

**FOR IMMEDIATE RELEASE**

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## **Yocha Dehe Slams Biden Admin’s “Sorry Excuse” for an Environmental Assessment of Casino Project in Public Comments Released TODAY**

*~ Yocha Dehe submitted comments to the Department of the Interior on the Scotts Valley Casino Project Environmental Assessment at the close of the rushed 45-day public comment period ~*

*Yocha Dehe: EA includes “Incomplete, missing, and absurdly inaccurate site plans, some of which purport to show water flowing uphill.”*

*A link to download the comments is [here](#).*

VALLEJO, CA/BROOKS, CA – **Today, Thursday, August 29**, the Yocha Dehe Wintun Nation released its [official comments](#) on the Department of the Interior (the Department) Bureau of Indian Affairs (BIA) [Environmental Assessment](#) of the Scotts Valley Band of Pomo Indians proposal to bulldoze a Patwin cultural site in order to build a casino—backed by Las Vegas developers—in Vallejo, CA, where the Pomo have no ancestral ties.

Yocha Dehe’s comments highlight that the EA—which was [released](#) in secret over the 4<sup>th</sup> of July holiday weekend—fails to discuss or disclose the significant environmental and cultural consequences of this project, calling it a “sorry excuse” for an environmental review that fails to meet even the most basic requirements of federal law. The tribe described the EA is an “indecipherable mess” which contains several instances of what appears to be intentional manipulation of data.

**“It is a sorry excuse for environmental analysis – less a good-faith attempt to identify and avoid environmental harm than a rushed effort to reach a pre-determined outcome,”** said the Tribe in its comments. **“In their haste to justify Scotts Valley’s Project, the document’s preparers have glossed over, dismissed, or entirely failed to address obviously significant impacts to cultural resources, protected species, wetlands, water, air quality, traffic, and environmental justice, among others. And, more fundamentally, they have ignored clear evidence, in Scotts Valley’s own grading plans, that the Project simply cannot be constructed as proposed,”** the comments added.

Yocha Dehe’s official comments— submitted at the end of BIA’s abbreviated notice period — detail how the EA relies on out-of-date information, fails to consider contrary data and

evidence, leaves significant information gaps, and, in both its preparation and its contents, has excluded Patwin tribes and fails to incorporate important indigenous knowledge.

The Tribe wrote that the **“draft EA prepared for the Scotts Valley Casino fails to meet even the most basic requirements of NEPA.”** They added that the EA is **“riddled with examples of outdated, low quality, or otherwise [un]reliable data,”** including **“incomplete, missing, and absurdly inaccurate site plans, some of which purport to show water flowing uphill.”**

Specifically, the Yocha Dehe comments outline how the EA fails to include any mitigation measures for the destruction of critical habitats for multiple endangered and threatened species; neglects to adequately address air quality concerns; includes a traffic analysis based on fundamentally flawed data, completely misrepresenting the traffic impact that it will cause; fails to provide evidence for its estimation of water usage; neglects to account for the massively significant engineering and construction challenges; and will desecrate a Yocha Dehe cultural site.

More details on the specifics regarding the unacceptable lack of substance are available below.

- **Environmental Impact:** The project site and its surroundings are home to numerous protected species and habitats that will be significantly impacted due to extensive grading, development, light, noise, vehicle traffic, and human activity. The EA improperly dismisses the fact that threatened and endangered species and their habitats will be wiped out and fails to provide defined or enforceable mitigation measures to preserve protected habitats. Additionally, the EA ignores the significant impact the project would have on sensitive wetland habitats.
- **Air Quality:** Construction and operation of the project will introduce a massive new source of air emissions into a community that is already identified by regulators as being particularly vulnerable to air pollution. Rather than taking a hard look at this issue, the EA attempts to wave it aside, relying on indefensible (and heavily manipulated) modeling assumptions and strategic omissions to systematically understate the Project’s air quality impacts.
- **Traffic Assessment:** The EA includes a traffic analysis based on fundamentally flawed data—which, in some cases, is nearly 20 years old. Among other things, it fails to provide any analysis of weekend conditions, when traffic is likely to peak; does not study congestion on I-80, SR-37, or other nearby freeways; misrepresents the limited data collection undertaken by the EA’s preparers; and fails to address critical safety issues, including freeway ramps, emergency access, and wildfire evacuation; and is contradicted by recent studies performed for nearby projects.
- **Grading, Drainage, and Stormwater:** The project would require massive amounts of cut and fill on an extremely sensitive site; yet, rather than a serious, thoughtful analysis, the EA offers “cartoonish plans and vague, unsubstantiated assurances,” nothing like the

hard look NEPA requires. It is doubtful that a competent, unbiased environmental professional could reasonably believe the project can be constructed as proposed, with the impacts predicted. “Or perhaps, in a rush to reach a pre-determined outcome, the Department of the Interior was hoping no one would notice.” The project’s grading, drainage, and stormwater materials reveal serious safety concerns and demonstrate that the environmental “commitments” made elsewhere in the EA are impossible and cannot actually be met.

- **Water Resources:** Despite the significant importance of water in California today, the BIA appears to have turned a blind eye to obvious – and, and in some cases, even acknowledged – significant water issues. For example, the EA provides no substantial evidence or justification for its estimate of project water demand; proposes to rely on water supply options that are speculative and illusory; fails to address potentially significant water quality issues; and ignores cumulative projects and impacts.
- **Wildfires:** The EA fails to adequately analyze hazardous materials and wildfire hazard issues posed by the Project.
- **Engineering and Safety Concerns:** The proposed plan for the casino, as outlined in the EA, is physically impossible to build in its current form. The plan includes impossibilities such as water drainages flowing uphill, water flowlines crossing roads six feet above the road’s elevation, and high-voltage transmission lines conflicting with the casino site itself. Additionally, the proposed plan does not account for other engineering requirements, such as a drainage outlet on the east side of the site, flat space for a 1.5-million-gallon water tank, and secondary emergency access as required by California Fire Codes.
- **Cultural Destruction:** Approval of the project would allow a Pomo tribe from a very different part of California, without any ancestral connection to this area, to destroy a Patwin cultural site in order to build its own government headquarters and casino.
- **Missing Solano Ranch Project:** The EA fails to account for – or even to mention – the Solano Ranch project, a mixed-use development consisting of 264 multi-family residential units and 32,725 square feet of commercial space, that is proposed to be built on three of the four parcels that would be placed into trust for Scotts Valley. In other words, Scotts Valley’s proposed trust parcels include a large mixed-use development that is nowhere mentioned in the EA, despite the project having been the subject of years of public notices – in fact, a California Environmental Quality Act notice for Solano Ranch was just issued on May 1, 2024.
- **Missing Hotel Project:** The Scotts Valley proposal includes plans for a hotel and numerous homes, including as many as 100 homes and a 5-story hotel. However, the EA does not address either possibility. The addition of a hotel would further increase the

environmental impact of this project, resulting in more traffic, emissions, threats to protected species, and wetlands fill.

A coalition of local tribes, municipal and County governments, and environmental groups have called on the BIA to prepare a comprehensive Environmental Impact Statement (EIS), as required by the [National Environmental Policy Act \(NEPA\)](#), rather than an incomplete and inadequate EA to shortcut public disclosure and environmental review.

Reflective of the fact that this project calls for an EIS—versus an EA—the Department’s document is 191 pages in length and includes more than 2,000 additional pages of appendices, well above the 75-page limit for the body of an EA.

As a result, the Tribe called on BIA to re-do this assessment, stating, **“It is long past time to restore some integrity to this environmental review process. We must respectfully insist that you re-consider the proposed action and prepare a comprehensive, unbiased EIS evaluating other, less damaging alternatives, in full consultation with affected tribes and local governments.”**

The submission of these comments comes at the heels of new opposition speaking out against the project, including most recently [Governor Gavin Newsom](#).

More information on the project is available at [www.protecttribalhomelands.com](http://www.protecttribalhomelands.com).

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