

DEPARTMENT OF TRANSPORTATION

DISTRICT 10

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September 9, 2010

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FEIS Comments

Ione Band of Miwok Indians

Land Transfer and Casino Project

SCH # 2008044002

Mr. Dale Risling, Acting Regional Director
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way
Sacramento, CA 95825

Dear Mr. Risling:

The California Department of Transportation (Department) appreciates the opportunity to review and comment upon the Ione Band of Miwok Indians' Final Environmental Impact Statement (FEIS dated February 2009), and the revised Traffic Impact Study (TIS) prepared by Dowling Associates, Inc. (November 2008). The FEIS addresses the environmental impacts for the proposed 228.04-Acre Fee-to-Trust Land Transfer and Casino Project in the City of Plymouth in Amador County, California. The FEIS discusses four 'build' alternatives - Casino (Alternative A) proposes a 120,000 square-foot casino, 250 room hotel, and a 30,000 square-foot convention center. The casino is to consist of 2,000 slot machines, 40 game tables, buffet, a specialty restaurant, sports bar, etc. Phase 1 would construct the casino and food-beverage facilities, while Phase 2 proposes to construct the hotel and convention center. Alternative B proposes a reduced-size casino with hotel. Alternative C proposes a further reduced-size casino. Alternative D proposes a retail development of 123,000 square-feet. The location of the proposed development would access State Route (SR) 49 in the City of Plymouth.

The Department provides the following comments from Caltrans District 10: (Please refer to Caltrans District 3's comment letter sent directly from their office for any highway facilities within their region.)

Please refer to Site Plans. The site plan for Alternative A (Phase 1) shows the casino building situated immediately adjacent to the SR-49 right of way.

- The Department advises that this site plan does not account for the ultimate right of way width, since the building location would restrict the right of way width necessary for roadway improvements.
- The site plans show the main entrance for the proposed casino as SR-49/Randolph Drive with the east leg being the casino's main entrance.

- The Department advises that the driveway, as shown on the site plan, has two significant operational and safety problems. The first is that the casino entrance is offset from the existing west leg of Randolph. The second problem is the proposed main entrance is too close to the existing Village Drive road connection.

The following 'fair share' percentages are estimates based on current projections of existing and proposed developments that may contribute impacts to the identified locations requiring improvements. Although the TIS identifies that it followed Caltrans methodology when calculating the proportional share for adversely impacted intersection and highway segments, the calculations performed were not provided in the TIS or Appendices, and therefore cannot be verified at this time. With only the output provided, District 10 considers these values to be provisional. The Department reserves the right to revisit these percentage impacts during mitigation project development and may request revisions to the 'fair share' proportions as project cost responsibilities are assessed.

Please refer to the Executive Summary, Table ES-1, Summary of Potential Environmental Effects, Mitigation Measures, and Significance; Mitigation Measures:

Mitigation Measure F, page xxxi, reads: "***SR49/Randolph Drive – Less than Significant, Install a Signal. Proportionate share calculation of this project impact using Caltrans methodology is as follows:***"

Alternative A 100%
Alternative B 100%
Alternative D 100%

Mitigation Measure G, pages xxxi and xxxii, reads: "***Latrobe (Amador)/SR 16 – Less than Significant, Install a Signal. Proportionate share calculation of this project impact using Caltrans methodology is as follows:***"

Alternative A 100%
Alternative D 100%

Mitigation Measure K, page xxxiii, reads: "***SR88/Jackson Valley Road – Less than Significant, Install a Signal. Proportionate share calculation of this project impact using Caltrans methodology is as follows:***"

Alternative A 43%
Alternative B 36%
Alternative C 27%
Alternative D 49%

- The Department advises that the above mentioned intersections proposed for signal installations would also require accompanying geometric improvements including, but not limited to: dedicated left-turn lanes; right turn lanes; etc.

Mitigation Measure L, page xxxiii, reads: "*SR88/Liberty Road – Less than Significant, Install a Signal and convert NB right-turn lane into shared through/right-turn lane. Proportionate share calculation of this project impact using Caltrans methodology is as follows:*"

Alternative A 37%
Alternative B 30%
Alternative C 22%
Alternative D 42%

- The Department advises that there is no existing second NB receiving lane. In order to operate correctly, this proposed mitigation would additionally require the construction of a second NB receiving lane with adequate downstream merge-distance and transition to a lane drop.

Mitigation Measure O, page xxxiv, reads: "*SR49/Project Access Driveway – Less than Significant, Restrict left-turn out of driveway. Proportionate share calculation of this project impact using Caltrans methodology is as follows:*"

Alternative A 100%
Alternative B 100%
Alternative D 100%

- The Department notes that although the driveway in Mitigation Measure O shows a restricted left-turn out of driveway, the TIS analyses and various site plans show left-turns out of this "Service Entrance" driveway to SR-49 are not restricted.
- If this driveway access is being proposed, there needs to be a dedicated left-turn lane on the SB SR-49. The site plan does not show a SB SR-49 dedicated left-turn lane, however, the Traffix analysis shows that the analysis was performed using a SB SR-49 dedicated left-turn lane.
- Additionally, there needs to be a dedicated right-turn lane on NB SR-49 for the right-turn movement to this proposed driveway access. The site plan and Traffix analysis show the NB right-turn movement as being from the through lane.

Please refer to Executive Summary, Table ES-1, Summary of Potential Environmental Effects, Mitigation Measures, and Significance; Mitigation Measures.

Mitigation Measure KK, pages xxxix and xl, reads: "**SR49 between Casino Entrance and Main Street - Less than Significant, Upgrade to Arterial Class II. Proportionate share calculation of this project impact using Caltrans methodology is as follows:**"

Alternative A 100%

- The Department request additional information to clarify the project proponent assertion to "Upgrade to Arterial Class II". Please explain the specific improvements or mitigations that are being proposed.

Mitigation Measure LL, page xl, reads: "**SR49 between Casino Entrance and Main Street - Less than Significant, Widen from two to four lanes. Proportionate share calculation of this project impact using Caltrans methodology is as follow:**"

Alternative A 84%

Alternative B 80%

- The Department requests clarification for the following: The above mentioned proposed mitigation measure LL for Phase II Alternatives A and B states the mitigation is to "Widen from two to four lanes." However, the mitigation measure for the Cumulative scenario for Alternatives A, B, C, and D, of this same road segment of SR-49 between Casino Entrance and Main Street, show conflicting mitigations. For this Cumulative scenario the mitigation measure DDD, SR-49 between Casino Entrance and Main Street, states "Widen from two to three lanes". Please explain.

Mitigation Measure OO, page xl, reads: "**SR49/SR 16 - Less than Significant, Add NB left-turn lane. Proportionate share calculation of this project impact using Caltrans methodology is as follows:**"

Alternative A 100%

Alternative D 100%

- The Department advises that there is no existing second receiving lane on WB SR-16. In order to operate correctly, this proposed mitigation would additionally require the construction of the second WB receiving lane with adequate downstream merge distance and transition to a lane drop.

Mitigation Measure (Cumulative) NN, page xl, reads: "**SR49/Randolph Drive - Less than Significant, Add NB left-turn lane. Proportionate share calculation of this project impact using Caltrans methodology is as follows:**"

Alternative D 100%

- The Department advises that this proposed NB left-turn lane would have already been required as part of the opening day mitigation (Mitigation Measure F, SR/49/RandolphDr. Install Signal) to install signal at the casino main entrance.

Please refer to Executive Summary, Table ES-1, Summary of Potential Environmental Effects, Mitigation Measures, and Significance; Mitigation Measures.

Mitigation Measure (Cumulative) UU, page xlii, reads: "**SR88/Liberty Road - Less than Significant, Install a Signal and convert NB right-turn lane into shared through/right turn. Proportionate share calculation of this project impact using Caltrans methodology is as follows:**"

Alternative A 23%
Alternative B 18%
Alternative C 12%
Alternative D 26%

- The Department advises that there is no existing second NB receiving lane. This proposed mitigation in order to operate correctly would additionally require construction of a second NB receiving lane with adequate downstream merge distance and transition to a lane drop.

Mitigation Measure (Cumulative) VV, page xlii, reads: "**SR88/Victor Road (SR12) - Less than Significant, Convert SB right-turn lane into shared through/right turn lane. Proportionate share calculation of this project impact using Caltrans methodology is as follows:**"

Alternative A 9%
Alternative B 7%
Alternative C 5%
Alternative D 11%

- The Department advises that even though there is a second SB receiving lane, the existing SB receiving lane does not have adequate merge distance to accommodate the SB right-turn only lane being revised to a through-right-turn lane. This proposed mitigation in order to operate correctly would require the lengthening of the existing SB receiving lane with adequate downstream merge distance and transition to a lane drop.

Note: Please reference the Table in the Executive Summary (ES-1) for other mitigation projects on the State Highway System for their proportional share percentages, as the percentages shown in this letter are specific to operational comments provided by our Traffic Operations unit.

Please refer to TIS, Figure 25, 2025, No Project Lane Geometry & PM Peak Hours Volumes, Intersection #15 SR88/SR12 (East) assumes an EB dual left-turn configuration.

- The Department notes that there is currently no programmed project to construct a dual left-turn at this intersection. Therefore, the TIS analysis should not have assumed an EB dual left-turn configuration to determine its impacts to this intersection. As a result the LOS values claimed for this intersection for the cumulative condition are incorrect.

Please refer to Appendix M, TIS, page 143. SR16/Latroe Road is described as located in Sacramento County with a LOS D threshold.

- This intersection is in Amador County and has a LOS C threshold.

Please refer to TIS, Figure 25, 2025, No Project Lane Geometry & Peak Hour Volumes. Intersection #8, SR16/Latrobe Road assumes a signalized intersection configuration.

- There is no Tier 1 project to install a signal at this intersection. Therefore, the TIS analysis should not have assumed a signalized intersection. As a result, the LOS values based on a signalized intersection for the Cumulative condition are incorrect.

Please refer to Appendix M, TIS, page 4. SR-16, "Jackson Highway has 2' – 12' travel lanes with 8' paved shoulders and speed limit 55 mph..."

- SR 16 from the Sacramento/Amador County line to the SR-49 junction is an Expressway with restricted access and is 65 mph.

Please refer to Appendix M, TIS, Section 3, pages 29 -30, Existing Plus Approved Projects (EPAP) condition.

- The Department advises the six projects in Plymouth are unapproved. Therefore, they should not be included in the Approved Projects list as shown in TIS, Section 3, EPAP.

The TIS mentions in numerous places the 'implementation of the Ione Bypass...' as a component of various traffic mitigation efforts. The bypass is Tier II in the Amador County RTP (2004 update), and is currently unfunded and un-programmed.

Local transportation planning emphasis should be placed upon improving local connectivity to reduce local circulation upon the State Highway System. Paths and routes for the use of non-motorized transport, along with internal roads should be designed with future connectivity in mind, with due consideration for this need with future development projects. Additional congestion management techniques and project alternatives are available that can reduce, if not alleviate, local development project impacts to transportation.

It must be determined if grading would divert drainage from this proposed project and result in increased runoff to existing State facilities. This will not be allowed.

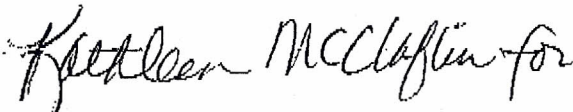
An Encroachment Permit will be required for any work done within the Department's right of way. This work is subject to the California Environmental Quality Act. Therefore, environmental studies may be required as part of the encroachment permit application. A qualified professional must conduct any such studies undertaken to satisfy the Department's environmental review responsibilities. Ground disturbing activities to the site prior to completion and/or approval of required environmental documents may affect the Department's ability to issue a permit for the project. Furthermore, if engineering plans or drawings will be part of your permit application, they should be prepared in standard units.

We suggest the Ione Band of Miwok Indians, City of Plymouth, Amador County Public Works, Amador County Transportation Commission, possibly the City of Ione, and the other two federally recognized tribes located in Amador County, the Jackson Rancheria of Mi-Wuk Indians and the Buena Vista Rancheria of Me-Wuk Indians, all continue to coordinate and consult with the Department to identify and address potential cumulative transportation impacts that may occur from this project, and/or for any other developments near this geographical location, and to discuss mitigation for these traffic impacts prior to project approval. This will assist us in ensuring that traffic safety and quality standards are maintained for the traveling public on existing and future state transportation facilities.

Please forward the Lead Agency's Record of Decision and affiliated mitigation measures and supporting documentation to the California Department of Transportation, District 10-Transportation Planning Division, Attention IGR coordinator for mitigation monitoring.

If you have any questions or would like to discuss these comments in more detail, please contact Kathleen McClafin at (209) 948-7647(email: kathleen_mcclafin@dot.ca.gov) or me at (209) 948-7112.

Sincerely,



JOHN GEDNEY, Chief
Office of Rural Planning and Administration

- c: Scott Morgan, Senior Planner, State Clearinghouse
- c: Janielle Jenkins, Legal Affairs, Governor's Office
- c: Erik Norris, Consultant with PMC for City of Plymouth
- c: Roger Stuart, Engineer, Amador County Public Works
- c: Charles Field, Executive Director, Amador County Transportation Commission