

Appendix F

Revised Alternatives Eliminated from Consideration

Alternatives Considered but Eliminated from Further Consideration

During the NEPA process, federal agencies are required to “study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources” (NEPA Section 102(2)(H)). The Council on Environmental Quality (CEQ) indicates that what constitutes a “reasonable range” of alternatives depends on the nature of the proposal and the facts in each case (CEQ, 1986), and that “[r]easonable alternatives means a reasonable range of alternatives that are technically and economically feasible, and meet the purpose and need for the proposed action” (1508.1(z)).

Alternatives other than the No Action/No Development Alternative were screened based on five criteria: 1) extent to which they meet the purpose and need for the Proposed Action; 2) feasibility from a technical and economic standpoint; 3) feasibility from a regulatory standpoint (including ability to meet the requirements for establishing connections to newly acquired lands for the purposes of the “restored lands”); 4) ability to avoid or minimize environmental impacts; and 5) ability to contribute to a reasonable range of alternatives.

The EA fully analyzes the Tribe’s Proposed Project (Alternative A), a Reduced-Intensity Alternative (Alternative B) and a Non-Gaming Alternative (Alternative C). Both on-site and off-site options are considered for water and wastewater under each alternative. Alternative A consists of the transfer of the 160-acre Project Site into federal trust status for the benefit of the Tribe for gaming purposes (Proposed Action) and the subsequent development by the Tribe of a casino facility, Tribal housing, Tribal administration building, and associated parking and infrastructure on the Project Site. Alternative B is similar to Alternative A, except that the Tribal housing and Tribal administration component would not be built. Alternative C includes the development by the Tribe of a commercial center, two hotels, Tribal housing, and Tribal administration building.

Additional alternatives considered but rejected from full analysis are listed in **Table 1**. These alternatives were eliminated because they did not meet the established screening criteria.

Table 1: Alternatives Considered but Eliminated from Further Consideration

Alternative	Reason for Elimination from Consideration
Alternative configurations of the Tribe's Proposed Project	<p>The Proposed Project has been designed and sited on the project site with consideration of several development constraints. Various configurations have been considered since at least 2016, when an initial site plan was submitted with the Tribe’s fee-to-trust application. The site plan considered a larger development footprint than what is currently proposed and has been reduced over time based on the following constraints:</p> <ul style="list-style-type: none"> • Development in the southwestern corner of the project site is limited by an existing easement which reduces the developable area of the site. • A 1.6-acre freshwater marsh wetland is located on the southern portion of the project site. In order to reduce environmental impacts, most or all of the wetland is proposed to be avoided.

Alternative	Reason for Elimination from Consideration
	<ul style="list-style-type: none"> • Due to steep slopes and landslides the development footprint of the Proposed Project has been modified over time. Mapping of topography and landslides is included in EA Appendix D and Appendix C. • Development in the northeastern portion of the site is limited by biological constraints. Biological constraints in this area include critical habitat, Callippe silverspot butterfly host plant habitat, and California rare plant Jepson’s leptosiphon (<i>Leptosiphon jepsonii</i>) habitat. Mapping of these constraints is included in EA Appendix H-3 and Appendix H-1. <p>The Tribe considered developing the casino facility on the southeastern portion of the project site (Assessor’s Parcel Number 0182020020); however, an adequate setback from an existing landslide could not be accommodated. Mapping of landslides is included in EA Appendix D.</p> <p>Alternative configurations within the proposed development area (e.g., swapping the location of the casino building and Tribal housing would have substantially similar environmental impacts in comparison to the Proposed Project. Consequently, alternative configurations would not avoid or minimize environmental impacts or contribute to a reasonable range.</p>
Reduced Casino Size Alternative	As discussed above, the area for development is limited due to steep slopes, landslides and biological constraints. Due to these factors, the casino, parking, and other uses are combined into one eight-story building. A similar footprint would be required to accommodate an economically viable reduced casino alternative in order to accommodate parking, amenities, and back-of-house facilities. The size of the gaming component is consistent with regional market factors as discussed in the Market Study, EA Appendix A. Thus, reducing the size of the casino component would not avoid or minimize environmental impacts or contribute to a reasonable range.
An on-site alternative that develops more housing than the Proposed Project	Various configurations of development were considered including the development of more than 100 Tribal homes on the project site. Due to topographic constraints, landslides, and biological constraint, the housing component was reduced in size. Biological constraints include critical habitat, Callippe silverspot butterfly host plant habitat, and California rare plant Jepson’s leptosiphon (<i>Leptosiphon jepsonii</i>) habitat north and east of the proposed housing site. This alternative would not avoid or minimize environmental impacts or contribute to a reasonable range.
Off-Site Alternatives	<p>Off-Site Alternatives General Discussion</p> <p>Consideration of a highly speculative circumstance under which the Tribe would be able to purchase an alternative site that could be developed with an economic enterprise with which to fund the tribal government would not aid in expanding the range of alternatives in a manner that promotes informed decision-making. Consideration of such an alternative would speculate that the Tribe would be able to purchase said site, and that the financial benefits of developing such a site would accomplish the purpose and need for the Proposed Action. Therefore, consideration of an alternative site was rejected from full</p>

Alternative	Reason for Elimination from Consideration
	<p>analysis as it would not meet the definition of a reasonable alternative that is feasible from an economic and technical standpoint, and thus would not accomplish the purpose and need for the Proposed Action.</p> <p>While a “Restored Lands” opinion has not yet been issued by the BIA, the site ultimately chosen as the Project Site appears to meet certain regulatory requirements for “restored lands” in that it is within 25 miles of the Tribe’s headquarters as well as where a significant number of residents reside. It was also determined to be a suitable size for development.</p> <p>As detailed in the EA, with mitigation there would be no residual significant and unavoidable environmental effects from the Proposed Project. Thus, there is reduced need to look at off-site alternatives to minimize environmental impacts.</p> <p>Additional factors related to the elimination of specific off-site alternatives are discussed below:</p> <p>Specific Off-Site Alternatives Discussion</p> <p><u>Sugar Bowl Rancheria.</u> In 1911, the United States acquired a small parcel of land for Scotts Valley known as the Sugar Bowl Rancheria. Scotts Valley continued to hold that land until 1958, when Congress enacted the California Rancheria Termination Act, Pub. L. No. 85–671, 72 Stat. 619 (1958), which terminated both the federal trust relationship with the Tribe as well as the reservation status of the Sugar Bowl Rancheria. Nearly all of this land has passed to non-Indian ownership. Today, there is less than ½ acre of the original Rancheria left and it is held as an allotment by a tribal member. It would not be technically feasible to develop a project which could meet the purpose and need for the Proposed Action on a site of this size and speculative as to whether the Tribe could acquire it and develop an economically feasible alternative.</p> <p><u>29.9-Acre Contra Costa County Site.</u> The Tribe went through a lengthy National Environmental Policy Act (NEPA) process which began in 2004 with a Notice of Intent to prepare an Environmental Impact Statement for a proposed casino project on a 29.9-acre site in Contra Costa County, contiguous with the City of Richmond. A Draft EIS was released in 2006 and a Final EIS was released in 2007. In 2012, the Assistant Secretary – Indian Affairs and the Solicitor determined that the site would not qualify as Restored Lands. Based on this decision, this alternative was eliminated from consideration but the environmental effects of this alternative have been fully analyzed. The site is also limited and does not provide room for Tribal housing.</p> <p><u>33.5-Acre Lake County Fee Site.</u> The site consists of one individual parcel (APN 009-021-07) and is located immediately southeast of the Highway 29 and Soda Bay/Red Hills Road intersection. The site is located within unincorporated Lake County approximately 2.75 miles south of the South Shore of Clear Lake, and less than ten miles away from the communities of Kelseyville, Lower Lake, and the City of Clear Lake. Regional access to the site is provided by Highway 20, Highway 29, and Highway 53. The site was considered as an alternative but eliminated from consideration as discussed in the 2007 Final EIS. The Lake</p>

Alternative	Reason for Elimination from Consideration
	<p>County site was acquired with funding from the HUD for residential and other Tribal purposes (administration, recreation, etc.). The Tribe intends to expand the residential potential on the site.</p> <p><u>Other Lake County Properties Owned by the Tribe.</u> The Tribe owns a number of small properties in scattered locations of Lake County. These properties are generally one acre or less in size, with the exception of a 3.45-acre property and 20-acre property. These properties are currently used for Tribal housing and thus not available for commercial development. It would not likely be technically feasible to develop a project which could meet the purpose and need for the Proposed Action on sites of 20 acres or less.</p> <p><u>±100-Acre Valley Oaks Site in Lake County.</u> The site consists of over 100 acres on multiple parcels in Hidden Valley Lake, Lake County. The site is located to the northeast of Highway 29 and just north of Highway 104. The site is between Putah Creek to the south and Coyote Creek to the north. Currently there is a Grocery Outlet located on the property that is in business. It is speculative as to whether the Tribe could acquire these properties and develop a technically and economically feasible alternative. A USFWS IPaC search resulted in the potential to encounter federally-listed and candidate species including: northern spotted owl, northwestern pond turtle, monarch butterfly, conservancy fairy shrimp, Burke’s goldfields, Lake County stoncrop, many-flowered navarretia, and slender Orcutt grass. The site is located outside of the 25-mile radius of the Tribes’ headquarters in Lakeport and Concord and thus may not meet the requirements for “restored lands”.</p> <p><u>36-Acre North State Street Interchange Site in Ukiah.</u> The site consists of approximately 36 acres in Ukiah, in Mendocino County. The location of this site is over 100 miles from the Tribe’s Concord headquarters and is not considered centrally located in relationship to the membership of the Tribe and thus would not fulfill the purpose of reuniting its citizens in one location and in an area that will provide substantial social, cultural, and economic opportunities to its members. The site may not provide room for Tribal housing opportunities and it is speculative as to whether the Tribe could acquire it and develop an economically feasible alternative.</p> <p>As discussed in the Tribe’s Fee-to-Trust Application, with a significant number of Tribal members living in the San Francisco Bay area, the Tribe uses its southern (Concord) office is for many governmental activities and services, including General Council and Tribal Council meetings. In addition, the Tribe maintains at the southern office its government administration and operations; information technology department, health and wellness departments (that provide services such as Temporary Assistance for Needy Families, Indian Child Welfare Act, housing, grant oversight, counseling and case management); and the transportation department. This location is used for nearly all on-site meetings with the Department of the Interior, Bureau of Indian Affairs, Indian Health Services, Administration for Children and Families, as well as with the California Tribal TANF Coalition. It is also the location where the Tribe holds most tribal celebrations and reunions.</p>

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	<p><u>129-Acre Cinemas and Lakeshore Boulevard Sites in Lakeport.</u> The sites consist of approximately 26 acres of commercial land (Cinemas Site), and approximately 103 acres of residential land (Lakeshore Boulevard Site) in Lakeport, in Lake County. The Cinemas Site consists of four parcels with buildings on two of the parcels (3.5 and 8.1 acres, undeveloped land on one (5.9 acres), and the other containing wetlands (8.4 acres). The Lakeshore Boulevard Site consists of one parcel (APN 004-029-33-00) with single family residential low density, scenic combining, and waterway zoning. These sites are not as centrally located between the primary Tribal population centers in Northern California. It is speculative as to whether the Tribe could acquire the sites and develop an economically feasible alternative. The sites are also further from the Tribe’s Bay Area population and headquarters as discussed for the 36-Acre North State Street Interchange Site in Ukiah, and thus would not meet the purpose and need as well as the Project Site under consideration in the EA.</p> <p><u>+200-Acre Alexander Valley Resort and Residences Site in Cloverdale.</u> The site consists of over 200 acres in the City of Cloverdale in Sonoma County. Like the sites listed above, this site is not as centrally located between the primary Tribal population centers in Northern California. The site is over 50 miles northwest of the current Project Site. The site is adjacent to the Cloverdale Rancheria of Pomo Indians' Proposed 65-Acre Fee-to-Trust Acquisition and Resort Casino Project Site, which was approved by the BIA. Development on an adjacent site would likely significantly affect the viability of the Cloverdale Rancheria Project and was eliminated from further consideration.</p>
Alternative with on-site wastewater disposal	As discussed in EA Appendix B, wastewater disposal area is limited by the development area needed for the alternatives, topography, and site infiltration capacity. These conditions can contribute to run-off which must be carefully managed when using recycled water. An infiltration study was performed for the project site in April 2024 which found very low infiltration soil capacities at the site; those results are included in Appendix B of Appendix B. Therefore, an alternative that disposes treated wastewater on site would not be feasible or reduce potential environmental impacts.
Alternative with on-site water wells	This alternative was fully evaluated but removed as an option from the Final EA following the development of a Cooperative Agreement between the Tribe and the City of Vallejo (see Section 1.6 of the Final EA for additional discussion of the Cooperative Agreement). Use of the City’s water supply system is considered an environmentally superior alternative as there would be less on-site development and less potential for water resources in and around the Project Site to be negatively impacted.
Alternatives that do not include approval of a gaming management contract by National Indian Gaming Commission (NIGC)	For each alternative which includes a casino, the gaming activity may either be managed directly by employees of the Tribe or by a management contractor pursuant to a gaming management agreement approved by the NIGC. Under either form of management, the environmental impacts of the development of the casino for each alternative are the same. Therefore, analyzing gaming development alternatives that do not include approval of a gaming

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	management agreement by the NIGC would not meaningfully contribute to the reasonable range of alternatives and such alternatives were eliminated