



COUNTY OF YOLO

Office of the County Administrator

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TO: **Supervisor Helen M. Thomson**, Chairwoman
and Members of the Board of Supervisors

FROM: **Dirk Brazil**, Deputy County Administrator
Christopher Lee, County-Tribe Coordinator

DATE: August 3, 2010

SUBJECT: Consideration of response to the draft Tribal Environmental Impact Report for the proposed Cache Creek Casino Resort Event Center Project by the Yocha Dehe Wintun Nation. (No general fund impact)

RECOMMENDED ACTIONS

- A. Approve the draft comment letter on the Tribal Environmental Impact Report for the proposed Cache Creek Casino Resort Event Center Project (Attachment A);
- B. Authorize the ad hoc Tribal Governmental Affairs subcommittee to approve the final response letter for the Chairwoman's signature once analysis of additional traffic impact data provided by the Yocha Dehe Wintun Nation is completed.

STRATEGIC PLAN GOAL(S)

These actions support the following strategic plan goals:

- Partnering and collaborating for a successful Yolo County by providing comments on the draft TEIR prior to the negotiation of an intergovernmental agreement between the County and the Tribe;
- Environmentally sensitive and quality county infrastructure, facilities and technology by providing the Tribe with comments on the off-reservation environmental impacts of the proposed project and mitigations; and
- Financially sustainable county government by acknowledging the fiscal impacts of the proposed event center project.

FISCAL IMPACT

No general fund impact.

REASON FOR RECOMMENDED ACTIONS

The final response letter will inform the Yocha Dehe Wintun Nation of the County's comments on the draft Tribal Environmental Impact Report (TEIR). The closing date of the draft TEIR comment period is August 6, 2010. In response to Yolo County's request for additional data regarding traffic impacts of the event center project, the Tribe offered to accept the County's comments until August 18, 2010, allowing additional time to analyze and comment on traffic impacts. The next Board of Supervisors meeting is not scheduled until after the close of the comment period. Allowing the ad hoc Tribal Governmental Affairs subcommittee to approve the final letter eliminates the need for a special meeting.

BACKGROUND

The Yocha Dehe Wintun Nation owns and operates the Cache Creek Casino Resort (CCCR) situated on federally-owned land that is held in trust for the Tribe and located on Highway 16 in Brooks, California. The CCCR is operated by the Tribe pursuant to a gaming compact with the State of California (Compact). The Compact requires that before beginning construction of any new "Project:" (as defined in the Compact), the Tribe prepare a TEIR analyzing the potentially significant off-reservation environmental impacts of that Project. That environmental analysis is to be conducted pursuant to a process described in the Compact.

The Yocha Dehe Wintun Nation Tribal Council authorized and directed the preparation of a TEIR for a project on the Trust Land that would add an event center and other components described in the TEIR to the Resort. A Notice of Preparation (NOP) of Tribal Environmental Impact Report for Cache Creek Casino Resort Event Center Project was filed by the Yocha Dehe Wintun Nation on January 19, 2010. The County responded to the NOP on February 18, 2010. The Tribe contracted with Analytical Environmental Services to prepare the draft TEIR. The Board of Supervisors received the draft TEIR and directed staff to prepare a response on June 8, 2010. Copies of the draft TEIR are available at the County Administrator's Office, online through the Tribe's dedicated website (www.cachecreekteir.com) and at local libraries.

The County convened a meeting of the Advisory Committee on Tribal Matters on July 21, 2010 at the Esparto Community Hall to receive comments and answer questions from committee and community members about the draft TEIR and process. Comments received at this meeting have been reviewed and incorporated where appropriate into the response letter.

The 45-day draft TEIR public review period ends on August 6, 2010, however, in response to a request by the County, the Tribe has offered to provide additional data on the traffic impacts of the proposed project and accept the County's comments until August 18, 2010. This extension will allow the County time to analyze the additional data and make better-informed comments on the draft TEIR.

OTHER AGENCY INVOLVEMENT

Staff has worked with the County Administrator's Office, County Counsel, County Departments, the Yolo County Advisory Committee on Tribal Matters and consultants Fehr and Peers (traffic), Luhdorff and Scalmanini (water) and Douglas Environmental (environmental) in bringing this letter forward.

Attachment A Letter of Response to draft TEIR