

# ***Stand Up For California!***

**“Citizens making a difference”**

standupca.org

**P.O. Box 355**  
Penryn, CA 95663

April 1, 2008

United Auburn Indian Community  
C/o AES,  
1801 7<sup>th</sup> Street, Suite 100  
Sacramento, CA. 95811

## **RE: Comment on Draft DEIS**

Mr. Zweig:

The United Auburn Indian Community over time has demonstrated its willingness to work with the County and surrounding community. Thus, Stand Up For California has prepared written comment regarding the proposed expansion of the Thunder Valley Casino and hopes that the Tribe will take into consideration some of the concerns expressed to our organization by community members.

The DEIS presentation was well publicized yet a relatively small number of citizens showed up and only two people signed up to give comment. The presentation of the proposed project of the Thunder Valley Casino was both orally and visually thorough. Nevertheless, the proposed development presents new concerns over past, present and future projects in Placer County. This project will effect and change the course of developments throughout Placer County for years to come.

### **Visual:**

The total height of the proposed project is 300 feet and will make the hotel/casino/convention center/theater complex the tallest building in all of the Roseville, Rocklin, and Lincoln area. The height of the building will clearly change the character of the area and establish a decision making precedent in Placer County's Planning Commission on future developments in the area. Currently only the downtown area of Sacramento has buildings that compare in height with the proposed expansion of Thunder Valley. The Wells Fargo building is the tallest in Sacramento at 30 stories and the Esquire at 22 and the EPA at 25. These are large public buildings located in a commercial area of the State Capitol. The height of these buildings presents an esthetic atmosphere contrary to that of the Roseville, Rocklin and Lincoln area.

In 1998 the United Auburn Indian Community agreed in their MOU to comply with County Ordinances. (Item 2 Memorandum of Understanding (MOU) between Placer County and UAIC 2000)



**Compliance with County Ordinances.** The Trust Lands identified in Exhibits A and B, and any new structures and changed uses on Parcel C, shall be used and developed in a manner consistent with and in compliance with all applicable Placer County general and community plans, zoning ordinances and design guidelines in effect at the time of the execution of this Agreement. Any future changes, additions or modification in the use or development of the parcels shall be subject to the County environmental review process and ordinances, County Plans, and County development standards, design guidelines and fees in effect at the time of the changes.

Placer County Zoning Ordinance, Section 17.54.020 Height Limits and Exceptions, applies to the new expansion. The current development height limit is 50 feet or 5 stories. The proposed 24 story building will be an additional 240 feet above the current limit. (The casino already has an exception for a 5 foot antenna.) The ordinance provides an exception to its prohibition for a hotel or other public or quasi public buildings *via* a conditional use permit. The Tribe must apply for a "*conditional use permit*" which will necessitate a vote of the Placer County Planning Commission for approval. Clearly this will require a public hearing.<sup>1</sup> Moreover, the Planning Commission must establish reasonable criteria upon which to make their decision, as they will be establishing a new precedent in Placer County.

Under section 8.0 of the DEIS the Height of the building, the visual impact is listed as less than significant and no mitigation is necessary. Considering that the height of the building requires a *conditional use permit* and a *vote of the Planning Commission*, that finding is inconsistent with a standard of less than significant. The tower would rise above existing topography and be visible in many off Reservation areas where views of the existing casino are currently not possible.

The DEIS concludes that the impact to the scenic vista is less than significant, but provides insufficient data or analysis to support this conclusion. This failure prevents the public from the opportunity to consider meaningfully the impacts of the proposed project. Clearly the proposed height of the development has the potential to degrade the off reservation environments visual quality and affect all future developments in the surrounding area. Stand Up For California respectfully requests that the final environmental document consider and evaluate Project alternatives that include more modest lower height hotel designs that blend with the surrounding environment to mitigate this clearly significant impact.

#### **Fire Fighting Apparatus and Equipment:**

In 2003 Placer County and the UAIC amended the MOU to address the needs of increased fire and emergency services to Parcels A and B. This amendment to the 1998 MOU required the County of Placer to provide all of the fire apparatus and equipment necessary to operate and respond from the Tribal Fire Station. (2003 Amendment G.)

**G. The County shall provide all of the fire apparatus and equipment necessary to operate and respond from the Tribe's station.**

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<sup>1</sup> Please add Stand Up For California to the notification list for future Planning Commission Hearings that will allow for public comment.



What equipment and apparatus is necessary for a 24 story, 300 ft. building? Since the County in this amendment is required to provide the equipment, how much does it cost? Certainly the UAIC recognizes that such equipment at this time is only necessary for a building that exceeds the 50 foot height limitation and would only be available from the Tribal fire station. Respectfully, I request the Tribe to give serious consideration to amending the MOU to include the cost of fire apparatus and equipment that appears necessary for only the proposed project.

**Under the Cumulative Impacts Analysis:**

The Draft DEIS identifies proposed future development projects but it does not discuss any known future project in assessment of individual environmental factors or the cumulative effect of this project when viewed with the past, present and other future projects.

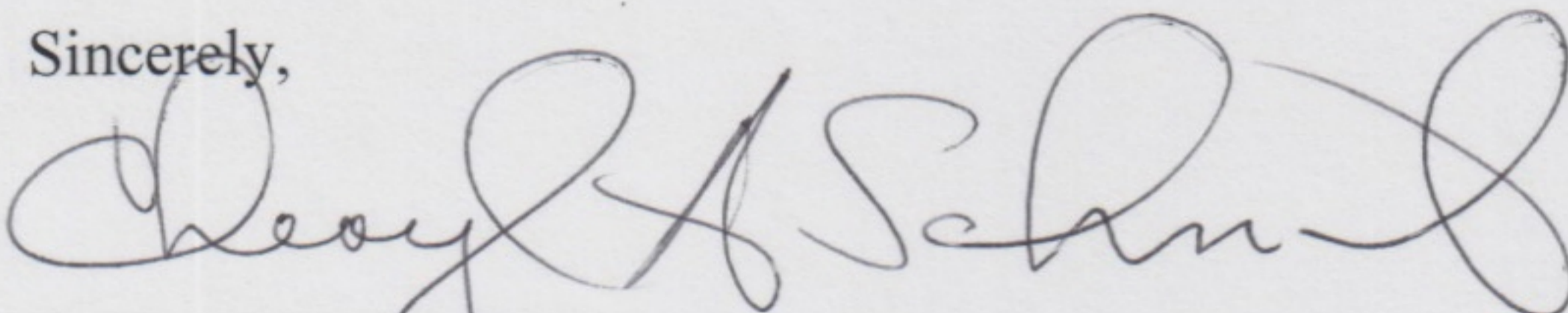
Of specific concern is the Regional University Specific Plan. In 1998 a message that the Placer County Citizens for Community Rights repeated was that the Casino should not be located within two miles of any home church or school. Without question, the community is growing up around the casino. County planners were careful in 1998 to ensure that residential communities were not placed too closely to the casino. However, with the new Regional University Specific plan it appears that a four year university would be built within a mile or so of the casino. This presents substantial traffic circulation concerns, as well as impacts on social cultural systems within the County.

It is important that the final environmental document analyze impacts from this proposed future project to educate the decision makers about whether, or how to alter the casino expansion project or the University Project to lessen cumulative impacts.

The MOU between Placer County and the UAIC established long term guarantees. Placer County is the first county nationwide to sign an enforceable land use contract with an Indian tribe. The steps taken and relationships developed in 1998 to mitigate the United Auburn Indian Community's proposed casino in the industrially zoned area of the county have served as a model for the State of California and the nation.

Stand Up For California thanks you for this opportunity to make comment on the DEIS and hopes that you will give your kind consideration to the comments.

Sincerely,



Cheryl Schmit – Director

916-663-3207

[schmit@hughes.net](mailto:schmit@hughes.net)

CC: Placer County