

PUBLIC NOTICE OF INTENT TO USE NATIONAL ENVIRONMENTAL POLICY ACT ENVIRONMENTAL IMPACT STATEMENT AS THE ENVIRONMENTAL IMPACT REPORT FOR THE NORTH FORK CASINO INFRASTRUCTURE PROJECT

Date: July 24, 2021

California Environmental Quality Act (CEQA) Lead Agency: City of Madera (City)

Project Applicant: North Fork Rancheria of Mono Indians (Tribe)

Project Title: North Fork Casino Infrastructure Project

Project Location: Various locations in the northwestern areas of the City and Madera County related to a casino project located south of Avenue 18 between State Route 99 and Road 23.

PROJECT DESCRIPTION

The Proposed Project consists of the approval of off-site infrastructure improvements to support the North Fork Rancheria Casino Project (Casino Project). The Casino Project will be developed on land held by the United States in trust for the Tribe in Madera County, California (Madera Site), just north of the City and directly south of Avenue 18 between State Route 99 (SR-99) and Road 23. The Proposed Project consists of off-site (i.e., not located on the Madera Site) utility improvements for the provision of sewer, water and electrical services, access and roadway improvements, and implementation of traffic mitigation measures for the Casino Project.

Off-Site Utility Improvements: Wastewater infrastructure improvements included in the Proposed Project consist of the construction and installation of approximately 3,760 feet of 6-inch sewer force main along Golden State Boulevard (Blvd.) that would connect to an existing manhole just north of the intersection of Golden State Blvd. and Avenue 17. Water supply infrastructure improvements included in the Proposed Project consist of a new groundwater well at the northeast corner of the intersection at Avenue 17 and Road 23, just south of the Madera Site. Water pipelines would form a loop system and would exit the Casino Site near the access driveway. The pipeline would run southeast along Golden State Blvd. to the intersection at Avenue 17. From there, the pipeline would run west along Avenue 17 until its intersection with Road 23. The pipeline would connect to existing City water services. The pipeline would then run North along Road 23 until it crosses back to the Madera Site south of the intersection of Road 23 with Avenue 18. A portion of pipe would run northwest along Golden State Blvd. from the site access and would be capped off until future City infrastructure expansion is complete and connected at this secondary location. The Proposed Project would extend an electrical line from the existing above-ground, high-capacity distribution lines along Avenue 17. The proposed electrical line would be installed below ground along Golden State Blvd. from Avenue 17 to the Madera Site. Natural gas for the Proposed Project would be serviced by extending a natural gas line along Golden State Blvd. from an existing 3-inch line in Avenue 17. The natural gas and electrical connections would run from the connection at Avenue 17 west to Golden State Blvd., then northwest along Golden State Blvd. to the access driveway to the Madera Site.

Access and Transportation Infrastructure Improvements: The Proposed Project would widen Golden State Blvd. from the intersection at Avenue 17 north along the eastern border of the Madera Site, continuing the widening as Golden State Blvd. transitions to Avenue 18 along the northern boundary of the Madera Site, and ending the widening at the intersection of Avenue 18 and Road 23 at the northwest corner of the Madera Site. Traffic Mitigation Improvements may include traffic signals with geometry modifications or a roundabout at the locations of SR-99 SB-Road 23/Avenue 18½, SR-99 NB/Avenue 18½, Golden State-Airport/Avenue 17, SR-99 SB/Avenue 17, and SR-99 NB/Avenue 17, and widening of Avenue 17 from Road 26 to Road 27 from two to four lanes.

REGULATORY REQUIREMENTS

Off-site improvements would be constructed on land located outside the Tribe's trust lands that comprise the Madera Site and, thus, require discretionary approvals from the City, and potentially from the County of Madera, Local Area Formation Commission (LAFCO), and/or California Department of Transportation (Caltrans). Issuance of discretionary approvals and permits by the City and other local and State agencies would be subject to CEQA (PRC § 21000 et seq.; 14 CCR §15000 et seq.). CEQA encourages agencies to avoid duplication of environmental documents and provides that when a project requires compliance with both the National Environmental Policy Act (NEPA) and CEQA, and the NEPA document is prepared first, state or local agencies should use the EIS or Finding of No Significant Impact rather than preparing an Environmental Impact Report (EIR) or negative declaration, provided certain criteria are met (CEQA Guidelines section 15221).

The Casino Project has received several federal discretionary approvals, including the issuance of a two-part determination under the Indian Gaming Regulatory Act (25 United States Code [U.S.C.] section 2719(b)(1)(A); 25 Code of Federal Regulations [CFR] Part 292) and the trust acquisition of the approximately 305.49-acre Madera Site by the Bureau of Indian Affairs (BIA) under the Indian Reorganization Act (25 U.S.C. section 5108; 25 CFR Part 151). Prior to the issuance of these federal discretionary approvals, the BIA prepared and adopted a thorough Environmental Impact Statement (EIS) for the Casino Project in accordance with the NEPA. Pursuant to NEPA, the Final EIS (FEIS) included a detailed analysis of impacts resulting from necessary infrastructure improvements associated with the Casino Project, including both on- and off-site utilities, access, and road improvements. The BIA served as the lead agency for preparation of the FEIS and issued a Record of Decision (ROD) in 2011 for the two-part determination and a second ROD in 2012 for the trust acquisition in connection with the Casino Project, analyzed as Alternative A of the FEIS. Following issuance of the RODs, the Casino Project underwent several changes that significantly reduced its size. A CEQA Technical Memorandum (CEQA Memo) was prepared to determine if the evaluation completed under NEPA was sufficient to satisfy the requirements for analyzing the impacts of the Proposed Project under CEQA; and determine whether there are substantial changes in circumstances and/or new information of substantial importance requiring further analysis of the Proposed Project under CEQA. The CEQA Memo was prepared pursuant to Public Resources Code sections 21083.5 and 21083.7 and the provisions of Article 14 of the CEQA Guidelines section 15221 related to the use of NEPA documents in place of the CEQA documentation required of public agencies. The CEQA Memo concluded that no subsequent environmental review is warranted in accordance with CEQA Guidelines §§ 15162 for the Proposed Project; therefore, the FEIS may be relied upon to meet CEQA requirements associated with state and local discretionary approvals for the Proposed Project.

The City has reviewed and considered the FEIS and CEQA Memo and determined that the FEIS complies with CEQA. The FEIS describes the environmental setting and the Proposed Project and analyzes the potential environmental impacts of the Proposed Project. The FEIS meets the requirements for an EIR, and the circulation of the Draft EIS satisfies the public notice and circulation requirements for a Draft EIR specified in CEQA Guidelines section 15087. Accordingly, the City hereby provides notice of its intent to use the FEIS prepared by the BIA as the EIR for the North Fork Casino Infrastructure Project. This public notice is being circulated pursuant to CEQA Guidelines section 15225.

REVIEW PERIOD.

Interested parties may provide written comments on the City's intent to use the BIA's NEPA document in lieu of an EIR. Comments must be received by the City no later than 5 p.m. on September 7, 2021 to gconte@madera.gov with the subject line "North Fork Casino Project," or sent via U.S. mail to the attention of Gary Conte, Planning Manager, City of Madera Planning Department, 205 West 4th Street, Madera, CA 93637. A copy of the CEQA Memo is also available at that location for review.

DOCUMENT AVAILABILITY

The FEIS and the CEQA memo can be viewed at: www.northforkeis.com