many other charges, most of which were out of the purview of this Grand Jury.

### BACKGROUND:

The complainant submitted comprehensive background material to the Grand Jury. Detailed histories of past and present annexations in Rohnert Park were outlined. The complainant was frustrated by the behavior of local officials and came to the Grand Jury for assistance in this matter.

### PROCEDURES:

A Grand Jury subcommittee analyzed the many documents submitted by the complainant and made the decision to concentrate its time and efforts on the recent requests for annexation to the City of Rohnert Park. Time did not allow the Grand Jury to focus on many aspects of the complaint such as the building of the Rohnert Park Wine Center, the Performing Art Center Endowment Fund or the Bidding Procedures used by the City for outside vendors.

The subcommittee began its investigation by reviewing the cities' annexation proposals from June 1991 through October 1992.

The following documents were reviewed:

- City of Rohnert Park General Plan dated May 1990

- Complainant's documentation and correspondence
- Rohnert Park City Council Agendas and Minutes of Meetings
- Minutes of the Rohnert Park Community Development Agency Meetings
- Rohnert Park Inter-Office Memorandums
- Numerous Letters and a Draft "Working File" Letter to the City of Rohnert Park from developers
- Numerous Letters from the City of Rohnert Park to many developers
- Copy of the City of Rohnert Park Sphere of Influence Map dated February 26, 1990
- City of Rohnert Park General Plan Subcommittee Report dated January 24, 1992
- Memorandum from the City Attorney of Rohnert Park dated May 7, 1992 re: Sierra Club v City of Hayward (1981) 28 Cal.3d 840 "Williamson Act Case"
- Sonoma County Department of Planning document titled "Williamson Act" Process. This document explains that the Williamson Act allows counties to establish "agricultural preserves" and thereby allow tax reductions by signing restrictive contracts with landowners who are engaged in commercial agricultural operations.
- Citizens Survey Results dated October 1989 and June 1992
- Santa Rosa Press Democrat Poll of Rohnert Park Citizens dated May 10, 1992
- Newspaper Articles from the Santa Rosa Press Democrat and the Rohnert Park-Cotati Clarion dated June 1991 through October 1992
- Annexation Procedures and Committee Selection Procedures from eight cities in Sonoma County
- American Institute of Certified Planners (AICP) Code of Ethics and Professional Conduct adopted October 1978 as amended October 1991

- Copy of State of California Senate Bill 1019, an act to amend Section 65583 of and to add Sections 65588.5 and 65589.7 to the Government Code relating to housing elements

The following is a list of individuals who were contacted or interviewed during the investigation by the Grand Jury subcommittee:

- All present members and some past members of the Rohnert Park City Council
- Members of the Rohnert Park City Staff
- Representative of the Local Area Formation Commission (LAFCO)
- The Complainant
- Developers, contractors and realtors who do business in Rohnert Park
- Private citizens of Rohnert Park
- The Sonoma County Counsel
- Chief Deputy District Attorney of Sonoma County

#### **FINDINGS:**

1. The concerns expressed by the complainant regarding development in Rohnert Park were substantiated by the Grand Jury investigation.

2. The procedures and processes for development and annexation for the City of Rohnert Park exist only in the General Plan dated May 5, 1990. The Grand Jury reviewed the annexation procedures for all cities in Sonoma County and found most cities in Sonoma County have written procedures, forms or policies detailing the requirements for developers to do business in their city over and above their General Plan.

- In the General Plan for Rohnert Park, the General Policy states:

"1. The City recognizes that numerous Rohnert Park citizens indicated in the Citizens' Canvass the belief that Rohnert Park should limit population growth. The ultimate population of Rohnert Park



**should total approximately 40,000 and development will be limited to areas within the existing city limits. [Emphasis added]**

2. At the time of each proposed amendment to the General Plan, all elements of the General Plan shall be reviewed."

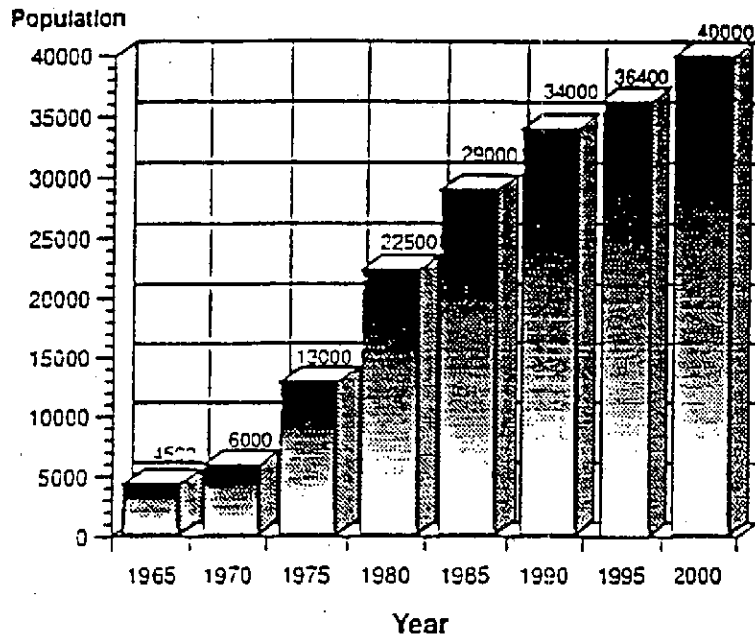
■ In the General Plan for Rohnert Park, the General Principle states:

"If and before the City does any annexation of lands, other than provided for in this General Plan, the City shall do another thorough General Plan review and update, focusing on the entire planning area and including required environmental documentation. A thorough General Plan review and update is defined as a process which provides opportunities for the involvement of the public, including, but not limited to, a citizens committee duly appointed by the City Council, public meetings, citizens workshops, hearings, surveys, town meetings, and written comments. A thorough General Plan review and update should follow, as much as possible, the local process for preparing and adopting a general plan revision suggested by the State of California"

■ In the General Plan for Rohnert Park, the Housing Element states:

**"The City at present does not have sufficient wastewater treatment capacity to fully develop 143 acres of land designated for residential development located within the City limits. [Emphasis added]** During the next five years Rohnert Park will not grow at the same rate as in the past. . . Wastewater treatment capacity constitutes a major constraint on development. . . Consequently, it is anticipated that in 1990, the estimated population will be approximately 34,000. In 1995, the population will be approximately 36,400 and the City's population should not exceed 40,000 in 2000." (see Fig. 4.1)

Figure 4.1  
POPULATION TRENDS  
Rohnert Park, 1965 to 2000



- According to the State Department of Finance, as of June 1, 1992, the present population of Rohnert Park is 38,240. This exceeds the 1995 projection of 36,400 by 1,840 people or 770 housing units as shown in the May 1990 General Plan Housing Element.

3. A Rohnert Park Citizen Canvass, dated October 1989, was used by the General Plan Committee to help determine public sentiment on several General Plan issues. The Citizens Canvass (Appendix II of the May 1990 General Plan) was distributed to every mailing address in Rohnert Park (more than 13,500); 4,096 surveys were returned.

- The survey document states:

"One very important fact is the limited capacity of the area wastewater treatment plant. The City has agreed to limit residential construction until expanded treatment plant capacity is available in the mid 1990's." [Emphasis added]

■ The results of the survey indicated:

80.7% of the responses agreed **"the City should limit the pace of growth."** [Emphasis added]

4. JUNE 27, 1991, thirteen months after the adoption of the General Plan, Quaker Hill Development Corporation, in a letter to the Mayor of Rohnert Park, proposed to the City a cooperative effort concerning long range planning. They offered to help fund the cost of an independent planning consultant, chosen by and answerable to the City. The purpose would be to prepare a specific plan for their land east and west of Petaluma Hill Road and north of Sonoma State University as well as any adjoining property the City deemed appropriate. This request was on the City Council agenda of July 23, 1991. The City Council recommended **the City Manager review the matter and bring it back when and if appropriate.** On July 29, 1991 in a letter to Quaker Hill Development Corporation, the City Manager wrote: **"It was the consensus of the Council that this proposed plan is premature in light of the fact that the City is not anticipating any development in that area for many years in the future."** [Emphasis added]

5. OCTOBER 15, 1991, seventeen months after the adoption of the General Plan, a public meeting was held at a local restaurant by Ex-Mayor Jimmie Rogers, representing Debra Investment Corporation. He presented a plan to help develop a sports complex in exchange for the City annexing a planned housing area of an 80 acre site near the Hewlett-Packard site and for the development of approximately 450 homes. Rogers also stated the contractor would solve the existing sewer problem by retrofitting toilets and shower heads of existing homes in Rohnert Park.

Testimony disclosed that a Councilmember **advised a developer** [Name omitted] **that he would need an acre for acre.** Testimony also disclosed that another Councilmember **talked to** [Name omitted] **weekly to see what is going on and may have told** [Name omitted] **to be creative.**

During this investigation, the Grand Jury interviewed many developers and

contractors. It questioned the developers to determine if they felt they were given equal treatment by the City staff and elected officials. Several developers responded "No" to the "equal treatment" question. Examples of the unequal treatment included: **Unequal access to City Council members, favoritism towards certain developers, real estate brokers, i.e., [Names omitted]. One developer [Name omitted] claimed that it was public knowledge that if someone pays a 10% commission, [Name omitted] will lobby the City on the developer's behalf.**

6. OCTOBER 22, 1991, City Council meeting minutes of this date state under the **non-agenda items**, "Councilman Hollingsworth stated he wanted to make sure that all five Council members are present for him to bring up the item on the Sports Complex, annexation and open space. . . Councilman Hollingsworth took a map and stated that one of his proposals was that **if anyone comes in to propose annexation [Emphasis added]** the Council should have a policy that for every acre that is annexed, an acre will be donated to the City for open space. . . City Manager Netter suggested that a Council committee of two be assigned to research this matter. . . It was decided that Mayor Eck and Councilman Hollingsworth would comprise this committee."

7. NOVEMBER 1, 1991, eighteen months after the adoption of the General Plan, a draft "working file" letter from Hewlett-Packard to the City of Rohnert Park City Council requested: ". . .conceptual approval of a conversion of a portion of Hewlett-Packard's unused industrial sewer allocation to residential sewer allocation . . . we would like the Council's approval to convert a portion of our industrial flow to residential flow and thereby **allow more building permits [Emphasis added]** to be allocated to the HP residential lands." The industrial to residential conversion was needed to increase Hewlett-Packard's residential building permit allocation from 119 to 304 units. This draft letter was discussed with the City Manager, the City Engineer and a representative from Hewlett-Packard during a meeting at the

City Hall on November 4, 1991. **City Council and other staff members were not made aware of this draft letter or the potential impact to their limited capacity wastewater system.**

8. NOVEMBER 19, 1991, the Council Committee of Mayor Eck and Councilman Hollingsworth met with the City Manager.

■ The minutes of that meeting state:

"In the discussion, the Council committee reviewed the General Plan within the context of the general principle which states that a thorough General Plan review and update would be completed before any additional annexations of land to the City of Rohnert Park were completed. **The Council committee's general thoughts included the dedication of an acre for each acre annexed to be set aside for open space within a pre-determined sphere or line around the city.**" [Emphasis added]

9. NOVEMBER 20, 1991, Debra Investment Corporation wrote a letter to the Mayor and City Council members of Rohnert Park. Council copies were distributed to members on November 21, 1991. The letter was ". . .**an official request to annex 80 acres on Petaluma Hill Road and Valley House Drive.**" [Emphasis added]

10. NOVEMBER 26, 1991, during the City Council meeting, the Debra Investment Corporation's request for annexation was presented to the City Council.

■ The minutes state:

"City Manager Netter referenced map on display and said copies were provided to Council of letter dated November 20, 1991 from Phillip A. Trowbridge, Vice President of Debra Investment Corporation regarding an official request to annex 80 acres adjacent to Petaluma Hill Road in the general vicinity of the Hewlett-Packard site. . . **He said the proposed plans do seem to tie into open space consider-**

ations. [Emphasis added] . . . Council exchanged comments regarding the logic of doing a fast track General Plan update compared to proceeding in a timely fashion with consideration to begin planning for the process which would keep the costs of a General Plan update to a minimum at least until budget review time next July. . . The inflationary risks involved of hindering such a **needed innovative proposal** [Emphasis added] were compared to the cost of dealing with an unbudgeted item like updating the General Plan which would basically be an up front cost but eventually covered by the development. Mayor Eck said he would be willing to move the target date up a year or two on the General Plan process, that his only concern was regarding the budget and the approximately \$100,000 it will cost to do an update, and the focus should not be on any particular project. . . **A motion was made by Councilman Hopkins, seconded by Councilmember Spiro, and unanimously approved, to begin the process to update the General Plan and consider tonight's proposal along with open space, spheres of influence and other city policy issues as referenced earlier in the Report by Council Committee Eck and Hollingsworth by following the procedures as outlined in the General Plan and start the entire process moving by directing the Council Committee and staff to meet and establish a recommended process for review by the full Council following the opinion from City Attorney Flitner on the process and options available.** [Emphasis added]

11. DECEMBER 3, 1991, nineteen months after the adoption of the General Plan, a letter was sent to Debra Investment Corporation from the Mayor of Rohnert Park.

- Included in the letter:

"The Council directed staff to consult with the City Attorney, to review the General Plan, and confirm what the city's options are in order to pursue this proposal. In addition, the Council committee of Councilman Hollingsworth and I will meet with staff and develop a recommendation on how to proceed with the development of City policies on the sphere of influence, open space, and other procedures necessary to update the General Plan, which would include procedures for the proposed annexation of the 80 acres."

[Emphasis added]

12. DECEMBER 4, 1991, Keith Hallock sent a letter to the Rohnert Park City Council requesting their "... consideration for the annexation of 6.89 acres located at 4730 Snyder Lane, and the development of an affordable condominium project."

13. DECEMBER 13, 1991, AMI Development Inc. sent a letter to the City Manager stating "... please accept this letter as a request to annex the above-referenced property."

14. DECEMBER 13, 1991, Coddling Enterprises sent a letter to the City Council of Rohnert Park stating "... For some time we have contemplated construction of affordable housing on the property we own on the south side of Price Club ... The need for this housing was pointed out in the EIR that was prepared for the Expressway Mall."

15. DECEMBER 18, 1991, YCS Investments sent a letter to the City Manager of Rohnert Park stating "... I understand that the City Council is considering updating the General Plan to include an area east of the current eastern City Boundary and west of Petaluma Hill Road. I represent the owners of two contiguous parcels located in this area ... Together the parcels comprise 150 acres ... we respectfully urge the City to update the General Plan for the eastern area, including our properties."

16. DECEMBER 19, 1991, Ralph Jones & Associates sent a letter to the City

Planning Director stating ". . . This letter is a request to be included in any planning discussions and consideration of amendments to the General Plan which effects the area along the Easterly city boundaries. I represent the owners of approx. 18 existing parcels that are undeveloped in the Westerly section of Canon Manor and I would like to participate in any of the plans for that area."

17. DECEMBER 19, 1991 AND JANUARY 17, 1992, between nineteen and twenty months after the adoption of the General Plan, letters were sent to Keith Hallock, AMI Development Inc., Coddling Enterprises, YCS Investments and Ralph Jones Associates from the City Manager of Rohnert Park stating, "**The City Council has filed your request as 'pending'** [Emphasis added] as the Council is considering an update of its General Plan . . . A Council committee of Vice Mayor Hollingsworth and Councilman Eck has been selected to work with staff and report back to the City Council in late January or early February to recommend a plan and procedures for reviewing and updating the General Plan."

**No letter was ever sent to Debra Investments indicating a change in their status to "pending" as the Council considered an update to the General Plan.**

18. JANUARY 24, 1992. The General Plan Committee met with City staff members to discuss how to undertake a General Plan revision.

■ The memo of this meeting states:

"The Committee has identified three planning options . . . **The only variation between options: different sizing areas would be considered for annexation.** [Emphasis added] The most complex planning issues arise in the area east of the City limits which will probably control the planning process and the time needed to complete revisions.

Option One would emphasize the smallest area, bounded by the City limits on the west, Canon Manor on the north, Petaluma Hill Road on



the east and Valley House Drive on the south. The plan could be completed in six months.

Option Two would emphasize the southeast area bounded by the City limits on the west, Canon Manor on the north, Petaluma Hill Road on the east and Railroad Ave. on the south. The plan could be completed in six to eight months. The area would require a school and a park.

Option Three a 'sphere of influence Plan' would emphasize the area between the City limits on the west and Petaluma Hill Road on the east. The plan revision would take at least one year to complete. This area will require a longer planning time in order to address Canon Manor, the area around Sonoma State University, and other planning issues.

The total cost of preparing the General Plan in 1989-1990 was \$184,000. Half of the cost was for City personnel expenses, 40 percent was for contractual services, and the remaining amount was used for miscellaneous printing, postage, etc. **The smaller the area emphasized, the lower the cost of the revision.** [Emphasis added] The current fiscal year budget contains no funds for the revision. City staff can be diverted from projects to devote time to the General Plan revision but approximately \$50,000 would be needed for consultant services and miscellaneous expenses."

- Page three of the memo provided a "Comparison of Planning Options" and some of the options were:

<u>OPTION ONE SMALLEST AREA</u>	<u>OPTION TWO SOUTHEAST AREA</u>	<u>OPTION THREE EASTERN AREA</u>
Six months to complete	Six to eight months to complete	Over one year to complete
Most limited public debate	Public debate focus on limited number of issues	Discussion of many issues during the public debate
Completed prior to the election	Completed prior to the election	Election will occur during plan preparation
\$75,000 to 100,000 cost	\$80,000 to 110,000 cost	\$150,00 to 200,000 cost

During the investigation, the Grand Jury asked the staff and the City Council why "Most limited public debate" and "Completed prior to the election" were considered as planning options. There was little concern expressed by staff or Council as to the need for public input but great concern over the speed of the issue so the Council vote could come prior to the November 3, 1992 election while there were still three votes for the plan.

The importance of getting this issue to the Local Area Formation Commission (LAFCO) while a Councilman from Rohnert Park was still a member and the desire to get all political items settled prior to the election were also major motivational factors described to the Grand Jury as the reasons for completing the General Plan prior to the election.

According to the American Institute of Certified Planners Code of Ethics, the Planners responsibility is: ". . . A planners primary obligation is to serve the public interest . . . A planner must strive to provide full, clear and accurate information on planning issues to citizens and governmental decision-makers." [Emphasis added] The Grand Jury believes the Council

Committee and/or staff disregarded standard planning practices. The General Plan Memo of January 24, 1992 validates the Grand Jury's belief that neither the Council nor staff followed the American Institute of Certified Planners (AICP) Code of Ethics and Professional Conduct Standards.

- **They used sizing areas as the only variation but ignored the smallest sized annexation request of 6.89 acres.**
- **They ignored a request to rezone property within the city limits as a viable option to add low/moderate income housing to the City of Rohnert Park thereby negating the need to update their General Plan, saving all costs of a new General Plan.**
- **They ignored a request to annex land that is within the Sphere of Influence of the existing Rohnert Park planning area. LAFCO's policy is that a city would have to annex land within its sphere of influence before allowing annexation of land outside the sphere of influence. Testimony indicated that the reason the City would not consider the annexation of the Canon Manor request (the land in the sphere of influence), was that the Council was already headed for the 80 acres because of the offer from [Name omitted]; and that when [Name omitted] makes an offer everyone listens.**
- **Using "Most Limited Public Debate" as a planning option is in direct violation of the Code of Ethics of AICP Section A Item 3, "A planner must strive to provide full, clear and accurate information on planning issues to citizens and governmental decision-makers." [Emphasis added]**
- **Using "Completed Prior to the Election" as a planning option is in direct violation of the Code of Ethics of AICP Section B Item 7, "A planner must not use the power of any office to seek or obtain a special advantage that is not in the public interest nor any special advan-**

**tage that is not a matter of public knowledge." [Emphasis added]**

- **"No annexation" as an option was ever presented as a fourth consideration by the Council Committee or staff to the City Council as a result of this planning options meeting or any other meeting prior to the January 28, 1992 City Council meeting.**

19. JANUARY 28, 1992. The City Council and the City Manager reviewed the three options as described in the Council Committee memo of January 24, 1992.

- **"Mr. Netter said the issues that must be considered are cost and timing. [Emphasis added] If Council decides to proceed with the full blown plan of Option Three, the timeline of Committee meetings, public hearings, etc. will increase greatly. He referenced the summary form on page 3 of the Committee/Staff Report and said it could be a three year process for the third option. [Emphasis added] . . . If options 2 or 3 are pursued at this time, the City does not have the necessary funds to proceed and these options would elongate the process, [Emphasis added] . . . Because of the cost, the 2nd phase of the option could be done next year sometime in August or September, then work into Phase 2 . . . Councilman Hollingsworth said he preferred Option 1 . . . Councilman Eck said he would offer Option 3 as the best approach to give all proposals an equal opportunity . . . A motion was made by Councilman Hollingsworth, seconded by Councilman Hopkins, to proceed in a phasing approach toward the General Plan update as outlined by staff starting with Option 1 with commitment to be made in July when budget is reviewed to determine when the next phase can be considered and whether it will be Option 2 or 3 . . .**

AYES: (3) Councilmen Hollingsworth, Hopkins and Mayor Spiro

NOES: (2) Councilmen Eck and Reilly"

20. MARCH 10, 1992, at the City Council meeting there was discussion

concerning sewage capacity.

- The minutes state: "Sewer Capacity Report - Director of Public Works/ City Engineer Brust referenced copies provided to Council of his wastewater capacity report as of February 25, 1992 and summarized contents therein based on 1991 average dry weather flow. He pointed out that the balance available is very close to reaching capacity . . . Councilman Eck said he would like to have a capacity resolution on expansion to which City Engineer Brust responded that staff has reported the shortage to Council for years, and that it should not be a surprise to anyone."
- The above referenced report indicated:

"ROHNERT PARK REMAINING CAPACITY AS OF FEBRUARY 25, 1992 0.053 mgd (million gallons per day)."

This equates to less than 250 units of building capacity left to Rohnert Park as of February 25, 1992. In an interview with Rohnert Park City staff, the Grand Jury, in September 1992, was told there were approximately 800 units left to build on available land within the City limits of Rohnert Park. **This leaves more than 550 units inside the City limits unable to obtain a building permit due to the lack of wastewater treatment capacity.**

21. MARCH 10, 1992, a letter was sent to the City Council from Coddling Enterprises making another request to build affordable housing on their 7.5 acres south of Price Club. During interviews with the City Staff and City Council, the Grand Jury was told that the Coddling Enterprises' request did not come to the Council prior to the General Plan update vote on November 26, 1991 and it does not fit the needs of the city. It was also pointed out that their request was not for single family housing and that some didn't want **their children or grandchildren living there**. The general consensus of staff and City Council was that **Coddling**

**Enterprises was just "fishing". The belief seemed to be that Coddling was not really pushing, he had more "eggs to fry".**

22. MARCH 24, 1992, at the City Council meeting there was discussion concerning the Coddling Enterprises proposal.

- The Memorandum presented to the City Council states: "SB 1019 (California State Senate Bill 1019) effective January 1992, requires that sewer districts give priority to projects that contribute to the supply of lower income housing . . . Discussion followed during which Mayor Spiro requested City Attorney to review more fully the details of SB 1019 requiring sewer districts to give priority to projects that contribute to the supply of affordable housing."
- The Grand Jury asked a Rohnert Park official if the law, SB 1019, requires public agencies to set aside utilities for low cost housing and the response was, **probably not since the law has no enforcement penalties.**

23. APRIL 14, 1992, at the City Council meeting, during the agenda item on the General Plan update discussion, a citizen in the audience directed a question to the City Attorney.

- The minutes state ". . . directed a question to the City Attorney regarding the City's proposed annexation . . . asked for an explanation regarding the Williamson Act provision that would prevent building until 1998 . . . City Attorney Flitner said . . . he would take a look at the referenced Sierra Club Case."

The Grand Jury found the Williamson Act allows counties to establish "agricultural preserves" and thereby allow tax reductions by signing restrictive contracts with landowners who are engaged in commercial agricultural operations. The referenced Sierra Club case concerned an attempt by the City of Hayward to annex property that was part of the Williamson Act. The Sierra Club brought suit

to stop the annexation and the California Supreme Court upheld the suit and did not allow the City of Hayward to annex the property in question.

24. MAY 7, 1992, in a memorandum to the City Council, the City Attorney closes his memorandum concerning his research on the referenced Sierra Club case by stating: ". . . I think the findings would have to be well founded and made as the solid majority of the court in a relatively recent case (1981) is a formidable obstacle." [Emphasis added] This means the City Attorney feels the annexation of the acreage would present "a formidable obstacle." Testimony indicated that the reason the City would annex 80 acres that could not be built upon for six years, was because the current 3 to 2 vote is in favor of annexation and in six years it might not be.

25. MAY 10, 1992. The Santa Rosa Press Democrat newspaper conducted a telephone poll of 404 randomly selected Rohnert Park residents. The poll has a margin of error of plus or minus 5%. The responses to that poll indicate:

- Do you favor or oppose changing the General Plan to allow more annexations now?

Favor	29.7%
Oppose	63.0%
Don't know	7.4%

- In exchange for the city annexing their property and allowing them to build 450 homes, the developer would donate land for a sports complex, would pay to retrofit homes with low flush toilet devices and would build about 70 low-cost homes. Do you favor or oppose this annexation and development?

Favor	37.4%
Oppose	51.1%
Don't know	11.4%

- Do you favor keeping the city population at around 40,000 or should the city be allowed to grow larger?

Favor 71.6%

Oppose 24.8%

Don't know 3.6%

- Do you feel Rohnert Park is growing

Too fast 48.7%

Not fast  
enough? 2.4%

About right? 43.6%

26. MAY 26, 1992, at the City Council meeting, City Manager Netter referenced copies provided to Council of Staff Report dated May 20, 1992.

- The minutes state: ". . . According to information received from City's attorney reviewing the General Plan, **specific wastewater capacity cannot be allocated to a specific project** [Emphasis added] through an individual wastewater retrofit program. However, the City can implement a wastewater retrofit program to conserve wastewater capacity and **then distribute capacity obtained in a fair and equitable manner.** [Emphasis added] City Manager Netter and Director of Public Works/City Engineer Brust responded to various Council questions pertaining to this matter."

27. JUNE 9, 1992, at the City Council meeting the minutes state: "Upon a motion made by Councilman Eck, seconded by Councilman Hopkins, the concept of the City Water/Wastewater Conservation Program was unanimously approved with direction to staff to bring this item back with a bid package for Council's further review and consideration."

The Grand Jury questioned the City Manager and the City Engineer and as of October 1992, the City had not yet developed a fair and equitable



manner of distributing any additional wastewater capacity developed through the retrofit program even though the City has completed 50% of the first phase according to the City Engineer.

The Grand Jury also asked staff how long they had known about retrofitting as a mitigating factor for limited sewer capacity. They said they had known a year ago that retrofitting was being used in Windsor. The staff was then asked, what has changed, that now allows the City to afford the money for the retrofit project. According to staff, nothing changed and a retrofit program was never even considered until the annexation request.

28. JUNE 28, 1992, the General Plan Update Citizens Survey results were published and it showed:

■ Population should be limited within the next 10 years to 40,000 people?

Yes	67%
No	27%
Didn't answer	6%

■ Growth should be limited to 100 housing units a year?

Yes	68%
No	27%
Didn't answer	5%

■ New units should be detached, single family homes?

Yes	80%
No	15%
Didn't answer	5%

■ Homes should be for moderate income families?

Yes	72%
No	23%
Didn't answer	5%

■ City should annex 80 acres between city limits and Petaluma Hill Road

for 450 home subdivision?

Yes 36%

No 57%

Didn't answer 7%

The Grand Jury questioned both staff and Council members concerning the surveys conducted over the past two and one half years and how all had similar results. When asked why the recent survey results were ignored, the Grand Jury was told **the survey was flawed because the Post Office did not deliver all the surveys and it was so worthless, it should be burned.** It was viewed by some as "government by survey." The staff and the majority of the City Council continued to negate the value of the survey results. They stated the survey results are not the true feelings of the majority of the citizens of Rohnert Park.

The Grand Jury twice interviewed a management representative of the Rohnert Park Post Office and discovered the **Post Office delivered all the survey mail it was given to deliver.**

29. AUGUST 3, 1992, ignoring all the evidence to the contrary, the General Plan Update Citizens Committee voted 5 to 4 (one abstention) supporting the annexation request by Debra Investment Corporation to annex 80 acres.

30. The Grand Jury reviewed the selection process used by the City of Rohnert Park for its various appointed commissions and the General Plan Update Citizens Committee. The Grand Jury also compared the selection process used by all other cities in Sonoma County. It found that the City of Rohnert Park is the only one where each Councilmember selects his or her commissioner or in the General Plan Update Citizens Committee, each Council member selects two members.

**No other city in the county allows each Council member a personal selection for various commissions (except for Windsor which has just incorporated and is now formulating its selection processes).**

**CONCLUSIONS:**

The General Plan acts as the only control for development and annexation in Rohnert Park. There are no written requirements for annexation. Based on the General Plan, the citizens and owners of land surrounding the City limits would conclude the annexation and development policies for Rohnert Park are:

- No annexation
- Limited population growth
- Sewer capacity so limited that Rohnert Park cannot fully develop residential land located within the City limits.

The Plan also indicates further expansion and growth could occur after completion of expanded wastewater treatment plant capacity is available in the mid 1990's. Although the Grand Jury recognizes a City's General Plan is a flexible document, when it is the only guideline available as in Rohnert Park, the citizens have the right to expect their representatives to honor it.

The "no annexation" policy interpretation was reinforced by City Council action only thirteen months after the adoption of the General Plan. The City Council responded to a request to begin "a cooperative effort concerning long-range planning" by telling the developer, "the City is not anticipating any development in that area for many years in the future." [Emphasis added] This request was not for an annexation but only to start a cooperative effort for a long-range plan. The Council's action stated they did not want to plan, much less annex any land for many years in the future. It is inconceivable the City of Rohnert Park could say "no development in that area for many years in the future", yet only four months later, unanimously pass a motion to approve Debra Investment Corporation's requested annexation through the General Plan update motion. Just as implausible is the quote given to the Press Democrat by Mayor Spiro on January 27, 1992, "... Spiro acknowledged the annexations may be premature, particularly since the city has no sewer capacity to accommodate more homes, but said

written pledges in the General Plan hardly constitute 'an oath on the Bible.' 'This is the real world,' she said."

**Just four months later**, in both public and private meetings with City officials and staff, Jimmie Rogers, acting as an agent for Debra Investment Corporation, received assistance, guidance and information which provided him with the requirements that would set his proposal apart from all others.

Time and time again, both the City Council and staff members praised the annexation proposal as, **"innovative", "needed", "all the bells and whistles" and "creative"**. The Grand Jury was told **the other annexation requests did not fit the city's requirements and the Debra request did fit**. The Grand Jury determined **there are no written requirements for annexation**. It is difficult to understand **how any proposal can fit requirements that do not exist except in the minds of City Council members, and then result in a unanimous vote for approval to update the General Plan**.

It appears this lack of written requirements, forms and procedures is deliberate, with the intent to selectively choose the conditions for annexation into the City of Rohnert Park. Over the past ten years this "no written requirement" method has been very successful in limiting developer access to the City. **One developer has tried unsuccessfully for seven years to annex 6.89 acres for low/moderate income housing while the Debra Investment Corporation proposal took just five days from receipt of its letter until the City Council voted approval**.

During the discussion period concerning the annexation proposal, the staff and Council ignored the "no annexation" policy and the population limits made in the May 1990 General Plan General Policy. They ignored the undeveloped land that existed within the city limits that was already on a sewer allocation plan, due to sewer capacity limitations. Furthermore, information was withheld concerning the potential of increased demands by Hewlett-Packard and its desire to nearly triple

its residential land building permits. This information would be vital for the elected decision makers due to the impact on Rohnert Park's limited sewage capacity. The Grand Jury was told by the staff that **political pressure, concern of Council retaliation, and lack of experience prevented staff from doing a more comprehensive job of planning.** One staff member felt, in hindsight, he would do some things differently if he had it to do over.

The AICP Code of Ethics Section B, Item 2 states "A planner must accept the decisions of a client or employer concerning the objectives and nature of the professional services to be performed unless the course of action to be pursued involves conduct which is illegal or inconsistent with the planners primary obligation to the public interest." [Emphasis added]

The speed the City Council used in passing this annexation proposal showed total disdain and disregard for the existing General Plan. Lack of proper planning by the staff continued to surface over the first half of 1992 as the "creative", "needed", "innovative" and "bells and whistles" of the Debra Investment proposal fell apart.

The same tunnel vision concerning proper planning by the staff and lack of pertinent questions by Council members resurfaced during the January 24, 1992, General Plan Council Committee meeting. The purpose of this meeting, attended by staff and two Council members, was to provide the process and options available for the total Council so they could vote in a future City Council meeting. At this point, the City had received five annexation proposals and one request to rezone land within the existing City limits to build low/moderate income housing.

The memo from this meeting states, ". . . The only variation between options: different sizing areas would be considered for annexation" and ". . . The smaller the area emphasized, the lower the cost of the revision." There is never any mention who determined the "only variation" condition or who decided that the

"cost of the revision" was a major factor in the decision making process. After setting the ground rules, staff and Council members did not follow their own rules. **They ignored the annexation request of only 6.89 acres compared to the 80 acre Debra Investment Corporation request that ended up as the "smallest sizing" area, Option #1. (See Finding 18) They ignored the request to rezone land that existed within the city limits.** This proposal, if made an option, would have provided for 250 units of low/moderate income housing without the need to do a General Plan update, **thereby achieving the lowest cost possible, no cost at all.**

**There was a complete disregard of the public interest with staff's use of "Most limited public debate" and "Completed prior to the election" as desirable reasons to vote for Option #1, the Debra Investment Corporation 80 acre request.**

Lastly, **"no annexation" was ever provided as an option** even though the City had exceeded its proposed 1995 population projections and the City's limited sewer capacity problems had not been solved. **This meeting was not a meeting to determine the options available to Council members, but a meeting to set policy and provide a vehicle to allow the annexation of the Debra Investment Corporation proposal.**

Throughout the Grand Jury's investigation, it appeared that major planning decisions for the City of Rohnert Park were being made in non-public Council Committee meetings. Although memos of these meetings are given to the City Council members, these **Council Committee meetings could be depicted as a method of circumventing the State of California Brown Act.**

On March 10, 1992, Coddling Enterprises again attempted to get the City Council to consider its request for a rezoning. The Company pointed out that a new state law, SB 1019, required that sewer districts give priority to projects that contribute to the supply of lower income housing. No action was taken by the City

**Council and for a member of local government to ignore a state law because it has no enforcement penalties is an unconscionable act by a public official.**

The discovery on April 14, 1992, that the 80 acre parcel was part of the Williamson Act is another example of the lack of effort put in by staff on the original annexation proposal. This information could have easily been obtained by staff back in November 1991, but it took a question by a citizen at a City Council meeting on April 14, 1992, to make this information public. The rationale for the options used by the City Council in January, to make their decisions, were "speed" and "low cost" to complete the update. Now with the Williamson Act presenting "a formidable obstacle", neither rationale was valid, yet, the City Council continued to pursue the Debra Investment Corporation proposal.

**It is hard to perceive any logical motivation for the 80 acre annexation at this time. It is difficult to understand how this information concerning the Williamson Act had not been discovered by the professional staff. After this information became public, the Grand Jury questioned both staff and three Council members concerning their views on the viability of the annexation. Some challenged the Grand Jury's right to ask the question because they believe they were doing nothing illegal and can annex the property now and wait the six years.**

During the Grand Jury's investigation, it was told, time and time gain, the Debra Investment Corporation's annexation proposal had "All the Bells and Whistles." From the staff's and the Council's view, the two main "Bells and Whistles" that made this annexation such a desirable proposal for the City of Rohnert Park were:

1. An acre of open space land will be given for each acre of land that is annexed into the City. This requirement was agreed upon at the Council Committee meeting with Councilman Hollingsworth, Mayor Eck and City Manager Netter on November 19, 1991. In mid-

January 1992, it was determined that the City could not legally require an "acre for acre" as an annexation requirement. In March 1992, some two months after the City Council had been told it was illegal to require an "acre for acre" as a requirement for annexation, a developer was told by a Council member that he should add more acreage to his proposal, thereby making it more attractive. The developer added more than five times the acreage to the original proposal, then went back to the City Council but the new proposal was totally ignored by the Council. The proposal was referred to the City Attorney to research SB 1019 and there was no vote taken.

2. The retrofit of existing toilets and showers in the older houses of Rohnert Park. The retrofit was to be paid for by Debra Investment Corporation. This bubble burst on May 26, 1992, when the City Manager told the City Council that the Debra Investment proposal to pay for the retrofit program was illegal and the City could not proceed any further unless the City wanted to pay for the retrofit program itself. At the next Council meeting, the City Council voted unanimously to pay for the retrofit project out of City funds. When the Grand Jury questioned staff members concerning how long they had known about retrofitting as a method of expanding sewer capacity, it received conflicting responses, but at least one key staff member admitted to knowing about retrofitting for at least a year.

In mid-June 1992, the City Council and City staff were now looking at an annexation proposal that had lost its main "Bells and Whistles", and the fact that the newly annexed land could not be developed for six years. In spite of the major changes over the past five months, no member of the City Council or Staff asked to stop the existing General Plan update process so they could



**reevaluate the annexation based on all the new information that has come to light since the January Council meeting.**

The staff and City Council have repeatedly expressed their opinion throughout the Grand Jury investigation that the citizens' surveys and the newspaper poll are not reflective of the majority of the population of Rohnert Park. It is obvious to the Grand Jury that the public feelings on the matter of growth, annexation, and population size has been demonstrated to both the staff and the elected officials of Rohnert Park consistently through the surveys and polls over the past two years. The ability of both groups to ignore the truth of the surveys and polls results in the **institutionalized way business is being done in Rohnert Park**. This lack of interest concerning the consistency of the surveys and polls reinforces the belief that the public interest is not being served by Rohnert Park's elected officials and professional staff.

It is obvious to the Grand Jury that Rohnert Park's selection process for its various commissions including their General Plan Update Committee is flawed. It is apparent to the Grand Jury that each Council member places "their" appointee to counteract the choices of the other members. The existing selection process will perpetuate the **institutionalized way business is done and the "three vote" mentality that permeates all aspects of the political process and the professional staff operations in the City of Rohnert Park.**

On November 3, 1992, an election was held in Rohnert Park and a new member was elected to the City Council. This newly elected Council member campaigned on a platform of no-annexations in Rohnert Park until 1995 as stated in the General Plan. At the next Rohnert Park City Council meeting on November 10, 1992, Debra Investment Corporation requested a vote from the current Council members so Debra could determine the future viability of their annexation proposal with the "new" Council. Their stated hope was to change the 3-2 vote to a 4-1 vote for the 80 acre annexation proposal. Despite attempts by the City Manager to

manipulate the published agenda and political pressure from Council members Hopkins, Hollingsworth and Mayor Spiro, Council members Eck and Reilly did not waiver from their previous positions. When it was apparent there would be no change in the 3-2 vote, Debra Investment Corporation withdrew the annexation proposal. **Regardless of the outcome of this annexation request, a great deal of money has been spent and the community has been polarized by the effort to "fast track" this annexation proposal. The taxpayers of Rohnert Park have been poorly served by their City Council and City Staff.**

**RECOMMENDATIONS:**

1. A written procedure for rezoning and annexation must be established in the City of Rohnert Park. An example of one written procedure is the "Guide for Completing Annexation-Rezoning" of the City of Santa Rosa. (See attachment) It provides all the necessary general information and steps needed to assure equal treatment to all developers.

2. The City Staff must review all annexation proposals to determine if any "creative" proposals are legal, i.e., acre for acre and retrofitting. The review must also include investigation of any conditions or liens that exist, i.e., Williamson Act, concerning the property to be annexed. These determinations must be completed prior to any presentation to the City Council.

3. The limited wastewater treatment capacity within the City of Rohnert Park creates the need to establish a monthly Wastewater Treatment Capacity Report. This way, interested parties can determine if the existing capacity will allow the issuance of a building permit, a rezoning or an annexation proposal. The Grand Jury recommends the Rohnert Park Planning Department post monthly, a list showing the available wastewater treatment capacity by "building unit". This should remove the "mystery" that has existed for years regarding wastewater treatment capacity within the City of Rohnert Park.

**RESPONSES REQUIRED ON FINDINGS AND THE FOLLOWING  
RECOMMENDATIONS:**

Rohnert Park City Manager - 1, 2, 3, 4, 5, 6, 7, 8, 9

Rohnert Park City Council - 1, 2, 3, 4, 5, 6, 7, 8, 9

Rohnert Park City Attorney - 1, 2, 4, 5, 6, 7, 8, 9

Rohnert Park Planning Director - 1, 2, 3, 6, 7, 8

Rohnert Park Director of Public Works/City Engineer - 1, 2, 3, 6, 7, 8

ITEM TWO

ITEM TWO

ITEM TWO

ORIGINAL  
FILED

NOV - 4 1993

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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7  
8 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

9  
10  
11 KEITH H. HALLOCK, dba HALLOCK  
12 ENTERPRISES,

13 Plaintiff,

14 v.

15 CITY OF ROHNERT PARK, JIMMIE  
16 ROGERS, MARK JACOBSON,  
17 DONALD DAVIS, ARTHUR  
18 CONDIOTTI, PHIL TROWBRIDGE,  
19 CONDIOTTI ENTERPRISES, DEBRA  
20 HOMES, OCEANIS, ART  
21 HOLLINGSWORTH, LINDA SPIRO,  
22 WARREN HOPKINS, CHARLIE  
23 COCHRAN, MARY STEWART, PETER  
24 CALLINAN, PAUL SKANCHY,  
25 JOSEPH NETTER, CARL LEIVO, JOHN  
26 FLITNER, ROLAND (RON) BRUST, the  
27 KOALA SPRINGS COMPANY and  
28 DOES 1 through 50, inclusive.

Defendants.

Civil No.

C93 3502 BAC

FIRST  
AMENDED COMPLAINT

DEMAND FOR JURY TRIAL

1 Hollingsworth, Warren Hopkins, Linda Spiro, Mary Stewart and Charlie Cochran,  
2 constituted an "enterprise" within the meaning of 18 U.S.C. § 1961(4). This enterprise  
3 is hereinafter referred to as the "Rohnert Park Council Enterprise."

4 56. Each of these defendants was employed by and/or associated with the  
5 Rohnert Park Council Enterprise during all relevant times.

6 57. The Rohnert Park Council Enterprise engaged in or its activities affected  
7 interstate commerce, including the interstate transmission and receipt of telephone  
8 communications and mail.

9 58. Each of these defendants conducted and participated, directly and indirectly,  
10 in the affairs of the Rohnert Park Council Enterprise through a pattern of racketeering  
11 activity consisting of at least two acts of bribery, mail fraud and wire fraud, all of which  
12 is in violation of 18 U.S.C. § 1962(c).

13 59. Keith Hallock was injured in his business and property by reason of this  
14 violation of § 1962(c).

15 60. A group composed of Condiotti Enterprises, Arthur Condiotti, Phil  
16 Trowbridge, DEBRA Homes and Oceanis Homes, constituted an "enterprise" as defined  
17 in 18 U.S.C. 1961(4) -- that is, a group of individuals and entities associated in fact for  
18 the purpose of carrying on the development of commercial and residential real property  
19 in Rohnert Park, California. This enterprise is hereinafter referred to as the "Debra  
20 Enterprise."

21 61. The Debra Enterprise engaged in or its activities affected interstate commerce,  
22 including interstate transmission and receipt of telephone communications and mail.

23 62. Condiotti Enterprises, Arthur Condiotti, Phil Trowbridge, DEBRA Homes and  
24 Oceanis Homes were each individually employed by and/or associated with the Debra  
25 Enterprise during all relevant times.

26 63. Condiotti Enterprises, Arthur Condiotti, Phil Trowbridge, DEBRA Homes and  
27  
28

1 Oceanis Homes each individually conducted and participated, directly and indirectly,  
2 in the affairs of the Debra Enterprise through a pattern of racketeering activity consisting  
3 of at least two acts of bribery, mail fraud and wire fraud, all of which is in violation of  
4 18 U.S.C. § 1962(c).

5 64. Keith Hallock was injured in his business and property by reason of this  
6 violation of § 1962(c).

7 65. A group composed of Peter Callinan, Paul Skanchy, Joseph Netter, Carl Leivo,  
8 John Flitner, and Ron Brust constituted an "enterprise" as defined in 18 U.S.C. 1961(4)  
9 -- that is, a group of individuals employed by and associated in fact for the purpose of  
10 carrying on the development of commercial and residential real property in Rohnert  
11 Park, California. This enterprise is hereinafter referred to as the "Public Employees  
12 Enterprise."

13 66. The Public Employees Enterprise engaged in or its activities affected interstate  
14 commerce, including interstate transmission and receipt of telephone communications  
15 and mail.

16 67. Peter Callinan, Paul Skanchy, Joseph Netter, Carl Leivo, John Flitner, and Ron  
17 Brust were each employed by the City of Rohnert Park and/or associated with the  
18 Public Employees Enterprise during all relevant times.

19 68. Peter Callinan, Paul Skanchy, Joseph Netter, Carl Leivo, John Flitner, and Ron  
20 Brust each individually conducted and participated, directly and indirectly, in the affairs  
21 of the Public Employees Enterprise through a pattern of racketeering activity consisting  
22 of at least two acts of bribery, mail fraud and wire fraud, all of which is in violation of  
23 18 U.S.C. § 1962(c).

24 69. Keith Hallock was injured in his business and property by reason of this  
25 violation of § 1962(c).

26 70. A group comprised of Art Condiotti, Donald Davis, Jimmie Rogers, and Mark  
27  
28

1 Jacobson constituted an "enterprise" as defined in 18 U.S.C. 1961(4) – that is, a group  
2 of individuals employed by and associated in fact for the purpose of carrying on the  
3 development of commercial and residential real property in Rohnert Park, California.  
4 This enterprise is hereinafter referred to as the "DA80 Enterprise".

5 71. The DA80 Enterprise engaged in or its activities affected interstate commerce,  
6 including interstate transmission and receipt of telephone communications and mail.

7 72. Art Condiotti, Donald Davis, Jimmie Rogers, and Mark Jacobson were each  
8 employed by and/or associated with the DA80 Enterprise during all relevant times.

9 73. Art Condiotti, Donald Davis, Jimmie Rogers, and Mark Jacobson each  
10 individually conducted and participated, directly and indirectly, in the affairs of the  
11 DA80 Enterprise through a pattern of racketeering activity consisting of at least two acts  
12 of bribery, mail fraud and wire fraud, all of which is in violation of 18 U.S.C. § 1962(c).

13 74. Keith Hallock was injured in his business and property by reason of this  
14 violation of § 1962(c).

15  
16 **2. Mail Fraud (18 U.S.C. § 1341) and Wire Fraud (18 U.S.C. § 1343).**

17 a. In furtherance of the schemes to defraud specified in the above  
18 paragraphs, defendants conducted and participated in the affairs of the various  
19 enterprises, as specified above, by using or causing to be used the United States mails  
20 and telephone wires as described herein with the specific intent to defraud Keith Hallock  
21 and others. Each use of the United States mail described herein was in furtherance of  
22 these schemes and each such use was in violation of and indictable under the provisions  
23 of 18 U.S.C. § 1341. Each use of the telephone wires described herein was in furtherance  
24 of these schemes and each such use was in violation of and indictable under the  
25 provisions of 18 U.S.C. § 1343.

26 b. The factual circumstances evidencing the schemes to defraud include,  
27  
28



1 but are not limited to, the previous allegations of this complaint which are realleged and  
2 incorporated by reference.

3 c. For the purpose of executing and attempting to execute the above-  
4 described schemes to defraud, defendants repeatedly caused letters and other materials  
5 and things to be delivered by the United States Postal Service in repeated violation of  
6 18 U.S.C. § 1341 (mail fraud). These mailings include, but are not limited to, the  
7 following:

8 (i) Correspondence dated January 17, 1990, from the Department of  
9 Housing and Community Development to the Rohnert Park City Manager stating the  
10 City of Rohnert Park did not meet the requirements of the State's housing element law  
11 with regards to low and moderate income housing.

12 (ii) Correspondence dated July 21, 1991, from the Rohnert Park City  
13 Manager to the Quaker Hill development Corporation regarding the fact the City was  
14 not anticipating any development in the Petaluma Hill Road area for many years in the  
15 future.

16 (iii) Correspondence dated November 20, 1991, from Debra  
17 Investment Corporation to the Mayor and City Council members of Rohnert Park  
18 regarding its official request to annex 80 acres on Petaluma Hill Road and Valley House  
19 Drive.

20 (iv) Correspondence dated December 3, 1991, from the mayor of  
21 Rohnert Park to the Debra Investment Corporation stating the City would proceed with  
22 the development of new policies necessary to update the General Plan, which would  
23 include procedures for the proposed annexation of their 80 acres.

24 (v) Correspondence dated December 4, 1991, from Keith Hallock to  
25 the Rohnert Park City Council requesting annexation of his 6.89 acres for the  
26 development of an affordable condominium project.

1 (vi) Correspondence dated December 19, 1991, and January 17, 1992,  
2 from the city manager of Rohnert Park to Keith Hallock, AMI Development, Inc.,  
3 Coddling Enterprises, YCS Investments and Ralph Jones Associates, (who had all  
4 requested annexation) stating the City Council had filed their requests as "pending."

5 (vii) Correspondence dated January 29, 1992, from the Rohnert Park  
6 City Manger to Keith Hallock stating that the City Council had approved a phasing  
7 approach to the General Plan update and that the first phase did not include Mr.  
8 Hallock's parcel.

9 (viii) Correspondence dated February 18, 1993, from the Rohnert  
10 Park City Attorney to Keith Hallock regarding Mr. Hallock's attempt to obtain copies of  
11 notarial acts from the county clerk.

12 (ix) Correspondence dated February 25, 1993, from the Sonoma  
13 County Clerk's Office to Keith Hallock regarding the lack of entries for the return of  
14 notarial records and the lack of entries for the destruction of said notary journals.

15 d. For the purpose of executing and attempting to execute the above-  
16 described schemes to defraud, defendants repeatedly caused to be made and made  
17 interstate telephone calls and other uses of interstate wire facilities in repeated violation  
18 of 18 U.S.C. § 1343 (wire fraud). These wirings include but are not limited to, the  
19 following:

20 (i) Numerous telephone calls in December/January 1985, between  
21 Ron Brust, (Rohnert Park City Engineer) and Keith Hallock regarding the City's  
22 annexation concerns. The City would not return Hallock's call

23 (ii) A telephone call from Mark Jacobson, on or about May, 1989,  
24 to Alvin Wilkins, manager of Koala Springs mineral water, regarding the source of  
25 natural mineral water on plaintiff's property. Subsequent to this call, no further water  
26 orders were received by plaintiff from Koala Springs, nor any other water company.

1 (iii) Numerous telephone calls, on or about December 13, 1988,  
2 between Mark Jacobson and Charlie Cochran, the Mayor of Rohnert Park at that time.  
3 The calls regarded a scheduled meeting between Hallock, Jimmie Rogers, Charlie  
4 Cochran and Mark Jacobson, at the Red Lion Inn in Rohnert Park, built by Jimmie  
5 Rogers.

6 (iv) A telephone call from Hallock to Mark Jacobson on December  
7 8, 1988, regarding annexation of his Rohnert Park property.

8 (v) Numerous telephone calls, from February 1, 1989, through  
9 February 24, 1989, between Mark Jacobson and Koala Springs regarding the continued  
10 purchase of natural mineral water from Hallock by Koala Springs water company.

## 11 G. COUNT II

### 12 CIVIL RICO: VIOLATION OF 18 U.S.C. § 1962(d)

13 75. Keith Hallock realleges and incorporated by reference paragraphs 1 through  
14 74 of this complaint.

15 76. By reason of the above-described circumstances and events, defendants,  
16 along with others unknown, unlawfully, willfully and knowingly conspired and continue  
17 to conspire to violate the provisions of 18 U.S.C. § 1962(c), and therefore violated 18  
18 U.S.C. § 1962(d).

19 77. Defendants agreed to and did undertake the conduct necessary to realize  
20 the purposes of the conspiracy.

21 78. The conduct of the defendants as described in the foregoing paragraphs of  
22 this complaint were undertaken in furtherance of the conspiracy to realize the common  
23 goals and purposes of the conspiracy.

24 79. By reason of the violation of 18 U.S.C. § 1962(d) by defendants, Keith  
25 Hallock has been injured in his business or property as more fully set forth above.

1 H. COUNT III

2 INTENTIONAL INTERFERENCE WITH PROSPECTIVE BUSINESS ADVANTAGE

3 80. Keith Hallock realleges and incorporates by reference paragraphs 1 through  
4 79 of this complaint.

5 81. A business relationship existed between Keith Hallock dba Hallock  
6 Enterprises and Koala Springs Mineral Water in that Koala Springs contracted with  
7 Hallock for the water rights to pure mineral water located underneath Hallock's  
8 property. Hallock was receiving over \$10,000 (ten thousand dollars) per month from this  
9 relationship and the economic relationship between Hallock and Koala Springs therefore  
10 contained the probability of future benefit to the plaintiff.

11 82. Defendants Rogers, Cochran and Jacobson knew of the business relationship  
12 between Hallock and Koala. Jacobson was acting as agent for Hallock and had  
13 introduced Hallock to both Cochran and Rogers in the hopes of establishing a real estate  
14 business relationship between all four of them.

15 83. Defendants Rogers and Jacobson, and defendant Cochran, while Mayor of the  
16 City of Rohnert Park, intentionally disrupted the above-named referenced business  
17 relationship by urging Koala Springs to discontinue its purchase of mineral water from  
18 Hallock's property after plaintiff refused to convey part of a proposed 10-acre acquisition  
19 to the mayor's girlfriend, which was told to him by Jacobson as being the only way  
20 Mayor Cochran and defendant Rogers would transact a land purchase agreement with  
21 him. Koala Springs discontinued their purchase of the plaintiff's water. Plaintiff later  
22 learned that Jacobson had made statements to the manager of Koala Springs regarding  
23 the source of the plaintiff's water. Plaintiff alleges and believes that these statements  
24 were fraudulent and intentionally made by the defendants to create negative  
25 representations as to the source of the plaintiff's water and to cause Koala Springs to  
26 discontinue its business relationship with plaintiff.

1 84. Defendant Stewart and her co-conspirators in county planning and local  
2 government effectively prevented plaintiff from rightfully utilizing his property for its  
3 legal and permitted use.

4 Stewart wrongfully and maliciously abused the judicial process to harass the  
5 plaintiff and force the plaintiff to sharply curtail production of his water sales. Stewart's  
6 acts were intentional and malicious and interfered directly with plaintiff's business  
7 causing substantial loss and damage and causing plaintiff severe emotional distress.

8 85. Hallock has suffered proximately caused actual damages through the loss of  
9 a lucrative contract whereby he received over \$10,000 (ten thousand dollars) per month  
10 from Koala Springs Mineral Water. Hallock has not been able to persuade any other  
11 mineral water company to purchase any significant amount of his water since the  
12 intentional interference with his business relationship was effected by the defendants.

13  
14 I. COUNT IV

15 CONSPIRACY TO INDUCE BREACH OF CONTRACT

16 86. Keith Hallock realleges and hereby incorporates by reference paragraphs 1  
17 through 85 of this complaint.

18 87. Plaintiff hereby alleges that defendants Stewart, Rogers, Mayor Cochran and  
19 Jacobson wrongfully conspired to induce and/or procure the breach of the above-  
20 referenced Hallock-Koala Springs contract.

21 88. As a proximate result of the defendant's wrongful conspiracy and actions,  
22 plaintiff has suffered actual damages.

23  
24 COUNT V

25 VIOLATION OF CA GOVERNMENT CODE SECTIONS 65008, 65300 ET. SEQ.

26 AND CA GOVERNMENT CODE SECTION 65589.5



1 the General Plan. The city was told that it needed to provide affordable housing.  
2 Plaintiff informs the Court that Defendants were contacted by Kathleen Mikkelson,  
3 Deputy Attorney General in San Francisco to remedy this problem. Instead Defendants'  
4 knowingly and in complete disregard violated state law, even after repeated state  
5 warnings, and turned down Plaintiff's proposal.

6 F. On December 4, 1991 Plaintiff submitted his low cost housing proposal to the  
7 Rohnert Park City Council on land that was not within the City's sphere of influence but  
8 adjacent to the city limits. Hence, the proposal called for annexation which the City had  
9 the legal authority to annex and had done so in the recent past. After Plaintiff's  
10 submittal, the City Enterprise conspired with the City Employee Enterprise to change  
11 the sphere of influence boundaries and to purposely block and stall Plaintiff's project  
12 while at the same time moving ahead with illegally (no public meetings etc.) amending  
13 the City's General Plan to annex Rogers/Condiotti's 80 acres which is located well  
14 outside of the City's sphere of influence and was also registered under provisions of the  
15 Williamson Act, which precludes non-agricultural uses of the land without following a  
16 specific long-term process that does not guarantee a change in zoning and in this  
17 particular instance would not have allowed construction until 1998, if at all. The City  
18 Staff made no effort to deny the annexation application in spite of knowledge of the  
19 provisions of the Williamson Act. Particularly noteworthy is Defendant Leivo publicly  
20 stating he is a founding member of the American Institute of Certified Planners (AICP).  
21 This organization has a very specific Code of Ethics regarding the ethical obligations of  
22 the membership to the public.

23 There was a further issue of the City not having adequate sewage capacity for the  
24 proposed project, whereupon staff came up with a scheme to retro-fit low-flow toilet and  
25 shower devices in two sections of the city with the idea of increasing capacity by water  
26 conservation. Condiotti was supposed to pay for the project but a City-retained  
27  
28

1 consultant advised this was not legal and that the City was responsible for the expense.  
2 The City Council "majority of three" (Hollingsworth, Hopkins and Spiro) were prepared  
3 to approve and had the votes to approve the Roger/Condiotti (A.K.A. DA80) annexation  
4 until Councilwoman Dawna Gallagher protested their amending the General Plan for  
5 their self-serving reasons and brought forth the issue of the Williamson Act limitations.  
6 Whereupon, Condiotti withdrew his application.

7 G. In disapproving the Hallock Project and the annexation which would make  
8 the Hallock Project possible, the City of Rohnert Park violated the law and frustrated  
9 attempts to cause it to meet its fair share of the critical low and moderate housing needs  
10 in the regional jurisdiction of the Association of Bay Area Governments (ABAG).

11 H. The City of Rohnert Park is located within the geographic area over which the  
12 association of Bay Area Governments (ABAG) makes population projections, in order,  
13 inter alia, to allow state and local governments to accommodate and fairly disburse  
14 housing within this area among all economic segments of the citizens of California.

15 I. There is a low and moderate income housing crisis within the City of Rohnert  
16 Park. In spite of this crisis, through various conspiracies and self-serving deal making  
17 by the defendants, land use and zoning policies adopted and made by the City for the  
18 past 25 years and beyond, Rohnert Park has unlawfully discriminated against  
19 households of low and moderate income in violation of California law.

20 J. After numerous attempts by plaintiff to obtain annexation and building  
21 approvals, as stated previously in Section "C" of this Complaint, plaintiff was told by the  
22 City that his proposal was not approved using the pretext that the City was in the  
23 process of updating its General Plan. The City's updated plan, however, which was in  
24 fact a very limited update, included annexation of an 80 acre parcel.

25 K. The actions of the Rohnert Park City Council in disapproving this projected  
26 by refusing to allow annexation constitute unlawful discrimination against low and  
27



1 moderate income housing persons, in violation of California law, including, without  
2 limitation, Government Code Section 65008, (Keith v. Volpe), 618 F.Supp.1132  
3 (D.C.Cal.1985); aff'd, 858 F.2d 467 (9th Cir. 1988).

4  
5 91. Government Code Section 65300, et seq.

6  
7 A. Under Government Code, Section 65300, the City of Rohnert Park and every  
8 California city must prepare and adopt a comprehensive, long-term general plan for the  
9 physical development of the city and its sphere. Under Government Code, Section  
10 65302(c), that plan must include a housing element which meets the requirements of  
11 Government Code, Sections 65580 et seq.

12 B. The City is required by Government Code Section 65583(c) to make a  
13 maximum municipal effort to expand housing opportunities for all income level  
14 households during the five year time span of its housing element. Not only has the City  
15 failed to adopt a housing element, it has failed to make more than a token effort to meet  
16 its "fair share" of the regional need for low and moderate income housing units as  
17 determined by the Association of Bay Area Governments (ABAG).

18 C. The City was also required by law to formulate and submit to the California  
19 Department of Housing and Community Development (HCD) a revised housing element ..  
20 complying with state law no later than July 1, 1990 under Government Code, Section  
21 65588(b)(2). Plaintiff alleges the City of Rohnert Park has not done so.

22 D. In order to provide for the existing and projected needs of low or moderate  
23 income households, the City is required by law to undertake an examination of  
24 unwarranted governmental and non-governmental constraints on the implementation of  
25 state housing goals, and develop plans to remove or mitigate the effect of those  
26 constraints as part of its housing element (See Government Code Sections 65580, 65581,  
27  
28

1 and 65583(a) and (c).

2 E. The City of Rohnert Park has failed to adopt a housing element which  
3 complies with State law.

4 F. State law mandates that local zoning ordinances zone sufficient vacant land  
5 for housing in numbers and price levels necessary to achieve the requirements maximum  
6 effort to expand housing opportunities for all relevant income levels. The City's current  
7 annexation process, or lack thereof, fails to accomplish this purpose; instead, it creates  
8 almost insurmountable barriers to low-cost multiple-unit housing.

9 G. Based on the City's prior pattern and practice, plaintiff is informed and  
10 believes that the City has no intention of voluntarily meeting its "fair share" of regional  
11 housing needs for low income households as determined by ABAG pursuant to  
12 Government Code, Section 65584, or adopting and implementing a housing element  
13 consistent with the requirements of state law.

14 A recent letter from Thomas B. Cook, deputy director of the Division of Housing  
15 and Community Development in Sacramento to City officials reiterates the need for  
16 affordable housing and the need for the City to bring its housing element into  
17 compliance with state law or face the possibility of a lawsuit.

18  
19 92. Government Code Section. 65589.5

20  
21 A. Government Code Section 65589.5(b) provides that:

22 It is the policy of the state that a local government not  
23 reject or make infeasible affordable housing developments  
24 which contribute to meeting the housing need determined  
25 pursuant to this article without a thorough analysis of the  
economic, social, and environmental effects of the action and  
without meeting the provisions of subdivision(d). (Emphasis  
Added.)

26 B. The Government Code severely restricts the grounds upon which a local  
27  
28

1 government can rely in turning down or "making infeasible" an affordable housing  
2 development project, by requiring a local government to make a finding that at least one  
3 of the six specified grounds exist. The City of Rohnert Park, however, has made the  
4 plaintiff's project "infeasible" by capriciously rejecting his application without stating  
5 any of the above-mentioned required grounds.

6 C. In addition, the City has not adopted the applicable required Housing  
7 Element requiring affordable housing.

8

9

### I. DAMAGES

10 93. By reason of the conduct of all named defendants, Keith Hallock has suffered  
11 monetary damages as follows:

12 a. Keith Hallock has incurred expenses, in an amount according to proof,  
13 in the preparation and pursuit of his Application and other matters related to his  
14 development proposals of his 6.89 acre parcel; and,

15 b. Keith Hallock has been and continues to be injured in his business and  
16 property by loss of future profits and revenues in an amount as yet to be determined,  
17 but believed to be in excess of \$30 million, which would have been realized in the  
18 development and sale of his acreage.

19

20

### J. PRAYER FOR RELIEF

21 WHEREFORE, plaintiff Keith Hallock requests judgment on his complaint and  
22 against defendants, the CITY OF ROHNERT PARK, JIMMIE ROGERS, MARK  
23 JACOBSON, DONALD DAVIS, ARTHUR CONDIOTTI, PHIL TROWBRIDGE,  
24 CONDIOTTI ENTERPRISES, DEBRA HOMES, OCEANIS, ARTHUR HOLLINGSW-  
25 ORTH, LINDA SPIRO, WARREN HOPKINS, CHARLIE COCHRAN, MARY STEWART,  
26 PETER CALLINAN, PAUL SKANCHY, JOSEPH NETTER, CARL LEIVO, JOHN

27

28

1 FLITNER, ROLAND (RON) BRUST, THE KOALA WATER COMPANY and DOES 1  
2 through 50, inclusive, as follows:

3 1. Adjudge and decree that defendants, ARTHUR HOLLINGSWORTH, LINDA  
4 SPIRO, WARREN HOPKINS, CHARLIE COCHRAN and MARY STEWART, conducted  
5 and participated in the affairs of the above-described "Rohnert Park Council Enterprise",  
6 namely the Rohnert Park City Council, including the Office of the Mayor, through a  
7 pattern of racketeering activity in violation of 18 U.S.C. § 1962(c).

8 2. Adjudge and decree that defendants, PETER CALLINAN, PAUL SKANCHY,  
9 JOSEPH NETTER, CARL LEIVO, JOHN FLITNER and ROLAND (RON) BRUST  
10 conducted and participated in the affairs of the above-described "The Public Employees  
11 of Rohnert Park Enterprise", through a pattern of racketeering activity in violation of 18  
12 U.S.C. § 1962(c).

13 3. Adjudge and decree that defendants, ARTHUR CONDIOTTI, PHIL  
14 TROWBRIDGE, CONDIOTTI ENTERPRISES, DEBRA HOMES and OCEANIS conducted  
15 and participated in the affairs of the above-described "Debra Enterprise", through a  
16 pattern of racketeering activity in violation of 18 U.S.C. § 1962(c).

17 4. Adjudge and decree that defendants, JIMMIE ROGERS, MARK JACOBSON  
18 and DONALD DAVIS conducted and participated in the affairs of the above-described  
19 "DA80 Enterprise", through a pattern of racketeering activity in violation of 18 U.S.C. §  
20 1962(c).

21 5. Adjudge and decree that defendants; the CITY OF ROHNERT PARK, JIMMIE  
22 ROGERS, MARK JACOBSON, DONALD DAVIS, ARTHUR CONDIOTTI, PHIL  
23 TROWBRIDGE, CONDIOTTI ENTERPRISES, DEBRA HOMES, OCEANIS, ARTHUR  
24 HOLLINGSWORTH, LINDA SPIRO, WARREN HOPKINS, CHARLIE COCHRAN,  
25 MARY STEWART, PETER CALLINAN, PAUL SKANCHY, JOSEPH NETTER, CARL  
26 LEIVO, JOHN FLITNER, ROLAND (RON) BRUST and THE KOALA WATER  
27

1 COMPANY have conspired and continue to conspire to violate the provisions of 18  
2 U.S.C. § 1962(c), in violation of 18 U.S.C. § 1962(d).

3 6. Adjudge and decree that defendants; the CITY OF ROHNERT PARK, JIMMIE  
4 ROGERS, MARK JACOBSON, DONALD DAVIS, ARTHUR CONDIOTTI, PHIL  
5 TROWBRIDGE, CONDIOTTI ENTERPRISES, DEBRA HOMES, OCEANIS, ARTHUR  
6 HOLLINGSWORTH, LINDA SPIRO, WARREN HOPKINS, CHARLIE COCHRAN,  
7 MARY STEWART, PETER CALLINAN, PAUL SKANCHY, JOSEPH NETTER, CARL  
8 LEIVO, JOHN FLITNER, ROLAND (RON) BRUST and THE KOALA WATER  
9 COMPANY have intentionally and improperly interfered with a business relationship  
10 in violation of the common law of California under Count III of this complaint.

11 7. Award plaintiff Keith Hallock his actual damages in an amount to be proven  
12 at trial, which is believed to be in excess of \$30 million including out-of-pocket losses to  
13 be determined, pursuant to 18 U.S.C. § 1964(c) and the common law of California.

14 8. Award plaintiff Keith Hallock three times his actual damages proven at trial  
15 and his costs and disbursements, including reasonable attorneys' fees, incurred in  
16 connection with this action pursuant to 18 U.S.C. § 1964(c) under Count I of this  
17 complaint.

18 9. Award plaintiff Keith Hallock such other relief as this Court may deem just  
19 and proper.

20 ///

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26 ///


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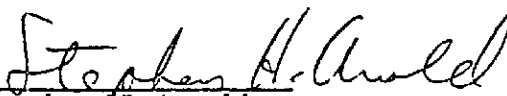
28

M. JURY DEMAND

Plaintiff Keith Hallock demands a jury trial of all issues set forth in this complaint which are so triable.

Dated: November 4, 1993

By:   
Michael A. Fiumara,  
Attorney for Plaintiff

By:   
Stephen H. Arnold,  
Attorney for Plaintiff

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1 Plaintiff, Keith Hallock, for its complaint against defendants  
2 CITY OF ROHNERT PARK, JIMMIE ROGERS, MARK JACOBSON, DONALD DAVIS,  
3 ARTHUR CONDIOTTI, PHIL TROWBRIDGE, CONDIOTTI ENTERPRISES, DEBRA  
4 HOMES, OCEANIS, ART HOLLINGSWORTH, LINDA SPIRO, WARREN HOPKINS,  
5 CHARLIE COCHRAN, MARY STEWART, PETER CALLINAN, PAUL SKANCHY,  
6 JOSEPH NETTER, CARL LEIVO, JOHN FLITNER, ROLAND (RON) BRUST, THE  
7 KOALA SPRINGS COMPANY and DOES 1 through 50, inclusive, states as follows:  
8

9 A. THE PARTIES

10 1. Keith Hallock is a Sonoma County, California, resident and former owner  
11 of 6.89 acres of land in Sonoma County adjacent to the City of Rohnert Park, California.

12 2. The City of Rohnert Park is an incorporated municipality in Sonoma  
13 County, California, hereinafter referred to as "the City". Rohnert Park was incorporated  
14 on August 28, 1962 with a population estimated at 2,775 persons and covering 1,325  
15 acres. In 30 years, Rohnert Park has grown to a population of 38,904 and now covers  
16 approximately 4,362 acres and is the third largest and second youngest city among the  
17 nine incorporated cities in Sonoma County. The original land was sold for \$200 per acre  
18 and according to the Sonoma County Auditor's office, the 1992-93 full cash value  
19 assessed valuation is \$1,891,297,983. This is more than triple the 1981-82 assessed  
20 valuation of \$514,269,048 of just ten years ago.

21  
22 "Rohnert Park Council Enterprise"

23 3. Jimmie Rogers, "J.R.", is an individual, real estate salesman and later turned  
24 into a "major" developer/landowner in Rohnert Park whose properties have been given  
25 favorable planning approval and annexation treatment while other comparable land  
26 owners who refused to be extorted or bribed were prevented from developing their land.  
27



1 A resident of Sonoma County since 1960 J.R. was first appointed to the Rohnert Park  
2 City Council in 1963 to fill a position left vacant by Pete Callinan when Callinan became  
3 city manager. Since this appointment J.R. served as Rohnert Park's Mayor and was  
4 elected to four terms on the Rohnert Park City Council. He resigned in his last term due  
5 to a Grand Jury investigation of his activities.

6 J.R. was a driver-salesman for Kilpatricks Bread for 12 years. He quit Kilpatricks  
7 in 1965 because he was being transferred to another area and did not want to leave  
8 Rohnert Park. He became partners with Dr. Donald Davis, a dentist, in the construction  
9 of a small shopping center called Manor Center on Southwest Boulevard. J. R. "built  
10 himself a little job" by renting and operating a delicatessen in the shopping center.

11 J.R. met William Schiller, Director of Engineering for Storer Cable T.V. in the Fall  
12 of 1967 while J.R. was a Rohnert Park councilman. Schiller was negotiating for Storer  
13 Cable TV Inc., for the City's cable T.V. franchise; Schiller lived in Thousand Oaks,  
14 California. The other company competing for the franchise was Total Television of Santa  
15 Rosa.

16 In a citizen's lawsuit deposition, it was recalled that Richard Maxwell, Rohnert  
17 Park City Attorney, had called the manager of Total Cable Television (Storer's  
18 competitor) and asked, "If Total was the successful bidder would they rent office space  
19 from Davis/Rogers?" The manager stated "He didn't do business that way and could  
20 not answer that". Although Total Television was the low bidder, Storer was awarded  
21 the contract. This constituted an illegal act since the lowest bidder was required to make  
22 concessions outside of the franchise agreement. We allege that this act violated the  
23 City's fiduciary duty to its citizens since not accepting the lowest bid results in higher  
24 prices and stifles competition in violation of Sherman Anti-Trust Act.

25 Storer rented office space from Davis/Rogers and hired Rogers' wife in August  
26 1968. Schiller went into many business/land deals with Callinan, Rogers and Jack  
27

1 Buchanan (brother-in-law of Callinan and a Rohnert Park councilman). These facts were  
2 presented to the Rohnert Park City Council on April 20, 1970 by a group of Rohnert Park  
3 citizens including Paul Golis, the "founder" of Rohnert Park and John (Dennis)  
4 McQuaid, an attorney. They presented a citizen's petition protesting the blatant conflict  
5 of interest and a self-serving abuse of public office, the betrayal of the public trust and  
6 a violation of fiduciary duty by Rogers, Buchanan and Callinan.

7 The immediate reaction by Rogers, Callinan and Buchanan was to file a libel  
8 lawsuit against the citizens.

9 A Cross-Complaint was filed but the lawsuit did not get past the taking of the  
10 depositions of Callinan, Rogers, Schiller, Buchanan, City Attorney Richard M. Maxwell,  
11 City Councilman Warren K. Hopkins, Armando Flores and others. The lawsuit was  
12 dropped the day before it was to go to trial for an undisclosed reason.

13 Schiller never resided in Rohnert Park and was told by management of Storer to  
14 divest his interests and holdings with Rogers, Callinan and Buchanan. However, over  
15 the years he has continued to have real estate dealings and holdings with J.R.

16 J. R. and his cronies managed to force the "founder" of Rohnert Park, Paul Golis,  
17 out of business and out of the area by controlling a majority vote on the council and  
18 denying any project that he brought before them. Golis was subjected to illegal delays  
19 and denials to his projects on properties already zoned for the use he was applying  
20 while J. R.'s projects sailed through without any delays or any requirements for  
21 Environmental Impact Reports (EIR's). Golis had a business relationship with Fred and  
22 Dorothy Rohnert that went back to when he first approached the Rohnert Family about  
23 developing their hay and seed farm into a city. Because Golis could get no business  
24 done with the City, this relationship was destroyed and Rogers became the Rohnert's  
25 representative.

26 It is alleged that Rogers represented himself as William Schiller's real estate  
27  
28

1 broker in Rohnert Park and handled sales for Rohnert Park Enterprises (Schiller,  
2 Buchanan & Callinan). Rohnert Park Enterprises was a partnership set up in 1969 by  
3 Jimmie Rogers and given the approval and blessing of City Manager Callinan. It is also  
4 alleged that on or about December 13, 1988 Jimmie Rogers, in the presence of Plaintiff  
5 and two other parties, attempted to extort Plaintiff and create a fraudulent land  
6 conveyance to a non-present third party.

7 Jimmie Rogers is an Agent and officer of Condiotti Enterprises, Inc. and is a  
8 Principal, Officer and Agent of DA80, a development partnership.

9 4. Arthur Hollingsworth, an individual (former Bishop of Latter Day Saints in  
10 Rohnert Park) is a long term councilman and present mayor of the City of Rohnert Park.  
11 In addition, he has served on the Planning Commission and possibly other decision ma-  
12 king boards where he was a supporter of and aided by Jimmie Rogers. A former  
13 California Notary Public, his notary service on certain land deals has recently been  
14 questioned in newspaper reports to contain forged signatures. He has been an ally and  
15 friend of Jimmie Rogers and other local developers who have benefitted from his vote  
16 and assistance.

17 5. Warren Hopkins, an individual and former long term Rohnert Park City  
18 Councilman and reliable vote for Jimmie Rogers' projects. He is an ex-teacher at the  
19 Rancho Cotate High School. Hopkins had a telephone installed in his class room where  
20 he conducted business during class time. His last term as a teacher was abruptly  
21 ended at the beginning of the 1992 fall term for allegations of misconduct. Hopkins also  
22 abruptly ended his long term career on the Rohnert Park City Council.

23 6. Linda Spiro, an individual and present Rohnert Park City Council member,  
24 former mayor, bankrupt (Chapter 7) former local business woman (liquor store &  
25 catering). She was personally interested and was a reliable vote for Jimmie Rogers'  
26 projects. Her business allegedly catered Jimmie Rogers' parties and her business is on  
27

1 a roster of catering businesses for city functions.

2 Her voting record was inconsistent with the best interests of the citizens but  
3 instead was self-serving and detrimental to the City's financial well-being. She did not  
4 always disqualify herself from voting in matters whereby she had a personal interest.

5 7. Charles Cochran is an individual and a former Rohnert Park City Council  
6 Member (two terms), a former Rohnert Park City Planning Commissioner and is an  
7 attorney licensed to practice law in the State of California. He was a key player in the  
8 attempted extortion, attempted bribery and fraudulent land conveyance on and around  
9 December 13, 1988 pertaining to land Plaintiff Keith Hallock planned to purchase. He  
10 was tied into "deals" with Rogers while voting on same matters, thus violating attorney  
11 ethics, and City conflict of interest codes and rules. Cochran's father worked with  
12 Jimmie Rogers as a bread truck driver prior to Rogers' entry into politics, land  
13 development and "deal-making." During his last term on the Rohnert Park City Council,  
14 Cochran moved out of the city limits but did not resign as required by local law and  
15 policy.

16 8. Mary Stewart is an individual and former Rohnert Park City Council member.  
17 She is alleged to be personally involved with matters connecting Jimmie Rogers and City  
18 Council. Stewart and her co-conspirators effectively and vindictively manipulated and  
19 used the County planning process and other officials to prevent Plaintiff from pursuing  
20 his livelihood of selling his mineral water. The end result was a dramatic drop in water-  
21 sales income.

22  
23 "The Public Employees Of Rohnert Park Enterprise"

24 9. Peter Callinan, an individual and retired Rohnert Park City Manager. He has  
25 a long term relationship and is heavily involved in real estate and business partnership  
26 deals with Jimmie Rogers. In his capacity as City Manager, Callinan regularly gave  
27

1 opinions that Jimmie Rogers' real estate deals (while Rogers was a member of City  
2 Council) were "not a conflict of interest."

3 10. Joseph Netter, an individual and the current Rohnert Park City Manager was  
4 groomed by the former City Manager, Callinan, who had and continues to have strong  
5 business ties to Jimmie Rogers. As City Manager, Netter enjoys a salary of over \$100,000  
6 plus perks as compared to the Governor of California, Pete Wilson, having a salary of  
7 \$114,000 and a constituency of 30 million people. Comparable cities in Sonoma County  
8 do not pay this exorbitant salary to respective city managers. Netter has been involved  
9 in ethically questionable land deals, including the questionable annexation matter of the  
10 land for the tract of homes where he resides and owns property.

11 11. Carl Leivo, an individual and assistant city manager employed by the City  
12 of Rohnert Park and supervised by Netter. Leivo states he is a founding member of the  
13 American Institute of Certified Planners (AICP), a national organization that has a  
14 commendable Code of Ethics. Leivo blatantly disregarded, even after being notified by  
15 citizens, the Williamson Act and other Government Code Sections with the purpose of  
16 aiding and promoting Condiotti/Rogers' projects in direct violation of the mandates of  
17 the AICP Code of Ethics that is quite clear in stating that his duties are to serve the best  
18 interests of the public.

19 12. Paul Skanchy an individual and Planning Director for the City of Rohnert  
20 Park with a salary of over \$75,000 a year. Upon Plaintiff's submittal of his proposals,  
21 Skanchy deliberately delayed and set up road blocks and other burdensome means while  
22 allowing Jimmie Rogers' projects to sail through the planning process. Allegations are  
23 that his house was built at little or no cost through deals with Jimmie Rogers.

24 13. John Flitner, an individual and the Rohnert Park City Attorney whose  
25 function is to rule and advise city employees and public officials on potential and actual  
26 conflicts of interest. He is charged with making certain that each applicant before the  
27

1 various city boards and commissions is given procedural and substantive due process  
2 under the law. He devised and drafted contracts favorable to the business interests of  
3 Jimmy Rogers and Art Condiotti at the detriment of the public interest.

4 14. Roland (Ron) Brust, an individual and is employed as the Rohnert Park City  
5 Engineer at a salary well over \$100,000 per year. Termed as a "maverick" for initiating  
6 expansions of city infra-structure beyond mandated limits set out by the voters, and the  
7 city's general plan for growth control. Brust's decisions were made with complete  
8 disregard for the wishes of the citizenry of Rohnert Park causing major financial impact  
9 on the city. In addition the acts were made in furtherance of the conspiracy of  
10 approving favorable annexation for Jimmie Rogers' projects and his cohorts over those  
11 of more qualified individuals or developers.

12 Brust, as the Rohnert Park Building Department supervisor, has subverted  
13 building inspection practices by allowing blanket inspections, rather than individual  
14 structure-by-structure complete inspections. This allows builders, particularly Condiotti,  
15 to get away with sub-standard, construction that does not comply with the Codes. The  
16 resulting effect is premature building failures that have caused great expense and  
17 inconvenience to the occupants.

18 These allegations have been substantiated by reports in the press.

19  
20 "Debra Enterprises"

21 15. Condiotti Enterprises, is believed to be a duly formed California Corporation  
22 or limited partnership with the purpose of acquiring land and building primarily single-  
23 family (moderately to higher priced) homes in Rohnert Park and surrounding  
24 communities in Sonoma County. Long time developer with close ties to Jimmie Rogers  
25 and company with a long history of shoddy workmanship, Code violations in Rohnert  
26 Park, Novato and other project sites. It is alleged that Jimmie Rogers is one of the  
27

1 principals of the Company. Sometime after November 1991 Rogers/Condiotti offered  
2 72 acres on the west side of the freeway (route 101) for a sports complex as part of a  
3 "deal"/gift to the city. Rogers misrepresented his ownership interest in the land to the  
4 City of Rohnert Park. On or about January 28, 1992 the City Council voted to approve  
5 the Condiotti and Rogers 80 acre annexation while arbitrarily denying the Plaintiff's  
6 earlier and much smaller annexation request.

7 16. Oceanis (a Condiotti enterprise) is believed to be a duly formed California  
8 Corporation or limited partnership or other entity structure, with the purpose of  
9 acquiring land and building primarily single-family (moderately to higher priced) homes  
10 in Rohnert Park and surrounding communities in Sonoma County.

11 17. Philip Trowbridge, an individual who is an officer, principal or partner of the  
12 Condiotti/ Rogers conspiracy to keep a lock on development in Rohnert Park. Philip  
13 Trowbridge is considered Condiotti's right hand man and spokesman. The Trowbridge  
14 family is a long established, "well connected" and very powerful political family in  
15 Sonoma County. Philip's father, the late senior Trowbridge, has an annual major  
16 Democratic fund raising dinner named in his honor which is heavily attended by all the  
17 regions power brokers.

18 18. Debra Homes and/or Investments, a corporation or partnership formed by  
19 Art Condiotti and other "City Employee Enterprise/City Council Enterprise members"  
20 to fulfill their conspiracy and control over land development in Rohnert Park to the  
21 detriment to any "outsiders."

22 19. Arthur Condiotti, an individual and principal and or partner in the company  
23 named above in number 15. There have been allegations that he has made cash  
24 payments and promoted piece work, set up "deals" for City elected officials and paid  
25 City employees to get favorable considerations before City Boards and Commissions.  
26 Mr. Condiotti has also been accused of making minimum payments to union trust funds,  
27  
28

1 channeling cash payments and other funds to political causes which will primarily  
2 benefit his projects. We allege this violates election code provisions. Art Condiotti has  
3 been served with multiple lawsuits for a number of counts including but not limited to  
4 allegations of shoddy workmanship, Building Code violations, non-payment to suppliers,  
5 non-payment to union trust funds. In spite of his poor building practices and widely  
6 known defective construction, the City Council willingly rubber-stamps his projects.

7  
8 "DA 80 Enterprises"

9 20. Donald Davis, an individual, retired dentist who provided the money and  
10 backing for Jimmie Rogers to get his start in land development and politics in Rohnert  
11 Park. Not only Rogers' behind-the-scenes financial backer, Davis also became one of  
12 Jimmie Rogers' business partners. Once a behind the scenes player he has recently made  
13 appearances at City Council meetings. Davis has come under fire in newspaper accounts  
14 that his wife has been "deeded off" real estate transactions with allegedly forged  
15 signatures that were notarized by the current Mayor and close friend of Jimmie Rogers,  
16 Arthur Hollingsworth.

17 21. Mark Jacobson, an individual and former employee of Plaintiff who was hired  
18 as Plaintiff's financial advisor and was paid approximately between \$10,000 and \$20,000  
19 for his services and advice to Hallock. Mr. Jacobson breached his duty of loyalty, fair  
20 dealing and fiduciary duty to the plaintiff.

21  
22 B. JURISDICTION AND VENUE

23 22. This Court has subject matter jurisdiction in this action pursuant to 18  
24 U.S.C. §§ 1964(a) and (c), 28 U.S.C. § 1331 and the doctrine of pendent jurisdiction.

25 23. Venue is proper in this judicial district pursuant to 18 U.S.C. § 1965(a) and  
26 28 U.S.C. §§ 1391(b) and (c).





1 council wasn't prepared to act on it.

2 30. Hallock approached the city staff, including City Engineer Mr. Ron Brust and  
3 the City Director of Planning, Mr. Paul Skanchy. After many non-returned phone calls  
4 placed by the plaintiff to the city staff, as well as visits by the plaintiff to staff offices in  
5 person, the plaintiff naturally became discouraged. Finally, Mr. Skanchy referred the  
6 plaintiff back to the city council where he had been referred originally.

7 31. From this obvious non-response and stonewalling by the city staff and by the  
8 city council, plaintiff pursued the drilling of mineral water on his property in the hopes  
9 of developing a natural mineral spa visitor destination. A large aquifer of pure mineral  
10 water was tapped in December of 1986. After a contract with A'Sante Mineral Water,  
11 plaintiff contracted with Koala Springs Mineral Water in May of 1988. Koala began to  
12 purchase over \$10,000 worth of water per month.

13 32. Hallock retained Mr. Mark Jacobson on October 6, 1988, to assist him in  
14 purchasing adjacent property for the development of the resort destination.

15 33. Jacobson was impressed with the volume of water sales and potential for his  
16 client's development proposal and therefore decided to introduce Hallock to someone  
17 within his office building who "[the plaintiff] would have to meet" if he was going to do  
18 business in and around the City of Rohnert Park.

19 34. Jacobson introduced the plaintiff to Cochran (then mayor and council member  
20 of Rohnert Park) on December 13, 1988 (See Section "A. Parties", above). Mayor Cochran  
21 informed the plaintiff that Mr. Jimmie Rogers should be called as he is a prime player  
22 in the history of Rohnert Park development [Mr. Rogers has since boasted to the press  
23 on occasion that he has had a hand in every transaction in Rohnert Park since it was  
24 incorporated in the 1960's]. Fifteen minutes into the meeting Cochran telephoned  
25 Rogers.

26 35. Cochran arranged a lunch meeting for all four men later that same day at the  
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1 Red Lion Inn in Rohnert Park.

2 36. Plaintiff's agent Jacobson was negotiating for an additional 10 acres of  
3 property on Baumgardner Lane near his existing parcel in order to have ample room for  
4 his project. The additional 10 acres, however, were not adjacent to the plaintiff's parcel.  
5 At the meeting, Rogers stated he would purchase approximately 40 acres adjacent to the  
6 plaintiff's property and swap 10 of his newly acquired acres with the plaintiff.

7 37. The plaintiff, Mr. Hallock, agreed to this proposal. Shortly thereafter,  
8 Hallock's agent, Jacobson, informed plaintiff that if "we're going to do business with  
9 Rogers, he [plaintiff] would have to pay off Cochran by deeding two units of the ten  
10 acres to Cochran's girlfriend." Hallock refused to be extorted and stated: "I don't do  
11 business like that."

12 38. In spite of Hallock's ethical business practices and his refusal to do business  
13 in this manner, Jacobson persisted in aiding and abetting the defendants scheme with  
14 the purpose of keeping this fraudulent conveyance alive. Over the next five months,  
15 Jacobson placed numerous phone calls and sent correspondence to the defendants  
16 Rogers, Cochran, and others, to further this conspiracy.

17 39. In September, 1989, approximately 10 months after the meeting at the Red  
18 Lion Inn, Koala Springs Mineral Water company abruptly terminated their contract with  
19 Hallock without giving any reason. (It should be noted that the water at this very deep  
20 source was rated to be of extremely high quality and far superior to the source  
21 subsequently chosen by Koala to replace the plaintiff's water.) Plaintiff spoke with Alvin  
22 Wilkins, the manager/agent of Koala Springs, to inquire as to why Koala had backed out  
23 of the contract. All Wilkins would state was that Mark Jacobson had told him [Wilkins]  
24 "something" about the source of plaintiff's water. Plaintiff believes Mark Jacobson  
25 misrepresented to Alvin Wilkins, the manager/agent of Koala Springs Company about  
26 the source of the water they were purchasing from the plaintiff.

1           40. Plaintiff believes that Cochran and Rogers conspired with Jacobson to  
2 sabotage the plaintiff's sole source of funding, which came from the mineral water  
3 rights, in order to make it harder for the plaintiff to develop his own land; acquire  
4 additional parcels for future expansion, and obtain construction financing. Plaintiff  
5 further believes that Cochran, Rogers and Jacobson undertook such conspiracy to place  
6 him into a decisively weaker position so that plaintiff could not compete with the Rog-  
7 ers/Cochran monopoly.

8           41. On April 19th, 1993, Terry Schembari, publisher of the Santa Rosa/Rohnert  
9 Park Sun newspapers contacted Vivian Medeiros at Koala as a potential purchaser of  
10 Hallock's water property as an investment to develop at a later date. He said he wanted  
11 to find out if the sale of water would be sufficient to make the property payments and  
12 that he did not care about Hallock's political/annexation problems. Medeiros said she  
13 was aware of the problems and asked how much he would need to make to cover the  
14 monthly payments. Schembari said between three and four thousand dollars. She  
15 replied that would be no problem as there would be between ten and twelve thousand  
16 dollars a month in sales. Medeiros said she would get back to him after she talked to  
17 her boss, Kelly Slater at the Fremont headquarters.

18           42. Schembari called Ms. Slater and offered one and a half cents per gallon as a  
19 price for the water. She liked the price and told Schembari to send it in a proposal  
20 including with trucking company costs. He did and included a minimum sales amount.  
21 Ms. Slater said they would not commit to a minimum and asked for an amended  
22 proposal. Schembari submitted the revised proposal. Then despite numerous telephone  
23 calls, no responses were made. It is alleged that Ms. Slater was influenced by Rogers.

24           43. In November, 1991, Defendants Rogers and Condiotti applied for annexation  
25 of 80 acres on Petaluma Hill Road, well outside the sphere of influence of the City of  
26 Rohnert Park. The application was made under the name of Debra Homes/Investments.  
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1 The partnership, whose main principals are Rogers and Condiotti, offered the City 72  
2 acres on the west side of Highway 101 for a sports complex as part of the deal as a  
3 "gift" to the city. Rogers misrepresented himself and used his influence to bribe the  
4 City to go along with an "acre for acre" swap if the City would annex the 80 acres. A  
5 City-retained consultant advised that such an offer was not legal.

6 44. Realizing there were no written annexation policies to pursue, in December,  
7 1991, Hallock contacted the City Planning Director, Mr. Paul Skanchy, once again.  
8 Skanchy told Hallock, again to write a letter to the City Council. On December 4, 1991,  
9 Hallock wrote the Council and requested annexation of his 6.89 acres to build 192 low  
10 and moderate income condominiums.

11 45. In mid-December, 1991, the plaintiff received a letter from the City Manager,  
12 Mr. Joseph Netter, claiming that the City would be looking at its sphere of influence and  
13 that plaintiff's request was "pending" until the middle of January, 1992. (See Section "D.  
14 The Grand Jury Report, below).

15 46. In January 1992, Hallock sent a letter to the mayor, Linda Spiro, asking what  
16 the criteria was for annexation. She stated at the next Rohnert Park City Council  
17 meeting that she would meet with Hallock and at that meeting she stated Hallock's  
18 parcel was too small. If he could get more acreage together with his, then the council  
19 would consider annexation.

20 Hallock obtained a no-money-down option on the adjacent 40 acres owned by  
21 Jack Selvage, for the purpose of the annexation. Selvage gave Hallock the no-money-  
22 down option because he had a bad experience with Davis/Rogers over the sale of the  
23 40 acres, (He had refused to sell at "their" low-ball bidding price). This allegedly  
24 resulted in the City pulling in the sphere of influence from Petaluma Hill Road to  
25 Snyder Lane in 1990, which made the 40 acres and Hallock's property virtually worthless  
26 for development and impossible to sell.

1 47. In January, 1992, the city council moved hastily to update its General Plan  
2 whereby a "limited" update would accommodate the annexation of the 80 acres  
3 belonging to Condiotti. This was referred to as Option One. Since the General Plan  
4 required an update in order for the City to accept any annexations beyond the city  
5 limits, the City Council quickly adopted the update option that would expedite the  
6 Condiotti 80 acre application but which would exclude the plaintiff's request for  
7 annexation of his 6.89 acres or the requests of several other property owners outside of  
8 the Option One territory. Thus, the narrowly tailored Option One update plan allowed  
9 the City Council to vote for annexation of the Condiotti 80 acres, but at the same time  
10 respond to the other applicants' requests with a "promise" that their property would  
11 be considered for annexation when and if the more expanded General Plan updates were  
12 undertaken. This practice by the city council is commonly referred to as "spot zoning",  
13 which is highly suspect and fosters favoritism and poor planning.

14 48. On January 25, 1992, plaintiff received a letter from City Manager, Joseph  
15 Netter, stating that the city council had approved a "phasing" approach to the General  
16 Plan update. "Option One" was approved as "Phase One" and did not include  
17 plaintiff's annexation request nor the requests of any other applicants except the request  
18 by Debra Investments (Rogers/Condiotti).

19 49. On January 28, 1992, the city council voted 3-2 to approve the Phase One  
20 update option. All other applications were to be discussed in July/August, 1992, when  
21 Phase Two might be approved. At no time during 1992, nor at any time through the  
22 present, has the Rohnert Park City Council discussed or voted on approving Phase Two  
23 of their General Plan update.

#### 24 25 D. THE GRAND JURY REPORT

26 50. In 1992, the Sonoma County Grand Jury issued a report on "The City of  
27  
28

1 Rohnert Park Annexation Process". The report was in response to a complaint received  
2 from Paul Stutrud and Keith Hallock concerning the way the business of Rohnert Park  
3 is run and has been run. In general, Mr. Hallock alleged that one developer received  
4 preferential treatment to the detriment of other developers and the citizens of Rohnert  
5 Park.

6 51. The Grand Jury reviewed all pertinent documents including but not limited  
7 to the City of Rohnert Park General Plan, dated May 1990; Rohnert Park City Council  
8 Agendas and Minutes of Meetings; Minutes of the Rohnert Park Community  
9 Development Agency Meetings; Rohnert Park Inter-Office Memorandums; numerous  
10 letters to the City of Rohnert Park from developers and from the developers to the City;  
11 various Citizens Survey results; the American Institute of Certified Planners (AICP) Code  
12 of Ethics and Professional Conduct adopted October 1978 as amended October 1991; and  
13 a copy of the State of California Senate Bill 1019, relating to housing elements.

14 In its findings, the Grand Jury noted:

15 1. The procedures and processes for development and annexation for the City of  
16 Rohnert Park exist only in the General Plan dated May 5, 1990. While most cities in  
17 Sonoma County have written procedures, forms or policies detailing the requirements  
18 for developers to do business in their city over and above their General Plan, Rohnert  
19 Park does not. It has only a General Plan which recognizes that its citizens believe that  
20 Rohnert Park should limit population growth and that development should be limited  
21 to areas within the existing city limits. According to the General Plan, before the City  
22 does any annexation not provided for in the plan, the City shall do another thorough  
23 General Plan review and update, focusing on the entire planning area.

24 2. On June 27, 1991, thirteen months after the adoption of the General Plan, the  
25 city council took action in response to a developer's offer to help fund the cost of an  
26 independent planning consultant to prepare a specific plan for land east and west of  
27

1 Petaluma Hill Road. The action was a letter to the developer by the city manager that  
2 the proposed plan was premature "[in] light of the fact that the City is not anticipating  
3 any development in that area for many years in the future.

4 3. On October 22, 1991, Councilman Hollingsworth stated at a city council  
5 meeting that if anyone comes in to propose annexation, the Council should have a policy  
6 that for every acre that is annexed, an acre will be donated to the City for open space.

7 4. On November 20, 1991, eighteen months after the adoption of the General  
8 Plan, Debra Investment Corporation, a development corporation owned by Arthur  
9 Condiotti and represented by Jimmie Rogers, wrote a letter to the Mayor and City  
10 Council members as an "...official request to annex 80 acres on Petaluma Hill Road and  
11 Valley House Drive." that is owned by the Corporation DA80 (a partnership of Art  
12 Condiotti and Donald Davis).

13 5. On November 26, 1991, the city council voted unanimously to approve to begin  
14 the process to update the General Plan and consider tonight's proposal regarding an  
15 official request to annex 80 acres adjacent to Petaluma Hill Road.

16 6. On December 3, 1991, nineteen months after the adoption of the General Plan,  
17 a letter was sent to Debra Investment Corporation from the mayor of Rohnert Park. It  
18 stated that a council committee would meet and develop what procedures were  
19 necessary to update the General Plan, which would include procedures for the  
20 proposed annexation of the 80 acres."

21 7. On December 4, 1991, Keith Hallock sent a letter to the Rohnert Park City  
22 Council requesting their "...consideration for the annexation of 6.89 acres located at 4730  
23 Snyder Lane, and the development of an affordable condominium project."

24 8. On December 19, 1991, and January 17, 1992, between nineteen and twenty  
25 months after the adoption of the General Plan, letters were sent to Keith Hallock, and  
26 other developers, stating, "The City Council has filed your request as 'pending'...as the  
27  
28



1 Council is considering an update of its General Plan." No letter was ever sent to  
2 Debra Investments indicating a change in their status to "pending" as the Council  
3 considered an update to the General Plan.

4 51. The Grand Jury, published its findings and conclusions as follows:

5 1. The concerns expressed by the complainant regarding development in Rohnert  
6 Park were substantiated by the Grand Jury investigation.

7 2. There are no written requirements for annexation.

8 3. The City of Rohnert Park at present does not have sufficient waste water  
9 treatment capacity to fully develop 143 acres of land designated for residential  
10 development located within the City limits. The General Plan calls for development  
11 of lands located within the city limits before annexation of outlying lands unless a  
12 revised and updated General Plan is conducted.

13 4. The "no annexation" policy interpretation of the General Plan was reinforced  
14 by city council action only thirteen months after its adoption. The City Council  
15 responded to a request to begin "a cooperative effort concerning long-range planning"  
16 by telling the developer, "The City is not anticipating any development in that area  
17 for many years in the future." The Council's action stated they did not want to plan,  
18 much less annex any land for many years in the future. "It is inconceivable the City  
19 of Rohnert Park could say "no development in that area for many years in the  
20 future;" yet only four months later, unanimously pass a motion to approve Debra  
21 Investment Corporation's requested annexation through the General Plan update  
22 motion. In just four months time, in both public and private meetings with City  
23 officials and staff, Jimmie Rogers, acting as an agent for Debra Investment  
24 Corporation, received assistance, guidance and information which provided him with  
25 the requirements that would set his proposal apart from all others.

26 5. Time and time again, both the city council and staff members praised the 80  
27  
28

1 | acre annexation proposal as, "innovative", "needed", and "had all the bells and  
2 | whistles" and was "creative". The Grand Jury was told other annexation requests did  
3 | not fit the city's requirements and the Debra request did fit. The Grand Jury  
4 | determined there are no written requirements for annexation. It is difficult to  
5 | understand how any proposal can fit requirements that do not exist except in the  
6 | minds of City Council members, and then result in a unanimous vote for approval to  
7 | update the General Plan.

8 |         6. It appears this lack of written requirements, forms and procedures is  
9 | deliberate, with the intent to selectively choose the conditions for annexation into the  
10 | City of Rohnert Park. Over the past ten years this "no written requirement" method  
11 | has been very successful in limiting developer access to the City. One developer (Keith  
12 | Hallock) has tried unsuccessfully for seven years to annex 6.89 acres for low/moderate  
13 | income housing while the Debra Investment Corporation proposal took just five days  
14 | from receipt of its letter until the City Council voted approval.

15 |         7. The General Plan Council Committee meeting of January 24, 1992, was not a  
16 | meeting to determine the options available to Council members, but a meeting to set  
17 | policy and provide a vehicle to allow the annexation of the Debra Investment  
18 | Corporation proposal.

19 |         8. Throughout the Grand Jury's investigation, it appeared that major planning  
20 | decisions for the City of Rohnert Park were being made in non-public Council  
21 | Committee meetings. Although memos of these meetings "are given to the City  
22 | Council members", these Council Committee meetings could be depicted as a method  
23 | of circumventing the State of California Brown Act.

24 |         9. The staff and city council have repeatedly expressed their opinion throughout  
25 | the Grand Jury investigation that the citizens' surveys and the newspaper poll are not  
26 | reflective of the majority of the population of Rohnert Park. The ability of both groups  
27 |  
28 |

1 to ignore the truth of the surveys and polls results in the institutionalized way business  
2 is being done in Rohnert Park. This lack of interest concerning the consistency of the  
3 surveys and polls reinforces the belief that the public interest is not being served by  
4 Rohnert Park's elected officials and professional staff.

5  
6 **E. FRAUDULENT ACTIVITIES**

7 **Solicitation of a Bribe by Mayor Charlie Cochran.**

8 51. Plaintiff alleges upon information and belief that Keith H. Hallock dba  
9 Hallock Enterprises was solicited to offer a bribe on or about December 13, 1988, by a  
10 state official and attorney, Charlie Cochran, the mayor of Rohnert Park, California. Said  
11 solicitation consisted of defendant Jacobson's statements to the plaintiff that the only  
12 way Charlie Cochran would transact a proposed real estate conveyance was if plaintiff  
13 deeded a portion of his 10-acres, which the plaintiff would acquire through the  
14 transaction, to the mayor's girlfriend. Plaintiff refused to offer the "bribe" but was  
15 pressured nonetheless, for several months thereafter to make such an offer as part of the  
16 deal.

17 52. Said solicitation by a state official is a felony and violation of the California  
18 State Penal Code, Sections 67, et. seq.

19  
20 **F. COUNT I**

21 **CIVIL RICO: VIOLATION OF 18 U.S.C. § 1962(c)**

22 **1. THE ENTERPRISES:**

23 53. Keith Hallock realleges and incorporates by reference paragraphs 1 through  
24 52 of this complaint.

25 54. Each defendant is a "person" within the meaning of 18 U.S.C. § 1961(3).

26 55. The City Council of Rohnert Park, including the Office of the Mayor, Arthur  
27  
28

From: Tim OBrien <timb08195@yahoo.com>  
To: graton\_eis  
Sent: Thu May 31 08:57:45 2007  
Subject: Graton Rancheria

Traffic is bad enough. Why not build this in, say, Graton?

"Ninety-eight percent of the adults in this country are decent, hard-working, honest Americans. It's the other lousy two percent that get all the publicity. But then--we elected them."

- Lily Tomlin

From: Barbara <wisewomn@sonic.net>  
To: graton\_eis  
Sent: Thu May 31 16:14:06 2007  
Subject: Rohnert Park Casino

I am writing to protest strongly the granting of a permit to the Graton Rancheria to build a casino in Rohnert Park, California.

Some of the negative, PERMANENT impacts of this casino would be:

1. The 760,000 sq. ft. complex is expected to dump an additional 18,000 DAILY car trips onto Hwy. 101, most of them thru Petaluma. This would result in increased air pollution, massive traffic jams, and increased accidents. Already Highway 101 is congested and inadequate.
2. It would significantly worsen Petaluma's shortage of affordable housing, which is already critical.
3. It would suck up to a quarter-million gallons of water DAILY from already strained underground aquifers. Even now, we are being urged to conserve water.
4. It would lead to increased crime. We have our hands full dealing with gang activities.
5. It would heighten demand for mutual aid from Petaluma's fire and police departments, and thereby increase local taxes.
6. It would cause massive environmental degradation to remaining wetlands and destruction of wildlife.

Please do not knuckle under to Big Money. Do the right thing and refuse to grant a permit to the Graton Rancheria and Station Casinos to build a casino in Rohnert Park--or anywhere else in Sonoma County for that matter.

Yours truly,  
Barbara Pollack  
333 N. McDowell Blvd. #162C  
Petaluma CA 94954

From: Pamela Woodard <pam2609@sbcglobal.net>  
To: graton\_eis  
Sent: Fri Jun 01 22:57:22 2007  
Subject: Rohnert Park Casino

PLEASE PLEASE PLEASE NO CASINO!!!!!!

The 101 is currently over crowded.  
The Water Supply in Sonoma Co. is currently taxed to the max.  
Gambling is a vice and should be kept out of suburban areas.  
Sonoma County already has a Casino in Geysersville.  
One in a county is enough!

PLEASE NO CASINO IN ROHNERT PARK!

From: maridalesmith <maridalesmith@sbcglobal.net>  
To: graton\_eis  
Sent: Sun Jun 03 02:01:01 2007  
Subject: no casino in Rohnert Park

The people of Petaluma, Rohnert Park and surrounding areas have voted against the Casino proposed for Rohnert Park, CA. We are appalled that a government agency could possibly consider approving the establishment of such an entity. We simply do not have the water to get by on now - if we have another winter such as our last one, there will be water rationing in force. How can you possibly permit the casino to be built when we all know it will require a minimum of a quarter of a million gallons of water daily? This makes absolutely no sense. The people voted on this issue last Fall and we made it clear that we are against this project. The North Bay is a beautiful area that is already impacted by a quickly growing population. We do not have the infrastructure to support this venture. The impact of this project on this area would be devastating and it is not something that can be removed, once it is built. The damage done to the environment would be permanent. Please do not approve this project. This group of indians can establish a casino in many areas that would not be negatively impacted. Our highways are already jammed and the addition of another 18,000 plus cars daily would cause major problems. Highway 101 is not designed to serve that many vehicles. It is simply unthinkable that anyone could possibly consider this as a positive addition to our area. It truly would be a disaster should this be permitted. Please listen to the people who live here. Thank you.  
Maridale Smith, Petaluma, CA

From: The Common Good <unity@thecommongood.us>  
 To: graton\_eis  
 Sent: Sun Jun 03 19:05:04 2007  
 Subject: Graton Casino/Hotel project DEIS

There are several reasons why I oppose the Graton casino/hotel project and find the draft EIS inadequate.

### 1. Environmental impacts

The enormous and disproportionate negative impacts that this project would have on every conceivable environmental parameter are impossible to mitigate -- at any cost. The top issues for me are groundwater depletion and wastewater processing. This area is already in serious groundwater overdraft with ground subsidence starting to occur. A project of this magnitude using as much water as it damned well pleases without any restrictions or legal accountability will collapse our aquifer, resulting in an anthropogenic disaster that cannot be repaired or reversed.

My family depends on a well on our property for domestic and agricultural water. If the groundwater level drops any further than it already has in the last 30 years or if our aquifer collapses, then our property will be seriously devalued. Will the FIGR/Stations Casino be required to provide a water tank and regular fill-ups for every property in the region whose well was rendered useless by this project? Highly doubtful.

### 2. Lack of enforceability and accountability

The DEIS lists a variety of mitigation measures that "the tribe" will implement. Nice idea, but the reality that "the tribe" and the Dept. of the Interior are under no obligation whatsoever to implement anything. Worse, they cannot be legally compelled to implement mitigations nor can they be sued to be held accountable for damages.

### 3. Legitimacy of the FIGR "tribe" and "restoration" of "reservation" land

I recognize that this issue is not directly related to the casino/hotel project DEIS and not within the purview of NEPA. However, it is a significant question that needs to be discussed and put on record.

In spite of Greg Sarris' fantasies and fabrications to the contrary, the BIA records show that Graton Rancheria was never an Indian reservation and there was never a "tribe" living on it. It was essentially a poor-house for homeless persons of American Indian descent that was owned and operated by the federal BIA. Therefore, the FIGR "tribe" never existed and cannot be "restored."

Further, since they were not and are not a "tribe" and never had a "reservation," they have no legitimate basis for the U.S. Dept. of the Interior to take land into trust for them for a restored reservation. The federal legislation implemented in 2000 to grant the FIGR status as a "tribe" is based on a pile of lies and is therefore not legitimate. This legislative blunder needs to be corrected immediately.

Submitted by:  
 Kirsten Barquist  
 4679 Petaluma Hill Rd  
 Santa Rosa, CA 95404

cc:  
 Member of California State Assembly Jared Huffman  
 Member of House of Representatives Lynn Woolsey  
 U.S. Senator D. Feinstein  
 Secretary of the Interior Dirk Kempthorne



From: mike.kraus@att.net <mike.kraus@att.net>  
To: graton\_eis  
Sent: Sun Jun 03 19:53:34 2007  
Subject: Graton Rancheria casino

Dear National Indian Gaming Commission:

I understand that the Graton Rancheria casino Environmental Impact Statement is still open for public comment and this letter is to express my comments.

It is my understanding that both the city of Petaluma and county of Sonoma have weighed in with letters of opposition citing a large number array of very negative and permanent impacts that would forever change this area for the worse. The 760,000-square-foot complex is expected to dump an additional 18,000 daily car trips onto Highway 101, most of them through Petaluma. In addition to the massive traffic jams and increased accidents on that already severely congested roadway, the casino development would significantly worsen Petaluma's shortage of affordable housing; suck up to a quarter-million gallons of water daily from already strained underground aquifers; increase crime and air pollution; and heighten demand for mutual aid from Petaluma's fire and police departments.

As a resident in Petaluma and Sonoma County, I oppose the casino development for the same reasons as my City and County have, as listed above. I request that for these reasons the EIS and the project be rejected.

regards,  
Michael Kraus  
Keokuk Street  
Petaluma, CA 94952  
mike.kraus@att.net

From: Lisa Bagwell <timlb@pacbell.net>  
To: graton\_eis  
Sent: Mon Jun 04 13:55:25 2007  
Subject: Re: "DEIS Comments, Graton Rancheria Casino and Hotel Project"

June 3, 2007

Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington DC 20005  
Graton\_eis@nigc.gov  
Fax: 202-632-7066

Re: "DEIS Comments, Graton Rancheria Casino and Hotel Project"

Dear Mr. Mehaffy:

I attended the public hearings that were held on April 4 & 5 and wanted to make known that I believe the FIGR Casino is not appropriate for Rohnert Park or the surrounding areas.

This casino, if built, has negative consequences for the city of Rohnert Park and Sonoma County. In Sonoma County and the state of CA we are facing significant water problems. The residents in the surrounding area are on wells. If the proposed casino were to come in and dig wells, it would deplete the water needed at the surrounding homes. Why should the residents need to be put at risk for this development?

The traffic on Hwy 101, streets of Rohnert Park and surrounding area are already a concern without the additional cars because of a casino. Have all areas of concern accurately been analyzed for impacts?

Please take serious consideration of all concerns regarding this proposed casino location.

Sincerely,

Lisa Bagwell  
1158 Santa Cruz Way  
Rohnert Park, CA 94928

cc: Gov. Arnold Schwarzenegger  
Senator Byron L. Dorgan  
Dirk Kempthorne, Secretary of the Interior  
Senator Dianne Feinstein  
U.S. Rep. Lynn Woolsey  
Jared Huffman, State Assembly  
Noreen Evans, State Assembly

From: Aragornmcintyre@aol.com <Aragornmcintyre@aol.com>

To: graton\_eis

Sent: Mon Jun 04 12:40:24 2007

Subject: Graton casino/hotel project DEIS input

Mr. Bradley Mehaffy

subject = Graton Casino/Hotel project

NEPA Compliance Officer  
National Indian Gaming Commission

DEIS  
June 4,2007

Dear Mr. Mehaffy,

I am submitting my concerns for this proposed project on many fronts.

1- quality of life = Just the size of this proposed project and the added thousands of people vieing for their needs on our roads, in our stores, will change the WHOLE AREA , for miles around. My quality of life, along with thousands of residents already living here, would be severley damaged. Most of us live here for its RURAL LIVING, OPEN SPACE. Its peaceful here AT NIGHT. ALL THAT WOULD CHANGE!

2- overkill = There are wayo many Casinos in California, already. And going up our already very crowded , bumper to bumper highway 101, there are ALREADY MANY CASINOS IN OPERATION. This Graton project is clearly an overkill, at least in this area, on this highway.

3- crime and trouble = You can't just plopp a HUGE Casino/ Hotel in a City area and not take into account the crime and trouble that comes with it. Casinos equal heavy drinking, women, losses of money causing angry and depressed people, drugs, all this can only lead to more crimes in the area.

4- wrong place= I'm sure that other Casinos were welcome (at least some of them) by the locals. Well this one ISN'T. The majority DOES NOT! For a thousand reasons we don't want a Casino built here.

5- Water and Sewage= These two concerns are huge! Wells in surrounding areas can dry up. We already have a water problem here. Added to this the increase in sewage will be a massive problem as well.

6- The land = It floods everyyear. With all the cement coverage to make a Casino/Hotel, the run off will be sent to areas surrounding the project, making flooding much worse, again, for us that live near the proposed site.

7- Enviorment = We have endangered species all over Sonoma County, the Salamander lives in the wetlands/flood areas.  
The impacts on the land from building a massive project like that would be NEGITIVE on so many levels.

So I urge you to turn down this Graton Casino/Hotel Project.

It will affect way too many people in a very negitive way.

The jobs it would create are NOT a good enough reason. We have for a long long time, a very low unemployment rate, here. We are doing fine WITHOUT The Casino.

Respectfully,  
Jenay McIntyre  
3510 Phillips Ave  
Santa Rosa, CA. 95407

From: Lisa Catelani  
 [mailto:lisastartrekworldtravelercatelani@hotmail.com]  
 Sent: Monday, June 04, 2007 7:19 PM  
 To: graton\_eis  
 Subject: FW: Rohnert Park Casino

Please forgive me if I already sent this, I am just making sure this goes through! Thank you!!!

>From: "Lisa Catelani" <lisastartrekworldtravelercatelani@hotmail.com>  
 >To: graton\_eis@nicg.gob  
 >CC: lisastartrekworldtravelercatelani@hotmail.com  
 >Subject: Rohnert Park Casino  
 >Date: Mon, 04 Jun 2007 16:15:00 -0700

>  
 >TO WHOM IT MAY CONCERN:

>  
 >I was at the public form on Wednesday, April 4, 2007, and I am glad that the response time period was extended. I am very much against the casino in Rohnert Park. The Rohnert Park City Council went ahead and went along with the proposal with the Graton Ranchiera without consulting with the citizens of Rohnert Park. Already there is a civil war between the us here.

>  
 >Anyway, the City Council did a very sneaky trick. The council set the Recall Election at a very bad time of year--August 24, 2004, which they knew a lot of voters would not be available for it to go through. I was on vacation, but was fortunate enough to be back in time to vote "YES" on the recall. Someone told me that she heard Chip Worthington on the radio, and according to her, he said that if all 18 precincts would have at least a few more votes, the recall would have gone through. The recall should have gone through since they went against the citizens of Rohnert Park. I voted against Proposition 1A because I knew it would open up a can of worms. Other people that I know voted for it but wished they had voted against it for the same reason.

>  
 >I have been a resident of Rohnert Park for 16 years, and I enjoy the family friendly environment. If the casino goes through, there is going to be a major traffic overload, it will break up families, and will overload an already clogged-up court system. In addition, there will be a lot more crime, pimping, and prostitution, dirty deals behind closed doors, etc.

The Bible says that the love of money is the root of all evil. The Indians claim they have been in poverty, but how did they come up with the millions of dollars that they gave to the City of Rohnert Park?!? It probably came from Las Vegas. I have been to Las Vegas for Star Trek conventions, and whenever I am in McCarran International Airport, I am sick and tired of slot machines staring me in the face whenever I want to catch a plane to come back home. I see a lot of advertisements for strippers, nude ladies, etc., all along the strip. Is this the way we want Rohnert Park to become? Most of us say NO!!!!!!!!!!!!!!

>  
 >As I have heard from people at the last public forum, most people in

Rohnert Park do not want the casino. The tribe is trying to push their agenda in the face of the Rohnert Park citizens. I agree with what some of the speakers have said that if you want to get out of poverty, go to school, get a job, and work for a living. Besides, the City of Rohnert Park is not going to get much of the money. Most of it will go to the big Las Vegas corporations. A casino will not fit in with a family friendly environment.

>

>Again, I am very much against the casino in Rohnert Park. Thank you.

>

>Lisa Catelani

>7300 Adrian Drive, #7

>Rohnert Park, CA 94928

>(707) 792-1731

>lisastartrekworldtravelercatelani@hotmail.com

>

>

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From: Mary Edith Moore [mailto:maryedithmoore@comcast.net]  
Sent: Sunday, June 03, 2007 4:42 PM  
To: graton\_eis  
Subject: Graton Casino

I am 100% against a casino west of Rohnert Park. A casino anywhere near Rohnert Park/Petaluma would be a tremendous drain on our water supply. We currently have a

drought and Petaluma has a moratorium on all new buildings. Don't approve this casino--we Petalumans don't want it.

Mary Edith Moore  
writerAAA@hotmail.com  
1628 E. Madison St.  
Petaluma CA 94954-2321

From: Amy Boyd <amyboyd@mac.com>  
To: graton\_eis  
Sent: Tue Jun 05 03:12:46 2007  
Subject: Graton DEIS questions

Please include the attached document as part of the public comments on the DEIS.

Thank you,  
Amy Boyd  
5822 Lowell Court  
Cotati, CA 94931

Mr. Bradley Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW  
Suite 9100  
Washington, DC 20005

**re: Graton Casino/Hotel project DEIS**

Email: [graton\\_eis@nigc.gov](mailto:graton_eis@nigc.gov)

Monday, June 4, 2007

I write as a resident of unincorporated Cotati, living within 1.5 miles of the proposed casino site and Alternative sites A through C/D. According to the DEIS, and confirmed in conversations with authors of the DEIS section concerning groundwater (@ the Wells Fargo Center workshop), groundwater disruptions ARE expected for hundreds of residents like myself who use private wells to supply our household water.

My questions are as follows:

1. If the Applicant fails to follow recommended mitigation procedures in the event of groundwater disruption (less water, no water, or contaminated water) what specific agency would enforce mitigation measures? Who and by what process would these measures be deemed fair and reasonable compensation.
2. With serious groundwater shortages arising throughout Sonoma and Marin Counties (among others), how is it possible that a project of this magnitude could comply with NEPA (Sec. 101[42 USC § 4331] when no equivalent private or public project would pass the NEPA requirements for this site?
3. What specific recourse would well owners have in recovering personal losses resulting from groundwater disruptions related to the casino project?
4. Numerous private wells do not appear on the DEIS maps showing wells in the area of influence. Will private well owners whose wells are not mapped in the DEIS have any rights should their well water be effected by the casino project?
5. Will a monitoring well be added in our area, near Stoney Point, SW of the proposed site, to provide specific data and corroborate evidence in the event of groundwater disruption?

Amy Boyd  
5822 Lowell Court  
Cotati, CA 94931



From: Ryan McElroy <rmcenterprise@sbcglobal.net>  
To: graton\_eis  
Sent: Mon Jun 04 22:53:17 2007  
Subject: DEIS Comments, Graton Rancheria Casino and Hotel Project

Mr. Brad Mehaffy  
NEPA Compliance Officer  
NIGC  
1441 L St. #9100  
Washington, DC 20005

RE: DEIS Comments, Graton Rancheria Casino & Hotel Project

Dear Mr. Mehaffy,

I am sending you this email to voice my opposition to the proposed project. This area is not the right area for the largest Indian casino in Northern California. Rohnert

Park is a family oriented community and the unincorporated area where I live is a rural oasis next to the town. A casino in this area will forever change not only this area, but Sonoma County.

There is something wrong with this project if the Sonoma County Supervisors sent you a list of 200 things wrong with it.

The validity of this tribe should also be investigated. Everthing I have been reading about the "Graton Rancheria" shows that it was a mixture of various tribes from all

around using this place for housing. If there really is a "Graton" tribe, why aren't they finding land in their tribal area of Graton? Must be because Station Casinos wants

the project right in the center of Sonoma County.

Thank you for reading my message.

Sincerely,

Ryan McElroy  
4327 Primrose Avenue  
Santa Rosa, CA 95407

May 24, 2007

Certified Mail - Return Receipt Requested  
No. 7002 2030 0004 2967 1685

Brad Mehaffy, NEPA Compliance Officer  
NIGC  
1441 L St., #9100  
Washington, D.C., 20005

Re: DEIS Comments  
Graton Rancheria Casino and Hotel Project

Dear Mr. Mehaffy:

I am sure you are aware that the both the Stony Point site and Wilfred Avenue site are not only adjacent to our master-planned, family-oriented, city of Rohnert Park but are in close proximity to Sonoma State University (SSU). The alternate Lakeville site is NOT located within an urban area and is NOT in close proximity to a college.

Colleges and universities across the United States are becoming more and more concerned about the sudden surge in student gambling. In an ABC News report in March of 2006, Jeff Marotta, problem gambling services manager for the Oregon State Human Resources Agency was quoted "About one college student in 20 has a gambling problem, but it is an issue that's very much under the radar." It is estimated that college students develop gambling problems at about twice the rate of other adults and problem gamblers between the ages of 18 and 25 lose an average of \$30,000 each year. Although the legal age for casino gambling is 21, based on samples from the University of Nevada, Las Vegas studies have found that well over half of students under 21 claim to have gambled in a casino with nearly a quarter claiming to do so weekly. (Oster & Knapp, 2001).

If the proposed casino is built on any of the alternate sites in proximity to Rohnert Park, college students will not only have a convenient place in which to gamble – they will have the added incentive of cheap alcohol. All in a place designed to party. What a potent combination!

What studies has the NIGC conducted to determine the effects of a casino on the student population of Sonoma State University? How will this be mitigated? How will this be monitored? More specifically, what influence, either real or implied, would Greg Sarris, Chairman of the Federated Indians of Graton Rancheria the proponents of the casino, and endowed chair in Native American Studies at Sonoma State University, (which chair was endowed with \$1.5 million by the tribe after the tribe and Station Casinos announced their intention to build a casino) have over the institution, faculty and students? Is a gambling profiteer a good role model? If your professor in effect owns the casino, what message does this send to students?

2007 JUN - 1 PM 2:23  
RECEIVED  
NATIONAL INDIAN  
GAMING COMMISSION

Brad Mehaffy  
May 24, 2007  
Page Two

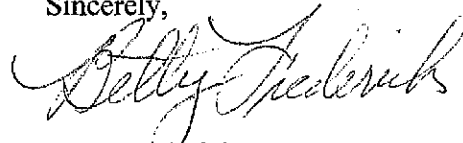
Also, since your draft EIS came out, the Rohnert Park City Council, as evidenced by the minutes of their February 13, 2007 and May 8, 2007 meetings, in response to the Rohnert Park Public Safety Department's recommendations, have enacted new fees to businesses that sell or serve alcohol within the city to help curb alcohol-related problems in the city. According to Sgt. Art Sweeney a quarter of all police calls in Rohnert Park are related to alcohol. "These calls for service impair the Department Public Safety's capacity to address other serious crimes in other neighborhoods." Further, in surveys on those arrested for driving under the influence according to Sgt. Sweeney's report "many of those who drink before they drive do so in a licensed establishment."

If Rohnert Park already has a problem what will the proximity of a casino with cheap drinks add to the problem? Will the casino serve alcohol? If they do, what age group will this most affect? How will this be mitigated? What will be the costs to the Sonoma County Sheriff's Department to police Stony Point Road and Wilfred Avenue for drunken drivers? What will it cost the California Highway Patrol to monitor U.S. Hwy 101 for drunken drivers leaving the casino? What will it cost the citizens of Rohnert Park?

Rohnert Park is a community designed around neighborhoods. For the past 50 years the children of our town have enjoyed a small town atmosphere – walking to school or to one of our neighborhood parks to play, riding their bikes to a friend's house or joining their friends to explore one of our creeks. To this extent our families are a part of the environment. How do you mitigate the chaos resulting from the dumping of a Las Vegas mega casino into our harmonious environment?

We hope you will decide this is not the place for this casino!

Sincerely,



Betty Fredericks  
6950 Commerce Blvd., Ste. 1  
Rohnert Park, CA 94928

June 3, 2007

Mr. Bradley Mehaffy  
NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW  
Suite 9100  
Washington, DC 20005

RE: Graton Rancheria Casino and Hotel Environmental Impact Statement

Dear Mr. Mehaffy:

We are non-residents of Sonoma County and reside in nearby Benicia (Solano County). Over the past several months we have closely followed the active debate to weigh the pros and cons of establishing a massive size casino development in Sonoma County.

We have decided to issue this personal letter of *strong* opposition towards any Federal approval of the project. After reading portions of the recently released DEIS report, we concluded it does not take a lot of "common sense" to recognize the far reaching and long term negative environmental consequences associated with this "mammoth" development. The sheer size of the project alone would impose severe stress on Sonoma County's already limited water supplies. We also find the plans to implement enormous man-made land fills to mitigate potential flooding to be unrealistic. Of a related note, the alteration of this natural flat "flood prone" topology by such synthetic land fills will not bring any benefits towards the preservation of existing wildlife in the area.

We also think the report underplays the more mundane environmental issues pertaining to a surge in traffic congestion, Air and Light pollution. Anyone who regularly travels along California's US 101 is keenly aware that the commute is not getting any better over the past years. Given this baseline traffic level, it does not take a lot of imagination what havoc a projected 18,000 daily car trips would contribute to the current chaos. Similarly, the buildup of automobile exhaust will not confine itself locally and will be spread far enough to worsen the surrounding countryside's clean air which is one of the natural assets of Sonoma and Napa Valleys.

Although critics have also continually pointed out the obvious increase in the accompanying air pollution, few have pointed out the increased light pollution which would result from the proposed "Las Vegas" style lighting of the casino facilities. As noted in the international publication "*Sky and Telescope*", the general Sonoma region is one of the few remaining northern California sites blessed with nighttime dark skies suitable for professional and amateur Astronomy. It is not surprising that Sonoma

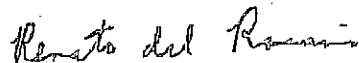
County is home to the well known Robert Ferguson public Observatory and nationally acclaimed Astronomy writer Timothy Ferris. Several nearby parks in the area are routinely used by educators for all levels of Astronomy education. For example, the dark skies of Sonoma County has inspired the unique Sonoma Striking Sparks program which gives away ten telescopes each year to school kids through an essay competition. The unavoidable "lightdome" and skyglow pollution from bright casino lights would deteriorate the observing conditions over a very wide and extended radius past the city of Rohnert premises.

Lastly and but no less important is the unfavorable socio-cultural impact the Casino will bring to the future of Northern California. Despite the economic mega-dollar revenue benefits cited by proponents, gambling is essentially a non-productive parasitic endeavor and only further redistributes wealth on an inequitable basis. Gambling will increase crime, period. Habitual gambling weakens families, period. What is even more frightening about the approval of the Graton Rancheria project is that this will undoubtedly serve as a potent legal catalyst towards the proliferation of even more casinos in Northern California. We and our future children do *not* need a Reno within California.

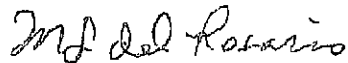
Since moving to the Bay Area in 1999, we have always regarded the quiet, serene and rural spirit of Sonoma County as one of Northern California's beautiful, but fragile scenic heritage. We are appalled and deeply saddened by the prospect that Sonoma is faced with the invasion of casino projects, regardless of their size. It is no accident that Sonoma County has naturally evolved to be one of the world's renowned wine countries. Mother Nature rendered this part of Northern California a treasured and timeless gift. The environmental adulteration of Sonoma County by such massive developments would bring irrevocable changes from which it cannot recover. At a time where the national theme is to "save the planet," the further construction of such projects are simply non-compatible with preserving our environment.

We sincerely appreciate your time in listening to our reflections. Please feel free to contact us for any questions regarding this letter.

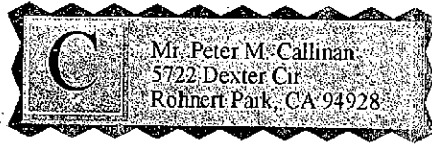
Respectfully yours,



Renato del Rosario, PhD  
Research Scientist, 510-741-6148



Mona-Lawas del Rosario, RN  
512 Zinnia Ct.  
Benicia, CA 94510



I-165

DATE May 31, 2007

TEL. (707) 584-1962

RECEIVED  
NATIONAL INDIAN  
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2007 JUN -4 AM 10:49

National Indian Gaming Commission  
1441 L St. NW  
Washington, DC 20005

Attn: Mr Brad McHaffey

Re. Proposed Jaton Rancheria  
Casino + Hotel in Rohnert Park

Dear Commission Members + Mr. McHaffey:

I want to go on record as being opposed to the development of the proposed casino + hotel in or near Rohnert Park.

I have reviewed + share some of the concerns expressed by the City of Rohnert Park and the County of Sonoma concerning the inadequacy of the Draft Environmental Impact Statement (DEIS). Rather than repeating the points these two public agencies have made, I'll simply go on record as supporting them and ask that your Commission take them into consideration.

In addition, I don't feel that the DEIS properly addresses the impacts that the proposed development will have on the culture of the <sup>R.P.</sup> community and R.P.'s history of being family oriented.

Rohmert Park was founded by local attorneys Paul Golia (now deceased) and Maurice Fredericks. I believe its development started in 1956 after a master plan for the what would be a master planned city was completed. The concept of the master plan was that R.P. was to be family oriented. Parks + Schools were planned for each neighborhood. If you were to tour R.P. today, you'd find that the original family oriented concept has been brought to reality.

I've been involved in Rohmert Park activities since I arrived in 1959. My wife + I raised six (6) children in this wonderful family oriented community. The community's emphasis has always been to make R.P. a nice place in which to raise a family.

I've had the honor + privilege of being R.P.'s first mayor when it incorporated in 1962 and then being its first City Manager from 1963 through 1990. During my tenure all of the energies of the city's staff + officials ~~were~~ spent to implement the family oriented concept of the founders ... i.e. to develop Rohmert Park into a well balanced city with emphasis on it being family friendly.

With the cooperation and assistance from developers, builders, property owners, other public agencies and their officials, R.P.'s city government obtained or help provide the facilities and amenities that a family oriented community needs or desires, (such as school sites, parks, swimming pools, church sites,

a senior center, sports center, community center, performing arts center, golf courses, + other community + recreational facilities of all types, + even ~~at~~ a State university!

The city has had great cooperation + assistance from agencies such as the County of Sonoma, the Sonoma County Water Agency, the Sonoma County Library System, the CA Dept. of Transportation, the State of CA Public Utilities Commission, and our Federal + State + County representatives - - - all in one way or another to assist R.P. in becoming a well balanced family oriented community.

The proposed hotel + casino development will dwarf all previous development in our area and will run counter to the efforts of the aforementioned agencies + representatives to make R.P. a family friendly community. Don't let it happen.

I've been concerned ever since I heard that the tribe (or Station Casinos) had purchased the land for the proposed development outright at a very substantial purchase price. My experience is that developers usually buy options on land and do not buy ~~the~~ <sup>land</sup> outright unless all of the approvals needed for development have been received or assured.

With the tribe (or Station Casinos) buying the land prior to receiving the necessary approvals for the development.



it gives me the uneasy feeling that the "skids have been greased" and that the casino-hotel development is a go no matter what the community might think about it! I hope that I'm ~~wrong~~ wrong! However, with the newspaper reports that Senator Barbara Boxer's son was or is involved as an agent for the development, I'm very leery!

Then there is the matter of the tribe (or Station Casinos) already doling out money to the City of Robert Park + others, seemingly in an attempt to buy goodwill and to ~~pay~~ buy-off legitimate opposition to the proposed development. Surely the 1000-1500 member tribe doesn't have the funds to do so -- so it must be Station Casinos trying to buy ~~to~~ its way into the community and also to make Robert Park, the Reno or Las Vegas of Northern California.

Please don't let it happen! Thank you.

Respectfully submitted

Peter M. Callinan

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2007 JUN -4 AM 10:15

**DRAFT EIS COMMENTS**  
**GRATON RANCHERIA CASINO and**  
**HOTEL PROJECT**

to

**Brad Mehaffy, NEPA Compliance Officer**  
NATIONAL INDIAN GAMING COMMISSION  
1441 L STREET, N.W. Suite 9100  
WASHINGTON, D.C. 20005

from

Loretta Smith  
4286 Primrose Ave.  
Santa Rosa, CA 95407

JUNE 1, 2007

I have thoroughly reviewed the report and I have grave concerns. I am concerned that many of my comments and questions I submitted in November 2005 were not addressed by your report. I am resubmitting those questions for the record.

You failed to address my questions concerning property value impacts. You failed to address my concerns about the impact of a casino to schools and education as well as realistically addressing the problem of housing. You failed to mention the impact to surrounding school districts, the effect on children of gamblers, the day care plans for the casino and security measures to insure children are safely cared for and not left unattended in cars.

It is often stated that "the tribe shall" do one thing or another to mitigate problems, but no where do you address what agency will insure compliance that these mitigations are done as promised. No where do you state what recourse affected parties have for incomplete mitigation.

You have not realistically addressed the consequences of bringing in acres of fill dirt and the ensuing displacement of floodwaters on that site to surrounding properties.

In addition, the EIS is internally contradictory and inconsistent. It is not possible to preserve salamander habitat while at the same time bringing in many acres of fill. Who will ensure compliance with tiger salamander mitigation and if the applicant fails, what is the consequence?

Why was the traffic study so limited as to exclude foreseeable traffic impacts to Petaluma Hill Road and all major arterial roads of Southwest Santa Rosa, Cotati, Penngrove and Sebastopol?

Your discussion on crime is inadequate. What about identity theft, embezzlement, car vandalism, shoplifting, purse snatching and rape? In the study provided in appendix N, soft findings of Earl Grinols are provided, but the more serious or significant socioeconomic findings as provided by Grinols are omitted. Grinols asserts that the cost/benefit impact of a casino is a \$3 cost to every \$1 benefit to the community.

Governmental sources say that we're moving into a period of possibly prolonged drought. The establishment of a casino over a major water recharge area is cause for grave concern.

What will the tribe do about water resources if the surrounding communities are stricken with drought and water rationing? Will the casino, in solidarity with the surrounding communities, reduce water consumption?

If not, why does the casino believe that out of town visitors should enjoy a resource that is limited to those who live here full time? Who benefits from the unrestricted use of water in time of drought?

If the casino represents that it will, in fact reduce water usage in time of drought, by how much, for how long, by what mechanisms and who will be the enforcing agency?

The EIS comments pointedly do not address the most glaring fact and subsequent implications of tribal sovereignty. They treat this proposed casino as if it were simply another big box store and minimize the true nature of the privileges of the applicant. The reality is much more complex and must be addressed in the final draft because it has social, environmental, and economic impacts that are totally ignored in the first draft. How does sovereign immunity affect mitigations? Who will be the enforcing agency and by what

authority will they have the power to enforce? Who has the authority over building inspection enforcement, before, during and after construction? Will the health department have authority to inspect the safety of food, the fire department to inspect the safety of the buildings, and who has the power to enforce this?

The city of Rohnert Park was created as an intentional community. As such, its existence is predicated on a tax base that will be extremely vulnerable to an adjacent sovereign nation exempt from property taxes, sales taxes, building restrictions, building codes and environmental constraints. The existence of competing food, service and entertainment activities constitute an unfair, potentially ruinous, business environment, not to mention the possible activity of land use laundering, or inviting businesses onto the reservation which allows them to be free of tax obligations. Given the extreme competitive advantage that the tribe will have if the casino is built, why was there no in-depth discussion of the effect of sovereignty in the preliminary draft?

Why was there no discussion of the probability of additional land adjacent to the casino site being acquired to establish a larger land base under tribal control? The community has the right to know how much land will become reservation land, and outside the tax base. How much land will be additionally acquired in the next 5, 10, and 20 years?

In the state of California, tribal gaming has demonstrably affected the political process. That casino money used to finance political campaigns and influence legislation is undeniable. What will be the effect on the cities of Rohnert Park, Cotati, Sebastopol, Santa Rosa and the county of Sonoma when tribal money pours into local politics?

Dual pane windows are suggested to mitigate noise pollution. As a resident of a nearby property, and as a homeowner already owning dual pane windows, I can attest that these windows do not solve the problem of noise. They solve the problem of escaping heat. So what other measures will you take to protect surrounding inhabitants from noise pollution? How will you measure the decibel level? Who will enforce the mitigation? What radius will be used to protect the people, since sound travels, especially at night. Will the radius include those living on the surrounding hillsides, who will surely be affected? For those of us who have dual pane windows, what compensation will we get for noise disturbances?

I am concerned that the request for a six month extension by Lynn Woolsey, the mayor of Sebastopol and countless citizens, was ignored. I received two large boxes of binders to research in an unreasonably short period of time. Why was this reasonable request denied?

I am concerned that my questions were ignored and that your report failed to adequately consider the consequences, or address these potentially serious impacts.

Therefore, I would like to receive a personal letter explaining to me why, as a citizen, my comments continue to be ignored. I have taken much time, and have spent hours in studying your reports, because I am directly affected. I take this project very seriously. It affects my property values, my neighborhood and my future. I am entitled to due process specifically provided citizens through NEPA, and I want you to explain to me why my concerns have been dismissed by you.

The following are my original comments.

## LAND USE AND PLANNING

As a single woman who owns my own home located near the proposed casino site, and as a woman who will be retiring in 10 years, I want to know how this casino will affect me, my home and my investment.

**Compared to other casino operations existing:**

**What has been the effect of a casino on surrounding property values within a 10 square mile over a 1 year period, 3 year period, 5 year period and 10 year period after opening? Can the applicant (FIGR) demonstrate any examples of either increased or decreased residential property values within a 5 mile radius of three comparable existing casinos?**

**Have casinos tended to acquire additional surrounding land? Has there been economic pressure by lower property values or degradation of quality of life in the neighborhoods, to push out original property owner neighbors? What is the projected plan by the FIGR to expand activities or acquire additional land?**

**What has been the resale impact to the neighborhood in a 10 square mile over a 1 year period, 3 year period, 5 year period and 10 year period after the casino opened?**

**As a property owner who has lived in my home 30 years, my current property value is approximately \$800,000. If a casino is built around my home it is reasonable to expect there will be a decreased market value since few buyers will find this attractive. What will FIGR do to compensate and relocate me? How will the applicant establish market value and guarantee equal protection of civil rights to near or adjacent property owners?**

**How have surrounding property owners of 3 comparable existing casinos been compensated for loss of potential property value to their homes?**

**What has been the impact to traffic, crime, noise and light pollution, and water to the original property owners, over a 1 year, 3 year, 5 year and 10 year period, and how have they been compensated for loss of quality of life?**

**What has been the impact on local, county and state politicians in terms of influence by money from the casino, and the impact on governmental decisions and policies as a result of this new source of casino money? It is simply a fact of life that money puts people in office and then those people turn around and protect the interests of their source of money. What protections will FIGR provide to assure citizens that their constitutional right to a representative government will not be negatively impacted?**

**What is the projected use by FIGR of funds derived from the casino? How will**

**this affect Sonoma County for the next 20 years?**

**What has been the impact, as stated by the neighbors of 3 comparable existing casinos in a 10 square mile radius, of their satisfaction of quality of life comparing before and after the opening of the casino? How have these citizens been compensated by the tribes involved for loss of quality of life in their neighborhoods?**

**How will the casino affect crime levels? What are the current crime levels in the 10 square mile radius from the casino? How will the casino affect the crime levels per day, per month, and per year over 5 years?**

**Class 3 casinos have significantly affected the communities below. What assurances will the applicant (FIGR) provide or install that preserves the quality, economy and lifestyle of the citizens in a 10 square mile radius to make sure we do not wind up like these communities?**

**Marysville, WA (Tulalip)**

**North Stonington, Ledyard, CT (Pequot)**

**Vernon, Verova and Sherrill NY (Oneida)**

**What recourse will FIGR provide to citizens if the applicant should not fulfill these assurances? What agency will ensure mitigations are completed? What recourse does an affected party have absent a completed mitigation?**

**This proposed project is in direct conflict with the 2020 Sonoma County General Plan which since 1978 has listed this property as Open Space, Agricultural, Community Separator.**

**+How will you prevent this project from violating Sonoma County's General Plan?**

**+How will you prevent the loss of this piece of land as agricultural/ open space?**

**The tribe and/or its partner has already approached at least two adjacent property owners with the intent to purchase. If this land is taken into trust, there will be no law to stop additional acquisition of surrounding lands further decreasing the agricultural and open space and eroding the General Plan even further. There will be no limit on how the land will be developed.**

**+How will you preserve and protect all of the land intended as open space/agricultural in the Sonoma County General Plan from development?**

**+How will you prevent a project of this size and character from disrupting the surrounding agricultural land use? The traffic and population activity are incompatible with the local dairies and farm equipment.**

**How will the farm animals be impacted by the traffic, noise and pollution accompanying this project?**

**If a project of this size and scope is constructed, there will be substantial pressure from developers to buy up surrounding land and create commercial development the entire length of Rohnert Park Expressway, Stony Point Road and Wilfred Avenue.**

**+How will you prevent this proposal from directly or indirectly inducing substantial growth and development to an area that the voters of Sonoma County voted to protect as open space?**

I am aware that there are some casinos that have gutted three towns in less than 20 years, through land acquisition, tax free undercutting of services and goods and political influence. **What assurances will the applicant give to guarantee that current or future businesses in the area will not be negatively affected such as Walmart, Home Depot, Target, restaurants, gas stations, small business and service shops? What assurances will the applicant provide or install that preserves the quality, economy and lifestyle of the current communities?**

This project is more than a business venture. It is a government that the citizens of Sonoma County do not elect, but which will affect us greatly. Because FIGR is a federally recognized tribal government and sovereign nation, with a separate governing system in which I have no voice, the long term net effect of this project is a constructed reservation and established tribal government with the capability of politically overwhelming adjacent communities and Sonoma County governments. Executive orders that establish preferential treatment in federal agencies will be available to FIGR and those preferences can soon over power local land use and local control of government.

**How will the applicant ensure no interference with the constitutional and civil rights of citizens of Sonoma County to be fully represented by unbiased elected officials in our representative governments at the federal, state and local levels?**

The citizens of Sonoma County will have no power to stop activities that may be detrimental or harmful to the community since FIGR is a federally recognized sovereign nation. A tribe on the Skull Valley Goshute reservation is considering a lease to store nuclear waste on the reservation, some 4,000 canisters of nuclear waste would be brought to the reservation and stay there for up to 40 years. **What assurances will the tribe give to the citizens of Sonoma County that they will have a voice and recourse about any endeavor which might affect Sonoma County citizens?**

## POPULATION AND HOUSING

I have been teaching for 16 years, and as a teacher I have concerns whether our school districts' quality of education will deteriorate when the casino opens and whether the school districts will be less inviting to qualified teachers in the future. **How will the applicant mitigate this risk in the first year, third year, fifth year and tenth year of operation?**

I am aware of several existing casinos that have impacted the local school districts by having to hire low waged non English speaking employees. As demonstrated in Without Reservation, one such district was required to hire bilingual translators in 17 different languages after a casino opened.

It is reasonable to expect that the workforce will live within a 10 mile radius of the casino, and it is reasonable to expect that many of the worker's families will include children. These school districts fall within a 10 mile radius of Rohnert Park and so are the most likely to be impacted: Rohnert Park-Cotati, Penngrove, Dunham, Waugh, Old Adobe, Liberty, Petaluma City, Cinnabar, Wilson, Bellevue, Wright, Roseland, Santa Rosa City, Piner-

Olivet, Rincon Valley, Bennett Valley, Sebastopol Union, West Sonoma County Union, Gravenstein, Twin Hills, Oak Grove and Willowside School Districts. **How are these districts likely to be affected by the casino?**

**If the casino opens, what is the expected project impact to these schools over a 1 year, 3 year, 5 year and 10 year period?**

**What are the current enrollment trends over the past 5 years for the Sonoma County school districts listed above?**

**What is the projected enrollment of these schools over a 1 year, 3 year, 5 year and 10 year period?**

It is reasonably foreseeable that the tribe will acquire additional land in the area. The site will be tax exempt. This will decrease the property tax revenue that is needed by the local school district. **How will this impact the property tax base for the above mentioned school districts? How will the applicant mitigate this loss of revenue to affected school districts?**

The casino/hotel will need to recruit a workforce. **Of the existing demographics of this community, how many local people will be employed? If there are not enough local people to fill the workforce, how will the applicant recruit and provide housing for them?**

Gambling will affect the families and one cannot buy good character with mitigation money. Gambling debts, gambling addictions and unstable family environments may affect our students and future students. Big money contributions to a school does not guarantee a quality learning environment to students disabled by family gambling addictions. **What are the projected gambling addiction rates for a casino of the proposed applicant's square footage as compared to 3 comparable existing casinos. Can the applicant demonstrate any examples of either increased or decreased gambling addiction, gambling debts and negative family environments of three existing comparable casinos? And how have the existing casinos mitigated these problems? How does FIGR propose to mitigate them?**

**What preventative gambling educational programs will the applicant provide to the surrounding school districts?**

**How will they measure the effectiveness of these programs implemented in the prevention of gambling addiction?**

**How will they address affected families that this preventative program fails to reach?**

I am aware of at least one Indian casino that entices children to gamble when they provide on site day care activities that are akin to gambling ie. "kiddy bingo", or toys such as pretend slot machines that replicate gambling activity, or lottery-like gambling activities for 4 to 17 year olds that win prizes such as new bikes.

**Does the applicant's plan include day care for minor children? What assurances can the FIGR provide that they will not engage in activities for minors that encourage them to gamble?**



**To what extent will on site child care center encourage parents to leave their children in the day care for extended periods of time? What hours of operation will the day care have? What restrictions will be applied to encourage good parenting in spite of gambling? What security measures will be in place to ensure that no casino customers leave children unattended in a car?**

A project of this size, and the traffic it will generate, will necessitate substantial changes in the size of the surrounding roads.

**+How will you prevent the existing housing, which is affordable housing in this county, from being displaced and destroyed to make room for road expansion?**

## WATER

The proposed site is a flood plain that regularly floods in winter. A project of this scope will significantly affect that flood plain and the surrounding properties. Pavement prevents rain from refilling groundwater. The casino will cover at least 50 acres of land.

**+How will you prevent the loss of groundwater recharge capability and the resulting reduction in groundwater quantity that would otherwise be available for the public water supplies from the acres of buildings and asphalt?**

**+How will you prevent, when acres of fill dirt is brought in, the displacement of floodwaters on that site to surrounding properties?**

**+How will you prevent the change in the amount and direction of surface runoff leaving the site?**

**+How will you protect surrounding neighborhoods and streets from being impacted by the floodwaters that have been displaced by this development?**

The casino proposes to dig two deep wells. The water table under the site has dropped as much as 150 feet in the last 25 years. More water is already pumped out every day than is being recharged. Wells are going dry in Southwest Santa Rosa, Cotati, Penngrove, Sebastopol and Rohnert Park.

**+How will you prevent this project from contributing to our serious water shortage?**

**+How will you ensure that surrounding communities and wells will not be impacted by the water usage of a project of this size?**

Based on the fact that it is a federally recognized tribe, it is afforded water rights that supersede state and local water rights. **What assurances will the applicant provide that current residents of Sonoma County will have access to adequate water supplies?**

## AIR QUALITY

With 15,000 to 20,000 additional cars, tour busses and trucks 24 hours a day, 7 days a week, driving within feet of family residences and within a mile of the business district of a small city, air quality will be impacted.

**+How will you prevent this project from contributing to worsening of air quality?**

**+How will you protect residents from exposure to hazardous gasses and objectionable odors caused by the volume of traffic and from the rise in pollution when busses, service trucks, brinks trucks and autos are stuck in traffic?**

## TRANSPORTATION/CIRCULATION

The local roads, Stony Point Road, Wilfred Avenue and Rohnert Park Expressway are already plagued by excessive traffic. With the 15 to 20, 000 additional vehicles on the surface streets leading to the casino, county residents will be subjected to increased gridlock 24/7, increased emissions, increased accidents and emergency delays. The city of Rohnert Park will feel this impact as well, which will affect business. In addition, the state is not funding road improvements to cover this impact.

**How many vehicle trips will this project generate per hour and per day, for the next 5 years? How does the projected traffic generated by this casino affect current projected traffic? How will the applicant mitigate the problems associated with increased traffic?**

**+How will you prevent the gridlock and excessive traffic on narrow country roads from an additional 10 to 20,000 vehicles?**

**+How will you protect the city of Rohnert Park from the traffic impacts of this project?**

**+How will you prevent highway 101 from the traffic impacts of this project?**

**+How will you prevent the cost of road changes as a result of this project from being born by the taxpayer?**

## BIOLOGICAL RESOURCES

There is an endangered salamander that lives on the proposed site. I live two blocks away and have personally unearthed a Tiger Salamander with a shovel. I was told by a biologist, that the Tiger Salamander lives in shallow gopher holes. **Since I unearthed one at the depth of less than six inches, what is the likelihood that the discing to the property that I observed prior to the Salamander study had an effect on the number of Salamanders found? What studies have been done on the effect of discing land on Salamander survival? It would be reasonable to assume that Salamanders were killed with the discing practice. What further study will the applicant do on this property to assure that a biologically accurate study is completed on the Tiger Salamander?**

The proposed site is part of the flood plain of the Laguna de Santa Rosa, the largest freshwater wetland complex in Northern California. It consists of 250 square miles of watershed that helps sustain the entire Santa Rosa Valley ecosystem. ([www.lagunadesantarosa.org](http://www.lagunadesantarosa.org))

According to the Specific Plan, there are 2.15 acres of vernal pools in this area.

The area is home and habitat for 5 federally recognized endangered species:

Sebastopol Meadowfoam (*Limnanthes vincularis*)  
Burke's Goldfields (*Lasthenia burkei*)  
Sonoma Sunshine (*Blennosperma bakeri*)  
Showy Indian Clover (*Tripolium amoenum*) and  
California Tiger Salamander

**+How will you prevent the loss of habitat from these endangered, threatened or rare species?**

**+How will you prevent the decrease in population of these species, which are endangered, threatened or rare?**

**+How will you address the loss of wetland, marsh, and vernal pools?**

**This site is directly in the path of the Pacific Flyway Migration Corridor and is used by scores of migrating birds for feeding, resting and nesting.**

**+How will you prevent the loss of area of the Pacific Flyway Migration Corridor?**

**+How will you protect the feeding, nesting and resting sites?**

**+How will you address the loss of habitat to the other animals that make this open space home; fox, possum, quail, skunk, coyote, egrets and field mice, just to name a few?**

## HAZARDS

In order to build on this site, acres of asphalt saturated fill material will be needed to prepare and raise the building pad. The high water table will cause these petroleum by products and other pollutants to leach directly into both the groundwater supply and into the Laguna de Santa Rosa.. New asphalt parking lots and driveways prepared by spraying oil directly onto newly prepared surfaces will further add to the contamination of this environmentally sensitive area.

**+How will you prevent groundwater contamination from fill, asphalt and construction materials?**

Paving over this land will prohibit rainwater from being absorbed into the ground during the flood season, causing water to be displaced and exacerbating an already serious residential and environmental flooding to properties in the area.

Residential septic systems will be under flood waters for extended periods of time causing additional failures of systems and leading to effluent surfacing. This will result in more wells in the area becoming contaminated as sewage leaches into the floodwaters and flows across residential properties, roads and directly into the Laguna de Santa Rosa.

**+How will you prevent contamination of wells or groundwater?**

**+How will you prevent septic failures from displaced floodwaters?**

In addition, there will be significant increase from non-point source water pollution from oil, grease, gasoline, detergents and roadway runoff; and particulate matter from diesel engines from the 15,000 to 20,000 additional cars, Brinks trucks, tour busses and trucks expected to visit the casino 24 hours a day, 7 days a week.

**+How will you prevent non-point source water pollution?**

The land in question is near a World War II military site. There are concerns about hazardous materials left from that period.

**+How will you determine that no hazardous materials, contaminated groundwater, or dangerous situations are present to harm those on that site or those living near it?**

The casino will operate all hours of the day and night. It will sell alcohol. The area is known for its tule fog and narrow roads with wide ditches on both sides. Streetlights are little help in tule fog.

**+How will you prevent an increase in drunk drivers threatening the community?**

**+How will you prevent an increase in driving accidents from the fog and narrow roadways?**

## NOISE

**+How will you prevent an increase in existing noise levels from a 24 hour casino with 15 to 20,000 additional cars day and night?**

## PUBLIC SERVICES

U.S. News and World Report states that crime rates in casino communities are 84% higher than in non casino communities. A 1996 study by NGISC found that casinos actually create crime in their own and surrounding communities. Our county can look forward to increases in property crimes, assaults, white collar crimes, domestic violence, prostitution and narcotics. This will result in a need for new or added government services.

**+How will you protect taxpayers from bearing the cost for additional fire protection?**

**+How will you protect taxpayers from bearing the cost for additional police protection?**

**+How will you protect taxpayers from bearing the cost for additional road maintenance?**

**+How will you protect taxpayers from bearing the cost for additional social services, as required because of alcohol abuse, gambling abuse, domestic violence, and financial problems?**

## UTILITIES AND SERVICE SYSTEMS

This proposed project will result in a need for new utilities and service systems.

- +How will you address the need for power?**
- +How will you address the need for communications systems?**
- +How will you address the need for water treatment and distribution systems?**
- +How will you address the need for sewer/septic systems?**
- +How will you address the need for solid waste disposal?**
- +How will you address the need for local or regional water supplies?**

## AESTHETICS

The scope of this development is so great as to be invasive to the rural, country, quiet and scenic area. This is designated open space because the citizens of Sonoma County wanted landscape vistas, not developments. In addition to the 24 hour lights necessary for a casino, there will be excessive traffic on our country roads and people coming and going with trash tossed out of vehicles and onto our roads and yards.

- +How will you maintain the quiet, rural, country open space aesthetics?**
- +How will you protect the area from the disturbing glare of lights 24 hours a day?**
- +How will you maintain clean, safe roadways with 20,000 additional cars per day?**

## MANDATORY FINDINGS OF SIGNIFICANCE

- +How will you keep this project from degrading the quality of the environment, reducing the habitats of endangered plants and animals, or decrease its population?**
- +How will you prevent this project from achieving short-term goals to the disadvantage of long-term environmental goals?**
- +How will you prevent this project from having impacts that are cumulatively considerable?**
- +How will you prevent this project from having environmental effects which will either directly or indirectly cause adverse effects on humans?**

## ALTERNATIVE SITES

**Why has the applicant not situated this business venture adjacent to the single**

**“Indian land” acre that qualified the FIGR as a federally recognized tribe and was their original reservation land?**

In comparison to other sites, it is reasonable to examine if this site is the best alternative.

**Why were these sites not selected?**

**The original proposed site at Hwy 37**

**Skaggs Island, a former military base that already has the infrastructure in place and would not require such environmental destruction.**

**160 acres at the former drive in theater site at the county line between Marin and Sonoma near San Antonio Creek. It is directly on 101 and has no residences near it.**

**Mecham Road, a landfill site slated to close soon and be turned into a regional park. This site has many acres nestled in hills that would make it unobtrusive to the surrounding areas.**

**Hamilton Air Force Base, a former military site with infrastructure already existing. Located off Hwy 101.**

**400 acres by Sonoma County Airport**

**FIGR is a small tribe and it is reasonable that two tribes could share a site or casino. A Pomo tribe recently purchased acreage south of the Sonoma/Marin County line. Why don't the two tribes partner on the venture to the benefit of both?**

**As a condition for Lynn Woolsey helping FIGR regain tribal status, the tribe promised her that they would not pursue a casino venture. What assurances will the tribe make that they will not renege on the promises they make now in answer to our concerns? What recourse will the tribe provide if they do go back on their promises?**

**Need for further Scoping Hearings**

**Due to my work schedule, I was unable to arrive at the Scoping Hearing until 45 minutes after it started. In addition, I saw no notification about the hearing until 3 days before in the local newspaper. I live very close to the site and none of my neighbors or me were given any notification. With a project of this scope and impact, it is clear that we need another hearing to address the important issues and have adequate citizen comment. This single hearing, at this time, is not adequate to fully examine the ramifications of this project. Therefore I request at least 3 more scoping sessions, morning, afternoon and later evening with more time for the public to comment. There is precedent for multiple hearings on matters such as these. And this project will impact this county immensely for the next 20 to 50 years.**

**Please look seriously at all these potentially significant impacts.**

Thank you for your consideration.

Respectfully,

*Loretta Smith*

Loretta Smith

**DEIS SCOPING COMMENTS**

On the

Federated Indians of the Graton Rancheria Casino/Hotel Project

May 25, 2007

To: Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington, D. C. 20005

From: Pamela A. Miller  
4306 Primrose Avenue  
Santa Rosa, CA 95407



My name is Pamela Miller, and I have lived in my home on Primrose Avenue in southwest Santa Rosa for nearly 25 years. In that time, I have become acquainted with, and knowledgeable of, native plant and animal life in this area, seasonal conditions resulting from “the forces of nature”, and the effects of human encroachment and development.

**My home is located within one mile of the proposed casino site. In fact, there are several residential neighborhoods located within a small radius of the site.**

Before I begin to detail my concerns regarding this project, I would like to remind you that, by and large, this project **DOES NOT** have the support of the local community or nearby general populations. The very nature of this development does not lend itself to the “planned family community” of Rohnert Park, nor does it blend with the residential “community separator” land where my neighborhood is located.

For the last 25 years, my neighbors and I have been informed (via the Sonoma County General Plan), that this area we live in will continue to be a county designated “community separator”, and not subject to development. My neighbors and I have planned our lives, and invested tens of thousands of dollars in property improvements based on this information. We have a reasonable and justifiable expectation that our neighborhood will be protected from inappropriate development such as this casino project.

Upon reviewing the photographs contained in your report, I find it most disconcerting to note that the majority of the photos have been taken from angles and levels that would appear to support the notion that this proposed casino site is located in a “sparsely populated area used mostly for agricultural purposes”. Nothing could be further from the truth. This is a residential neighborhood. It is zoned as such. The impacts of this development on our neighborhood will be enormous.

Additionally, Greg Sarris and Stations Casinos have been provided with information on several viable alternative properties for sale for their casino project. These alternative sites were accessible to future casino patrons, had sufficient water supply, few environmental issues, were not located in a flood plain, and would have little or no effect on any nearby communities. These sites were provided to the tribe by community groups who attempted to work **with** the tribe rather than simply oppose their project. The tribe has refused to consider any of the alternatives presented. The current chosen site, Wilfred Ave./Stony Point Road, is fraught with environmental issues, and right in the middle of a residential neighborhood. It is the wrong location for this development.

## ISSUES

**CRIME:** Our research (as well as your own report) indicates an increase in crime rates near casino developments involving everything from drug dealing, theft (auto, personal, and residential), physical violence, child abuse/abandonment, prostitution, drunk driving, and vagrancy.

Due to the proximity of our residential neighborhood to the proposed casino, we anticipate that our situation will not be unlike any other community living with an Indian Casino- a development with "sovereign" status and privileges. A development that will not be subjected to the same laws and regulations governing the community in which it will reside.

Based on our combined research, how will you address the following?:

- 1) How will you prevent the serving of alcohol to minors in a "college town"?
- 2) How will you prevent increased numbers of drunk drivers (casino patrons) from driving through our neighborhoods?
- 3) How will you prevent vagrants (associated with this type of development) or other casino patrons, "down on their luck", from swarming into our neighborhoods looking for a place to spend the night, or something to steal and sell?
- 4) How will you prevent residential burglaries associated with casinos in neighborhoods?
- 5) Who will compensate local homeowners for the loss of property values due to their homes now being located in an increased crime area?

**FLOODING:** This proposed casino site is located in a flood plain. Flooding of nearby waterways, pastures, roads, residential driveways and properties is an annual occurrence in this neighborhood. I have enclosed photographs of the flooding from the winter of 2005, detailing the existing problems we have on nearby roads and properties, most notably, Wilfred Avenue., the road where the proposed casino site is located. As you can see, Wilfred Avenue is completely under water. The pastures surrounding Wilfred Avenue are submerged under 1-2 feet of flood water.

The "flood control" channels overflow their banks within hours during a storm. The flood waters flow out into open, undeveloped pastures (which are obviously needed for water "overflow" areas), and onto nearby roads and residential side streets. This, sometimes combined with a normal high tide, can lead to serious issues regarding property damage, failed septic systems, contaminated well water, livestock safety, and the safe passage of vehicle traffic.

Your report indicates an intention of bringing in enough "fill material" to raise the casino building pad several feet above the flood area. This "solution" to the flood issue is unrealistic and irresponsible to the point of being completely incompetent and insane. I see nothing in your report that indicates what you intend to do, with any success, with all

of the displaced water created by the construction of an elevated "island" for the casino building pad.

The Sonoma County Building Department has limiting and restrictive guidelines for how we can alter our homes, or what we can build in this neighborhood, mostly due to the flooding issue. A development with "sovereign" status should not be allowed to circumvent local codes and ordinances, and put entire neighborhoods at risk for serious property damage, health risks, loss of livestock, or physical harm, in order to build a casino.

Please address the following regarding building this development in a flood plain:

- 1) How will you prevent the exacerbation of the local flooding?
- 2) How will you prevent property damage as a result of displaced flood water from your elevated building pad?
- 3) How will you prevent septic system failure do to increased flooding resulting from displaced water from your elevated building pad?
- 4) How will you prevent health issues associated with "effluent surfacing" from septic systems under displaced flood water?
- 5) How will you prevent the contamination of local well water supplies?
- 6) How will you prevent dangerous traffic situations resulting from (flooded) road closures?
- 7) How will you prevent the loss of livestock?
- 8) How will you compensate livestock owners for the emergency relocation of livestock due to increased flooding?
- 9) Who will compensate local homeowners for property damage, loss of use, and added health issues due to increased flooding?
- 10) Who will compensate local homeowners for loss of property values?
- 11) How will you prevent the destruction of natural habitat?

**TRAFFIC:** Your report indicates an anticipated nearly 20,000 vehicles traveling to and from this casino development on a round the clock daily basis. That's 20,000 cars, trucks, and tour buses providing our neighborhood with increased noise pollution (vehicle noise and roadway noise), air pollution (exhaust and diesel particulate matter), water pollution (from vehicle run off), trash (associated with vehicles), drunk drivers, and "sightseers" 24 hours a day, seven days a week.

This is a residential neighborhood. When will we sleep? When will we be able to spend time in our yards without traffic noise, lights, and vehicle exhaust? Our research and communications with people who have casinos in their communities indicate extreme adverse impacts on neighborhoods due to massive amounts of casino traffic. Drunk and/or disoriented drivers pulling into private driveways, destroying personal property, ripping down gates and fences, and parking on private property to drink, do drugs, or participate in prostitution. Yards and gardens are covered in diesel soot. Elevated traffic noise can be heard inside homes. Trash is thrown from passing vehicles. Drivers are

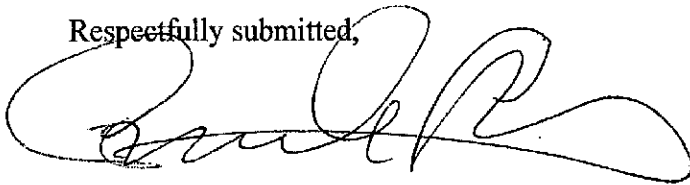
swarming through neighborhoods "looking for a shortcut". Again, this is a residential neighborhood. Not a freeway. Not an industrial area. Not a commercial area. People live here. Our quality of life is at stake.

Please address the following issues regarding traffic:

- 1) How will you prevent/mitigate increased traffic noise?
- 2) How will you prevent increased air pollution?
- 3) How will you prevent increased vehicle run off creating water pollution issues for our wells and environmentally sensitive waterways? (The Laguna de Santa Rosa).
- 4) How will you keep drunk drivers off the roads?
- 5) How will you prevent casino traffic from filtering through our narrow neighborhood streets?
- 6) How will you prevent increased health problems associated with vehicle pollution?
- 7) How will you prevent the disruption/destruction of sensitive natural habitat due to excessive amounts of traffic?
- 8) How will you compensate homeowners for their loss of property values?
- 9) How will you compensate homeowners for the loss of their quality of life?

There are obviously many more issues concerning the construction of this casino on this piece of property, and in this area, that I have not addressed in my comments. The availability of water. Responsible sewage disposal. Documented endangered plant and animal species in the area. Comments on these issues have been submitted by others and are supported by myself. This is simply the wrong location for this development.

Respectfully submitted,

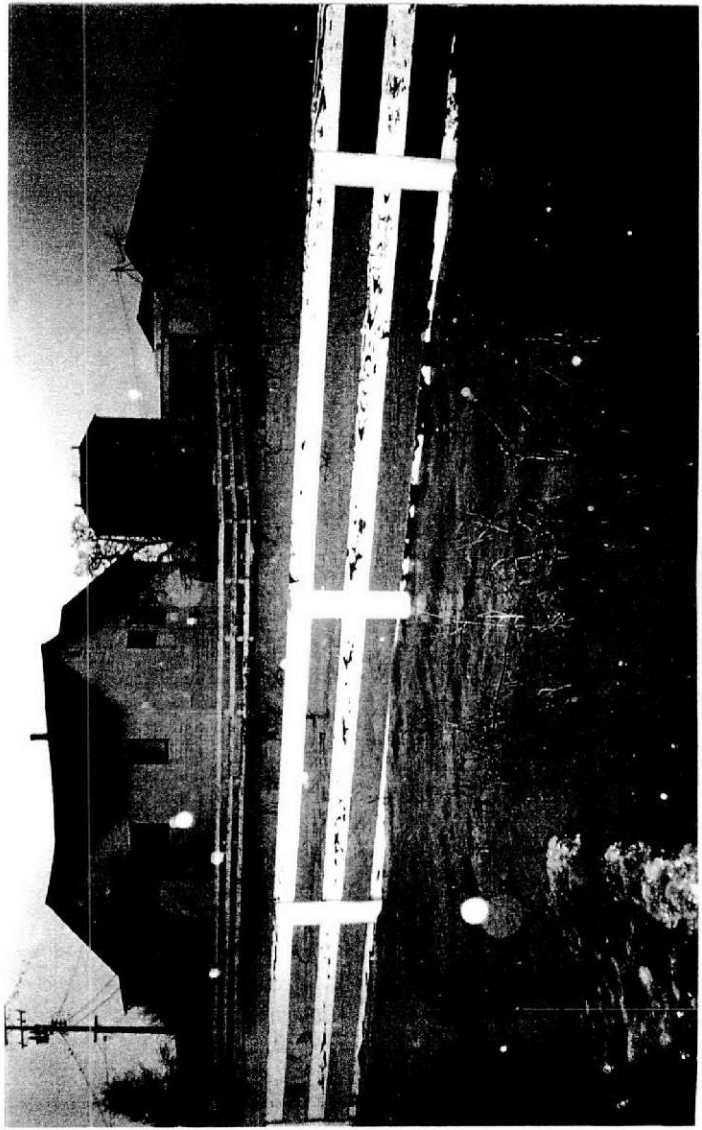
A large, stylized handwritten signature in black ink, appearing to read 'Pamela Miller', written over the typed name.

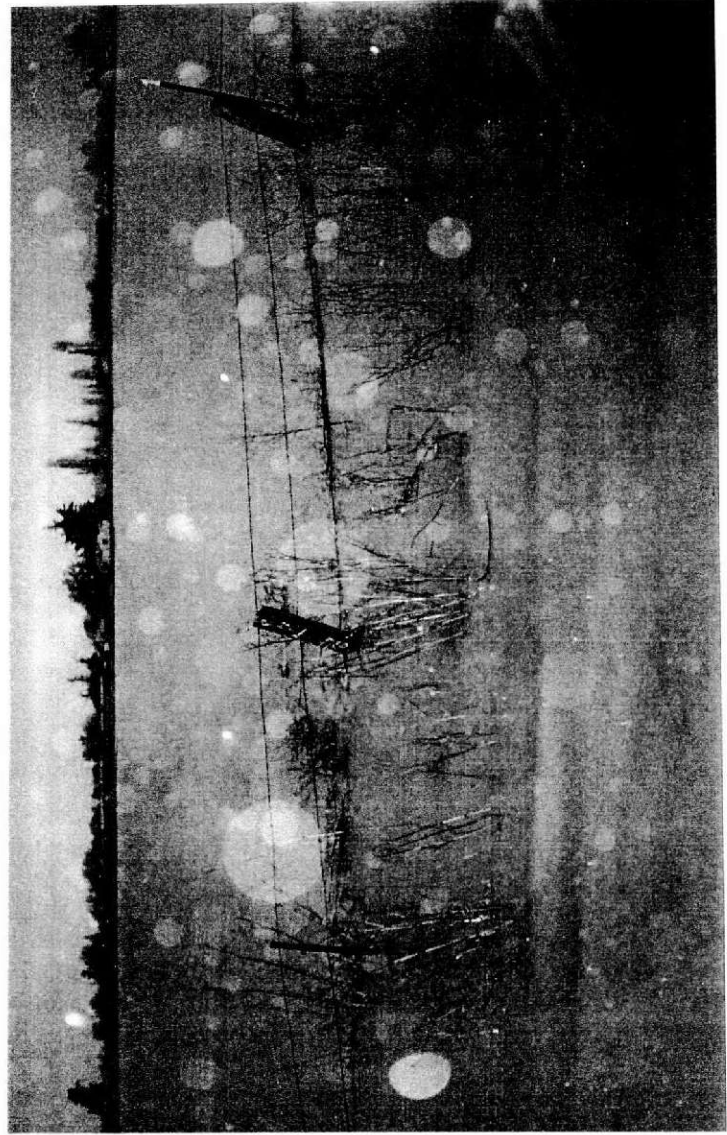
Pamela A. Miller  
4306 Primrose Ave.  
Santa Rosa, CA

PRIMROSE AVENUE  
@ WILFREDO  
↓

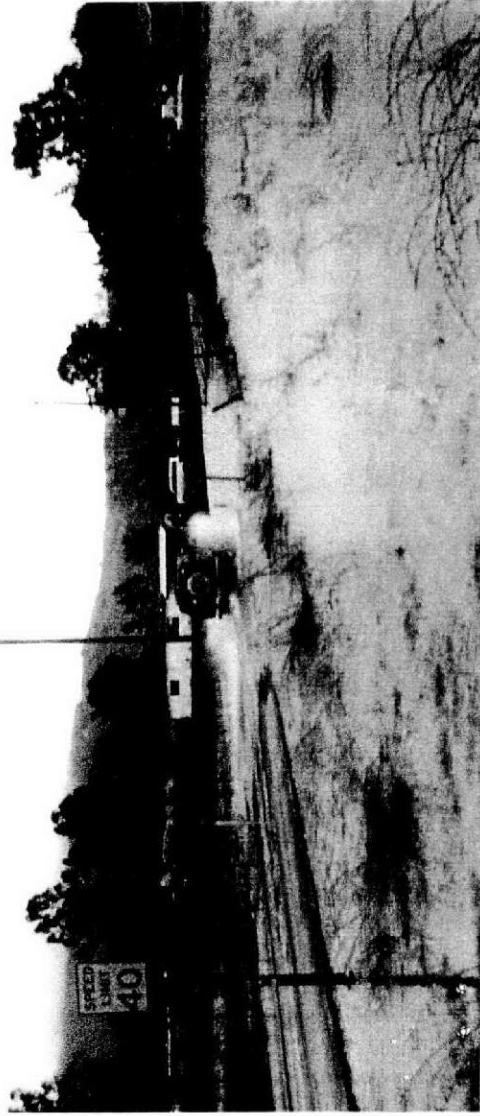


WILFREDO AVENUE  
@ PRIMROSE AVENUE  
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WILFREDO AVENUE ↑

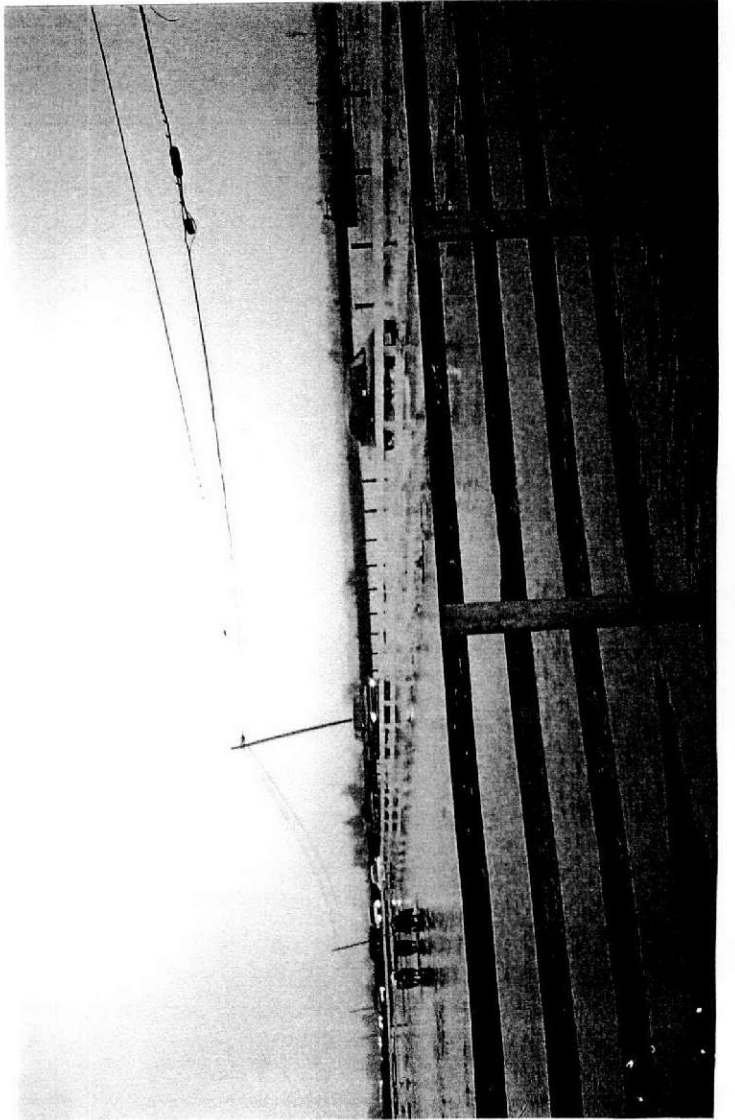


CARS TURNING AROUND DUE  
TO FLOODING ON MILBRAE  
AVENUE ↓



← MILBRAE AVENUE

FLOODING ON WILFRED K



## DEIS SCOPING COMMENTS

Federated Indians of Graton Rancheria Hotel and Casino Resort  
Project

To: Brad Mahaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street, N.W, Suite 9100  
Washington, D. C. 20005

Re: DEIS Scoping Comments, Graton Rancheria Hotel and Casino Resort  
Project.

RECEIVED  
NIGC  
07 JUN 11 PM 3:17

Comments relate to specific items listed on NEPA Compliance Checklist (FWS Form 3-2185).

From

Lloyd Iversen  
4230 Hargrave Avenue  
Santa Rosa, Ca 95407-8311

6-3--2007



Dear Brad Mahaffy:

The following are my personal questions, opinions, comments, and relevant information. I refer to the Casino Project, the related promoters of it, and the people, ideas, and plans for it as the "Casino Project" in the body of this document. I also refer to the "study", "report", "proposal", and to the DEIS. It all means the same thing. It means the huge proposed casino project near or in Rohnert Park being brought on by the Graton Rancheria or Station Casinos.

**FORWORD - IMPORTANT AMERICAN INDIAN QUOTE:**

Dr. Jack Utter, who holds a doctorate in natural resource management and has additional background in history and law – including federal Indian law, explains the following relevant information in his book entitled "American Indians, Answers to Today's Questions": "What is the greatest single issue facing Native Americans in the future? The same one facing us all – the end of Nature. Without denying the seriousness of the many native issues that require ongoing attention, it is absolutely clear that, unless the planet's immense environmental problems are solved, all other concerns, save nuclear conflagration, won't matter. ....(Dr. Utter goes on) .....In early October 1991, Oren Lyons, and Onondaga elder, appeared in an interview on a segment of the CBS television magazine "Sunday Morning." Describing his concerns about environmental degradation, he first made the point that there is plenty of blame to be shared by "all of us." He went on to make a very graphic statement summarizing the effect of environmental damage on the future. He simply said, "We have taken our grandchildren by the hair, tilted their heads back, and slit their throats." This statement startles and even offends some people. But, unless the reality that caused its expression startles and offends them – and the rest of us – even more, we will continue to go precipitously down the road to virtual destruction of the world's biosphere.""

I would like to also quote the Utter, Balen, and Cantu 1989 "The days of tea – and – crumpets conservation are over. We are talking about deadly issues here, issues that necessitate a most courageous, sweeping, and accelerated solution in order for the world's environment to be fit for habitation... The causes of the environmental crisis are well known, as are the solutions. Key social institutions, primarily national governments, lack the direction and high level of motivation necessary to implement solutions. It is therefore

imperative, and exceedingly appropriate. That “We the People” of the world’s nations (including the Indian nations) begin to resolutely provide our leaders with the strong motivation and direction so desperately needed.”

## **SONOMA COUNTY GENERAL PLAN AND SITE QUESTIONS:**

Hello, I am Lloyd Iversen serving on the conservation committee of the Sierra Club. I am writing to you as a resident and property owner of many properties in the area of the proposed casino. I am also a member of the Sonoma County Water Coalition. I have served on numerous boards and legal and engineering organizations including ASHRAE and RSES. I have been studying local water problems and issues, wells, ground water, soil profiles, and ground water testing for the last 26 years. I have engineered and built well drilling equipment and analyzed many problematic or failing wells. I have engineered and commissioned water treatment systems and plants, and set up testing programs for water quality.

One of my deepest concerns is that the community in which I live in will be changed for the worse forever. Greg Sarris writes on page 150 of Mabel McKay “When I was a kid the trees were pruned each fall and were weighted down with apples every summer.” Greg speaks of a rural life that is rich in nature and cultural values. This is the life we live in this neighborhood, our neighborhood is known to locals as the Bellevue Township. I appreciate the depictions of a life style Greg sets forth. The rural life style, which is the

foundation of our culture here, is also one, which is totally different from a Las Vegas style casino neighborhood. I have visited other California Casinos and given the scenario a serious consideration for my own information and also out of respect for Greg Saris and all he is trying to accomplish. I have seen first hand how the casinos destroy communities. I have studied the microeconomics and macroeconomics and the socio-economic devastation caused by casinos. This Casino might well destroy our way of life. After planting over 1000 trees over 28 years on my farms I would really hate to see this happen. I am engaged in a socio-economic life style that is not compatible with this Casino Project. My long-term goals of sustainable agriculture, sustainable energy, and environmental responsibility will be severely compromised by the Casino project. In the summer evenings we camp out side with the children and teach them about the natural world and how we all fit in. Many of us also home school and teach Native American values, you know, the ones about respect for the natural world, you know, the ones that have nothing to do with building a Las Vegas style casino over sensitive wet lands with endangered species. One of the things we teach is that Native Americans have a place in this world and deserve a home and an equal chance to co-exist. Even though I do not see the Casino Project as the solution, I do believe a solution is badly needed, and that Greg and his people need all the compassion and consideration we can give them in their quest.

The Sierra Club has taken a position against the Casino Project for environmental reasons. I have joined them and

set forth expanded and detailed related questions concerning the proposed project. The reasons have been related to air and water pollution, destruction of habitat, over draft of the aquifer, air pollution, noise pollution, and traffic to name a few. Currently I have many questions, but these following questions are of the utmost importance.

- 1) The time given to study the DEIS is too short. The Sierra Club, my neighbors, my family, and myself need more time to study the document. We are asking for a 3-year extension be granted so that essential relevant data now being collected in a current water study, can be completed.
- 2) The current water study is not sufficient and it is flawed. Specifically what were the problems with Rohnert Park's water study that was ruled flawed in the courts, and what changes should be made to the study? Please create and undergo a competent water study that is truthful and accurate.
- 3) A new study would give us at least some accurate data, hopefully so that an intelligent assessment can be made. Could you please grant a 3 year extension for an accurate water study be started and begin to take place, in fairness to all?
- 4) The past water studies have been deemed faulty by the local court systems. Why didn't the EIS point out that the new data now being collected in other studies, would be essential in accurately predicting hydrological effects of Casino ground water pumping? Please state what current studies are going on and what others are being considered.
- 5) The local ground water system has not been adequately studied or mapped. Why has the local ground water system not been adequately studied or mapped yet? Please study and map the local ground water system adequately, accurately, and carefully.
- 6) There are many issues that the DEIS has left out that are critical. Our objection to the Casino project has been re-enforced with the discovery of the MTBE gas leaks at the Tessoro, Shell, and Chevron stations near proposed wells, which are discussed in appendix Y of the EIR. The proposed industrial wells will pump 400 GPM very close to MTBE pollution plumes. Why was this not brought out 3 years ago when the Casino Project forum took place

at the Sprekels Center in Rohnert Park, or at all the other meetings? Please publicly advertise this issue and send detailed notification to all well owners and property owners in Sonoma County.

- 7) MTBE is water-soluble and can travel deep into the water system. Would not the MTBE pollute to a depth of 600 feet or deeper thus polluting virtually all of the surrounding wells in the area, private and public, with toxic MTBE? According to page 128 of the Ramlit report this water pumping in an unconfined water table could be a significant pollution transport. Please describe all the possible ways in which MTBE might enter the water system.
- 8) The Ramlit Report is a significant document relating to the water system and local geology. Why doesn't the EIR reference the Ramlit report? Please completely review the Ramlit Report and describe in detail any and all relationships to any current studies? What are the similarities and what are the differences in data and descriptions?
- 9) MTBE at the proposed Casino Site is also in an alluvial fan deposit system. Would this not form an efficient and unpredictable pollution transport system to all parts of the aquifer? Another problem is that the sub alluvial fan system has not been adequately mapped or studied. Please map and study the alluvial fan deposit system in full detail and describe in detail the relationship to the leaky gas stations and the proposed Casino wells and waste disposal system.
- 10) The alluvial fan deposit system needs to be mapped in detail and scientifically studied. After 3 years why hasn't it been mapped or scientifically explored? Please create a detailed study of the alluvial fan deposit system and complete the study before making any more DEIS reports. Please void the current DEIS until this study takes place and is related in detail to any and all factors and considerations both hydrological and environmental.
- 11) It costs incredible sums of money to clean up an MTBE pollution scenario. What would it cost to clean up this scenario? What cost would be added to the clean up of MTBE if the MTBE leaked into the casino wells and got transported to other parts of the water system? Please create an accurate spreadsheet describing the likely, probable, and possible costs directly and indirectly related to any MTBE clean up in this scenario.

- 12) The DEIS does not mention what other communities have spent cleaning up MTBE or military pollution which the proposed site seems to have. Why doesn't the DEIS mention the accepted estimates of one hundred million dollars to thirty billion dollars to clean up this type of contamination? Why doesn't the report mention that in Santa Monica, where a similar scenario played out it has already cost over 200 million dollars to work on the problem? Please completely review the Santa Monica scenario in detail and learn from their mistakes. Make a list of their mistakes and what mistakes might also happen here.
- 13) Santa Monica has a water system that is similar to ours. What are the similarities and what are the differences in the ground water systems and hydrology? Please make a comparative scientific depiction of Santa Monica's water system and our system and describe in detail the differences and similarities.
- 14) Estimates describe that Santa Monica spent over 200 million dollars on MTBE clean up. Why doesn't the DEIS mention that after 200 million dollars the problem isn't close to being solved? Please study and describe why 200 million dollars did not clean up the scenario. Please describe the likely and possible costs of cleaning up an MTBE scenario at the Casino site on an accurate detailed spreadsheet.
- 15) MTBE clean up costs vary widely. Alluvial fan deposit systems like the ones we have through out our water system greatly increase the cost of clean up and complicate the process. What could be the possible complications and additional costs to clean up this MTBE pollution on the proposed site? Please describe the possible additional costs and complications related to the alluvial fan deposit systems.
- 16) Often it is not possible to clean up MTBE pollution scenarios. Often MTBE is just the beginning of the problem because MTBE is an excellent transport for other water toxic or carcinogenic chemical soluble pollutants. Could the MTBE and other co-transported pollutants ever be cleaned up since it is connected into an un-mapped sub-alluvial fan system? Please describe in detail the relationship between MTBE, other chemicals, and the feasibility of ever being able to completely clean it up.
- 17) Many clean up efforts for MTBE pollution scenarios have failed. Has this type of mixed MTBE chemical pollution plume ever been successfully been cleaned up in this type of soil system before? If

so, where? Please report any and all records related to any successful clean up scenarios and describe why these efforts succeeded and others did not and how this would relate to the Casino project.

- 18) Soils vary widely county to county. What is the soil system in other MTBE pollution scenario areas and what is ours? Specifically how is the soil system similar and how was it different? Please map the soil systems in other MTBE pollution scenarios and then map our soil system and point out the differences and similarities. Place the similarities on a geo-technical spreadsheet and mapping system and evaluate the relative time line and distance of MTBE transport.
- 19) Evidence exists that the local ground water system is connected to and integrated with other local ground water systems. It is known that pollution from the Laguna in and near the Rohnert Park Casino proposed site could carry to other local water systems and distant water systems on the Russian River water shed. How could the sub-alluvial fan system transport MTBE and other compatible toxic chemicals to Sebastopol, Petaluma, Forestville, Healdsburg, Guerneville, and Cotati's water system? Why is this likely? Place the exact hydrological pathways on a geo-technical spreadsheet and mapping system and evaluate the relative time line and distance of MTBE transport.
- 20) MTBE is one chemical of a group of oxygenates. Tri-hallo methanes are reported to be a concern in ground water systems. Arsenic is also a problem in the ground water system. Could MTBE exasperate the problems with other chemicals? Please describe in detail the current known information about any pollution in the ground water system and how it might relate to or interact with MTBE.
- 21) MTBE forms many zoetrope's with water and methanol and other chemicals. What is the inventory of these zoetrope's? Please list all zoetrope's of MTBE and water. Next describe which zoetrope's are harmful to humans and animals. Then please detail the amounts of the zoetrope's that might possibly leak from the gas stations and reach the Casino site and surrounding areas.
- 22) MTBE can cause a change in the balance of the eco-system. How did MTBE plumes affect other cities in the past and what did it do to the water table and balance of the eco-system? What are the

- similarities and differences in this scenario? Please describe in detail how MTBE could change the balance of the eco-system.
- 23) Historically, streams flowing down from Sonoma, Taylor and the Macama Mountains formed broad alluvial fans as they deposited sediments over the east side of the Santa Rosa Plain where the Casino site is proposed. Could the Casino Project alter any course of any stream or deposit fan? Please describe any possible changes to stream flows, patterns, or sediment fan deposits.
  - 24) Small channels crisscrossed this fan system described above, naturally overflowing and changing course each year. What is considered to be a major change in course and what is a minor change in course and how would the Casino Project effect the changes? Please create a technical mapping system and spread sheet describing the range of likely changes to all in stream flows and out stream flows.
  - 25) Many of these streams disappeared underground or diffused into open swampland. What is the specific mapping of these underground streams and how many crisscross the proposed site and what are their depths in the hydrological unit? Please test for and identify all underground or diffused streams on open swampland and show clearly how they crisscross. Show the hydrological depth of all flows and fully define each hydrological unit. Prescribe all likely diffusion curves for all flows and then show how these diffusion curves could be effected by the Casino Project, the proposed wells, parking lot run off, landscape irrigation, and the proposed waste disposal system.
  - 26) Where the alluvium ended, the clayey soils on the western side of the plain formed numerous small swales and pools, connected during heavy rain water events, but disconnected during the late spring season, and drying up completely in the summer months. Could the Casino sewage discharge and run off prevent, effect or alter the wetting and drying cycle of these pools? Please map all the swales and pools in detail and show the size variance over a 100-year typical time span. Then describe what the possibilities of what might change in the event of the Casino Project going forward. Give a scenario in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
  - 27) Water is a long lasting shared public resource. What would be the effect in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years? Please describe the possible depletion of the



water inventories over the above described time lines. Combine this with the likely projected time lines and increased needs for population levels and agriculture

- 28) The Casino Project may alter natural pool systems. Specifically what are the pool systems that might be affected and how will their temperature gradients change? Please document all the temperature gradients in all the pools and bodies of water on or with in 10 miles of the Casino Project and then describe in detail how each temperature gradient might change as direct or indirect result of the Casino Project. Then describe how this possible temperature gradient change could possibly affect population levels of life forms within the pool systems.
- 29) Temperature horizons have varied specifically through out history. What has been the most significant and least significant temperature horizons in all the pools and bodies of water on or with in 10 miles of the Casino Project. What affect might this new temperature horizon have on the reproductive life cycles of plants and animals in and around the pools? Please give a historically relevant description or the temperature horizons of the pools and bodies of water. Rate them on a scale of least important and least important to life cycle reproduction and habitat quality. Then give the exact criteria of the comparative analysis and what factors where most important in bench marking key levels.
- 30) The Laguna's bottomlands were comprised of a chain of wetlands, lakes and braided waterways. As water levels rose with the return of the winter rains, the Laguna's ponded lower areas overflowed forming a broad connected floodplain swelling and shrinking with each winter storm. What is the exact mapping and description of this natural process and what means were used for collecting the data? Could better data be collected? What data would be better in describing the quantity and quality of the interconnected hydrological process of shrinking and swelling with in each winter storm period? What has happened in past winter storm periods and what do we still need to know? What might be the most significant and least significant changes in quantity and quality of the interconnected hydrological process of shrinking and swelling with in each winter storm period after the Casino Project is built? Please describe the scenario for all the pools and bodies of water on or with in 10 miles of the Casino Project. Please give a detailed description of the possible changes to any and all interconnected

hydrological process of shrinking and swelling with in each winter storm period.

- 31) Casino run off and discharge could affect shrinking and swelling levels in the water system. What specifically will be the increases in swelling and minimization of shrinkage of water levels in the hydrologic water system due to Casino run off as sewage discharge? Could this additional flow increase sediment transport downstream to Guerneville and the Russian River? Describe the historical loading of sediments in the water systems. Next show all ways in which the Casino Project might possibly impact the historical loading of sediments in the water systems. Show how the sediments play a vital role in the eco system in and around Guerneville and the Russian River areas and how this could change.
- 32) Toxic chemical chemicals in the water system are found that have been discharged from waste water systems. Often these chemicals lodge sediment deposits and become difficult to treat or remove. What rate of chemical loading to the water system, the Laguna, and the Russian River watershed might be expected from the Casino Project? Please describe all possible chemicals that could escape treatment. Next project what amounts and what levels would be reached in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years. Then describe at each benchmark what the likely exact clean up scenarios would be for each chemical.
- 33) The Laguna has become one of the most polluted bodies of water in the county. It is also one of the last habitats for wild life in the area. Could the Casino Project further pollute the Laguna and it's sediments? Please describe any possible way in which pollution levels might increase from noise, parking lot run off, landscape fertilizers and weed killers, soil treatments for compaction and construction purposes, air pollution, busses, stand by generators, and soil amendments. Then show how the normal historical sedimentary distribution pattern and how it could be impacted by these types of pollutions. Please describe the specific types of all possible pollutions and quantify the projections.
- 34) It is likely that an increase of sedimentary flow and nitrogen loading would impact the Russian River Water shed. What effects on the Russian River and Coastal Waters would this new and different sedimentary flow possibly have? Could the increased

rates of sedimentary flow greatly accelerate, with serious consequences, the physical pollution transport to the ecosystem as a whole? Please study, document, and describe in detail how sediment from the Casino Project might possibly reach the coast and what negative impacts it could have on the already stressed coast waters and beaches.

- 35) Ground water transients and artesian pressure is a factor in the local water hydrology. Why haven't ground water transients or artesian pressure in the subject area been considered? Why are they not differentiated from the unconfined water table? Please completely map and describe all the confined and unconfined water tables in the Santa Rosa Plain and the local water systems. Then please show how the Casino Project integrates with the unconfined versus the confined water table systems. Next describe the differences between artesian pressure in unconfined and confined hydrological anomalies within the subject area and what effect Casino pumping would have on these anomalies. Next show the differentiation between anomalies and classified zones. Give the criteria, which pinpoints benchmarks for data quantification in the related study.
- 36) Underground water transients are massive flows of under ground water that is poorly understood by local hydrologists and government. These sudden water flows exasperate MTBE and other types of ground water pollution. This occurs in areas like ours with large seasonal water fluctuations. This also described in the Ramlit Report. What will be the effect of the water transients under the Casino site? Couldn't the effect be essentially like an underground tsunami dispersing MTBE pollution in a federally recognized aquifer recharge zone? Please describe how polluting ground water is a violation of Federal Law and how the Casino Project might exasperate any pollution. Please describe any and all actions citizens might take to protect their ground water resource from the Casino Project. Map and describe ground water transients in and around the subject area. Then quantify the volume and breath and depth of each transient. Next project the likely hood of the increase and decrease in transient frequency in light of global warming, flooding, el-Ninio, and other possible weather and climate conditions or changes.
- 37) Couldn't transients carry the MTBE into the Casino wells as described in the USGS report on MTBE? Why doesn't the EIS

mention that the USGS reports that MTBE is a highly water soluble water pollutant that transports benzene, methyl and di-ethyl ether, and isobutylene and other chemicals from pollution plumes into the water system? Please list all the chemicals that are transported by MTBE and which chemicals are going to be present any where on the Casino Site Project or any that might be with in the soil matrix already from past farming operations or military sites. Be specific in listing the types of chemicals that are MTBE compatible. Describe the scenario in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.

- 38) Well seals regularly fail. With in the Count of Sonoma there are thousands of examples of failed well seals. What is to keep us from suspecting that the Casino well seal will eventually fail in the presence of MTBE? Why doesn't the EIS point out the common knowledge that well seals regularly fail and could easily let perched water tables pollute lower hydrologic confined aquifers? Why doesn't the EIS mention that according to the New Hampshire Department of Environmental Services 2002 WD-WSEB-1-9 "Disadvantages of well seals – Secondary well seals are designed to be installed in a round smooth hole. Unfortunately well bores are not always round and rarely smooth. Sometimes it is difficult to seat the seal so it doesn't leak" It is impossible to inspect an under ground well seal and nearly impossible to adequately test and verify integrity. How will the well seals be inspected and maintained to guarantee no possible leakage from the surrounding MTBE pollution plume? Please describe the protocol for monitoring and verifying the integrity of well seals on the Casino Site in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years. Next describe what is the maximum amount of pollution that could be caused by a leaking well seal and the cost to clean it up. Then explain any all types of pollution to the Casino water and neighbors water that might take place should a well seal fail: in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 39) In the late 1980's a large ground water transient was observer near the Casino Proposal site on Langner Avenue during and extensive soil profile and ground water test. These un-explained ground water transients imply areas of

- isolation that are not mapped or mentioned in the EIR, even though the records exist at SO. CO. PRMD. Why were these essential characteristics of the proposed site not mentioned in the EIR? Please review all public and confidential records at the Sonoma County offices and make a complete record and analysis of all ground water transients, soil profiles, and well driller logs. Next show how any Casino Project activity might positively or negatively impact any or all of the ground water transients, soil profiles, and well driller logs soil profile descriptions.
- 40) These ground water transients in the mapped ground water recharge area, which is the proposed Casino site, are essentially like an underground tsunami. A large sudden water movement might carry the MTBE into the Casino wells. Could this permanently pollute the water system? Please describe your definition of permanent ground water pollution and how the Casino might impact any permanent ground water pollution. If the Casino pollution impacts are temporary please describe why and what benchmarks were used to determine the levels of “temporary”.
- 41) Local and Federal code requires that wells be properly abandoned. This law is predicated on the knowledge that wells regularly transport pollution to great depths with in a ground water system. The nature of well drilling, casing methods, gravel packs, and disruption to alluviums are invasive to strata integrity. Would not the proposed Casino wells act as a large pollutant transport to all usable parts of the water table to a depth of 600 feet and beyond thus pollute virtually all of the surrounding wells in the area, private and public, with toxic MTBE? Please describe how far the pollution plume could possible be extended. Please give all depths and quantities of possible pollutants and chemicals.
- 42) California SB 610 guarantees ground water supplies. With the subject area’s aquifer already in an extreme overdraft condition, would the addition of the two proposed 200-gallon per minute wells be in violation of SB 610? The wells would pump over 21 billion gallons of water from the recharge aquifer per year. Might this have an impact on water table levels? Please describe in exact

detail all the water inventories for Sonoma County and the related water systems. Then make a proportional quantitative analysis for the impacts that the Casino wells would have on the quantitative analysis. Show what inventories have been made in the past. Show their weaknesses and describe all the ways in which better data could be collected to better insure accurate data collection of water inventories. Then define the hydrological units being considered. Show how the boundaries of the hydrological units were arrived at. Next show how better boundaries and better more meaningful hydrologic study units could be defined. Explain why the Rohnert Park Water Study's hydrologic units are flawed and what it would take to make a better study. Show the difference between the hydrologic units the Casino Project considers and what Rohnert Park did in the past and the advantages and disadvantages of each boundary definition.

- 43) The EIR describes trucks running 8 hours a day every day for at least 5 months to haul in 222,917 truck loads of rock compaction (which will be chemically) treated to cover over the 66 acres of the (Federally recognized recharge area) area with the purpose of sealing it off from natural water flow. Where will this gravel come from? Please compile a list of every gravel source in the subject area and the available inventories of materials. Then study all the past, present, and likely future demand curves on these described inventories and how the Casino Project would deplete these inventories. Next describe in detail the socio-economic impact of increased gravel prices and lower gravel availability for other uses in the county besides a Casino. Describe all likely uses of gravel and which ones will be least impacted and which will be most impacted if the Casino is built.
- 44) Trucking gravel to the Casino site will create a lot of extra air pollution. Specifically trucking gravel to the Casino will increase Nitrous Oxide emissions in our air. How many pounds of Nitrous Oxide air pollution does this trucking equate to? How can the air pollution be mitigated? Could increased air pollution increase health

- risks for my children and my neighbors? Please describe the health risks of air pollution and what effects truck exhaust might have on my family and my neighbors.
- 45) The Bay Area Air Quality Management District has set forth strict control of air polluters in the North Bay. Has the Nitrous Oxide air pollution load been calculated and submitted, in compliance with federal law, to the Bay Area Air Quality Management District? Please register the Casino Project with the Bay Area Air Quality Management District as a proposed gross polluter. Next describe all the forms of air pollution that the Casino will emit including refrigerants and green house. Then describe the negative impacts of these types of pollution on my family and neighbors. Create a chart that shows the air pollution potential of the Casino in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 46) Local gravel mines are over used already and are damaging the environment for the Russian River and it's tributaries. Would the Casino Project create additional demand for gravel? Would an increase demand for gravel increase the impact that the local gravel pits have on the Russian River? What will be the exact detailed impact the increased gravel mining might have on the Russian River and all other local water systems? Please describe all local water systems and their precise relationship to local gravel mining. Then show a spreadsheet and detailed map of the demand curve over a time horizon of 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 47) Trucks traveling to Forestville for gravel will greatly increase traffic in the already traffic stressed community. Other local communities close to gravel operations are stressed by the noise, traffic, pollution, and dangers that gravel trucks pose. What additional traffic impacts would there be to communities like Forestville and Guerneville where local mines are located? Will the Stony Point

Quarry be used for the Casino Project? What is the traffic jam condition on Stony Point road now and what could be the worst case scenario of traffic on Stony Point Road should a convoy of trucks visit the Stony Point Quarry? What health risks and safety risks will the gravel trucks pose on local communities? Please list all the possible health risks including air pollution, lung disease, traffic stress and noise pollution, and wear and tear to roads. Next describe the mitigation measures for road degradation since gravel trucks are very heavy. Research and describe all the complaints Forestville has expressed about the gravel trucks already and what complaints are likely to surface in any and all other areas. Then describe in detail the socio-economic impact to those communities where their desired way of life will be impacted and what those impacts will be. For instance if a psychotherapist has moved from San Francisco to get peace and quiet in Forestville or Lowell Court and now it is flooded by heavy trucks, how will that effect the social fabric of the community?

- 48) Specific quantities of gravel are needed to complete all phases of the Casino Project in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years. How much gravel would be stripped from each specific gravel mine at each pit per week and per month? Detail the acquisition of all rock, soil, soil amendments, sands, fill materials, and any significant materials to be trucked into the Casino Site in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 49) Typical construction adds chemicals like lime and stabilizers to soils for compaction and construction purposes. This process is invasive and destroys the eco system. Is a coverage rate of a depth of 60 inches over the site likely as described in the proposal? Will a compaction rate of 90% or more be the goal of any fill materials



described above? If so then what will be the exact methods of compaction and what chemicals might be used now or in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years. If not, then what amount of compaction will be implemented? Please detail the exact criteria of any fill materials and compaction methods and materials.

- 50) Compaction and the chemicals and soil treatment additives used in the process can adversely affect aquifer recharge areas. What chemicals are going to be added to the compaction materials over the recharge area? Please give a list of any or all-alternative construction methods and show a graph and spread sheet of the effectiveness of each method in protecting the eco system.
- 51) The EIR or DEIS doesn't address chemical soil treatment that is likely to take place. I can only assume that it will. Why doesn't the EIR go into necessary detail concerning the "chemical treatment" of natural soils on the proposed site? Please list any and all projects in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years that might require chemical treatment of the soil.
- 52) Treating the soil with chemicals might contaminate the water table. Would the Casino Project soil treatment chemicals leach into the water table? Please describe any and all ways in which this leaching into the water table might take place and give specific quantities and time horizons. Show the effects possible in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 53) Violations of the Federal Clean Water Act are not mitigate-able. How would the leaching of the proposed chemical soil treatment be completely prevented? Describe in detail how the Casino Project intends to completely prevent pollution to the water system or prevent any and all other possible violations of the Federal Clean Water Act. List all the ways that the Casino Project might violate the FCWA.
- 54) It has come to our attention that the proposed project has a reasonable expected economic life. What is this life span? Is it 8

years as some experts have suggested? Please give the complete detailed time horizon of other similar Casino Projects and show how they might be different or similar to this Casino Project and the how that criteria impacts the local socio-economic fabric or society.

- 55) Casinos and other businesses have a life span and then must be de-commissioned. What is the plan for de-commissioning the project when the economic usefulness has been exhausted? What will be the pollution impacts of the sewage handling system in 5 years, 8 years, 10 years, 15 years, 20 years, and 30 years and beyond? Please explain in exact detail the de-commissioning plan for the Casino Project and all of its specific components, mechanical devices, waste treatment equipment, electrical systems, building materials, paints, chemicals, concrete, AC pavement, landscape, and any other component. Show the time line for de-commissioning and the cost to the Casino and the cost to be born by the local community. Please describe in detail the DEIS scenario for the decommissioning process including destruction to the Tiger Salamander, habitat, noise and air pollution, and traffic effects.
- 56) All discharges into the Laguna de Santa Rosa have effects on the eco system. Most of the effects are damaging and the Laguna is under great negative pressure already from pollution and the Ludwegia weed to name a few. Will the discharge into the Laguna de Santa Rosa have environmental impacts on the watershed? What will be the specific impacts? Please describe all possible likely specific impacts in detail.
- 57) Monitoring is an important part of any waste discharge system. What chemicals will be monitored and how often will they be tested for? Please list any and all possible chemicals that will be discharged from the Casino Project and show the precise plan for their detection.
- 58) There are over 88,000 chemicals now in commercial circulation. These chemicals are used in hotels, restaurants, Casinos, bars, and many different types of public buildings and facilities. Of the over 88,000 chemicals now in commercial circulation, which ones might be found at the Casino Project and at what frequency? Will the wastewater treatment system be designed to control these chemicals or will they be released into the Laguna de Santa Rosa water system? Do some chemicals or pathogens escape treatment

or does the proposed waste treatment plan completely prevent water pollution to any body of water? Of the chemicals and pathogens that might be present in the Casino Project scenario which ones will escape treatment and might get into the environment? Please list all the commercially circulated chemicals that could turn up at any time at the Casino Project. Next list which ones will be monitored and treated. Then list the specific detailed methods and frequencies of monitoring and treating and filtering for these chemicals and pathogens. Next describe similar systems that are in actual operation and what chemicals they are missing in treatment and what that might do to public health and if it might have a health risk. Show a spreadsheet of all the chemicals and any zoetrope's that could form down stream at any time.

- 59) Water life and animal species are greatly affected by water pollution from water treatment discharge. What toxic likely discharge and what impact would they have on reproductive cycles and population levels on which geniuses of any local water life and animal species?
- 60) It is important to inventory all life forms and animal species prior to commencing the Casino Project. What is the base line now for the Casino Site and the subject area? What are the specific plant and animal life forms that might be affected? Please list any and all life forms and specific animal species in and around the Casino Site area. Then completely and accurately define their sensitivities and weaknesses. Next list any impacts that the Casino Project might have on those specific sensitivities or weaknesses. Show which life forms are already under stress and what additional impacts the Casino Project might have.
- 61) Sonoma County Permit and Resource Department records indicate UN stable soils in the subject area. Liquefaction is a major problem. Increased levels of fill for the Casino Project will make liquefaction a bigger problem in the surrounding area. The fact that hundreds of soil tests in the subject area indicate un-stable soils and expansive soils is telling of what is to come if the Casino Project goes ahead. The proposed project describes sewage and water systems with thousands of feet of piping under ground and above ground. Broken piping, cracked tanks, and damaged foundations are typically found in the subject area. What would be the effects of the proposed water and sewage systems if pipes leaked into the soils and the ground water recharge area that is part

of the subject area? What rates of leakage might transport into the water system? Please show the complete and detailed set or engineered plans for all under ground and above ground piping, mechanical systems, transport systems, water systems, gas piping, garbage systems, and any other related systems. Next rate the safety of the materials proposed to be used and how leaks might occur. Then show on a spread sheets the quantities and descriptions of the possible materials that could leak.

- 62) Local governing agencies need to be completely notified and informed about every aspect of this project. Why was the Bay Area Air Quality Management District contacted or included in the EIR process? Please notify them and show them all the details that I have requested in this document. Please start the DEIS process over and keep all agencies properly informed.
- 63) The Federal Government now recognizes global warming. There is now a Federal mandated requirement that diesel engines not be left idling for long periods of time. They are major polluters. Every Casino I have visited has tour busses idling in parking areas for long periods of time. This is a violation of Federal Law. Would not busses running idle in the parking lot of the Casino Project proposed, for hours to maintain their air conditioning, admit large amounts of nitrous oxide into the atmosphere and thus violate provisions of the air regulations in the local jurisdiction? Please describe in detail the number of busses and wait times that might take place. Put the data on a graph showing worst-case scenarios and quantities of Nitrous Oxide emitted by idling busses. List every buss rout and every trip planed or proposed. Describe how other similar Casinos run bus trips and how much nitrous oxide is created typically at other casinos. Then compare the data and predict total pollution emissions in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 64) The recently adopted Laguna de Santa Rosa Restoration Management Plan calls for no fill with in the 100-year flood plain in which the proposed site is located. How will the Casino project mitigate the filling? What is the total fill plan in the entire life cycle of the casino? What fill will be required for other projects once the casino is established? What other possible projects are on the horizon? What projects have other similar casino projects

undertake and how much fill was required? What are the differences between other projects and this one? Because this project is in a flood plain would any other future projects also require more than typical amounts of fill materials or gravel bases on the newly compiled comparative data? Please list the differences between these locations requirements for fill materials, sands, gravels, and chemicals compared to other similar casinos in other areas.

Describe of the other 56 casino site options, what would be the exact gravel and fill requirements of those options and make a spreadsheet of what the differences are.

- 65) Watersheds are nested drainages, incorporating the entire land surface that collects water flowing to a geographic point. The sub-basins underscore the phrase "greater Laguna watershed". Does it not seem that the proposal is in direct conflict with the Restoration Management Plan and it's intent? Describe the intent of the Restoration Management Plan and it's relationship to filling materials and chemical additives to fill materials. Show how the Casino Project might be in conflict with the Restoration Management Plan for the Laguna de Santa Rosa.
- 66) The Casino Proposal seems to be in conflict with the Restoration Management Plan. How would the Casino Proposal be in conflict with the Restoration Management Plan and what other alternative sites would have less impact, and specifically why? Explain in detail using comparative analysis how other sites, specifically the High way 37 site, might have less of an impact on the Laguna de Santa Rosa and the Restoration Management Plan. What would be the impact on the other 56 possible sites in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years?
- 67) The Laguna de Santa Rosa has unique hydrology and water dynamics that are in a delicate and fragile balance. What might all the specific effects on integrated water basins be for hydrology, water dynamics, plant life, and animal life? Why were these not addressed in the subject EIR? Please address all of these possible issues in detail. Please acknowledge the complexity and uniqueness of the Laguna hydrology and it's specific requirements. State clearly any and all negative impacts that the Casino Project might have on the fragile balance. Describe the fragile balance completely and what the Casino waste discharge could do to the

balance in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.

- 68) Water temperature gradients are at the root of all local water life systems and form the basis of all reproduction cycles. The Laguna watershed is the nursery ground for life in the ocean. Could the proposed Casino site interrupt or alter the complex and diverse hydrology – cool –water-high-gradient creeks in the upper watershed flow from the hill sides to the broader, flat, vernal pool-dotted Santa Rosa Plain, meeting the warm, slow-moving Laguna main channel, that flows northward to join the Russian River? Please list in detail the complex and diverse hydrology – cool – water-high-gradient creeks in the upper watershed flow from the hill sides to the broader, flat, vernal pool-dotted Santa Rosa Plain, meeting the warm, slow-moving Laguna main channel, that flows northward to join the Russian River and record any and all temperature gradients and flow rates present and in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 69) During the summer, the Laguna becomes a series of disconnected ponds – with little or no surface flow – while shallower reaches become dry and marshy, and deeper areas become temperature stratified. The Casino Proposal details 2 each 200 GPM wells. The math shows that these wells could pump about 20 billion gallons of water per year. With the addition of over 20 billion gallons of water being drawn from the proposed wells, what percentage of that water will be discharged into the water system of the Laguna and what temperature differences will occur in the temperature stratified pools? Please model exactly the temperature stratification alteration that might result from the impacts of the Casino Project pumping. Show the historical temperature differences and stratification in all water bodies and project how they will differ in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 70) Temperature gradients are key to reproductive life cycles, fertility, and population levels. What specific changes might occur to the reproductive life cycles of animal and plant life with-in the different temperature gradients? List all the gestation periods for any possible effected life forms and then show what temperature gradient alteration modification might do to the base lines for reproductive life cycles, fertility, and population levels in 3

months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.

- 71) Most species are grossly impacted by even minor temperature changes in their habitat. Temperature gradients are key to population levels and fertility of species. The drying and wetting cycles are also a key factor. Rhizobium Nuclei are the basis for native oak tree immunity. Native Redwoods also may need the symbiosis of Rhizobium Nuclei to exist. There is a proliferation of sudden oak death and now redwood trees are dying. Could the Casino Project affect Rhizobium symbiotic relationships among plant species? Please list all the Rhizobium and geniuses of Nuclei that might be affected by water system changes in the water system as a possible result of the Casino Project. Also list the range of temperature change that the life cycles of all the various life forms can tolerate, and what effect will it have on population levels in 1-year, 2 years, 3 years, 5 years, 10 years, 20 years, 30 years, 50 years, 100 years. Identify all the work that has been on the Rhizobium and the relationship to the Nucleionic reactions of sympathetic trees in the subject area. Show how chemical release from the Casino Project will impact the Rhixobium.
- 72) The upper reach of the Laguna where the Casino site proposal is located is relatively cool where streambeds are situated with overhanging riparian vegetation. What specific effects will the 275,000 truckloads of rocky fill covering this vegetation have on wild life and habitat connectivity? Identify all the cool stream beds and chart their temperature cycles over 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 73) Cool streambeds support specific life forms. What will be the likely and possible temperatures of the Casino discharges? What effects will it have on cool streambed water temperatures? List all possible temperature increases or decreases. Map the shorelines of all streams and water way. Measure the temperatures of the water at varied distances from the shore. Then predict the changes over the distance and the change in shoreline habitat in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 74) Some waste discharge can be hot. What will be the temperature of the sewage water discharge of the Casino site? Over the life cycle of the Casino what will be the temperature fluctuations of discharge at any and all times or year? Please graph the temperature cycles of the discharge and do a comparative analysis

- to Casino activity levels. Show what the Casino would discharge on a busy day or a slow day. Show what it would discharge on a winter day or a summer day. Explain what the differences would be between this Casino and other Casino projects of similar size.
- 75) Well draw is not always a completely accurate indicator of discharge quantities and run off inventories. Often the sum is greater than the well draw due to other activities and engineered systems. What might those differences in quantities be? Would 20 billion gallons a year be possible? What is the greatest discharge rate that the Casino could ever experience? Could this event coincide with a flood event like the one in 1981, 1989, and 2003? Will the combined parking lot water run off and the sewage plant discharge equal or exceed 20 billion gallons per annum? Please show the engineering for any and all possibilities for the proposed design. List the equipment used and the pumping rates. Identify the weaknesses of the system and what the emergency back up systems would be in a flood condition. Show how the system would work better than when the local sewage plant flooded recently and caused wide spread pollution.
- 76) The Laguna's hydrologic complexity contributes to its biological diversity but creates challenges for watershed planning. Specifically how will the Casino project retain the natural ecosystem function, historical hydrological flow rates, and specific temperature gradients? List the biological diversity of the ecosystem and describe how the Casino Project might lessen the biodiversity of the subject area in any way.
- 77) The proposed site is one of only two Wild Life Habitat Connectivity Corridors in the county. Why was this not acknowledged in the EIR? Please completely map and describe the 2 Habitat Connectivity Corridors and show any and all impacts the Casino Project could have on the Wild Life Habitat Connectivity Corridors. Describe how the two Corridors co-exist in a symbiotic relationship and how the Casino Project might impact that relationship in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 78) Wild life Corridors are essential to the local ecosystem. What is the specific plan for re-transporting or re-creating



- the Wild Life Connectivity Corridor? Please map and describe the location and movements of Wild Life in the existing Corridors. Then describe traditional animal movement and what the movement will be in 3 months, 6 months, 1 year, 3 years, 5 years, 10 years, 20 years, and 100 years.
- 79) For understanding the life forms ahead of time a good base line needs to be developed. Specifically which life forms will be affected and how will they be studied, tracked, monitored, and protected from any impacts of the Casino Proposal? Please create a detailed scientific base line based on accurate tracking and un-invasive observation. Don't kill the wild life like you did along Wilfred Avenue with the faulty Salamander traps that were un-professionally constructed and maintained. Study the life forms with out killing them. Create a responsible and helpful system for scientifically studying this issue that does not skew information or white wash results.

I sincerely hope that the EIR and the DEIS address these issues and conducts all the necessary studies and related tests. We hope that our rights are respected for adequate time to review this massive document.

Sincerely, 

Similar questions were asked in the past and I am asking more specific and more important questions again since they were not answered yet to the degree in which they need to be addressed;

- 1) **CONFLICTS:** Does the Casino proposal conflict with the new proposed general plan? If so, specifically how? What are the

conflicts with the intent of the open space aspects of the new proposed general plan? What other topics of the general plan relate to the Casino project proposal? Would topics of water, Tiger Salamander, traffic, open space, sewage, or any other issues be effected or important? I so why or why not? What is the most important general plan issue and what is the least important general plan issue that could relate to the Casino proposal?

- 2) **CONFLICTS: What are the justifications for** building a casino on a site where it will be in conflict with the Sonoma County General Plan? Has the Casino Project investigated why and in what ways specifically it is in conflict with Sonoma County Plan and the new update process? Is this proposed site part of, or near to, a designated community separator, open space, and aquifer recharge area located over the infamous cone of depression in the already over-drafted aquifer? If so, wouldn't the effects be important? What would be the effects of not helping in the general plan process versus helping out in the general plan process? How could the Casino project be more helpful and informative to the general plan process?
- 3) **CASINO LIFE SPAN:** What is the life span of the Casino? How long might the proposed Casino last? At what point will the Casino no longer be viable? What will be the specific detailed plan for decommissioning the Casino when it's usefulness has played out? What is the likely cash flow if other Casinos are built in Petaluma or in other local areas? What is known now about the various possibilities and options of Graton Rancheria and other Casinos?
- 4) **OPEN SPACE:** What amount of development might happen in the future around or near the Casino as a result of the development? What amount of open space might that consume? What has been the typical experience at all the other casinos in California? How did they affect open space and what will be the differences and similarities to the proposed project? What specifically would be the justification for further diminishing open space? How much other space near the project will also be diminished and what percentage of that destruction of open space is the Casino Project likely to represent now and in the future? Will other adjacent development be augmented or retarded as a result of the Casino Project? What specifically will be the possible square land area and dollar value of the effects of the Casino Project on the open space in the area as a percentage of that area and as an

intangible attribute to the quality of life of the community in or near that area?

- 5) **QUALITY OF LIFE:** How specifically would the further diminishing of open spaces between the cities and rural communities be a public benefit or service? What are all of the specific public benefits or services that exist now that would be diminished in any way by the Casino Project, including open space, quality of rural life, water quality, public safety, traffic, visual value, noise value, air quality, and environmental quality?
- 6) **OPEN SPACE:** How specifically would the further diminishing of open space described above enhance the visual landscape in accordance with the objectives of the Sonoma County General Plan and the new General Plan Update now taking place? What are all the specific questions that arose in the General Plan Update that could have relevance to the Casino Project?
- 7) **PARTICIPATION:** Specifically in what manner has the Casino Project participated in the new Sonoma County General Plan Update?
- 8) **LOCAL INVOLVEMENT:** Specifically in what manner has the Casino Project informed, educated, or kept it's self abreast of the entire content of the public comment period for the new Sonoma County General Plan Update?
- 9) **PUBLIC SUPPORT AND EDUCATION:** What has the Casino Project offered to the citizens of the County of Sonoma relative to the General Plan Update Public comment process and various groups and committees? What steps could have the Casino Project taken to make sure that the public was aware of the possible implications, effects, and scope of the Casino Project on anyone in Sonoma County? Where there any lectures, brochures, flyers, information sheets, announcements, letters, pamphlets, news letters, phone calls, faxes, articles, e-mails, radio or TV education, or any other reasonable attempt made to be responsible and make sure this important issue was made to come to light, and exposed for all of it's far reaching consequences, in the very important and highly publicized process of the Sonoma County General Plan update? What percentage of citizens of Sonoma County are aware of the Casino Project and in what ways and to what extent exactly will they be affected?
- 10) **LISTENING:** In regards to all of the specific public comment that took place in the public comment period for the new Sonoma

County General Plan Update relating to open space, quality of life, ground water, and community development, how is the Casino Project going to effect all issues brought forth? What were all the issues brought forth that might relate in some way to the Casino Project?

- 11) **COMMUNITY SURVIVAL:** How will the Casino Project mitigate the reduction of ground water, as a result of the Casino Project, in the already over-drafted ground water basin? The issue of the Rohnert Park “cone of depression” in the ground water basin was greatly discussed in the Sonoma County General Plan Update. Specifically how did the Casino Project participate in this previously mentioned comment process and how did the Casino Project collect, organize, analyze, and process that information regarding the ground water issue and the cone of depression issue, in a responsible fashion? What specific information was collected and how was it categorized and evaluated? What specifically are the existing or likely conclusions, assumptions, direction, focuses, emphasis, statistics, and discoveries of the evaluation of all the previously mentioned public comment?
- 12) **EMERGENCY WATER SUPPLY:** In the Sonoma County General Plan Update the issue of emergency water well management, drought, and responsible for far -sighted planning and safety were greatly and broadly discussed. How specifically does the Casino Project come into play with these issues and factors and especially how does it address the specifics of the public comment? What discussions, questions, phrases, and comments specifically are of importance to the Casino Project and what are the possible responses to them?
- 13) **CASINO WATER IMPACTS:** Would the Casino Project become a substantial water user in the well field of the emergency wells in the area? If so, what would be all of the possible long term and short-term impacts of the Casino Project on those emergency wells and their water basin? What possible ways could this be studied and which methods could have the most public participation?
- 14) **EMERGENCY DROUGHT PLAN AND IMPACTS:** What are the possibilities of drought and how would it affect the water users in the Casino Project’s ground water basin if the Casino Project goes forth versus if the Casino Project did not go forth? Would there be more water of less water available for current water users

and would they survive the range of possible drought scenarios? Has the Casino Project considered or modeled exactly what will happen to the ground water basin and what its water production will be in the event of all types of drought scenarios?

- 15) **LOSS OF GROUND WATER STORAGE CAPACITY:** Would the Casino Project's contribution to the depletion of ground water cause the compression of the ground water table, in any way, or in similarity to, the way this type of over draft has compressed other ground water tables? How would the compression be similar or different to compression that has taken place in the Sacramento Valley water basins? Exactly how much compression will take place over what period of time? What is the time horizon of the compression of the ground water basin and would the Casino Project cause that compression to be linear? Would sub-alluvial fan deposits stretching through the Casino Project site cause non-linear compression of the ground water basin? What effect might that have on building foundations, highways, roads, landscape, and the perched water table present in the area? What is the mapping of the perched water table in the Casino Project site area and what amount of it exactly transverses the Casino site? What is the depth and breath of the perched water table and what is its capacity and recharge rate? Does the perched water table contribute mainly to local in stream flows or is it primarily recharging the ground water basin? What has been the historical levels of the perched water table, what has it been in the last 500 years, 100 years, decade, what was it last year, what is it this year, and what will it likely be in the future if the Casino Project proceeds or does not proceed? What is the total water storage capacity of the perched water table on and near the Casino Project? Does that storage capacity affect the storage capacity of the ground water basin in the area? What will be the possible losses of ground water capacity due to possible compression of the water basin? Will compression be confined to the perched water table or the deep-water basin? What is the relationship between the recharge rates of the perched water table and other deeper water tables in the water basin? What models of the water basin are being used and what models could be used? What would be the advantages and disadvantages of using the various types of models for making more precise predictions? What specifically accounts for the presence of artesian pressure in

the Casino Project area and how does that fact become reflected in any of the ground water models or maps?

- 16) **MILLITARY POLLUTION:** In the Sonoma County General Plan Update the Cotati military base was discussed. Is there a possibility of spent or un-spent weapons or hazardous waste on the Casino Project site? I have personal knowledge and can testify that within the last several years of planting trees and tilling the soil on my farm lands I have found spent and unspent military machine gun shells. I hear from elders in my community that large amounts of military chemicals and weaponry lay within the Casino Project area. Unfortunately, because the Casino Project does not peruse this un-written knowledge base responsibly, these crucial facts go un-explored. In addition there are chemical tanks and improperly decommissioned hazards that need to be addressed relative to the Casino Project. Could the weapons or waste be related to the World War II Air field site that was in close proximity? Is it possible that construction activity, drilling of wells, and on site waste disposal development could disturb, disrupt, discover, pose a danger, pose a public safety risk, become hazardous, and or be unpredictable in any way in relation to the characteristics of the above mentioned military site and the Army Core of Engineers incomplete findings on that site? How will the Casino Project mitigate hidden military hazards or pollution that cannot be presently detected, but may still pose a risk?
- 17) **SCOPE OF MILLITARY POLLUTION:** Is the Casino Project aware of the breath of scatter of the spent or un-spent weapons or waste, which could be related to the World War II Air field site that was in close proximity? What are the possible ways that this scatter or dispersion could happen or be mapped, predicted, analyzed, and responsibly analyzed so that there would be no chance of any public danger, any danger to the ground water basin, or any danger to any beneficial waters of the State of California?
- 18) **BURRIED TANKS:** In the Sonoma County General Plan Update the Cotati military base was discussed. In the discussions local spoken wisdom has it that there are at least two missing diesel tanks with a capacity of thousands of gallons of, which remain un-accounted for, at or near the Casino Project. What has been the Casino Project's record of investigation into this well known issue? How could this issue be resolved such that there would be no chance of a public hazard? What public hazards could it present

and what are the possibilities for mitigation? How would the Casino Project mitigate the diesel contamination of the ground water basin?

- 19) **TYPES OF WEAPONS AND HAZARDOUS MATERIALS:** Has the Casino Project educated it's self, analyzed, and collected relative data of the weapons found so far in the area and cataloged the weapons used in the past that might still be and issue? What specific types of weapons, chemicals, fuels, additives, pharmaceuticals, fuels, paints, coatings, or other hazards might have been used or dispersed on or near the Casino Site and in what possible concentrations?
- 20) **PHOTOGRAPHIC EVIDENCE:** In the Sonoma County General Plan Update the Cotati military base was discussed and there was concern over the land scaring in photos taken from the air over the World War II Air field site that was in close proximity to the now proposed Casino Project. Could these photos be consistent with large hazardous explosives and could residual contamination still exist at or near the Casino Project site? What is the entire range of possibilities of the materials that could have been used in the possible explosions and what are all of the possible hazards that they could present now or in the future? How exactly could they affect ground water, streams, animals, wild life, children, adults, or vegetation? What would be the time horizon and concentration of those effects?
- 21) **PCB AND POLLUTION:** In the Sonoma County General Plan Update the Cotati military base was discussed and there was concern over how any perforation of the earth, as is typical in the drilling of large commercial wells like the ones likely to be needed for the Casino Project, could intercept a PCB pollution plume laying dormant in the soils at or near the Casino Project Site. What are the possible ways in which this scenario could manifest and what would the Casino Project do to correct the resulting damage? If dormant or un-detected pollution from the World War II Air field site that was in close proximity to the Casino Site polluted the ground water basin, how would the Casino Project mitigate the problem? What would be the specific plan for mitigating PCB pollution or nerve weapons pollution of the ground water basin? What is the length and breath of the potentially effected ground water basin and what communities and individuals does it serve? If the Casino Project caused irreversible damage to the ground water

basin, how would the Casino Project compensate the other water users in the water basin, and who exactly are the other water users and how much water exactly do they use now? How much water will they need in the future? How much water will they need in a drought? What would be the likely reduction in useful waters in gallons, if leaky missing or un-accounted for buried military PCB transformers contaminated the useful waters due to the Casino Project? How could the Casino Project make sure that there are no hazards on the Casino site? What types of equipment are available for deep soil detection of possible hazards and how effective would each type of equipment be in this specific application? How much fill material has been placed on this site over time and how would this hamper the location of hazards? Where did the fill material on this site come from and was it clean or polluted when placed there? What is the history of fill on this site and who supervised it? Was any of the filling done with permits or grading plans? Has any of this artificial fill created artificial clay "cap" or other alteration to the historical absorption or evapotranspiration of the site?

- 22) **WELL DRILLING RISKS:** How many wells will be drilled in the Casino Project in the future? What is the plan for water if we have a decade of drought years and the wells do not function adequately for the Casino's needs? Will new wells be drilled? What depth will additional wells likely be drilled to and what effect would that have on other wells in the same area in the same scenario? Exactly what will be the specifications of the wells including size and construction of casing materials, gravel pack, well seal materials and methods, development of water production protocol, testing and monitoring, public access to well drillers log, identification and analysis of formations encountered in the drillers log, record of depth to perched water table, plan for isolation of perched water table, contingency plan of repair or abandonment of any bad bores, plan for on going measurement of well performance, and mechanical pump design and specifications? What other types of designs and specifications were considered? What other areas or locations for drilling were considered? Will the wells be designed for over capacity or under capacity? Will public municipal water supplies be used or available? If so, how, where, in what quantity and for what purpose? What was the list of design criteria for the engineering of the wells for the project? What will be the cost of the wells and the life expectancy? What



will be the effect of these wells on any and all other wells in the area? Will waste or water ever be injected into any well, shallow or deep, on the Casino Project site or near the site? What other uses might the wells serve? What steps will be taken to prevent pollution of ground water in regards to these wells? Other wells in the area have been polluted in the past, what were these cases and how would this project become similar or different, and what health risks could be involved?

- 23) **REDUCTION OF IN STREAM FLOWS:** The public comment period for, and various committees of, the Sonoma County General Plan Update expressed a general consensus for not decreasing in-stream flows of waterways in Sonoma County and for the halt of activities that might reduce in-stream flows. How might the Casino Project reduce in-stream flows? What possible ways are there in which waterways might be affected by the Casino Project? What are the historical flows of those streams going back at least 500 years in the past, what is the extent of the history that we can know, what are the methods of knowing the historical flows, what are they today, and what will they be in the decades to come if the Casino Project takes place? What is the future of all the waterways in the Casino Project area if the Casino Project takes place? In what ways can the in stream flows get analyzed? What analysis accompanied by what plan of action, would be the most accurate and would assure the preservation of those streams? Are those streams and waterways gaining or loosing bodies of water? If so, how much water and from where does it come, and would the Casino Project effect the gaining or loosing process? Would the creation of impervious surfaces of the Casino Project come into play with in-stream flows due to diminished ground water recharge rates? Does the Casino Project lie within a ground water recharge area? What is the recharge rate today, in the past, and in the future of the Casino site? In heavy rains has water ever been observed to be sheeting off of the lands of the site? How does the historical water description describe the deep water and boating that took place on and near this site around the 1950's? How did these flooded lands on and near this site become dry and what effect will the Casino Project have to either augment or hinder that historical flooding? How much area of the Casino Project will be covered or converted to impervious surfaces and how much will that reduce absorption of water into ground

water and streams? What species of plants and animals might be affected by a reduction of ground water or stream water? What are the life cycles and populations of possible plants and animals in the Casino Site project area? How will they be impacted by the Casino project specifically? What have been their historical populations, what have they been in the last several decades, what are they today, and what are they going to be if the Casino Project goes ahead? What have been the life cycles and populations in the past and what are they likely to be in the future if the Casino Project disrupts the local wild life corridor?

- 24) **REGARD FOR GENERAL PLAN UPDATE:** What specifically could the Casino Project do to be in full compliance with and in full support of the spirit and intent of the new Sonoma County General Plan Update process?
- 25) **DUE DILIGENCE:** What specific actions has the Casino Project taken to review all the records, verbal and written, of the General Plan Update and what specific items might have been missed that could have some relevance?

#### **PURPOSE AND INTENT OF GENERAL PLAN PROCESS:**

The county of Sonoma and its people have began an environmental movement years ago that has grown stronger and stronger. As a result of great labor and contemplation the County has created a general plan that begins the desperately needed process of preserving the land, water, air, and the environment. These steps are probably too little and too late, but they are and important foundation for conservation, and they make a start in the right direction. The citizens have made clear that they want to preserve all and any community separators and open spaces by passing the open space district ¼ cent sales tax in Sonoma County. This speaks volumes about the will of the people. The Casino Project in question is proposed to be developed right over the designated community separator, green belt, aquifer recharge area, foot of the 100 year flood plain and sensitive Laguna environmental area that has been set aside in the county general plan. People in the county of all walks of life are aware or the environmental problems that the Casino Project proposes, yet more education is still needed. The County has made it clear that it doesn't want this site developed. The leaders and the County Supervisors who represent the people voted to object to casinos, especially in the proposed area. So does it therefore follow and is it perhaps obvious that **not** developing this fragile site is in the best interest of the Native Americans and all others in the community? Do you agree that

this site is contrary to the intent of the existing general plan and the new general plan update (now undergoing formulation)? What does the Casino Project interpret the intent of the Sonoma County General Plan update to be?

In accordance with the tradition of stewardship for the environment the Sonoma County General Plan specifically recognizes that certain lands are special and must be preserved. The plan has tried to dispel ignorance on the subject. The proposed casino site is precisely that special land.

23A) Now that land has become the target of the Casino Project for heavy-duty industrial commercial exploitation, development, and destruction, how might that reflect a regard or a disregard for the Sonoma County General Plan process?

23B) Why must this little scrap of land, one of the only scraps of land ever envisioned for protection, now lose its intangible value as a quality of life asset?

23C) Are there any other alternatives to be considered that the public could be educated, and made well aware about?

23D) How many alternatives are there and how are they described? What other possible sites are there, that was not recently presented at the recent scoping meeting?

23E) How could the Casino Project keep this whole piece of land preserved as open space and build somewhere else?

23F) Why can we not have this little place for birds and animals to live between our bulging cities?

23G) For what great purpose or public good must we turn every last place, especially this site, into a commercial industrial development and how does doing so really benefit families and society in the long run?

23H) To wipe out this last natural community separator and wild life habitat seems like "slitting the throats of our grandchildren" as Oren Lyons described in the beginning of this letter, does it not?

## **ECONOMIC COST QUESTIONS:**

23) **NEGATIVE IMPACTS:** What will be the biggest and smallest negative economic impacts to the Sonoma County economy? How will those negative impacts be mitigated?

24) **STUDIES OF NEGATIVE IMPACTS:** I believe that the Casino project will come at a huge economic cost to Sonoma County in the long run. Studies prove this. John Kindt or the business department and the

University of Illinois says, “.....For every \$1 the casino brings into the state, it will cost the residents between \$3 and \$7 in hidden costs” (Economic Impacts of Legalized Gambling) Can this project mitigate all the direct and indirect costs to the community and environment? How specifically will this project differ from each casino studied in the John Kindt study? What factors in the study could be relevant? 25) How can this Casino Project prove that it will improve the over all economic conditions of Sonoma County?

- 26) **INFRASTRUCTURE:** What will be the total cost to bring the Sonoma County infrastructure back to its current level of performance in the future?
- 27) **INFRASTRUCTURE BENCH MARKS:** What is the precise measure of the past and current level of performance of the infrastructure of Sonoma County, such that a meaningful and comprehensive base line for comparative analysis can be made?
- 28) **BUSINESS COMPETITION:** What are all of the probable competitive effects of the Casino Project on all of the local businesses, both large businesses and small businesses? In public meetings the Casino Project has made it clear that it will hire only Union labor in the construction and operation of the Casino Project. Could this be blatantly discriminatory and damaging to my businesses that are not union and will not be considered for any of the economic benefits of this project? Many statements made by the Casino Project imply that any business, which is not union, pays poorly, does not provide a decent way to earn a living, and has no benefits. Could this be construed as false and inflammatory rhetoric? My non-union business pay above union wages and provides better benefits and job security than do many union jobs. This type of slanderous sounding speech damages the image of non-union businesses. Most business in the county is non-union. Why should the community tolerate all the negative effects of a Las Vegas style casino and not get the contracts, jobs, or other perks? Why should I be forced to compete with the Casino Project business entity that has unfair advantages over me? How can the Casino Project mitigate these issues? Why should I have to compete with someone who is not always regulated like I am and who pays no taxes? It is therefore likely, that the Casino Project will damage me economically? What economic damage might I endure as a result of the Casino Project? How can the Casino Project mitigate these issues?

- 29) **LOST LEADERS, UNFAIR COMPETITION:** How much money might local business loose trying to compete with the characteristic net loss promotions inherent in modern casino business practices? How will the Casino Project mitigate business loss and unfair competition from casinos?
- 30) **EQUAL FAIR TAX CONTRIBUTION:** How could the Casino Project provide a fair and equal share of tax revenue into the economy and thus put it's self on a level playing field with other businesses in the community?
- 31) **PREVELANCE OF BLACK LISTS:** I recently went on the Internet and printed out black lists of other businesses put out by Nevada Casinos. These documents black list local businesses that the casino doesn't like. One list was simply titled "Black List" What assurance will the local community have that these types of strong arm tactics will not become active in this area? How will this Casino Project be any different? Who is likely to get on one of these black lists? How are these lists used against local small businesses? Who pays for them and decides who gets on them? How widely are they distributed? Has Station Casino or it's affiliates ever been connected to or aware of this type of black listing? What other types of negative impacts that is similar in nature could become a problem for local businesses?
- 32) **EXISTING BUSINESS QUANTIFICATION AND IMPACTS:** The back bone of the local economy is small business such as the highly visible 100 billion dollar wine industry, the 300 billion plus tech – telecom industry, and the agricultural industry. These entities depend on the clean, healthy image, and family atmosphere of Sonoma County that has attracted gems like Cisco Systems, Hewlet Packard, JDS Uniphase, Ocli, Unocal, Chevron, and the many world class famous wineries. How will the Casino ensure that none of the atmosphere capital of Sonoma County will be lost? What are they ways that this intangible capital be measured? What are the ways to quantify and analyze the value of this type of intangible capital and what effect will the Casino Project have on it? In what ways does the Casino Project increase or decrease a clean, healthy image in Sonoma County?
- 33) **MONEY LAUNDRYING:** Is the Casino Project aware of the heavy-duty money laundering and drug trafficking that takes place in casinos everywhere and all over the world? What is the likelihood of money laundering or drug trafficking taking place in the Casino Project and

specifically how might it happen? What have been all the past cases, reported or suspected, of this type of activity, in all other Station Casino projects and what were the long term and short- term effects on other local businesses? How would those experiences transfer to the current Casino Project and how would the proposed Casino Project address those issues?

- 34) **LOCAL BUSINESS DAMAGES AND REMEDIES:** What problems or damages might a local business suffer or encounter in defending it's self against any problem created directly or indirectly by the Casino Project, and what specific types of problems might occur?
- 35) **DAMAGE TO INTANGIBLE SHARED ASSESTS:** Might there be a risk of damaging the image of Sonoma County and the local area? Many local companies have a capatilization far exceeding that of Station Casinos who has only a capitalization of about 2.1 billion. The entire capitalization of Station Casinos, including all of their casinos in Nevada represents less that 1% of the most viable businesses that already exist here. Why don't you find Cisco systems and Agilent Technologies in Las Vegas? Because who would want to live there? How can the Sonoma County survive if it can't attract the best people and talent from all over the world? Would the Casino Project make the area less attractive to top talented people who also seek a stable safe place to settle down and have a family? What studies show that higher crime, higher traffic, increased pollution, loss of community separators, money laundering, drug trafficking, drunk driving, and gambling addiction add to the desirability or a family based community?
- 36) **INTANGIBLE ASSETS, VALUE OF VISUAL AND COMMUNITY SEPERATORS:** If the community separator and green belt is transformed into something not unlike Las Vegas, will Sonoma County continue to be the destination of so many talented people who have the option to live anywhere they please? How will companies like Cisco Systems, JDS Uniphase, or OCCLI for example continue to attract the cream of the crop talent if the area is like Reno or Vegas? If Casinos are so attractive, then why is it that Reno and Las Vegas are considered to be so undesirable in surveys and studies? If casinos are so good for the community, why do Las Vegas and Reno have so many out of control social and economic problems and corruption? How will this Casino Project be different? If talent leaves

- the area because of the negative impacts of the Casino Project, what would be the likely dollar cost of that loss of intellectual capital?
- 37) **ECONOMIC ATTRACTIVNESS:** What types of businesses are preferable to attract to the area that are most compatible with the local socio-economic consistency and how would the development of the Casino Project fit that description specifically?
- 38) **CONFLICT OF USE:** What are the specific ways that the Casino Project conflict with profitability of existing and future local businesses? What and who exactly are those businesses, their incomes, customer bases, customer demographics, and descriptions? How could the Casino Project possibly affect the previously mentioned attributes of local businesses?
- 39) **ECONOMIC COSTS OF AIR POLLUTION:** What physical impacts and related costs for maintenance, upkeep, and repairs, might business, farms, and households experience as a result of any increase in air pollution related to the Casino Project? What will be the possible impacts on the physical objects such as windows, indoor air quality, heating, ventilation, cooling, air filtration, staining of buildings and roofs, dusting of cars, dusting of schools, dusting of existing shopping centers, soiling of parks and roadways, degradation and compromising of painted surfaces? What does increase in air pollution really cost in the short term and in the long term? What can be done to mitigate those costs? How does an increase in air pollution benefit the public? How does an increase in air pollution harm the public? What is the list of all the local studies and data on the subject of air pollution and/or it's possible effects, and how does the Casino Project differ or agree with those studies?
- 40) **NOISE POLLUTION:** The Rohnert Park North West Specific Plan identifies negative impacts for noise pollution. How will the Casino Project contribute to noise pollution and what will be the short term and long term economic impacts of an increase in noise pollution?

## **SEWAGE DIAPOSAL**

- 41) **DISPOSAL SYSTEM:** Would this Casino Project have it's own on site disposal sewage system?
- 42) **SYSTEM DESIGN:** Exactly how is the system to perform in a flood condition like the flood of 1981, 1989, 1998, and 2005? Exactly how

will the system perform in drought conditions? When the Laguna dries up in drought conditions how will the sewage system perform and how will it affect the Laguna de Santa Rosa? What UN treated chemicals might escape the sewage plant and end up wetting the ecosystem of the Laguna in a drought? What is the complete description of the designed sewage disposal system including capacity, level of filtration, amount of discharge, area of discharge, quality of discharge, method or monitoring, transparency to the public and local agencies for review and inspection, life cycle, state of art, complications, technical attributes and short coming, complete list of alternatives, manufacturer, specifications, performance charts, performance problems, typical mechanical problems, typical repair procedures, possible dangers, possible accidents, list of historical accidents, OSHA related records, power requirements, back up systems, alternative systems, over ride systems, longevity, success history, failure rate, replacement plan, expansion plan, possibility of leakage into the environment, possible leakage rates, air pollution effects and quantities, and noise pollution quantities?

- 43) **UNQUANTIFIED CHEMICAL POLLUTION IMPACTS:** Do you know that many typical state of the art package treatment plants discharge 15,000 – 30,000 parts per billion unknown constituents which may include bacteria, pathogens, drugs, chemicals, and a host of other unknowns? Since these constituents regularly escape even the most modern water treatment processes, how specifically will the Casino Project be different or similar? How will this specific sewage treatment system of the proposed Casino Project prevent this type of hazardous discharge from entering the beneficial waters of the State of California, and the Laguna de Santa Rosa?
- 44) **INDIRECT AND DIRRECT GROUND WATER POLLUTION:** How will the Casino Project keep any contamination from entering the water table?
- 45) **MITIGATION COST ESTIMATES:** If contamination did enter the previously mentioned local water systems, how would it be corrected and what would be the likely cost?
- 46) **FUTURE CLEAN UP COST ESTIMATES:** What will be the likely make up of the 15,000 to 30,000 part per billion that could evade treatment and what will be discharged, and what will it cost to remove them from the environment in the future?



- 47) **AGRICULTURAL IMPACT COST ESTIMATES:** If air, water, and land become more polluted as a result of the Casino Project, what will be the cost to local organic farms and dairies?
- 48) **GMO ASSOCIATED DAMAGES:** Will the Casino Project possibly introduce any genetically modified plants in the landscaping or food processing, and would or could those genes get into the local natural gene pool? If non-native or genetically altered plants alter local farmers seed banks what would be the cost and method of correcting this problem? What types of genetic problems are possible and how could they be reversed?
- 49) **GROUND WATER DRUG CONTAMINATION COSTS:** This type of pollution from this type of project has become prevail ant. If drugs used at the Casino Project escape waste treatment and are detected in the aquifers near by how will the drugs be removed and how much would that likely cost? Drugs such as steroids and anti depressants are showing up in water even after rigorous modern filtration methods are employed, so how will the Casino Project contribute to this issue and how will it be measured? Drug use is reported to be high at casino, so how will the Casino Project control the spread of these chemicals into the environment and what threats to health could they pose? How have other communities dealt with this issue? What are the ways that this community could deal with this issue and what would it cost and who would pay for it?
- 50) **WATER USAGE AND COSTS:** How much water will the Casino Project use and where will it come from? How will the further depletion of the already over-drafted water basin increase pumping costs for existing water users, how much will it cost, and who will pay those costs?
- 51) **ON GOING AQUIFER OVER-DRAFT COSTS:** Since the aquifer is already in severe overdraft, how will the Casino Project avoid any additional overdraft on the aquifer? What is the economic impact of over-drafting the aquifer and exactly who will it affect?
- 52) **REIMBURSEMENT OR EXISTING WATER USERS?** If the Casino Project overdrafts the aquifer and lowers the water levels on other wells, will the Casino Project reimburse well owners for additional pumping costs and for drilling deeper wells to find water? Who are the citizens likely to be affected and what will be their projected costs? How will those expenses be met and by whom?
- 53) **WATER QUALITY DEGRADATION:** If the water table drop is accompanied by a certain worsening of water quality, will the Casino

Project compensate well owners for the degradation? How will the Casino Project mitigate any water degradation? Will the Casino Project pay for filtration of water for others in the basin? The Rohnert Park North West Specific Plan has already identified that development in the Casino Project site area will cause pollution and degradation of water quality, so how is the Casino Project specifically addressing those issues and all the public comment relative to that plan? What will be the costs associated with any pollution or runoff?

- 54) **IDENTIFICATION OF WATER USERS AND ECONOMIC IMPACTS TO THAT GROUP:** What is the complete list of all of the water users in the basin and how much water have they used in the past, present, and possibly need to exist in the future? In what ways can this previous question be studied and what are the benefits and drawbacks to all the different methods of study and analysis? How could these issues have an economic impact and what will be the related costs?

## **TRAFFIC**

- 55) **QUANTITY OF INCREASED TRAFFIC?** How will busses for the Casino effect air pollution? How will the busses be kept cool while waiting at bus stops for periods of time over 2 minutes? Will diesel bus engines be kept idling while busses wait to be loaded and un-loaded? If so for how long? How much pollution would this create and has the Bay Area Air Quality District been completely informed? Could the Casino Project cause local roads to have an additional 20,000 to 30,000 vehicles per day? What pollution impact will there be for the additional stalled traffic of non-Casino traffic that is moving slower than it would otherwise have to if the Casino did not exist? Has the Bay Area Air Quality District been completely informed about the potential for increased air pollution from additional air pollution caused by the traffic congestion scenario? Will this quantity of pollution rise in the future? If so, by how much, by when, and what is the full description of that unfolding? What will be the total increase in traffic over the next decade? What will be the total increase in traffic over the next two and three decades?
- 56) **RUSH HOUR TRAFFIC IMPACTS:** How will this Casino Project differ from other typical casinos where the bulk of the traffic for the casino occurs at rush hour?

- 57) **RUSH HOUR MITIGATION PLANS:** How will the Casino Project mitigate increased traffic at rush hour?
- 58) **ECONOMIC IMPACTS OF INCREASED TRAFFIC:** What is the dollar cost the economy for having increased traffic congestion? What other traffic studies have ever been conducted in Sonoma County and near other any other casinos that could be used as a database in a comparative traffic study analysis? What negative economic impacts could be forecast by analyzing past data and what exactly is that past data? What current studies are being conducted and how do they improve upon or differ from all past studies? What are all the different ways in which this question can or should be studied and what are benefits and detriments of the various methods of analysis?
- 59) **IMPACT TO THE ECONOMIC ATTRACTIVENESS OF AREA:** From an economic and traffic standpoint what makes this area attractive to new business and how would the Casino Project affect that attractiveness? What exactly is the real cost to business for traffic congestion and transportation delays for customers and goods? What way specifically could tangible and intangible costs be identified, quantified, analyzed, and assessed? Would traffic congestion discourage preferable businesses from being attracted to the area? What types of business are preferred in the area and how would the casino create traffic patterns that would help or hinder those businesses? What specifically could the Casino Project do to promote public transportation, bikes, alternative transportation, walking, and other forms of environmentally responsible transportation to, from, around, and for the Casino Project?
- 60) **LACK OF EFFECTIVE PUBLIC OR ALTERNATIVE TRANSPORTATION:** What specific effects would the Casino project have on the existing public transportation and other alternative forms of transportation? Would it improve or hamper the local transportation scenario? Who specifically and in what ways?
- 61) **LACK OF CAPACITY AND STRENGTH OF LOCAL ROADS:** What is the evaluation of the load carrying capacity of all the local roads with in a 5 mile radius of the Casino Project and what degradation might happen, and what will it cost to repair, as a result of any possible increase in traffic, as a result of the proposed Casino Project?
- 62) **TRAFFIC SAFETY:** What new public safety risks might the public be exposed to as a result of traffic to and from the Casino Project? How will children who wait for the school bus on local adjacent roads

be impacted? Will children have any chance of being exposed to any increase in traffic or any related safety issues or risks? If so, how much, how often and what is the likely mortality rate increase? This issue was already encountered in the local community on Bellevue Avenue to the north of the Casino Project and a child was killed on the way to school as a result of irresponsible development, so how will the Casino Project be different or similar specifically? How did the Bellevue accident happen and how will the Casino Project address this danger and any other similar danger to children?

## **ENVIRONMENT**

**EXTINCTION OF ENDANGERED SPECIES:** Is it possible that activities concerning the development of the Casino Project will kill endangered animals and take birds on the pacific flyway, who depend on this land to feed and rest on their relentless journey, one step closer to final extinction? Is the Casino Project aware of the letter dated January 25, 2005 from William B. Hurley, Section Leader, North Bay Watershed Division addresses to Ron Bendorff, City of Rohnert Park Planning Department, especially the conclusion of the letter? What are the specific beneficial uses of waters of the State within the Casino Project area and will a further reduction of ground water levels affect any species population levels in the area? What species might be affected specifically and what is all the data available on those species? What affect of the possible lowering of the ground water levels as a result of the Casino Project might endanger riparian corridor functioning with in the site and near the site? How would the Casino Project mitigate this diminishing of riparian corridor function? What effect would that have on endangered species or functioning of the pacific flyway?

- 63) **COUNTING KILLS SALAMANDERS:** Did you know that it is a great concern in the local community that the Salamander bucket traps used to count Salamanders on or near the Casino Project area were set up in an inconsistent and unprofessional manner and that these traps, which were supposed to be counting and saving wild life, actually became a lethal hazard to wild life and ultimately probably killed many of the very animals they were supposed to count and protect? Can the Casino Project investigate, analyze, and determine a better

way to assess the historical and present types and populations of animals on the site? Who specifically was responsible for the testing in the past and does the Casino Project possess any of that information or could the Casino Project get that information and make it available to the community for discussion and disputation? Why was this test conducted in the apparent inconsistent and unprofessional manner and what will the Casino Project do in the future to differentiate itself from this style of behavior? How would animals be counted so as not to destroy them in the process? How could have this analysis been done so as not to destroy the animals? What can be done now to restore the destroyed populations? What were the populations? How many animals were destroyed by the use of industrial deep trenching equipment instead of hand digging in the first rains of the season? Could the digging have been done at a different time and in a different manner so as not to pose a possible risk to animals? How could tamper proof traps be constructed and the test be continuously monitored such that it could not be tampered with as the previous tests were suspected of? What is the Casino Project's response to the assertion that neighbor of the site area witnesses routine tampering with the traps (set to count animals) that seemed to occur between 1 AM and 5 AM typically? Could this tampering have affected the results of the test in any way? Were any animals ever found? Since Tiger Salamanders were routinely observed on and near the proposed site in the recent past, how would you account for the sudden change in population levels?

- 64) **LAND MANAGEMENT AND DESTRUCTION OF SPECIES:** Could changes in population levels be linked in any way to the methods of counting and land management recently employed on the site?
- 65) **QUANTIFICATION AND TABULATION OF SPECIES:** How many different types of birds on the pacific flyway land on this site and near this site and are there ever any instances in which they might depend on this site in some way to rest, feed, mate, or flourish? What have been their historical population levels, what are they today, and what will they be in the future if the Casino Project takes place? What species of birds live on the site or use the site year round versus only part of the year? What will happen to the geese and owls that now use the site? Has the Casino Project collected photos of these birds like the ones taken by the Sierra Club last winter? If not then why not? If so, then how so and what is the current record of documentation of

bird life at or near this site and what are the ways in which it can be analyzed?

- 66) **RUN OFF AND ENVIRONMENTAL POLLUTION:** Has the Casino Project studied the issue of run off and indirect pollution as a result of the Casino Project? What are all of the possible types of pollution that could be involved and what will be their concentrations and rates of dispersion? What diseases and public health risks could result from any run off or indirect pollution from the Casino Project.
- 67) **AIR POLLUTION:** The Rohnert Park North West Plan identifies negative impacts for air pollution for the Casino Project area. How will these impacts be addressed specifically? How will it be in the public interest to increase air pollution? Exactly what types and quantities of air pollution might be produced? What specific public health risks might be a result of the possible increase in air pollution? What is the specific list of possible air pollutants? How will these pollutants be mitigated? Who are the sensitive citizens in the community who cannot tolerate any degradation of air quality without experiencing an increase in health risks? What might be the increase in health risks to impaired citizens in the community and exactly who are those citizens? How would increasing the health risk to those citizens be a benefit to the public? What would be the costs associated to increased health risks related to increased air pollution?
- 68) **NOISE POLLUTION:** What might be the increases and quantities of noise pollution as a result of the Casino Project? What specifically will cause these increases and how can they be mitigated? What activities are likely to cause noise pollution? How will an increase in noise pollution benefit the public? What studies have already been conducted in the Sonoma County area and how do they compare to the Casino Project? What have been the historical noise levels at other Station Casino projects and how will this Casino Project compare to those previous increases in noise pollution?
- 69) **FLOODING:** What are the possible ways in which the Casino Project could increase flooding in the area? How will the Casino Project mitigate or prevent flooding increases? My neighbors have pictures of boating regularly over your proposed site in the not so distant past. Sometimes it really floods here more than you can imagine. "Within moments of her passing it began to rain, not just light showers but a downpour that lasted for days. There was lightning and thunder. Creeks swelled and over-flowed their banks. The Russian River buried half of Healdsburg and all the towns below to the coast. People

had never seen anything like, not in the middle of September when even a sprinkle of rain is unusual. What's happening? the farmers wondered, seeing their fall crops, their grapes and prunes, ruined in the torrential rains." (Grand Avenue page 189) What are all the records and statistics concerning flooding on or near the site and what is the model for water flow? What are all the specific facts of all the studies that could relate to flooding at this proposed site for the Casino Project? By paving over large areas of the site will impervious surfaces be increased? Will impervious surfaces of the Casino Project create run off instead of water absorption? What exactly will be the rates of run off and absorption under all weather conditions and all weather scenarios based on past weather history and all future weather prediction models? Will the Casino Project increase water loading of the drainage channels during heavy rains and will that water back up and cause any increase in flooding to my lands at or near the channels? Has the flooding typical to this area been mapped and studied precisely and accurately? What are all the methods for modeling flooding in this area and what are the advantages and disadvantages of all of the different ways of modeling the flooding? I personally have experienced flooding in this area and I have been in 4 – 5 feet of water over the roads in this area. What will the Casino Project do when it is flooded to these levels to manage chemicals, spills, sewage spills, and any other related problems? What specifically is the written flood management plan?

- 70) **ENVIRONMENTAL DISASTER PLAN:** What specific plans of action and management plans were in place or employed in the past at other Station Casino projects, and what exactly will be the plan for the Casino Project? What is the specific exact plan for ground water contamination, flooding, chemical spills, sewage spills, sewage treatment plant break down, fire, attack, terrorists, bomb threat, electrical failure, earthquake, severe weather, or any other emergency situation that might arise? How will the Casino Project mitigate or prevent any effects from those disasters or emergency situations?
- 71) **WATER ISSUES:** I have touched on this issue in many other areas of this document and certainly this issue is intermeshed with many other issues and public concerns. Here I wish to address the issue head on. The following is a position statement taken by members of the community who have formed a Water Coalition. Does the Casino Project agree, disagree, or see anything different from the following position statement: Groundwater is a valuable but finite shared

resource. Unregulated exploitation of this irreplaceable store has led to a groundwater crisis in Sonoma County. The water table has dropped below the pump depth of wells in many areas. Well drillers must drill deeper to find water. Many residents in rural areas are now dependent upon water truck deliveries for their water. Springs are drying up. Creeks and streams once teeming with life are now dry in the summer and fall. Residents are affected, as are the many endangered and threatened species that depend on water.

The courts have held that cities and counties may regulate and manage groundwater use at the local level. More than two dozen California counties, including Napa County, have groundwater ordinances. Sonoma County's General Plan Update offers an opportunity to construct effective policy needed to respond to their crisis over the next 20 years."

The document goes on, but the question also is this, does the Casino Project consider ground water problems an issue or recognize the issue at all? What is the specific body of information that exists about ground water and what is the relationship to this proposed site? What impacts on ground water levels will the Casino Project have? How will the Casino Project mitigate those impacts including the loss of ground water? Is the Casino Project aware of the letter dated January 25, 2005 from William B. Hurley, Section Leader, and North Bay Watershed Division addresses to Ron Bendorff, City of Rohnert Park Planning Department? Is the Casino Project relying in any way on the City of Rohnert Park Final Water Supply Assessment (WSA)? In the event that the Casino Project is using the WSA in any way, then in what way specifically? How specifically is the Casino using that WSA to make decisions, evaluations, and calculations regarding water usage and to determine the impact of the project on ground water and the whole water issue? Mr. Hurley says "...the results of this report appear to contradict the conclusions of other reports conducted in the same study area." What are these contradictions and how would this affect ground water assessments and calculations for the Casino Project? What are all the problems associated with the WSA relying on simplified water budget analysis that does not quantify inflows to the groundwater basin and how does that affect the anticipation of possible impacts of the Casino Project site and its water usage? What are all of the problems that could be



associated with the WSA ignoring the detailed Rohnert Park specific groundwater modeling study used for the current General Plan EIR (2000) and how could that affect the anticipation of possible impacts of the Casino Project site and it's water usage? What are all of the problems that could be associated with the WSA not expanding the study to years prior to 1977 despite available data, and how could that affect the anticipation of possible impacts of the Casino Project site and it's water usage? What are all the possible ways in which the WSA could use well data provided in the Cardwell Report (1952) to provide additional information on long-term trends for ground water, and how could that affect the anticipation of possible impacts of the Casino Project site and it's water usage? For what possible reasons is it undesirable to not consider the geologic conditions present at each site when relying on a simplified view of the aquifer system when dividing it into zones, and how could that affect the anticipation of possible impacts of the Casino Project site and it's water usage? What are all of the possible ways in which the WSA could have adequately addressed conflicts with the conclusions of the Canon Manor DEIR, which concluded that an increase in pumping at the Pen grove Water Company well for an additional 110 homes could be a significant and unavoidable impact, and how could that affect the anticipation of possible impacts of the Casino Project site and it's water usage? Has the Casino Project considered other ground water reports and accounts form the past that would indicate the historical nature of the ground water conditions in Sonoma County and for this site area?

Why should decades of my hard work growing trees to enhance the environment and enhance the landscape end in my well going dry because a Casino Project competes with my well and renders it useless? Without water my plants and gardens cannot survive.

I have personal knowledge of the depletion of my private wells for 24 years. Even despite my and costly extensive water conservation and careful planning and use to minimize impacts on my private wells, the water table has proved to be in extreme overdraft and dropping rapidly due to huge industrial style wells placed near me, that have enabled Rohnert Park to expand and grow un-checked. The local city and industry populations are using water far in excess of current or future water supplies. For my private use, farming, and my tenants we use less than 72,000 gallons per day on the heaviest use days of the year during peak conditions. At this rate my land would have a perpetual water supply. However due to the competition of urban

sprawl and other industrial users, my water levels continue to drop. This is not a sustainable scenario for water use. The addition of the Casino project will compound the problem for which there is no current solution. Until the current problem is completely resolved it should not be compounded. Considering that the water over draft situation is advanced, in what specific ways would it make sense to complete a thorough and meticulous groundwater basin study? How will the Casino Project mitigate these water issues and impacts?

## **CRIME**

Soon my young children will be taking the bus to school. Since we now live in a rural country-farming environment, this means that they will wait on the corner for the bus to come like all the other children in the neighborhood do. The Casino Project will bring over 10,000 additional vehicles per day (or more?) to my streets and the associated drunken drivers as well. Police Chief Chuck Bollen of Tunica Mississippi says, "arrests for drunken driving have increased 500%" ...after a casino opened. (Newsweek November 1998. US News and World Report said "... crime in casino cities is roughly 84% higher than the national average"

- 72) **CHILD ENDANGERMENT:** Following this question you will find more information and questions regarding crime. There have been numerous cases in which children have been harmed as a result of casinos in California and elsewhere. What exactly is the record and list of child endangerment and related crime that has already happened in the past at other Station Casino projects, and what are the possible dangers associated with the Casino Project? How will these dangers be mitigated or prevented? Recently north of Santa Rosa a child smothered in the back seat of a car with her siblings while the parents were swept away with the gambling going on in the casino. Gambling is highly addictive and parental judgment is often impaired. How will the Casino Project deal with this eventuality? What specific cases of child neglect or parental negligence have taken place in the past at casinos and what might take place at the Casino Project? The Federal Bureau of Investigation reports on their web site that they now offer training courses to Indian Country Law Enforcement Personnel: Crime Scene Management/Crime Scene Processing, Child Sexual Abuse Physical Abuse Training, Child Homicide, and others. Why did

it become necessary for a community near a casino to Indian Gaming Investigations system and go so far as to hold regular classes on such subjects as Child Sexual Abuse, and other related classes? Why doesn't the Santa Rosa JC hold these types of casino crime classes? How will our community be different in the future after a Casino Project goes in and what types of Child Sexual Abuse classes does the Casino Project recommend or intend to sponsor? What were all of the cases and scenarios that led to the need for holding regular Child Sexual Abuse classes in conjunction with a community with a casino? How can the Casino Project mitigate this Child Sexual Abuse Problem?

- 73) **PROSTITUTION, HIV, AND YOUTH:** According to Las Vegas Review Journal 10/24/03 Las Vegas Mayor Oscar Goodman is wondering if the city should legalize the world's oldest profession, perhaps turning East Fremont Street into a "little Amsterdam". Goodman, who long has personally supported the notion of legalizing both marijuana and prostitution, said he was approached about six months ago by a "substantial casino executive" who suggested East Fremont Street could be turned into something of a "little Amsterdam – red light district with legalized brothels and a medical clinic" He said support for the proposition out weighed opposition. So for this year, police have arrested 127 prostitutes under the age of 18 and 368 different prostitutes have tested positive for HIV." What specifically has been the record of child prostitution at any Station Casino project and what are the regulations for keeping those types of records? What types of child prostitution could take place at the Casino Project? How could the Casino Project mitigate or prevent child prostitution? How many cases of child prostitution are reported annually and how many may be un-reported in the USA, which might be related to casino activity in any way? What services and management practices has Station Casinos or it's affiliates or similar casinos provided in the past for child prostitutes? What are all the statistics, records, or accounts of HIV in relation to prostitution, child prostitution, and any relationship to casino activities? What should the Casino Project know about child prostitute pregnancy, HIV, and the relationship a casino has to it?
- 74) **HUMAN AND FAMILY DANGERS:** This Casino Project has the predictable possibility to cause injurious and damaging impacts to the human environment and my family. What should or could the Casino Project do to mitigate any injurious or damaging impacts as listed above? In a recent study funded by the National Institute of Justice,

Grant No. 98-IJ-CX-0037 where the effect of crime in new casino jurisdictions was analyzed and records from seven police departments, "Results for drug violations and family offenses are significant at the .05 level and are consistent with increases in these offenses." Have similar studies been conducted near other Station Casino projects? What are all the written and known records of family offenses at or near Station Casino projects or similar projects that might relate to the Casino Project? What types of analysis of data could be under taken to ensure family safety in the community? What lessons can be learned from other family offenses and mortalities that might apply to this Casino Project?

- 75) **OVER CROWDING:** What will be the impact on families in the community when lower income families who cannot afford the local standard of living and living costs, are attracted to the low paying Casino Project jobs? How will the Casino project mitigate the impact of the demand on the housing market for affordable housing? How will affordable housing be provided for low income families who crowd into housing to save money? How will these issues compare with similar issues going on in the Canal District of San Rafael California area? What studies exist of the Canal District that might be relevant or helpful to the Casino Project and what specifically might the Casino Project do to avoid those pit falls? Has the housing issue on Todd Road to the north of the Casino Project been reviewed and analyzed in relation to the Casino Project? In the Todd Road scenario large numbers of low income people were crowding into sub-standard farm buildings and housing in order to make ends meet while holding down local low paying jobs that do not keep up with the local cost of living and housing. In regards to the previously mentioned scenario, how will the Casino Project address these types of issues specifically considering the hundreds or perhaps thousands of low-income jobs that the Casino Project is likely to create in the community? What will be the socio-economic implications of this type of living and life style? How will this type of living and life style benefit or enhance the public welfare? Might over crowding and the lack of affordable housing give rise to crime rates and crime against children? If so, how? If not, why? How would the Casino Project differ from all other similar casino projects in the past?
- 76) **THEFT:** Can the Casino Project guarantee that it can prevent and mitigate theft associated with casinos as described by Nelson Western, vice commissioner of the National Indian Gaming Commission, as

stated in the Associated Press (by Carson Walker)? What specific types of theft might increase in the local community and what will be the dollar costs or those thefts? Are compulsive gamblers who visit the Casino Project more likely than other citizens of the community, to steal or commit crimes to pay for their gambling addiction? Has this ever been documented? What is the existing body of knowledge that relates to gambling and theft and how does it relate to the Casino Project? For instance: A new report by Georgia Economics Professor David B. Mustard and Illinois economics Professor Earl L. Grinols demonstrates that counties with casinos have crime rates 8 percent higher on average than counties without casinos, so then how would Sonoma County differ in relation to these reports specifically? The cost of crime according to the report has jumped from \$1.10 or less per adult before 1984 to at least \$61.00 today, so then what will be the costs to adults in Sonoma county over time for crime and the costs related to crime specifically, now and in the next decade? Will the costs diminish or increase, by how much, and to what extent, and will this be related to theft or more to embezzlement, organized crime, money laundering, or other corruption that are common crimes associated with casinos (according to Nelson Western)?

- 77) **EMBEZZLEMENT:** What increase in embezzlement to local employers and others might take place in the community over time and what might be the costs? Has there ever been an embezzlement issue that was related to any Station Casino project or similar project in the past? If so, how many and what was their description and how might they be similar to the Casino Project? Nelson Western, vice commissioner of the National Indian Gaming Commission said in a news release that embezzlement is among the common crimes associated with casinos, so then how would the Casino Project similar to this assertion? How will the Casino Project mitigate embezzlement and its effects? What are all the effects, that an increase in embezzlement activity in the community, might have, and what would be the short term and long term costs? What steps has Station Casinos taken in the past to prevent embezzlement and what specifically were the results? How could those results be improved? What is the key component of embezzlement and its relationship to the Casino Project and casinos in general? According to a study by DR. Henry Lesquier over 40 percent of Gamblers Anonymous members surveyed stated that they had committed some crime to support their gambling habit, so then how will the Casino project differ or be similar to these

findings, and would the crimes also include embezzlement? What is the cost on average in Sonoma County of prosecuting an embezzlement case and what community resources does it consume? What is the psychological impact on youth of embezzlement and how might the Casino Project protect youth from the influences of embezzlement?

- 78) **ORGANIZED CRIME:** What will the Casino project do to mitigate organized crime? What are all of the experiences that the Casino Project and Station Casinos has had and is likely to have with organized crime? What is all the documentation and what are all the studies to date that relate to this vital subject? This has been one of the subjects of greatest concern in the local community, so then what is the record of those concerns and how will the Casino Project specifically address them? According to Nelson Western, vice commissioner of the National Indian Gaming Commission, organized crime is among the common crimes associated with casinos, so then how will the Casino Project mitigate and contend with organized crime? What is the record of success to date in dealing with organized crime? According to Nelson Western cash driven businesses like casinos are prone to theft and increases for organized crime, so then what might be the cash flows of the Casino Project over time and how will they be controlled and transparent to the community and the governing bodies such that the Casino Project can prevent the temptation of organized crime to access those cash flows? "Organized crime has infiltrated a number of legal gambling operations." According to a report from the Maryland Attorney General July/ August 1994. How will the Casino Project mitigate organized crime infiltration?
- 79) **MONEY LAUNDERING:** What specific steps will the Casino Project take to mitigate money laundering with in and near the project? Nelson Western, vice commissioner of the National Indian Gaming Commission, said in a news release that the growth of the industry includes this type of crime also and that this is one of the common crimes associated with casinos, so considering the likelihood of money laundering occurring, what effect will that have on other types of crime in the community and what will it attract to the community? What are all of the specific incidents of money laundering that have already happened at other Station Casino facilities documented or un-documented and how will the Casino Project be similar or different in nature and management? Speaking

on ABC radio Chief Commissioner Christine Nixon said .....”We believe they have problems in the casino. I don’t think there’s any doubts about that.” “Organized crime figures have often used various ways of laundering their ill-gotten gains and gaming operations have always been one way of doing it.” In April this year, Ms Nixon banned underworld figures Carl Williams and Dominic “Mick” Gatto from entering the casino under the Casino Control Act. Wiklliams is on bail on charges of trafficking \$20 million worth of amphetamines and threatening to kill a police officer and his girlfriend. Specifically how will the Casino Project avoid the previously mentioned scenario concerning money laundering and it’s entanglement with crime figures and their other types of activity? Philip N. Hogen, chairman of the National Indian Gaming Commission said “Money laundering is a problem, and it’s a more serious problem to the nation it view of the fact that terrorist groups might be the beneficiaries of that exercise.” What possibly could the Casino Project do to prevent or mitigate the benefit of money laundering for terrorist groups? In 1997, the FBI broke up money –laundering operation at a casino on a California Indian reservation. More recently, a non-tribal casino in Nevada was fined \$5 million for ignoring money – laundering reporting rules. What are the money laundering reporting rules, and why has the local community not received education and information by the Casino Project in regards to this important information? What are all the things the Casino Project can do to support the intent of those money laundering reporting rules and follow them diligently? What are all the records that exist to date of past compliance with those money laundering reporting rules by Station Casinos and how does that come to bare on the Casino Project? Stanley Twardy, a Stamford lawyer and veteran of high-profile money-laundering cases when he served as U.S. attorney., said it is obvious why terrorists or other criminals look to casinos. “It’s cash”, he said. Why would cash at the Casino Project be so attractive to terrorists and criminals and how could this problem be mitigated? How does it serve the public good to attract terrorists or criminals to our community? How does that fit in with the objectives of the new Sonoma County General Plan update?

- 80) **CRIME PROLIFERATION:** Will crime increase in my community in any way as a result of the Casino Project, either directly or indirectly? “The crime rate in gambling communities is nearly double the national average..” according to a Jan. 15<sup>th</sup>, 1996 U.S. News & World Report analysis. How will the Casino be statistically similar or

different from the previously described? Will the local crime rate in my community rise or fall and by what percentage? According to Louisiana district attorneys surveyed in 1995 they cited gambling as a factor in rising crime rates in their jurisdictions (Sunday Advocate July 30 1995). What is the opinion of Sonoma County district attorneys and judges? Have they been completely informed of all of the criminal related information available regarding or relating to the Casino Project including all the information in this document and all other public comment? Were they invited in writing in a timely fashion to the October 19, 2005 scoping hearing at the Spreckels Center in Rohnert Park? If not, why not, and how could this issue be corrected?

- 81) **GAMBLING ADDICTION AND REPEAT CRIME:** according to Valerie Lorenz, director to the Compulsive Gambling Center in Baltimore, July/August 1994, "At least two-thirds of compulsive gamblers turn to crime to finance their addiction." How do gambling addicts routinely finance their habits? Does the Casino project address this issue? Does the Casino Project finance or carry a balance for addicts at risk? Has Station Casinos ever aided or assisted a compulsive gambler? What are all the records of gambling abuse in the past and how is it kept track of? What are all the rules and regulation that could apply to this question or record keeping, tracking, or evaluating gambling abuse and how does that relate to the Casino Project? The University of Illinois Institute of Government and Public Affairs Volume 13, November 2, 2000 says "One study of gamblers in treatment found that 62 percent committed illegal acts as a result of their gambling. Eighty percent had committed civil offenses and 23 percent were charged with criminal offenses, according to a 1990 Maryland Department of Health and Mental Hygiene survey. A similar survey of nearly 400 members of Gambler's Anonymous showed that 57 percent admitted stealing to finance their gambling. Moreover, the amounts are not small. On average they stole \$135,000.00, and total theft was over \$300 million, according to the testimony of Henry Lesieur from the Institute of Problem Gambling before the National Gambling Impact Study Commission, Atlantic City, New Jersey, January 22, 1998. Would issues similar to the ones I just described be possible if the Casino Project went in? How will the Casino Project mitigate this issue?



## SCOPING PROCESS SHORT COMMINGS:

- 82) **LACK OF NOTIFICATION OF VISIBLE CONSTITUANTS:** I am a property owner adjacent to the proposed Casino project. I own 5 properties that are so close so as to be across the street or a block away. My existence here for the past 24 years is no secret to anyone in the local community. Why has not the Casino Project ever contacted me or kept me abreast of their plans or activities? How could the Casino Project mitigate this past negligence?
- 83) **UNWARENESS OF CONCERNS:** Is it possible to identify the real concerns of the public and local governing agencies, for consideration in the scoping process, when there has been a lack of proper notification and educational advertising, advertising or comment due dates, nature or the process, and/or public education? How can the Casino Project mitigate this issue?
- 84) **NARROW UTILIZATION OF MEDIA:** Does the Casino Project consider the Press Democrat the end all and be all of communication and education? What other forms of information dispersion are available in the 21<sup>st</sup> century that the Casino Project could have used and could use in the future to assure that it would communicate effectively with all of the citizens in the community? How can the Casino Project mitigate this issue?
- 85) **SHALLOW DEPTH OF COMMUNICATION:** Are people who do not receive the Press Democrat or who cannot always read it cover to cover not important or not worthy of being communicated with by the Casino Project? Does solely advertising in the Press Democrat really constitute a thorough effort to make it's intentions known to everyone in the community who might be affected by the Casino Project? How can the Casino Project mitigate this issue?
- 86) **LACK OF INFORMATION GATHERING:** Can information for an EIS be gathered completely and socio-economic needs be addressed thoroughly if all of the local property owners, neighbors, public, and agencies have not been contacted in the ways that assure they receive the information necessary? How can the Casino Project mitigate this issue?
- 87) **DUE DILLIGENCE OF PROPER NOTIFICATION:** In what ways specifically did the Casino Project not demonstrated caution, vigilance, responsibility, presence of mind, concern, or sound

- judgment, in properly notifying or educating the neighbors of the Casino Project? How can the Casino Project mitigate this issue?
- 88) **AVOIDANCE OF KEY FACTS:** Is it possible that a wealth of relevant facts and information will continue to be unknown to the Casino Project, and crucial concerns will be omitted from the EIS, as long as this process of discrimination against neighbors of the Casino Project continues? How can the Casino Project mitigate this issue?
- 89) **DISCRIMINATION:** In what ways specifically is it highly discriminatory in nature for the Casino Project to sparingly send out notices, letters, make phone calls, or visit door to door, the relevant neighbors of this Casino Project, while at the same time conducting a lengthy and in depth communication process with the City of Rohnert park to form a MOU? How can the Casino Project mitigate this issue?
- 90) **DISENFRANCHISEMENT:** The disadvantaged neighbors of the proposed Casino Project have been cast aside and deserted by the Casino project. In what ways has this taken place? Truly no effective inclusive effort has ever been made by the Casino Project or the City of Rohnert Park to include these disenfranchised members of the community. How can the Casino Project mitigate this issue? What are the possible reasons that, only if by chance, I (or my neighbors) of the Casino Project scour the local newspapers and tabloids for hints and scraps of information concerning the Casino Project, do we even learn of even the most basic elements of the Casino Project proposal? How can the Casino Project mitigate this issue?
- 91) **LACK OF COMMUNICATION AND INFORMATION:** In what specific ways does the Casino Project clearly possesses the experience, skill, craft, and adaptability to inform their neighbors completely of all relevant alternative sites and all related documents, and then yet, why have they not? How can the Casino Project mitigate this issue? If, as Jake Mackenzie of the Rohnert Park City Council has described, there are over 50 alternative sites available for further study and consideration, why have I, and my neighbors, been perpetually ostracized over such a long period of time so that we cannot make our concerns, comments, considerations, socio-economic needs, or unique knowledge a part of the process?
- 92) **CONCEALMENT OF CRUCIAL DOCUMENTS AND FACTS:** How long will we continue to be the victim or this elaborate concealment of important documents based on who we are, where we live, and what our position in society is? Could it be that this ability to keep things from the knowledge of others clearly demonstrates the

Casino Project is discriminatory? How can the Casino Project mitigate this issue?

- 93) **DIFFERENTIATION OF PEOPLE AND GROUPS:** Could it be considered highly discriminatory, against relevant neighbors of the Casino Project, to not use effective forms of communication to inform and educate in all manners of the Casino Project, including when various processes are taking place and when public meetings are taking place, while at the same time communicating and informing the City of Rohnert Park, developers, and other entities, with elegance, precision, and clarity? What are the possible ways that the Casino Project could step up communication with the relevant neighbors of the project? How can the Casino Project mitigate this issue?
- 94) **SYSTEMATIC EXCLUSION:** Based on the actions of the Casino Project, could it be concluded that relevant neighbors of the Casino Project have been systematically excluded from important processes? How can the Casino Project mitigate this issue?
- 95) **INVESTIGATION NEEDED:** Could it be possible that the relevant neighbors of the Casino Project have been segregated into a unique group **not** to be communicated to? Is it possible that relevant neighbors of the Casino Project remain un-informed and have not had fair time or information in which to make careful timely comment, receive legal council, or react on a level playing field with other entities of the Casino Projects choice, such as The City of Rohnert Park, developers, and agencies? Since the relevant neighbors of the Casino project have been set apart from other people and agencies in the Casino Project scenario, could it be appropriate to conduct an investigation as to why this systematic process of discrimination has taken place for so long? How can the Casino Project mitigate this issue?
- 96) **LACK OF DUE DILIGENCE:** How is it that that hundreds of letters, E-mails, phone calls, meetings, and faxes have undoubtedly transpired between the Casino Project and the City of Rohnert Park, developers, and agencies, over a lengthy period of time, and yet never one letter, never one E-mail, never one meeting properly arranged, never one fax received by me from the Casino project? My phone numbers, fax numbers, addresses, and cell phone are available 24 hours per day. Every neighbor I have talked to is in the same predicament of being highly impacted by the Casino Project, while being unfairly segregated in this way. How can the Casino Project mitigate this issue?

- 97) **SEGREGATION:** Is it possible that the consistent segregation and separation between classes of people, has made my neighbors and me victims of conscious discrimination in any way? How can the Casino Project mitigate this issue?
- 98) I made it known at a public meeting in August 2003 at the Spreckles Center in Rohnert Park, at which the Rohnert Park City Council, and which the elements of the Casino Project hosted, that I was never given notice or informed of the Casino Project or even the very meeting that I was attending. Why after 2 years have I still not been notified? Since my property and trees will be destroyed and my septic will be damaged, and my happy home will be lost, why then am I not even included in the process in any considerate manner? What is the excuse for not notifying my neighbors or me of EIR scoping meetings, public meetings, comment due dates, alternative sites, full disclosure and plans for the proposed project, and all other documents in the complete scenario. How can the Casino Project mitigate this issue?
- 99) **IMPACT ON COMMUNITY SOCIAL STRUCTURE:** Why are my neighbors still victims of this discrimination? How long must we continue to be disadvantaged in this process and kept off of a level playing field because who we are and where we live? Why shouldn't we have complete and full access to documents and information about a Casino Project that has such a profound impact on, and could possibly destroy our long established way of life, our social structure, our families, our economics, our culture, and our values? Why do we feel that we are we under attack for our customs, values, and way of life, occupations, liberties, and culture based much on where we live and who we are? How can the Casino Project mitigate this issue?
- 100) **SOCIO-ECONOMIC DETREMENTS:** I believe that from a socio-economic viewpoint, if my neighbors and I lived in Fountain Grove, Rincon Valley, or Mill Valley California, we would have been given at least a phone call. Why are we less important than other people? There are many grievances that have come about from the bias against my neighbors and myself. How can the relationship between community and the socio-economic impacts of the Casino Project ever be addressed as long as this process of segregation persists?
- 101) **HOW CAN COMMUNITATION BE IMPROVED?:** To fairly demonstrate the intention of, and in order not to continue to be discriminatory or manipulating, in gathering information necessary for preparing and EIS for the proposed Casino Project, what are the possible ways in which the Casino Project, NIGC, and other relevant

agencies form a list of the neighbors and contact them in letter form, fax mail, or even a courteous phone call? How can the Casino Project mitigate these issues?

- 102) **NEED FOR HARD FACTS AND DOCUMENTS;** What are the possible ways in which a full disclosure of all meeting notes, agendas, plans, name contact lists, vocalized opinions and comments of officials, and other documents be made available and presented in their fullness to myself and my neighbors? In what ways might it be possible that the Casino Project has and is systematically keeping neighbors uneducated and disadvantaged in the scoping and development process of the Casino Project? How can the Casino Project mitigate these issues?
- 103) **RICH COMMUNICATION NEEDED;** How can I, or my neighbors, comment on the process or be included in the scoping process in an effective way, while regularly being denied the same type of rich communication that other people have enjoyed and received all along? How can the Casino Project mitigate these issues?
- 104) **UNAVAILABLE INFORMATION;** Why can't my neighbors or I be at least treated like any other of the major land owner, developer, or Rohnert Park City council men or women, Native Americans, or Organized Casino entities? There fore I respectfully request that all of the hundreds of letters, E-mails, phone calls, meetings, and faxes that have been made between the Casino Project, the City of Rohnert Park, developers, and agencies, over a lengthy period of time, be made available to the neighbors of the Casino Project for review and scrutiny. I also request that a history be written and explained to my neighbors and myself pertaining to the chronological unfolding of secrete closed meetings, open meetings, and planning sessions between the relevant parties of the Casino Project. These documents should no longer be kept secrete from my neighbors or me. I lack facts concerning the plans or the scope of the proposed project as a direct result of the discriminatory behavior of the Casino Project, The City of Rohnert Park, developers, and agencies. How can the Casino Project mitigate these issues?
- 105) **COMMUNICATION BLACK OUT:** It is amazing to me that a project that will have a permanent profound effect on my family and my life is not made known to me by standard methods of direct communication, and that I am never communicated to by members of the Casino Project or the City of Rohnert. I am not unique in this communication blackout. I have yet to meet a neighbor or property

owner, who has been contacted in any way. The off hand ways I have learned of these events, does not allow sufficient time for preparation or letters, responses, speeches, or arranging for legal council or baby sitters to take care of my children while I run around at the end of a 16 hour work day trying to find out facts that the Casino Project should already be making available to me. It is completely inconsiderate, and clearly demonstrates bad will, that direct neighbors of a project of this magnitude can be systematically kept in the dark about this issue. As a property owner I have never been given a fair chance to comment on the project. The 3-minute speech time allowed at the scooping hearing is a joke. I have been a victim of segregation and my property rights have been violated. When I learn of a meeting by reading the paper the day before the meeting takes place I have no time to prepare my comments. This has consistently been the case of unfairness on the part of the Casino Project. Station Casinos was given every opportunity to make presentations as were also the entities related to the Casino Project. I, on the other hand, had to miss work and prepare comments in less than 24 hours. At the meetings I was only given 3 minutes to make any comments on this vast subject, yet pro-casino speakers were regularly allowed far more time and attention. If I am always discriminated against, and not allowed to make even the most elementary statement at a public hearing, then how can the issues ever be properly addressed from a socio-economic point of view? If I am forced to come unprepared and speak in public and made to feel uncomfortable by the heckling of the pro-casino crowd, how can I overcome this huge disadvantage? How can the Casino Project mitigate these issues?

- 106) **PREJUDICE:** I don't appreciate the scooping public comments saying that I am a "smug and comfortable white folks" Since I am never notified of any of the related events as they occur, I am at a great unfair disadvantage to take a stand for my basic rights as a property owner and member of the community. Further, members of my neighborhood, and I, feel threatened by the zealous stifling and stereotyping of us. We are victims of threats to the free speech of anyone who disagrees with the Casino Project. At a recent public hearing a pro-casino speaker implied that Santa Rosa High School students passed time in the afternoons by shooting Native Americans with fire arms for fun. Why do I have to be subjected to this type of inflammatory commentary at a public hearing that is supposed to be about environmental issues? Why are my human rights, not zealously

protected by the Sonoma County Human Rights Commission as they were for the Graton Rancheria? When I have been targeted by hate speech and racism, why is the subject suddenly not important? Shouldn't I have the right to post a "no Casino" sign on my property without being continually vandalized and stolen? Shouldn't I be able to hand out a simple flyer about ground water concerns without being screamed at or chased off the road by a mad driver? I consider this behavior of pro-casino peoples to be indirect prejudice at the very least as one neighbor said after reading the intimidating article in the Press Democrat 2-18-04, "you better not say anything against the casino now!" This prevalent type of behavior is emotionally disturbing and intimidating. Some of the comments made to me because I disagree with the current Casino Project, make my skin crawl. I will not write them here because they are so hateful and vulgar in nature. How can the Casino Project mitigate these issues?

- 107) **INTIMIDATION:** Neighborhood generated information flyers and signs have been the targets or regular vandalism. I feel afraid to even post a simple sign on my property or hand out a flyer because of the hostile tone set forth by the pro-casino people and entities. Can you expect me to feel anything but threatened, when my comments and information are regularly cut short at a public meeting? Can you expect me to feel anything but discouraged and down trodden when pro-casino speakers are allowed to slander and insult anti-casino speakers at public meetings?

Before you take any action with regard to the Casino Project, your agency should review, at a minimum, and in detail, the following documents relating to the prevailing local and countywide water supply structure, scheme, design, development, and history:

- 1) All documents suggested for review by Weston Benshoof Rochefort Rubalcava MacCuish LLP and the O.W.L. Foundation in their "DEIS Scoping Comments, Graton Rancheria Casino Project" dated March 10, 2004 and submitted to you.
- 2) All "DEIS Scoping Comments, Graton Rancheria Casino" documents submitted to you by Pamela A. Miller.
- 3) All documents from the Convention on the Conservation of Migratory Species September 18 – 24 2002, as well as subsequent meeting documents and policies. Among other things, it is

important to note in this documentation the importance of wetlands in the functioning of the Pacific Flyway.

- 4) "The Ramlet Report" prepared for the County of Sonoma, and the references included in that document. Especially important in this document, among other things, is the validation and observation of ground water transients. This indicative special inherent characteristic of the water table at the Casino Project and adjacent lands, suggests that I will be impacted by pollutants transmitted in the perched water table, and that seasonal ground water transients in the perched water table are large and extensive. I have personally conducted tests and studies of the ground water transients and documented them in public record across the street from the Casino Project site. Therefore I am currently one of the best experts on this matter and know well what the nature of the problem is. It is therefore likely that I will be directly impacted as pollutants are conducted below ground in the ground water system. The water table is complex here, in that it experiences extreme transients in the flood years. The Casino Project is located directly over the designated 100-year flood plain. The soil matrix consists of a matrix of no consistent pattern of sub-alluvial fan deposits of heavy adobe clays, zone one, zone two, and zone three type soils, gravel beds, very pure sands, as well as faults and areas of isolation. The net result is that this geological unit cannot be considered uniform or predictable in nature. This type of geological unit cannot be scientifically analyzed to predict location, direction, or depth of conduction of pollutants from the Casino Project. Therefore any conclusion drawn from any study of ground water will be inconclusive and unreliable in predicting the effects of the Casino Project on ground water and the waters of the State of California. What is known is that the unique properties of this prime aquifer recharge area make it highly conductive, and yet at the same time there are unpredictable areas of isolation with artesian pressure from unknown sources. Since the area in question cannot be adequately tested and studied to predict effects of a Casino Project on ground water, and the science of such predictions is imperfect and unreliable, it is a fore drawn conclusion that the Casino Project cannot take place on the proposed site, and that other alternatives will need to be explored.
- 5) All County of Sonoma health department records for percolation tests and ground water readings. Among many important factors,



one of the key factors of this body of documents is that percolation rates and soil profiles meticulously taken over a period of decades clearly proves that there is no consistent pattern or soil type in the area from which to generate a model for the probable disruption of the natural course of water, as a result of the Casino Project. If there were predictable soil types, relevant mapping, and relevant documentation, the Sonoma County PRMD could simply look at the data and tell a property owner where and how to construct every private waste disposal system, or whether it could be constructed at all. Although this body of documents probably represents one of the greatest and detailed records of information regarding the conditions in the Casino Project vicinity, it only reflects descriptions of soil conditions approximately no more than zero to 14 feet deep. Since rumor (remember I have no real source of facts on this project because of I am a victim of the Casino Projects on going discrimination) says that very deep wells will be drilled on the project site, and the project will have on site waste disposal equipment and extensive irrigation equipment, it follows that there will be no way to construct a reliable model of probable effects of the Casino Project on the waters of the State of California.

- 6) All well driller logs from Sonoma County well drilling companies. This is an important body of documents to review completely. Of particular importance in this body of documents, private and public, is the fact that clear proof exists of sub-alluvial fan deposits existing from surface levels down to the deepest readings on drilling logs, which are sometimes many hundreds of feet deep. At depths of hundreds of feet it is not uncommon to encounter a riverbank or a redwood tree preserved in the ancient aquifer. I know of a tree found at a depth of about 1700 feet in the Casino Project vicinity. I also know that there is a huge danger in perforating upper water tables that private residences use, and hence draining them to lower water tables by large wells acting as conductors. The suballuvial geological formations are highly conductive in nature. The unpredictability of the location and existence of these features, and the impossibility of accurately mapping them, further determines that a reliable model of the probable effects of the Casino Project will be impossible to formulate. The effects of the Casino Project there fore are impossible to predict. Since water recourses are the basses of the

entire socio-economic structure in Sonoma County, including the Graton Tribe, don't risk degradation of water resources by this Casino Project. It should be noted that well driller logs are private and any study will not have access to all of the records. Therefore crucial facts would or could be omitted from any study or model of the likely or probable effects of the Casino Project. With crucial facts omitted from a study or model, the faulty study or model is likely to lead to false conclusions and recommendations. Ultimately the waters of the State of California will be placed at risk.

- 7) Roma Gans' book "How do birds find their way". Especially relevant to this document is the fact that the Casino Project is to be placed on the primary route of the Pacific flyway. This natural habitat is an irreplaceable resting and feeding place for many migratory birds on the Pacific flyway. Many birds use the same nests year after year. This phenomenon is only coming to light by science at this time and needs much more study and exploration. What we do know is that if we continue to harm the Pacific Flyway we will disrupt the macro genetic cycle of gene pool enrichment that keeps thousands of animal communities healthy enough to reproduce, and to survive genetic defects and disease. On most any day of the week any talented biologist can observe this phenomena in action. Birds have used the lands of the Casino Project since time immemorial and therefore, the Casino Project is incompatible with the fragile ancient eco-system.
- 8) Life cycles of the 100-year flood plain upon which the Casino Project is proposed, are very long in duration. The typical duration is 100 years as far as current science can extrapolate. The 100-year flood plain is poorly understood, and takes decades to study. I suggest that at least several flood cycles be studied prior to any Casino Project decision-making relative to this site. This flooding is at the top of the Laguna matrix and affects the entire body of water. This study should include all aspects of the natural course of water as well as all of its effects on the symbiotic relationship between risonuculi found on native plant root matter. The sustainability of native plants will be jeopardized by the disruption caused by the Casino Project, of the natural watercourse. The 100-year floodplain or "zone" plays a crucial role in the health and survival of the entire ecological structure and, without it, the

native plants, insects, and animals will not survive. These creatures are at the base of the food chain and must be protected. The science of this subject is in its infancy and poorly understood. This Casino Project site has been a military dumping ground and a chemical dumping ground. I have personally found spent and unspent machine gun shells in the area when digging to plant trees or service septic systems. A complete study of all the related information to the military activity needs to be undertaken. These unstudied, unpredictable, and poorly understood hazards to the eco-system should be left alone and in their current status of isolation and equilibrium until a comprehensive plan of action can be formulated for their proper decommissioning and disposal according to protocol set forth by the EPA and the Regional Water Quality Control Board. Clearly construction of the Casino Project cannot go forward under the conditions. How can this land be graded, bulldozed, trenched, and filled in without the chance of huge irreversible consequences?

- 9) Other hazardous elements of the Casino Project site include the improper disposal of underground chemical tanks. These tanks need to be found, inspected, and issues addressed in compliance with Regional Water Quality Control Board standards, the EPA, and the Super Fund.
- 10) Ground water at the Casino Project site has been affected by the improper destruction of water wells in the area. Wells that were bulldozed over by the city of Rohnert Park adjacent to the Casino Project during eminent domain processes were never properly abandoned in compliance with standards set forth by the Regional Water Quality Control Board. These sites affect the water conditions at the Casino Project site and need to be exposed, inspected, studied, and properly abandoned before this Casino Project can proceed. These violations present direct danger to the water resources of the State of California. These violations magnify the potential for the Casino Project to conduct pollutants, and otherwise degrade the waters of the State of California. These wells act currently as perforations in the earth that conduct pollutants from areas that may have been considered areas of relative hydrological isolation, to other areas of relative hydrological isolation, or to areas of high ground water transient conditions. This is in direct violation of the standards set forth by

the Regional Water Quality Control Board. How can a Casino Project proceed without compounding this complex problem?

- 11) The displacement of low lands with fill needed to elevate the grade for the Casino Project, will lead to backing up of the natural course of surface water as it drains from my lands. As a result I will experience great increases in flooding and liquefaction. This liquefaction of my soils will cause septic system failures, septic effluent surfacing, and damage me permanently. The failing septic systems will then contaminate my wells. Since my wells then will be acting as a conductor and transmitter of human waste and septic system pollution to the aquifer, the aquifer and waters of the State of California will be degraded, as a result of the Casino Project. The displacement of low lands by the Casino Project will also cause my other neighbors to endure liquefaction and septic failures. My neighbors septic systems and human waste will be likely to enter my wells also. The net result will be the pollution of surface and ground water. This is in violation of the Regional Water Quality Board's standards. This will lead to an unhealthy and un-safe situation for my family and my neighbors. How does the Casino Project intend to protect hundreds of low profile well casings susceptible to conduction and transmittal of known pollutants and human waste? It is not reasonable to expect all local private well owners to drill new wells and case them to high elevations, and then provide perfect hermetic sanitary seals. It is a known fact and common scenario, that typical sanitary well seals, no matter how professionally installed, will leak and cannot tolerate any submersion. In addition many properties to be effected by the Casino Project flooding, have clay soils that dry and crack badly in the summer months. These cracks provide large areas of conduction and transmission of surface water pollution to the well seal, and casing. The wells are particularly at risk from the type of pollution I have described at the beginning of every rainy season before the expansive (zone 3) clay soils compress. How can a Casino Project be built, with thousands of yards of imported fill material, and not cause the elevation and increased flooding of waters on the surface and perched water tables of my lands and my neighbor's lands?
- 12) American Indians, Answers to Today's Questions by Jack Utter ISBN 0-9628075-3-2. Of particular importance in this socio-economic study is the likelihood of an unsustainable nature of the

Casino Project on many levels and in many ways. I believe that the Casino Project will lead to many negative socio-economic impacts on the entire population of the area as well as the independent Indian Nations.

The following excerpts are from Pamela A. Millers EIR scoping comments, and are included here for your convenience, since they speak to my condition:

- 1) This development will have significant adverse effects on public health and safety:
  - ◆ Increased air pollution from thousands of daily, additional vehicle trips on nearby roadways.
  - ◆ Increased water pollution due to “non-point source” contamination from vehicle runoff, particulate matter generated by excessive vehicle exhaust settling on the ground above the aquifer, use of toxic building materials to raise and prepare building pad in a federally recognized flood plain (petroleum based asphalt products, etc.).
  - ◆ Contaminated residential well water due to existing neighborhood septic systems being subjected to additional flooding as a result of water displacement from the construction of this development in a flood plain.
  - ◆ Residential exposure to raw sewage (“effluent surfacing”) as a result of existing neighborhood septic systems being subjected to submersion due to the displacement of flood waters.
  - ◆ Increased potential for traffic accidents due to intense fog conditions noted in the area of development.
  - ◆ Increased potential for traffic/pedestrian accidents due to the nature of existing nearby streets and roadways (NO neighborhood streetlights, sidewalks, bike lanes, roadside shoulders, etc.).
  - a) How will the air pollution be avoided?
  - b) How will the yearly flooding be contained and/or controlled without having negative impacts on nearby neighborhoods?
  - c) How will the water pollution/contaminated wells in nearby neighborhoods be avoided?
  - d) How will the failure of existing septic systems be avoided?
  - e) How will the fog be eliminated?
  
- 2) This development will have significant adverse effects on principal drinking water aquifers, prime farmlands, wetlands, flood plains, and ecologically significant areas.

- ◆ This development will be located directly over a “recharge” area necessary for the absorption of rain water to replenish the principal drinking water aquifer in this area. The creation of an impervious surface (paving over) will prohibit water absorption and cause displacement of millions of gallons of water, resulting in massive residential and environmental flooding.
- ◆ Water for drinking that is absorbed will be subjected to contamination from vehicle run off, construction materials, and both raw and treated sewage generated by the development and nearby residential septic systems.
- ◆ The property that is under consideration for this development is currently protected under The Williamson Act, is a designated community separator according to the Sonoma County General Plan, and provides the community with both open space, and grazing land for nearby dairies.
- ◆ This property is at the head of the Laguna de Santa Rosa, “the largest freshwater wetland complex in coastal Northern California” ([www.lagunafoundation.org](http://www.lagunafoundation.org)). The Laguna is comprised of wetlands, vernal pools, riparian forest, oak woodlands, grasslands, and is home to and within the establish range of five federally recognized endangered species: The California Tiger Salamander, Sebastopol Meadowfoam, Burke’s Goldfields, Sonoma Sunshine, and Showy Indian Clover. The Laguna is also an important stopover for thousands of birds migrating along the Pacific Flyway, providing a much needed source of food and rest. This property serves as an “overflow” area during the flood season.

- a) How will the loss of this “water recharge” area be prevented?
- b) How will the contamination of drinking water be prevented?
- c) How will the loss of open space be prevented?
- d) How will the loss of designated community separators be prevented?
- e) How will the loss of grazing lands needed to support local agricultural enterprises, be prevented?
- f) How will the loss of endangered species habitat be prevented?
- g) How will the loss of wetlands be prevented?
- h) How will the Pacific Flyway be re-routed?
- i) Where will the floodwaters be directed to without causing major property damage and health hazards to nearby neighborhoods?

3,4,5,& 6) The significant environmental impacts of this proposed development on this particular site will have potentially catastrophic effects on wildlife, habitat, breeding grounds, water supply, and public safety for years to come.

- ◆ Sections of many roads are under water and closed to through traffic in nearby neighborhoods during the wet weather season.
- ◆ Development in this designated community separator will almost certainly set a precedent and lead to further development, thus eliminating open space and endangered species habitat. Development will lead to additional floodwater displacement, and exacerbate residential and environmental flooding.

- a) Where to and how will the floodwaters be diverted?
- b) Will the roads in ALL affected neighborhoods near this proposed casino site be re-built to accommodate the additional flooding?
- c) How will the open space be preserved?
- d) How will the designated community separator be preserved?
- e) How will the Sonoma County General Plan not be violated?
- f) How will endangered species habitat be preserved?
- g) Will nearby homeowners be compensated by the tribe for wells gone dry, contaminated wells, and property damage due to flooding, traffic accidents, etc.?

7) N/A

8) This proposal/development will have adverse effects on endangered species and their habitats:

- ◆ California Tiger Salamander
- ◆ Sebastopol Meadowfoam
- ◆ Burke's Goldfields
- ◆ Sonoma Sunshine
- ◆ Showy Indian Clover

9) I would suggest that this proposal/development will have material adverse effects on resources requiring compliance with Executive Order 11988 (Flood plain Management). (See above).

10) This proposal/development threatens to violate Federal, State, and local laws imposed for the protection of the environment.

- ◆ Property located in a federally recognized flood plain.
- ◆ Property located in aquifer "recharge" area.
- ◆ Property located in a designated community separator.
- ◆ Property located at the head of the Laguna de Santa Rosa. Adverse environmental effects (pollution) will flow through several communities, wildlife habitats, and other environmentally sensitive locations all the way to the Pacific Ocean.
- ◆ Property is home to five federally recognized endangered species.

## **ALTERNATIVE SITE:**

It is my feeling that this proposed development would be better suited to a property known as Skagg's Island.

Skagg's Island is located within the Graton Rancheria Tribe's aboriginal territory in Sonoma County. The island consists of approximately 3,300 acres, with 60 acres already developed as a Naval base. The base has long been abandoned, and the U. S. Navy has expressed a desire to turn this property over to the U. S. Fish and Wildlife Service. This property is located off of Highway 37, a direct route to major metropolitan areas close by which would provide easy accessibility for the tribe's casino patrons. With the existence of the Naval base, the necessary infrastructure to support the tribe's development is already in place. There would be no need for major road improvements, no loss of residential dwellings, no construction in a flood plain, no loss of wildlife habitat, no compromising of public safety, water/air quality, no loss of open space, etc. This property at Skagg's Island is large enough to provide the tribe with several hundred acres of land for their use, as well as saving the remainder of land for environmental preservation, if desired. Skagg's Island is indeed an economically viable location for this development. Prior to taking an action with respect to the Casino Project, your agency should review, at a minimum, and in no particular order, the following documents relating to the prevailing local and Countywide water supply scenario to determine whether the Casino Project has the potential to cause negative impacts to the human environment: - (end of Pam's comments)

I have included the following excerpts from the Owl Foundation's comments for your convenience since they also speak to my condition:

Prior to taking an action with respect to the Casino Project, Your agency should review, at a minimum, and in no particular order, the following documents relating to the prevailing local and countywide water supply scenario to determine whether the Casino Project has the potential to cause negative impacts to the human environment:

- Entire administrative record for the Sonoma County Water Agency Water Supply and Transmission System Project (an exemplar table of contents for the administrative record is included herewith as Attachment A), including, but not limited to:
  - o The proposed New Master Water Supply Agreement.
  - o Eleventh Amended Agreement for Water Supply.
  - o Tenth Amended Agreement for Water Supply and Construction of the Russian River-Cotati Intertie.
  - o All prior amendments to the Water Supply Agreement.
  - o Supplemental Water Supply Agreement.
  - o 2001 Memorandum of Understanding Regarding Water Transmission System Capacity Allocation During Temporary Impairment.
- All other files held by the Sonoma County Water Agency concerning water quality and water supply issues, including, but not limited to, files concerning:



- o All past and present Water Contractor Agreements and other water supply contracts, agreements, and documentation, including those relating to Warm Springs Dam;
  - o Available and forecasted surface and ground water supplies.
  - o Land surface deformation (i.e., subsidence and uplift).
  - o Designated areas of natural recharge.
  - o Groundwater level data.
  - o Water quality data regarding the Laguna de Santa Rosa wells.
    - o Water pollution, contamination, and toxicity.
  - o Historic and current water quality monitoring data.
  - o Flood data, floodplain maps, and flood control projects.
- 2000 Sonoma County Urban Water Management Plan.
  - "Evaluation of Groundwater Supply Alternatives Water Supply and Transmission Project" prepared for the Sonoma County Water Agency by Parsons Engineering Science, Inc. (1995).
  - All files held by the Sonoma County Health Department concerning studies, reports, and complaints regarding areas of contaminated water, and water contamination, degradation, pollution, or toxicity in Sonoma County water supplies, including Well Drillers Reports on water quality.
  - All files held by the California Department of Health Services concerning studies, reports, and complaints regarding water quality of Sonoma County water supplies.
  - All files held by the Sonoma County Permit and Resource Management Department concerning available water supplies and water quality concerns, including, but not limited studies, reports, evaluations, determinations, and Well Drillers Reports.
  - All files held by the California State Department of Water Resources concerning overdraft of groundwater supplies and water level data in the Santa Rosa Plain Groundwater Basin, groundwater degradation, contamination, pollution, and water quality in the Santa Rosa Plain Groundwater Basin, and areas of natural recharge, land surface deformation, and seismic activity issues in the Santa Rosa Plain Groundwater Basin.
  - All files held by the United States Geological Survey concerning overdraft of groundwater supplies and water level data in the Santa Rosa Plain Groundwater Basin, groundwater degradation, contamination, pollution, and water quality in the Santa Rosa Plain Groundwater Basin, and areas of natural recharge, land surface deformation, and seismic activity issues in the Santa Rosa Plain Groundwater Basin.

- United States Geological Survey "Map Showing Ranges in Probable Maximum Well Yield from Water-Bearing Rocks in the San Francisco Bay Region, California" (1972) (D.A. Webster, Miscellaneous Field Studies May, MF-431).
- United States Geological Survey "Groundwater Atlas of the United States, California and Nevada" (2003)  
(<http://ca.water.usgs.gov/groundwater/gwatlas/reference/index.html>).
- All contracts by the United States Geological Survey, County of Sonoma, and Sonoma County Water Agency for all studies and evaluations of surface and groundwater supplies in Sonoma County.
- The Sonoma County General Plan.
- Entire administrative record concerning the Sonoma County General Plan Update for Year 2020, including all documents and public testimony regarding the Water Resources Element.
- All files held by the City of Rohnert Park concerning the City's General Plan, Specific Plans, and all related amendments in relation to City water supplies and water quality, the 2000 Final Environmental Impact Report prepared for the City's 2000 General Plan (including studies, evaluations, and consulting work prepared in connection with the 2000 FEIR in relation to City water supplies, such as the study performed by PES Environmental, Inc.), City groundwater well logs, land surface deformation (i.e., subsidence and uplift), water level data, water quality data, the City's letter request to the Sonoma County Water Agency to implement a Groundwater Management Plan (dated October 22, 2002), and the Sonoma County Water Agency's letter denial to implement a Groundwater Management Plan (dated November 26, 2002).
- The 1984 Penngrove Specific Plan.
- Entire administrative record and resulting Settlement Agreement relating to the 2002 Sonoma County Superior Court case entitled South County Resource Preservation Committee and John E. King v. City of Rohnert Park, Case No. 224976.
- Entire administrative record concerning the City of Santa Rosa Board of Public Utilities Incremental Recycled Water Program, including, but not limited to, all resolutions, environmental documentation, studies, reports, public comment, and presentations.
- Year 2001 Senate Bills 221 and 610 (codified at relevant provisions of the California Government, Public Resources, and Water Codes).
- The 2003 Kleinfelder Report prepared for the Sonoma County Water Agency addressing water scarce areas of Sonoma County including Bennett Valley, Mark West Springs, and Joy Road Area.
- The published Court of Appeal decision in Friends of the Eel River, et al. v. Sonoma County Water Agency, et al. (2003) 108 Cal.App.4<sup>th</sup> 859.
- August 11, 2003 letter from the General Manager of the Sonoma County Water Agency to Water Contractors in response to the Friends of the Eel River decision.

- DVD produced by the O.W.L. Foundation, memorializing the Sierra Club Groundwater Forum conducted on February 19, 2004 at the Environmental Center in Santa Rosa, California, featuring speakers Brock Dolman of the Occidental Arts and Ecology Center, John King of the O.W.L. Foundation, and environmental attorneys Edwin Wilson and Stephen Volker.
- February 24, 2004 letters from John King, the Brandt Hawley Law Group, and the lawfirm of Weston, Benshoof, Rochefort, Rubalcava & MacCuish to the City of Rohnert Park in opposition to the City's proposed Resolution No. 2004-34.
- March 9, 2004 letter from Dr. Steve Carle to Christine Nagle regarding DEIS Scoping Comments for the proposed Graton Rancheria Casino Project.
- "Santa Rosa Plain Ground Water Model" - California Department of Water Resources (1987).
- "Meeting Water Demands in Rohnert Park" - California Department of Water Resources, Central District (1979).
- "Geology & Groundwater in the Santa Rosa and Petaluma Valley Areas" - California Department of Water Resources and United States Department of Interior (1958)(G.T. Cardwell).
- "Statement on Groundwater Conditions in Santa Rosa, Petaluma, and Sonoma Valleys, Sonoma County, CA" - United States Department of the Interior - Geological Survey - Groundwater Branch (1955)(AR Leonard and G.T. Cardwell).
- "Groundwater Basins of California, a Report to the Legislature in Response to Water Code Section 12924" (1980).
- "Bulletin No.118 - 4, Volume 1: Geologic & Hydrologic Data 1975; Volume 2: Evaluation of Groundwater Resources Sonoma County, Santa Rosa Plain 1982; Volume 3: Petaluma Valley 1982" - California Department of Water Resources.
- "Groundwater Management in California" - California Department of Water Resources (1999).
- "Bulletin 118 Update" - California Department of Water Resources (2003).

In addition to the wealth of other information that is available for review and consideration by your agency, the information contained in the foregoing documents demonstrates that a sufficient water supply is not available to serve the proposed Casino Project and that the project would cause significant impacts to scarce natural resources in the proposed development area.

Please note that, in addition to a copy of this letter, the O.W.L. Foundation will submit hard copies of the following three items at the March 10, 2004 public scoping meeting to be held in Sonoma County:

(1) 2000 Environmental Impact Report for the City of Rohnert Park General Plan and Urban Growth Boundary ballot measure;

(2) DVD produced by the O.W.L. Foundation, memorializing the Sierra Club Groundwater Forum conducted on February 19,

2004 at the Environmental Center in Santa Rosa, California, featuring speakers Brock Dolman of the Occidental Arts and Ecology Center, John King of the O.W.L. Foundation, and environmental attorneys Edwin Wilson and Stephen Volker; and

(3) March 9, 2004 letter from Dr. Steve Carle to Christine Nagle regarding DEIS Scoping Comments for the proposed Graton Rancheria Casino Project.

## **CONCLUSION:**

In conclusion it is reasonable to assume that this Casino Project has the predictable possibility to cause injurious and damaging impacts to the socio-economic needs of my neighbors and myself. How will the Casino Project mitigate all of the impacts on my neighbors, my family, and myself?

My comments and related information are submitted in opposition to the proposed Graton Rancheria Casino Project (the "Casino Project"). This Casino Project will have many environmental impacts on my properties, family, tenants, and agricultural activities. I see no feasible method of mitigating these impacts now or in the future. Some of these impacts center around air pollution, noise pollution, altering the natural course of water flow, flooding issues, traffic, sewage treatment and disposal, destruction of the natural beauty of the countryside, and the insufficient water supply to accommodate a project of this magnitude. It is a fact that the water supply does not exist to make the Casino project function over time. The water supply for the area is in a crisis of extreme overdraft. This crisis has been acknowledged by the Sonoma County Water Agency and the City of Rohnert Park, as well as many other public agencies.

I am concerned that the bucket tests for Salamanders were not conducted properly at or near the Casino Project site. In monitoring this study I noticed the sloppy inconsistent construction of the bucket traps. I also noticed the continuous destruction of the animals trapped by predators such as raccoons and birds. I also noticed the purging of these traps by unidentified vehicles in the wee hours of the morning on a consistent basis. I believe that the study of the Salamander has caused the devastation and death of hundreds of these animals and has violated the principals of the Department of Fish and Game. How can we trust any study in the future for the Casino Project, when this type of behavior is already surfacing?

This Casino Project has the predictable possibility to cause injurious and damaging impacts to the human environment and my family.

This Casino Project has the predictable possibility to cause injurious and damaging impacts to the socio-economic needs of my neighbors and myself.


Further I would like to say that until neighbors like myself are properly included in the process and properly informed of the facts, this Casino Project cannot have a positive socio-economic impact. The sociological impact on the American Indians will be even worse. Gillian Flaccus of the Associated Press stated on 3-28-2004 ".....Nearly one-fifth of the 61 tribes that have gambling compacts with California are fractured by membership disputes. Many of those who have been kicked out of tribes in California say the motive is greed – an attempt by tribal leaders to reduce membership so they can keep more casino profits for them-selves and other favored members. "The perception is the tribes are not acting like Indians. They are acting like sheikdoms and cutting out anyone they don't like" said Patrick Romero Guillory, a tribal attorney representing members who were removed from the rolls of the Sanra Rosa Rancheria in Freson and jimself and Opelousa Indian from Louisiana.""

I would also like to quote Greg Sarris "We don't want to get into slot machines and hard-core gambling because it is addictive and destructive in peoples lives."

Thank you for all your careful study, time, energy, and consideration of all the documents mentioned in this document. I place these comments in your hands to be entered into public record.

Sincerely,

Lloyd Iversen



6/3/07

Cc: Donald Black - Attorney  
Ccc: The environmental Law Society

Brad Mehaffy  
NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street, NW, Suite 9100  
Washington, DC 20005

DEIS COMMENTS, GRATON RANCHERIA CASINO AND HOTEL PROJECT

Mr. Mehaffy,

We have lived at 4319 Primrose Ave. for 28 years, raised 4 children, and been involved in various community groups. As a native of So. Co. (53 yrs. ) We bought here for the agriculture heritage and rural atmosphere. Until recently we've had to get involved in politics in a effort to retain this environment.

Enclosed are pictures of our neighborhood during a not unusual winter rain. For this and other reasons commented on by The OWL Foundation, neighbors Lisa McElroy, Pamela Miller it is obvious that alternative sites (presented to Stations Casinos) are far more practical.



Fred & Peggy Soares  
4319 Primrose Ave.  
Santa Rosa, CA  
95407-8386  
(707) 483-4582

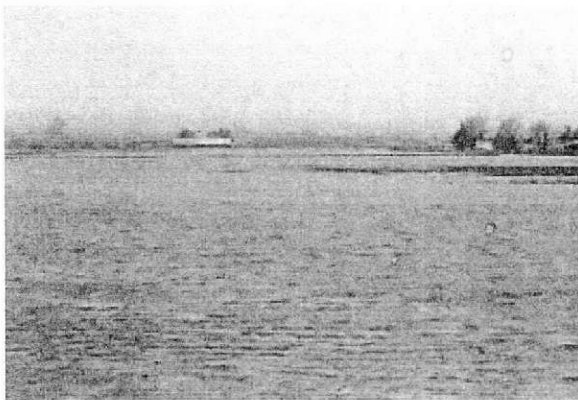
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GAMING COMMISSION  
2007 JUN -4 AM 11:30

The casino project is unsuitable for this area. It does not have the support of area residents. With a project of this magnitude it will be devastating to the farmland here. Where is all the run off going to go?

If they build up the casino site 2 feet higher than all of us who have lived here for years and years.



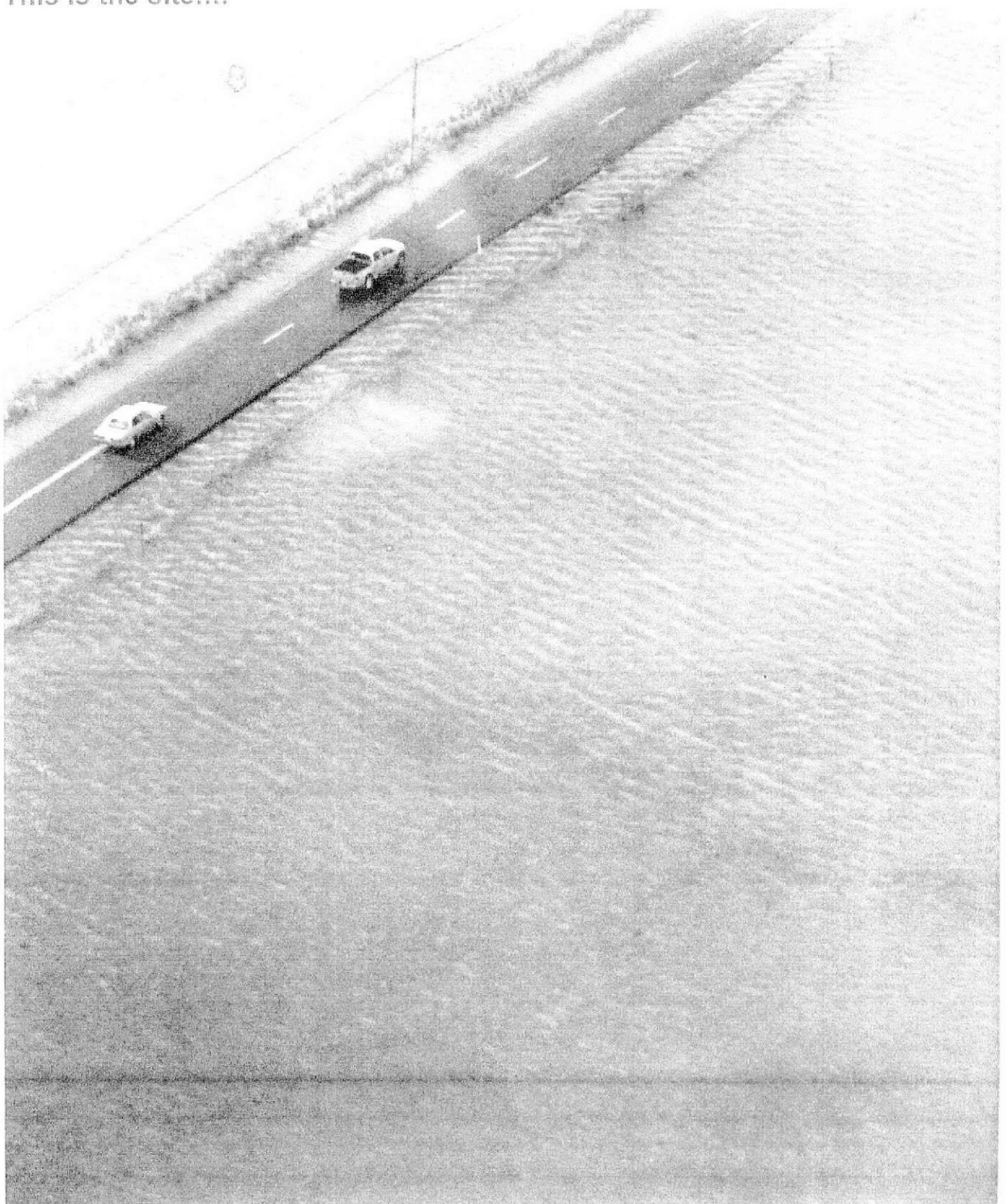
Looking South and slightly West across Casino site from Wilfred Avenue. Business Park can be seen in the background



Five inches of rain fell in 24 hours between December 30 and December 31, 2005. The effect on the casino site, which has a gradient of less than 2%, was profound; water rushing in from Rohnert Park's four creeks had nowhere to go but across the flatlands at the casino site.

**PLEASE EXPLAIN WHERE ALL THE RUN OFF FROM THIS CASINO PROJECT IS GOING TO GO?**

This is the site!!!!



THIS IS NOT ABNORMAL FOR THIS AREA THIS HAPPENS EVERY YEAR!!!!!!!  
HOW ARE YOU GOING TO PROTECT OUR HOMES FROM ALL THE RUN OFF??



**HOW ARE YOU GOING TO PROTECT OUR WELLS FROM THE RUN OFF  
FROM ALL THE VEHICLES, BUSES, AND GARBAGE FROM THE PARKING  
LOTS OF THIS HUGE CASINO STRUCTURE?**

6-1-07 1-170

Dear National Indian Gaming Commission;

I oppose the granting of a federal trust to allow a gambling casino in Rohnert Park, Ca. The six reasons I oppose it are,

1. The massive scale of the project.
2. The large scale promotion and encouragement of gambling.
3. The total lack of third party oversight i.e. zoning, taxing etc.
4. No taxes to be paid to local governments to maintain road roads, security, fire protection etc.
5. The car traffic that the casino will need in order to be profitable will clog our roads
6. The low cost meals, entertainment to draw gamblers that will compete directly with tax paying local businesses

NOISS. 2007 JUN 5 - 11 AM 2007

Sincerely  
Paul M. Larson  
105 Grant Ave

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333 N. Mc Dowell Blvd. #162C  
Petaluma CA 94954 2007 JUN -5 PM 1:18  
May 30, 2007

National Indian Gaming Commission  
Attn Brad Mehaffy  
1441 L Street, NW, Suite 9100  
Washington DC 20005

Mr. Mehaffy,

I am writing to you to state my strong opposition to the proposed casino complex in Rohnert Park, California.

Some of the negative, *PERMANENT* impacts of this casino would be:

1. The 760,000 sq. ft. complex is expected to dump an additional 18,000 *DAILY* car trips onto Hwy. 101, most of them thru Petaluma. This would result in increased air pollution, massive traffic jams, and increased accidents. Traffic is already heavily congested on this highway.
2. It would significantly worsen Petaluma's shortage of affordable housing. It is becoming increasingly difficult for moderate and low income people to find affordable housing in Sonoma County.
3. It would suck up to a quarter-million gallons of water *DAILY* from already strained underground aquifers. We are already on a water-watch here.
4. It would lead to increased crime. We are having enough difficulty dealing with gang activity without adding the associated crime from a casino.
5. It would heighten demand for mutual aid from Petaluma's fire and police departments.
6. It would cause massive environmental degradation to remaining wetlands and loss of wildlife. Our open space is fast disappearing to development, which in turn lowers the quality of life for everyone. This casino would only make things worse.

**Please do not allow the Graton Rancheria and Station Casinos to build this casino in our county!**

*Barbara Pollack*

Barbara Pollack

COPY

May 31, 2007

Dirk Kempthorne, Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Re: Graton Rancheria Casino Project  
DEIS Comments

Dear Mr. Kempthorne:

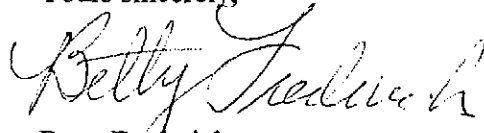
Enclosed please find copy of my May 24, 2007 letter to Brad Mehaffy regarding the above project.

With this copy to you I have also enclosed a diagram of the City of Rohnert Park which will indicate to you more clearly the proximity of the proposed Stony Point Site and Wilfred Avenue Site to the City of Rohnert Park and Sonoma State University.

Most of the maps and aerial photos included in the DEIS were oriented toward the areas west of U.S. Hwy 101 and Rohnert Park and may have failed to adequately show the relationship of the proposed project to our schools, parks, homes of approximately 45,000 residents, and Sonoma State University, most of which are on the east side of U.S. 101.

Thank you for your consideration. Hopefully the diagram and letter will assist you in better understanding our fears and concerns.

Yours sincerely,



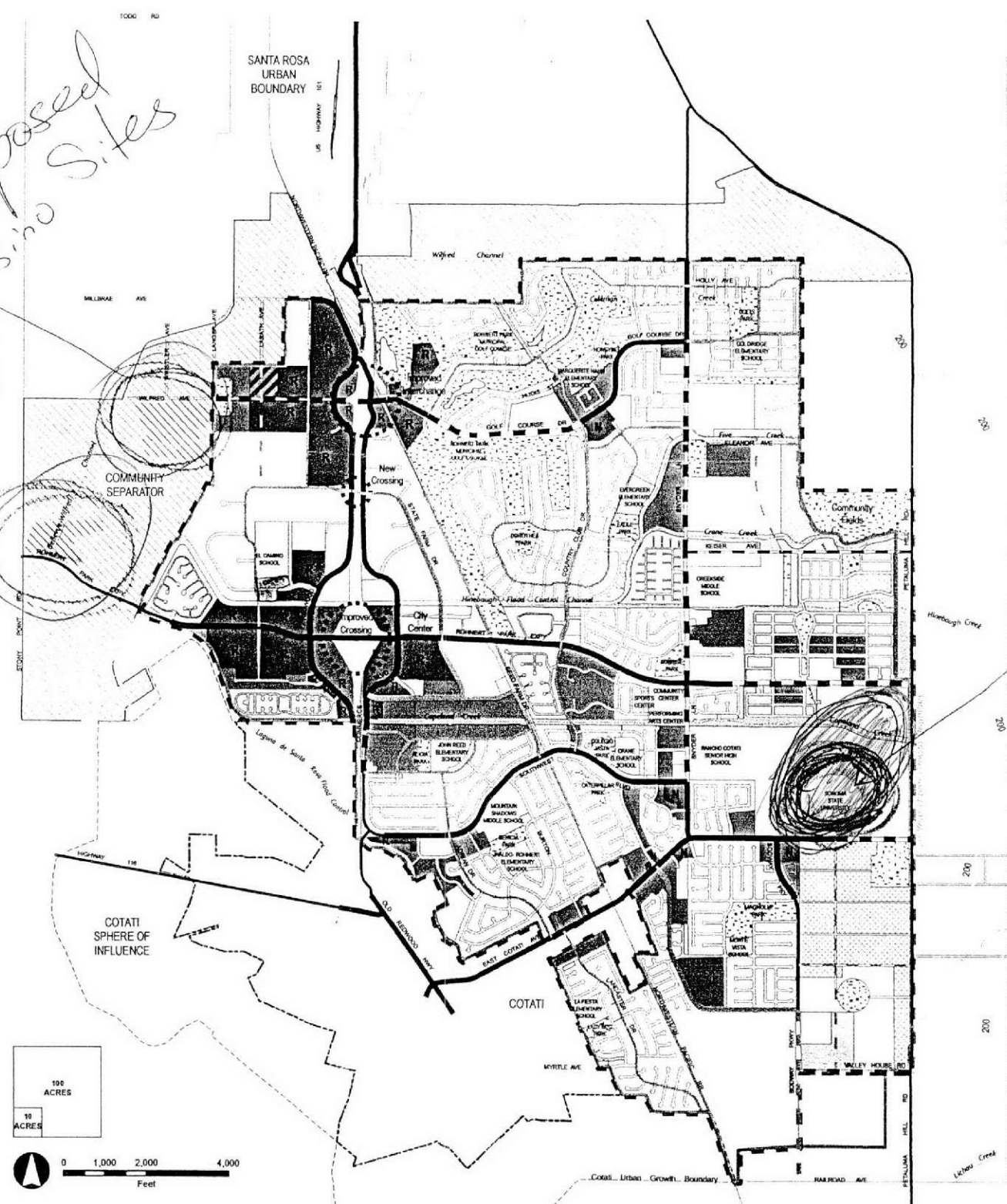
Betty Fredericks  
6950 Commerce Blvd., Ste. 1  
Rohnert Park, CA 94928  
Telephone: (707) 795-5485  
Fax (707) 795-5486

/bf  
Enclosure  
cc: Brad Mehaffy ✓

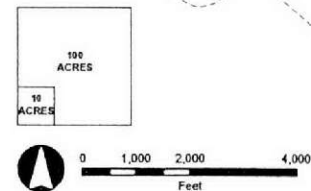
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*Proposed  
Casino Sites*



*College  
SSI*



- |  |  |  |
|--|--|--|
| Rural Estate Residential (up to 2 un/ac)                         | Mixed Use  | Sphere of Influence                          |
| Low Density Residential (4-6 un/ac)                              | Office   | 20-Year Urban Growth Boundary                |
| Medium Density Residential (6-12 un/ac)                          | Public/Institutional                             | EXISTING/PROPOSED Major Arterial (4-6 lanes) |
| High Density Residential (12-24 un/ac)                           | Parks/Recreation                                 | Minor Arterial (2 lanes)                     |
| Industrial   | Open Space - Environmental Conservation          | Major Collector (4 lanes)                    |
| Commercial<br>N Neighborhood Commercial<br>R Regional Commercial | Open Space - Agriculture and Resource Management | Minor Collector (2 lanes)                    |
|  | Community Separator                              |  |

All maps are intended to be consistent with the General Plan Diagram. Additional adjustments to the other maps may be made for consistency.

**MIKE HARGREAVES**  
City of Santa Rosa, Information Technology

**Figure 2.2-1  
General Plan Diagram**

Adopted July 2000  
(Rev. 4/07)

6-3-07

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2007 JUN - 5 PM 12: 11  
 To: Mr. Bradley Mehaffy, NEPA Compliance Officer  
 National Indian Gaming Commission  
 1441 L Street NW  
 Suite 9100  
 Washington DC 20005

From: Diane Nelson  
 6044 Dawn Dr.  
 Rohnert Park, CA 94928

Re: Graton Casino/Hotel project DEIS

Dear Mr. Mehaffy:

Upon review of the DEIS I have the following questions. The proposed height of the building (taller than the maximum 65 feet allowed by the City) would pose, in my opinion, an invasion of privacy for the nearby residents. The casino guests would be able to look into the backyards and possibly inside the surrounding homes. This invasion of privacy brings with it a myriad of questions and concerns.

1. Exactly how many windows will the casino have, at what elevations, in what directions will they face and how large will they be? Will the windows open?
2. Exactly what homes will have their privacy invaded and to what extent? Will the casino guests be able to see entire backyards and into the homes themselves?
3. What studies will the casino conduct to determine the extent of the invasion of privacy?
4. How will the residents be involved in those studies?
5. What mitigation does the casino propose in order to maintain residents' privacy?
6. How will the residents be included in the type of mitigation to be completed?
7. What will the casino do if the residents do not approve of the type of mitigation proposed by the casino?
8. Who will pay for the project?
9. Who will pay to upkeep and repair the project over time?
10. If the windows on the casino building can open, what is to stop guests from hurling objects into the yards of the residents?
11. If the type of mitigation is to be built on the residents' property, will the Graton Rancheria carry insurance in case someone is hurt involving that mitigation?
12. If the mitigations are agreed upon, who and how will they be enforced if the casino fails to complete them?
13. How will the tribe determine the loss in property value due to the invasion of privacy? How will the tribe determine the loss of property value due to the

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mitigation itself?

14. What if the residents do not agree with the tribe's findings on the loss of value?

15. How will the residents be compensated for their loss of property value? How will they be immediately compensated? How will they be compensated if they should sell their property?

16. Is the Graton Tribe ready to relinquish, fully and completely, their right to sovereignty? Will the Tribe obey all state, local and federal laws and regulations?

Sincerely,

  
Diane Nelson

7/14/2007

TO: Brad Mehaffy; NEPA

RE DEIS, Federated Indians of Graton Rancheria Casino

I support granting the Federated Indians of Graton Rancheria this casino project if these three significant environmental impacts are fully mitigated. They are: Water, Sewage, and Traffic.

I believe these impacts can be fully mitigated, but only if the tribe pursues this project with the full cooperation of local governments and agencies.

Traffic could be mitigated were the tribe to explore working with the North Coast Rail Authority. This publicly owned rail line already has a station planned very near the proposed project which will connect to ferry service in San Francisco Bay. Casino patrons traveling by rail could significantly reduce the impact of local automobile traffic.

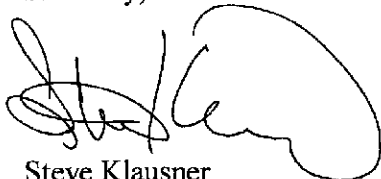
This proposed project is within the City of Rohnert Park. Any other kind of development in this area would reasonably expect the city to provide them with water. The tribe needs find a level of cooperation with the city that grants them this basic utility service.

Lastly, sewage can be easily addressed by plugging into the Santa Rosa Regional Sewage Treatment plant. This regional provider manages the sewage of Rohnert Park, Santa Rosa, and Sebastopol. Their state-of-the art water treatment facility is very near the proposed casino. Non industrial waste water, like that from the casino, could be readily processed without strain at this facility.

I have heard suggestions from a number of public and elected representatives that the DEIS process be extended 6 months. The only reason I can see granting this request would be if it gives the tribe and local officials the time they need to explore opportunities for greater cooperation and mutual benefit.

If the tribe cannot fully and fairly mitigate the impacts of Traffic, Water and Sewage; regretfully, I would urge denying this project.

Sincerely,



Steve Klausner  
2361 Warm Springs RD  
Glen Ellen, CA 95442  
(707)996-5972

2007 JUN - 7 PM 1:40

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GAMES COMMISSION



5/10/07

I-175

Mr. Bradley Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW  
Suite 9100  
Washington, DC 20005

RE: Graton Casino/Hotel project DEIS

Dear Mr. Mehaffy,

We are writing to you because we believe the Graton Indian Tribe and the City of Rohnert Park are making a dreadful mistake.

The area they say would make a great Casino and Hotel site is a rural area with small ranches and homes scattered throughout. We have owned our home for 21 years and raised our children etc. Our property is one and a half blocks away from the proposed site. We have a well that is around 100 feet deep. If the tribe put a casino and hotel in the area and drills any well deeper than our well and most of the neighbor's wells-- we will all lose our wells and our water supply.

In the 21 years we have lived there we have not been able to add on to or build anything to improve the value or increase the living area due to the area being low and unable to perk. We also don't have other city services such as cable TV or city water or sewer. We are happy with the area as a rural neighborhood and are glad that there have been such restrictions. However, the tribe and the city of Rohnert Park seem to believe that it will be ok to build a casino and large hotel on an area that has been protected as a wetland, an environmental greenbelt/urban separator and has forbidden any of the existing neighbors to do any kind of building on their own homes over the years.

First of all, We live in the neighborhood that will be most affected by this new development, however, we were never notified of anything because we are in the unincorporated area and we don't count. How would you like a casino and large hotel in your neighborhood and have no say in the matter because Rohnert Park took money from the tribe and now is on the hook for it. That is not fair to us. Will the tribe buy our house for market value when the well dries up so we can move to another area and start over? Why, do you or the City of Rohnert Park or the Indian Tribe for that matter think this is fair? We had nothing to do with taking the land from the Indians and have paid for ours now.

We know the economy is messed up now but we have 9-6 jobs and have worked our way through our life for years with no handouts, the tribe can do other things beside bring gambling to an already bad economy. What happened to respect for the land? This tribe has no respect for anyone much less the land. We never took anything from the Indians and we have paid fair and square for our property.

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MAY 10 2007

If our well dries up and the crime and traffic increase no one will want to live in our house and you will have a bigger problem on your hands.

Our area was never given a chance to vote or comment at all about this. Greg Sarris needs to live in the area where the casino is, why not build it in his neighborhood or yours for that matter. We will not take this sitting down and if the tribe continues to say that white people are just against the Indians and don't want them to succeed, well we are ashamed to say that this is happening in 2007!

We believe this is a mistake and this proposed site should never be built upon. It should be protected forever as it has been in the past and should remain untouched. The animals that live there are important but most of all this is not a location for a casino, hotel, or anything else that will suck the water and life out of the ground and cause more traffic in an already problem area.

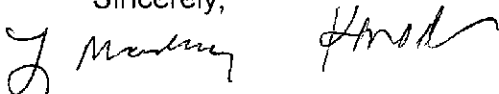
We don't understand why you guys can't see that this is a bad site and simply drop it! How many lawyers is it going to take and how much money is being wasted on this stupid idea when there are so many other problems in the area that need to be addressed. When the wells dry up.....then what are you going to do? Who will be taking responsibility for this problem? We have paid taxes and supported our neighborhood for 21 years, yet we were never told about the casino prior to the MOU or asked our opinion WHEN WE ARE THE ONES THAT LIVE NEAR THE SITE!

If Greg Sarris thinks this is the only way his tribe can make a living, well they are wrong. How about getting jobs like the rest of us and making an honest living instead of preying on the less fortunate that think they may be able to make a quick buck and win a jack pot all the while possibly loosing their life savings!

THINK ABOUT IT! THERE WILL BE NO WINNERS EXCEPT THE LAS VEGAS BACKERS!

PLEASE RECONSIDER THE PROPOSED SITE....IT IS NOT TOO LATE!

Sincerely,



Larry and Kathy Madsen  
Millbrae Ave  
Santa Rosa, CA

CC: Gov. Arnold Schwarzenegger

### WRITTEN COMMENT CARD

NATIONAL INDIAN GAMING COMMISSION - DRAFT EIS WORKSHOP & PUBLIC HEARING

FEDERATED INDIANS OF GRATON RANCHERIA - CASINO/HOTEL PROJECT

SPRECKELS PERFORMING ARTS CENTER - 5409 SNYDER LANE

April 4<sup>th</sup> 2007

**IF YOU WOULD LIKE TO SUBMIT A WRITTEN COMMENT, PLEASE COMPLETE THE FOLLOWING INFORMATION AND COMMENT IN THE SPACE PROVIDED BELOW. GIVE TO ATTENDEE OR DROP IN THE WRITTEN COMMENT BOX. COMMENTS MAY ALSO BE SUBMITTED BY MAIL TO THE ADDRESS LISTED BELOW.**

(Please write legibly)

Name: Holly Downing Organization/Tribe/Agency: Sebastopol, CA 95472  
*private member of Sebastopol water information group SWIG*

Phone/Email: (707) 523-6286

Comment: I do not find the EIS adequately addresses the impact on groundwater in areas near the proposed casino location. In the unincorporated southern part of Sebastopol town private well has dropped its static water level 30' since it was put in in 1987, because of a new 5000 gal well 1/2 a new county well on T-11 Rd. There has been no

Please give to attendee, drop in Written Comment Box, or mail to: Brad McHaffy, NIEPA Compliance Officer, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington DC 20005. Please include your name, return address, and the caption: "Draft EIS Comments: Graton Rancheria Casino and Hotel Project"  
*increased in housing in my area since 1987*

Comments Letter Regarding:  
Draft Environmental Impact Statement  
Graton Rancheria  
Casino and Hotel Project  
February 2007

Comments prepared by  
Linda M. Long  
944 Helene Court  
Rohnert Park, California 94928  
May 2, 2007

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07 JUN -8 PM 3:44

To: National Indian Gaming Commission  
Attention: Brad Mahaffy  
1441 L Street NW Suite 9100  
Washington, D.C. 90005

*Linda M. Long*

# Casino/Resort Traffic

Definition of **Casino/Resort Traffic**: In this document comments referring to **Casino/Resort Traffic** refers to automobiles, trucks, large casino buses, casino shuttles, shuttles, buses, Brinks type armored trucks and service trucks that would travel on our local freeway 101 and local streets to and from the proposed casino Wilfred Site 'A'.

## Volume III Appendix O

Regarding **Alternative A** also referred to as the Wilfred Site.

What was the geographic scope of the traffic study assigned to Kimley-Horn and Associates, Inc. (KHA)?

After 101 construction, proposed by Caltrans and set to be completed in 2008, Wilfred Avenue and Golf Course Drive will become "one street" (according to Caltrans) connecting under the 101 freeway after the freeway is elevated and a "punch-through" is done. Why does the scope of your traffic analysis stop just east of the freeway at Golf Course Drive and Commerce Blvd.?

The casino/resort will be located on Wilfred Ave./Golf Course Drive. Why is the full length of Wilfred Ave./Golf Course Drive from the casino/resort to Snyder Lane/Petaluma Hill Road **not** noted in the traffic analysis? According to NEPA it is mandated that this area be part of the DEIS traffic analysis since it is **the street on which the casino/resort is located** and the corridor down which casino traffic will flow.

Golf Course Drive will act as a **conduit** for casino/resort traffic coming off Snyder Lane and Petaluma Hill Road (a 101 alternate route). Why was this not addressed in the traffic analysis? This must be part of the traffic analysis because of significant environmental impacts on children, adults and homes caused by the traffic feeding the casino/resort.

Some of the above concerns were raised in my comments letter submitted November 1, 2005 and received by the NIGC November 8, 2005. See section I-39 in the Environmental Impact Statement Supplemental Scoping Report Graton Rancheria Casino and Hotel Project February 2006. My November 1, 2005 comments letter needs to be responded to with an easy to understand specific analysis of each comment and question as it pertains to this site A the Wilfred site. I will reintroduce the comments letter.

All cross streets from 101 down Wilfred Ave. to Stony Point Rd. are noted on the KHA traffic maps and discussed. Why are the streets from 101 down Golf Course Drive to Snyder Lane **ignored** in your traffic analysis? There are **4300 residential parcels** straddling Golf Course Drive with

residents and property that will be significantly impacted by the traffic feeding the casino/resort. NEPA mandates that such areas be analyzed and parcel maps be part of the analysis. The residents of Rohnert Park on and straddling Golf Course Drive must be accounted for. How are you going to insure that this is accomplished?

The DEIS has **diminished** and been **dismissive** of the residents of Rohnert Park. A residential parcel map of all of Rohnert Park, all of Petaluma Hill Road, 101, casino site A the Wilfred Site, and all streets back to and including Stony Point Road must be included in the DEIS and the EIS to get a clear picture of all residents impacted by the traffic as a result of this proposed casino/resort. This needs to be one map, all inclusive. How do you plan provide this map as part of your environmental document?

Since you were unable to locate a casino/resort of this size and proximity to 45,000 residents and multiple businesses it would be necessary to put the daily trips at 30,000-36,000 to insure accuracy in the reporting. Traffic studies must be based on this number. You need to find a like casino/resort that has no fiduciary connection or affiliation to the Graton Tribe or Station Casinos. As our Sonoma County Board of Supervisors noted this is the largest project ever proposed for our county. How do you plan to present the accurate magnitude of this project with regard to traffic?

You indicate in the 'Revised Draft Traffic Impact Study': "There are extensive mitigations for all scenarios as a result of the proposed alternatives". Since the Federated Indians of the Graton Rancheria is a **separate private government**, is the tribe going to give up sovereign immunity with regard to the enforcement of the mitigations listed? Who will enforce the 'carrying out' of these mitigations? Please note that with regard to mitigations the verbage is the tribe "will" or the tribe "may". According to NEPA agreed upon mitigation is mandated with the understanding that there is an agency to see that the mitigation is carried out and if not, there are **defined** consequences. Unless **sovereignty is waived** with regard to mitigations any clear minded person must assume that the mitigation, or in this case promise or suggestion, **will not** be carried out. The Graton Tribe has a history of changing its mind on important matters. How do you plan to insure all mitigation with regard to traffic will be legally binding?

Regarding study **methodology** and the following: the traffic study was based on planning conditions assumed in the City of Rohnert Park General Plan, the Sonoma County General Plan as well as information provided by Caltrans and Sonoma County Transit Authority and your statement **“Because none of the agencies’ planning and project programming documents anticipated a casino and hotel development or its potential impacts, this study evaluated the addition of a casino and hotel near the intersection of Stony Point Road and Wilfred Avenue”**: Your premise that the agencies, city and county did not have to take into account the casino/resort when you were gathering information is faulty. Limiting the information to these **out of date** documents and papers amounts to a faulty methodology. The City of Rohnert Park, Caltrans, the County of Sonoma, and the Sonoma County Transit Authority is mandated by the **California Environmental Quality Act (CEQA)** to take into account the proposed casino/resort project as a ‘probable project,’ at the time the notice of intent was posted, when providing you with information for your traffic analysis. The lead agency in this project (NIGC) must insure that the studies are done with the latest information from the above entities and if not yet available must wait to do the traffic study until the information is available. To say that it was not part of the general plan etc. is not a reason for these entities not to produce and provide the latest information which includes the **casino/resort complex**. How are you going to insure this is done and follow up with an appropriate study?

Rohnert Park LOS (level of service) at Golf Course Drive and Commerce Blvd. intersection **remains at an LOS ‘E’** after the Wilfred Avenue Interchange Project is completed and the **previous** casino sites in the area were included. This is according to the Wilfred Avenue Interchange Project CEQA negative declaration adopted by Caltrans July 2005. On page 66-67 of the neg dec it is stated that **with** the casino/resort project the level of service would probably **remain at LOS E** according to Zack Matley with Whitlock & Weinberger traffic consultants hired by the City of Rohnert Park. This CEQA negative declaration was adopted before the purchase of the property for Site A the ‘Wilfred Site’. Since the new site, the Wilfred Site (A) is just .3 (3/10) of a mile from 101 freeway it is reasonable to assume that the **LOS** would be downgraded to **LOS F**?

In other words the casino/resort project site A the Wilfred Site will **negate** any Caltrans traffic improvements anticipated at Golf Course Drive and Commerce Blvd. intersections from the Wilfred Avenue Interchange



Project; it will, in fact cause the traffic situation to be **downgraded** from the **LOS (level of service)** previous to the start of the 101 Wilfred Avenue Interchange Project. This information was available why was it not part of your traffic analysis? When will you make this information part of your traffic analysis?

101 Northbound traffic will be exiting on to Golf Course Drive/Commerce Blvd. to get to the proposed casino/resort. This is not indicated in your study. When will you make this information part of the traffic study. This information is part of the documentation on the Wilfred Avenue Interchange Project-Sonoma County from Caltrans.

With regard to the traffic analysis and Site A the Wilfred Site please answer the following:

What date did the KHA ask the City of Rohnert Park for information pertinent in your traffic analysis?

On January 19, 2005 the City of Rohnert Park had a special hour long meeting concerning the Wilfred Avenue Interchange Project. Present were John Maier Attorney for the Graton tribe, Michael Mowery (KHA) traffic engineer for the Graton Tribe, Caltrans, the city council, Zack Matley of Whitlock & Weinberger-traffic analysis for city of Rohnert Park regarding interchange. It was indicated at this meeting that Zack was doing a traffic analysis regarding the interchange project **with the casino included**. Did you request the findings in this traffic analysis? If not when do you plan to request this analysis report and place it in **your** report?

In July 2005 the Negative Declaration/Initial Study (CEQA) was adopted for the Wilfred Avenue Interchange Project. This occurred before the purchase of the property for the Site A the Wilfred Site. When did you ask Caltrans for documents/information regarding the Wilfred Avenue Interchange Project for your traffic analysis regarding Site A. If you did not ask for this information why not? When do you plan to ask for this pertinent information?

Contained in the Wilfred Avenue Interchange Project Negative Declaration (CEQA) July 2005 is the analysis by Whitlock & Weinberger Transportation, Inc. for the City of Rohnert Park including the casino/resort as a probable project. Did you ask the City of Rohnert Park for this information as it

pertains to Site A the Wilfred Site? If not why not? When do you plan to ask the City of Rohnert Park for this very pertinent information?

The Sonoma County Transit Authority was aware of the Wilfred Avenue Interchange Project CEQA Negative Declaration adopted July 2005 (occurring before the land was purchased for Site A the Wilfred Site). When did you request information from the Sonoma County Transit Authority for your traffic analysis of Site A the Wilfred Site? If no information was requested why not? When do you plan to request this pertinent information from Sonoma County Transit Authority?

In **Intersections Included in Analysis** why did you not include Snyder Lane at Golf Course Drive and Snyder Lane at Petaluma Hill Road (a 101 alternate route)? This will become a casino traffic corridor. When do you plan on including these intersections?

In Table 2 – **Local Level of Service Criteria ‘significance criteria’** the level of service for Sonoma County would be **E** or worse why don’t you word it that way? When will this wording be included?

In Table 2 – **Local Level of Service Criteria ‘significance criteria’**: the **satisfactory** level of service in Rohnert Park is level **C** and the impact of the Site A Wilfred Site would cause the LOS to fall below **C**. Why did you not indicate that the level of service would be **D or lower**? You state “Lower LOS is permitted if otherwise below or if no feasible improvement is available and project does not cause further decrease in LOS”. The casino/ resort would cause a further decrease in level of service at the Golf Course Drive Commerce Blvd. intersection as indicated by Whitlock & Weinberger Transportation Inc., in the traffic analysis commissioned by the City of Rohnert Park which **included** the casino/resort. The level of service would be at level **E**. The road widening improvements on 101 and at the Wilfred Avenue Interchange Project were specifically **not** intended for new development and the casino/resort would cause the LOS at this interchange to remain at level **E** instead of raising them to **C** or **D** as planned and paid for by the residents of Sonoma County.

When did you learn of the traffic analysis done by Whitlock and Weinberg Transportation Inc. for the City of Rohnert Park and their conclusion that the Golf Course Drive/Commerce Blvd. would probably remain at level **E**

**even with** the advent of the Wilfred Avenue/Golf Course Drive Interchange Project when the casino/resort Site A Wilfred Avenue was considered?

## **Freeway Segments and Ramps Included in Analysis (pg. 7)**

### Segments 101

In your 101 segments portion there is no mention of Golf Course Drive Wilfred Avenue northbound or southbound as these segments relate to Rohnert Park Expressway and Santa Rosa Avenue. There appears to be a deliberate attempt to **minimalize** and **negate** the existence of Golf Course Drive? Did you drive down the 101 freeway northbound and southbound and notice that the large freeway sign indicates **Golf Course Drive Wilfred Avenue** referring to this interchange? It is necessary to do on site assessments and analysis with regard to this interchange using universally accepted traffic engineers with working knowledge of our local roads, freeways and streets.

### Ramps 101

Northbound Wilfred Avenue on-ramp is **actually** Northbound Golf Course Drive on-ramp according to the Caltrans reference to the Wilfred Avenue Interchange project in the November 2006 neg dec and currently.

Northbound Wilfred Avenue off-ramp is **actually** Northbound Golf Course Drive off-ramp. The casino resort is located on Golf Course Drive. All northbound **casino- bound** traffic from Petaluma, Marin County and the San Francisco Bay area would be exiting onto Golf Course Drive turning left, proceeding under the freeway to the casino. This will create a significant traffic back-up on to the northbound 101 freeway and on to Golf Course Drive. Once again Golf Course Drive is being minimalized, diminished and negated in your traffic report. How do you plan to correct this error?

How are you going to insure that Golf Course Drive, a street where the casino/resort is located (when Wilfred Ave. and Golf Course Drive become 'one street') and where 4300 residential parcels straddle its length, is

properly represented in your traffic report? What studies will you conduct using **universally accepted** traffic engineers who live, work and drive in Sonoma County to insure the accuracy of your report? What **universally accepted casino/resort traffic analysts**, who are **independent** of casino operators/owners, will you use to assess the foreseeable, cumulative **environmental impacts** casino traffic on Golf Course Drive and on streets that back up to and feed into Golf Course Drive? What **universally accepted traffic engineers** will you use to assess the significant, incremental, cumulative environmental impacts of your casino/resort traffic on Hahn Elementary School (1.8 miles from the casino/resort) with regard to the children, the air they breathe, the exposure to diesel fuel emissions, CO2 emissions, the green house gases, traffic noise, and safety especially as school children cross Golf Course Drive to and from school to attend school and school functions? What **universally accepted** traffic engineers will you use to assess the significant, incremental, cumulative environmental impacts of your casino/resort traffic on the children and families who walk, run and play in Honeybee Park (1.7 miles 'from' and on the path 'to' the casino/resort) with regard to the air they breathe, the grass on which they play, the diesel fuel emissions, CO2 emissions, the green house gases, their asthma, and allergies? Honeybee Pool (1.7 miles 'from' and on the path 'to' the casino/resort) is the pool in our community where young swimmers train and compete and where babies and children get their outdoor exercise and learn to swim. What **universally accepted** traffic engineers will you use to assess the significant, incremental, cumulative environmental impacts of your casino/resort traffic with regard to the children, the air they breathe, the exposure to diesel fuel emissions, CO2 emissions, green house gases, traffic noise, the fuel emission scum on the pool water and grass and the kids with or a propensity for asthma and allergies?

**SOLUTION:** move the proposed site for the casino resort away from our community, our homes and our children. Place the casino at site F located well away from communities and children.

## **EXISTING CONDITIONS (Pg. 8)**

Existing Uses in Vicinity of Sites

*The following are erroneous and/or misleading statements:*

Land areas south and east of the Wilfred Avenue site are currently being developed or are developed as identified in the Rohnert Park General Plan, the Northwest specific Plan, and the Wilfred-Dowdell Specific Plan.

***The above statement needs to acknowledge the 4300 homes, and the condos and apartments on and straddling Golf Course Drive, the road on which the proposed Wilfred Site Casino/resort would be located after the Caltrans punch-through linking Wilfred Avenue and Golf Course Drive as 'one' street. The homes begin 7/10 of a mile from the proposed casino/resort and continue the full 2.2 mile length of Golf Course Drive. Casino traffic would travel along Golf Course Drive past these homes causing significant environmental impacts including noise pollution 24/7, diesel fuel emissions contamination of air and surfaces, blight caused by abandoned autos out of gas or not in working order from the unfortunate down and out incrementally prevalent near casino/resorts on the borders of communities (something we do not currently experience). Dangerous walking conditions from casino traffic for children, the elderly and the disabled who cross Golf Course Drive to get to the Pacific Market, the bus stops and to the park, pool and school. Golf Course Drive would act as a conduit for traffic, via Snyder Lane, traveling down Petaluma Hill Road to and from the casino/resort.***

***Petaluma Hill Road is a Sonoma County 101 alternate route and needs to be acknowledged in the traffic and other reports. Petaluma Hill Road extends from/through Penngrove adjacent to the east and north side of Rohnert Park continuing to Santa Rosa Avenue at Highway 12. I use it every work day to get to Santa Rosa or Petaluma from Rohnert Park and I have a lot of company. Regular Casino/Resort patrons from Penngrove, Santa Rosa, Oakmont, Sonoma, and Fairfield would soon incrementally use this route causing significant traffic on Golf Course Drive a street meant primarily to serve the local neighborhoods.***

***Part of Station Casinos business model is to 'cater to the locals' (from within a 70 mile radius of their casino/ resort facility). This was reiterated when they reported their earnings May 9, 2007. Station Casinos depends on repeat customers who soon find their way through neighborhood, city and county short-cuts. That would***

**include Petaluma Hill Road, Snyder Lane, Golf Course Drive and the streets that feed into Golf Course Drive.**

You indicate that land areas south and east of the Wilfred Avenue Site are currently being developed or are developed as identified in the Rohnert Park General Plan, the Northwest Specific Plan, and the Wilfred-Dowdell Specific Plan.

*The above information is **nebulous and misleading**. 3/10 of a mile northeast of the Wilfred Site is a shopping center very important to the economy of Rohnert. The shopping center includes a very profitable Home Depot (just blocks from the Wilfred Site), a Walmart, a Chilis, an Outback and many ancillary stores. Traffic to the Wilfred Site would severely impact the traffic to these stores so vital to the character and the economy of our community. Gamblers would impede the traffic to this well used well liked shopping center. How are you going to properly represent this shopping center that is so close to the Wilfred Site? What **universally accepted** traffic analysts will you use to inform the public of the huge impact of casino traffic on these stores and this shopping center causing anchor stores to close and ancillary stores to do this same resulting in boarded up stores blight and a severe loss to the character and economy of our community?*

## **Existing Roadways, Freeway Segments, and Ramps**

### **Roadway Facilities**

**Commerce Boulevard** is not a 5 lane roadway as you have stated.

**Golf Course Drive** is not classified as a major arterial as you state. It is a medium arterial meant to serve the neighborhoods surrounding it as stated by Vicki Vidak-Martinez, current mayor. There is no place on Golf Course Drive that is 5 lanes as you state in your DEIS. You are once again negligent in the representation of Golf Course Drive the street on which your proposed casino/resort would be built when Golf Course Drive and Wilfred Avenue become 'one' street. You have had repeated contact with Caltrans and I assume you are well aware of the road projects and the roads involved including Golf Course Drive. Golf Course Drive is east of 101 and will connect with Wilfred Avenue under 101. Golf Course Drive is 2.2 miles long with 1.1 miles being 2 lanes and 1.1 miles being 4 lanes (it

*varies back and forth between 2 and four lanes along its route). It is not 5 lanes.*

***Where is Petaluma Hill Road in your report? It is a very important 101 alternate road in our county and would be severely impacted in the event of your proposed casino at the Wilfred site.***

***Stony Point Road is a major arterial not a minor arterial as you have stated and it is a major 101 alternate route.***

***Wilfred Avenue is not a major arterial as you have stated in your DEIS. Your description even contradicts that assertion. One more indication that this DEIS is critically flawed.***

### **Segments (pg. 10)**

In paragraph 3 you state the following: Northbound/southbound US-101 between Rohnert Park Expressway and Wilfred Avenue – is two lanes in each direction with paved shoulders and narrow grassy median and guard rail.

*In the above paragraph you have once again avoided Golf Course Drive. The name of the interchange you are referring to is in fact Golf Course Drive/Wilfred Avenue Interchange and all Northbound traffic would exit on Commerce/Golf Course Drive. You need to resubmit all traffic data with the correct data.*

In paragraph you once again are referring to the Golf Course Drive/Wilfred Avenue Interchange with use of the words **Golf Course Drive**. Correct this.

### **Ramps**

In sentence 4 you indicate Northbound Wilfred Avenue on-ramp. ***It is not Northbound Wilfred Avenue on-ramp nor will it ever be. It is Northbound Golf Course Drive/Commerce Blvd. on-ramp.***

On Pg. 11 sentence 6 you indicate the following: Northbound Wilfred Avenue off-ramp consists of a single lane off ramp that widens to three lanes at the intersection with Commerce Blvd.

*There is no Northbound Wilfred Avenue off-ramp. It is called **Golf Course Drive/Wilfred Avenue** off-ramp and Wilfred Avenue never intersects with Commerce Blvd. Correct this.*

### **Existing Traffic Turning Movement Volumes**

Your traffic analysis in paragraph 1 needs to be redone when the Junior College, High Schools are in session and when people are not on vacation. Your figures are not valid. Redo the analysis. In paragraph 2 you are guessing school trip and linked trips need to be validated. Do analysis and re-submit

Paragraph 3: the name of the Interchange is **Golf Course Drive/Wilfred Avenue**. Change your wording to reflect that fact. Refer to Caltrans Wilfred Avenue Interchange documents.

### **Existing Levels of Service at Study Intersections**

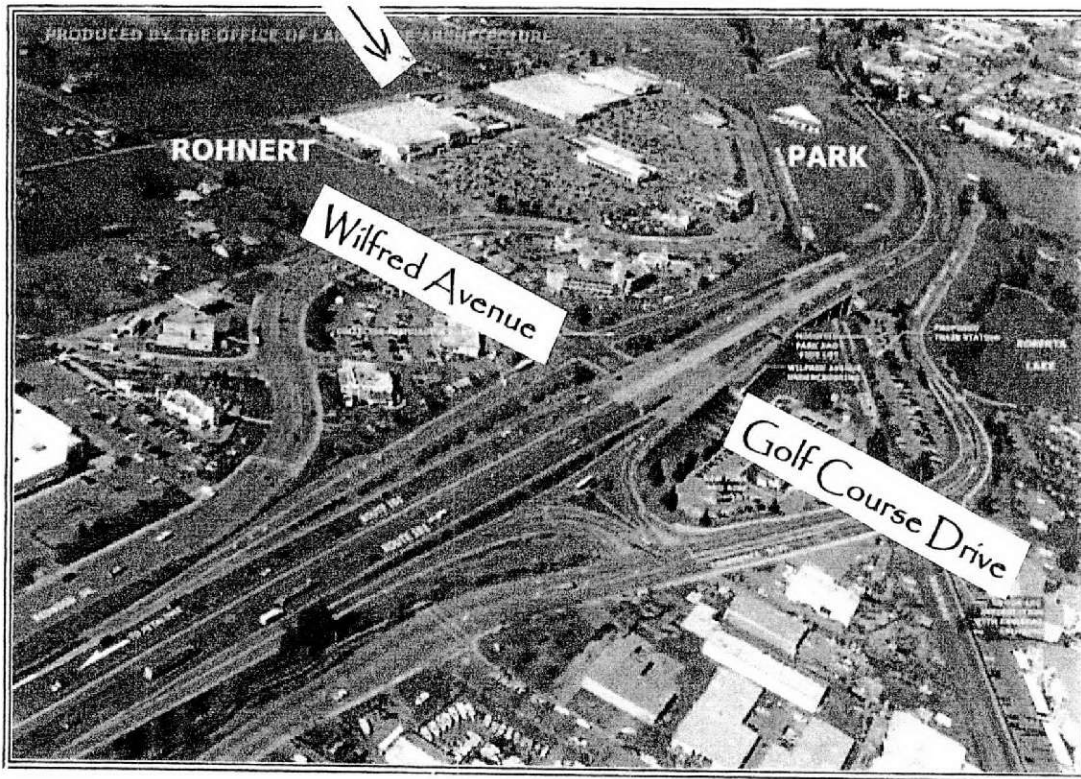
*You note the LOS C is established as the criteria for satisfactory operation at intersections within the City of Ronert Park, with the exception of Golf Course Drive/Commerce Boulevard (among others). Was this acceptable before or after the proposed freeway improvements? Won't the traffic impact from the casino resort bring the LOS levels down to what they were before improvements are made?*

### **Near-Term Lane Configurations and Traffic Control (pg. 28)**

The 762,000 casino/resort Site A Wilfred Site, 3/10 of a mile from 101 Wilfred Avenue Interchange Project, with Golf Course Drive and Wilfred Avenue becoming one street, would negate any anticipated benefit from this interchange to the residents on the east and west sides of 101.



Home Depot/Walmart Shopping Center  
3/10 mile from casino Wilfred Site 'A'



Wilfred Avenue and Golf Course Drive will become **one street** connecting under the 101 freeway, according to Caltrans (note simulation).

Home Depot Walmart Shopping center would be **3/10** mile from the casino Wilfred Site 'A'.

Casino traffic would travel through Golf Course Drive neighborhoods.

Casino traffic would travel past Honeybee Park and Honeybee Pool located on Golf Course Drive **1.7** miles (walking distance) from casino Wilfred Site 'A'.

***Enclosed are some pages from the documentation from Caltrans concerning the Wilfred Avenue/Golf Course Drive Interchange Project where Golf Course Drive is well referenced.***

***Enclosed are maps where local streets and Petaluma Hill road are well referenced.***

***Please resubmit all traffic analysis with up to date information compiled by universally acceptable traffic engineers.***

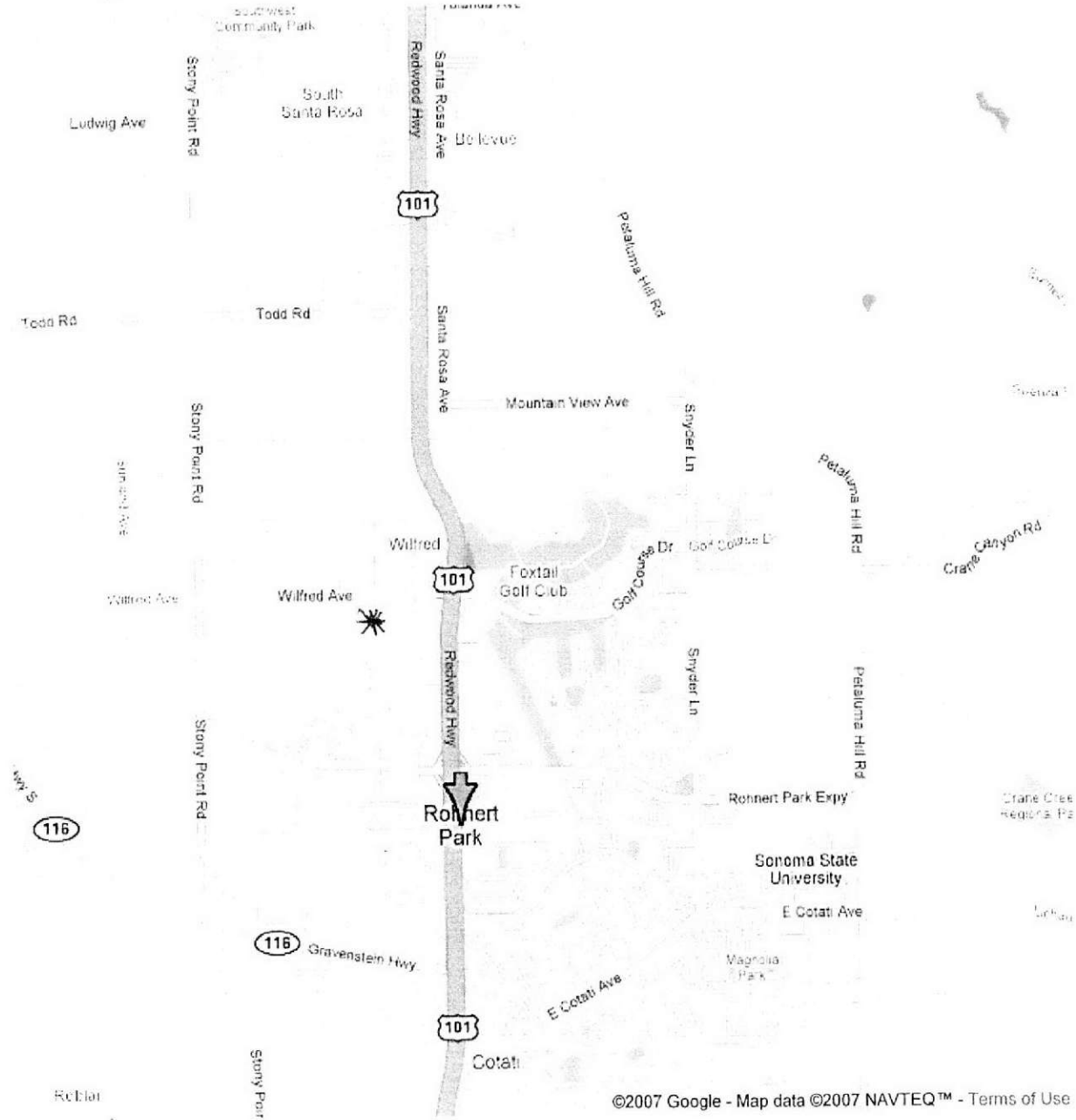
Golf Course Drive maps

Petaluma Hill Road Maps

Caltrans Wilfred Avenue Interchange  
Project documents



Address Rohnert Park, CA



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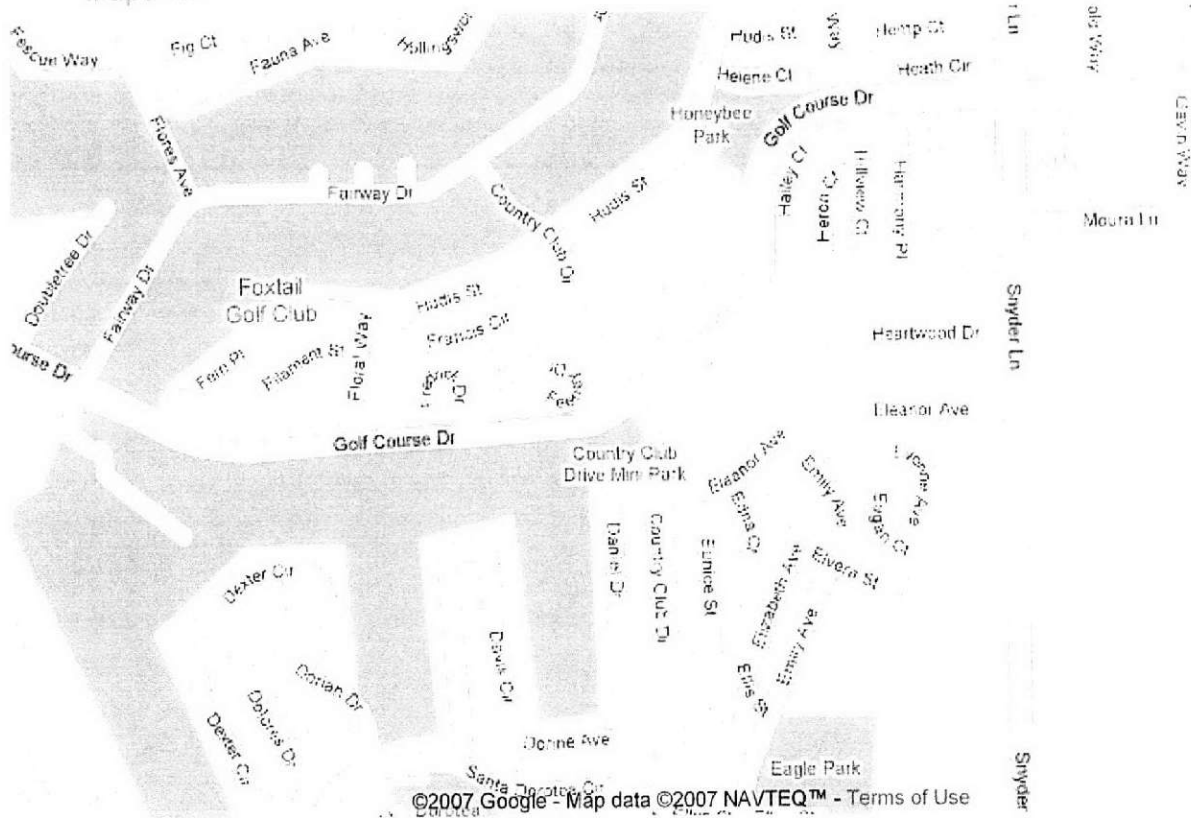
\* Casino/Resort

# Golf Course Drive

Meant to serve residents; would act as conduit for casino resort traffic from Petaluma Hill Road



Address Rohnert Park, CA



## Golf Course Drive

Meant to serve residents; would act as conduit for casino/resort traffic from Petaluma Hill Road

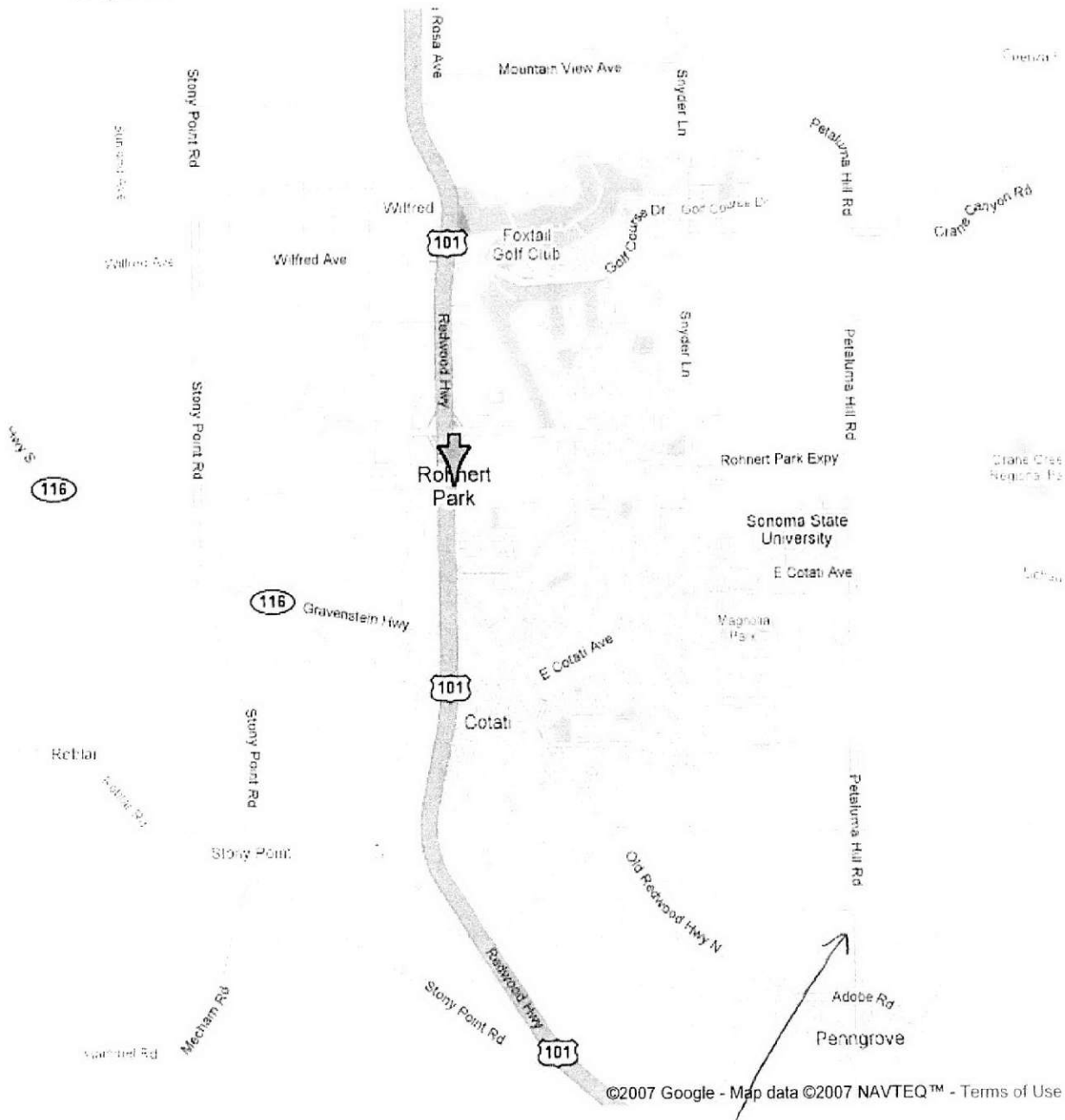


Address Rohnert Park, CA



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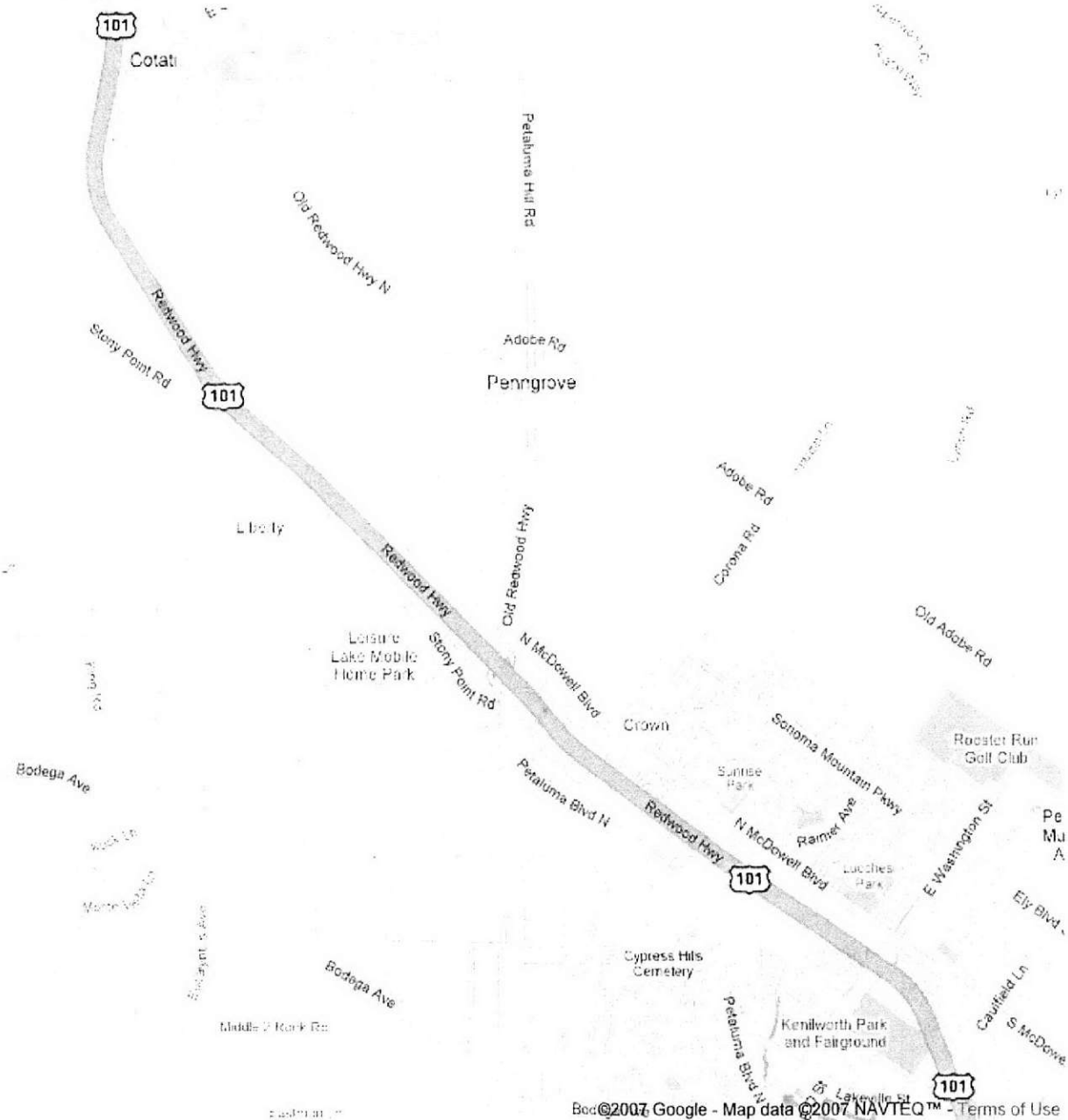
**Petaluma Hill Road (a 101 alternate route)**  
**Must be considered in traffic analysis.**



**Petaluma Hill Road (a 101 alternate route)  
Must be considered in traffic analysis.**



Address Rohnert Park, CA

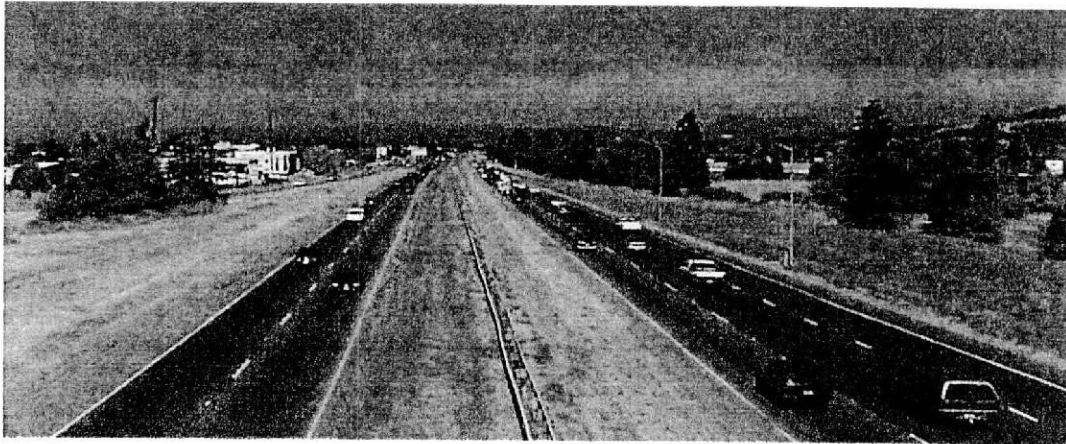


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**Petaluma Hill Road (a 101 alternate route)  
Must be considered in traffic analysis.**



# Wilfred Avenue Interchange Project



**Negative Declaration/Initial Study (CEQA)  
Environmental Assessment/  
Finding of No Significant Impact (NEPA)**

**Prepared by California Department of Transportation  
and the Federal Highway Administration  
District 04—Sonoma County—Route 101**

**SCH# 2004072103**

**KP 22.4-25.0/PM 13.9-15.5**

**November 2006**





### Wilfred Avenue Interchange Project



Caltrans

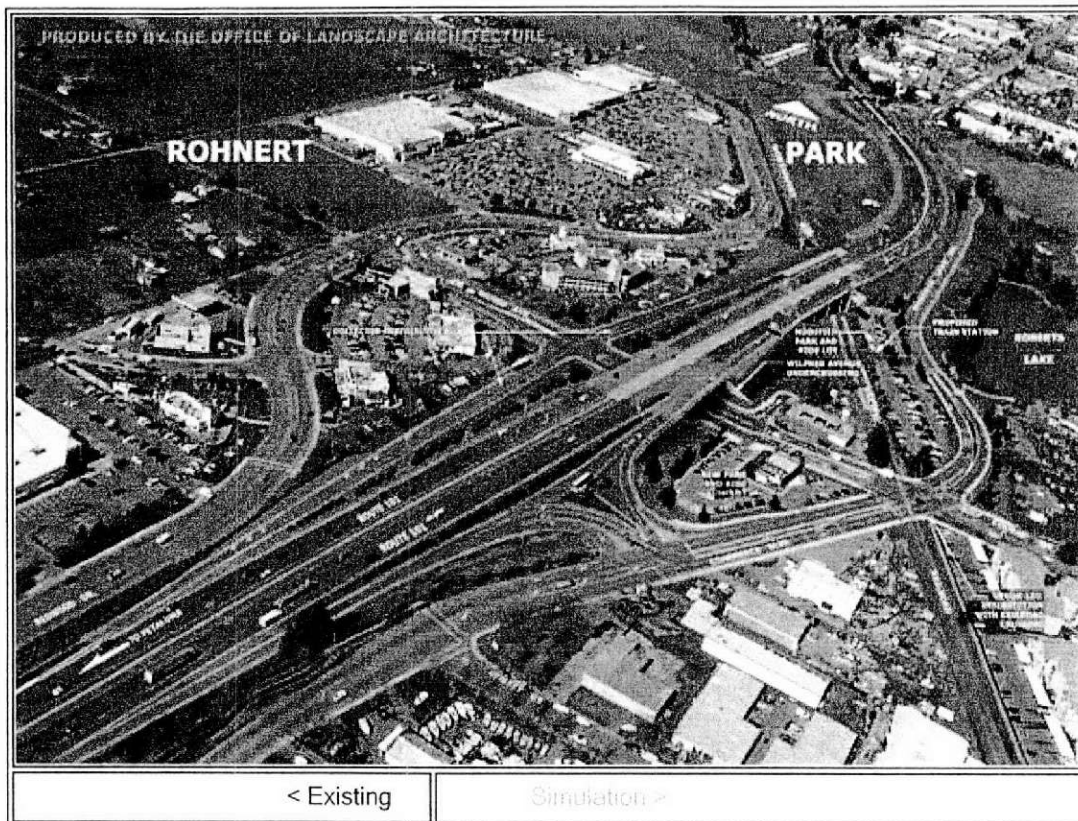
Caltrans

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#### Resources

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- Caltrans Information
- Bay Area Projects
- Construction
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Caltrans > District 4 > Wilfred Ave

Welcome to the Wilfred Avenue Interchange Construction page. The first link below is a **full version of the most recent IS-EA document**. While the **28MB** document may quickly be downloaded by users with **DSL and Cable access**, it is too large for those with only a 56k connection. To **assist users with 56k or other dialup access**, we offer a **smaller text-only** version of the document. Within the document are references to the specific images, which **users can also download** below, one at a time, on this web page.

#### Project Scope

Located in **Rohnert Park, Sonoma County**, this project proposes to modify the Wilfred Avenue/Golf Course Drive Interchange by constructing a new bridge undercrossing structure **linking Wilfred Avenue to Golf Course Drive**, and modifying the existing ramps. This project also proposes to realign and widen Route 101 from 4 to 6 lanes for High Occupancy Vehicle (HOV) lanes from the Rohnert Park Expressway Overcrossing to the Santa Rosa Avenue Overcrossing, a length of approximately 2 kilometers or 1.6 miles . . . (continued in document)

- Wilfred Avenue Interchange IS-EA | Full Version (Word 28MB)
- IS-EA Text-Only Version | (Word 807k)

#### Document Images for download:

- Wilfred Simulation Photo (1.5MB Download)
- Wilfred Existing Photo (1.5MB Download)
- Wilfred Signed Title Page
- fig 1-1 | Project area map
- fig 1-2 | Project Limits Map
- fig 1-3 | Design Profile

## Chapter 1- Proposed Project

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### 1.1 Summary and Background

Located in Rohnert Park, Sonoma County, this project proposes to modify the Wilfred Avenue/Golf Course Drive Interchange to include a new bridge undercrossing structure to linking Wilfred Avenue to Golf Course Drive and closing the existing link via Commerce Boulevard. Route 101 will also be widened from 4 to 6 lanes for High Occupancy Vehicle (HOV) lanes from the Rohnert Park Expressway Overcrossing to the Santa Rosa Avenue Overcrossing, a length of approximately 2 kilometers or 1.6 miles (See Figures 1-1 and 1-2).

The project area represents the primary connector between the city of Petaluma to the south, and the city of Santa Rosa to the north. Past and anticipated future county-wide growth in population, jobs, and traffic have led the Sonoma County Transportation Authority (SCTA), the Metropolitan Transportation Commission (MTC), and Caltrans to recognize the need for major transportation improvements in the State Route 101 corridor. Phased corridor studies in 1984 and 1989 led to the creation of a Route 101 Corridor Plan recommending a continuous High Occupancy Vehicle (HOV) lane system through Marin and Sonoma Counties up to the Town of Windsor.

Concern for transportation issues also led to the development of the Sonoma-Marin Multi-Modal Transportation and Land Use Study in 1997. The purpose of this study was to identify the most efficient and cost effective alternatives for addressing congestion along the corridor. This study made a number of recommendations including the widening of Route 101 from four to six lanes for HOV between Petaluma and Windsor. Sonoma County has used this study to help prioritize its use of transportation funds. The total project cost is \$47.8 million to be funded by the federal Regional Transportation Improvement Program (RTIP). The project is in MTC's 2003 Transportation Improvement Program (TIP ID# SON950005 03-00).

### Weaving Distance

In the southbound direction, there is a less than standard weaving distance between the Wilfred Avenue Interchange and the Santa Rosa Avenue Overcrossing. The collector-distributor road being proposed would increase the distance available for merging and weaving with southbound traffic exiting at Wilfred Avenue and southbound on ramp traffic entering from the Santa Rosa Avenue Overcrossing.

## 1.3 ALTERNATIVES

### 1.3.1 Build Alternative – Proposed Action

The following improvements are depicted in Figures 1-5A and 1-5B “Build Alternative” and Figure 1-6 “Roadway Cross-Sections” (refer also to 1-4A and 1-4B for “Previously Proposed Project”).

- Widen Route 101 from four to six lanes. This widening would provide standard 3.6-meter (12 foot) lanes, and 3.0 meter outside and median shoulders, with a concrete median barrier separating the two directions of traffic.
- Construct auxiliary lanes on Route 101 between Rohnert Park Expressway Overcrossing to the Wilfred Avenue/Golf Course Drive Interchange and northbound from Wilfred/Golf Course to Santa Rosa Avenue Overcrossing. This would be an additional 3.6-meter (12-foot) lane.
- Construct a two-lane collector-distributor road between Wilfred Avenue and Santa Rosa Avenue on southbound Route 101.
- Replace Wilfred Overhead Bridge structure and realign the freeway to meet current design standards.

Modify the Wilfred Avenue/Golf Course Drive Interchange by constructing a new bridge undercrossing structure to connect Golf Course Drive to Wilfred Avenue as a single street (refer to Figure 1-7 “Wilfred Avenue/Golf Course Drive Cross-Sections”).

- Widen Wilfred Avenue/Golf Course Drive from Commerce Boulevard to Roberts Lake Road. Widen Roberts Lake Road at Golf Course Drive.
- Widen the existing northbound and southbound on ramps to accommodate ramp metering.
- Widen Commerce Boulevard northward from the northbound ramps just beyond the Golf Course Drive/Wilfred Avenue intersection. Eliminate Commerce Boulevard from Golf Course Drive to Redwood Drive.
- Modify the existing park and ride lot at Roberts Lake Road and Golf Course Drive.
- Construct a bicycle facility along Wilfred Avenue/Golf Course Drive from Roberts Lake Road to Redwood Drive.

### 1.3.2 Changes to the Build Alternative Since the IS/EA

Since the release of the IS/EA the Build Alternative for the Wilfred Avenue Interchange Project has changed, which has resulted in a downscope of the project footprint. The new Build Alternative is depicted in Figures 1-5A and 1-5B (also refer to 1-4A and 1-4B for previously proposed project). The project changes are as follows for the reasons stated herein:

Caltrans has eliminated the realignment of Commerce Boulevard to meet Roberts Lake Road/Golf Course Drive at the at-grade railroad crossing. The primary reason for this is based upon input from the California Public Utilities Commission regarding railroad-crossing safety concerns. In order to accommodate 2010 and 2030 peak hour traffic volumes under this configuration, the following improvements will be made at the intersection of Wilfred Avenue/Golf Course Drive and Commerce Boulevard:

- An eastbound approach will provide one mandatory left-turn storage lane into a cul-de-sac (adjacent to the existing gas station), two mandatory through lanes and

# **Social Effects Crime and Blight**

## Environmental Consequences

### Social Effects

#### **Crime and Blight**

In 4.7-12 you cite 5 casino resorts including Thunder Valley Casino in Lincoln, Placer County.

#### **Regarding Thunder Valley Casino:**

It is located in wide open spaces spotted with medium-heavy duty industry.

It is a smaller casino.

No occupied homes were near this casino when this analysis was done.

No food service restaurants or fast food restaurants were located near this casino where people can hang out when this analysis was done.

No shopping centers were near this casino when this analysis was done.

The casino is financially backed by Stations Casino the same backers as the proposed Wilfred Site making any figures on crime suspect.

The sergeant who prepared the crime report for the City of Rohnert Park is part of public safety for Rohnert Park. Public Safety has received more than ¾ of a million dollars from Stations Casino making any report suspect.

The sergeant may be under the impression that having a casino in the community will insure his retirement pay.

When asked by the Vice Mayor the question "and there was no blight?" the sergeant said "no" instead of qualifying the answer with **There is nothing to blight.**

It needs to be said that any figures the sergeant received from Thunder Valley are not necessarily complete or correct since Thunder Valley is a sovereign entity and is under no mandate to turn over any figures and is financially backed by Stations Casino.

You would think that the sergeant would indicate the murder that took place shortly after a compulsive gambler (a young woman) left Thunder Valley Casino with a gentleman who was later convicted of her murder. This would have been the perfect opportunity to talk about the unfortunate down and out compulsive gamblers and those who prey on the unfortunate down and out gamblers who hang out at casinos. The young woman's fiancé indicated that the gentleman probably told her that he would write her a \$200 check and that she could pay him back later. That is how sick she was.

If you want a validation of the blight and crime that is brought to a community go report on the neighborhoods that back up to the casino run by the San Manuel Band in San Bernardino County.

### **Our Community**

As this applies to our community you have not properly answered these questions. Please answer them with proper unbiased documentation.

How are you going to prevent the unfortunate down and out gamblers from sleeping in and around the Home Depot/Walmart shopping center 3/10 of a mile from the Wilfred Site casino/resort?

How are you going to prevent the predictable increase in car thefts beyond your casino borders and cameras of your own facility at our residences and shopping centers?

How are you going to represent, with maps, the residential parcels of the people who live near the proposed casino/resort including the (4300) residential parcels of people who live on and next to Golf Course Drive and the residential parcels of the 42,000 people who live in Rohnert Park and will be gravely affected by the proposed casino resort on the Wilfred Site?

How will you keep the unfortunate down and out, exacerbated by any casino, from sleeping in Honeybee Park or bathing in Honeybee Pool? The Park and the pool are family friendly and located 1.7 miles (walking distance) from the proposed Wilfred Site and are on the way to/from the Wilfred Site.



How are you going to prevent the unfortunate down and out, exacerbated by any proximate casino resort, from sleeping at Hahn School located 1.8 miles (walking distance) from the Wilfred Site, 125 feet from Golf Course Drive the road to and on which the proposed casino resort would be located?

How are you going to prevent the inevitable increase in residential car thefts in areas along Golf Course Drive and areas that back up to or lead to (short-cuts) Golf Course Drive?

How are you going to prevent the needles and other drug use paraphernalia from permeating and being part of the hazards in Honeybee Park and Hahn School as has been the experience of other communities where casinos moved in?

How are you going to prevent the closing and boarding up of stores and shopping centers in our community causing blight and the insurgence of Pawn Shops, Auto Pawn Shops and quick cash stores forever changing the character of our community?

The following are pictures of our family friendly people friendly community. The residents of the City of Rohnert Park and the residents of South West Santa Rosa have a **reasonable expectation** that our communities will remain family friendly and people friendly and will not succumb to the ravages known to be caused by casinos placed adjacent to community borders.

A **reasonable alternative** is to park your casino/resort away from urban areas. Of the choices you present Highway 37 is the preferred site.

Pictures of Honeybee Park

Pictures of Honeybee Pool

Pictures and a report on Hahn School

Note: Please present all pictures as shown.



Honeybee Park would be 1.7 miles (walking distance) from casino Wilfred Site 'A'. Honeybee Park is located on Golf Course Drive where considerable casino traffic would travel exposing the many children and families who use this part to exhaust pollutants, coating of grass with diesel fuel exhaust and creating unacceptable conditions for vulnerable children with asthma and other lung conditions. Many children cross Golf Course Drive to go to and from the park; casino buses, shuttles and traffic would create dangerous road conditions for these children.





Honeybee Pool is located on Golf Course Drive 1.7 miles from proposed casino Wilfred Site A. Honeybee Pool is used by our swim teams for practice and swim meets. It is also used for swim lessons for children of all ages beginning at infancy. The large volumes of casino traffic traveling to/from the casino/resort through the Golf Course Drive Wilfred Avenue corridor past Honeybee Pool would create hazardous air polluting conditions for competitive swimmers and other children using the pool. Traffic would cause diesel fuel scum on the surface of the pool. Children with breathing problems would be at risk. Hazardous traffic conditions would be created for children crossing Golf Course drive to get to/from Honeybee Pool.





Hahn School would be 1.8 miles (walking distance) from casino Wilfred Site 'A'. Casino traffic would travel past Hahn School exposing school children to pollutants such as green house gases, diesel fuel particulates and CO2 emissions. They would be exposed to noise pollution and to the unfortunate down and out who don't quite make it to the casino or home from the casino.



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### HAHN (MARGUERITE) ELEMENTARY QUICK REPORT

<a href="#">Overview</a>	<a href="#">Teachers/Students</a>	<a href="#">Programs/Classes</a>	<a href="#">Extracurricular</a>	<a href="#">Sports</a>	<a href="#">Community</a>
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#### HAHN (MARGUERITE) ELEMENTARY QUICK REPORT

The HAHN (MARGUERITE) ELEMENTARY Quick Report provides a limited view of the information currently available. By simply clicking on the corresponding tabs below, you have access to a brief overview of the HAHN (MARGUERITE) ELEMENTARY's academic performance, student body, academic programs, extracurricular activities, and sports. If at anytime you would like more information than is provided in our Quick Report, feel free to **order the FREE Premium Report** which further expands on the information already provided in the Quick Report and includes additional helpful measurements and statistics.

#### HAHN (MARGUERITE) ELEMENTARY

825 HUDIS ST, ROHNERT PARK, CA 94928

**Grades:** KG-6  
**Type:** Public  
**Enrollment:** 440  
 COTATI-ROHNERT PARK UNIFIED

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#### ACADEMIC PERFORMANCE

A school's academic performance gives some insight into how well the student body is being educated. While the academic performance of a school has no bearing on individual student success, it is a good indicator on whether or not a school is providing an environment that fosters good test scores and significant academic achievement.

#### API 2007 (what's this?)

State API Rank: 9 (Above Average)



#### EARNED ACADEMIC SCHOOL AWARDS (what's this?)

Available only in HAHN (MARGUERITE) ELEMENTARY Premium Report

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William P. Adams  
716 Brett Avenue  
Rohnert Park, CA 94928  
Ph. 707-795-7549

June 4, 2007

Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street, NW 9th Floor  
Washington DC 20005  
Ph. 202-632-7003

SUBJECT: DEIS Comments, Graton Rancheria Casino & Hotel Project

Dear Mr. Mehaffy:

I refer to the DEIS Volume III, Appendix O, Traffic Impact Studies, showing Trip Distribution In, Figure A3. Heavy NB Hwy 101 traffic turning left onto Wilfred Avenue is referred to as mitigated (Intersection #12) in Table A5, p. 62, by a NB loop off ramp that drops traffic onto WB Wilfred Avenue.

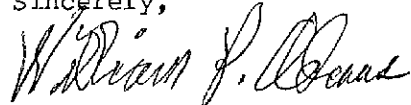
HOWEVER, Caltrans District 4 Design Engineer, Jonathon Lee informs me that there is not room for the loop off ramp because of the lack of space east of the freeway at the Northwest Pacific Railroad track. A direct left fly over off ramp dropping traffic onto WB Wilfred could be a solution.

Expensive, but possible.

Another indirect mitigation might be the addition of a third loop off ramp at Expressway Avenue interchange that drops NB 101 traffic onto WB Expressway.

It should be proposed to Graton Rancheria that it fund either of the mitigations, since Caltrans states that the railroad track blocks the proposed NB loop off ramp that would drop traffic onto WB Wilfred (Table A5).

Sincerely,



William P. Adams

cc: Greg Farris, Graton Rancheria  
P.O. Box 14428  
Santa Rosa, CA 95402

RECEIVED  
MAY 11 11 55 AM '07

061107-10

From: timlb@pacbell.net  
Sent: Sunday, April 29, 2007 3:31 PM  
To: Graton\_eis@nigc.gov  
Subject: "DEIS Comments, Graton Rancheria Casino and Hotel Project"

April 28, 2007

Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L Street NW, Suite 9100  
Washington DC 20005  
Graton\_eis@nigc.gov  
Fax: 202-632-7066

Re: "DEIS Comments, Graton Rancheria Casino and Hotel Project"

Dear Mr. Mehaffy:

I am requesting a six-month extension for the public on the comment period of the Draft Environmental Impact Statement (DEIS) for the Graton Casino Project. The time limit that has been allotted is not possible to thoroughly analyze read all the information in the report.

I attended the public hearings that were held on April 4 & 5 and below you will find one of the many issues that I am concerned about.

This casino, if built, has negative consequences for the city of Rohnert Park and Sonoma County. In Sonoma County and the state of CA we are facing significant water problems. The residents in the surrounding area are on wells. If the proposed casino were to come in and dig wells, it would deplete the water needed at the surrounding homes. Why should the residents need to be put at risk for this development?

Please take serious consideration of my request for an extension and concern regarding this proposed casino location.

Sincerely,

Lisa Bagwell  
1158 Santa Cruz Way  
Rohnert Park, CA 94928



----- Original Message -----

From: Gerald Moore <glmemoore@comcast.net>

To: graton\_eis

Sent: Sat Jun 02 13:13:21 2007

Subject: Graton Casino

I am very concerned about the proposed mega-casino planned for the Rohnert Park area by the Graton Pomo Indians. This site is a prescription for disaster. Sonoma County already has a water shortage that is slowing construction in the area. This project would suck the Rohnert Park aquifer dry in short order. Traffic is already close to gridlock on the affected section of the US 101 freeway and would become impossible if a mega casino is added to the already poorly planned development there. This project would also increase the crime and social problems in the county.

In addition, the vast majority of south-county residents oppose this project on moral and social grounds (myself included). The people of California who voted for Indian gaming in the state never conceived that it would evolve into this. The voters envisioned a small casino building on long-held Indian grounds similar to what is found in New Mexico - not mega-casinos run by wealthy Las Vegas gambling interests. Stop this project - the whole concept is totally out of control and is being driven by out-of-state big money.

Thank you.

Dr. Gerald Moore

Petaluma, CA

*Post Comment Period Comments*



**BURN OFF**

Cloverdale  
High: 84 Low: 51

Santa Rosa  
High: 76 Low: 50

Petaluma  
High: 71 Low: 52

Details, Page B12

# Press

## DEMOCRAT

FRIDAY, JUNE 29, 2007 • SANTA ROSA, CALIFORNIA

**Dry Creek Rancheria** outlines plans for \$300 million luxury hotel, new casino in Alexander Valley to replace current tentlike structure

# River Rock 'knockout'

By CLARK MASON  
THE PRESS DEMOCRAT

**T**he tribe that operates River Rock Casino unveiled plans Thursday for a \$300 million luxury resort hotel and casino to replace its current facility in the heart of Alexander Valley.

The announcement by the Dry Creek Rancheria detailed a 260-room hotel that would make it the largest in Sonoma County, surpassing the 250-room Santa Rosa Hilton.

The destination resort, designed to resemble a Tuscan village terraced into the hillside, would include meeting rooms, a cabaret, a pool, a spa, restaurants, gardens and waterfalls.

Tribal Chairman Harvey Hopkins said it represents a unique economic development opportunity for the tribe, "an unmatched destination resort experience to please our visitors, and a spectacular addition to benefit our neighbors in the Alexander Valley."

But many area residents aren't happy about the plan and fear it will bring even more traffic and unwelcome change to their picturesque vine-growing valley.

"It's going to be devastating to the lifestyle of the people who live here. Farming is a proud tradition. The lifestyle will be completely annihilated," said Karen Passalacqua, who has opposed the casino since it opened in 2002.

Other residents seemed more resigned to the expansion, which has been rumored as imminent for more than a year.

"Don't misunderstand me. I think the casino is a disaster for Alexander Valley, but I think we have to begin to recognize reality," said Pete Dayton, president of the Alexander Valley Association, a 220-member organization of grape growers and residents.

"It's not going to go away. Governor Schwarzenegger won't come in here on a white horse and close it down," he said.

He said the new design for the highly visible casino overlooking the Russian River could be better than the existing tentlike building and seven-story parking garage.

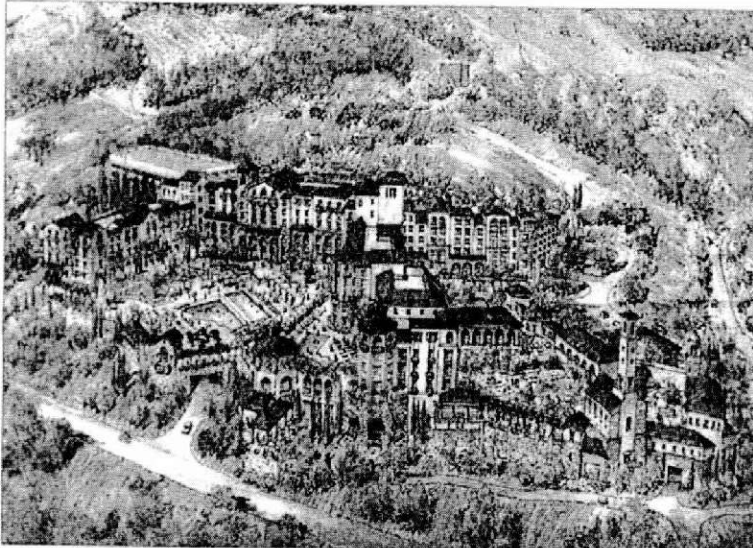
"Any structure that is architecturally attractive and covers up those ... garages has got to be an improvement," he said.

Sonoma County officials, who also have been at odds with the casino and helped stall its application for a liquor license, acknowledged the tribe has the right to build its casino under a compact granted by former Gov. Gray Davis.

Under the compact, the tribe is required to identify any significant impacts — such as the need for extra law enforcement and traffic measures — and dis-

TURN TO RESORT, PAGE A8

### PLANNED DESTINATION RESORT

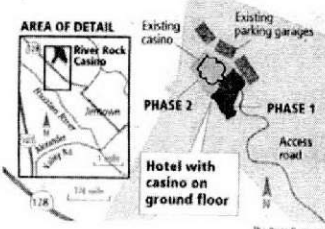


Dry Creek Rancheria



CHAD SURBACEK / The Press Democrat

**TRANSFORMATION AHEAD:** An architect's drawing released Thursday, top photo, shows what initially will be a 260-room, \$300 million Tuscan-style resort the Dry Creek Rancheria plans to build at River Rock Casino in Geyserville, and includes the existing parking garage at the upper left. The portion of the hotel buildings and grounds left of the center white tower is Phase 2 of the project, a potential expansion of the initial complex. In bottom photo, an aerial view this week shows the current casino and garage.



### THE NEW RIVER ROCK

#### HOW IT STACKS UP

The planned first phase of River Rock Casino's new resort will have 260 rooms. The existing hotels in Sonoma County with the most rooms:

- Hilton Sonoma Wine Country, Santa Rosa, 250 rooms.
- Doubletree, Rohnert Park, 245 rooms.
- Fairmont Sonoma Mission Inn

- Boyes Hot Springs, 226 rooms.
- Sheraton Sonoma County, Petaluma, 183 rooms.

#### TIME FRAME

Construction could begin as early as this year.

#### WHAT'S NEXT?

A draft copy of an environmental impact report will be released today and be available for public

# T: Residents resigned to expansion

TRUNCATED FROM PAGE A1

with Sonoma County to alleviate them. Tribal members said a draft copy of an environmental impact report prepared by the tribe would be released today and available for public comment.

But local officials say they cannot stop the expansion.

"There's nothing we can do. It's out of our hands altogether," said Valerie Brown, chairwoman of the Sonoma County Board of Supervisors.

Brown said the hotel will be "a huge economic gain for them" and she noted that tribal facilities are more profitable than other hotels because they do not have to pay bed taxes.

Tribal and casino officials were unwilling to say when the hotel and new casino might break ground, although Hopkins said it could be as early as this year, or within the next couple of years.

A hotel industry expert predicted the upscale resort in the heart of Wine Country will be very successful.

"I think it will be a home run. It seems the majority of Indian gaming facilities that are located generally proximate to a good population base, like Thunder Valley and Cache Creek, are just doing gangbusters. They're all adding guest rooms to become more of a true resort experience," said Tom Callahan, president and chief executive of PKK Consulting in San



SCOTT MAMOSH/STAFF FOR THE PRESS DEMOCRAT

Harvey Hopkins, Dry Creek Rancheria chairman, talks about the tribe's River Rock Casino resort development plans at a press conference in Healdsburg on Thursday.

Francisco, which analyzes hotel trends.

Shawn Smyth, the casino's executive officer, said financing has not been secured yet for the project and the tribe is interviewing financial advisers.

The Dry Creek Rancheria said it will be the sole owner and developer of the project.

The tribe still has obligations from the \$200 million in bonds it sold in 2003 to help pay off \$45 million of the casino's startup debt and build parking garages.

But Callahan said it should have no trouble raising money for the new project.

"There's a lot of liquidity in the market, a significant

amount of capital for an investment like this," he said.

Tribal officials said the hotel and new casino will employ 2,000 people. The plan is to build the hotel and new permanent gaming hall in the open parking lot area in front of the existing casino.

While construction takes place, the current casino will remain open.

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The tribe said it does not plan to increase its 1,600 slot machines, but will add 38 table games.

Expansion plans call for a second phase in the future if there is demand for more hotel rooms. And the tribe said it will invest \$76 million in infrastructure improvements in addition to the \$300 million for the resort.

On Thursday, Tribal Chairman Hopkins said the venture is not about gaming, but creating opportunities for the entire community, both tribal and nontribal.

"We are building better lives for our families and for the community, while preserving our traditions and culture," he said.

"The resort will be a knockout, one of a kind. The community, once they see it, will embrace it," Hopkins said.

"What a day for all of us," said tribal elder Reg Elgin.

"The dream is here."

Tribal officials opened a press conference Thursday noting the \$2.2 million in contributions they have made over the past five years in grants to schools, fire departments and police.

They sketched a brief history of the tribe, whose ancestral lands were flooded by the construction of Warm Springs Dam, but which since 1915 occupied the 75-acre Dry Creek Rancheria where the casino was built.

Hopkins said the new resort will help remove a stigma, a "poverty of the spirit" the tribe has carried.

You can reach Staff Writer Clark Mason at 521-5214 or [clark.mason@pressdemocrat.com](mailto:clark.mason@pressdemocrat.com).

June 29, 2007

Brad Mehaffy, NEPA Compliance Officer  
National Indian Gaming Commission  
1441 L St., #9100  
Washington, D.D. 20005

Re: Graton Rancheria Casino and Hotel Project

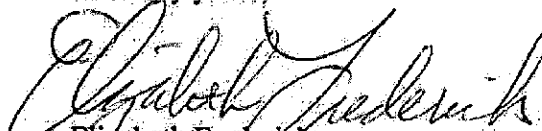
Dear Mr. Mehaffy:

Enclosed is a story on the proposed expansion of the River Rock Casino that appeared in today's Santa Rosa Press Democrat.

How many mega casinos can Sonoma County support?

In light of the proposed hugh expansion of River Rock shouldn't Graton Rancheria's DEIS be more thoroughly scrutinized?

Sincerely yours,



Elizabeth Fredericks  
6950 Commerce Blvd., Ste. 1  
Rohnert Park, CA 94928

2007 JUL -2 PM 4: 25

RECEIVED  
NATIONAL INDIAN GAMING COMMISSION

# BURN OFF

Cloverdale  
High: 84 Low: 51

Santa Rosa  
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Petaluma  
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Details, Page B12

# Press

## DEMOCRAT

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TURN TO RESORT PAGE A8

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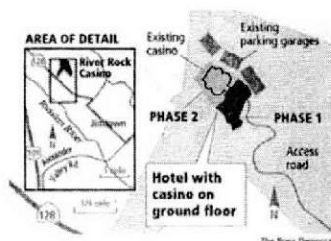


Dry Creek Rancheria



CHAD SUBBICKI/The Press Democrat

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The Press Democrat

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## RESORT: Residents resigned to expansion

CONTINUED FROM PAGE A1

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SCOTT MANGHESTER / The Press Democrat

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*You can reach Staff Writer Clark Mason at 521-5214 or [clark.mason@pressdemocrat.com](mailto:clark.mason@pressdemocrat.com).*





Via Facsimile (916) 447-1665 and U.S. Mail

Mr. Chad Broussard  
Analytical Environmental Services  
1801 7<sup>th</sup> Street, Suite 100  
Sacramento, CA 95811

**received**  
August 10, 2007

Re: Wilfred Avenue Improvements  
EIS for Graton Rancheria Hotel and Casino Project

Dear Mr. Broussard:

I am writing in response to the series of comments concerning Wilfred Avenue which Sonoma County submitted on the draft environmental impact statement ("EIS") being prepared by the National Indian Gaming Commission ("NIGC") for our proposed resort casino and hotel project.

The Federated Indians of Graton Rancheria ("Tribe") understands that Wilfred Avenue, which has been maintained by the County for years as a narrow, uneven two-lane road with dangerously deep shoulders, should be improved for safety reasons alone. The Tribe also understands that the County is unwilling to use County road improvement funds for improvements to Wilfred, and that finding other sources of funding for the improvements is unlikely. Therefore, the Tribe will agree to fund any and all mitigation improvements for Wilfred Avenue set forth in the final EIS which are within the County's jurisdiction when the improvements are made, including, but not limited to, any required acquisitions for right of way, environmental studies, and road improvements. The Tribe further agrees to include this commitment within the legally binding and enforceable intergovernmental agreement(s) which the Tribe will negotiate with the County pursuant to the terms of its Memorandum of Understanding ("MOU") with the County dated November 1, 2004.

Please note that, under section 3(b)(i) of the Rohnert Park MOU, the Tribe has agreed to contribute to the City one half of the actual cost to the City to complete the widening of Wilfred Avenue from Highway 101 west to the City urban growth boundary. If said portion of Wilfred has not been annexed into the City at the time of the improvements, the Tribe will agree to pay the full cost of the improvements specified in the final EIS for said portion of Wilfred, subject to reimbursement by late-comer developers who benefit from the improvements upon annexation of said portion of Wilfred into the City limits.

Sincerely,

Greg Sarris  
Chairman

cc: John Maier


**O.W.L. Foundation**

President, H.R. Downs  
 Secretary, Deborah Hunt  
 Treasurer, Heidi Dieffenbach-Carle R.G.  
 Bonnie Kneibler, M.D.  
 Jane Neilson, Ph.D.  
 Susan Panttaja, R.G.  
 Ray Peterson  
 Eric Johnson  
[www.owlfoundation.net](http://www.owlfoundation.net)

November 30, 2007

Mr. Brad Mehaffy  
 NEPA Compliance Officer  
 National Indian Gaming Commission  
 1441 I. Street NW, Suite 9100  
 Washington, DC 20005

RE: FEDERATED INDIANS OF GRATON RANCHERIA CASINO SITE IS SINKING

Dear Mr. Mehaffy:

I have written to you on several occasions regarding the unsuitability of the location for the proposed site of the Federated Indians of Graton Rancheria ("FIGR"). Our geologists and hydrologists have determined that the entire area under and around the City of Rohnert Park ("City") is in groundwater overdraft and therefore our concern of allowing a federal water right to establish itself there. However, I am writing to you today to make you aware of a new study that has discovered significant land subsidence in this exact area.

Enclosed, please find an abstract of this study titled "*Creep on the Rodgers Creek fault, northern San Francisco Bay area from a 10 year PS-InSAR dataset*". As you can see, this study measured movement along the Rodgers Creek earthquake fault and did not set out to measure land subsidence. However, the massive deformation under Rohnert Park, including the area proposed for the FIGR casino, was deformed to such a degree that the authors felt obligated to mention it due to the clear and present danger such a dramatic deformity represents to the environment and any and all structures.

Land subsidence is emphatically indicative of groundwater overdraft. Indeed, the authors note that the

subsidence, or sinking, is consistent with groundwater extraction.

The study, using a 10-year dataset, is definitive proof that this locale is, environmentally speaking, seriously compromised and that FIGR should be urged to locate elsewhere. The actual rate of sinking is a very great concern. The authors of the study discovered that Rohnert Park and environs are sinking approximately 13mm (one-half inch) a year. This means that in 24 years the City and adjacent properties sink a full linear foot.

Also included with this letter is an email message and a GIS map sent to me from Gareth Funning, Ph.D., professor of earth sciences at UC Riverside and lead author of the study. Professor Funning elaborates on his comment about Rohnert Park's subsidence and points out that subsidence also exists near Sebastopol slightly to the northwest of Rohnert Park. The data points in this area cluster around what appears to be the three groundwater wells operated by the Sonoma County Water Agency ("SCWA"), the principal supplier of water to Rohnert Park when the City needs water beyond its own well field. SCWA's three groundwater wells are, however, located in the same groundwater basin. The three SCWA wells appear to be impaired also.

As you already know from my April 30, 2007 letter to you, the O.W.L. Foundation lodged a complaint with the Board for Geologists and Geophysicists against AES, the firm that FIGR used to compile the DEIS. It was clear that this DEIS ignored the entire hydrologic history of the area and produced a completely improbable and cheerfully optimistic opinion of future water supplies when in fact every other study has raised alarms about water sufficiency. Either the geologists and hydrologists involved are wholly incompetent and know nothing of the field or they pandered to the wishes of FIGR. Either way their licenses should be revoked or at the very least the individuals holding these licenses should be censured for improprieties.

The new InSAR study confirms that the area is not only in groundwater overdraft, but that the overdraft is so severe as to have caused a massive collapse of the ground. Please bear in mind that when the ground subsides, the underlying aquifer collapses thereby reducing overall storage permanently. Had the DEIS been compiled with the customary levels of scientific integrity, it would have shown the proposed site to be thoroughly unsuitable.

O.W.L. Foundation  
Graton Rancheria casino site is sinking  
November 30, 2007

Once again, the O.W.L. Foundation has no policies whatsoever regarding Indian gaming or gambling in general. At issue here is strictly an unsuitable location due to groundwater overdraft and the possibility of placing a federal water right on top of it.

Sincerely,

H.R. Downs  
President



Scale: 1:50,000

Legend: 1:50,000

HR,

Please find attached a GIS map of incorporated settlements and surface deformation velocities. The latter are labeled 'apparent uplift' as in InSAR measurements we have a 1D measurement in the satellite line-of-sight which is primarily sensitive to vertical motions, but also somewhat sensitive to E-W-oriented motions. (Thus there is a component of horizontal deformation, which is due to accumulation of strain on the regional strike-slip faults, such as the San Andreas and Rodgers Creek faults, which can look like uplift.) The subsiding areas are the areas marked with red spots. The largest line-of-sight velocities are of the order of 10 mm/yr with respect to neighboring areas; converted to a vertical rate, this is equivalent to a 13 mm/yr maximum subsidence rate; the median subsidence rate in those areas is around 8-9 mm/yr.

The magenta areas are the boundaries for incorporated settlements in the region. (The density of our observations tends to be greatest in these areas, as buildings are the best reflectors for InSAR.) As you can see, one of the subsiding areas is almost wholly within the city boundaries of Rohnert Park; the other lies mostly within unincorporated areas between Sebastopol and Santa Rosa. As I mentioned in my earlier message, we are not exactly sure of the relative importance of shallow sediment settling/compaction effects and subsidence due to groundwater extraction in the case of the Rohnert Park subsidence, although I imagine borehole and well-level data from those areas would provide some constraints.

If you have any further questions, I'd be happy to try to answer them.

Best wishes,

Gareth

## Creep on the Rodgers Creek fault, northern San Francisco Bay area from a 10 year PS-InSAR dataset

Gareth J. Funning,<sup>1</sup> Roland Bürgmann,<sup>2</sup> Alessandro Ferretti,<sup>3</sup> Fabrizio Novati,<sup>3</sup> and Alfio Fumagalli<sup>3</sup>

Received 4 June 2007; revised 22 August 2007; accepted 6 September 2007; published 10 October 2007.

[1] Deformation in the northern San Francisco Bay area is dominated by a series of sub-parallel strike-slip faults. Existing GPS observations provide some constraint on the slip rates of these faults, however these have only limited resolution for resolving shallow fault behavior, such as brittle creep. We use a 30 image Permanent Scatterer InSAR (PS InSAR) dataset spanning the time interval 1992–2001 to dramatically increase the density of surface deformation observations. We find a discontinuity in observed surface velocities across the Rodgers Creek fault, around Santa Rosa and further north, consistent with shallow creep at rates of up to 6 mm/yr. The creeping segments are located in areas of local transtension, suggesting that lowered normal stresses may play a role in the distribution of creep. The existence of creep could significantly reduce expected moment release in future earthquakes on the Rodgers Creek fault, and thus has implications for seismic hazard assessment. Citation: Funning, G. J., R. Bürgmann, A. Ferretti, F. Novati, and A. Fumagalli (2007), Creep on the Rodgers Creek fault, northern San Francisco Bay area from a 10 year PS-InSAR dataset, *Geophys. Res. Lett.*, *34*, L19306, doi:10.1029/2007GL030836.

### 1. Introduction

[2] Shallow, brittle fault creep is an intermediate fault behavior between the two end member cases of frictional locking and earthquake rupture. In response to tectonic stresses, a creeping fault will move aseismically, either continuously or episodically, with an average rate which is often a significant fraction of its long-term slip rate. Creep on a fault thus has the potential to reduce the magnitude of a future earthquake compared to the case where the fault is fully locked [e.g., *Working Group on California Earthquake Probabilities*, 2003; *Schmidt et al.*, 2005]. The rate and distribution of creep are therefore important parameters when assessing the seismic hazard posed by such faults.

[3] The Rodgers Creek fault, one of the major through-going structures in the northern San Francisco Bay area (hereafter 'North Bay'), links two known active creeping faults – the Hayward fault to the southeast, and the Maacama

fault to the northwest [e.g., *Galehouse and Lienkaemper*, 2003, Figure 1a]. It is seismically active – two damaging intermediate magnitude ( $M_L$  5.6 and 5.7) earthquakes occurred on the fault just north of Santa Rosa, the major city in the North Bay, in 1969, and paleoseismic investigations on its southern portion imply that the fault slipped ~2 m in the last major ( $M \sim 7$ ) event on that segment, probably in the 18th Century [Budding et al., 1991; Hecker et al., 2005, Figure 1a]. Whether or not the Rodgers Creek fault creeps like its neighbors has been an open question for some time, and is relevant to current attempts to reestimate earthquake probabilities in California. Existing triangulation and GPS data [e.g., *Lisowski et al.*, 1991; *Prescott et al.*, 2001; *d'Alessio et al.*, 2005] do not require creep, but the density of sites is probably not sufficient near the fault to resolve any such deformation. On the other hand, a recently deployed alignment array, located on the fault at Santa Rosa (site RC1, Figure 1b; <http://funnel.sfsu.edu/creep/CrepSites/RogersCreek/RC1.htm>), does suggest that creep occurred at that location between 2003 and 2005, but at present no other such data are available.

[4] In this study, we attempt to resolve the question of creep on the Rodgers Creek fault by increasing the spatial density of our observations. By combining existing GPS observations with displacement rates obtained using the Permanent Scatterer Interferometric Synthetic Aperture Radar (PS-InSAR) technique, we believe we can identify and constrain the rate of creep on a ~25 km segment of the fault extending northwest from Santa Rosa.

### 2. PS-InSAR Observations of Surface Deformation

[5] PS-InSAR is an advanced processing technique for satellite radar data. Using the radar returns from phase-stable targets on the ground, it is possible to generate a time series of surface displacement changes, with atmospheric effects mitigated [Ferretti et al., 2001]. Such stable targets can be identified independently of the stability of their neighbors, a capability that has already been demonstrated to dramatically increase the spatial coverage of observations in areas where there are buildings (which are phase stable) surrounded by vegetation (which is not) when compared to conventional interferometry [e.g., *Ferretti et al.*, 2004].

[6] For this study we use data acquired by the European Space Agency satellites ERS-1 and ERS-2 between 1992 and 2001. The North Bay region is covered in its entirety by a single descending track scene (track 342, frame 2835), and in total 30 useable images were acquired over this frame in

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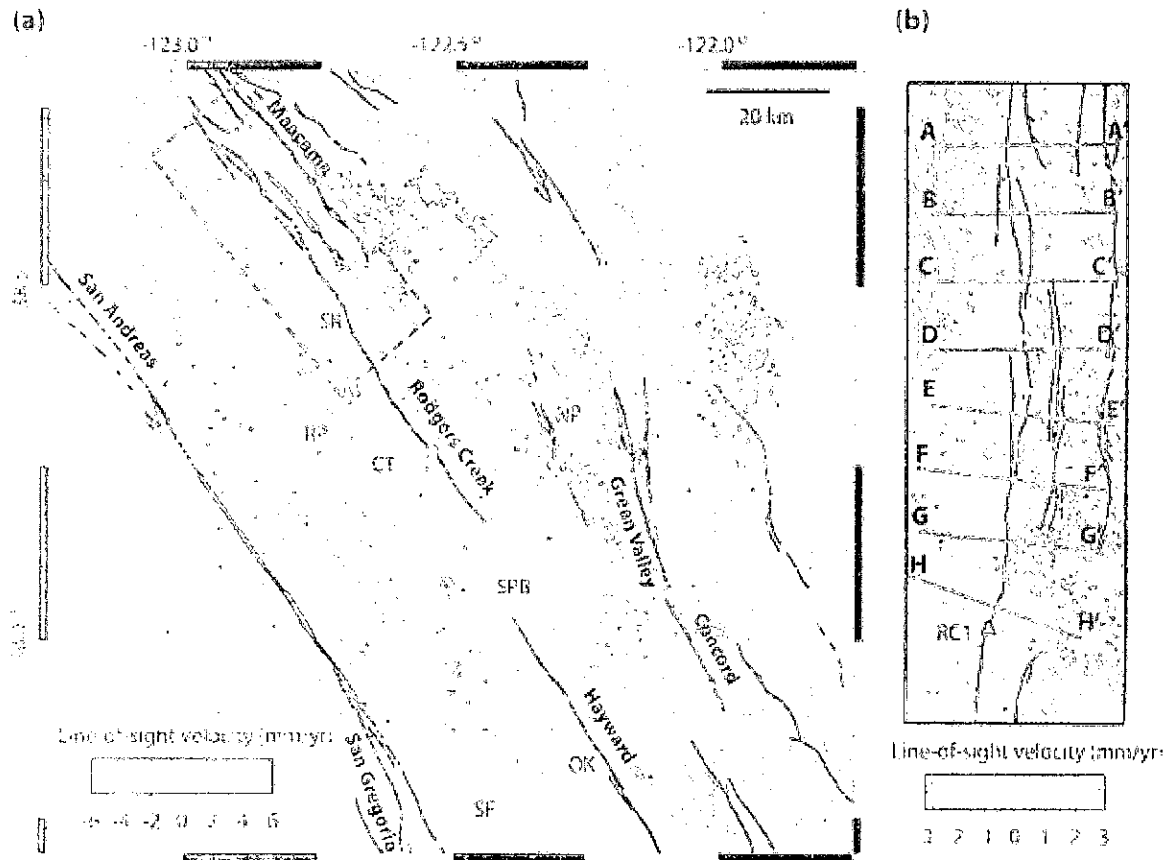


Figure 1. Fault summary map and PS-InSAR data for the northern San Francisco Bay area. Red colors indicate motion away from the satellite (range increase), blue, motion towards. (a) Regional surface velocity field. Solid lines show mapped active faults (U.S. Geological Survey and California Geological Survey, Quaternary fault and fold database for the United States, [http://earthquake.usgs.gov/regional\\_qfaults/](http://earthquake.usgs.gov/regional_qfaults/), 2007). Dashed box shows location of Figure 1b. White circle shows location of paleoseismic trench sites [Building et al., 1991; Hecker et al., 2005]. SR, Santa Rosa; RP, Rohnert Park; CT, Cotati; NP, Napa; SF, San Francisco; OK, Oakland; SPB, San Pablo Bay. (b) Detail of velocities in the Santa Rosa area, after removal of points on weak substrate and thick sediment. Note that the color palette has been adjusted to highlight the velocity offset at the Rodgers Creek fault. Locations of 15 km-long fault-perpendicular profiles in Figure 2 are shown. White triangle indicates location of alignment array RC1. More details in the main text.

the study interval (Table S1 of the auxiliary material). Permanent scatterers (PS) were identified using the method of Ferrini et al. [2001], and a best linear line-of-sight (LOS) velocity estimated for each. Uncertainty estimates for these were made by assessing the misfit of each linear velocity to each displacement time series. In total, 71000 PS were identified (Figure 1a). Data coverage is generally good, with a reasonable distribution of observation points across the region, especially considering the amount of forested and agricultural land in the North Bay. As might be expected, coverage is better in the more developed areas in the scene—surrounding San Francisco and San Pablo Bays and the areas around Santa Rosa and Napa.

[2] On a regional scale, the velocity field obtained by PS-InSAR shows the deformation due to accumulation of

strain on the major strike-slip faults. In Figure 1a this is represented by a color change from red to blue from west to east, signifying an eastward increase in velocity of ~10 mm/yr towards the satellite. Assuming that the deformation in the area is predominantly horizontal, this is consistent with right-lateral shear across the fault system [e.g., Bürgmann et al., 2006]. More locally, steps in LOS velocity across faults represent shallow creep on those structures. We can identify such features for the Hayward and, we argue below, Rodgers Creek faults.

[3] The largest amplitude signals we observe generally have nontectonic origins. Several areas fringing San Pablo Bay, for instance, show large negative (away from the satellite) velocities compared with inland areas. This implies subsidence of the coastal areas, from consolidation and/or settling of the mud-rich sediments and fill beneath them, as seen at Treasure Island [Ferrini et al., 2004]. To prevent such observations from biasing our models, we use maps of

Auxiliary material data sets are available at <http://ftp.nasa.gov/ps/inSAR/2007/060608/06>. Other auxiliary material files are in the HTML.



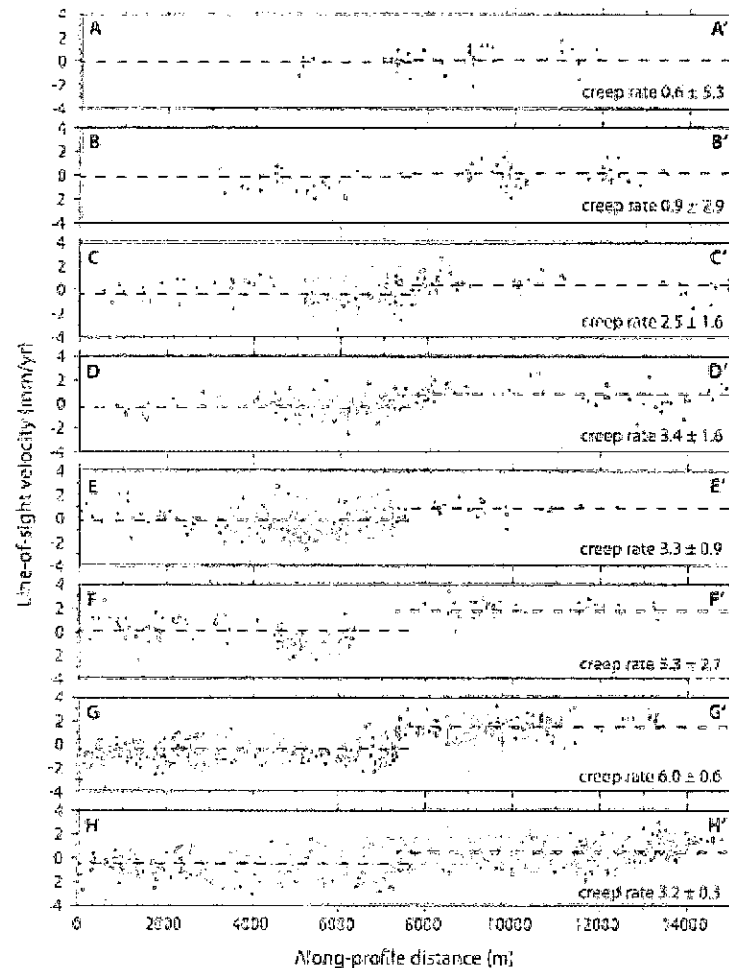


Figure 2. Profiles of PS-InSAR data across the Rodgers Creek fault near Santa Rosa. Red points signify PS velocity measurements within 2.5 km of the profile line; error bars indicate  $1\sigma$  uncertainties. Velocities have been detrended by subtracting a best-fitting linear gradient. Black dashed line indicates the best average linear fit to velocities from a range of windows either side of the fault. Gray box indicates the approximate location of the fault. For a detailed description, see the main text; profile locations are in Figure 1b.

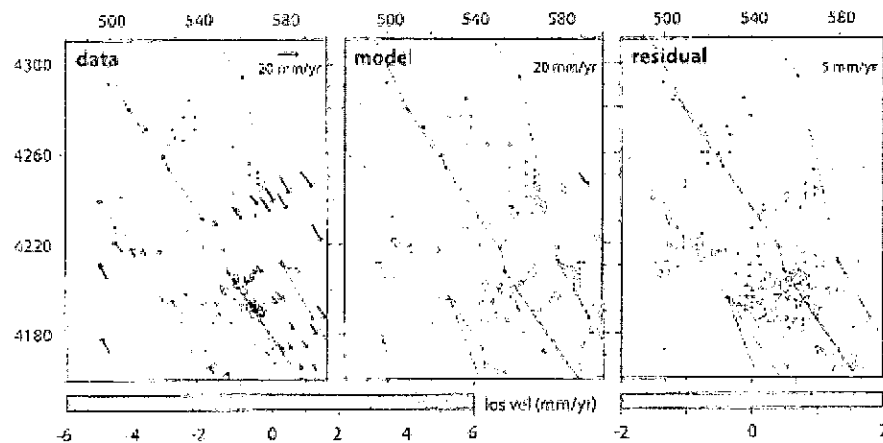
liquefaction risk [Knudsen *et al.*, 2000] to exclude datapoints on Holocene and/or weak fine-grained substrate.

### 3. Creep and Subsidence Around Santa Rosa

[9] Santa Rosa is located in a releasing bend of the Rodgers Creek fault (Figure 1). To the southwest lies a flat plain  $\sim 10$  km wide, within which a prominent double-lobed negative line-of-sight velocity feature can be observed, corresponding to the settlements of Rohnert Park and Cotati (Figure 1a). Geophysical investigations of the area suggest that the plain is underlain by up to 2 km of Cenozoic-Quaternary sediment, including water-bearing aquifers that are currently being exploited [Langenheim *et al.*, 2006; McPhee *et al.*, 2007]. The observed deformation here is consistent with land subsidence due to groundwater extraction, perhaps enhanced by the weak fine-grained floodplain sediments upon which Rohnert Park is built. We attempt to remove these subsiding areas from our dataset, relying on data on the basement cover thickness [Langenheim *et al.*, 2006]. Only data from areas where the sediment thickness is

known to be 750 m or less are used. This eliminates the majority of the subsiding datapoints (e.g., Figure 1b), with the exception of the basin fringe to the northwest.

[10] After the subsidence signals, the most prominent feature in the deformation field around Santa Rosa is a step in velocity across the Rodgers Creek fault. We investigate this feature, which we interpret as representing surface fault creep, by plotting cross-fault profiles through our reduced PS-InSAR dataset at 5 km intervals (Figure 2). To estimate fault offset rates, we fit parallel straight lines to windows of datapoints either side of the fault, and calculate the separation between them. The gradients of the lines reflect the regional component of deformation, along with any residual error in satellite orbital position, and are used to detrend the profiles. Assuming pure right-lateral strike-slip motion, we then convert the LOS velocities to creep rates by considering the contribution of unit velocity in the fault-parallel direction to measured LOS velocity, propagating the uncertainties of the measurements through the calculation to obtain formal error estimates. We obtain rates which peak at  $6.0 \pm 0.6$  mm/yr immediately north of Santa Rosa (profile



**Figure 3.** Dislocation modeling of the PS-InSAR and GPS data. (left) Subsampled PS-InSAR data (colored circles) and GPS data (black arrows) used in the inversion. (center) Preferred model velocities (GPS model velocities in pink). (right) Residual velocities. The fit to the GPS data is generally within error; misfit to the PS-InSAR data is at most  $-2$  mm/yr. Further description is given in the text. Black solid lines, modeled deep dislocations; red solid lines, modeled shallow dislocations; GPS error ellipses indicate 95% confidence limits. Coordinates are given in UTM km, zone 10.

G-G'), and die off to the north and south. It is possible that the southernmost profile (II-IV) appears less steplike than when plotted in plan view (Figure 1b) due to the fault bend at Santa Rosa. These rates, which represent the averages over an 10 year interval, are comparable with the estimate of  $1.3$  mm/yr recently obtained from alignment array measurements at site RC1 (Figure 1b) which do not overlap in time with our measurements.

#### 4. Dislocation Modeling of the Deformation Field

[11] We use elastic dislocation modeling [e.g., *Simpson et al., 2001; Schmidt et al., 2005*] to estimate the lateral and depth extents of creep on the major faults in the North Bay. Vertical rectangular dislocations in an elastic half space are assumed [e.g., *Okada, 1985*], with Lamé parameters  $\lambda = \mu = 30$  GPa. Both the PS-InSAR data and 61 regional GPS velocities (Figure S1) from the BAVU compilation [*d'Alessio et al., 2005*] are modeled. Deep dislocations, starting at the base of the seismogenic crust and extending to depth and representing steady aseismic shear at depth are used to reproduce the regional strain field; shallow dislocations, extending from the surface to a few kilometers' depth, represent the portion of the fault undergoing brittle creep. The modeled dislocations approximately follow the mapped surface traces of the major fault systems within the area of interest. Discontinuities at the surface, e.g. the stepover between the Hayward and Rodgers Creek faults, are represented by steps in the shallow dislocations, and by continuous, connecting structures at depth. (Full details of model fault locations are given in Table S2.)

[12] In order to reduce computation time and remove potential biases due to clustering of data points in urban areas, the PS-InSAR data, with unreliable data masked out as described above, are downsampled by considering where we would require data coverage to resolve creep on the three major North Bay faults. Such model design-based methods are efficient when modeling conventional interferograms [*Lohman and Simons, 2005*], however no such methods currently exist for irregularly gridded data, such as

PS velocities. We develop a new sampling scheme, applying a curvature-based quadtree decomposition [e.g., *Simons et al., 2002*] to a forward model of creep on the upper 6 km of those faults, and generating a set of square cells of approximately constant model velocity (Figure S2). The median of the PS-InSAR velocities located spatially within each cell is used as a datapoint in the inversion (Figure 3). In addition, data within 500 m of the model fault traces are excluded to account for any mismatch between the simplified fault model and the complex mapped trace.

[13] We invert for the slip rates of these structures in a least-squares sense, searching over a range of integer increments of creep depth for a minimum misfit—a method that, we find, reduces tradeoffs in slip rate and creep depth between neighboring faults. Deep dislocation locking depths are fixed to the favored values obtained by *d'Alessio et al. [2005]*. Nuisance parameters, such as a static shifts in all velocities and linear ramps across the PS-InSAR scene to simulate residual orbital error, are solved for simultaneously. To weight our observations and estimate formal model parameter uncertainties we construct a full covariance matrix for the PS-InSAR data, assuming a negative exponential covariance-distance relation with an e-folding length scale of 10 km; for the GPS data we use formal uncertainties, including correlations between components.

[14] Our model results and uncertainties are shown in Table 1, the data fit in Figure 3. We find  $7.5$  mm/yr of creep on the Rodgers Creek fault in the zone north of Santa Rosa, and  $4.0$  and  $3.3$  mm/yr at the southern and northern ends of the creeping segment, respectively. These are compatible, within error, with the fault profile estimates and data (Figure S3). We are unable to place firm constraints on the depth of creep; approximately equal misfits are obtained for the depth range  $6-10$  km, with a tradeoff between creep depth and creep rate. Creep at  $4.9$  mm/yr on the upper 4 km of the Hayward fault is consistent with existing, more complex models [*Schmidt et al., 2005*]. No significant creep can be resolved on the San Andreas or Concord faults; a marginal improvement to the data fit is obtained with  $4.1$  mm/yr of creep on the Green Valley fault, albeit with

Table 1. Modeled Fault Slip and Creep Rates

Fault	Depth, km	Rate, mm/yr <sup>a</sup>
Deep dislocations		
Rodgers Creek	10 <sup>b</sup>	13.8 ± 2.3
Rodgers Creek-Hayward stepover	10 <sup>b</sup>	2.8 ± 34.5
Hayward	10 <sup>c</sup>	8.9 ± 2.6
San Andreas (North)	15 <sup>d</sup>	18.4 ± 2.3
San Andreas (Peninsula)	14 <sup>d</sup>	18.2 ± 1.7
San Gregorio	13 <sup>d</sup>	2.4 <sup>e</sup>
Greer Valley	12 <sup>d</sup>	10.3 ± 1.2
Concord	15 <sup>d</sup>	13.1 ± 2.3
Shallow dislocations		
Rodgers Creek (Creeping) North	6 <sup>d</sup>	3.3 ± 4.3
Rodgers Creek (Creeping) Central	6 <sup>d</sup>	7.5 ± 2.6
Rodgers Creek (Creeping) South	6 <sup>d</sup>	4.1 ± 1.1
Hayward	4 <sup>d</sup>	4.9 ± 0.5
Concord	7 <sup>d</sup>	2.0 ± 2.5
Greer Valley	8 <sup>d</sup>	4.1 ± 2.0
San Andreas	6 <sup>d</sup>	0.6 ± 0.6

<sup>a</sup>Quoted uncertainties are 1σ formal uncertainty estimates.

<sup>b</sup>Fault locking depth from *d'Alessio et al.* [2005].

<sup>c</sup>Fixed to rate obtained by *d'Alessio et al.* [2005].

<sup>d</sup>Preferred depth to base of creeping patch.

large uncertainty. We do not find an improvement by adding a dislocation along the mapped southern Maacama fault, however data coverage there is limited. Overall, the measured velocities are fit well by the model, with the vast majority of GPS velocities fitting within error and the maximum absolute misfit to the PS-InSAR data being <2 mm/yr (Figure 3).

5. Discussion and Conclusions

[\*] Average surface velocities taken from a 10 year ERS PS-InSAR dataset indicate that there may be significant shallow creep along the northern Rodgers Creek fault near Santa Rosa. Information on creep rates and depths, combined with geologically determined long-term slip rates, which do not yet exist along this stretch of the fault, will allow in future the estimation of the proportion of potential accumulated moment dissipated by creep. Creep is not observed further south, in our dataset or by other workers, raising the question of the cause of this along-strike change in fault behavior. One potential factor is fault geometry – if slip were transferred eastwards to the Maacama fault, north of Santa Rosa, there would be a ~8 km releasing stepover consistent with an unclamping of the Rodgers Creek fault. Further targeted PS-InSAR and GPS studies may allow us to determine where this slip transfer occurs, and thus to quantify the importance of this effect.

[\*] Shallow brittle creep on other faults, in the San Francisco Bay area and further south, is often accompanied by sequences of characteristic repeating earthquakes. The magnitudes and repeat intervals of these events can be related to the creep rate [e.g., *Nadeau and McEvilly*, 1999; *Schmidt et al.*, 2005]. Although, to our knowledge, no such earthquake sequences have been identified along the Rodgers Creek fault, the area has not hitherto been a target for such studies. Certainly, the distribution of earthquakes along the fault, including the locations of the 1969 earthquakes, suggests some link between creep and microseismicity – cataloged seismicity shows that events are concentrated on the portion of the Rodgers Creek fault that we believe to be creeping, whereas the southern, locked, portion is largely aseismic.

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