



September 8, 2025

"CONSTRUCTING A WAY FOR A BETTER FUTURE"

ECA Newsletter

John's Soapbox

Remember-this is an op-ed piece and I do not speak for the ECA or any of its members in this "Soapbox". These are just my ramblings that hopefully you find thought provoking.

In This Edition:

- A. **Soapbox**-Windsor Koi casino dead?
- B. **ECA Events:** Auction night Nov 1 at Graton Event Center still upcoming as well as the ECA Annual General Membership Meeting 11/18/25 from 12-2pm Sallie Tomato's in Rohnert Park
- C. **Upcoming Committee Meetings** ECA Government Affairs Committee meeting September 23 @ 3-5pm, Sept 23 ECA Executive Meeting @11: -12:00 noon, ECA Board meeting Sept 23 from 12-1:30pm, ECA Spec Meeting Sept 24-25 from 3-4:30 pm, ECA Nominating Committee Meeting will be held at the Exec meeting on Sept 23 from 11:15 to 12 noon
- D. **News:** Hwy 101 celebration!, 5% Retention in effect now!



Are We Done Yet?

It seems we have been hearing, attending meetings, and reading progress reports of the proposed KOI Casino/Hotel in Windsor for many years. I thought the project would suffer from tremendous outrage and "pushback" from local residents along Shiloh Road and other nearby neighborhoods. There was a public outcry. But the real power came from the Graton Tribe and Greg Sarris.

Judge halts Koi casino project near Windsor, faulting feds' approval and that is welcome news for all ECA members.



"Extend a hand whether or not you know it shall be grasped." - Ryunosuke Satoro

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**2025
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The Koi Nation, one of California's federally recognized Native American tribes unveiled plans to build a \$600 million casino resort, Wednesday, Sept. 15, 2021, on 68 acres of vineyards at East Shiloh Rd. right and old Redwood Highway, top, including the structure, left to the open grass oak woodland, middle left.

The Shiloh Resort & Casino remains an elusive dream for the Koi Nation of Northern California.

More than seven months ago, the Biden administration agreed to take 68 acres into trust for the small band of Pomo Indians, with the express intent of developing a major casino just outside Windsor town limits. On Tuesday, a federal judge reset the process, vacating the Department of the Interior's January decision and handing a major legal victory to the Koi's influential court opponent and business rival – [the Federated Indians of Graton Rancheria](#).

The judge, Rita Lin of the U.S. District Court's Northern District of California, blistered the government's handling of the Koi's gaming approval process, ruling that Graton Rancheria, whose ancestral homeland spans Sonoma County, was not adequately consulted.

"DOI railroaded the (Graton) tribe at every turn," she wrote of the Biden administration. "Although there is no requirement that the agency respond to every comment from FIGR, or that it change its position to conform to the preferences of the tribe, the record here supports the inference that the agency had already made up its mind prior to receiving FIGR's input."

Greg Sarris, the Graton Rancheria chairman, in a prepared statement called Lin's ruling "a monumental step toward securing justice after the Biden Interior Department's rushed, illegal rubber stamp of the Koi Nation's proposed casino project on our ancestral tribal lands."

"This final decision is not just a victory for Southern Pomo tribes and Sonoma County communities," Sarris said. "It is a landmark legal victory that all tribes with treasured historical and cultural assets should celebrate. We look forward to working with Interior to repair the damage done to tribes in Sonoma County and beyond."

Sarris' mention of a "final decision" may be premature, as the Koi leadership vowed to continue the fight in the U.S. Court of Appeals for the Ninth Circuit.

"In our view, the government's decision to place our land in trust was thorough, meticulous, and lawful in all respects and the record includes volumes of technical, scientific, and historical data supporting its decision," the tribe said in its own statement. "The Koi Nation is a recognized leader in the protection of sacred and cultural resources and an acknowledged steward of those resources.

"In the end we expect justice to prevail."

Lin's decision is the latest twist in a yearslong legal tussle between Graton Rancheria, which owns the largest casino in the Bay Area, near Rohnert Park, and the Koi Nation, a small Pomo band [with ancestral roots in what is now Lake County](#) but whose members live in Sonoma County.

They seek to join the ranks of tribes with gaming facilities within the county – there are two so far – with a competing casino just a 20-minute drive up Hwy. 101 from Graton Resort and Casino.

Continue on page 4



Honor a Hero. Support the Field.

Field Open November 9-16, 2025

Opening Ceremonies: November 9, 11 am - 2 pm

Closing Ceremonies: November 16, 11 am - 2 pm



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Sponsor the Field

Sponsorship Levels	Patriot \$7,500	All American \$5,000	Hero \$2,500	Stars & Stripes \$1,000
Flags Received	25	10	5	2
Website Logo Placement	Prominent	Large	Standard	Font
Logo on Banner at Field of Honor	Individual	½ Flag	Shared	Shared
Logo on Media & Promo Materials	✓	✓	✗	✗
Invitation to Donor Reception	12 Guests	8 Guests	4 Guests	2 Guests

**All logos due October 15th for print media.*

Graton had secured a temporary restraining order against Biden's interior secretary, Deb Haaland, last December, preventing her department from taking the Shiloh parcel into trust for the Koi. But the court denied Graton's preliminary injunction three weeks later, largely on the government's assurance that there was still adequate time for input, and that the project wouldn't break ground until the beginning of 2026 at the earliest.

Just one business day later, on Haaland's final day as head of the Interior Department, she issued a decision letter granting gaming rights to the Koi in Shiloh. That triggered a lawsuit by Graton Rancheria against Haaland's successor, Doug Burgum, and the Interior Department under President Donald Trump in his second term.

The court jousting continued from there. The Koi filed to stay further proceedings in the case, Graton filed for a summary judgment that would halt the casino approval and Burgum's office filed a cross-motion for summary judgment in its favor. Lin's recent order was meant to settle all of those petitions.

My opinion on this turn of events?

Good for the neighbors
Good for Graton Rancheria
Not so good for contractors

That's All Folks!
John

COMMITTEE NEWS

- A. ECA Executive Committee** Recurring Meeting (Dan Giordani President, Kimber Lenning Carpenter Vice-President, Matt Storm Treasurer, Casey Wood Secretary, Mike Gulley Past President)-Every 4th Tuesday of the month from 11:00am-12:00pm from January through October, Place NCBE small conference room 1030 Apollo Way, Santa Rosa, CA - next meeting Tuesday September 23, 2025 from 11:00am to 12:00pm and the Nominating Committee will be meeting at this time September 23 as well
- B. ECA Board of Directors** Recurring Meeting – Every 4th Tuesday of the month from 12:00pm -1:30pm from January through October, Place – NCBE Main Board Room 1030 Apollo Way, Santa Rosa, CA – next meeting Tuesday September 23, 2025, from 12:00pm to 1:30pm ***Keith Woods to speak on membership drive.***
- C. ECA Government Affairs Committee** Recurring Meeting-Every 4th Tuesday of the month from 1:30pm – 3:00pm from January through October, Place -NCBE small conference room 1030 Apollo Way, Santa Rosa, CA –next Meeting Tuesday, September 23, 2025 from **3:00pm-5:00 pm-** (Chair John Bly, Members Ross Liscum, Keith Woods, Joanne Webster, Dale Mahoney, Mark Soiland, Mike Wolff, John Reid, and Aimi Dutra) -invited guests will be James Gore and Damon Connolly and this will be a joint meeting with the NCBE GAC to interview Gore and Connolly who are running for McGuire's State Senate seat!
- D. ECA Specification Committee Meeting**-Recurring Meeting Every 4th Wednesday of the month from February through October from 3:00pm to 4:30pm, Place-NCBE Main Board Room, 1030 Apollo Way, Santa Rosa, CA – next meeting Wednesday September 24, from 3:00pm to 4:30pm (Chairs Dale Smith/Casey Wood, Antonio Mencarini, John Reid, Geoff Coleman, Jason Nutt. Special guest for 9-24-25 will be the retiring head of Sonoma County PRMD **Tennis Wick!** [Sonoma County planning and permitting director Tennis Wick announces retirement - The North Bay Business Journal](#)
- E. ECA Nominating Committee** will meet Tuesday, September 23 from 11:00 am to 11:30 am at NCBE small conference room. Chair Mike Gulley, Kimber Lenning, Matt Storm, Casey Wood, Mark Soiland and Dan Giordani are the committee members. We will be discussing 2025 Award Nominees, 2026 Board of Directors, and 2026 Officer Candidates
- F. ECA 50 Year Anniversary Committee** (Keith Woods, Mark Soiland, Antonio Mencarini, Casey Wood) will meet Tuesday, September 23, from 11:30-11:35am to discuss new Logo and other ideas for our 50th year anniversary!

Save the DATE!

ECA's Wine & Dozer Annual Dinner & Auction

The ECA Wine & Dozers Auction Committee is hard at work gathering gift certificates, wine, auction items for the upcoming Wine & Dozers auction on **Saturday, November 1st** at the Graton Casino!

The theme this year is Masquerade!

We are now accepting Sponsors for ECA's biggest event of the year!



Wine & Dozers Auction-click [HERE](#) for the sponsorship flyer!





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September 26 @ 9 am—noon



This course covers proper procedures for making entry into Permit Required Confined Spaces. Participants are prepared to operate in the capacity of Entrant, Attendant or Entry Supervisor during confined space operations. Participants are familiarized with CFR 1910.146 and how to properly employ the permit program. This course is a combination of classroom instruction and practical application in actual permit spaces utilizing the appropriate Personal Protective Equipment, meters and ventilation. This course is required by OSHA before an employee can enter a Permit Required Confined Space. Certification of completion is provided.

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From the Desk of Jim Persons

Hand Tool Inspections

There are many injuries while using hand tools on the job. Many of these injuries occur from improper use, but there are also injuries that involve a tool that was broken or in need of repair. What tool is being used will decide what needs to be inspected on it. In this safety talk, we will discuss basic handheld tools that are not electric or pneumatic.

To read more. [Click HERE](#)



ECA EVENTS

Auction-click [HERE](#) for donation handout to your suppliers/vendors and for the event flyer and registration /sponsorship information. Click [HERE](#) to sponsor!

We are seeking a sponsor for our **Annual General Membership Meeting on 11-18-25.**

The program will be several different agencies presenting their upcoming project projections so our ECA members can get an idea of what is “in the pipeline” for projects coming out in 2026 both public works and private projects.

Thank you to PACE Supply for stepping up and sponsoring!

The AGM will also be where we announce the ECA Award winners and new Board and Officers for 2026. Finally, this AGM should be a very important meeting as it will be a chance for membership to say goodbye to Mary as she will retire in December 2025. The ECA will also be saying goodbye to Cheryl Long who has been our bookkeeper for many years, and she is retiring in December as well. A small portion of the AGM will be informing membership what our staffing changes will be to accommodate the two key retirements. Please let’s send Mary and Cheryl off to retirement in style and get a nice big premiere sponsorship to end the year!! We will begin crafting the flyer for this AGM soon, and we want to incorporate the premiere sponsor for the event onto the flyer, so we get maximum “bang for the buck”. The flyer will be sent to most of the public works directors and capitol improvement directors in Sonoma, Napa, and Marin Counties as well as all of our government elected friends and of course, all of the ECA membership. We want to make certain we have a great turnout for this, so your sponsorship will be seen by a lot of influential people in and around the industry!

NEWS YOU CAN USE

Save the Date—MSN 101 Marin-Sonoma Narrows Ribbon Cutting Ceremony
Celebrating the Completion of the Marin-Sonoma Narrows B-7 Highway Project (Last MSN highway car-pool project) October 3, 2025 at 10 am, Olompoli State Historic Park, 8901 Redwood Blvd., Novato, CA

With Governor Newsom's signature to Senate Bill No. 61 on July 14, 2025, California joined a growing number of states that have passed legislation to cap the amount of retention that owners, contractors, and subcontractors can withhold on private construction projects. Although retention for public projects has long been limited to 5% in California, there is currently no statutory limit on retention for private projects (though parties commonly agree on 10%).

Starting January 1, 2026, California Civil Code Section 8811 (the new section of the California Civil Code introduced by Senate Bill No. 61) will require the following for all private construction projects:

5% Cap on Retention

The maximum amount of retention that owners, contractors, and subcontractors can withhold from progress payments will be 5%.

This 5% cap will apply to retention withheld by:

an owner from a direct contractor (i.e., the general contractor)

a direct contractor from a subcontractor

a subcontractor from a lower-tiered subcontractor

So, essentially, this 5% retention cap flows all the way down from the owner to the lower-tiered subcontractors.

Any negotiated retention below the 5% cap between an owner and direct contractor must also flow down to the direct contractor and subcontractors, and from first-tier subcontractors to lower-tiered subcontractors.

The total amount of retention withheld cannot exceed 5% of the project's contract price.

The 5% cap on retention does **not** apply if a direct contractor or subcontractor provides written notice to a subcontractor (before or at the time a bid is requested) that performance and payment bonds are required for the project, and the subcontractor fails to furnish such bonds from an admitted surety.



We want to highlight a member each week in our MEMBER SPOTLIGHT.

What we need from you is a short paragraph on what is happening at your company. New employees, new logo, a new move, exciting news, an update on your company or new equipment!

What ever you want to share about your company with our members.

Email mary@nceca.org with your spotlight information and send in photos if you have them!

USEFUL LINKS TO SUPPORT YOUR BUSINESS

- A. Resilient 37 Policy Committee Meetings (open to the public) – Next meeting March 6, 9:30-11:30 am-link [State Route 37 Policy Committee - Sonoma County Transportation Authority](#)
- B. Metropolitan Transportation Commission website-link [Meetings & Events | Metropolitan Transportation Commission](#)
- C. Sonoma County Transportation Authority-link [Sonoma County Transportation Authority | SCTA](#)
- D. Transportation Authority of Marin Website-link [Transportation Authority of Marin](#)
- E. Marin Builders Exchange website-link [Home - Marin Builders Association, CA](#)
- F. North Coast Builders Exchange website-link [North Coast Builders Exchange – NCBE Online](#)



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WORKER'S COMPENSATION

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HELLO!!! HAVE YOU ASKED YOUR HUMAN RESOURCES PERSON TO CHECK OUT THE WORKERS COMP PROGRAM ECA HAS ENDORSED? Everybody likes to save money, don't they? Doesn't cost you a thing to consider this as an option! Jeff Okrepkie at 707-360-4338.

[Flyer](#)



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EMERGENCY RESPONSE MANUAL ~ 2025—2026

In the event of an emergency, we have put together the Emergency Response Manual to help our community receive quick service from our members. The manual is sent to city and county agencies in case of an emergency so they will know who to call for services, equipment and materials.

Click [HERE](#) for the 2025-2026 manual.

Get Prepared Now! Here are some very useful tips from CalFire to get your own house/property “in shape” for fire season. [link](#)

Pocket Guide for CALOSHA For Contractors: Click [here](#) for the pocket guide you all need!





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The North Bay Construction Corps (NBCC) is an after-school, 3-month basic construction training program for seniors in their last semester of high school. Classes are taught by local contractors and construction managers. Participants are introduced to a variety of trades and earn certifications in Personal Protective Equipment and CPR/First Aid.

Each meeting is led by a contractor or tradesperson who presents information about his/her particular trade and then leads students through a hands-on skill-building activity. There is a strong focus on safety awareness at each meeting.

2025 NBCC Schedule: Click [HERE](#)

For additional information, contact: NBCC Sonoma: Mackenzie Smith
(707) 542-9502 / mackenzie@ncbeonline.com

Save the Dates for 2025!

ECA Luncheon at Glenn Smith's Home –Friday, August 29
Wine & Dozers Auction—Saturday, November 1 at Graton Resort & Casino
ECA Annual General Membership Meeting—November 18th, Sallie Tomato's



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The ECA, and its Board of Directors, has been the voice of the engineering construction industry for almost 50 years.

The foundation of the ECA has been to address local needs and issues.

The purpose and goal of ECA and its staff are to provide services to the members that help them run their businesses safely, efficiently, and in compliance with the many rules and regulations and mandates of government.

The working committees are the heart and soul of the ECA. The committees are comprised of ECA members.

The committees promote events that enable the ECA to fund community projects that include: Fathers Day "Show & Shine" Car Show, Public Officials Night, the Golf Tournament, and, the "Days of Wine & Dozers" Auction Dinner.

NORTHERN CALIFORNIA ENGINEERING CONTRACTORS ASSOCIATION

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