

**FINDING OF NO SIGNIFICANT IMPACT  
PROPOSED LITTLE RIVER CASINO GAMING FACILITY EXPANSION,  
HOTEL AND RV CAMPGROUND**

AGENCY: National Indian Gaming Commission

ACTION: Finding of No Significant Impact

SUMMARY:

The Little River Band of Ottawa Indians (Band) has submitted a request to the National Indian Gaming Commission (NIGC) for approval of an Amended and Restated Management Agreement between the Band and Manistee Gaming, LLC to manage the Band's gaming facility, conference center, hotel and RV campground on 147 acres of existing tribal trust land located in Manistee Township, Manistee County, Michigan.

The proposed expansion of the Little River Casino Resort will include additional square footage for gaming, a hotel, a conference center and R.V. campground. Two thousand additional parking spaces will be developed as well. A new public water supply and wastewater treatment plant will be constructed to serve the gaming facility.

An Environmental Assessment (EA) was prepared in 1998, when the current facility was constructed. A supplemental EA that updated the scope of the expansion was prepared in April 2001 to meet the requirements of the National Environmental Policy Act of 1969, as amended (NEPA). The proposed federal action is the approval of the Amended and Restated Management Agreement by the NIGC. Approval of this Agreement will allow the Band to develop and operate the proposed facility as planned.

FOR FURTHER INFORMATION CONTACT:

Steve York, Technical Reviewer  
National Indian Gaming Commission  
1441 L Street N.W.  
Washington, D. C. 20005  
(405) 224-4649

PUBLIC AVAILABILITY:

This Finding of No Significant Impact (FONSI) and the Environmental Assessments on which it is based, will be available to all interested persons and agencies at the following locations:

KEA Engineering  
1420 Kettner Boulevard  
Suite 620  
San Diego, California 92101-2434  
Mr. William Graham, Project Manager  
Phone: (619) 233-1454

Little River Band of Ottawa Indians  
Legal Department Offices  
375 River Street  
Manistee, Michigan 49660  
Mr. Bill Brooks, Tribal Attorney  
Phone: (231) 723-7260

### BACKGROUND:

Gaming is a unique opportunity for the Band to develop an economic base as evidenced by this expansion. This opportunity is afforded the Band under the Indian Gaming Regulatory Act (25 U.S.C. 2701 *et seq.*) and was sanctioned by the State of Michigan through a Tribal/State Gaming Compact approved by the Governor and the Secretary of the Interior.

### ALTERNATIVES CONSIDERED:

Two alternatives were identified and analyzed in the April 2001 EA, "NO ACTION" and the Preferred Alternative.

- (1) Preferred Alternative- described in detail below in description of the proposed project section.
- (2) No Action- which would result in no expansion of the Band's current gaming facility.

### DESCRIPTION OF THE PROPOSED PROJECT:

The Tribe proposes to expand its gaming facility from 35,000 sq.ft. to 125,800 sq.ft. and develop a 13,700 sq.ft. conference center, 62,250 sq.ft. 96- room hotel, and a 44-space RV campground. Two thousand additional parking spaces will be developed as well.

A new public water supply and wastewater treatment plant will be constructed to serve the gaming facility; a 180-unit tribal housing development that will be built adjacent to the project will also be connected to the Public Water Supply and wastewater plant. Two high production wells will be drilled and a 250-thousand gallon elevated storage will be installed for the Public Water Supply. The wastewater treatment facility and drainfield will have a 175,000 gpd capacity and will cover approximately two acres at the northwest corner of the project.

### ENVIRONMENTAL IMPACTS:

A Supplemental EA documenting the planning process and analyzing implementation impacts of the expansion has been completed. No significant unmitigated adverse environmental impacts are indicated by the EA.

The impact on the quality of the human environment is judged to be of minor adverse impact. With implementation of the mitigation measures there will be no significant impacts on public health and safety. The site contains no eligible or listed National Register of Historic Places or any known significant archaeological resources. Compliance with E.O. 11988 has been accomplished with regard to avoiding flood plains and with E.O. 11990 with regard to impacts on wetlands. Consultation with the U.S. Fish and Wildlife Service found that there are no impacts to threatened or endangered species.

The proposed expansion will allow the Band to achieve its long-term goals of sustainable economic growth and provide additional opportunities for tribal members. Revenues

generated by this expansion will allow the Band to expand governmental programs that will benefit the Band and its members.

SUMMARY OF MITIGATION MEASURES:

All mitigation measures identified in the April 2001 Supplemental EA (Chapter 3.0 pages 15-57) shall be implemented. These Mitigation measures are summarized as follows:

*Geology And Soils:* Temporary impacts to on-site soils are anticipated during construction, but these efforts will be limited through erosion and sedimentation controls. Sedimentation and erosion controls will be implemented according to the Michigan Department of Environmental Quality (MDEQ), Division of Land and Water Management regulations. On site environmental monitoring, including emergency measures will be performed during construction to prevent hazardous materials spills.

*Drainage:* The project site will be graded prior to construction and drainage patterns will be altered by project implementation. No adverse drainage effects are anticipated as a result of on site detention facilities.

*Water Quality:* A water quality-monitoring program will be implemented by the Band to assure that all groundwater and surface waters remain in compliance with existing standards. The plan will include: (1) the incorporation of Best Management Practices (BMPs) into project construction methods to prevent erosion; (2) a description of the biofiltration system to be installed during construction of detention ponds to treat storm water runoff from the project site; (3) measures to ensure that detained storm water will not adversely affect groundwater.

*Traffic Circulation:* In order to avoid a potential traffic conflict on M-22 between a southbound left-turn queue at U.S. 31 and northbound left-turn traffic at the southern driveway, the main entrance to the proposed project will be located a minimum of 200 feet to the north of the existing southern access drive. A right-turn lane and associated taper for the relocated main entrance will be utilized. The existing two access drives will be closed. In order to avoid potential unacceptable LOS at the M-22 and U.S. 31 intersection, a traffic signal will be installed, following MDOT warrant procedures.

*Air Quality:* Construction specifications for the project will ensure that active grading areas and stockpiles will be watered when visible dust emissions are observed beyond the project property lines. If soil or sand is tracked on the casino roadways or M-22, the roadways will be swept at least once a day.

*Public Services:* In accordance with the Compact, the Band will continue to remit two percent of net win to the Local Revenue Sharing Board with one eighth going for public safety.

PUBLIC REVIEW:

The Notice of Availability will be published in local newspaper. All Mitigation Measures outlined above will be installed to protect the environment.

DETERMINATION:

In accordance with the National Environmental Policy Act and implementing regulations of the Council on Environmental Quality (40 CFR 1500-1508), I find that the proposed federal action, to approve the Amended and Restated Management Agreement between Manistee Gaming, LLC and the Little River Band of Ottawa Indians, when the mitigation measures are followed, does not constitute a major federal action that would significantly affect the quality of the human environment within the meaning of NEPA. Therefore, an Environmental Impact Statement is not required for this proposal.



Montie R. Deer  
Chairman, National Indian Gaming Commission

Date June 14-2001