

## **NO CASINO IN PLYMOUTH**

*Working to Preserve Rural Amador County*

P.O. Box 82

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[www.nocasinoinplymouth.com](http://www.nocasinoinplymouth.com)

April 20, 2011

Honorable Dianne Feinstein  
United States Senator  
Attn: Devin Rhinerson  
Senate Hart Building 331  
Washington, C.C. 20510  
FAX: (202)228-3841  
[Devin\\_Rhinerson@feinstein.senate.gov](mailto:Devin_Rhinerson@feinstein.senate.gov)

RE: Support - "Tribal Gaming Eligibility Act"

Dear Senator Feinstein,

Residents of Amador County have been struggling with the issue of "reservation shopping" in the small, rural City of Plymouth for over eight years. The group currently known as the "modern Ione Band of Miwok" (Tribe) has claimed landlessness despite indisputable historical and modern connection to its land base elsewhere in the County. The only contemporary connection to Plymouth is a recently opened office and a few land purchases.

The Tribe has demonstrated no historical ties to these lands in Plymouth. Nonetheless, despite the Department of Interior withdrawing the groups restored status recognizing it was a "wrong" determination, this group's fee-to-trust application for after-acquired lands continues to be processed. This appears to be a fraudulent utilization of the restored-land exception. We strongly support language that calls for established criteria of substantial, direct, modern and aboriginal connections to apply to all after-acquired lands for gaming.

Since 2003, without strict criteria in place to guide fee-to-trust acquisitions for gambling, this community has seen and documented every permutation of abuse of the process by this tribal splinter group. The group has tried to distinguish itself from its historical roots and its land base by rewriting its history with assistance from the Pacific Regional and Washington D. C. Offices of the BIA.

Clear identification of eligibility of the land in question is a necessary first step in clarifying whether acquisition of land for gambling is correct and proper. Further, it is imperative that all determinations are "final agency actions". As things stand now, affected local communities and their representatives continue to be frustrated by an expensive process that plows forward unchecked and unguided wasting precious time and financial resources.

The result of the current state of affairs is that small cities like Plymouth are being driven to their financial knees as attempts to have meaningful input in the process repeatedly go rebuffed by the BIA and a Department claiming no final action has been taken.

No Casino In Plymouth, the electorate of the City of Plymouth and County<sup>1</sup>, and local Representatives opposed illegal gambling expansion in Amador County.

All are grateful for your proactive approach to this problem and willingness to have the courage to tackle it head on to protect not only the disenfranchised non-tribal community but non-gambling tribes as well. You are right, "enough is enough."

Please list No Casino In Plymouth in support of the "Tribal Gaming Eligibility Act"

Sincerely,



Elida A. Malick DVM,  
Director, No Casino in Plymouth  
Former Councilwoman,  
Plymouth City Council  
eam.dvm@gmail.com

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<sup>1</sup> Amador County citizens gave a resounding 84.5% NO vote to the establishment of any more casinos in Amador County.