


Notice of Preparation  
of a  
Draft Tribal Environmental Impact Report  
for the  
**FLYING CLOUD GAMING AND  
ENTERTAINMENT  
FACILITY PROJECT**



Prepared for:  
Buena Vista Rancheria of  
Me-Wuk Indians of California

Prepared by:  
 Jones & Stokes

February 2006



# Notice of Preparation for the Flying Cloud Gaming and Entertainment Facility Project Draft Tribal Environmental Impact Report

## General Information

**To:** State Clearinghouse, Office of Planning and Research (15 copies)  
P.O. Box 3044 (for delivery, 1400 10<sup>th</sup> Street, Room 222)  
Sacramento, CA 95812-3044

Amador County Board of Supervisors (5 copies)  
500 Argonaut Lane  
Jackson, CA 95642

Amador County Planning Department (1 copy)  
Attn: Susan Grijalva, Planning Director  
500 Argonaut Lane  
Jackson, CA 95642

City of Ione (1 copy)  
Attn: City Council  
P.O. Box 398 (for delivery, 1 East Main Street)  
Ione, CA 95640

Andrea Lynn Hoch  
Legal Affairs Secretary  
Office of the Governor (1 copy)  
State Capitol  
Sacramento, CA 95814

**From:** Rhonda L. Morningstar Pope  
Buena Vista Rancheria of Me-Wuk Indians of California  
P.O. Box 162283  
Sacramento, CA 95816

**Subject:** Filing of the Notice of Preparation (NOP) of a Draft Tribal Environmental Impact Report (TEIR) in compliance with Section 10.8.2 of the *Amendment to Tribal-State Compact between the State of California and the Buena Vista Rancheria of Me-Wuk Indians of California* (Compact). This NOP is being circulated only in compliance with Section 10.8.2 of the Compact.

**Lead Agency:** Buena Vista Rancheria of Me-Wuk Indians of California (Tribe).

**Project Title:** Buena Vista Rancheria Flying Cloud Gaming and Entertainment Facility (Project).

**Project Location:** The proposed project site is located on Tribal land in Amador County on the east side of Coal Mine Road, approximately 1 mile south of the unincorporated town of Buena Vista, 5 miles southeast of the city of Ione, 28 miles northeast of the City of Stockton, and 32 miles southeast of the city of Sacramento. The site address is 4650 Coal Mine Road, Ione, California 95640. The casino site is located on a 67.5-acre parcel in the east ½ of the east ¼ of Section 19, Township 5 North, Range 10 East. The Assessor Parcel Number is 012-100-005.

**Project Description:** The Tribe is proposing to develop, construct, and operate a Gaming and Entertainment Facility on Tribal land located on the east side of Coal Mine Road near the unincorporated town of Buena Vista in Amador County, California (Figure 1). The entire Rancheria Tribal land consists of approximately 67.5 acres; the area proposed to be developed is approximately 17.06 acres located roughly in the central portion of the Tribal land (Figure 2).

In addition to the Gaming and Entertainment Facility, the proposed development includes construction of a multi-level parking garage, a wastewater treatment facility, three water supply wells and accompanying water transport pipelines, water supply treatment and storage facilities, landscaping, lighting, and an access driveway intersecting Coal Mine Road. Areas of the Tribal land not proposed for development (approximately 50.44 acres) have been designated by the Tribe as Archaeological and Biological Resource Protection Areas.

**Action Requested:** The Tribal Council of the Buena Vista Rancheria will be the Lead Agency pursuant to the Compact and will prepare a Draft Tribal Environmental Impact Report for the Project identified herein.

The Tribe respectfully requests your input, or the views of your agency, regarding the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the approval for the Project. Your agency will be requested to utilize the Draft TEIR prepared by the Tribe when considering any permit or entitlement you may issue related to the

Project. Please provide your comments regarding the off-Reservation environmental issues and reasonable mitigation measures that the Tribe should address in the Draft TEIR.

Due to the time limits mandated by the Compact, your response must be sent at the earliest possible date, but not later than 30 days after the receipt of this notice by the State Clearinghouse and by Amador County.

**Date of receipt by State Clearinghouse and Amador County:** February 10, 2006

**Date comments are due:** March 13, 2006.

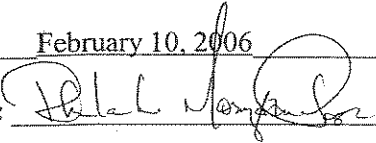
**Please send your comments to the address below.**

Buena Vista Rancheria of Me-Wuk Indians of California  
Attention: Comments on Notice of Preparation  
P.O. Box 162283  
Sacramento, CA 95816

**Project Title:** Buena Vista Rancheria Flying Cloud Gaming and Entertainment Facility.

**Project Applicant:** Buena Vista Rancheria of Me-Wuk Indians of California.

**Date:** February 10, 2006

**Signature:** 

**Name:** Rhonda L. Morningstar Pope

**Title:** Tribal Chairperson

## Project Description

The Buena Vista Rancheria of Me-Wuk Indians of California (Tribe) is proposing to develop, construct, and operate the Flying Cloud Gaming and Entertainment Facility Project (Project) on Tribal land near the unincorporated town of Buena Vista in Amador County, California (Figure 1). The entire Rancheria Tribal land encompasses approximately 67.5 acres; the area proposed for development encompasses 17.06 acres located roughly in the central portion of the Tribal land (Figure 2).

In addition to the Gaming and Entertainment Facility, the Project includes construction of a multi-level parking garage, a wastewater treatment facility, three water supply wells and accompanying water transport pipelines, water supply treatment and storage facilities, landscaping, lighting, and an access driveway intersecting Coal Mine Road. Areas of the Tribal land not proposed for development (50.44 acres) have been designated by the Tribe as Archaeological and Biological Resource Protection Areas.

## Project Components

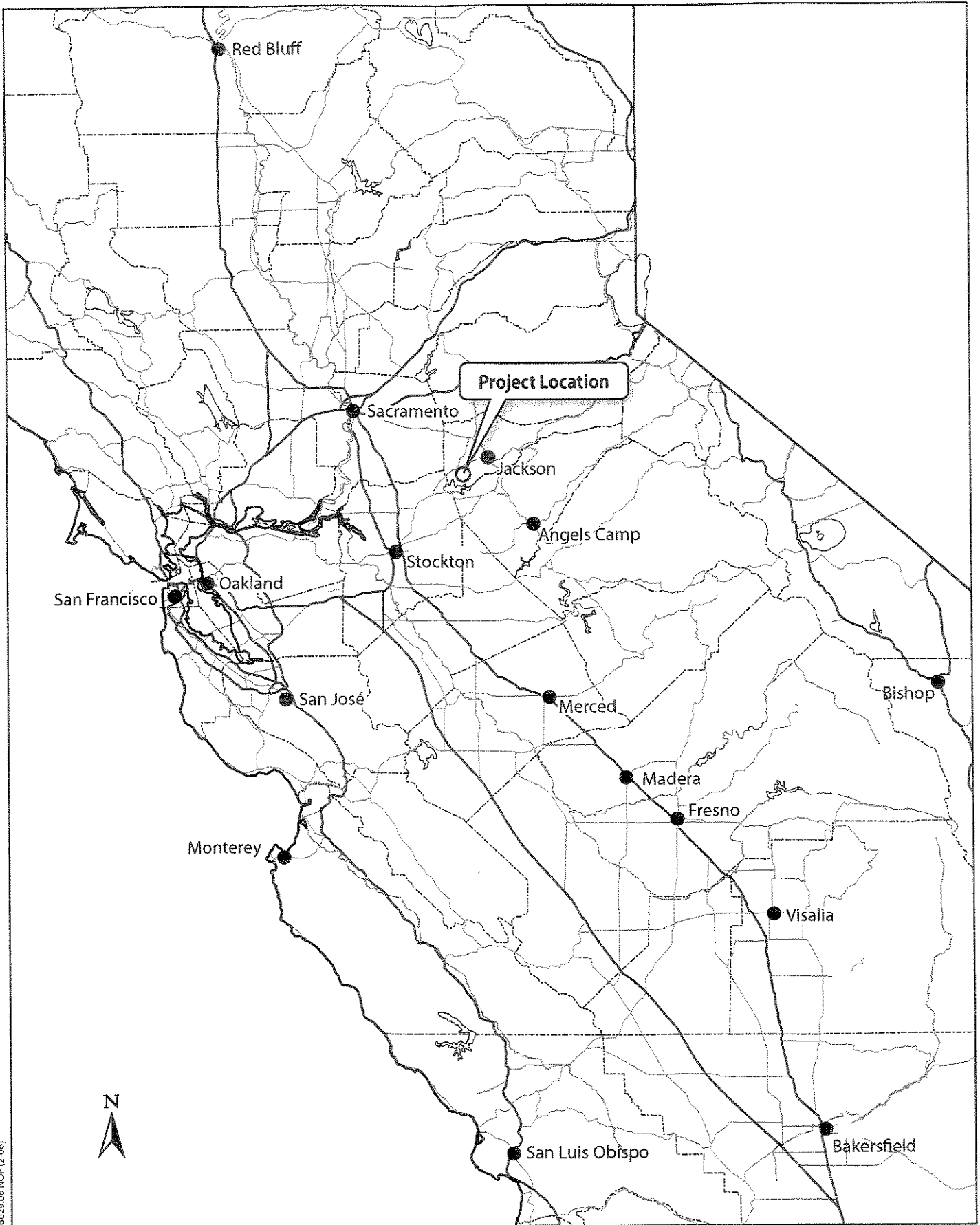
### Gaming and Entertainment Facility

The Tribe is proposing to construct a multi-level Gaming and Entertainment Facility of approximately 260,000 square feet (Figure 3). The Project would be designed to accommodate approximately 2,000 slot machines and 80 gaming tables. Additional amenities would include restaurants, dining areas, an entertainment lounge, a retail shop, and a multipurpose showroom. Proposed restaurants and dining areas include a buffet, an Asian restaurant, a 24-hour grill, a steakhouse, and a food court/fast food area. *Back of house* areas, comprising approximately 60,000 square feet of the total facility, would include surveillance facilities, administration/finance/ accounting offices, an employee dining room, a break room, mechanical space, and kitchen areas (Figures 4 and 5).

### Parking

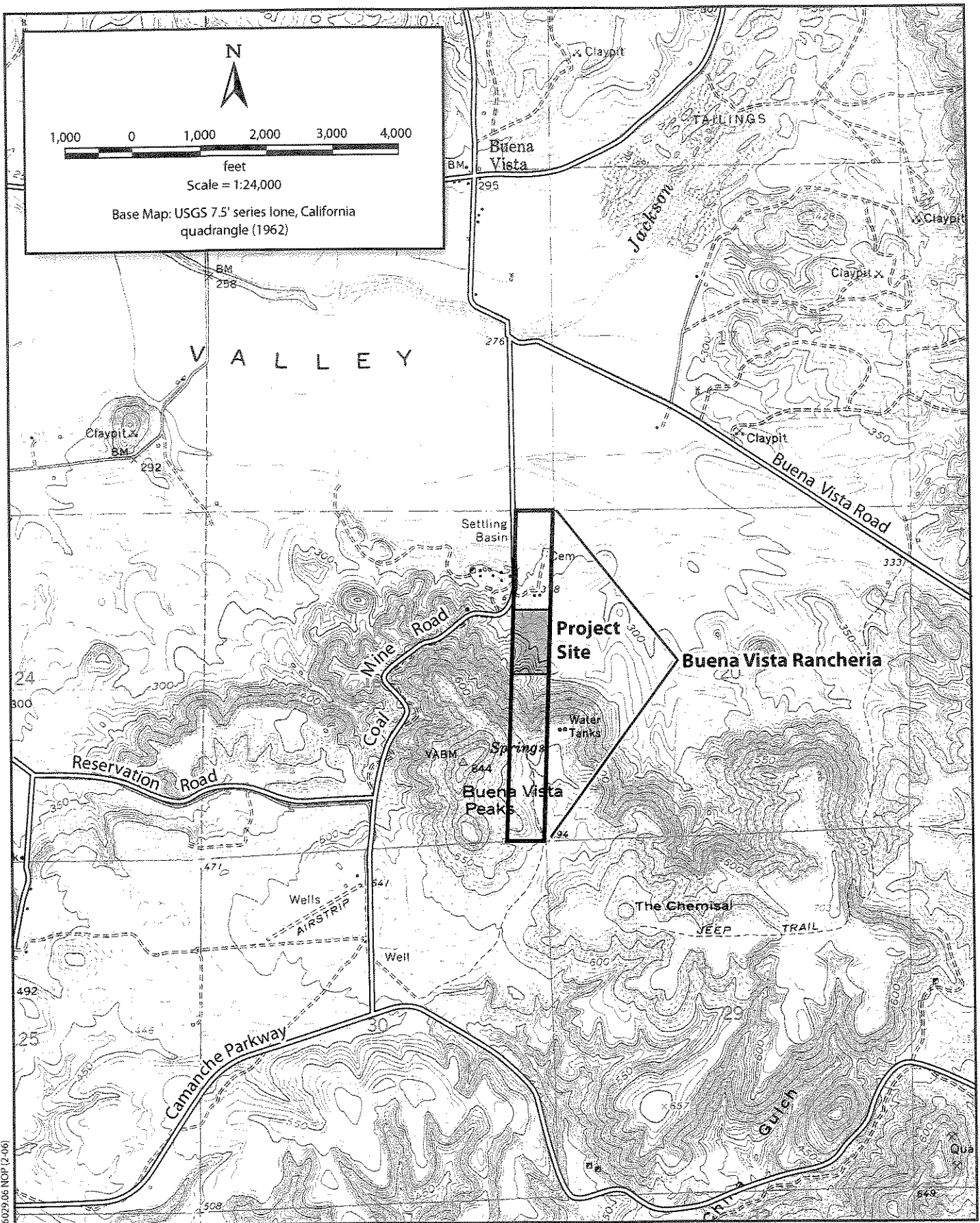
Proposed parking facilities comprise valet parking on the ground and mezzanine levels below the main casino floor and a nine-level parking garage adjoining the Gaming and Entertainment Facility. The valet parking would provide parking for 560 vehicles. The nine-level parking garage would provide parking for 2,828 vehicles and 58 handicapped parking spaces, for a total of 3,446 onsite parking spaces. In addition to these parking spaces, five spaces would be provided for buses. The parking facility would also house approximately 70,000 square feet of maintenance, warehouse, housekeeping, and other administrative space, as well as truck loading bays and parking for service vehicles. The loading bays





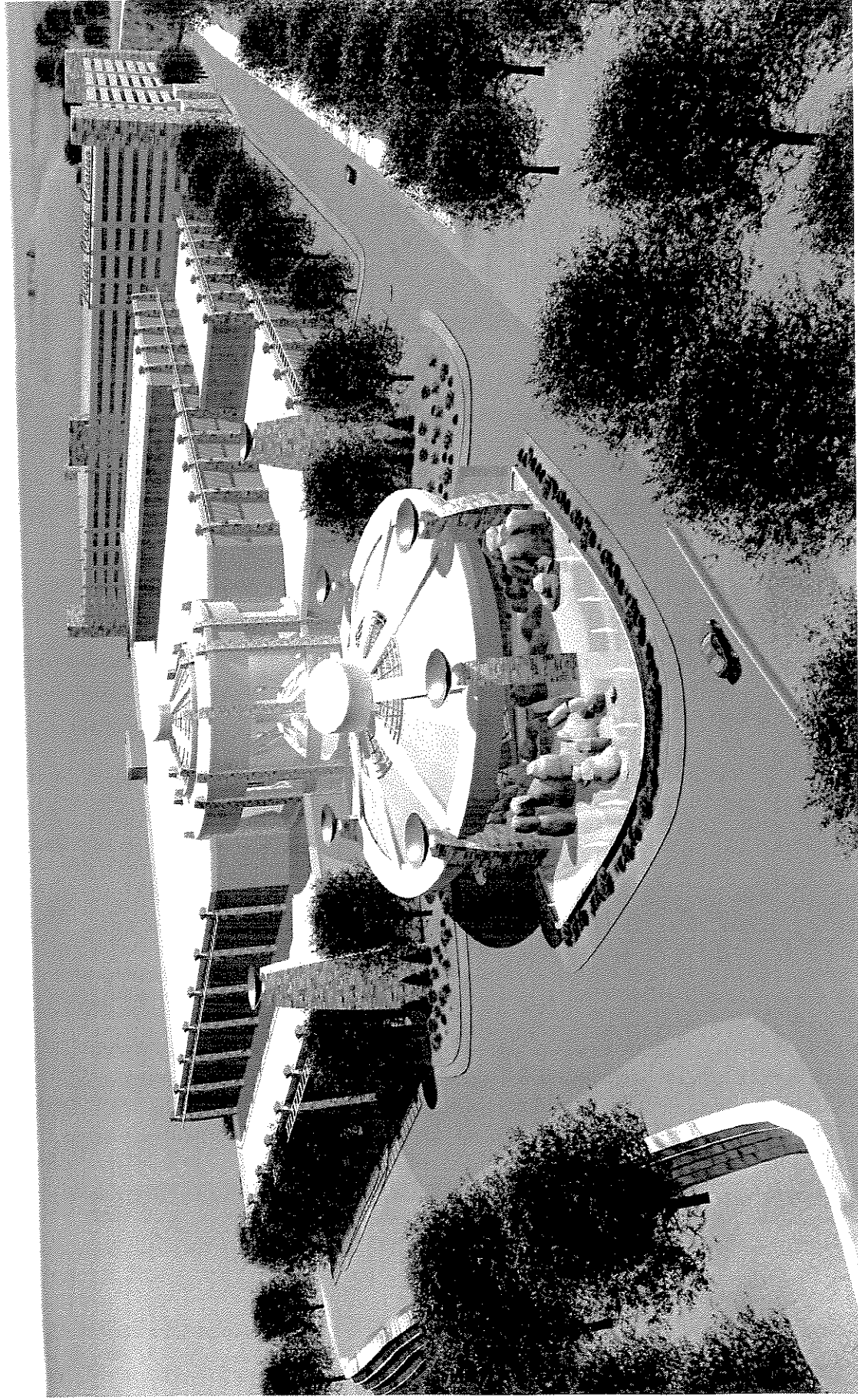
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**Figure 1**  
**Regional Location**

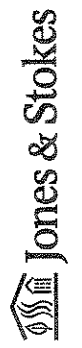


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**Figure 2**  
**Project Vicinity**

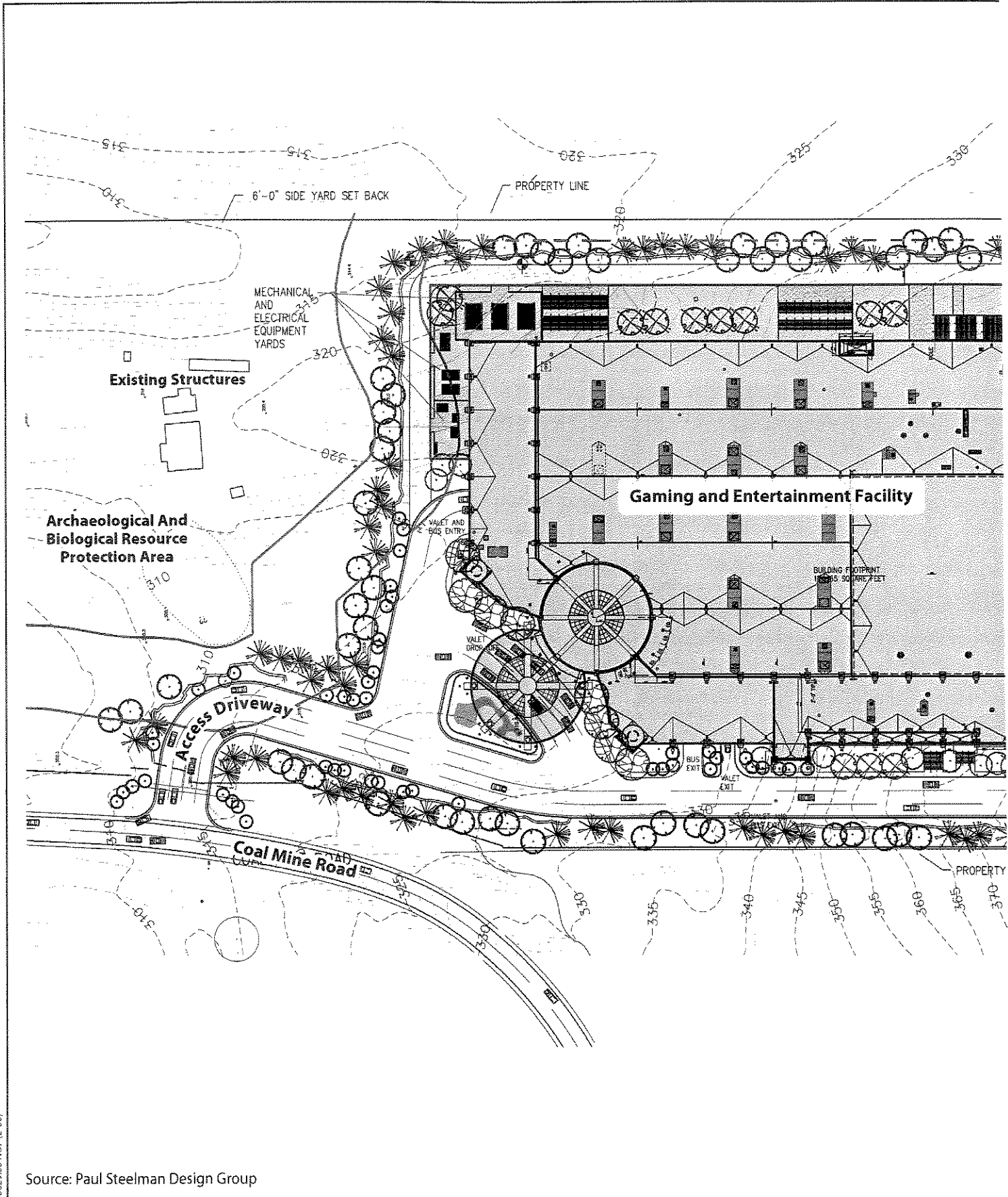


Source: Paul Steelman Design Group



**Figure 3**  
**Visual Simulation of Proposed Gaming and Entertainment Facility**

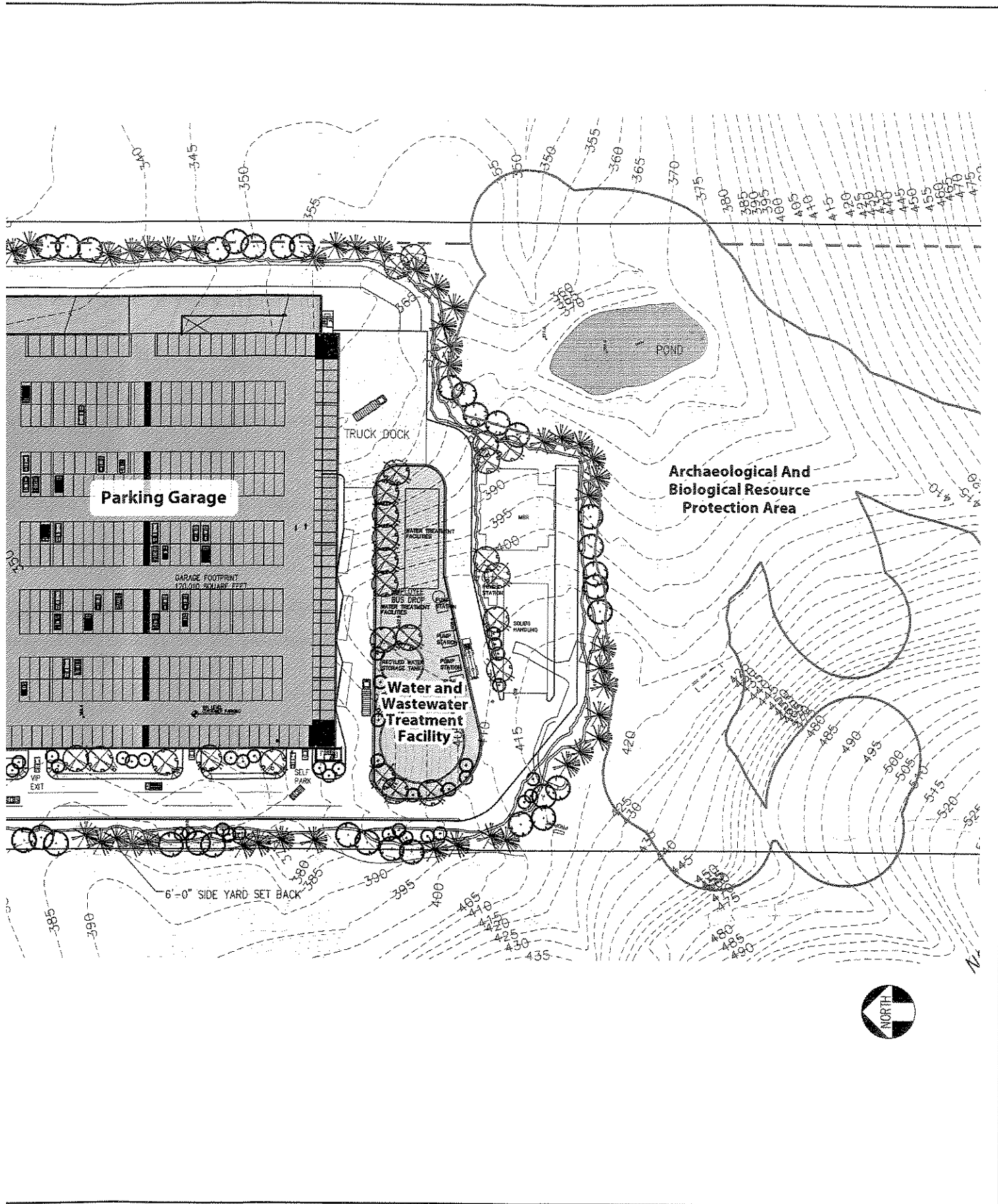




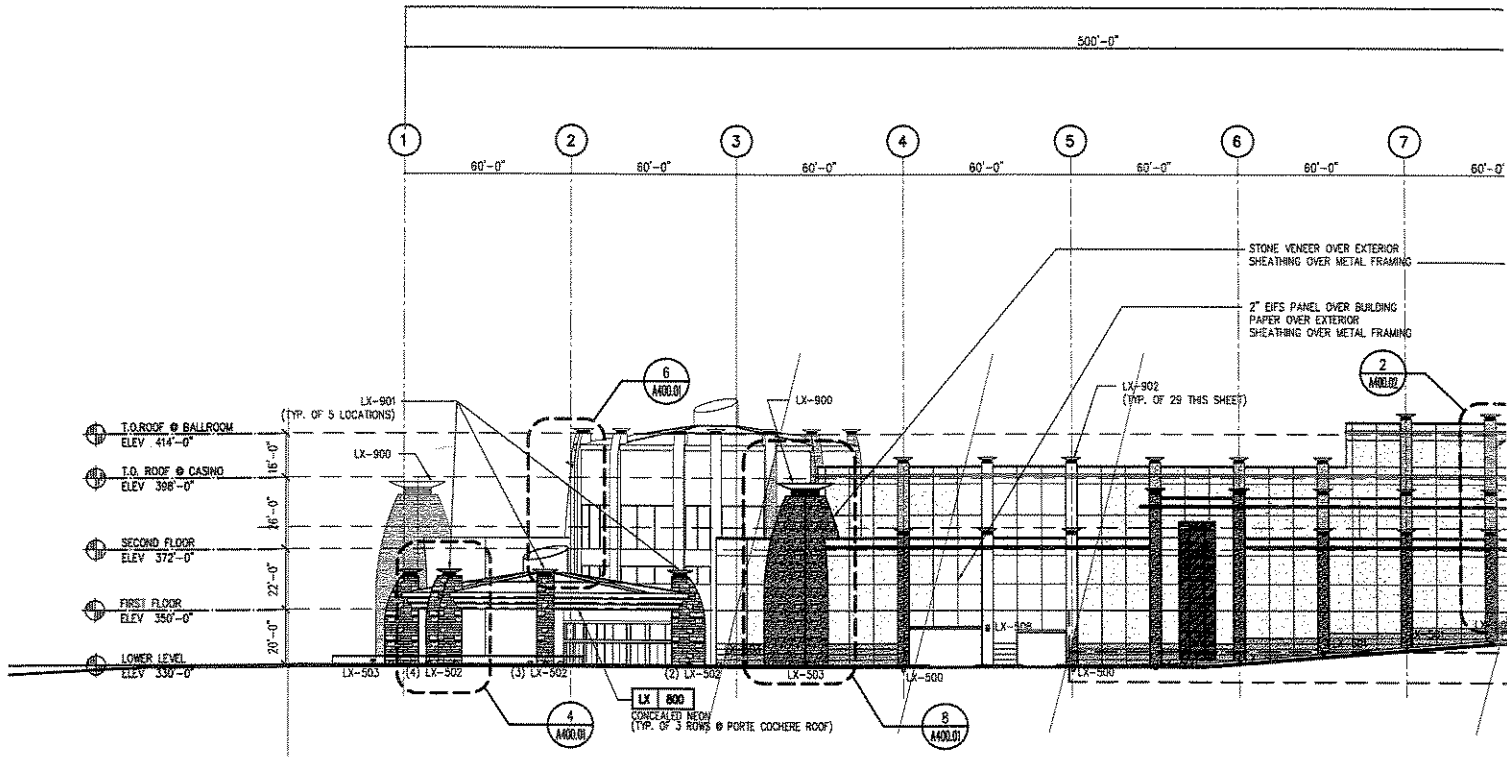
06029.06 NOP (2.06)

Source: Paul Steelman Design Group

Figure 4A



**Figure 4 b**  
**Master Site Plan**

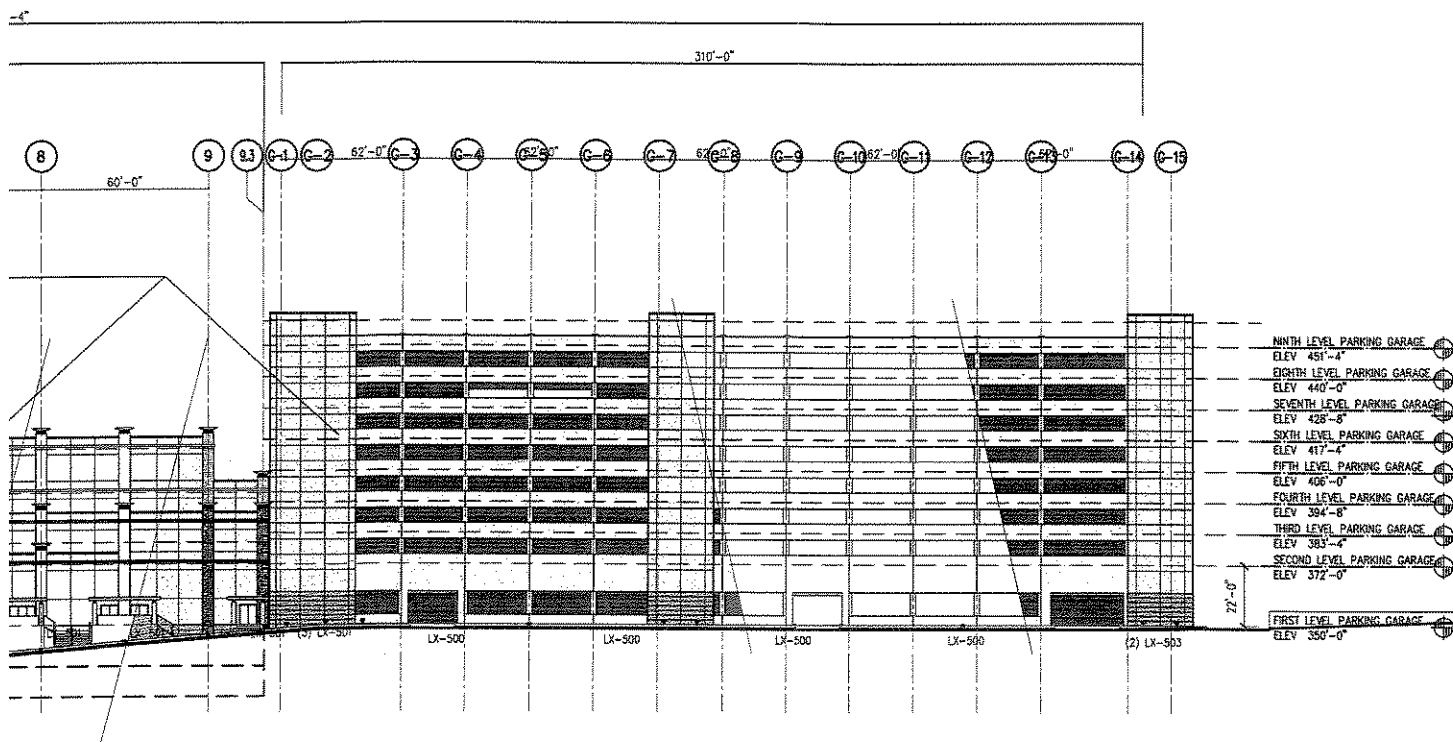


1 WEST ELEVATION  
 A400 SCALE: 1" = 30'-0" H: DWG\

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Source: Paul Steelman Design Group

Figure 5A



BUENA VISTA \Database \ELEV-WEST-BV.dwg

Figure 5B  
Exterior Elevation



and service vehicle parking would be located on the southeast side of the parking garage.

## Water System

Estimated potable water demands for the Project are 140,000 gallons per day (gpd) weekday day, 220,000 gpd weekend day, and 170,000 gpd average day. The recommended water supply is 170,000 gpd, representing the average day. Onsite and offsite sources are expected to supply the Facility's water demands.

A potable water treatment and storage facility would be located south of the parking garage and north of the wastewater treatment facility. A potable water storage tank, with a proposed capacity of approximately 1,000,000 gallons, would be constructed for water storage. This capacity would be adequate to satisfy the requirements for fire flow as specified by the local fire jurisdiction. In addition to the storage tank, the potable water system would include water treatment facilities, water filters, and onsite water conveyance piping.

## Wastewater Treatment Facility

A tertiary treatment plant meeting standards at least equivalent to those of California Title 22 would be constructed on site to treat wastewater. The onsite treatment plant, with a capacity of 333,000 gpd (nominal capacity 350,000 gpd), located south of the parking garage, would provide disinfected tertiary recycled water. This category of recycled water includes secondary effluent that has undergone tertiary treatment.

Tertiary-treated effluent waters would be reused for non-potable domestic water uses, where appropriate, and as landscape irrigation water. Tertiary-treated wastewater effluent would be disposed of in accordance with applicable federal and state regulations.

## Recycled Water

Wastewater that has been treated sufficiently to meet or exceed the California Department of Health Services comprehensive recycled water regulations (which define treatment processes, water quality criteria, and treatment reliability requirements for public use of recycled water [Title 22, Division 4, Chapter 3 of the California Administrative Code]) would be used for flush toilets and urinals, where appropriate, and as landscape irrigation water in order to reduce potable water demand.

An onsite recycled-water storage tank of approximately 250,000 gallons would be constructed for reclaimed water storage.

## Stormwater Drainage Plan

As a result of the construction of buildings, paved areas, and other newly introduced impervious surfaces, the Project would result in higher runoff volumes during rain events. The Project includes a stormwater drainage plan to collect stormwater discharge from impervious surfaces on the Rancheria and route the discharge through specifically designed catch basins, vaults, and filters (for entrapment of sediments, debris, and oils).

Storm water from the water and wastewater treatment areas would be collected and directed back to the wastewater treatment plant.

## Protection and Management of Significant Resources on Rancheria Lands

Areas of Tribal land not proposed for development (50.44 acres) have been designated by the Tribe as Archaeological and Biological Resource Protection Areas. The Tribe has developed and will implement a Resources Protection and Management Plan that specifies how important cultural and biological resources on the Rancheria will be protected, interpreted, and managed. It is anticipated that technical biological and cultural resource studies being conducted in conjunction with the Project will provide information needed to best implement the Resource Protection and Management Plan.

## Environmental Impacts to be Analyzed in the TEIR

The Buena Vista Rancheria of Me-Wuk Indians has determined that the following resource areas will be addressed in the TEIR, as identified in Exhibit A, *Off-Reservation Environmental Impact Analysis Checklist*, of the *Amendment to Tribal-State Compact between the State of California and the Buena Vista Rancheria of Me-Wuk Indians of California*.

## Aesthetics

The TEIR will analyze proposed Project effects on surrounding (off-Reservation) sensitive receptors that would result from introduction of additional light sources and changes in the existing visual character of the area. The TEIR will also address whether the Project would have a substantial adverse effect on scenic resources.

## **Agricultural Resources**

The TEIR will analyze Project effects on off-Reservation agricultural resources that could result from conversion of off-Reservation farmland to non-agricultural uses.

## **Air Quality**

The TEIR will analyze off-Reservation short-term effects on air quality associated with grading and construction, as well as long-term effects associated with project operation and vehicle emissions resulting from traffic and circulation changes. The analysis will address the extent to which the Project will conflict with or obstruct the implementation of the applicable air quality attainment plan.

## **Biological Resources and Wetlands**

The TEIR will describe off-Reservation biological resources and analyze potential effects on resources such as rare, threatened, or endangered species and species habitat, including wetlands or other sensitive natural communities. The document will analyze whether the Project will interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established wildlife corridors, or impede the use of native wildlife nursery sites, and if the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plans. The TEIR will also address secondary effects that could be associated with off-Reservation mitigation measures.

## **Cultural Resources**

The TEIR will analyze potential effects on off-Reservation historical, archaeological, and other cultural resources; paleontological resources; and human remains. Potential effects associated with grading, construction, accidental discovery of buried resources, and changes in the setting of significant cultural resources will be identified. The TEIR will also address secondary effects that could be associated with off-Reservation mitigation measures.

## **Geology and Soils**

The TEIR will analyze whether the Project would result in significant off-Reservation effects with respect to seismicity, erosion, and landslides.

## **Hazards and Hazardous Materials**

The TEIR will analyze potential off-Reservation effects on the public and the environment from hazardous materials, hazardous emissions, and safety hazards that currently exist or that may result from Project implementation.

## **Land Use**

The TEIR will analyze the Project's effect on and compatibility with any off-Reservation land use plan, policy, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, and whether the Project would conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan on off-Reservation lands.

## **Mineral Resources**

The TEIR will analyze potential off-Reservation effects resulting from the loss of valuable mineral resources or the loss of availability of an off-Reservation locally important mineral resource recovery site delineated on a local general plan or other land use plan.

## **Noise**

The TEIR will identify potential off-Reservation noise effects resulting from exposure of off-Reservation persons to noise levels in excess of established and applicable standards and from exposure of off-Reservation persons to excessive vibration. The TEIR will also analyze the Project's potential to permanently or temporarily increase ambient noise levels in the off-Reservation vicinity.

## **Population and Housing**

The TEIR will analyze the Project's potential to substantially increase off-Reservation population growth and whether the Project would displace substantial numbers of existing housing or necessitate the construction of replacement housing in the off-Reservation vicinity.

## **Public Services**

The TEIR will analyze potential effects on the off-Reservation environment from construction/alteration of governmental facilities that may be necessary to maintain acceptable service ratios, response times, or other performance



objectives for fire protection, police protection, schools, parks, and other public facilities.

## Recreation

The TEIR will analyze potential effects on off-Reservation neighborhood parks, regional parks, and other recreational facilities. The TEIR will assess the potential of the Project to result in substantial physical deterioration or acceleration of deterioration of such recreational facilities.

## Transportation/Traffic

The TEIR will identify potential off-Reservation effects caused by increased traffic resulting in a substantial increase in vehicle trips, volume-to-capacity ratio on roads, or congestion at intersections. The TEIR will determine if a level of service standard would be exceeded, if there would be a substantial increase in hazards associated with an off-Reservation road design feature or use, and if the Project would result in inadequate emergency access for off-Reservation responders.

## Utilities and Service Systems

The TEIR will determine if off-Reservation wastewater treatment requirements established by the Regional Water Quality Control Board would be exceeded; if the construction of new water, wastewater treatment facilities, or stormwater drainage facilities would cause significant off-Reservation environmental effects; or if the Project would result in a determination by an off-Reservation wastewater treatment provider that it has inadequate capacity to serve the Project.

## Water Resources

The TEIR will analyze potential off-Reservation effects from changes in existing drainage patterns, effects on stormwater drainage systems from changes in runoff, and potential effects on water quality. The analysis will also address potential effects on off-Reservation groundwater supplies and potential effects from exposure of off-Reservation people or property to flood hazards. The TEIR will also assess if the Project would violate any water quality standards or waste discharge requirements.

## Further Analysis of Impacts

In addition to the analyses identified above, the TEIR will include an analysis of Cumulative Effects of the proposed project and an analysis of Project alternatives.

### Cumulative Effects

The TEIR will analyze the cumulative effects of the Project. The cumulative impact analysis will consider the Project's contribution to off-Reservation effects caused by the Project together with other current and reasonably foreseeable development in the vicinity.

### Project Alternatives

The TEIR will identify and analyze alternatives to the Project. Alternatives that are feasible, meet most of the objectives of the Project, and that would substantially reduce Project-related effects will be identified during preparation of the TEIR.