

DRAFT
ENVIRONMENTAL IMPACT STATEMENT
SCOPING REPORT

IONE BAND OF MIWOK INDIANS
FEE-TO-TRUST AND CASINO PROJECT

**APPENDIX C - COMMENT LETTERS
& HEARING COMMENT CARDS**

VOLUME II

MARCH 2004

Lead Agency:

U.S. Department of the Interior, Bureau of Indian Affairs
Pacific Region, 2800 Cottage Way, Room W-2820
Sacramento, CA 95825-1846



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Comment #8



MARIO BIAGI
District 5 Supervisor

To Whom It May Concern:

Enclosed for your review please find the following documents:

1. Letter to Governor Arnold Schwarzenegger from the Chairman of the Amador County Board of Supervisors expressing opposition to the proposed Casino.
2. Letter to Mr. Clay Gregory, Bureau of Indian Affairs, from the Chairman of the Amador County Board of Supervisors outlining the Counties comments relative to the Ione Band of Miwok Indians' Proposal for Acquisition of Trust Land and Operation of a Casino in Plymouth, California.
3. Minutes from the May 20, 2003 Amador County Board of Supervisors Meeting wherein several Plymouth residents spoke in opposition of the proposed project, and adoption of resolution 03-237 opposing the State of California's and the United States Government's permitting of a casino in the City of Plymouth on land proposed to be purchased by the Ione Band of Miwok.
4. June 17, 2003 publication of Finance and Commerce.
5. Letters of opposition to the proposed project from various individuals as well as Elected State Officials, and City and County entities.
6. Response to Casino proposal prepared by citizens of Plymouth in opposition of the project.
7. Copy of mailing list indicating all parties receiving packets of opposition information from the Amador County Board of Supervisors.

Please review the enclosed information and feel free to call me at any time to discuss any item further.

Sincerely,

Mario Biagi
Chairman

BOARD OF SUPERVISORS

500 ARGONAUT LANE • JACKSON, CA 95642-9534 • (209) 223-6470 • FAX (209) 257-0619



November 12, 2003

Governor Elect Arnold Scharzenegger
Schwarzenegger Transition Office
770 L. Street
Sacramento, CA 95814-3325

Subject: Casino For Ione Band of Miwok Indians (Plymouth, Amador County)

Dear Governor Elect Scharzenegger:

A group of Indians alleging to represent the Ione Band of Miwok Indians ("Tribe") has proposed, primarily through an out-of-State promoter, to acquire approximately 208 acres of land in Amador County not now owned by the Tribe on which to place a tribal casino, retail businesses, a hotel, non-tribal housing, and other facilities (collectively the "Casino"). Ten acres of the proposed acquisition are located in the City of Plymouth and 198 in the adjacent unincorporated area of Amador County. The Board of Supervisors of Amador County has taken a position that the establishment of the Casino would have significant, adverse impacts on the County and opposes the acquisition.

The Board of Supervisors urgently requests that you refuse to enter into a compact with the Tribe in order to prevent the Tribe's acquisition of the land and the construction and operation of the Casino. The information the Board has received and transmits herein is quite damning to the Tribe's application and the Board of Supervisors requests that you aid the Board of Supervisors in ascertaining its truth and in stopping the Tribe's proposal. The reasons are set forth herein.

1. The Board of Supervisors has never seen any evidence that the land proposed for the Casino has ever been Indian land or that there has ever been a historical connection between the Tribe and the Plymouth area. The Tribe has (at best) acquired options to purchase land for this allegedly landless Tribe. The Board has been informed that many if not most of the Tribe's members are not Amador County residents but were recruited by the promoter to vote for the Casino. The Tribe and some of its members own land in Amador County in another location; the Tribe is not landless. The Board of Supervisors believes that the lack of historic connection bars the Tribe from acquiring the proposed land.

2. Some long-time local Tribal members are not affiliated with those who seek to open the Casino and do not support it. Thus, the Board believes, there is an internal dispute over the membership of the Tribe and support for the Casino. The Board of Supervisors understands that there is even a conflict as to who composes the governing body of the Tribe and may speak for it.

The Board asks that you not accede to the Tribe's request for a compact or process the Tribe's application until that dispute is settled.

3. Amador County already has one very large Indian casino, the Jackson Rancheria casino, located about 12 miles from Plymouth. Another Indian casino has been approved for the Buena Vista area of the County near the Amador-San Joaquin County line also about 12 miles from Plymouth. Amador County has a population of 31,000 people (excluding State inmates and wards); Plymouth has a population of about 950. Amador County and certainly Plymouth are simply too small to accommodate another casino. The attraction of having two or even three casinos within such a short driving radius will have an overwhelming and obviously negative impact on the people who live here.

4. Amador County taxpayers are currently subsidizing in direct hard costs the Jackson Rancheria casino through the County's general fund in the amount of approximately \$680,000 annually. That is because the Jackson Rancheria casino has on-site impacts borne by the County for which the casino does not pay, such as increased costs for the Sheriff's Office, District Attorney's Office, Public Defender, Probation Office, and Social Services. That amount does not include indirect costs from off-site arrests, crimes, prosecutions and social services required to service the casino's patrons. The addition of the second and third casinos would geometrically increase that taxpayer subsidy. The District Attorney reports that eleven percent of the District Attorney's entire 2002 criminal caseload and 27 percent of felony cases resulted from crimes committed at the Jackson Rancheria (which does not serve alcohol to its gaming patrons; the Casino plans to serve alcohol to all of its patrons).

5. Public safety resources will be severely strained by the Casino. Drawing from the County's experience with the existing Jackson Rancheria casino, the Sheriff states that there were a total of 98 Jackson Rancheria casino on-site arrests between December 1, 2001 and November 30, 2002, of which 82 people served a total of 740 days in the already over-crowded County jail. That does not count off-site arrests related to casino patronage or crimes for which no arrests were made. The Sheriff's Office made 188 medical dispatches to the existing casino during that same period, an average of one call every other day. Additionally, the Casino's requirement for officer responses has caused an adverse impact on staffing levels for the rest of the County. The high demand for officer response to the existing casino has reduced the number of officers that are available to respond to emergencies elsewhere in the County and frequently leaves residents in the rest of the County in jeopardy. Another casino will exacerbate the strain on public safety resources.

6. The traffic impacts of the proposed Casino will be enormous and onerous. Access to Plymouth from the west (Sacramento) is by State Route 16, terminating at its junction with State Route 49 south of Plymouth, and from the north by State Route 49. Additional traffic will come north from Stockton on State Routes 88 and 124 through the City of Ione which highways intersect with State Route 16 west of Plymouth which intersects with State Route 49. The Casino proposes to have its only public road access from State Route 49 in Plymouth. State Highways 16 and 49 are almost entirely single lane in each direction including all of State Route

49 inside Plymouth. The traffic impacts alone from the proposed Casino will gridlock Plymouth and make unsafe all State highways for miles around Plymouth.

7. Any letters or resolutions of support for the Casino from Plymouth's City Council transmitted to the BIA represent only the support of the City Council. The Board of Supervisors, which has governmental authority over 198 of the 208 acres of the Tribe's proposed acquisition, strongly opposes the Tribe's acquisition of trust land in and around Plymouth as do the city councils of all of the other cities in Amador County as well as the Amador County Unified School District and the Amador Air District.

8. The City Council not only doesn't speak for Amador County, it doesn't speak for a majority of the residents of Plymouth. A recent survey authorized by the City Council showed that overwhelmingly, by 73% to 27%, the residents of the City answering the survey opposed the placement of the Casino in Plymouth. Any indication of public support by the City Council (the members of which are currently involved in a recall over this issue) should be rejected out of hand.

9. Recently, the City Council undertook deliberation over an agreement with the Tribe by which the Tribe would pay fixed amounts of money for specific impacts which the Tribe believes the Casino would create in the City. There are two major problems with that proposed agreement: (a) Not the City, the Tribe, nor the BIA has analyzed the impacts of the Casino on the City. The City Council is willing to buy off on the amounts proposed by the Tribe to mitigate the impacts on the City, but the City Council has no idea what those impacts are or how much money it will take now and in the future to mitigate them. (b) Worse, as far as the Board of Supervisors is concerned, is that the mitigation amounts don't include funds to mitigate impacts on the County government and therefore on the County's taxpayers. To be sure, the Board of Supervisors opposes the placement of the Casino in and around Plymouth whether the financial impacts on the County are mitigated by the Tribe or not; nevertheless, no analysis has been made of the projected costs of the Casino to the County government and the County taxpayers.

10. The Board of Supervisors believes that the Sacramento office of the BIA should not participate in the processing of the Tribe's request for the acquisition of trust status land. The Board is informed that many staff members of the Sacramento office are also members of the Ione Band of Miwok Indians and consequently stand to profit substantially from the Casino if the BIA approves the Tribe's application for trust status. If true, that should bar at the very least those members of that office from participating in the processing and decision making on the Tribe's application.

11. The Board has received information that the Tribe was reaffirmed as a Tribe years ago in order to achieve the right to receive federal benefits only but not for acquisition of land. The Board requests that evidence be produced that shows that the Tribe has the power under federal law to acquire trust land before you and the BIA further process the application.

12. The Board of Supervisors and the tribal council of the Jackson Rancheria have a long history of working together to attempt to solve mutual problems. The Board of Supervisors has entered into a mitigation agreement with the Buena Vista Band of Miwok Indians for a second casino located in the unincorporated area of the County. The Board of Supervisors did not oppose that second casino. The current proposal is quite different. The Tribe has neither a compact or trust status. The Board believes that Plymouth is a terrible place for a Casino which will vitally and adversely affect the quality of life for all the people in the County. Offsite traffic and crime will increase geometrically. Neither impact can be mitigated. The impact on local businesses from tribal retail operations, which pay no taxes and are subject to no regulations, cannot be quantified but is potentially huge and cannot be mitigated.

In summary, the Board of Supervisors wants you to know that Indian gaming has had mostly adverse impacts on the County's people and government. The Board of Supervisors asks that this Casino not be built and operated so close to homes, churches, and schools. The Board of Supervisors believes that the Tribe should not be allowed to acquire land simply to put the Casino in the middle of a small, vibrant town and surrounding countryside.

The Board of Supervisors strongly opposes the BIA's approval of this land grab by a Tribe without historical roots in the neighborhood, without the neighbors' knowing that the Casino could appear in their neighborhood because the Tribe had no historical connection to it, and because the federal action could cause the unwarranted destruction of the Casino's neighbors' quality of life. We urge you to inform the BIA and the Tribe that you will not sign a compact for the Casino while we work together to get all of the facts behind this grotesque misapplication of federal law.

Thank you for your consideration.

Yours very truly,

Louis Boitano
Louis Boitano
Chairman

OFFICE OF
BOARD OF SUPERVISORS

10 ARGONAUT LANE • JACKSON, CA 95642-9534 • (209) 223-6470 • FAX (2 09) 257-0619



November 12, 2003

Mr. Clay Gregory
Acting Regional Director, Pacific Region
Bureau of Indian Affairs
ROOM 4160
1849 C Street NW
Washington, DC 20240

Subject: County of Amador's Scoping Comments on Ione Band of Miwok Indians' Proposal for Acquisition of Trust Land and Operation of a Casino (Plymouth, Amador County)

Dear Mr. Gregory:

The Ione Band of Miwok Indians ("Tribe") has proposed to acquire approximately 208 acres of land in Amador County not now owned by the Tribe on which to place a tribal casino, retail businesses, a hotel, non-tribal housing, and other facilities (collectively the "Casino"). Ten acres of the proposed acquisition are located in the City of Plymouth and 198 in the adjacent unincorporated area of Amador County. The Board of Supervisors of Amador County has taken a position that the establishment of the Casino would have significant, adverse impacts on the County and opposes the acquisition. The Board of Supervisors' comments for the scoping process preceding BIA's compliance with NEPA for the project follow.

1. The Board of Supervisors has never seen any evidence that the land proposed for the Casino has ever been Indian land or that there has ever been a historical connection between the Tribe and the Plymouth area. The Tribe has (at best) acquired options to purchase land for this allegedly landless Tribe. The Tribe and some of its members own land in Amador County in another location; the Tribe is not landless. The Board of Supervisors believes that the lack of historic connection bars the Tribe from acquiring the proposed land.

2. Some long-time local Tribal members are not affiliated with those who seek to open the Casino and do not support it. Thus, the Board believes, there is an internal dispute over the membership of the Tribe and support for the Casino. The Board of Supervisors understands that there is even a conflict as to who composes the governing body of the Tribe and may speak for it. The Board asks that the BIA not process any NEPA document until that dispute is settled.

3. Amador County already has one very large Indian casino, the Jackson Rancheria casino, located about 12 miles from Plymouth. Another Indian casino has been approved for the Buena Vista area of the County near the Amador-San Joaquin County line also about 12 miles from Plymouth. Amador County has a population of 31,000 people (excluding State inmates and

wards); Plymouth has a population of about 950. Amador County and certainly Plymouth are simply too small to accommodate another casino. The attraction of having two or even three casinos within such a short driving radius will have an overwhelming and obviously negative impact on the people who live here.

4. Amador County taxpayers are currently subsidizing in direct hard costs the Jackson Rancheria casino through the County's general fund in the amount of approximately \$680,000 annually. That is because the Jackson Rancheria casino has on-site impacts borne by the County for which the casino does not pay, such as increased costs for the Sheriff's Office, District Attorney's Office, Public Defender, Probation Office, and Social Services. That amount does not include indirect costs from off-site arrests, crimes, prosecutions and social services required to service the casino's patrons. The addition of the second and third casinos would geometrically increase that taxpayer subsidy. The District Attorney reports that eleven percent of the District Attorney's entire 2002 criminal caseload and 27 percent of felony cases resulted from crimes committed at the Jackson Rancheria (which does not serve alcohol to its gaming patrons; the Casino plans to serve alcohol to all of its patrons).

5. Public safety resources will be severely strained by the Casino. Drawing from the County's experience with the existing Jackson Rancheria casino, the Sheriff states that there were a total of 98 Jackson Rancheria casino on-site arrests between December 1, 2001 and November 30, 2002, of which 82 people served a total of 740 days in the already over-crowded County jail. That does not count off-site arrests related to casino patronage or crimes for which no arrests were made. The Sheriff's Office made 188 medical dispatches to the existing casino during that same period, an average of one call every other day. Additionally, the Casino's requirement for officer responses has caused an adverse impact on staffing levels for the rest of the County. The high demand for officer response to the existing casino has reduced the number of officers that are available to respond to emergencies elsewhere in the County and frequently leaves residents in the rest of the County in jeopardy. Another casino will exacerbate the strain on public safety resources.

6. The traffic impact of the proposed Casino will be enormous and onerous. Access to Plymouth from the west (Sacramento) is by State Route 16, terminating at its junction with State Route 49 south of Plymouth, and from the north by State Route 49. Additional traffic will come north from Stockton on State Routes 88 and 124 through the City of Ione which highways intersect with State Route 16 west of Plymouth which intersects with State Route 49. The Casino proposes to have its only public road access from State Route 49 in Plymouth. State Highways 16 and 49 are almost entirely single lane in each direction including all of State Route 49 inside Plymouth. The traffic impact alone from the proposed Casino will gridlock Plymouth and make unsafe all State highways for miles around Plymouth.

7. Any letters or resolutions of support for the Casino from Plymouth's City Council transmitted to the BIA represent only the support of the City Council. The Board of Supervisors, which has governmental authority over 198 of the 208 acres of the Tribe's proposed acquisition, strongly opposes the Tribe's acquisition of trust land in and around Plymouth as do the city

8. The City Council not only doesn't speak for Amador County, it doesn't speak for a majority of the residents of Plymouth. A recent survey authorized by the City Council showed that overwhelmingly, by 73% to 27%, the residents of the City answering the survey opposed the placement of the Casino in Plymouth. Any indication of public support by the City Council (the members of which are currently involved in a recall over this issue) should be rejected out of hand.

9. Recently, the City Council undertook deliberation over an agreement with the Tribe by which the Tribe would pay fixed amounts of money for specific impacts which the Tribe believes the Casino would create in the City. The City, the Tribe, and the BIA have not analyzed the impacts of the Casino on the City; this is just the beginning of that process. As far as the Board of Supervisors is concerned, the proposed mitigation amounts don't include funds to mitigate impacts on the County government and therefore on the County's taxpayers. To be sure, the Board of Supervisors opposes the placement of the Casino in and around Plymouth whether the financial impacts on the County are mitigated by the Tribe or not; nevertheless, no analysis has been made of the projected costs of the Casino to the County government and the County taxpayers.

10. The Board of Supervisors believes that the Sacramento office of the BIA should not participate in the processing of the Tribe's request for the acquisition of trust status land. The Board is informed that many staff members of the Sacramento office are also members of the Ione Band of Miwok Indians and consequently stand to profit substantially from the Casino if the BIA approves the Tribe's application for trust status. If true, that should bar at the very least those members of that office from participating in the processing and decision making on the Tribe's application and NEPA document.

11. The Board has received information that the Tribe was reaffirmed as a Tribe years ago in order to achieve the right to receive federal benefits only but not for acquisition of land. The Board requests that evidence be produced that shows that the Tribe has the power under federal law to acquire trust land before BIA further processes the application and any NEPA document.

12. The Board of Supervisors and the tribal council of the Jackson Rancheria have a long history of working together to attempt to solve mutual problems. The Board of Supervisors has entered into a mitigation agreement with the Buena Vista Band of Miwok Indians for a second casino located in the unincorporated area of the County. The Board of Supervisors did not oppose that second casino. The current proposal is quite different. The Tribe has neither a compact or trust status. The Board believes that Plymouth is a terrible place for a Casino which will vitally and adversely affect the quality of life for all the people in the County. Offsite traffic and crime will increase geometrically. Neither impact can be mitigated. The impact on local businesses from tribal retail operations, which pay no taxes and are subject to no regulations, cannot be quantified but is potentially huge and cannot be mitigated.

In summary, the Board of Supervisors wants you to know that Indian gaming has had mostly adverse impacts on the County's people and government. The Board of Supervisors asks-

that this Casino not be built and operated so close to homes, churches, and schools. The Board of Supervisors believes that the Tribe should not be allowed to acquire land simply to put the Casino in the middle of a small, vibrant town and surrounding countryside.

The Board of Supervisors strongly opposes the BIA's approval of this land grab by a Tribe without historical roots in the neighborhood, without the neighbors' knowing that the Casino could appear in their neighborhood because the Tribe had no historical connection to it, and because the federal action could cause the unwarranted destruction of the Casino's neighbors' quality of life. We urge the BIA to stop processing any NEPA document for the acquisition of the land and the operation of the Casino on it before getting all of the foundational facts behind this grotesque misapplication of federal law.

Thank you for your consideration.

Yours very truly,

Louis Boitano

Louis Boitano

Chairman

Mr. Phillip Smith, Willow Creek resident, spoke on behalf of several (unidentified) neighbors, by expressing opposition to the casino development, and also mentioned the casino has a plan of serving alcoholic beverages which will only exacerbate traffic and crime issues.

Mr. Kenneth Martin stated he and his wife live across the canyon from the proposed casino site in the Drytown Basin. He advised he will be severely impacted by the proposed casino from not only noise and lights but by traffic. He stated he and his wife are also concerned about property tax, and are upset that their tax dollars are being diverted to subsidize a gambling operation. He stated he is in support of Supervisor Biagi, and adamantly opposes the proposed development.

Mr. Dean Grubb, lives across from proposed Casino site and advised he also stands in support of Supervisor's Biagi and Forster and strongly opposes the development of the casino. He stated he and his wife recently relocated to this area from Solano County and are very worried that the pristine environment in the area will be lost forever as soon as the developer breaks ground. He stated once this happens it will not be possible to return to the beautiful surroundings he moved here to enjoy.

Ms. Rosemary Wreaks, Shenandoah Valley resident, stated she and here husband are in direct opposition of the proposed casino. She also reminded the Board the proposed casino site is within one mile of the Plymouth Elementary School and she does not feel it appropriate for children to pass the Casino each day.

Ms. Julie Lyman, Plymouth resident, stated she is representing the young families of the City of Plymouth who are adamantly opposed to the proposed casino for a number of reasons including those previously mentioned, but also the impacts on local schools and the quality of life in such a small family oriented community. She stated a casino in the Plymouth area would defeat every reason she and here husband chose to return to the area to raise their children.

Mr. Walter Dimmers, Plymouth area resident, stated he strongly supports the opposition to the proposed Plymouth Casino for all of the reasons previously stated, but also expressed he lives across the canyon from the proposed site and the lights from the casino and parking lot will shine directly into his living room. He also noted costs associated with the development as well as the complete degradation of quality of life are serious impacts to be considered.

Mr. Cheryl Finch, Willow Creek resident, commented on the traffic issue's by stating she is involved with horses, as well as are several of her neighbors in the Willow Creek area and the County. She stated it is very common to see vehicles pulling some sort of livestock trailer or equipment on Highway 16. She opined that people unfamiliar with the practices of citizens in this area do not have the patience for trailers or ranchers moving animals, and the increase of traffic as a result of this casino will undoubtedly result in serious accidents involving not only people but livestock as well. She also commented that her daughters often ride horses on BLM land directly

behind the proposed site and questioned whether or not that issue has been looked into. Also, she noted people may have a tendency to utilize area "backroads" instead of Highway 16 in an effort to avoid some of the traffic. She stated it is a common practice for local ranchers to move cattle to different pastures and have several animals in the road while attempting this chore, and although local people are familiar with this practice and will wait for the road to be clear, she fears people coming in from out of the area may not know what to do if they should come upon livestock in the roadway.

At this time Supervisor Biagi clarified a rumor that has recently been circulated wherein it has been stated Supervisor Forster and himself are opposed to this casino because they would like it to be moved into the county instead of the city limits of Plymouth. He strongly advised that assumption is a serious untruth and reiterated the strong opposition of this casino on behalf of himself and Supervisor Forster regardless of the location.

Ms. Pat Martin, Plymouth are resident, thanked the Board on behalf of the Playground Committee for their donation of funds toward the plans for the playground in Plymouth. In addition however, she noted she is very concerned about the development of a casino in the Plymouth area and stands strongly opposed to the development.

Ms. Elida Malick, Plymouth resident, commented on a recent meeting between the Casino representatives and Plymouth businessowners, by stating contrary to the opinion of some members of the meeting who believe the development of the Casino will aid in transforming Plymouth into an area much like that of surrounding metropolitan areas; the vast majority of people in this County see value in the family oriented type of lifestyle that exists here. She added a tremendous focus is placed on the rearing of our children and the County Fair, a ballpark in town, easy access to schools and things that bring the Community together and not suspicious of strangers and a criminal element that may be entering the Community. She also commented on a myth relative to increasing property values by stating she has been personally advised by four long term, contributing members of the City of Plymouth, that they will definitely relocate if this casino is developed. In addition she has knowledge of one real estate transaction that has fallen through because of the proposed casino plan. In conclusion, she commented on a statement that was made at the meeting regarding the prosperity of local businesses if the casino should come to fruition by reminding those present that in order for the casino to prosper representatives will provide eating and drinking establishments within the Casino in order to attract customers. Therefore, she noted not many people will be leaving the Casino to eat or drink at establishments within the City. She also distributed a signed petition and two additional letters of opposition, as well as a letter from Senator Oller in opposition. Ms. Malick concluded by stating she will support the Board in opposing the casino project.

Mr. Bill Admire, Previtalli Road resident, stated this casino will affect the whole County and not be isolated only to Plymouth. He voiced his opposition and advised he communicated his opinion to the Governor's office via E-mail and provided a copy to the Board Clerk for the record.

He noted the addition of another casino would stress current services to residents and in his opinion would be "overkill" in such a small proximity.

Mr. Gary Colburn, Plymouth resident and City Councilmember, addressed the Board at this time and stated having been one of the parties that possibly unknowingly sold property to the casino investors, he is required to step down from his seat on the Plymouth City Council when this item is heard. He did, however, stated he wanted the people of Amador County to know that he worked in the casino industry for twenty seven (27) years and advised there are several positive and negative impacts surrounding the casino business. He stated he enjoys living in Plymouth and Amador County, and finds all of the arguments presented thus far make sense, however he implored the people of Amador County not to lose sight of the issues in the Shenandoah Valley surrounding the winery ordinance in the midst of the casino development negotiations.

Mr. Bruce Thomson, Carbondale area resident, pointed out the effects gambling can have on a person's lifestyle and choices by describing an individual who spent all of his earnings on gambling only to end up homeless and without transportation. He stated he and his wife stand firmly against the casino development, and advised his wife has designed a website in opposition which can be found at www.nocasinoinplymouth.com.

Ms. Janine Oneto echoed all previously stated impacts and strongly opposes any casino development in the Plymouth area.

Mr. Dick Moody, consultant for the casino project, addressed the Board at this time. He stated twenty one (21) days ago he appeared before the Board of Supervisors to enlighten those present of the proposed casino site, at that time, an Ad Hoc Committee was formed to investigate the impacts that could occur with the development of the project and meet with consultants and staff to possibly work on mitigation strategies for the impacts. However, Mr. Moody stated a meeting such as this has not yet transpired, although Supervisor Biagi has appeared on local television, and provided statements to the media that he is adamantly opposed to this project and urging people to attend future meeting where the casino issue will be discussed to voice their opposition. Mr. Moody noted Supervisor Biagi has never allowed this federally recognized tribe the same opportunity that the Board has allowed other tribes in the county. He stated his staff had also collected signatures in the City of Plymouth at a recent town event, and reported five pages each were collected for and against this project. Mr. Moody pointed out that the Board members each took an oath to uphold the Constitution of the State of California wherein it is allowable for Indians to game on their property. Therefore, Mr. Moody stated he is only asking that the Lone Tribe be given the same opportunity as the other two tribes in the area. He continued by stating he does not feel it is fair to use the media when you are a member of an Ad Hoc Committee and are looking for ways to represent all people in the County. Mr. Moody advised he spoke to members of the Fair Board who suggested working with the Amador Transportation Commission (ACTC) on traffic issues, as traffic is definitely an issue that will need to be mitigated. He stated he appreciated this advice and thanked

the particular Fair Board members for the suggestion, and commented that this is exactly how the process should proceed, with representatives researching the issues at hand. However, he said if an individual supervisor is going to make a determination, then the position of the ACTC would be a moot point. Mr. Moody continued by stating his staff would like to work with the county water, sewer and public safety Departments to mitigate concerns. In conclusion Mr. Moody stated all he is expecting is a fair chance to proceed with what the State Constitution allows. He feels the proposed resolution in opposition is very premature and borders on discrimination against the tribe that asked for equal opportunity.

Supervisor Biagi responded by stating Amador County does not have a water or sewer department and Mr. Moody's intention to meet with those entities is a moot point. In addition, existing casino's that have been approved by both the State and Federal Governments were approved on historical tribal lands. He stated the proposition of the consultant is to purchase land off reservation, which is an entirely different situation. He stated his personal opposition is an opposition for the entire County, which he noted is his right as a Supervisor. Supervisor Biagi also noted the letter sent to the Governor by Mr. Moody to achieve a compact indicated no local opposition was evident by the City or the County, which is a totally false statement.

Mr. Moody responded by stating at the time the letter was sent, those were correct statements to his knowledge and in addition, the tribe in question is a landless tribe and has a right to purchase reservation land.

Supervisor Biagi stated that is a legal issue that will be addressed later.

Mr. Walter Dimmers stated it is very important to sort fact from fiction in these discussions by keeping in mind that the tribe does not currently own the property in question, but is in negotiations for purchase at this time. He urged the Board and the public to be very careful in understanding exactly what is being said.

Mr. Joe Rohde, Plymouth area resident, echoed all previous impacts mentioned, and stated the Board has a responsibility to its citizens. He added however, the people who will profit from this development are not citizens of Amador County, therefore the Board should protect the citizens that are here now, and not people coming in to try and make money and exploit a community because of its perceived lack of ability to defend itself.

Supervisor Forster stated he has spoken to Fair Board members, and since they are a State body, they do not wish to take a position on this issue, however most do not support this development. He pointed out the traffic situation during the four day run of the Amador County Fair, and noted that would be what the traffic situation would be several days a week if this casino moves forward. However, Supervisor Forster agreed with Mr. Moody by stating if the tribe is recognized, they are and can be approved through the State of California, but it is the obligation of the Board to

consider the negative impact on this county based on experience with the Jackson Rancheria. He stated the Board needs to look at the big picture and consider the financial situation, the non reimbursement of funds and all issues that are not being mitigated.

Chairman Boitano stated although the constitution may allow tribes to develop gaming facilities on their own land, morally Amador County does not need or want another casino.

Mr. Gary Colburn, Plymouth resident and Councilmember, defended the position of Mr. Moody by stating it was a true statement when the request for compact letter was mailed to the governor. He stated no "known" opposition to the casino project was apparent at that time, however today he could not write that same letter. In addition, he commented on the Buena Vista Casino project wherein the Board is not adamantly opposing that development. He stated that casino is in Amador County, thereby allowing all revenues to come to the county, in contrast to the proposed casino in Plymouth where all revenues would go to the City. Mr. Colburn stated it is his understanding when casino's were first established in California, a lot of issues were left unaddressed, and although the County is not currently receiving reimbursement from the Jackson Rancheria, it is not to say an arrangement could not be made in the future via contracts, etc. that would ensure revenues would be received.

Supervisor Biagi responded to Mr. Colburn by stating the City of Plymouth may have impacts on water, sewer and traffic, however additional impacts will be felt by the County.

MOTION: It was moved by Supervisor Biagi, seconded by Supervisor Forster, and unanimously carried to approve the foregoing resolution in opposition of the proposed Casino Project in the Plymouth area, and authorize distribution of the resolution to all Cities within the County as well as the Governor and local legislators.

RESOLUTION NO. 03-237

Resolution opposing the State of California's and the United States Government's permitting of a casino in the City of Plymouth on land proposed to be purchased by the Ione Band of Miwok Indians or any other tribe.

Kirkwood Specific Plan: (1875/1B) Ms. Susan Grijalva, Planning Director, stated revised alternative E resolution and conditions. Request for clarification of motion was received as confusion as to the concept was presented.

Supervisor Vinson clarified the motion by stating the elevations,

Chairman Boitano, and Biagi stated the motion is clear.

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Lightning Rod seeks treasure in the Sierra Nevada mountains

Defunct e-commerce software firm re-invents itself, joins casino 'gold rush' in California

By Dave Price/F&C Senior Writer
June 17, 2003

It's perhaps no small irony that a company with Lightning Rod in its name finds itself in a simmering controversy over plans to build a new casino in northern California.

Minnetonka-based Lightning Rod Software went dark two years ago after losing a potentially lucrative licensing contract with Intel, wiping out several years of development on a suite of customer-loyalty software applications. But now, a Mississippi-based casino management company is seeking to acquire the idled shell company and use Lightning Rod's public stock to help finance construction of a new Indian-owned casino in the Sierra Nevada foothills.

The proposed \$100 million facility, however, already is running into considerable opposition from many of the 800 residents of Plymouth, Calif., a small, former gold-mining town about 30 miles southeast of Sacramento. Certain members of the Ione Band of Miwok Indians – labeling themselves “traditional” tribal members – have also joined the protest and are challenging the legitimacy of band members championing the project, claiming they do not have any blood ties to the tribe.

In response, Matthew Franklin, tribal chairman of the Ione Band, has accused several elected officials from Plymouth and neighboring Amador County of purposely sidestepping any discussions with the tribe that would address resident concerns over traffic and water use at the proposed site.

He also criticized public statements by the officials to rally opposition against the casino, and asserts there is no “membership dispute within the Ione Band of Miwok Indians nor is this an accurate portrayal of our tribe,” according to a June 4 letter he sent to the U.S. Department of Justice.

It's against that backdrop that Lightning Rod announced this week it had signed on as an exclusive financial partner in a joint venture to develop the California casino. Under terms of the agreement, Lightning Rod eventually would merge with a pair of limited liability companies intending to build and manage the still-unapproved facility and would hold a 50 percent stake in the surviving entity.

The mere prospect of a casino-management deal has sent Lightning Rod's share price steeply higher this week, jumping \$1.02 on Wednesday to close at \$1.80 a share. Overall, the recent run has resulted in a 10-fold increase for the stock since April 24, although in the volatile over-the-counter market, big price gains often prove ephemeral.

The project faces several regulatory hurdles, including execution of a compact between the Miwok tribe and the state of California, along with approvals by the Bureau of Indian Affairs, the National Indian Gaming Commission and local planning and zoning boards. But the payoff could be huge for Lightning Rod and the other project partners – the Ikon Group of Biloxi, Miss., and Wilco Seven LLC – which signed a management contract in April that would pay them 35 percent of the net gaming revenues from the proposed casino.

Calls to the company and the home of Thomas Patin, the acting CEO at Lightning Rod since

the firm shut down in September 2001, were not returned. Patrick Sheehan, a bankruptcy lawyer in Mississippi and the managing partner of the Ikon Group, also did not respond to messages left with his law offices in Biloxi this week.

The proposed Miwok Indian casino project, however, would not be the first foray into the casino business for Patin, who was general counsel for three years with Gaming Corporation of America, which had been a publicly traded company based in Plymouth, Minn., before merging with Grand Casinos Inc. in 1995.

The former Gray, Plant & Mooty attorney also has been active with several restaurant ventures in the Twin Cities and was a director of Deston Fearing Corp. for several years until the South St. Paul-based manufacturer was bought out by Applied Digital in 1999.

Like many states with gaping budget deficits, California officials increasingly have been looking to gambling proceeds as a source of new revenues. According to published reports, roughly half of California's 100-plus recognized tribes have signed compacts with the state to operate casinos. Another 10 to 15 tribes – including the Ione Miwok band – now are in process of negotiating similar agreements.

A lot of the action has been concentrated east of Sacramento to the California-Nevada border, covering much of the aboriginal home of the Miwok Indians and related tribes. In addition to the proposed facility by the Ione Band in Plymouth, there is a casino already open about 10 miles to the south in Jackson and plans previously were unveiled to develop a site in the city of Ione, again about 10 miles from Plymouth.

Another casino, meanwhile, opened earlier this week just north of Sacramento and efforts are continuing to secure the remaining approvals for the proposed Shingle Springs casino near Placerville, Calif., midway between Sacramento and the south shore of Lake Tahoe.

With the apparent rush to stake claims in the region, one obvious concern is how many casinos would ultimately be too many.

"That is the question," said Tim Cope, president of Lakes Entertainment, the Minnetonka-based casino management company that has been working on the Shingle Springs project for several years.

Cope said he was not aware of the proposed facility involving Patin and Lightning Rod and did not want to speculate on its chances. As for Shingle Creek – which similarly hopes to slice off some of casino traffic now snaking its way on the mountain highways heading into Nevada – "We think there's plenty of opportunity for the project and expect it to be a success," he said.

Patin joined Lightning Rod on a part-time basis in late 1999 and helped structure the reverse merger between Atio Corp. and CE Software Holdings, with Minnetonka-based Atio gaining CE Software's public stock after spinning out its existing operations to a group of CE executives. Atio then became Lightning Rod and its stock was sold as high as \$17 a share during the first few months following the deal.

But sales for the company's e-commerce tools never really materialized. Lightning Rod reported only \$690,000 in revenues during 2000 while its net loss swelled to \$7.6 million, up from \$4.8 million the prior year. It laid off most of workforce in early 2001 hoping to preserve cash while company officials worked to finalize a licensing pact with Intel. Those talks eventually broke off in mid-summer and Lightning Rod stock was delisted by Nasdaq shortly before the firm suspended operations on Aug. 30, 2001.

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California State Senate

SENATOR
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JOINT COMMITTEE:
FAIRS ALLOCATION & CLASSIFICATION

MEMBER:
CALIFORNIA LEGISLATIVE RURAL
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JUN 3 AM 11 05
2003

May 13, 2003

The Honorable Gray Davis
Governor of the State of California
State Capitol, First Floor
Sacramento, CA 95814

Dear Governor Davis:

I understand your office is in the process of negotiating a compact with the Ione Band of Miwok Indians to operate an Indian gambling casino near Plymouth in Amador County. Amador County frankly does not have the room or the resources to absorb all the impacts of another casino. I write to respectfully ask that you not approve a gambling compact with this tribe.

Amador County is a geographically small rural county, and has a population of approximately 31,000 people. Plans to build another casino in the Ione area of Amador County were recently announced - this in addition to the proposed Plymouth casino and the already existing Jackson Rancheria Casino. While the Ione proposal is presently on hold, even two casinos is excessive for such a small county, and three major casinos would virtually destroy the quality of life in Amador County.

A Plymouth casino would be a mere fifteen minutes from the expanding and very busy Jackson Casino. Plymouth lacks the basic infrastructure to handle the traffic and commerce that a casino attracts. First, Highway 49 in Plymouth is a twisty, two-lane road that is not equipped to handle the traffic a large casino would generate. Second, water resources in the Plymouth area are already strained. In fact, Plymouth is presently under a building moratorium due to inadequate supply of water. Finally, a new casino will only add to the large costs presently incurred by several County departments in providing additional services due to the impacts of these casino developments, including all facets of law enforcement (Sheriff, Jail, District Attorney, Probation, Courts), public health, public works and roads, emergency medical services, and fire. Furthermore, the increased traffic generated from such development impacts the entire county, not just the specific casino sites.

As an additional matter, I understand that there is a membership dispute within this tribe. Further, it appears that there is a question regarding the band's historic ties to the land being

considered for the casino site. At a minimum, compact negotiations should be halted until these fundamental issues are resolved.

Please consider these concerns as you consider authorizing a gambling compact with the Lone Band of Miwoks. I would be happy to speak with you about this matter to help clarify any of these issues as you move toward a decision.

Sincerely,

A handwritten signature in cursive script that reads "Rico Oller".

Rico Oller

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PUBLIC EMPLOYEES, RETIREMENT
AND SOCIAL SECURITY

California Legislature

ALAN NAKANISHI
ASSEMBLY MEMBER, TENTH DISTRICT



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FAX (916) 319-2110
DISTRICT OFFICE
218 WEST PINE STREET
LODI, CA 93241
(209) 333-5330
FAX (209) 333-5333

*cc: all Super
CAO
file*

June 20, 2003

The Honorable Gray Davis
Governor, State of California
State Capitol
Sacramento, CA 95814

Dear Governor Davis:

I am writing you in regards to the gaming compact that your office is negotiating with the Ione Band of Miwok Indians, and their proposed casino in Plymouth, which lies in my Assembly District.

My office has received a plethora of letters and phone calls from constituents and local governments on this issue. I would like to inform you that not one of them is supportive of this proposed casino.

I have consistently been supportive of the issues of Indian sovereignty, and have toured many Indian gaming sites. In this case, the Ione Band of Miwok Indians are seeking to take land into trust that is not theirs for the sole purpose of building a casino. This I cannot support, and respectfully hope that you would agree.

Please consider the concerns of your constituents in Amador County on this matter. I would be more than happy to meet with your office at anytime regarding this issue.

Sincerely,

Alan Nakanishi
Assemblyman, 10th District

Cc: Senator Rico Oller
Amador County Board of Supervisors
Plymouth City Council

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OFFICIAL RECORDS
AMADOR COUNTY, CA.



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City of Ione

2003 JUN 6 AM 10 38

OFFICIAL RECORDS
AMADOR COUNTY, CA.

June 5, 2003

Louis Boitano, Chairman
Amador County Board of Supervisors
500 Argonaut Lane
Jackson, CA 95642-9534

Subject: Proposed Casino in Plymouth

Dear Chairman Boitano and County Supervisors:

Thank you for your letter of May 21, 2003 and a copy of Amador County Resolution Number 03-236, a Resolution Opposing Casino in Plymouth.

Your letter requesting the City of Ione to join other public agencies in opposing the casino along with the above noted Resolution were matters on the City Council agenda June 3, 2003.

After reviewing the issues, offering the public the opportunity to speak on the item, and deliberation, the City Council unanimously directed staff to prepare this letter expressing the Ione City Council's opposition to the proposed casino in Plymouth.

Please contact me if additional information is needed.

Sincerely,

Gene Albaugh, City Administrator

cc: City Council



"Preserving Our Past, Enriching Our Present, Building Our Future"

33 Broadway, Jackson, California 95642-2301 • voice (209) 223-1646 • fax (209) 223-3141
E-mail: info@ci.jackson.ca.us • Web site: <http://ci.jackson.ca.us>

June 10, 2003

The Honorable Gray Davis
Governor of the State of California
State Capitol
Sacramento, CA 95814

**Subject: Opposition to a Compact for Casino Operations for the Ione Band of Miwok Indians
City of Plymouth, Amador County**

Dear Governor Davis:

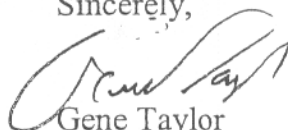
The purpose of this letter is to join the Amador County Board of Supervisors in its opposition to the Ione Band of Miwok Indians' proposal for a new casino in the City of Plymouth and the adjacent unincorporated area of Amador County.

Unlike most other Indian casino operations in the state, this Tribe is proposing to purchase approximately 300 acres of non-Tribal owned property to establish this new gambling facility. This land is not now and has never been Indian land. Approving a compact for this project would set dangerous precedent for construction of new gambling facilities virtually anywhere within California.

The City of Jackson already experiences additional traffic and related casino impacts from the Jackson Rancheria. The rural nature of Amador County's roadway system is incompatible with casino-generated traffic and the addition of another gambling facility within such a short distance of the Jackson Rancheria would exacerbate this impact within our county.

The Jackson City Council urges you to limit Indian casino gaming to Indian Trust property and refuse proposals for compacts on non-Tribal land. For the reasons stated above, please do not enter into a compact with the Ione Band of Miwok Indians for a gambling facility in Plymouth.

Sincerely,



Gene Taylor
Mayor

cc: Amador County Board of Supervisors
City of Plymouth
Jackson Rancheria

City of Sutter Creek

"Still Rich in Beauty"

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BOARD OF SUPERVISORS

2003 JUN 26 PM 2 07



OFFICIAL RECORDS
AMADOR COUNTY, CA.

Mayor
W. Brent Parsons

Mayor Pro Tempore
Bill Hepworth

Council Members
Pat Crosby
Tim Murphy
Gary Wooten

City Administrator
J. Robert Duke

June 23, 2003

The Honorable Gray Davis
Governor of the State of California
State Capitol
Sacramento, CA 95814

SUBJECT: Opposition to a Compact for Casino Operations for the Ione Band of Miwok Indians - Plymouth, Amador County

Dear Governor Davis:

The City of Sutter Creek joins the Amador County Board of Supervisors in its opposition to the Ione Band of Indians' proposal for a new casino in the City of Plymouth and the adjacent unincorporated area of Amador County.

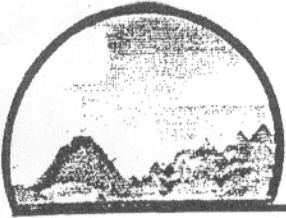
The tribe that is proposing to open this casino is planning to purchase approximately 300 acres of non-tribal owned property to establish this new gambling facility. This land is not now and has never been Indian land. Approving a compact for this project would set a dangerous precedent for construction of new gambling facilities virtually anywhere within California.

The Sutter Creek City Council urges you to limit Indian casino gaming to Indian Trust property and refuse proposals for compacts on non-tribal land. For the reasons stated above, please do not enter into a compact with the Ione Band of Miwok Indians for a gambling facility in Plymouth.

Sincerely,

W. Brent Parsons
Mayor, City of Sutter Creek

*File
Answers*



June 26, 2003

Governor Gray Davis
State Capitol Building
Sacramento, California 95814

Subject: Tribal Gaming will Increase Motor Vehicle Emissions in the Amador Air District

Dear Governor Davis:

The Board of Directors of the Amador Air District is opposed to the increase in motor vehicle exhaust emissions that will be released in this rural area if the State of California allows a third tribal gaming facility to be developed within the boundaries of this air pollution control district.

One tribal gaming facility already exists in our rural District near the City of Jackson and is in the process of doubling its size. That expansion alone will result in 7,000 to 10,000 additional car trips per day in the District. The State and the Bureau of Indian Affairs have approved a second facility that will be located in the Buena Vista area of Jackson Valley near the City of Ione. Now a third facility is proposed for the City of Plymouth and if approved the combined facilities will generate over 30,000 additional car trips per day in our traffic corridors.

The Amador Air District is located within the Mountain Counties Air Basin, designated a "Moderate" non-attainment area for the state 1-hour ozone standard. We are currently in jeopardy of being designated non-attainment for the new federal 8-hour ozone standard. These designations are the result of "Overwhelming Transport" of ozone from the Sacramento and San Joaquin valleys. If the state encourages additional vehicle trips into this air district by permitting additional tribal gaming facilities without any corresponding mitigation measures to reduce the impacts of these additional emissions then you will have contributed to our air quality problem. A problem we didn't create - but one which we must however resolve.

On behalf of the Board of Directors of the Amador Air District, we request that the state take all appropriate steps to prevent the establishment of additional tribal gaming facilities within this air district's boundaries. Your cooperation on this issue would reduce unnecessary vehicle emissions in our area, help the air district protect the public's health and enhance our efforts to achieve and maintain compliance with the National Ambient Air Quality Standards.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Forster". The signature is fluid and cursive.

Richard Forster, Chairman
Board of Directors

CITY OF AMADOR CITY

Resolution No. 426

A RESOLUTION AGAINST AN INDIAN GAMING CASINO IN THE CITY OF PLYMOUTH

WHEREAS traffic is expected to reach 7000 vehicle trips per day, part of which will impact Amador City by way of Highways 88, 49 and 16. The increased traffic will result in air pollution, pedestrian danger to both residents and non-residents and will place added stress on our historic buildings. and

WHEREAS Amador City has limited funds for law enforcement and with an additional casino bringing more people into North Eastern Amador County, more police services will be required.

THEREFORE The City of Amador City will be negatively effected by an Indian Gaming Casino in the City of Plymouth which would be detrimental to the quality of life in Amador City,

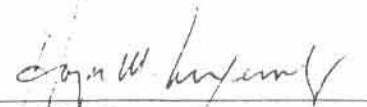
IT IS HEREBY RESOLVED that the City of Amador City opposes Governor Davis approving a gambling contract for the proposed casino in the City of Plymouth.

The forgoing resolution was duly passed and adopted at a regular meeting of the City Council of the City of Amador city on June 19, 2003 by the following vote.


AYES: Stevens, McKenna, Luxemburg, Lynch, Knox

NOES: none

ABSTAIN: none


Hope M. Luxemburg, mayor

ATTEST:


Joyce A. Davidson, city clerk

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AMADOR COUNTY, CALIF.

AMADOR COUNTY UNIFIED SCHOOL DISTRICT
AMADOR COUNTY OFFICE OF EDUCATION

Resolution No. 02/2003-19
Re: Proposed Casino in Plymouth

WHEREAS, the proposed Plymouth gambling casino would be located less than one mile from Plymouth Elementary School; and,

WHEREAS, many of the streets and roads students use to go to and come from Plymouth Elementary School do not have sidewalks; and

WHEREAS, the dramatic increase in traffic would present a significant danger to an area that does not have stop lights or crossing guards for students;

WHEREAS, a significant increase in families moving to the area as casino employees would likely result in a dramatic impact on educational services with restricted funding; and,

WHEREAS, this increase would likely result in overcrowding at a school site that already shares space with the Amador County Fairgrounds to meet the needs of the current student population; and,

WHEREAS, a number of new housing units that would accompany a casino would not be subject to the developer fees that help offset the costs of needed additional classrooms; and,


THEREFORE, BE IT RESOLVED that the Governing Board of Amador County Unified School District and Amador County Office of Education opposes any plans to build the proposed gambling casino due to serious safety and educational concerns.

Approved this 28th day of May, 2003

AYES: 7

NOES: 0

ABSENT: 0



Barry Franks, ACUSD/ACOE Board President



Local Concerns
regarding

The Ione Band of Miwok
Casino Project Overview

Prepared for
the Citizens of Plymouth, CA
August 14, 2003

Response to the Miwok project Overview
by: Citizens Opposed to the Casino in Plymouth

The citizens opposed to the casino in Plymouth have carefully read the casino project overview prepared by a group claiming to be the Ione Band of Miwoks. This proposal is to put it honestly, grossly misleading if not outright deceptive in parts. When you read their brochure, note the declarative nature of the statements which present generalities as fact and opinions as forgone conclusions. We offer this alternative interpretation presented in the same format for you to consider. We think the contrast between fact and project fiction is startling.

Introduction

The Indian Gaming Regulatory Act (IGRA) prohibits Indian gaming on off-reservation lands acquired in trust after 17 Oct 1988 unless certain conditions are met. Gaming is permitted on such lands only if the U.S. Secretary of the Interior determines that (1) a gaming establishment would be in the best interests of the Indian tribe and its members; and (2) such gaming would not be detrimental to the surrounding communities.

There is no doubt that this casino is in the best interests of the tribe. While the profitability of Indian casinos is a closely guarded secret, the amount of funds paid into the California Gambling Control Commission by casinos currently operating in California allows for reverse mathematical modeling to achieve a best estimate. Based on a casino with 2000 slot machines, this number works out to be approximately \$185 million per year for the proposed Plymouth casino.

If this proposed gaming project were not extremely harmful to the local community, then why all the discussion of mitigating impacts? The very fact that the Tribe has issued a project overview that attempts to gloss over the down side is strong evidence of the damaging nature of this proposal.

1. Ione Band of Miwok Indians

This segment of Ione band of Miwok Indians claims to be a restored landless Tribe. However, the process for an Indian Tribe to gain Federal recognition without an act of Congress requires the Tribal application be associated with an historic land base. The 1972 letter to the Ione Band from the Commissioner for Indian Affairs offered them not only federal recognition but specifically linked that recognition to the forty acres of land near Ione. However, the letter of March 22, 1994 which reaffirmed that Federal recognition was addressed to Nicholas Villa, Chief of the Ione Band of Miwoks not Matthew Franklin, Chairman. This is a critical distinction for two reasons. First because Mr. Villa's Ione band of Miwoks claims that the Franklin Band of Miwoks are impostors who under questionable means infiltrated and illegally gained control of the tribal government. This internal Indian dispute will have to be sorted out by the Bureau of Indian Affairs, but it does cast doubt on the veracity of the statement regarding no challenges to the tribal government's legitimacy. Secondly, it also makes the claim of being landless patently false. There is land associated with the Ione Band of Miwoks and it is the forty acres near Ione. Once again the claim that they are entitled to have land put into trust expressly for Indian gaming purposes is a blatant misrepresentation of the truth. The process under IGRA as previously noted is less than automatic.

008-110-022 (7.86 acres) was shown on the map given to the City Planner but is not depicted on the map made available to the public. The maps on pages 18, 19, and 20 of the City Planner's copy were also omitted from the public copy for reasons we do not understand.

D. The project description contains numerous promises about the Tribes willingness to adopt and comply with standards "no less stringent than" the regulated standards for food, water, OSHA, etc. that any normal business would have to comply with. The important difference is that any other business is required to comply by law. Adoption of a standard means nothing if there are no methods for inspection, means of identifying noncompliance, or ability to enforce corrections. The reason such a mechanism is not mentioned is because it runs afoul of Tribal Sovereignty. You could just as easily paraphrase this whole section to read, "We have good intentions but reserve for ourselves the right to decide whether or not our actions live up to the standards promised."

Several specifics are worth considering here:

1. There is no mention of the Tribe's willingness to pay into the State's Workman's Compensation Program. Lack of support for this expensive state obligation shifts the cost to others and because of the costs involved render local businesses who must pay workman's comp noncompetitive.
2. The proposed wastewater treatment facility is stated to be similar to the one approved for the Thunder Valley Casino. With no facts provided one can only wonder how similar they will be.
3. The parcel planned for use as the location is "believed to be adequate." The wastewater handling site is a critical component of the proposed development. What happens if it is not adequate? No problem, with Tribal Sovereignty to stand on, they can do it anyway regardless of promises and Title 22 standards.

E. The land east of the proposed site is described as grazing land. It actually contains 70 homes that will be negatively impacted by the project. Although these residents consider Plymouth their home and spend their money supporting the local business community, their location outside the city limits makes them invisible to the Tribe whose empty proposal provides nothing for the surrounding communities. The intent of this misleading document is to entice the voters on the Plymouth survey.

3. Gaming Facility

The section on the gaming facility lacks any significant detail beyond a general description of a facility that is fun for the entire family. The facility concept sketch certainly bears no resemblance to what they earlier in the document described as "consistent and complimentary with the area surroundings and design." Be assured however, that the Tribe is absolutely serious in reserving for themselves the "final determination of the ultimate project design." There goes that pesky concept of Tribal sovereignty again.

4 Environmental Impacts and Mitigation

A. The federal fee-to-trust application process requires that an environmental review be undertaken to assess all potential impacts. The Tribe is proposing to base their review on the National Environmental Protection Act (NEPA) which is a process that only requires the identification of detrimental impacts. They have totally ignored the California Environmental Quality Act (CEQA) which requires not only identification of impacts but also their mitigation and is subject to Judicial

discuss revising the mitigation payments, but in the end the Rancheria determined the amount offered which was far short of the counties documented costs and requested mitigation fees. Furthermore, nearly every casino in California has eventually expanded in size at some point in time. Is there a promise to expand the financial mitigation?

There are also numerous impacts that will affect the local residents that are not even mentioned. If the inevitable traffic congestion results in a lowering of air quality and an increase of traffic accidents, then who will compensate the residents for vehicle smog inspections if required or higher car insurance costs? How about the loss of assets associated with a lowering of property values? Will the individual losses involved with an increase in local crime and drug use associated with the casino be covered? The list of items affecting the individual but not considered by the Tribe when offering financial enticements to the city goes on and on. Finally, can you really put a price tag on the permanent loss of the quality of life that makes Plymouth a special place to live and raise our families?

Toma & Anderson water Survey

This section makes for interesting reading but fails to mention the 23,000 acre foot diversion right that Amador County owns on the Consumnes River. If this disputed Ione Band of Miwoks actually lived in or around Plymouth or were truly interested in the economic development of the City, surrounding communities and Amador county, then their research would have included this option. The option selected is the one best for the casino developers. After all, this whole project is about what is best for the Tribe and the out-of-state financial backers, not the local communities.

Conclusion

The tribes project overview document is nothing more than a hollow shell covered with only the thinnest veneer of partial facts. The overview makes a host of unsubstantiated claims and refrains from making a single enforceable commitments. The environmental issues are not addressed in and significant or meaningful detail. The issue of Tribal sovereignty is completely ignored. The City is instead expected to accept on good faith critical issues that the Federal Courts have ruled are not enforceable under State Law. The overview is both inadequate and misleading and as such should be rejected by the City Council and the residents of Plymouth. The only realistic alternative for the City is to join the rest of Amador County in actively opposing what would certainly be a blight on the local community, if it's allowed to continue. In a nutshell, this whole proposed casino project is about making huge sums of money for Mississippi developers and the disputed Band of Miwok Indians. It appears that the City of Plymouth is being enticed by the offer of a paltry sum of money for their support because that support is absolutely necessary to overcome the objections of the rest of the Amador County governing bodies. The casino proposal was described in The Sacramento Business journal as "a very very long shot." Hopefully, it is now clear to the Plymouth City council that this proposed project is not in the best interests of the City or it's citizens. The time has come for the Council to join with the surrounding communities and the Board of Supervisors and oppose this casino. A unanimous voice from Amador County will realistically help to kill this deal and preserve the quality of life for Plymouth and the surrounding communities.

Mailing List

Governor-elect Arnold Schwarzenegger
Schwarzenegger Transition Office
770 L Street
Sacramento, California 95814-3325

Ruben Barrales
Deputy Assistant to the President and
Director of Intergovernmental Affairs
The White House
Washington, D.C.

Senator Dianne Feinstein
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Washington, D.C. 20500

Gale A. Norton
Secretary of the Interior
1849 C Street, NW
Washington, D.C. 20240

The Honorable Doug Ose
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Michael Rossetti
Counsel
Department of the Interior
1849 C Street, NW
Washington, D.C. 20240

Mr. Greg Bergfeld
Regional Chief
National Indian Gaming Commission
501 I Street
Sacramento, California 95814

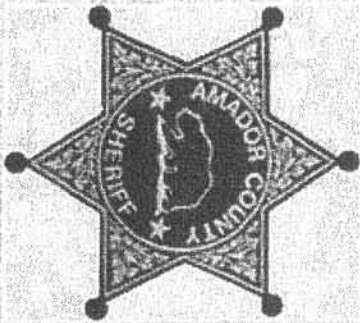
The Honorable Richard Pombo
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Washington, D.C. 20515

Governor Pete Wilson
Distinguished Visiting Fellow
Hoover Institute
Stanford University
Stanford, California 94305-6010

Mr. Philip Hogan
Chairman, National Indian Gaming
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Washington, D.C. 20005

Mr. Clay Gregory
Acting Regional Director, Pacific Region
Bureau of Indian Affairs
ROOM 4160
1849 C Street NW
Washington, D.C. 20240

Mr. Dale Riesling
Bureau of Indian Affairs
Central California Agency
650 Capitol Mall
Sacramento, California 95814



CASINO HOTEL CONFERENCE CENTER ENTERTAINMENT DINING GOLF GOLF COURSE SHEEPING EMPLOYMENT

WHERE FRIENDSHIP IS THE LARGEST JACKPOT

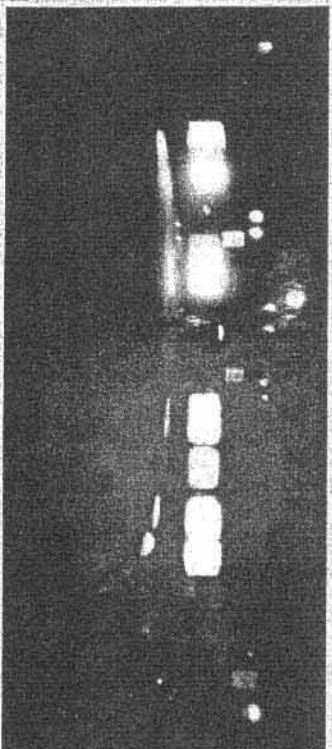
Jackson Rancheria Fiscal Impact on Law Enforcement

Prepared by:

Amador County Sheriff's Office

For the Period 12/01/01 thru 11/30/02

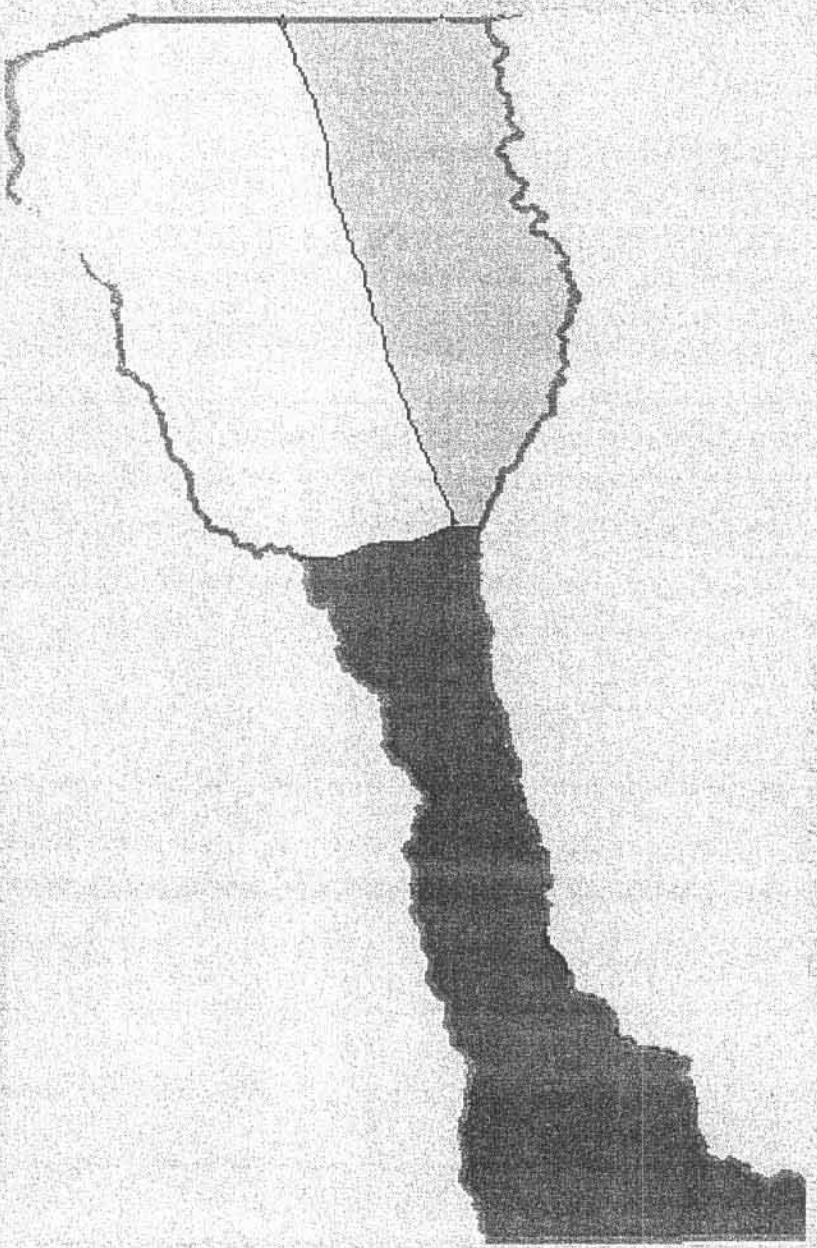
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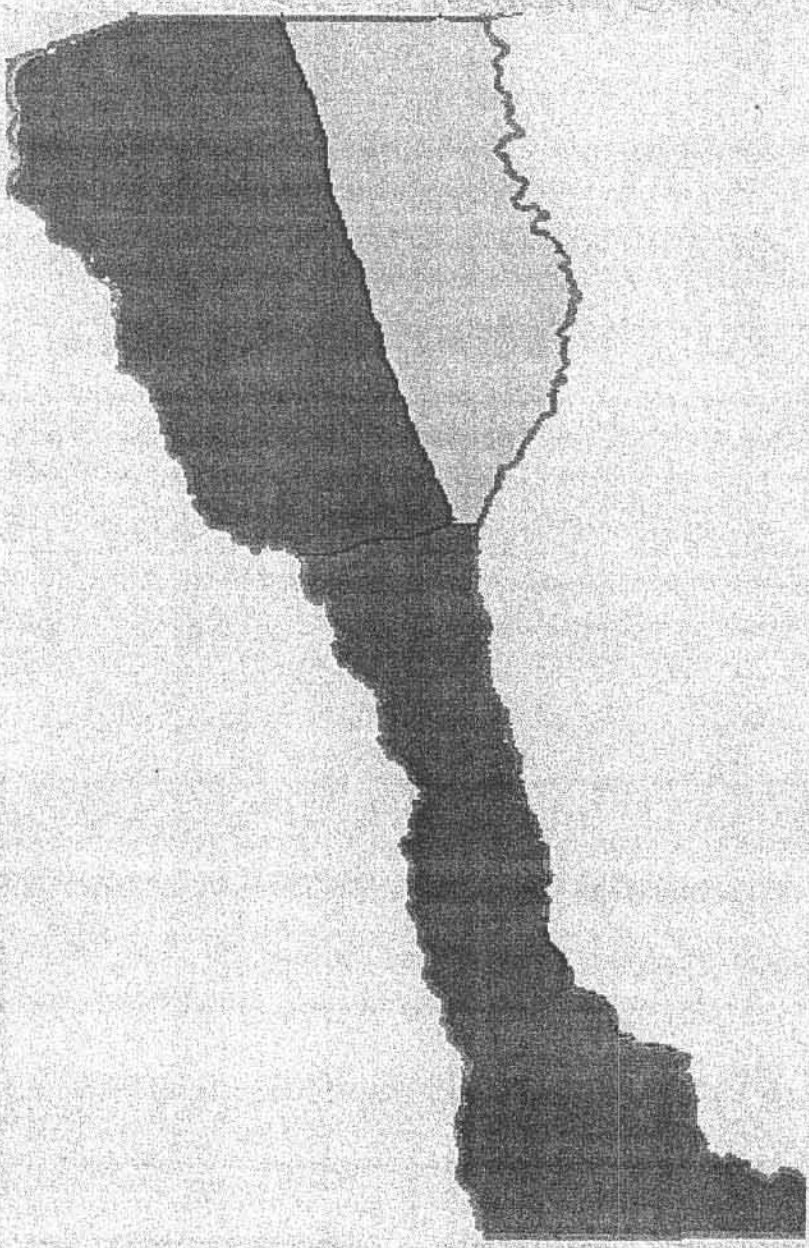
Crime Arrest Statistics

- **Felony Arrests** **65**
- **Misdemeanor Arrests** **16**
- **Citations** **17**
- Total Arrests** **98**

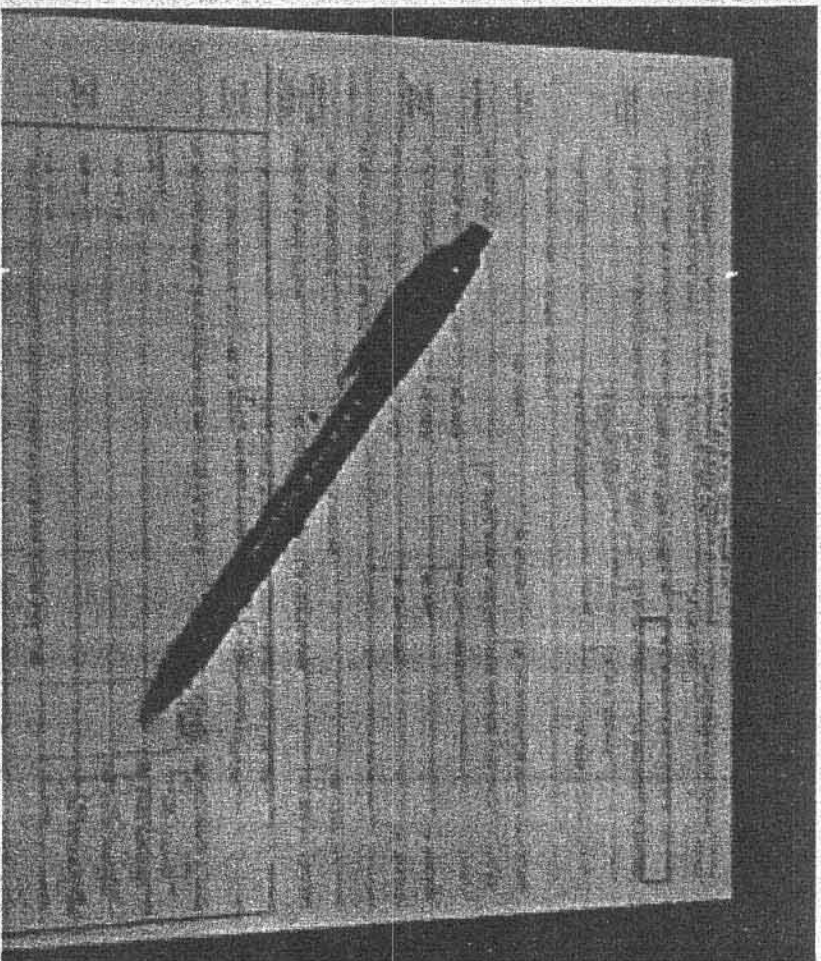
Typical Beat Deployment of The Amador County Sheriff's Office



Beat Deployment During Casino Arrest – Areas Left Uncovered



Written Reports Taken



Over 100 written reports were completed by ACCSO officers.



Amador County Jail Incarcerations

Of the 98 arrests outlined on the previous page,

82 people served a total of 740 days in our jail.

It is important to note that in excess of 50 of the above 82 people spent only one (1) day in our jail facility and were then either: bailed, released on their own recognizance, or cited and released. So in many cases, we can expect to see these individuals return to serve out sentences.

Detention Facility Statistics

2002

California Board of Corrections Rated Capacity:

Male Inmates: 65
 Female Inmates: 11
 Total 76

<u>Month</u>	<u>Average Daily Population of Inmates</u>	<u>Highest one-Day Population</u>
January	69	72
February	68	73
March	80	85
April	76	87
May	73	84
June	64	74
July	73	79
August	80	80
September	87	92
October	83	92
November	82	92
December	68	81
Average	74	75

Detention Facility Statistics (cont.)

Due to a lack of housing capacity, inmates are frequently released when overcrowding occurs. The figures below include both sentenced and non - sentenced inmates released early.

<u>Month</u>	<u>Early Releases</u>
January	31
February	10
March	20
April	0
May	0
June	0
July	2
August	2
September	3
October	7
November	18
December	5
Total Early Releases	98

Detention Facility Cost Analysis

Formula:

Total Annual budgeted cost / average daily population / 365 (calendar days)

$$\$2,019,429 / 74 / 365 = \$ 74.77 \text{ Daily Jail Rate}$$

Costs generated from Casino Arrests

740 Inmate Days * \$74.77 Daily Jail Rate

\$55,329.80

Medical Assistance Dispatches

- Code 3 Medical Dispatches 157
- Code 2 Medical Dispatches 31

Total Medical Dispatches 188

On average an ambulance is dispatched to the Rancharia every other day of the year.



Funding Analysis

Fiscal Year 03/04

Annual salary and benefit costs for an Amador County Deputy Sheriff

Low End Salary Scale	\$59,980
High End Salary Scale	\$73,945
Mid Salary Scale (Used for all calculations)	\$66,962

Annual salary and benefit costs for an Amador County Sheriff's Sergeant:

Low End Salary Scale	\$77,811
High End Salary Scale	\$83,614
Mid Salary Scale (Used for all calculations)	\$80,712

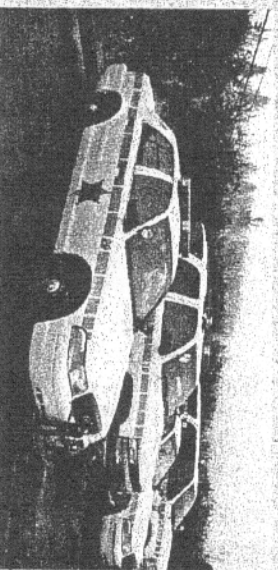
Annual vehicle lease cost with average fuel usage (based on May 2002 fleet average)

\$9,204.00

Funding Analysis (Cont.)

Totals for Proposed Subvention Package, per Year:

Five Deputy Sheriffs	\$ 334,810
One Sheriff's Sergeant	\$ 80,712
Two Patrol Units	\$ 18,408.00
Jail Operational Costs	\$ 55,329.80
Total	\$498463



In Summary:

The Sheriff proposes that the Tribe consider funding five (5) deputy sheriffs, one (1) Sheriff's Sergeant, two (2) patrol units and the increased jail operational costs.

Cost of proposal: \$ 489,463.80

Current contributions: \$ 164,000.00

Proposed additional contribution: \$ 324,463.80

This increased subvention contribution will allow the Sheriff to be able to better assist in handling both the onsite and offsite impacts of the Casino/Resort's continuing growth and future expansion plans.

Thank You!



This presentation was prepared under the direction of the

Amador County Sheriff's Office

Support Services Division

Cpt. Mark Anderson – Commander

Art McClellan, Information System Specialist



Copy

Total Filings for Calendar Year 2002

Felonies Filed By The DA 240

⊕ Misdemeanors Filed By The DA 1008

Total Cases Filed By The DA 1248

Total Rancheria Referrals for Calendar Year 2002

Felony Rancheria Referrals 65

☒ Misdemeanor Rancheria Referrals 70

Total Rancheria Referrals 135

Percentage of Rancheria Misdemeanors

$$\frac{70}{1008} = 6.9 \%$$

Percentage of Rancheria Felonies

$$\frac{65}{240} = 27.0 \%$$

Percentage of Rancheria Cases

$$\frac{135}{1248} = 10.8\%$$

Note: The "Labor Intensive" Ratio of Felony -vs- Misdemeanors

Is 3:1

* Typical experience in felony cases:

1. 50% of cases are misdemeanors with 10% of those being felonies (e.g., DWI, etc.)
2. 50% of cases are felonies with 10% of those being misdemeanors (e.g., DWI, etc.)
3. 10% of cases are felonies with 10% of those being misdemeanors (e.g., DWI, etc.)
4. 10% of cases are misdemeanors with 10% of those being felonies (e.g., DWI, etc.)

Total Rancheria Referrals / Total Cases Filed By The DA

Rancheria Referral Trends

Total Rancheria Referrals	
1998	6
1999	23
2000	27
2001	107
2002	135

> NOTE: Significant increase between 2001 and 2002

Financial Impact

Total Criminal Division Operational Budget Per Year is \$ 2,378,000

Rancheria Cost Impact On the Criminal Division

\$ 256,824

81,000

175,824

Possible cuts : ① SRVP ② SA ③ WF ④ CAPS ⑤ AUCV ⑥ City PD Program
w/ loss of caps ⑦ 10% General Fund cuts

Richard Geseke
Cody McDonald
Vernon Peterson

Percentage Of Rancheria Cases * Total Criminal Division Operational Budget

C: all BOS; CAO; Counsel;
gc



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

#2

JAN 23 2004

Re: Second Scoping Meeting -- Ione Band of Miwok Indians' Trust Acquisition and Casino Project

Dear Interested Party,

Notice is hereby given that the Bureau of Indian Affairs (BIA) intends to hold a second public scoping meeting for the proposed Ione Band of Miwok Indians' Trust Acquisition and Casino Project. The Ione Band of Miwok Indians are requesting that the BIA take 208.06± acres of land into trust for the Band and that a casino, parking area, hotel and other facilities supporting the casino be constructed on the trust acquisition property. The proposed project is located within and around the City of Plymouth in Amador County, California. The Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the proposed project was originally published in the Federal Register on November 7, 2003 (68 FR 63127). The NOI announced a public scoping meeting for November 19, 2003, which was held, and a closing date for comments of December 8, 2003.

A Notice of additional public scoping meeting and extension of comment period for scoping was published in the Federal Register (Volume 69, Number 12) on January 20, 2004. The additional public scoping meeting will be held at the Amador County Fairgrounds, 18621 Sherwood and School Streets, Plymouth, California. The meeting will be held on Wednesday, February 4, 2004, from 6 p.m. to 9 p.m. or until the last comment is received. The purpose of the scoping meeting is to identify potential issues and content for inclusion in the EIS. Areas of environmental concern identified to date for analysis in the EIS include land use, geology and soils, water resources, agricultural resources, biological resources, mineral resources, paleontological resources, cultural resources, traffic and transportation, air quality, noise, public health/environmental hazards, hazardous materials and waste/worker safety, public services and utilities, socio-economics, visual resources/aesthetics and environmental justice. Additional issues may be addressed based on comments received during the scoping process.

The date by which written comments must arrive is extended to February 20, 2004. Comments should be mailed or hand-carried to Mr. Clay Gregory, Acting Regional Director, Pacific Region, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California 95825.

For further information, please contact William C. Allan, Regional Environmental Protection Specialist, at (916) 978-6043.

Sincerely,

*Nea Director
Diza*

Gracie A. Murillo
Acting Regional Director

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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

JAN 23 2004

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Sincerely,

Gracie A. Murillo

Acting Regional Director

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United States Department of the Interior



OFFICE OF THE SECRETARY
Washington, D.C. 20249

#3

MAR 22 1994

The Honorable Nicholas Villa, Jr.
Chief, Ione Band of Miwok
P.O. Box 1152
Ione, California 95640

Dear Mr. Villa,

I am writing regarding our meeting on October 28, 1993 and subsequent discussions with Congressman Doolittle. In that meeting I agreed to clarify the United States' political relationship of the Ione Band of Miwok, as well as Mr. Louis Bruce's 1972 letter regarding the tribe's political status and its historic land base.

Upon review of the matter, I am now reaffirming the portion of Commissioner Bruce's letter which reads:

The Secretary also recognizes that obtaining a tribal community land base for the Ione Band is a part of his policy of Indian self-determination and cultural identification. *** Federal recognition was evidently extended to the Ione Band of Indians at the time that the Ione land purchase was contemplated. *** As the Commissioner of Indian Affairs, I therefore, hereby agree to accept by relinquishment of title or gift the following described parcel of land to be held in trust for the Ione Band of Miwok Indians. (See Bruce letter attached)

As Assistant Secretary of Indian Affairs I hereby agree to accept the parcel of land designated in the Bruce letter to be held in trust as territory of the Tribe. As I stated during the October meeting, the Tribe will henceforth be included on the list of "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs," last published in the Federal Register on October 21, 1993.

I am hereby directing the Bureau of Indian Affairs and specifically the Sacramento Area Office to deal with the tribe accordingly. The Bureau will maintain contact with the tribe to address the relevant details. I extend my personal congratulations and look forward to working with you and your people.

Ada E. Deer

Ada E. Deer
Assistant Secretary - Indian Affairs

Federal recognition was evidently extended to the Ione Band of Indians at the time that the Ione land purchase was contemplated. As stated earlier, they did not reject the Indian Reorganization Act and thus are eligible for the purchase of land under this act. The Sacramento Area Office of the Bureau of Indian Affairs should determine that the land is merchantable and free of encumbrance. I am directing the Sacramento Area Office to assist in the preparation of a document containing a membership roll and governing papers which conform with the Indian Reorganization.

As the Commissioner of Indian Affairs, I therefore, hereby agree to accept by relinquishment of title or gift the following described parcel of land to be held in trust for the Ione Band of Miwok Indians:

Beginning at the point of intersection of the center line of the County Road to Jackson, with the Westerly line of the fifty-two acre tract of land owned by Anthony Meath, Armando Dellarings, Rocco Dellarings, and Albert Dellarings, as recorded in Book 130 Official Records, Inyo County, California page 98; thence following the center line of said County Road, North sixty-five degrees, fifty minutes West (N. 65° 50' W.) One thousand seven hundred twenty five (1725) feet to a point; thence at right angles, North twenty-four degrees, ten minutes East (N. 24° 10' E) One thousand seventy two (1072) feet to a point; thence at right angles, South sixty-five degrees, fifty minutes East (S. 65° 50' E) One thousand five hundred thirty one (1531) feet to the West boundary of the said property of Anthony Meath, Armando Dellarings, Rocco Dellarings and Albert Dellarings; thence following said boundary line, South fourteen degrees, eight minutes West (S. 14° 08' W) One thousand eighty-seven (1087) feet to the point of beginning.

Sincerely,
(Sgd) Louis R. Bruce

Signature

LT:com

File 0/17/20

January 30, 2004

#4

Supervisor Mario Biagi
Amador County Board of Supervisors
500 Argonaut Lane
Jackson, CA 95642

Re: Ione Hotel-Casino in Plymouth, CA

Dear Supervisor Biagi:

As we discussed via telephone earlier today, our Technical Memorandum dated January 16, 2004 is based on a scope of work and set of assumptions that are not fully resolved at this time due to some unresolved questions about the project. Please note the following as you review the memo.

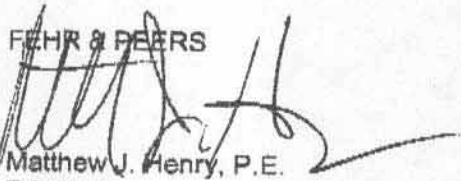
- **Timing of Impacts** – The purpose of our work was to identify the impacts of the proposed hotel-casino on the 20-year Regional Transportation Plan for Amador County and the City of Plymouth. There is no question that the impacts of the proposed hotel-casino would be experienced immediately after the facility is constructed, which we understand will be long before 2025. Further studies are needed to determine the timing of the needed improvements.
- **Trip Generation Rates** – The trip generation rates used for this study were based on those available from older Indian gaming facilities in the region. Although we have not yet seen data from the newer, more modern facilities, our field observations indicate that the trip generation rates could be even higher because the newer casinos offer amenities not available at the original casinos.
- **Trip Distribution Assumptions** – The trip distribution assumptions used for the study were based on our own judgment of the likely routes of travel using current traffic count data. We have not yet seen market studies being prepared by the project proponents. The results of such market studies could have a major impact on the conclusions of the study, especially the location and extent of the impacted roadways and intersections.

We suggest that the traffic study being conducted for the tribe's Environmental Evaluation consider these issues, along with those raised within the January 16, 2004 Technical Memorandum.

Please call if you have questions.

Sincerely,

FEHR & PEERS

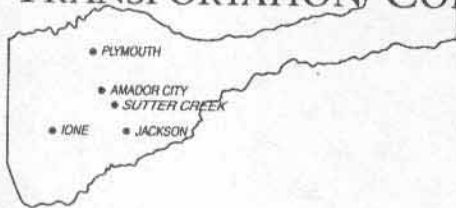

Matthew J. Henry, P.E.
Principal

cc: Charles Field - ACTC

972-750

ACTC

AMADOR COUNTY
TRANSPORTATION COMMISSION



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January 29, 2004

TO: Mario Biagi, Supervisor District V

FROM: L. William Breiner, Chairman *LWB*

SUBJECT: Plymouth/Ione Casino Potential Traffic Impacts

On October 15, 2003, and pursuant to your request, the ACTC authorized its transportation consultant Fehr & Peers Associates, Inc. to carryout a traffic impact assessment of the proposed Ione casino in Plymouth. Enclosed please find the results of this assessment. For purposes of this analysis, Fehr & Peers used the project description provided by Larry Wymer, Analytical Environmental Services. Fehr & Peers made certain assumptions (trip generation rates, origins, etc.). While these assumptions may vary from any traffic study that may be subsequently prepared for the proposed casino, Fehr & Peers' results should be reasonably accurate for general planning purposes.

LWB/nc

Cc: Patrick Blacklock, County Administrative Officer
Dennis Cota, Best Best and Krieger
Steven DeBaun, Best Best and Krieger
Matt Henry, Fehr & Peers Associates

JAN 20 2003

TECHNICAL MEMORANDUM

Date: January 16, 2004
To: Charles Field - Amador County Transportation Commission
From: Matt Henry and Kathrin Tellez - Fehr & Peers *MJH*
Subject: *Impact of the lone Casino-Hotel on the Regional Roadway System*

972-750

The purpose of this memo is to document the changes to the future (2025) deficiencies on the regional roadway network, identified in the Draft of the *Amador County Regional Transportation Plan and Circulation Element 2004 Update* (January 1, 2004) (Draft 2004 RTP Update), based on the development of the proposed lone Casino-Hotel in Plymouth.

DESCRIPTION OF THE CASINO PROJECT

Based on information provided by you, the proposed 10-acre project site is located partially within the City of Plymouth (8 acres) and partially within an unincorporated area of Amador County (2 acres), immediately east of State Route 49 (SR 49) and south of Fiddletown Road. Phase I would include development of a 120,000 square-foot (SF) casino complex consisting of a porte cochere, main gaming hall, food and beverage services, retail area, and administration space. Primary access to the casino complex would be provided from SR 49.

Phase II of the proposed project would involve the construction of a 250-room hotel, including small conference style facilities with food and beverage services. Primary vehicle access to the hotel would be provided through the main casino entrance on SR 49. Approximately 2,700 on-site parking spaces are proposed to support the parking demand for both phases of the project.

Project Trip Generation and Distribution Assumptions

Daily trip generation for the proposed casino was estimated using trip generation rates presented in the *Traffic Impact Study for the Auburn Rancheria Gaming Facility* (Fehr & Peers, October 2000), as presented in Table 1. Trip generation rates presented in this study are based on operations at four similar gaming facilities in Northern California. Vehicle trips for the proposed hotel portion of the project were estimated using trip generation rates from the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (6th Edition). As the operation of the hotel and casino are interrelated, external hotel trip generation was adjusted by 30 percent to account for hotel guests patronizing the casino portion of the project. The trip generation rates and internalization assumptions were applied to the proposed project components. Upon completion of both the casino and hotel portions of the proposed project, approximately 7,000 external trips would be generated per weekday.

TABLE 1 IONE CASINO-HOTEL DAILY TRIP GENERATION				
Land Use	Size	Units	Daily Trip Generation Rate	Project Trips
Casino ¹	120,000 SF	1,000 SF	45.13	5,420
Hotel ²	250	Occupied rooms	8.92	2,230
<i>Less 30 Percent Hotel Internalization</i>				670
Net New Daily Trips				6,980
Notes:				
¹ Trip generation from <i>Traffic Impact Study for the Auburn Rancheria Gaming Facility</i> (Fehr & Peers, October 2000).				
² Trip generation taken from <i>Trip Generation</i> , (Land Use Code 310), 6 th Edition, ITE				
Source: Fehr & Peers, 2004.				

Trip distribution for the proposed Ione Casino-Hotel was estimated based on our local knowledge and the general assumption that casino will draw from a somewhat different market than the Jackson Rancheria Casino, namely northwestern Amador County, Sacramento County, and El Dorado County.

The following trip distribution assumptions were made for purposes of this analysis:

- State Route 16 (SR 16) 55 percent
- SR 49 north of SR 16 10 percent
- Shenandoah Road north of Fiddletown Road 3 percent
- Fiddletown Road east of Shenandoah Road 3 percent
- Sacramento Road west of SR 49 2 percent
- Latrobe Road north of SR 16 10 percent
- SR 49 south of State Route 88 (SR 88) 3 percent
- SR 88 west 12 percent
- SR 88 east 2 percent

Upon completion of the site-specific marketing survey currently underway for the proposed project, trip distribution percentages may change. Nevertheless, the following analysis is based on these initial assumptions.

YEAR 2025 CONDITIONS

Daily 2025 traffic forecasts presented in the Draft 2004 RTP Update, as shown on Figure 1, were utilized as the basis from which to assess the incremental impacts of the proposed Ione Casino-Hotel project. Figure 2 displays the 2025 daily level of service (LOS) without the Ione Casino-Hotel project and assuming no new regional improvements beyond the SR 49 Bypass of Sutter Creek and Amador City.

Traffic Forecasts and Operations Analysis

Using the trip generation and distribution assumptions, project trips were distributed to the Year 2025 roadway network and added to average daily forecasts presented in the Draft 2004 RTP Update, as shown on Figure 3. Figure 4 displays the average daily levels of service with the Ione Hotel-Casino assuming no new road improvements. Table 2 summarizes the levels of service for each roadway segment under existing and 2025 conditions.

**TABLE 2
SUMMARY OF TRAFFIC CONDITIONS ON THE REGIONAL ROAD NETWORK**

Roadway Segment	Average Daily Road Segment Level of Service		
	Existing	Year 2025 ¹ Without lone Casino-Hotel	Year 2025 ¹ With lone Casino-Hotel
SR 49 - El Dorado Co. line to Fiddletown Rd	B	C	C
SR 49 - Fiddletown Rd to Project entrance	B	B	D
SR 49 - Project entrance to SR 16	B	B	<i>E</i>
SR 49 - SR 16 to SR 49 Bypass	C	E	E
SR 49 Bypass at Sutter lone Rd	N/A	C	D
SR 49 through Sutter Creek	D	C	C
SR 49 - Sutter Creek to SR 104	B	B	C
SR 49 - SR 104 to SR 88	B	B	B
SR 49/SR 88 in Jackson	D	F	F
SR 49 - SR 88 to Clinton Rd	B	C	C
SR 49 - Clinton Rd to Calaveras Co. line	C	D	D
SR 16 - SR 49 to Latrobe Rd	B	C	<i>E</i>
SR 16 - Latrobe Rd to Sacramento Co. line	B	C	<i>D</i>
SR 124 - SR 16 to SR 104	A	B	B
SR 124 north of SR 104	B	B	B
SR 124/SR 104 through downtown lone	C	E	E
SR 124 - SR 104 to SR 88	B	B	C
SR 88 - San Joaquin Co. line to SR 124	C	D	D
SR 88 - SR 49/88 to Court St in Jackson	D	E	E
SR 88 - Court St to Pine Grove	C	E	E
SR 88 - Pine Grove	E	F	F
SR 88 - SR 26 to Shake Ridge Rd	C	D	D
SR 88 - Shake Ridge Rd to Alpine Co. line	B	C	C
Fiddletown Rd east of Shenandoah Rd	B	B	B
Fiddletown Rd east of Hale Rd	A	A	A
Shenandoah Rd north of Fiddletown Rd	C	C	C
Shenandoah Rd east of Bell Road	B	B	B
Sacramento Rd west of SR 49	B	B	B
Latrobe Rd - SR 16 to Sacramento Rd	B	C	C
Latrobe Rd - Sacramento Rd to El Dorado Co.	B	C	C

Notes:

BOLD indicates deficient operation. **BOLD ITALICS** indicates new deficiency as compared to the Draft 2004 RTP Update.
¹ All scenarios assume Jackson Rancheria Expansion Scenario A with 40% of traffic using Ridge Road and 60% using new access roadway to SR 88. No new improvements were assumed, aside from the SR 49 Sutter Creek/Amador City Bypass.

Source: Fehr & Peers, 2004.

Impact on Roadway Deficiencies

Goal 1A(2) of the Draft 2004 RTP Update states that it is the County's goal to "maintain a level of service (LOS) of "C" or better for average daily conditions on all State highways and local streets and roads outside of incorporated cities and other developed communities. It is the County's goal to maintain LOS "D" or better for average daily conditions within incorporated cities and other developed communities".

As shown in Table 2, the proposed project would increase traffic volumes on nine roadway segments projected to operate at unacceptable service levels in 2025. Additionally, the proposed lone Casino-Hotel would degrade the service levels of the following roadway segments projected to operate at acceptable service levels prior to the addition of project traffic:

- SR 16 – SR 49 to Latrobe Road (LOS C to LOS E)
- SR 16 – Latrobe Road to the Sacramento County line (LOS C to LOS D)
- SR 49 – Project entrance to SR 16 (LOS B to LOS E)

In addition, the proposed lone Casino-Hotel would degrade the operations of SR 49 between the Project entrance and Fiddletown Road from LOS B to LOS D in 2025. This impact is not shown in listed above because, under the Goal 1A(2) of the Draft 2004 RTP Update, LOS D is considered acceptable in this location (i.e., within the Plymouth City limits).

Impact on Improvement Needs

Based on the results in Table 2, the impact of the proposed lone Casino-Hotel on the need for improvements to the regional roadway system was identified. Table 3 identifies the Amador County Regional Roadway projects contained in the Draft 2004 RTP Update. Project contributions were defined for three categories:

- **Little or No Effect on Need** – Project would increase daily traffic by less than 400 vehicles.
- **Project Traffic Contributes to Need Already Identified** – Project would increase daily traffic by more than 400 vehicles.
- **Project Traffic Causes Need** – Project traffic would degrade acceptable roadway conditions to unacceptable conditions, requiring addition improvements beyond those identified in the Draft 2004 RTP Update.

As shown in Table 3, Project traffic would cause the need for improvements on roadways closest to the site and accelerate the need for improvements along the major travel corridors that would provide access to the proposed lone Casino-Hotel.

TABLE 3
IMPACT OF THE IONE CASINO-HOTEL ON THE YEAR 2025 IMPROVEMENT OPTIONS
FOR REGIONAL ROADWAY SYSTEM¹

Improvement	Project Traffic		
	Has Little or No Effect on Need	Contributes to Identified Need	Causes the Need
SR 88 Pine Grove corridor improvements	X		
SR 88 Jackson corridor improvements		X	
lone interim west bypass		X	
SR 88 Pioneer/Buckhorn corridor improvements	X		
SR 88 widen to 5 lanes from SR 49 to SR 104		X	
SR 49/88 add SB lane between Martell & Jackson		X	
SR 49 passing lane NB between Drytown & SR 16		X	
SR 88 passing lane EB between Jcksn/P.Grove		X	
SR 88 improvements San Joaquin Co line to 104	X		
SR 49 - widen to 5 lanes - French Bar to Broadway	X		
SR 49 Drytown bypass or improvements		X	
SR 88 improvements - Casino access to Court st		X	
SR 104/124/Shakeley Ln intersection improv.		X	
SR 88 improv. from SR 49 to Court St.		X	
SR 49/88/Argonaut Lane intersection improvements		X	
SR 104 (Lower Ridge) improv. SR 49 to SR 88	X		
SR 49 - improvements through City of Plymouth		X	
SR 49 - SR 16 to Project entrance - widen to 4 lns			X
SR 88 improv. between Buckhorn & Alpine Co	X		
SR 49 - improv. from Jackson to Calv. Co. line	X		
SR 104/Main St - widen turn radius on NE corner		X	
SR 49/Main St Phase I right turn lane	X		
SR 49/Empire St intersection improvements		X	
SR 88/Ridge Rd signalize & improvements	X		
SR 88/104 signalize & improvements	X		
SR 49/Clinton Rd signal	X		
SR 88/Defender Grade intersection improv.	X		
SR 49/16 intersection improvements		X	
SR 49/Main St Phase II intersection improve	X		
SR49/104/Ridge Rd add right-turn lanes	X		
SR 88/124 intersection improvements		X	
SR 88/Jackson Vly Rd (west) upgrade intersec.		X	
SR 88/Buena Vista Rd intersection improv.	X		
SR 88/Volcano Rd intersection improvements	X		
SR 16 - SR 49 to Co. Line - widen to 4 lanes			X
SR 16/Latrobe Rd intersection improvements		X	
SR 88/SR 26 intersection improvements	X		
SR 88/Court Street intersection improvements	X		
Improve Sutter-Ione Road from SR 49 to Bypass	X		
Mission Blvd. Extension	X		
Sutter Street Extension	X		
Ridge/Climax improvements SR 49 to SR 88	X		
Wicklow Way Extension	X		
New York Ranch Rd improvements	X		
New York Ranch/Ridge Rd intersection imps	X		
Signalize Ridge Rd/Old Ridge Road	X		

Notes: ¹ Based on average daily conditions with the SR 49 Sutter Creek/Amador City Bypass in place.
 List of Improvement Projects taken from the 2004 Draft Amador County RTP Update, Table 5, January 1, 2004.
 Source: Fehr & Peers, 2004

Sensitivity Analysis

The analysis presented above is based on key assumptions that affect the results. The trip generation and trip distribution assumptions were developed using the best available information at the time this analysis was prepared. However, it is difficult to be precise given the unique type of land use. Therefore, we conducted a sensitivity analysis to determine whether minor changes in trip generation or trip distribution assumptions would change the findings.

The following locations are those where project-generated traffic would cause the 2025 daily traffic volume to fall within 10 percent of the threshold for triggering unacceptable operations by 2025:

- SR 49 - Project entrance to Fiddletown Road (within 10 percent of LOS E operations)
- SR 49 - Project entrance to SR 16 (within 10 percent of LOS F operations)
- SR 49 - Clinton Road to the Calaveras County line (within 10 percent of LOS E operations)
- SR 88 - SR 49/88 to Court Street in Jackson (within 10 percent of LOS F operations)

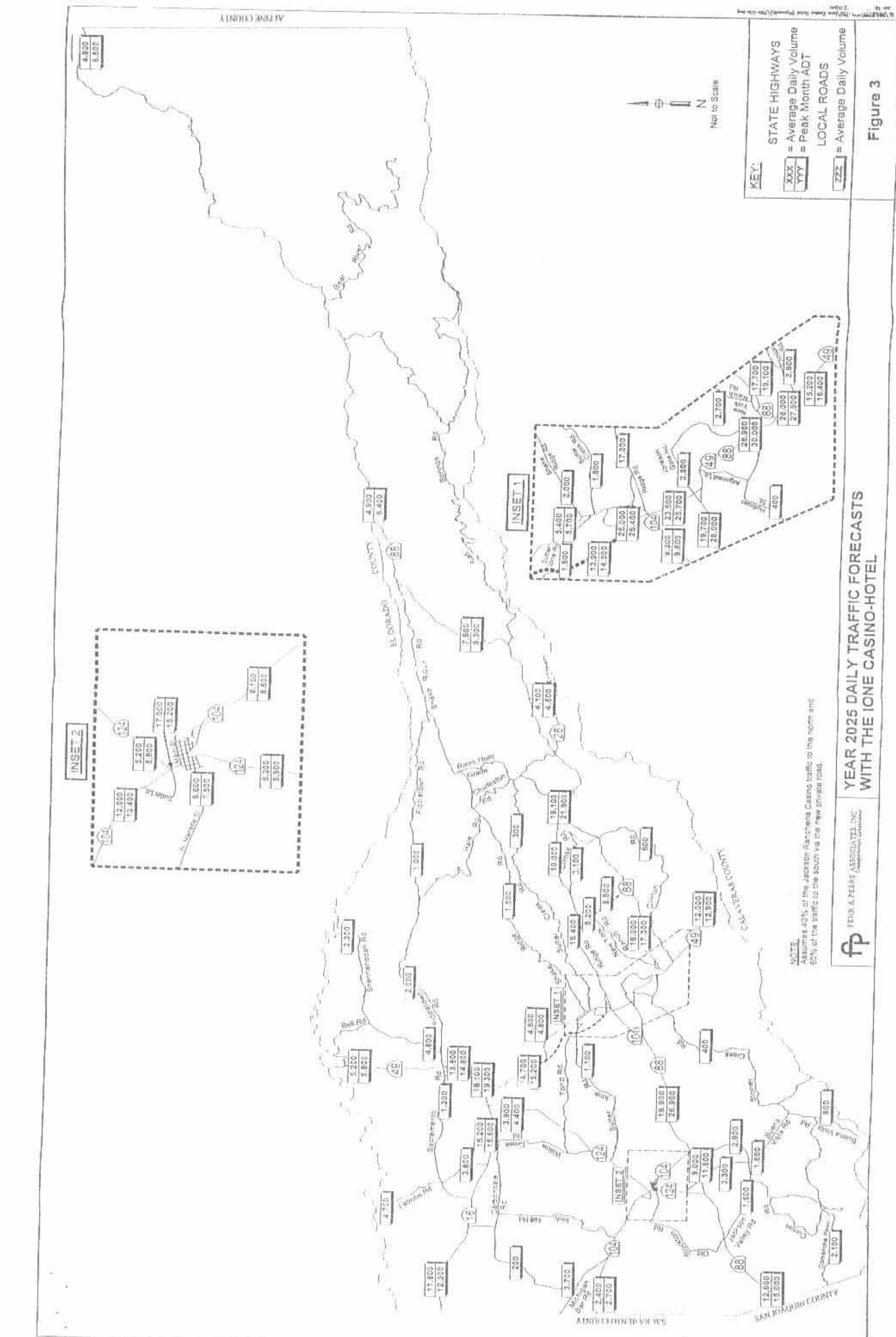
Therefore, if the project's trip generation were to increase and/or if the trip distribution assumptions were to change, these locations might experience further impacts from project generated traffic, requiring improvements or further accelerating needed improvements.

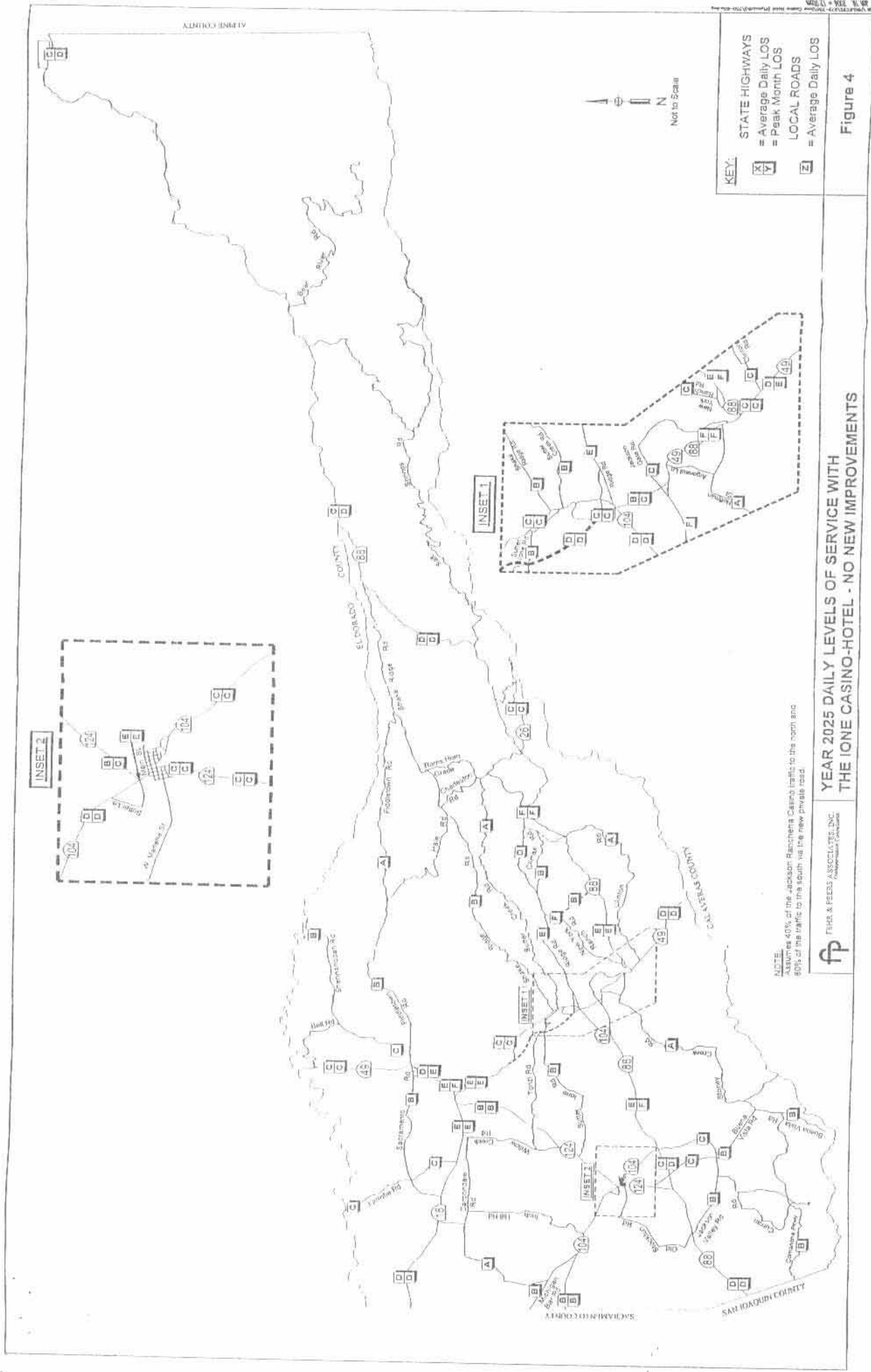
This completes our preliminary traffic assessment of the lone Casino-Hotel project. Please feel free to call if you have any questions or comments.

/kt

972-750

Attachments: Figure 1 – 2025 Daily Traffic Volumes Without lone Hotel-Casino
Figure 2 – 2025 Level of Service Without lone Hotel-Casino
Figure 3 – 2025 Daily Traffic Volumes With lone Hotel-Casino
Figure 4 – 2025 Level of Service Volumes With lone Hotel-Casino





KEY:

- STATE HIGHWAYS
- = Average Daily LOS
- = Peak Month LOS
- LOCAL ROADS
- = Average Daily LOS

Figure 4

NOTE:
 Assumes 40% of the Jackson Ranchettes Casino traffic to the north and
 60% of the traffic to the south via the new private road.



**YEAR 2025 DAILY LEVELS OF SERVICE WITH
 THE IONE CASINO-HOTEL - NO NEW IMPROVEMENTS**

ALEXANDER & KARSHMER #6

ATTORNEYS AT LAW
(A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION)

2150 SHATTUCK AVENUE, SUITE 725

BERKELEY, CALIFORNIA 94704

PHONE: (510) 841-5056

FAX: (510) 841-6167

E-MAIL: ALEKKARS@AOL.COM

1918 18TH STREET, N.W., SUITE 24

WASHINGTON, D.C. 20009

PHONE: (202) 797-2548

FAX: (202) 797-2550

E-MAIL: AamdKDC@AOL.COM

BARBARA E. KARSHMER* (CA)

PAUL ALEXANDER (D.C.)

JOHN R. SHORDIKE (CA)

CURTIS G. BERKEY (CA & D.C.)

SCOTT W. WILLIAMS (CA & VA)

THOMAS WEATHERS (CA)

* A PROFESSIONAL CORPORATION

March 26, 2001

Re: Request for Proposal: Casino Development with Ione Band of Miwok Indians

Dear Gaming Management Professional:

As you may know, California holds a wealth of opportunity for casino gaming by federally-recognized Indian tribes located in the state. There are many untapped markets in the state, including the Sacramento area. The Ione Band of Miwok Indians, a federally-recognized Indian tribe with an aboriginal territory covering Sacramento, California, would like to tap into this market and develop a first-rate casino to generate jobs and revenue to help its members. Accordingly, the Ione Band of Miwok Indians (the "Tribe") invites proposals from qualified persons and organizations for the design, development, and management of a tribal casino in or near Sacramento or Stockton, California. The Tribe may also be interested in developing related resort facilities such as a hotel, gift shop, swimming pool, and restaurant.

The Tribe is federally-recognized and governed through a General Council comprised of all members and an elected Tribal Council. The current Tribal Chair is Kathy Ramey. The Tribe's offices are in Ione, California, a small town to the south of Sacramento. The Tribe currently has no trust land, reservation, or gaming compact with the state. The Tribe would like to enter a relationship with a developer who can help the Tribe obtain trust land and a gaming compact.

To assist the Tribe in its review, we have enclosed a questionnaire to be completed and returned by you. You will also need to submit a non-refundable application fee of ten thousand dollars (\$10,000) which will be used to defray the Tribe's review and investigation costs. The check should be made out to the Ione Band of Miwok Indians and returned with the questionnaire. The completed proposal and non-refundable application fee must be received no later than 5 p.m. Friday, April 6, 2001. Transmit the original and two copies of the proposal/questionnaire, and direct any inquiries to:

Ione Band of Miwok Indians
c/o Alexander & Karshmer
2150 Shattuck Avenue, Suite 725
Berkeley, CA 94704
Tel: (510) 841-5056
Fax: (510) 841-6167

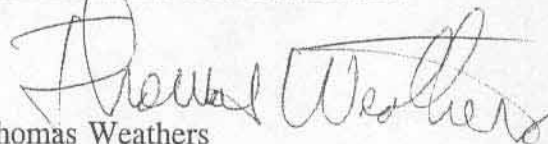
Please do not directly contact the Ione Band of Miwok Indians for information. Such contacts will be grounds for disqualification.

The Tribe's decision to review a proposal does not constitute any approval, acceptance, or promise regarding that proposal or its author. The Tribe, in its sole and absolute discretion, may accept or reject any proposal at any time, for any or no reason, or require additional information. The Tribe intends to promptly and aggressively review serious proposals, and will notify applicants of rejections as soon as possible. Finalists, if any, will be contacted as appropriate, to provide additional design plans, background and financial information, and all other necessary information. The Tribe hopes to make a final selection as soon as practicable.

We look forward to receiving your proposal to participate with the Tribe in a mutually successful project. If you have any questions or comments, please feel free to give us a call.

Very truly yours,

ALEXANDER & KARSHMER



Thomas Weathers
David H. House

Encl.

cc: Ione Band of Miwok Indians

Memo

To: Potential Investors
From: Roger Stone
Director
Drake Ventures, LLC

Since the enactment of the 1998 Indian Gaming Act, Indian Casino Gaming in America has become a billion dollar industry for American Indian Tribes and their non-Indian development partners.

In order to legally conduct casino gaming an Indian Tribe must be Federally recognized and have reservation land or, in the case of landless tribes, the ability to obtain land- in-trust from the United States Government.

The Tribe must also obtain a compact from the state specifying which casino games can be conducted.

We at Drake Ventures have spent substantial resources identifying Tribes that meet these criteria. These Tribes can pursue gaming ventures that are both *economically and politically viable*.

We have reached exclusive agreements with these Tribes and are seeking investors interested in participating in the substantial returns outlined within this proposal.

Please contact me at 202-262-3034 if you have an interest in pursuing an investment in Indian Casino Gaming.

TABLE OF CONTENTS

1. Introduction
2. Background Information
3. Lower Lake Tribe
4. Scott's Valley Tribe
5. Ione Tribe
6. Jena Band of Choctaw Indians

Comment #9

ase place my name on the mailing list.

Carol Bilheimer

P.O. Box 1955

Jutter Creek, CA 95685

Thank you

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

November 19, 2003 - 6:00 - 9:00 PM

Amador County Fairgrounds

COMMENT SHEET

Your Name: Carol Bilheimer

Your Organization: Citizen

As a resident of Amador County I'm concerned about the following:

- A county (small) with a population of 30,000 people and a small tax base can't afford a third casino. The above band of Indians don't have a historical ~~pro~~ claim to this land, ~~the~~ other two bands do have a historical claim.
- Amador County doesn't have the money to take care of the added problems i.e. traffic, ~~the~~ ^{rain on} water, crime, this casino will bring with it.
- The citizens of Amador County shouldn't have to pay taxes to pay for added services this casino would require.
- The use of liquor at this casino and the chance that liquor will be served at the Jackson Casino will bring about more accidents on our roads.
- The citizens of Amador County will suffer because money will be taken from services required by the majority to pay for the problems (courts, police, ~~roads~~, etc.) the county will be required to foot the bill for.

Comment #10

November 6, 2003

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

Subject: County of Amador's Scoping Comments on Ione Band of Miwok Indians' Proposal for Acquisition of Trust Land and Operation of a Casino (Plymouth, Amador County)

Dear Mr. Gregory:

The Ione Band of Miwok Indians ("Tribe") has proposed to acquire approximately 208 acres of land in Amador County not now owned by the Tribe on which to place a tribal casino, retail businesses, a hotel, non-tribal housing, and other facilities (collectively the "Casino"). Ten acres of the proposed acquisition are located in the City of Plymouth and 198 in the adjacent unincorporated area of Amador County. The Board of Supervisors of Amador County has taken a position that the establishment of the Casino would have significant, adverse impacts on the County and opposes the acquisition. The Board of Supervisors' comments for the scoping process preceding BIA's compliance with NEPA for the project follow. The NEPA document must consider these impacts.

1. The Board of Supervisors has never seen any evidence that the land proposed for the Casino has ever been Indian land or that there has ever been a historical connection between the Tribe and the Plymouth area. The Tribe has (at best) acquired options to purchase land for this allegedly landless Tribe. The Tribe and some of its members own land in Amador County in another location; the Tribe is not landless. The Board of Supervisors believes that the lack of historic connection bars the Tribe from acquiring the proposed land.

2. Some long-time local Tribal members are not affiliated with those who seek to open the Casino and do not support it. Thus, the Board believes, there is an internal dispute over the membership of the Tribe and support for the Casino. The Board of Supervisors understands that there is even a conflict as to who composes the governing body of the Tribe and may speak for it. The Board asks that the BIA not process the NEPA document until that dispute is settled.

3. Amador County already has one very large Indian casino, the Jackson Rancheria casino, located about 12 miles from Plymouth. Another Indian casino has been approved for the Buena Vista area of the County near the Amador-San Joaquin County line also about 12 miles from Plymouth. Amador County has a population of 31,000 people (excluding State inmates and wards); Plymouth has a population of about 950. Amador County and certainly Plymouth are simply too small to accommodate another casino. The attraction of having two or even three

casinos within such a short driving radius will have an overwhelming and obviously negative impact on the people who live here.

4. Amador County taxpayers are currently subsidizing in direct hard costs the Jackson Rancheria casino through the County's general fund in the amount of approximately \$680,000 annually. That is because the Jackson Rancheria casino has on-site impacts borne by the County for which the casino does not pay, such as increased costs for the Sheriff's Office, District Attorney's Office, Public Defender, Probation Office, and Social Services. That amount does not include indirect costs from off-site arrests, crimes, prosecutions and social services required to service the casino's patrons. The addition of the second and third casinos would geometrically increase that taxpayer subsidy.

5. Public safety resources will be severely strained by the Casino. Drawing from the County's experience with the existing Jackson Rancheria casino, the Sheriff states that there were a total of 98 Jackson Rancheria casino on-site arrests between December 1, 2001 and November 30, 2002, of which 82 people served a total of 740 days in the already over-crowded County jail. That does not count off-site arrests related to casino patronage or crimes for which no arrests were made. The Sheriff's Office made 188 medical dispatches to the existing casino during that same period, an average of one call every other day. Additionally, the Casino's requirement for officer responses has caused an adverse impact on staffing levels for the rest of the County. The high demand for officer response to the existing casino has reduced the number of officers that are available to respond to emergencies elsewhere in the County and frequently leaves residents in the rest of the County in jeopardy. Another casino will exacerbate the strain on public safety resources.

6. The traffic impact of the proposed Casino will be enormous and onerous. Access to Plymouth from the west (Sacramento) is by State Route 16, terminating at its junction with State Route 49 south of Plymouth, and from the north by State Route 49. Additional traffic will come north from Stockton on State Routes 88 and 124 through the City of Ione which highways intersect with State Route 16 west of Plymouth which intersects with State Route 49. The Casino proposes to have its only public road access from State Route 49 in Plymouth. State Highways 16 and 49 are almost entirely single lane in each direction including all of State Route 49 inside Plymouth. The traffic impact alone from the proposed Casino will gridlock Plymouth and make unsafe all State highways for miles around Plymouth.

7. Any letters or resolutions of support for the Casino from Plymouth's City Council transmitted to the BIA represent only the support of the City Council. The Board of Supervisors, which has governmental authority over 198 of the 208 acres of the Tribe's proposed acquisition, strongly opposes the Tribe's acquisition of trust land in and around Plymouth as do the city councils of all of the other cities in Amador County as well as the Amador County Unified School District and the Amador Air District.

8. The City Council not only doesn't speak for Amador County, it doesn't speak for a majority of the residents of Plymouth. A recent survey authorized by the City Council showed that overwhelmingly, by 73% to 27%, the residents of the City answering the survey opposed the

placement of the Casino in Plymouth. Any indication of public support by the City Council (the members of which are currently involved in a recall over this issue) should be rejected out of hand.

9. Recently, the City Council undertook deliberation over an agreement with the Tribe by which the Tribe would pay fixed amounts of money for specific impacts which the Tribe believes the Casino would create in the City. The City, the Tribe, and the BIA have not analyzed the impacts of the Casino on the City; the scoping is just the beginning of that process. As far as the Board of Supervisors is concerned, the proposed mitigation amounts don't include funds to mitigate impacts on the County government and therefore on the County's taxpayers. To be sure, the Board of Supervisors opposes the placement of the Casino in and around Plymouth whether the financial impacts on the County are mitigated by the Tribe or not; nevertheless, no analysis has been made of the projected costs of the Casino to the County government and the County taxpayers.

10. The Board of Supervisors believes that the Sacramento office of the BIA should not participate in the processing of the NEPA document or any other aspect of the Tribe's request for the acquisition of trust status land because of actual as well as perceived conflicts of interest. The Board is informed that many staff members of the Sacramento office are also members of the Ione Band of Miwok Indians and consequently stand to profit substantially from the Casino if the BIA approves the Tribe's application for trust status. If true, that should bar any and all members of that office from participating in the processing and decision making on the NEPA document and the Tribe's application.

11. The Board has received information that the Tribe was reaffirmed as a Tribe years ago in order to achieve the right only to receive federal benefits but not for acquisition of land. The Board requests that evidence be produced that shows that the Tribe has the power under federal law to acquire trust land before BIA further processes the NEPA document.

12. The Board of Supervisors and the tribal council of the Jackson Rancheria have a long history of working together to attempt to solve mutual problems. The Board of Supervisors has entered into a mitigation agreement with the Buena Vista Band of Miwok Indians for a second casino located in the unincorporated area of the County. The Board of Supervisors did not oppose that second casino. The current proposal is quite different. The Tribe has neither a compact nor trust status. The Board believes that Plymouth is a terrible place for a Casino which will vitally and adversely affect the quality of life for all the people in the County. Offsite traffic and crime will increase geometrically. Neither impact can be mitigated. The impact on local businesses from tribal retail operations, which pay no taxes and are subject to no regulations, cannot be quantified but is potentially huge and cannot be mitigated.

In summary, the Board of Supervisors believes that Indian gaming has had mostly adverse impacts on the County's people and government. The Board of Supervisors asks that the NEPA document review the impacts of the Casino separately and cumulatively with the existing and the approved casinos on the adjacent homes, churches, and schools both inside and outside of Plymouth's city limits. The Board of Supervisors believes that the NEPA document must

consider the context of the proposed Casino: in the middle of a small, vibrant town and surrounding countryside which has had no connection to the Tribe.

The Board of Supervisors strongly opposes the BIA's approval of this planting on the County of an anti-competitive, crime-inducing, traffic-choking, tax-subsidized, and illegal operation. The Board of Supervisors believes that the processing of a NEPA document without the BIA's production of the antecedent and foundational information on the Tribe's status, the tribal council's composition, the Tribe's legal ability to acquire land, and the Tribe's connection to the Plymouth area is premature and procedurally incorrect.

Thank you for your consideration.

Yours very truly,

Louis Boitano
Chairman

Comment #11

OFFICE OF
BOARD OF SUPERVISORS

100 ARGONAUT LANE • JACKSON, CA 95642-9534 • (209) 223-6470 • FAX (209) 257-0619



November 12, 2003

Mr. Clay Gregory
Acting Regional Director, Pacific Region
Bureau of Indian Affairs
ROOM 4160
1849 C Street NW
Washington, DC 20240

Subject: County of Amador's Scoping Comments on Lone Band of Miwok Indians' Proposal for Acquisition of Trust Land and Operation of a Casino (Plymouth, Amador County)

Dear Mr. Gregory:

The Lone Band of Miwok Indians ("Tribe") has proposed to acquire approximately 208 acres of land in Amador County not now owned by the Tribe on which to place a tribal casino, retail businesses, a hotel, non-tribal housing, and other facilities (collectively the "Casino"). Ten acres of the proposed acquisition are located in the City of Plymouth and 198 in the adjacent unincorporated area of Amador County. The Board of Supervisors of Amador County has taken a position that the establishment of the Casino would have significant, adverse impacts on the County and opposes the acquisition. The Board of Supervisors' comments for the scoping process preceding BIA's compliance with NEPA for the project follow.

1. The Board of Supervisors has never seen any evidence that the land proposed for the Casino has ever been Indian land or that there has ever been a historical connection between the Tribe and the Plymouth area. The Tribe has (at best) acquired options to purchase land for this allegedly landless Tribe. The Tribe and some of its members own land in Amador County in another location; the Tribe is not landless. The Board of Supervisors believes that the lack of historic connection bars the Tribe from acquiring the proposed land.

2. Some long-time local Tribal members are not affiliated with those who seek to open the Casino and do not support it. Thus, the Board believes, there is an internal dispute over the membership of the Tribe and support for the Casino. The Board of Supervisors understands that there is even a conflict as to who composes the governing body of the Tribe and may speak for it. The Board asks that the BIA not process any NEPA document until that dispute is settled.

3. Amador County already has one very large Indian casino, the Jackson Rancheria casino, located about 12 miles from Plymouth. Another Indian casino has been approved for the Buena Vista area of the County near the Amador-San Joaquin County line also about 12 miles from Plymouth. Amador County has a population of 31,000 people (excluding State inmates and

wards); Plymouth has a population of about 950. Amador County and certainly Plymouth are simply too small to accommodate another casino. The attraction of having two or even three casinos within such a short driving radius will have an overwhelming and obviously negative impact on the people who live here.

4. Amador County taxpayers are currently subsidizing in direct hard costs the Jackson Rancheria casino through the County's general fund in the amount of approximately \$680,000 annually. That is because the Jackson Rancheria casino has on-site impacts borne by the County for which the casino does not pay, such as increased costs for the Sheriff's Office, District Attorney's Office, Public Defender, Probation Office, and Social Services. That amount does not include indirect costs from off-site arrests, crimes, prosecutions and social services required to service the casino's patrons. The addition of the second and third casinos would geometrically increase that taxpayer subsidy. The District Attorney reports that eleven percent of the District Attorney's entire 2002 criminal caseload and 27 percent of felony cases resulted from crimes committed at the Jackson Rancheria (which does not serve alcohol to its gaming patrons; the Casino plans to serve alcohol to all of its patrons).

5. Public safety resources will be severely strained by the Casino. Drawing from the County's experience with the existing Jackson Rancheria casino, the Sheriff states that there were a total of 98 Jackson Rancheria casino on-site arrests between December 1, 2001 and November 30, 2002, of which 82 people served a total of 740 days in the already over-crowded County jail. That does not count off-site arrests related to casino patronage or crimes for which no arrests were made. The Sheriff's Office made 188 medical dispatches to the existing casino during that same period, an average of one call every other day. Additionally, the Casino's requirement for officer responses has caused an adverse impact on staffing levels for the rest of the County. The high demand for officer response to the existing casino has reduced the number of officers that are available to respond to emergencies elsewhere in the County and frequently leaves residents in the rest of the County in jeopardy. Another casino will exacerbate the strain on public safety resources.

6. The traffic impact of the proposed Casino will be enormous and onerous. Access to Plymouth from the west (Sacramento) is by State Route 16, terminating at its junction with State Route 49 south of Plymouth, and from the north by State Route 49. Additional traffic will come north from Stockton on State Routes 88 and 124 through the City of Ione which highways intersect with State Route 16 west of Plymouth which intersects with State Route 49. The Casino proposes to have its only public road access from State Route 49 in Plymouth. State Highways 16 and 49 are almost entirely single lane in each direction including all of State Route 49 inside Plymouth. The traffic impact alone from the proposed Casino will gridlock Plymouth and make unsafe all State highways for miles around Plymouth.

7. Any letters or resolutions of support for the Casino from Plymouth's City Council transmitted to the BIA represent only the support of the City Council. The Board of Supervisors, which has governmental authority over 198 of the 208 acres of the Tribe's proposed acquisition, strongly opposes the Tribe's acquisition of trust land in and around Plymouth as do the city

8. The City Council not only doesn't speak for Amador County, it doesn't speak for a majority of the residents of Plymouth. A recent survey authorized by the City Council showed that overwhelmingly, by 73% to 27%, the residents of the City answering the survey opposed the placement of the Casino in Plymouth. Any indication of public support by the City Council (the members of which are currently involved in a recall over this issue) should be rejected out of hand.

9. Recently, the City Council undertook deliberation over an agreement with the Tribe by which the Tribe would pay fixed amounts of money for specific impacts which the Tribe believes the Casino would create in the City. The City, the Tribe, and the BIA have not analyzed the impacts of the Casino on the City; this is just the beginning of that process. As far as the Board of Supervisors is concerned, the proposed mitigation amounts don't include funds to mitigate impacts on the County government and therefore on the County's taxpayers. To be sure, the Board of Supervisors opposes the placement of the Casino in and around Plymouth whether the financial impacts on the County are mitigated by the Tribe or not; nevertheless, no analysis has been made of the projected costs of the Casino to the County government and the County taxpayers.

10. The Board of Supervisors believes that the Sacramento office of the BIA should not participate in the processing of the Tribe's request for the acquisition of trust status land. The Board is informed that many staff members of the Sacramento office are also members of the Ione Band of Miwok Indians and consequently stand to profit substantially from the Casino if the BIA approves the Tribe's application for trust status. If true, that should bar at the very least those members of that office from participating in the processing and decision making on the Tribe's application and NEPA document.

11. The Board has received information that the Tribe was reaffirmed as a Tribe years ago in order to achieve the right to receive federal benefits only but not for acquisition of land. The Board requests that evidence be produced that shows that the Tribe has the power under federal law to acquire trust land before BIA further processes the application and any NEPA document.

12. The Board of Supervisors and the tribal council of the Jackson Rancheria have a long history of working together to attempt to solve mutual problems. The Board of Supervisors has entered into a mitigation agreement with the Buena Vista Band of Miwok Indians for a second casino located in the unincorporated area of the County. The Board of Supervisors did not oppose that second casino. The current proposal is quite different. The Tribe has neither a compact or trust status. The Board believes that Plymouth is a terrible place for a Casino which will vitally and adversely affect the quality of life for all the people in the County. Offsite traffic and crime will increase geometrically. Neither impact can be mitigated. The impact on local businesses from tribal retail operations, which pay no taxes and are subject to no regulations, cannot be quantified but is potentially huge and cannot be mitigated.

In summary, the Board of Supervisors wants you to know that Indian gaming has had mostly adverse impacts on the County's people and government. The Board of Supervisors asks

that this Casino not be built and operated so close to homes, churches, and schools. The Board of Supervisors believes that the Tribe should not be allowed to acquire land simply to put the Casino in the middle of a small, vibrant town and surrounding countryside.

The Board of Supervisors strongly opposes the BIA's approval of this land grab by a Tribe without historical roots in the neighborhood, without the neighbors' knowing that the Casino could appear in their neighborhood because the Tribe had no historical connection to it, and because the federal action could cause the unwarranted destruction of the Casino's neighbors' quality of life. We urge the BIA to stop processing any NEPA document for the acquisition of the land and the operation of the Casino on it before getting all of the foundational facts behind this grotesque misapplication of federal law.

Thank you for your consideration.

Yours very truly,
Louis Boitano
Louis Boitano
Chairman

Comment #12

November 30, 2003
P.O. Box 4
Fiddletown, CA. 95629

Mr. Greg Bergland, Director
National Indian Gaming Commission
2800 Cottage Way
Sacramento, Ca. 95825
Fax. 916 930-2106

Dear Greg Bergland,

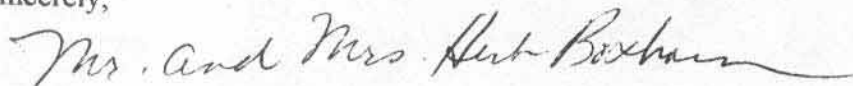
As residents of Amador County, California. for nearly 30 years we **oppose** the proposal to build an Indian Casino in Plymouth.

This small agricultural county of 35,000 already has one established Indian casino and another approved. The county does not have the infrastructure to support a third casino. The people and land will suffer from the increased traffic, congestion, crime, light, air pollution, not to mention additional negative impacts related to schools, police, fire, social services, water, and water treatment. Water is an issue!!! We must prioritize.

Also, in question is the legitimacy of this band of Miwok Indians. They are strongly opposed by the traditional lone bank of Miwok Indians who contend that this group is not genuine, an impostors group.

Please vote in opposition of the proposed Plymouth Casino.

Sincerely,



Mr. and Mrs. Herb Boxhorn

Duplicate

November 30, 2003
P.O. Box 4
Fiddletown, CA. 95629

The Honorable Gale A. Norton, Secretary
United States Department of the Interior
1849 C. Street N.W.
Washington, D.C. 20240

Dear Honorable Norton,

As residents of Amador County, California. for nearly 30 years we **oppose** the proposal to build an Indian Casino in Plymouth.

This small agricultural county of 35,000 already has one established Indian casino and another approved. The county does not have the infrastructure to support a third casino. The people and land will suffer from the increased traffic, congestion, crime, light, air pollution, not to mention additional negative impacts related to schools, police, fire, social services, water, and water treatment. Water is an issue!!! We must prioritize.

Also, in question is the legitimacy of this band of Miwok Indians. They are strongly opposed by the traditional Ione bank of Miwok Indians who contend that this group is not genuine, an impostors group.

Please vote in opposition of the proposed Plymouth Casino.

Sincerely,



Mr. and Mrs. Herb Boxhorn

EXECUTIVE SECRETARIAL
OFFICE OF THE

03 DEC 12 AM 10:07

RECEIVED

698138

Comment #13

TO: Bureau of Indian Affairs, Sacramento Regional Office
FROM: William Braun, 5832 Old Sacramento Road, Plymouth
DATE: November 19, 2003

RE: Proposed Indian Casino in Plymouth

My name is William Braun.

I am a local resident living about 4 miles west of Plymouth on Old Sacramento Road.

The following are some of my concerns about the proposed casino in Plymouth:

1. WATER RESOURCES:

Water resources will be greatly impacted, producing an increase in Amador County water costs and restrictions. If wells are drilled for the casino or related housing, the already troubled water table will be threatened along with viability of local wells.

2. SEWAGE & WASTEWATER:

Sewage and waste water will degrade the local environment in the Plymouth area as there is no year-round streams within the area in which to dump and dilute treated effluent. Evaporation and aeration ponds would probably be necessary, creating odor problems.

3. TRAFFIC:

The anticipated increase in traffic on Highways 16 and 49 will create congestion in and around the City of Plymouth. The increase in traffic will not be confined to the highways but will also impact the back roads as casino goers seek shortcuts and scenic routes, such as on Old Sacramento Road, where I live. These narrow, winding roads cannot safely handle more traffic without risk to local residents, livestock, and wild animal populations.

The increased traffic will mean increased road maintenance by county and state agencies. The increased traffic will mean adding traffic and turn lanes to sections of Highway 16 and 49.

4. PUBLIC SERVICES:

Past experience with casinos statewide and within Amador County has shown an increase in crimes such as drug trafficking, robbery, assault, drunk driving, etc. This requires an increase in law enforcement staffing and funding.

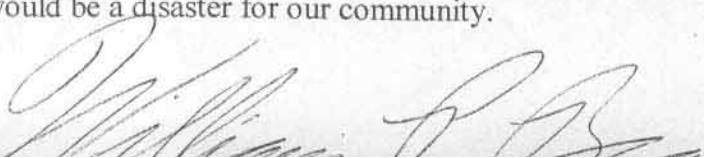
Casinos also increase the need for emergency medical aid responses. This requires an increase in emergency aid staffing and funding.

5. COST MITIGATION

There has been much talk about agreements, memorandums of understanding, and cost mitigation, but unless the casino is willing to waive Tribal sovereignty for judicial enforcement of the environmental and other impacts of their project, our community will end up paying out of our pocket while they bank their profits.

The Jackson Rancheria costs Amador County an estimated million dollars a year in local government services more than they receive from casino operations. Why should we think the Plymouth casino would be any better if we can't enforce agreements in our court system?

These are just a few of my concerns. Based on what I have read, heard, and researched, the Plymouth Casino would be a disaster for our community.



Comment #14

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT
November 19, 2003 - 6:00 - 9:00 PM
Amador County Fairgrounds

COMMENT REQUEST

Your Name: Paula Campbell

Your Organization: Local Resident

There will be a lot of traffic
accidents if the Casino is
implemented

Surrounding Plymouth are
winding, isolated country roads

We get a lot of fog. Deer are
also rampant

Comment #15



AMADOR COUNTY UNIFIED SCHOOL DISTRICT
AMADOR COUNTY OFFICE OF EDUCATION

SUPERINTENDENT

Mike Carey

September 15, 2003

Bureau of Indian Affairs
Sacramento California

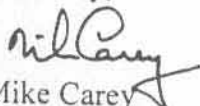
To Whom It May Concern:

I am writing in regard to the proposed casino in Plymouth and how it could negatively impact the Amador County Unified School District, Plymouth School and its students. The school district has enjoyed a good relationship with the Jackson Rancheria casino. The Rancheria has provided services and facilities to the schools over the years and provided support for a successful schools bond measure less than a year ago. However, we are deeply concerned about the possible Plymouth casino.

This proposed facility would be approximately one mile from Plymouth Elementary School which raises two issues: (1) heavy increase in traffic in an area where students regularly walk to school, more so now than a year ago, as bus routes have been reduced and (2) possible contact involving adult 'strangers' with children coming and going to school. There is also the very real impact on the Plymouth Elementary School site. This is a small community school. It does not have the same infrastructure as the county capitol of Jackson, where the three schools (elementary, junior high and high school) are better prepared to handle additional students whose parents are employees at the/a casino. This is not to say that the Rancheria has *not* impacted the Jackson schools. It has and there are no 'developer' or mitigation fees to help cover that impact. However, the Plymouth development could result in a severe crunch on current facilities. We realize that not all new casino employees would be Plymouth residents, just as all casino employees at the Rancheria do not live in Jackson. The problem with our Plymouth site is that it can not handle a relatively small increase in students beyond what we project.

While the Plymouth proposal would be exempt from developer/mitigation fees, the school district would have a strong case related to that impact. It would severely limit our abilities to provide quality education and severely limit opportunities to our youth.

Sincerely,


Mike Carey
Superintendent

Comment #16



FIDDLETOWN COMMUNITY CHURCH

Post Office Box 158 • Fiddletown, CA 95629 • (209) 245-6252

Rev. Paul Cherry, Pastor

September 17, 2003

Bureau of Indian Affairs
Sacramento Area Office
Attn: 2800 Cottage Way
Sacramento CA 95825

Dear Sir:

I am writing to express my concerns regarding a proposed Indian Gaming Casino in Plymouth, California. I urge you to do all that you can to prevent the establishment of a casino in that town. I make this request not only on a religious or moral basis but also for the protection of a beautiful, small town that means a great deal to those who have moved here to live and work. I am not against the normal growth and development of this community as more people choose a quieter way of life for themselves. I am deeply opposed to a casino, however, which would be more like a shock treatment, destroying much of the community atmosphere that we now enjoy.

As to the accessibility of gaming for those who enjoy it, Jackson Rancheria is only 30 minutes away and if it is true that yet another casino is proposed for the Ione, California area, we would have three casinos within 20 minutes of each other. Please do not allow this beautiful county to become a gambling mecca. One casino is more than adequate for the county of Amador. **I am very opposed to destroying the quality of life in a community for the financial gain of a few.** I have considered the "benefits" a casino would bring to the community and am fully convinced that what we would lose would be much greater than what we would gain.

I elicit your help to protect the "good life" that we have worked hard to attain in these combined communities of Plymouth and Fiddletown.

Respectfully,

Paul W. Cherry, Pastor

Comment #17



Local Concerns
regarding

The Ione Band of Miwok Casino Project Overview

Prepared for
the Citizens of Plymouth, CA

~~August 2008~~

SCOPING SESSION – FEBRUARY 04, 2004

1. ECONOMIC ENVIRONMENT – Mr. Donald Schick
2. LAND USE AND PLANNING - Dr. Elida A. Malick
3. SOCIAL AND ECONOMIC IMPACTS –
Mr. Kenneth E. Martin
4. SOCIAL IMPACTS/BUSINESS, CRIME, FAMILIES –
Mr. Wayne T. Moore
5. SOCIAL ENVIRONMENT/LOCAL OPPOSITION –
Mr. Don Becker
6. POPULATION AND HOUSING – Ms. Jackie Rogers
7. SOCIAL ENVIRONMENT/COMMUNITY CHURCHES-
Pastor Cruz Fragoza
8. ENVIRONMENTAL IMPACTS/ WASTE WATER –
Mr. Butch Cranford
9. ENVIRONMENTAL IMPACTS/WATER AVAILABILITY –
Mr. Jon Colburn
10. TRANSPORTATION/CIRCULATION – Mr. Dick Minnis
11. ENVIRONMENTAL IMPACTS/AIR, LIGHT, NOISE POLLUTION
Mr. Walt Dimmers

DONALD V. & VIRGINIA M. SCHICK
18770 Burke Drive
Plymouth, California 95669-9755
Email: DonSchick@aol.com

November 16, 2003

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, Ca 95825
Attention: Clay Gregory

Distinguished Members of the BIA:

Thank you for giving me the opportunity to express my concerns regarding the transfer of real property from fee to trust on behalf of the Ione Band of Miwok Indians. As a result of transfer from fee to trust and the proposed construction of a Casino in Amador County, and extending into the City of Plymouth, Ca., there are numerous potential negative off-reservation impacts that must be considered prior to development and transfer.

The City of Plymouth is currently operating under a moratorium regarding the consumption and distribution of one of our finite resources, water.

Of all the potential impacts facing the citizens of Plymouth and the surrounding communities, the valuable resource of water is the most critical. As a private homeowner, the financial impact on my personal property is in serious jeopardy if the casino is allowed to be constructed and operated.

I wish to direct your attention to the potential economic impacts, which the construction of a casino in our area potentially will create:

1. Significant loss of tax revenue to the County as a result of removing the subject property from the County tax rolls.
2. Future loss of tax revenue realized from the development of the subject property should it be transferred from fee to trust.
3. Local businesses will not be able to compete on a level playing field inasmuch as the Casino can and will offer services, such as hotel, restaurants, and potentially they will go out of business.
4. Since services offered by the casino operation are exempt from levying California Sales Tax, local entrepreneurs cannot compete. This will result in a loss of tax revenue to the state and local communities.

5. Recent studies have shown that an economic impact regarding services provided by the County to tribal casino operations in other areas of California, such as The Jackson Rancheria, create a substantial cost to the County over an amount given to the County by the various tribes. Many counties are experiencing the ratio of approximately one to three. In other words, for every dollar given by the tribes, the Counties are spending three times as much for the services provided, such as police, fire, etc. The result is a serious impact to the Counties, and the costs are being born by the tax paying public and not the tribal nations.
6. Statistics from Amador County show that a large number of crimes being experienced by the County is related to the casino operation at the Jackson Rancheria. These crimes relate to drug trafficking on the casino premises and not within the casino proper.

This has a direct bearing on the economy of our area. Who wants to invest in a home or business when drug crimes are so prevalent? The failure of the casino and tribal operations to police their own locations places an additional burden on the County law enforcement personnel thereby depriving those services to the community who pay for their services.

In closing, as citizens of The United States of America, we all should enjoy the economic prosperity that results from hard work, investments, and by realizing and taking advantage of the opportunities that present themselves.

However, this economic prosperity should not be realized at the expense of others. In most all cases throughout California where there is an Indian casino operating, significant economic impacts have been suffered and endured by the surrounding communities and have not been mitigated. I have witnessed this first hand having moved from an area in California and having been involved in my community for the past 25 years. I know first hand the serious negative impacts placed on the surrounding community by tribal casino operations. I know first hand that the tribe I was exposed to was unwilling to mitigate or negotiate any of the off-reservation negative impacts which resulted in serious consequences to the surrounding community. The BIA must demand and enforce the mitigation and negotiation policies when it becomes apparent that negative off-reservation impacts are being caused by the casino operation.

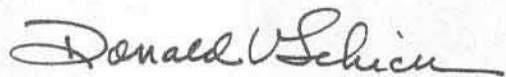
Mitigation of "significant negative off-reservation impacts" must be one of the requirements for any group to develop their business ventures. It is one

thing to mitigate environmental impacts such as noise pollution, light pollution, traffic congestion, etc, but you can't mitigate "DRY" when it comes to the valuable resource of water. We either have the water or we don't. If water was not such a critical resource, then why is the City of Plymouth on a State mandated moratorium regarding water usage and distribution?

Before any consideration by The Bureau of Indian Affairs with respect to the transfer of property from fee to trust on behalf of the Ione Band of Miwok Indians, an in depth study and environmental report must be done with respect to the water resource within the City of Plymouth, and the surrounding communities who rely on this water resource. Without this knowledge, serious consequences could befall all of us involved, both the Ione Band of Miwok Indians, and the citizens of Amador County, and specifically the City of Plymouth and surrounding areas.

Thank you for giving me the opportunity to express my thoughts and opinions regarding this very important subject.

Very Sincerely,



Donald V. Schick
18770 Burke Drive
Plymouth, CA 95669

February 4, 2004

Members of the Bureau of Indian Affairs; Good evening

My name is Elida Malick and along with my husband Dr. Terry Mayronne, I live, work, and am raising children here in Plymouth.

In November we gathered here with approximately 400 people to discuss the environmental impacts of this proposed tribal business venture on our community. Many of us have returned this evening to address these issues again along with new items of concern and updated information.

Before I begin, I would like to comment on the Bureaus policy for notification of such meetings. It seems quite clear that the intention of the notification procedure is to provide the affected public an opportunity for participation in this casino development process. However, despite written requests for inclusion on the list of Interested Parties regarding this tribes activities, and assurance by the Bureau personally that my request had been received and would be honored, many of us, myself included, have not received notification of this meeting or any other of the tribes activities to date. I am formally requesting of the Bureau this evening that compliance with the letter and intent of guidelines for this process be strictly adhered to and that this community be kept well apprised of all future activity.

In November, data was presented respective to the following concerns:

1. Mr. Don Schick spoke to a variety of economic losses suffered in the areas surrounding casino developments, including for example property and sales tax revenues, unfair competitive advantage over local businesses, and declines in local residential and business property values.
I would add that currently, local real estate offices have been required to disclose the possibility of a casino in Plymouth, a demonstrably negative aesthetic, to potential home and property buyers.
2. Mr. Ken Martin reviewed a variety of documented undesirable impacts associated with casino projects including Health, Safety, and Socioeconomic issues.
3. Mr. Wayne Moore discussed the social effects of casinos with respect to increased rates of bankruptcy, suicide, and addiction to gambling, drugs and alcohol. These results naturally lead to increased demands for government subsidized social services and direct regulatory costs that must be born by the local communities.
4. Mr. Don Becker presented data indicating that 73% of the voters of the City of Plymouth oppose this project. Likewise, the County of Amador and every other city in this county, a multitude of elected representatives and community organizations, and hundreds of petition signers also reject this proposal.
5. Ms. Jackie Rogers reviewed the housing situation in this area citing the current building moratorium placed on the City of Plymouth due to restricted water availability.
6. Pastor Cruz Fragoza came to you with the shared view of neighborhood churches,

expressing the gross inequity between the burden of negative impacts an entire community would be forced to bear for the financial gain of a few.

7. Mr. Butch Cranford gave a very thorough report on local waste water treatment and distribution capacity.
8. Mr. Jon Colburn also gave a very detailed report covering local and regional water availability as well as the predicted substantial reduction in the amount of groundwater otherwise available for public water supplies in the event the tribe opts for well water – the announcement that they will supply their own water and the digging of several test wells indicates that this is indeed what they intend to do.
9. Mr. Dick Minnis addressed traffic impacts as a result of increased vehicle trips to and from our town. This impact becomes compounded by the use of alcohol as promoted by this project.
Mr. Minnis also pointed out that money thrown at this impact does not equal mitigation of the problem but only a means for accommodation.
10. Mr. Walt Dimmers spoke to the issues of air, light and noise pollution. The Amador Air District also opposes additional gaming facilities in the county as the traffic volumes anticipated will contribute to violations of air quality standards.
11. Ms. Jaime Lubenko expressed community concerns regarding the consequences to our local school when additional taxpayer dollars are diverted to subsidize casino impacts.

And I informed the Bureau, as a local resident and member of the Plymouth Panning Commission, that this project is in gross conflict with the General Plan and Vision Statement laid out for this City. Despite the current City Council's manufactured determination that this casino project is in compliance, it is clear that a gambling complex is not only incompatible with existing land uses in the vicinity but would disrupt and divide the physical arrangement of an established community. The General Plan clearly states that if a project is inconsistent in any way, it must be rejected. No reasonable person can reconcile the goal of a small town atmosphere and focus on agriculture and youth with a nightclub/gambling enterprise.

A tribal representative has stated for the record his judgment that this project is in the best interest of Plymouth and its residents. Those of us who have sought out this refuge for our children, and those who have lived here for generations and realize how special this community is, bitterly oppose this assumption of what is in our families best interest. We appreciate the uniqueness of this location and accept the so-called inconveniences of living in a rural locale by choice, because the trade off is so immensely superior in safety and wholesomeness for our families. The type of growth that would mushroom from this project is unwanted as are the litany of negative impacts that have been proven time and time again as the sequela to tribal gaming venues, with special emphasis on dramatic increases in crime, devastation to local water tables, and loss of control by local authority over land use.

Despite the bitter taste from the recent admissions from a tribal representative that he has been arranging and funding these Scoping Sessions for the Bureau of Indian Affairs, a situation that would seem to preclude objectivity by the Bureau, this community has come to you again this evening in hopes that the information presented will be taken in seriousness and without bias.

The heart of an established small town, close to residential areas, schools and ball fields, children's parks, small family businesses and churches is undeniably an improper placement for a casino complex... no matter who is opening it.

Thank You

November 19, 2003

Members of the Bureau, my name is Elida Malick, I reside here in Plymouth, my husband and I have a small business bordering the City, my children attend school at Plymouth Elementary, and I am a member of the Plymouth Planning Commission.

Thank you for the opportunity to speak to you this evening, I have some comments to make regarding local land use and planning.

In order to establish useful guidelines for local decision making, the State of California Planning and Zoning Law requires each city and county in California to adopt a General Plan for the physical development of the city or county and any land outside its boundaries which bears relation to its planning. Proposed projects brought to the city must be reviewed to ensure consistency with the land use designation, goals, and policies, and all other aspects of all adopted Elements.

The Vision Statement for Plymouth, a historic California Gold Rush town, was adopted into the Land Use Element in 1994, and guides the City to the year 2015 when Plymouth will be recognized as a "small town", a comfortable place with a "country feeling", friendly people, and a sense of community. To ensure that the area's rural character, stemming from a basis in farming and ranching, is not lost, only well planned, fiscally sound developments will be accepted and large areas for open space and agriculture will be preserved. Likewise the City's youth will be an active part of the City's present and future.

Keys to this vision for Plymouth are the Goals stated in each Element of the General Plan. Supported by Policy and Implementations Statements, the direction of growth that Plymouth is to follow is best exemplified in this sampling:

Goal 2.2.1 from the Land Use Element

...to provide for a balanced and effective arrangement of land uses while maintaining the Rural Atmosphere, Quality of Life, and Separate Identity of the City

Goal 2.4.4 from the Conservation and Open Space Element

...to protect and improve the quality of the natural environment

Goal 2.5.1 from the Noise Element

...to achieve and maintain ambient noise levels that preserve the quiet, rural atmosphere of Plymouth, with special attention to Sensitive receptors like Plymouth Elementary School.

And Goal 2.6.1 from the Safety Element

...to provide a safe and hazard free environment for the citizens of the City.

All Sections of the Land Use element lay a clear foundation of directives for the future growth of our City.

Residential areas are to be kept free of activities that produce excessive noise, air pollution, odor and heavy traffic. Development is to be guided by design principles that serve to enhance the rural character of the planning area.

Commercial areas are to compliment – functionally and visually – existing commercial areas.

Light industrial areas must product few negative impacts and when located close to residential and commercial areas, negative impacts such as noise, air, light, and water pollution, vibration, electronic interference, and effects pf hazardous materials must be reduced to negligible levels and land set aside for buffer zones and screening.

Even industrial areas are guided by the City's intent to preserve and enhance the quality of the environment while preventing the adverse effects of industrial development on the balance of the community.

A casino complex in the functional heart of this City is in direct contrast to the above stated guideposts for Plymouth's growth and clearly will result in the physical division of the local community. Additionally Tribal sovereign land at this location will deny the City of Plymouth the most logical and viable land for future growth and development, that along the Hwy 49 corridor, resulting in squelching the City's ability to strive for it's own economic development and self-determination.

Without a clear project description it is exceedingly difficult to address potential impacts however, the information currently available leads us to the following list of concerns:

A separate identity for the City of Plymouth will be lost in the shadow of a Tribal casino complex along with the cultural and historic significance of a California Gold Rush Town in the Mother Lode; rendering these essential components of our uniqueness essentially eliminated.

By definition, the sovereign status of tribal businesses creates an unfair advantage in the local business environment. This unfair competition will make it impossible for some local family owned businesses to remain viable causing direct damage to the local small business owner and secondarily to the City by reducing the marketability and value of business real estate on nonreservation lands.

The project will result in the conversion of farm and ranch land to non-agricultural uses; contributing to the statewide decline in farmland and ignoring the common thread of the General Plan which is to maintain the rural nature of this city.

The local viticulture industry is attractive to tourists in large part due to the rural, quiet, historic atmosphere. The casino industry by necessity needs and generates high volumes of clientele thereby placing these two industries at odds with each other.

And last but by no means least are safety concerns for our citizenry, especially our children. According to Mother Against Drunk Drivers, alcohol related fatal auto accidents have been on the rise. In this light, the last thing we need is a wet casino in close proximity to our elementary school, park and children's ball field. Especially as the

situation here in Plymouth places two main arterioles to the casino directly adjacent to these sensitive sites.

As well current FBI statistics indicate that while overall crime has generally been on the decrease, crime in counties with commercial casinos has increased. As examples, casino communities experiences 13% more property crimes, 13% and 14% increases in larceny and auto theft respectively, and a 13% increase in rape.

A representative of the Bureau has been quoted as saying that "quality of life" issues are difficult to address. With all due respect to the Bureau, all these issues that I've mentioned and all the concerns voiced by our community this evening, are the very essence of what makes up "quality of life", and these points, like crime and pollution and safety, are quantifiable.

In closing, it is clear that the very nature of a casino complex is not only inappropriate for this farming, ranching community but completely inconsistent with the patterns of local land use and planning. By law, as stated in the General Plan for Plymouth, California, "If a project is found to be inconsistent in any manner, it must be denied or the General Plan amended."



Gordon T. Blake

THE PATRIOT'S CORNER

Indian Casinos – Gambling With Our Future



On October 14, 2003, approximately 400 residents gathered at the Bi-monthly meeting of the Antioch City Council. Due to the limited capacity of the council chambers, much of the crowd watched the proceedings on closed circuit television outside. The meeting went well past midnight.

The hot issue was a proposal by the Guidiville Band of Pomo Indians to build a 60,000 square foot gambling casino in the suburban community of Antioch. The citizens overwhelmingly opposed the casino and a battle between extremely wealthy casino investors and the public in Eastern Contra Costa County is about to occur.

Legalized gambling has vastly increased in the last quarter century. Until 1975, only Nevada had commercial casinos. Indian casinos were non-existent. The situation is quite different today. More money is currently being spent on casino gambling than on movie tickets, concerts, theater, and opera combined. More Americans patronize casinos than attend major league baseball games, NFL football games, symphonies, or Broadway shows combined.

With the explosion of legal gambling opportunities in America, researchers have been able to examine its effects on local communities. In particular, they have been able to compare communities with easy access to casino gambling to communities without such access. They have discovered a dramatic increase in crime in the casino communities.

Throughout the decade of the nineties, overall crime decreased. However, in counties with commercial casinos, crime increased during that same period. According to FBI statistics (during the 90's):

- While violent crime decreased by 17% in non-casino counties, it increased by 2% in casino communities.
- Aggravated assault decreased by 8% in non-casino counties, while it increased by 9% in casino communities.
- Rape was reduced by 9% in non-casino counties; it went up by 13% in the casino communities.
- Murders were 23% fewer in non-casino counties; they were unchanged in the casino counties.
- Non-casino communities experienced 4% fewer property crimes; casino communities experienced 13% more property crimes.
- Larceny, burglary, and auto theft went down by 4%, 5%, and 20% in non-casino counties; these categories of crime went up by 13%, 2%, and 14% in the betting zones.

One of the first cities (outside of Nevada) to legalize casinos was Atlantic City in New Jersey. Within 10 years, the crime rate rose 258%. Four years after legalization, the number of retail businesses declined by one-third. In the pre-casino days Atlantic City had 243 restaurants; 10 years later their

number declined to 146. In fact, it is estimated that only 10% of the businesses near the casinos survived to this day. A new industry, however, did emerge along the beach – a string of pawnshops ready to “assist” the gamblers who lost.

The state of Minnesota discovered that restaurant business falls by an average of 40% within a 30-mile radius of Indian casinos.

Let's be brutally honest – casinos create no wealth, produce no product, deliver no service, and do not contribute to the well being of society. Though they may provide an innocuous form of entertainment for some; they create devastation and despair for others. They are different than other traditional forms of entertainment.

Dr. John Warren Kindt (from the University of Illinois) noted that when casinos move into a new area, on average, 52% of the population will gamble at least occasionally. Ten percent of the population will be “problem gamblers” and 5% will be “compulsive gamblers.”

Donald Trump summarized well the devastating effects casinos have on their host communities: “People will spend a tremendous amount of money in casinos, money that they would normally spend on buying a refrigerator or a new car. Local businesses suffer because they'll lose customer dollars to the casinos.”

After examining the experience of other states, the Attorney General of Maryland issued a report in 1995 stating: “Casinos will bring a substantial increase in crime to our state. There will be more violent crime, more crimes against property, more insurance fraud, more white collar crime, more juvenile crime, more drug and alcohol related crime, more domestic violence and child abuse, and more organized crime.” Over half of compulsive gamblers commit crimes to support their habit.

While running for governor, Arnold Schwarzenegger promised to stand up to the power special interests that dominate Sacramento – mentioning in particular the Indian gaming lobby. We will soon find out if the body-builder-turned-governor will actually stand up to the gaming lobbies or if he will let them kick sand in his face.

*If you would like to comment on this article e-mail
Gordon@valleycitizen.com.*

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Mr. Clay Gregory, Acting Regional Director
Bureau of Indian Affairs, Pacific Regional Office
United States Department of the Interior
2800 Cottage Way, Sacramento, Ca. 95825

1-29-04
(5 pages)

Re: Second and Final Plymouth Casino Scoping Session scheduled for Feb. 4th, 2004.

Please include my written comments dated 11-15-03 submitted at the original scoping session along with the following.

There has been vague and conflicting statements of why there is another scoping session and the need for the process to continue given the significant opposition to the Casino in the town of Plymouth, the Plymouth Area, and Amador County. The people in this community were told that if we provided our name and address that we would receive a copy of the transcripts within 30 days which were obtained and submitted at the previous scoping session. This hasn't happened. Because of the actions of the Casino's proposed developers, and the BIA Staff, the citizens of Amador County have no way of knowing what is being fabricated or what is actually submitted in compliance with the described BIA process.

We were told in a Plymouth City Council Meeting by the Vice Mayor that the Scoping Session would be on February 5th which conflicted with the published February 4th date. The local newspaper informs us, that according to the tribes consultant from Ikon, "The casino is not a business. This is a tribal government project". A City of Plymouth "will-serve letter to supply water and sewer" for the casino operation is tabled after referral to the City's legal Council. No explanation to the public on why was provided by the City Council. A curt statement by the Mayor said "it has been tabled" with no further clarification. At the last City Council meeting the audience was told, in spite of several requests to take no action until after the recall election of City Council Members, "Ikon is keeping to their schedule" and the City is accommodating that schedule. A "Reimbursement Agreement" to provide the community with funds to do independent engineering and social impact studies had not been signed that would allow the Council to make an informed decision from data submitted by others than those associated with the proponents of the Casino. Those studies are important. Yet that same Council said they were in the process of negotiating a "Municipal Services Agreement". Violation of the community's trust with lack of information and a comment that "maybe I have said too much already" by a City Council Member has left people in the Plymouth area questioning what the BIA is doing and why they are ignoring the vast majority of Amador County Residents.. The timing and social/economic justice of this process is deplorable. No further action by the BIA, Indian Gaming Commission, Department of the Interior or other federal agency to further this casino or land to be placed in trust, should be pursued until after the new Plymouth City Council is seated. Honesty, truth, and factual impact data is lacking.

Kenneth E. Martin
Kenneth E. Martin.

18090 BURKE DR,
PLYMOUTH, CA 95669

Mr. Clay Gregory, Acting Regional Director
Bureau of Indian Affairs, Pacific Regional Office
United States Department of the Interior
2800 Cottage Way, Sacramento, Ca. 95825

11-15-03
(4 pages)

Re: Federal Register: November 7, 2003 (Volume 68, Number 16) Notices.

Subject: BIA intends to gather information necessary to prepare an Environmental Impact Statement (EIS) for a proposed casino project to be located within the City of Plymouth in Amador County, California.

I have received a letter from BIA dated October 29, 2003; similar subject focused on the BIA acquiring land in trust for the Ione Band of Miwok Indians. This letter identified a Ms. Gracie A. Murillo also as the BIA Acting Regional Director.

IMPACTS

Land Use:

A new Alcohol Serving Casino at the proposed site located in the heart of the Plymouth area near our homes, elementary school, churches, grocery market, pharmacy, hardware store, veterinarian, etc. was rejected by 73 % of the City of Plymouth's registered voters surveyed on this proposal. In addition 90 % of Burke Ranch residents, a community adjacent to the Plymouth City limits, rejected the Casino project. Plymouth City Council Members pandering to the Ikon Group and Ione Band of Miwok Indians are being recalled through the process as provided by law. The social impact and cost of increased crime, drugs, alcohol abuse, added to the cost of an existing Casino and its operation will tax law enforcement, courts, public defenders and prosecutors, counselors and rehabilitation resources beyond the capability of a small county such as Amador. The County of Amador along with all the incorporated communities except Plymouth have rejected the project. A Casino will change forever the quiet rural agrarian quality of life that now exists in the Plymouth Area. This special rural community without a Casino was the reason we moved here. The string of Casino's, existing and proposed, to the north and south of Plymouth along Highway 49 are enough. An Amador County population of 31,000, excluding Mule Creek prison and the youth authority, should not be required to subsidize a third Casino. Placing land in trust, removing 208 acres from the planning and influence of elected officials from the State, County and City, as well as any special districts, creates a void within the Plymouth area where residents would have little to no say on future land use affecting our homes and our community.

Creating a Nation with Sovereign Immunity within the heart of the Plymouth and Dry Creek Basin Area's can result in a potentially harsh and hostile environment for the residents of the Area as demonstrated by recent events. Mr. Dick Moody, Ikon Group, at the last Plymouth City Council meeting indicated that the Tribe and Ikon group will exclude area residents from an information sharing session. The session is limited to

Plymouth City residents even though many of us live as close or closer to the site of the proposed Casino than some residents of Plymouth. Our freedom to express our opinions have been blatantly interfered with by the current Plymouth City Council and an unknown individual who has removed or cut down our Casino Opposition signs. Placing 208 acres into trust for a Sovereign Nation within the Plymouth/Dry Creek Basin, given the overwhelming opposition by local residents of the area, would be irresponsible in a Country based on democratic principles of government by the people and for the people.

Water Resources:

Water resources in the Plymouth area are a precious resource. Plymouth is under a building moratorium due to an inadequate ability to supply water to the community. The City of Plymouth has depended on water from their wells located next to Burke Ranch. This has contributed to many wells going dry at homes adjacent to the City limits. Burke Ranch was developed over 25 years ago when the City of Plymouth's primary supply was supposed to be the Arroyo Ditch which conveys water from the Cosumnes River. The City's inability to maintain that ditch contributes to the existing lack of potable water for residents of the City of Plymouth. It further impacts the water supply of homes adjacent to the City. A new proven water supply and delivery system should be in-place prior to any consideration of a project such as the Casino with all of its proposed new appurtenant buildings and accommodations.

Waste Water Treatment Plant:

The California Regional Water Quality Control Board have promulgated new rules and enforcement requirements. Under the Porter-Cologne Act all lands that discharge water into state waterways are required to report that waste discharge and improve water quality to meet State standards. The tribe, in spite of Sovereign Immunity, should be required to comply with all rules and regulations of the State and County to improve water quality. The residents of the City of Plymouth should not be assigned that responsibility through any agreements with the Casino developers. The City of Plymouth should be responsible only to areas outside of lands placed into trust and not any proposed Casino with its suggested developments.

Air Quality:

Amador County is already impacted by polluted air from the Central Valley and the Bay Area. It has been reported that the Regional Air Resources Board will hold Amador County accountable for that source of pollution, in addition to that which is generated within the County. Any proposed Casino will generate additional bus and car traffic. This traffic is expected by the Casino developers to fund their investments. We are concerned that the large numbers of expected vehicle trips with their emissions will place Amador County into a higher accountable air quality requirement. This could include increased SMOG frequency checks with increased compliance requirements and higher costs to Amador County residents..

Noise and Light:

Dry Creek Basin is ringed by many homes, two communities (Plymouth and Dry Town), and a rural subdivision (Burke Ranch). A typical Casino Operation placed on the north western edge of this natural bowl will resonate sound and create 24 hour lighting that will impact most all of the homes that exist around the basin. This will irrevocably alter and negatively impact the quality of life of existing residents.

Health and Safety:

In addition to known situations created at the existing Casino explained under "Land Use" Sutter/Amador Hospital is the primary emergency service center for the County. This facility is located approximately 30 minutes from the Plymouth Area. All patients from the Plymouth Area would have to be transported past the entrance to and across the same roads that will serve the Casino patrons. Amador County has an aging population. Serious heart patients are referred to the Sutter/Amador Hospital in Jackson to be stabilized, then transported to Sutter Hospital in Sacramento. Increased traffic with increased probability of accidents will not only jeopardize those with life threatening conditions but the capacity at Sutter/Amador Hospital will be strained to the limit. I know of one case where, on a weekend, a person with a heart condition after being stabilized, could not be admitted and was asked to return the following morning or seek treatment elsewhere because they were at capacity. Drugs, assaults, alcohol abuse, DUI, and other undesirable behavior have plagued Casino operations. Onsite tribal security does not and would not provide safety for residents in the surrounding community. The surrounding area emergency services including those within the City of Plymouth will be impacted beyond its ability to respond to emergency and any non-emergency harassment originated at a Casino. Fire danger from any source on the 208 acres proposed to go into trust will place hundreds of lives at risk around the Dry Creek Basin. The magnitude of increased activity at such a critical location (casino site) is a disaster waiting to happen.

Traffic:

Traffic from more than eight urban centers are expected to increase the number of vehicle trips along small rural roads and State two lane roads Highway's #16, #49 and #124. During rush hour, on holidays, and weekends these roads are near capacity which barely permits reasonable movement within the area. Area residents and visitors will be placed at extreme risk without a significant increased number of lanes along each of these corridors. Potential loss of life due to this Casino operation cannot be justified. People frequently don't understand distances required to stop stock trailers, RV's, logging trucks and other heavy equipment frequently used in the area. The steeper topography which provides access from the population centers exacerbates the problem. The existing number of accidents are very unfortunate. A Casino with all of its projected patrons should not be allowed to add to this carnage.

Socioeconomic Justice:

It is wrong that the taxpayers of Amador County be required to subsidize a Casino operation. It is wrong for residents of the area impacted by such a proposed development be excluded from information that such a development will bring to their community. It is a travesty that local City of Plymouth officials ignore a 73% mandate from their registered voters, surveyed by the City, which indicated the residents of Plymouth do not want this proposed Casino. It would be wrong for any federal agency to believe that a Casino in Plymouth is justified. The overwhelming opposition to the Casino by residents impacted by this proposed casino should leave no doubt in anyone's mind that a Casino in Plymouth is not wanted by area residents and that it is inappropriate for this area. Further it is sad that tribal funds are being spent to further the aspirations and greed of out-of-state financiers. The economic well being of tribal membership who need assistance is important. This should be provided through vision and creativity, even federal assistance where needed. It is wrong for the federal government to attempt correcting any past federal government failures at the expense of a north Amador County rural community.

Sincerely,

*Kenneth E. Martin
18090 Burke Drive
Plymouth, Ca. 95669*

(page 4 of 4)

Wayne T. Moore
14977 Pa. Hwy Rd.
Plymouth, CA 95669

209 245-6930

The Social Impact from an Indian Gaming casino In or Near the City of Plymouth, California purposed by the Lone Band of Miwok Indians will have life altering negative consequences for the social lives of the citizens in and around Plymouth.

We are and have been a small community by design. Those who live here realize that the convinces of a large city are not available (i.e. shopping, restaurants, entertainment, etc.). We have elected to live here because of such absences, Not in spite of!

In a letter written on September 23, 2003 by Richard Martin Vice Mayor, City of Plymouth reads, "...Memorandum of Understanding would include certain economic incentives to the City beyond mere mitigation of adverse impacts...", my question is are they also going mitigate and compensate the 'adverse impacts' for the 100's of citizens when our life styles and rural environment are adversely changed? The answer is NO! The point is the City Council of Plymouth is attempting to mitigate 'adverse impacts'. We presently have a casino less then 15 miles away and another casino approved to be built in lone less the 15 miles away from the purposed new casino. I believe two is enough. We are not talking about tribal use of existing tribal land we are talk about a business venture in Plymouth. Native Americans are welcome to make Plymouth their home, but respect our present life style.

Instead they are going buy the city off and give her citizens a 7/24/365 120,000 sq. ft (Phase I Casino) with a 3,000 car parking garage (I would estimate the parking area to be about 2,500 spaces more that the entire city business parking spaces available at present). With estimated additional vehicle traffic of up to 20,000 vehicles a day (I estimate that represents about 17,000 more vehicles traveling the roads in our Plymouth community than are own by her citizens) some percentage of which will be driven by individuals who have been drinking alcohol at the casino and are under the influence.

Now, dare I propose that such a sudden change (realizing one casino Jackson area and one approved casino lone area have already been added to Amador County) will dramatically altar our Rural environment in ways that can not be mitigated.

The impacts will be more severely felt by minority and low income populations who are ill prepared to afford the costly entertainment of gambling. The community disruption and land use patterns are an antithesis of the present

small town low population by bring 7,000 to 20,000 cars per day and 14,000 to 60,000 people to our community on a transient basis not during business hours but 24hrs a day 7 days a week 365 days a year. Changes in life style will be felt in the busyness of the day caused by transient population, night time sky line lights, and draining of consumer dollars from local business by a business that will not produce a product, new wealth, and makes not genuine contribution to economic development. Changes will be felt in our social services, law enforcement agencies and jails it would generate increase damans for counseling, health services, and emergency service responses.

The above statements are base on the statistics compiled form local and national studies conducted since 1992 on the impact of casinos in local communities.

Professor Earl L. Grinols of University of Illinois has conducted studies since 1992 and presents the following findings

Gambling attracts clientele disproportionately

- ✓ 30% don't gamble at all; most gamble rarely, minority 10% account for 66-80% of wagers.
- ✓ 30-50 % of revenues derive from problem and pathological gamblers (e.g. 48.2% of gaming machine revenue, Aus. Inst. for Gambling Research, 2001; 37 % Montana keno machines; 1/3 Australia National Productivity Commission study, 1999.)
- ✓ Convenience casinos draw from nearby (over 70% from less than 35 miles)

Gambling creates economic costs for society and taxpayers, including non-users.

- ✓ Crime: E.g. Aggravated assault, rape, robbery, larceny, burglary, auto theft, embezzlement, fraud.

Crime: U. Illinois-U. Georgia, Grinols-Mustard Study

- ✓ 7.9% of total crime (FBI Index I) due to gambling in counties with Class III gambling.
- ✓ 7.7% of property crime

✓ 10.3% of violent crime

- E.g. For an average county with 18,000 population this implies 126 more larcenies, 64 more burglaries, 331 more auto thefts, 60 more rapes, 12 more robberies, and 20 more aggravated assaults.

Amador County District Attorney reported to their Board of supervisors that 27 felonies or 4% of all Amador county felonies are related to The Jackson Rancheria and 6.9% of all misdemeanor and a total of 10.9% of all crimes are related to The Jackson Rancheria; therefore a cost of 10.9% of the D.A. budget or \$250,000.

✓ Business and Employment Costs: Lost productivity, lost work time, unemployment-related employer costs.

Gambling fails a cost-benefit test.

- Even using conservative cost & benefit estimates, costs to benefits are greater than \$3:\$1.
- Social costs (mid-range) from gambling are approximately \$214 per adult annually (of which crime = \$63). Costs of introducing gambling depend on starting base, but typically exceed \$130 per adult.
- Social benefits (preferred number) are less than \$42 per adult.
- On a per pathological gambler basis, studies in different parts of the nation conducted since 1994 conservatively estimate costs to be \$10,100 per year.

Economic Development; Failure of Impact Studies

- Gambling promoters argue gambling creates regional jobs. This is sometimes possible, as in the case of an Atlantic City or Las Vegas where the area has effectively converted itself into one large casino and entertainment center that serves primarily tourists.

- In general, however, gambling:
 - Loses area jobs when local gambler dollars are removed from the area (when they otherwise would not have been) in the form of taxes or are spent by the casino owners or employees outside the area.
 - Creates area jobs when outside gambler dollars are spent locally by the casino and,
 - Loses net jobs when the first flow is larger than the second.
 - A full accounting of dollar flows, therefore, is needed to determine if gambling will create more jobs than it loses.

✓ Bankruptcy

✓ Suicide

✓ Illness: E.g. Stress-related, cardiovascular, anxiety, depression, cognitive disorders.

✓ Addiction

✓ Social Service Costs: Treatment, unemployment & other social services.

✓ Direct Regulatory Costs

- Literature on the subject indicates that as opportunities for gambling increase, so do the prevalence rates of problem gambling. There is also some evidence to suggest that rates of problem gambling tend to increase over time and there is mounting evidence locally to suggest that the rates of the incidence of problem gambling have continued to grow.
- It is generally accepted that most people who engage in licensed gambling activity are able to integrate this activity into their lifestyle without experiencing personal or family problems. For a minority of people their gambling behaviors reach excessive proportions and leads to problems. At its most serious level, pathological or compulsive gambling is a public health issue.
- Most studies put the prevalence rate of problem gambling at between 3 and 6 percent of the adult population. Communities with a casino may find over time, there may be a rise in the rates of gambling related problems.
- This calculation suggests that for the City of Plymouth and Amador county there is a potential for 60 to 720 cases of pathological gambling to emerge. These individuals and their families would experience the most

disruptive and disabling effects of compulsive gambling and are most likely to come in contact with the social or health service system.

- Do we have in place the social services to provide individuals with problem gambling behaviour. ~~Do~~ our present police and fire departments have the resources to defend the population against the increased drug and alcohol related crimes and accidents which will be generated by an increase of 2,000% transient population to our County.
- Community resources are also used to respond to the impacts of problem gambling on families and friends. Research suggests that for every problem gambler there are 10 to 17 people around him/her that will be negatively affected.
- Some of the problems experienced by problem gamblers may lead to serious psychiatric and physical disorders. A variety of other mental health problems have been associated with problem gambling behaviour.
- As problems develop they may first register a toll on the workplace. Problem gamblers show higher than average rates of lateness, absenteeism, low productivity and crimes against employers such as forgery, embezzlement and fraud. Drawing on estimates from the United States the total social costs to society from problem gamblers could range from \$34 million to \$93 million annually.

✓ Family Costs: E.g. Divorce, separation, child abuse, child neglect, domestic violence.

Gambling's Impact on Families

by Ronald A. Reno

The tragedy of gambling addiction reaches far beyond the more than 15 million Americans¹ who are problem or pathological gamblers. Employers, work associates, friends, and taxpayers often pay a steep price as well. However, it is family members who bear the brunt of the pain and misery that accompanies this addiction. In addition to material deprivations, family members frequently experience the trauma of divorce, child abuse and neglect, and domestic violence.

Divorce

- In a survey of nearly 400 Gamblers Anonymous members, 28 percent reported being either separated or divorced as a direct result of their gambling problems.²
- The National Gambling Impact Study Commission reported that it received "abundant testimony and evidence that compulsive gambling introduces a greatly heightened level of stress and tension into marriages and families, often culminating in divorce and other manifestations of familial disharmony."³
- The number of divorces in Harrison County, Mississippi has nearly tripled since the introduction of casinos. The county, which is home to ten casinos, has averaged an additional 850 divorces per year since casinos arrived.⁴
- A nationwide survey undertaken for the National Gambling Impact Study Commission found that "respondents representing 2 million adults identified a spouse's gambling as a significant factor in a prior divorce."⁵

Child Abuse and Neglect

- The National Gambling Impact Study Commission reported: "Children of compulsive gamblers are often prone to suffer abuse, as well as neglect, as a result of parental problem or pathological gambling."⁶
- In Indiana, a review of the state's gaming commission records revealed that 72 children were found abandoned on casino premises during a 14-month period.⁷
- Children have died as a direct result of adult gambling problems. In Louisiana and South Carolina, children died after being locked in hot cars for hours while their caretakers gambled.⁸ An Illinois mother was sentenced to prison for suffocating her infant daughter in order to collect insurance money to continue gambling.⁹
- Cases of child abandonment at Foxwoods, the nation's largest casino in Ledyard, Conn., became so commonplace that authorities were forced to post signs in the casino's parking lots warning parents not to leave children in cars unattended.¹⁰

Domestic Violence

- According to the National Research Council, studies indicate that between one quarter and one half of spouses of compulsive gamblers have been abused.¹¹

- Case studies of 10 casino communities conducted for the National Gambling Impact Study Commission revealed that the majority of those communities witnessed increases in domestic violence relative to the introduction of casinos.¹²
- Domestic violence shelters on Mississippi's Gulf Coast reported increases in requests for assistance ranging from 100 to 300 percent after the introduction of casinos.¹³
- A University of Nebraska Medical Center study concluded that problem gambling is as much a risk factor for domestic violence as alcohol abuse.¹⁴
- Domestic violence murders in at least 11 states have been traced to gambling problems since 1996.¹⁵

✓ Abused dollars

(California Governor's Office 1992) On a regional level, the combined ranges of these various socioeconomic costs are so large that they tend to dwarf the localized economic positives.

These drains on society could easily translate into a net loss of jobs on a statewide or regional level. Furthermore, it can be argued that the combined economic positives and negatives result is a net negative economic multiplier (Goodman 1994; Teske and Sur 1991).

From the perspective of business-economics and strategic development, businesses are and should be concerned with the trend toward expanding various forms of legalized gambling activities. Among reasons, nongambling related businesses will be competing for consumer dollars and studies have shown that casino dollars do not flow and do regular business dollars in a community. Just because a particular activity is "legalized" by a state government does not mean that the negative business or societal impacts have been eliminate-- or even reduced.

An excerpt from: *The Business-Economic Impacts of Licensed Casino Gambling in West Virginia: Short-Term Gain but Long-Term Pain*

By John Warren Kindt

Increasingly, taxpayers and businesses are beginning to realize that, as Professor Jack Van Der Slik has summarized for much of the academic community, state-sponsored gambling "produces no product, no new wealth, and so it makes no genuine contribution to economic development" (Van Der Slik 1990). Business-economic history supports this proposition. The recriminalization of gambling activities occurred 100 years ago after a brief gambling boom following the Civil War. Most state legislatures utilized constitutional provisions to recriminalize gambling, because lawmakers wanted to make it as difficult as possible for future generations to experiment with the classic "boom and bust" cycles and the concomitant socioeconomic negatives occasioned by legalized gambling activities. To paraphrase Georg Hegel's common quote, "those who forget the lessons of economic history are condemned to relive them" (Bartlett 1968).

November 19, 2003

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

PRESENTATION MADE
AT THE SCOPING SESSION ON 11-19-03

FILE COPY

My name is Don Becker and I Live at 5756 Voorhies Ct., Plymouth CA.

Due to the overwhelming environmental, economic, and social impacts, the following organizations and elected officials are strongly opposed to a Casino in Plymouth:

Amador County Board of Supervisors
Jackson City Council
Sutter Creek City Council
Amador City Council
Ione City Council
Community of Burke Ranch
Community of Willow Creek
Amador County Unified School District
Board of Directors of Amador Air District
Assemblyman Alan Nakanishi representing the Plymouth area
Senator Rico Oiler representing the Plymouth Area
Bethel Assembly of God Church
Plymouth Pentecostal Church
Fiddletown Community Church
Superintendent, Amador County Office of Education

These organizations compelling reasons for opposing the casino are detailed in their enclosed separate letters.

Additionally, in a survey conducted by the current Plymouth City Council, 73% of the voting citizens of the city opposed a Casino in their town. They recognize the rural small town community they highly value will cease to exist if a Casino is built.

In light of this, we respectfully suggest that these adverse impacts cannot be mitigated if a Casino is built in Plymouth.

Don Becker

cc: George Skibine
BIA
1849 C St. N.W.
Washington, DC 20240

Mario Biagi
500 Argonaut Lane
Jackson, CA 94652

PLYMOUTH PENTECOSTAL CHURCH OF GOD
Post Office Box 70
Plymouth, CA 95669

September 22, 2003

Bureau of Indian Affairs
Sacramento Area Office
Attn: 2800 Cottage Way
Sacramento, CA 95825

Dear Sir:

This letter is in regards to a proposed Indian Gaming Casino in Plymouth, California. As Pastor of concerned and more recently "dismayed" residents of Plymouth, I'm asking you to do all that you can to prevent the establishment of a casino in this town.

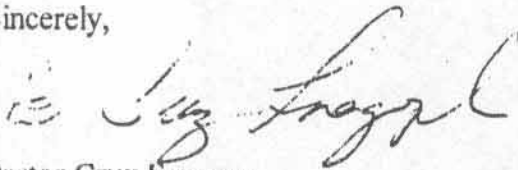
This plea is based upon moral and religious principles established within the hearts and minds of said residents. Many of our members have lived in Plymouth for over fifty years. Others are buying homes and raising their families in the community. A casino at their front door is not what their heart has envisioned for their offspring.

As a church we are not opposed to growth in the community. This town is our responsibility whatever comes our way. Within its present rural setting we have commissioned our outreaches and will continue to do so.

We are though, steadfastly opposed to a casino in Plymouth. We are in complete agreement as a body of believers that an establishment such as this would be the demise of our rural community. We know that we would be overrun with outsiders unconcerned about our way of life in Amador County, principally the town of Plymouth.

We pray that you will make a decision to protect Plymouth and its residents!

Sincerely,



Pastor Cruz Fragoza

BURKE RANCH PROPERTY OWNERS' ASSOCIATION
P.O. Box 261, Plymouth, CA 95669

Dear Governor Davis:

June 13, 2003

We are a small community adjacent to the village of Plymouth in rural Amador County. I am writing to you to address our concerns over the proposed Indian gaming casino in Plymouth. The Ione band of Miwok Indians has purchased an option on over 200 acres fronting Highway 49 in Plymouth, with a plan to build a 120,000 square foot casino-much larger than Thunder Valley. This is not ancestral land, but might eventually be transferred into trust with your support. This county already has one nearby casino in Jackson, and another one eventually to be built in Buena Vista, both within 20 miles of Plymouth. **We hold strongly that a casino is totally incompatible with life in a quiet community of 800 persons.**

Neighborhoods such as Burke Ranch, Shenandoah Valley, Willow Springs and Fiddletown, all near Plymouth, are not protected by the City of Plymouth, but our water, sewer, traffic, crime level, environment, and aesthetics will be directly impacted by a project of this magnitude. No amount of financial mitigation can offset the impact. **The planned casino cannot go forward without your approval. Our fervent hope is that you will disapprove this proposal.**

In addition to the items of concern already listed we are very concerned about the future availability of the ground water our wells depend on. Many of our wells have already recently gone dry. We fear that the proposed development and casino will deplete the aquifer.

We have canvassed our 67 homeowners, 97% of whom are opposed to the casino, and 3% of whom are undecided. Our informal poll of the residents of Plymouth found 80% opposed. Our County Supervisors are on record as opposed to this project, as is Jackson and Ione City Councils, the Amador School Board, and Senator Rico Oller. The letter you are reported to have received from the Miwoks stating that there is no local opposition is inaccurate and dishonest. Our City Council is waffling, lured by the blandishments of the developers and the excitement generated by Thunder Valley. We desperately hope for your protection from this

Thank you for your attention to this matter. We hope to hear from you.

Jill DeCou, Chair
Burke Ranch Board of Directors
For The Board of Directors and Property Owners of Burke Ranch



AMADOR COUNTY UNIFIED SCHOOL DISTRICT
AMADOR COUNTY OFFICE OF EDUCATION

SUPERINTENDENT

Mike Carey

September 15, 2003

Bureau of Indian Affairs
Sacramento California

To Whom It May Concern:

I am writing in regard to the proposed casino in Plymouth and how it could negatively impact the Amador County Unified School District, Plymouth School and its students. The school district has enjoyed a good relationship with the Jackson Rancheria casino. The Rancheria has provided services and facilities to the schools over the years and provided support for a successful schools bond measure less than a year ago. However, we are deeply concerned about the possible Plymouth casino.

This proposed facility would be approximately one mile from Plymouth Elementary School which raises two issues: (1) heavy increase in traffic in an area where students regularly walk to school, more so now than a year ago, as bus routes have been reduced and (2) possible contact involving adult 'strangers' with children coming and going to school. There is also the very real impact on the Plymouth Elementary School site. This is a small community school. It does not have the same infrastructure as the county capitol of Jackson, where the three schools (elementary, junior high and high school) are better prepared to handle additional students whose parents are employees at the/a casino. This is not to say that the Rancheria has *not* impacted the Jackson schools. It has and there are no 'developer' or mitigation fees to help cover that impact. However, the Plymouth development could result in a severe crunch on current facilities. We realize that not all new casino employees would be Plymouth residents, just as all casino employees at the Rancheria do not live in Jackson. The problem with our Plymouth site is that it can not handle a relatively small increase in students beyond what we project.

While the Plymouth proposal would be exempt from developer/mitigation fees, the school district would have a strong case related to that impact. It would severely limit our abilities to provide quality education and severely limit opportunities to our youth.

Sincerely,

Mike Carey
Superintendent

WILLOW CREEK PROPERTY OWNERS ASSOCIATION
PLYMOUTH, CALIFORNIA

11/13/03

Dear Governor Davis,

We are writing to you in regards to the proposed Indian Gaming Casino here in Plymouth, CA. **We would like to go on record that we strongly oppose this plan and are asking for your careful consideration in this matter.** At this time, we already have one casino nearby in Jackson (within 20 miles) and another is going to be built in Buena Vista (also, within 20 miles of our town). We are totally opposed to having ANOTHER casino built right on top of us.

The Ione band of Miwok Indians has purchased an option on over 200 acres fronting Highway 49 in Plymouth, with a plan to build a 120,000 square foot casino-much larger than Thunder Valley which is also nearby. By the way, this is NOT ANCESTRAL LAND at this time, but might eventually be transferred into trust if they have their way. They are looking for your support to do that and we believe that it would be truly devastating to our small town and quiet community of 800 persons if that happened.

Our small neighborhoods such as Plymouth, Burke Ranch, Shenandoah Valley, Willow Springs, Fiddletown, and Willow Creek will be totally changed forever. We already have a very serious water issue dealing with the availability of ground water that our wells depend on...big cause for concern with country living. A project of this magnitude will also affect other issues such as sewer, traffic, crime level, environment, and aesthetics. No amount of litigation can offset the impact that a casino in our small town would create.

At our last homeowner's meeting we discussed this matter as well as the informal poll of our neighbors that showed opposition to the casino by an overwhelming vote. The Board Members concur unanimously also...NO CASINO IN PLYMOUTH.

We are not the only one's that oppose this issue. The County Supervisors are on record as being opposed to the project, as is Jackson and Ione City Councils, the Amador School Board, and Senator Rico Oller.

Please protect our small town communities here in Amador County.

Thank you for your careful consideration in this matter.

Sharon Watson

Sharon Watson

Board Member of Willow Creek Homeowner's Assoc.

For the Board of Directors and Property Owner's of Willow Creek



665 New York Ranch Road, Suite 3 Jackson, CA 95642 Phone (209) 257-0112 Fax (209) 257-0116

June 26, 2003

Governor Gray Davis
State Capitol Building
Sacramento, California 95814

Subject: Tribal Gaming will Increase Motor Vehicle Emissions in the Amador Air District

Dear Governor Davis:

The Board of Directors of the Amador Air District is opposed to the increase in motor vehicle exhaust emissions that will be released in this rural area if the State of California allows a third tribal gaming facility to be developed within the boundaries of this air pollution control district.

One tribal gaming facility already exists in our rural District near the City of Jackson and is in the process of doubling its size. That expansion alone will result in 7,000 to 10,000 additional car trips per day in the District. The State and the Bureau of Indian Affairs have approved a second facility that will be located in the Buena Vista area of Jackson Valley near the City of Ione. Now a third facility is proposed for the City of Plymouth and if approved the combined facilities will generate over 30,000 additional car trips per day in our traffic corridors.

The Amador Air District is located within the Mountain Counties Air Basin, designated a "Moderate" non-attainment area for the state 1-hour ozone standard. We are currently in jeopardy of being designated non-attainment for the new federal 8-hour ozone standard. These designations are the result of "Overwhelming Transport" of ozone from the Sacramento and San Joaquin valleys. If the state encourages additional vehicle trips into this air district by permitting additional tribal gaming facilities without any corresponding mitigation measures to reduce the impacts of these additional emissions then you will have contributed to our air quality problem. A problem we didn't create - but one which we must however resolve.

On behalf of the Board of Directors of the Amador Air District, we request that the state take all appropriate steps to prevent the establishment of additional tribal gaming facilities within this air district's boundaries. Your cooperation on this issue would reduce unnecessary vehicle emissions in our area, help the air district protect the public's health and enhance our efforts to achieve and maintain compliance with the National Ambient Air Quality Standards.

Sincerely,

Richard Forster, Chairman
Board of Directors

EDUCATION
COMMITTEES:
AGING AND LONG-TERM CARE
HEALTH
PUBLIC EMPLOYEES, RETIREMENT
AND SOCIAL SECURITY

ASSEMBLY
California Legislature

ALAN NAKANISHI
ASSEMBLYMEMBER, TENTH DISTRICT



STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0010
(916) 319-2010
FAX (916) 319-2110
DISTRICT OFFICE
218 WEST PINE STREET
LODI, CA 95241
(209) 333-5330
FAX (209) 333-5333

June 20, 2003

The Honorable Gray Davis
Governor, State of California
State Capitol
Sacramento, CA 95814

Dear Governor Davis:

I am writing you in regards to the gaming compact that your office is negotiating with the Lone Band of Miwok Indians, and their proposed casino in Plymouth, which lies in my Assembly District.

My office has received a plethora of letters and phone calls from constituents and local governments on this issue. I would like to inform you that not one of them is supportive of this proposed casino.

I have consistently been supportive of the issues of Indian sovereignty, and have toured many Indian gaming sites. In this case, the Lone Band of Miwok Indians are seeking to take land into trust that is not theirs for the sole purpose of building a casino. This I cannot support, and respectfully hope that you would agree.

Please consider the concerns of your constituents in Amador County on this matter. I would be more than happy to meet with your office at anytime regarding this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan Nakanishi".

Alan Nakanishi
Assemblyman, 10th District

Cc: Senator Rico Oller
Amador County Board of Supervisors
Plymouth City Council

AMADOR COUNTY UNIFIED SCHOOL DISTRICT
AMADOR COUNTY OFFICE OF EDUCATION

Resolution No. 02/2003-19
Re: Proposed Casino in Plymouth

WHEREAS, the proposed Plymouth gambling casino would be located less than one mile from Plymouth Elementary School; and,

WHEREAS, many of the streets and roads students use to go to and come from Plymouth Elementary School do not have sidewalks; and

WHEREAS, the dramatic increase in traffic would present a significant danger to an area that does not have stop lights or crossing guards for students;

WHEREAS, a significant increase in families moving to the area as casino employees would likely result in a dramatic impact on educational services with restricted funding; and,

WHEREAS, this increase would likely result in overcrowding at a school site that already shares space with the Amador County Fairgrounds to meet the needs of the current student population; and,

WHEREAS, a number of new housing units that would accompany a casino would not be subject to the developer fees that help offset the costs of needed additional classrooms; and,

THEREFORE, BE IT RESOLVED that the Governing Board of Amador County Unified School District and Amador County Office of Education opposes any plans to build the proposed gambling casino due to serious safety and educational concerns.

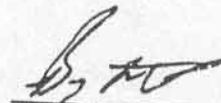
Approved this 28th day of May, 2003

AS: ?

S: Q

SENT: Q

RECEIVED
OFFICE OF SUPERVISOR
2003 JUN 5 PM 12:48
AMADOR COUNTY, CA



Barry Franks, ACUSD/ACOE Board President

California State Senate

SENATOR
RICO OLLER
FIRST SENATORIAL DISTRICT



COMMITTEES
LABOR & INDUSTRIAL RELATIONS
VICE CHAIR
NATURAL RESOURCES & WILDLIFE
VICE CHAIR
INSURANCE
PUBLIC EMPLOYMENT & RETIREMENT

SELECT COMMITTEES
CALIFORNIA'S WINE INDUSTRY
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WOODWAY
SACRAMENTO, CA 95842
(916) 209-223-9140

May 13, 2003

The Honorable Gray Davis
Governor of the State of California
State Capitol, First Floor
Sacramento, CA 95814

Dear Governor Davis:

I understand your office is in the process of negotiating a compact with the Ione Band of Miwok Indians to operate an Indian gambling casino near Plymouth in Amador County. Amador County frankly does not have the room or the resources to absorb all the impacts of another casino. I write to respectfully ask that you not approve a gambling compact with this tribe.

Amador County is a geographically small rural county, and has a population of approximately 31,000 people. Plans to build another casino in the Ione area of Amador County were recently announced - this in addition to the proposed Plymouth casino and the already existing Jackson Rancheria Casino. While the Ione proposal is presently on hold, even two casinos is excessive for such a small county, and three major casinos would virtually destroy the quality of life in Amador County.

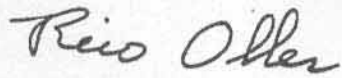
A Plymouth casino would be a mere fifteen minutes from the expanding and very busy Jackson Casino. Plymouth lacks the basic infrastructure to handle the traffic and commerce that a casino attracts. First, Highway 49 in Plymouth is a twisty, two-lane road that is not equipped to handle the traffic a large casino would generate. Second, water resources in the Plymouth area are already strained. In fact, Plymouth is presently under a building moratorium due to inadequate supply of water. Finally, a new casino will only add to the large costs presently incurred by several County departments in providing additional services due to the impacts of these casino developments, including all facets of law enforcement (Sheriff, Jail, District Attorney, Probation, Courts), public health, public works and roads, emergency medical services, and fire. Furthermore, the increased traffic generated from such development impacts the entire county, not just the specific casino sites.

As an additional matter, I understand that there is a membership dispute within this tribe. Further, it appears that there is a question regarding the band's historic ties to the land being

considered for the casino site. At a minimum, compact negotiations should be halted until these fundamental issues are resolved.

Please consider these concerns as you consider authorizing a gambling compact with the Lone Band of Miwoks. I would be happy to speak with you about this matter to help clarify any of these issues as you move toward a decision.

Sincerely,

A handwritten signature in cursive script that reads "Rico Oller". The signature is written in dark ink and is positioned above the printed name.

Rico Oller

BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA

IN THE MATTER OF:
RESOLUTION OPPOSING CASINO
IN PLYMOUTH

)
)
) RESOLUTION NO. 03-237

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that said Board does hereby oppose the State of California's and the United States Government's permitting of a casino in the City of Plymouth on land proposed to be purchased by the Lone Band of Miwok Indians or any other tribe ("Casino") for the reasons herein set forth.

1. The Casino itself is located within the City of Plymouth ("Plymouth") with most of the remaining tribal activities proposed to be in the surrounding unincorporated portion of Amador County ("County"), so that both Plymouth and the County are impacted by the Casino.
2. There is already in existence in the County one very large casino, on the Jackson Rancheria, and another planned for the Bucna Vista area in the County. Three casinos in a county with a population of 31,000 people (excluding State inmates and wards) create cumulative impacts that adversely affect County citizens and the County government.
3. Plymouth is located at the threshold of the Shenandoah Valley, an increasingly popular tourist destination because of its world-class vineyards and wineries. On weekends particularly State Highway 49 and State Highway 16, together forming the route to the Casino and to the Shenandoah Valley, will be clogged with traffic, with the vehicle trips estimated for the Casino alone to be ten times the total population of Plymouth. Said Casino traffic will cause gridlock on Highways 16 and 49. Air pollution from grid locked vehicles will significantly alter air quality in and around Plymouth.
4. Neither Plymouth nor the County can supply the Casino with water. Plymouth's water supply consists of a 17 mile open ditch that often fails to deliver water and wells on which the State Department of Health has declined to base Plymouth's growth.
5. Sewage treatment and disposal is inadequate for Plymouth currently and there is no capacity or space to add the Casino's sewage to it.
6. The County's experience with the Jackson Rancheria casino is that the casino attracts patrons some of whom commit crimes both on and off the casino premises so that the County's law

enforcement facilities are over burdened. That includes the Sheriff's Office, the District Attorney's Office, the Amador County Detention Facility (which is already generally at 100 percent capacity), and the Public Defender's Office. The County Government estimates that County taxpayers subsidize the Jackson Rancheria casino by nearly a million dollars annually for just those services. An additional casino in Plymouth will add to that subsidy by local taxpayers.

7. The County is not guaranteed any income from the Casino to offset the financial impacts therefrom.

8. The County has not been able to demonstrate that the Jackson Rancheria casino's patrons spend money in the County except at the casino, so that there is no benefit to County businesses from the presence of one casino, let alone two more. In fact, the Casino has plans for substantial commercial development around the Casino, which will devastate local businesses because tribal businesses don't collect sales tax and are not subject to the same labor laws as competing local businesses.

9. The Iron Bank of Miwok Indians has no connection to the land in and around Plymouth it has proposed to acquire on which to put the Casino and other tribal facilities. This is a blatant attempt to open a Casino on non-tribal land for the benefit of the Casino's promoters at the expense of County taxpayers and residents.

10. Crime has risen in Amador County as a result of the Jackson Rancheria casino. The addition of the Buena Vista casino and this Casino will geometrically increase the danger to County and Plymouth residents from crimes committed by Casino patrons.

11. It is simply not fair for Amador County, a rural foothills county, to be designated as the home of three Indian casinos when casinos are being systematically kept out of the State's urban areas so that the impacts of casinos fall on small counties such as Amador which are least able to absorb those impacts.

12. The compacts between the State of California and other tribes relating to their casinos leave counties such as Amador without an effective voice as to where casinos are located, eliminating their adverse impacts, and with their residents having to subsidize tribes with casinos who, with their out of State promoters, are removing money from the counties and the State.

BE IT FURTHER RESOLVED that the Chairman of the Board of Supervisors is hereby authorized to sign this resolution on behalf of the County of Amador.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 20th day of May 2003, by the following vote:

AYES: Louis D. Boitano, Mario Biagi, Rich F. Escamilla, Richard M. Forster. and
Richard P. Vinson

NOES: None

ABSENT: None

Louis D. Boitano
Chairman, Board of Supervisors

ATTEST:

MARDELL ANDERSON, Clerk of the
Board of Supervisors, Amador County,
California

Jennifer Burns
Deputy

Jackie Rogers
PO Box 994
Sutter Creek, CA 95685

11/17/03

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825
Attn: Clay Gregory

Re: 11/19/03 BIA scoping meeting on the subject of the Plymouth Casino, California

To Whom It May Concern:

As a resident of Sutter Creek, which is within six miles of Plymouth, and a resident of Amador County within which the casino will be built, I'd like to express my opposition to the proposed Casino in Plymouth.

Though I oppose the casino for many reasons, I'd like to specifically address my concerns now to the social-environmental impact of another casino on affordable housing.

I've lived in the county for more than fifteen years. I was here before the Jackson Rancheria was built in Jackson. The impact on housing that I have noticed from that casino has been enormous. The county population did not have enough of an available workforce to staff that casino. Consequently, they hired many people who moved in from Sacramento, Stockton and other outside communities. The rapid influx of new residents into the county is a major factor contributing to extremely low vacancy rates, and has driven the rental housing prices up more than double.

We are not able to afford the housing cost increase. In fact, the housing shortage is so severe, that the Jackson Rancheria has stated they are seeking to build affordable housing in the area because some of their employees have had to sleep in their cars. There is a serious vacancy shortage for these employees, and for non-casino workers like me. The housing prices of rentals has increased so much that I have had to take a job in Sacramento to afford to live here—that is a commute of more than 80 miles a days.

Most of the wages of casino employees are on the lower income scale. Plymouth already has the lowest per capita income in the county. In addition, it has the lowest rental rates. How will that community, or the residents of the rest of this county, be able to afford the added economic impact of a third casino in this county—that is, the Plymouth Casino? This casino will also have to import employees from out of the area to staff the facilities. These employees will put an added burden on an already stressed available housing market.

Now, the casino may offer to mitigate this issue by incorporating housing into their plans. However, Plymouth has been under a state-imposed housing moratorium because of the lack of quality and quantity of water. They cannot build more housing in Plymouth. That means any additional housing will become a county problem.

The County Planning Director Gary Clark, was quoted in a 8/13/03 article of the Ledger Dispatch newspaper as acknowledging that our county is already in need of low-income and very-low-income housing. In addressing the problem of affordable housing, the article says that there is very little land zoned upon which such housing could be built and that the areas that are zoned for potential affordable housing complexes don't have the infrastructure, such as sewage in place. This is not a problem that can be easily remedied, though must be considered as a long-term problem.

I called the County Planning Department recently to find out what is being done to address this housing issue. They told me they have hired consultants to study the affordable housing problem, but the information is not complete and ready to disseminate to the public. I urge you to wait on making any

decisions until you hear what the study reveals. I urge you to think about where the employees to the casino are going to live. And I also urge you to consider that this county and the City of Plymouth cannot afford to have an increase in low-income jobs while the demand and price of housing increases. And we can't afford to add additional housing without the infrastructure in place to support it.

I request that you please consider the effect the increased population will have on housing costs, the quality of life, and the stress on infrastructure and the environmental impact that this influx will create. We live in a small, rural county whose total population is a little more than half of the city of Davis. Yet, if successful, this will be the third casino in our community. We love our rural community and want a healthy growth that will elevate our citizens in prosperity and quality of life.

I'd like to close with this quote from the 8/13/03 Ledger-Dispatch article by Gary Clark. He says "Something is out of balance and I don't know what it is. I don't know what the answer is. Right now there are people that are working in the county but cannot afford to live here. They are moving from couch to couch. There is a real problem."

I ask you, please, don't allow this serious problem to be compounded.

Thank you

Jackie Rogers

CC:
Bureau of Indian Affairs
1849 C Street NW
Washington, DC 20240

Amador County Board of Supervisors
Attn: Mario Biagi
500 Argonaut Lane
Jackson, CA 95642

Plymouth City Council
PO Box 429
Plymouth, California 95669

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

Ledger-Dispatch newspaper, Amador County

Affordable housing issue tackled

Wednesday, August 13, 2003

By Sean Rabé

The portion of Amador County's General Plan that pertains to the mix of housing throughout the county was tackled at last week's Amador County Board of Supervisors meeting.

The result was a general discussion of how to bring affordable housing to the county. The board eventually decided to leave it to the planning commission to hammer out the details.

The housing element portion of the General Plan must be adopted by all cities and the county in time for the state to certify it by Dec. 31. Each city and the county have separate housing elements. The county's last housing element was adopted in 1992 but was not certified by the state due to a lack of R-3 zoning in the unincorporated areas of the county. The R-3 zoning designation allows for higher density development - in theory leading to affordable housing.

"We need low income and very low income housing," Land Use Agency Director Gary Clark told the board.

In order to help and encourage developers to build affordable housing for the community, county staff has drafted measures that help remove obstacles to building such housing. These suggested measures take many forms, including subsidization, the waiving of fees and the implementation of quotas on developments. The quotas might mandate that 10 percent of the total units in the development be affordable.

"With no subsidization, builders cannot afford to build the affordable units," Clark said. So the county must make certain concessions in the housing element to keep its housing mix in balance. "These measures reduce standards so the affordable units can be built cheaply enough," Clark said.

One such measure, often termed "inclusionary housing," provides that developers must either actually construct affordable housing for use by families of low or very low income or pay the equivalent "in lieu of" impact fees for future affordable housing to be constructed whether within the project site or at an approved off-site location.

Other concession measures include things like issuing permits for affordable housing projects with no discretionary design review; the waiving of density population measures for affordable housing projects; waiving minimum square-footage requirements for units; the waiving of regional traffic mitigation fees except in areas where traffic can be shown to be an overriding concern; the waiving of fire protection mitigation measures; the waiving of minimum street widths; the waiving of certain building department fees; and the waiving of water, sewer and capacity fees.

These concession measures are only preliminary and will be discussed by the planning commission during a public hearing in the future.

Despite the wide-ranging concessions, a very basic problem still remains throughout the unincorporated areas of the county: Very little land is actually zoned R-3. Most of the high-density zoning falls within the spheres of influence of the county's incorporated cities.

To make matters worse, the areas that are zoned for potential affordable housing complexes don't have the infrastructure in place to make building those complexes feasible for developers. A memo to the board from Clark puts it this way: "The necessary infrastructure extensions for apartments, in particular sewage line extensions, must come from one of the cities, who will want to annex the project to make the extension."

The county does have R-3 zoning available near Wicklow Way in Martell where 558 affordable units could potentially be built. But in order to build those units, developers would have to build their own roads and the lingering question of what to do with sewage would still remain.

"Something is out of balance and I don't know what it is," Clark said. "I don't know what the answer is. Right now there are people that are working in the county but cannot afford to live here. They are moving from couch to couch. There is a real problem."

CHURCH OF GOD

PLYMOUTH PENTECOSTAL

Post Office Box 70
Plymouth, CA 95669 (209) 245-3140

September 22, 2003

Bureau of Indian Affairs
Sacramento Area Office
Attn: 2800 Cottage Way
Sacramento, CA 95825

This letter is in regards to a proposed Indian Gaming Casino in Plymouth, California. As pastor of concerned, and more recently "dismayed", residents of Plymouth I'm asking you to do all that you can to prevent the establishment of a casino in this town.

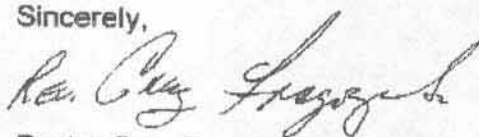
This plea is based upon moral and religious principles established within the hearts and minds of said residents. Many of our members have lived in Plymouth for over fifty years. Others are buying homes and raising their families in the community. A casino at their front door is not what their heart has envisioned for their offspring.

As a church we are not opposed to growth in the community. This town is our responsibility whatever comes our way. Within its present rural setting we have commissioned our outreaches and will continue to do so.

We are though, steadfastly opposed to a casino in Plymouth. We are in complete agreement as a body of believers that an establishment such as this would be the demise of our rural community. We know that we would be overrun with outsiders unconcerned about our way of life in Amador County, in particular the town of Plymouth.

We pray that you will make a decision to protect Plymouth and its residents!

Sincerely,



Pastor Cruz Fragoza



Office of the Superintendent
Rev. Michael W. Jacobsen

September 23, 2003

Bureau of Indian Affairs
Sacramento Area Office
2800 Cottage Way
Sacramento CA 95825

To Whom It May Concern:

This letter I am writing is in regards to the possibility of building a casino in Plymouth CA. I am the Bishop of the Northern CA District of the Pentecostal Church of God. Our organization stands in opposition of all forms of gambling as stated below taken from our District by laws;

STAND ON GAMBLING/LOTTERY

1. BE IT RESOLVED that inasmuch as the Bible teaches that covetousness and greed are grave sins, and inasmuch as we are taught to live of the fruits of our labor (2 Thessalonians 3:10), and whereas gambling has brought much poverty and suffering to our society, therefore, BE IT RESOLVED that the Northern District of California, Pentecostal Church of God, declare that we are opposed to all forms of gambling, including lotteries, as being contrary to the principles of God's Word, and we encourage our people to recognize their responsibility as good stewards of God's resources and refrain from gambling in any form.

Therefore I want to state my objection to this casino being built in Plymouth.

Sincerely,

M. W. Jacobsen

M. W. Jacobsen,
District Bishop
Mwj:mword:Fragoza

Pentecostal Church of God

Northern District of California and Nevada

11000 S. Orange Lane - Citrus Heights, CA 95621 - 916/723-2467 - 916/723-2490 fax - mwjacobsen@hotmail.com



RON CREEKMORE
PASTOR

Bethel Assembly of God

836 No. State Highway 49-88
Jackson, California 95642
(209) 223-0153

September 22, 2003

Bureau of Indian Affairs
Sacramento Area Office
Attn: 2800 Cottage Way
Sacramento, California 95825

Dear Sir:

I am writing to express my concern over the proposed Gaming Casino to be built in Plymouth, California. I would strongly urge you to make every effort possible to see that this does not come to pass.

For those who choose to gamble, we have the Jackson Rancheria here in our town, which is only about 20 minutes away from Plymouth, and I understand that they want to put another casino in Ione, California, which is also 20 minutes away. We do not need three casinos in a small community such as Amador County.

Please give this your utmost attention, and again, I am writing to say that I strongly oppose this new Gaming Casino in Plymouth.

Respectfully,

Ron Creekmore, Pastor



Grace Fellowship Church

of Amador County

Dale Barrett, Pastor
Mark Johnson, Associate Pastor
Ward Willoughby, Senior Adult Pastor

Bureau of Indian Affairs
Sacramento Area Office
Att: 2800 Cottage Way
Sacramento, California 95825

October 7, 2003

Dear Sir:

I pastor the congregation of Grace Fellowship Church in Amador County. We have a congregation of about 500-600 that participate and call our church "home".

I have been back in Amador County for seven years and this is my thirty-sixth year in pastoral ministry. I am concerned about the proposed development of another casino in Plymouth, California. I am persuaded that one casino—not three that would be here if one were built in Ione in addition to the one in Jackson—is more than adequate for our county population of 35,000 people. We have worked hard in this county to allow for normal growth while at the same time preserving the "small town" atmosphere that is so appealing to residents and guests in this area.

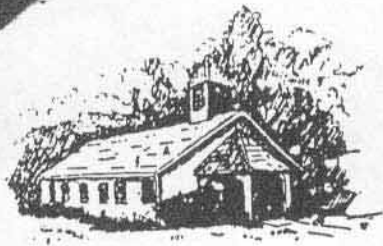
I feel that the anticipated financial gain from the gambling industry is nullified by the sacrifices that we would have to make in terms of increased traffic, accelerated crime, and the other unavoidable management issues that are concomitant to the gaming industry.

We hope that you will give strong consideration to the wishes and desires of the people here who have made Amador County their home.

Sincerely,

Dale Barrett, Senior Minister
GRACE FELLOWSHIP CHURCH

Cc: Aiida Malick, Paul Cherry



FIDDLETOWN COMMUNITY CHURCH

Post Office Box 158 • Fiddletown, CA 95629 • (209) 245-6252

Rev. Paul Cherry, Pastor

September 17, 2003

Bureau of Indian Affairs
Sacramento Area Office
Attn: 2800 Cottage Way
Sacramento CA 95825

Dear Sir:

I am writing to express my concerns regarding a proposed Indian Gaming Casino in Plymouth, California. I urge you to do all that you can to prevent the establishment of a casino in that town. I make this request not only on a religious or moral basis but also for the protection of a beautiful, small town that means a great deal to those who have moved here to live and work. I am not against the normal growth and development of this community as more people choose a quieter way of life for themselves. I am deeply opposed to a casino, however, which would be more like a shock treatment, destroying much of the community atmosphere that we now enjoy.

As to the accessibility of gaming for those who enjoy it, Jackson Rancheria is only 30 minutes away and if it is true that yet another casino is proposed for the Ione, California area, we would have three casinos within 20 minutes of each other. Please do not allow this beautiful county to become a gambling mecca. One casino is more than adequate for the county of Amador. **I am very opposed to destroying the quality of life in a community for the financial gain of a few.** I have considered the "benefits" a casino would bring to the community and am fully convinced that what we would lose would be much greater than what we would gain.

I elicit your help to protect the "good life" that we have worked hard to attain in these combined communities of Plymouth and Fiddletown.

Respectfully,

Paul W. Cherry, Pastor

November 19, 2003 Scoping Session: Waste Water Environmental Impacts
Prepared by Butch Cranford

I believe the proposed Casino/Hotel will have a negative impact on the local environment due to the expansion of waste water services that the Casino/Hotel requires. This required expansion of services will be extensive and it is very likely that the acquisition of additional property for ponds and spray fields will be required. A Waste Water study completed in September 2002 for the City of Plymouth by Eco Logic found in general that the waste water system in Plymouth is adequate for current population with the completion of some major repairs and minor improvements. The study based future needs on the capacity required if the population doubled by 2022. There are currently 561 equivalent users reported in the study with an additional 466 to be added in the next 20 years for a total of 1027 users, the maximum capacity for the system. To date the City or the Tribe has presented no credible information about the capacity expansion required to service the proposed Casino/Hotel but I believe we can use the projected treated water use numbers to get a general idea of the impact the proposed project will have to the current waste water system. The city, which is under a state imposed water moratorium, currently uses about 120 acre feet of treated water annually and the proposed Casino/Hotel and associated accelerated population growth will more than ^{likely} triple that requirement within 3-5 years to about 410 acre feet annually. If treated water service ratio remains constant and 120 acre feet of water has 561 equivalent waste water users then that ratio for 410 acre feet of water would result in 1916 equivalent users or 1355 users as a result of the Casino/Hotel. These 1355 additional users far exceeds the maximum capacity of the system 1027 users and will require a waste water system and facilities larger than the current system and facilities in Plymouth. The impact of such rapid growth cannot be known specifically but the impacts of such rapid expansion of waste water facilities for a small rural community such as Plymouth should be presumed to be substantial unless additional studies indicate otherwise.

The report, which is available at Plymouth City Hall, states on page 4-7 that the wastewater treatment plant has the capability to meet current needs with minor modifications. However on page 4-8 the study states that the current condition of the wastewater treatment facility is considered fair to poor. Poor maintenance practices by the City is cited as a major contributor to the fair to poor condition. Capacity of the system is not alluded to in any detail and it is not possible to determine from this report what the capacity of the wastewater plant is or whether it would be sufficient for even 1027 users let alone 1916 users. It would be unwise to consider any project the size and scope of the Casino/Hotel without conducting a more thorough and comprehensive engineering evaluation of the wastewater treatment plant for potential environmental issues related to any needed expansion.

November 19,2003 Scoping Session: Waste Water Environmental Impacts r
Prepared by Butch Cranford

The disposal and storage portions of the system are dealt with in more detail regarding capacity. The current storage facility is a pond with a usable capacity of 185 acre feet (60,000,000 gallons). At build out to accommodate 1027 users, the study finds that storage will have to increase by 22,000,000 gallons to 82,000,000 gallons and the pond will lack adequate capacity for the 1 in 100 year rainfall event in 10-15 years. I believe we can safely presume the increasing the users to 1916 in the next 3-5 years would have significant negative environmental impacts as the City will have to expand its pond or build another pond elsewhere. The disposal area will require additional acreage to accommodate an increase to 1916 users. The purchase of additional land will be an expensive even if any suitable land is available in close proximity to the current disposal fields and storage pond. Again it would be unwise to give any positive consideration for this Casino/Hotel project without first conducting a more thorough and comprehensive environmental study of the impacts related to the building of additional disposal and storage facilities.

In addition to considering the environmental impact I believe some consideration must be given to the capability of the City of Plymouth to manage, operate, and maintain a system so much larger than its current system. As an example the report, on page 2-1 states that the majority of problems are related to inflow, and infiltration, and include leaking manhole covers, cracked pipes, and offset joints. In Table 4-3 of this report is a prioritized listing of problems. The highest priority of repairs include 24 leaking manhole covers. It is of some interest, when discussing the capability of the City to provide waste water services, to note that the 24 leaking manhole covers listed in Table 4-3 of a report dated September 2002 were initially identified in a study completed in 1985. In fact about 80% of the repairs listed in the 2 pages of Table 4-3 were identified in 1985 with the remaining 20% identified in 1997. The report is replete with other examples of the lack of capability by the City of Plymouth to regularly complete even basic maintenance to the system, such as removing weeds from and around the ponds. The fact that the City's waste water system has more than 75 identified major repairs from 1985 and 1997 should be evidence enough for you to consider that the City of Plymouth has not been and is not currently capable of reliable waste water service. I believe it is difficult to believe that the City can undertake and complete the major projects required to meet the wastewater needs a project the size and scope of the Casino/Hotel.

Eco Logic did not do any hands on or field evaluation of the waste water collection system and It is has been nearly 7 years since a comprehensive evaluation of the system has been accomplished. Any

November 19,2003 Scoping Session: Waste Water Environmental Impacts r
Prepared by Butch Cranford

conditions alluded to in the study and the dollar amounts cited in the study to bring the system back to normal operation must be suspect as to their adequacy and the current one time offer from the Franklin Group of \$900,000 to expand the system to 1916 users seems a bit low considering the study cost to expand to 1027 users without purchase of additional property for ponds or spray fields was \$2.1 million over 20 years. Therefore I would hope that before any approval or positive consideration is given to the proposed Casino/Hotel that a thorough and comprehensive engineering evaluation to include an extensive environmental study is completed so the both the City and the Franklin Group will have an accurate report on the impact to the environment and the cost to expand wastewater service to serve the additional 1355 wastewater users required by the proposed Hotel/Casino. Public statements made by Mr. Franklin and his representative Mr. Moody indicate that the Ione Band desires to be good neighbors if the Casino/Hotel is built and I am sure they do not want to impose any costs related to the Casino / Hotel project on the citizens of Plymouth or Amador County. It is again my hope that any approval or positive consideration for this project should be withheld until a comprehensive environmental impact study based on the Federal and State environmental laws and regulations that the City will be required to meet is completed by consultants and experts selected by the City of Plymouth and paid for by the Franklin Group or Ikon.

To: Clay Gregory Acting Regional Director, Pacific Region, Bureau of Indian Affairs

From: Butch Cranford U. S. Citizen, Veteran, Retired, Plymouth California.

Subject: Comments for November 19th Environmental Scoping Session in Plymouth Ca.

Mr. Gregory please find my comments attached. This proposed Casino will have a very negative impact on the environments of City of Plymouth, surrounding communities and Amador County. I hope that my comments and the comments of others opposed to this proposed Casino are given strong consideration and will cause your agency to not provide a positive recommendation for this proposed Casino project.

Respectfully,

Butch Cranford

P.O. Box 794

Plymouth Ca. 95669

plymouthbutch@hotmail.com

November 19th Scoping Session Amador County Fairgrounds

Prepared by Butch Cranford

The proposed Casino / Hotel project will have many significant negative environmental impacts on the City of Plymouth, surrounding communities, and Amador County. I can think of no positive environmental impacts this proposed Casino/Hotel might have. The cost of the negative environmental impacts to the citizens of Plymouth, surrounding communities and Amador County can in some instances be measured and compensation can be determined but in many other instances it is difficult to determine how to fully compensate local communities and individuals for losses or problems associated Casino caused impacts.

Impacts that can be measured in compensated typically in dollars include but are not limited to impacts to the environment to expand services for water, wastewater, traffic, fire and police protection, and schools. Negative impacts that cannot be measured in dollars include but are not limited to traffic, light pollution, water depletion, water pollution, social and cultural impacts that will certainly impact our foothill lifestyle that is rapidly shrinking and might be considered endangered. The quiet small town lifestyle where you know most of the folks in and around town that Plymouth and surrounding communities personifies is what we are fighting desperately to defend is priceless. The negative environmental impacts resulting from this proposed Casino / Hotel project will destroy this small town and surrounding communities and the very reasons most of us live here. Contrary to what many in local government believe people do not move to Plymouth or the immediate area for job opportunity, or financial gain. People move here for the quiet, rural, foothill lifestyle. A place where things move a little more slowly, where there are no traffic jams, crime is not prevalent, where the hustle and bustle, noise and pollution of City life is soon forgotten. A place where neighbors work together to improve the community, where volunteering for the community is alive and well. The lifestyle we cherish in Plymouth will be destroyed by this project which is a Social and Environmental Disaster for Plymouth and Amador County.

This intent and scope of this project has nothing in common with and no relation to any businesses currently in and around Plymouth or with the community generally. The surrounding land use is primarily grazing land with nothing remotely related to a Casino is contained in either the City General Plan or the County General Plan. Not only does this Casino project have nothing in common with or relating to Plymouth or surrounding communities, the land being considered for this project contains no significant historical evidence relating to the Franklin

November 19th Scoping Session Amador County Fairgrounds
Prepared by Butch Cranford

Group. The Franklin Group is not historically connected to this property and in fact an archeological study conducted in 2001 as part of the Environmental Impact Study for the Pioneer Project found nothing on the property worth noting that was related to the Franklin Group, Miwoks, or any other Indians. In fact the Franklin Group did not even bother to respond to the author of the study even though they were contacted more than once.

The visual impact of the proposed Casino and Hotel will be an environmental disaster. The size and type of building proposed for this project is a threat to the visual environment of Plymouth and Amador County. How many other 60, 70, 80 foot tall or taller 120,000 square foot buildings do you see in Plymouth? None, the building itself will be an environmental eyesore that will greet every visitor to Plymouth. An eyesore and reminder of what we will have lost each time we leave town and return from business or errands out of town. How do you measure and mitigate the cost for the loss of a pleasing landscape due to the presence of a large and garish Gambling Facility next door? This loss while not easily measured could be placed in the tens of millions of dollars each year for this proposed beacon of bad taste. Who will pay the costs for the declining property values caused by the close proximity of a Casino and all its negative impacts? How do you measure the cost for a lifetime of work to build your dream home or retirement home only to see its value decline due to a Casino's proximity?

The impact of the increased traffic flow on our local highways and surface streets will be devastating to such a small community served only by narrow two lane highways and roads. Traffic costs related to building additional roads, widening roads, installing traffic lights, etc can be measured in dollars but what is the cost to our communities and our County due to the delays created by increased traffic caused by this proposed Casino / Hotel. Minutes of delay daily for citizens, businesses, tourists become hours and days of delay and these delays are detrimental and costly. Estimates for the cost of impacts due to traffic congestion and delays based on studies at other casinos have been found to be in the tens of millions of dollars of negative impact to local economies and communities.

The impact of the project on groundwater could be disastrous with real costs to property owners and businesses running into the tens of millions of dollars. Many communities, businesses, and homeowners in the Plymouth area depend on groundwater from wells for their

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water. The City is already negatively impacting groundwater supplies in communities such as Burke Ranch through the irresponsible and unnecessary pumping of groundwater when sources of surface water are available in large quantities. This project, if approved will triple the amount of water the City of Plymouth will need to deliver to meet projected increased demand by the Casino / Hotel. How do you measure the cost to farmers, ranchers, and homeowners whose properties are rendered worthless for lack of groundwater where groundwater has been abundant for many years? Will the tribe pay the cost to deepen wells or drill new wells.

If data from other small communities is any indicator then this Casino / Hotel will be disastrous for our small town social environment. Data from Amador County and other Counties where Casinos reside show that in close proximity of these Casinos property values decrease, crime increases, drug crimes increase, and traffic increases. This Casino project with its plans to serve alcohol can only increase the carnage on our local narrow two lane, winding highways by intoxicated drivers leaving the area. Its close proximity to Sacramento, Stockton, Lodi, Galt, Elk Grove, and the heavily populated valley is an invitation for Casino patrons to drink and drive instead of staying overnight. Some of these costs can be measured, lost property values can be determined but will the owners ever be compensated? The cost of crimes can be measured, the cost of apprehension, the cost of prosecution, the cost of internment can all be measured but Indian Gaming in California does not have a good record for fully mitigating even the known and calculated costs to local governments. But how do you measure a crime victims anguish, the cost of lives destroyed by drugs, the cost of broken families, and the cost to families and communities of loved ones crippled or killed by a drunken gambler returning home? With the record of California tribes for not even fully mitigating the real cost of measurable negative impacts of to Cities and Counties what is the likelihood that any of these costs would be mitigated?

Environmental Issues related to Treated Water Service.

The negative impacts the proposed Casino/Hotel will have on local water ground water resources could be extensive and disastrous to Plymouth and surrounding local communities. I believe that without sufficient water supply this proposed Casino/Hotel is not be possible and the potential for negative impacts requiring expensive mitigation is substantial given the current

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water situation in Plymouth. There is also some question as to the City of Plymouths current capability to reliably deliver treated water based on a history of non delivery.

You are probably not aware but the City of Plymouth is currently under a water moratorium imposed by the State of California more than 12 years ago. During that time City leaders have been unable to have the moratorium lifted as a result of any action on their part to improve treated water delivery..

A dam project on Big Indian Creek to provide more reliable water delivery and emergency supplies in case of drought is now 12 years old. A \$4 million dollar grant remains unused and not a single shovel of dirt has been turned. This 12 year dam project is the most recent example of Plymouths' city leaders inability to plan, and complete a major project to improve water delivery in order to remove the state imposed moratorium.

The City currently pumps more than 95% of the approximately 120 acre feet of water it uses annually from wells. This pumping of groundwater has negatively impacted the adjacent community of Burke Ranch whose 68 homeowners depend solely on groundwater from their individual wells. In the past 2 years 13 homeowners in this small community have had to deepen or drill new wells. It should be easy to understand that water related negative impacts resulting from a Casino/Hotel could have disastrous results to local communities and be very expensive to mitigate. Additional data is available from a well monitoring program conducted for the past several years as part of an agreement between the City and Sutter Home.

Availability of water is not the issue as the City has access to 23,000 acre feet of surface water from the Cosumnes watershed via the Plymouth Ditch. The Plymouth Ditch with its access to 23,000 acre feet of water has been so grossly mismanaged, so poorly maintained, and so ineptly operated by the City for the past 14 years that the city has used less than 10% of its water from the Ditch during that time. The City's inability to deliver water via the Plymouth ditch is well documented and should serve as a reliable indicator that Plymouths' city leaders and staff have not been capable of properly managing, maintaining, and operating its current water delivery system let alone plan and manage the projects required to expand and improve the water delivery system to meet the demands of the proposed Casino / Hotel and the accelerated population growth associated with such a project.

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Let us review some water use numbers. The city currently delivers about 120 acre feet of water annually. Based on water use data from the Jackson Casino, a Casino with 2000 machines is projected to use an average of 159,573 gallons of water a day, or 179 acre feet a year. The planned 240 room hotel is projected to use 90 acre feet a year using the formula the city uses for the Shennandoah Inn. It should be safe to presume that someone will move to Plymouth to work on and in the proposed Casino and a conservative estimate of 100 additional residential users will require at least an additional 21 acre feet annually within five years. This brings the total amount of additional water needed to provide for the proposed Casino / Hotel and its impacts to about 290 acre feet per year and brings the total water delivery required of Plymouth to 410 Acre Feet. This is more than triple the delivery capability of the current system which has been under a state imposed water moratorium for more than 12 years.

Current Water Delivered Annually		120 Acre Feet
Projected Casino Use Annually	179 Acre Feet	
Projected Hotel Use Annually	90 Acre Feet	
Projected Casino Related City Growth	21 Acre Feet	
Total Casino Related Water Required	290 Acre Feet	290 Acre Feet
Total Water Required		410 Acre Feet

Let us quickly review the facts.

1. The City is currently under a state imposed water moratorium and delivers about 120 acre feet of treated water annually.
2. The City has demonstrated for more than a dozen years it is not capable of removing the state imposed water moratorium.
3. The City, through unnecessary pumping of ground water, is already negatively impacting neighboring ground water users in the immediate area as evidenced by the number of wells being depleted in Burke Ranch.
4. The City has demonstrated it is not capable of expanding and improving the current water delivery system by its failure to even begin construction on a dam project begun more than 10 years ago in spite of the availability of a multi million dollar grant.
5. The City has demonstrated for the past 14 years it is not capable of managing, maintaining or

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Prepared by Butch Cranford

operating an existing water delivery system with access to 23,000 acre feet of water to the extent necessary to deliver even 10% of its annual 120 acre foot water requirement.

These facts speak clearly, the City of Plymouth has proven through more than a decade of inept management that it has not been, is not currently, and is not likely to become capable of properly managing the reliable delivery of treated water in sufficient quantities to remove a state imposed water moratorium, let alone undertake the complex and extensive projects to more than triple the capacity of its current system in order to serve the proposed Casino/Hotel.

For these reasons any approval or positive consideration of the proposed Casino / Hotel should be withheld by the BIA and Dept. of Interior pending demonstration by the City of Plymouth of capable management of its water delivery system to the extent that the state imposed water moratorium is lifted and a comprehensive plan for expansion of existing water delivery facilities without negatively impacting other water users in Plymouth or Amador County, to the projected 410 acre feet is developed.

This action to withhold approval or positive consideration pending demonstration of capability by the current council and development of a comprehensive expansion plan makes sense for two reasons. First, to protect the Franklin Group from becoming involved with a City government that has a very poor history of providing water service. I am certain that Mr. Franklin's Group was not aware that Plymouth is under a state imposed water moratorium or that the City is already impacting other water users in the area. Second, to be fair to the current City Council which has not been in office for the past 12 years. They should have the opportunity to demonstrate that they are capable of removing the state imposed water moratorium and developing and presenting a realistic plan for the expanded water services required to properly service the proposed Casino / Hotel. This plan would provide a more comprehensive and accurate cost on which to base the amount of money the Matt Franklin Group should provide to mitigate the impact of the Casino/Hotel to the City and surrounding communities. It is my opinion that the expansion of the current system to increase delivery from 120 acre feet to 410 acre feet could cost 10 to 20 times the \$2.24 million currently offered by the Franklin Group. I know based on public statements made by Mr. Franklin and his representative Mr. Moody that the Ione Band desires to be good neighbors if the Casino/Hotel is built and I am sure they would not want to impose any costs related to the Casino / Hotel project on the citizens of Plymouth or Amador County. To this end, I am certain Mr. Franklin and the Ione Band would join with the multitude of concerned citizens of Plymouth

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and surrounding communities and agree that any approval or positive consideration for this project should be withheld until the state imposed water moratorium is removed and until a comprehensive environmental impact study to include an engineering evaluation is completed by the City which will yield a more realistic and accurate cost to expand the current water system to meet the needs of the Casino/Hotel and on which to base their one time and annual mitigation payments, is available.

The negative environmental impacts that this project will have must be considered in light of the operating Jackson Casino and the to be built Buena Vista Casino within 15 miles of Plymouth. The cumulative effect that a third Indian Casino in Amador County would have is that a third Casino is simply too much Indian Gaming toxic waste for a City of 1000 citizens and a County of only 36,000 citizens to pay to clean up.

The impact to the abundant flora and fauna in the area must studied thoroughly to assure that any negative impacts to the local creature population is minimized and that no endangered species are currently residing on or near the proposed Casino/Hotel.

To summarize, this proposed Casino/Hotel will create a multitude of serious negative environmental impacts and associated negative social and economic impacts to Plymouth, surrounding communities, and Amador County potentially costing tens if not hundreds of millions of dollars in capital outlays with millions more dollars required annually to compensate citizens, Plymouth and Amador County. . I believe there are enough negative environmental, social, and economic impacts related directly to the proposed Casino/Hotel, that any positive consideration by the BIA or the Dept. Of Interior for taking this land into trust for the group of Miwoks led by Matt Franklin should be withheld until comprehensive environmental studies are conducted by consultants and experts selected by the City and paid for by the Franklin Group or Ikon. The taxpayers of Plymouth and Amador County should not pay even a single dollar for the building and operation of the Casino and everyone that is negatively impacted should be fully compensated.

Mr. Clay Gregory
Acting regional director, Pacific region,
Bureau of Indian affairs
2800 Cottage Way,
Sacramento, Ca. 95825

November 19,2003

RE: Environmental scoping secession on lone Band of Miwok Indians proposed Casino/hotel

Dear Mr. Gregory,

The following are my concerns regarding the environmental impacts of the proposed casino on our water resources and a brief history of local water use in the area.

1. Underground water impacts and availability

The discussion of the underground water usage in area must include a geological understanding of the fractured aquifers, as well as the formation of sub-terrainian ridges in area. In the Plymouth basin there are two distant areas separated by the underground ridge know as the Mother Lode gold belt, this ridge is the site of the many gold mines. These mines, although many are over 1000 feet deep, did not produce any significant amount of water. The land west of this ridge produces wells of very limited water (10 gallon per minute or less). The proposed reservation land is located in this area.

On the East side, of the above-mentioned ridge, water is more plentiful but still limited. It is in this area that the City of Plymouth currently has the 4 wells that produce water for the City. The Cities main source of water has been from these wells for the past 10 years producing approximately 120 Acre-feet per year.

Five years ago Sutter Home winery planted grapes in this area and drilled wells for aggregation. This was done with strong objection by the State Department of Health, stating that the drilling of these wells could put the health and safety of the citizens of Plymouth at risk (See attached letter). The Sutter Home wells produce aproximately 60 acre-feet per year. Since Sutter Home drilled these wells 17 residential wells in a 1/2-mile radius have gone dry and the static water level in the cities wells have dropped significantly. All the while more vineyards have been planted in the area drilling even more

- page 2 -

Alternative one in the report over states the current needs of the city from the reservoir and does not address the combined use of the reservoir and Arroyo ditch system. Will address this in options.

The cost of 3.9 million dollars in alternative two in the report needs to be adjusted to include the four above-mentioned items. And it only produces 84 acre-foot per year, still insufficient.

Alternative three from this report with the above mentioned items included and adjusted to reflect the current use of the Jackson Rancheria brings the cost to 11.173 million and the yield to 420 acre feet. The cost to the casino would be of 5.955 million (53.3 %) and the cost to Plymouth would be 3.380 million.

My recommendation would be a reduced reservoir in alternative 1 to 700 acre-feet, with a price reduction of 35% to 5.850 million. A 700 acre foot reservoir if replenish in the winter (i.e. 1976) will produce 400 acre-feet for one year. This water would only be needed for five months in the summer when used in combination with the ditch would produce annually 800 acre-feet. (From records of the flows of the Cosumnes River in 1975-76)

Summary

<u>Capitol Cost</u>	<u>Yearly Cost</u>	<u>Casino Cost</u>	<u>City's Cost</u>	<u>Yield</u>	<u>Current Needs</u>	<u>Future</u>
\$5,850,000	\$850,000	\$3,118,050	\$2731,950	800ac/ft	335ac/ft	523ac/ft

The above summary is from the attached water breakdown. The casino capitol cost would need to be increased by approximately \$500,000 to \$3,618,050 for an up grade of the current treatment plant.

The yearly cost is largely due to the payments on the bonds needed to pipe the Arroyo Ditch (20 million dollars).

We would expect the Casino to pay the yearly cost. You might ask why would we expect the casino to pay the total of the bonds. The water use as proposed by the casino project is almost equal to the water use of the City. The city brings to the table 142 years of support and protection of this water and the water rights, 23 years and millions of dollars solely. The current value of these water rights is between 12 and 23 million dollars the future value in excess of 50 million dollars. We feel that this value is fair to take on as an equal partner.

The attached water breakdown has a more complete comparison of the options we feel would be more cost effective and beneficial to all the parties involved.

Thank you for your time. I have records and statistics for all of the data presented please feel free to contact me if you have any questions or I can be of any assistance.

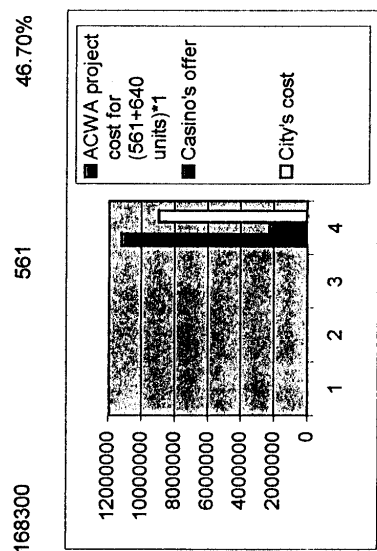
Sincerely,



Jon Colburn

Cost Breakdown for Water connection to Amador County Water Agency (ACWA)

	Gallons per day	Equivalent household units	Annual acre feet
Casino projected water use from Toma & Anderson Report	75000	250	84.0
Current use by Jackson Rancheria (ACWA records)			
For 1500 machines 4800 units/month (748 gal/unit) / 30 days	119680	399	134.1
After casino expansion 1500 to 2000 machines	159573	532	178.7
Addition of 240 room Hotel(.45 units/ room)	32400	108	36.3
Shenadoah Inn Charge			
Total	191973	640	215.0



Plymouth's projected water use from Toma report
 Cities current use
 ACWA project cost for (250+561 units) \$7,239,000
 ACWA project cost for (561+640 units)*1 \$11,173,500
 Casino's offer \$2,244,000
 City's cost \$8,929,500
 Casino's share \$5,955,476
 City's share \$5,218,025

Note 1
 This cost reflects the need to increase the pipe size to 12 inches and the pipe length from 20500 to 25800 to reach Plymouth reservoir and the engineering cost to 20% and environmental cost to 15% because this is a federally funded project

Water Projects alternatives	capitol cost	yearly cost	Casino cost	Cities cost	yield acre feet	current needs acre feet	future acre feet
Plymouth Reservoir Project project cost size 1700 acre feet firm yield 415 acre feet as stand alone project with 2 year carry over storage	\$9,000,000	\$50,000	\$4,797,000	\$4,203,000	415	335	523
Arroya Ditch yield diversion 15 cubic feet per second 15.3 miles @ 7% per mile loss with proper maintenance (3 full time men and equipment \$200000 and capitol cost of \$600000/year) yield at Plymouth 5 cubic feet second Plymouth Reservoir Project reduced size project cost reduced by 35% size 700 acre feet firm yield 400 acre feet when replenished from the ditch to be used for 5 months in summer Plymouth Reduced Reservoir and Arroya Ditch	\$5,850,000	\$800,000 \$50,000			3650 800 800	335	523
casino pays current hook up fee to city @ \$8500/unit (640units) Casino Alt. 2 from Toma and Anderson Report Casino Alt. 3 from Toma and Anderson Report Plymouth reservoir project Plymouth Reduced Reservoir and Arroya Ditch	\$544,000 \$3,900,000 \$11,173,500 \$9,000,000 \$5,850,000	\$291,492 \$150,000 \$150,000 \$50,000 \$850,000	\$3,900,000 \$5,955,476 \$4,797,000 \$3,118,050		84 420 415 800	215 335 335 335	523 523 523 523

recommendation

Plymouth Reduced Reservoir and Arroya Ditch
 If this alternative were to be used their would be a need to upgrade Plymouth treatment plant approx. \$500000 This would bring the capitol cost to the Casino to \$3618350.
 With the Casinos offer of \$800000 per year this would offset the annual maintenance cost of \$300000 and leave \$500000 to offset cities current water cost and ditch pipelng benefit

This would be a savings to the casino over alternative 2 witch would not provide adiquit water for their expanded project.
 The City would have get their Dam project witch would lift the building moritorium, with no cost to city with the Grant money
 The City would have a saveings on their current ditch maintenance cost and a \$150000 savings on their current system operating cost.
 This water could be delivered next year and the dam could be on line shortly after.
 The city could reduce their current water fee and again have a green city and reduce their hookup fee witch would stimulate economic growth



Toma & Anderson

ENGINEERING - SURVEYING - PLANNING

Ciro L. Toma
PLS 3570

Marvin C. Anderson
PLS 3725

Ione Band of Miwok Indians/Ikon Group, LLC
Matt Franklin/Willard Smith
P.O. Box 342
Biloxi, MS 39533
via FAX 1-228-432-1112

July 21, 2003

RE: Plymouth Casino Water Supply

Mr. Franklin/Mr. Smith:

Pursuant to our agreement of 6/25/03, below is our summary report regarding water supply alternatives to the proposed Plymouth casino.

Introduction & Background

There appears to be 4 alternatives for water supply to the proposed casino in Plymouth. These would be:

- 1) Connect to City of Plymouth
- 2) Connect to Amador Water System (AWS)
- 3) Develop new surface supply
- 4) Develop groundwater supply

Alternative No.3 would be similar to the City of Plymouth (No.1) alternative, so it was not considered further. Developing a new surface source would be a long and expensive proposition. Assuming the City has chosen the most promising surface source, looking at their current costs would be the logical approach here. Although not subject to California Department of Health Services (DOHS) once casino property is in trust land, there is good reason not to develop a major project like this on groundwater. Past experience with wells has directed the City into studying surface supplies only, and DOHS strongly discourages any new developments be based on groundwater sources, as groundwater sources have not proven reliable in the past in this area. Consequently, only Alternatives 1 & 2 were considered closely.

Water Needs

Based on review of water use of several similar facilities, it is estimated the average daily water use will be 75,000 gpd, with peak days of 188,000 gpd. This would be equivalent to approximately 250 single family homes at 300 gpd/home. All peak hours or instantaneous peaks will be met from new storage we will be providing for the project. Treated water storage has been tentatively sized at 500,000 gallons.

Alternative No. 1

Alternative No. 1 would consist of accessing the City's water system at the south end of Plymouth. There is apparently a 10" line near the hotel, but it is unknown what available fire flows would be in this area. We are assuming for the purposes of this report that they are currently adequate, as this must have been addressed for the motel's building permit.

The City was questioned about water service in a 6/5/03 letter from Toma & Anderson to the City of Plymouth. To date no response has been received. It is our understanding that the City is currently re-evaluating 3 alternatives for water supply, 2 of which are equivalent to Alternatives 1 & 2 above. Although no detailed information is available from this study, general information is known from which general conclusions can be drawn. First, the firm yield of the Big Indian Ck project appears to be 500 AF per year. Based on City figures of .6 AF per home per year, this would equate to a firm source of water for 833 equivalent homes. This is almost 50% higher than the existing number of 561 equivalent single family homes (ESFD's) documented in ECO:LOGIC's 9/02 "Long Term Wastewater Management Plan". Consequently, it would appear there is some capacity for growth built into the City's current reservoir plan, but only enough for City needs, and not near enough for the proposed casino estimate of 250 ESFD's. Although the .6 AF per home per year is almost double the 300 gpd/ESFD used above, the City's figure is probably reasonable considering water system losses from the reservoir to the home. Likewise, it does not appear there would be water treatment plant (WTP) capacity for the casino without upgrades to the City's water plant.

The cost of Alternative 1 is apparently about \$8,000,000 to \$9,000,000. This would equate to approximately \$10,000 per ESFD. If the casino could participate in a project like the City's, the casino's share would be about \$2,500,000, which would not include costs to upgrade the WTP, storage or distribution. Furthermore, there does not appear to be capacity in the City's project for the casino.

Alternative No. 2

Alternative No. 2 consists of obtaining water service from the AWS to the south. Preliminary discussions with AWA staff indicates capacity is available to serve the casino project, although they are currently finalizing plans for piping their raw water transmission ditch, which could be limiting in it's current condition. Attachments 1 & 2 depict the proposed alignment from Amador City to Plymouth.

The nearest existing point of access would be the existing 6" on New Chicago Rd near Bunker Hill Rd. There are several issues to contend with here. First, the location where service is required is the Drytown Water District's water line, so both Drytown and the AWA need to be consulted with. There are also design considerations affecting Drytown due to pressure problems created in portions of Amador City by heavy draws in this line. If service from this line is needed immediately, there would need to be a backpressure sustaining valve on the casino line so as to limit the ability of the casino to draw water if Drytown is drawing or a hydrant is open downstream of the casino's service line. As the expected maximum draws will be in the 100-150 gpm range, it appears this can be done without negatively impacting Drytown's existing use. This service to the casino will be feeding a large storage tank, so heavy draws from this line would not be necessary.

Attachment 3 is a plot of hydraulic grade lines (HGL) from Amador City to the casino's service line takeoff in order to review the potential impacts on/capacity of the existing 6" line. Without excessive headloss through Drytown's meter or the PRV, it appears this line could flow around 400 gpm's. At this flowrate or higher, it is understandable why pressures may be very low back near Bunker Hill. At 200 gpm's, there appears to be very little impact to this area. Consequently, we feel the request for a 2" meter with the backpressure sustaining feature should not impact existing users. One simple improvement initially that may help the casino service and service to Drytown would be to move their meter, (and the PRV), to a point just below the casino's service tap. That would allow us to take full advantage of the upstream pressure, and would also make this section of line the AWA's, not Drytown's.

The above covers what could be called Phase 1 of the casino water supply project. Phase 2 would include improvements in and around Amador City to increase the available flow to the Drytown/New Chicago area. Primarily this would involve tapping the AWA 10" just above the Amador City PRV, bypassing Amador City with a high pressure line, and tying back into the existing 6" downstream of Bunker Hill somewhere. In this way, heavy flows towards Drytown would not effect Amador City, and the capacity of the existing 6" would effectively be increased to 500-600' gpm's, (7 fps in a 6"). This would be more than enough flow to meet the casino's and Drytown's ultimate peak day demands, but may not be adequate for the City of Plymouth should they ever become interested in water service from the Amador system. They would most likely be faced with a line upsizing from 6" to 10" from Bunker Hill to the casino's meter. With respect to the City of Plymouth, the casino should oversize, (and design/install per AWA standards), what will initially be the casino's service line through Matulich's property to meet the City's future needs if they ever request service. This would only be good planning, regardless of what the City decides it's water future will be. To sum up a potential phase access to the AWS:

Phase 1 - Install 2" meter and backpressure sustaining valve; run 10" from New Chicago Rd. to casino site, (L=15,500 ft).

Phase 2 - Bypass Amador City with 10" transmission to just past Bunker Hill, (L=5,000 ft).

20,000
120,000

Costs for Alternative 2 would be:

	<u>Cost</u>
1) 2" meter & pressure sustaining valve =	\$75,000
2) Annex. To AWS ; 250 units @ \$4,000/unit =	\$1,000,000
3) 10" C-900, L=20,500 ft @ \$50/ft =	\$1,025,000
4) 500,000 g storage =	\$400,000
5) Hydropneumatic Booster Sta =	\$250,000
(May not be needed)	
6) Misc. Appurtenances =	<u>\$250,000</u>
Subtotal=	\$3,000,000
+15% Cont's =	\$450,000
+15% Engr, Surv, & Envir. =	<u>\$450,000</u>
Total Project Cost =	\$3,900,000

Assuming this will serve 250 units, this equates to \$14,300 per unit. This is higher than the \$10,000 per unit for Alt No. 1, however considerable oversizing was included in the above,

and there may be additional costs for treatment, storage and distribution not included in Alt. No. 1 figure.

Alternative No. 2A

Alternative 2A expands slightly beyond Alt. No.2 to include the City of Plymouth. For the purposes of preliminary facilities sizing, the following was assumed:

Existing No. of ESFD's = 561
 Future No. ESFD's = 1027
 Average Daily Use = 300 gpd/conn
 Peak Day Factor = 2.5

Based on the above figures, Plymouth's needs from the AWS would be:

Average Daily Flow = 308,100 gpd
 Peak Daily Flow = 770,000 gpd
 Casino PDF = 188,000 gpd
 Total = 958,000 gpd
 (Use 1,000,000 gpd, or 700 gpm's for transmission considerations)

Although an 8" would probably suffice, a 10" would be more prudent planning. As noted earlier, the last upgrade required for this alternative would be upsizing the existing 6" from Bunker Hill to New Chicago Rd, a distance of approximately 6500 ft. In addition, there would be annexation costs for the City for the 561 existing ESFD's. Alternative 2A costs would then be:

	<u>Cost</u>
1)Alternative 2 costs =	\$3,000,000
2)6500 ft 10" @ \$50/ft =	\$325,000
3)Annex 561 units to AWS @ \$4,000/unit	<u>\$2,244,000</u>
Subtotal=	\$5,569,000
+15% Cont's =	\$835,000
+15% Engr, Surv, & Envir. =	<u>\$835,000</u>
Total Project Cost =	\$7,239,000

Based on ESFD's,

Casino Portion (31%) = \$2,244,000
 City of Plymouth Portion (69%) = \$4,995,000

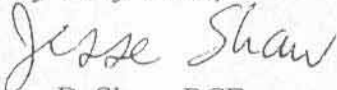
The above total would equate to about \$8,900 per ESFD. This is somewhat less than the \$10,000 per unit under Alternative No.1. However, Alternative 2A completely satisfies all future needs of the City, unlike Alternative 1. Clearly, Alternative 2A would be superior to Alternative 1.

Summary & Conclusions

Clearly, Alternative No.2 is the best apparent alternative for the casino's water supply. Alternative No. 1 as currently configured would not have firm capacity at the source for the casino, and would not necessarily have WTP capacity. Alternative 2A is an improvement on Alternative 2, as it takes advantage of the economy of larger project. Total project costs for Alternative 2, (casino only from AWS), would be \$3,900,000. If the City participated in a larger project, the casino's estimated share is \$2,244,000. Initial discussions have taken place with the AWA and Drytown regarding service from the AWS, but given there are several significant issues to resolve, there is much more work to do.

I hope the above answers your questions regarding water supply to the proposed casino. If there are any questions, please call. In the meantime I will continue to followup with the AWA regarding the earlier requested 2" water meter.

Very Truly Yours,



Jesse B. Shaw, RCE

cc. Gene Mancebo

Drytown Water District Board of Directors

Charles Gardner, City of Plymouth ✓

Tom Weathers

Dick Moody ✓

- It is my intent to address the traffic impacts that will result from the construction and development of a casino in Plymouth, California. I have prepared a 4 page document delineating the methodology, projection, and validation of the traffic growth that will result from the proposed construction of a casino/ hotel complex on Highway 16 in Plymouth. In the short time allotted to me to speak I will only summarize what my document demonstrates.
- The 2002 Caltrans traffic count for highway 16 through Plymouth was 6,000 daily trips .
- The 2003 growth projection was 3% for a total of 6,180 trips
- The current established method for estimating casino traffic impacts in California was established by the San Diego Area Governments by completing actual traffic counts.
- The SANDAG method is based on 100 cars/ 1000 square ft of casino space and 8 trips per hotel room.
- Combining the SANDAG impact with the Caltrans estimated growth the projected daily traffic count on Highway 16 through Plymouth is over 21,000 cars per day

What do these numbers really mean to the local residents?

- Increased commute times on highway 16, totaling as much as 5 1/2 additional days sitting in your car per year
- Overwhelming congestion in Plymouth ...almost 15 cars every minute....the count could easily exceed over 20 cars per minute in rush hour
- Congestion that will adversely effect the local residents and business establishments.
- Congestion that may result in a significant decrease in tourist visits to Amador County's wine country with an attendant loss of income to the wineries.
- Increase the traffic and you increase the accidents.
- Increase the accidents and you may see a rise in insurance rates.
- Serve alcohol 24 hours a day at the casino and the death of a Plymouth resident from a drunk driver is highly probable.

Casino proponents will push the myth that the traffic impact can be financially mitigated.

- A turn lane or a traffic light or two may make it a bit easier for traffic to access the casinoIt does little to mitigate the real impact of 20,000 plus cars and trucks per day on a two lane state road.
- The Amador County Transportation Commission estimated fix for Plymouth would require at least five lanes for that section of Highway 16/49
- The section of Highway 16 to Sacramento would need an additional passing lane.
- Construction of a 4 lane highway would only ease congestion, not the other negative aspects of that much traffic on our roads.
- It took 12 years to get Caltrans to approve the Sutter Creek Bypass. How long before the State gets around to fixing the traffic problems we may face in Plymouth?
- If you fix the roads How do you mitigate the noise, increase in accidents, traffic fatalities, and the pollution generated by over 20,000 cars and trucks? You can't, period!

Casinos need to be built in locations where the infrastructure of access roads can support the influx of gaming traffic. Amador County is a small rural county that has already absorbed the traffic increase of the Jackson Rancheria. To expect the County's road system to absorb the impact of another casino on top of the Rancheria expansion is just plain irresponsible. It is readily apparent to a fair and impartial observer that the scope of these numbers are so significant that any contention that mitigation is possible is a myth at best.

PO Box 880
Plymouth, CA 95669
19 November 2003

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Dear Sir:

The attached document is an analysis of the traffic impacts that will occur as a result of the development of the proposed casino in Plymouth, California. The data was derived using a statistically sound methodology that has been repeatedly validated by actual traffic growth at other California casino projects. The SANDAG method is an honest evaluation of the impacts this proposed casino will bring. No attempts at evaluating mitigation for impacts of this magnitude of traffic growth have any validity if they merely recommend a traffic light or turn lane. The Plymouth location is just plain wrong for casino development and this project should be rejected as incompatible. If the obvious is overlooked, then mitigation should incorporate plans for making State Highways 16 and 49 four lane roads.

Sincerely yours,
Dick Minnis

Cc: Congressman Doug Ose, District 3
Congressman Richard Pombo, District 11
Governor Arnold Schwarznegger, Calif.
State Senator Rico Oller, 1st district
Mario Biagi, Amador County Supervisor District V

TRAFFIC IMPACTS

It is my intent to address the traffic impacts that will result from the construction and development of a casino in Plymouth, California. It will be readily apparent to a fair and impartial observer that the scope of these numbers is so significant that any contention that mitigation is possible is a myth at best. To reach that conclusion it is important to understand not only how the traffic projections are formulated but also to have some degree of faith in the validity of those same projections. The following explanation is an attempt to demonstrate both the origination and the validity of the data.

The starting point for the statistical analysis is the latest data for State Highways from the Caltrans Average Daily Traffic (ADT) count for the year 2002. It is listed in Column I of Table 1. The source is either the mechanical devices stretched across the road that count cars as they pass or in some cases the traffic light sequencing devices embedded in the road itself. The numbers for New York Ranch Road and Ridge Road in Table 2 come from Amador County and are current for the year 2003.

As we all know, the volume of traffic on California roads gets worse every year. Caltrans measures the statewide growth rate, and for the last three years it has averaged around 3.0%. The standard industry method used to gauge the traffic impact of a new casino is based on the square footage of the gaming facility. The Institute of Traffic Engineers (ITE) uses a complicated mathematical formula to generate peak AM and PM rates for casino traffic. This sort of analysis is fairly accurate and can generate projected data for not only overall traffic growth but estimates for peak time rates. The complexity of an ITE analysis can overwhelm the understanding of a non-mathematician. A simpler method, statistically validated by actual traffic counts at California Indian casinos, was devised by the San Diego Association of Governments (SANDAG). The SANDAG method estimates an average daily count based on 100 trips per 1000 sq. ft. of gaming facility and eight trips per hotel room. It is currently the accepted method for judging traffic impacts from California Indian casinos. Again, it bears mentioning that this method has developed traffic projections that have withstood the tests of reality.

Columns II and III of Table 1 are the projected 2003 and 2008 ADT numbers. They were generated by mathematically increasing the actual 2002 average daily traffic count by 3% per year. The ADT counts cars going in both directions. These numbers should give you a feel for how traffic will increase through normal growth rates. However, casinos generate abnormal growth and will affect future projections adversely. The Jackson Rancheria is currently expanding their casino by 100,000 square feet. That equates to an additional 10,000 daily trips as calculated using the SANDAG method. However, with access to the Rancheria provided by two Highways, 16/49 and 88, it is logical to increase the Highway 16/49 count by half that number. Therefore, conservatively, an additional 5000 daily trips were added to the 2004 projected numbers

which is the estimated completion date and listed in Column IV of Table 1. This number was then projected to 2008 and listed in Column V of Table 1.

The Plymouth number in Column VI of Table 1 was calculated using the SANDAG method for the proposed 120,000 sq. ft. casino with an estimated completion date of 2008. This would add 12,000 daily trips to the previously calculated numbers. No attempt was made to guess how the traffic might access Plymouth, only that it is the point destination. The end result, as you can see, is an ADT count of 19,256 which is over three times greater than the current level in Plymouth. If two thirds of these cars were to use Highway 16, the ADT for that road would also increase dramatically. These numbers were calculated using Caltrans averages. However, Caltrans also provides a peak ADT for the highest use month. Using the peak month ADT of 6,800 for 2001 and running through the same calculations, as above, a peak month ADT of 20,236 was generated. The Casino project has also tentatively proposed the construction of a 240 room hotel. This development would add an additional 1,920 trips to the projected totals.

TABLE 1: FUTURE TRAFFIC PROJECTIONS

Location	I 2002 ADT	II 2003 proj	III 2008 proj	IV Rancheria exp 2004 +5000	V 2008 Ranch. proj	VI 2008 proj +12000 Plym. +9000 Hwy 16
Hwy 16 E. Sunrise	11700	12051	14071	17413	19598	28598
Hwy 16 E. Ione Rd.	6900	7107	8239	12320	13867	22867
Hwy 16/49 Junction	9100	9373	10865	14654	16493	25493
Hwy 49 S. Cent. House	7500	7725	8956	12957	14583	N/A
Hwy 49 N. Bush St. Plymouth	6000	6180	7265	N/A	N/A	19265 - ADT (21185 w/ hotel) 20236 - peak (22156 w/ hotel) mo.ADT

Footnotes:

- Source: Phone conversation with Joe Avis (916-654-3072) research Manager Caltrans/current and history.
- Math convention: numbers rounded up/down at 0.5 to keep car count whole number.
- Caltrans 3yr average growth rate from 2000 through 2002 was 3% (see Source).
- Casino increases based on the SANDAG methodology of 100 cars per 1000

square feet of casino space. (Rancheria exp.-100,000sq.ft./Plymouth -20,000sq.ft.).

-hotel numbers based on 8 trips per room

-Rancheria expansion number (5000 added in 2004) assumes that only half of the increased traffic count will use Hwy 16.

These estimates represent huge increases in the usage of the highway infrastructure as a result of casino construction. How do you know that the projected traffic count for the proposed Plymouth casino is a valid number and not something concocted to make it look bad? The Jackson Rancheria has been around awhile, so lets use the same statistical analysis on projected and actual Rancheria ADT's as validation of the Plymouth numbers. Column I of table 2 is the measured ADT for Ridge Road and NY Ranch Road in 1990, the year before the Jackson Rancheria assumed it's current operating form. Column II of Table 2 is the projected ADT for 2003 using the average 3% growth rate without including the Rancheria's impact. Column III of Table 2 is the actual measured ADT for both roads which does take into account the Rancheria traffic. By comparing the projected and actual ADT's we find the difference to be almost exactly the SANDAG estimated traffic volume increase based on a 100,000 sq. ft. casino. This exercise proves conclusively the accuracy of the traffic growth projections for the proposed casino in Plymouth. They should also cause you to question the motive of anyone who disputes their validity.

TABLE 2: RANCHERIA VALIDATION

	I	II	III
	1990	2003	2003
Location	actual	proj	actual
	ADT	ADT	ADT
NY Ranch Road	754	1107	6396
Ridge Road	6637	9748	14350
		<u>10855</u>	<u>20746</u>
Actual	20746		
Projected	-10855		
	<u>9891 *</u>		

*An actual ADT increase of 9,891, is when compared to the SANDAG estimated increase of 10,000 , a validation of the projected numbers for Plymouth.

What do these numbers really mean to the local residents? A traffic increase of three times the current rate could easily add 15 minutes to the commute time of those citizens

using Highway 16 to Sacramento. That equates to an additional 5.42 days a year spent behind the wheel of your automobile. Over 19,000 cars per day is about 13 cars every minute. If you consider the effect traffic of this order of magnitude may have on rush hour, the count could easily exceed 20 cars per minute. Contemplate trying to drive in and around Plymouth with that volume of cars coming and going. This congestion will adversely effect the local residents and business establishments. A clogged Highway 49 through Plymouth may also result in a significant decrease in tourist visits to Amador County's wine country with an attendant loss of income to the wineries.

Unfortunately as traffic increases, the number of fender benders and fatal car accidents will also increase. The Rancheria doesn't serve alcohol but the proposed casino in Plymouth will. As a reference point, the State of Connecticut has recorded the highest number of DUI/DWI arrests in that State on the access roads serving their casinos. You can expect a similar situation to occur here in Plymouth. It is a real concern to contemplate a casino bar serving alcohol 24 hours a day in an area served by what will then be inadequate overcrowded country roads. How are you going to mitigate the death of someone killed by a drunk driver coming from the proposed casino in Plymouth?

Casino proponents will push the myth that the traffic impact can be financially mitigated. They will suggest that a turn lane or a traffic light or two can fix the traffic congestion caused by this proposal. That might make it a bit easier to access the casino off the congested access highway but it does little to mitigate the real impact of 20,000 plus cars per day on a two lane state road. The Amador County Transportation Commission has just completed the study for the Jackson Rancheria, and their estimate to fix the traffic problems for that casino is 100 million dollars. They estimate the fix for Plymouth would require at least five lanes for that section of Highway 16/49 to support the proposed casino. The section of Highway 16 to Sacramento would need an additional passing lane. Construction of a 4 lane highway would only ease congestion, not the other negative aspects of that much traffic on our roads. During a budget crisis is the state going to make Highways 16 and 49, 4-lanes? Are the developers of the Plymouth casino? It took 12 years to get Caltrans to approve the Sutter Creek Bypass. How long before the State gets around to fixing the traffic problems we may face in Plymouth?

These are real numbers and should be of real concern to the citizens of the Plymouth Area. How can you mitigate the traffic congestion, the noise, increase in accidents, traffic fatalities, and the pollution generated by over 20,000 cars and trucks? You can't, period! If someone is giving you a significantly lower estimate of the traffic impact, then those numbers have probably been seriously massaged to reflect the desired results. Casinos need to be built in locations where the infrastructure of access roads can support the influx of gaming traffic. Amador County is a small rural county that has already had to absorb the traffic increase of the Jackson Rancheria. To expect the County's road system to absorb the impact of another casino on top of the Rancheria expansion is just plain irresponsible.

COPY

Feb. 3, 2004

Mr. Bill Allen
Bureau of Indian Affairs
Sacramento, Ca.

On the basis that all concerns, both written and oral, presented at the first scoping meeting are "on the record" I will limit my comments to one issue. It is my hope that you or one of your associates will explain what I perceive as something of a dilemma.

As I understand the process, the BIA as the lead agency in the matter of the proposed Plymouth casino, is charged with preparing an Environmental Impact Statement (EIS). I do not understand how this is possible in that I liken the process to the examination of a specimen by a scientist in a laboratory. Unless the BIA has a great deal more information than is available to the local community there is no specimen to examine!

The footprint of the casino, the footprint of the hotel, the footprint of the parking facility, and the footprint of any other ancillary structures is not known. Road designs have not been made public even IF they have been created. As far as I know no definitive design information on sewage disposal or water supply is on record. As far as this citizen is concerned it is impossible for me to know or even begin to express all of my environmental concerns in the absence of a full detailed project plan. The changing scope of the proposed project is also of great concern particularly in view of the fact that at least one additional property was placed under option by IKON as recently as last week.

My first question and concern is how can an EIS be prepared in the absence of detailed information which defines the precise nature and scope of the project and includes all of the properties to be acquired and all construction elements proposed to date?

Secondly, once land is taken into trust, what is to prevent the tribe from creating an environmental nightmare on their sovereign land to the detriment of the surrounding community?

Respectfully submitted,



Walter W. Dimmers
18,000 Burke Dr.
Plymouth, Ca 95669

Mr. Clay Gregory, Acting Regional Director
Pacific Region
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, Ca. 95825

Nov. 20, 2003

Subject: Proposed Plymouth Ca. casino - additional environmental concerns

Dear Mr. Gregory:

In addition to the environmental elements brought to your attention last evening several additional concerns have come to my attention and must be addressed in an EIS.

First, as you are aware the property proposed for the casino lies in an area which was the site of numerous gold mines. Many of these sites contain toxic wastes which clearly represent a significant environmental hazard. This concern must be thoroughly investigated.

Second, the property proposed for the casino is largely agricultural with the impact being that grazing land will be taken out of production and thus agricultural resources will be diminished.

Third, a thorough investigation must be made with respect to endangered species and loss of wet lands and possibly vernal pools.

Thank you for your consideration.

Walter W. Dimmers
18000 Burke Drive
Plymouth, Ca. 95669

Nov. 18, 2003

Mr. Clay Gregory, Acting Regional Director
Pacific Region
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, Ca. 95825

Subject: Plymouth Ca. Scoping Meeting Nov. 19, 2003

Dear Mr. Gregory;

The environmental issues which must be addressed by an EIS associated with the proposed casino in Plymouth are as numerous as they are profound. As I am certain you are aware the cumulative environmental effects of not one but three casinos in Amador county will be nothing short of a disaster. My particular concerns lie primarily in the area of air, light and noise pollution.

First, air pollution. If preliminary estimates are in the ballpark some 7,000 to 10,000 automobile trips per day will not only add significantly to the air pollution problem but will cause gridlock on Ca. Routes 49 and 16 which in turn will produce more pollution. Attached is a copy of a letter from Richard Forster, Chairman, Board of Directors, Amador Air District. In his letter Chairman Forster points out that the Air District is "in jeopardy of non-attainment of the new federal 8-hour ozone standard". This very serious potential problem, while not created in Amador County will most certainly be exacerbated by the cumulative effects of a third casino in the County. The health effects associated with the additional pollution are certain to be significant and must be addressed.

Noise pollution is another area which must be addressed both during construction and operation. The City of Plymouth and the surrounding community is certainly both small town and rural in nature. The noise associated with construction and operation 24/7/365 will clearly have a negative effect on the quality of life of all of the residents of our community. In addition, the roar coming from 7,000 to 10,000 vehicle trips per day will serve to make our community a much less desirable place in which to live.

Light pollution resulting from casino operations 24/7 will directly effect dozens of homes located within direct line of sight of the proposed casino. In addition, the entire City of Plymouth will most certainly be impacted by the numerous light sources which will be associated with casino operation. A few of the light sources are listed below.

Streets, driveways, walkways

Parking lots

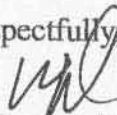
Automobiles

Casino entrance, and casino proper

Neon greeting and advertising signs

In closing, I cannot over emphasize the impact of the air, noise and light pollution directly related to casino operations will have on this small rural community and I respectfully request that the findings of the EIS be such as to preclude the development of a casino "off reservation" in Plymouth.

Respectfully,



Walter W. Dimmers
18,000 Burke Dr.
Plymouth, Ca. 95669

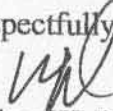
Copies to:

Bureau of Indian Affairs
1849 C Street NW
Washington, DC 20240
Attn: George Skibine

Supervisor Mario Biagi
Amador County Board of Supervisors
500 Argonaut Lane
Jackson, Ca 95642

In closing, I cannot over emphasize the impact of the air, noise and light pollution directly related to casino operations will have on this small rural community and I respectfully request that the findings of the EIS be such as to preclude the development of a casino "off reservation" in Plymouth.

Respectfully,

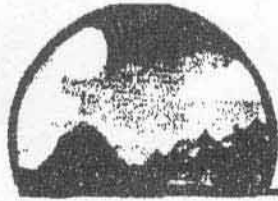


Walter W. Dimmers
18,000 Burke Dr.
Plymouth, Ca. 95669

Copies to:

Bureau of Indian Affairs
1849 C Street NW
Washington, DC 20240
Attn: George Skibine

Supervisor Mario Biagi
Amador County Board of Supervisors
500 Argonaut Lane
Jackson, Ca 95642



Amador Air District

685 New York Ranch Road, Suite 3 Jackson, CA 95842 Phone (209) 257-0112 Fax (209) 257-0116

June 26, 2003

Governor Gray Davis
State Capitol Building
Sacramento, California 95814

Subject: Tribal Gaming will Increase Motor Vehicle Emissions in the Amador Air District

Dear Governor Davis:

The Board of Directors of the Amador Air District is opposed to the increase in motor vehicle exhaust emissions that will be released in this rural area if the State of California allows a third tribal gaming facility to be developed within the boundaries of this air pollution control district.

One tribal gaming facility already exists in our rural District near the City of Jackson and is in the process of doubling its size. That expansion alone will result in 7,000 to 10,000 additional car trips per day in the District. The State and the Bureau of Indian Affairs have approved a second facility that will be located in the Buena Vista area of Jackson Valley near the City of Ione. Now a third facility is proposed for the City of Plymouth and if approved the combined facilities will generate over 30,000 additional car trips per day in our traffic corridors.

The Amador Air District is located within the Mountain Counties Air Basin, designated a "Moderate" non-attainment area for the state 1-hour ozone standard. We are currently in jeopardy of being designated non-attainment for the new federal 8-hour ozone standard. These designations are the result of "Overwhelming Transport" of ozone from the Sacramento and San Joaquin valleys. If the state encourages additional vehicle trips into this air district by permitting additional tribal gaming facilities without any corresponding mitigation measures to reduce the impacts of these additional emissions then you will have contributed to our air quality problem. A problem we didn't create - but one which we must however resolve.

On behalf of the Board of Directors of the Amador Air District, we request that the state take all appropriate steps to prevent the establishment of additional tribal gaming facilities within this air district's boundaries. Your cooperation on this issue would reduce unnecessary vehicle emissions in our area, help the air district protect the public's health and enhance our efforts to achieve and maintain compliance with the National Ambient Air Quality Standards.

Sincerely,

Richard Forster, Chairman
Board of Directors

Post-It* Fax Note	7671	Date	10/14/03	# of pages	1
To	MAD 10	From	AIR DISTRICT		
Co./Dept.		Co.			
Phone #		Phone #	257-0112		
Fax #	257-0619	Fax #			

Comment #18

Mr. Clay Gregory
Acting regional director, Pacific region,
Bureau of Indian affairs
2800 Cottage Way,
Sacramento, Ca. 95825

November 18,2003

RE: Environmental scoping secession on lone Band of Miwok Indians proposed Casino/hotel

Dear Mr. Gregory,

The following are my concerns regarding the environmental impacts of the proposed casino on our water resources and a brief history of local water use in the area.

1. Underground water impacts and availability

The discussion of the underground water usage in area must include a geological understanding of the fractured aquifers, as well as the formation of sub-terrainian ridges in area. In the Plymouth basin there are two distant areas separated by the underground ridge know as the Mother Lode gold belt, this ridge is the site of the many gold mines. These mines, although many are over 1000 feet deep, did not produce any significant amount of water. The land west of this ridge produces wells of very limited water (10 gallon per minute or less). The proposed reservation land is located in this area.

On the East side, of the above-mentioned ridge, water is more plentiful but still limited. It is in this area that the City of Plymouth currently has the 4 wells that produce water for the City. The Cities main source of water has been from these wells for the past 10 years producing approximately 120 Acre-feet per year.

Five years ago Sutter Home winery planted grapes in this area and drilled wells for aggregation. This was done with strong objection by the State Department of Health, stating that the drilling of these wells could put the health and safety of the citizens of Plymouth at risk (See attached letter). The Sutter Home wells produce aproximately 60 acre-feet per year. Since Sutter Home drilled these wells 17 residential wells in a 1/2-mile radius have gone dry and the static water level in the cities wells have dropped significantly. All the while more vineyards have been planted in the area drilling even more wells. The total of the wells has not been tested through low or drought years but indications are that the city is at risk if we have repeat of the 1975-1976 drought.

Plymouth's and Sutter Homes current combined use is approximately 180 acre-feet per year. The Casino/Hotel project would need 215 acre-feet per year. History has proven that this aqua fur cannot produce that volume of water.

2. Surface water availability and options

First lets consider the proposed connection to the Amador County Water Agency and the report that was commissioned from Toma and Anderson by the ICON group. A breakdown of this report is attached. This report although a good preliminary review is flawed in many areas

- 1 The report needs to be updated to the include the increased size of the casino project from 1500 machines to 2000, the 250-unit hotel and ,other future uses of this land.
- 2 The projected use has to be more in line with the current use of the Jackson Rancheria (use from actual records in attached breakdown)
- 3 The length of this line has to be adjusted to tie into the current Plymouth reservoir, as the current line cannot service the total city with the current pressure reductions valves in the system.
- 4 The environmental and engineering cost have to be updated to reflect federally funded project.

- page 2 -

Alternative one in the report over states the current needs of the city from the reservoir and dose not address the combined use of the reservoir and Arroyo ditch system. Will address this in options.

The cost of 3.9 million dollars in alternative two in the report needs to be adjusted to include the four above-mentioned items. And it only produces 84 acre-foot per year, still insufficient.

Alternative three from this report with the above mentioned items included and adjusted to reflect the current use of the Jackson Rancheria brings the cost to 11.173 million and the yield to 420 acre feet. The cost to the casino would be of 5.955 million (53.3 %) and the cost to Plymouth would be 3.380 million.

My recommendation would be a reduced reservoir in alternative 1 to 700 acre-feet, with a price reduction of 35% to 5.850 million. A 700 acre foot reservoir if replenish in the winter (i.e. 1976) will produce 400 acre-feet for one year. This water would only be needed for five months in the summer when used in combination with the ditch would produce annually 800 acre-feet. (From records of the flows of the Cosumnes River in 1975-76)

Summary

<u>Capitol Cost</u>	<u>Yearly Cost</u>	<u>Casino Cost</u>	<u>City's Cost</u>	<u>Yield</u>	<u>Current Needs</u>	<u>Future</u>
\$5,850,000	\$850,000	\$3,118,050	\$2731,950	800ac/ft	335ac/ft	523ac/ft

The above summary is from the attached water breakdown. The casino capitol cost would need to be increased by approximately \$500,000 to \$3,618,050 for an up grade of the current treatment plant.

The yearly cost is largely due to the payments on the bonds needed to pipe the Arroyo Ditch (20 million dollars).

We would expect the Casino to pay the yearly cost. You might ask why would we expect the casino to pay the total of the bonds. The water use as proposed by the casino project is almost equal to the water use of the City. The city brings to the table 142 years of support and protection of this water and the water rights, 23 years and millions of dollars solely. The current value of these water rights is between 12 and 23 million dollars the future value in excess of 50 million dollars. We feel that this value is fair to take on as an equal partner.

The attached water breakdown has a more complete comparison of the options we feel would be more cost effective and beneficial to all the parties involved.

Thank you for your time. I have records and statistics for all of the data presented please feel free to contact me if you have any questions or I can be of any assistance.

Sincerely,

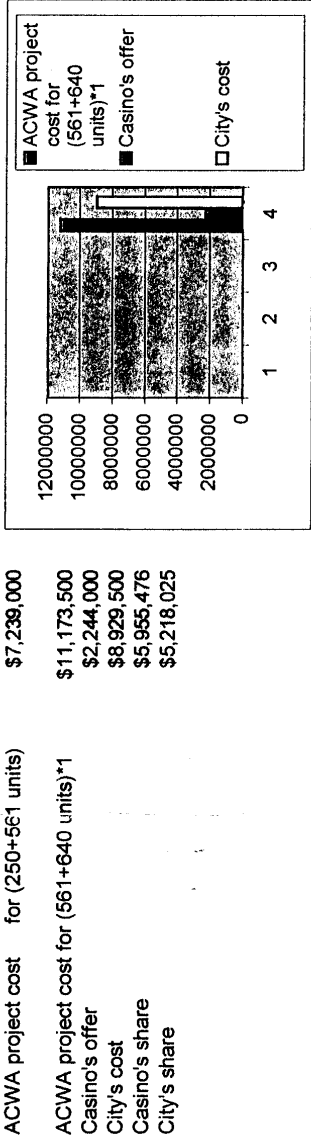


Jon Colburn

Cost Breakdown for Water connection to Amador County Water Agency (ACWA)

	Gallons per day	Equivalent household units	Annual acre feet
Casino projected water use from Toma & Anderson Report	75000	250	84.0
Current use by Jackson Rancheria (ACWA records)			
For 1500 machines 4800 units/month (748 gal/unit) / 30 days	119680	399	134.1
After casino expansion 1500 to 2000 machines	159573	532	178.7
Addition of 240 room Hotel(.45 units/ room)	32400	108	36.3
Shenadoah Inn Charge			
Total	191973	640	215.0

Plymouth's projected water use from Toma report	168300	561	188.5
Cities current use			120
ACWA project cost for (250+561 units)	\$7,239,000		



Note 1
 This cost reflects the need to increase the pipe size to 12 inches and the pipe length from 20500 to 25800 to reach Plymouth reservoir and the engineering cost to 20% and environmental cost to 15% because this is a federally funded project

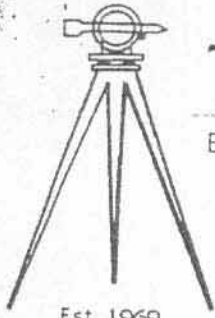
Water Projects alternatives	capitol cost	yearly cost	Casino cost	Cities cost	yield acre feet	current needs acre feet	future acre feet
Plymouth Reservoir Project	\$9,000,000	\$50,000	\$4,797,000	\$4,203,000	415	335	523
project cost							
size 1700 acre feet							
firm yield 415 acre feet							
as stand alone project with 2 year carry over storage							
Arora Ditch yield							
diversion 15 cubic feet per second							
15.3 miles @ 7% per mile loss with proper maintenance							
(3 full time men and equipment \$200000 and capitol cost of \$600000/year)							
yield at Plymouth 5 cubic feet second					3650		
Plymouth Reservoir Project reduced size	\$5,850,000	\$800,000					
project cost reduced by 35%		\$50,000					
size 700 acre feet							
firm yield 400 acre feet when replenished from the ditch					800		
to be used for 5 months in summer							
Plymouth Reduced Reservoir and Arora Ditch	\$5,850,000	\$850,000			800	335	523
summary							
casino pays current hook up fee to city @ \$8500/unit (640units)	capitol cost	yearly cost	Casino cap. Cost	Cities cap. Cost	yield acre feet	current needs acre feet	future acre feet
Casino Alt. 2 from Toma and Anderson Report	\$544,000	\$291,492					
Casino Alt. 3 from Toma and Anderson Report	\$3,900,000	\$150,000	\$3,900,000		84	215	
Plymouth reservoir project	\$11,173,500	\$150,000	\$5,955,476	\$5,218,025	420	335	523
Plymouth Reduced Reservoir and Arora Ditch	\$9,000,000	\$50,000	\$4,797,000	\$4,203,000	415	335	523
	\$5,850,000	\$850,000	\$3,118,050	\$2,731,950	800	335	523

recommendation

Plymouth Reduced Reservoir and Arora Ditch
 If this alternative were to be used their would be a need to upgrade Plymouth treatment plant aprox.\$500000 This would bring the capitol cost to the Casino to \$3618050.
 With the Casinos offer of \$800000 per year this would offset the annual maintenance cost of \$300000 and leave \$500000 to offset cities current water cost and ditch piping benefit

This would be a savings to the casino over alternative 2 witch would not provide adiquit water for their expanded project.
 The City would have get their Dam project witch would lift the building moritorium, with no cost to city with the Grant money
 The City would have a savings on their current ditch maintenance cost and a \$150000 savings on their current system operating cost.
 This water could be delivered next year and the dam could be on line shortly after.

The city could reduce their current water fee and again have a green city and reduce their hookup fee witch would stimulate economic growth



Est. 1969

Toma & Anderson

ENGINEERING - SURVEYING - PLANNING

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Ione Band of Miwok Indians/Ikon Group, LLC
Matt Franklin/Willard Smith
P.O. Box 342
Biloxi, MS 39533
via FAX 1-228-432-1112

July 21, 2003

RE: Plymouth Casino Water Supply

Mr. Franklin/Mr. Smith:

Pursuant to our agreement of 6/25/03, below is our summary report regarding water supply alternatives to the proposed Plymouth casino.

Introduction & Background

There appears to be 4 alternatives for water supply to the proposed casino in Plymouth. These would be:

- 1) Connect to City of Plymouth
- 2) Connect to Amador Water System (AWS)
- 3) Develop new surface supply
- 4) Develop groundwater supply

Alternative No.3 would be similar to the City of Plymouth (No.1) alternative, so it was not considered further. Developing a new surface source would be a long and expensive proposition. Assuming the City has chosen the most promising surface source, looking at their current costs would be the logical approach here. Although not subject to California Department of Health Services (DOHS) once casino property is in trust land, there is good reason not to develop a major project like this on groundwater. Past experience with wells has directed the City into studying surface supplies only, and DOHS strongly discourages any new developments be based on groundwater sources, as groundwater sources have not proven reliable in the past in this area. Consequently, only Alternatives 1 & 2 were considered closely.

Water Needs

Based on review of water use of several similar facilities, it is estimated the average daily water use will be 75,000 gpd, with peak days of 188,000 gpd. This would be equivalent to approximately 250 single family homes at 300 gpd/home. All peak hours or instantaneous peaks will be met from new storage we will be providing for the project. Treated water storage has been tentatively sized at 500,000 gallons.

Alternative No. 1

Alternative No. 1 would consist of accessing the City's water system at the south end of Plymouth. There is apparently a 10" line near the hotel, but it is unknown what available fire flows would be in this area. We are assuming for the purposes of this report that they are currently adequate, as this must have been addressed for the motel's building permit.

The City was questioned about water service in a 6/5/03 letter from Toma & Anderson to the City of Plymouth. To date no response has been received. It is our understanding that the City is currently re-evaluating 3 alternatives for water supply, 2 of which are equivalent to Alternatives 1 & 2 above. Although no detailed information is available from this study, general information is known from which general conclusions can be drawn. First, the firm yield of the Big Indian Ck project appears to be 500 AF per year. Based on City figures of .6 AF per home per year, this would equate to a firm source of water for 833 equivalent homes. This is almost 50% higher than the existing number of 561 equivalent single family homes (ESFD's) documented in ECO:LOGIC's 9/02 "Long Term Wastewater Management Plan". Consequently, it would appear there is some capacity for growth built into the City's current reservoir plan, but only enough for City needs, and not near enough for the proposed casino estimate of 250 ESFD's. Although the .6 AF per home per year is almost double the 300 gpd/ESFD used above, the City's figure is probably reasonable considering water system losses from the reservoir to the home. Likewise, it does not appear there would be water treatment plant (WTP) capacity for the casino without upgrades to the City's water plant.

The cost of Alternative 1 is apparently about \$8,000,000 to \$9,000,000. This would equate to approximately \$10,000 per ESFD. If the casino could participate in a project like the City's, the casino's share would be about \$2,500,000, which would not include costs to upgrade the WTP, storage or distribution. Furthermore, there does not appear to be capacity in the City's project for the casino.

Alternative No. 2

Alternative No. 2 consists of obtaining water service from the AWS to the south. Preliminary discussions with AWA staff indicates capacity is available to serve the casino project, although they are currently finalizing plans for piping their raw water transmission ditch, which could be limiting in it's current condition. Attachments 1 & 2 depict the proposed alignment from Amador City to Plymouth.

The nearest existing point of access would be the existing 6" on New Chicago Rd near Bunker Hill Rd. There are several issues to contend with here. First, the location where service is required is the Drytown Water District's water line, so both Drytown and the AWA need to be consulted with. There are also design considerations affecting Drytown due to pressure problems created in portions of Amador City by heavy draws in this line. If service from this line is needed immediately, there would need to be a backpressure sustaining valve on the casino line so as to limit the ability of the casino to draw water if Drytown is drawing or a hydrant is open downstream of the casino's service line. As the expected maximum draws will be in the 100-150 gpm range, it appears this can be done without negatively impacting Drytown's existing use. This service to the casino will be feeding a large storage tank, so heavy draws from this line would not be necessary.

Attachment 3 is a plot of hydraulic grade lines (HGL) from Amador City to the casino's service line takeoff in order to review the potential impacts on/capacity of the existing 6" line. Without excessive headloss through Drytown's meter or the PRV, it appears this line could flow around 400 gpm's. At this flowrate or higher, it is understandable why pressures may be very low back near Bunker Hill. At 200 gpm's, there appears to be very little impact to this area. Consequently, we feel the request for a 2" meter with the backpressure sustaining feature should not impact existing users. One simple improvement initially that may help the casino service and service to Drytown would be to move their meter, (and the PRV), to a point just below the casino's service tap. That would allow us to take full advantage of the upstream pressure, and would also make this section of line the AWA's, not Drytown's.

The above covers what could be called Phase 1 of the casino water supply project. Phase 2 would include improvements in and around Amador City to increase the available flow to the Drytown/New Chicago area. Primarily this would involve tapping the AWA 10" just above the Amador City PRV, bypassing Amador City with a high pressure line, and tying back into the existing 6" downstream of Bunker Hill somewhere. In this way, heavy flows towards Drytown would not effect Amador City, and the capacity of the existing 6" would effectively be increased to 500-600' gpm's, (7 fps in a 6"). This would be more than enough flow to meet the casino's and Drytown's ultimate peak day demands, but may not be adequate for the City of Plymouth should they ever become interested in water service from the Amador system. They would most likely be faced with a line upsizing from 6" to 10" from Bunker Hill to the casino's meter. With respect to the City of Plymouth, the casino should oversize, (and design/install per AWA standards), what will initially be the casino's service line through Matulich's property to meet the City's future needs if they ever request service. This would only be good planning, regardless of what the City decides it's water future will be. To sum up a potential phase access to the AWS:

- Phase 1 - Install 2" meter and backpressure sustaining valve; run 10" from New Chicago Rd. to casino site, (L=15,500 ft).
- Phase 2 - Bypass Amador City with 10" transmission to just past Bunker Hill, (L=5,000 ft).

Costs for Alternative 2 would be:

	<u>Cost</u>
1) 2" meter & pressure sustaining valve =	\$75,000
2) Annex. To AWS ; 250 units @ \$4,000/unit =	\$1,000,000
3) 10" C-900, L=20,500 ft @ \$50/ft =	\$1,025,000
4) 500,000 g storage =	\$400,000
5) Hydro pneumatic Booster Sta =	\$250,000
(May not be needed)	
6) Misc. Appurtenances =	<u>\$250,000</u>
Subtotal=	\$3,000,000
+15% Cont's =	\$450,000
+15% Engr, Surv, & Envir. =	<u>\$450,000</u>
Total Project Cost =	\$3,900,000

Assuming this will serve 250 units, this equates to \$14,300 per unit. This is higher than the \$10,000 per unit for Alt No. 1, however considerable oversizing was included in the above,

and there may be additional costs for treatment, storage and distribution not included in Alt. No. 1 figure.

Alternative No. 2A

Alternative 2A expands slightly beyond Alt. No.2 to include the City of Plymouth. For the purposes of preliminary facilities sizing, the following was assumed:

Existing No. of ESFD's = 561
 Future No. ESFD's = 1027
 Average Daily Use = 300 gpd/conn
 Peak Day Factor = 2.5

Based on the above figures, Plymouth's needs from the AWS would be:

Average Daily Flow = 308,100 gpd
 Peak Daily Flow = 770,000 gpd
 Casino PDF = 188,000 gpd
 Total = 958,000 gpd.
 (Use 1,000,000 gpd, or 700 gpm's for transmission considerations)

Although an 8" would probably suffice, a 10" would be more prudent planning. As noted earlier, the last upgrade required for this alternative would be upsizing the existing 6" from Bunker Hill to New Chicago Rd, a distance of approximately 6500 ft. In addition, there would be annexation costs for the City for the 561 existing ESFD's. Alternative 2A costs would then be:

	<u>Cost</u>
1) Alternative 2 costs =	\$3,000,000
2) 6500 ft 10" @ \$50/ft =	\$325,000
3) Annex 561 units to AWS @ \$4,000/unit	<u>\$2,244,000</u>
Subtotal=	\$5,569,000
+15% Cont's =	\$835,000
+15% Engr, Surv, & Envir. =	<u>\$835,000</u>
Total Project Cost =	\$7,239,000

Based on ESFD's,

Casino Portion (31%)	= \$2,244,000
City of Plymouth Portion (69%)	= \$4,995,000

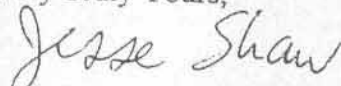
The above total would equate to about \$8,900 per ESFD. This is somewhat less than the \$10,000 per unit under Alternative No.1. However, Alternative 2A completely satisfies all future needs of the City, unlike Alternative 1. Clearly, Alternative 2A would be superior to Alternative 1.

Summary & Conclusions

Clearly, Alternative No.2 is the best apparent alternative for the casino's water supply. Alternative No. 1 as currently configured would not have firm capacity at the source for the casino, and would not necessarily have WTP capacity. Alternative 2A is an improvement on Alternative 2, as it takes advantage of the economy of larger project. Total project costs for Alternative 2, (casino only from AWS), would be \$3,900,000. If the City participated in a larger project, the casino's estimated share is \$2,244,000. Initial discussions have taken place with the AWA and Drytown regarding service from the AWS, but given there are several significant issues to resolve, there is much more work to do.

I hope the above answers your questions regarding water supply to the proposed casino. If there are any questions, please call. In the meantime I will continue to followup with the AWA regarding the earlier requested 2" water meter.

Very Truly Yours,



Jesse B. Shaw, RCE

cc. Gene Mancebo

Drytown Water District Board of Directors

Charles Gardner, City of Plymouth ✓

Tom Weathers

Dick Moody ✓

Comment #19

Mr. Clay Gregory
Acting Regional Director, Pacific region
Bureau of Indian Affairs
2800 Cottage Way
Sacramento CA 95825

Re: Environmental Scoping Session

Dear Mr. Gregory

At the last hearing I submitted information on Water and the items that need to be addressed in consideration of providing water to serve the Casino and its facilities. I am resubmitting that information with some attachments and comments.

1. The unavailability of underground water and the risk of trying to use wells
 2. The need to do studies to establish the amount of water the City and Tribe need for current and future use because of the growth-inducing nature of this Project.
 3. The consideration of connecting Plymouth's water system to the Amador Water Agency.
 4. Which alternative would be the fastest and best solution?
-
1. The unavailability of underground water and the risk of trying to use wells are well documented.
 - A. See attached letter from Joe Spanos, Department of health Services. Mr. Spanos has said in other correspondence that you would be putting the health and safety of the citizens at risk by allowing any more drilling of wells on this aquifer.
 - B. The City has reports from Doug Ketron, civil engineer (phone 201 296 7778) showing that the static water level has dropped 30 feet in the last five years in this aquifer. Mr. Ketron believes this aquifer has reached its maximum yield with its current use.
 - C. It is well known that 12 wells have gone dry in this aquifer in the last five years.
 - D. We know the city is currently at risk of not meeting peak summer demands by using only the underground water source without the support of the Arroyo Ditch
 2. The need to do studies to establish the amount of water the City and Tribe need for current and future use because of the growth-inducing nature of this Project
 - A. As pointed out in the enclosed documents the information used in the Toma and Anderson report on quantity of water needed in the tie to Amador Water Agency is in error. There needs to be a study of the current use of the Jackson Rancheria to establish the annual use and peaking demand of a new casino and hotel.
 - B. Based on the Toma and Anderson report, the cities need is 308,100 gal/day with peaking summer needs of 770,000gpd. Based on initial review of Jackson Rancheria use, this casino and its hotel would use 640 units or 192,000 gpd and a peaking of 480,000 gpd - a combined use of 1,250,000 gpd without future growth. A 10-inch pipe will not deliver these volumes.
 - C. There needs to be a study of future housing needs for the employees of the casino to establish the water needs for the future growth of Plymouth. Because the Jackson Rancheria has absorbed the count's current employee base, the employees for this casino will have to be imported and will in the future require housing in this area. We expect to see 600 units of housing in the next 10 years in Plymouth to handle these employees.
 3. The consideration of connecting the Plymouth's water system to the Amador Water Agency.

The Amador Water Agency has taken no formal action on providing water to Plymouth, nor have they endorsed any engineering report. We expect any action will be met with lawsuits from Jackson, Sutter Creek, or Ione for diverting their further water needs.

The Administrative draft of cost for the city connection to agency water is just that - a draft.

It is unsigned and unapproved, yet it is being used by the city for negotiating the MSA. This draft has several major flaws.

- A. This draft has not been based on any study of the needs of the City of Plymouth and the casino. The water line is undersized for any reasonable needs.
- B. This draft falls short by one mile of tying into the cities water treatment plant as would be required to be able to serve the City of Plymouth.
- C. The cost per linear foot is based on valley cost and gives no consideration to installation of pipe in mountain terrain.
- D. The connection fee is based on 400 connections and the city currently has 561.
- E. There are no projections for environmental cost.
- F. There are no contingencies for drilling and shooting of rock.

After reviewing this project with estimators from Granite construction that were familiar with the bidding of the Sutter Creek bypass and had knowledge of samples of core drillings, they concluded that because of the terrain, they would expect the cost to be 50% greater than the cost used in this draft.

4. Which alternative would be the fastest and best solution?

Ecologic has given the City a report comparing a 10 inch water line (that would not provide for the further needs of the city and a casino) to a 30 inch water line from the Cosumnes which would provide unlimited water to the city – there is no comparison. The city currently has a working water system. With a \$300,000 annual maintenance program on the ditch, it will provide all the water the casino can use and they can do this in one year. To confirm this, talk to those who succeeded in getting water down the ditch. (Gary Fine, Gary Colburn, Raymond Estey, or Sutter Homes)

In the near future the City would need to provide storage to handle a 1976 drought condition. This needs to be a 700 acre-foot reservoir not 1700 acre-foot, at a cost \$5.8 million rather than \$9 million.

Also in the near future the city needs to consider piping the ditch with 18-inch pipe not 30 inch annual cost \$700000.

In conclusion the fastest, most cost efficient for the volume of water received, and the most self-reliant is for the city to upgrade the system which is currently in place.

Jon E Colburn
Box 5.
Plymouth CA
209 245 4816

Mr. Clay Gregory
Acting regional director, Pacific region,
Bureau of Indian affairs
2800 Cottage Way,
Sacramento, Ca. 95825

November 19, 2003

RE: Environmental scoping secession on Lone Band of Miwok Indians proposed Casino/hotel

Dear Mr. Gregory,

The following are my concerns regarding the environmental impacts of the proposed casino on our water resources and a brief history of local water use in the area.

1. Underground water impacts and availability

The discussion of the underground water usage in area must include a geological understanding of the fractured aquifers, as well as the formation of sub-terrainian ridges in area. In the Plymouth basin there are two distant areas separated by the underground ridge know as the Mother Lode gold belt, this ridge is the site of the many gold mines. These mines, although many are over 1000 feet deep, did not produce any significant amount of water. The land west of this ridge produces wells of very limited water (10 gallon per minute or less). The proposed reservation land is located in this area.

On the East side, of the above-mentioned ridge, water is more plentiful but still limited. It is in this area that the City of Plymouth currently has the 4 wells that produce water for the City. The Cities main source of water has been from these wells for the past 10 years producing approximately 120 Acre-feet per year.

Five years ago Sutter Home winery planted grapes in this area and drilled wells for aggregation. This was done with strong objection by the State Department of Health, stating that the drilling of these wells could put the health and safety of the citizens of Plymouth at risk (See attached letter). The Sutter Home wells produce aproximately 60 acre-feet per year. Since Sutter Home drilled these wells 17 residential wells in a 1/2-mile radius have gone dry and the static water level in the cities wells have dropped significantly. All the while more vineyards have been planted in the area drilling even more wells. The total of the wells has not been tested through low or drought years but indications are that the city is at risk if we have repeat of the 1975-1976 drought.

Plymouth's and Sutter Homes current combined use is approximately 180 acre-feet per year. The Casino/Hotel project would need 215 acre-feet per year. History has proven that this aqua fur cannot produce that volume of water.

2. Surface water availability and options

First lets consider the proposed connection to the Amador County Water Agency and the report that was commissioned from Toma and Anderson by the ICON group. A breakdown of this report is attached. This report although a good preliminary review is flawed in many areas

- 1 The report needs to be updated to the include the increased size of the casino project from 1500 machines to 2000, the 250-unit hotel and other future uses of this land.
- 2 The projected use has to be more in line with the current use of the Jackson Rancheria (use from actual records in attached breakdown)
- 3 The length of this line has to be adjusted to tie into the current Plymouth reservoir, as the current line cannot service the total city with the current pressure reductions valves in the system.
- 4 The environmental and engineering cost have to be updated to reflect federally funded project.

- page 2 -

Alternative one in the report over states the current needs of the city from the reservoir and dose not address the combined use of the reservoir and Arroyo ditch system. Will address this in options.

The cost of 3.9 million dollars in alternative two in the report needs to be adjusted to include the four above-mentioned items. And it only produces 84 acre-foot per year, still insufficient.

Alternative three from this report with the above mentioned items included and adjusted to reflect the current use of the Jackson Rancheria brings the cost to 11.173 million and the yield to 420 acre feet. The cost to the casino would be of 5.955 million (53.3 %) and the cost to Plymouth would be 3.380 million.

My recommendation would be a reduced reservoir in alternative 1 to 700 acre-feet, with a price reduction of 35% to 5.850 million. A 700 acre foot reservoir if replenish in the winter (i.e. 1976) will produce 400 acre-feet for one year. This water would only be needed for five months in the summer when used in combination with the ditch would produce annually 800 acre-feet. (From records of the flows of the Cosumnes River in 1975-76)

Summary

<u>Capitol Cost</u>	<u>Yearly Cost</u>	<u>Casino Cost</u>	<u>City's Cost</u>	<u>Yield</u>	<u>Current Needs</u>	<u>Future</u>
\$5,850,000	\$850,000	\$3,118,050	\$2731,950	800ac/ft	335ac/ft	523ac/ft

The above summary is from the attached water breakdown. The casino capitol cost would need to be increased by approximately \$500,000 to \$3,618,050 for an up grade of the current treatment plant.

The yearly cost is largely due to the payments on the bonds needed to pipe the Arroyo Ditch (20 million dollars).

We would expect the Casino to pay the yearly cost. You might ask why would we expect the casino to pay the total of the bonds. The water use as proposed by the casino project is almost equal to the water use of the City. The city brings to the table 142 years of support and protection of this water and the water rights, 23 years and millions of dollars solely. The current value of these water rights is between 12 and 23 million dollars the future value in excess of 50 million dollars. We feel that this value is fair to take on as an equal partner.

The attached water breakdown has a more complete comparison of the options we feel would be more cost effective and beneficial to all the parties involved.

Thank you for your time. I have records and statistics for all of the data presented please feel free to contact me if you have any questions or I can be of any assistance.

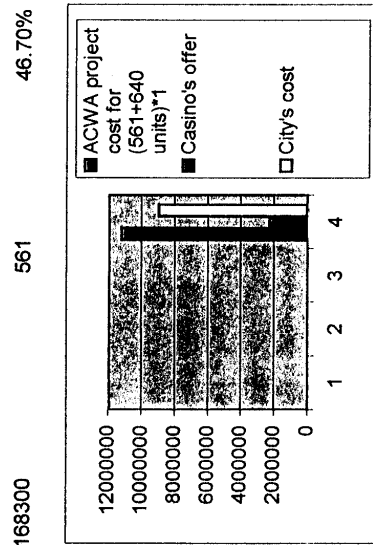
Sincerely,



Jon Colburn

Cost Breakdown for Water connection to Amador County Water Agency (ACWA)

	Gallons per day	Equivalent household units	Annual acre feet
Casino projected water use from Toma & Anderson Report	75000	250	84.0
Current use by Jackson Rancheria (ACWA records)			
For 1500 machines 4800 units/month (748 gal/unit) / 30 days	119680	399	134.1
After casino expansion 1500 to 2000 machines	159573	532	178.7
Addition of 240 room Hotel(.45 units/ room)	32400	108	36.3
Shenadoah Inn Charge			
Total	191973	640	215.0



Plymouth's projected water use from Toma report	168300	561	188.5
Cities current use			120
ACWA project cost for (250+561 units)	\$7,239,000		
ACWA project cost for (561+640 units)*1	\$11,173,500		
Casino's offer	\$2,244,000		
City's cost	\$8,929,500		
Casino's share	\$5,955,476		
City's share	\$5,218,025		

Note 1

This cost reflects the need to increase the pipe size to 12 inches and the pipe length from 20500 to 25800 to reach Plymouth reservoir and the engineering cost to 20% and environmental cost to 15% because this is a federally funded project

Water Projects alternatives	capitol cost	yearly cost	Casino cost	Cities cost	yield acre feet	current needs acre feet	future acre feet
Plymouth Reservoir Project	\$9,000,000	\$50,000	\$4,797,000	\$4,203,000	415	335	523
project cost size 1700 acre feet							
firm yield 415 acre feet							
as stand alone project with 2 year carry over storage							
Arroya Ditch yield diversion 15 cubic feet per second							
15.3 miles @ 7% per mile loss with proper maintenance							
(3 full time men and equipment \$200000 and capitol cost of \$600000/year)							
yield at Plymouth 5 cubic feet second					3650		
Plymouth Reservoir Project reduced size	\$800,000						
project cost reduced by 35%	\$50,000						
size 700 acre feet							
firm yield 400 acre feet when replenished from the ditch					800		
to be used for 5 months in summer							
Plymouth Reduced Reservoir and Arroya Ditch	\$5,850,000	\$850,000			800	335	523
summary							
casino pays current hook up fee to city @ \$8500/unit (640units)	capitol cost	yearly cost	Casino cap. Cost	Cities cap. Cost	yield acre feet	current needs acre feet	future acre feet
Casino Alt. 2 from Toma and Anderson Report	\$544,000	\$291,492	\$3,900,000		84	215	
Casino Alt. 3 from Toma and Anderson Report	\$3,900,000	\$150,000	\$5,955,476	\$5,218,025	420	335	523
Plymouth reservoir project	\$11,173,500	\$150,000	\$4,797,000	\$4,203,000	415	335	523
Plymouth Reduced Reservoir and Arroya Ditch	\$9,000,000	\$50,000	\$3,118,050	\$2,731,950	800	335	523
recommendation							

Plymouth Reduced Reservoir and Arroya Ditch
 If this alternative were to be used their would be a need to upgrade Plymouth treatment plant approx. \$500000 This would bring the capitol cost to the Casino to \$3618350.
 With the Casinos offer of \$800000 per year this would offset the annual maintenance cost of \$300000 and leave \$500000 to offset cities current water cost and ditch pipelng benefit

This would be a savings to the casino over alternative 2 witch would not provide adiquit water for their expanded project.
 The City would have get their Dam project witch would lift the building moritorium, with no cost to city with the Grant money
 The City would have a saveings on their current ditch maintenance cost and a \$150000 savings on their current system operating cost.
 This water could be delivered next year and the dam could be on line shortly after.
 The city could reduce their current water fee and again have a green city and reduce their hookup fee witch would stimulate economic growth

DEPARTMENT OF HEALTH SERVICES
DRINKING WATER FIELD OPERATIONS BRANCH
31 EAST CHANNEL STREET, ROOM 270
STOCKTON, CA 95202



June 5, 1997

Planning Commission/City Council
City of Plymouth
P.O. Box 429
Plymouth, CA 95669

DEVELOPMENT PLAN FOR SUTTER HOME VINEYARD AT BURKE RANCH
STATE CLEARING HOUSE I.D. NO. 97-052-048

The Department of Health Services, Drinking Water Field Operations Branch (hereinafter, the Department) has reviewed the plan for the agricultural development of Burke Ranch. The Department is concerned with the potential impact of the development on the water supply for the City of Plymouth (hereinafter, City). Although the City considers water from the Cosumnes River to be its primary source of water for domestic use, the River is not a consistently reliable source of water for the City.

In past years, the City has received no water from the Cosumnes River source on frequent occasions, for extended periods of time. Drought conditions have reduced flows in the River so significantly that it has been impossible to deliver water to the City's surface water treatment plant at times in the past. Similarly, the Arroyo Ditch has been a difficult conveyance system to maintain. As a result, it has also been impossible to deliver River water to Plymouth in years when the supply of water was not particularly limited at the River source, but problems associated with the Arroyo Ditch made water delivery impossible. In addition, there is no evidence that adequate measures have been implemented in the past decade to assure that a continuous supply of water from the Cosumnes River can be assured at the City's surface water treatment plant.

Therefore, water from the domestic water supply wells operated by the City is essential in assuring a continuous and reliable supply of water for domestic use by the citizens of Plymouth. However, past experience has also shown that the supply of groundwater (well water) is also limited in the Plymouth area. Over the years, the City has utilized a number of different wells as domestic water supply wells. Many of these wells have

been abandoned because of severe limitations in the productivity of the wells that became evident during periods of heavy dependence on groundwater as a source of supply for the City. Furthermore, the area in the vicinity of the Burke Ranch property has become the City's most reliable source of groundwater to meet the City's domestic water needs.

As a result, the Department is seriously concerned about the provision of the development plan for a 500 gallon per minute "backup" water supply well in the Burke Ranch development. Information available to the Department indicates that groundwater in the Plymouth area is available from "hard rock" formations. While the vast alluvial deposits underlying California's Central Valley have been demonstrated to be extensive, reliable groundwater storage aquifers that continue to support extensive development, hard rock formations have relatively limited storage capacity in the cracks and fractures that exist in the hard rock formations of the mountains. Therefore, these formations frequently yield little or no water after being pumped extensively during periods of drought.

During the past year, the City treated over 11.2 million gallons of water in a single summer month. This is equivalent to the water that would be pumped from wells at a rate of over 250 gallons per minute for 24 hours per day, every day of the month. The Department has no information available to indicate if this 11.2 million gallons of surface water met the entire needs of the City during July of 1996 or if water was also pumped from City wells to meet peak hour demands that month.

In any event, it is likely that drought conditions will reoccur in the watershed of the Cosumnes River in future years. It is also likely that impacts on the Arroyo Ditch will result in periods when it will not be possible to deliver surface water to the Plymouth surface water treatment plant in the future. During those periods, the City will be forced to depend on its wells to produce an adequate supply of groundwater to meet the domestic water supply needs of the City. The periods when the supply of surface water to the City will either be inadequate or non-existent will generally be during the summer months when water demands are the highest. Coincidentally, those summer periods will be the same periods of time when the proposed agricultural development will be experiencing its greatest need for irrigation water.

Because the supply of water in the aquifers in the Plymouth area has been shown to be limited, as evidenced by well failures in past drought years, the Department is concerned that the aquifers in the area will not support

the 250 gallon per minute continuous summer water need of the City plus the 500 gallon per minute summer water need of the proposed vineyard, to be drawn from the "backup" well.

As a result, the Department does not believe that the environmental impact of the proposed Sutter Home Vineyard at Burke Ranch development has been adequately addressed or that mitigation measures have been identified to prevent the City from having future domestic water supply shortages or outages that will result in severe negative impacts on public health.

There appear to be some alternatives to the "backup" well that could meet the needs of the proposed agricultural development without threatening to deplete the aquifers that serve the City. Even the City has been aware of the vulnerability of its surface water supply for many years. Since groundwater supplies in the area are limited, the City has recognized that simply relying on groundwater during periods of interruption in its surface water supply is not a satisfactory alternative. Therefore, the City has been working toward the construction of a surface water storage system that would allow the City to assure a reasonably reliable flow of surface water to the City's surface water treatment plant. Perhaps the proposed development could participate in the storage project to assure its own reliable supply of surface water that would eliminate the need to overdraft the area's limited supply of groundwater.

Similarly, it may be possible for the agricultural development to utilize recycled water from the City's waste water treatment facility as a source of irrigation water. Vineyards in the vicinity of Murphys in Calaveras County utilize waste water for irrigation to the mutual benefit of both the community and the vineyards.

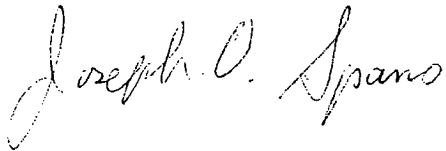
Perhaps a proper environmental assessment of the water supply and water demand situations in the Plymouth area would identify other alternatives that could accommodate the needs of the proposed development without threatening the water supply that Plymouth has depended on during droughts and other periods of surface water outage at the City's domestic water treatment plant.

Another situation that has not been addressed with respect to the environmental impacts of the development on the water supply is the impact of the use of fertilizer and other agricultural chemicals on the Burke Ranch parcel. In the Central Valley where deep soils have the capacity to adsorb and attenuate, and contribute to the degradation of the agricultural chemicals applied to the area's vineyards and other agricultural lands,

monitoring in the past 10 years has shown that many aquifers have become contaminated with nitrates and other agricultural chemicals. It is possible that the shallower soils and the fractured rock formations in the Plymouth area will allow these chemicals to rapidly and extensively contaminate the aquifers from which the City pumps groundwater for domestic use. These impacts should be thoroughly addressed before the development is approved to determine if mitigating measures might be necessary to protect the groundwater of the Plymouth area.

The Department urges both the City of Plymouth Planning Commission and the City of Plymouth City Council to address these deficiencies in the environmental documents for the proposed Sutter Home Vineyard at Burke Ranch before the project is approved. Mitigating measures and alternatives should be identified and implemented to assure that the City is not impacted by water shortages or outages in the future.

Thank you for the opportunity to comment on this development plan.

A handwritten signature in cursive script that reads "Joseph O. Spano".

Joseph O. Spano, P.E.
District Engineer
Drinking Water Field Operations Branch

cc: Governor's Office of Planning and Research

A:\03004\SUT-CEQA.697

ADMINISTRATIVE DRAFT

Executive Summary

In order to serve the City of Plymouth (City) treated water from the Amador Water System, the Water Agency (Agency) had to review the existing system and apply the water demands provided by the City. This information was put into a computer model to assist with determining improvements necessary to provide the water service. Agency staff considered only those improvements necessary for the next ten years of demands. Any improvements (that could be phased) after that time are assumed to be paid for through the collection of participation fees from new connections. Improvements that could not be phased have been designed for the twenty year peak day water demand provided by the City. The system has been designed to provide enough pressure and flow to correspond with the anticipated City growth projections and boundaries as provided.

In order to serve the City, three primary improvements are needed: A treated water storage tank, an improvement to the transmission main in Sutter Creek, and a new treated water transmission main from Amador City to the City's boundary.

5 → The tank is assumed to be either a below ground or low profile tank to mitigate visual impacts. This 1.5 million gallon storage tank has an estimated construction cost of \$1,317,500 not including contingencies, design, and other related project costs. The tank will be located at a nominal elevation 1640 feet and provide emergency and operational storage for City in addition to storage that it may already have or may add in the future.

The transmission main improvement in Sutter Creek is needed in order to fill the tank and carry the added demands of the City both now and in the future. The main would be 18 inches in diameter and be approximately 8,000 feet long. The construction cost for this facility is estimated at \$930,500 before contingencies, design, and other related costs.

The pipeline from Amador City to the City will be approximately 28,000 feet long with about 2/3 of the length being installed along an existing dirt road. The 10 inch pipeline will include a creek crossing, bridge crossing, pressure reducing stations, meter vault, and other appurtenances. The estimated construction cost for this segment is \$ 1,774,900 before contingencies, design and other related costs.

The subtotal for these construction elements is \$4,022,900. When a 15% contingency is added along with right-of-way, permits, design, and construction management, the total project cost estimate is \$5,465,957.

10" = 542 ft

18" = 1,762 ft

36" = 7.12 ft

92% grates

B63 / ft

560
The Agency assumed that the City would pay participation (sometimes called impact) fees that covers the fair share of raw water conveyance, treatment, and other associated costs. The Agency has these same charges in place for other wholesale customers in the Amador Water System. These include the City of Jackson and the Dry Town Community Service District. This amount is currently \$2,180 for each residential equivalent connection (5/8 inch meter). For the purposes of this study, the Agency is assuming that the City has 400 equivalent treated water residential customers. The participation fee would then be calculated to be \$872,000 and be a part of the costs of this project. As future customers connect to the system, they would be required to pay the participation fee. These funds would be used to continue to expand and improve the system and provide the needed capacity for new customers.

This study assumes that the City may have other distribution improvements and that they are not a part of this study.

The Agency will be happy to meet with City representatives to discuss further refinements to this potential project.

Plymouth Feasibility Study - Construction Cost Estimate
 Amador Water Agency
 *All costs are NPV (Net Present Value)

Task Description	Unit	Unit Quantity	Unit Price	Subtotal
Phase I - Initial Pipeline Construction Sutter Creek to Plymouth				
10" Pipeline				
10" C900 - Unpaved	lf	18000	\$ 50	\$ 900,000
10" C900 - Paved	lf	10000	\$ 70	\$ 700,000
10" C900 - Bridge Crossing	lf	120	\$ 100	\$ 12,000
10" C900 - Creek Crossing	lf	60	\$ 90	\$ 5,400
10" In-Line Valves (Every 2,000')	ea	13	\$ 2,500	\$ 32,500
10" Blow-Off Valve	ea	14	\$ 1,250	\$ 17,500
10" Combination Air-Relief Valve	ea	14	\$ 1,250	\$ 17,500
10" Pressure-Reducing Valve	ea	2	\$ 20,000	\$ 40,000
10" Meter Vault	ls	1	\$ 15,000	\$ 15,000
Electrical/Instrumentation	ls	1	\$ 35,000	\$ 35,000
10" Pipeline Subtotal				\$ 1,774,900
18" Pipeline				
18" C905 - Paved	lf	8000	\$ 110	\$ 880,000
18" In-Line Valves (Every 2,000')	ea	3	\$ 6,500	\$ 19,500
18" Blow-Off Valve	ea	4	\$ 1,800	\$ 7,200
18" Combination Air-Relief Valve	ea	4	\$ 2,200	\$ 8,800
Electrical/Instrumentation	ls	1	\$ 15,000	\$ 15,000
18" Pipeline Subtotal				\$ 930,500
Storage Tank				
1.5 MG Prestressed Concrete Tank	ls	1	\$ 1,015,000	\$ 1,015,000
Earthwork/Subgrade Preparation	ls	1	\$ 85,000	\$ 85,000
Piping & Appurtenances	ls	1	\$ 117,500	\$ 117,500
Electrical/Instrumentation	ls	1	\$ 100,000	\$ 100,000
Storage Tank Subtotal				\$ 1,317,500
Subtotal				\$ 4,022,900
Construction Contingency				\$ 603,435
Right-of-Way Acquisition				\$ 90,500
Permits				\$ 25,000
Engineering Design				\$ 402,290
Construction Management				\$ 321,832
Total Project Cost				\$ 5,465,957
AWA Participation Fees (Based on Assumed 400 EDUs)				\$ 872,000

USDA GRANT 4,000,000
 CASINO 3,000,000

 7,000,000
 8480,657

 14,880,657

Phase I \$6,337,957
 Phase II 1,584,400
 Phase III 558,300

 \$8,480,657

ASINO @ 500,000/year x 3 yrs = 1,500,000

Plymouth Feasibility Study - Construction Cost Estimate

Amador Water Agency

*All costs are NPV (Net Present Value)

Task Description	Unit	Unit Quantity	Unit Price	Subtotal
Phase II - Parallel main from New Tank to Amador City (Anticipated in 2020)				
12" Pipeline				
12" C900 - Paved	lf	13200	\$ 85	\$ 1,122,000
12" In-Line Valves (Every 2,000')	ea	5	\$ 3,000	\$ 15,000
12" Blow-Off Valve	ea	6	\$ 1,500	\$ 9,000
12" Combination Air-Relief Valve	ea	6	\$ 1,500	\$ 9,000
Electrical/Instrumentation	ls	1	\$ 25,000	\$ 25,000
12" Pipeline Subtotal				\$ 1,180,000
Construction Contingency				\$ 177,000
Permits				\$ 15,000
Engineering Design				\$ 118,000
Construction Management				\$ 94,400
Total Phase II Cost				\$ 1,584,400
Phase III - Parallel Main from Sutter Creek to New Tank (Anticipated in 2025)				
12" Pipeline				
12" C900 - Unpaved	lf	6000	\$ 65	\$ 390,000
12" In-Line Valves (Every 2,000')	ea	2	\$ 3,000	\$ 6,000
12" Blow-Off Valve	ea	3	\$ 1,500	\$ 4,500
12" Combination Air-Relief Valve	ea	3	\$ 1,500	\$ 4,500
Electrical/Instrumentation	ls	1	\$ 5,000	\$ 5,000
12" Pipeline Subtotal				\$ 410,000
Construction Contingency				\$ 61,500
Permits				\$ 8,000
Engineering Design				\$ 41,000
Construction Management				\$ 32,800
Total Phase III Cost				\$ 558,300

January 5, 2004

CITY OF PLYMOUTH - AGENDA

Water System - Existing Alternatives

Two options to expand treated water service are available to the City and include:

City Supply Option – City would upgrade its water system and continue providing water service as it currently does operating both the water treatment and storage/distribution system.

- Establish and/or confirm water rights on the Cosumnes River
- Increase reliability of the Arroyo Ditch
- Provide raw water storage
- Increase capacity of the water treatment plant
- Funding
 - Estimated project costs range from \$13M to \$40M
 - USDA has indicated that they may not support the raw water reservoir project
 - Strong indication that the project may not be permissible due to environmental constraints
 - Water rates
 - Without the casino participation \$20 to \$46 per hundred cubic feet with an average monthly bill \$240 to \$520
 - With the casino participation \$13 to \$37 per hundred cubic feet with an average monthly bill \$140 to \$420

Amador Water Agency (AWA) Wholesale Agreement - City purchases treated water from Amador Water Agency. Water would pass through a master meter into the City's distribution system. The City would own and operate its existing storage and distribution system and be billed for treated water consumption by AWA/

- New pipeline and storage – improvements by AWA
- Funding
 - Estimated project costs \$6.5M – preliminary cost based on draft report prepared by AWA
 - USDA has indicated support for the project
 - Water rates
 - Without the casino participation \$8 per hundred cubic feet with an average monthly bill of approximately \$90
 - With the casino participation \$3.10 per hundred cubic feet with an average monthly bill of approximately \$35. (Essentially no change in rates provided approximately \$2.2M USDA grant).

ARROYO DITCH/STORAGE OPTION

CAPITAL COST SUMMARY

A summary of the costs developed for the project is included in Table 1. The estimated cost range of the City supply alternative between \$13M and \$40M. The large range is the result of uncertainty of the size and cost of the reservoir, and uncertainties in level of effort required to improve the Arroyo Ditch to an acceptable level of reliability.

TABLE 1.
ESTIMATED CAPITAL COSTS (\$1,000's)

Description	Cost Range	
	Low	High
Raw Water		
Establish Water Rights (a)	\$100	\$200
Arroyo Ditch (b)	7,000	28,000
Offline Storage (c)	6,000	10,000
Raw Water Pump Station Upgrade	150	150
Treatment		
Plant Expansion (d)	\$2,000	\$2,000
Treated Water Storage (e)	—	—
Total	\$15,250	\$40,350

Table Notes and Assumptions:

- (a) Cost estimate provided by City Attorney, no assurance that the City will have a secure water right.
- (b) Cost estimate for the rehabilitation of the Arroyo Ditch is based on encasing portions of the ditch at a unit cost of \$10.40/in-dia or \$312/lf for 30-inch pipe. Low range cost is assuming that 25-percent (22,500-feet) of the ditch is encased, high end is based on encasing the entire ditch (90,000-feet).
- (c) Offline raw water storage estimates are based on 600 and 1,500-acre-ft reservoir. These costs are considered reconnaissance level and could vary significantly depending on the site conditions.
- (d) Plant expansion is based on increasing capacity from 0.67 MGD to 1.8 MGD.
- (e) Additional storage should be provided, but was not included in this analysis that will be compared to Amador Water Agency option.

OPERATION AND MAINTENANCE COSTS

Annual operation and maintenance (O&M) costs are presented in this section for the ditch, reservoir and water treatment plant.

Operation of Arroyo Ditch. Annual O&M costs for the ditch are shown in Table 2, based on the assumptions noted. Assumed same level of O&M regardless of improvements to the ditch.

TABLE 2.

ARROYO DITCH – OPERATION AND MAINTENANCE COSTS

	Notes	Qty	Unit	Unit Cost	Extension
Routine Operations	(a)	3,000	hours	\$40/hr	\$180,000
Annual Cleaning	(b)	300	hours	\$40/hr	12,000
Emergency Repair		1	LS	\$20,000	20,000
Material/Tools/Rentals		1	LS	\$10,000	10,000
Total					\$222,000

(a) Assumed 1.5 full time ditch tender for inspection, routine maintenance, and operation.

(b) Assumed 2.5 additional laborers, working fulltime for 3-weeks (approximately 1-mile of ditch per day for a four person crew.)

Operation of Reservoir. Annual operation and maintenance costs for the reservoirs were developed in the 1990 report prepared by David Willer for the Amador Water Agency, "A Study of Water Supply for the City of Plymouth". The 1990 costs were adjusted for inflation. Due to the difference in size, the larger reservoir should require more maintenance and the cost was increased by about 20 percent.

TABLE 3.

STORAGE RESERVOIR – OPERATION AND MAINTENANCE COSTS

Reservoir Size, gallons	Annual Cost \$
600	\$35,000
1,500	\$45,000

Operation of Water Treatment Plant. Annual operation and maintenance costs for the water treatment plant are based on cost curves and are presented in Table 4. Costs are presented based on the current plant and the expanded plant.

TABLE 4.

WATER TREATMENT PLANT – OPERATION AND MAINTENANCE COSTS

Plant Capacity, percent	Annual Cost \$
Current	\$200,000
Buildout	\$345,000

Operation and Maintenance Summary. Total estimated O&M costs summarized in Table 5. The large range in the O&M costs is due to the level of rehabilitation of the ditch. There is a \$500,000 per year charge to complete the rehab if the entire ditch is not rehabilitated in one project.

TABLE 5.

OPERATION AND MAINTENANCE COST SUMMARY

	Cost Range	
	Low	High
Arroyo Ditch		
Normal Operations	\$225,000	\$225,000
Ongoing Rehab (a)	—	500,000
Reservoir	35,000	45,000
Water Treatment Plant	200,000	345,000
Total Annual O&M	\$460,000	\$1,115,000

(a) Includes \$500,000 per year for maintenance and improvement fund on the ditch to complete the rehabilitation project.

AMADOR WATER AGENCY OPTION

CAPITAL COST SUMMARY

A summary of the costs developed for the project is included in Table 6. The estimated capital cost is approximately \$6.4M, based on draft report prepared by the Amador Water Agency.

TABLE 6.

ESTIMATED CAPITAL COSTS (\$1,000's)

Description	Cost
Project Cost	5,500
Impact Fee	900
Total	\$6,400

OPERATION AND MAINTENANCE COSTS

No annual and operations costs are include in this option. The only costs associated with the system will be distribution, presumable the same as the City Supply Option.

Table 1
City of Plymouth
Estimated Impact on Water Project Funding with and without the Casino Assuming
City Supplies all Water via Arroyo Ditch

		Plymouth- Stand Alone Basis		Plymouth - With Casino	
		Low Cost	HighCost	Low Cost	HighCost
Project Cost (Phase 1 & 2)	A	\$15,500,000	\$40,350,000	\$15,500,000	\$40,350,000
Funding Sources					
USDA Grant	B	\$2,200,000	\$2,200,000	\$2,200,000	\$2,200,000
Casino Contribution	C	\$0	\$0	\$2,400,000	\$2,400,000
Subtotal	D=B+C	\$2,200,000	\$2,200,000	\$4,600,000	\$4,600,000
Remaining to be Funded	E=A-D	\$13,300,000	\$38,150,000	\$10,900,000	\$35,750,000
<hr/>					
Debt Service Costs [1]					
Estimated Debt Service for Loan on Amount Remaining [2]	F	\$1,038,034	\$2,977,520	\$850,720	\$2,790,205
New/Additional O&M Costs	G	\$460,000	\$460,000	\$460,000	\$460,000
Subtotal New Annual Costs	H=F+G	\$1,498,034	\$3,437,520	\$1,310,720	\$3,250,205
Source of Repayment					
City of Plymouth (through Water Rates)	I	\$1,498,034	\$3,437,520	\$810,720	\$2,750,205
Casino (\$500k Annual Contribution for 20 years)	J			\$500,000	\$500,000
Subtotal New Revenues	K=I+J	\$1,498,034	\$3,437,520	\$1,310,720	\$3,250,205
<hr/>					
Impact on Rate Payers [3]					
Current Monthly Water Rate in City of Plymouth		\$3.10	\$3.10 hcf	\$3.10	\$3.10 hcf
Estimated Rate to Cover Additional Annual Costs		\$18.65	\$42.79 hcf	\$10.09	\$34.23 hcf
Total Adjusted Rate		\$21.75	\$45.89 hcf	\$13.19	\$37.33 hcf
Estimated Monthly Water Charge (Assumes 280 GPD/EDU) [4]		\$244.19	\$515.26	\$148.12	\$419.20

"water_sum"
Plym_Casino_Proj.xls

[1] The annual debt service/capital costs could be partially off-set with connection fee revenue.

[2] Assumes:

Rate	5.00%
Term	25 years
Loan Load Factor	1.10

[3] Rate Calculation:

Note: cubic feet = "cf"; 1 gallon = 0.133680556 cubic feet

FY 2002 Metered Water Deliveries (MG): 60.1 millions of gallons
FY 2002 Metered Water Deliveries (hcf): 80,342 hundred cubic feet

	City -W/O Casino		City -W/ Casino	
	Low Cost	High Cost	Low Cost	High Cost
Allocated Annual Cost:	\$1,498,034	\$3,437,520	\$810,720	\$2,750,205
Cost per Hundred Cubic Feet (hcf):	\$18.65	\$42.79	\$10.09	\$34.23

[4] 250 GPD converts to hcf per Month as follows:

GPD	280
GPM (30 days)	8,400
cf/M	1,123 <i>see conversion factor above</i>
hcf/M	11

Table 2
City of Plymouth
Estimated Impact on Water Project Funding with and without the Casino Assuming
Amador Water Agency Provides Water

		Plymouth Participates in AWA Water Pipeline	
		Without Casino	With Casino
Project Cost (Phase 1 & 2)	A	\$6,400,000	\$6,400,000
Funding Sources			
USDA Grant	B	\$2,200,000	\$2,200,000
Casino Contribution	C	\$0	\$2,400,000
Subtotal	D=B+C	\$2,200,000	\$4,600,000
Remaining to be Funded	E=A-D	\$4,200,000	\$1,800,000
<hr/>			
Debt Service Costs [1]			
Estimated Debt Service for Loan on Amount Remaining [2]	F	\$327,800	\$140,486
New/Additional O&M Costs	G	\$25,000	\$25,000
Subtotal New Annual Costs	H=F+G	\$352,800	\$165,486
Source of Repayment			
City of Plymouth (through Water Rates)	I	\$352,800	
Casino (\$500k Annual Contribution for 20 years)	J		\$500,000
Subtotal New Revenues	K=I+J	\$352,800	\$500,000
Net New Revenues over New Costs	L=K-H	\$0	\$334,514
<hr/>			
Impact on Rate Payers [3]			
Current Monthly Water Rate in City of Plymouth		\$3.10 hcf	\$3.10 hcf
Estimated Rate to Cover Additional Annual Costs		\$4.39 hcf	\$0.00 hcf
Total Adjusted Rate		\$7.49 hcf	\$3.10 hcf
Estimated Monthly Water Charge (Assumes 280 GPD/EDU) [4]		\$84.12	\$34.81

"water_sum_AWA"
Plym_Casino_Proj.xls

[1] The annual debt service/capital costs could be partially off-set with connection fee revenue.

[2] Assumes:

Rate	5.00%
Term	25 years
Loan Load Factor	1.10

[3] Rate Calculation:

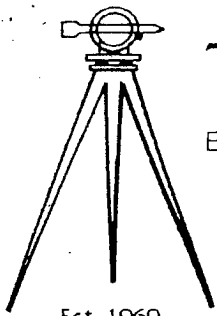
Note: cubic feet = "cf"; 1 gallon = 0.133680556 cubic feet

FY 2002 Metered Water Deliveries (MG): 60.1 millions of gallons
FY 2002 Metered Water Deliveries (hcf): 80,342 hundred cubic feet

	City -W/AWA	
	With Casino	W/O Casino
Allocated Annual Cost:	\$352,800	\$0
Cost per Hundred Cubic Feet (hcf):	\$4.3912	\$0.0000

[4] 250 GPD converts to hcf per Month as follows:

GPD	280
GPM (30 days)	8,400
cf/M	1,123 see conversion factor above
hcf/M	11



Est. 1969

Toma & Anderson

ENGINEERING - SURVEYING - PLANNING

Ciro L. Toma
PLS 3570

Marvin C. Anderson
PLS 3725

Ione Band of Miwok Indians/Ikon Group, LLC
Matt Franklin/Willard Smith
P.O. Box 342
Biloxi, MS 39533
via FAX 1-228-432-1112

July 21, 2003

RE: Plymouth Casino Water Supply

Mr. Franklin/Mr. Smith:

Pursuant to our agreement of 6/25/03, below is our summary report regarding water supply alternatives to the proposed Plymouth casino.

Introduction & Background

There appears to be 4 alternatives for water supply to the proposed casino in Plymouth. These would be:

- 1) Connect to City of Plymouth
- 2) Connect to Amador Water System (AWS)
- 3) Develop new surface supply
- 4) Develop groundwater supply

Alternative No.3 would be similar to the City of Plymouth (No.1) alternative, so it was not considered further. Developing a new surface source would be a long and expensive proposition. Assuming the City has chosen the most promising surface source, looking at their current costs would be the logical approach here. Although not subject to California Department of Health Services (DOHS) once casino property is in trust land, there is good reason not to develop a major project like this on groundwater. Past experience with wells has directed the City into studying surface supplies only, and DOHS strongly discourages any new developments be based on groundwater sources, as groundwater sources have not proven reliable in the past in this area. Consequently, only Alternatives 1 & 2 were considered closely.

Water Needs

Based on review of water use of several similar facilities, it is estimated the average daily water use will be 75,000 gpd, with peak days of 188,000 gpd. This would be equivalent to approximately 250 single family homes at 300 gpd/home. All peak hours or instantaneous peaks will be met from new storage we will be providing for the project. Treated water storage has been tentatively sized at 500,000 gallons.

Alternative No. 1

Alternative No. 1 would consist of accessing the City's water system at the south end of Plymouth. There is apparently a 10" line near the hotel, but it is unknown what available fire flows would be in this area. We are assuming for the purposes of this report that they are currently adequate, as this must have been addressed for the motel's building permit.

The City was questioned about water service in a 6/5/03 letter from Toma & Anderson to the City of Plymouth. To date no response has been received. It is our understanding that the City is currently re-evaluating 3 alternatives for water supply, 2 of which are equivalent to Alternatives 1 & 2 above. Although no detailed information is available from this study, general information is known from which general conclusions can be drawn. First, the firm yield of the Big Indian Ck project appears to be 500 AF per year. Based on City figures of .6 AF per home per year, this would equate to a firm source of water for 833 equivalent homes. This is almost 50% higher than the existing number of 561 equivalent single family homes (ESFD's) documented in ECO:LOGIC's 9/02 "Long Term Wastewater Management Plan". Consequently, it would appear there is some capacity for growth built into the City's current reservoir plan, but only enough for City needs, and not near enough for the proposed casino estimate of 250 ESFD's. Although the .6 AF per home per year is almost double the 300 gpd/ESFD used above, the City's figure is probably reasonable considering water system losses from the reservoir to the home. Likewise, it does not appear there would be water treatment plant (WTP) capacity for the casino without upgrades to the City's water plant.

The cost of Alternative 1 is apparently about \$8,000,000 to \$9,000,000. This would equate to approximately \$10,000 per ESFD. If the casino could participate in a project like the City's, the casino's share would be about \$2,500,000, which would not include costs to upgrade the WTP, storage or distribution. Furthermore, there does not appear to be capacity in the City's project for the casino.

Alternative No. 2

Alternative No. 2 consists of obtaining water service from the AWS to the south. Preliminary discussions with AWA staff indicates capacity is available to serve the casino project, although they are currently finalizing plans for piping their raw water transmission ditch, which could be limiting in its current condition. Attachments 1 & 2 depict the proposed alignment from Amador City to Plymouth.

The nearest existing point of access would be the existing 6" on New Chicago Rd near Bunker Hill Rd. There are several issues to contend with here. First, the location where service is required is the Drytown Water District's water line, so both Drytown and the AWA need to be consulted with. There are also design considerations affecting Drytown due to pressure problems created in portions of Amador City by heavy draws in this line. If service from this line is needed immediately, there would need to be a backpressure sustaining valve on the casino line so as to limit the ability of the casino to draw water if Drytown is drawing or a hydrant is open downstream of the casino's service line. As the expected maximum draws will be in the 100-150 gpm range, it appears this can be done without negatively impacting Drytown's existing use. This service to the casino will be feeding a large storage tank, so heavy draws from this line would not be necessary.

Attachment 3 is a plot of hydraulic grade lines (HGL) from Amador City to the casino's service line takeoff in order to review the potential impacts on/capacity of the existing 6" line. Without excessive headloss through Drytown's meter or the PRV, it appears this line could flow around 400 gpm's. At this flowrate or higher, it is understandable why pressures may be very low back near Bunker Hill. At 200 gpm's, there appears to be very little impact to this area. Consequently, we feel the request for a 2" meter with the backpressure sustaining feature should not impact existing users. One simple improvement initially that may help the casino service and service to Drytown would be to move their meter, (and the PRV), to a point just below the casino's service tap. That would allow us to take full advantage of the upstream pressure, and would also make this section of line the AWA's, not Drytown's.

The above covers what could be called Phase 1 of the casino water supply project. Phase 2 would include improvements in and around Amador City to increase the available flow to the Drytown/New Chicago area. Primarily this would involve tapping the AWA 10" just above the Amador City PRV, bypassing Amador City with a high pressure line, and tying back into the existing 6" downstream of Bunker Hill somewhere. In this way, heavy flows towards Drytown would not effect Amador City, and the capacity of the existing 6" would effectively be increased to 500-600' gpm's, (7 fps in a 6"). This would be more than enough flow to meet the casino's and Drytown's ultimate peak day demands, but may not be adequate for the City of Plymouth should they ever become interested in water service from the Amador system. They would most likely be faced with a line upsizing from 6" to 10" from Bunker Hill to the casino's meter. With respect to the City of Plymouth, the casino should oversize, (and design/install per AWA standards), what will initially be the casino's service line through Matulich's property to meet the City's future needs if they ever request service. This would only be good planning, regardless of what the City decides it's water future will be. To sum up a potential phase access to the AWS:

Phase 1 - Install 2" meter and backpressure sustaining valve; run 10" from New Chicago Rd. to casino site, (L=15,500 ft).

Phase 2 - Bypass Amador City with 10" transmission to just past Bunker Hill, (L=5,000 ft).

*200 units
120,000*

Costs for Alternative 2 would be:

	<u>Cost</u>
1) 2" meter & pressure sustaining valve =	\$75,000
2) Annex. To AWS ; 250 units @ \$4,000/unit =	\$1,000,000
3) 10" C-900, L=20,500 ft @ \$50/ft =	\$1,025,000
4) 500,000 g storage =	\$400,000
5) Hydropneumatic Booster Sta =	\$250,000
(May not be needed)	
6) Misc. Appurtenances =	<u>\$250,000</u>
Subtotal=	\$3,000,000
+15% Cont's =	\$450,000
+15% Engr, Surv, & Envir. =	<u>\$450,000</u>
Total Project Cost =	\$3,900,000

Assuming this will serve 250 units, this equates to \$14,300 per unit. This is higher than the \$10,000 per unit for Alt No. 1, however considerable oversizing was included in the above,

and there may be additional costs for treatment, storage and distribution not included in Alt. No. 1 figure.

Alternative No. 2A

Alternative 2A expands slightly beyond Alt. No.2 to include the City of Plymouth. For the purposes of preliminary facilities sizing, the following was assumed:

Existing No. of ESFD's = 561
 Future No. ESFD's = 1027
 Average Daily Use = 300 gpd/conn
 Peak Day Factor = 2.5

Based on the above figures, Plymouth's needs from the AWS would be:

Average Daily Flow = 308,100 gpd
 Peak Daily Flow = 770,000 gpd
 Casino PDF = 188,000 gpd
 Total = 958,000 gpd
 (Use 1,000,000 gpd, or 700 gpm's for transmission considerations)

Although an 8" would probably suffice, a 10" would be more prudent planning. As noted earlier, the last upgrade required for this alternative would be upsizing the existing 6" from Bunker Hill to New Chicago Rd, a distance of approximately 6500 ft. In addition, there would be annexation costs for the City for the 561 existing ESFD's. Alternative 2A costs would then be:

	<u>Cost</u>
1)Alternative 2 costs =	\$3,000,000
2)6500 ft 10" @ \$50/ft =	\$325,000
3)Annex 561 units to AWS @ \$4,000/unit	<u>\$2,244,000</u>
Subtotal=	\$5,569,000
+15% Cont's	= \$835,000
+15% Engr, Surv, & Envir.	= <u>\$835,000</u>
Total Project Cost	= \$7,239,000

Based on ESFD's,

Casino Portion (31%) = \$2,244,000
 City of Plymouth Portion (69%) = \$4,995,000


The above total would equate to about \$8,900 per ESFD. This is somewhat less than the \$10,000 per unit under Alternative No.1. However, Alternative 2A completely satisfies all future needs of the City, unlike Alternative 1. Clearly, Alternative 2A would be superior to Alternative 1.

Summary & Conclusions

Clearly, Alternative No.2 is the best apparent alternative for the casino's water supply. Alternative No. 1 as currently configured would not have firm capacity at the source for the casino, and would not necessarily have WTP capacity. Alternative 2A is an improvement on Alternative 2, as it takes advantage of the economy of larger project. Total project costs for Alternative 2, (casino only from AWS), would be \$3,900,000. If the City participated in a larger project, the casino's estimated share is \$2,244,000. Initial discussions have taken place with the AWA and Drytown regarding service from the AWS, but given there are several significant issues to resolve, there is much more work to do.

I hope the above answers your questions regarding water supply to the proposed casino. If there are any questions, please call. In the meantime I will continue to followup with the AWA regarding the earlier requested 2" water meter.

Very Truly Yours,



Jesse B. Shaw, RCE

cc. Gene Mancebo

Drytown Water District Board of Directors

Charles Gardner, City of Plymouth ✓

Tom Weathers

Dick Moody ✓

Comment #20

To: Clay Gregory Acting Regional Director, Pacific Region, Bureau of Indian Affairs

From: Butch Cranford U. S. Citizen, Veteran, Retired, Plymouth California.

Subject: Comments for November 19th Environmental Scoping Session in Plymouth Ca.

Mr. Gregory please find my comments attached. This proposed Casino will have a very negative impact on the environments of the City of Plymouth, surrounding communities and Amador County. I hope that my comments and the comments of others opposed to this proposed Casino are given strong consideration and will cause your agency to not provide a positive recommendation for this proposed Casino project.

Respectfully,

Butch Cranford

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Plymouth Ca. 95669

plymouthbutch@hotmail.com

TRAFFIC IMPACTS

It is my intent to address the traffic impacts that will result from the construction and development of a casino in Plymouth, California. It will be readily apparent to a fair and impartial observer that the scope of these numbers is so significant that any contention that mitigation is possible is a myth at best. To reach that conclusion it is important to understand not only how the traffic projections are formulated but also to have some degree of faith in the validity of those same projections. The following explanation is an attempt to demonstrate both the origination and the validity of the data.

The starting point for the statistical analysis is the latest data for State Highways from the Caltrans Average Daily Traffic (ADT) count for the year 2002. It is listed in Column I of Table 1. The source is either the mechanical devices stretched across the road that count cars as they pass or in some cases the traffic light sequencing devices embedded in the road itself. The numbers for New York Ranch Road and Ridge Road in Table 2 come from Amador County and are current for the year 2003.

As we all know, the volume of traffic on California roads gets worse every year. Caltrans measures the statewide growth rate, and for the last three years it has averaged around 3.0%. The standard industry method used to gauge the traffic impact of a new casino is based on the square footage of the gaming facility. The Institute of Traffic Engineers (ITE) uses a complicated mathematical formula to generate peak AM and PM rates for casino traffic. This sort of analysis is fairly accurate and can generate projected data for not only overall traffic growth but estimates for peak time rates. The complexity of an ITE analysis can overwhelm the understanding of a non-mathematician. A simpler method, statistically validated by actual traffic counts at California Indian casinos, was devised by the San Diego Association of Governments (SANDAG). The SANDAG method estimates an average daily count based on 100 trips per 1000 sq. ft. of gaming facility and eight trips per hotel room. It is currently the accepted method for judging traffic impacts from California Indian casinos. Again, it bears mentioning that this method has developed traffic projections that have withstood the tests of reality.

Columns II and III of Table 1 are the projected 2003 and 2008 ADT numbers. They were generated by mathematically increasing the actual 2002 average daily traffic count by 3% per year. The ADT counts cars going in both directions. These numbers should give you a feel for how traffic will increase through normal growth rates. However, casinos generate abnormal growth and will affect future projections adversely. The Jackson Rancheria is currently expanding their casino by 100,000 square feet. That equates to an additional 10,000 daily trips as calculated using the SANDAG method. However, with access to the Rancheria provided by two Highways, 16/49 and 88, it is logical to increase the Highway 16/49 count by half that number. Therefore, conservatively, an additional 5000 daily trips were added to the 2004 projected numbers which is the estimated completion date and listed in Column IV of Table 1. This number was then projected to 2008 and listed in Column V of Table 1.

The Plymouth number in Column VI of Table 1 was calculated using the SANDAG method for the proposed 120,000 sq. ft. casino with an estimated completion date of 2008. This would add 12,000 daily trips to the previously calculated numbers. No attempt

was made to guess how the traffic might access Plymouth, only that it is the point destination. The end result, as you can see, is an ADT count of 19,256 which is over three times greater than the current level in Plymouth. If two thirds of these cars were to use Highway 16, the ADT for that road would also increase dramatically. These numbers were calculated using Caltrans averages. However, Caltrans also provides a peak ADT for the highest use month. Using the peak month ADT of 6,800 for 2001 and running through the same calculations, as above, a peak month ADT of 20,236 was generated. The Casino project has also tentatively proposed the construction of a 240 room hotel. This development would add an additional 1,920 trips to the projected totals.

TABLE 1: FUTURE TRAFFIC PROJECTIONS

Location	I 2002 ADT	II 2003 proj	III 2008 proj	IV Rancheria exp 2004 +5000	V 2008 Ranch. proj	VI 2008 proj +12000 Plym. +9000 Hwy 16
Hwy 16 E. Sunrise	11700	12051	14071	17413	19598	28598
Hwy 16 E. Ione Rd.	6900	7107	8239	12320	13867	22867
Hwy 16/49 Junction	9100	9373	10865	14654	16493	25493
Hwy 49 S. Cent. House	7500	7725	8956	12957	14583	N/A
Hwy 49 N. Bush St. Plymouth	6000	6180	7265	N/A	N/A	19265 - ADT (21185 w/ hotel) 20236 - peak (22156 w/ hotel) mo.ADT

Footnotes:

- Source: Phone conversation with Joe Avis (916-654-3072) research Manager Caltrans/current and history.
- Math convention: numbers rounded up/down at 0.5 to keep car count whole number.
- Caltrans 3yr average growth rate from 2000 through 2002 was 3% (see Source).
- Casino increases based on the SANDAG methodology of 100 cars per 1000 square feet of casino space. (Rancheria exp.-100,000sq.ft./Plymouth -20,000sq.ft.).
- hotel numbers based on 8 trips per room
- Rancheria expansion number (5000 added in 2004) assumes that only half of the increased traffic count will use Hwy 16.

These estimates represent huge increases in the usage of the highway infrastructure as a result of casino construction. How do you know that the projected traffic count for the proposed Plymouth casino is a valid number and not something concocted to make it look bad? The Jackson Rancheria has been around awhile, so lets use the same statistical analysis on projected and actual Rancheria ADT's as validation of the Plymouth numbers. Column I of table 2 is the measured ADT for Ridge Road and NY Ranch Road in 1990, the year before the Jackson Rancheria assumed it's current operating form. Column II of Table 2 is the projected ADT for 2003 using the average 3% growth rate without including the Rancheria's impact. Column III of Table 2 is the actual measured ADT for both roads which does take into account the Rancheria traffic. By comparing the projected and actual ADT's we find the difference to be almost exactly the SANDAG estimated traffic volume increase based on a 100,000 sq. ft. casino. This exercise proves conclusively the accuracy of the traffic growth projections for the proposed casino in Plymouth. They should also cause you to question the motive of anyone who disputes their validity.

TABLE 2: RANCHERIA VALIDATION

	I	II	III
	1990	2003	2003
	actual	proj	actual
Location	ADT	ADT	ADT
NY Ranch Road	754	1107	6396
Ridge Road	6637	9748	14350
		<u>10855</u>	<u>20746</u>
Actual	20746		
Projected	-10855		
	<u>9891 *</u>		

*An actual ADT increase of 9,891, is when compared to the SANDAG estimated increase of 10,000 , a validation of the projected numbers for Plymouth.

What do these numbers really mean to the local residents? A traffic increase of three times the current rate could easily add 15 minutes to the commute time of those citizens using Highway 16 to Sacramento. That equates to an additional 5.42 days a year spent behind the wheel of your automobile. Over 19,000 cars per day is about 13 cars every minute. If you consider the effect traffic of this order of magnitude may have on rush hour, the count could easily exceed 20 cars per minute. Contemplate trying to drive in and around Plymouth with that volume of cars coming and going. This congestion will adversely effect the local residents and business establishments. A clogged Highway 49

through Plymouth may also result in a significant decrease in tourist visits to Amador County's wine country with an attendant loss of income to the wineries.

Unfortunately as traffic increases, the number of fender benders and fatal car accidents will also increase. The Rancheria doesn't serve alcohol but the proposed casino in Plymouth will. As a reference point, the State of Connecticut has recorded the highest number of DUI/DWI arrests in that State on the access roads serving their casinos. You can expect a similar situation to occur here in Plymouth. It is a real concern to contemplate a casino bar serving alcohol 24 hours a day in an area served by what will then be inadequate overcrowded country roads.. How are you going to mitigate the death of someone killed by a drunk driver coming from the proposed casino in Plymouth?

Casino proponents will push the myth that the traffic impact can be financially mitigated. They will suggest that a turn lane or a traffic light or two can fix the traffic congestion caused by this proposal. That might make it a bit easier to access the casino off the congested access highway but it does little to mitigate the real impact of 20,000 plus cars per day on a two lane state road. The Amador County Transportation Commission has just completed the study for the Jackson Rancheria, and their estimate to fix the traffic problems for that casino is 100 million dollars . They estimate the fix for Plymouth would require at least five lanes for that section of Highway 16/49 to support the proposed casino. The section of Highway 16 to Sacramento would need an additional passing lane. Construction of a 4 lane highway would only ease congestion, not the other negative aspects of that much traffic on our roads. During a budget crisis is the state going to make Highways 16 and 49, 4-lanes? Are the developers of the Plymouth casino? It took 12 years to get Caltrans to approve the Sutter Creek Bypass. How long before the State gets around to fixing the traffic problems we may face in Plymouth?

These are real numbers and should be of real concern to the citizens of the Plymouth Area. How can you mitigate the traffic congestion, the noise, increase in accidents, traffic fatalities, and the pollution generated by over 20,000 cars and trucks? You can't, period! If someone is giving you a significantly lower estimate of the traffic impact, then those numbers have probably been seriously massaged to reflect the desired results. Casinos need to be built in locations where the infrastructure of access roads can support the influx of gaming traffic. Amador County is a small rural county that has already had to absorb the traffic increase of the Jackson Rancheria. To expect the County's road system to absorb the impact of another casino on top of the Rancheria expansion is just plain irresponsible.

Comment #21

November 19,2003 Scoping Session: Waste Water Environmental Impacts
Prepared by Butch Cranford

I believe the proposed Casino/Hotel will have a negative impact on the local environment due to the expansion of waste water services that the Casino/Hotel requires. This required expansion of services will be extensive and it is very likely that the acquisition of additional property for ponds and spray fields will be required. A Waste Water study completed in September 2002 for the City of Plymouth by Eco Logic found in general that the waste water system in Plymouth is adequate for current population with the completion of some major repairs and minor improvements. The study based future needs on the capacity required if the population doubled by 2022. There are currently 561 equivalent users reported in the study with an additional 466 to be added in the next 20 years for a total of 1027 users, the maximum capacity for the system. To date the City or the Tribe has presented no credible information about the capacity expansion required to service the proposed Casino/Hotel but I believe we can use the projected treated water use numbers to get a general idea of the impact the proposed project will have to the current waste water system. The city, which is under a state imposed water moratorium, currently uses about 120 acre feet of treated water annually and the proposed Casino/Hotel and associated accelerated population growth will more than triple that requirement within 3-5 years to about 410 acre feet annually. If treated water service ratio remains constant and 120 acre feet of water has 561 equivalent waste water users then that ratio for 410 acre feet of water would result in 1916 equivalent users or 1355 users as a result of the Casino/Hotel. These 1355 additional users far exceeds the maximum capacity of the system 1027 users and will require a waste water system and facilities larger than the current system and facilities in Plymouth. The impact of such rapid growth cannot be known specifically but the impacts of such rapid expansion of waste water facilities for a small rural community such as Plymouth should be presumed to be substantial unless additional studies indicate otherwise.

The report, which is available at Plymouth City Hall, states on page 4-7 that the wastewater treatment plant has the capability to meet current needs with minor modifications. However on page 4-8 the study states that the current condition of the wastewater treatment facility is considered fair to poor. Poor maintenance practices by the City is cited as a major contributor to the fair to poor condition. Capacity of the system is not alluded to in any detail and it is not possible to determine from this report what the capacity of the wastewater plant is or whether it would be sufficient for even 1027 users let alone 1916 users. It would be unwise to consider any project the size and scope of the Casino/Hotel without conducting a more thorough and comprehensive engineering evaluation of the wastewater treatment plant for potential environmental issues related to any needed expansion.

**November 19,2003 Scoping Session: Waste Water Environmental Impacts
Prepared by Butch Cranford**

The disposal and storage portions of the system are dealt with in more detail regarding capacity. The current storage facility is a pond with a usable capacity of 185 acre feet (60,000,000 gallons). At build out to accommodate 1027 users, the study finds that storage will have to increase by 22,000,000 gallons to 82,000,000 gallons and the pond will lack adequate capacity for the 1 in 100 year rainfall event in 10-15 years. I believe we can safely presume the increasing the users to 1916 in the next 3-5 years would have significant negative environmental impacts as the City will have to expand its pond or build another pond elsewhere. The disposal area will require additional acreage to accommodate an increase to 1916 users. The purchase of additional land will be an expensive even if any suitable land is available in close proximity to the current disposal fields and storage pond. Again it would be unwise to give any positive consideration for this Casino/Hotel project without first conducting a more thorough and comprehensive environmental study of the impacts related to the building of additional disposal and storage facilities.

In addition to considering the environmental impact I believe some consideration must be given to the capability of the City of Plymouth to manage, operate, and maintain a system so much larger than its current system. As an example the report, on page 2-1 states that the majority of problems are related to inflow, and infiltration, and include leaking manhole covers, cracked pipes, and offset joints. In Table 4-3 of this report is a prioritized listing of problems. The highest priority of repairs include 24 leaking manhole covers. It is of some interest, when discussing the capability of the City to provide waste water services, to note that the 24 leaking manhole covers listed in Table 4-3 of a report dated September 2002 were initially identified in a study completed in 1985. In fact about 80% of the repairs listed in the 2 pages of Table 4-3 were identified in 1985 with the remaining 20% identified in 1997. The report is replete with other examples of the lack of capability by the City of Plymouth to regularly complete even basic maintenance to the system, such as removing weeds from and around the ponds. The fact that the City's waste water system has more than 75 identified major repairs from 1985 and 1997 should be evidence enough for you to consider that the City of Plymouth has not been and is not currently capable of reliable waste water service. I believe it is difficult to believe that the City can undertake and complete the major projects required to meet the wastewater needs a project the size and scope of the Casino/Hotel.

Eco Logic did not do any hands on or field evaluation of the waste water collection system and It has been nearly 7 years since a comprehensive evaluation of the system has been accomplished. Any

**November 19,2003 Scoping Session: Waste Water Environmental Impacts
Prepared by Butch Cranford**

conditions alluded to in the study and the dollar amounts cited in the study to bring the system back to normal operation must be suspect as to their adequacy and the current one time offer from the Franklin Group of \$900,000 to expand the system to 1916 users seems a bit low considering the study cost to expand to 1027 users without purchase of additional property for ponds or spray fields was \$2.1 million over 20 years. Therefore I would hope that before any approval or positive consideration is given to the proposed Casino/Hotel that a thorough and comprehensive engineering evaluation to include an extensive environmental study is completed so the both the City and the Franklin Group will have an accurate report on the impact to the environment and the cost to expand wastewater service to serve the additional 1355 wastewater users required by the proposed Hotel/Casino. Public statements made by Mr. Franklin and his representative Mr. Moody indicate that the Ione Band desires to be good neighbors if the Casino/Hotel is built and I am sure they do not want to impose any costs related to the Casino / Hotel project on the citizens of Plymouth or Amador County. It is again my hope that any approval or positive consideration for this project should be withheld until a comprehensive environmental impact study based on the Federal and State environmental laws and regulations that the City will be required to meet is completed by consultants and experts selected by the City of Plymouth and paid for by the Franklin Group or Ikon.

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Prepared by Butch Cranford

The proposed Casino / Hotel project will have many significant negative environmental impacts on the City of Plymouth, surrounding communities, and Amador County. I can think of no positive environmental impacts this proposed Casino/Hotel might have. The cost of the negative environmental impacts to the citizens of Plymouth, surrounding communities and Amador County can in some instances be measured and compensation can be determined but in many other instances it is difficult to determine how to fully compensate local communities and individuals for losses or problems associated Casino caused impacts.

Impacts that can be measured in compensated typically in dollars include but are not limited to impacts to the environment to expand services for water, wastewater, traffic, fire and police protection, and schools. Negative impacts that cannot be measured in dollars include but are not limited to traffic, light pollution, water depletion, water pollution, social and cultural impacts that will certainly impact our foothill lifestyle that is rapidly shrinking and might be considered endangered. The quiet small town lifestyle where you know most of the folks in and around town that Plymouth and surrounding communities personifies is what we are fighting desperately to defend is priceless. The negative environmental impacts resulting from this proposed Casino / Hotel project will destroy this small town and surrounding communities and the very reasons most of us live here. Contrary to what many in local government believe people do not move to Plymouth or the immediate area for job opportunity, or financial gain. People move here for the quiet, rural, foothill lifestyle. A place where things move a little more slowly, where there are no traffic jams, crime is not prevalent, where the hustle and bustle, noise and pollution of City life is soon forgotten. A place where neighbors work together to improve the community, where volunteering for the community is alive and well. The lifestyle we cherish in Plymouth will be destroyed by this project which is a Social and Environmental Disaster for Plymouth and Amador County.

This intent and scope of this project has nothing in common with and no relation to any businesses currently in and around Plymouth or with the community generally. The surrounding land use is primarily grazing land with nothing remotely related to a Casino is contained in either the City General Plan or the County General Plan. Not only does this Casino project have nothing in common with or relating to Plymouth or surrounding communities, the land being considered for this project contains no significant historical evidence relating to the Franklin

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Prepared by Butch Cranford

Group. The Franklin Group is not historically connected to this property and in fact an archeological study conducted in 2001 as part of the Environmental Impact Study for the Pioneer Project found nothing on the property worth noting that was related to the Franklin Group, Miwoks, or any other Indians. In fact the Franklin Group did not even bother to respond to the author of the study even though they were contacted more than once.

The visual impact of the proposed Casino and Hotel will be an environmental disaster. The size and type of building proposed for this project is a threat to the visual environment of Plymouth and Amador County. How many other 60, 70, 80 foot tall or taller 120,000 square foot buildings do you see in Plymouth? None, the building itself will be an environmental eyesore that will greet every visitor to Plymouth. An eyesore and reminder of what we will have lost each time we leave town and return from business or errands out of town. How do you measure and mitigate the cost for the loss of a pleasing landscape due to the presence of a large and garish Gambling Facility next door? This loss while not easily measured could be placed in the tens of millions of dollars each year for this proposed beacon of bad taste. Who will pay the costs for the declining property values caused by the close proximity of a Casino and all its negative impacts? How do you measure the cost for a lifetime of work to build your dream home or retirement home only to see its value decline due to a Casino's proximity?

The impact of the increased traffic flow on our local highways and surface streets will be devastating to such a small community served only by narrow two lane highways and roads. Traffic costs related to building additional roads, widening roads, installing traffic lights, etc can be measured in dollars but what is the cost to our communities and our County due to the delays created by increased traffic caused by this proposed Casino / Hotel. Minutes of delay daily for citizens, businesses, tourists become hours and days of delay and these delays are detrimental and costly. Estimates for the cost of impacts due to traffic congestion and delays based on studies at other casinos have been found to be in the tens of millions of dollars of negative impact to local economies and communities.

The impact of the project on groundwater could be disastrous with real costs to property owners and businesses running into the tens of millions of dollars. Many communities, businesses, and homeowners in the Plymouth area depend on groundwater from wells for their

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water. The City is already negatively impacting groundwater supplies in communities such as Burke Ranch through the irresponsible and unnecessary pumping of groundwater when sources of surface water are available in large quantities. This project, if approved will triple the amount of water the City of Plymouth will need to deliver to meet projected increased demand by the Casino / Hotel. How do you measure the cost to farmers, ranchers, and homeowners whose properties are rendered worthless for lack of groundwater where groundwater has been abundant for many years? Will the tribe pay the cost to deepen wells or drill new wells.

If data from other small communities is any indicator then this Casino / Hotel will be disastrous for our small town social environment. Data from Amador County and other Counties where Casinos reside show that in close proximity of these Casinos property values decrease, crime increases, drug crimes increase, and traffic increases. This Casino project with its plans to serve alcohol can only increase the carnage on our local narrow two lane, winding highways by intoxicated drivers leaving the area. Its close proximity to Sacramento, Stockton, Lodi, Galt, Elk Grove, and the heavily populated valley is an invitation for Casino patrons to drink and drive instead of staying overnight. Some of these costs can be measured, lost property values can be determined but will the owners ever be compensated? The cost of crimes can measured, the cost of apprehension, the cost of prosecution, the cost of internment can all be measured but Indian Gaming in California does not have a good record for fully mitigating even the known and calculated costs to local governments. But how do you measure a crime victims anguish, the cost of lives destroyed by drugs, the cost of broken families, and the cost to families and communities of loved ones crippled or killed by a drunken gambler returning home? With the record of California tribes for not even fully mitigating the real cost of measurable negative impacts of to Cities and Counties what is the likelihood that any of these costs would be mitigated?

Environmental Issues related to Treated Water Service.

The negative impacts the proposed Casino/Hotel will have on local water ground water resources could be extensive and disastrous to Plymouth and surrounding local communities. I believe that without sufficient water supply this proposed Casino/Hotel is not be possible and the potential for negative impacts requiring expensive mitigation is substantial given the current

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Prepared by Butch Cranford

water situation in Plymouth. There is also some question as to the City of Plymouths current capability to reliably deliver treated water based on a history of non delivery.

You are probably not aware but the City of Plymouth is currently under a water moratorium imposed by the State of California more than 12 years ago. During that time City leaders have been unable to have the moratorium lifted as a result of any action on their part to improve treated water delivery..

A dam project on Big Indian Creek to provide more reliable water delivery and emergency supplies in case of drought is now 12 years old. A \$4 million dollar grant remains unused and not a single shovel of dirt has been turned. This 12 year dam project is the most recent example of Plymouths' city leaders inability to plan, and complete a major project to improve water delivery in order to remove the state imposed moratorium.

The City currently pumps more than 95% of the approximately 120 acre feet of water it uses annually from wells. This pumping of groundwater has negatively impacted the adjacent community of Burke Ranch whose 68 homeowners depend solely on groundwater from their individual wells. In the past 2 years 13 homeowners in this small community have had to deepen or drill new wells. It should be easy to understand that water related negative impacts resulting from a Casino/Hotel could have disastrous results to local communities and be very expensive to mitigate. Additional data is available from a well monitoring program conducted for the past several years as part of an agreement between the City and Sutter Home.

Availability of water is not the issue as the City has access to 23,000 acre feet of surface water from the Cosumnes watershed via the Plymouth Ditch. The Plymouth Ditch with its access to 23,000 acre feet of water has been so grossly mismanaged, so poorly maintained, and so ineptly operated by the City for the past 14 years that the city has used less than 10% of its water from the Ditch during that time. The City's inability to deliver water via the Plymouth ditch is well documented and should serve as a reliable indicator that Plymouths' city leaders and staff have not been capable of properly managing, maintaining, and operating its current water delivery system let alone plan and manage the projects required to expand and improve the water delivery system to meet the demands of the proposed Casino / Hotel and the accelerated population growth associated with such a project.

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Let us review some water use numbers. The city currently delivers about 120 acre feet of water annually. Based on water use data from the Jackson Casino, a Casino with 2000 machines is projected to use an average of 159,573 gallons of water a day, or 179 acre feet a year. The planned 240 room hotel is projected to use 90 acre feet a year using the formula the city uses for the Shennandoah Inn. It should be safe to presume that someone will move to Plymouth to work on and in the proposed Casino and a conservative estimate of 100 additional residential users will require at least an additional 21 acre feet annually within five years. This brings the total amount of additional water needed to provide for the proposed Casino / Hotel and its impacts to about 290 acre feet per year and brings the total water delivery required of Plymouth to 410 Acre Feet. This is more than triple the delivery capability of the current system which has been under a state imposed water moratorium for more than 12 years.

Current Water Delivered Annually		120 Acre Feet
<i>Projected Casino Use Annually</i>	<i>179 Acre Feet</i>	
<i>Projected Hotel Use Annually</i>	<i>90 Acre Feet</i>	
<i>Projected Casino Related City Growth</i>	<i>21 Acre Feet</i>	
<i>Total Casino Related Water Required</i>	<i>290 Acre Feet</i>	<i>290 Acre Feet</i>
Total Water Required		410 Acre Feet

Let us quickly review the facts.

1. The City is currently under a state imposed water moratorium and delivers about 120 acre feet of treated water annually.
2. The City has demonstrated for more than a dozen years it is not capable of removing the state imposed water moratorium.
3. The City, through unnecessary pumping of ground water, is already negatively impacting neighboring ground water users in the immediate area as evidenced by the number of wells being depleted in Burke Ranch.
4. The City has demonstrated it is not capable of expanding and improving the current water delivery system by its failure to even begin construction on a dam project begun more than 10 years ago in spite of the availability of a multi million dollar grant.
5. The City has demonstrated for the past 14 years it is not capable of managing, maintaining or

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Prepared by Butch Cranford

operating an existing water delivery system with access to 23,000 acre feet of water to the extent necessary to deliver even 10% of its annual 120 acre foot water requirement.

These facts speak clearly, the City of Plymouth has proven through more than a decade of inept management that it has not been, is not currently, and is not likely to become capable of properly managing the reliable delivery of treated water in sufficient quantities to remove a state imposed water moratorium, let alone undertake the complex and extensive projects to more than triple the capacity of its current system in order to serve the proposed Casino/Hotel.

For these reasons any approval or positive consideration of the proposed Casino / Hotel should be withheld by the BIA and Dept. of Interior pending demonstration by the City of Plymouth of capable management of its water delivery system to the extent that the state imposed water moratorium is lifted and a comprehensive plan for expansion of existing water delivery facilities without negatively impacting other water users in Plymouth or Amador County, to the projected 410 acre feet is developed.

This action to withhold approval or positive consideration pending demonstration of capability by the current council and development of a comprehensive expansion plan makes sense for two reasons. First, to protect the Franklin Group from becoming involved with a City government that has a very poor history of providing water service. I am certain that Mr. Franklin's Group was not aware that Plymouth is under a state imposed water moratorium or that the City is already impacting other water users in the area. Second, to be fair to the current City Council which has not been in office for the past 12 years. They should have the opportunity to demonstrate that they are capable of removing the state imposed water moratorium and developing and presenting a realistic plan for the expanded water services required to properly service the proposed Casino / Hotel. This plan would provide a more comprehensive and accurate cost on which to base the amount of money the Matt Franklin Group should provide to mitigate the impact of the Casino/Hotel to the City and surrounding communities. It is my opinion that the expansion of the current system to increase delivery from 120 acre feet to 410 acre feet could cost 10 to 20 times the \$2.24 million currently offered by the Franklin Group. I know based on public statements made by Mr. Franklin and his representative Mr. Moody that the Ione Band desires to be good neighbors if the Casino/Hotel is built and I am sure they would not want to impose any costs related to the Casino / Hotel project on the citizens of Plymouth or Amador County. To this end, I am certain Mr. Franklin and the Ione Band would join with the multitude of concerned citizens of Plymouth

November 19th Scoping Session Amador County Fairgrounds
Prepared by Butch Cranford

and surrounding communities and agree that any approval or positive consideration for this project should be withheld until the state imposed water moratorium is removed and until a comprehensive environmental impact study to include an engineering evaluation is completed by the City which will yield a more realistic and accurate cost to expand the current water system to meet the needs of the Casino/Hotel and on which to base their one time and annual mitigation payments, is available. The negative environmental impacts that this project will have must be considered in light of the operating Jackson Casino and the to be built Buena Vista Casino within 15 miles of Plymouth. The cumulative effect that a third Indian Casino in Amador County would have is that a third Casino is simply too much Indian Gaming toxic waste for a City of 1000 citizens and a County of only 36,000 citizens to pay to clean up.

The impact to the abundant flora and fauna in the area must studied thoroughly to assure that any negative impacts to the local creature population is minimized and that no endangered species are currently residing on or near the proposed Casino/Hotel.

To summarize, this proposed Casino/Hotel will create a multitude of serious negative environmental impacts and associated negative social and economic impacts to Plymouth, surrounding communities, and Amador County potentially costing tens if not hundreds of millions of dollars in capital outlays with millions more dollars required annually to compensate citizens, Plymouth and Amador County. . I believe there are enough negative environmental, social, and economic impacts related directly to the proposed Casino/Hotel, that any positive consideration by the BIA or the Dept. Of Interior for taking this land into trust for the group of Miwoks led by Matt Franklin should be withheld until comprehensive environmental studies are conducted by consultants and experts selected by the City and paid for by the Franklin Group or Ikon. The taxpayers of Plymouth and Amador County should not pay even a single dollar for the building and operation of the Casino and everyone that is negatively impacted should be fully compensated.

Comment #22

February 4th, 2004 Scoping Session: Waste Water Environmental Impacts

Prepared by Butch Cranford

Based on a Waste Water Study completed for the City of Plymouth in September 2002, I believe the proposed Casino/Hotel will have serious negative impacts on the local environment due to the expansion of waste water services that the Casino/Hotel requires. This required expansion of services will be extensive and it is very likely that the acquisition of additional property for ponds and spray fields will be required. The Waste Water study completed by Eco Logic found in general that the waste water system in Plymouth is adequate for current population with the completion of some major repairs and minor improvements. The study based future needs on the capacity required if the population doubled by 2022. There are currently 561 equivalent users reported in the study with an additional 466 to be added in the next 20 years for a total of 1027 users, the maximum capacity for the system. To date the City or the Tribe has presented no credible information about the capacity expansion required to service the proposed Casino/Hotel but I believe we can use the projected treated water use numbers to get a general idea of the impact the proposed project will have to the current waste water system. The city, which is under a state imposed water moratorium which limits addition of new water users, currently uses about 180 acre feet of treated water annually and the proposed Casino/Hotel and associated accelerated population growth will nearly triple that requirement to about 491 acre feet annually. If treated water service ratio remains constant and 180 acre feet of water has 561 equivalent waste water users then that ratio for 491 acre feet of water would result in 1531 equivalent users or 970 users as a result of the Casino/Hotel. These 970 additional users combined with the current 561 results in 1531 which far exceeds the maximum capacity of the system of 1027 users. Expansion relating to the proposed Casino project will require a waste water system and facilities as large as the current system and facilities in Plymouth. The impact of such rapid growth cannot be known specifically but the impacts of such rapid expansion of waste water facilities for a small rural community such as Plymouth should be presumed to be substantially negative unless additional studies indicate otherwise.

The report, which is available at Plymouth City Hall, states on page 4-7 that the wastewater treatment plant has the capability to meet current needs with minor modifications. However on page 4-8 the study states that the current condition of the wastewater treatment facility is considered fair to poor. Poor maintenance practices by the City is cited as a major contributor to the fair to poor condition. Capacity of the system is not alluded to in any detail and it is not possible to determine from this report what the capacity of the wastewater plant is or whether it would be sufficient for even 1027 users let alone 1876 users. It would be unwise to consider any project the size and scope of the Casino/Hotel without conducting a more thorough and comprehensive engineering evaluation of the wastewater treatment plant for potential environmental issues related to any needed expansion.

The disposal and storage portions of the system are dealt with in more detail regarding capacity. The current storage facility is a pond with a usable capacity of 185 acre feet (60,000,000 gallons). At build out to

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Prepared by Butch Cranford

accommodate 1027 users, the study finds that storage will have to increase by 22,000,000 gallons to 82,000,000 gallons and the pond will lack adequate capacity for the 1 in 100 year rainfall event in 10-15 years. I believe we can safely presume that increasing the users to 1876 in the next 3-5 years would have significant negative environmental impacts as the City will have to expand its pond or build another pond elsewhere. The disposal area will require additional acreage to accommodate an increase to 1531 users. The purchase of additional land will be an expensive even if any suitable land is available in close proximity to the current settling ponds, disposal fields, and storage pond. Again it would be unwise to give any positive consideration for this Casino/Hotel project without first conducting a more thorough and comprehensive environmental study of the impacts related to the building of additional disposal and storage facilities.

In addition to considering the environmental impact I believe some consideration must be given to the capability of the City of Plymouth to plan, finance, build, manage, operate, and maintain a system so much larger than its current system. As an example the report, on page 2-1 states that the majority of problems are related to inflow, and infiltration, and includes leaking manhole covers, cracked pipes, and offset joints. A prioritized listing of problems is found in Table 4.3 of the report. The highest priority of repairs includes 24 leaking manhole covers. It is of some interest, when discussing the capability of the City to provide waste water services, to note that the 24 leaking manhole covers listed in Table 4-3 of a report dated September 2002 were initially identified in a study completed in 1985. In fact about 80% of the repairs listed in the 2 pages of Table 4-3 were identified in 1985 with the remaining 20% identified in 1997. The report is replete with other examples of the inability of the City of Plymouth to regularly complete even basic maintenance to the system, even simple tasks such as removing weeds from and around the ponds is found to be lacking. The fact that the City's waste water system has more than 75 identified major repairs from 1985 and 1997 should be evidence enough for you to consider that the City of Plymouth has not been and is not currently capable of reliable waste water service to its current population. I believe it is difficult to believe that the City can undertake and complete the major projects required to meet the wastewater needs a project the size and scope of the Casino/Hotel.

Eco Logic relied on the hands on evaluations of two previous engineering evaluations and did not do any hands on or field evaluation of the waste water collection system. It is has been nearly 7 years since a comprehensive state of the art evaluation of the system has been accomplished. Any conditions alluded to in the study and the dollar amounts cited in the study to bring the system back to normal operation must be suspect as to their adequacy as the kind of problems cited do not typically improve with time but rather continue to worsen. That stated, the current one time offer from the Franklin Group of \$900,000 to expand the system to 1531 users

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seems ridiculously low considering the study conservatively estimated the cost to expand by 466 to 1027 users without purchase of additional property for ponds or spray fields was \$2.1 million over 20 years and was based on studies conducted 7 and 15 years ago. Any estimate of cost without an updated state of the art evaluation should be considered a very questionable estimate and I believe that one can safely assume that the actual costs to repair and expand the system will far exceed the \$3,000,000 estimate contained in the report when a thorough and current evaluation of the system is completed. Therefore I would hope that before any approval or positive consideration is given to the proposed Casino/Hotel that a thorough and comprehensive state of the art engineering evaluation to include an extensive environmental study is completed so the both the City and the Franklin Group will have an accurate report on the impact to the environment and the cost to expand wastewater service to serve the additional 970 wastewater users required by the proposed Hotel/Casino and meet all environmental standards imposed by State or Federal authorities. Public statements made by Mr. Franklin and his representative Mr. Moody indicate that the Ione Band desires to be good neighbors if the Casino/Hotel is built and I am sure they do not want to impose any costs related to the Casino / Hotel project on the citizens of Plymouth or Amador County. It is again my belief that any approval or positive consideration for this project should be withheld until a comprehensive environmental impact study based on the Federal and State environmental laws and regulations that the City will be required to meet is completed by consultants and experts selected by the City of Plymouth and paid for by the Franklin Group or Ikon and all costs to expand the current system or build a new system to serve the Proposed Casino/ Hotel are to be paid by the Franklin Group or IKON. Additionally, any approval should be withheld until such time as the City of Plymouth can demonstrate that it is capable of reliably serving its present waste water customers and all issues identified in the 2002 Waste Water Study have been resolved and there are no outstanding inspection or operational issues reported from any State of California agencies responsible for inspections of Waste Water Facilities.

To: Clay Gregory Acting Regional Director, Pacific Region, Bureau of Indian Affairs

From: Butch Cranford U. S. Citizen, USAF 10 Year Veteran, Retired Technician/Manager

Subject: Comments for February 4th Environmental Scoping Session in Plymouth, Ca.

Mr. Gregory please find my comments attached. This proposed Casino will have a very negative impact on the environments of the City of Plymouth, surrounding communities and Amador County. I hope that my comments and the comments of others opposed to this proposed Casino are given strong consideration and will cause your agency to deny this Casino project as currently proposed or as it might be proposed at any time in the future. Amador County with one operating Casino and another Casino projected in Buena Vista does not need and should not be forced against the desires of the community to endure a third Casino in Plymouth.

Respectfully,

Butch Cranford

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February 4th Scoping Session Amador County Fairgrounds

Prepared by Butch Cranford

Before I begin my comments concerning the many negative impacts this proposed Casino will have on Plymouth and surrounding communities I would like to speak briefly to the reason provided by Mr. Allan as to why a second session is being held. My understanding is that the November meeting was not properly noticed. I personally spoke with Mr. Allan on Nov 5th, 14 days prior to the Nov. session inquiring as to the format and conduct of the meeting. I ask specifically why no public notice had been published and about the requirements for public notice of the session. He informed me as to the conduct of the meeting and that public notice was only recommended and not required. This information about no notice being required was repeated at a later date during a call from Attorney Steven Zalkind. Based on Mr. Allans multiple assertions that public notice was only recommended and not required, concerned citizens opposed to this proposed project believing that no notice would be forthcoming from the BIA, paid for a notice in the Ledger Dispatch to inform the community about the meeting. A BIA notice did appear in the Ledger Dispatch prior to the November meeting. So, if the November meeting wasn't properly noticed why was it held? When did Mr. Allan realize that proper notice was not accomplished by the BIA? Maybe he can answer these questions tonight.

It is my opinion that the November Scoping Session did not provide Mr. Allan, the BIA office in Sacramento, or the Franklin Group with information and/or data that would allow a positive recommendation or report regarding this proposed Casino project. Additionally, I believe the November Session was only a ruse to discover what issues, information, and data the local community would bring to the attention of elected officials, appointed and career bureaucrats so that Casino proponents could respond to those concerns in a later Scoping Session and this is that later Session.

Even the scheduling of this building and payment for the rental raises questions as it is reported that Dick Moody scheduled and paid the rental for the facility tonight. It is well established Mr. Moody represents the Casino developer, Ikon Corp. and the Franklin Group. Is it standard practice for the developers and proponents of Casino projects to schedule and pay for rental of facilities for scoping sessions on behalf of the BIA.

It is my opinion that for Mr. Allan to sit here tonight and preside over this second meeting for the reasons given is the height of hypocrisy and may speak to the integrity or character of officers in the Sacramento Office of the BIA.. Actions of this nature only serve to fan the flames of mistrust and

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substantiate the suspicions that something is amiss and not quite right with the scheduling and conduct of these Scoping Sessions. Do concerned citizens opposed to this project have cause to believe that there are sinister behind the scenes forces are at work in order to force a Casino on a community that does not want a Casino? Based on past statements and actions taken by Mr. Allan and the Sacramento Office of the BIA, I will place little credibility in anything he or any representative of the Sacramento Office might say or do tonight or in the future unless substantive action is taken to restore my faith in this process. However, if such action is taken, I will be the first to so acknowledge said actions as well as the restoration of my faith in this process. I will leave this audience to reach their own conclusions regarding the validity of the November Session, this Session or any matters related to their scheduling, noticing, conduct, and post meeting availability of transcripts.

NOW TO THE ISSUE AT HAND

This proposed Casino / Hotel project will have many significant negative impacts on the City of Plymouth, surrounding communities, and Amador County. I find nothing in this proposal that promotes or provides positive social, economic, or environmental impacts for the City, surrounding communities, or Amador County and I would remind the audience tonight that not one positive impact was spoken to or about during the 3 Hour November Scoping Session.

As you might have guessed, I am adamantly opposed to this proposed Casino for a multitude of reasons. However, I think that every city and community in California that wants a Casino should have a Casino. Yes, you heard me correctly. Every City and community that wants a Casino should have one but no community that does not want a Casino should have one forced on them. The citizens of Plymouth and surrounding communities have spoken clearly at every public meeting for months in opposition to this proposed Casino. Given the opportunity to vote on the issue the citizens of Plymouth voted 73% opposed and surveys conducted in surrounding communities show even stronger opposition with more than 90% opposed. This opposition was voiced strongly at the November Session. Whether the opposition voiced and presented at the November Session becomes part of the record remains to be seen.

The Franklin Group advertises this proposed Casino as a great economic opportunity for our Community yet at no time in any public meeting or in any public correspondence have they assured the

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citizens of the community that they will be fully compensate the community for the many negative impacts associated with a Casino and that no taxpayer dollars will be needed to compensate for negative impacts caused by the proposed Casino. If this proposed Casino is such a marvelous economic opportunity then surely there must be a waiting list of cities and communities in other Counties that would be willing to embrace all the economic opportunities a Casino in their neighborhood would afford.. Instead of offering this wonderful opportunity with all its economic advantages and positive impacts to a community in Sacramento County (pop. 1,500,000), where Mr. Franklin lives and works, Mr. Franklin proposes instead to build in Amador County (pop. 39,000) which has one operating Casino in Jackson and another in process at Buena Vista. Mr. Franklin has no ties to Amador County and is reported to be descended from the terminated Wilton Rancheria in Sacramento County. You have to ask yourself, why Mr. Franklin does not want this wonderful economic opportunity with all its positive impacts and influences in his own community and County? I believe the answer is simple - this proposed Casino is not an economic boondoggle for the City of Plymouth and surrounding communities, it is an economic opportunity for the Franklin Group and out of state investors. There are no positive impacts or influences for Plymouth, surrounding communities, or Amador County unless you consider increased traffic, increased crime, increased costs to local taxpayers for police and fire protection, increased drug arrests, more intoxicated drivers on our roads and highways, increased trial and court costs, increased air pollution, increased light and noise pollution, depletion of limited groundwater resources, a multitude of low paying jobs, loss of our unique foothill lifestyle, and no legal recourse in our Courts positive impacts. Why would Mr. Franklin and his Group want a Casino spoiling their community or County when he can spoil our community and County?

Three of the five members of the Plymouth City Council are currently under recall for their support of the Casino project while every other City Council in Amador County and the Board of Supervisors are on record as opposing this proposed Casino. It is time for Franklin Group, a group reputedly from the terminated Wilton Rancheria now masquerading as the Ione Band of Miwoks, to take their Reservation / Casino shopping scam and scheme elsewhere because the citizens of Plymouth, surrounding communities and Amador County do not want or need a third Casino in Amador County.

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The cost of the negative environmental impacts to the citizens of Plymouth, surrounding communities and Amador County can in some instances be measured accurately but in many other instances it is difficult to measure the negative impact and even more difficult to determine and agree on how the communities or individuals should be compensated. The data is overwhelming that Indian Casinos currently operating in California do not fully compensate local governments, communities, or individuals for the negative impacts associated with their Casinos and Gaming operations. To put it bluntly the 50 plus Casinos currently operating in California do not create economic opportunity for local communities but rather burden local communities with costly negative impacts paid for by taxpayers.

Impacts that can be measured in dollars include but are not limited to impacts to the environment to expand services for water, wastewater, highways and streets, fire and police protection, and schools. Negative impacts that cannot be measured in dollars include but are not limited to traffic, light pollution, water depletion, water pollution, social and cultural impacts that will certainly impact our foothill lifestyle that is rapidly shrinking and should be considered endangered. The quiet small town lifestyle where you know most of the folks in and around Plymouth and surrounding communities is what we are fighting desperately to defend. The lifestyle we enjoy in these foothills is priceless and once lost is gone forever. The Franklin Group is on record as willing to mitigate negative impacts which sounds good. Since mitigate is a word we will probably hear often tonight and in the future. I believe we should know what it means. Mitigate is defined as follows; to alleviate or render less painful, less rigorous, less intense, less severe, to lessen, or moderate. The Franklin Group is willing to lessen your pain - to what extent the pain will be lessened we do not know.

The negative environmental impacts resulting from this proposed Casino / Hotel project will likely destroy this small town and surrounding communities and the very reasons most of us live here. Contrary to what several current City Council members believe, people do not move to Plymouth or the immediate area for job opportunity, or financial gain, or a bustling downtown. People move here for the quiet, rural, foothill lifestyle. A place where things move a little more slowly, where there are no traffic jams, crime is not prevalent, where the hustle and bustle, noise and pollution of City life is soon forgotten. A place where neighbors work together to improve the community, where volunteering for the good of the community is

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alive and well. The lifestyle we cherish in Plymouth will be destroyed by this project which is a Social, Financial, and Environmental Disaster for Plymouth and Amador County.

The intent and scope of this project has nothing in common with and no relation to any businesses currently in and around Plymouth or with the community generally. The surrounding land use is primarily grazing land and nothing remotely related to a Casino is contained in either the City General Plan or the County General Plan. Not only does this Casino project have nothing in common with or relating to Plymouth or surrounding communities, the land being considered for this project contains no significant historical evidence relating to the Franklin Group. The Franklin Group is not historically connected to this property and in fact an archeological study conducted in 2001 as part of the Environmental Impact Study for the Pioneer Project found nothing on the property worth noting that was related to the Franklin Group, Miwoks, or any other Native Americans. In fact the Franklin Group did not even bother to respond to the author of the study even though they were contacted multiple times.

The visual impact of the proposed Casino and Hotel will be an environmental disaster. The size and type of building proposed for this project is a threat to the visual environment of Plymouth and Amador County. How many other 60, 70, 80 foot tall or taller 120,000 square foot buildings do you see in Plymouth? None, the building itself will be an environmental eyesore that will greet every visitor to Plymouth. An eyesore and reminder of what we will have lost each time we leave town and return from business or errands out of town. How do you measure and mitigate the cost for the loss of a pleasing landscape due to the presence of a large and garish Gambling Facility next door? This loss while not easily measured could be placed in the tens of millions of dollars each year for this proposed beacon of bad taste. Who will pay the costs for the declining property values caused by the close proximity of a Casino and all its negative impacts? How do you measure the cost for a lifetime of work to build your dream home or retirement home only to see its value decline dramatically due to a Casino's proximity?

The impact of the increased traffic flow on our local highways and surface streets will be devastating to such a small community served only by narrow two lane highways and county roads. Traffic costs related to building additional roads, widening roads, installing traffic lights, etc can be

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measured in dollars but what is the cost to our communities and our County due to the delays created by increased traffic likely to be caused by this proposed Casino / Hotel. Minutes of delay daily for citizens, businesses, tourists become hours and days of delay and these delays are detrimental and costly. Estimates for the cost of impacts due to traffic congestion and delays based on studies at other casinos have been found to be in the tens of millions of dollars of negative impact to local economies and communities.

The impact of the project on groundwater could be disastrous with real costs to property owners and businesses running into the tens of millions of dollars. Many communities, businesses, and homeowners in the Plymouth area depend on groundwater from wells for their domestic water. It is believed that the City of Plymouth may already be negatively impacting groundwater supplies in communities such as Burke Ranch through their irresponsible and unnecessary pumping of groundwater when sources of surface water are available in sufficient quantities to preclude any pumping of groundwater by the City. This project, if approved will nearly triple the amount of water the City of Plymouth will need to deliver to meet projected increased demand by the Casino / Hotel. How do you measure the cost to farmers, ranchers, and homeowners whose properties are rendered worthless for lack of groundwater where groundwater has been abundant for decades? The Tribes recent withdrawal of their request for water service in lieu of them providing the 250,000 to 300,000 gallons required daily via wells drilled on property they do not yet own should be reason enough to deny this project at every level of approval.

If data from other small communities is any indicator then this Casino / Hotel will be disastrous for our small town social environment. Data from Amador County and many other California Counties where Casinos reside show that in close proximity of these Casinos property values decrease, crime increases, drug crimes increase, and traffic increases. This Casino project with its plans to serve alcohol can only increase the carnage on our local narrow two lane, winding highways by intoxicated drivers leaving the area. Its close proximity to Sacramento, Stockton, Lodi, Galt, Elk Grove, and the heavily populated valley is an invitation for Casino patrons to drink and drive instead of staying overnight. Some of these costs can be measured, lost property values can be determined but will the owners ever be compensated? The cost of property crimes can measured, the cost of arrests, the cost of prosecution, the cost of internment can all

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be measured but Indian Gaming in California does not have a good record for fully compensating even the known and calculated costs to local governments. But how do you measure a crime victims anguish, the cost of lives destroyed by drugs, the cost of broken families, and the cost to families and communities of loved ones crippled or killed by a drunken gambler returning home? With the record of California tribes for not even fully compensating the real cost of measurable negative impacts to Cities and Counties what is the likelihood that any of these costs could or would be fully compensated?

Environmental Issues related to Treated Water Service.

The negative impacts the proposed Casino/Hotel will have on local water ground water resources could be extensive and disastrous to Plymouth and surrounding local communities. I believe that without sufficient water supply this proposed Casino/Hotel is not be possible and the potential for negative impacts requiring expensive mitigation is substantial given the current water situation in Plymouth. There is also some question as to the City of Plymouths current capability to reliably deliver treated water based on a history of insufficient or non delivery.

You are probably not aware but the City of Plymouth is currently under a water moratorium imposed by the State of California more than 15 years ago. During that time City leaders have been unable to have the moratorium lifted as a result of any action on their part to improve treated water delivery from available and sufficient surface water sources. .

A dam project on Big Indian Creek to provide more reliable water delivery and emergency supplies in case of drought is now 12 years old. A \$4 million dollar grant remains unused and this 12 year dam project is the most recent example of the inability of Plymouths' City Council to plan, and complete any project to improve surface water delivery to remove the state imposed moratorium.

The City currently pumps approximately 300 acre feet of water from wells and due to significant (37%) losses in the water system they only deliver about 180 acre feet of water to users. This excessive pumping of groundwater is believed to have negatively impacted the adjacent community of Burke Ranch whose 68 homeowners depend solely on groundwater from their individual wells. In the past 2 years 13 homeowners in this small community have had to deepen or drill new wells. It should be easy to understand that water related negative impacts resulting from a Casino/Hotel could have disastrous results to local communities and be very expensive to compensate water related issues. Additional data is

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available from a well monitoring program conducted for the past several years as part of an agreement between the City and Sutter Home and the engineer working that project is reported to believe that the geologic structure will not reliably support the kind of pumping required by this proposed Casino project. His opinion is shared by Joe Spanos of the California State Board of Health and the State imposed moratorium on building remains in place due to the unreliability of the groundwater in the geologic structures beneath the area around Plymouth..

The city has access to more than sufficient quantities of surface water but they have so grossly mismanaged, so poorly maintained, and so ineptly operated the delivery system for the past 14 years that less than 10 % of the cities water comes from this surface water resource. The City’s inability to deliver surface water is well documented and should serve as a reliable indicator that Plymouths’ city leaders and staff have not been capable of properly managing, maintaining, and operating its current water delivery system let alone plan and manage the projects required to expand and improve the water delivery system to meet the demands of the proposed Casino / Hotel and the accelerated population growth associated with such a project.

Let us review some water use numbers. The city currently delivers about 180 acre feet of water annually. Based on water use data from the Jackson Casino, a Casino with 2000 machines is projected to use an average of 159,573 gallons of water a day, or 179 acre feet a year. The planned 240 room hotel is projected to use 90 acre feet a year using the formula the city uses for the Shennandoah Inn. It should be safe to presume that someone will move to Plymouth to work (more than a1000 jobs projected) on and in the proposed Casino and a conservative estimate of 200 additional residential users will require at least an additional 42 acre feet annually within five years. This brings the total amount of additional water needed to provide for the proposed Casino / Hotel and its impacts to about 311 acre feet per year and brings the total water delivery required of Plymouth to 491 Acre Feet. This is nearly triple the delivery capability of the current system which has been under a state imposed water moratorium for more than 15 years.

Current Water Delivered Annually		180 Acre Feet
<i>Projected Casino Use Annually</i>	<i>179 Acre Feet</i>	
<i>Projected Hotel Use Annually</i>	<i>90 Acre Feet</i>	
<i>Projected Casino Related City Growth</i>	<i>42 Acre Feet</i>	
<i>Total Casino Related Water Required</i>	<i>311 Acre Feet</i>	<i>311 Acre Feet</i>

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Total Water Required

491 Acre Feet

Let us quickly review the facts.

1. The City is currently under a state imposed water moratorium and delivers about 180 acre feet of treated water annually.
2. The City has demonstrated for more than a dozen years it is not capable of removing the state imposed water moratorium.
3. The City, through unnecessary pumping of ground water, may already be negatively impacting neighboring ground water users in the immediate area as evidenced by the number of wells being depleted in Burke Ranch.
4. The City has demonstrated it is not capable of expanding and improving the current water delivery system by its failure to even begin construction on a dam project begun more than 10 years ago in spite of the availability of a multi million dollar grant.
5. The City has demonstrated for the past 14 years it is not capable of managing, maintaining or operating an existing water delivery system with access to more than adequate supplies of surface water of water to the extent necessary to deliver even 10% of its annual 180 acre foot water requirement.

These facts speak clearly, the City of Plymouth has proven through more than a decade of inept management that it has not been, is not currently, and is not likely to become capable of properly managing the reliable delivery of treated water in sufficient quantities to remove a state imposed water moratorium, let alone undertake the complex and extensive projects to more than triple the capacity of its current system in order to serve the proposed Casino/Hotel. For these reasons any approval or positive consideration of the proposed Casino / Hotel should be withheld by the BIA and Dept. of Interior pending demonstration by the City of Plymouth of capable management of its water delivery system to the extent that the state imposed water moratorium is lifted and a comprehensive plan for expansion of existing water delivery facilities without negatively impacting other water users in Plymouth or Amador County, to at least the projected 491 acre feet is developed and construction is well underway. .

The negative environmental impacts that this project will have must be considered in light of the operating Jackson Casino and the to be built Buena Vista Casino within 15 miles of Plymouth. The cumulative effect that a third Indian Casino in Amador County would have is that a third Casino is simply too much Indian Gaming toxic waste for a City of 1000 citizens and a County of only 39,000 citizens to

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pay to clean up.

To summarize, this proposed Casino/Hotel will create a multitude of serious negative environmental impacts and associated negative social and economic impacts to Plymouth, surrounding communities, and Amador County potentially costing tens if not hundreds of millions of dollars in capital outlays with millions more dollars required annually to compensate citizens, the City of Plymouth and Amador County. . I believe with one operating Casino in Amador County, another in process, and due to the sufficient negative environmental, social, and economic impacts related directly to the proposed Casino/Hotel in Plymouth that the BIA and the Dept. Of Interior should never take this property or any other property in Amador County into trust for the Franklin Group for the purpose of building and operating a Casino.

Comment #23

To: Clay Gregory
Acting Regional Director, Pacific Region
Bureau of Indian Affairs
28000 Cottage Way
Sacramento, Ca. 95825

From: D.W. "Butch" Cranford II

Subject: Additional Concerns - February 4th, 2004 Scoping Session in Plymouth

Mr. Gregory, there is additional information relating to potential negative impacts that was not included in any of the commentary or documents presented during the Scoping Sessions held in November and most recently on Feb 4th that need to be included in the record of potential negative impacts the proposed Casino might have on Plymouth and surrounding communities.

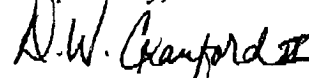
Specifically, there is an area on Highway 49 adjacent to the 49er Trailer Park that is subject to periodic flooding that would be negatively impacted if land that is currently used for pasture is built on and / or paved over for parking as proposed by the Franklin Group. The area subject to flooding on the highway is located between the Pokerville Market and the 49er Trailer Park and has flooded several times in past years. As recently as 1997 during periods of extended heavy rains drainage from a portion of the property included in the 210 acres proposed for the Casino project has caused as much as a foot of water to run over a section of Highway 49, flood portions of the trailer park, as well as other low lying properties east of Highway 49 along Pacific Street.

The impact during and after construction of any buildings and / or paved parking areas I believe would likely cause this flooding to occur more frequently and be more severe with longer lasting effects if the drainage from the property proposed to be taken into trust by the Franklin Group is not properly addressed in the forthcoming Environmental Impact Study Draft.

The more frequent and more severe flooding presents a potential safety hazard, especially serious during hours of darkness, could prove costly to local businesses and homeowners, slow or stop traffic on Highway 49 for undetermined lengths of time, and limit travel and access along the highway unless plans are made to minimize or eliminate this potential impact for increased frequency and severity of flooding.

Your attention to this additional concern in the upcoming EIS Draft will be appreciated. I am looking to forward to receipt of my CD with results from the November and February Scoping Sessions in early March as well the Draft of the EIS sometime in April or early May.

Respectfully,



D.W. Cranford II

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209 245-4588

cranford@bureauofindianaffairs.gov

To: Clay Gregory
Acting Regional Director, Pacific Region
Bureau of Indian Affairs
28000 Cottage Way
Sacramento, Ca. 95825

From: D.W. "Butch" Cranford II

Subject: Additional Concerns - February 4th, 2004 Scoping Session in Plymouth

Mr. Gregory, there is additional information relating to potential negative impacts that was not included in any of the commentary or documents presented during the Scoping Sessions held in November and most recently on Feb 4th that need to be included in the record of potential negative impacts the proposed Casino might have on Plymouth and surrounding communities.

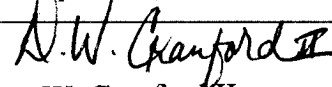
Specifically, there is an area on Highway 49 adjacent to the 49er Trailer Park that is subject to periodic flooding that would be negatively impacted if land that is currently used for pasture is built on and / or paved over for parking as proposed by the Franklin Group. The area subject to flooding on the highway is located between the Pokerville Market and the 49er Trailer Park and has flooded several times in past years. As recently as 1997 during periods of extended heavy rains drainage from a portion of the property included in the 210 acres proposed for the Casino project has caused as much as a foot of water to run over a section of Highway 49, flood portions of the trailer park, as well as other low lying properties east of Highway 49 along Pacific Street.

The impact during and after construction of any buildings and / or paved parking areas I believe would likely cause this flooding to occur more frequently and be more severe with longer lasting effects if the drainage from the property proposed to be taken into trust by the Franklin Group is not properly addressed in the forthcoming Environmental Impact Study Draft.

The more frequent and more severe flooding presents a potential safety hazard, especially serious during hours of darkness, could prove costly to local businesses and homeowners, slow or stop traffic on Highway 49 for undetermined lengths of time, and limit travel and access along the highway unless plans are made to minimize or eliminate this potential impact for increased frequency and severity of flooding.

Your attention to this additional concern in the upcoming EIS Draft will be appreciated. I am looking to forward to receipt of my CD with results from the November and February Scoping Sessions in early March as well the Draft of the EIS sometime in April or early May.

Respectfully,


D.W. Cranford II

P.O. Box 794
Plymouth, Ca 95669
209 245-4588

bcranford@earthlink.net

Comment #24



RON CREEKMORE

PASTOR

Bethel Assembly of God

836 No. State Highway 49-88

Jackson, California 95642

(209) 223-0153

September 22, 2003

Bureau of Indian Affairs
Sacramento Area Office
Attn: 2800 Cottage Way
Sacramento, California 95825

Dear Sir:

I am writing to express my concern over the proposed Gaming Casino to be built in Plymouth, California. I would strongly urge you to make every effort possible to see that this does not come to pass.

For those who choose to gamble, we have the Jackson Rancheria here in our town, which is only about 20 minutes away from Plymouth, and I understand that they want to put another casino in Ione, California, which is also 20 minutes away. We do not need three casinos in a small community such as Amador County.

Please give this your utmost attention, and again, I am writing to say that I strongly oppose this new Gaming Casino in Plymouth.

Respectfully,

Ron Creekmore, Pastor

Comment #25

RECEIVED-BTA
FEB 19 PM 12:27

SACRAMENTO
AREA OFFICE

①

02/16/04

Gregory,
Greetings's sir, my name is Joel Peter Crystal, I am a
and Miwok/Pomo Indian who grew up on the Lane 40,
will be making comments from time to time.

As I understand the "Scoping Meetings" to be, it seems
as though we are undertaking a very large, very time
consuming problematic project which will involve tons
of permit-styled issues, Environmental impact, and job
creation. This being said, I'd like to make my voice
on the ideas of not just a Casino-Hotel/motel
styled complex, but an Auditorium/Arena area
large enough to accommodate large indoor events
to include, but not be limited to, Professional Rodeo
Events in Concert with Country Music Series of Events,
Truck and Auto Shows/Monster Truck Series, Professional
Horse shoe Tournaments, Semi-Pro Softball Games (5 or more
Softball diamonds fully complemented dugouts and video-betline in
the spectator's grandstand areas), and an electrical
system totally independant of PG&E (as a back up) for
a non-stop video system that could internet betting
with all forms of Events Series on going.

The size of the complex would be the main
concern... but expansion should be contingent upon
Mr. Schwarzenegger's need for Taxation. More Gaming
more Taxes?? Tit for tat?

Politics being what they are Environmental Impact
can be held to a minimum by inviting almost every
variable "local", who wants work, to open up the
area for expansionary needs.. there is a lot of
open space around the Plymouth area that will
benefit from our creation of the largest, most
Environmentally "friendly" Casino Complex in this,
or any, State.

②
 Now, I may be missing the point but isn't it possible to use only Bio-degradable solutions for most every need that a Casino/Hotel-Motel/Restaurant/Rodeo Arena use in it's everyday use? OSHA will, and should, demand that we build all the main buildings and out buildings to the better Code of design, together with the plumbing/waste disposal systems, so we should consider the most State of the Art system available and not scrimp on the cost.

MTA offices will be necessary as well as a top notch EMT, Fire Dept. and security, so the Blue printing should include job creation for simply the best that can be assigned to such placement.

At present we are still doing the "Ground-Breaking" for this project so it's not far fetched to consider improving on every existing Casino/Complex that we know of, and without standing on the toes of those very fine people in Atlantic City or Las Vegas/Reno.... let us go ahead and do all that we can do! Be all you can be "may" be good for the Army but we all served that pony one, so let us do.

Well, I'm quite sure your gonna read this and say.... "uh... yah!!" but one will never be heard unless one speaks. To use a very wise old Indian saying... "I have spoken."

With Respects,

J P Cayotato

AKA

Franklin Villa Jr.

RECEIVED-BIA
 FEB 19 PM 12:27
 SACRAMENTO
 AREA OFFICE

①

02/16/04

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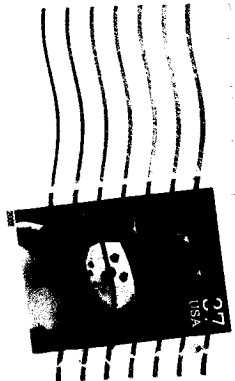
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J. P. Capotata
AKA Franklin Villa Jr.

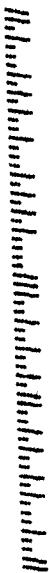
Joel Peter Crystall
K-63541 C-Gym. 1C
44750 60th Street West
Lancaster, CA 93536-7620
CSR-LAC

STATE PRISON
GENERATED MAIL

935367620



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



Comment #26

RECEIVED

November 11, 2000
896881
Dear Counselor Rossetti:

03 NOV 18 AM 7:25

OFFICE OF THE
EXECUTIVE SECRETARIAT

We are retired people having moved to Amador County to escape the noise, pollution, crime, etc., of living in the Big City. We've been living here in Plymouth, California for 11 years and have really enjoyed it. Until now, when a proposed Indian Casino is being talked about practically in our backyard. We moved here for the quiet life, not to have noise, crime, drugs, heavy traffic on two-lane roads, or any other negative impacts this Casino will bring.

We have been to many meetings on this subject and have yet to see any positive reasons for this Casino. On the contrary, it all seems negative to the City of Plymouth and surrounding areas, as well as the County of Amador. There is already an established Casino in the City of Jackson which, we understand, costs the County \$800,000 per year, and an approved one near the City of Ione. Why do the Ione Band of Miwok Indians need two Casinos?

When we first heard of this project some months ago, our first reaction was "that is not reservation land".

Plymouth is a small town with a few small restaurants whose livelihood depends on local residents. A large Casino with several restaurants, i.e., Thunder Valley, will put them out of business and will make it a "ghost town".

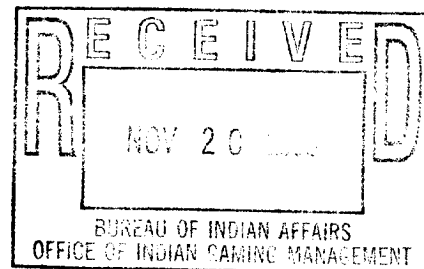
With the exception of the Plymouth City Council, 4 out of 5 members being recalled, all other elected municipal bodies in Amador County are opposed to this project, especially our Supervisor Mario Biagi, 5th District, County of Amador.

As stated above, we are retired and on a fixed income. As it stands, our property taxes are rather high and will certainly increase no matter what monies the Casino people "promise" to the City.

Please consider the above when you are considering the proposed Casino in Plymouth.

Yours truly,

Joy & Mark
James M. DePaulo
17920 Burke Drive
Plymouth, CA 95669



Comment #27

FAX COVER

Jill DeCou

Ph: 209/245-5713

FAX: 209-223-6478

Clay Gregory

Bureau of Indian Affairs-Sacramento Office

Ph: 916/ 978-6000

FAX: 916/978-6099

Enclosed is a copy of remarks I wish to make at the meeting tonight regarding the proposal to build a casino in Plymouth.

Thank you

BURKE RANCH PROPERTY OWNERS' ASSOCIATION

P.O. Box 261, Plymouth, CA 95669

To the Bureau of Indian Affairs

Regarding the hearing November 19, 2003 on the Proposal to build a casino in Plymouth

My name is Jill DeCou and I chair the Homeowners' Association at Burke Ranch less than a mile to the east. Thank you for giving us a chance to be heard on this issue of profound importance to Plymouth and the communities surrounding it. I can only emphasize what you have already heard. 97% of the neighbors at Burke Ranch oppose the project. The overwhelming majority of citizens of Plymouth voted AGAINST having a casino here. This is true despite the misleading statements of the current mayor of Plymouth. Local opposition to this project and outrage at the city council members who support it has led to a recall election. This project is opposed at all local levels because it will overwhelm our lives and our resources.

No Environmental Impact study has been done, but we know this is a thirsty project that will drain our fragile wells despite any assurances that water usage will come from other sources. It will swamp our streets and roads with traffic night and day. It will drain money from the pockets of our people and from local merchants who cannot compete with the services it offers. It will distract our young people with the promise of easy money and attract a host of other drug and alcohol related problems.

None of these are the stated aims of the project, but they are consequences for which there IS NO MITIGATION. Ironically these are like the complaints that native peoples have had about the impact of white society on their traditional communities. Native peoples for their way of life have generally been ignored and in both cultures leaders have always been found who can be seduced with bright promises. But make no mistake: The people of this area do not want a casino here. The overwhelming majority of our elected leaders stand against it. This should count for something when a project is sited on off-reservation land. Once it is built there is no going back, no local leverage on its impact on the communities. A casino would define Plymouth. Like casinos define Nevada. There is no compensation worth that.

Thank you for your attention to this matter.


Jill DeCou, Chair

Burke Ranch Property Owners Association

Cc:

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No Environmental Impact study has been done, but we know this is a thirsty project that would drain our fragile wells despite any assurances that water usage will come from other sources. Formal studies and experience with other casinos show It would swamp our streets and roads with traffic night and day, and drain money from the pockets of our people and from local merchants who cannot compete with the services it offers. It would distract our young people with the promise of easy money and attract a host of other drug and alcohol related problems.

None of these are the stated aims of the project, but they are consequences for which there IS NO meaningful MITIGATION. Ironically these are like the complaints that native peoples have had about the impact of white society on their traditional communities. Sadly, native pleas for their way of life have generally been ignored. In all cultures leaders have always been found who can be seduced with bright promises. But make no mistake: The people of this area do not want a casino here. The overwhelming majority of our elected leaders stand against it. This should count for something when a project is proposed on off-reservation land. Once it is built there is no going back, no local leverage on its impact on the communities. A casino would define Plymouth. Like casinos define Nevada. There is no compensation that is worth that. So we must hope you understand why we fight this proposal with all our resources.

Thank you for your attention to this matter.

Jill DeCou, Chair Burke Ranch Homeowners' Association

BURKE RANCH PROPERTY OWNERS' ASSOCIATION

P.O. Box 261, Plymouth, CA 95669

FEB 27 2004

130

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Thank you for your attention to this matter.


Jill DeCou, Chair

Burke Ranch Property Owners Association

Cc:

EXECUTIVE SECRETARIAL
OFFICE OF THE

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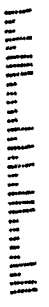
699267

Jill DeCou
10280 Pacific Ct
Plymouth, CA 95669

Honorable Gale A. Norton
Secretary
Department of the Interior
1849 C Street NW
Washington, DC 20240



MARY CASSATT USA 37



Comment #28

Nov. 18, 2003

Mr. Clay Gregory, Acting Regional Director
Pacific Region
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, Ca. 95825

Subject: Plymouth Ca. Scoping Meeting Nov. 19, 2003

Dear Mr. Gregory;

The environmental issues which must be addressed by an EIS associated with the proposed casino in Plymouth are as numerous as they are profound. As I am certain you are aware the cumulative environmental effects of not one but three casinos in Amador county will be nothing short of a disaster. My particular concerns lie primarily in the area of air, light and noise pollution.

First, air pollution. If preliminary estimates are in the ballpark some 7,000 to 10,000 automobile trips per day will not only add significantly to the air pollution problem but will cause gridlock on Ca. Route 16 which in turn will produce more pollution. Attached is a copy of a letter from Richard Forster, Chairman, Board of Directors, Amador Air District. In his letter Chairman Forster points out that the Air District is "in jeopardy of non-attainment of the new federal 8-hour ozone standard". This very serious potential problem, while not created in Amador County will most certainly be exacerbated by the cumulative effects of a third casino in the County. The health effects associated with the additional pollution are certain to be significant and must be addressed.

Noise pollution is another area which must be addressed both during construction and operation. The City of Plymouth and the surrounding community is certainly both small town and rural in nature. The noise associated with construction and operation 24/7/365 will clearly have a negative effect on the quality of life of all of the residents of our community. In addition, the roar coming from 7,000 to 10,000 vehicle trips per day will serve to make our community a much less desirable place in which to live.

Light pollution resulting from casino operations 24/7 will directly effect dozens of homes located within direct line of sight of the proposed casino. In addition, the entire City of Plymouth will most certainly be impacted by the numerous light sources which will be associated with casino operation. A few of the light sources are listed below.

Streets, driveways, walkways
Parking lots
Automobiles
Casino entrance, and casino proper
Neon greeting and advertising signs

In closing, I cannot over emphasize the impact of the air, noise and light pollution directly related to casino operations will have on this small rural community and I respectfully request that the findings of the EIS be such as to preclude the development of a casino "off reservation" in Plymouth.

Respectfully,

Walter W. Dimmers
18,000 Burke Dr.
Plymouth, Ca. 95669

Copies to:

✓ Bureau of Indian Affairs
1849 C Street NW
Washington, DC 20240
Attn: George Skibine

Supervisor Mario Biagi
Amador County Board of Supervisors
500 Argonaut Lane
Jackson, Ca 95642

Amador Air District



665 New York Ranch Road, Suite 3 Jackson, CA 95842 Phone (209) 257-0112 Fax (209) 257-0116

June 26, 2003

Governor Gray Davis
State Capitol Building
Sacramento, California 95814

Subject: Tribal Gaming will Increase Motor Vehicle Emissions in the Amador Air District

Dear Governor Davis:

The Board of Directors of the Amador Air District is opposed to the increase in motor vehicle exhaust emissions that will be released in this rural area if the State of California allows a third tribal gaming facility to be developed within the boundaries of this air pollution control district.

One tribal gaming facility already exists in our rural District near the City of Jackson and is in the process of doubling its size. That expansion alone will result in 7,000 to 10,000 additional car trips per day in the District. The State and the Bureau of Indian Affairs have approved a second facility that will be located in the Buena Vista area of Jackson Valley near the City of Ione. Now a third facility is proposed for the City of Plymouth and if approved the combined facilities will generate over 30,000 additional car trips per day in our traffic corridors.

The Amador Air District is located within the Mountain Counties Air Basin, designated a "Moderate" non-attainment area for the state 1-hour ozone standard. We are currently in jeopardy of being designated non-attainment for the new federal 8-hour ozone standard. These designations are the result of "Overwhelming Transport" of ozone from the Sacramento and San Joaquin valleys. If the state encourages additional vehicle trips into this air district by permitting additional tribal gaming facilities without any corresponding mitigation measures to reduce the impacts of these additional emissions then you will have contributed to our air quality problem. A problem we didn't create - but one which we must however resolve.

On behalf of the Board of Directors of the Amador Air District, we request that the state take all appropriate steps to prevent the establishment of additional tribal gaming facilities within this air district's boundaries. Your cooperation on this issue would reduce unnecessary vehicle emissions in our area, help the air district protect the public's health and enhance our efforts to achieve and maintain compliance with the National Ambient Air Quality Standards.

Sincerely,

Richard Forster, Chairman
Board of Directors

Post-It® Fax Note	7671	Date	10/14/03	# of pages	1
To	MAN 10	From	AIR District		
Co./Dept.		Co.			
Phone #		Phone #	257-0112		
Fax #	257-0619	Fax #			

Comment #29

Comment #30

Mr. Clay Gregory, Acting Regional Director
Pacific Region
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, Ca. 95825

Nov. 20, 2003

Subject: Proposed Plymouth Ca. casino - additional environmental concerns

Dear Mr. Gregory:

In addition to the environmental elements brought to your attention last evening several additional concerns have come to my attention and must be addressed in an EIS.

First, as you are aware the property proposed for the casino lies in an area which was the site of numerous gold mines. Many of these sites contain toxic wastes which clearly represent a significant environmental hazard. This concern must be thoroughly investigated.

Second, the property proposed for the casino is largely agricultural with the impact being that grazing land will be taken out of production and thus agricultural resources will be diminished.

Third, a thorough investigation must be made with respect to endangered species and loss of wet lands and possibly vernal pools.

Thank you for your consideration.

Walter W Dimmers

Walter W. Dimmers
18000 Burke Drive
Plymouth, Ca. 95669

Comment #31

Feb. 3, 2004

Mr. Bill Allen
Bureau of Indian Affairs
Sacramento, Ca.

On the basis that all concerns, both written and oral, presented at the first scoping meeting are "on the record" I will limit my comments to one issue. It is my hope that you or one of your associates will explain what I perceive as something of a dilemma.

As I understand the process, the BIA as the lead agency in the matter of the proposed Plymouth casino, is charged with preparing an Environmental Impact Statement (EIS). I do not understand how this is possible in that I liken the process to the examination of a specimen by a scientist in a laboratory. Unless the BIA has a great deal more information than is available to the local community there is no specimen to examine!

The footprint of the casino, the footprint of the hotel, the footprint of the parking facility, and the footprint of any other ancillary structures is not known. Road designs have not been made public even IF they have been created. As far as I know no definitive design information on sewage disposal or water supply is on record. As far as this citizen is concerned it is impossible for me to know or even begin to express all of my environmental concerns in the absence of a full detailed project plan. The changing scope of the proposed project is also of great concern particularly in view of the fact that at least one additional property was placed under option by IKON as recently as last week.

My first question and concern is how can an EIS be prepared in the absence of detailed information which defines the precise nature and scope of the project and includes all of the properties to be acquired and all construction elements proposed to date?

Secondly, once land is taken into trust, what is to prevent the tribe from creating an environmental nightmare on their sovereign land to the detriment of the surrounding community?

Respectfully submitted,



Walter W. Dimmers

18,000 Burke Dr.

Plymouth, Ca 95669

Comment #32

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

February 4, 2004 6 TO 9 PM

COMMENT SHEET

Your Name: Don Dowell Your Organization: Lockwood F.P.D.

Lockwood Fire Protection District provides first response and rescue services on Upper Fiddletown Road and ~~State~~ Upper Shake Ridge Road. As first responders, we are concerned about the impact of increased traffic through our coverage corridor. If this project goes forward, our volunteer fire ~~department~~ department would not be able to meet the demands of increased traffic without mitigation.

Comment #33

February 4, 2004

Mr. Clay Gregory,
Acting Regional Director
Pacific Division
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, Ca. 95825

While others will address specific impacts, I wish to state for the record and the panel my concerns about the timing of determining the impacts of this project and the consequences of failure to properly identify them.

This proposed development has changed in size from 75,000 square feet to 125,000 square feet, from including residential development for tribal housing to not including such development, from not serving alcohol to serving alcohol, and has added an hotel.

Until the scope of the project is finalized it is not possible to determine its effects in critical areas. Furthermore no matter what form phase one of this proposal takes, expansion is not only possible, but likely. This is of particular concern in an area that lacks the infrastructure to support a sizeable development. Any change impacting traffic, water supply and treatment, government services, or any of the other areas of concern, could overburden or overwhelm limited local resources.

Perhaps the single most important impact this proposed development would have for the surrounding area concerns the amount and source for the water required. The overview prepared by the developers dated July 31, 2003 includes a report commissioned by them from the firm of Toma and Anderson which states : "there is good reason not to develop a major project like this on groundwater. ... DOHS strongly discourages any new developments be based on groundwater sources, as groundwater sources have not proven reliable in the past in this area."

Since the previous scoping meeting the developers have withdrawn their previous request for service from the City of Plymouth, have stated that they will provide their own water, and have drilled test wells on the property in question. However, as the developers' own report states, the only viable alternatives for water supply for the proposed casino are the City of Plymouth or the Amador Water System. It is the understanding of the public that the City of Plymouth and casino developers continue to negotiate terms for the city to supply water for the project. No assessment of impacts can be completed until this issue is resolved.

Also since the previous session, the citizens of Plymouth have petitioned to recall the three

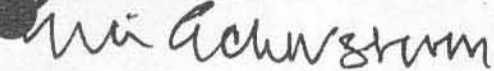
current council members who supported the casino despite a public vote of 233 to 85 in opposition to the project. An election to replace these members is scheduled for May 4, 2004, and if successful would place every local governmental and civic agency firmly opposed to the location of the proposed casino in Plymouth. The desire of the citizens of Plymouth for a new council is also based in the belief that the council as currently constituted does not have the understanding of the issues and the ability to negotiate an agreement that will protect their interests.

The current council is desperate to conclude an agreement before the election. Any agreement so reached will likely be challenged. If past actions are any guide there is cause for both concern that any agreement they reach could irreparably harm the community, and hope that it can be stopped.

In any event, until these issues are decided it is difficult to see how impacts can be assessed. The risks - to the community, of a bankrupt city or dry wells - to the BIA, of dissipating the reservoir of public goodwill toward Native Americans by sanctioning a potentially damaging project, are too great to rush this process.

Only when the full extent of the project is fixed, and the interests of the residents of this area are represented and protected by all of the civic agencies involved, can the true impacts of this project be determined.

Thank you for your consideration,
Eric Eckerstrom



4221 Eden Lane
Fiddletown, Ca. 95629

Comment #34

November 16, 2003

**MIKE, ANN AND FRANCES FARMER
PO BOX 103
DRYTOWN, CA 95699**

Clay Gregory, Acting Regional Director
Pacific Region, Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Dear Mr. Gregory:

We are unable to attend the forum on November 19 as we will be out of the area. Therefore, we are submitting our concerns about a casino in Plymouth in writing.

We have many concerns about the proposed casino. We moved to Amador County in 1949. Our first residence was a rental house in downtown Plymouth. Now, we do not live within the city limits, but we do reside within the "sphere of influence", and we buy groceries, gasoline, feed, hardware, and lunch/dinner "out" in Plymouth.

It is a known fact that California and its counties are experiencing financial problems. There are not enough funds now to maintain roads, staff sheriff and fire departments, provide more than the basics for schools, etc., etc. Plymouth is accessed from the Sacramento area by either State Highway 16 or the Latrobe Road. These are the routes that we use to commute to work and to shop when we need to go to the "city". Highway 16 is a two lane road on which people drive too fast and pass unsafely now. The Latrobe Road is a narrow country road and much of it is in terrible condition. Neither of these routes needs more traffic. Turning left onto Highway 16 from the Latrobe Road, Willow Creek Road, Highway 124 and Highway 49 is difficult and often treacherous at certain times of the day. Many accidents, including several fatals, have occurred at the intersection of 16 and 49. Will traffic signals be provided at these intersections? Probably not; there is no money. Will the tribe provide them; who knows? Turning left onto Long Gate Road, Forest Home Road and private driveways along 16 is also treacherous. More traffic will make it even more dangerous. Will left hand turn lanes be added? Probably not; there is no money. Will the tribe provide them; who knows?

The current casino does not have bars and does not sell alcoholic beverages in its restaurant. If the proposed casino sells alcohol, there will be an increased number of people driving on our narrow country roads under the influence. A safety hazard for all...

We shop in Plymouth because it is quiet and there isn't much traffic. It is currently easy for people in River Pines, Somerset, Fiddletown and rural areas north and east of Plymouth to drive into Plymouth to shop and/or to continue to Sacramento. A great increase in traffic would take all of that away, and weekends in the valley around the wineries could be grid locked!

Our sheriff's department, even with the current casino paying for deputies, is under staffed and over worked. Can the tribe contribute enough money to off set the additional costs of the increased population in this end of the county? What about providing funds for the increased medical aide responses by the California Department of Forestry? Will the tribe contribute to CDF?

Our county's schools are old and crowded. If the proposed casino results in new subdivisions, increasing the student population, will the tribe contribute enough money to build a new elementary school in Plymouth and increase the capacity of the junior high and high school?

We have been involved in Federally mandated sewer and water projects in a mountain area of California. The cost of these kinds of projects is huge. Will the tribe's contribution to the new sewer system pay for the capacity increase made necessary by a casino?

Is it fair to deplete the future availability of the ground water in the Plymouth area to provide water to a casino? If the water is to come from some other part of the county, is it fair to reduce the county residents' water supply to provide water for a casino? We don't think it is. Again, will the tribe's contribution to the new water system pay for the capacity increase made necessary by a casino?

What other environmental issues are there? Air pollution from increased traffic? Negative impacts on wildlife? There are undoubtedly many others. Have they been considered?

We have heard supporters of the casino say that it will provide jobs. The current casino is currently looking for employees for its expansion. Work is already available. In order to find employees, the current casino, as well as some of the local "chain" stores, have had to hire outside the county because they could not find qualified people in the county. One reason for this is that many who applied for work did not pass drug tests. Will the new casino hire people who use illegal drugs? One would hope not!

Many of the wholesalers of items used in restaurants and resort businesses come from out of the area. Projects that have been built in other areas of the county brought personnel and supplies from out of the county. There is no guarantee that the tribe will use local businesses/contractors for their project.

Finally, and more important to us than any of the above concerns, is the fact that a casino in Plymouth will destroy the quality of small town life, which is the reason that we live in Amador County and in this part of the county. We no longer will be able to drive into Plymouth without encountering heavy traffic. The increase in traffic will make our commute longer and less safe. Our pastoral view of the "golden" foothills with cattle and wildlife will be replaced by glaring casino lights and subdivisions. Our idyllic lifestyle will vanish. The result: We will have to leave here. One would think that, of any people, Native Americans would appreciate our desire to keep our way of life, since the Spanish settlers and then the gold miners who came to this area destroyed the peaceful way of life of their ancestors.

Considering all of the negative impacts a casino could have on the local infrastructure, plus the negative impacts on the environment, historical significance of the area, and rural way of life chosen by those of us who live here, we can see no reason to support a casino in Plymouth. We oppose the establishment of a casino in Plymouth and in any area in this part of the county. We believe one casino in Amador County is sufficient.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'F' or similar symbol, written over a horizontal line.

Mike, Ann and Frances Farmer

Comment #35

WHO IS PUTTING TOGETHER THE ENVIRONMENTAL REPORT? WHAT ENTITY?

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

November 19, 2003 - 6:00 - 9:00 PM

Amador County Fairgrounds

COMMENT REQUEST

Your Name: SUSAN FENNER
17375 RED MULE RD, FIDDLETOWN, CA 95629-9711

Your Organization: AWA & ACWGG & Shenandoah Community Club

The CASINOS MAKE MONEY ONLY FOR THE DEVELOPERS & INVESTORS. THERE ARE VERY FEW INDIANS EVEN WORKING IN THE CASINOS.

Shenandoah Community Club
&
Fiddletown Community Club

THE IMPACT ON AMADOR COUNTY BY INCREASED TRAFFIC, AUTO POLLUTION, NEED FOR ADDITIONAL EMERGENCY VEHICLES, LAW ENFORCEMENT ARE PROHIBITIVE WILL PRODUCE AN ~~EMENSE~~ EMENSE NEGATIVE DRAIN ON OUR ALREADY LOW FINANCIALS.

OUR COUNTY CAN'T AFFORD THE FINANCIAL OR TRAFFIC INCREASES AND ^{OTHER} CASINO WOULD CAUSE.

Comment #36

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

November 19, 2003 - 6:00 - 9:00 PM

Amador County Fairgrounds

COMMENT SHEET

Your Name:

SUSAN FENNER

Your Organization:

17375 RED MULE RD, ~~RED~~ FIDDLETOWN, CA 95629

2
A.W.A
ACWGGWA
FIDDLETOWN COMMUNITY C
SHERMANOAH COMMUNITY
CLUB

ANOTHER CASINO IN AMADOR COUNTY WILL BE
A DRAIN ON ALL AREAS OF PUBLIC FUNDS.
CASINOS (INDIAN) DO NOT PAY TAXES.
WE CANT AFFORD ANOTHER CASINO.

WE WILL NOT BE ABLE TO SUPPORT A CASINO.
IN THE FOLLOWING AREAS:

- INFRASTRUCTURE
- POLLUTION (LIGHT, AIR)
- TRAFFIC INCREASE
- WATER USAGE
- INCREASED NEED IN LAW ENFORCEMENT
- INCREASED NEED IN ~~EMERGENCY~~ EMERGENCY VEHICLES

Comment #37

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

November 19, 2003 - 6:00 - 9:00 PM

Amador County Fairgrounds

COMMENT SHEET

Your Name:

Pat Fordyce

Your Organization:

What happens down the road if the casino goes belly up. Does the land stay indian land? What about maintenance or building land once unoccupied?

Comment #38

November 17, 2003

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Attn: Area Director
Gaming Agency

Dear Sir:

This letter is in reference to the scoping meeting to take place in Plymouth on November 19th. We are unable to be present and would like to express our thoughts on placing a casino in Plymouth CA!

First of all, we have Jackson Rancheria, and we understand a 2nd casino is about to locate in Buena Vista, a short distance from Jackson Rancheria. Our county of 36,000 in population cannot support the traffic and policing impact, which will be imposed on our roads of Amador County. Highway 16 is very congested with heavy traffic and commuters going to and from Sacramento a.m. and p.m., each and every day. We simply cannot afford tripled traffic on Highway 16!

PLEASE.....NO CASINO IN PLYMOUTH!!!

Sincerely,

Archie I. Fox
Georgia Fox

Archie & Georgia Fox
P. O. Box 846
Sutter Creek, CA 95685

11-19-03 RPH

Comment #39

PLYMOUTH PENTECOSTAL CHURCH OF GOD
Post Office Box 70
Plymouth, CA 95669

September 22, 2003

Bureau of Indian Affairs
Sacramento Area Office
Attn: 2800 Cottage Way
Sacramento, CA 95825

Dear Sir:

This letter is in regards to a proposed Indian Gaming Casino in Plymouth, California. As Pastor of concerned and more recently "dismayed" residents of Plymouth, I'm asking you to do all that you can to prevent the establishment of a casino in this town.

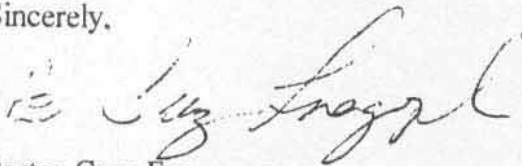
This plea is based upon moral and religious principles established within the hearts and minds of said residents. Many of our members have lived in Plymouth for over fifty years. Others are buying homes and raising their families in the community. A casino at their front door is not what their heart has envisioned for their offspring.

As a church we are not opposed to growth in the community. This town is our responsibility whatever comes our way. Within its present rural setting we have commissioned our outreaches and will continue to do so.

We are though, steadfastly opposed to a casino in Plymouth. We are in complete agreement as a body of believers that an establishment such as this would be the demise of our rural community. We know that we would be overrun with outsiders unconcerned about our way of life in Amador County, principally the town of Plymouth.

We pray that you will make a decision to protect Plymouth and its residents!

Sincerely,



Pastor Cruz Fragoza

Comment #40

Bureau of Indian Affairs -

My name is Rev. Cruz Fragoza Jr. and I am the pastor of the Plymouth Pentecostal Church of God in Plymouth. I have been involved in church work since 1970 and am aware of the many problems that our society faces in today's world. Our goal at the PCG Church is to provide a healthy environment to our families so that they can live and raise their children in a small town atmosphere. Our church like most deal with people and their problems and how they can overcome or eliminate these burdens that can destroy their lives. Gambling along the work "Recreation" seems to soften the reality of the consequence of its effect on a person. Through personal experiences, I have seen men lose entire paychecks with the expectations of winning the "Big Pay-off". As you well know, the odds are stacked against anyone who tries his luck. Most households have budgets to maintain their livelihood, but when a husband or a wife tap into those dollars set aside for rent, groceries, or the car payment, it only brings destruction and heartache and pressure to replace what one has lost. The picture I paint might surprise you, but it's all too commonly seen in church work. After family and friends have abandoned those that have lost, the church is called, hoping there is help at the other end of the line.

Drinking, Drugs, divorce and yes gambling are the problems that face our society today. We must as a people realize that casino profits are too big a price to pay for our quiet community.

Comment #41

February 4, 2004

Mr. William Allen
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Regarding the Proposed Indian Gaming Casino in Plymouth, CA

Dear Mr. Allen,

Thank you in advance for your consideration regarding my concerns over the stated/proposed use of ground water for the proposed Indian Gaming Casino in Plymouth, CA.

I live in the Burke Ranch subdivision which includes 67 homes/properties that depend upon the use of ground water for survival. We are located nearby the City of Plymouth's wells which are the sole source of water for the Residents of the City of Plymouth. In addition to the City of Plymouth and the Burke Ranch there are many other homes and ranches including Vineyards which depend 100 percent upon ground water.

It is no secret that the City of Plymouth is under a water moratorium. In addition, the Burke Ranch subdivision has been seriously impacted over the last few years by the withdrawal of ground water from both the Sutter Home Vineyard and the City of Plymouth's wells.


There are many of us very concerned about the value of our homes and properties and our way of life if we do not have water. We will be without recourse or benefit of having anyone mitigate our water shortage impacts.

The Burke Ranch does not have any access to City or County Water sources.

Please take the water issues very seriously before approving or recommending a Tribal Government Business in the Plymouth area be it a Casino, Hotel or any other development if it is going to be based upon the use of ground water.

Please also be concerned about the City of Plymouth's own water crisis and to date their inability to solve their own water issues.

Sincerely,



Irene Freitas
18800 Burke Drive
Plymouth, CA 95669

cc: Supervisor Mario Biagi

Comment #42

November 16, 2003

Clay Gregory
Acting Regional Director
Pacific Region
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Regarding the Proposed Indian Gaming Casino in Plymouth, CA

Dear Mr. Gregory,

I am writing in regard to my concern over the water supply for the Proposed Casino site in Plymouth. This is an expansion over my already existing concern for the current water supply in the City of Plymouth and the surrounding area.

In 1996 the City of Plymouth provided a "Will Serve" letter for water to Sutter Home Winery. In 1997 a "Development Agreement" was drawn between the City of Plymouth and Sutter Home Winery. Water use was covered in this document. It stated that surface water was to be the primary source of water for Sutter Home Winery and groundwater was to be secondary. The primary source was the Arroyo Ditch. Also in this agreement it states no groundwater may be pumped which adversely impacts the availability of water for either the City of Plymouth or private wells located in Burke Ranch. To date Sutter Home Winery (Montevina) has not seen any water from the Arroyo Ditch and has to use groundwater. Since the inception of this agreement approximately 16 wells in Burke Ranch have been seriously impacted, and Burke Ranch residents have had little recourse with the City of Plymouth.

My main concern is that the City of Plymouth will repeat history by providing a "Will Serve" letter for water when it's current source is inadequate to meet the future needs of the City of Plymouth. I also don't believe the City of Plymouth has a complete understanding of the cost to provide water to the proposed Casino and where these funds will come from.

In July of this year Toma & Anderson did a summary report regarding water supply alternatives to the proposed Plymouth Casino for the Ione Band of Miwok Indians/Ikon Group, LLC. The report stated that "the California Department of Health Services strongly discourages any new developments be based on groundwater sources, as groundwater sources have not proven reliable in the past in this area".

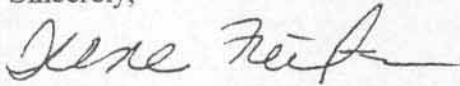
If the City of Plymouth is unable to provide surface water to the Proposed Casino site then I am concerned that Groundwater will have to be used. The use of groundwater will have a major impact on the City of Plymouth and the surrounding area.

Please carefully consider all costs associated with supplying water to the proposed Casino site as well as any future developments with the City of Plymouth's ability to incur the costs over and above any revenue they are expecting to receive. A shortfall in revenue could result in the City of Plymouth's inability to provide water and may necessitate the Tribe's use of groundwater.

Secondly, please also consider impacts to the surrounding area of homes and ranches whose sole means of survival are dependant upon their private wells.

Thank you in advance for your kind consideration.

Sincerely,



Irene Freitas
18800 Burke Drive
Plymouth, CA 95669

cc: Supervisor Mario Biagi

Comment #43

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

November 19, 2003 - 6:00 - 9:00 PM

Amador County Fairgrounds

COMMENT SHEET

Your Name: Jim, Katie, Kacey, Jessie GARFINKEL
AGE 31 AGE 7 months Your Organization: SELF-EMPLOYED VETERINARIAN

OUR CONCERNS ARE REGARDING THE FACT THAT WE LIVE & WORK DIRECTLY ACROSS THE HWY FROM THE PROPOSED CASINO. OUR BUSINESS IS EQUINE VETERINARY MEDICINE & DIRECTING THE TURN INTO OUR PLACE IS ALREADY QUESTIONABLE & DANGEROUS THERE IS AN UPHILL CURVE BEFORE OUR DRIVEWAY ACCESS ~~IN~~ & OUT ACCESS (SPECIALLY WITH A HORSE TRAILER - SOMETIMES 6-10 HORSE TRAILERS) IS DANGEROUS - IF YOU ADD 10 TO 20 TIMES HR. TRAFFIC (ADD ALCOHOL AS HAS BEEN PROPOSED) & YOU CAN EXPECT HUMAN DEATHS & DISASTER. IN ADDITION AS I HAVE A DEA LICENSE & SEVERE CLASS III, IV & V DRUGS, SOME HORSES PRICED INTO 6 FIGURES, THE SECURITY OF OUR PLACE IS IN JEOPARDY - SINCE WE ALL KNOW THAT CRIME DOES INCREASE WITH CASINOS. HOW WILL MY CONCERNS BE MITIGATED. IF ~~ONE~~ ONE OF OUR DAUGHTERS IS KILLED BY A DRUNK DRIVER FROM THE CASINO, HOW WILL THAT BE MITIGATED. FINALLY, I AM QUITE INVOLVED IN INSECT BORN DISEASES, OF WHICH



WEST NILE VIRUS ONE. STUDIES SHOW THAT NEW CONSTRUCTION OF BREEDING. INCREASES THE SPREAD OF DISEASES SUCH AS WE ARE & ST LOUIS ENCEPHALOMYELITIS, WEST NILE VIRUS, & EASTERN EQUINE

Comment #44

696267

RECEIVED
CDR. Geo. T. Gregory, USN(ret)DFC
11150 Valley Drive
03 NOV 12 2003
Plymouth, Ca. 95669
Oct. 28, 2003
OFFICE OF THE
EXECUTIVE SECRETARIAT

Bureau of Indian Affairs
1849 C Street, NW
Washington, D.C. 20240

Dear Folks,

Having written to you previously, regarding this same matter, I am wondering if you ever saw my letter.

Here in Plymouth the element of greed is rearing its ugly head, and could wreck forever a special country town.

Ask someone who knows, and they will tell you that "war is hell"; be it from Crazy Horse or George Custer.

Many local residents are already quite angry, and will probably become more so, should you accept the opinion of Plymouth Town Council, which (despite a 233 to 85 vote against a proposed Miwok casino here) is saying that approval is a "foregone conclusion".

The legitimacy of the "tribe" is in question, along with the sovereignty of their proposed casino land, which lies within 15 miles of two other casino sites already in Amador County.

The whole issue smells of rot, all the way from Mississippi to Plymouth via Sacramento; with the local town council and certain select others being tightly laced into the proposed farce.

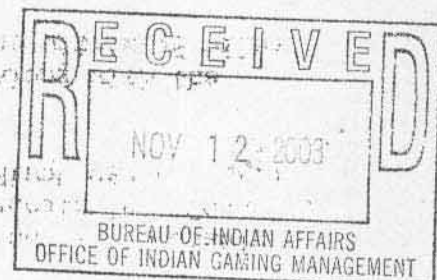
It has been said that Plymouth may be one of America's last frontiers, and as such many of the people here still believe that it is the Bible and our Constitution that have kept us alive, well and prosperous for so many years.

So, in deference to those two hallowed documents, please stop this outrageous casino proposal, and leave our residents sovereign and unencumbered by the non-sense scheme that they have already rejected by overwhelming vote.

Sincerely,

Geo. T. Gregory
Geo. T. Gregory

Copies to: Dept. of Interior
Gov. of Calif.
Cong. Ose.
Cong. Pombo
State Sen. Oller
Assyman. Nakanishi
Supervisor Biagi
Elida Malick, DVM
Jon Colburn



Comment #45

LEDGER/DISPATCH OCT. 1, '03

Aroma emanating from Plymouth City Hall

Having flown the Asian skies for many years, it eventually became clear that making people bleed is not the way to world peace.

Why did we have Korea, Vietnam and now Iraq? Is it possible that our chosen leaders had their own questionable agendas to "save" America.

Was the same aroma present then that currently emanates from Plymouth City Hall?

With voting results of 233 to 85 against a casino here, the will of the majority is irrefutable.

Perhaps a recall is due, in order to expel certain selectively deaf council persons before they manage to climb some political ladder and ruin more than a quaint country town.

GEO. T. GREGORY
CDR USN Ret.
Plymouth

LEDGER/DISPATCH OCT 27, '03

Some in Plymouth need mental lubrication

To certain parties from Plymouth City Hall, who are so highly satisfied with voting heart and conscience, it should be pointed out that allowing the mind to rust is a terrible waste.

The people's vote of 233 to 85 against a casino here should remove any decision from the emotional realm and put it into that of the conscious mind, which if not badly oxidized, would conclude that a political vote, in opposition to such a strong show of public opinion, might be a prelude to recall.

Someone in Sacramento recently bit the capitol dust. Many of us, out here, in the land of liberty, have figured out without a trip to Dr. Phil, that "Governor-Gone," along with select local "officials," probably need serious cerebral lubrication.

GEORGE T. GREGORY
CDR, USN (RET) DFC
Plymouth

LEDGER/DISPATCH NOV 5, '03

An open letter to the Bureau of Indian Affairs

Having written to you previously, regarding this same matter, I am wondering if you ever saw my letter.

Here in Plymouth the element of greed is rearing its ugly head and could wreck forever a special country town.

Ask someone who knows and they will tell you that "war is hell"; be it from Crazy Horse or George Custer.

Many local residents are already quite angry and will probably become more so, should you accept the opinion of Plymouth Town Council, which (despite a 233 to 85 vote against a proposed Miwok casino here) is saying that approval is a "foregone conclusion."

The legitimacy of the "tribe" is in question — along with the sovereignty of their proposed casino land which lies within 15 miles of two other casino sites already in Amador County.

The whole issue smells of rot, all the way from Mississippi to Plymouth via Sacramento; with the local town council and certain select others being tightly laced into the proposed farce.

It has been said that Plymouth may be one of America's last frontiers and as such many of the people here still believe that it is the Bible and our Constitution that have kept us alive, well and prosperous for so many years.

So, in deference to those two hallowed documents, please stop this outrageous casino proposal and leave our town residents sovereign and unencumbered by the nonsense scheme that they have already rejected by an overwhelming vote.

GEORGE T. GREGORY
CDR, USN (RET) DFC
Plymouth

LEDGER/DISPATCH OCT 1, '03
Is nepotism alive and well in Plymouth's council?

Are certain members of the Plymouth town council in violation of the spirit of our Constitution by denying that their "power" derives from the will of the people?

In addition to ignoring the vote of 233 to 85 against a casino here, has the present council stacked themselves with a father/daughter, pro-casino team? Are we watching a classic example of new nepotism?

Is it not time for a political cleanout in downtown Plymouth?

Some of us "old" GIs out here are wondering how so much life force, expended in the defense of our priceless Constitution, could be neutralized so quickly by the personal pursuits of such obviously deceptive political agendas.

GEO. T. GREGORY
CD USN (RET) DFC
Plymouth

LEDGER/DISPATCH NOV 19, '03

Feels good to be appreciated by publisher, others

Just a note to thank Jack Mitchell for his Nov. 7 editorial in tribute to American veterans.

Having served in the U.S. Navy for 24 years with seven deployments of seven months each to very hazardous places; with 220 tactical missions and 55 rescues flown; many unarmed, all without mishap; it feels good to be appreciated.

This "thank you" is extended to Dr. Tom Bowhay and PAC Ken Romans who both have also expressed sincere appreciation for service tendered.

A kind thought should be kept for those who did not return. Their lives were sacrificed for our liberty; and that is the ultimate gift.

GEORGE T. GREGORY
CDR USN (RET) DFC
Plymouth

Comment #46

PREPARED STATEMENT FOR BIA SCOPING SESSION SCHEDULED FOR 02-04-04, 6-9PM AT THE AMADOR COUNTY FAIR GROUNDS.

While neither an opponent or proponent of the proposed IKON/Ione Band of Miwok Indian Casino Project, I would like to respectfully submit the following with regard to water.

Based on the WATER HISTORY* of the area, drilling percolating ground water wells in fractured rock formations is in fact a negative impact. This type of impact can not be mitigated by drilling another well, and another well and so on.

The proposed project should not be allowed to go forward until a reliable source of surface water is identified and constructed to the proposed site.

Three suggested sources of surface water are as follows:

1. Joint venture with the City of Plymouth for surface water.
2. Joint venture with the Amador Water Agency for surface water.
3. The Ione Band of Miwoks should file for their own water rights from the Cosumnes River as an ancestral right.

Upon Government approval of their ancestral right to Cosumnes River water, the surface water should be piped from the Cosumnes River down Highway 49 to the proposed Casino site.

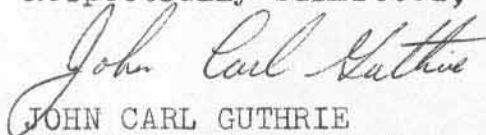
Page 2

PREPARED STATEMENT FOR BIA SCOPING SESSION SCHEDULED FOR
02-04-04, 6-9PM AT THE AMADOR COUNTY FAIR GROUNDS.

In conclusion I can not stress strongly enough the importance of using surface water for the proposed project which must be brought to site prior to building approval.

Thank you for your time and consideration on the topic of surface water the most important fundamental building block for a successful project.

Respectfully Submitted,



JOHN CARL GUTHRIE
17696 Overlook Ct. E.
Plymouth, CA 95669-9747

*Area Water History will be provided upon request.

John Carl Guthrie
17696 Overlook Ct. E.
Plymouth, CA 95669-9747



William C. Allan
U.S. Dept. of Interior
Bureau of Indian Affairs
Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825



Comment #47

PLEASE add to
mailing list;
Ron Hamlin
PO Box 327
Volcano, CA 95689

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

November 19, 2003 - 6:00 - 9:00 PM

Amador County Fairgrounds

COMMENT SHEET

Your Name: Ronald Hamlin

Your Organization: Amador County resident

Environmental Issues Relevant to Casinos

- 1) Amador county roads cannot handle the traffic.
- 2) The state highways in Amador County cannot handle the increased traffic.
- 3) This small, rural, agricultural county, Amador, does not have the water and sewer facilities.
- 4) The county does not have the capacity to develop the kind of water and sewer facilities needed.
- 5) A small, rural county is not like a big city, therefore all environmental issues should be judged on an accordingly different scale. This consideration is typically ignored, but is hugely significant.

Comment #48

22 Nov. '03

William Allan
Regional Environmental Protection Specialist
Bureau of Indian Affairs, Pacific Region
2800 Cottage Way
Sacramento, CA 95825

Dear Mr. Allan,

The scoping session you conducted in Plymouth on 19 Nov '03 was very well orchestrated. I believe you were very polite, patient and apparently receptive of information presented.

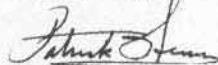
Although I do not believe the proposed casino would be a benefit to our community in any way I did not speak of the significant environmental liabilities that would accompany construction and operation of the proposed casino. We live less than a mile from the proposed casino site. Many of the environmental impacts listed in the enclosed document would directly effect our continued enjoyment of our retired life.

Because I was not sure that you had received the enclosed analysis, prepared by Dr. Jack King (who is also an environmentalist) for your earlier scheduled scoping session. I have taken the liberty of sending it along believing that redundancy is better than your not having the benefit of Dr. King's report.

Please review the enclosed analysis and include Dr. King's findings and concerns in your report being prepared on behalf of the alleged lone band of Miwok.

Thank you again for conducting an orderly scoping session last Wednesday. I look forward to receiving your thorough environmental impact analysis of the proposed Plymouth Indian Casino project.

Respectfully,



Patrick Henry
18210 Burke Dr.
Plymouth, CA 95669

COMMUNITY SCOPING SESSION

**ENVIRONMENTAL ISSUES REGARDING
THE PROPOSED PLYMOUTH INDIAN
CASINO**

John (Jack) King
Post Office Box 983
Plymouth, California 95669-0983

Introduction. The Ione Band of Miwok Indians, with their consultants, Ikon Group LLC, Lightning Rod Software, Inc., and Wilco Seven LLC, propose acquiring property in and adjacent to the City of Plymouth, Amador County, California, for the purpose of building a casino. No formal, written proposal has as yet been submitted for agency and public review; however, sufficient details have been provided in public statements that the following sketch can be established.

Up to 318 acres of land situated to the east of the historic Highway 49 have been identified for possible acquisition. Options have been purchased for 220 acres; but, either total is subject to change. The casino itself is to consist of a 120,000 SF building; which will either be constructed within the existing Shenandoah Inn or built in its place. The casino will have the upper legal limit of 2,000 gaming machines and 40 card tables. It is proposed that the overall facility will include a restaurant, coffee shop, saloon (lounge), video arcade, and a variety of commercial enterprises; as well as a child care center, medical clinic and offices; plus, a parking lot with 3,000 spaces. In addition, housing will be constructed for both tribal members and employees.

An informal gathering of concerned citizens was held on Wednesday, 11 June 2003; to review the proposal as described by its proponents at a special meeting of the Plymouth City Council (outlined above and reported in the **Amador Ledger Dispatch** on Friday, 2 May 2003). From this, the standard environmental initial assessment checklist was used to prepare a preliminary, community-based review of the proposed Plymouth Indian Casino. This was augmented by an analysis of existing land use plans and ancillary documents for the area; plus, a review of casino impact studies conducted elsewhere.

Participants in the workshop identified the following issues of concern. The reader should be reminded that this is only intended as an initial analysis. Doubtless other impacts will be identified with further study; and, of course, as the proposal takes tangible shape, many of these impacts will become quantifiable. Regardless, many of the potential impacts identified to date represent very serious issues; which, ultimately, will require the completion of a full Environmental Impact Statement in accordance with the National Environmental Protection Act (NEPA) should a formal development proposal be issued. The following format is organized to reflect the content that will be required in any eventual Environmental Impact Statement (EIA) as required under NEPA.

ENVIRONMENTAL IMPACTS

I. AESTHETICS

- a) Pastoral Vista: the Plymouth area is blessed with a beautiful, rural landscape that stands to be obliterated by the proposed development.
- b) As it is now, Highway 49 qualifies as a Scenic Highway; however, the proposed project will require that it be converted into a five-lane highway, substantially reducing its appeal.
- c) Light/Glare: the casino will be open 24 hours a day; resulting in substantial lighting and glare at all seasons of the year.

II. AGRICULTURE RESOURCES

- a) The project will result in a conversion of farmland (ranch land) to non-agricultural use; contributing to the statewide decline in farmland (CDOC report).
- b) There will be a substantial loss of water that would otherwise be available to the nearby Sutter Homes vineyard (the City of Plymouth has an obligation to maintain water availability for Sutter Homes).

III. AIR QUALITY

- a) Excessive air pollution due to increases in vehicular traffic. This will directly violate existing air quality standards. We are already in violation of those standards.
- b) Temporary increase in ambient particulates due to construction. Some of these particulates may be toxic and/or disseminate disease.
- c) There is a possibility that the project will generate objectionable odors; depending on its sewage management program.

IV. BIOLOGICAL RESOURCES

- a) The project will directly cause the loss of local wildlife habitat and will interfere substantially with the migratory pathways of native wildlife.
- b) The project will result in a substantial loss of oak woodland; a declining and threatened natural resource.

V. GEOLOGY AND SOILS

- a) Buildings are to be located within the Foothill Fault System (specifically, right in the trace of the Melones Fault). While, technically, considered inactive, this system was responsible for the 1975 Oroville earthquake which resulted in halting work on the Auburn Dam (itself located within the fault).
- b) Toxic mining waste: 17 toxic chemicals have been identified on the surface of a nearby site (the Empire Mine). Mining waste is found on the property in question. Public exposure to these deposits is potentially hazardous; which includes danger from aerial, particulate matter carried into the air during construction.

VI. CULTURAL RESOURCES

- a) The City of Plymouth is under consideration as a Historical District. The project as proposed would adversely impact its significance.
- b) Only some of the property in question has been surveyed for historic and archaeological resources. A more thorough assessment will be necessary.

VII. HAZARDS AND HAZARDOUS MATERIALS

- a) What are the impacts on the nearby emergency heliport (Colburn Park)? Will an alternative site be provided? The project as described will result in a serious disruption to emergency services; including access for hazmat personnel.
- b) Adequacy of emergency evacuation routes (e.g., wildfire)? Will they prepare an emergency response plan? Has any consideration been given to the extent of roadways necessary to provide for emergency evacuation and public safety?
- c) Will sewage waste be trucked off-site? What precautions will be taken to ensure public safety from biomedical waste generated by the health center?
- d) The project as proposed threatens to expose residents and structures to significant losses due to wildfires.

VIII. HYDROLOGY AND WATER QUALITY

- a) There will be a substantial depletion of groundwater supplies/recharge. This area is on a fractured, hardrock aquifer; which is much more difficult to manage than more conventional soil-based aquifers.
- b) There will be a disruption of groundwater movement; which results in much more unpredictable consequences given the hardrock nature of the aquifer.
- c) Existing water supplies are inadequate; there is a moratorium on local construction due to the existing lack of reliable water.
- d) May require trucking in of water and/or interbasin water transfer (latte requires federal authorization).

IX. LAND USE AND PLANNING

- a) The plan will result in a physical division of the local community. In effect, the City of Plymouth will have two functional centers at opposite ends of the area.
- b) The site of the proposed project is zoned agricultural and rural residential. The proposal is in direct violation of the Amador County General Plan and other land use plans and policies.

X. MINERAL RESOURCES

- a) This issue needs to be evaluated in light of the proposed Matulich development currently under review by the County of Amador.

XI. NOISE

- a) Area residents will be exposed to noise levels on a 24 hour a day basis – seven days a week - that are substantially in excess of current conditions and are in violation of the Amador County noise ordinance.
- b) Noise levels will undergo a substantial and permanent increase over pre-project standards.
- c) A substantial, temporary increase in ambient noise levels will occur during construction and subsequent expansions and/or remodeling.

XI. POPULATION AND HOUSING

- a) Tribal members alone – none now currently resident locally – will more than double the local population. Add resident employees; and population growth will be substantial and will be completely out of line with local and regional planning.

b) In general, Indian casinos result in a 10% loss of residential property values. The real estate market here is already depressed. This will cause further foreclosures and the loss of many, longterm residents.

XII. PUBLIC SERVICES

a) The project will directly lead to substantial impacts on local fire protection and law enforcement and will be especially devastating to the school system. A development of this size can be expected to add on the order of 520 children to the educational system: a huge increase and none of it is reimbursed through taxation.

b) Other impacted services include solid waste removal (the county dump is expected to close within a few years); and, the previously-mentioned water and waste water removal. Litter has always been found to increase substantially in the vicinity of Indian casinos; and, motor vehicle violations escalate significantly, straining local resources to the breaking point. Alcoholism, public intoxication and illicit drug use rates have all been established to increase in the vicinity of Indian casinos; leading to additional impacts on behavioral counseling and rehabilitation medical services and law enforcement.

c) The impacts associated with problem gambling are enormous. See **Social Impacts and Appendix 1** for further details.

XIII. RECREATION

a) It is probable that tribal members and employees will impose a substantial impact on the newly-created TEA roadside park. The City of Plymouth has just approved a new park program; which is likewise at risk.

b) The project proposes a community park with sports fields; which is to be located in the remotest area of the project site. This will require a thorough field survey; and, likely, will be many years in the planning stage (if, indeed, it proves feasible). Additional impacts can be associated with its remote, wildland location and rugged terrain. Furthermore, it is designated for one of two U. S. Bureau of Land Management parcels; both of which have prior mining claims and are not likely to be available without an independent EIS.

XIV. TRANSPORTATION/TRAFFIC

a) The plan will result in a substantial increase in traffic. Project proponents have admitted that an increase in personal vehicle use of 10,500 vehicles per day can be expected. This does not take into account the equally large increases in emergency and support vehicles. Trucks may have to haul 80,000 gallons of water each day onto the site; plus, additional trucking will be necessary for construction, solid waste and waste water removal and much more. Any road improvements designed to handle these capacities will be several years down the road; and, will require planning and environmental review

of their own. The increase in traffic is sufficient to create a permanent gridlock in and around the City of Plymouth; while also shutting out most access to Shenandoah Valley and Fiddletown.

b) Project traffic will conflict with a number of established uses of the public roads; such as livestock rotation; slow-moving trailers and the life of a rural, ranching community. Children still play in the streets here; and, this will overnight become a thing of the past. A significant, residential portion of the community (Chicken Flat) will become virtually cut-off and isolated from the rest of the community due to traffic volumes.

c) It is probable that the parking on the casino grounds will prove inadequate for visitation; at least during the initial years of operation. In the meanwhile, overflow vehicles will spill out into area streets and parking lots.

XV. UTILITIES AND SERVICE SYSTEMS

a) New waste water facilities will either need to be built on-site or waste water will have to be trucked off-site. Currently, no provisions have been made for waste water management at this locale.

b) Available water supplies are woefully inadequate to support this development. Major new construction will be necessary to supply sufficient potable water to the site. As an interim measure, water may have to be trucked into the project area; adding to local traffic congestion and other problems.

c) The project lacks access to a sanitary landfill with sufficient permitted capacity to accommodate its solid wastes.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

a) The project has impacts that are cumulatively considerable. The growth-inducing potential, extreme increase in water requirements and waste disposal needs, the impacts on area public services, schools and transportation all threaten a cascade of adverse consequences that the local community is incapable of handling.

b) In itself, the project also has environmental effects which will cause substantial, irreversible effects on local citizens and the quality of life; both directly and indirectly. Some of these adverse impacts have been summarized in this document. As further information is made available by project proponents, it will become possible to quantify many of these impacts.

SOCIAL IMPACTS

Sufficient social impacts can be anticipated from the proposed project that, as mandated under NEPA, a separate study should be required to analyze the human or social impacts associated with the casino industry and gambling. The following is a summary of social impacts resulting from compulsive or pathological gambling. Studies of the impacts of specific casinos have found local bankruptcy, divorce and domestic abuse rates escalating immediately following casino opening; often to rates several times their prior levels. Please see **Appendix 1**.

Appendix 1.

Gambling's Impact on Families

by Ronald A. Reno

The tragedy of gambling addiction reaches far beyond the more than 15 million Americans¹ who are problem or pathological gamblers. Employers, work associates, friends, and taxpayers often pay a steep price as well. However, it is family members who bear the brunt of the pain and misery that accompanies this addiction. In addition to material deprivations, family members frequently experience the trauma of divorce, child abuse and neglect, and domestic violence.

Divorce

- In a survey of nearly 400 Gamblers Anonymous members, 28 percent reported being either separated or divorced as a direct result of their gambling problems.²
- The National Gambling Impact Study Commission reported that it received "abundant testimony and evidence that compulsive gambling introduces a greatly heightened level of stress and tension into marriages and families, often culminating in divorce and other manifestations of familial disharmony."³
- The number of divorces in Harrison County, Mississippi has nearly tripled since the introduction of casinos. The county, which is home to ten casinos, has averaged an additional 850 divorces per year since casinos arrived.⁴
- A nationwide survey undertaken for the National Gambling Impact Study Commission found that "respondents representing 2 million adults identified a spouse's gambling as a significant factor in a prior divorce."⁵

Child Abuse and Neglect

- The National Gambling Impact Study Commission reported: "Children of compulsive gamblers are often prone to suffer abuse, as well as neglect, as a result of parental problem or pathological gambling."⁶
- In Indiana, a review of the state's gaming commission records revealed that 72 children were found abandoned on casino premises during a 14-month period.⁷
- Children have died as a direct result of adult gambling problems. In Louisiana and South Carolina, children died after being locked in hot cars for hours while their caretakers gambled.⁸ An Illinois mother was sentenced to prison for suffocating her infant daughter in order to collect insurance money to continue gambling.⁹
- Cases of child abandonment at Foxwoods, the nation's largest casino in Ledyard, Conn., became so commonplace that authorities were forced to post signs in the casino's parking lots warning parents not to leave children in cars unattended.¹⁰

Domestic Violence

- According to the National Research Council, studies indicate that between one quarter and one half of spouses of compulsive gamblers have been abused.¹¹
- Case studies of 10 casino communities conducted for the National Gambling Impact Study Commission revealed that the majority of those communities witnessed increases in domestic violence relative to the introduction of casinos.¹²
- Domestic violence shelters on Mississippi's Gulf Coast reported increases in requests for assistance ranging from 100 to 300 percent after the introduction of casinos.¹³

- A University of Nebraska Medical Center study concluded that problem gambling is as much a risk factor for domestic violence as alcohol abuse.¹⁴
- Domestic violence murders in at least 11 states have been traced to gambling problems since 1996.¹⁵

Endnotes

¹National Gambling Impact Study Commission (NGISC) Final Report, June 1999, p. 4-1.

²NGISC Final Report, p. 7-27.

³NGISC Final Report, p. 7-26.

⁴Mississippi State Department of Health, "Vital Statistics Mississippi" for the years 1991-1998.

⁵National Opinion Research Center, "Gambling Impact and Behavior Study: Report to the National Gambling Impact Study Commission," April 1, 1999, p. 48.

⁶NGISC Final Report, p. 7-28.

⁷Grace Schneider, "Children Being Left Alone While Parents Gamble," [Louisville] *Courier-Journal*, July 18, 2000.

⁸Joe Darby, "Sitter Indicted in Toddler's Death," *New Orleans Times-Picayune*, May 23, 1997, p. B1; "Police: Baby Died of Dehydration in Car While Mom Gambled in Casino," Associated Press, September 2, 1997.

⁹Ed Bierschenk, "Gambler Receives 21 Years in Connection with Baby's Death," *Copley News Service*, October 23, 1999.

¹⁰Stephanie Saul, "Tribe Bets on Growth," *Newsday*, August 11, 1997.

¹¹National Research Council, "Pathological Gambling: A Critical Review," April 1, 1999, p. 5-2.

¹²NGISC Final Report, p. 7-27.

¹³Maryland Attorney General J. Joseph Curran, Jr., "The House Never Loses and Maryland Cannot Win: Why Casino Gaming is a Bad Idea," October 16, 1995, p. 5; NGISC Final Report, p. 7-27.

¹⁴John Jejkal, "U. Nebraska Doctor Contributes to National Domestic Violence Study," *Daily Nebraskan*, January 13, 2000.

¹⁵Petula Dvorak, "Marrero Man Kills Wife, Self," *New Orleans Times-Picayune*, May 8, 1998, p. A1; Benita Williams, "Woman Sentenced in Slaying," *Kansas City Star*, December 21, 1999, p. B2; Dave Racher, "Landscape Held in Wife's Slaying," *Philadelphia Daily News*, July 11, 1998; Hector Castro, "Savage Killing of 3 Still a Mystery," (Tacoma, Wash.) *News Tribune*, June 14, 1999, p. A1; Carson Walker, "Cepek Killed in Her Apartment, Police Believe," (Sioux Falls, S.D.) *Argus Leader*, January 30, 1997; Mark Horvit, "Anecdotes Link Video Poker with Crimes," *Charlotte Observer*, October 3, 1999; Jack Gruber, "Gambling Help Comes Slowly," *Detroit News*, October 3, 1997, p. C1; Ed Hayward, "Gambling Habit Eyed as Motive," *Boston Herald*, October 21, 1997, p. 7; W. Melillo and B. Masters, "Lone Survivor of Father's Shooting Dies,"

Washington Post, August 6, 1998, p. A1; Associated Press, "Woman Blames Gambling Debts in Double Murder," September 10, 1999; "Ohio Man Guilty of Bomb Murder," Associated Press, February 5, 1997.

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Comment #49

51
February 4, 2004

Mr. Bill Allan
BIA Regional Environmental Specialist

Dear Mr. Allan:

I refer to the January 21 article in the Amador Ledger Dispatch regarding the Plymouth casino scoping session scheduled for February 4 at the Plymouth Fairgrounds. In that article you recommended people submit their comments regarding the environmental impact in writing as it counts more than speaking - therefore, this letter.

Re traffic: Highways 16 and 49 are the main roads. Highway 16 goes to Sacramento and at commute hours this 2-lane road is very busy as many in the county are employed in the Sacramento area. A casino would bring in thousands more cars every hour of the day and night. Not only would this cause congestion all the time, but the fumes and the noise would create an enormous pollution problem.

Re crime: There is no argument as to the increase in crime a casino would bring. Just check with the Jackson police department. I also saw when I used the bathroom at the Jackson Rancheria casino a box on the wall with instructions to put used needles within. They are not talking about needles used by diabetics! --- an open acknowledgment of the routine use of narcotics. Can anyone deny the connection between crime and narcotics?

Re the water problem that Plymouth has: I live in an area where wells supply our water. In fact, all of the area around Plymouth is on wells. If the casino needs many, many thousands of gallons of water daily that need will encroach on the hundreds of households in the area possibly causing many wells to go dry. The subterranean conditions in this area preclude predicting the effects of massive withdrawals on the surrounding wells for miles around.

The City of Plymouth had a vote a while back, and there were 233 who voted against it and 85 for. The City Council ignored the wishes of the people they are supposed to represent. Subsequently, there is a recall vote scheduled for May. It is absolutely outrageous that the present Council should make decisions regarding this matter completely disregarding the resounding "no" vote. Our representatives in Congress, Assemblyman Alan Nakani shi and Senator Rico Oller, are against it. Nicolas Villa Jr. hereditary chief of the Ione Band of Miwok Indians wrote a letter to the local newspaper on Sept. 29 claiming the people backing this do not represent his Band and that he is opposed to the casino. I understand some on the Plymouth council own some land which the casino would buy to build on; undoubtedly influencing their yes vote. The vote was only for Plymouth city proper. If the community around Plymouth were allowed to vote it would be overwhelmingly a vote against the casino. We do not want the peace and tranquility that we now have to be ruined.

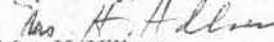
This county of only about 32,000 already has the Jackson Rancheria casino which is constantly expanding. The people who live in that area are having the problems now that we would have here. They are constantly going to meetings regarding traffic, widening of roads, possible traffic lights etc. They already have the traffic noise and air pollution they cannot do anything about.

There is another Indian casino scheduled to be built in the Buena Vista area. That casino and the Jackson Rancheria and the proposed one for Plymouth are all within 15 miles of each other. There is no need for a third one in Plymouth. This is not Reno and we don't want it to become such!

One of the most important things a person has is his/her home. A casino in Plymouth would ruin it for most of its residents for the above reasons. Please help us save our area from the degradation of the environment and quality of life a casino would bring about.

Thank you.

Respectfully,


Mrs. H. Hillner
15535 Westgate Ct.,
Plymouth, Ca. 95669

c.c. Governor Schwarzenegger
Mr. Michael Rossetti, Counselor to the Sec'y of the Interior
Mr. Michael Olsen, Dir. Office of Native American Insular Affairs

Comment #50

July 1, 2003

Mr. Matthew Franklin, Chairman
Ione Band of Miwok Indians Tribal Council
9545 Highland Way
Sacramento, CA 95828

Dear Mr. Franklin:

Thank you for your letter regarding the proposed Indian casino in Plymouth and soliciting our input and comments. We do have a number of comments to make.

Firstly, we were very unhappy with the manner in which your tribe went about acquiring options on land for your project and the manner in which you sent your request for a compact with the State to the Governor saying that there was "no opposition" to this project. There is a great deal of opposition, and we are two, who are strongly opposed. Why didn't this letter come to the citizens of Plymouth and/or Amador county, before now?


Amador county already has two sites for Indian gaming facilities, and truly cannot handle another. In general, your facilities create far more expense for our communities; more than can ever be realized favorably for other businesses in nearby areas. Our roads are small two lane highways which simply cannot handle the traffic and with additional traffic, comes more accidents...which then impacts our infrastructure—fire, police, emergency services—none of which your tribes are ever obligated to compensate accordingly. It is all of the other tax payers in the county who become affected adversely.

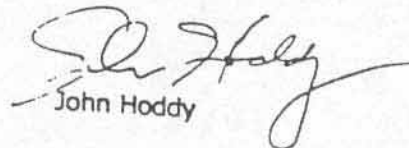
The Plymouth area does not have water to support a gaming facility; serving alcohol will lead to many other unfavorable conditions in our community; perhaps you would bring jobs to the area, but these would only be minimum wage jobs and not what we need here. A facility of your planned size will also require waste disposal, and the land you are looking into acquiring simply cannot handle such (as septic systems would be required, no doubt), or do you plan to build your own sanitation facility as a part of this project!

I understand that your tribe is actually members of an Indian tribe who were originally part of the Wilton Rancheria - go to the Wilton area and build your gaming facility. Amador county has two, and to have a third with all three of you then being literally within about 15 minutes of one another—well, that simply does not even make sense.

We appreciate your request for input, and we are not interested in working with you in any manner as we do NOT want an Indian gaming facility in Plymouth.

Sincerely,


Betty Riley Hoddy
Plymouth, CA


John Hoddy

Cc: Mario Biagi, Supervisor, District V, Amador County
Gray Davis, Governor, State of California
George W. Bush, President, United States
Rico Oller, Senator 1st District, United States
Barbara Boxer, U.S. Senator
Doug Ose, U.S. Congressman, District 3
Dianne Feinstein, U.S. Senator
The Honorable Selby Beck, Mayor, City of Plymouth, California

George T Skibine - Indian Gaming Mgmt

Gail Norton
Secretary of the Interior

David Rosenberg
Director of Intergovernmental
Affairs

Bill Lockyer

Partners in Prosperity
Economic development WILL Benefit the Entire Plymouth Community

June 27, 2003

John D Hoddy
10721 Shenandoah Rd
Plymouth, CA 95669-9513

Dear Hoddy Family,

New jobs, improved living conditions and business climate, enhanced government services that are not paid for by higher taxes.

Tribal Economic Development works well for communities. The Ione Band of Miwok Indians is building a gaming facility in and near Plymouth. This development will create significant revenues for the community, which will work as an economic catalyst for all residents.

How do we know? Similar efforts already create paychecks for thousands of Californians throughout the state; these are newly created jobs for everyone in our community. California tribes generate \$273 million each year in extra revenue for community businesses, and this new revenue will find its way into every business and household in Plymouth.

This kind of economic development will work for Plymouth. It will work to make our community a promising place where our young people will stay, find jobs, start careers and raise families. These are the kinds of values we all want and care about.

Today, we have a unique opportunity to create better living conditions and a healthier business environment that thrives in good times and times of challenge. Together, as partners, we will make this a reality for the Plymouth community. By working together we can make Plymouth a better place to live for generations to come, but at the same time, keep Plymouth's character and still maintain its rural atmosphere.

We welcome your input and ideas and look forward to working with you!

Regards,

Matthew Franklin

Matthew Franklin, Chairman
Ione Band of Miwok Indians Tribal Council
9545 Highland Way
Sacramento, Ca 95826

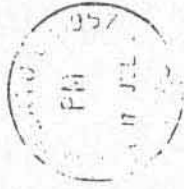
(916) 202-1717

95818



JOHN HODDY
P.O. Box 801, Plymouth, CA 95669-0801

13
1997



Mr. Matthew Franklin, Chairman
Tone Band of Mowok Indian
Tribute Council
9545 Highland Way
Sacramento CA 95818



52416/3333



JOHN HODDY
P.O. Box 801, Plymouth, CA 95669-0801



Mr. Matthew Franklin Carmon
Lone Band of Meuk Indian
Tribe Council
9545 Highland Way
Sacramento CA



Comment #51

53
February 4, 2004

Attention
Bureau of Indian Affairs

To Whom It May Concern,

My name is Jan Hopkins. My husband Michael and I live Hwy 49 on the Amador side of the El Dorado County Line five miles from Plymouth. Plymouth is our closest town and our mailing address. We patronize most of the local businesses, restaurants, Pokerville Market, gas stations and the Plymouth Hardware. We contribute to local causes such as the children's playground and the Fire Department. I even volunteer at Plymouth School. When I hear people say we shouldn't have a say in what happens here, we get upset. We may not be in the city limits, but we are part of this community.

I am not here to go into all the water and sewer issues which others can speak about with more knowledge than I. I want to tell you the personal impact on us. At the last meeting, someone who lives on Hwy 16 spoke on their concerns about traffic congestion. I want to speak about the other main artery into Plymouth, which is Hwy 49. This is a narrow winding road which leads north to the town of El Dorado and on to Hwy 50 and Placerville. Even though this road is well kept up by Caltrans, which I've been told is because it is a major state evacuation highway, there are many accidents on this highway. Many of them are single car, many of them are people driving too fast for weather and road conditions. Many involve people who have been drinking. I can not imagine the effect the volume of projected traffic to and from this casino will have on this Hwy and on us. My neighbors, on both sides of the county line, and I have a very hard time getting on and off this road from our driveways and dirt roads. In many places the visibility due to all the curves is very limited. When cars and the large numbers of motorcycles, hundreds per day on summer weekends, not to mention semi-trailer delivery trucks, logging and gravel trucks are going by even at the speed limit, it becomes very dangerous. This is not to mention the noise pollution it causes.

Now we usually have reasonable response times by the Sheriff's Department, Highway Patrol, and Volunteer Fire Department. I've called many times myself about accidents and trespassers. Last year, a catastrophe for us and our immediate neighbors was prevented by the quickness of the response to a brush fire. It is hard to see how that kind of response can continue, if we have the casino.

The impact of all the traffic in Plymouth itself also greatly concerns me. When I work in the after-school program at the school, I pass many students leaving school walking and on bicycles. They cross streets alone and in small groups. One of

the nice things about Plymouth now is that it is relatively safe for them to do so. With the traffic generated by this casino, it will not.

The changes to the character of this tiny town will be huge. Most of us who live here appreciate the rural way of life. We like a slower pace. We like to look out our windows and appreciate the beauty of the countryside. The casino will take that away from us. We don't need it here.

Thank you for your consideration,
Michael and Jan Hopkins

Michael & Jan Hopkins

9451 Cosumnes Dr.
Plymouth, CA 95669

Comment #52

Steven D. Howard
5530 Taylor Road
Plymouth, CA 95669

Phone: 209-245-6038
FAX: 209-245-6268
E-mail: showard@cdepot.net

November 19, 2003

Sacramento Regional Office
Bureau of Indian Affairs

Re: Proposed Indian Casino in Plymouth, California

To Whom It May Concern:

I am writing to express my strong opposition to the proposed casino in Plymouth. I have grave concerns regarding probable drug enforcement problems, other law enforcement problems, the stress on the local infrastructure, and the destruction of our rural way of life.

Regarding infrastructure, I am especially concerned with the following:

1. The Plymouth City sewage disposal system is already severely overloaded. You can frequently smell sewage from miles away.
2. The water supply for the City of Plymouth and surrounding areas is already overtaxed.
3. Access to the proposed casino from any existing road or highway will immediately overload the transportation infrastructure. The establishment of the existing casino in nearby Jackson, California has already caused crowding of our roads as well as many traffic accidents.

Sincerely,



Steven D. Howard

Comment #53

To: Bureau of Indian Affairs

I oppose the construction of a casino in the middle of the city of Plymouth, along historical Hwy 49.

The impacts to this community will be devastating.

1. WATER; The city of Plymouth currently uses well water for its primary source. These wells have already impacted the surrounding area.
2. SEWER; Already at maximum capacity.
3. TRAFFIC; Existing highways 49 & 16 are only two lanes, they will not support the volume of traffic this casino will generate.
4. LOCAL GOVERNMENT; Amador county board of supervisors unanimously passed a resolution opposing the casino, the existing casino in this county has impacted on local resources \$800,000.00 yearly.

These are just a few of the negative impacts this casino will have on this small foothill community.

When you factor in 1. Crime

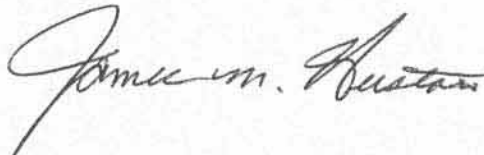
2. Drugs & Alcohol
3. Pollution
4. Litter
5. Traffic accidents
6. Noise
7. Emergency services
8. Schools
9. Loss of local businesses
10. No sales taxes
11. The construction of another casino already approved only 15

mi. away.

I think you will agree that the quality of life here in Plymouth will be changed.

Thank You For Your Support

James M. Huston
18800 Burke Drive
Plymouth, CA. 95669



Comment #54

February 4, 2004

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Regarding: Proposed Indian Gaming Casino in Plymouth

To Whom It May Concern:

Water !

The number one environmental impact concerning the proposed Indian Gaming Casino Project.

Allowing any development in this area without first studying the Aquifer would be negligent.

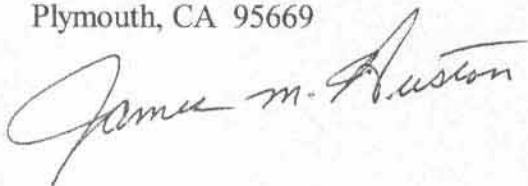
Who will mitigate the impact of no water for Plymouth and the surrounding area? (No one).

Pumping 150,000 gallons of water per day from the Aquifer has the potential of ruining the lives and financial security of thousands of tax paying citizens in this area.

I say the risk is too high. The rewards too low.

Sincerely,

James M. Huston
18800 Burke Drive
Plymouth, CA 95669



cc: Supervisor Mario Biagi

Comment #55



Office of the Superintendent
Rev. Michael W. Jacobsen

September 23, 2003

Bureau of Indian Affairs
Sacramento Area Office
2800 Cottage Way
Sacramento CA 95825

To Whom It May Concern:

This letter I am writing is in regards to the possibility of building a casino in Plymouth CA. I am the Bishop of the Northern CA District of the Pentecostal Church of God. Our organization stands in opposition of all forms of gambling as stated below taken from our District by laws;

STAND ON GAMBLING/LOTTERY

1. BE IT RESOLVED that inasmuch as the Bible teaches that covetousness and greed are grave sins, and inasmuch as we are taught to live of the fruits of our labor (2 Thessalonians 3:10), and whereas gambling has brought much poverty and suffering to our society, therefore, BE IT RESOLVED that the Northern District of California, Pentecostal Church of God, declare that we are opposed to all forms of gambling, including lotteries, as being contrary to the principles of God's Word, and we encourage our people to recognize their responsibility as good stewards of God's resources and refrain from gambling in any form.

Therefore I want to state my objection to this casino being built in Plymouth.

Sincerely,

M. W. Jacobsen.
District Bishop
Mwj:mword:Fragoza

Pentecostal Church of God

Northern District of California and Nevada

7627 Lauppe Lane - Citrus Heights, CA 95621 - 916/723-2467 - 916/723-2490 fax - mwjacobsen@hotmail.com

Comment #56

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

November 19, 2003 - 6:00 - 9:00 PM

Amador County Fairgrounds

COMMENT SHEET

Your Name: Carrie Jehnon

Your Organization: 11 year Home owner

I oppose the Casino on many points:

- Traffic
- Water
- Crime
- Size
- exact location
- out of town (Mississippi) promoters
- school impact
- no apparent land ties in the past 100 years or so. (otherwise they would not have to buy the land.)
- 2 Casinos already on Indian land.

Comment #57



59

COUNTY OF AMADOR
PROBATION DEPARTMENT

MICHAEL N. KRILETICH
Chief Probation Officer

255 New York Ranch Road
Quail Hollow Professional Center
Jackson, California 95642-2147

MARK J. GIANNINI
Deputy Chief Probation Officer

This memo is regarding the impact of the proposed Plymouth casino on the Amador County Probation Department. As of this writing, all of the 2003 statistical information has not been completed. The following information is based on impact from the current casino in 2002, prior to the current expansion.

In 2002, we prepared approximately eight (8) casino incident pre-sentence felony reports. These are the most serious cases which required extensive investigation and report preparation. The average time for a probation officer to do a report, including support staff time and court time, is eight (8) hours. There is additional time for monitoring the case if the defendant is placed on probation. This time varies depending on the residence of the defendant, the severity of the case, and the needs of the defendant.

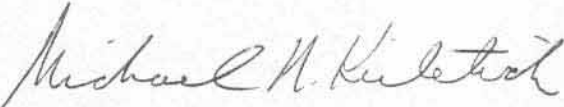
There were other felony cases settled without a report and numerous misdemeanor cases, but we have not developed a way to track them as we only get orders of probation from the court. These orders do not specify where the crime occurred. They do require some level of monitoring depending on the above-mentioned reasons.

Our Proposition 36 caseload (the Substance Abuse Crime Prevention Act of 2000 concentrating on treatment for drug offenders), had more than fifty-five (55) participants in 2002. Of those cases twenty-six (26) were from the casino. The drug diversion cases totaled one-hundred-three (103) 2002, with fifty-two (52) being from the casino. The preparation of these report takes about 1.5 hours. The supervision of the Proposition 36 is labor intensive due to the nature of treatment versus incarceration. This activity affects the staff of Alcohol and Drug Services as well as probation staff.

Another casino in Plymouth or elsewhere in the County will adversely impact our department; however, it is difficult to say what that impact will be until it happens. Presently, I feel safe in saying the casino cases require the attention of the equivalent of one full-time deputy probation officer. This includes all staff involved (DPO and clerical), the cost of drug testing, the cost of supervision services, and the cost of a vehicle, and other overhead. This estimate is frightening in light of the proposed and unanticipated cuts our department will receive as a result of the State's budget crisis. In other words, there will be fewer probation officers to monitor accountability standards of a growing caseload. This is not a safe situation for our community.

The current cost of a permanent DPO II (including salary, overtime and benefits) is \$83,400.

February 5, 2004


Michael N. Kriletich, Chief Probation Officer

Comment #58



CITY OF AMADOR CITY
INCORPORATED JUNE 2, 1915
California

Reg. Dir. _____ *pm*
Dep. Reg. Dir. _____
Reg. Adm. Officer _____
Route *AM* _____
Response Required _____
Due Date _____
Memo _____ Mr. _____
Tele. _____

November 14, 2003

cc. NR

Clay Gregory
Acting Regional Director
Pacific Region
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

COPY

RE: Plymouth Indian Casino

Dear Clay Gregory,

I am enclosing a copy of Resolution No. 426 of Amador City against an Indian gaming casino in the City of Plymouth. Copies were sent to both the City of Plymouth and Governor Davis, but you may not be aware of it.

Sincerely,

Hope M. Luxemberg, mayor

882 11-17-03

PKK
5-27-03

CITY OF AMADOR CITY

Resolution No. 424⁷

A RESOLUTION AGAINST AN INDIAN GAMING CASINO IN THE
CITY OF PLYMOUTH

DRAFT

WHEREAS traffic is expected to reach 7000 vehicle trips per day, part of which will come through Amador City by way of Highway 88, and

WHEREAS Amador City has limited funds for law enforcement and with an additional casino, there could be an increase in crime,

THEREFORE The City of Amador City will be severely effected by an Indian Gaming Casino in the City of Plymouth which could be detrimental to the quality of life in Amador City,

IT IS HEREBY RESOLVED that the City of Amador City opposes Governor Davis approving a gambling contract for the proposed casino in Plymouth or any other future proposed casino in Plymouth

The forgoing resolution was duly passed and adopted at a regular meeting of the City Council of the City of Amador city on June 19, 2003 by the following vote.

AYES

NOES

ABSTAIN

Hope M. Luxemburg, mayor

ATTEST:

Joyce A. Davidson, city clerk

Council members and Attorney Lacey: Feel free to change or add wording before the next meeting.

CITY OF AMADOR CITY

Resolution No. 426

**A RESOLUTION AGAINST AN INDIAN GAMING CASINO IN THE
CITY OF PLYMOUTH**

WHEREAS traffic is expected to reach 7000 vehicle trips per day, part of which will impact Amador City by way of Highways 88, 49 and 16. The increased traffic will result in air pollution, pedestrian danger to both residents and non-residents and will place added stress on our historic buildings, and

WHEREAS Amador City has limited funds for law enforcement and with an additional casino bringing more people into North Eastern Amador County, more police services will be required.

THEREFORE The City of Amador City will be negatively effected by an Indian Gaming Casino in the City of Plymouth which would be detrimental to the quality of life in Amador City,

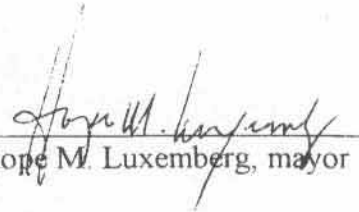
IT IS HEREBY RESOLVED that the City of Amador City opposes Governor Davis approving a gambling contract for the proposed casino in the City of Plymouth.

The forgoing resolution was duly passed and adopted at a regular meeting of the City Council of the City of Amador city on June 19, 2003 by the following vote.

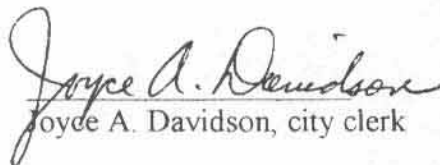
AYES: Stevens, McKenna, Luxemberg, Lynch, Knox

NOES: none

ABSTAIN: none


Hope M. Luxemberg, mayor

ATTEST:


Joyce A. Davidson, city clerk

Comment #59

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT
November 19, 2003 - 6:00 - 9:00 PM
Amador County Fairgrounds

COMMENT SHEET

Your Name:

Hope M. Luxemburg

Your Organization:

Box 1359
Sutter Creek

The water line serving both Amador City and Drytown comes through my ranch in Amador City. This line breaks on the average of once per year. It has been proposed that this water line be extended to the Casino. Will this mean I will have to repair my washed out ranch roads more frequently? Will more treated washed water be washed? If the water agency cannot afford to replace this decayed line - who will pay for the extension to the Casino in Plymouth?

Comment #60

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

February 4, 2004 6 TO 9 PM

COMMENT SHEET

Your Name: Hove Luxemburg

Your Organization: Amador City Council

1. If the district builds its own sewer plant, where will
the effluent go? The Calif. Regional Water Control Board
has very stringent rules but apparently they are not
applicable on "Sovereign" lands. Even septic treated
waste water is still considered to be "waste water."
Will effluent be allowed to infiltrate ground water?

Comment #61

November 19, 2003

Members of the Bureau, my name is Elida Malick, I reside here in Plymouth, my husband and I have a small business bordering the City, my children attend school at Plymouth Elementary, and I am a member of the Plymouth Planning Commission.

Thank you for the opportunity to speak to you this evening, I have some comments to make regarding local land use and planning.

In order to establish useful guidelines for local decision making, the State of California Planning and Zoning Law requires each city and county in California to adopt a General Plan for the physical development of the city or county and any land outside its boundaries which bears relation to its planning. Proposed projects brought to the city must be reviewed to ensure consistency with the land use designation, goals, and policies, and all other aspects of all adopted Elements.

The Vision Statement for Plymouth, a historic California Gold Rush town, was adopted into the Land Use Element in 1994, and guides the City to the year 2015 when Plymouth will be recognized as a "small town", a comfortable place with a "country feeling", friendly people, and a sense of community. To ensure that the area's rural character, stemming from a basis in farming and ranching, is not lost, only well planned, fiscally sound developments will be accepted and large areas for open space and agriculture will be preserved. Likewise the City's youth will be an active part of the City's present and future.

Keys to this vision for Plymouth are the Goals stated in each Element of the General Plan. Supported by Policy and Implementations Statements, the direction of growth that Plymouth is to follow is best exemplified in this sampling:

Goal 2.2.1 from the Land Use Element

...to provide for a balanced and effective arrangement of land uses while maintaining the Rural Atmosphere, Quality of Life, and Separate Identity of the City

Goal 2.4.4 from the Conservation and Open Space Element

...to protect and improve the quality of the natural environment

Goal 2.5.1 from the Noise Element

...to achieve and maintain ambient noise levels that preserve the quiet, rural atmosphere of Plymouth, with special attention to Sensitive receptors like Plymouth Elementary School.

And Goal 2.6.1 from the Safety Element

...to provide a safe and hazard free environment for the citizens of the City.

All Sections of the Land Use element lay a clear foundation of directives for the future growth of our City.

Residential areas are to be kept free of activities that produce excessive noise, air pollution, odor and heavy traffic. Development is to be guided by design principles that serve to enhance the rural character of the planning area.

Commercial areas are to compliment – functionally and visually – existing commercial areas.

Light industrial areas must product few negative impacts and when located close to residential and commercial areas, negative impacts such as noise, air, light, and water pollution, vibration, electronic interference, and effects pf hazardous materials must be reduced to negligible levels and land set aside for buffer zones and screening.

Even industrial areas are guided by the City's intent to preserve and enhance the quality of the environment while preventing the adverse effects of industrial development on the balance of the community.

A casino complex in the functional heart of this City is in direct contrast to the above stated guideposts for Plymouth's growth and clearly will result in the physical division of the local community. Additionally Tribal sovereign land at this location will deny the City of Plymouth the most logical and viable land for future growth and development, that along the Hwy 49 corridor, resulting in squelching the City's ability to strive for it's own economic development and self-determination.

Without a clear project description it is exceedingly difficult to address potential impacts however, the information currently available leads us to the following list of concerns:

A separate identity for the City of Plymouth will be lost in the shadow of a Tribal casino complex along with the cultural and historic significance of a California Gold Rush Town in the Mother Lode; rendering these essential components of our uniqueness essentially eliminated.

By definition, the sovereign status of tribal businesses creates an unfair advantage in the local business environment. This unfair competition will make it impossible for some local family owned businesses to remain viable causing direct damage to the local small business owner and secondarily to the City by reducing the marketability and value of business real estate on nonreservation lands.

The project will result in the conversion of farm and ranch land to non-agricultural uses; contributing to the statewide decline in farmland and ignoring the common thread of the General Plan which is to maintain the rural nature of this city.

The local viticulture industry is attractive to tourists in large part due to the rural, quiet, historic atmosphere. The casino industry by necessity needs and generates high volumes of clientele thereby placing these two industries at odds with each other.

And last but by no means least are safety concerns for our citizenry, especially our children. According to Mother Against Drunk Drivers, alcohol related fatal auto accidents have been on the rise. In this light, the last thing we need is a wet casino in close proximity to our elementary school, park and children's ball field. Especially as the

situation here in Plymouth places two main arterioles to the casino directly adjacent to these sensitive sites.

As well current FBI statistics indicate that while overall crime has generally been on the decrease, crime in counties with commercial casinos has increased. As examples, casino communities experiences 13% more property crimes, 13% and 14% increases in larceny and auto theft respectively, and a 13% increase in rape.

A representative of the Bureau has been quoted as saying that "quality of life" issues are difficult to address. With all due respect to the Bureau, all these issues that I've mentioned and all the concerns voiced by our community this evening, are the very essence of what makes up "quality of life", and these points, like crime and pollution and safety, are quantifiable.

In closing, it is clear that the very nature of a casino complex is not only inappropriate for this farming, ranching community but completely inconsistent with the patterns of local land use and planning. By law, as stated in the General Plan for Plymouth, California, "If a project is found to be inconsistent in any manner, it must be denied or the General Plan amended."

COMMUNITY SCOPING SESSION

**ENVIRONMENTAL ISSUES REGARDING
THE PROPOSED PLYMOUTH INDIAN
CASINO**

John (Jack) King
Post Office Box 983
Plymouth, California 95669-0983

Introduction. The Ione Band of Miwok Indians, with their consultants, Ikon Group LLC, Lightning Rod Software, Inc., and Wilco Seven LLC, propose acquiring property in and adjacent to the City of Plymouth, Amador County, California, for the purpose of building a casino. No formal, written proposal has as yet been submitted for agency and public review; however, sufficient details have been provided in public statements that the following sketch can be established.

Up to 318 acres of land situated to the east of the historic Highway 49 have been identified for possible acquisition. Options have been purchased for 220 acres; but, either total is subject to change. The casino itself is to consist of a 120,000 SF building; which will either be constructed within the existing Shenandoah Inn or built in its place. The casino will have the upper legal limit of 2,000 gaming machines and 40 card tables. It is proposed that the overall facility will include a restaurant, coffee shop, saloon (lounge), video arcade, and a variety of commercial enterprises; as well as a child care center, medical clinic and offices; plus, a parking lot with 3,000 spaces. In addition, housing will be constructed for both tribal members and employees.

An informal gathering of concerned citizens was held on Wednesday, 11 June 2003; to review the proposal as described by its proponents at a special meeting of the Plymouth City Council (outlined above and reported in the *Amador Ledger Dispatch* on Friday, 2 May 2003). From this, the standard environmental initial assessment checklist was used to prepare a preliminary, community-based review of the proposed Plymouth Indian Casino. This was augmented by an analysis of existing land use plans and ancillary documents for the area; plus, a review of casino impact studies conducted elsewhere.

Participants in the workshop identified the following issues of concern. The reader should be reminded that this is only intended as an initial analysis. Doubtless other impacts will be identified with further study; and, of course, as the proposal takes tangible shape, many of these impacts will become quantifiable. Regardless, many of the potential impacts identified to date represent very serious issues; which, ultimately, will require the completion of a full Environmental Impact Statement in accordance with the National Environmental Protection Act (NEPA) should a formal development proposal be issued. The following format is organized to reflect the content that will be required in any eventual Environmental Impact Statement (EIA) as required under NEPA.

ENVIRONMENTAL IMPACTS

I. AESTHETICS

- a) Pastoral Vista: the Plymouth area is blessed with a beautiful, rural landscape that stands to be obliterated by the proposed development.
- b) As it is now, Highway 49 qualifies as a Scenic Highway; however, the proposed project will require that it be converted into a five-lane highway, substantially reducing its appeal.
- c) Light/Glare: the casino will be open 24 hours a day; resulting in substantial lighting and glare at all seasons of the year.

II. AGRICULTURE RESOURCES

- a) The project will result in a conversion of farmland (ranch land) to non-agricultural use; contributing to the statewide decline in farmland (CDOC report).
- b) There will be a substantial loss of water that would otherwise be available to the nearby Sutter Homes vineyard (the City of Plymouth has an obligation to maintain water availability for Sutter Homes).

III. AIR QUALITY

- a) Excessive air pollution due to increases in vehicular traffic. This will directly violate existing air quality standards. We are already in violation of those standards.
- b) Temporary increase in ambient particulates due to construction. Some of these particulates may be toxic and/or disseminate disease.
- c) There is a possibility that the project will generate objectionable odors; depending on its sewage management program.

IV. BIOLOGICAL RESOURCES

- a) The project will directly cause the loss of local wildlife habitat and will interfere substantially with the migratory pathways of native wildlife.**
- b) The project will result in a substantial loss of oak woodland; a declining and threatened natural resource.**

V. GEOLOGY AND SOILS

- a) Buildings are to be located within the Foothill Fault System (specifically, right in the trace of the Melones Fault). While, technically, considered inactive, this system was responsible for the 1975 Oroville earthquake which resulted in halting work on the Auburn Dam (itself located within the fault).**
- b) Toxic mining waste: 17 toxic chemicals have been identified on the surface of a nearby site (the Empire Mine). Mining waste is found on the property in question. Public exposure to these deposits is potentially hazardous; which includes danger from aerial, particulate matter carried into the air during construction.**

VI. CULTURAL RESOURCES

- a) The City of Plymouth is under consideration as a Historical District. The project as proposed would adversely impact its significance.**
- b) Only some of the property in question has been surveyed for historic and archaeological resources. A more thorough assessment will be necessary.**

VII. HAZARDS AND HAZARDOUS MATERIALS

- a) What are the impacts on the nearby emergency heliport (Colburn Park)? Will an alternative site be provided? The project as described will result in a serious disruption to emergency services; including access for hazmat personnel.**
- b) Adequacy of emergency evacuation routes (e.g., wildfire)? Will they prepare an emergency response plan? Has any consideration been given to the extent of roadways necessary to provide for emergency evacuation and public safety?**
- c) Will sewage waste be trucked off-site? What precautions will be taken to ensure public safety from biomedical waste generated by the health center?**
- d) The project as proposed threatens to expose residents and structures to significant losses due to wildfires.**

VIII. HYDROLOGY AND WATER QUALITY

- a) There will be a substantial depletion of groundwater supplies/recharge. This area is on a fractured, hardrock aquifer; which is much more difficult to manage than more conventional soil-based aquifers.
- b) There will be a disruption of groundwater movement; which results in much more unpredictable consequences given the hardrock nature of the aquifer.
- c) Existing water supplies are inadequate; there is a moratorium on local construction due to the existing lack of reliable water.
- d) May require trucking in of water and/or interbasin water transfer (latte requires federal authorization).

IX. LAND USE AND PLANNING

- a) The plan will result in a physical division of the local community. In effect, the City of Plymouth will have two functional centers at opposite ends of the area.
- b) The site of the proposed project is zoned agricultural and rural residential. The proposal is in direct violation of the Amador County General Plan and other land use plans and policies.

X. MINERAL RESOURCES

- a) This issue needs to be evaluated in light of the proposed Matulich development currently under review by the County of Amador.

XI. NOISE

- a) Area residents will be exposed to noise levels on a 24 hour a day basis – seven days a week - that are substantially in excess of current conditions and are in violation of the Amador County noise ordinance.
- b) Noise levels will undergo a substantial and permanent increase over pre-project standards.
- c) A substantial, temporary increase in ambient noise levels will occur during construction and subsequent expansions and/or remodeling.

XI. POPULATION AND HOUSING

- a) Tribal members alone – none now currently resident locally – will more than double the local population. Add resident employees; and population growth will be substantial and will be completely out of line with local and regional planning.

b) In general, Indian casinos result in a 10% loss of residential property values. The real estate market here is already depressed. This will cause further foreclosures and the loss of many, longterm residents.

XII. PUBLIC SERVICES

a) The project will directly lead to substantial impacts on local fire protection and law enforcement and will be especially devastating to the school system. A development of this size can be expected to add on the order of 520 children to the educational system: a huge increase and none of it is reimbursed through taxation.

b) Other impacted services include solid waste removal (the county dump is expected to close within a few years); and, the previously-mentioned water and waste water removal. Litter has always been found to increase substantially in the vicinity of Indian casinos; and, motor vehicle violations escalate significantly, straining local resources to the breaking point. Alcoholism, public intoxication and illicit drug use rates have all been established to increase in the vicinity of Indian casinos; leading to additional impacts on behavioral counseling and rehabilitation medical services and law enforcement.

c) The impacts associated with problem gambling are enormous. See **Social Impacts and Appendix 1** for further details.

XIII. RECREATION

a) It is probable that tribal members and employees will impose a substantial impact on the newly-created TEA roadside park. The City of Plymouth has just approved a new park program; which is likewise at risk.

b) The project proposes a community park with sports fields; which is to be located in the remotest area of the project site. This will require a thorough field survey; and, likely, will be many years in the planning stage (if, indeed, it proves feasible). Additional impacts can be associated with its remote, wildland location and rugged terrain. Furthermore, it is designated for one of two U. S. Bureau of Land Management parcels; both of which have prior mining claims and are not likely to be available without an independent EIS.

XIV. TRANSPORTATION/TRAFFIC

a) The plan will result in a substantial increase in traffic. Project proponents have admitted that an increase in personal vehicle use of 10,500 vehicles per day can be expected. This does not take into account the equally large increases in emergency and support vehicles. Trucks may have to haul 80,000 gallons of water each day onto the site; plus, additional trucking will be necessary for construction, solid waste and waste water removal and much more. Any road improvements designed to handle these capacities will be several years down the road; and, will require planning and environmental review

of their own. The increase in traffic is sufficient to create a permanent gridlock in and around the City of Plymouth; while also shutting out most access to Shenandoah Valley and Fiddletown.

b) Project traffic will conflict with a number of established uses of the public roads; such as livestock rotation; slow-moving trailers and the life of a rural, ranching community. Children still play in the streets here; and, this will overnight become a thing of the past. A significant, residential portion of the community (Chicken Flat) will become virtually cut-off and isolated from the rest of the community due to traffic volumes.

c) It is probable that the parking on the casino grounds will prove inadequate for visitation; at least during the initial years of operation. In the meanwhile, overflow vehicles will spill out into area streets and parking lots.

XV. UTILITIES AND SERVICE SYSTEMS

a) New waste water facilities will either need to be built on-site or waste water will have to be trucked off-site. Currently, no provisions have been made for waste water management at this locale.

b) Available water supplies are woefully inadequate to support this development. Major new construction will be necessary to supply sufficient potable water to the site. As an interim measure, water may have to be trucked into the project area; adding to local traffic congestion and other problems.

c) The project lacks access to a sanitary landfill with sufficient permitted capacity to accommodate its solid wastes.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

a) The project has impacts that are cumulatively considerable. The growth-inducing potential, extreme increase in water requirements and waste disposal needs, the impacts on area public services, schools and transportation all threaten a cascade of adverse consequences that the local community is incapable of handling.

b) In itself, the project also has environmental effects which will cause substantial, irreversible effects on local citizens and the quality of life; both directly and indirectly. Some of these adverse impacts have been summarized in this document. As further information is made available by project proponents, it will become possible to quantify many of these impacts.

SOCIAL IMPACTS

Sufficient social impacts can be anticipated from the proposed project that, as mandated under NEPA, a separate study should be required to analyze the human or social impacts associated with the casino industry and gambling. The following is a summary of social impacts resulting from compulsive or pathological gambling. Studies of the impacts of specific casinos have found local bankruptcy, divorce and domestic abuse rates escalating immediately following casino opening; often to rates several times their prior levels. Please see Appendix 1.

Appendix 1.

Gambling's Impact on Families

by Ronald A. Reno

The tragedy of gambling addiction reaches far beyond the more than 15 million Americans¹ who are problem or pathological gamblers. Employers, work associates, friends, and taxpayers often pay a steep price as well. However, it is family members who bear the brunt of the pain and misery that accompanies this addiction. In addition to material deprivations, family members frequently experience the trauma of divorce, child abuse and neglect, and domestic violence.

Divorce

- In a survey of nearly 400 Gamblers Anonymous members, 28 percent reported being either separated or divorced as a direct result of their gambling problems.²
- The National Gambling Impact Study Commission reported that it received "abundant testimony and evidence that compulsive gambling introduces a greatly heightened level of stress and tension into marriages and families, often culminating in divorce and other manifestations of familial disharmony."³
- The number of divorces in Harrison County, Mississippi has nearly tripled since the introduction of casinos. The county, which is home to ten casinos, has averaged an additional 850 divorces per year since casinos arrived.⁴
- A nationwide survey undertaken for the National Gambling Impact Study Commission found that "respondents representing 2 million adults identified a spouse's gambling as a significant factor in a prior divorce."⁵

Child Abuse and Neglect

- The National Gambling Impact Study Commission reported: "Children of compulsive gamblers are often prone to suffer abuse, as well as neglect, as a result of parental problem or pathological gambling."⁶
- In Indiana, a review of the state's gaming commission records revealed that 72 children were found abandoned on casino premises during a 14-month period.⁷
- Children have died as a direct result of adult gambling problems. In Louisiana and South Carolina, children died after being locked in hot cars for hours while their caretakers gambled.⁸ An Illinois mother was sentenced to prison for suffocating her infant daughter in order to collect insurance money to continue gambling.⁹
- Cases of child abandonment at Foxwoods, the nation's largest casino in Ledyard, Conn., became so commonplace that authorities were forced to post signs in the casino's parking lots warning parents not to leave children in cars unattended.¹⁰

Domestic Violence

- According to the National Research Council, studies indicate that between one quarter and one half of spouses of compulsive gamblers have been abused.¹¹
- Case studies of 10 casino communities conducted for the National Gambling Impact Study Commission revealed that the majority of those communities witnessed increases in domestic violence relative to the introduction of casinos.¹²
- Domestic violence shelters on Mississippi's Gulf Coast reported increases in requests for assistance ranging from 100 to 300 percent after the introduction of casinos.¹³

- A University of Nebraska Medical Center study concluded that problem gambling is as much a risk factor for domestic violence as alcohol abuse.¹⁴
- Domestic violence murders in at least 11 states have been traced to gambling problems since 1996.¹⁵

Endnotes

¹National Gambling Impact Study Commission (NGISC) Final Report, June 1999, p. 4-1.

²NGISC Final Report, p. 7-27.

³NGISC Final Report, p. 7-26.

⁴Mississippi State Department of Health, "Vital Statistics Mississippi" for the years 1991-1998.

⁵National Opinion Research Center, "Gambling Impact and Behavior Study: Report to the National Gambling Impact Study Commission," April 1, 1999, p. 48.

⁶NGISC Final Report, p. 7-28.

⁷Grace Schneider, "Children Being Left Alone While Parents Gamble," [Louisville] *Courier-Journal*, July 18, 2000.

⁸Joe Darby, "Sitter Indicted in Toddler's Death," *New Orleans Times-Picayune*, May 23, 1997, p. B1; "Police: Baby Died of Dehydration in Car While Mom Gambled in Casino," Associated Press, September 2, 1997.

⁹Ed Bierschenk, "Gambler Receives 21 Years in Connection with Baby's Death," Copley News Service, October 23, 1999.

¹⁰Stephanie Saul, "Tribe Bets on Growth," *Newsday*, August 11, 1997.

¹¹National Research Council, "Pathological Gambling: A Critical Review," April 1, 1999, p. 5-2.

¹²NGISC Final Report, p. 7-27.

¹³Maryland Attorney General J. Joseph Curran, Jr., "The House Never Loses and Maryland Cannot Win: Why Casino Gaming is a Bad Idea," October 16, 1995, p. 5; NGISC Final Report, p. 7-27.

¹⁴John Jejkal, "U. Nebraska Doctor Contributes to National Domestic Violence Study," *Daily Nebraskan*, January 13, 2000.

¹⁵Petula Dvorak, "Marrero Man Kills Wife, Self," *New Orleans Times-Picayune*, May 8, 1998, p. A1; Benita Williams, "Woman Sentenced in Slaying," *Kansas City Star*, December 21, 1999, p. B2; Dave Racher, "Landscape Held in Wife's Slaying," *Philadelphia Daily News*, July 11, 1998; Hector Castro, "Savage Killing of 3 Still a Mystery," (Tacoma, Wash.) *News Tribune*, June 14, 1999, p. A1; Carson Walker, "Capek Killed in Her Apartment, Police Believe," (Sioux Falls, S.D.) *Argus Leader*, January 30, 1997; Mark Horvit, "Anecdotes Link Video Poker with Crimes," *Charlotte Observer*, October 3, 1999; Jack Gruber, "Gambling Help Comes Slowly," *Detroit News*, October 3, 1997, p. C1; Ed Hayward, "Gambling Habit Eyed as Motive," *Boston Herald*, October 21, 1997, p. 7; W. Melillo and B. Masters, "Lone Survivor of Father's Shooting Dies,"

Washington Post, August 6, 1998, p. A1; Associated Press, "Woman Blames Gambling Debts in Double Murder," September 10, 1999; "Ohio Man Guilty of Bomb Murder," Associated Press, February 5, 1997.

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Comment #62

November 20, 2003

Dear Mr. Gregory;

Enclosed please find the presentation and information that was submitted to the members of the Bureau in attendance at the Scoping Session in Plymouth, California on November 19th of this year.

In light of this Tribes concern and constant reminders that they will be providing jobs, jobs that this county does not have the manpower to supply as the Jackson Rancheria has found to be true, we would recommend the following. That this Tribe relocates its venture to a site more closely situated to its future employee and patron pool, possibly the Scaramento, Stockton areas. Thereby, achieving one of their stated goals of providing jobs and yet, limiting some of the negative impacts on small communities that can neither fulfill their needs nor bear the brunt of their impacts.

This business venture by the Lone Band of Miwok Indians is asking this community to accept a litany of detrimental side effects.

We do not accept.

Eida N. Mauck DMU.
209-245-6211

11/20/03
11/20/03
11/20/03

November 19, 2003

Members of the Bureau, my name is Elida Malick, I reside here in Plymouth, my husband and I have a small business bordering the City, my children attend school at Plymouth Elementary, and I am a member of the Plymouth Planning Commission.

Thank you for the opportunity to speak to you this evening, I have some comments to make regarding local land use and planning.

In order to establish useful guidelines for local decision making, the State of California Planning and Zoning Law requires each city and county in California to adopt a General Plan for the physical development of the city or county and any land outside its boundaries which bears relation to its planning. Proposed projects brought to the city must be reviewed to ensure consistency with the land use designation, goals, and policies, and all other aspects of all adopted Elements.

The Vision Statement for Plymouth, a historic California Gold Rush town, was adopted into the Land Use Element in 1994, and guides the City to the year 2015 when Plymouth will be recognized as a "small town", a comfortable place with a "country feeling", friendly people, and a sense of community. To ensure that the area's rural character, stemming from a basis in farming and ranching, is not lost, only well planned, fiscally sound developments will be accepted and large areas for open space and agriculture will be preserved. Likewise the City's youth will be an active part of the City's present and future.

Keys to this vision for Plymouth are the Goals stated in each Element of the General Plan. Supported by Policy and Implementations Statements, the direction of growth that Plymouth is to follow is best exemplified in this sampling:

Goal 2.2.1 from the Land Use Element

...to provide for a balanced and effective arrangement of land uses while maintaining the Rural Atmosphere, Quality of Life, and Separate Identity of the City

Goal 2.4.4 from the Conservation and Open Space Element

...to protect and improve the quality of the natural environment

Goal 2.5.1 from the Noise Element

...to achieve and maintain ambient noise levels that preserve the quiet, rural atmosphere of Plymouth, with special attention to Sensitive receptors like Plymouth Elementary School.

And Goal 2.6.1 from the Safety Element

...to provide a safe and hazard free environment for the citizens of the City.

All Sections of the Land Use element lay a clear foundation of directives for the future growth of our City.

Residential areas are to be kept free of activities that produce excessive noise, air pollution, odor and heavy traffic. Development is to be guided by design principles that serve to enhance the rural character of the planning area.

Commercial areas are to compliment – functionally and visually – existing commercial areas.

Light industrial areas must product few negative impacts and when located close to residential and commercial areas, negative impacts such as noise, air, light, and water pollution, vibration, electronic interference, and effects pf hazardous materials must be reduced to negligible levels and land set aside for buffer zones and screening.

Even industrial areas are guided by the City's intent to preserve and enhance the quality of the environment while preventing the adverse effects of industrial development on the balance of the community.

A casino complex in the functional heart of this City is in direct contrast to the above stated guideposts for Plymouth's growth and clearly will result in the physical division of the local community. Additionally Tribal sovereign land at this location will deny the City of Plymouth the most logical and viable land for future growth and development, that along the Hwy 49 corridor, resulting in squelching the City's ability to strive for it's own economic development and self-determination.

Without a clear project description it is exceedingly difficult to address potential impacts however, the information currently available leads us to the following list of concerns:

A separate identity for the City of Plymouth will be lost in the shadow of a Tribal casino complex along with the cultural and historic significance of a California Gold Rush Town in the Mother Lode; rendering these essential components of our uniqueness essentially eliminated.

By definition, the sovereign status of tribal businesses creates an unfair advantage in the local business environment. This unfair competition will make it impossible for some local family owned businesses to remain viable causing direct damage to the local small business owner and secondarily to the City by reducing the marketability and value of business real estate on nonreservation lands.

The project will result in the conversion of farm and ranch land to non-agricultural uses; contributing to the statewide decline in farmland and ignoring the common thread of the General Plan which is to maintain the rural nature of this city.

The local viticulture industry is attractive to tourists in large part due to the rural, quiet, historic atmosphere. The casino industry by necessity needs and generates high volumes of clientele thereby placing these two industries at odds with each other.

And last but by no means least are safety concerns for our citizenry, especially our children. According to Mother Against Drunk Drivers, alcohol related fatal auto accidents have been on the rise. In this light, the last thing we need is a wet casino in close proximity to our elementary school, park and children's ball field. Especially as the

situation here in Plymouth places two main arterioles to the casino directly adjacent to these sensitive sites.

As well current FBI statistics indicate that while overall crime has generally been on the decrease, crime in counties with commercial casinos has increased. As examples, casino communities experiences 13% more property crimes, 13% and 14% increases in larceny and auto theft respectively, and a 13% increase in rape.

A representative of the Bureau has been quoted as saying that "quality of life" issues are difficult to address. With all due respect to the Bureau, all these issues that I've mentioned and all the concerns voiced by our community this evening, are the very essence of what makes up "quality of life", and these points, like crime and pollution and safety, are quantifiable.

Comment #63

Mr. Clay Gregory, Acting Regional Director
Bureau of Indian Affairs, Pacific Regional Office
United States Department of the Interior
2800 Cottage Way, Sacramento, Ca. 95825

11-19-03

Re: Federal Register: November 7, 2003 (Volume 68, Number 16) Notices.

Subject: BIA intends to gather information necessary to prepare an Environmental Impact Statement (EIS) for a proposed casino project to be located within the City of Plymouth Amador County, California.

The following issues that should be considered in an EIS regarding the proposal to place an alcohol serving gambling casino along historic Highway #49 within the town of Plymouth, Ca.

1. Our elementary school, church, park, grocery market, hardware store and gas station are all near this proposal.
2. We are a community blessed with many wonderful families, networks of many friends, acquaintances and fraternal organizations that typically exist in rural areas. The landscape is rich in wonderful oak woodland, grasslands, canyons, seasonal streams and wildlife. Our agrarian ranching quality of life is a special heritage. The legacy we wish to provide our children, grandchildren and future generations is one free of a Gaming Casino near our homes.
3. Data, facts and experiences from experts, government officials and various organizations were brought together for an informational meeting conducted by and for the Plymouth City Council, on July 2, 2003, regarding this issue. The residents within Plymouth were each given a brief and limited opportunity to speak in opposition. The number of speakers in opposition were so many that they overran the allotted time made available. The result at this public forum showed overwhelming negative consequences and opposition to any casino proposal in Plymouth.
4. The health and safety of the many elderly residents living within the sphere of influence of the proposed casino is at risk due to increased traffic, crime, air pollution and availability of a good dependable water supply.

Sincerely,



Cyndi Martin
18090 Burke Drive
Plymouth, CA 95669

Comment #64

Mr. Clay Gregory, Acting Regional Director
Bureau of Indian Affairs, Pacific Regional Office
United States Department of the Interior
2800 Cottage Way, Sacramento, Ca. 95825

11-15-03
(4 pages)

Re: Federal Register: November 7, 2003 (Volume 68, Number 16) Notices.

Subject: BIA intends to gather information necessary to prepare an Environmental Impact Statement (EIS) for a proposed casino project to be located within the City of Plymouth in Amador County, California.

I have received a letter from BIA dated October 29, 2003; similar subject focused on the BIA acquiring land in trust for the Ione Band of Miwok Indians. This letter identified a Ms. Gracie A. Murillo also as the BIA Acting Regional Director.

IMPACTS

Land Use:

A new Alcohol Serving Casino at the proposed site located in the heart of the Plymouth area near our homes, elementary school, churches, grocery market, pharmacy, hardware store, veterinarian, etc. was rejected by 73 % of the City of Plymouth's registered voters surveyed on this proposal. In addition 90 % of Burke Ranch residents, a community adjacent to the Plymouth City limits, rejected the Casino project. Plymouth City Council Members pandering to the Ikon Group and Ione Band of Miwok Indians are being recalled through the process as provided by law. The social impact and cost of increased crime, drugs, alcohol abuse, added to the cost of an existing Casino and its operation will tax law enforcement, courts, public defenders and prosecutors, counselors and rehabilitation resources beyond the capability of a small county such as Amador. The County of Amador along with all the incorporated communities except Plymouth have rejected the project. A Casino will change forever the quiet rural agrarian quality of life that now exists in the Plymouth Area. This special rural community without a Casino was the reason we moved here. The string of Casino's, existing and proposed, to the north and south of Plymouth along Highway 49 are enough. An Amador County population of 31,000, excluding Mule Creek prison and the youth authority, should not be required to subsidize a third Casino. Placing land in trust, removing 208 acres from the planning and influence of elected officials from the State, County and City, as well as any special districts, creates a void within the Plymouth area where residents would have little to no say on future land use affecting our homes and our community.

Creating a Nation with Sovereign Immunity within the heart of the Plymouth and Dry Creek Basin Area's can result in a potentially harsh and hostile environment for the residents of the Area as demonstrated by recent events. Mr. Dick Moody, Ikon Group, at the last Plymouth City Council meeting indicated that the Tribe and Ikon group will exclude area residents from an information sharing session. The session is limited to

Plymouth City residents even though many of us live as close or closer to the site of the proposed Casino than some residents of Plymouth. Our freedom to express our opinions have been blatantly interfered with by the current Plymouth City Council and an unknown individual who has removed or cut down our Casino Opposition signs. Placing 208 acres into trust for a Sovereign Nation within the Plymouth/Dry Creek Basin, given the overwhelming opposition by local residents of the area, would be irresponsible in a Country based on democratic principles of government by the people and for the people.

Water Resources:

Water resources in the Plymouth area are a precious resource. Plymouth is under a building moratorium due to an inadequate ability to supply water to the community. The City of Plymouth has depended on water from their wells located next to Burke Ranch. This has contributed to many wells going dry at homes adjacent to the City limits. Burke Ranch was developed over 25 years ago when the City of Plymouth's primary supply was supposed to be the Arroyo Ditch which conveys water from the Cosumnes River. The City's inability to maintain that ditch contributes to the existing lack of potable water for residents of the City of Plymouth. It further impacts the water supply of homes adjacent to the City. A new proven water supply and delivery system should be in-place prior to any consideration of a project such as the Casino with all of its proposed new appurtenant buildings and accommodations.

Waste Water Treatment Plant:

The California Regional Water Quality Control Board have promulgated new rules and enforcement requirements. Under the Porter-Cologne Act all lands that discharge water into state waterways are required to report that waste discharge and improve water quality to meet State standards. The tribe, in spite of Sovereign Immunity, should be required to comply with all rules and regulations of the State and County to improve water quality. The residents of the City of Plymouth should not be assigned that responsibility through any agreements with the Casino developers. The City of Plymouth should be responsible only to areas outside of lands placed into trust and not any proposed Casino with its suggested developments.

Air Quality:

Amador County is already impacted by polluted air from the Central Valley and the Bay Area. It has been reported that the Regional Air Resources Board will hold Amador County accountable for that source of pollution, in addition to that which is generated within the County. Any proposed Casino will generate additional bus and car traffic. This traffic is expected by the Casino developers to fund their investments. We are concerned that the large numbers of expected vehicle trips with their emissions will place Amador County into a higher accountable air quality requirement. This could include increased SMOG frequency checks with increased compliance requirements and higher costs to Amador County residents..

Noise and Light:

Dry Creek Basin is ringed by many homes, two communities (Plymouth and Dry Town), and a rural subdivision (Burke Ranch). A typical Casino Operation placed on the north western edge of this natural bowl will resonate sound and create 24 hour lighting that will impact most all of the homes that exist around the basin. This will irrevocably alter and negatively impact the quality of life of existing residents.

Health and Safety:

In addition to known situations created at the existing Casino explained under "Land Use" Sutter/Amador Hospital is the primary emergency service center for the County. This facility is located approximately 30 minutes from the Plymouth Area. All patients from the Plymouth Area would have to be transported past the entrance to and across the same roads that will serve the Casino patrons. Amador County has an aging population. Serious heart patients are referred to the Sutter/Amador Hospital in Jackson to be stabilized, then transported to Sutter Hospital in Sacramento. Increased traffic with increased probability of accidents will not only jeopardize those with life threatening conditions but the capacity at Sutter/Amador Hospital will be strained to the limit. I know of one case where, on a weekend, a person with a heart condition after being stabilized, could not be admitted and was asked to return the following morning or seek treatment elsewhere because they were at capacity. Drugs, assaults, alcohol abuse, DUI, and other undesirable behavior have plagued Casino operations. Onsite tribal security does not and would not provide safety for residents in the surrounding community. The surrounding area emergency services including those within the City of Plymouth will be impacted beyond its ability to respond to emergency and any non-emergency harassment originated at a Casino. Fire danger from any source on the 208 acres proposed to go into trust will place hundreds of lives at risk around the Dry Creek Basin. The magnitude of increased activity at such a critical location (casino site) is a disaster waiting to happen.

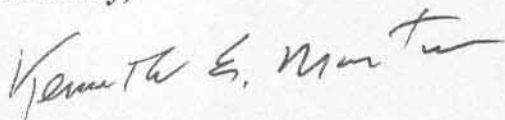
Traffic:

Traffic from more than eight urban centers are expected to increase the number of vehicle trips along small rural roads and State two lane roads Highway's #16, #49 and #124. During rush hour, on holidays, and weekends these roads are near capacity which barely permits reasonable movement within the area. Area residents and visitors will be placed at extreme risk without a significant increased number of lanes along each of these corridors. Potential loss of life due to this Casino operation cannot be justified. People frequently don't understand distances required to stop stock trailers, RV's, logging trucks and other heavy equipment frequently used in the area. The steeper topography which provides access from the population centers exacerbates the problem. The existing number of accidents are very unfortunate. A Casino with all of its projected patrons should not be allowed to add to this carnage.

Socioeconomic Justice:

It is wrong that the taxpayers of Amador County be required to subsidize a Casino operation. It is wrong for residents of the area impacted by such a proposed development be excluded from information that such a development will bring to their community. It is a travesty that local City of Plymouth officials ignore a 73% mandate from their registered voters, surveyed by the City, which indicated the residents of Plymouth do not want this proposed Casino. It would be wrong for any federal agency to believe that a Casino in Plymouth is justified. The overwhelming opposition to the Casino by residents impacted by this proposed casino should leave no doubt in anyone's mind that a Casino in Plymouth is not wanted by area residents and that it is inappropriate for this area. Further it is sad that tribal funds are being spent to further the aspirations and greed of out-of-state financiers. The economic well being of tribal membership who need assistance is important. This should be provided through vision and creativity, even federal assistance where needed. It is wrong for the federal government to attempt correcting any past federal government failures at the expense of a north Amador County rural community.

Sincerely,



Kenneth E. Martin
18090 Burke Drive
Plymouth, Ca. 95669

(page 4 of 4)

Comment #65

67
IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

FEBRUARY 4, 2004 6 TO 9 PM

COMMENT SHEET

Your Name: Hazel McSwane Your Organization: 55 yr. Plymouth Resident

I am opposed to a gambling casino, not only for moral reasons, but also the traffic congestion, air pollution, alcohol and drug problems it will bring to our small rural community. Many long time residents of Plymouth are elderly. A casino will be a degrading influence for everyone, as well as the elderly.

We currently do not have the speed checks for our cars that most other counties do, but a casino with all the traffic will certainly change that.

Our two lane roads cannot bear the increased traffic, it will mean accidents and death. That will be a certainty. Over

If this tribe proposing a casino cares about human beings they will leave Plymouth alone.

Why don't they go where the population is that will frequent a casino.

Instead of drawing traffic over our two main roads they should locate near large cities that will furnish their client.

There is already an Indian Casino 15 miles away. Another one 15 miles in another direction is in the works! Three casinos in a small County - each 15 miles apart, doesn't make any sense!

Wayl McSwane

Comment #66

Comment #67

PO Box 880
Plymouth, CA 95669
19 November 2003

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Dear Sir:

The attached document is an analysis of the traffic impacts that will occur as a result of the development of the proposed casino in Plymouth, California. The data was derived using a statistically sound methodology that has been repeatedly validated by actual traffic growth at other California casino projects. The SANDAG method is an honest evaluation of the impacts this proposed casino will bring. No attempts at evaluating mitigation for impacts of this magnitude of traffic growth have any validity if they merely recommend a traffic light or turn lane. The Plymouth location is just plain wrong for casino development and this project should be rejected as incompatible. If the obvious is overlooked, then mitigation should incorporate plans for making State Highways 16 and 49 four lane roads.

Sincerely yours,
Dick Minnis



Cc: Congressman Doug Ose, District 3
Congressman Richard Pombo, District 11
Governor Arnold Schwarznegger, Calif.
State Senator Rico Oller, 1st district
Mario Biagi, Amador County Supervisor District V

PO Box 880
Plymouth, CA 95669
19 November 2003

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Dear Sir:

The attached document is an analysis of the traffic impacts that will occur as a result of the development of the proposed casino in Plymouth, California. The data was derived using a statistically sound methodology that has been repeatedly validated by actual traffic growth at other California casino projects. The SANDAG method is an honest evaluation of the impacts this proposed casino will bring. No attempts at evaluating mitigation for impacts of this magnitude of traffic growth have any validity if they merely recommend a traffic light or turn lane. The Plymouth location is just plain wrong for casino development and this project should be rejected as incompatible. If the obvious is overlooked, then mitigation should incorporate plans for making State Highways 16 and 49 four lane roads.

Sincerely yours,
Dick Minnis

Cc: Congressman Doug Ose, District 3
Congressman Richard Pombo, District 11
Governor Arnold Schwarznegger, Calif.
State Senator Rico Oller, 1st district
Mario Biagi, Amador County Supervisor District V

TRAFFIC IMPACTS

It is my intent to address the traffic impacts that will result from the construction and development of a casino in Plymouth, California. It will be readily apparent to a fair and impartial observer that the scope of these numbers is so significant that any contention that mitigation is possible is a myth at best. To reach that conclusion it is important to understand not only how the traffic projections are formulated but also to have some degree of faith in the validity of those same projections. The following explanation is an attempt to demonstrate both the origination and the validity of the data.

The starting point for the statistical analysis is the latest data for State Highways from the Caltrans Average Daily Traffic (ADT) count for the year 2002. It is listed in Column I of Table 1. The source is either the mechanical devices stretched across the road that count cars as they pass or in some cases the traffic light sequencing devices embedded in the road itself. The numbers for New York Ranch Road and Ridge Road in Table 2 come from Amador County and are current for the year 2003.

As we all know, the volume of traffic on California roads gets worse every year. Caltrans measures the statewide growth rate, and for the last three years it has averaged around 3.0%. The standard industry method used to gauge the traffic impact of a new casino is based on the square footage of the gaming facility. The Institute of Traffic Engineers (ITE) uses a complicated mathematical formula to generate peak AM and PM rates for casino traffic. This sort of analysis is fairly accurate and can generate projected data for not only overall traffic growth but estimates for peak time rates. The complexity of an ITE analysis can overwhelm the understanding of a non-mathematician. A simpler method, statistically validated by actual traffic counts at California Indian casinos, was devised by the San Diego Association of Governments (SANDAG). The SANDAG method estimates an average daily count based on 100 trips per 1000 sq. ft. of gaming facility and eight trips per hotel room. It is currently the accepted method for judging traffic impacts from California Indian casinos. Again, it bears mentioning that this method has developed traffic projections that have withstood the tests of reality.

Columns II and III of Table 1 are the projected 2003 and 2008 ADT numbers. They were generated by mathematically increasing the actual 2002 average daily traffic count by 3% per year. The ADT counts cars going in both directions. These numbers should give you a feel for how traffic will increase through normal growth rates. However, casinos generate abnormal growth and will affect future projections adversely. The Jackson Rancheria is currently expanding their casino by 100,000 square feet. That equates to an additional 10,000 daily trips as calculated using the SANDAG method. However, with access to the Rancheria provided by two Highways, 16/49 and 88, it is logical to increase the Highway 16/49 count by half that number. Therefore, conservatively, an additional 5000 daily trips were added to the 2004 projected numbers which is the estimated completion date and listed in Column IV of Table 1. This number was then projected to 2008 and listed in Column V of Table 1.

The Plymouth number in Column VI of Table 1 was calculated using the SANDAG method for the proposed 120,000 sq. ft. casino with an estimated completion date of 2008. This would add 12,000 daily trips to the previously calculated numbers. No attempt

was made to guess how the traffic might access Plymouth, only that it is the point destination. The end result, as you can see, is an ADT count of 19,256 which is over three times greater than the current level in Plymouth. If two thirds of these cars were to use Highway 16, the ADT for that road would also increase dramatically. These numbers were calculated using Caltrans averages. However, Caltrans also provides a peak ADT for the highest use month. Using the peak month ADT of 6,800 for 2001 and running through the same calculations, as above, a peak month ADT of 20,236 was generated. The Casino project has also tentatively proposed the construction of a 240 room hotel. This development would add an additional 1,920 trips to the projected totals.

TABLE 1: FUTURE TRAFFIC PROJECTIONS

Location	I 2002 ADT	II 2003 proj	III 2008 proj	IV Rancheria exp 2004 +5000	V 2008 Ranch. proj	VI 2008 proj +12000 Plym. +9000 Hwy 16
Hwy 16 E. Sunrise	11700	12051	14071	17413	19598	28598
Hwy 16 E. Ione Rd.	6900	7107	8239	12320	13867	22867
Hwy 16/49 Junction	9100	9373	10865	14654	16493	25493
Hwy 49 S. Cent. House	7500	7725	8956	12957	14583	N/A
Hwy 49 N. Bush St. Plymouth	6000	6180	7265	N/A	N/A	19265 - ADT (21185 w/ hotel) 20236 - peak (22156 w/ hotel) mo.ADT

Footnotes:

- Source: Phone conversation with Joe Avis (916-654-3072) research Manager Caltrans/current and history.
- Math convention: numbers rounded up/down at 0.5 to keep car count whole number.
- Caltrans 3yr average growth rate from 2000 through 2002 was 3% (see Source).
- Casino increases based on the SANDAG methodology of 100 cars per 1000 square feet of casino space. (Rancheria exp.-100,000sq.ft./Plymouth -20,000sq.ft.).
- hotel numbers based on 8 trips per room
- Rancheria expansion number (5000 added in 2004) assumes that only half of the increased traffic count will use Hwy 16.

These estimates represent huge increases in the usage of the highway infrastructure as a result of casino construction. How do you know that the projected traffic count for the proposed Plymouth casino is a valid number and not something concocted to make it look bad? The Jackson Rancheria has been around awhile, so lets use the same statistical analysis on projected and actual Rancheria ADT's as validation of the Plymouth numbers. Column I of table 2 is the measured ADT for Ridge Road and NY Ranch Road in 1990, the year before the Jackson Rancheria assumed it's current operating form. Column II of Table 2 is the projected ADT for 2003 using the average 3% growth rate without including the Rancheria's impact. Column III of Table 2 is the actual measured ADT for both roads which does take into account the Rancheria traffic. By comparing the projected and actual ADT's we find the difference to be almost exactly the SANDAG estimated traffic volume increase based on a 100,000 sq. ft. casino. This exercise proves conclusively the accuracy of the traffic growth projections for the proposed casino in Plymouth. They should also cause you to question the motive of anyone who disputes their validity.

TABLE 2: RANCHERIA VALIDATION

	I	II	III
	1990	2003	2003
	actual	proj	actual
Location	ADT	ADT	ADT
NY Ranch Road	754	1107	6396
Ridge Road	6637	9748	14350
		<u>10855</u>	<u>20746</u>
Actual	20746		
Projected	-10855		
	<u>9891 *</u>		

*An actual ADT increase of 9,891, is when compared to the SANDAG estimated increase of 10,000 , a validation of the projected numbers for Plymouth.

What do these numbers really mean to the local residents? A traffic increase of three times the current rate could easily add 15 minutes to the commute time of those citizens using Highway 16 to Sacramento. That equates to an additional 5.42 days a year spent behind the wheel of your automobile. Over 19,000 cars per day is about 13 cars every minute. If you consider the effect traffic of this order of magnitude may have on rush hour, the count could easily exceed 20 cars per minute. Contemplate trying to drive in and around Plymouth with that volume of cars coming and going. This congestion will adversely effect the local residents and business establishments. A clogged Highway 49

through Plymouth may also result in a significant decrease in tourist visits to Amador County's wine country with an attendant loss of income to the wineries.

Unfortunately as traffic increases, the number of fender benders and fatal car accidents will also increase. The Rancheria doesn't serve alcohol but the proposed casino in Plymouth will. As a reference point, the State of Connecticut has recorded the highest number of DUI/DWI arrests in that State on the access roads serving their casinos. You can expect a similar situation to occur here in Plymouth. It is a real concern to contemplate a casino bar serving alcohol 24 hours a day in an area served by what will then be inadequate overcrowded country roads. How are you going to mitigate the death of someone killed by a drunk driver coming from the proposed casino in Plymouth?

Casino proponents will push the myth that the traffic impact can be financially mitigated. They will suggest that a turn lane or a traffic light or two can fix the traffic congestion caused by this proposal. That might make it a bit easier to access the casino off the congested access highway but it does little to mitigate the real impact of 20,000 plus cars per day on a two lane state road. The Amador County Transportation Commission has just completed the study for the Jackson Rancheria, and their estimate to fix the traffic problems for that casino is 100 million dollars. They estimate the fix for Plymouth would require at least five lanes for that section of Highway 16/49 to support the proposed casino. The section of Highway 16 to Sacramento would need an additional passing lane. Construction of a 4 lane highway would only ease congestion, not the other negative aspects of that much traffic on our roads. During a budget crisis is the state going to make Highways 16 and 49, 4-lanes? Are the developers of the Plymouth casino? It took 12 years to get Caltrans to approve the Sutter Creek Bypass. How long before the State gets around to fixing the traffic problems we may face in Plymouth?

These are real numbers and should be of real concern to the citizens of the Plymouth Area. How can you mitigate the traffic congestion, the noise, increase in accidents, traffic fatalities, and the pollution generated by over 20,000 cars and trucks? You can't, period! If someone is giving you a significantly lower estimate of the traffic impact, then those numbers have probably been seriously massaged to reflect the desired results. Casinos need to be built in locations where the infrastructure of access roads can support the influx of gaming traffic. Amador County is a small rural county that has already had to absorb the traffic increase of the Jackson Rancheria. To expect the County's road system to absorb the impact of another casino on top of the Rancheria expansion is just plain irresponsible.

Comment #68

Mr. Joseph M. Mock
5285 Old Sacramento Rd.
P.O. Box 452
Plymouth, CA 95669-0452
209/245-6816
Fax 209/245-6297
kurrajongfarm@aol.com

November 18, 2003

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

Re: Casino in Plymouth, CA

Dear Mr. Gregory:

Two years ago, my wife and I relocated from the Bay Area to a farm approximately five miles west of the town of Plymouth. I write, not as a resident of the town of Plymouth, but as a resident of Amador County and in the sphere of influence of the town of Plymouth.

Access to Plymouth is via several highways but the access that will impact me the most is from the El Dorado Hills area on Highway 50 south via Latrobe Road. The building activity on the south side of Highway 50 in El Dorado Hills is already staggering. If a Casino is built in Plymouth the traffic will increase dramatically on Latrobe Road, and rather than going all the way to Highway 16 to access the proposed Casino, most drivers will turn onto Old Sacramento Road and use it as a shortcut into Plymouth. The traffic in front of my property will be a nightmare.

Most of the farms on Old Sacramento Road have livestock. Should any of the livestock get out, the chance of a serious accident involving a car and livestock will increase dramatically. Most of the farms are also in the Williamson Act. If the Casino is allowed to go forward, I feel that my neighbors and I will have to get out from under the Williamson Act. We will try to have our properties rezoned for commercial use. This will take away the rural feel of the area, which I think would be criminal. The rural environment is one of the main reasons we moved into the area.

If the casino is allowed to go forward and, even though I am not a resident of Plymouth, I would be willing to help negotiate an agreement with the Tribe. My career has been in real estate and I consult on complicated transactions. I do not have any confidence that Mayor and/or the Plymouth City Council have the skills necessary to negotiate a complicated agreement.

I am not against gambling but I truly feel that one casino in Amador County is sufficient.

Sincerely,



Joseph M. Mock

Comment #69

Wayne Moore 209-245-6930
14977 Patton Rd.
Plymouth, CA 95669

The Social Impact from an Indian Gaming casino In or Near the City of Plymouth, California purposed by the lone Band of Miwok Indians will have life altering negative consequences for the social lives of the citizens in and around Plymouth.

We are and have been a small community by design. Those who live here realize that the convinces of a large city are not available (i.e. shopping, restaurants, entertainment, etc.). We have elected to live here because of such absences, Not in spite of!

In a letter written on September 23, 2003 by Richard Martin Vice Mayor, City of Plymouth reads, "...Memorandum of Understanding would include certain economic incentives to the City beyond mere mitigation of adverse impacts...", my question is are they also going mitigate and compensate the 'adverse impacts' for the 100's of citizens when our life styles and rural environment are adversely changed? The answer is NO! The point is the City Council of Plymouth is attempting to mitigate 'adverse impacts'. We presently have a casino less then 15 miles away and another casino approved to be built in lone less the 15 miles away from the purposed new casino. I believe two is enough. We are not talking about tribal use of existing tribal land we are talk about a business venture in Plymouth. Native Americans are welcome to make Plymouth their home, but respect our present life style.

Instead they are going buy the city off and give her citizens a 7/24/365 120,000 sq. ft (Phase I Casino) with a 3,000 car parking garage (I would estimate the parking area to be about 2,500 spaces more that the entire city business parking spaces available at present). With estimated additional vehicle traffic of up to 20,000 vehicles a day (I estimate that represents about 17,000 more vehicles traveling the roads in our Plymouth community than are own by her citizens) some percentage of which will be driven by individuals who have been drinking alcohol at the casino and are under the influence.

Now, dare I propose that such a sudden change (realizing one casino Jackson area and one approved casino lone area have already been added to Amador County) will dramatically altar our Rural environment in ways that can not be mitigated.

The impacts will be more severely felt by minority and low income populations who are ill prepared to afford the costly entertainment of gambling. The community disruption and land use patterns are an antithesis of the present

small town low population by bring 7,000 to 20,000 cars per day and 14,000 to 60,000 people to our community on a transient basis not during business hours but 24hrs a day 7 days a week 365 days a year. Changes in life style will be felt in the busyness of the day caused by transient population, night time sky line lights, and draining of consumer dollars from local business by a business that will not produce a product, new wealth, and makes no genuine contribution to economic development. Changes will be felt in our social services, law enforcement agencies and jails it would generate increase damans for counseling, health services, and emergency service responses.

The above statements are base on the statistics compiled form local and national studies conducted since 1992 on the impact of casinos in local communities.

Professor Earl L. Grinols of University of Illinois has conducted studies since 1992 and presents the following findings

Gambling attracts clientele disproportionately

- ✓ 30% don't gamble at all; most gamble rarely, minority 10% account for 66-80% of wagers.
- ✓ 30-50 % of revenues derive from problem and pathological gamblers (e.g. 48.2% of gaming machine revenue, Aus. Inst. for Gambling Research, 2001; 37 % Montana keno machines; 1/3 Australia National Productivity Commission study, 1999.)
- ✓ Convenience casinos draw from nearby (over 70% from less than 35 miles)

Gambling creates economic costs for society and taxpayers, including non-users.

- ✓ Crime: E.g. Aggravated assault, rape, robbery, larceny, burglary, auto theft, embezzlement, fraud.

Crime: U. Illinois-U. Georgia, Grinols-Mustard Study

- ✓ 7.9% of total crime (FBI Index I) due to gambling in counties with Class III gambling.
- ✓ 7.7% of property crime

✓ 10.3% of violent crime

- E.g. For an average county with 18,000 population this implies 126 more larcenies, 64 more burglaries, 331 more auto thefts, 60 more rapes, 12 more robberies, and 20 more aggravated assaults.

Amador County District Attorney reported to their Board of supervisors that 27 felonies or 4% of all Amador county felonies are related to The Jackson Rancheria and 6.9% of all misdemeanor and a total of 10.9% of all crimes are related to The Jackson Rancheria; therefore a cost of 10.9% of the D.A. budget or \$250,000.

- ✓ Business and Employment Costs: Lost productivity, lost work time, unemployment-related employer costs.

Gambling fails a cost-benefit test.

- Even using conservative cost & benefit estimates, costs to benefits are greater than \$3:\$1.
- Social costs (mid-range) from gambling are approximately \$214 per adult annually (of which crime = \$63). Costs of introducing gambling depend on starting base, but typically exceed \$130 per adult.
- Social benefits (preferred number) are less than \$42 per adult.
- On a per pathological gambler basis, studies in different parts of the nation conducted since 1994 conservatively estimate costs to be \$10,100 per year.

Economic Development; Failure of Impact Studies

- Gambling promoters argue gambling creates regional jobs. This is sometimes possible, as in the case of an Atlantic City or Las Vegas where the area has effectively converted itself into one large casino and entertainment center that serves primarily tourists.

- In general, however, gambling:
 - Loses area jobs when local gambler dollars are removed from the area (when they otherwise would not have been) in the form of taxes or are spent by the casino owners or employees outside the area.
 - Creates area jobs when outside gambler dollars are spent locally by the casino and,
 - Loses net jobs when the first flow is larger than the second.
 - A full accounting of dollar flows, therefore, is needed to determine if gambling will create more jobs than it loses.

✓ Bankruptcy

✓ Suicide

✓ Illness: E.g. Stress-related, cardiovascular, anxiety, depression, cognitive disorders.

✓ Addiction

✓ Social Service Costs: Treatment, unemployment & other social services.

✓ Direct Regulatory Costs

- Literature on the subject indicates that as opportunities for gambling increase, so do the prevalence rates of problem gambling. There is also some evidence to suggest that rates of problem gambling tend to increase over time and there is mounting evidence locally to suggest that the rates of the incidence of problem gambling have continued to grow.
- It is generally accepted that most people who engage in licensed gambling activity are able to integrate this activity into their lifestyle without experiencing personal or family problems. For a minority of people their gambling behaviors reach excessive proportions and leads to problems. At its most serious level, pathological or compulsive gambling is a public health issue.
- Most studies put the prevalence rate of problem gambling at between 3 and 6 percent of the adult population. Communities with a casino may find over time, there may be a rise in the rates of gambling related problems.
- This calculation suggests that for the City of Plymouth and Amador county there is a potential for 60 to 720 cases of pathological gambling to emerge. These individuals and their families would experience the most

disruptive and disabling effects of compulsive gambling and are most likely to come in contact with the social or health service system.

- Do we have in place the social services to provide individuals with problem gambling behaviour. ~~Do~~ our present police and fire departments have the resources to defend the population against the increased drug and alcohol related crimes and accidents which will be generated by an increase of 2,000% transient population to our County.
 - Community resources are also used to respond to the impacts of problem gambling on families and friends. Research suggests that for every problem gambler there are 10 to 17 people around him/her that will be negatively affected.
 - Some of the problems experienced by problem gamblers may lead to serious psychiatric and physical disorders. A variety of other mental health problems have been associated with problem gambling behaviour.
 - As problems develop they may first register a toll on the workplace. Problem gamblers show higher than average rates of lateness, absenteeism; low productivity and crimes against employers such as forgery, embezzlement and fraud. Drawing on estimates from the United States the total social costs to society from problem gamblers could range from \$34 million to \$93 million annually.
- ✓ Family Costs: E.g. Divorce, separation, child abuse, child neglect, domestic violence.

Gambling's Impact on Families

by Ronald A. Reno

The tragedy of gambling addiction reaches far beyond the more than 15 million Americans¹ who are problem or pathological gamblers. Employers, work associates, friends, and taxpayers often pay a steep price as well. However, it is family members who bear the brunt of the pain and misery that accompanies this addiction. In addition to material deprivations, family members frequently experience the trauma of divorce, child abuse and neglect, and domestic violence.

Divorce

- In a survey of nearly 400 Gamblers Anonymous members, 28 percent reported being either separated or divorced as a direct result of their gambling problems.²
- The National Gambling Impact Study Commission reported that it received "abundant testimony and evidence that compulsive gambling introduces a greatly heightened level of stress and tension into marriages and families, often culminating in divorce and other manifestations of familial disharmony."³
- The number of divorces in Harrison County, Mississippi has nearly tripled since the introduction of casinos. The county, which is home to ten casinos, has averaged an additional 850 divorces per year since casinos arrived.⁴
- A nationwide survey undertaken for the National Gambling Impact Study Commission found that "respondents representing 2 million adults identified a spouse's gambling as a significant factor in a prior divorce."⁵

Child Abuse and Neglect

- The National Gambling Impact Study Commission reported: "Children of compulsive gamblers are often prone to suffer abuse, as well as neglect, as a result of parental problem or pathological gambling."⁶
- In Indiana, a review of the state's gaming commission records revealed that 72 children were found abandoned on casino premises during a 14-month period.⁷
- Children have died as a direct result of adult gambling problems. In Louisiana and South Carolina, children died after being locked in hot cars for hours while their caretakers gambled.⁸ An Illinois mother was sentenced to prison for suffocating her infant daughter in order to collect insurance money to continue gambling.⁹
- Cases of child abandonment at Foxwoods, the nation's largest casino in Ledyard, Conn., became so commonplace that authorities were forced to post signs in the casino's parking lots warning parents not to leave children in cars unattended.¹⁰

Domestic Violence

- According to the National Research Council, studies indicate that between one quarter and one half of spouses of compulsive gamblers have been abused.¹¹

- Case studies of 10 casino communities conducted for the National Gambling Impact Study Commission revealed that the majority of those communities witnessed increases in domestic violence relative to the introduction of casinos.¹²

- Domestic violence shelters on Mississippi's Gulf Coast reported increases in requests for assistance ranging from 100 to 300 percent after the introduction of casinos.¹³

- A University of Nebraska Medical Center study concluded that problem gambling is as much a risk factor for domestic violence as alcohol abuse.¹⁴

- Domestic violence murders in at least 11 states have been traced to gambling problems since 1996.¹⁵

✓ Abused dollars

(California Governor's Office 1992) On a regional level, the combined ranges of these various socioeconomic costs are so large that they tend to dwarf the localized economic positives.

These drains on society could easily translate into a net loss of jobs on a statewide or regional level. Furthermore, it can be argued that the combined economic positives and negatives result is a net negative economic multiplier (Goodman 1994; Teske and Sur 1991).

From the perspective of business-economics and strategic development, businesses are and should be concerned with the trend toward expanding various forms of legalized gambling activities. Among reasons, nongambling related businesses will be competing for consumer dollars and studies have shown that casino dollars do not flow and do regular business dollars in a community. Just because a particular activity is "legalized" by a state government does not mean that the negative business or societal impacts have been eliminate-- or even reduced.

An excerpt from: *The Business-Economic Impacts of Licensed Casino Gambling in West Virginia: Short-Term Gain but Long-Term Pain*
By John Warren Kindt

Increasingly, taxpayers and businesses are beginning to realize that, as Professor Jack Van Der Slik has summarized for much of the academic community, state-sponsored gambling "produces no product, no new wealth, and so it makes no genuine contribution to economic development" (Van Der Slik 1990). Business-economic history supports this proposition. The recriminalization of gambling activities occurred 100 years ago after a brief gambling boom following the Civil War. Most state legislatures utilized constitutional provisions to recriminalize gambling, because lawmakers wanted to make it as difficult as possible for future generations to experiment with the classic "boom and bust" cycles and the concomitant socioeconomic negatives occasioned by legalized gambling activities. To paraphrase Georg Hegel's common quote, "those who forget the lessons of economic history are condemned to relive them" (Bartlett 1968).

Comment #70

72
FEB. 4, 2004
THOMAS AND ETHEL MORRIS
17749 OVERLOOK CT EAST
PLYMOUTH, CA. 95669
(209) 245-5112

THE BUREAU OF INDIAN AFFAIRS

THE CASINO PROJECT PURPOSED BY THE IKON CORP. FOR THE SUPPOSED BAND OF MEWOLK INDIANS OF IONE WILL HAVE A DEVASTATING EFFECT ON US PERSONALLY. WE LIVE ON BURKE RANCH EAST OF THE CITY OF PLYMOUTH. OUR HOME IS ON A HILL OVERLOOKING THE DRY CREEK AREA AND IS THE CLOSEST PROPERTY ON BURKE RANCH TO THE PROPOSED CASINO SITE. WE LOOK OUT OUR REAR WINDOWS AND FROM OUR DECK WE NOW SEE A GREEN VALLEY WITH TREES AND CATTLE. IF THIS CASINO IS ALLOWED TO BE BUILT WE WILL OVERLOOK THEIR LIGHTED PARKING LOT AND CASINO BUILDINGS. WE NO LONGER WILL BE ABLE TO SIT ON OUR DECK AT NIGHT AND ENJOY THE SUNSETS OR STARS. LIGHT POLLUTION WILL DESTROY ANY STAR GAZING.

THE MOST IMPORTANT THING IN THE AREA IS WATER. WHEN WE BUILT OUR HOME IN 1990 WE HAD A 340 FOOT DEEP WELL THAT GAVE US 15 GALLONS OF WATER A MINUTE. OUR WELL WAS OK UNTIL ABOUT 5 YEARS AGO WHEN THE 300 ACRE VINEYARD WENT IN. WE WERE TOLD BY THE VINEYARD OWNERS AND THE CITY OF PLYMOUTH THAT THE WATER NEEDED FOR THE VINEYARD WOULD NOT EFFECT THE WATER ON BURKE RANCH. WELL IT DID AND LAST YEAR AFTER OUR WELL FINALLY WENT DRY. WE HAD TO DRILL DEEPER TO 840 FEET. WE NOW GET 3 GALLONS A MINUTE AFTER SPENDING \$ 15,000. WE ARE SURE THAT IF THE CASINO IS ALLOWED TO PUT IN WELLS THAT PRODUCE 150,000 OF WATER A DAY THAT OUR WELL WILL DRY UP AGAIN. WE WOULD HAVE TO SELL, IF WE COULD FIND SOMEBODY DUMB ENOUGH TO BUY A PROPERTY WITHOUT WATER.

ANOTHER ISSUE FOR US IS NOISE POLLUTION. THE CASINO WOULD BE ABOUT 1/2 MILE FORM OUR HOME. NOISE TRAVELS A LONG WAY IN THESE HILLS. AS AN EXAMPLE THE PLYMOUTH FAIR GROUNDS ARE 1 1/2 MILES FORM US AND DURING EVENTS THE NOISE TRAVELS TO US AND IS LOUD ENOUGH THAT WE CLOSE OUR WINDOWS AT NIGHT TO BE ABLE TO SLEEP.

THESE ARE SOME OF OUR PERSONAL ISSUES. IF THIS CASINO IS ALLOWED TO PROCEED OUR ENJOYMENT OF A RURAL LIFE-STYLE WILL BE DESTROYED.

SINCERELY

THOMAS AND ETHEL MORRIS

Thomas L. Morris
Ethel Morris

Comment #71

LEGISLATIVE OFFICE:
STATE CAPITOL, ROOM 5064
SACRAMENTO, CA 95814
TEL (916) 445-5788
FAX (916) 324-2680

DISTRICT OFFICES:
LEGISLATIVE OFFICE BUILDING
1020 N STREET, ROOM 568
SACRAMENTO, CA 95814
TEL (916) 327-9034
FAX (916) 327-9049

230 DOUGLAS BLVD., SUITE 300
SACRAMENTO, CA 95746
TEL (916) 969-8232
FAX (916) 783-5487

1303 BROADWAY
SACRAMENTO, CA 95642
TEL/FAX (209) 223-9140

California State Senate

SENATOR
RICO OLLER
FIRST SENATORIAL DISTRICT



LABOR & INDUSTRIAL RELATIONS
VICE-CHAIR
NATURAL RESOURCES & WILDLIFE
VICE-CHAIR
INSURANCE
PUBLIC EMPLOYMENT & RETIREMENT

SELECT COMMITTEES
CALIFORNIA'S WINE INDUSTRY
CAPITAL AREA FLOOD PROTECTION
GENETICS, GENETIC TECHNOLOGIES
& PUBLIC POLICY

JOINT COMMITTEE
FAIRNESS, ALLOCATION & CLASSIFICATION

MEMBER
CALIFORNIA LEGISLATIVE RURAL
CAUCUS

February 4, 2004

The Honorable Arnold Schwarzenegger
Governor of California
State Capitol, First Floor
Sacramento, CA 95814

Dear Governor Schwarzenegger:

The Ione Band of Miwok Indians is taking steps with the federal government to open an Indian gambling casino near Plymouth in Amador County. Frankly, Amador County does not have the size or resources to absorb all the side effects of another casino. I write to respectfully ask that you not approve a gambling compact with this tribe.

Amador County is small geographically with a population of under 40,000 people and is already home to the large Jackson Rancheria Casino. Plans had been announced to build another casino in the county in the Ione area. While that proposal is presently on hold, three casinos are frankly too much for such a small county. A Plymouth casino would be only 15 minutes from the Jackson Casino. Basic infrastructure is also lacking to handle another casino in Plymouth. Highway 49 in Plymouth is a twisty, two-lane road and is not equipped to handle the traffic a large casino would generate. Water resources in the Plymouth area are already under pressure and Plymouth itself had been under a building moratorium due to lack of water resources. A new casino will only add to the large costs presently incurred by the Amador County Sheriff's Office from serving inmates from the Jackson Casino. I also understand there is a membership dispute within this tribe regarding whether this band actually has any historic tie to the land they are considering for the casino site.

Please consider all the concerns I have outlined above should your office be presented with the option of granting a gambling compact to the Ione Band of Miwoks. I would be happy to speak with you about this issue if you have any further concerns.

Sincerely,

RICO OLLER

Cc: Bureau of Indian Affairs

Reg Dir _____ ✓
Dep Reg Dir _____ ✓
Reg Adm Ofc _____
Route _____
Response Required NO
Due Date _____
Memo _____ Ltr _____
Tele _____

CALIFORNIA LEGISLATURE
THOMAS "RICO" OLLER
STATE SENATOR
STATE CAPITOL
SACRAMENTO, CA 95814-4900



OFFICIAL
SENATE
USE



Clay Gregor
Clay Gregor
Clay Gregor

Mr. Clay Gregor, Acting Director
Pacific Region
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

95825+1623



Comment #72

Brian Oneto
P.O. Box 95
16850 Highway 49
Drytown, CA 95699
(209) 295-1603

February 17, 2004

FEB 18 2004

Mr. Bill Allen
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Dear Sir:

I'm writing concerning the "taking of land into trust" for the Ione Band of Miwok Indians who then want to build an Indian gaming casino on said land located approximately 1 ½ miles east of the intersection of Highway 49 and Highway 16.

The tribe is calling this land part of their hereditary lands yet approximately 8 years ago an adjoining landowner, a Mr. Ron Matulich, filed a use permit for a state quarrying operation. All tribes were contacted, none responded.

There is currently a water moratorium in the City of Plymouth and additionally Plymouth wastewater system is antiquated and failing. A casino will not help either of these.

In addition, the tribe is proposing to use groundwater for the casino. This would severely tax the underground aquifers capabilities. Already, wells are going dry in Burke Ranch Subdivision, which are approximately 1 ½ miles east of the proposed casino.

The roads are not capable of handling the traffic a casino would bring.

There is already one casino in the County of Amador with one more having approval. The Buena Vista tribe located off of Coal Mine Road. The Ione Band of Miwok would be a third casino in this small County of Amador. This would be an "over saturation" of our roads, services, systems and ever the lifestyle I live.

The San Joaquin Valley area has just been put into the extreme air quality standard. A casino would further exacerbate the air quality problem and threaten my health.

The casino would also have a detrimental effect on "historic and scenic" Highway 49. From the proposed casino site Stringer Creeks flows directly into Dry Creek, which has

had historic runs of Steelhead Salmon. If the tribe installs their own sewage treatment plants what is the guarantee they will not have accidental discharge of sewage waters into this pristine stream.

Money cannot mitigate the problems that would be caused by this proposed gaming facility. Please do not put the proposed ground into trust for the Ione Band of Miwok Indians.

Sincerely,

A handwritten signature in cursive script that reads "Brian Oneto". The signature is written in dark ink and includes a long, horizontal flourish extending to the right.

Brian Oneto

Comment #73

Ed Oneto
P.O. Box 694
Jackson, CA 95642

February 17, 2004

FEB 18 2004

Mr. Bill Allen
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Dear Sir:

I'm writing concerning the "taking of land into trust" for the Ione Band of Miwok Indians who then want to build an Indian gaming casino on said land located approximately 1 ½ miles east of the intersection of Highway 49 and Highway 16 in Plymouth, California.

The tribe is calling this land part of their hereditary lands yet approximately 8 years ago an adjoining landowner, a Mr. Ron Matulich, filed a use permit for a state quarrying operation. All tribes were contacted, none responded.

There is currently a water moratorium in the City of Plymouth and additionally Plymouth wastewater system is antiquated and failing. A casino will not help either of these.

In addition, the tribe is proposing to use groundwater for the casino. This would severely tax the underground aquifers capabilities. Already, wells are going dry in Burke Ranch Subdivision, which are approximately 1 ½ miles east of the proposed casino.

The roads are not capable of handling the traffic a casino would bring.

There is already one casino in the County of Amador with one more having approval. The Buena Vista tribe located off of Coal Mine Road. The Ione Band of Miwok would be a third casino in this small County of Amador. This would be an "over saturation" of our roads, services, systems and ever the lifestyle I live.

The San Joaquin Valley area has just been put into the extreme air quality standard. A casino would further exacerbate the air quality problem and threaten my health.

The casino would also have a detrimental effect on "historic and scenic" Highway 49. From the proposed casino site Stringer Creek flows directly into Dry Creek, which has

had historic runs of Steelhead Salmon. If the tribe installs their own sewage treatment plants what is the guarantee they will not have accidental discharge of sewage waters into this pristine stream.

Money cannot mitigate the problems that would be caused by this proposed gaming facility and the list is extreme. Please do not put the proposed ground into trust for the Ione Band of Miwok Indians.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Oneto". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Ed Oneto

Comment #74

received
2-23-04 AH

February 17, 2004

Mr. Bill Allen
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Re: Ione Band of Miwok
Proposed Casino in Plymouth, Amador County

Dear Sir:

The above tribe is proposing a gaming casino in Plymouth, California. They have sent their request to Gray Davis when he was governor. In that request they had stated there has been no opposition to the casino. That is a false statement. Their letter was sent to the governor and residents of Amador County before they were even informed about the proposal. I object to this casino and there is strong opposition to it by the residents of Plymouth and Amador County.

This county, per capita, cannot support another casino. There is already a large casino in our county, the Jackson Rancheria, a mere 15 minutes away from the proposed casino. Another is being worked on in the Buena Vista area. This is a tremendous drain on the tax payers and I know you are already aware of the obvious impacts; water, sewer, traffic, loss of property taxes, crime rate increasing, over powering the politics of a very small city, school impacts; the list goes on and on. There is also the tourism – Plymouth brings in a lot of revenues from its vineyards and the “Motherlode Gold Country” theme. That history would soon be destroyed for Amador County.

The citizens supported Proposition 1A so the tribes could keep what they had at the time. We do not support investors from Mississippi and elsewhere to establish new casinos. Especially on non-tribal land. This Indians that had claim to that ground a long time ago accepted money from the government in lieu of the ground. It should be free from Indian claims.

There is the issue too that the Plymouth City Council is not operating on the resident's interest or wishes. They have an over powering majority vote against the casino. The council has not adhered to their wishes.

There is also at issue the “true” tribal government. There is inner fighting going on as to

who exactly the Ione Band of Miwok's are.

Do not allow the Ione Band of Miwok to obtain this ground into trust.

Amador County Tax Payer,

A handwritten signature in cursive script, appearing to read "Janine Oneto".

Janine Oneto
16850 Hwy. 49
P.O. Box 49
Drytown, CA 95699

Janine Oneto
P.O. Box 95
Drytown, CA 95699



Mr. Bill Allen
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825



Comment #75

Mary Lou Oneto
P.O. Box 694
Jackson, CA 95642
(209) 223-0436

February 17, 2004

Mr. Bill Allen
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Dear Sir:

I'm writing concerning the "taking of land into trust" for the Lone Band of Miwok Indians who then want to build an indian gaming casino on said land located approximately 1 1/2 miles east of the intersection of Highway 49 and Highway 16.

Water is an asset that cannot be mitigated. There is currently a water moratorium in the City of Plymouth. There is no way this issue can be solved without great detriment to the residents of Plymouth and the surrounding area. The tribe is proposing to use groundwater for the casino. This would severely tax the underground aquifers capabilities. Wells are already going dry. How can this gaming facility be a benefit to anyone except the tribe?

In addition, the roads in the area are not capable of handling the traffic a casino would bring, leaving it up to the tax payers in the future to pay for adequate roadways. Another, injustice.

How many casinos can this small county afford. Per capita, the tax payers of this county cannot pay for all the hardships this proposed gaming facility will be forced upon us.

What about the air quality standard! The San Joaquin Valley area has already been put on an extreme air quality standard. A casino would further exacerbate the air quality problem and threaten my health.

The historical value of Amador County would be changed by yet another casino. This county is known as the "gold country". It would forever be changed to the "gambling county".

You cannot mitigate the problems that would be caused by this proposed gaming facility.

Please do not put the proposed ground into trust for the Ione Band of Miwok Indians. It will change my way of living in a negative way.

Sincerely,

Mrs Mary Lou Oneto

Mary Lou Oneto

Comment #76

Rux Oneto
P.O. Box 694
Jackson, CA 95642

February 17, 2004

Mr. Bill Allen
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Dear Sir:

I'm writing concerning the "taking of land into trust" for the Ione Band of Miwok Indians who then want to build an Indian gaming casino on said land located approximately 1 1/2 miles east of the intersection of Highway 49 and Highway 16 in Plymouth, California.

The tribe is calling this land part of their hereditary lands yet approximately 8 years ago an adjoining landowner, a Mr. Ron Matulich, filed a use permit for a state quarrying operation. All tribes were contacted, none responded.

There is currently a water moratorium in the City of Plymouth and additionally Plymouth wastewater system is antiquated and failing. A casino will not help either of these.

In addition, the tribe is proposing to use groundwater for the casino. This would severely tax the underground aquifers capabilities. Already, wells are going dry in Burke Ranch Subdivision, which are approximately 1 1/2 miles east of the proposed casino.

The roads are not capable of handling the traffic a casino would bring.

There is already one casino in the County of Amador with one more having approval. The Buena Vista tribe located off of Coal Mine Road. The Ione Band of Miwok would be a third casino in this small County of Amador. This would be an "over saturation" of our roads, services, systems and ever the lifestyle I live.

The San Joaquin Valley area has just been put into the extreme air quality standard. A casino would further exacerbate the air quality problem and threaten my health.

The casino would also have a detrimental effect on "historic and scenic" Highway 49. From the proposed casino site Stringer Creek flows directly into Dry Creek, which has

had historic runs of Steelhead Salmon. If the tribe installs their own sewage treatment plants what is the guarantee they will not have accidental discharge of sewage waters into this pristine stream.

Money cannot mitigate the problems that would be caused by this proposed gaming facility. Please do not put the proposed ground into trust for the Ione Band of Miwok Indians.

Sincerely,

A handwritten signature in cursive script that reads "Rux Oneto". The signature is written in dark ink and has a fluid, connected style.

Rux Oneto

Comment #77

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT
November 19, 2003 - 6:00 - 9:00 PM
Amador County Fairgrounds

COMMENT SHEET

Your Name: Joy Paul

Your Organization: Amador County
Unified Schools

Plymouth is a wonderful little town with historic importance as well as natural beauty. A casino in this town would result in a complete change of character. There are many options for growth within the character of this community. A college for instance was rejected several years back, which could have benefitted the entire county. There is a significant difference between the two leaving a college much higher on the scale of beneficial. A casino's impact on the quality of life in Plymouth (and the county) would be negative.
How in this American community can this city council feel ~~more~~ justified to go against 73% of this community's voters. It seems illegal in this USA town.

Comment #78

DROUGHT AND ITS IMPACT ON AMADOR COUNTY'S WATER SUPPLY

By

Wendell G. Peart, DVM

Pine Grove, Calif.

Delivered
February 4, 2004
Plymouth, Ca.lif.

My name is Wendell G. Peart, DVM, Pine Grove. I have some information on water that may be of interest inasmuch as I am a former member of the Amador Water Resources Advisory Committee. Any building project to be successful must have an assured water supply, especially during drought. My presentation addresses the issue of water supply during drought.

On June 3, 1997 Rod Schuler, Public Works Director for Amador County appeared before the SWRCB in the matter of the Delta Wetland Water Right Application Hearing. Significantly he said: "There are no well-defined groundwater basins in the County. Most wells are drilled in fractured rock with unpredictable yields and qualities. For these reasons, neither local water projects on the County's small streams nor increased groundwater development is likely to satisfy the County's increased water needs. Instead, the County must turn to new water supply projects on the Mokelumne and Consumnes River."

Schuler pointed out that: "The most common range of well yields encountered in 44 percent of the 270 sample wells in Amador County is zero to ten gallons per minute." and again said, "For these reasons the potential for expansion of ground water supplies in Amador County is extremely limited."

I would add that it can be clearly seen that project developments, especially in the Plymouth area, based on ground water as a source of an assured water must consider surface water as the supply source, particularly in times of drought.

California's history is storied with drought. We know this from studying the tree rings that California suffered a drought that lasted more than 50 years from 1760 to 1820. Another drought period occurred from 1865 to 1885, a period of twenty years. A benchmark drought occurred from 1928 to 1933 with an average rainfall in the Sacramento areas of 10.62 inches or about 41% below normal. Using the rainfall in the Sacramento area, a rainfall of less than 13.62 inches would qualify as a dry year and be at least 24 % below the normal of 17.6 inches.

Earlier I made mention of an assured water supply in drought. Well how much water should be allocated to a family of four? This answer is found in a statement given by Peter A. Rogers, Chief of the Office of Drinking Water for the California Department of Health in a statement given on January 29, 1991 before the Drought conference held in Sacramento by the State Water Resources Control Board. Mr. Rogers said: "The average household in California utilizes anywhere from 500 to perhaps 900 gallons a day," This brings to mind, how much water was available in Amador County water shed during the recent drought of 1986-1991.

In an address given by me before the Amador County Board of Supervisors August 10., 1999, I put into the record a letter sent to me on April 16, 1997, by the General Manager of the Amador Water Agency in which he wrote. "The Mokelumne River's normal flow is approximately 700,000 acre feet /year. A drought year flow is approximately 250,000 acre feet/year". I would point out that the 250,000 acre feet would suggest a reduction of 65% of water available for use by water users in Amador County such as occurred in the recent drought of 1986 to 1991.

In rebuttal to the idea that Amador County will share its water rights with others is a statement by

the General Manager of the Amador Water Agency. He wrote in the letter of April 16, 1997, "Since the Amador Water Agency has very early priority rights and is backed by guarantees by PG&E, this allows us a large safety margin before our customers would be affected drought conditions, if ever."

This last statement would appear to end the discussion of an assured water supply during drought. Now listen to what Rod Schuler, Amador County Public Works Director stated on his appearance before the Amador County Board of Supervisors on March 2, 1999. "The SWRCB has changed its regulatory authority over the water rights and water quality protection in California. The Board is engaged in water rights hearing concerning the allocation of responsibility as to water rights holders to meeting Bay Delta quality standards."

Henry Willy, General Manager of the Jackson Valley Irrigation District, also emphasized that Amador County's water supply will likely be diminished. Mr Willy addressed the Amador Board of Supervisors on March 2, 1999. He said, "the Bay-Delta plan is to take water away from current water right holders to accomplish pollution dilution and the CAL-FED plan augments this concept by planning to implement very severe water rationing to all parties. We must all share the pain of a forced water shortage."

In summary it would seem to me that the figure of 500 gallons of water a day to a household of four can serve as a basis for land use planning factoring in the available water during drought as a limit to that growth. In other words the maximum growth of an area should be predicated to the available water during drought and no more.

Let me say at this juncture that what I have submitted were events that took place five years ago. I have no idea of where matters are today. I suspect they are worse due to population growth, exacerbated by legal and illegal immigration.

One other matter that has been overlooked in these hearings has been fire protection. Mr Rogers, Chief of the Office of Drinking Water in his remarks to the SWRCB on January 29, 1991 said: "Lack of an adequate quantity of domestic water creates several public health concerns. First and most obvious is that public safety is threatened if there is insufficient water to respond to emergencies such as fire." It is my feeling that the State Insurance Commissioner Office should be involved in these proceedings so that the public interest be protected in obtaining fire insurance for their homes, and businesses. If those responsible for land use planning allow buildings to be built to the point that there is little or no water available during drought for fire protection, then it seems logical that fire insurance companies will not issue fire insurance policies when there is no planning to provide for that protection.

It would seem in order that any building project contemplated in the Plymouth area should first be cleared with the State Water Resource Control Board. This being the case, it would appear to be appropriate to direct a letter to the SWRCB requesting that the Board will guarantee that no water be taken from this project in order to satisfy the greater needs of the Bay-Delta water supply.

In closing I call to your attention to a statement made by Bob Reeb, Manager of the El Dorado County Water Agency. "There is a limit to the number of people California water resources can support." The evidence submitted would suggest that the Plymouth area has reached that point.

Comment #79

Petition Against an Indian Casino in Plymouth, CA

We the undersigned oppose the proposed Plymouth Indian Casino, due to the huge impact it would cause to our community. We are concerned with issues such as traffic, crime, sewer, school population, water and the environment. The reason people have moved to this area is the small town community, with the addition of a huge facility such as an Indian Casino, we would lose the reason that people have relocated to this area or have lived here for generations. As area residents, we request they denial of the proposed Indian Casino to be located in or around the City of Plymouth.

Date	Name	Address	Phone #	Email
1 6-10-03	PAT FOSSEN	P.O. Box 1416	Sutter Creek CA 95885 209) 296-2609	
2 6-10-03	Nicole Gulick	P.O. Box 1911	JACKSON CA 95642 (209) 223-3856	
3 6-10-03	Megan Gulick	PO Box 1911	Jackson CA 95642 (209) 223-3856	
4 6-10-03	LINDA AMES BUSCH	PO BOX 1166	PINE GROVE, OH 95665 (209) 296-3605	
5 6-10-03	BUD BUSCH	P.O. BOX 1166	A.G. 296-3605	
6 6-10-03	Ryan Gold	P.O. Box 97	274-2710	
7 6-10-03	WARREN DEAR	P.O. 1398	295-4439	
8 6-10-03	Grace Vargas	PO Box 655	P.B. 223-3987	
9 6-10-03	Robert Amstutz	POB 222 Mt. PAMCHA, CA	728-3906	
10 6-10-03	Andrew EVITT	1380 Ridge Rd	296-2359	
11 6-10-03	Janine M. Gilmore		754-4623	665 Gold Oak Rd SAN ANGELES CA 95349
12 6-10-03	Neal SWANN	1917 Spring Valley, Plymouth	245-6087	
13 6-10-03	Molly Bixler	17410 Climax Rd Jackson, CA 95642		MollyBixler@jacksonca.net
14 6-10-03	Asella Donovan	Blond	286 1394	
15 6-10-03	mabel miramon	15938 Oak Park ply.	95669	
16 6-10-03	J. SHAW	P.O. Box 491 Mokelumne Hill CA	95245	
17 6-10-03	Kelley Wagner	4074 N Camanche Hwy	Tone CA 95640 (209) 203-5238	
18 6-10-03	CAROL NOLTING		295-3250 PIONEER	
19 6-11-03	steve DAVIS	1447 Ridge Rd #18 Sutter Creek		
20 6/11/03	Louise Janovro	PO Box 1516, Jackson, CA	95642 209-296-3547	
21 6/11/03	Debbie Cawan	11190 Shenandoah Rd Plymouth	2453707	cowzine@centralhouse.net
22 6/11/03	MARLYN M. BATES	P.O. BOX 820, PLYMOUTH	209 245-4140	
23 6/12/03	Chris Bruchacki	27653 Susan Ln Pioneer	295-2089	
24 6/12/03	Paul W. Cherry	4149 INDEPENDENCE GROVE, CA	95232	
25 6/12/03	Tanya L. Jagan	15205 Broken Hill, Amador City	267-0449	

lived here for generations. As area residents, we request they denial of the proposed Indian Casino to be located in or around the City of Plymouth.

	Date	Name	Address	Phone #	Email
1	5-31-03	Mary Juell	16484 Rolling Oaks Ct.	245-5741	juell@cdepot.n
2	6-3-03	Diane Logan	18600 Silver Oak Ln.	245-6117	bunting@
3	6-3-03	LYNNEA HORN	14055 QUARTZ MTRS Sutter Creek 95685	267-0511	volcano.ch
4	6-4-03	Susan Bronzich	#5379 Carbondale Rd Plymouth		
5	6-4-03	Dan Bronzich	" " "		
6	6-4-03	Red Bronzich		245-6489	
7	6-5-03	Judi Kinser	16960 Mary Ln. Fiddletown		JJKins
8	6-5-03	Cecilia Loretta	19461 Fiddletown Rd Fiddletown		cdep @ me
9	6-5-03	William Loretta	" "		
10	6-6-03	KENT SHELTON	P.O. Box #547 SUTTER CREEK		
11	6-3-03	DAVID LOGAN	18600 S/OVERCAY	245-6117	NA
12	6-6-03	MIKE HENDERSON	9291 MILLER WAY Plymouth		245-3803
13	6-7-03	Teri Stevens	10805 White Oak Rd Plymouth		95669
14	6-7-03	Robert L Stevens	10805 White Oak Rd Plymouth		95669
15	6-03	Tom CARTER JR	4420 MYSTIC Mine Rd Samersett		95669
16	6/9/03	Lyrissa Middleton	PO Box 65, Plymouth, Calif 95669 17481 E School St Amador City 95601		95684
17	6/9/03	LEEANN LANE	PO Box 367 PLYMOUTH, CA 95669 209-245-6337		thelanesonline@hotmail.com
18	6-9-03	James C. Shaw	651 CLEVERBROOK Dr. Fors., Ca. 95640		
19	6-10-03	Anne D Mocks	P O Box 452 PLYMOUTH CA 95669	245-6816	jmockl@f
20	6-10-03	Jon Cartopasso	P.O. Box Plymouth, CA 95669	245-3511	
21	6-10-03	M. PAHL	Bx 586 S.C. 95685		
22	6-11-3	Danny R Seals	21510 LAWRENCE Rd Fiddletown		
23	6-11-03	Lynne M. Seals	Ca, 95629		
24	6-11-03	L. Woods	Plymouth	95669	
25	6/14	Al Miller	Plymouth	945-2100	

- 1 6/12/03 ERIC Shippam 54 MAIN ST. 2671469 ^{ERIC@} _{communications}
- 2 6/16/03 CALL WESTERN SKAN 26685 _{Meadow Vista Ln 295-3934}
- 3 6/16/03 JANE MAH 26685 _{Meadow Vista Ln 295-3934}
- 4 6-16-03 Gillen Allen ^{PO Box} 1282 Inme 204-6315
- 5 6/16/03 Jeanne Breeden 714 Vista Lane Ione, Ca 95640
- 6 10/16/03 Gerald Breeden 714 Vista Lane Ione Ca 95640
- 7 6/16/03 Tom Breeden 714 Vista Lane Ione, Ca 95640
- 8 6-16 Donnie Gilmore 615 Gold Oak ^{St. LP} 541-41623
- 9 ~~6-16~~ 6-16 Sh. A. Ph. 257-0747
- 10 ~~6-16~~ Jennifer Patricia - 95-7913
- 11 Mrs Molinelli 15900 Hwy 88 Jackson 227-0422
- 12 Mary Hampton 14093 Irishtown Rd #c Pine Grove, CA 296-3544
- 13 Dina M. Bahr 16301 Mt. Whitney Dr Fiddletown, CA 245-605
- 14 6/17/03 Marty Schaper 16361 Mt. Whitney Dr Fiddletown CA
- 15 6/17 Terri Gipson 138 Cedar Jackson Ca
- 16 6/17 Wilma F. Armanino 14625 Williams Rd. ^{Pioneer} 295-7149
- 17 6/17 Eric Armanino 14625 Williams Rd. Pioneer 295-7149
- 18 6/24 Kathleen Jenkins 316 Edgebrook Dr., Ione 274-2201
- 19 6/24 Jani Tarr 26685 Meadow Vista Lane Pioneer 295-3934
- 20 George K. Penison P.O. Box 1390, 1301 Calif. R. Sutter Creek, 209-269-1450
- 21 Lherish Peck 14100 Steven Ln. ^{Pine Grove, CA 95665} 296-7325
- 22 Diana Peck 14100 Steven Ln. ^{Pine Grove, CA 95665} 296-7325
- 23 Clayton Peck 14100 Steven Ln. ^{Pine Grove, CA 95665} 296-7325
- 24 Anne Bryan 17435 Kit Lane Jackson, CA 95642 ²⁹⁶⁻⁴⁹⁵²
- 25 Dianna Rodman 12965 Mamie Pine Grove, Ca 95665
- 26 Sally R. Kincaid 12833 Pinta Rd Pine Grove CA 95665

- 8/10/03 Dixie Cameron P.O. Box 1066 Plymouth, Ca
- 5/10/03 Damon Lynell 13265 Hwy 49 Plymouth Ca
- 5/10/03 Linda Bonneau P.O. Box 533 Plymouth, CA
- 5/10-03 Rick DeM M P.O. Box 202 Dutton CA
- 5/10/03 Doug Pool P.O. Box 504 PLYMOUTH CA
- 5/10/03 LYNN SKIDMORE P.O. Box 244 Plymouth CA
- 5/10/03 TOM MAGUIRE 1285 Deer St Pioneer 295-5578
- 5/10/03 Andy FALTON 9448 WHEELER COOP, PLYMOUTH CA
(909) 296-1160
- 5/10/03 Deborah Merrill 20000 Timberline Dr Fiddletown, Ca 9589
- 05/10/03 LARRY F. MORGENSTERN 9351 PACIFIC ST. PLYMOUTH CA.
- 15/10/03 Aite Hampton 9480 Victorian Way Plymouth Ca.
- 2 5/10/03 Ben Jones P.O. Box 203 Mt. Auburn, CA. 95656
- 3 5/10/03 Jace Perry 15054 Muller Rd. Plymouth 95669
- 4 5/10/03 Paul Christ P.O. Box 100 Fiddletown 95625
- 5 5/10/03 Lynne Jisch 6155 Old Sacto Rd Plymouth 95666
- 6 5/10/03 ^{cat-plant sale} APRIL HANCOCK 10625 Valley Dr. Plymouth Ca 95668
- 7 5/10 Jeffrey Jones Box 177 PLYMOUTH 95619
- 8 5/10 ~~Pat Bibby~~ David Bibby P.O. Box 101 PLYMOUTH
- 9 5-10-03 Mark Jones P.O. Box 785 95669
- 0 5/10 CHARLIS FROST P.O. Box 726 95669 plymouth CA
- 1 5/10 Jennifer Dwyer Frost P.O. Box 726 ^{plym.} 95669 245-6535
- 2 5/10 John Muthmann P.O. Box 938 Plymouth 95669 245-6967
- 3 5-10-03 Jeff Miller P.O. Box 1053 PLYMOUTH, 95669, CA.
- 4 5/10 James J. Gordon 17405 Burke Dr Plymouth Ca
- 5 5/10 Pat Wierschem 9255 Main St. Plymouth 245-336

- 1 5/10 Terry Wierschem 9255 Main St. Plymouth 245-3808
- 2 5/10 Amber Gardner PO BOX 186 Plymouth CA ⁹⁵⁰⁶⁹ gardnersp@comcast.net
- 3 5/10 R. N. Zyke Box 202 Ply
- 4 5/10 Carol Schwab Box 615 Plymouth 245-9000
- 5 5/10 F. Schabram Box 707 Plymouth
- 6 5/10 ~~W. Schabram~~ ^{Schwab} PO Box 615 Plymouth
- 7 5/10 Marie Seefeld ²⁰⁵⁻⁷⁵⁵⁰ PLYMOUTH ²⁴⁵⁻⁹⁵¹⁹
- 8 5/10 Ronald W. Scofield Box 12 FIDLETON
- 9 5/10 Howard Eberhart Box 297 FIDLETON ²⁴⁵⁻⁵⁶⁸⁸
- 10 5/10 Lisa Cross Limestone Box 1014 Plymouth ²⁴⁵⁻⁶⁵³⁵
- 11 5/10 Patricia J. Shabliton ^{9300 Main} Box 174 Plymouth CA
- 12 5/10 Luanne Klapp Box 997 Plymouth CA ²⁴⁵⁻⁴⁷²⁵
- 13 5/10 Bernard G. Klapp Box 997 Plymouth Ca.
- 14 5/10 Allen Reeves 10500 Fiddletown Rd Plymouth
- 15 5/10 Allen M. Reeves 10500 Fiddletown Rd, Plymouth Ca
- 16 5/10 Karin A. Gunion 9260 Miller Way, Plymouth. CA
- 17 5/10 Mr & Mrs Selva Meyer 3221 Bridgeport Sch Rd Fiddleton
- 18 5/10 Lilga Berry Highway 49, Plymouth P.O. 116
- 19 5/10 Shelob Latta 9184 Main St Plymouth ²⁴⁵⁻³¹¹² P.O. Box 10
- 20 5/10 Kayce Kall 9330 Atlantic St Plymouth P.O. Box 213
- 21 5/10 Wes Sampecci 18640 Poplar St. Plymouth P.O. Box 773
- 22 5/10 Stephanie Rippy 9510 Victorian Way Plymouth 95069
- 23 5/10 ANGELINA FIELDS 9505 LAYBONE ST Plymouth ⁹⁵⁰⁶⁹
- 24 5/10 HAZEL McSWANE 18494 Davis St. Plymouth
- 25

Janine HAGUE 2001 Carbonlake RD. 245-4705
 10/5/03 Barbara Jeremy 10685 White Oak RD 245-5784
 10/5/03 GERALD TIERNEY 10685 WHITE OAK RD 245-5784
 5/10/03 Kim Hipp 17251 Tyler Rd 245-4186
 5/10/03 TJ MAYRONI 9375 LANDRUM 245-6211
 5-10-03 H Winter 14931 WillowCk Rd 95685 245-4846
 5-10-03 Mary Cowan 12650 Shenandoak Rd. 245-6507
 5-10-03 Chad Vaith 9254 Hwy St 304-9506
 5-10-03 ~~Jacqueline Spitzford~~ ^{9 (209)} Jacqueline Rutherford 18654 Mineral St. Plymouth, IL 245-6050
 0 5-10-03 ~~Donna Hall~~ Donna Hall 10630 WHITE OAK RD PLYMOUTH 245-5169
 1 5-10-03 Mike O'Mara JR 68280 SUTTER ST Plymouth 245-6210
 2 5-10-03 Jacobson 18620 Hwy 49 Plymouth 245-4166

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5-10-03 - Paul Howard 5530 Taylor Rd 245-6038
 5/10/03 Stanley Marguire 6088 Old Sacramento Rd
 Plymouth CA 95669
 5/10/03 Julia Y. Lee 209-293-1242
 5/10/03 Barb Vukich 9254 Hwy. 245-4723

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PLYMOUTH

Petition Against an Indian Casino in Plymouth, CA

The undersigned oppose the proposed Plymouth Indian Casino, due to the huge impact it would cause to our community. We are concerned with issues such as traffic, crime, sewer, school population, water and the environment. The reason people have moved to this area is the small town community, with the addition of a huge facility such as an Indian Casino, we would lose the reason that people have relocated to this area or have lived here for generations. As area residents, we request they denial of the proposed Indian Casino to be located in or around the City of Plymouth.

North Only

<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>Phone #</u>	<u>Email</u>
June 24, 2003	Angela Keeney	9358 Pacific Street	245-6165	allkeene@earthlink.net
June 21-03	DIANE FUNER	9338 Pacific Street	267-1615	disturn@earthlink.net
6-21-03	Josh Lyman	18559 Wheeler Ave	245-3897	
6-21-03	Josh Curran	18900 Nuggett Way	481-1917	
6-21-03	CONNIE BURUS	18920 Nuggett Way	481-1917	
6-21-03	Staci Walker	9339 Main St	245-4314	
6-21-03	Toni Gunter	9350 Bush St	245-3372	

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	Date	Name	Address	Phone #	Email
1	6/21/03	KATHLEEN BARI	19921 CEDAR PINES DR	296-6891	
2	6/21/03	MARTY Scholer	16361 MT. Whitney	245-6597	
3	6/21/03	Jessica Miller	925- Hwy St.	245-4723	
4	6/21/03	Eric Vaith	925- Hwy St	245-4723	
5	6/21/03	Rich Neugebauer	13605 Stoneville Hwy 413	931-9871	
6	6-21-03	Harold U. Michler	18265 Hwy 49		
7	6-21-03	TOM STAEHNKE	7156 OLD SAC. RD Plymouth	245-6106	
8	6-21-03	Muhammad Hackin	7205 Waterford Rd CA	916 568-6709	
9	6-21-03	Mary Harper	5415-B Poppy Ridge Elk Grove Calif.	(916) 684-1026	
10	6-21-03	Eleanor Robinson	5825 Old Sac. Rd. Plymouth	916-245-3679	
11	6-21-03	David Kaiser	8201 Hwy 49 #12	530-620-7415	
12	6-21-03	Kim Gillier	POB 40 W. Auburn	530 670 6805	
13	6-21-03	Cade Preston	134 Center St. Jackson, CA	223-4008	
14	6/21/03	Jean Christ	19935 Semandoak School Rd	Ply. 245-6514	
15	6/21/03	MARK RADMAN	20050 QUARTZ MOUNTAIN RD. FIDDLTOWN	245-6157	
16	6/21/03	Janice Mangano	19351 Fiddletown Rd Fiddletown	296 4671	
17	6/21/03	Sandra Pemboly	11200 Bell Road, Plymouth	CA 95669	janmangan@volcano.net sandra.pemboly@intel.com
18	6/21/03	JOHN PEARBODY	11200 Bell Road Plymouth	CA 95669	
19	6/21	YVONNE BENIC	11500 FIDDLETOWN RD		
20	6/21	Al Dwyer	Box 262 Fiddletown, CA	768-5186	
21	6/21	RICHARD BOHN	16361 MT. WHITNEY FIDDLETOWN	245-6033	
22	6/21	Karen West	PO Box 246 Fiddletown	CA 95629	
23	6-21-	Kelly Jaccarini	15520 Fiddletown Rd Fiddletown	CA	
24	6-21-	Evelyn Yurka	18170 Hwy 49	Plymouth CA	
25					

	Date	Name	Address	Phone #	Email
1	6-14	Bill Dillian	11910 Steiner Rd Plymouth	245-6810	
2	6/14	Anne Dillian	11910 Steiner Rd.	245-6810	
3	6/14	Glen Colburn	19600 LAMBERT RD Folsom, CA	245-6586	
4	6/14	Darlene Burnier	19600 LAMBERT RD Folsom, CA	245-6581	
5	6/16/03	Patti Williams	5050 Grainflat Plymouth, CA 95669	245-6320	
6	6-16-03	J. E. Sherman	P.O. Box 728	620-5448	
7	6-17-03	Shannon Loshorn	Plymouth, CA	620-6328	
8	6-17-03	Harris Liebrauer	Box 66 Fiddletown	245-4002	
9	6-18-03	Terry [unclear]	Box 177	245-4487	
10	6-18-03	Denise Moreno	19606 Spring PO 493 Valley Rd	245-6313	
11	6-19-03	Uaine [unclear]	P.O. Box 92 Fiddletown	245-3643	
12	6-19-03	Mudal [unclear]	301 N. View Ct SUTHER	267-2210	
13	6-19-03	Quain M. Phalen	301 North View Ct Sutter Creek	267-2210	
14	6-19-03	Annis Souk	PO Box 8 Fiddletown	245-4991	
15	6-18-03	Christine Price	P.O. Box 171 Drytown	245-3780	
16	6-18-03	John Regalado	P.O. Box 171 Drytown	245-380	
17	6/18/03	Gary Bassett	Fiddletown	254 2625	
18	6/21/03	Theresa Jax	30101 Shenandoah School Rd. PLYMOUTH, CA 95669 PLYMOUTH CA	245-4940	
19	6/23/03	Donna Hall	10630 WHITE OAK RD PLYMOUTH CA	245-5167	
20	6/23/03	Patricia Shackleton	9300 Main St	245-6993	
21	6/24/03	Susan Thomas	8735 LePrieux Dr Sacramento 95826	100-7eff@hotmail.com	
22	6/24/03	Cristen Langner	3021 Balmaconada Rd El Dorado, CA 95623	sistersue70@hotmail.com	
23	6/24/03	WALT DIMMERS	18000 BURKE DR PLYMOUTH		
24	6-30-03	Robert Jack	17155 Red Mule Rd Fiddletown CA 95629	296-8946	
25	7-1-03	JANE O'RIOURAN	13950 Fiddletown Rd Box 41 Fiddletown 95629	245-317	

lived here for generations. As area residents, we request they denial of the proposed Indian Casino to be located in or around the City of Plymouth.

	Date	Name	Address	Phone #	Email
1	5/25/03	Joyce Glade	16065 Muller Rd	245-3931	
2	5/26/03	MARIAD L. RANDOLPH	17800 Randolph CT	245-6207	
3	5/26/03	LEONARD W RANDOLPH SR	17800 RANDOLPH CT	245-6207	
4	5/26/03	Gina M. Sherman	8975 Randolph dr.	245-3535	
5	5/26/03	DAVID A. GRUBB	8975 Randolph Dr	245-3535	
6	5/26/03	John Jo Hurley	8975 Randolph dr.	245-3535	
7	5/26/03	JEFF & REBECCA CARTWRIGHT	15874 DEEPLUT (4) PLYMOUTH		
8	5/26-03	R. INGVAR STEWART	15933 MULLER RD PLYMOUTH		
9	5/26/03	Richard & Jennifer Minnis	18060 Burke Dr Plymouth	209 245 3809	
10	5/26/03	Linda Palmer + Ken DeBow	15407 MULLER RD PLYMOUTH	209 245 6834	
11	5/26/03	Carol & Don Becken	5754 Vassar Plymouth	245-3535	
12	5/26/03	Harry Jitt DeLou	10280 Pacific Plymouth	209-245-5713	
13	5/26/03	Stephanie Sandahl	PO Box 280 Plymouth	209 747 2040	shkss797955@aol.com
14	5/26/03	Barb & Ed Vaitk	PO Box 181 Plymouth	245-472-	
15	5/26/03	Cecily Moreno	(PO Box 396) 18510 Empire St. Plymouth	245-604-	cyvonne51@yahoo.com
16	5/26/03	Danelle Moreno	(PO Box 396) 18510 Empire St., Plymouth	245-6047	ferdgurl79@hotmail.com
17	5/26/03	Michael J Moreno	18510 Empire St, Plymouth		
18	5/30/03	Katrina Putman	18510 Empire St Plymouth		
19	5-26-03	KEN G ROBERNIK	15955 OAK PARK CT PLYMOUTH		
20	5/26/03	Jim Glasser	P.O. Box 818 Plymouth		
21	5/26/03	Marsha Hiatt	P.O. Box 13 Fiddletown	245-3246	
22	5/26/03	CLAUDIA BESHEARS	P.O. Box 777 PLYMOUTH		
23	5/26/03	Jean Bowling	21501 Shenandoak School Rd. Plymouth	245-6764 25669	
24	5/26/03	TRACEE EATON	18105 BUCKE DR. Plymouth	95669	
25	5/26/03	Denise Moreno	18606 Springwillow Rd Plymouth	ca 95669	

Petition Against an Indian Casino in Plymouth, CA

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Date	Name	Address	Phone #	Email
5/10/03	Bonnie Fraser	2880 Schmitt School #302 Diaverille CA 95667	(530) 295-3527	einnobe@hotmail.com
5/26/03	Phillip Perry	16173 Muller Rd Plymouth 9456	209-245-3959	
5/27/03	Alta Thompson	Victorian Way	(709) 245-5376	
5/27/03	Druff Ogden	P.O. Box 156 River Pines	245-3605	
5/27/03	Diana Harty	17121 DeMartini Rd, Plymouth	245-3789	conchlink.net
5/27/03	Mary Lawson	5636 Ditchline Rd, Plymouth	245-4355	plawson@jpo.net
5/27/03	Edwin A Lawson	5636 Ditchline Rd, Plymouth	245-4355	plawson@jpo.net
5/27/03	CHARLES FROST	18380 EMPEROR PLYMOUTH	245-6323	jpo.net
5/27/03	Kimberly Whitley	17121 Fiddletown Rd. Fiddletown	3390	245
5/26/03	DAVID C. KLOPP	P.O. Box 936 PLYMOUTH	245-4225	
5/26/03	Neal & Debbie Swan	18917 Spring Valley Rd Plymouth	245-6087	
5/26/03	Ron Scaffco	17124 Red Hill Dr FLORETTA	95629	
5/26/03	Mary Scaffco	"	"	
5/24/03	Suzanne Mauck	6985 OVERLOOK CRTE. P.O. Box 457 Plymouth, CA 95669	209-245-6694	RELIVESTOCK@VOLCANO.NET
5/26/03	Cindy M Vicini	6980 Hwy 16 PO BOX 86- Plymouth-CA	95609	
5/26/03	Fick E. Vicini	6980 Hwy 16 P.O. BOX 86- Plymouth-CA	95669	
5/26/03	Andrea Miller	18740 Burke Dr. P.O. Box 121 Plymouth	245-3459	
5/26/03	Sue Dummer	18008 Burke Dr Plymouth	245-5338	
5/26/03	Walter Dummer	18008 BURKE DR PLYMOUTH	245-5338	

AREA

Petition Against an Indian Casino in Plymouth, CA

We the undersigned oppose the proposed Plymouth Indian Casino, due to the huge impact it would cause to our community. We are concerned with issues such as traffic, crime, sewer, school population, water and the environment. The reason people have moved to this area is the small town community, with the addition of a huge facility such as an Indian Casino, we would lose the reason that people have relocated to this area or have lived here for generations. As area residents, we request they denial of the proposed Indian Casino to be located in or around the City of Plymouth.

<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>Phone #</u>	<u>Email</u>
1 6-27-03	John Stone	- P.O. Box 454	245-3827	
2 7-9-03	Kristen Craker	PO Box 924	245-4687	
3 070903	JAROLYN FADDS	POBX 549, PLY.	245-3486	
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... of the proposed Indian Casino to be located
in or around the City of Plymouth.

Date	Name	Address	Phone #	Email
7/2/03	Karen Jett	18102 Old River Rd Fiddletown	209-296-1785	
7/2/03	Danny Avila	18102 Old River Rd Fiddletown	209-296-1785	
7/2/03	Jack Douler	FIDDLETOWN P.O. Box 124	209-245-6195	
7/3/03	Wendy Macdonald	5160 ASTRA CT Plymouth	209-245-3994	
7/3/03	Chaire Van Dam	work 916 874-8000 cell (916) 801-5459		vandamc @ Sac county . com
7/8/03	Robert Poulm	8970 Randolph Dr.	245-3578	
7/8/03	MARILYN M. BATES	P.O. Box 820 PLYMOUTH	209-245-4140	
7/8/03	MATILLEN BOSTON	5301 OLD SACRAMENTO Rd Plym.	209-245-3437	
7/9/03	Tim & Rebecca Reh	18115 BUCKE DR. PLYMOUTH, CA	209 245-5012	Timreh@volcano.net
07-10-03	Linda Kay Byers	P.O. Box 174, Fiddletown, CA, 95629		
7-11-03	Lisa Martin	15570 Tyler Rd., Fiddletown, CA 95629		
7-12-03	John Applegate	P.O. Box 267 Plymouth CA 95669		
7/12/03	Ann Wohlert	P.O. Box 1165 Ione CA 95640		
7/12/03	STAN Renzelman	12860 MT. ECHO DR. Ione CA, 95640		
7/12/03	LINDA Renzelman	12860 MT. ECHO DR. Ione CA, 95640		
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- 5-10-03 Richard Bibby FiddleTown 95629 245, 6811
 same 23 above
- 5/10/03 Cather Wood 16970 Madrone Lane Pioneer
- 5-10-03 Linda Dicker PO Box 924 Plymouth 245-11687
 245-11290
- 5/10/03 MARIE MASUDA PO BOX 233 AMADOR CITY 95601
- 5/10/03 Janice Reich 1585 Long Gate Rd Plymouth 209-245-4062
- 5/10/03 Kathy Kobornik 15955 Oak Park Ct Plymouth 95669
 245-4320
- 5/10/03 Mary P. Bullack 15354 BAENEY Rd Plymouth 95669
 245-4343 4343
- 5-10-03 Jim R. Campbell 17000A Tyler Rd. Plymouth 95629
- 0.5-10-03 Gaila King 106 Violet Ln. Jone
 274-4204
- 1 5-12-03 Bill King Jone
- 2 5-10-03 HARVEY PELICANO P.O. Box 844 PLYMOUTH 95669 245-3078
- 3 5-10-03 GAYLA GONZALEZ PO BOX 1581 WAKESON 95642
- A 5-10-03 Amy White 17075 Grelich Rd. Plymouth CA 95669 245-3147
- 5 5/10/03 Dawn Trent 18150 Burke Dr. Plymouth 95669 245-4379
- 6 5-10-03 Jane Ellis 19375 Forest View, Pioneer 209-295-7211
- 7 5-10-03 K.P. Ellis 19375 Forest View Rd Pioneer CA 295 7211
- 8 5-10-03 Raymond ALBANI 17930 LATROBE RD. Ply. CA 95669
 245 3330
- 9 5-10-03 JANE ALBANI 17920 LATROBE RD. PLYMOUTH, CA
- 0 5-10-03 DIO K. Roberts PO Box 98 Carmel, (CA 93921)
- 1 5/10/03 Stan Geel 3000 N. CANYON RD. CAMINO, CA 95709
- 2 5-10-03 Joan Meel 3000 N. Canyon Rd. Camino, CA 95709
- 3 5-10-03 Young William 19290 RED HILL MINE RD. PINE GROVE, CA 95665
- 4 5-10-03 Ray J. Atkinson 6263 Puerto on RANCHO MURIETA 95683

Masonia 1 6996

- 5/10/03 Patricia Johnson 15620 Grainflat Ct 245-4546 ✓
- 5-10-03 GARY JOHNSON 15620 GRAINFAT CT. 245-4546
- 5-10-03 Kathy Thomas 125 Maple St. June, Ca 95640
- 5-10-03 Mary Ann Engelbrecht 19650 Squind St Volcano, CA 95089
- 5-10-03 Gloria Frances Myatt Box 58 Fiddletown CA 95629 245-3336
- 5-10-03 Mrs Palmer J Alkman PO Box 1452 Rancho Murietta CA 95629 245-76162
- 5-10-03 Ellen Lyman PO Box 116 Fiddletown 95629
- 5-10-03 Robert Carr #23851 Meadows Crest Pioneer 95666
- 5-10-03 Penny Becker P.O. Box 789 - PLYMOUTH 95669 245-3311 ✓
- 5/10/03 Mr & Mrs H Yungling - 4900 ^{Asylmooch} Opase 17 - 95669
- 2 5/10/03 Carol Kuhn's 10410 Whiteoak Plymouth CA 95669 245-3972
- 3 5/10/03 Debora R MANNING 22901 Canyon at Kirkman
- 4 5/10/03 Karl Leo M Switzer 21620 Bills Ct Pineridge CA 95665
- 5 5/10/03 Sally Hopkins Box 156 River Arroyo Ca 245-3605
- 5 5/10/03 ELIZABETH SWANSON 70 BOX 968 245-4376
- 7 5/10/03 Cindy Moreno P.O. Box 223 Plymouth, CA 245-6283
- 8 5/10/03 MIKE HOPKINS 9451 COSUMES DR. PLYMOUTH, CA 245-6563 ✓
- 9 5/10 Sally Love 4544 Grinding Rock Rd Fiddletown 956
- 0 5/10/03 Roni Meyer P.O. Box 166 Mt. Auburn, CA 95656
- 1 5/10/03 Guy B Campbell 525 Naver Dr. June Ca. 2742572
- 2 5/10/03 16310 Mt Whitney Dr Fiddletown Pte Satchell
- 3 5/10/03 705 Barton Ave, Mt. Auburn, Shawn Polace
- 4 5/10/03 JAMES Bullock 15354 BARKLEY RD 2454843 - Pa
- 5 5/10/03 LISA L Marmie 14371 HWY 49 Woodbridge Forest

5/10/03 JAY STORER 21801 FIDDLTOWN RD 296-8948

5/10/03 Julia A. Williams 9419 Landrum St. Plymouth

5/10/03 Dixie Cameron P.O. Box 1066 Plymouth

5/10/03 Bill Fitzgerald 26900 WOODLAND RD PIONEER

5/10/03 ~~[Signature]~~ PO Box 1557 Sutter Creek 95685 267-0645

5/10/03 Jane Glasser P.O. Box 1407 Sutter Creek, Ca 95685 267-1429

5/10/03 R-4 Best 6226852

5/10/03 Tony de Maulo 17920 Burke Dr Plymouth

5/10/03 Jewel de Maulo " " " "

5/10/03 Ed Brachy 19777 BURST WITZER FIDDLTOWN

5-10-03 Reid Sewell 3490 FIREWAY DR CAMERON PARK

25-10-03 Tim Jelsch 6155 Old Sacramento Rd Plymouth

35-11-03 Phil + Cathy Smith PO Box 591 Plymouth, CA 95607

45-11-03 Leslie Schupp 13310 Oak Lane Pine Grove 95665

55-11-03 Joyce Martin 4396 El Dorado Rd, Placerville

55-10-03 Sally A Kormogay 12605 Steiner Rd Plymouth 245-4072

75-10-03 Dennis D. Mickel 16075 Mt Whitney Fiddletown

85-10-03 Karen J Mickel 16075 Mt. Whitney Fiddletown 245-2072

95-10-03 Patrick Steene 18210 Burke Dr. Plymouth 245-6637

05-10-03 Audrey R. Neary 18210 Burke Dr Plymouth

15-10-03 ~~[Signature]~~

25-10-03 Joyce Sherrill 6295 Slug Gulch Rd Somerset

35/10/03 JILL NORTH 20055 E. CANTON JKN 95642

10 MAY 03 BRUCE THOMPSON 5777 CARBONALE RD, PLYMOUTH 95669

510/may 03 BURT SHAFER 13101 WILLOW CR. RD ONE CA 95640

5-10-03 Linda Chase-Hunderfund ^{10 BOX} 304 Mt Auburn (530) 620-6705

5-10-03 BARBARA Chapman ^{PO BOX 353} Mt Auburn

5-10-03 C. SWANSON 12800 SHENANDOAH RD R.M. 95669 209-245-4326

5-10-03 LOIS H. GHAN P.O. BX 1537 274-2400

5/10/03 Liz Fitzsimmons 15059 Bulo Ct ⁹¹⁶ 354-1130

7/10/03 Rick Fitzsimmons 15059 Bulo Ct ⁹¹⁶ 354-1130

7/10/03 Jay Blair 18601 - mt-view dr. Pine Grove, Ca. ²⁹⁶ 8499

5-10-03 Sandra R Campbell ²¹⁶³⁰ ~~Pine Grove~~ ^{Marlboro} 296-1779

5/10/03 ~~Walter Armstrong~~ P.O. 706 S. Ca 95655

5-10-03 R L ~~St~~ 18601 VIEW CIR FIDDLERTOWN

5/10/03 Margaret Steiger ^{18625 Mineral St} ~~P.O. 474~~ Plymouth 245-5762 ^{miss@contra}

5/10/03 Barbara Baker 5777 Colby Dale Rd 245-5769

5-10-03 Mary Law Hangelbeck 10625 Valley Dr. Plymouth ²⁴⁵ 9161

5-10-03 ~~M L St~~ 18625 Mineral St Plymouth

5-10-03 ~~A. ...~~ 17 Main - Sutter Creek

5-10-03 Mick Garnham 17 MAIN Sutter Creek ²⁴⁷⁻¹⁹⁴⁵

5-10-03 Alford J. Rainey PO Bx 641 ²⁹⁶⁻⁴⁸⁹⁹ Pine Grove CA ⁹⁵⁶⁶⁵

5-10-03 DAWN RAINEY 20445 WILD IRIS LN. ^{PINE GROVE} 95665, CA

5-10-03 Jane ... 9055 Mineral St. Plymouth 95665

5-10-03 Cruz Fragoza Jr. 2920 HEINEMANN R. U.S. CA.

5/10/02 Bob & Harlene Wiles 1385 Union Hills Dr Carson City NV

5/10/03 Georgia L. Hickenbottom 18630 Mt View Dr. Pine Grove CA ⁹⁵⁶⁶⁵

5/10/03 ~~W E ...~~ 18630 Mt View Dr Pine Grove ⁹⁵⁶⁶⁵

5/10/2003 Peggyn Kelly 5185 Westgate Rd, Plymouth, CA 95669

5/10/2003 Ty Kelly 5185 WESTGATE 217 Plymouth CA 95669

- 5/10/03 John Condon 10705 WHITE OAK RD 209-245-5040 NODNOCY Paol. Com
- 5/10/03 GINA BOHU 16361 MT. Whitney 209) 245-6033
- 5/10/03 Leanne Strickland 16910 Nina Lane 209-245-6909
- 5/10/03 Kathy Eagle ^{Esche} 16368 Rolling Oak 2456713
- 5/10/03 JEFF STRICKLAND 16890 NINA LANE 209-245-6909
- 5/10/03 CHUCK LANGRISH 10520 Fleehart ^{Amory} 209-267-5222
- 5/10/03 Johann Stark-Smith 24100 ^{PLYMOUTH} Upton RD (530-6203275)
- 5/10/03 Gina M Sherman 8975 Randolph 245-6903
- ~~5/10/03 JACK LANGRISH~~
- 5/10/03 JEFF CAMPBELL 14274 FIDDLERTOWN RD. 245-6118
- 5/10/03 ALAN E HATT 14276 JIBBOOM ST 245-3246
- 25/10/03 Richard S LEARY 13232 Willow Creek Rd. 274 0161
- 5/10/03 Jacqueline Dobb 18223 Siduke Town R. 296-1291
- 45/10/03 Darcy Littlefield 17251 Valley Blvd. ²²³⁻⁴³⁶⁵ bekson
- 55/10/03 Robert Dicarlo 23554 ²⁹²⁻³⁹³⁸ FORTIVESS WAY ^{PIONISSEY CA} ~~292-3938~~
- 65/10/03 Jim Switzer 21620 Bill Ct. Pine Grove 296-7499
- 7 5-11-03 Eric Foot ~~165~~ 6994 Hwy 16 PLYMOUTH CA 245 6102
- 8 5-11-03 Rachel Heng 3922 Lassen Dr Sacto, CA 95821
- 9 5-10-03 Gary Thomas 125 Maple St Towe CA. 95640 ⁷⁶³ 5417
- 0 5-10-03 Stephanie Pincson 1845 Leavenworth SF CA 94109
- 1 5-10-03 Ed Williams ²⁶⁷⁻¹⁶¹⁸ Box 1317 Jutler ~~95823~~
- 2 5-10-03 Erin Gilmore Po Box 1128 Orland, CA 95963
- 3 5/10/03 Marian Green 13135 Violet St Auburn, 95602
- 4 5-10-03 Trula M Smith 17800 Red Mule Rd Fiddletown 95823
- 5 5/10/03 Sandy Fuller 9149 Landrum St Plymouth 209-245-6703

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- 5-10-03 Jerry Eames 22045 Lawrence Rd ²⁰⁹⁻²⁴⁵⁶¹⁵⁷
- 5-10-03 Kris Benzow 18601 Viewcreek Fiddletown ^{296 3826}
- 5-10-03 Char Mearns 11115 Law York Ranch Rd. 223-0473 Charming 990
- 5-10-03 David Penwell 5960 Stone Brook Rd. Ft. Dorado Cal. 95623 ^{Jacobson 530-629-7035 91100.com}
- 5-10-03 Maureen Eames 22045 Lawrence Rd. Fiddletown ²⁰⁹⁻²⁴⁵⁻⁶¹⁵⁷
- 5-10-03 Joe Manzy 13862 Running Add, Sutter Creek, CA 2234388
- 5-10-03 Kathy Newsom PO Box 278 Somerset Ca 95084
- 5-10-03 Kathy Manzy 13862 Running Add, Sutter Creek CA 95629 ²²³⁻⁴³⁸⁸
- 5-10-03 Cynthia Hamilton 16400 Hale Rd. Fiddletown CA 95629 ²⁴⁵
- 5-10-03 Betty Adkins 20616 Bertone Rd Fiddletown CA 95629 ^{296 6906}
- 5-10-03 Deborah Pearson 20616 Bertone Rd Fiddletown Ca. 95629
- 5-10-03 LYNDA PHILIP 19000 QUERCUS CT FIDDLTOWN 95629
- 5-10-03 Martin Brifman PO Box 505 Plymouth
- 5-10-03 JOHN PEARSON 20616 BERTONE RD. FIDDLTOWN CA 95629
- 5-10-03 John Asmus 18886 Powderosa Ave SUTTER 95628 ^{296 5681}
- 5-10-03 CAROL Asmus 18886 POWDEROSA AVE SUTTER 95628
- 5-10-03 Pamela Gustafson 15890 Hwy 124 Plymouth ⁹⁵⁶²⁹
- 5-10-03 Marius Johnston 15890 Hwy 124 Plymouth ⁹⁵⁶²⁹
- 5-10-03 Arnon Jensen 17384 Fiddletown Rd, Fiddletown
- 5-10-03 Wm. Jensen 17384 Fiddletown Rd. - Fiddletown 95629
- 5-10-03 Jeanna Peterson 14674 Fiddletown Rd Fiddletown ⁹⁵⁶²⁹
- 5-10-03 Russell Peterson PO Box 52 Fiddletown Ca 95629
- 5-10-03 John Ratchlife 921 Orchard Ct Brentwood 94513
- 5-10-03 Nellie Blom 16150 Rolling Oaks Ct Fiddletown, CA 95629
- 5-10-03 STEVEN D. HOWARD 5530 TAYLOR RD. PLYMOUTH ²⁴⁵⁻⁶⁰³⁸
- 5-10-

Date

Name

Address

Phone #

Email

14-03 Elida Malick-Mayronne 9375 Landrum Plymouth 245 6011 ~~Atlanta~~

14-03 Gayle A. Bisberg 8204 Underwood Lane, 95640
PO Box 1918 SC 95606 274-4762 ✓

14-03 Judy HuKILL 8205 Underwood Lane 95640 274-4046

14-03 Hazel (Les) Wane 18499 Davis St. Plymouth 245-3566

14/03 FRANCIS WREAKS 10731 Shenandoah Rd. Plymouth 245 3480

14/03 ROSE MARIE WREAKS - 10731 SHENANDOAH RD. Plymouth GA 245-3480

14/03 SARJE T. Peterson 9446 Main St. Plymouth, Ga.

AREA

Petition ~~to~~ Indian Casino in Plymouth, CA

We the undersigned oppose the proposed Plymouth Indian Casino, due to the huge impact it would cause to our community. We are concerned with issues such as traffic, crime, sewer, school population, water and the environment. The reason people have moved to this area is the small town community, with the addition of a huge facility such as an Indian Casino, we would lose the reason that people have relocated to this area or have lived here for generations. As area residents, we request they denial of the proposed Indian Casino to be located in or around the City of Plymouth.

Date	Name	Address	Phone #	Email
1 6/30/03	Joseph Truscott	185 PATRICIA Ln Sutter Creek	267-5839	
2	Joseph Truscott	185 PATRICIA Ln Sutter Creek	267-5839	
3 6/30/03	Billy MTH	Po Box 434 west Pointe	(209) 293-2207	
4 6/30/03	Jared Kincaid	12833 Pine Rd P6	(209) 296-1125	
5 6/30/03	Heather Anderson	14875 Butte mtn. Rd. Jackson	(209) 223-1453	
6 6/30/03	Chris Mee	PO Box 73 Mt. Auburn	(530) 409-5348	
7 6/30/03	Connie Roehn	919 Vogantom Rd Jcsn		
8 7/1/03	Theresa Freese	13970 Marilla Pk Pine Grove	(209) 296-4772	
9 7/1/03	Brandy Rogers	P.O. box 1163 Sutter Creek	(209) 267-08	
10 7/1/03	Nancy Dunne	12700 Sutter Creek Rd Sutter Creek	267-0983	
11 7/1/03	Karen Thomas	P.O. Box 084 Jackson	95542	
12 7/1/03	Theresa Freese	P.O. Box 660 Pine Grove	CA 956	
13 7/1/03	Theresa Freese	13970 Marilla Pk Pine Grove	CA 95645	
14 7/8/03	Nancy Miller	11990 Clinton Peak Ct. Jackson	CA 95642	
15 7/8/03	Nancy Miller	11990 Clinton Peak Ct Jackson	CA 95642	
16 7/8/03	Christina Call	P.O. Box 1412, Placerville	CA 95666-1412	
17 7/8/03	Theresa Freese	P.O. Box 660 Pine Grove	CA 95645	
18 7/8/03	Heather Pryor	P.O. Box 537, West Point, CA	95255	

Date	Name	Address	Phone #	Email
7/14/03	Susan Ross	7 Main St. Sutter Creek	(209) 267-1853	shuteh.e volcano.net
7/14/03	Alan Ross	7 Main St. Sutter Creek	(209) 267-1853	rossguy@volcano.net
7-14-03	Eileen S Robinson	12438 ELDER RD		PINE GROVE CA
7-15-03	EE Robinson	12438 ELDER RD		PINE GROVE CA
7-15-03	Donella David	8230 State Hwy 88 Gene CA	209-274-6552	
7-17-03	Cynthia Svedberg	18980 Golden Way,	Plymouth	209-245-4150
7-17-03	ROBIN MASTERTON	1850 ST Hwy 16		PLYMOUTH CA 245-3823

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Comment #80

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

November 19, 2003 - 6:00 - 9:00 PM

Amador County Fairgrounds

COMMENT SHEET

Your Name: TOM RAYZOR

Your Organization: NONE

I AM OPPOSED TO THIS CASINO WITH ALL MY HEART AND SOUL. I LIVE IN THE UNINCORPORATED AREA OF PLYMOUTH. I AM ALSO A DETECTIVE FOR THE AMADOR COUNTY SHERIFF'S OFFICE. THE FIGURES ON CRIME PRESENTED IN THIS MEETING REPRESENTS ONLY THE TIP OF THE ICEBERG, ONLY THE CRIMES DIRECTLY RELATED TO THE EXISTING CASINO. THE CRIME INDIRECTLY RELATED IS ENORMOUS. I ESTIMATE THAT SOMEWHERE BETWEEN 50% AND 65% OF ALL THE CRIMES I HAVE INVESTIGATED ARE DONE BY PERSONS COMING AND GOING, OR RETURNING TO AMADOR COUNTY AFTER HAVING VISITED THE JACKSON CASINO. THESE CRIMES INCLUDE RESIDENTIAL BURGLARIES, AUTO BURGLARIES, COMMERCIAL BURGLARIES, THEFT FROM RURAL PROPERTIES, MAIL THEFTS BY THE HUNDREDS, IDENTITY THEFT, CREDIT CARD FRAUD, CHECK FORGERY, CHECK COUNTERFEITING, ETC. ETC. IF THIS CASINO GOES THROUGH, NO ONE'S HOUSE BETWEEN HERE AND SACRAMENTO WILL BE SAFE. INCLUDING MINE.

Comment #81

May 17, 2003

U.S. Department of Interior
Bureau of Indian Affairs
1849 C Street NW
Washington, D.C. 20240

I am writing to you to address our concerns over the proposed Indian Gaming Casino in Plymouth.

I am very concerned and are requesting that in the course of reviewing and negotiating all potential impacts on the issues such as water, sewer, traffic, crime, environment, aesthetics, etc that you also examine and make allowances for additional impacts to the people, homes and properties in the surrounding area not incorporated into the City of Plymouth, not protected by the City of Plymouth, but directly impacted by any decisions the City of Plymouth makes.

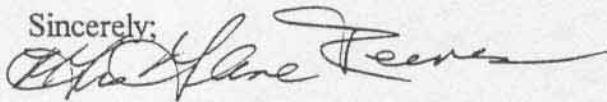
In addition to the items of concern already listed we are very concerned with the future availability of the Ground Water we are dependent upon for the quality of our lives, and the impact the proposed development and Casino will have on depleting the aquifer. Our concern remains despite any assurances that water usage will come from other sources.

Since ground water is an area of unknown and with the potential of no recourse on damages we request specific wording to protect our homes and properties from the impact the Development and Casino will have on our availability to use our natural resources.

The Developers and subsequent Trustees need to be requested to pay for water supply and conveyance as a contingency to the properties in the surrounding impacted area not protected by any agreement with the City of Plymouth. We also request the burden of proof be placed on the Parties involved in any development agreements for any and all impacts.

Thank your for your attention in this matter

Sincerely,



Mrs. Arlene Reeves
10500 Fiddletown Rd
Plymouth, Ca 95669
CC: Supervisor Mario Biagi

Comment #82

79
IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

February 4, 2004 6 TO 9 PM

COMMENT SHEET

Your Name: Arlene Reeves Your Organization: Citizen
10500 Fiddletown Rd
Plymouth, Ca 95669

Thank you for this meeting. Please take all speakers seriously and understand that we have no spare water I am on my second Well. We have had 16 wells go dry in the last two years in our area.

I am against this Casino with the water they will need to use will surely affect our Wells. My home without water will be a great loss.

Please keep me informed. Again we cannot support another Casino in Shasta County.

Would appreciate a copy of your findings. Thank You
Arlene Reeves

Comment #83

Jackie Rogers
PO Box 994
Sutter Creek, CA 95685

11/17/03

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825
Attn: Clay Gregory

Re: 11/19/03 BIA scoping meeting on the subject of the Plymouth Casino, California

To Whom It May Concern:

As a resident of Sutter Creek, which is within 6 miles of Plymouth, and a resident of Amador County within which the casino will be built, I'd like to express my opposition to the proposed Casino in Plymouth.

Though I oppose the casino for many reasons, I'd like to specifically address my concerns now to the social-environmental impact of another casino on affordable housing.

I've lived in the county for more than fifteen years. I was here before the Jackson Rancheria was built in Jackson. The impact on housing that I have noticed from that casino has been enormous. The county population did not have enough of an available workforce to staff that casino. Consequently, they hired many people who moved in from Sacramento, Stockton and other valley communities. The rapid influx of new residents into the community is a major factor contributing to extremely low vacancy rates, and has driven the rental housing prices up more than double.

We are not able to afford the housing cost increase. In fact, the housing shortage is so severe, that the Jackson Rancheria has stated they are seeking to build affordable housing in the area because some of their employees have had to sleep in their cars. There is a serious vacancy shortage for these employees, and for non-casino workers like me. The housing prices of rentals has increased so much that I have had to take a job in Sacramento to afford to live here—that is a commute of more than 80 miles a days.

Most of the wages of casino employees are the lower income scale. Plymouth already has the lowest per capita income in the county. In addition, it has the lowest rental rates. How will that community, or the residents of the rest of this county, be able to afford the added economic impact of a third casino in this county—that is, the Plymouth Casino? This casino will also have to import employees from out of the area to staff the facilities. These employees will put an added burden on an already stressed available housing market.

Now, the casino may offer to mitigate this issue by incorporating housing into their plans. However, Plymouth has been under a state-imposed housing moratorium because of the lack of quality and quantity of water. They cannot build more housing in Plymouth. That means any additional housing will become a county problem.

The County Planning Director Gary Clark, was quoted in a 8/13/03 article of the Ledger Dispatch newspaper as acknowledging that our county is already in need of low-income and very-low- income housing. In addressing the problem of affordable housing, the article says that there is very little land zoned upon which such housing could be built and that the areas that are zoned for potential affordable housing complexes don't have the infrastructure, such as sewage in place. This is not a problem that can be easily remedied, though must be considered as a long-term problem.

I called the County Planning Department recently to find out what is being done to address this housing issue. They told me they have hired consultants to study the affordable housing problem, but the information is not complete and ready to disseminate to the public. I urge you to wait on making any

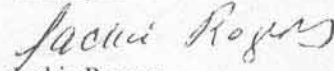
decisions until you hear what the study reveals. I urge you to think about where the employees to the casino are going to live. And I also urge you to consider that this county and the City of Plymouth cannot afford to have an increase in low-income jobs while the demand and price of housing increases. And we can't afford to add additional housing without the infrastructure in place to support it.

I request that you please consider the effect of the increase population on both housing costs and the quality of life that this influx will create. We live in a small, rural county that in total has a smaller population than the city of Davis. Yet, if successful, this will be the third casino in our community. We love our rural community and want a healthy growth that will elevate our citizens in prosperity and quality of life.

I'd like to close with this quote from the 8/13/03 Ledger-Dispatch article by Gary Clark. He says "Something is out of balance and I don't know what it is. I don't know what the answer is. Right now there are people that are working in the county but cannot afford to live here. They are moving from couch to couch. There is a real problem."

I ask you, please, don't allow this serious problem to be compounded.

Thank you



Jackie Rogers

CC:

Bureau of Indian Affairs
1849 C Street NW
Washington, DC 20240

Amador County Board of Supervisors
Attn: Mario Biagi
500 Argonaut Lane
Jackson, CA 95642

Plymouth City Council
PO Box 429
Plymouth, California 95669

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

Amador Ledger Dispatch Newspaper

Affordable housing issue tackled

Wednesday, August 13, 2003

By Sean Rabé

The portion of Amador County's General Plan that pertains to the mix of housing throughout the county was tackled at last week's Amador County Board of Supervisors meeting.

The result was a general discussion of how to bring affordable housing to the county. The board eventually decided to leave it to the planning commission to hammer out the details.

The housing element portion of the General Plan must be adopted by all cities and the county in time for the state to certify it by Dec. 31. Each city and the county have separate housing elements. The county's last housing element was adopted in 1992 but was not certified by the state due to a lack of R-3 zoning in the unincorporated areas of the county. The R-3 zoning designation allows for higher density development - in theory leading to affordable housing.

"We need low income and very low income housing," Land Use Agency Director Gary Clark told the board.

In order to help and encourage developers to build affordable housing for the community, county staff has drafted measures that help remove obstacles to building such housing. These suggested measures take many forms, including subsidization, the waiving of fees and the implementation of quotas on developments. The quotas might mandate that 10 percent of the total units in the development be affordable.

"With no subsidization, builders cannot afford to build the affordable units," Clark said. So the county must make certain concessions in the housing element to keep its housing mix in balance. "These measures reduce standards so the affordable units can be built cheaply enough," Clark said.

One such measure, often termed "inclusionary housing," provides that developers must either actually construct affordable housing for use by families of low or very low income or pay the equivalent "in lieu of" impact fees for future affordable housing to be constructed whether within the project site or at an approved off-site location.

Other concession measures include things like issuing permits for affordable housing projects with no discretionary design review; the waiving of density population measures for affordable housing projects; waiving minimum square-footage requirements for units; the waiving of regional traffic mitigation fees except in areas where traffic can be shown to be an overriding concern; the waiving of fire protection mitigation measures; the waiving of minimum street widths; the waiving of certain building department fees; and the waiving of water, sewer and capacity fees.

These concession measures are only preliminary and will be discussed by the planning commission during a public hearing in the future.

Despite the wide-ranging concessions, a very basic problem still remains throughout the unincorporated areas of the county: Very little land is actually zoned R-3. Most of the high-density zoning falls within the spheres of influence of the county's incorporated cities.

To make matters worse, the areas that are zoned for potential affordable housing complexes don't have the infrastructure in place to make building those complexes feasible for developers. A memo to the board from Clark puts it this way: "The necessary infrastructure extensions for apartments, in particular sewage line extensions, must come from one of the cities, who will want to annex the project to make the extension."

The county does have R-3 zoning available near Wicklow Way in Martell where 558 affordable units could potentially be built. But in order to build those units, developers would have to build their own roads and the lingering question of what to do with sewage would still remain.

"Something is out of balance and I don't know what it is," Clark said. "I don't know what the answer is. Right now there are people that are working in the county but cannot afford to live here. They are moving from couch to couch. There is a real problem."

Comment #84

Jackie Rogers
PO Box 994
Sutter Creek, CA 95685

*Please
replace
earlier
copies of this
letter
submitted
Jackie*

11/17/03

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825
Attn: Clay Gregory

Re: 11/19/03 BIA scoping meeting on the subject of the Plymouth Casino, California

To Whom It May Concern:

As a resident of Sutter Creek, which is within six miles of Plymouth, and a resident of Amador County within which the casino will be built, I'd like to express my opposition to the proposed Casino in Plymouth.

Though I oppose the casino for many reasons, I'd like to specifically address my concerns now to the social-environmental impact of another casino on affordable housing.

I've lived in the county for more than fifteen years. I was here before the Jackson Rancheria was built in Jackson. The impact on housing that I have noticed from that casino has been enormous. The county population did not have enough of an available workforce to staff that casino. Consequently, they hired many people who moved in from Sacramento, Stockton and other outside communities. The rapid influx of new residents into the county is a major factor contributing to extremely low vacancy rates, and has driven the rental housing prices up more than double.

We are not able to afford the housing cost increase. In fact, the housing shortage is so severe, that the Jackson Rancheria has stated they are seeking to build affordable housing in the area because some of their employees have had to sleep in their cars. There is a serious vacancy shortage for these employees, and for non-casino workers like me. The housing prices of rentals has increased so much that I have had to take a job in Sacramento to afford to live here—that is a commute of more than 80 miles a days.

Most of the wages of casino employees are on the lower income scale. Plymouth already has the lowest per capita income in the county. In addition, it has the lowest rental rates. How will that community, or the residents of the rest of this county, be able to afford the added economic impact of a third casino in this county—that is, the Plymouth Casino? This casino will also have to import employees from out of the area to staff the facilities. These employees will put an added burden on an already stressed available housing market.

Now, the casino may offer to mitigate this issue by incorporating housing into their plans. However, Plymouth has been under a state-imposed housing moratorium because of the lack of quality and quantity of water. They cannot build more housing in Plymouth. That means any additional housing will become a county problem.

Former Land Use Agency Director
The County ~~Planning Director~~ Gary Clark, was quoted in a 8/13/03 article of the Ledger Dispatch newspaper as acknowledging that our county is already in need of low-income and very-low- income housing. In addressing the problem of affordable housing, the article says that there is very little land zoned upon which such housing could be built and that the areas that are zoned for potential affordable housing complexes don't have the infrastructure, such as sewage in place. This is not a problem that can be easily remedied, though must be considered as a long-term problem.

I called the County Planning Department recently to find out what is being done to address this housing issue. They told me they have hired consultants to study the affordable housing problem, but the information is not complete and ready to disseminate to the public. I urge you to wait on making any


decisions until you hear what the study reveals. I urge you to think about where the employees to the casino are going to live. And I also urge you to consider that this county and the City of Plymouth cannot afford to have an increase in low-income jobs while the demand and price of housing increases. And we can't afford to add additional housing without the infrastructure in place to support it.

I request that you please consider the effect the increased population will have on housing costs, the quality of life, and the stress on infrastructure and the environmental impact that this influx will create. We live in a small, rural county whose total population is a ~~little more than half~~ ¹²⁵⁵ of the city of Davis. Yet, if successful, this will be the third casino in our community. We love our rural community and want a healthy growth that will elevate our citizens in prosperity and quality of life.

I'd like to close with this quote from the 8/13/03 Ledger-Dispatch article by Gary Clark. He says ^{as forementioned}
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Comment #85

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT

November 19, 2003 - 6:00 - 9:00 PM

Amador County Fairgrounds

COMMENT SHEET

Your Name: Mr. Emily Sanchez

Your Organization: Resident Amador County

I strongly oppose any endeavor to provide a casing of any type
by any organization what so ever in the sovereign state of Calif.

Comment #86

DONALD V. & VIRGINIA M. SCHICK
18770 Burke Drive
Plymouth, California 95669-9755
Email: DonSchick@aol.com

November 16, 2003

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, Ca 95825
Attention: Clay Gregory

Distinguished Members of the BIA:

Thank you for giving me the opportunity to express my concerns regarding the transfer of real property from fee to trust on behalf of the Ione Band of Miwok Indians. As a result of transfer from fee to trust and the proposed construction of a Casino in Amador County, and extending into the City of Plymouth, Ca., there are numerous potential negative off-reservation impacts that must be considered prior to development and transfer.

The City of Plymouth is currently operating under a moratorium regarding the consumption and distribution of one of our finite resources, water.

Of all the potential impacts facing the citizens of Plymouth and the surrounding communities, the valuable resource of water is the most critical. As a private homeowner, the financial impact on my personal property is in serious jeopardy if the casino is allowed to be constructed and operated.

I wish to direct your attention to the potential economic impacts, which the construction of a casino in our area potentially will create:

1. Significant loss of tax revenue to the County as a result of removing the subject property from the County tax rolls.
2. Future loss of tax revenue realized from the development of the subject property should it be transferred from fee to trust.
3. Local businesses will not be able to compete on a level playing field inasmuch as the Casino can and will offer services, such as hotel, restaurants, and potentially they will go out of business.
4. Since services offered by the casino operation are exempt from levying California Sales Tax, local entrepreneurs cannot compete. This will result in a loss of tax revenue to the state and local communities.

5. Recent studies have shown that an economic impact regarding services provided by the County to tribal casino operations in other areas of California, such as The Jackson Rancheria, create a substantial cost to the County over an above the amount given to the County by the various tribes. Many counties are experiencing the ratio of approximately one to three. In other words, for every dollar given my the tribes, the Counties are spending three times as much for the services provided, such as police, fire, etc. The result is a serious impact to the Counties, and the costs are being born by the tax paying public and not the tribal nations.
6. Statistics from Amador County show that a large number of crimes being experienced by the County is related to the casino operation at the Jackson Rancheria. These crimes relate to drug trafficking on the casino premises and not within the casino proper.

This has a direct bearing on the economy of our area. Who wants to invest in a home or business when drug crimes are so prevalent? The failure of the casino and tribal operations to police their own locations places an additional burden on the County law enforcement personnel thereby depriving those services to the community who pay for their services.

In closing, as citizens of The United States of America, we all should enjoy the economic prosperity that results from hard work, investments, and by realizing and taking advantage of the opportunities that present themselves.

However, this economic prosperity should not be realized at the expense of others. In most all cases throughout California where there is an Indian casino operating, significant economic impacts have been suffered and endured by the surrounding communities and have not been mitigated. I have witnessed this first hand having moved from an area in California and having been involved in my community for the past 25 years. I know first hand the serious negative impacts placed on the surrounding community by tribal casino operations. I know first hand that the tribe I was exposed to was unwilling to mitigate or negotiate any of the off-reservation negative impacts which resulted in serious consequences to the surrounding community. The BIA must demand and enforce the mitigation and negotiation policies when it becomes apparent that negative off-reservation impacts are being caused by the casino operation.

Mitigation of "significant negative off-reservation impacts" must be one of the requirements for any group to develop their business ventures. It is one

Before any consideration by The Bureau of Indian Affairs with respect to the transfer of property from fee to trust on behalf of the Ione Band of Miwok Indians, an in depth study and environmental report must be done with respect to the water resource within the City of Plymouth, and the surrounding communities who rely on this water resource. Without this knowledge, serious consequences could befall all of us involved, both the Ione Band of Miwok Indians, and the citizens of Amador County, and specifically the City of Plymouth and surrounding areas.

Thank you for giving me the opportunity to express my thoughts and opinions regarding this very important subject.

Very Sincerely,

A handwritten signature in cursive script that reads "Donald V. Schick". The signature is fluid and elegant, with a long, sweeping underline that extends to the right.

Donald V. Schick
18770 Burke Drive
Plymouth, CA 95669

Comment #87

DONALD V. & VIRGINIA M. SCHICK
18770 Burke Drive
Plymouth, California 95669-9755
Email: DonSchick@aol.com

November 16, 2003

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2800 Cottage Way
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5. Recent studies have shown that an economic impact regarding services provided by the County to tribal casino operations in other areas of California, such as The Jackson Rancheria, create a substantial cost to the County over an amount above the amount given to the County by the various tribes. Many counties are experiencing the ratio of approximately one to three. In other words, for every dollar given by the tribes, the Counties are spending three times as much for the services provided, such as police, fire, etc. The result is a serious impact to the Counties, and the costs are being born by the tax paying public and not the tribal nations.
6. Statistics from Amador County show that the vast majority of crime being experienced by the County is related to the casino operation at the Jackson Rancheria. These crimes relate to drug trafficking on the casino premises.

This has a direct bearing on the economy of our area. Who wants to invest in a home or business when drug crimes are so prevalent? The failure of the casino and tribal operations to police their own locations places an additional burden on the County law enforcement personnel thereby depriving those services to the community who pay for their services.

In closing, as citizens of The United States of America, we all should enjoy the economic prosperity that results from hard work, investments, and by realizing and taking advantage of the opportunities that present themselves.

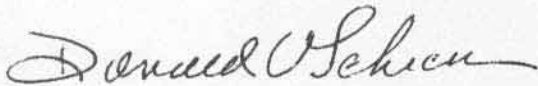
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Mitigation of "significant negative off-reservation impacts" must be one of the requirements for any group to develop their business ventures. It is one thing to mitigate environmental impacts such as noise pollution, light pollution, traffic congestion, etc, but you can't mitigate "DRY" when it comes to the valuable resource of water. We either have the water or we don't. If water was not such a critical resource, then why is the City of Plymouth on a State mandated moratorium regarding water usage and distribution?

Before any consideration by The Bureau of Indian Affairs with respect to the transfer of property from fee to trust on behalf of the Lone Band of Miwok Indians, an in depth study and environmental report must be done with respect to the water resource within the City of Plymouth, and the surrounding communities who rely on this water resource. Without this knowledge, serious consequences could befall all of us involved, both the Lone Band of Miwok Indians, and the citizens of Amador County, and specifically the City of Plymouth and surrounding areas.

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Very Sincerely,



Donald V. Schick
18770 Burke Drive
Plymouth, CA 95669

Comment #88

DONALD V. & VIRGINIA M. SCHICK
18770 Burke Drive
Plymouth, California 95669-9755
Email: DonSchick@aol.com

January 29, 2004

Bureau of Indian Affairs
2800 Cottage Way
Sacramento, Ca 95825
Attention: Clay Gregory

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Of all the potential impacts facing the citizens of Plymouth and the surrounding communities, the valuable resource of water is the most critical. As a private homeowner, the financial impact on my personal property is in serious jeopardy if the casino is constructed and operated.

Recently the financial investors, the IKON Group, indicated that they have tested the proposed casino site and have determined that there is sufficient water on their proposed property to satisfy the requirements of the casino operation. This will have a significant impact on the water tables, aquifers, and water wells supplying water to the surrounding communities including the City of Plymouth. Before any decisions are made, it would be prudent and wise to do an in-depth-review of the surrounding area and verify with certainty how the proposed casino operations demand for water will impact the surrounding communities. **THIS IS THE MOST SERIOUS OF ALL OFF-RESERVATION IMPACTS AND ENVIRONMENTAL IMPACTS.**

I wish to direct your attention to the potential economic impacts which the construction of a casino in our area potentially will create:

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AREA OFFICE

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In closing, as citizens of The United States of America, we all should enjoy the economic prosperity that results from hard work, investments, and by realizing and taking advantage of the opportunities that present themselves.

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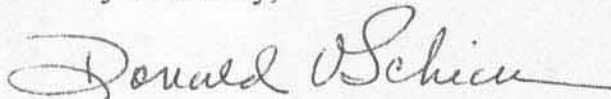
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36

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However, this economic prosperity should not be realized at the expense of others. In most all cases throughout California where there is an Indian casino operating, significant economic impacts have been suffered and endured by the surrounding communities and have not been mitigated. I have witnessed this first hand having moved from an area in California and

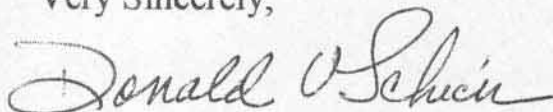
having been involved in my community for the past 25 years. I know first hand the serious negative impacts placed on the surrounding community by tribal casino operations. I know first hand that the tribe I was exposed to was unwilling to mitigate or negotiate any of the off-reservation negative impacts which resulted in serious consequences to the surrounding community. The BIA must demand and enforce the mitigation and negotiation policies when it becomes apparent that negative off-reservation impacts are being caused by the casino operation.

Mitigation of "significant negative off-reservation impacts" must be one of the requirements for any group to develop their business ventures. It is one thing to mitigate environmental impacts such as noise pollution, light pollution, traffic congestion, etc, but you can't mitigate "DRY" when it comes to the valuable resource of water. We either have the water or we don't. If water was not such a critical resource, then why is the City of Plymouth on a State mandated moratorium regarding water usage and distribution?

Before any consideration by The Bureau of Indian Affairs with respect to the transfer of property from fee to trust on behalf of the Ione Band of Miwok Indians, an in depth study and environmental report must be done with respect to the water resource within the City of Plymouth, and the surrounding communities who rely on this water resource. Without this knowledge, serious consequences could befall all of us involved, both the Ione Band of Miwok Indians, and the citizens of Amador County, and specifically the City of Plymouth and surrounding areas.

Thank you for giving me the opportunity to express my thoughts and opinions regarding this very important subject.

Very Sincerely,

A handwritten signature in cursive script that reads "Donald V. Schick". The signature is written in dark ink and is positioned below the typed name.

Donald V. Schick
18770 Burke Drive
Plymouth, CA 95669

Comment #89

February 4, 2004

Bureau of Indian Affairs
Sacramento Area Office
2800 Cottage Way
Sacramento, CA. 95825

TO WHOM IT MAY CONCERN:

The many proposals which are centered around an Indian Casino in Plymouth, give me many concerns. Since many have been and will be addressed tonight. I will address for the most part my concern for the youth of the area.

As a child, I enjoyed the freedom to roam with my friends in any direction. I realize these days are long gone. None the less, the children in the community have a fair amount of freedom afforded to children living in a small town and surrounding area.

The safety of the children will be gone. Children will no longer have the freedom to walk to the school, pool, playground, library or walk through the neighborhoods.

Many have remained in the Plymouth area and located here to raise families in a safe environment, that will no longer exist.

Instead we will have thousands of people visiting our area each day and evening. Crime certainly will increase, the influence of gambling and the serving of alcohol will certainly not enhance the values we wish our children to develop.

Any amount of money that could possibly be brought into this area will not be worth the price we will pay in exchange for our way of life.

Water, sewer, housing, law enforcement, pollution, economic burdens, traffic, crime, drunk drivers, drugs, schools, impact on the hospital, on and on I could write.

A casino in Plymouth will change our way of life forever, and any amount of money will not be worth that happening.

Sincerely,

Patricia Shackleton
President of Plymouth
P.O. Box 174
Plymouth, Ca 95769

February 4, 2004

TO WHOM IT MAY CONCERN:

I WAS BORN IN PLYMOUTH, AND HAVE LIVED MOST OF MY LIFE HERE. RETURNING HERE FROM SACRAMENTO COUNTY TO RAISE OUR DAUGHTERS. I FOUND IT A WONDERFUL PLACE TO GROW UP, AND WANTED OUR DAUGHTERS TO HAVE THE SAME EXPERIENCE. I HAVE GRANDCHILDREN GROWING UP HERE ALSO.

MY GRANDPARENTS CAME HERE IN THE LATE 1800'S. BUT WHETHER YOU HAVE BEEN HERE FOR MANY YEARS AND SEVERAL GENERATIONS, OR YOU ARE A RECENT RESIDENT, WE ALL HAVE GREAT CONCERNS OF OUR LIFE STYLE WE KNOW AND LOVE BEING TOTALLY RUINED.

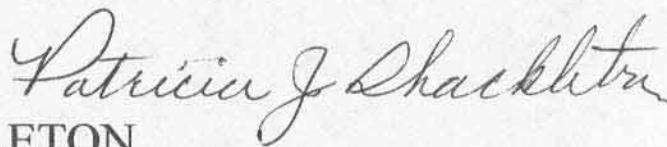
MY FIRST CONCERN IS OUR CHILDREN, WALKING TO THE SCHOOL, THE POOL, THE PLAYGROUNDS THE BALLFIELDS, OR THROUGH NEIGHBORHOODS, WILL NOT BE SAFE AS THEY HAVE BEEN IN THE PAST. THEIR INDEPENDENCE WILL BE TAKEN AWAY BY PARENTS THAT WILL NO LONGER BE ABLE TO LET THEM GO INTO THE COMMUNITY AS THEY HAVE IN THE PAST. SINCE THOUSANDS OF PEOPLE WILL BE VISITING OUR LITTLE COMMUNITY DAILY. ALSO THE OVERCLOUDING OF OUR SCHOOLS, THROUGHOUT THE COUNTY.

WATER, SEWER, POLLUTION, TRAFFIC, IMPACT ON OUR HOSPITAL, HOUSING, ECONOMIC BURDEN ON THE CITY AND COUNTY, CRIME, LAW ENFORCEMENT COSTS, RISK OF EXPOSURE TO DRUNK DRIVERS, DRUGS ARE A FEW CONCERNS, THAT CANNOT BE MENTIONED ENOUGH TIMES, BECAUSE THEY WILL AFFECT EACH AND EVERY PERSON LIVING IN AMADOR COUNTY.

IF EVERYONE IN THIS BUILDING MENTIONED THEIR CONCERNS ONE AT A TIME IT COULD NOT BE ENOUGH TO STRESS THE NEGATIVE IMPACT THE PROPOSED CASINO WILL HAVE ON THE CITY OF PLYMOUTH, SURROUNDING AREAS AND THE COUNTY OF AMADOR AS A WHOLE.

I URGE ALL OF YOU IN ATTENDANCE TO MAKE YOUR CONCERNS KNOWN HERE AND NOW. IT MAY BE DIFFICULT FOR YOU, AS IT WAS FOR ME. LIVING IN THIS COMMUNITY WITH A CASINO WILL BE MUCH MORE DIFFICULT FOR ALL OF US!

THANK YOU,
PATRICIA SHACKLETON
RESIDENT OF PLYMOUTH



Comment #90



City of Plymouth

CALIFORNIA

February 24, 2004

Clay Gregory, Acting Regional Director
 U.S. Department of the Interior
 Bureau of Indian Affairs-Pacific Region
 2800 Cottage Way
 Sacramento, CA 95825

Re: Notice of Intent to Prepare Environmental Impact Statement (EIS) for the Proposed Ione Band of Miwok Indians' Trust Acquisition and Casino Project, Plymouth, Amador County, CA

Dear Mr. Gregory:

I have reviewed the NOI to Prepare an EIS for the above-entitled project that proposes to take 208 acres into trust for the purposes of developing a casino, hotel, and supporting facilities. Approximately 11 acres of this land lies within the Plymouth city limits on which the Ione Band is proposing construction of a 120,000 square-foot casino complex. Access to this complex would be taken from Highway 49 at the southern end of the City.

As the City Planner, I am submitting comments on behalf of the City of Plymouth to address the following environmental issue areas with regard to the Draft Environmental Impact Statement (DEIS) that is presently being prepared for the 208-acre development project:

- LAND USE
- POPULATION, EMPLOYMENT AND HOUSING
- BIOLOGICAL RESOURCES
- CULTURAL RESOURCES
- GEOLOGY AND SOILS
- HYDROLOGY AND WATER QUALITY
- HAZARDS
- PUBLIC SERVICES
- PUBLIC FACILITIES AND UTILITIES
- TRAFFIC AND CIRCULATION
- NOISE
- VISUAL RESOURCES
- CUMULATIVE EFFECTS
- ALTERNATIVES TO THE PROPOSED PROJECT
- MITIGATION MEASURES

LAND USE

- LU-1. The DEIS should discuss how the entire project is (and is not) consistent with the policies of the Plymouth General Plan. Specific consideration should be given to Goal 2.5.1 that "provides for a balanced and effective arrangement of land uses while maintaining the rural atmosphere, quality of life and separate identity of the City. Include a discussion as to what extent will the casino affect the character and future residential and nonresidential areas in and around Plymouth.
- LU-2. The DEIS should discuss how the project will comply with the requirements of the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, State Regional Water Quality Control Board, Caltrans, California Department of Fish and Game, Amador County LAFCO, as well as any other responsible and trustee agency requirements.
- LU-3. The DEIS should address potential land use conflicts with adjacent parcels and propose mitigation to address land use compatibility impacts uses in the vicinity of the subject parcel.

Plymouth City Hall • 9426 Main Street • P.O. Box 429 • Plymouth, CA 95669

Phone: (209) 245-6941 • Fax: (209) 245-6953

Email: plymouth@volcano.net

- LU-4. The DEIS should address the impacts and propose mitigation relating to the loss of existing agricultural land and the effect on agricultural operations in the vicinity.
- LU-5. The development of the project will result in a substantial change in the present land use of the property. The DEIS should address the impacts associated with the proposed change from the present land use of cattle grazing to the proposed land use of casino, hotel and supporting facilities.

POPULATION, EMPLOYMENT, AND HOUSING:

- PEH-1. The DEIS should discuss the growth inducing impacts associated with the increase in development potential in the immediate area as a result of the installation of road, utilities, and other public facility improvements associated with the development of this project.
- PEH-2. The employment analysis should consider the effect on the jobs-housing balance that will result from this project and to what extent the casino workers will have an opportunity to live in Plymouth (and vice versa – to what extent people who reside in the community will be offered employment opportunities with the casino).
- PEH-3. The DEIS should identify job classifications and associated wages, the number of jobs within each classification that will be provided, and to what extent the proposed project will affect unemployment in Plymouth and Amador County overall.
- PEH-4. The analysis should examine to what extent the existing housing supply in Plymouth and other nearby areas of Amador County will meet the demand for housing that is affordable to casino employee households.

BIOLOGICAL RESOURCES

- BR-1. The DEIS should contain a biological resources assessment which identifies sensitive resources that would be affected by the project and provide mitigation of impacts to endangered, threatened or rare species, naturally occurring communities (grasslands), wetlands, vernal pools, vernal pool habitat, and any stream environment zones found within the project area.

CULTURAL RESOURCES

- CUL-1. The DEIS should contain a cultural resources analysis that identifies and mitigates any impacts to paleontological, historical, and archaeological resources located within the project area. The DEIS should include a cultural records search and consultation with the Native American Heritage Commission.

GEOLOGY AND SOILS

- GS-1. The construction of the improvements, which include a 120,000 square-foot gaming facility, a hotel, supporting facilities and parking lot(s), will result in a change in topography and ground surface relief. The DEIS should include a preliminary grading plan for the project which shows all proposed grading, cut and fill limits, slopes, road grades, retaining walls, etc. This plan should be of sufficient scale and detail to allow evaluation of environmental impacts (suggest 1" = 100'). Vegetation removal, wetland impacts, etc. should be evaluated on the basis of full buildout of the project. The plan should also include all proposed offsite construction including, but not limited to, improvements to Highway 49 and access road(s) from Highway 49. (Note: in order for an appropriate environmental finding to be made, the preliminary grading plan should clearly show the existing and proposed improvements that are both onsite and offsite (i.e., pavement, parking spaces, driveway locations and widths, roadway widths, retaining walls, road rights-of-way, intersection improvements, roadside ditch, culverts, utility extensions, etc.)

- GS-2. A preliminary geotechnical/soils analysis, prepared by a qualified consultant, should be included with the EIR. This report should describe existing site conditions and, based on field testing, evaluate the soils and geologic properties. The report should discuss construction limitations and provide recommendations and mitigations appropriate for construction of the project. The effects of erosion and seismic influences should also be described in detail and mitigations identified.
- GS-3. The EIS should evaluate potential impacts caused by grading activities in the vicinity of the existing drainage swales/streams. Consider cumulative effects and identify appropriate mitigation for all impacts.
- GS-4. Identify specific Best Management Practices (BMPs) performance standards to address the potential erosion/water quality impacts both during and after construction.

HYDROLOGY AND WATER QUALITY

In general, the City of Plymouth opposes any use of groundwater by any person, group, corporation, and the casino. The City Engineer has indicated that there is most likely not enough groundwater to supply the proposed casino. A potential scenario is that on a busy night/day the casino the well(s) could go dry. City staff saw this happen first hand one summer at the Fairgrounds during the Amador County Fair. Specifically, the comments related to hydrology and water quality are as follows:

- WQ-1. As part of the environmental review, a preliminary drainage study should be submitted to the City Engineer and Amador County Engineer to address any drainage issues. These issues include, but are not limited to:
- Increases in the rate and volume of runoff from an increase in impermeable surface area;
 - Effect of concentrating runoff in structures and ditches;
 - Location, size and typical details of detention/retention facilities; and
 - Location and typical details of the method of discharge of collected storm water to avoid downstream impacts.
- A watershed map should be included in the report. The 100-year floodplain from all significant onsite drainage ways should be clearly shown on the site map. The study should address any potential offsite impacts due to an increase in volume flow, including cumulative effect.
- WQ-2. Water quality impacts, both long- and short-term, should be evaluated. Erosion/sedimentation and "urban" type contaminant impacts should be discussed and appropriate mitigation measures, including Best Management Practices (BMPs) should be identified. Impacts and mitigation measure effectiveness should be quantified wherever possible.
- WQ-3. If the project proposes to use well water, either as its primary source for water supply or as a backup supply, the DEIS should identify any and all potentially significant impacts on the City's wells and private wells in the vicinity, associated with pumping groundwater; the analysis should incorporate discussion of the groundwater recharge capabilities.
- WQ-4. In addition, groundwater and surface water quality impacts associated with wastewater discharge (if not hooking up to the City's sewer system) and storm water runoff should be addressed. The EIS should describe how the project would incorporate onsite storm water detention so there will be no net increase in offsite storm water runoff that could create or exacerbate downstream flooding.

HAZARDS

- HAZ-1. Development of the project will result in the location of a gaming facility and associated improvements in an area surrounded by grasslands, which will increase the fire hazard. The DEIS should discuss this impact and provide mitigation measures.
- HAZ-2. List all fuels, chemicals, solvents, cleaners, lubricants, coolants, biocides, preservatives, and other potential pollutants/toxicants to be handled at the facility and the means by which these materials will be managed, stored, used, contained, cleaned up if spilled, and disposed of/recycled.
- HAZ-3. As a sovereign entity, describe how the facility management will comply with local ordinances, state statutes and regulations related to the health, safety, and welfare of the citizens who live, work and travel within the community. If not subject to State health laws, describe how this project will comply with accepted health standards and mitigate the potential for foodborne illnesses. Facilities with this level of food service and public gathering may provide an environment that is conducive to transmission of illness or disease.

PUBLIC SERVICES

- PS-1. The DEIS should identify and mitigate the impacts to public services provided by the City of Plymouth and County of Amador, including fire protection and law enforcement, maintenance of public facilities (e.g., roads), schools, and other governmental facilities, as a result of the proposed project.
- PS-2. The project has the potential to adversely affect the City of Plymouth and other nearby communities with crime, either directly or indirectly related to the Indian casino. The EIS should include a detailed analysis of crime and traffic violations that can be attributed directly or indirectly to casino operations in similarly situated communities, including the Jackson Rancheria. Specific data would include location of the crimes (i.e., on site vs. offsite); and number of/percent increase in 1) driving violations (drunk driving and traffic accidents); 2) assault and robbery; 3) panhandlers in the vicinity of the casinos; 4) illegal gambling or drinking by minors on the premises; 5) increase in law enforcement activity; and 6) emergency response calls to the site or in close proximity to the site.

PUBLIC FACILITIES AND UTILITIES

- PF-1. Describe how this project will be served by water and sanitary sewer. Particular attention should be given to water supply, treatment and distribution (including the project's effect on local wells and surface water supplying residents in the area); wastewater treatment and disposal; and storm drainage. Other utilities and services to be discussed would include energy use and solid waste disposal.

The project description should identify any wells, pipelines or other conveyance systems. Estimate the quantities of sewage to be generated, and special or unusual characteristics of the sewage in comparison with normal domestic wastewater. Describe any system components that could require regular maintenance such as grease interceptors, lift stations, etc. and outline how they will be serviced and monitored. Include the system's ability to operate at peak usage and to fully service the casino's employees.

- PF-2. Indicate the potential for this project to utilize reclaimed wastewater.
- PF-3. Discuss how this project could assist regional delivery of water and sewer to those areas in the vicinity that are currently lacking.

TRAFFIC AND CIRCULATION

- TRF-1. A traffic study should be prepared by a qualified traffic engineer to assess the project's impact-- each project phase and full project buildout-- on local roadways as well as Highway 49 and Hwy 16. Scenarios should apply the Amador County traffic model and include existing conditions with and without the project; and cumulative conditions with and without the project.
- TRF-2. The traffic study should consider Caltrans' encroachment issues along Highway 49, and consistency with the Amador County Regional Transportation Plan (RTP) and the Plymouth General Plan's Circulation Element.

NOISE

- N-1. Describe any noise generating operations that would occur after normal business hours. State if there will or will not be an outdoor public address system, outdoor audible alarms or music. Indicate where the onsite truck loading and unloading activities are to occur. Estimate the **project-generated traffic noise impacts currently and 20 years out on current and future residential areas along Hwy 49 and area roadways.**
- N-2. The proposed project has the potential to be inconsistent with the Plymouth General Plan's Noise Element--specifically, Goal 2.5.1 and Policies 2.5.4 and 2.5.5. The EIS should discuss these potential inconsistencies and make a determination as to what extent the ambient and nuisance noise can be reduced to a less-than-significant level.

VISUAL RESOURCES

- VIS-1. The proposed project site is located on a portion of Hwy 49 that has been designated by Plymouth in its General Plan as a scenic corridor. The proposed project should give sufficient detail with respect to architectural features, landscaping, exterior lighting, and signage to sufficiently evaluate the aesthetic qualities of the project. The EIS should include photo simulations showing the change in view sheds from not only the adjacent properties, but for travelers coming from the north and south on Highway 49. The photo simulations should show the visual change soon after project construction as well as with the mature landscape. The report should also provide an analysis of the aesthetic impacts associated with increased light and glare from the project area, including illumination of the night sky in this rural area.

CUMULATIVE EFFECTS

- CUM-1. The DEIS should identify and mitigate, where possible, the cumulative impacts associated with the development project, with particular emphasis in the areas of traffic, noise, air quality, groundwater, and surface water resources. The environmental consultant should consult with the City of Plymouth and Amador County Planning Department to determine which development projects that are planned, pending and/or approved should be considered in the cumulative analysis.

ALTERNATIVES TO THE PROPOSED PROJECT

- ALT-1. Even though alternatives to the proposed project that will be considered are likely to be located outside the City limits, the environmental and socio-economic effects of a casino project anywhere in the vicinity of the City of Plymouth would be substantial. Any of the DEIS' offsite alternatives, whether inside the City limits or in unincorporated Amador County, should include a detailed analysis of the alternatives' effects on Plymouth, both beneficial and adverse, and a determination made as to their consistency with the City's General Plan goals and policies.

MITIGATION MEASURES

Since NEPA does not require federal agencies to carry out mitigation measures that would reduce or eliminate significant environmental impacts, the EIS and Mitigation Monitoring Program should identify the following for each mitigation measure:

1. Responsible Party
2. Monitoring Authority
3. Timing of Implementation
4. Monitoring Schedule
5. Funding Source
6. Performance Criteria

Thank you for consideration of these comments. If you have any questions or need for clarification on any of the above comments, please don't hesitate to call me at (330) 887-8500.

Best regards,



Eileen C. Shaw, AICP
City Planner

Cc: Bill Allan, Bureau of Indian Affairs
Members of the Plymouth City Council
Members of the Plymouth Planning Commission
Charles Gardner, City Administrator
Michael Dean, City Attorney
John German, City Engineer



City of Plymouth

CALIFORNIA

February 24, 2004

Clay Gregory, Acting Regional Director
U.S. Department of the Interior
Bureau of Indian Affairs-Pacific Region
2800 Cottage Way
Sacramento, CA 95825

Re: Notice of Intent to Prepare Environmental Impact Statement (EIS) for the Proposed Ione Band of Miwok Indians' Trust Acquisition and Casino Project, Plymouth, Amador County, CA

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PUBLIC FACILITIES AND UTILITIES

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The project description should identify any wells, pipelines or other conveyance systems. Estimate the quantities of sewage to be generated, and special or unusual characteristics of the sewage in comparison with normal domestic wastewater. Describe any system components that could require regular maintenance such as grease interceptors, lift stations, etc. and outline how they will be serviced and monitored. Include the system's ability to operate at peak usage and to fully service the casino's employees.

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- PF-3. Discuss how this project could assist regional delivery of water and sewer to those areas in the vicinity that are currently lacking.

TRAFFIC AND CIRCULATION

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- VIS-1. The proposed project site is located on a portion of Hwy 49 that has been designated by Plymouth in its General Plan as a scenic corridor. The proposed project should give sufficient detail with respect to architectural features, landscaping, exterior lighting, and signage to sufficiently evaluate the aesthetic qualities of the project. The EIS should include photo simulations showing the change in view sheds from not only the adjacent properties, but for travelers coming from the north and south on Highway 49. The photo simulations should show the visual change soon after project construction as well as with the mature landscape. The report should also provide an analysis of the aesthetic impacts associated with increased light and glare from the project area, including illumination of the night sky in this rural area.

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ALTERNATIVES TO THE PROPOSED PROJECT

- ALT-1. Even though alternatives to the proposed project that will be considered are likely to be located outside the City limits, the environmental and socio-economic effects of a casino project anywhere in the vicinity of the City of Plymouth would be substantial. Any of the DEIS' offsite alternatives, whether inside the City limits or in unincorporated Amador County, should include a detailed analysis of the alternatives' effects on Plymouth, both beneficial and adverse, and a determination made as to their consistency with the City's General Plan goals and policies.

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1. Responsible Party
2. Monitoring Authority
3. Timing of Implementation
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Thank you for consideration of these comments. If you have any questions or need for clarification on any of the above comments, please don't hesitate to call me at (530) 887-8500.

Best regards,


Eileen C. Shaw, AICP
City Planner

Cc: Bill Allan, Bureau of Indian Affairs
Members of the Plymouth City Council
Members of the Plymouth Planning Commission
Charles Gardner, City Administrator
Michael Dean, City Attorney
John German, City Engineer



City of Plymouth

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Reg Dir. _____ ✓ *4*
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 Response Required. _____
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 SACRAMENTO
 AREA OFFICE

February 24, 2004

Clay Gregory, Acting Regional Director
 U.S. Department of the Interior
 Bureau of Indian Affairs-Pacific Region
 2800 Cottage Way
 Sacramento, CA 95825

Re: Notice of Intent to Prepare Environmental Impact Statement (EIS) for the Proposed Ione Band of Miwok Indians' Trust Acquisition and Casino Project, Plymouth, Amador County, CA

Dear Mr. Gregory:

I have reviewed the NOI to Prepare an EIS for the above-entitled project that proposes to take 208 acres into trust for the purposes of developing a casino, hotel, and supporting facilities. Approximately 11 acres of this land lies within the Plymouth city limits on which the Ione Band is proposing construction of a 120,000 square-foot casino complex. Access to this complex would be taken from Highway 49 at the southern end of the City.

As the City Planner, I am submitting comments on behalf of the City of Plymouth to address the following environmental issue areas with regard to the Draft Environmental Impact Statement (DEIS) that is presently being prepared for the 208-acre development project:

- LAND USE
- POPULATION, EMPLOYMENT AND HOUSING
- BIOLOGICAL RESOURCES
- CULTURAL RESOURCES
- GEOLOGY AND SOILS
- HYDROLOGY AND WATER QUALITY
- HAZARDS
- PUBLIC SERVICES
- PUBLIC FACILITIES AND UTILITIES
- TRAFFIC AND CIRCULATION
- NOISE
- VISUAL RESOURCES
- CUMULATIVE EFFECTS
- ALTERNATIVES TO THE PROPOSED PROJECT
- MITIGATION MEASURES

LAND USE

LU-1. The DEIS should discuss how the entire project is (and is not) consistent with the policies of the Plymouth General Plan. Specific consideration should be given to Goal 2.5.1 that "provides for a balanced and effective arrangement of land uses while maintaining the rural atmosphere, quality of life and separate identity of the City. Include a discussion as to what extent will the casino affect the character and future residential and nonresidential areas in and around Plymouth.

LU-2. The DEIS should discuss how the project will comply with the requirements of the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, State Regional Water Quality Control Board, Caltrans, California Department of Fish and Game, Amador County LAFCO, as well as any other responsible and trustee agency requirements.

LU-3. The DEIS should address potential land use conflicts with adjacent parcels and propose mitigation to address land use compatibility impacts uses in the vicinity of the subject parcel.

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Phone: (209) 245-6941 | Fax: (209) 245-6953

Email: plymouth@volcano.net

- LU-4. The DEIS should address the impacts and propose mitigation relating to the loss of existing agricultural land and the effect on agricultural operations in the vicinity.
- LU-5. The development of the project will result in a substantial change in the present land use of the property. The DEIS should address the impacts associated with the proposed change from the present land use of cattle grazing to the proposed land use of casino, hotel and supporting facilities.

POPULATION, EMPLOYMENT, AND HOUSING

- PEH-1. The DEIS should discuss the growth inducing impacts associated with the increase in development potential in the immediate area as a result of the installation of road, utilities, and other public facility improvements associated with the development of this project.
- PEH-2. The employment analysis should consider the effect on the jobs-housing balance that will result from this project and to what extent the casino workers will have an opportunity to live in Plymouth (and vice versa – to what extent people who reside in the community will be offered employment opportunities with the casino).
- PEH-3. The DEIS should identify job classifications and associated wages, the number of jobs within each classification that will be provided, and to what extent the proposed project will affect unemployment in Plymouth and Amador County overall.
- PEH-4. The analysis should examine to what extent the existing housing supply in Plymouth and other nearby areas of Amador County will meet the demand for housing that is affordable to casino employee households.

BIOLOGICAL RESOURCES

- BR-1. The DEIS should contain a biological resources assessment which identifies sensitive resources that would be affected by the project and provide mitigation of impacts to endangered, threatened or rare species, naturally occurring communities (grasslands), wetlands, vernal pools, vernal pool habitat, and any stream environment zones found within the project area.

CULTURAL RESOURCES

- CUL-1. The DEIS should contain a cultural resources analysis that identifies and mitigates any impacts to paleontological, historical, and archaeological resources located within the project area. The DEIS should include a cultural records search and consultation with the Native American Heritage Commission.

GEOLOGY AND SOILS

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- GS-2. A preliminary geotechnical/soils analysis, prepared by a qualified consultant, should be included with the EIR. This report should describe existing site conditions and, based on field testing, evaluate the soils and geologic properties. The report should discuss construction limitations and provide recommendations and mitigations appropriate for construction of the project. The effects of erosion and seismic influences should also be described in detail and mitigations identified.
- GS-3. The EIS should evaluate potential impacts caused by grading activities in the vicinity of the existing drainage swales/streams. Consider cumulative effects and identify appropriate mitigation for all impacts.
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HYDROLOGY AND WATER QUALITY

In general, the City of Plymouth opposes any use of groundwater by any person, group, corporation, and the casino. The City Engineer has indicated that there is most likely not enough groundwater to supply the proposed casino. A potential scenario is that on a busy night/day the casino the well(s) could go dry. City staff saw this happen first hand one summer at the Fairgrounds during the Amador County Fair. Specifically, the comments related to hydrology and water quality are as follows:

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 - Effect of concentrating runoff in structures and ditches;
 - Location, size and typical details of detention/retention facilities; and
 - Location and typical details of the method of discharge of collected storm water to avoid downstream impacts.

A watershed map should be included in the report. The 100-year floodplain from all significant onsite drainage ways should be clearly shown on the site map. The study should address any potential offsite impacts due to an increase in volume flow, including cumulative effect.

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- WQ-3. If the project proposes to use well water, either as its primary source for water supply or as a backup supply, the DEIS should identify any and all potentially significant impacts on the City's wells and private wells in the vicinity, associated with pumping groundwater; the analysis should incorporate discussion of the groundwater recharge capabilities.
- WQ-4. In addition, groundwater and surface water quality impacts associated with wastewater discharge (if not hooking up to the City's sewer system) and storm water runoff should be addressed. The EIS should describe how the project would incorporate onsite storm water detention so there will be no net increase in offsite storm water runoff that could create or exacerbate downstream flooding.

HAZARDS

- HAZ-1. Development of the project will result in the location of a gaming facility and associated improvements in an area surrounded by grasslands, which will increase the fire hazard. The DEIS should discuss this impact and provide mitigation measures.
- HAZ-2. List all fuels, chemicals, solvents, cleaners, lubricants, coolants, biocides, preservatives, and other potential pollutants/toxicants to be handled at the facility and the means by which these materials will be managed, stored, used, contained, cleaned up if spilled, and disposed of/recycled.
- HAZ-3. As a sovereign entity, describe how the facility management will comply with local ordinances, state statutes and regulations related to the health, safety, and welfare of the citizens who live, work and travel within the community. If not subject to State health laws, describe how this project will comply with accepted health standards and mitigate the potential for foodborne illnesses. Facilities with this level of food service and public gathering may provide an environment that is conducive to transmission of illness or disease.

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- PS-1. The DEIS should identify and mitigate the impacts to public services provided by the City of Plymouth and County of Amador, including fire protection and law enforcement, maintenance of public facilities (e.g., roads), schools, and other governmental facilities, as a result of the proposed project.
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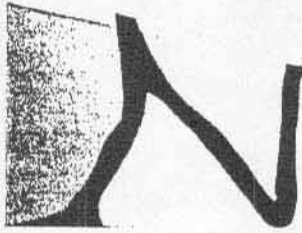
Best regards,



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City Planner

Cc: Bill Allan, Bureau of Indian Affairs
Members of the Plymouth City Council
Members of the Plymouth Planning Commission
Charles Gardner, City Administrator
Michael Dean, City Attorney
John German, City Engineer

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north
fork associates

Fax

To: Bill Allan

From: Eileen Shaw

Fax: (916) 978-6055

Pages: 6

Date: 2/24/2004

Re: Notice of Intent

CC: [Click here and type name]

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For Review

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Please Reply

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• **Comments:**



City of Plymouth

CALIFORNIA

February 24, 2004

Clay Gregory, Acting Regional Director
 U.S. Department of the Interior
 Bureau of Indian Affairs-Pacific Region
 2800 Cottage Way
 Sacramento, CA 95825

Re: Notice of Intent to Prepare Environmental Impact Statement (EIS) for the Proposed Ione Band of Miwok Indians' Trust Acquisition and Casino Project, Plymouth, Amador County, CA

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- | | |
|--------------------------------------|--|
| ▪ LAND USE | • PUBLIC FACILITIES AND UTILITIES |
| • POPULATION, EMPLOYMENT AND HOUSING | • TRAFFIC AND CIRCULATION |
| • BIOLOGICAL RESOURCES | • NOISE |
| • CULTURAL RESOURCES | • VISUAL RESOURCES |
| • GEOLOGY AND SOILS | • CUMULATIVE EFFECTS |
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| • HAZARDS | • MITIGATION MEASURES |
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VISUAL RESOURCES

- VIS-1. The proposed project site is located on a portion of Hwy 49 that has been designated by Plymouth in its General Plan as a scenic corridor. The proposed project should give sufficient detail with respect to architectural features, landscaping, exterior lighting, and signage to sufficiently evaluate the aesthetic qualities of the project. The EIS should include photo simulations showing the change in view sheds from not only the adjacent properties, but for travelers coming from the north and south on Highway 49. The photo simulations should show the visual change soon after project construction as well as with the mature landscape. The report should also provide an analysis of the aesthetic impacts associated with increased light and glare from the project area, including illumination of the night sky in this rural area.

CUMULATIVE EFFECTS

- CUM-1. The DEIS should identify and mitigate, where possible, the cumulative impacts associated with the development project, with particular emphasis in the areas of traffic, noise, air quality, groundwater, and surface water resources. The environmental consultant should consult with the City of Plymouth and Amador County Planning Department to determine which development projects that are planned, pending and/or approved should be considered in the cumulative analysis.

ALTERNATIVES TO THE PROPOSED PROJECT

- ALT-1. Even though alternatives to the proposed project that will be considered are likely to be located outside the City limits, the environmental and socio-economic effects of a casino project anywhere in the vicinity of the City of Plymouth would be substantial. Any of the DEIS' offsite alternatives, whether inside the City limits or in unincorporated Amador County, should include a detailed analysis of the alternatives' effects on Plymouth, both beneficial and adverse, and a determination made as to their consistency with the City's General Plan goals and policies.

MITIGATION MEASURES

Since NEPA does not require federal agencies to carry out mitigation measures that would reduce or eliminate significant environmental impacts, the EIS and Mitigation Monitoring Program should identify the following for each mitigation measure:

1. Responsible Party
2. Monitoring Authority
3. Timing of Implementation
4. Monitoring Schedule
5. Funding Source
6. Performance Criteria

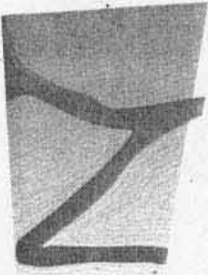
Thank you for consideration of these comments. If you have any questions or need for clarification on any of the above comments, please don't hesitate to call me at (530) 887-8500.

Best regards,



Eileen C. Shaw, AICP
City Planner

- Cc: Bill Allan, Bureau of Indian Affairs
 Members of the Plymouth City Council
 Members of the Plymouth Planning Commission
 Charles Gardner, City Administrator
 Michael Dean, City Attorney
 John German, City Engineer



north
Associates
fork

110 Maple Street, Suite 100
Auburn, CA 95603

Bill Allan
US Department of the Interior
Bureau of Indian Affairs-Pacific Region
2800 Cottage Way
Sacramento, CA 95825



95825+1445 47



Comment #91

November 19, 2003

Bureau of Indian Affairs

Hello,

I am at this meeting tonight to voice my opposition to the proposed casino in Plymouth. Although I do not live within the city limits of Plymouth I live in the very near vicinity.

I recently moved here from a semi-rural area where development of a housing tract down the road caused damage through increased traffic and the resultant noise, light and air pollution. Building the proposed casino will generate these very real problems, in a major way, given the estimate of 20,000 additional vehicles per day.

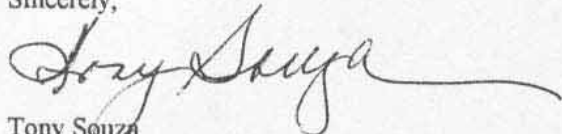
More importantly to me are the costs for services necessary to support the proposed casino if it goes forth. I am not directly impacted by the water and sewage problems, as are the citizens of Plymouth. I would, however, be impacted by the costs to Amador County for Police protection, Fire protection, and road maintenance etcetera necessary to support the proposed casino. I have heard costs to the County estimated at \$800,000 for the Jackson Rancheria Casino alone. These are costs all citizens of Amador County would be paying through increased property taxes and/or special assessment. Amador County is a small County in population so the cost per person increases dramatically.

Another concern for me is the close proximity of the proposed casino to the Jackson Rancheria. Does Amador County need another casino? Will building the second casino so close undermine the Rancheria customer base to the point that there could be two casinos putting even more of a burden on the services of Amador County and its residents? Also, there is already a Casino off of Highway 65 and another proposed casino just off of Highway 50 which are also in close proximity to this proposed casino.

Ethically, I am not against Indian casinos but this proposed casino is not being built on Indian Reservation lands but on land purchased specifically for the project (often the purchases were made in underhanded ways through third parties as rumor has it). This just doesn't seem right.

Thank you for taking the time to hear my reasons for opposition to the proposed casino in Plymouth.

Sincerely,



Tony Souza
5828 Old Sacramento Road
Plymouth, CA 95669

*How do you mitigate?
Light pollution?
Noise pollution?
Air Pollution?*

*Being new in the area I was not aware of
the Buena Vista Casino so all of my concerns
are tripled!*

February 4, 2004

Bureau of Indian Affairs

Hello,

I am at this meeting tonight to voice my opposition to the proposed casino in Plymouth. Although I do not live within the city limits of Plymouth I live in the *very near vicinity*.

I recently retired to Amador County from a semi-rural area where development of a housing tract, and the shopping facilities that it spawned, caused irreparable damage to the rural atmosphere through increased traffic and the resultant noise, light and air pollution. Building the proposed casino will generate these very real problems, in a major way, given the estimate of 20,000 additional vehicles per day. *Once the casino is built there is no way to recover the rural atmosphere or reverse the noise, light and air pollution that it will generate. Once they are gone they are gone!!!*

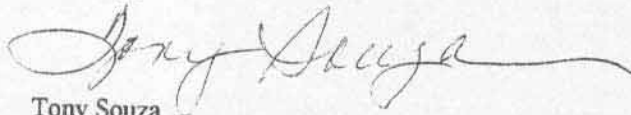
Also important to me are the costs for services necessary to support the proposed casino if it goes forth. I am not directly impacted by the water and sewage problems, as are the citizens of Plymouth. I would, however, be impacted by the costs to Amador County for Police protection, Fire protection, and road maintenance etcetera necessary to support the proposed casino. I have heard costs to the County for these services estimated at \$800,000 a year, for the Jackson Rancheria Casino alone, and *the Jackson Rancheria doesn't serve alcohol as the new casino would. Alcohol* would increase the dollar amount of these services dramatically. These costs are costs all citizens of Amador County would be paying through increased property taxes and/or special assessment. Amador County is a small County in population and revenue so the cost per person increases dramatically.

Another concern for me is the close proximity of the proposed casino to the Jackson Rancheria. Does Amador County need another casino? Will building another casino so close undermine the Rancheria customer base to the point that there could be two failing casinos putting even more of a burden on the services of Amador County and its residents? Also, there is already a Casino off of Highway 65 and another proposed casino just off of Highway 50 which are also in close proximity to this proposed casino.

Ethically, I am not against Indian casinos but this proposed casino is not being built on Indian Reservation lands but on land purchased specifically for the project. This just doesn't seem right. If the tribes are allowed to buy land for such projects then the project should conform to all the rules regulations and taxes just as say a Walmart or Safeway would. Why is this land transferred into trust? Why are the tribes exempted from all of the laws of the Cities, Counties and State where their casinos are concerned? The tribes enjoy all of the amenities and protections afforded by such governments outside of their casino lands.

Thank you for taking the time to hear my reasons for opposition to the proposed casino in Plymouth, California.

Sincerely,



Tony Souza
5828 Old Sacramento Road
Plymouth, CA 95669

Comment #92

130

February 3, 2004

The Honorable Gale A. Norton, Secretary
United States Department of the Interior
1849 C Street NW
Washington, DC 20240

RECEIVED

2004 FEB 11 10 47

FEB 27 2004

Hello,

EXECUTIVE SECRETARIAT

I am writing this letter to voice my opposition to the proposed casino in Plymouth, California. Although I do not live within the city limits of Plymouth I live in the *very near vicinity*.

I recently retired to Amador County from a semi-rural area where development of a housing tract, and the shopping facilities that it spawned, caused irreparable damage to the rural atmosphere through increased traffic and the resultant noise, light and air pollution. Building the proposed casino will generate these very real problems, in a major way, given the estimate of 20,000 additional vehicles per day. *Once the casino is built there is no way to recover the rural atmosphere or reverse the noise, light and air pollution that it will generate. Once they are gone they are gone!!!*

Also important to me are the costs for services necessary to support the proposed casino if it goes forth. I am not directly impacted by the water and sewage problems, as are the citizens of Plymouth. I would, however, be impacted by the costs to Amador County for Police protection, Fire protection, and road maintenance etcetera necessary to support the proposed casino. I have heard costs to the County for these services estimated at \$800,000 a year for the Jackson Rancheria Casino alone, and *the Jackson Rancheria doesn't serve alcohol as the new casino would. Alcohol would increase the dollar amount of these services dramatically. These costs are costs all citizens of Amador County would be paying through increased property taxes and/or special assessment. Amador County is a small County in population so the cost per person increases dramatically.*

Another concern for me is the close proximity of the proposed casino to the Jackson Rancheria. Does Amador County need another casino? Will building another casino so close undermine the Rancheria customer base to the point that there could be two failing casinos putting even more of a burden on the services of Amador County and its residents? Also, there is already a Casino off of Highway 65 and another proposed casino just off of Highway 50 which are also in close proximity to this proposed casino.

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Thank you for taking the time to hear my reasons for opposition to the proposed casino in Plymouth, California.

Sincerely,

Tony Souza
EXECUTIVE SECRETARIAT
OFFICE OF THE

Tony Souza
5828 Old Sacramento Road
Plymouth, CA 95669

RECEIVED

701008

RECEIVED
FEB 18 2004
BUREAU OF INDIAN AFFAIRS
OFFICE OF INDIAN GAMING MANAGEMENT

Comment #93

IONE BAND OF MIWOK INDIANS - FEE-TO-TRUST PROJECT
November 19, 2003 - 6:00 - 9:00 PM
Amador County Fairgrounds

COMMENT SHEET

Your Name: Gary Thomas

Your Organization: Ione City Council

How will the traffic impacts
to the city of Ione be
Mitigated.

The additional traffic will affect
the quality of life for Ione
Residents.

Comment #94

*Open Letter to the Bureau of Indian Affairs, the National Indian Gaming Commission,
the City of Plymouth, Amador County and the Citizens of Our Community.*

November 14, 2003

For the record, the Ione Band of Miwok Indians, which was acknowledged on March 22, 1994, as having tribal political status, has not requested a public meeting or public scoping session with the Bureau of Indian Affairs (BIA). Apparently, the BIA, acting on its own without a formal request or application, has scheduled this session for November 19, 2003 at the Amador County Fairgrounds in Plymouth from 6:00 PM – 9:00 PM or until all comments are received to discuss land into trust in and around the jurisdictions of the City of Plymouth and the contiguous land identified within Amador County to develop an Indian casino or for any purpose.

The publication by the BIA in the Federal Register [*Federal Register: November 7, 2003 (Volume 68, Number 216)*] [*Notices*] [*Page 63127-63128*] was not requested nor approved by the hereditary government of the Ione Band of Miwok Indians identified at the time of status clarification by the agents of the BIA, March 22, 1994 and the leadership headed by Nicolas Villa, Jr., Hereditary Chief.

The Ione Band of Miwok Indians does not recognize the authority of the BIA nor the BIA urbanized imposter group comprised of BIA line officers and members of terminated Indian groups to develop or conduct business in the name of the Ione Band of Miwok Indians for any purpose including, but not limited to, the proposed gaming casino in and near the City of Plymouth. The Ione Band of Miwok Indians does not recognize the dishonest proceedings to relinquish our inherent sovereign rights for this or any purpose.

The Ione Band of Miwok Indians does not have a management agreement to do gaming with the IKON group and it's principals which include, but are not limited to, Roger Stone, Bud Smith, Dick Moody, and Lyle Berman for the proposed gaming casino project. The Ione Band of Miwok Indians has never accepted or received financial resources from the IKON group.

The Ione Band of Miwok Indians does not have an agreement with the law firms of Paul Alexander, Thomas W. Fredericks or their associates to represent the tribe at any time for any purpose including, but not limited to, the proposed Plymouth gaming project.

It is not the intent of the Ione Band of Miwok Indians to enter into an agreement with the City of Plymouth or the management group known as IKON and we adamantly oppose the proposed casino in the City of Plymouth.

Nicolas Villa, Jr.
Hereditary Chief
Ione Band of Miwok Indians
E-mail: mtec02@juno.com

Comment #95

ALEXANDER, BERKEY, WILLIAMS & WEATHERS LLP

ATTORNEYS AT LAW
www.abwwlaw.com

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FAX: (510) 548-7080

1930 18TH STREET N.W., SUITE B2
WASHINGTON, D.C. 20009
PH: (202) 797-2548
FAX: (202) 797-2550

CURTIS G. BERKEY (CA, D.C.)
SCOTT W. WILLIAMS (CA, VA)
THOMAS WEATHERS (CA)
MEREDITH D. DRENT (CA)

PAUL ALEXANDER (D.C.)

Reg Dir. _____
Dep Reg Dir. _____
Reg Adm Officer _____
Route APM _____
Response Required _____
Due Date _____
Memo _____ Ltr _____
Tele _____

FAX COVER SHEET

TO: Clay Gregory
Bill Allen
U.S. Dept. of Interior, Bureau of Indian Affairs

FAX NO: (916) 978-6099

FROM: Tom Weathers

DATE: December 1, 2003

RE: Ione Band of Miwok Indians Land Application

NUMBER OF PAGES INCLUDING FAX COVER SHEET: 3

Copy to Bill Allen

Original will not follow

ORIGINAL WILL FOLLOW

- X First Class Mail
- Overnight Service
- Courier
- Other

Notes:

cc: Ione Band Tribal Council (209)247-6636
Ikon Group, LLC (320)252-7058

ALEXANDER, BERKEY, WILLIAMS & WEATHERS LLP

ATTORNEYS AT LAW
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2000 CENTER STREET, SUITE 308
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FAX: (510) 548-7080

CURTIS C. BERKEY (CA, D.C.)
SCOTT W. WILLIAMS (CA, WA)
THOMAS WEATHERS (CA)
MEREDITH D. DEBENT (CA)

1030 14TH STREET N.W., SUITE B9
WASHINGTON, D.C. 20009
PH: (202) 797-2548
FAX: (202) 797-2550

PAUL ALEXANDER (D.C.)

December 1, 2003

**VIA FAX (916) 978-6099
AND U.S. MAIL**

Clay Gregory, Acting Regional Director
Bill Allen, Regional Environmental Protection Specialist
Pacific Regional Office
U.S. Dept. of Interior, Bureau of Indian Affairs
2800 Cottage Way
Sacramento, CA 95825

Re: Application of lone Band of Miwok Indians to take certain lands in Amador County, California into trust on behalf of the Tribe for gaming and other purposes

Dear Mr. Gregory and Mr. Allen:

We serve as general counsel to the lone Band of Miwok Indians, a landless federally recognized Indian tribe based in Amador County, California. The Tribe has asked our assistance in compiling and processing an application to take certain lands in Amador County into trust for gaming and other purposes under Section 5 of the Indian Reorganization Act, 25 U.S.C. § 465. The application will also request that the Secretary of the Interior declare said lands to be the Tribe's formal reservation. We will be sending you the actual application in the very near future.

For now, we provide the following information as requested by Mr. Allen. As you know, the lone Band of Miwok Indians has no land in trust set aside for its use and benefit. The Tribe seeks to acquire and place into trust approximately 208 acres in and about the City of Plymouth, Amador County, California. This land is within the historic aboriginal territory of the Tribe. The Tribe has purchased options on the land and will take full ownership of the land prior to transfer to the United States in trust for the benefit of the lone Band of Miwok Indians. The land to be taken into trust is as follows:

Mr. Gregory
Mr. Allen
December 1, 2003
Page 2

Reference Number	Parcel Number (APN)	Acreage
1	08-110-009	137.78±
2	08-110-022	7.86±
3	08-110-026	60.0±
4	10-200-003	0.64±
5	10-200-004	2.68±
6	10-200-006	1.65±
7	10-200-007	1.19±
8	10-200-008	0.53±
9	10-200-009	0.81±
10	10-200-010	1.56±
11	10-200-011	1.22±
	Total	208.06

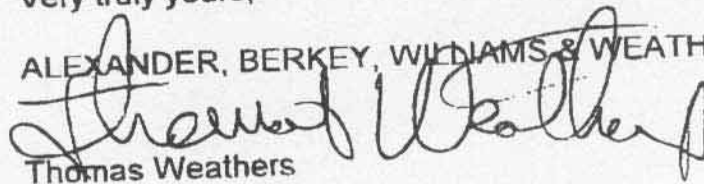
The application will address the requirements to take land into trust as set forth in 25 C.F.R. part 151, and will include the standards governing the operation of a gaming facility on lands acquired after 1988 as set forth in the Indian Gaming Regulatory Act, 25 U.S.C. § 2719.

We are aware of the consultation process that must occur with State and local governments. We are also aware of the concerns that the State and local governments may have regarding trust acquisitions and gaming operations, and are prepared to address those concerns to facilitate this process. We appreciate your support and eventual approval of the application, which would provide the lone Band of Miwok Indians with an integral and necessary component to the Tribe's governmental, cultural, social, political, and economic aspirations.

Please call if you have any questions or comments.

Very truly yours,

ALEXANDER, BERKEY, WILLIAMS & WEATHERS LLP



Thomas Weathers

cc: lone Band Tribal Council
Ikon Group, LLC

ALEXANDER, BERKEY, WILLIAMS & WEATHERS LLP

Comment #96

75
Elaine Zorbas
P.O. Box 92
Fiddletown, CA 95629

February 4, 2004

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

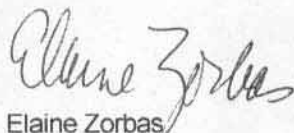
Dear Mr. Gregory:

I recently attended an informational meeting featuring the Executive Director of the Amador County Regional Transportation Commission. At this meeting, Mr. Charles Field presented 2004 Regional Transportation Plan update. This plan features existing households and subdivisions, and does not take into account new projects currently in the planning stages. Even with the current traffic and road conditions, funding at all levels is inadequate to address needed improvements. Given the financial crisis in county, state, and federal funding, our county faces the real prospect of increased traffic congestion and unsafe conditions without road improvement.

Road improvement projects planned for Plymouth in the 2004 update are relatively minor – a right turn lane at Main Street and Fiddletown Road, intersection improvements, and improvements through the City of Plymouth (Main Street). Although minor, funding for these projects is not assured.

We ask that you take the regional transportation situation under consideration when addressing the potential traffic impacts sure to result from a casino in Plymouth. Major funding would be required to address such changes as road widening. The Jackson Rancheria has had a deleterious impact on road safety and traffic. We can anticipate a similar situation with the Plymouth Casino, which must be addressed with funding in place before the casino is put into trust. This issue concerns all of us who regularly use Highway 49 in the Plymouth area.

Sincerely,


Elaine Zorbas